
Central Valley Regional Water Quality Control Board

28 June 2016

Price Walker
Elliot Homes, Inc.
340 Palladio Parkway, Suite 521
Folsom, CA 95630

***CLEAN WATER ACT § 401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION; ELLIOT HOMES, INC., TURKEY CREEK PROJECT
(WDID #5A31CR00433), PLACER COUNTY***

This Order responds to the 12 February 2016 application submitted by Elliot Homes, Inc. for the Water Quality Certification of a Residential Development project permanently impacting 0.423 acres of waters of the United States.

This Order serves as certification of the United States Army Corps of Engineers' Nationwide Permit #29 (SPK#-2013-00417) under § 401 of the Clean Water Act, and a Waste Discharge Requirement under the Porter-Cologne Water Quality Control Act.

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This Order serves as a Water Quality Certification (Certification) action that is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to § 13330 of the California Water Code and § 3867 of the California Code of Regulations (CCR).
2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR § 3855(b) of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial certification action shall be conditioned upon total payment of the full fee required § 3833 of the California Code of Regulations.
4. This Certification is no longer valid if the project (as described) is modified, or coverage under § 404 of the Clean Water Act has expired.
5. All reports, notices, or other documents required by this Certification or requested by the Central Valley Water Board shall be signed by a person described below or by a duly authorized representative of that person.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

- a. For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if *authority* to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor.
 - c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official.
6. Any person signing a document under Standard Condition No. 5 shall make the following certification, whether written or implied:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

TECHNICAL CERTIFICATION CONDITIONS:

In addition to the above standard conditions, Elliot Homes, Inc. shall satisfy the following:

1. Elliot Homes, Inc. shall notify the Central Valley Regional Water Quality Control Board (Central Valley Water Board) in writing at least **seven (7) days** in advance of the start of any work within waters of the United States. The notification shall include the name of the project and the WDID number, and shall be sent to the Central Valley Water Board Contact indicated in this Certification.
2. Except for activities permitted by the United States Army Corps of Engineers under § 404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
3. Elliot Homes, Inc. shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed Project shall be adequately informed and trained regarding the conditions of this Certification.
4. Elliot Homes, Inc. shall perform surface water sampling:
 - a) when performing any in-water work;
 - b) in the event that project activities result in any materials reaching surface waters; or

- c) when any activities result in the creation of a visible plume in surface waters. The monitoring requirements in Table 1 shall be conducted by taking a sample of the ambient conditions before work begins in the work area, and sampling during work in the work area. The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff.

Table 1:

Parameter	Unit	Type of Sample	Minimum Sampling Frequency	Required Analytical Test Method
Turbidity	NTU	Grab ⁽¹⁾	Every 4 hours during in-water work	(2, 4)
Settleable Material	mL/L	Grab ⁽¹⁾	Every 4 hours during in-water work	(2)
Visible construction related pollutants ⁽³⁾	Observations	Visual Inspections	Continuous throughout the construction period	—

⁽¹⁾ Grab samples shall be taken at mid-depth and be collected at the same time each day to get a complete representation of variations in the receiving water.

⁽²⁾ 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.

⁽³⁾ Visible construction-related pollutants include oil, grease, foam, fuel, petroleum products, and construction-related, excavated, organic or earthen materials.

⁽⁴⁾ A hand-held field meter may be used, provided that the meter utilizes a USEPA-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 Certification shall be maintained at the Project site.

As appropriate, surface water monitoring shall occur at mid-depth. A surface water monitoring report shall be submitted to the Central Valley Water Board Contact indicated in this Certification within two weeks of initiation of sampling and every two weeks thereafter. In reporting the monitoring data, Elliot Homes, Inc. 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 Certification 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 specified in the turbidity criteria below.

If no monitoring is conducted, Elliot Homes, Inc. shall submit a written statement to the Central Valley Water Board Contact indicated in the Certification stating, "No monitoring was required." with the Notice of Completion.

5. The Central Valley Water Board adopted a *Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin, Fourth Edition, revised April 2016* (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed

through the plan. Turbidity and settleable matter limits are based on water quality objectives contained in the Basin Plan and are part of this Certification as follows:

- a) 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.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTUs over background turbidity. 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 approval of the Central Valley Water Board staff.

- b) Activities shall not cause settleable matter to exceed 0.1 mL/L in surface waters as measured in surface waters within the work area
6. Elliot Homes, Inc. shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter or other water quality objectives are exceeded.
 7. Work shall occur during periods of low water level (i.e., water level shall be below the construction area) and no precipitation.
 8. Activities shall not cause visible oil, grease, or foam in the receiving water.
 9. Refueling of equipment within the floodplain or within 300 feet of the waterway is prohibited. If critical equipment must be refueled within 300 feet of the waterway, spill prevention and countermeasures must be implemented to avoid spills. Refueling areas shall be provided with secondary containment including drip pans and/or placement of absorbent material. No hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, or other construction-related potentially hazardous substances should be stored within a floodplain or within 300 feet of a waterway. Elliot Homes, Inc. must perform frequent inspections of construction equipment prior to utilizing it near surface waters to ensure leaks from the equipment are not occurring and are not a threat to water quality.

10. Elliot Homes, Inc. shall develop and maintain onsite a project-specific Spill Prevention, Containment and Cleanup Plan outlining the practices to prevent, minimize, and/or clean up potential spills during construction of the Project. The Plan must detail the Project elements, construction equipment types and location, access and staging and construction sequence. The Plan must also address the potential of responding to a spill or prevention of spills occurring within the Project site.
11. Raw cement, concrete (or washing), asphalt, drilling fluids, lubricants, paints, coating material, oil, petroleum products, or any other substances which could be hazardous to fish and wildlife resulting from or disturbed by project-related activities, shall be prevented from contaminating the soil and/or entering waters of the United States.
12. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete, asphalt, paint, coating material, drilling fluids, or other construction-related potentially hazardous substances to surface water and/or soil is prohibited. In the event of a prohibited discharge, the Elliot Homes, Inc. shall notify the Central Valley Water Board Contact within 24-hours of the discharge.
13. Concrete must be completely cured before coming into contact with waters of the United States. Surface water that contacts wet concrete must be pumped out and disposed of at an appropriate off-site commercial facility, which is authorized to accept concrete wastes.
14. An effective combination of erosion and sediment control Best Management Practices (BMPs) shall be implemented and adequately working during all phases of construction.
15. All areas disturbed by Project activities shall be protected from washout or erosion.
16. All temporarily affected areas shall be restored to pre-construction contours and conditions upon completion of construction activities.
17. This Certification does not allow permanent water diversion of flow from the receiving water. This Certification is invalid if any water is permanently diverted as a part of the Project.
18. The discharge of petroleum products or other excavated materials to surface water is prohibited. Activities shall not cause visible oil, grease, or foam in the receiving water. Elliot Homes, Inc. shall notify the Central Valley Water Board as soon as practicable of any spill of petroleum products or other organic or earthen materials with written follow up within 5 days.
19. Elliot Homes, Inc. shall apply for a name change or amendment to this Certification should any of the following occur:
 - a) a change in the ownership of all or any portion of the Project;
 - b) any change in the Project description;

- c) any change involving discharge amounts, temporary impacts, and/or permanent impacts; and/or
 - d) amendments, modifications, revisions, extensions, and/or changes to the United States Army Corps of Engineers' Nationwide Permit #29, the United States Fish and Wildlife Service decision document(s), and/or the California Department of Fish and Wildlife Streambed Alteration Agreement.
20. Elliot Homes, Inc. shall submit a copy of the final, signed and dated Lake or Streambed Alteration Agreement issued by the California Department of Fish and Wildlife within 14 days of issuance to the Central Valley Water Board Contact indicated in this Certification.
- Elliot Homes, Inc. shall comply with all California Department of Fish and Wildlife requirements, including but not limited to those requirements described in the Lake or Streambed Alteration Agreement.
21. The Conditions in this water quality certification are based on the information contained in the Elliot Homes, Inc.'s application and in the attached "Project Information Sheet." If the Project, as described in the application and the attached Project Information Sheet, is modified or changed, this Certification is no longer valid until amended by the Central Valley Water Board.
22. Elliot Homes, Inc. shall implement each of the mitigation measures specified in the certified Environmental Impact Report for the Project, as they pertain to biology, hydrology and water quality impacts as required by § 21081.6 of the Public Resource Code and § 15097 of the California Code of Regulations.
23. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under the applicable state or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance with water quality standards and other pertinent requirements incorporated into this certification.
- a) If Elliot Homes, Inc. or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under this Order, or falsifies any information provided in the monitoring reports, Elliot Homes, Inc. is subject to civil monetary liabilities, for each day of violation, or criminal liability.
 - b) In response to a suspected violation of any condition of this certification, Central Valley Water Board may require the holder of any federal permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. (Water Code, § 1051, 13165, 13267 and 13383) In response to any violation of the conditions of this

certification, the Central Valley Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.

- c) Elliot Homes, Inc. shall allow the staff of the Central Valley Water Board, or an authorized representative(s), upon the presentation of credentials and other documents, as may be required by law, to enter the Project premises for inspection, including taking photographs and securing copies of Project-related records, for the purpose of assuring compliance with this Certification and determining the ecological success of the Project.

24. Prior to commencing construction, Elliot Homes, Inc. shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. Evidence of on-site compensatory mitigation shall be provided with a Notice of Completion. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Evidence of mitigation includes, but is not limited to, the purchase of mitigation credits as required by the United States Army Corps of Engineers.

Compensatory mitigation must comply with the effective policy at the time of Certification, which ensures no overall net loss of wetlands for impacts to waters of the State.

25. Staff of the Central Valley Water Board has prepared total maximum daily load (TMDL) allocations that, once approved, would limit methylmercury in storm water discharges to the Sacramento-San Joaquin Delta. The Central Valley Water Board has scheduled these proposed allocations to be considered for adoption. When the Central Valley Water Board adopts the TMDL and once approved by the Environmental Protection Agency, the discharge of methylmercury may be limited from the proposed project. The purpose of this condition is to provide notice to Elliot Homes, Inc. that methylmercury discharge limitations and monitoring requirements may apply to this project in the future and also to provide notice of the Central Valley Water Board's TMDL process and that elements of the planned construction may be subject to a TMDL allocation.

NOTIFICATIONS AND REPORTS:

26. Elliot Homes, Inc. shall notify the Central Valley Water Board within 7 days of the project completion.
27. Elliot Homes, Inc. shall provide the Central Valley Water Board Contact indicated in this Certification a Notice of Completion (NOC) no later than 30 days after the Project completion. The NOC shall demonstrate that the project has been carried out in accordance with the project description in the Certification and in any amendments approved. The NOC shall include a map of the project location(s), including final boundaries of any on-site restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation

28. Elliot Homes, Inc. shall submit all notifications, submissions, materials, data, correspondence, and reports in a searchable Portable Document Format (PDF). Documents less than 50 MB must be emailed to: centralvalleysacramento@waterboards.ca.gov. In the subject line of the email, include the Central Valley Water Board Contact, Project name, and WDID number as shown in the subject line above. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

STORM WATER QUALITY CONDITIONS:

Elliot Homes, Inc. shall also satisfy the following additional storm water quality conditions:

1. Elliot Homes, Inc. 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, excavation, 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. During the construction phase, Elliot Homes, Inc. must employ strategies to minimize erosion and the introduction of pollutants into storm water runoff. These strategies must include the following:
 - a) the Storm Water Pollution Prevention Plan (SWPPP) must be prepared during the project planning and design phases and before construction;
 - b) an effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working prior to the rainy season and during all phases of construction.
3. Elliot Homes, Inc. must minimize the short and long-term impacts on receiving water quality from the Project by implementing the following post-construction storm water management practices:
 - a) minimize the amount of impervious surface;
 - b) reduce peak runoff flows;
 - c) provide treatment BMPs to reduce pollutants in runoff;
 - d) ensure existing waters of the State (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
 - e) preserve and, where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
 - f) limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);
 - g) use existing drainage master plans or studies to estimate increases in pollutant loads and flows resulting from projected future development and require incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;

- h) identify and avoid development in areas that are particularly susceptible to erosion and sediment loss, or establish development guidance that protects areas from erosion/ sediment loss;
 - i) control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.
4. Elliot Homes, Inc. must ensure that all development within the project provides verification of maintenance provisions for post-construction structural and treatment control BMPs. Verification shall include one or more of the following, as applicable:
- a) the developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; or
 - b) written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; or
 - c) written text in project conditions, covenants and restrictions for residential properties assigning maintenance responsibilities to a home owner's association, or other appropriate group, for maintenance of structural and treatment control BMPs; or
 - d) any other legally enforceable agreement that assigns responsibility for storm water BMP maintenance.

REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:

George Day, Senior Water Resource Control Engineer
Central Valley Regional Water Quality Control Board
364 Knollcrest Drive, Suite 205, Redding, California 96002
gday@waterboards.ca.gov
(530) 224-4859

CALIFORNIA ENVIRONMENTAL QUALITY ACT:


The City of Lincoln is the Lead Agency responsible for compliance with the California Environmental Quality Act for the Turkey Creek Project pursuant to § 21000 et seq. of the Public Resources Code. The City of Lincoln certified Environmental Impact Report on 11 December 2012. The City of Lincoln filed a Notice of Determination with the State Clearinghouse on 14 December 2012 (SCH No. 2010102018).

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from Elliot Homes, Inc., Turkey Creek Project (WDID# 5A31CR00433) will comply with the applicable provisions of § 301 ("Effluent Limitations"), § 302 ("Water Quality Related Effluent Limitations"), § 303 ("Water Quality Standards and Implementation Plans"), § 306 ("National Standards of Performance"), and § 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)."

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in compliance with conditions of this Certification, the Elliot Homes, Inc.'s water quality application package, and the attached "Project Information Sheet", and (b) compliance with all applicable requirements of the *Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin, Fourth Edition, revised April 2016* (Basin Plan).

Any person aggrieved by this action may petition the State Water Quality Control Board to review the action in accordance with California Water Code § 13320 and California Code of Regulations, Title 23, § 2050 and following. The State Water Quality Control Board must receive the petition by 5:00 p.m., 30 days after the date of this action, except that if the thirtieth day following the date of this action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Quality Control Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.


(for) Pamela C. Creedon
Executive Officer

DLW:sjs

Enclosure: Water Quality Order No. 2003-0017 DWQ

cc w/o Ms. Mary Pakenham-Walsh, U.S. Army Corp of Engineers, Sacramento
enclosures: California Department of Fish and Wildlife, Region 2, Rancho Cordova
U.S. Fish and Wildlife Service, Sacramento
Mr. Bill Jennings, CALSPA, Stockton
Todd Wood, ECORP Consulting, Inc., Rocklin

cc w/o
Enclosures
by email: U.S. EPA, Region 9, San Francisco
Mr. Bill Orme, SWRCB, Certification Unit, Sacramento

PROJECT INFORMATION

Application Date: 8 February 2016

Application Deemed Complete: 18 April 2016

Applicant: Price Walker
Elliot Homes, Inc.
340 Palladio Parkway, Suite 521
Folsom, CA 95630

Applicant Representative: Todd Wood
ECORP Consulting, Inc.
2525 Warren Drive
Rocklin, CA 95677

Project Name: Turkey Creek Project

Application Number: WDID No. 531CR00433

Type of Project: Residential Development.

Timeframe of Project Implementation: April 2016 through October 2018

Project Location: Section 13, Township 12 North, Range 6 East, MDB&M.
Latitude: 38.890° and Longitude: -121.254°

County: Placer County

Receiving Water(s) (hydrologic unit): Seasonal Wetlands and seasonal wetland swales adjacent to Auburn Ravine, Sacramento River. Valley-American Hydrologic Unit No.519.22 – Pleasant Grove HSA

Water Body Type: Seasonal Wetland, Seasonal Wetland Swale

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin, Fourth Edition, revised April 2016* (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); and Wildlife Habitat (WILD). A comprehensive and specific list of the beneficial uses applicable for the project area can be found at http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml.

303(d) List of Water Quality Limited Segments: Auburn Ravine is the receiving water for the Turkey Creek Project. Auburn Ravine is not listed on the 303(d) list. This project does not impact an already impaired water body. The most recent list of approved water quality limited segments is found at:

http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml

Project Description (purpose/goal): The project purpose is to provide a high quality, private, gated, master-planned residential community on the east side of the City of Lincoln. The Turkey Creek Project is located immediately east and south of the Turkey Creek Golf Club and north of State Route (SR) 193.

The Project is currently within Placer County but is within the City of Lincoln General Plan and Village 1 Specific Plan (Specific Plan) and therefore will need to be annexed into the City of Lincoln. The Project proposes 391 home sites, 228 homes proposed on the southwest portion of the Project and 161 homes on the north and east, with two different lot sizes that are consistent with the Specific Plan. The homes on the southwest portion of the project site, which consists of flatter terrain, would be pad graded for production housing, while the homes to the north and east would be mostly ungraded to allow for "semi-custom" homes in a more "rural" setting.

The permit area is approximately 255 acre(s). The project will permanently impact 0.423 acre(s) of waters of the United States.

Preliminary Water Quality Concerns: Construction activities including soil disturbance, excavation, cutting/filling, and grading activities could result in increased erosion and sedimentation and may impact surface waters with increased turbidity and settleable matter.

Proposed Mitigation to Address Concerns: The Elliot Homes, Inc. will implement Best Management Practices (BMPs) to control sedimentation and erosion. All temporary affected areas will be restored to pre-construction contours and conditions upon completion of construction activities. The Elliot Homes, Inc. will conduct turbidity and settleable matter testing during in-water work, stopping work if Basin Plan criteria are exceeded or are observed.

Fill/Excavation Area: Approximately 682 cubic yards of native soil will be placed into 0.423 acres of waters of the United States.

Dredge Volume: N/A

California Integrated Water Quality System Impact Data: The Project will permanently impact 0.423 acre(s) of wetland from fill activities.

Table 1: Impacts from Fill and/or Excavation Activities

Aquatic Resource Type	Temporary			Permanent					
				Physical Loss of Area			Degradation of Ecological Condition Only		
	Acres	Cubic-yards	Linear-feet	Acres	Cubic-yards	Linear-feet	Acres	Cubic-yards	Linear-feet
Wetland				0.423	682				

Notes
NA Not Applicable

United States Army Corps of Engineers File Number: SPK-2013-00417

United States Army Corps of Engineers Permit Type: Nationwide Permit #29, Residential Development.

California Department of Fish and Wildlife Lake or Streambed Alteration Agreement: The Elliot Homes, Inc. applied for a Lake or Streambed Alteration Agreement on 2 February 2016.

Possible Listed Species: Federally-threatened Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), Vernal Pool Fairy Shrimp (VPFS; *Branchinecta lynchi*), Vernal Pool Tadpole Shrimp (VPTS; *Lepidurus packardii*), Central Valley steelhead (*Oncorhynchus mykiss*), Federally-endangered Central Valley fall/late fall Chinook salmon (*Oncorhynchus tshawytscha*),

Status of CEQA Compliance: The City of Lincoln certified Environmental Impact Report on 11 December 2012. The City of Lincoln filed a Notice of Determination with the State Clearinghouse on 14 December 2012 (SCH No. 2010102018).

Compensatory Mitigation: Prior to commencing construction, the Elliot Homes, Inc. shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. Evidence of on-site compensatory mitigation shall be provided with the Notice of Completion. Elliot Homes, Inc. proposes to purchase 0.423 acres of seasonal wetlands from Toad Hill Ranch Mitigation Bank to mitigate for filling 0.423 acres of seasonal wetlands. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Evidence of mitigation includes, but is not limited to, the purchase of mitigation credits as required by the United States Army Corps of Engineers.

Table 2: Compensatory Mitigation for Permanent Physical Loss of Area

Aquatic Resource Type	Comp Mitigation Type			Units		Established	Re-established	Rehabilitated	Enhanced	Preserved	Unknown
	In-Lieu	Mit. Bank	Permittee Responsible	AC (Acres)	LF (Linear Feet)						
Wetland		X		0.423							
TOTAL		X		0.423							

Application Fee Provided: An application fee of \$600.00 was submitted on 12 February 2016 and an additional fee of \$1,798.00 was submitted on 2 May 2016. A total fee of \$2,398.00 has been submitted to the Central Valley Water Board as required by § 3833(b)(3)(A) and § 2200(a)(3) of the California Code of Regulations.