

Central Valley Regional Water Quality Control Board

19 July 2018

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ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; TSAKOPOULOS INVESTMENTS, RANCHO DEL ORO ESTATES PROJECT (WDID#5A31CR00336A1), PLACER COUNTY

This Order responds to the 25 January 2018 request for an amendment of the Rancho Del Oro Estates Project (Project) Section 401 Water Quality Certification (WDID#5A31CR00336). The original Water Quality Certification (Certification) was issued on 14 November 2014. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

Tsakopoulos Investments is requesting a correction to permanent impacts as a result of Project activities. The original Certification authorized 6,001 cubic yards of clean fill placed into 1.86 acres of waters of the United States. The total acreage included permanent impacts to 0.067 acre to depressional seasonal marsh, 0.179 acre to depressional seasonal wetland, 1.296 acres to riverine seasonal wetland, 0.09 acre to riverine riparian wetland, 0.066 acre to riverine perennial marsh, 0.027 acre to pond, 0.001 acre to ephemeral drainage, and 0.144 acre to open water mine pits. Tsakopoulos Investments was required to purchase 1.86 acres of seasonal wetland creation credits from a United States Army Corps of Engineers approved mitigation or conservation bank to mitigate for 1.86 acres of permanent impacts. The Project scope has not been modified.

The correction includes an increase of permanent impacts from 1.86 acres to 1.88 acres of waters of the United States. Compensatory mitigation is required for 1.88 acres of impacts.

Tsakopoulos Investments has provided documentation from the United States Army Corps of Engineers (SPK-2006-00800) authorizing the correction to permanent impacts to waters of the United States.

The Project Information Sheet is amended as shown below in underline/strikeout format.

Project Description (purpose/goal):

[...]

As proposed, the project development will result in the fill of ~~4.86~~ 1.88 acres of waters for the U.S. including ~~0.067~~ 0.07 acre of depressional seasonal ~~marsh~~ marsh, ~~0.479~~ 0.19 acre of depressional seasonal wetland, ~~4.296~~ 1.30 acres of riverine seasonal wetland, ~~0.079~~ 0.08 acre of riverine riparian wetland, ~~0.066~~ 0.08 acre of riverine perennial ~~marsh~~ marsh, ~~0.027~~ 0.03 acre of pond, 0.001 acre of ephemeral drainage, and ~~0.144~~ 0.14 acre of mind pits (open water).

Approximately 6,001 cubic yards of clean fill will be placed in ~~4.86~~ 1.88 acres of water of the U.S. in order to accommodate construction of the proposed development using various types of construction equipment, including scrapers, bulldozers, and excavators.

Fill/Excavation Area Project implementation will permanently impact ~~4.687~~ 1.72 acres of jurisdictional wetland, ~~0.144~~ 0.14 acre of open water, and ~~0.028~~ 0.031 acre of streambed.

Compensatory Mitigation: Tsakopoulos Investments will purchase ~~4.86~~ 1.88 acres of seasonal wetland creation credits

APPLICATION FEE RECEIVED:

Fees in the amount of \$1,500.00 were received by the Central Valley Water Board on 26 January 2018. Total fees of \$16,490.00 for the original Certification were received on 4 January 2014. The fee amount was determined as required by California Code of Regulations, title 23, sections 3383(b)(3) and 2200(a)(3), as was calculated as category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

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PUBLIC NOTICE:

The Central Valley Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from 26 January 2018 to 23 February 2018. The Central Valley Water Board did not receive any comments during the comment period.

WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Rancho Del Oro Estates Project (WDID#5A31CR00336A1). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

Original Signed by:

Patrick Pulupa
Executive Officer

cc: [Via email only] (w/enclosure)

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