



Central Valley Regional Water Quality Control Board

12 April 2023

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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, TWILIGHT RIDE PROJECT (WDID#5A31CR00534-016), PLACER COUNTY

On 18 January 2023, the Placer County Department of Parks and Open Space (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. Prior to receiving a complete application, Central Valley Water Board staff issued a notice of incomplete application and the Permittee responded to the request for application information on the following date(s):

Date of Notice of Incomplete Application:	17 February 2023
Date all requested information was received:	14 March 2023

The Central Valley Water Board has reviewed your enrollment materials and finds the Twilight Ride 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).

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 51.86-acre Project consists of constructing a new point of access to the expanded Hidden Falls Regional Park (HFRP) trail network system. The project will include constructing a new entrance and driveway from Bell Road, a parking area for 54 automobiles and 20 horse trailers, a ranger station, and a new trailhead and trailhead amenities including restrooms, kiosks, and a picnic area. Project elements that affect aquatic resources include installing four culvert crossings and constructing several bio retention facilities. Temporary dewatering may be required for construction of the crossings if water is present at the time of construction. If required, the Permittee will implement dewatering consistent with the dewatering plan submitted with the application.

Crossing 1: 30-inch Corrugated Metal Pipe with Manhole and Rock Outlet Protection

An existing 24-inch storm drainpipe captures flow from an existing 30-inch storm drainpipe that crosses Bell Road. The existing 24-inch storm drainpipe will be replaced with 21 linear feet of 30-inch Corrugated Metal Pipe (CMP) and connected to the existing 30-inch pipe crossing Bell Road. The new 30-inch CMP pipe will tie into a newly constructed standard precast manhole with a slotted cover under the new driveway entrance. Connection from the new manhole will include installation of 85 linear feet of 30-inch CMP pipe with invert elevations and a flared end with matching outer diameter terminating downstream. Rock slope protection will be placed at the outlet. The CMP pipe will be backfilled with a maximum of 3.2 feet of cover using standard types of construction equipment and stabilized with a seed mix consisting of native upland and wetland species.

Crossing 2: 12-inch Culvert and Drainage Ditch

Project development will include construction of a 145-foot-long by 6-foot-wide drainage ditch constructed to capture and redirect flows from irrigation run off emanating from a leaky irrigation valve to the north of the proposed driveway. The drainage ditch will connect to an inlet where flows will be directed through 55 linear feet of 12-inch CMP pipe with invert elevations and a flared end with matching outer diameter at the downstream end. Rock slope protection will be placed at the outlet. The CMP pipe will be backfilled with a maximum of 2.5 feet of cover using standard types of construction equipment and stabilized with a seed mix consisting of native upland and wetland species.

Crossing 3: 48-inch Corrugated Metal Pipe with Rock Slope Protection

Just east of the proposed parking lot are two existing 24-inch storm drainpipes located within the existing informal gravel/dirt access road. These 24-inch storm drainpipes will remain in place. Directly south and adjacent to the two existing 24-inch dual storm drainpipes, 88 linear feet of 48-inch CMP pipe will be installed within the new driveway alignment to maintain upstream and downstream flows. The 48-inch CMP pipe will be installed with invert elevations and flared ends with matching outer diameter at the downstream end, and rock slope protection will be placed at both ends per Placer

County standards. The CMP pipe will be backfilled with a maximum of 7.1 feet of cover using standard types of construction equipment and stabilized with a seed mix consisting of native upland and wetland species.

Crossing 4: 60-inch Corrugated Metal Pipe with Rock Slope Protection

Project development will include construction of 51 linear feet of 60-inch CMP within the new trailhead to maintain upstream and downstream flows at the westerly edge of the Project site. The 60-inch CMP will be installed with invert elevations and flared ends with matching outer diameter at the downstream end, and rock slope protection will be placed at both ends per Placer County standards. The CMP will be backfilled with a maximum of 4.8 feet of cover using standard types of construction equipment and stabilized with a seed mix consisting of native upland and wetland species.

Bio Retention Facilities

Development of the proposed Project will attenuate project-related storm water flows resulting from increased impervious surfaces onsite. Project development will include several bio retention swale facilities located adjacent to the new driveway. The bio retention facilities will include plantings to help retain and treat storm water runoff from impervious surfaces during high flow storm events. A 100 linear foot vegetative swale will be constructed on the south side of the driveway, immediately adjacent to the first crossing (Crossing 1). A second, 105 linear foot vegetative swale will be constructed south of the driveway just west of the existing pond near the entrance to the ranger station. Additional vegetative swales will be constructed on either side of the crossing just east of the proposed parking lot (Crossing 3). The swale east of Crossing 3 will extend 200 linear feet and the swale west of the Crossing 3 will extend 185 linear feet. These swales will filter water before releasing flows into the perennial drainage via a rock-lined ditch. The bioswales will process the driveway runoff, which will be collected in a ditch that runs along the south side of the driveway. The bioswales are designed to a 6-foot width with an 18-inch sandy loam substrate and will be hydroseeded with a native seed mix.

The Project will temporarily impact 0.08 acre/171 linear feet and permanently impact 0.31 acre/370 linear feet of stream channel and wetland habitat. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT TYPE:

Roads and Highways

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 at 5345 Bell Road.

Section 13, Township 13 North, Range 7 East, MDB&M

Latitude: 38.979697° and Longitude: -121.141465

PROJECT SCHEDULE:

Project implementation is planned to commence in spring 2023 and earthwork is estimated to be completed no later than December 2024.

PUBLIC NOTICE

The Central Valley Water Board provided public notice of the NOI from 17 March 2023 to 7 April 2023. The Central Valley Water Board did not receive any comments during the comment period.

COMPENSATORY MITIGATION

To mitigate for the loss of 0.171 acre of stream channel habitat and 0.137 acre of seasonal wetland habitat, the Applicant shall purchase a minimum of 0.171 riverine credits and 0.137 wetland 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 and/or a letter from the OR in-lieu fee recipient. The letter must: a) be on the OR in-lieu fee recipient's letterhead; b) be signed by an authorized representative of the OR 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 OR in-lieu fees paid for the Project's impacts.

APPLICATION FEE RECEIVED:

An application fee of \$ 9,503.00 was received on 18 January 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 (fee code 84) 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 1 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:

1. General:

If surface water is present continuous visual surface water monitoring shall be conducted during active construction periods to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete). Sampling is not required in a wetland where the entire wetland is being permanently filled, provided there is no outflow connecting the wetland to surface waters. The Permittee shall perform surface water sampling:

- a. when performing any in-water work;
- b. during the entire duration of temporary surface water diversions;
- c. in the event that the Project activities result in any materials reaching surface waters; or
- d. when any activities result in the creation of a visible plume in surface waters.

2. Accidental Discharges/Noncompliance:

Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, Central Valley Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.

3. In-Water Work or Diversions:

During planned in-water work, dewatering activities, or during the installation of removal of temporary water diversions, any discharge(s) to waters of the state shall conform to the following water quality standards:

- a. Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
- b. Activities shall not cause turbidity increases in surface water to exceed:
 - i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
 - ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
 - iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;

- iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
- v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior permission of the Central Valley Water Board Executive Officer.

Sampling during in-water work or during the entire duration of temporary water diversions shall be conducted in accordance with Table 1 sampling parameters.¹ The sampling requirements in Table 1 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area.

The sampling frequency and/or monitoring locations may be modified for certain projects with written approval from Central Valley Water Board staff. An In-Water Work and Diversion Water Quality Monitoring Report shall be submitted within two weeks on initiation of in-water construction, and every two weeks thereafter. In reporting the data, the Permittee shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the Project complies with Order requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions.

If no sampling is required, the Permittee shall submit a written statement stating, "No sampling was required" within two weeks on initiation of in-water construction, and every two weeks thereafter.

¹ Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, the method shall be approved by Central Valley Water Board staff. Grab samples shall be taken between the surface and mid-depth and not be collected at the same time each day to get a complete representation of variations in the receiving water. 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 shall be maintained onsite.

Table 1: Sample Type and Frequency Requirements

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Turbidity	NTU	Grab	Every 4 hours
Visible construction related pollutants ²	Observations	Visual Inspections	Continuous throughout the construction period

4. Post-Construction:

Visually inspect the project site during the rainy season (October 1 – April 30) until a Notice of Completion is issued to ensure excessive erosion, stream instability, or other water quality pollution is not occurring in or downstream of the project site. If water quality pollution is occurring, contact the Central Valley Water Board staff member overseeing the project within three (3) working days. The Central Valley Water Board may require the submission of a Violation of Compliance with Water Quality Standards Report. Additional permits may be required to carry out any necessary site remediation.

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) 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.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

² Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

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: Site Impacts

cc: [Via email only]

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Figure 1: Project Location Map

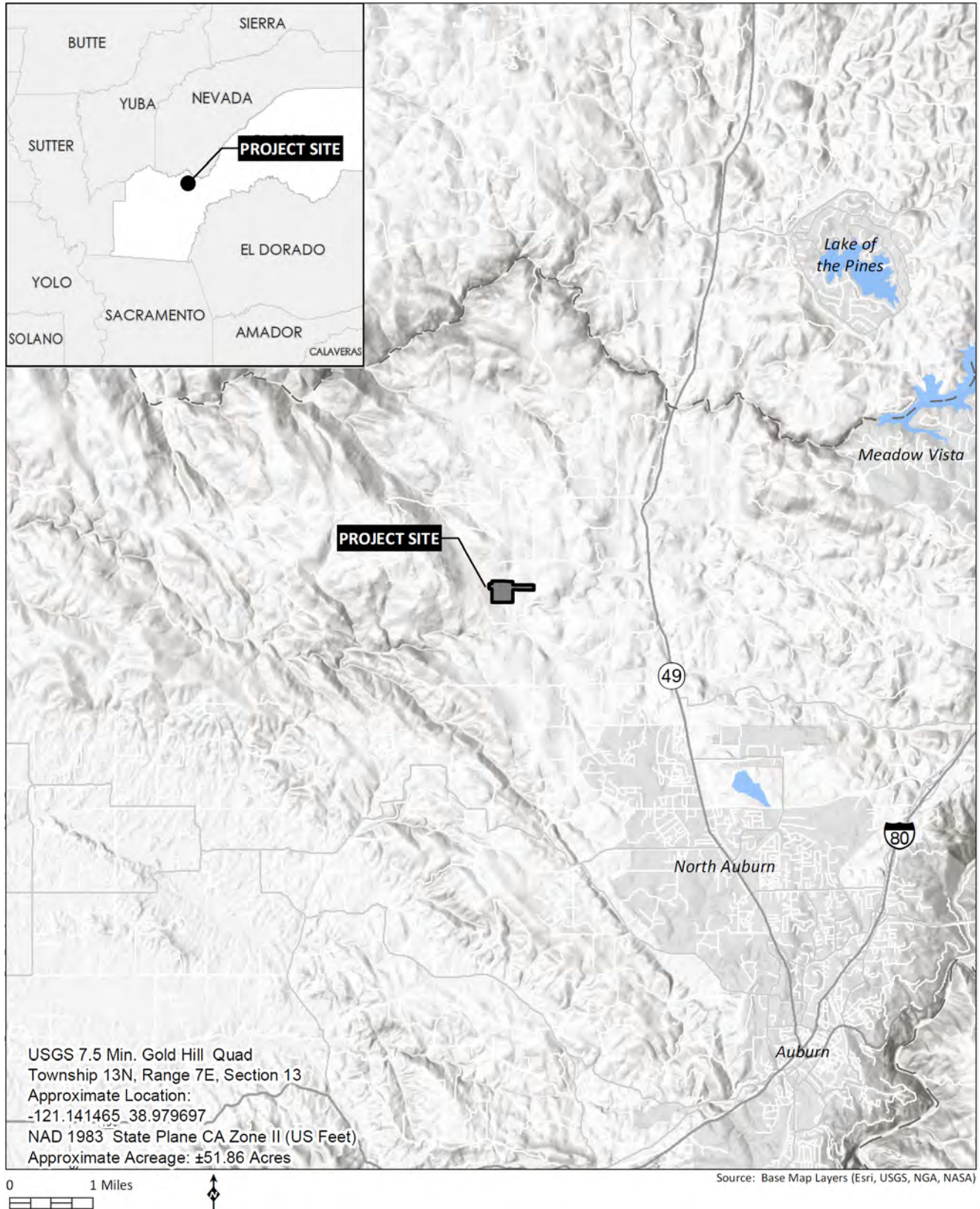
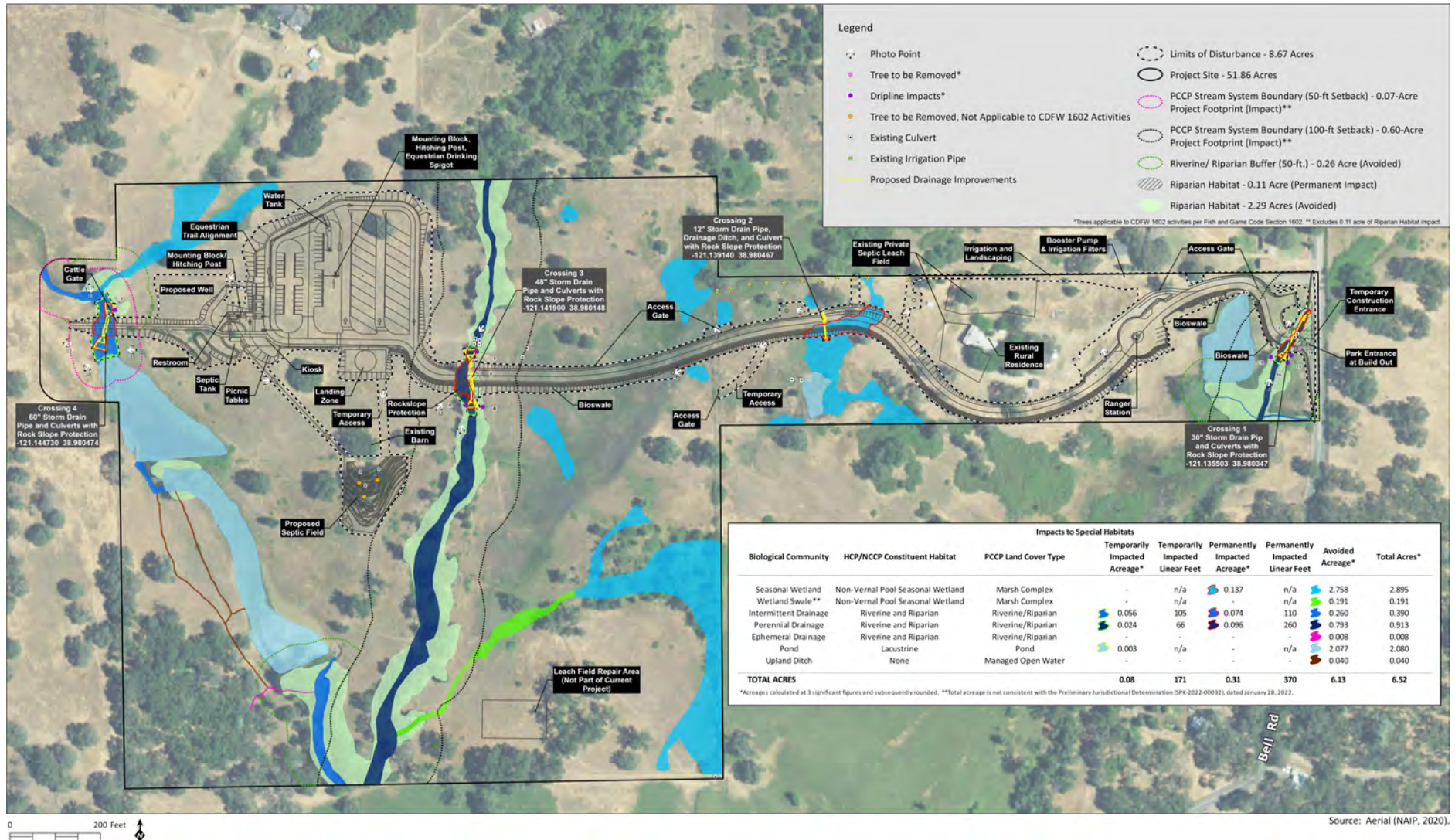


Figure 2: Site Impacts Map



Source: Aerial (NAIP, 2020).