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## Central Valley Regional Water Quality Control Board

25 October 2023

Edgar Garcia  
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**NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2020-0048, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE WESTERN PLACER COUNTY HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, MCBEAN PARK DRIVE BRIDGE REPLACEMENT PROJECT (WDID#5A31CR00534-015), PLACER COUNTY**

On 10 September 2023, the City of Lincoln (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 R5-2020-0048, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the Western Placer County Habitat Conservation Plan Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the McBean Park Drive Bridge Replacement Project (Project) meets the eligibility requirements of, and is hereby enrolled under, General Order R5-2020-0048. You may proceed with your Project in accordance with the Order.

A copy of General Order R5-2020-0048 can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf) ([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/401\\_wq\\_certs/5a31cr00534.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf)).

Please familiarize yourself with the requirements of General Order R5-2020-0048. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order R5-2020-0048 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

**PROJECT DESCRIPTION:**

The 11.6-acre Project consists of replacing the existing McBean Park Bridge that spans Auburn Ravine, which is hydraulically inadequate and functionally obsolete. The Project will demolish the existing 148-foot-long by 43-foot-wide bridge and construct a 220-foot-long by 68-foot-wide replacement bridge. Project elements that affect aquatic resources

include widening bridge road approaches, installing rock slope protection on the banks, constructing new bridge piers, and temporarily dewatering a portion of Auburn ravine.

Constructing the new bridge will require pile placement, abutment construction with wing walls, superstructure construction, followed by constructing bridge sidewalks and barrier rails. Demolishing the existing bridge includes the bridge railing and stripping the asphalt concrete overlay from the existing bridge deck. This will be followed by removing the bridge deck edges through saw cutting and jackhammering into manageable sections. The existing bridge will be tested for hazardous materials before demolition, and the bridge deck edges will be dismantled and disposed of in proper landfill facilities based on the finding of the hazardous materials study.

A containment dam will be established in conformance with City specifications and regulations as required by the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) to dewater the section of Auburn Ravine where bridge construction and removal will take place. The containment dam will be constructed within the channel banks within the project limits upstream and possibly downstream of the construction activities. Materials to construct the diversion would likely consist of pipes to convey anticipated flows, sandbags, and plastic sheeting to construct a containment dam or use of bladder dams upstream and downstream of the site and within the proposed project limits. The water diversion will be removed after the first season and replaced at the beginning of the second season. When the Project is complete the water diversion will be removed, and restoration activities identified by the National Marine Fisheries Service and California Department of Fish and Wildlife will be implemented.

The Project will temporarily impact 0.178 acre of stream channel habitat and permanently impact 0.002 acre of stream channel habitat and 0.013 acre of roadside ditch. Temporarily impacted areas will be restored to pre-Project condition.

**PROJECT TYPE:**

Roads, Highways and Bridges

**ADDITIONAL CONDITIONS:**

1. The Enrollee 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.
2. The Enrollee shall develop and maintain on-site a Surface Water Diversion Plan. The Plan must be developed prior to initiation of any water diversions. The Plan shall include the proposed method and duration of diversion activities and include water quality monitoring conducted during the entire duration of dewatering and diversion

activities. The Plan must be consistent with General Order R5-2020-0048 and must be made available to the Central Valley Water Board staff upon request.

**PROJECT LOCATION:**

The Project is located at the McBean Park Drive Bridge over Auburn Ravine.

Sections 14 and 15, Township 12 North, Range 6 East, MDB&M

Latitude: 38.890144° and Longitude: -121.28315°

**PROJECT SCHEDULE:**

Construction is anticipated to commence in the summer of 2024 and is expected to last two construction seasons.

**PUBLIC NOTICE**

The Central Valley Water Board provided public notice of the application from 15 September 2023 to 6 October 2023. The Central Valley Water Board did not receive any comments during the comment period.

**COMPENSATORY MITIGATION**

To mitigate for the loss of 0.013 acre of roadside ditch and 0.002 acre of stream channel habitat, the Applicant shall purchase a minimum of 0.02 in-lieu fee credits from the Western Placer County In-Lieu Fee Program for the impacted watershed prior to commencing construction. The Applicant shall provide evidence of purchase of in-lieu fee program credits to the Central Valley Water Board prior to commencing construction. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Compensatory mitigation must comply with the effective policy, which ensures no overall net loss of wetlands for impacts to waters of the state, at the time of Certification.

Evidence of compliance with compensatory mitigation requirements includes providing a letter from the approved in-lieu fee recipient. The letter must: a) be on the in-lieu fee recipient's letterhead; b) be signed by an authorized representative of the in-lieu fee recipient; c) indicate the United States Army Corps of Engineers' SPK number; d) describe the Project name and location; and e) detail the type of in-lieu fees paid for the Project's impacts.

**APPLICATION FEE RECEIVED:**

An application fee of \$ 2,417.00 was received on 7 November 2022. The remaining application fee balance of \$2,213.00 was received on 24 October 2023.

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 with the dredge and fill fee calculator.

**PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:**

The proposed Project will comply with all applicable measures identified within Master Conditions on Covered Activities Checklist, submitted as Attachment 4 of the

application. The Applicant will implement the Avoidance and Minimization Measures (AMMs) and construction Best Management Practices (BMPs) outlined in the County Aquatic Resource Program (CARP) document, the Habitat Conservation Program/Natural Community Conservation Program (HCP/NCCP) document, and General Order No. 5 R5-2020-0048.

**WATER QUALITY MONITORING:**

A water quality monitoring plan shall be submitted to Central Valley Water Board staff for acceptance at least 30 days in advance of any discharge to the affected water body. Water quality monitoring shall be conducted in accordance with the approved plan.

**PETITIONS FOR RECONSIDERATION**

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 NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water 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 Water Quality Petitions Page ([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."

If you have any questions regarding this Notice of Applicability, please contact Nicholas Savino by phone at (916) 464-4920 or by email at [Nicholas.Savino@waterboards.ca.gov](mailto:Nicholas.Savino@waterboards.ca.gov).

*Original Signed by Anne Walters for:*  
Patrick Pulupa  
Executive Officer

Enclosure: General Order R5-2020-0048, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the Western Placer County Habitat Conservation Plan Programmatic General Permit

Attachments: Figure 1: Project Location  
Figure 2: Project Impacts

cc: Distribution List, page 5

**DISTRIBUTION LIST**  
**[Via email only]**

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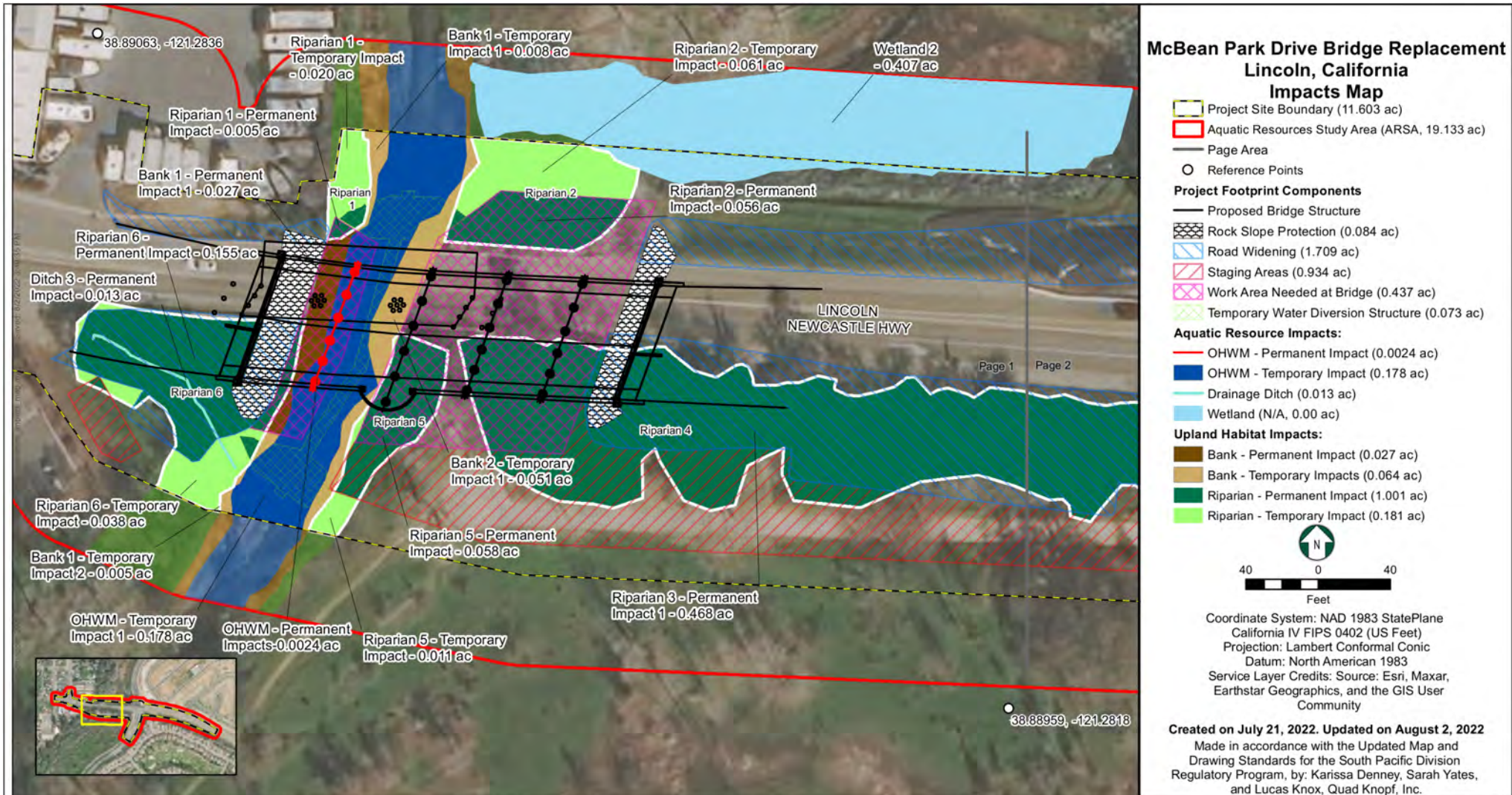
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Figure 1: Project Location Map



Figure 2: Project Impacts Map



Aquatic Resources Impacts Map,  
McBean Park Drive Bridge Replacement Project, City of Lincoln, California