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## Central Valley Regional Water Quality Control Board

05 August 2022

Jim Brecher  
Director of Land Acquisition  
JEN CA 23, LLC  
1478 Stone Point Drive  
Roseville Ca, 95661

VIA EMAIL  
JIM@TAYLOR-BUILDERS.COM

### **NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2022-0006 FOR LIMITED THREAT DISCHARGES TO SURFACE WATER; JEN CA 23, LLC, VILLA TICINO WEST PROJECT, SAN JOAQUIN COUNTY**

Our office received a Notice of Intent on 5 July 2022 from JEN CA 23, LLC (hereinafter Discharger), for discharge of dewatered groundwater to surface water. Based on the application packet and subsequent information submitted by the Discharger, staff has determined that the project meets the required conditions for approval under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). This project is hereby assigned Limited Threat General Order R5-2022-0006-004 and National Pollutant Discharge Elimination System (NPDES) Permit CAG995002. Please reference your Limited Threat General Order number, **R5-2022-0006-004**, in your correspondence and submitted documents.

The project activities shall be operated in accordance with the requirements contained in the Limited Threat General Order and as specified in this NOA. You are urged to familiarize yourself with the entire contents of the enclosed Limited Threat General Order ([https://www.waterboards.ca.gov/rwqcb5/board\\_decisions/adopted\\_orders/general\\_orders/r5-2022-0006\\_npdes.pdf](https://www.waterboards.ca.gov/rwqcb5/board_decisions/adopted_orders/general_orders/r5-2022-0006_npdes.pdf)).

### **CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING**

The Limited Threat General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005, also known as the State Implementation Policy (SIP). Screening levels for CTR constituents and other constituents of concern are found in Attachment I of the Limited Threat General Order. Review of your water quality data in comparison to the screening values, showed no reasonable potential for the discharge to cause or contribute to an exceedance of water quality objectives in the South San Joaquin Irrigation District Drain 5, which is tributary to French Camp Slough, a water of the United States.

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MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

## **PROJECT DESCRIPTION**

The Villa Ticino West project is located southeast of the intersection of West Louise Avenue and South Airport Way in Manteca, California. The site is bounded by West Louise Avenue to the north, South Airport Way to the east, vacant agricultural land to the south, and French Camp Outlet Canal to the west. The proposed project includes the construction of 757 single-family residences, underground utilities, paved streets, a basin, landscaping, and associated improvements. Groundwater levels range from 7½ to 23 feet below the existing ground surface and construction dewatering will be necessary during proposed underground utility construction. Dewatering activities are estimated to begin August 2022 and continue for up to approximately 6 weeks.

Review of the water quality data in comparison to the screening values, showed no reasonable potential to cause or contribute to an exceedance of water quality objectives, therefore no treatment is required. Dewatering is estimated to produce up to approximately 3.0 million gallons per day (MGD) during the initial drawdown and an average of 1.7 MGD thereafter. Dewatered groundwater will be discharged to the South San Joaquin Irrigation District Drain 5, which discharges to French Camp Slough.

## **DISCHARGE PROHIBITIONS**

Discharge prohibitions are specified in Section IV Discharge Prohibitions of the Limited Threat General Order. Based on the information provided in the NOI, the following discharge prohibitions are applicable to this discharge:

- Prohibition IV.A
- Prohibition IV.B
- Prohibition IV.C
- Prohibition IV.D. The flow shall not exceed 3.3 million gallons per day (MGD).

## **EFFLUENT LIMITATIONS**

Effluent limitations are specified in Section V Effluent Limitations and Discharge Specifications of the Limited Threat General Order. Based on the information provided in the NOI, effluent limitations are only required for the parameter identified in items 1-2, below:

1. **pH.** The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Lake in Modoc County) shall at all times be within the range of 6.5 and 8.5.
2. **Salinity.** For a calendar year, the annual average effluent electrical conductivity shall not exceed 700 µmhos/cm.

## **RECEIVING WATER LIMITATIONS**

The Limited Threat General Order includes receiving surface water limitations in Section VIII.A. Based on the information provided in the NOI, only the following receiving surface water limitations are applicable to this discharge:

- Bacteria (VIII.A.2);
- Biostimulatory substances (VIII.A.3);
- Chemical constituents (VIII.A.4);
- Color (VIII.A.5);
- Dissolved oxygen (VIII.A.6.a);
- Floating material (VIII.A.7);
- Oil and grease (VIII.A.8);
- pH (VIII.A.9.a);
- Pesticides (VIII.A.10);
- Radioactivity (VIII.A.11);
- Suspended sediments (VIII.A.12);
- Settleable substances (VIII.A.13);
- Suspended material (VIII.A.14);
- Taste and odors (VIII.A.15);
- Temperature (VIII.A.16.a);
- Toxicity (VIII.A.17); and
- Turbidity (VIII.A.18.a).

### **MONITORING AND REPORTING**

Monitoring and reporting requirements are contained in Attachment C of the Limited Threat General Order. The Discharger is required to comply with the following specific monitoring and reporting requirements for the effluent and receiving water in accordance with Attachment C of the Limited Threat General Order.

**Monitoring Locations** – The Discharger shall monitor the effluent and receiving water at the specified location as follows:

**Table 2. Monitoring Station Locations**

<b>Discharge Point Name</b>	<b>Monitoring Location Name</b>	<b>Monitoring Location Description</b>
001	EFF-001	A location where a representative sample of the effluent can be collected prior to discharging to Drain 5.
	RSW-001	Drain 5, approximately 200 feet upstream from the point of discharge.
	RSW-002	Drain 5, Approximately 200 feet downstream from the point of discharge.

**Effluent Monitoring** – When discharging to surface water, the Discharger shall monitor the effluent at EFF-001 in accordance with Effluent Monitoring Tables of the Limited Threat General Order and this NOA. The applicable monitoring requirements are as follows in Table 3 and subsequent Table 3 Notes:

**Table 3. Effluent Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Flow	MGD	Calculated	1/Day
Dissolved Oxygen (DO)	mg/L	Grab	1/Week
Electrical Conductivity @ 25 °Celsius (°C)	µmhos/cm	Grab	1/Week
pH	standard units	Grab	1/Week
Temperature	°F	Grab	1/Week
Turbidity	NTU	Grab	1/Week

**Table 3 Notes**

- Electrical conductivity, pH, turbidity, temperature, and DO.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
- All parameters, except flow.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

**Receiving Water Monitoring** - When discharging to surface water, the Discharger shall monitor the receiving water at RSW-001 and RSW-002, in accordance with the Receiving Water Monitoring Table of the Limited Threat General Order and this NOA. The applicable monitoring requirements are as follows in Table 4 and subsequent Table 4 Notes:

**Table 4. Receiving Water Monitoring Requirements**

Parameter	Units	Sample Type	Monitoring Frequency
Dissolved Oxygen	mg/L	Grab	1/Week
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Week
pH	standard units	Grab	1/Week
Temperature	°F	Grab	1/Week
Turbidity	NTU	Grab	1/Week

**Table 4 Notes**

- All parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
- All parameters except for hardness.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated

and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained by the Discharger.

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-001 and RSW-002. Attention shall be given to the presence or absence of:

- a. Floating or suspended matter
- b. Discoloration
- c. Bottom deposits
- d. Aquatic life
- e. Visible films, sheens, or coatings
- f. Fungi, slimes, or objectionable growths
- g. Potential nuisance conditions

Notes on receiving water conditions shall be summarized in the Monitoring Report.

**Monitoring Report Submittals** - Monitoring in accordance with the Limited Threat General Order shall begin upon initiation of discharge. Monitoring Reports shall be submitted to the Central Valley Water Board on a quarterly basis, beginning with the **Third Quarter 2022**. This report shall be submitted on **1 November 2022**. All Monitoring Reports shall specify the dates during the monitoring period the discharge did or did not occur. If discharge has not begun there is no need to monitor. However, a certified Monitoring Report must be submitted stating that there has been no discharge. Table 5, below, summarizes the Monitoring Report due dates required under the Limited Threat General Order. Quarterly Monitoring Reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge during the reporting quarter.

**Table 5. Monitoring Periods and Reporting Schedule**

<b>Monitoring Period for All Sampling Frequencies</b>	<b>Quarterly Report Due Date</b>
First Quarter (1 January through 31 March)	1 May
Second Quarter (1 April through 30 June)	1 August
Third Quarter (1 July through 30 September)	1 November
Fourth Quarter (1 October through 31 December)	1 February of the following year

#### **GENERAL INFORMATION AND REQUIREMENTS**

The Discharger must notify Central Valley Water Board staff within 24 hours of having knowledge of 1) the start of each new discharge, 2) noncompliance, and 3) when the discharge ceases. The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the project.

Discharge of material other than what is described in the application is prohibited. The required annual fee (as specified in the annual invoice you will receive from the State Water Resources Control Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary by submitting the Request for Termination of Coverage (Attachment E). If a timely written request is not received, the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

### **ENFORCEMENT**

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory

Minimum Penalty (MMP) of \$3,000 per violation. In addition, late Monitoring Reports may be subject to MMPs or discretionary penalties of up to \$1,000 per day late. When discharges do not occur during a quarterly monitoring period, the Discharger must still submit a quarterly certified Monitoring Report indicating that no discharge occurred to avoid being subject to enforcement actions.

### **COMMUNICATION**

We have transitioned to a paperless office; therefore, please convert all documents to a searchable Portable Document Format (pdf). All documents, including Monitoring Reports, written notifications, and documents submitted to comply with this NOA and the Limited Threat General Order, should be submitted to the NPDES Compliance and Enforcement Unit, Attention: Paul Wadding at [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov) and [paul.wadding@waterboards.ca.gov](mailto:paul.wadding@waterboards.ca.gov). Mr. Wadding may also be reached by phone at (916) 464-4826.

### **Please include the following information in the body of the email:**

- Attention: NPDES Compliance Unit
- Discharger: JEN CA 23, LLC
- Facility: Villa Ticino West
- County: San Joaquin County
- CIWQS place ID: 882183

Documents that are 50 megabytes or larger must be transferred to a DVD, or flash drive and mailed to our office, attention "ECM Mailroom-NPDES".

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water

Jim Brecher  
Director of Land Acquisition  
JEN CA 23, LLC

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05 August 2022  
Villa Ticino West  
R5-2022-0006-004

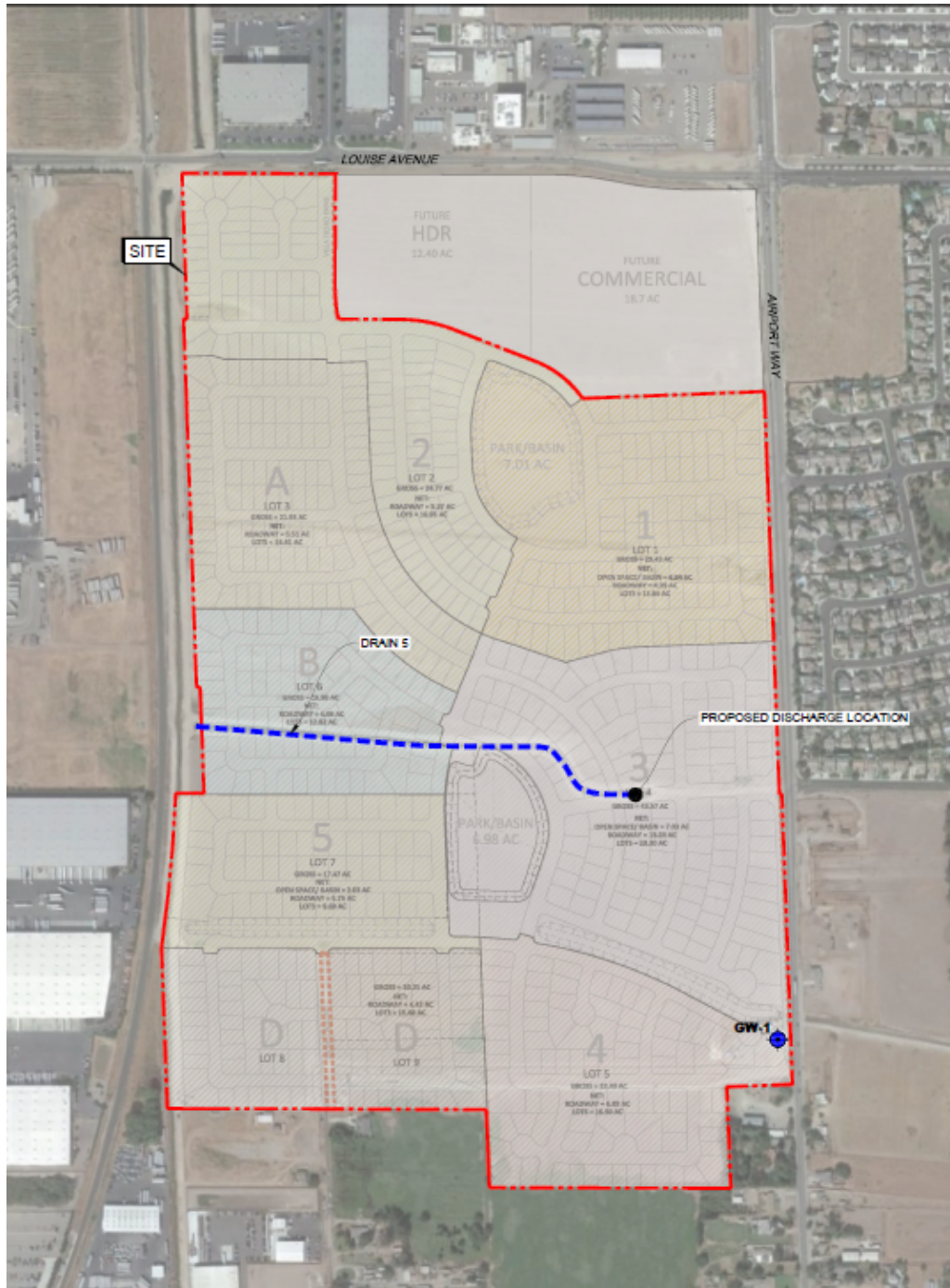
Board by 5:00 p.m. on the next business day. Links to the law and regulations applicable to filing petitions may be found on the [Petitions Home Page](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)) or will be provided upon request.

Patrick Pulupa  
Executive Officer

Enclosures (2):      General Order R5-2022-0006 (Discharger only)  
                                 Monitoring Report Transmittal Form (Discharger only)

cc:                      Elizabeth Sablad, U.S. EPA, Region IX, San Francisco (email only)  
                                 Peter Kozelka, U.S. EPA, Region IX, San Francisco (email only)  
                                 Prasad Gullapalli, U.S. EPA Region IX, San Francisco (email only)  
                                 Division of Water Quality, State Water Board, Sacramento (email  
                                 only)  
                                 Sarah Torres, PG Environmental (via email at [icis-  
npdes@pgenv.com](mailto:icis-<br/>npdes@pgenv.com))

ATTACHMENT A – PROJECT LOCATION MAP



**EXPLANATION**  
 ALL LOCATIONS ARE APPROXIMATE  
**GW-1** GROUNDWATER SAMPLE LOCATION (ENGE0, 2022)

	SITE PLAN VILLA TICINO WEST MANTECA, CALIFORNIA	PROJECT NO: 8042.500.000	SHEET NO: <b>2</b>
		SCALE: AS SHOWN	
BASE MAP SOURCE: GOOGLE EARTH MAPPING SERVICE, WCR ENGINEERING, 2021		DRAWN BY: CC    CHECKED BY: SEH	