



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Central Valley Regional Water Quality Control Board

13 October 2017

John D. Stanek  
Greenbriar Project Owner, LP  
888 San Clemente, Suite 100  
Newport Beach, CA 92660

CERTIFIED MAIL  
91 7199 9991 7035 8362 7328

### ***ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR THE GREENBRIAR DEVELOPMENT PROJECT (WDID#5A34CR00587A1), SACRAMENTO COUNTY***

This Order responds to the 25 January 2017 request for an amendment of the Greenbriar Development Project (Project) Section 401 Water Quality Certification (WDID# 5A34CR00587). The original Water Quality Certification (Certification) was issued on 2 September 2014. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

#### **AMENDMENT:**

This amendment revises the Certification to reflect the revised project design, which has resulted in changes to the Project description and impact size, and new representative for Greenbriar Project Owner, LP. On 28 September 2017 Greenbriar Project Owner, LP submitted a request to the United States Army Corps of Engineers to revise the Clean Water Act Section 404 permit application for the Project. In addition, this amendment updates the Central Valley Water Board contact and corrects typographical errors.

The Certification is amended as shown in underline/strikeout format in Attachment A.

#### **APPLICATION FEE RECEIVED:**

Fees of \$66,290.00 were received for this amendment on 2 October 2017.

Total fees of \$48,597.00 for the original Certification were received on 24 September 2013.

The fee amount was determined as required by California Code of Regulation, title 23, sections 3833(b)(3) and by 2200(a)(3), and was calculated as category A – Fill and Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

#### **CENTRAL VALLEY WATER BOARD CONTACT:**

Nicholas White, Water Resource Control Engineer  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-8114  
Nicholas.White@waterboards.ca.gov  
(916)464-4856

**PUBLIC NOTICE:**

The Central Valley Water Board provided public notice of the application for an amendment pursuant to California Code of Regulations, title 23, section 3858 from 27 January 2017 to 17 February 2017. The Central Valley Water Board did not receive any comments during the comment period.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:**

The City of Sacramento signed a final Notice of Determination certifying a Final Environmental Impact Report (FEIR) on 1 February 2008 in compliance with Section 21108 or 21152 of the Public Resources Code, stating the project will have a significant effect on the environment. Mitigation measures were made a condition of approval. A mitigation reporting or monitoring plan was adopted for this project and a statement of Overriding Considerations was adopted for this project. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. (State Clearinghouse Number 2005062144).

**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Greenbriar Development Project (WDID#5A34CR00587A1). All other conditions and provisions of the original Water Quality Certification and any previously approved amendments remain in full force and effect, except as modified based on the conditions of this Order. Failure to comply with the terms and conditions of the original Water Quality Certification, previously approved amendments, or of this Order may result in suspension or revocation of the Water Quality Certification.

*Original Signed By Adam Laputz for:*

Pamela C. Creedon  
Executive Officer

Attachment A: Clean Water Act §401 Technically Conditioned Water Quality Certification For Discharge Of Dredged And/OR Fill Materials For The Greenbriar Development Project (WDID#5A34CR00687), Sacramento, Sacramento County

cc: Lisa Gibson (SPK-2005-00572)  
United States Army Corps of Engineers  
Sacramento District Headquarters  
1325 J Street, Room 1350  
Sacramento, CA 95814-2922

Bill Jennings  
CA Sportfishing Protection Alliance  
3536 Rainier Avenue  
Stockton, CA 95204

Robert Edgerton (Electronic copy only)  
RobertE@helixepi.com

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

Department of Fish and Wildlife, Region 2  
(Electronic Copy Only)  
R2LSA @wildlife.ca.gov

Bill Orme (Electronic copy only)  
State Water Resources Control Board  
StateBoard401@waterboards.ca.gov

## Central Valley Regional Water Quality Control Board

# Attachment A

2 September 2014

Mr. John D. Stanek  
Greenbriar Project Owner, LP  
888 San Clemente, Suite 100  
Newport Beach, CA 92660

### **CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION FOR DISCHARGE OF DREDGED AND/OR FILL MATERIALS FOR THE GREENBRIAR DEVELOPMENT PROJECT (WDID#5A34CR00587), SACRAMENTO, SACRAMENTO COUNTY**

#### **ACTION:**

1.  Order for Standard Certification
2.  Order for Technically Conditioned Certification
3.  Order for Denial of Certification

#### **WATER QUALITY CERTIFICATION STANDARD CONDITIONS:**

1. This certification action 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 Title 23 of the California Code of Regulations (23 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 subsection 3855(b) 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 under 23 CCR §3833, unless otherwise stated in writing by the certifying agency.
4. Certification is valid for the duration of the described project. Greenbriar Project Owner, LP shall notify the Central Valley Water Board in writing within 7 days of project completion.

**ADDITIONAL TECHNICALLY CONDITIONED CERTIFICATION CONDITIONS:**

In addition to the four standard conditions, Greenbriar Project Owner, LP shall satisfy the following:

1. Greenbriar Project Owner, LP shall notify the Central Valley Water Board in writing 7 days in advance of the start of any in-water activities.
2. Except for activities permitted by the U.S. Army Corps 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. All areas disturbed by project activities shall be protected from washout or erosion.
4. Greenbriar Project Owner, LP 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.
5. An effective combination of erosion and sediment control Best Management Practices (BMPs) must be implemented and adequately working during all phases of construction.
6. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities.
7. Greenbriar Project Owner, LP shall perform surface water sampling: 1) When performing any in-water work; 2) In the event that project activities result in any materials reaching surface waters or; 3) When any activities result in the creation of a visible plume in surface waters. The following monitoring shall be conducted immediately upstream out of the influence of the project and 300 feet downstream of the active work area. Sampling results shall be submitted to this office within two weeks of initiation of sampling and every two weeks thereafter. The sampling frequency may be modified for certain projects with written permission from the Central Valley Water Board.

<b>Parameter</b>	<b>Unit</b>	<b>Type of Sample</b>	<b>Frequency of Sample</b>
Turbidity	NTU	Grab	Every 4 hours during in water work
Settleable Material	ml/l	Grab	Same as above.
Visible construction related pollutants	Observations	Visible Inspections	Continuous throughout the construction period

8. Activities shall not cause turbidity increases in surface water to exceed:
  - (a) where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTU;
  - (b) where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
  - (c) where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
  - (d) where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs;
  - (e) 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 NTU over background turbidity as measured in surface waters 300 feet downstream from the working area. 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 assessed by prior permission of the Central Valley Water Board.

9. Activities shall not cause settleable matter to exceed 0.1 ml/l in surface waters as measured in surface waters 300 feet downstream from the project.
10. 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 work area or downstream. Greenbriar Project Owner, LP shall notify the Central Valley Water Board immediately of any spill of petroleum products or other organic or earthen materials.
11. Greenbriar Project Owner, LP shall notify the Central Valley Water Board immediately if the above criteria for turbidity, settleable matter, oil/grease, or foam are exceeded.
12. Greenbriar Project Owner, LP shall comply with all Department of Fish and Wildlife 1600 requirements for the project.
13. Greenbriar Project Owner, LP must obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities issued by the State Water Resources Control Board for any project disturbing an area of 1 acre or greater.
14. The Conditions in this water quality certification are based on the information in the attached "Project Information." If the information in the attached Project Information is modified or the project changes, this water quality certification is no longer valid until amended by the Central Valley Water Board.
15. 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 law and section 401 (d) of the federal 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 into this order

- a. If Greenbriar Project Owner, LP 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, the applicant 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 Order, the Central Valley Water Board may require Greenbriar Project Owner, LP to furnish, under penalty of perjury, any technical or monitoring reports the Central Valley Water Board deems appropriate, provided that the burden, including cost of the reports, shall be in reasonable relationship to the need for the reports and the benefits to be obtained from the reports..
- c. Greenbriar Project Owner, LP shall allow the staff(s) 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.

**ADDITIONAL STORM WATER QUALITY CONDITIONS:**

Greenbriar Project Owner, LP shall also satisfy the following additional storm water quality conditions:

1. During the construction phase, Greenbriar Project Owner, LP 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.
2. Greenbriar Project Owner, LP must minimize the short and long-term impacts on receiving water quality from the Greenbriar Development 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.
3. Greenbriar Project Owner, LP 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.
4. 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 Greenbriar Project Owner, LP 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.

**REGIONAL WATER QUALITY CONTROL BOARD CONTACT PERSON:**

~~George D. Day, P.E., Redding Branch Office, 364 Knollcrest Drive, Suite 205, Redding, California 96002, (530) 224-4845~~

Nicholas White, Water Resource Control Engineer  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, California 95670  
Nicholas.White@waterboards.ca.gov  
(910) 464-4856

## **WATER QUALITY CERTIFICATION:**

I hereby issue an order certifying that any discharge from Greenbriar Project.Owner, LP, Greenbriar Development Project (WDID# 5A34CR00587) 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 strict compliance with Greenbriar Project Owner, LP's project description and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the *Water Quality Control Plan for the Sacramento River and San Joaquin River*, Fourth Edition, revised October 2011 (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](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

*Original Signed by George Day for:*

PAMELA C. CREEDON  
Executive Officer

GDD:lmw

Enclosure: Water Quality Order No. 2003-0017 DWQ

cc w/o  
enclosures: Ms. Lisa Gibson, U.S. Army Corps of Engineers, Sacramento  
Department of Fish and Wildlife, Region 2, Rancho Cordova  
U.S. Fish and Wildlife Service, Sacramento  
Mr. Bill Jennings, CALSPA, Stockton  
Mr. Michael McCollum, McCollum Associates, Sacramento

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

## PROJECT INFORMATION

**Application Date:** 24 September 2013

**Application Complete Date:** 28 August 2014

**Applicant:** Greenbriar Project Owner LP, Attn: Mr. John D. Stanek

**Applicant Representatives:** ~~McCollum Associates, Attn: Mr. Michael McCollum~~  
Helix Environmental Planning, Robert Edgerton

**Project Name:** Greenbriar Development Project

**Application Number:** WDID No. 5A34CR00587

**U.S. Army Corps File Number:** SPK-2005-00572

**Type of Project:** Construction of a residential development with commercial and retail centers, arterial and local roads, an elementary school, neighborhood parks and lakes.

**Project Location:** Section 4/33, Township 9/10 North, Range 4 East, MDB&M.  
Latitude: 38°40'41" and Longitude: -121°32'53"

**County:** Sacramento County

**Receiving Water(s) (hydrologic unit):** Lone Tree Canal, which is tributary to Sacramento River. Valley-American Hydrologic Unit-Pleasant Grove Hydrologic Subarea No. 519.22

**Water Body Type:** Wetlands, Streambed

**Designated Beneficial Uses:** The Basin Plan for the Central Valley Water Board has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND), Hydropower Generation (POW); Groundwater Recharge, 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).

**Project Description (purpose/goal):** The Greenbriar Development Project consists of approximately 577 acre site, of which approximately ~~504~~ 517 acres will be used to construct a residential development with commercial and retail centers, arterial and local roads, an elementary school, neighborhood parks, and ~~lakes~~ a detention basin. The ~~estimated 76 acres~~ remaining 58.4 acres on the project site are designated for open space, and include approximately 28.3 acres along Lone Tree Canal that will be preserved and managed for special-status species (Lone Tree Canal Reserve) and approximately 25.9 acres designated as Open Space Freeway Buffer. ~~The remaining 21.8 acres of designated open space consists of landscaped areas within the development (such as around the perimeter of a planned lake).~~ Areas designated for planned parks within the development are in addition to the designated open space. Approximately 1.6 acre in the northeast corner of the Greenbriar Project Site will be

dedicated to the State of California as right-of-way for future modifications to the State Route 70/99 (SR 70/99) southbound on-ramp from Elkhorn Boulevard.

The Lone Tree Canal Reserve will include the existing Lone Tree Canal (top-of-bank to top-of-bank) within the Greenbriar Project Site, and an approximately 200- to 225-foot-wide buffer corridor adjacent to the east side of the canal. Establishment of the reserve will include restoration along Lone Tree Canal. These activities include grading/re-contouring the eastern bank of the canal from a 1:1 slope to a 3:1 slope, seeding the new slope with native grasses, and installing protective fencing to separate the reserve from the development. Re-contouring the eastern bank of Lone Tree Canal will increase the bank area of the canal by approximately 1 acre.

The existing 30-inch-diameter culvert under Elkhorn Boulevard at Lone Tree Canal will be replaced with a 54-inch-diameter pipe culvert. The new pipe culvert and outlet rock slope protection will partially encroach on the Lone Tree Canal Reserve. The culvert is being replaced as part of roadway widening activities along Elkhorn Boulevard. A new 8-inch-diameter pipe will be installed to connect to Lone Tree Canal near the northern project boundary from lakes proposed for construction on the Greenbriar Project Site. The purpose of the pipe is to provide supplemental flows to Lone Tree Canal in the event that additional water is required to maintain water levels sufficient to support giant garter snake during its active season. The pipe will include a slide gate that will be physically operated as needed. The lake water supply will be groundwater from pumps installed as part of the project. Meister Way and the DNA Light Rail will cross over Lone Tree Canal via a 54-inch-diameter, 215-foot-long culvert with rock slope protection at the inlet and outlet. A currently unnamed residential road (referred to as "Residential Street 3") will cross over Lone Tree Canal via a 54-inch-diameter, 140-foot-long culvert with rock slope protection at the inlet and outlet. A new 60-inch-diameter pipe will be installed to outfall from the proposed lakes detention basins within the development to Lone Tree Canal at the existing box culverts near I-5. The drain outfall structure will feature a concrete headwall and wingwalls, and rock protection will be placed in the bottom of Lone Tree Canal at the structure outlet.

An engineered building pad from the adjacent development on the Greenbriar Project Site will extend into the Lone Tree Canal Reserve along its eastern boundary by a maximum of 25 feet (totaling approximately 3.1 acres in the Lone Tree Canal Reserve). The building pad will be constructed of engineered fill comprised of clean dirt, and the portion within the Lone Tree Canal Reserve will be a 3:1 fill slope from the proposed pad into the Lone Tree Canal Reserve. The fill slope will be hydro-seeded post-construction to allow vegetation to establish. The exclusionary fence to be constructed along the boundary of the reserve will be constructed across the top of the fill slope adjacent to the building pads.

The Off-site Improvement Lands include improvements not on the Greenbriar Project Site that are necessary to accommodate the proposed development. The following are proposed off-site improvements:

- The previously described 54-inch-diameter culvert that will be installed under Elkhorn Boulevard at Lone Tree Canal to replace the existing 30-inch-diameter pipe culvert will be constructed on Off-site Improvement Lands, although it will partially encroach on the Lone Tree Canal Reserve.
- A 30-inch-diameter water line to supply the Greenbriar Project Site will be constructed from the southern site boundary, and will pass under I-5 to tie into the existing City of Sacramento's water line at South Bayou Road.

- Elkhorn Boulevard is proposed to be widened along its existing alignment from Lone Tree Canal to the beginning of the SR 70/99 southbound on-ramp, to three lanes in each direction, with on-street bike lanes in each direction, a landscaped median, and sidewalks on both sides of the roadway separated from the road by a landscaped parkway. The proposed project would construct three new eastbound lanes with the on-street eastbound bike lane and the associated frontage improvements along the southern edge of the roadway. The proposed project also plans to construct the landscaped median, and incorporate the existing lanes as westbound lanes. These improvements are collectively referred to as “Greenbriar Development Project Improvements to Elkhorn Blvd.”

**Table 2: Impacts from Fill and/or Excavation Activities**

Aquatic Resource Type	Temporary			Permanent					
				Physical Loss of Area			Degradation of Ecological Condition		
	Acres	Cubic yards	Linear feet	Acres	Cubic yards	Linear feet	Acres	Cubic yards	Linear feet
<u>Stream Channel</u>	2.94 :	:	:	2.03 <u>4.66</u>	1,593	13,682	:	:	:
<u>Wetland</u>	0.08 :	:	:	12.66 <u>12.83</u>	14,557	:	:	:	:
<b><u>Total Impacts</u></b>	<b>2.99</b> :	:	:	<b>14.69</b> <b><u>17.49</u></b>	<b>15,150</b>	<b>13,682</b>	:	:	:

**Preliminary Water Quality Concerns:** Construction activities may impact surface waters with increased turbidity and settleable matter.

**Proposed Mitigation to Address Concerns:** Greenbriar Project Owner, LP 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. Greenbriar Project Owner, LP 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:** Project implementation will permanently impact ~~12.66~~ 12.83 acre of jurisdictional wetlands and ~~2.03~~ 4.66 acre of un-vegetated streambed and temporarily impact ~~0.08~~ acre of jurisdictional wetland and ~~2.91~~ acre of un-vegetated streambed.

**Dredge Volume:** ~~1,500 cubic yards of soil~~ Not Applicable.

**U.S. Army Corps of Engineers Permit Number:** Individual Permit

**Department of Fish and Wildlife Streambed Alteration Agreement:** Greenbriar Project Owner, LP applied for a Streambed Alteration Agreement on 20 September 2013.

**Possible Listed Species:** Giant garter snake and valley elderberry longhorn beetle.

**Status of CEQA Compliance:** The City of Sacramento signed a final Notice of Determination approving a Mitigated Negative Declaration on 31 January 2008 in compliance with Section 21108 or 21152 of the Public Resources Code, stating the project will not have a significant effect on the environment. Mitigation measures were made a condition of approval. A mitigation reporting or monitoring plan was adopted for this project and a statement of Overriding Considerations was adopted for this project. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. (State Clearinghouse Number 2005062144).

**Compensatory Mitigation:** The applicant must comply with the U.S. Army Corps of Engineers' requirements for compensatory mitigation for the impacts to jurisdictional waters as required.

**Application Fee Provided:** On 24 September 2013 a certification application fee of \$48,597.00 was submitted as required by 23 CCR §3833b(3)(A) and by 23 CCR §2200(e).

**DISTRIBUTION LIST**

Ms. Lisa Gibson  
U.S. Army Corp of Engineers  
Sacramento District Office  
1325 J Street  
Sacramento, CA 95814-2922

R9-WTR8-Mailbox@epa.gov  
Wetlands Section Chief (W-3)  
United States Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105

United States Fish & Wildlife Service  
Sacramento Fish & Wildlife Office  
2800 Cottage Way  
Sacramento, CA 95825

Department of Fish and Wildlife  
Region II  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670

Mr. Bill Orme  
Stateboard401@waterboards.ca.gov  
State Water Resources Control Board, Certification Unit  
P.O. Box 944213  
Sacramento, CA 94244-2130

Bill Jennings  
CA Sportfishing Protection Alliance  
3536 Rainier Avenue  
Stockton, CA 95204

~~Mr. Michael McCollum  
McCollum Associates  
10196 Clover Ranch Drive  
Sacramento, CA 95829~~  
Robert Edgerton  
Helix Environmental Planning, Inc  
RobertE@helixepi.com