

Central Valley Regional Water Quality Control Board

27 May 2019

Bridgit Koller
Lennar Corporation
2603 Camino Ramon Drive, Suite 525
San Ramon, CA 95661

CERTIFIED MAIL
7018 1830 0001 0062 7013

ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; LENNAR CORPORATION, LOWER LAGOON VALLEY POLICY PLAN IMPLEMENTATION PROJECT (WDID#5A48CR00111A1), SOLANO COUNTY

This Order responds to the 12 March 2019 request for an amendment of the Lower Lagoon Valley Policy Plan Implementation Project (Project) Section 401 Water Quality Certification (WDID#5A48CR00111). The original Water Quality Certification (Certification) was issued on 28 November 2012. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

Lennar Corporation is requesting an updated Project description, a name change, and a time extension through 30 September 2020. The updates to Project design do not affect the Project impacts or fill quantities. The name change will allow Lennar Corporation to proceed with the Project described in the original Certification. A time extension was authorized by the United States Army Corps of Engineers on 27 October 2015.

Lennar Corporation has provided documentation from the United States Army Corps of Engineers (SPK-2003-00760) authorizing in-water construction activities to continue until 30 September 2020.

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

APPLICATION FEE RECEIVED:

No fee was required for this amendment. Total fees of \$59,000.00 for the original Certification were received on 24 May 2012. The fee amount was determined as required by California Code of Regulations, title 23, sections 3383(b)(3) and 2200(a)(3), as was calculated as category A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD CONTACT:

Jordan Hensley, Environmental Scientist
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-8114
Jordan.Hensley@waterboards.ca.gov
(916) 464-4812

WATER QUALITY CERTIFICATION:

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Lower Lagoon Valley Policy Plan Implementation Project (WDID#5A48CR00111A1). 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 Jim Marshall for:

Patrick Pulupa
Executive Officer

Enclosure: Attachment A: Amendments to the Clean Water Act, Section 401 Technically
Conditioned Water Quality Certification for the Lower Lagoon Valley Policy Plan
Implementation Project

cc: Distribution List, page 3

DISTRIBUTION LIST

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Central Valley Regional Water Quality Control Board

28 November 2012

ATTACHMENT A

~~Mike Serpa~~ Bridgit Koller
~~Standard Pacific~~ Lennar Corporation
~~3825 Hopyard Road~~ 2603 Camino Ramon Drive, Suite 525
~~Pleasanton, CA 94588~~ San Ramon, CA 95661

CERTIFIED MAIL
7011 2970 0003 8939 8513

***CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY
CERTIFICATION; STANDARD-PACIFIC LENNAR CORPORATION, LOWER LAGOON
VALLEY POLICY PLAN IMPLEMENTATION PROJECT (WDID#5A48CR00111), SOLANO
COUNTY***

This Order responds to your 24 May 2012 application submittal for the Water Quality Certification of a community development project permanently impacting 8.71 acres and temporarily impacting 0.21 acre of waters of the United States and permanently impacting 0.47 acre of waters of the State.

This Order serves as certification of the United States Army Corps of Engineers' Individual Permit (SPK# 2003-00760) under § 401 of the Clean Water Act, and a Waste Discharge Requirement under the Porter-Cologne Water Quality Control Act.

WATER QUALITY CERTIFICATION STANDARD CONDITIONS:

1. This Order serves as a Water Quality Certification (Certification) action that is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to § 13330 of the California Water Code and § 3867 of the California Code of Regulations.
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 § 3855(b) of the California Code of Regulations, and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. The validity of any non-denial Certification action shall be conditioned upon total payment of the full fee required under § 3833 of the California Code of Regulations, unless otherwise stated in writing by the certifying agency.

4. This Certification is valid for the duration of the described project. This Certification is no longer valid if the project (as currently described) is modified, or coverage under § 404 of the Clean Water Act has expired.
5. All reports, notices, or other documents required by this Certification or requested by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) shall be signed by a person described below or by a duly authorized representative of that person.
 - (a) For a corporation: by a responsible corporate officer such as (1) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (2) any other person who performs similar policy or decision-making functions for the corporation; or (3) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (b) For a partnership or sole proprietorship: by a general partner or the proprietor.
 - (c) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.
6. Any person signing a document under Standard Condition number 5 shall make the following certification:

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

TECHNICAL CERTIFICATION CONDITIONS:

In addition to the above standard conditions, the ~~Standard Pacific~~ Lennar Corporation shall satisfy the following:

1. The ~~Standard Pacific~~ Lennar Corporation shall notify the Central Valley Water Board in writing 7 days in advance of the start of any work within waters of the United States or State. The notification shall include the name of the project and the WDID number, and shall be sent to the Central Valley Water Board Contact indicated in this Certification.
2. Except for activities permitted by the United States Army Corps of Engineers under § 404 of the Clean Water Act, soil, silt, or other organic materials shall not be placed where such materials could pass into surface water or surface water drainage courses.

3. The ~~Standard Pacific~~ Lennar Corporation shall maintain a copy of this Certification and supporting documentation (Project Information Sheet) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the proposed project shall be adequately informed and trained regarding the conditions of this Certification.

4. The ~~Standard Pacific~~ Lennar Corporation 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 monitoring requirements in Table 1 shall be conducted upstream out of the influence of the project, and 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.

Table 1:

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

⁽¹⁾ Grab sample shall not be collected at the same time each day to get a complete representation of variations in the receiving water.

⁽²⁾ Pollutants shall be analyzed using the analytical methods described in 40 Code of Federal Regulations Part 136; where no methods are specified for a given pollutant, method shall be approved by Central Valley Water Board staff.

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

A surface water monitoring report shall be submitted to the Central Valley Water Board Contact indicated in this Certification within two weeks of initiation of sampling and every two weeks thereafter. In reporting the monitoring data, the ~~Standard Pacific~~ Lennar Corporation shall arrange the data in tabular form so that the sampling locations, date, constituents, and concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the project complies with Certification requirements. The report shall include surface water sampling results, visual observations, and identification of the turbidity increase in the receiving water applicable to the natural turbidity conditions specified in the turbidity criteria below.

5. The Central Valley Water Board adopted a *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011 (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Turbidity and settleable matter limits are based on water quality objectives contained in the Basin Plan and are part of this Certification as follows:

A. Activities shall not cause turbidity increases in surface water to exceed:

- i. where natural turbidity is less than 1 Nephelometric Turbidity Units (NTUs), controllable factors shall not cause downstream turbidity to exceed 2 NTUs;
- ii. where natural turbidity is between 1 and 5 NTUs, increases shall not exceed 1 NTU;
- iii. where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent;
- iv. where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs; and
- v. where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.

Except that these limits will be eased during in-water working periods to allow a turbidity increase of 15 NTUs over background turbidity. In determining compliance with the above limits, appropriate averaging periods may be applied provided that beneficial uses will be fully protected. Averaging periods may only be used with prior approval of the Central Valley Water Board staff.

B. Activities shall not cause settleable matter to exceed 0.1 mL/L in surface waters as measured in surface waters within 300 feet downstream of the project.

6. The ~~Standard Pacific~~ Lennar Corporation shall notify the Central Valley Water Board immediately if the above criteria for turbidity and settleable matter or other water quality objectives are exceeded.

7. The discharge of petroleum products or other excavated materials to surface water is prohibited. Activities shall not cause visible oil, grease, or foam in the receiving water. The ~~Standard Pacific~~ Lennar Corporation shall notify the Central Valley Water Board immediately of any spill of petroleum products or other organic or earthen materials.

8. Activities shall not cause degradation of waters of the State.

9. The ~~Standard Pacific~~ Lennar Corporation shall comply with all California Department of Fish and Game requirements, including but not limited to those requirements described in Lake or Streambed Alteration Agreement No. 1600-2012-0198-R3.

10. The ~~Standard Pacific~~ Lennar Corporation shall comply with all United States Fish and Wildlife Service requirements, including but not limited to those requirements described in Biological Opinion 08ESMF00-2012-F-0404-1, provided to United States Army Corps of Engineers, dated 29 June 2012.

11. The use of netting material (e.g., monofilament-based erosion blankets) that could trap aquatic dependent wildlife is prohibited within the project area, as indicated in the attached map (Figure 1).
12. All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities.
13. All areas disturbed by project activities shall be protected from washout or erosion.
14. In-stream work will occur during periods of low flow and no precipitation.
15. This Certification does not allow permanent water diversion of flow from the receiving water. This Certification is invalid if any water is permanently diverted as a part of the project.
16. During construction, 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 United States and/or waters of the State.
17. Hydroseeding shall be performed with California native seed mix.
18. If temporary surface water diversions and/or dewatering are anticipated, the Standard Pacific Lennar Corporation shall develop and maintain on-site a Surface Water Diversion and/or Dewatering Plan(s). The Plan(s) shall include the proposed method and duration of diversion activities. The Surface Water Diversion and/or Dewatering Plan(s) must be consistent with this Certification.
19. When work in a flowing stream is unavoidable and any dam or other artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream, to maintain beneficial uses of waters of the State below the dam. Construction, dewatering, and removal of temporary cofferdams shall not violate Technical Certification Condition 5 of this Certification.
20. Any temporary dam or other artificial obstruction constructed shall only be built from clean materials such as sandbags, gravel bags, water dams, or clean/washed gravel which will cause little or no siltation. Stream flow shall be temporarily diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.
21. During installation of the bridges and temporary crossings, a method of containment must be used below the bridges and temporary crossings to prevent debris from falling into the water body.
22. A copy of this Certification must be provided to the Open Space Manager, or any other person or entity making decisions on management activities within the conservation easement.

23. The ~~Standard Pacific~~ Lennar Corporation shall submit to the Central Valley Water Board a complete copy of the Long Term Mitigation Plan (Mitigation Plan), including a copy of the recorded conservation easement, within 30 days of approval by the United States Army Corps of Engineers. Vegetation management, including but not limited to the application of herbicides, grazing, burning, mowing, or removal, must not occur within the perpetual conservation easement unless included in the approved Mitigation Plan.
24. All materials resulting from the project shall be removed from the site and disposed of properly.
25. If unanticipated discharges to the waters of the State and/or waters of the United States and/or soil occur, the ~~Standard Pacific~~ Lennar Corporation shall notify the Central Valley Water Board Contact indicated in this Certification in writing within 5 calendar days of occurrence. Unanticipated discharges may include, but are not limited to, any construction materials, hazardous materials, pesticides, fuels, lubricants, oils, hydraulic fluids, raw cement, concrete, asphalt, paint, coating material, drilling fluids, or other construction-related potentially hazardous substances.
26. The ~~Standard Pacific~~ Lennar Corporation shall obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ 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.
27. The Conditions in this Certification are based on the information in the attached "Project Information Sheet." If the actual project, as described in the attached Project Information Sheet, is modified or changed, this Certification is no longer valid until amended by the Central Valley Water Board.
28. The ~~Standard Pacific~~ Lennar Corporation shall implement each of the mitigation measures specified in the approved Environmental Impact Report, and Addendum to the Environmental Impact Report for the project, as they pertain to biology, hydrology and water quality impacts as required by § 21081.6 of the Public Resource Code and CEQA Guidelines, § 15097 of the California Code of Regulations.
29. In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law. The applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to ensure compliance with this Certification.
 - (a) If the ~~Standard Pacific~~ Lennar Corporation or a duly authorized representative of the project fails or refuses to furnish technical or monitoring reports, as required under

- this Certification, or falsifies any information provided in the monitoring reports, the applicant is subject to civil liability, for each day of violation, and/or criminal liability.
- (b) In response to a suspected violation of any condition of this Certification, the Central Valley Water Board may require the ~~Standard Pacific~~ Lennar Corporation 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) The ~~Standard Pacific~~ Lennar Corporation 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.
30. The ~~Standard Pacific~~ Lennar Corporation shall provide a Notice of Completion (NOC) no later than 30 days after the project completion. The NOC shall demonstrate that the project has been carried out in accordance with the project's description in the Certification and in any amendments approved. The NOC shall include a map of the project location(s), including final boundaries of any on-site restoration area(s), if appropriate, and representative pre and post construction photographs. Each photograph shall include a descriptive title, date taken, photographic site, and photographic orientation.
31. The ~~Standard Pacific~~ Lennar Corporation shall provide evidence of all on-site compensatory mitigation requirements including but not limited to the creation or enhancement of wetlands and drainages as required, by the United States Army Corps of Engineers prior to commencing construction to the Central Valley Water Board.

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

The recorded conservation easement shall be consistent with §§ 815-816 of the California Civil Code.

Evidence of compliance with compensatory mitigation requirements include providing a recorded perpetual conservation easement grant with Solano County.

CENTRAL VALLEY WATER BOARD CONTACT:

~~Trevor Cleak~~ Jordan Hensley, Environmental Scientist
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-8114
~~tcleak@waterboards.ca.gov~~ Jordan.Hensley@waterboards.ca.gov
(916) 464-4684 4812

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The City of Vacaville is the Lead Agency responsible for compliance with the California Environmental Quality Act for the Lower Lagoon Valley Policy Plan Implementation Project pursuant to § 21000 et seq. of the Public Resources Code. The City of Vacaville certified the Environmental Impact Report and adopted a Statement of Overriding Considerations on 8 June 2004. The City of Vacaville filed a Notice of Determination with the State Clearinghouse on 9 June 2004. The City of Vacaville approved an Addendum to the Environmental Impact Report on 22 February 2012 (State Clearinghouse Number 2003032063).

The Central Valley Water Board is a responsible agency for the project. The Central Valley Water Board has determined that the Environmental Impact Report and Addendum to the Environmental Impact Report is in accordance with the requirements of the California Environmental Quality Act and is valid pursuant § 21167.3(b) of the Public Resources Code.

The Central Valley Water Board has reviewed and evaluated the significant impacts to water quality identified in the Environmental Impact Report and Addendum to the Environmental Impact Report. The various mitigation measures discussed in the Environmental Impact Report and Addendum to the Environmental Impact Report to reduce and minimize project impacts are required by this Certification.

With regard to the remaining significant impacts identified in the Environmental Impact Report and Addendum to the Environmental Impact Report, the corresponding mitigation measures proposed are within the responsibility and jurisdiction of other public agencies.

WATER QUALITY CERTIFICATION:

I hereby issue an Order certifying that any discharge from the ~~Standard Pacific Lennar~~ Corporation, Lower Lagoon Valley Policy Plan Implementation Project (WDID#5A48CR00111) will comply with the applicable provisions of § 301 ("Effluent Limitations"), § 302 ("Water Quality Related Effluent Limitations"), § 303 ("Water Quality Standards and Implementation Plans"), § 306 ("National Standards of Performance"), and § 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)".

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in compliance with the conditions of this Certification, the ~~Standard Pacific Lennar~~ Corporation's application package, and the attached Project Information Sheet, and (b) compliance with all applicable requirements of the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011.

Original Signed By Kenneth Landau for:

Pamela C. Creedon
Executive Officer

Enclosure: Project Information

Attachments: Figure 1 – Project Location Map
Figure 2 – Site Map

cc: Distribution List, page 14

PROJECT INFORMATION SHEET

Application Date: 24 May 2012

Applicant: ~~Mike Serpa~~ Bridgit Koller
~~Standard Pacific Lennar Corporation~~
~~3825 Hopyard Road~~ 2603 Camino Ramon Drive, Suite 525
~~Pleasanton, CA 94588~~ San Ramon, CA 95661

Applicant Representatives: Geoff Monk
Monk & Associates, Inc.
1135 Saranap Avenue, Suite Q
Walnut Creek, CA 94595

Project Name: Lower Lagoon Valley Policy Plan Implementation Project

Application Number: WDID#5A48CR00111

Type of Project: Community development

Timeframe of Project Implementation: 2013 through ~~2014~~ 30 September 2020

Project Location: Section 31, Township 6 North, Range 1 West, MDB&M.
Latitude: 38°19'3.84"N and Longitude: 122°0'39.06" W

County: Solano

Receiving Water(s) (hydrologic unit): Lagoon Valley Lake and unnamed tributaries,
Sacramento Hydrologic Basin, Valley Putah-Cache Hydrologic Unit #511.10, Elmira HA

Water Body Type: Wetland, Streambed, Lake

Designated Beneficial Uses: The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011 (Basin Plan) has designated beneficial uses for surface and ground waters within the region. Beneficial uses that could be impacted by the project include, but are not limited to: Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Supply (IND); Hydropower Generation (POW); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat (COLD); Preservation of Biological Habitats of Special Significance (BIOL); Rare, Threatened, or Endangered Species (RARE); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); and Wildlife Habitat (WILD). A comprehensive and specific list of the Beneficial Uses applicable for the project area can be found at http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/index.shtml.

303(d) List of Water Quality Limited Segments: Lagoon Valley Lake and unnamed tributaries are the receiving waters for the Lower Lagoon Valley Policy Plan Implementation Project. Lagoon Valley Lake is not listed on the 303(d) list. The project does not impact an already impaired water body. The most recent list of approved water quality limited segments can be found at:

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

Project Description: The 620-acre Lower Lagoon Valley Policy Plan Implementation Project consists of a mixed-use residential golf course development. The project is located east of Interstate 80 on the parcels north and south of Lagoon Valley Road, in Vacaville.

The southern section of the existing project site consists of grazing, abandoned orchards and an abandoned nursery. The northern section of the existing project site consists of Lagoon Valley Lake and Lagoon Valley Park.

The project includes 1,015 dwelling units and a 700,000 square-foot business park, which is connected to the residential areas by walking and biking paths and roadways. These areas are integrated around a golf course and a community center. The golf course will feature stormwater detention ponds and preserved segments of streams. The project includes 76 acres of open space designated as a conservation easement.

The majority of the development will occur south of Lagoon Valley Road. The northern area near Lagoon Valley Lake will include the construction of a domestic water supply pump, a sanitary sewer lift station, and other municipal water structures to serve the new development. Five new clear span bridges will be built over the streams flowing through the project area. Impacts to water quality are summarized in the following table.

Summary of Impacts to Water Quality:

Permanent Impacts: Waters of the United States		
Feature:	Impact Area (acres)	Construction Activities
Emergent Wetland	0.11	Installing Stormwater Drain Structures
Streams	4.88	Stabilizing the Hillside and Realigning Streams
Seasonal Wetlands and Ponds	3.72	Filling and Grading
Total	8.71	
Permanent Impacts: Waters of the State		
Forebay	0.19	Replacing with a Stormwater Basin
Wetland	0.28	Filling and Grading
Total	0.47	

An existing emergent wetland where hillside drainages flow into the southeast side of Lagoon Valley Lake will be impacted by the installation of two a 5 foot wide by 5 foot long precast concrete storm drain outfall structures. The first outfall structure will be approximately 40-foot wide by 7.5-foot tall, and will be connected to a new 16-foot long by 5-foot wide box culvert. The second outfall structure will be approximately 60-foot wide by 7.5-foot tall, and will be located at the bottom of a naturally occurring unpaved drainage. Three newly constructed culverts will converge at the outfall structure and discharge storm water from the golf course, Village 2 residential community, and the multi-use trail bordering Village 2.

Stabilizing the hillside will involve grading the slopes to a safe elevation. The hillside streams will be filled and realigned to form a single channel that follows the historic route of the stream. The forebay will be demolished by excavating the structure and replacing it with a detention basin. There will be no construction equipment entering waters of the United States and all construction equipment will work from the top of the stream banks. If diversions are necessary for construction; temporary cofferdams will be constructed.

The project permanently impacts 8.71 acres and temporarily impacts 0.21 acre of waters of the United States and permanently impacts 0.47 acre of waters of the State.

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

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

Excavation/Fill Area: Approximately 15,607 cubic yards of native material and 546 cubic yards of culverts will be placed into 8.71 acres of waters of the United States and 0.47 acre of waters of the State.

Dredge Volume: None

United States Army Corps of Engineers File Number: SPK# 2003-00760

United States Army Corps of Engineers Permit Type: Individual Permit

California Department of Fish and Game Streambed Alteration Agreement:
1600-2012-0198-R3.

Possible Listed Species: Swainson's hawk, Valley elderberry longhorn beetle, Western pond turtle, Great egret, White-tailed kite, Western burrowing owl, Short eared owl, Hoary Bat.

Status of CEQA Compliance: The City of Vacaville approved the Environmental Impact Report and adopted a Statement of Overriding Considerations on 8 June 2004. The City of Vacaville filed a Notice of Determination with the State Clearinghouse on 9 June 2004. The City

of Vacaville approved an Addendum to the Environmental Impact Report on 22 February 2012 (State Clearinghouse Number 2003032063).

The Central Valley Water Board filed a Notice of Determination with the State Clearinghouse as a responsible agency within 5 days of the date of this Certification.

Compensatory Mitigation: As required by the United States Army Corps of Engineers, the ~~Standard Pacific~~ Lennar Corporation will create 12.10 acres of wetland and pond habitat and enhance 1.02 acres of riparian habitat to mitigate for 8.71 acres of impacts to waters of the United States and 0.47 acre of waters of the State. All of this will be located within 76 acres of open space as a part of a conservation easement.

Evidence of this recorded perpetual conservation easement shall be provided to the Central Valley Water Board prior to proceeding with the activity authorized by this permit.

Application Fee Provided: Total fees of \$59,000.00 have been submitted to the Central Valley Water Board as required by § 3833(b)(3)(A) and § 2200(a)(3) of the California Code of Regulations.

DISTRIBUTION LIST

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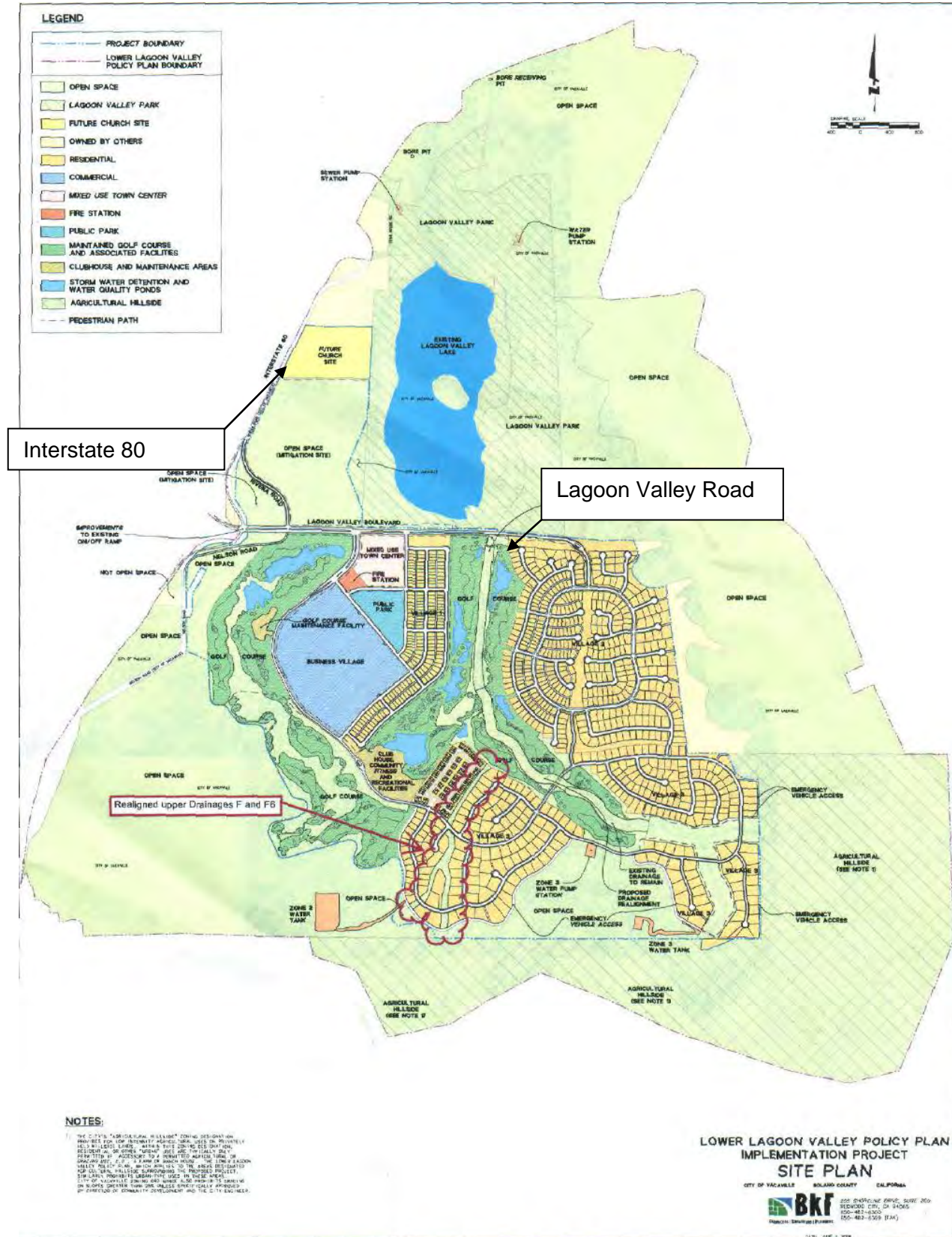


Figure 1 – Project Location Map

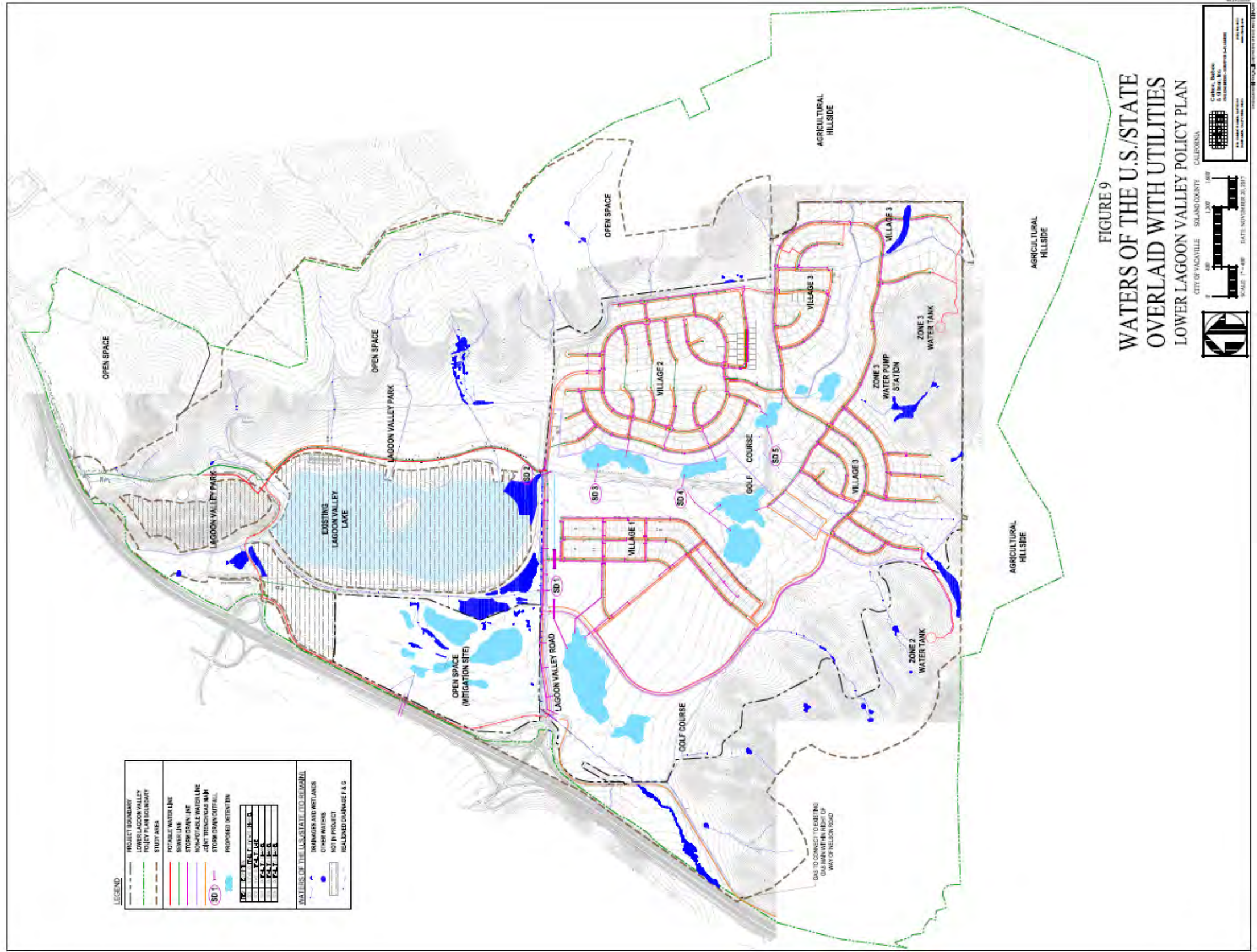


Figure 2 – Site Map