
Central Valley Regional Water Quality Control Board

10 March 2021

Kamar Singh
DPS Construction
216 F Street, Suite 97
Davis, CA 95616
kamarsingh06@hotmail.com

NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2019-0023, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE SOUTH SACRAMENTO HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, HEDGE 22 PROJECT (WDID#5A34CR00759-005), SACRAMENTO COUNTY

On 13 October 2020, the DPS Construction (Permittee) submitted a Notice of Intent (NOI) to enroll under and comply with Central Valley Regional Water Quality Control Board (Central Valley Water Board) General Order R5-2019-0023, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the South Sacramento Habitat Conservation Plan Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Hedge 22 Project (Project) meets the requirements of, and is hereby enrolled under, General Order R5-2019-0023. You may proceed with your Project in accordance with the Order.

A copy of the General Order R5-2019-0023 can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/sacramento/r5-2019-0023.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/sacramento/r5-2019-0023.pdf).

Please familiarize yourself with the requirements of General Order R5-2019-0023. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order R5-2019-0023 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 6.2-acre Project consists of placing clean soil into wetland habitat to grade the site in preparation for constructing 22 residential lots and an open space lot for a future park. The project will permanently impact 0.434 acre of wetland habitat from placing clean soil into wetland habitat during naturally dry conditions.

No dewatering will occur in the Project Area. No wet concrete will be placed into waters of the United States

PROJECT TYPE:

Residential

ADDITIONAL CONDITION:

The Applicant shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ, as amended for discharges to surface waters comprised of storm water associated with construction activity, including, but not limited to, demolition, clearing, grading, excavations, and other land disturbance activities of one or more acres, or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres.

PROJECT LOCATION:

The Project is located east of the terminus of McCoy Road, one-half mile east of Elk Grove-Florin Road, and one-half mile north of Gerber Road in Sacramento County.

Section 6, Township 7 North, Range 6 East, MDB&M

Latitude: 38.488038° N and Longitude: 121.358733° W

PROJECT SCHEDULE:

1 April 2021 through 31 October 2025

COMPENSATORY MITIGATION:

A copy of the fully executed agreements for the purchase of mitigation credits shall be provided to the Central Valley Water Board prior to the initiation of in-water work.

The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Central Valley Water Board staff has received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

The Permittee shall purchase 0.434 wetland credits from the South Sacramento In-Lieu Fee Program prior to the initiation of in-water work for the permanent impacts to 0.434 acre of wetland habitat.

APPLICATION FEE RECEIVED:

An application fee of \$1,949.00 was received on 25 November 2020. The remaining application fee balance of \$5,521.00 was received on 26 February 2021. The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and was calculated as A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

The Permittee shall implement the avoidance and minimization measures (AMMs) listed in the Hedge 22 Project SSHCP AMM Compliance document dated 23 February 2021.

WATER QUALITY MONITORING:

No sampling is required for the filling of 0.434 acre of wetland habitat during naturally dry conditions.

If you have any questions regarding this Notice of Applicability, please contact Angela Nguyen-Tan at (916)464-0335 or Angela.Nguyen-Tan@waterboards.ca.gov.

Original Signed By James Marshall for:

Patrick Pulupa
Executive Officer

Attachments: Figure 1 – Project Location Map
 Figure 2 – Site Impact Map

cc: [Via email only]

Mary Pakenham-Walsh (SPK-2004-00790)
United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
SPKRegulatoryMailbox@usace.army.mil

Lily Douglas
United States Fish & Wildlife Service
Lily_Douglas@fws.gov

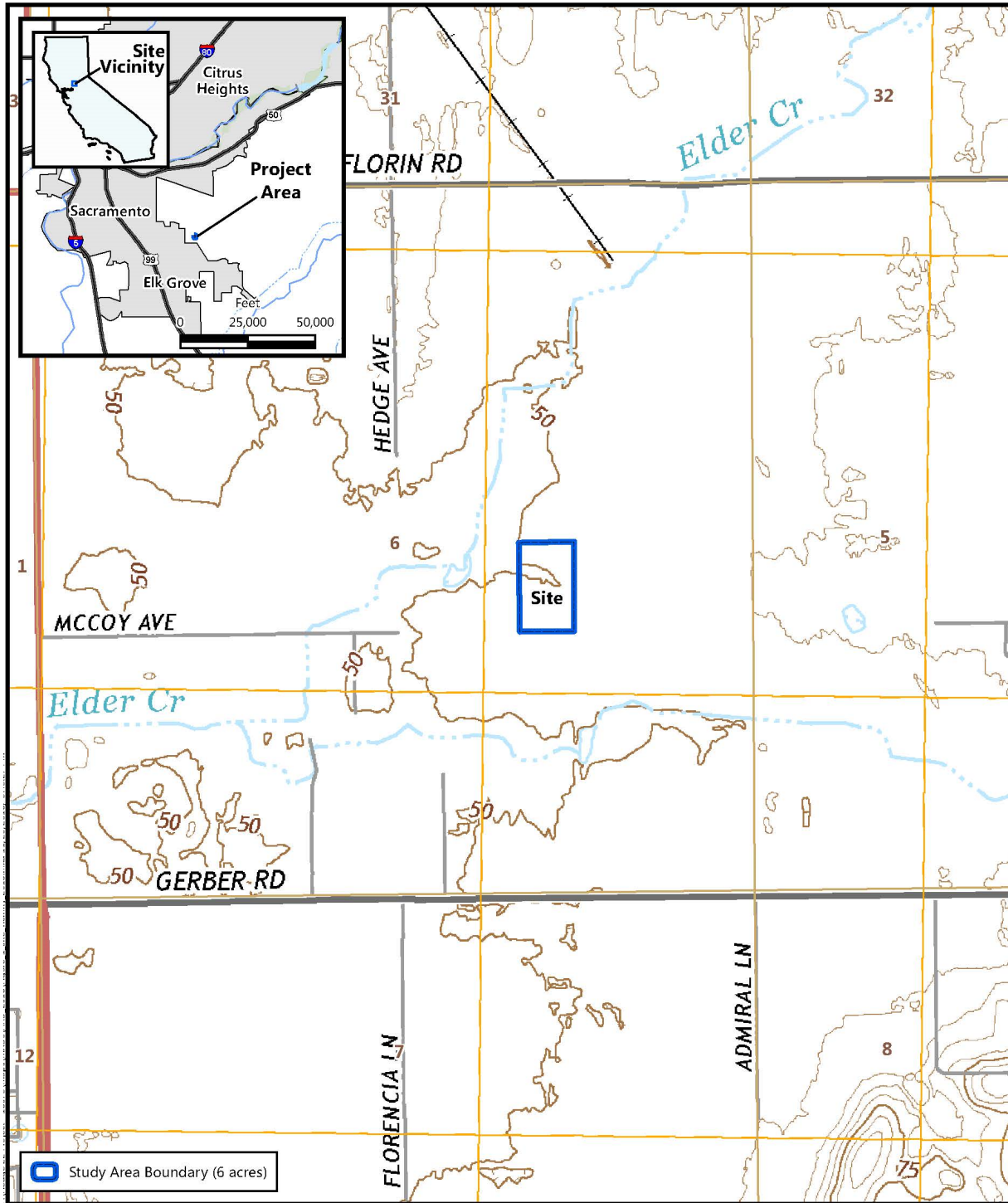
Department of Fish and Wildlife,
Region 2
R2LSA@wildlife.ca.gov

Sam Ziegler
United States Environmental Protection Agency
Ziegler.Sam@epa.gov

CWA Section 401 WQC Program
State Water Resources Control Board
Stateboard401@waterboards.ca.gov

Bill Jennings
CA Sportfishing Protection Alliance
DeltaKeep@aol.com

Ginger Fodge
Madrone Ecological Consulting
gfodge@madroneeco.com



Source: United States Geologic Survey, 2015.
Section 6, Township 7 North, Range 6 East, MDB&M
"Elk Grove, California" 7.5-Minute Topographic Quadrangle
Longitude -121.358733, Latitude 38.488038

Figure 1: Project Location Map

**Figure 1
Site and Vicinity**

Hedge 22
Sacramento County, California





Figure 2: Site Impact Map