



Central Valley Regional Water Quality Control Board

25 August 2017

Robert Sprague
Mandarich Development
4740 Rocklin Road
Rocklin, CA 95677

CERTIFIED MAIL
91 7199 9991 7035 8418 2857

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER FOR THE GROVE PROJECT, PLACER COUNTY (WDID#5A31CR00461)

Enclosed please find a Clean Water Act Section 401 Water Quality Certification and Order, authorized by Central Valley Regional Water Quality Control Board Executive Officer, Pamela C. Creedon. This Order is issued to Mandarich Development for The Grove (Project). Attachments A through F of the Enclosure are also part of the Order.

This Order is issued in response to an application submitted by Mandarich Development for proposed Project discharge to waters of the state, to ensure that the water quality standards for all waters of the state impacted by the Project are met. You may proceed with your Project according to the terms and conditions of the enclosed Order.

Please review your Order carefully to ensure that you understand all aspects of the Order. Note that this Order requires reporting and notification. Requirements for the content of the reporting and notification requirements are detailed in Attachment F, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment F, which must be signed by the Permittee or an authorized representative.

These reports, notifications, and other submissions must be submitted 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. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

If you require further assistance, please contact me by phone at (916) 464-4684 or by email at PeterG.Minkel@waterboards.ca.gov. You may also contact Elizabeth Lee, Unit Supervisor, by phone at (916) 464-4787 or by email at Elizabeth.Lee@waterboards.ca.gov.

Original Signed By

Peter Minkel
Engineering Geologist
401 Water Quality Certification Unit

Enclosures (1): Order for The Grove Project

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

Joe Morgan (Electronic Copy Only)
United States Environmental Protection Agency
Morgan.Joseph@epa.gov

California Department of Fish and Wildlife, Region 2
R2LSA@wildlife.ca.gov

CWA Section 401 WQC Program
Division of Water Quality
State Water Resources Control Board
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Elizabeth Lee
Unit Supervisor
Central Valley Regional Water Quality Control Board, Sacramento
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cc: (w/ enclosure):
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Central Valley Regional Water Quality Control Board

CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER

Effective Date: 25 August 2017	Reg. Meas. ID: 411981 Place ID: 833172 WDID: 5A31CR00461 USACOE#: SPK-2002-00144
Expiration Date: 24 August 2022	
Program Type: Fill/Excavation	
Project Type: Residential	
Project: The Grove Project (Project)	
Applicant: Mandarinich Development	
Applicant Contact: Robert Sprague Vice President of Operations 4740 Rocklin Road Rocklin, CA 95677 Phone: (916) 824-0810 Email: Roberts@mandarichdevelopment	
Applicant's Agent: Todd Wood ECORP Consulting, Inc. 2525 Warren Drive Rocklin, CA 95677 Phone: (916) 782-9100 Email: twood@ecorpconsulting.coms	
Water Board Staff: Peter Minkel Engineering Geologist 11020 Sun Center Drive, Suite 200 Rancho Cordova, CA 95670 Phone: (916) 464-4684 Email: PeterG.Minkel@waterboards.ca.gov	

Water Board Contact Person:

If you have any questions, please call Central Valley Regional Water Quality Control Board (Central Valley Water Board) Staff listed above or (916) 464-3291 and ask to speak with the Water Quality Certification Unit Supervisor.

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I. Order

This Clean Water Act (CWA) section 401 Water Quality Certification action and Order (Order) is issued at the request of Mandarich Development (herein after Permittee) for the Project. This Order is for the purpose described in application submitted by the Permittee. The application was received on 23 February 2017. The application was deemed complete on 18 April 2017. 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 dates (Table 1).

Table 1: Record of Notice(s) of Incomplete Application	
Date of Notice of Incomplete Application	Date all requested information was received.
17 April 2017	18 April 2017

II. Public Notice

The Central Valley Water Board provided public notice of the application pursuant to California Code of Regulations, title 23, section 3858 from 24 February 2017 to 17 March 2017. The Central Valley Water Board did not receive any comments during the comment period.

III. Project Purpose

The Project involves the subdivision of a 9.98 acre parcel into 22 residential lots, one park, two storm water detention basins, and two landscaping/entry corridors.

IV. Project Description

The Project is located within the Town of Loomis in Placer County (see Figure 1) and will construct 22 single-family residential units (see Figure 2), a park, roadway improvements along Humphrey Road, an interior road, and two storm water detention basins.

V. Project Location

Address: The Project is located at the southwest corner of the intersection of No Name Lane and Humphrey Road in the Town of Loomis.

County: Placer

Assessor's Parcel Number: 044-021-008

Nearest City: Loomis

Section 4, Township 11 North, Range 7 East, MDB&M.

Latitude: 38°49'46"N and Longitude: 121°12'08"W

Maps showing the Project location is found in Attachment A of this Order.

VI. Project Impact and Receiving Waters Information

The Project is located within the jurisdiction of the Central Valley Water Board. Receiving waters and groundwater potentially impacted by this Project are protected in accordance with the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition, revised April 2016 (Basin Plan). The Basin Plan for the region and other plans and policies may be accessed online at: http://www.waterboards.ca.gov/plans_policies/. The

Basin Plan includes water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

Project impact and receiving waters information can be found in Attachment B. Table 1 of Attachment B shows the receiving waters and beneficial uses of waters of the state impacted by the Project. Individual impact location and quantity is shown in Table 2 of Attachment B.

VII. Description of Direct Impacts to Waters of the State

Grading required for the construction of 22 residences, roads, a park, two storm water detention basins, and landscaping will result in the direct loss of 0.349 acre of wetlands and pond.

No dewatering will occur within the Project area. No wet concrete will be placed into the wetland and pond habitat.

Total Project fill/excavation quantities for all impacts are summarized in Table 1. Permanent impacts are categorized as those resulting in a physical loss in area and also those degrading ecological condition.

Aquatic Resource Type	Temporary Impact ¹			Permanent Impact					
				Physical Loss of Area			Degradation of Ecological Condition		
	Acres	CY ²	LF ⁴	Acres	CY	LF	Acres	CY	LF
Wetland	--	--	--	0.295	1,126	680	--	--	--
Pond	--	--	--	0.054	--	--	--	--	--

VIII. Description of Indirect Impacts to Waters of the State – NOT APPLICABLE

IX. Avoidance and Minimization

The need for on-site infrastructure, flood control with a detention pond, and removal of pesticides, arsenic, and lead in soil from prior use as a pear orchard are considered unavoidable. Erosion during construction will be reduced by the application and compliance with the General Construction Activity Storm Water Permit. This permit requires the preparation of a Storm Water Pollution Prevention Plan (SWPPP) which will include best management practices to provide erosion and sediment control during construction. In addition, the Town of Loomis Grading Ordinance requires a plan for long term site stabilization features such as planting or seeding for the area affected by the proposed graded area.

X. Compensatory Mitigation

The Permittee has agreed to provide compensatory mitigation for direct impacts, described in section VII for permanent impacts.

XI. California Environmental Quality Act (CEQA)

On 21 December 2016, the Town of Loomis, as lead agency, adopted an Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse (SCH) No. 2016122048)

¹ Includes only temporary direct impacts to waters of the state and does not include upland areas of temporary disturbance which could result in a discharge to waters of the state.

² Cubic Yards (CY); Linear Feet (LF)

and an Addendum to the MND on 28 April 2017 for the Project and filed a Notice of Determination (NOD) at the SCH on 7 August 2017. Pursuant to CEQA, the Central Valley Water Board has made Findings of Facts (Findings) which support the issuance of this Order and are included in Attachment C.

XII. Petitions for Reconsideration

Any person aggrieved by this action may petition the State Water Resources Control Board to reconsider this Order in accordance with California Code of Regulations, title 23, section 3867. A petition for reconsideration must be submitted in writing and received within 30 calendar days of the issuance of this Order.

XIII. Fees Received

An application fee of \$5,508.00 was received on 22 February 2017.

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 category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

XIV. Conditions

The Central Valley Water Board has independently reviewed the record of the Project to analyze impacts to water quality and designated beneficial uses within the watershed of the Project. In accordance with this Order, the Permittee may proceed with the Project under the following terms and conditions:

A. Authorization

Impacts to waters of the state shall not exceed quantities shown in Table 2.

B. Reporting and Notification Requirements

The following section details the reporting and notification types and timing of submittals. Requirements for the content of these reporting and notification types are detailed in Attachment D, including specifications for photo and map documentation during the Project. Written reports and notifications must be submitted using the Reporting and Notification Cover Sheet located in Attachment D, which must be signed by the Permittee or an authorized representative.

The Permittee must 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. Documents that are 50 MB or larger must be transferred to a disk and mailed to the Central Valley Water Board Contact.

1. Project Reporting

a. Monthly Reporting: NOT APPLICABLE

b. Annual Reporting: NOT APPLICABLE

2. Project Status Notifications

- a. Commencement of Construction:** The Permittee shall submit a Commencement of Construction Report at least seven (7) days prior to start of initial ground disturbance activities and corresponding Waste Discharge Identification Number (WDID#) issued under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 20009-0009-DWQ; NPDES No. CAS000002).
 - b. Request for Notice of Completion of Discharges Letter:** The Permittee shall submit a Request for Notice of Completion of Discharges Letter following completion of active Project construction activities, including any required restoration and permittee-responsible mitigation. This request shall be submitted to the Central Valley Water Board staff within thirty (30) days following completion of all Project construction activities. Upon acceptance of the request, Central Valley Water Board staff shall issue a Notice of Completion of Discharges Letter to the Permittee which will end the active discharge period and associated annual fees.
 - c. Request for Notice of Project Complete Letter:** The Permittee shall submit a Request for Notice of Project Complete Letter when construction and/or any post-construction monitoring is complete,³ and no further Project activities will occur. This request shall be submitted to Central Valley Water Board staff within thirty (30) days following completion of all Project activities. Upon approval of the request, the Central Valley Water Board staff shall issue a Notice of Project Complete Letter to the Permittee which will end the post discharge monitoring period and associated annual fees.
- 3. Conditional Notifications and Reports:** The following notifications and reports are required as appropriate.
 - a. Accidental Discharges of Hazardous Materials⁴**

Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271):

 - i.** As soon as (A) Permittee has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:
 - first call – 911 (to notify local response agency)
 - then call – Office of Emergency Services (OES) State Warning Center at:(800) 852-7550 or (916) 845-8911

³ Completion of post-construction monitoring shall be determined by Central Valley Water Board staff and shall be contingent on successful attainment of restoration and mitigation performance criteria.

⁴ "Hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. (Health & Saf. Code, § 25501.)

- Lastly follow the required OES procedures as set forth in:
http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf
 - ii. Following notification to OES, the Permittee shall notify Central Valley Water Board, as soon as practicable (ideally within 24 hours). Notification may be delivered via written notice, email, or other verifiable means in accordance with section XIV.B.
 - iii. Within five (5) working days of notification to the Central Valley Water Board, the Permittee must submit an Accidental Discharge of Hazardous Material Report.
- b. Violation of Compliance with Water Quality Standards:** The Permittee shall notify the Central Valley Water Board of any event causing a violation of compliance with water quality standards. Notification may be delivered via written notice, email, or other verifiable means in accordance with section XIV.B.
- i. This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.
- c. In-Water Work and Diversions**
- i. The Permittee shall notify the Central Valley Water Board at least forty-eight (48) hours prior to initiating work in water or stream diversions. Notification may be delivered via written notice, email, or other verifiable means in accordance with section XIV.B.
 - ii. Within three (3) working days following completion of work in water or stream diversions, an In-Water Work/Diversions Water Quality Monitoring Report must be submitted to Central Valley Water Board staff.
- d. Modifications to Project**
- Project modifications may require an amendment of this Order. The Permittee shall give advance notice to Central Valley Water Board staff if Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority by submitting a Modifications to Project Report. The Permittee shall inform Central Valley Water Board staff of any Project modifications that will interfere with the Permittee's compliance with this Order. Notification may be made in accordance with conditions in the certification deviation section of this Order.
- e. Transfer of Property Ownership:** This Order is not transferable in its entirety or in part to any person or organization except after notice to the Central Valley Water Board in accordance with the following terms:
- i. The Permittee must notify the Central Valley Water Board of any change in ownership or interest in ownership of the Project area by submitting a Transfer of Property Ownership Report. The Permittee and purchaser must sign and date the notification and provide such notification to the Central Valley Water Board at least 10 days prior to the transfer of ownership.
 - ii. Until such time as this Order has been modified to name the purchaser as the permittee, the Permittee shall continue to be responsible for all requirements set forth in this Order.

- f. Transfer of Long-Term BMP Maintenance:** If maintenance responsibility for post-construction BMPs is legally transferred, the Permittee must submit to the Central Valley Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer or designer specifications. The Permittee must provide such notification to the Central Valley Water Board with a Transfer of Long-Term BMP Maintenance Report at least 10 days prior to the transfer of BMP maintenance responsibility.

C. Water Quality Monitoring

- 1. General:** 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). The Permittee shall perform surface water sampling⁵:
 - 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 or during the entire duration 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;

⁵ Sampling is not required in wetlands, where the entire wetland is being permanently filled; provided there is no outflow connecting the wetland to surface waters.

- 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 3 sampling parameters.⁶ The sampling requirements in Table 3 shall be conducted upstream out of the influence of the Project, and approximately 300 feet downstream of the work area.

The sampling frequency may be modified for certain projects with written approval from Central Valley Water Board staff. A surface water monitoring report, as described in Attachment D, shall be submitted within two weeks on initiation of in-water construction. 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 specified in the turbidity criteria in XIV.C.3.d.

Parameter	Unit of Measurement	Type of Sample	Minimum Frequency
Oil and Grease	N/A	Visual	Continuous
Turbidity	NTU	Grab	Every 4 hours

- 4. Post-Construction:** Visually inspect the Project site during the rainy season for five years 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.

D. Standard

1. This Order is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330, and

⁶ 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.

California Code of Regulations, title 23, chapter 28, Article 6 commencing with sections 3867-3869, inclusive. Additionally, the Central Valley Water Board reserves the right to suspend, cancel, or modify and reissue this Order, after providing notice to the Permittee, if the Central Valley Water Board determines that: the Project fails to comply with any of the conditions of this Order; or, when necessary to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) or federal Clean Water Act section 303 (33 U.S.C. § 1313). For purposes of Clean Water Act section 401(d), the condition constitutes a limitation necessary to assure compliance with water quality standards and appropriate requirements of state law.

2. This Order is not intended and shall not be construed to apply to 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 subsection 3855(b) of chapter 28, title 23 of the California Code of Regulations, and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This Order is conditioned upon total payment of any fee required under title 23 of the California Code of Regulations and owed by the Permittee.
4. In the event of any violation or threatened violation of the conditions of this Order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law. For purposes of Clean Water Act, section 401(d), the applicability of any state law authorizing remedies, penalties, processes, or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Order.

E. General Compliance

1. Failure to comply with any condition of this Order shall constitute a violation of the Porter-Cologne Water Quality Control Act and the Clean Water Act. The Permittee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.
2. Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Central Valley Water Board or any applicable State Water Board (collectively Water Boards) water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.
3. In response to a suspected violation of any condition of this Order, the Central Valley Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem 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. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.
4. The Permittee must, at all times, fully comply with engineering plans, specifications, and technical reports submitted to support this Order; and all subsequent submittals

required as part of this Order. The conditions within this Order and Attachments supersede conflicting provisions within Permittee submittals.

5. This Order and all of its conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law.
6. The Permittee shall adhere to all requirements in the mitigation monitoring and reporting program (MMRP) (The Grove Subdivision: 3342 Humphrey Road, dated March 2006) which is incorporated herein by reference and any additional measures as outlined in Attachment C, CEQA Findings of Fact.
7. **Construction General Permit Requirement.** The Permittee 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.

F. Administrative

1. Signatory requirements for all document submittals required by this Order are presented in Attachment E of this Order.
2. This Order does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this Order held by the Permittee, the Permittee must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The Permittee is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.
3. The Permittee shall grant Central Valley Water Board staff, or an authorized representative (including an authorized contractor acting as a Water Board representative), upon presentation of credentials and other documents as may be required by law, permission to:
 - a. Enter upon the Project or compensatory mitigation site(s) premises where a regulated facility or activity is located or conducted, or where records are kept.
 - b. Have access to and copy any records that are kept and are relevant to the Project or the requirements of this Order.
 - c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.
 - d. Sample or monitor for the purposes of assuring Order compliance.
4. A copy of this Order shall be provided to any consultants, contractors, and subcontractors working on the Project. Copies of this Order shall remain at the Project

site for the duration of this Order. The Permittee shall be responsible for work conducted by its consultants, contractors, and any subcontractors.

5. A copy of this Order must be available at the Project site(s) during construction for review by site personnel and agencies. All personnel performing work on the Project shall be familiar with the content of this Order and its posted location at the Project site.

G. Construction

1. Dewatering – NOT APPLICABLE

2. Directional Drilling - NOT APPLICABLE

3. Dredging – NOT APPLICABLE

4. Fugitive Dust – NOT APPLICABLE

5. Good Site Management “Housekeeping”

- a. The Permittee 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 be made available to the Central Valley Water Board staff upon request.
- b. 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. The Permittee 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.
- c. All materials resulting from the Project shall be removed from the site and disposed of properly.

6. Hazardous Materials

- a. The discharge of petroleum products, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete or the washing thereof, asphalt, paint, coating material, drilling fluids, or other substances potentially hazardous to fish and wildlife resulting from or disturbed by project-related activities is prohibited and shall be prevented from contaminating the soil and/or entering waters of the state. In the event of a prohibited discharge, the Permittee shall comply with notification requirements in sections XIV.B.3.a and XIV.B.3.b.

7. Invasive Species and Soil Borne Pathogens – NOT APPLICABLE

8. In-Water Work

- a. Work in the wetland shall occur during periods of no precipitation.

9. Post-Construction Storm Water Management

- a. The Permittee 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 and as required by local agency permitting the Project, as appropriate:
 - i. Minimize the amount of impervious surface;
 - ii. Reduce peak runoff flows;
 - iii. Provide treatment BMPs to reduce pollutants in runoff;
 - iv. Ensure existing waters of the state (e.g., wetlands, vernal pools, or creeks) are not used as pollutant source controls and/or treatment controls;
 - v. Preserve and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones;
 - vi. Limit disturbances of natural water bodies and natural drainage systems caused by development (including development of roads, highways, and bridges);
 - vii. Use existing drainage master plans or studies to ensure incorporation of structural and non-structural BMPs to mitigate the projected pollutant load increases in surface water runoff;
 - viii. 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; and
 - ix. Control post-development peak storm water run-off discharge rates and velocities to prevent or reduce downstream erosion, and to protect stream habitat.
 - b. The Permittee shall ensure that all development within the Project provides verification of maintenance provisions for post-construction structural and treatment control BMPs as required by the local agency permitting the Project. Verification shall include one or more of the following, as applicable:
 - i. The developer's signed statement accepting responsibility for maintenance until the maintenance responsibility is legally transferred to another party; or
 - ii. Written conditions in the sales or lease agreement that require the recipient to assume responsibility for maintenance; or
 - iii. 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
 - iv. Any other legally enforceable agreement that assigns responsibility for storm water BMPs maintenance.
-

10. Roads – NOT APPLICABLE**11. Sediment Control**

- a. Except for activities permitted by the United States Army Corps of Engineers under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.
- b. Silt fencing, straw wattles, or other effective management practices must be used along the construction zone to minimize soil or sediment along the embankments from migrating into the waters of the state through the entire duration of the Project.
- c. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the Project area.

12. Special Status Species – NOT APPLICABLE**13. Stabilization/Erosion Control**

- a. All areas disturbed by Project activities shall be protected from washout and erosion.
- b. Hydroseeding shall be performed with California native seed mix.

14. Storm Water

- a. During the construction phase, the Permittee must employ strategies to minimize erosion and the introduction of pollutants into storm water runoff. These strategies must include the following:
 - i. The Permittee must comply with the Statewide Construction Stormwater Permit, including, but not limited to, preparations and implementation of a Storm Water Pollution Prevention Plan; and
 - ii. 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.

H. Site Specific – NOT APPLICABLE**I. Total Maximum Daily Load (TMDL) – NOT APPLICABLE****J. Mitigation for Temporary Impacts**

1. The Permittee shall restore all temporarily impacted Project site upland areas, which could result in a discharge to waters of the state to pre-construction contours and conditions upon completion of construction activities.

K. Compensatory Mitigation for Permanent Impacts⁷**1. Final Compensatory Mitigation Plan – NOT APPLICABLE**

⁷ Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

2. Compensatory Mitigation Monitoring Requirements – NOT APPLICABLE**3. Compensatory Mitigation Plan - NOT APPLICABLE****4. Irrevocable Letter of Credit NOT APPLICABLE****5. Permittee-Responsible Compensatory Mitigation Responsibility – NOT APPLICABLE****6. Purchase of Mitigation Credits by Permittee for Compensatory Mitigation**

- a. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board prior to the commencement of construction.
- b. The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Central Valley Water Board staff has received documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

7. Total Required Compensatory Mitigation

- a. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.349 acre of wetland by purchasing 0.35 Aquatic Resource Credits from National Fish and Wildlife Foundation (NFWF) Sacramento District California In-Lieu Fee Program.

L. Certification Deviation

1. Minor modifications of Project locations or predicted impacts may be necessary as a result of unforeseen field conditions, necessary engineering re-design, construction concerns, or similar reasons. Some of these prospective Project modifications may have impacts on water quality. Some modifications of Project locations or predicted impacts may qualify as Certification Deviations as set forth in Attachment F. For purposes of this Certification, a "Certification Deviation" is a Project locational or impact modification that does not require an immediate amendment of the Order, because the Central Valley Water Board has determined that any potential water quality impacts that may result from the change are sufficiently addressed by the Order conditions and the CEQA Findings. After the termination of construction, this Order will be formally amended to reflect all authorized Certification Deviations and any resulting adjustments to the amount of water resource impacts and required compensatory mitigation amounts.
2. A Project modification shall not be granted a Certification Deviation if it warrants or necessitates changes that are not addressed by the Order conditions or the CEQA environmental document such that the Project impacts are not addressed in the Project's environmental document or the conditions of this Order. In this case a supplemental environmental review and different Order will be required.

XV. Water Quality Certification

I hereby issue the Order for the Grove Project, (WDID#5A34CR00461) certifying that as long as all of the conditions listed in this Order are met, any discharge from the referenced Project will comply with the applicable provisions of Clean Water Act sections 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).

This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ which authorizes this Order to serve as Waste Discharge Requirements pursuant to the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.).

Except insofar as may be modified by any preceding conditions, all Order actions are contingent on: (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of this Order and the attachments to this Order; and, (b) compliance with all applicable requirements of Statewide Water Quality Control Plans and Policies, the Regional Water Boards' Water Quality Control Plans and Policies.

Original Signed By Andrew Altevogt for:

8/25/2017

Pamela C. Creedon
Executive Officer
Central Valley Regional Water Quality Control Board

Date

- Attachment A** Project Map
- Attachment B** Receiving Waters, Impact, and Mitigation Information
- Attachment C** CEQA Findings of Facts
- Attachment D** Report and Notification Requirements
- Attachment E** Signatory Requirements
- Attachment F** Certification Deviation Procedures

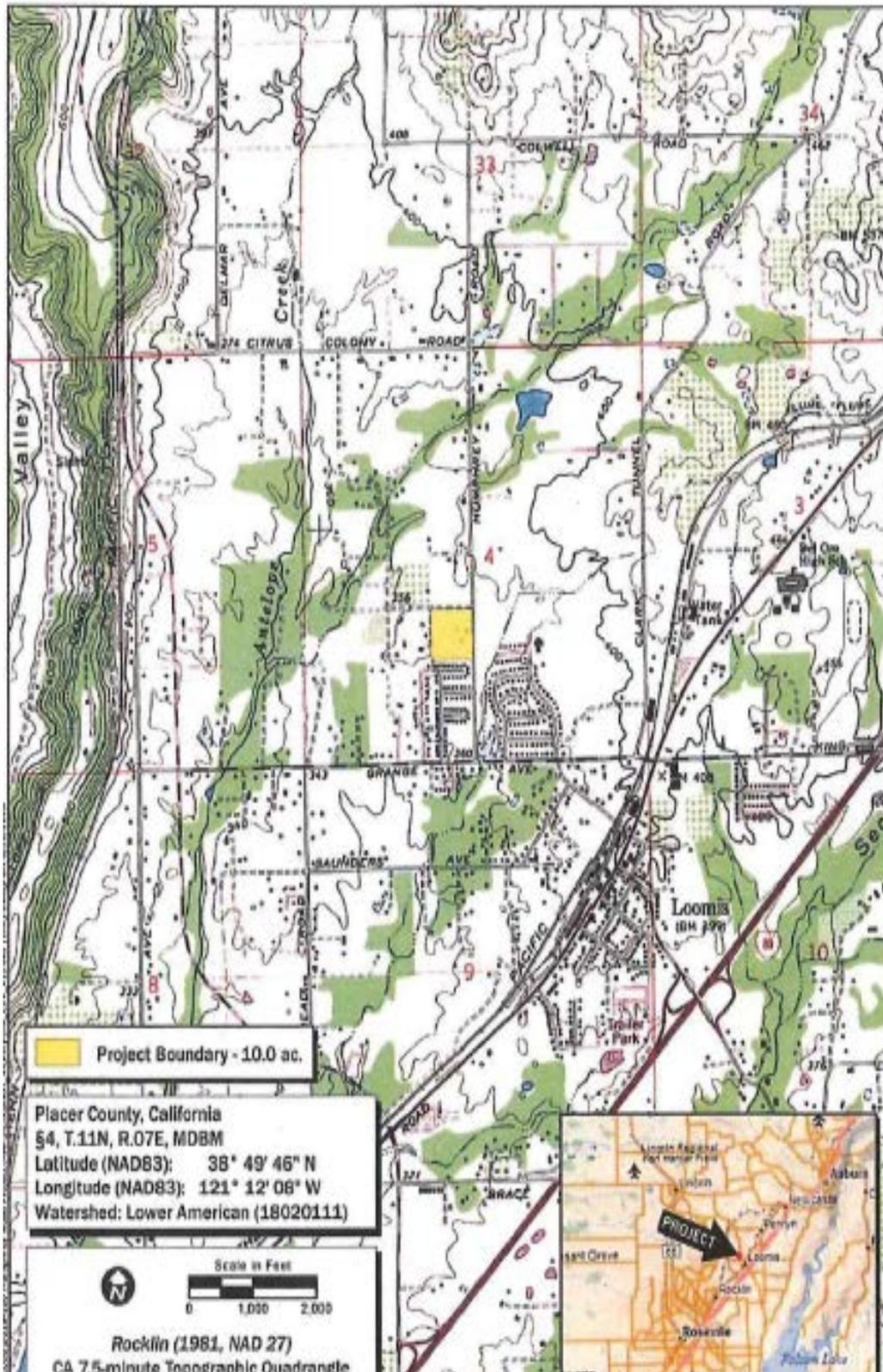


Figure 1 – Project Location Map

Receiving Waters

The following table shows the receiving waters associated with each impact and Permittee responsible mitigation site.

Table 1: Receiving Water(s) Information							
Impact Site ID	Waterbody Name	Impacted Aquatic Resource Type	Water Board Hydrologic Units	Receiving Waters	Receiving Waters Beneficial Uses	303d Listing Pollutant	eCRAM ID ⁸
Site	Unnamed tributary to Antelope Creek	Wetland	819.22	American River	MUN, AGR, IND, POW, REC-1, REC-2, WARM, COLD, SPAW, WILD	N/A	N/A
Site	Stock Pond	Pond	819.22	American River	WARM, COLD, SPAW,	N/A	N/A

⁸ California Rapid Assessment Method (CRAM) score of impacted sites provided by the Permittee.

Individual Direct Impact Locations

The following table shows individual impact locations.

Table 2: Individual Direct Impact Information											
Site ID	Latitude	Longitude	Indirect Impact Requiring Mitigation		Direct Impact Duration	Dredge			Fill/Excavation		
			Yes	No		Acres	Cubic Yards	Linear Feet	Acres	Cubic Yards	Linear Feet
1.Site 1	38°49'46"N	121°12'08"W	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Temporary	--	--	--	--	--	--
					Permanent	--	--	--	0.295	1,126	680
2.Site 2			<input type="checkbox"/>	<input checked="" type="checkbox"/>	Temporary	--	--	--	--	--	--
					Permanent	--	--	--	0.054	--	--

Compensatory Mitigation Information

The following table(s) show individual compensatory mitigation information and locations.

In-Lieu Fee Compensatory Mitigation Information

Table 3 In-Lieu Fee Program			
In-Lieu Fee Program	Name:	National Fish and Wildlife Foundation	
	Website:	http://www.nfwf.org/ilf	
Contact Information	Name:	Jana Doi	
	Phone:	415-778-0999	
	Email:	jana.doi@nfwf.org	
Mitigation Location	County:	Unknown	
	Latitude:	Unknown	
	Longitude:	Unknown	
Aquatic Resource Credit Type	Mitigation Quantity		
	Acres	Linear Feet	Number of Credits Purchased
American River Service Area	0.35	--	--

A. Environmental Review

On 21 December 2016, the Town of Loomis, as lead agency, adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and an Addendum to the MND on 28 April 2017 (State Clearinghouse (SCH) No. 2016122048 for the Project and filed a Notice of Determination (NOD) at the SCH on 7 August 2017. The Central Valley Water Board is a responsible agency under CEQA (Pub. Resources Code, § 21069) and in making its determinations and findings, must presume that the town of Loomis's adopted environmental document complies with the requirements of CEQA and is valid. (Pub. Resources Code, § 21167.3.) The Central Valley Water Board has reviewed and considered the environmental document and finds that the environmental document prepared by the Town of Loomis addresses the Project's water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd. (f).) The environmental document includes the mitigation monitoring and reporting program (MMRP) developed by the Town of Loomis for all mitigation measures that have been adopted for the Project to reduce potential significant impacts. (Pub. Resources Code, § 21081.6, subd. (a)(1); Cal. Code Regs., tit. 14, § 15074, subd. (d).)

B. Incorporation by Reference

Pursuant to CEQA, these Findings of Facts (Findings) support the issuance of this Order based on the Project IS/MND, the application for this Order, and other supplemental documentation.

All CEQA project impacts, including those discussed in subsection C below, are analyzed in detail in the Project Final IS/MND which is incorporated herein by reference. The Project IS/MND is available at: 2954 Richardson Drive, Auburn, CA 95603.

Requirements under the purview of the Central Valley Water Board in the MMRP are incorporated herein by reference.

The Permittee's application for this Order, including all supplemental information provided, is incorporated herein by reference.

C. Findings

The IS/MND describes the potential significant environmental effects to water resources that were mitigated in the IS/MND. Having considered the whole of the record, the Central Valley Water Board makes the following findings:

- (1) *Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
- (2) *There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15070.)*

a.i. Potential Significant Impact:

1. The Project might violate water quality standards or waste discharge requirements or otherwise substantially degrade water quality.

2. The Project might substantially alter the existing drainage pattern of the site area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation of on- or off-site.
3. The Project might substantially alter the existing drainage pattern of the site or area, including through the alteration of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site.
4. The Project might create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

a.ii. Facts in Support of Finding:

1. The proposed Project would generate an increase in impervious surfaces, resulting in a change in absorption rates and the amount of surface runoff. Grading and construction activities associated with project development could contribute to increased erosion and sedimentation. During construction, accidental releases of fuel, hydraulic fluid, paints, solvents, and similar materials could degrade stormwater quality. In addition, the establishment of residential uses on the currently vacant land could introduce water pollutants such as motor vehicle fluids, pesticides and other landscaping chemicals, and other consumer products (soap, paint, etc.) into the runoff.

Pursuant to the requirements of the Town of Loomis's Grading Ordinance, Chapter 12.04 of the Municipal Code, prior to obtaining grading permits, the Applicant would be required to prepare an erosion and sediment control plan that complies with the Town of Loomis' stormwater Quality Association Stormwater Best Management Practice Handbook. The Town of Loomis's Grading Ordinance specifies that the erosion and sediment control plan shall prevent discharge through all stages of project development and shall include measures to ensure permanent site stabilization. The Grading Ordinance also requires that all construction equipment and maintenance and construction materials storage areas would be located within designated areas protected with a berm to contain any loose materials, and all disturbed areas would be protected through revegetation or a protective cover. Additionally, prior to issuance of a grading permit, the Applicant would be required to submit a Notice of Intent and prepare a Stormwater Pollution Prevention Plan (SWPPP) for review by the Central Valley Water Board to receive coverage for project activities under the Water Board's NPDES General Permit for stormwater discharges associated with construction activities. The SWPPP is required to include the following four major elements:

- 1) Identify pollutant sources, including sources of sediment, which may affect the quality of stormwater discharges from the construction site.
- 2) Identify non-stormwater discharges.
- 3) Identify, construct, implement in accordance with a time schedule, and maintain Best Management Practices to reduce or eliminate pollutants in stormwater discharges and authorized non-stormwater discharges from the construction site during construction.
- 4) Identify, construct, implement in accordance with a time schedule, and assign maintenance responsibilities for post-construction Best

Management Practices to be installed during construction that are intended to reduce or eliminate pollutants after construction is completed. In addition, dischargers are also required to inspect construction sites before and after storms to identify stormwater discharge from construction activity, and to identify and implement controls where necessary.

2. The development of the proposed project, when complete, would result in new impervious surfaces and thus could result in an incremental reduction in the amount of natural soil surfaces available for the infiltration of rainfall and runoff, thereby generating additional runoff during storm events. Additional runoff could contribute to the flood potential of natural stream channels or contribute runoff that could exceed the capacity of the Town of Loomis's drainage system. The grading and development of the project site would change the existing drainage patterns.

The Preliminary Storm Drain Report, prepared by Meredith Engineering in 2-16, describes the existing drainage conditions and proposed storm drain system. The proposed storm drain system for the project would divide the site into four drainage sheds. Drainage from these shed areas would be conveyed into a storm drain system to address 10-year and 100-year storm events.

Mitigation Measures for Water Quality (HWQ)

HWQ-1: The project applicant shall incorporate Best Management Practices to control erosion and sedimentation during grading and installation of infrastructure, during all construction activities, and during project operation. The final drainage report (prepared consistent with Town of Loomis requirements, including Chapter 12.04 of the Municipal Code, and the Placer County Storm Drainage Manual) shall include descriptions and/or plan drawings demonstrating the use of Best Management Practices. Best Management Practices for this project shall include the following measures, but may also include additional or alternative measures as determined appropriate and as approved by the Town of Loomis:

- a. An Erosion and Sediment Control Plan shall be submitted for review and approval to the Town of Loomis prior to the issuance of any grading permits. The plan shall comply with Town of Loomis standards and must be implemented for any construction to take place between October 15 and May 15 of any 12-month period. This plan may be included as a subsection of the Construction Emission/Dust Control Plan which is required by the Placer County Air Pollution Control District.
- b. Grading activities shall be timed to minimize the amount of exposed areas during the wet season. By mid-October, all areas that have been graded and that will remain undeveloped during the rainy season shall be revegetated with compatible native vegetation and secured from the possibility of erosion.
- c. Streets adjacent to each construction and demolition site shall be kept clean of project dirt, mud, materials, and debris during the construction and demolition periods.
- d. The final landscaping and irrigation plans shall include landscaping treatment for any cut and fill banks to minimize soil erosion in these areas.

Landscaping materials shall include drought-tolerant ground cover as well as a variety of trees and shrubs.

- e. Infrastructure shall be designed to minimize drainage concentration from impervious surfaces.
- f. Storm drainage from onsite impervious surfaces shall be collected and routed through specifically designed vaults and filters for entrapment of sediment, debris, and oils/greases as approved by the Town of Loomis. Maintenance of these facilities shall be provided by the Grove Subdivision Homeowners Association or Maintenance/Assessment District, unless and until the facilities are accepted by the Town of Loomis for maintenance. Contractual evidence of a monthly maintenance program shall be provided to the Town of Loomis upon request.

HWQ-2: Prior to initiating the grading and/or construction of the site improvements, the developer shall initiate the following:

- a. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer's contractor shall notify both the Town of Loomis Public Works/Engineering Department staff of the intent to begin grading operations. Prior to notification, all grade stakes shall be in place identifying limits of all cut and fill activities. After notification, both Town of Loomis Public Works/Engineering staff shall be provided the opportunity to field review the grading limits to ensure conformity with the Improvement Plans, Tentative Map, and Grading Plan approved by the Town of Loomis. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.
- b. Placement of construction fencing around all trees designated to be preserved.

HWQ-3: This project is subject to construction-related storm water permit requirements of the Federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. The project applicant shall obtain coverage under the NPDES program through the Central Valley Water Board. To obtain coverage under the permit, the applicant shall prepare a project-specific SWPPP. The SWPPP shall include the following:

1. Identification of pollutant sources, including sources of sediment, that may affect the quality of storm water discharges from the construction site;
2. Identification of any non-storm water discharges;
3. Best Management Practices to reduce or eliminate pollutants in storm water discharges and unauthorized non-storm water discharges from the construction site during construction;
4. Best Management Practices to be employed before each storm event;
5. Post-construction Best Management Practices, which are those measures to be installed during construction that are intended to reduce or eliminate pollutants after construction is completed;
6. A program for inspection and maintenance of the Best Management Practices; and
7. A program for monitoring of runoff water quality.

Upon review of the SWPPP, the Central Valley Water Board shall issue Waste Discharge Requirements which set forth conditions, discharge limitations, and monitoring and inspection requirements with which the project applicant shall comply.

The California Stormwater Best Management Handbook for Construction (California Stormwater Quality Association 2003a) also provides examples of Best Management Practices that could be used. Additional measures that may be included in the SWPPP are;

- a) Scheduling materials deliveries to provide for minimal onsite storage and/or providing covered storage for materials wherever practical;
- b) Designating specific areas for overnight equipment storage and maintenance and providing runoff control around those areas to minimize the potential for runoff to contact spilled materials;
- c) Establishing procedures for daily work-site cleanup and prepare and implement a Spill Mitigation Plan for construction-related activities;
- d) Developing a program of site inspections to ensure that Best Management Practices are consistently implemented and effective;
- e) Conducting visual monitoring of runoff quality at selected monitoring points;
- f) Placing fiber rolls (wattles) around drain inlets to prevent sediment and construction-related debris from entering the inlets;
- g) Placing fiber rolls (wattles) along the perimeter of the site to reduce runoff flow velocities and prevent sediment from leaving the site;
- h) Placing silt fences downgradient of disturbed areas to slow down runoff and retain sediment;
- i) Placing sandbags around potentially affected off-site inlets to prevent sediments from entering the inlets; and
- j) Specifying that all disturbed soil will be seeded, mulched, or otherwise protected by October 12.

HWQ-4: The project applicant/developer shall prepare and implement a post-development Stormwater Management Plan (SWMP) in accordance with the NPDES requirements and the most recent version of the West Placer Storm Water Quality Design Manual. The Components of the SWMP shall include protection from flooding, protection and enhancement of the stream environment, prevention of erosion and adverse effects on water quality, incorporation of regional stormwater management goals, and minimization of the project's potential adverse impacts. Best Management Practices shall be included in the plan, as well as a mitigation monitoring program to ensure long-term success of the Best Management Practices. The purpose of this mitigation measure is to provide a plan for ensuring that structural Best Management Practices constructed as part of the proposed project are maintained appropriately such that they continue to perform their intended function as long as the project site is occupied.

The SWMP shall address site-specific drainage characteristics, stormwater conveyance systems, discharge points, potential sources of runoff quality impacts, specific structural Best Management Practices that have been constructed as part of the project, recommended operational Best Management Practices, a maintenance program for structural BMPs, and identification of specific parties responsible for implementing each part of the plan. Specific Best Management Practices shall be developed in consultation with the Town of Loomis and based upon the State Water Board general guidelines for development of Best Management Practices.

Best Management Practices that could be incorporated into the SWMP include the following;

1. Direct roof runoff to grassy areas and away from paved areas or storm drains to promote overland flow of stormwater runoff and reduce velocities and peak flow rates;
2. Provide vegetative swale or buffer areas, which could be incorporated into landscaped areas, to slow down runoff velocities and allow sediments and other pollutants to settle;
3. Install hydrodynamic separators or filter-type inserts in storm drain inlets or catchbasins to remove pollutants from stormwater;
4. Provide in-line storage of stormwater to reduce peak discharge, allow settling of pollutants, and reduce potential for downstream erosion;
5. Provide enclosed trash areas;
6. Perform street cleaning to remove potential debris and pollutants that could be picked up and conveyed by stormwater;
7. Incorporate landscaping into the design;
8. Prevent contact of stormwater with potentially contaminated facilities either by redirecting flows or providing other protection; and
9. Develop and implement a maintenance program for the storm drain system and stormwater detention basins.

HWQ-5: Prior to issuance of building permits, the applicant shall pay all applicable Town of Loomis drainage impact fees.

D. Determination

The Central Valley Water Board has determined that the Project, when implemented in accordance with the MMRP and the conditions in this Order, will not result in any significant adverse water resource impacts. (Cal. Code Regs., tit. 14, § 15096, subd (h).). The Central Valley Water Board will file a NOD with the SCH within five (5) working days from the issuance of this Order. (Cal. Code Regs., tit. 14, § 15096, subd. (i).)

Copies of this Form

In order to identify your project, it is necessary to include a copy of the Project specific Cover Sheet below with your report: please retain for your records. If you need to obtain a copy of the Cover Sheet you may download a copy of this Order as follows:

1. Go to: http://www.waterboards.ca.gov/water_issues/programs/cwa401/certifications.shtml
2. Find your Order in the table based on Applicant, Date, and Subject headers.

Report Submittal Instructions

1. Check the box on the Report and Notification Cover Sheet next to the report or notification you are submitting.
 - **Part A (Annual Report):** This report will be submitted annually from the anniversary of Project effective date until a Notice of Project Complete Letter is issued.
 - **Part B (Project Status Notifications):** Used to notify the Central Valley Water Board of the status of the Project schedule that may affect Project billing.
 - **Part C (Conditional Notifications and Reports):** Required on a case by case basis for accidental discharges of hazardous materials, violation of compliance with water quality standards, notification of in-water work, or other reports.
2. Sign the Report and Notification Cover Sheet and attach all information requested for the Report Type.
3. **Electronic Report Submittal Instructions:**
 - Submit signed Report and Notification Cover Sheet and required information via email to: centralvalleysacramento@waterboards.ca.gov and cc: PeterG.Minkel@waterboards.ca.gov
 - Include in the subject line of the email:
Subject: ATTN: Peter Minkel; Reg. Measure ID: 411981_Report

Definition of Reporting Terms

1. **Active Discharge Period:** The active discharge period begins with the effective date of this Order and ends on the date that the Permittee receives a Notice of Completion of Discharges Letter or, if no post-construction monitoring is required, a Notice of Project Complete Letter. The Active Discharge Period includes all elements of the Project including site construction and restoration, and any Permittee responsible compensatory mitigation construction.
2. **Request for Notice of Completion of Discharges Letter:** This request by the Permittee to the Central Valley Water Board staff pertains to projects that have post construction monitoring requirements, e.g. if site restoration was required to be monitored for 5 years following construction. Central Valley Water Board staff will review the request and send a Completion of Discharges Letter to the Permittee upon approval. This letter will initiate the post-discharge monitoring period and a change in fees from the annual

active discharge fee to the annual post-discharge monitoring fee.

3. **Request for Notice of Project Complete Letter:** This request by the Permittee to the Central Valley Water Board staff pertains to projects that either have completed post-construction monitoring and achieved performance standards or have no post-construction monitoring requirements, and no further Project activities are planned. Central Valley Water Board staff will review the request and send a Project Complete Letter to the Permittee upon approval. Termination of annual invoicing of fees will correspond with the date of this letter.
4. **Post-Discharge Monitoring Period:** The post-discharge monitoring period begins on the date of the Notice of Completion of Discharges Letter and ends on the date of the Notice of Project Complete Letter issued by the Central Valley Water Board staff. The Post-Discharge Monitoring Period includes continued water quality monitoring or compensatory mitigation monitoring.
5. **Effective Date:** 25 August 2017.

Map/Photo Documentation Information

When submitting maps or photos, please use the following formats.

1. **Map Format Information:**

Preferred map formats of at least 1:24000 (1" = 2000') detail (listed in order of preference):

- **GIS shapefiles:** The shapefiles must depict the boundaries of all project areas and extent of aquatic resources impacted. Each shape should be attributed with the extent/type of aquatic resources impacted. Features and boundaries should be accurate to within 33 feet (10 meters). Identify datum/projection used and if possible, provide map with a North American Datum of 1983 (NAD38) in the California Teale Albers projection in feet.
- **Google KML files** saved from Google Maps: My Maps or Google Earth Pro. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. Include URL(s) of maps. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
- **Other electronic format** (CAD or illustration format) that provides a context for location (inclusion of landmarks, known structures, geographic coordinates, or USGS DRG or DOQQ). Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.
- Aquatic resource maps marked on paper **USGS 7.5 minute topographic maps** or **Digital Orthophoto Quarter Quads (DOQQ)** printouts. Maps must show the boundaries of all project areas and extent/type of aquatic resources impacted. If this format is used include a spreadsheet with the object ID and attributed with the extent/type of aquatic resources impacted.

2. **Photo-Documentation:** Include a unique identifier, date stamp, written description of photo details, and latitude/longitude (in decimal degrees) or map indicating location of photo. Successive photos should be taken from the same vantage point to compare pre/post construction conditions.

REPORT AND NOTIFICATION COVER SHEET

Project: The Grove Project
Permittee: Mandarich Development
Reg. Meas. ID: 411981 **Place ID:** 833172
Order Effective Date: 25 August 2017
Order Expiration Date: 24 August 2022

Report Type Submitted

Part A – Project Reporting

Report Type 1 **Monthly Report (# _____)**
Report Type 2 **Annual Report (# _____)**

Part B - Project Status Notifications

Report Type 3 **Commencement of Construction**
Report Type 4 **Request for Notice of Completion of Discharges Letter**
Report Type 5 **Request for Notice of Project Complete Letter**

Part C - Conditional Notifications and Reports

Report Type 6 **Accidental Discharge of Hazardous Material Report**
Report Type 7 **Violation of Compliance with Water Quality Standards Report**
Report Type 8 **In-Water Work/Diversions Water Quality Monitoring Report**
Report Type 9 **Modifications to Project Report**
Report Type 10 **Transfer of Property Ownership Report**
Report Type 11 **Transfer of Long-Term BMP Maintenance Report**

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Print Name ¹

Affiliation and Job Title

Signature

Date

¹STATEMENT OF AUTHORIZATION (include if authorization has changed since application was submitted)

I hereby authorize _____ to act in my behalf as my representative in the submittal of this report, and to furnish upon request, supplemental information in support of this submittal.

Permittee's Signature

Date

***This Report and Notification Cover Sheet must be signed by the Permittee or a duly authorized representative and included with all written submittals.**

Part A – Project Reporting

Report Type 1	Monthly Report – NOT APPLICABLE
Report Purpose	-
When to Submit	Not required.
Report Contents	-

Report Type 2	Annual Report – NOT APPLICABLE
Report Purpose	-
When to Submit	Not Required
Report Contents	-

Annual Report Topics (1-3) – NOT APPLICABLE

Annual Report Topic 1	Construction Summary – NOT APPLICABLE
When to Submit	Not Required
Report Contents	-

Annual Report Topic 2	Mitigation for Temporary Impacts Status – NOT APPLICABLE
When to Submit	Not Required
Report Contents	-

Annual Report Topic 3	Compensatory Mitigation for Permanent Impacts Status – NOT APPLICABLE
When to Submit	Not Required
Report Contents	-

Part B – Project Status Notifications

Report Type 3	Commencement of Construction
Report Purpose	Notify Central Valley Water Board staff prior to the start of construction.
When to Submit	Must be received at least seven (7) days prior to start of initial ground disturbance activities.
Report Contents	<ol style="list-style-type: none"> 1. Date of commencement of construction. 2. Anticipated date when discharges to waters of the state will occur. 3. Project schedule milestones including a schedule for onsite compensatory mitigation, if applicable. 4. Construction Storm Water General Permit WDID No. <p>Compensatory Mitigation for Permanent Impacts – Mitigation Bank or In-Lieu Fee (ILF)</p> <ol style="list-style-type: none"> 1. Proof of purchase of credit types and quantities, which includes the name of the mitigation bank/ILF and contact information. 2. If ILF, location of project and type if known.

Report Type 4	Request for Notice of Completion of Discharges Letter
Report Purpose	Notify Central Valley Water Board staff that post-construction monitoring is required and that active Project construction, including any mitigation and permittee responsible compensatory mitigation, is complete.
When to Submit	Must be received by Central Valley Water Board staff within thirty (30) days following completion of all Project construction activities.
Report Contents	<ol style="list-style-type: none"> 1. Status of storm water Notice of Termination(s), if applicable. 2. Status of post-construction storm water BMP installation. 3. Pre- and post-photo documentation of all Project activity sites where the discharge of dredge and/or fill/excavation was authorized. 4. Summary of Certification Deviation discharge quantities compared to initial authorized impacts to waters of the state, if applicable. 5. An updated monitoring schedule for mitigation for temporary impacts to waters of the state and permittee responsible compensatory mitigation during the post-discharge monitoring period, if applicable.

Report Type 5	Request for Notice of Project Complete Letter
Report Purpose	Notify Central Valley Water Board staff that construction and/or any post-construction monitoring is complete, or is not required, and no further Project activity is planned.
When to Submit	Must be received by Central Valley Water Board staff within thirty (30) days following completion of all Project activities.
Report Contents	<p>Part A: Mitigation for Temporary Impacts</p> <ol style="list-style-type: none"> 1. Pre- and post-photo documentation of all restoration sites.

	<p>Part B: Permittee Responsible Compensatory Mitigation – Not Applicable</p> <p>Part C: Post-Construction Storm Water BMPs</p> <ol style="list-style-type: none">2. Date of storm water Notice of Termination(s), if applicable.3. Report status and functionality of all post-construction BMPs.
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Part C – Conditional Notifications and Reports

Report Type 6	Accidental Discharge of Hazardous Material Report
Report Purpose	Notifies Central Valley Water Board staff that an accidental discharge of hazardous material has occurred.
When to Submit	Within five (5) working days following the date of an accidental discharge. Continue reporting as required by Central Valley Water Board staff.
Report Contents	<ol style="list-style-type: none"> 1. The report shall include the OES Incident/Assessment Form, a full description and map of the accidental discharge incident (i.e. location, time and date, source, discharge constituent and quantity, aerial extent, and photo documentation). If applicable, the OES Written Follow-Up Report may be substituted. 2. If applicable, any required sampling data, a full description of the sampling methods including frequency/dates and times of sampling, equipment, locations of sampling sites. 3. Locations and construction specifications of any barriers, including silt curtains or diverting structures, and any associated trenching or anchoring.

Report Type 7	Violation of Compliance with Water Quality Standards Report
Report Purpose	Notifies Central Valley Water Board staff that a violation of compliance with water quality standards has occurred.
When to Submit	The Permittee shall report any event that causes a violation of water quality standards within three (3) working days of the noncompliance event notification to Central Valley Water Board staff.
Report Contents	The report shall include: the cause; the location shown on a map; and the period of the noncompliance including exact dates and times. If the noncompliance has not been corrected, include: the anticipated time it is expected to continue; the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance; and any monitoring results if required by Central Valley Water Board staff.

Report Type 8	In-Water Work and Diversions Water Quality Monitoring Report
Report Purpose	Notifies Central Valley Water Board staff of the start and completion of in-water work. Reports the sampling results during in-water work.
When to Submit	Forty eight (48) hours prior to the start of in-water work. Within three (3) working days following the completion of in-water work. Surface water monitoring reports to be submitted two (2) weeks on initiation of in-water constructionp. Continue reporting in accordance with the approved water quality monitoring plan or as indicated in XIV.C.3.
Report Contents	As required by the approved water quality monitoring plan or as indicated in XIV.C.3.

Report Type 9	Modifications to Project Report
Report Purpose	Notifies Central Valley Water Board staff if the Project, as described in the application materials, is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority.
When to Submit	If Project implementation as described in the application materials is altered in any way or by the imposition of subsequent permit conditions by any local, state or federal regulatory authority.
Report Contents	A description and location of any alterations to Project implementation. Identification of any Project modifications that will interfere with the Permittee's compliance with the Order.

Report Type 10	Transfer of Property Ownership Report
Report Purpose	Notifies Central Valley Water Board staff of change in ownership of the Project or Permittee-responsible mitigation area.
When to Submit	At least 10 working days prior to the transfer of ownership.
Report Contents	<ol style="list-style-type: none"> 1. A statement that the Permittee has provided the purchaser with a copy of this Order and that the purchaser understands and accepts: <ol style="list-style-type: none"> a. the Order's requirements and the obligation to implement them or be subject to administrative and/or civil liability for failure to do so; and b. responsibility for compliance with any long-term BMP⁹ maintenance plan requirements in this Order. 2. A statement that the Permittee has informed the purchaser to submit a written request to the Central Valley Water Board to be named as the permittee in a revised order.

Report Type 11	Transfer of Long-Term BMP Maintenance Report
Report Purpose	Notifies Central Valley Water Board staff of transfer of long-term BMP maintenance responsibility.
When to Submit	At least 10 working days prior to the transfer of BMP maintenance responsibility.
Report Contents	A copy of the legal document transferring maintenance responsibility of post-construction BMPs.

⁹ Best Management Practices (BMPs) is a term used to describe a type of water pollution or environmental control.

SIGNATORY REQUIREMENTS

*All Documents Submitted In Compliance With This Order
Shall Meet The Following Signatory Requirements:*

1. All applications, reports, or information submitted to the Central Valley Water Quality Control Board (Central Valley Water Board) must be signed and certified as follows:
 - a) For a corporation, by a responsible corporate officer of at least the level of vice-president.
 - b) For a partnership or sole proprietorship, by a general partner or proprietor, respectively.
 - c) For a municipality, or a state, federal, or other public agency, by either a principal executive officer or ranking elected official.
2. A duly authorized representative of a person designated in items 1.a through 1.c above may sign documents if:
 - a) The authorization is made in writing by a person described in items 1.a through 1.c above.
 - b) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated activity.
 - c) The written authorization is submitted to the Central Valley Water Board Staff Contact prior to submitting any documents listed in item 1 above.
3. Any person signing a document under this section shall make the following certification:

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

Certification Deviation Procedures

Introduction

These procedures are put into place to preclude the need for Order amendments for minor changes in the Project routing or location. Minor changes or modifications in project activities are often required by the Permittee following start of construction. These deviations may potentially increase or decrease impacts to waters of the state. In such cases, a Certification Deviation, as defined in Section F of the Order, may be requested by the Permittee as set forth below:

Process Steps

Who may apply: The Permittee or the Permittee's duly authorized representative or agent (hereinafter, "Permittee") for this Order.

How to apply: By letter or email to the 401 staff designated as the contact for this Order.

Certification Deviation Request: The Permittee will request verification from the Central Valley Water Board staff that the project change qualifies as a Certification Deviation, as opposed to requiring an amendment to the Order. The request should:

1. Describe the Project change or modification:
 - a. Proposed activity description and purpose;
 - b. Why the proposed activity is considered minor in terms of impacts to waters of the state;
 - c. How the Project activity is currently addressed in the Order; and,
 - d. Why a Certification Deviation is necessary for the Project.
2. Describe location (latitude/longitude coordinates), the date(s) it will occur, as well as associated impact information (i.e., temporary or permanent, federal or non-federal jurisdiction, water body name/type, estimated impact area, etc.) and minimization measures to be implemented.
3. Provide all updated environmental survey information for the new impact area.
4. Provide a map that includes the activity boundaries with photos of the site.
5. Provide verification of any mitigation needed according to the Order conditions.
6. Provide verification from the CEQA Lead Agency that the proposed changes or modifications do not trigger the need for a subsequent environmental document, an addendum to the environmental document, or a supplemental EIR. (Cal. Code Regs., tit. 14, §§ 15162-15164.)

Post-Discharge Certification Deviation Reporting:

1. Within 30 calendar days of completing the approved Certification Deviation activity, the Permittee will provide a post-discharge activity report that includes the following information:
 - a. Activity description and purpose;
 - b. Activity location, start date, and completion date;
 - c. Erosion control and pollution prevention measures applied;
 - d. The net change in impact area by water body type(s) in acres, linear feet and cubic yards;
 - e. Mitigation plan, if applicable; and,
 - f. Map of activity location and boundaries; post-construction photos.

Annual Summary Deviation Report:

1. Until a Notice of Completion of Discharges Letter or Notice of Project Complete Letter is issued, include in the Annual Project Report (see Construction Notification and Reporting attachment) a compilation of all Certification Deviation activities through the reporting period with the following information:
 - a. Site name(s).
 - b. Date(s) of Certification Deviation approval.
 - c. Location(s) of authorized activities.
 - d. Impact area(s) by water body type prior to activity in acres, linear feet and cubic yards, as originally authorized in the Order.
 - e. Actual impact area(s) by water body type in, acres, linear feet and cubic yards, due to Certification Deviation activity(ies).
 - f. The net change in impact area by water body type(s) in acres, linear feet and cubic yards;
 - g. Mitigation to be provided (approved mitigation ratio and amount).