



Central Valley Regional Water Quality Control Board

18 August 2022

Jay Pawlek
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NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2019-0023, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE SOUTH SACRAMENTO HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, WILDHAWK NORTH UNIT 12 PROJECT (WDID#5A34CR00759-021), SACRAMENTO COUNTY

On 16 September 2021, Taylor Morrison of California, LLC submitted a Notice of Intent (NOI) to enroll under and comply with Central Valley Regional Water Quality Control Board (Central Valley Water Board) General Order No. R5-2019-0023, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the South Sacramento Habitat Conservation Plan (SSHCP) Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Wildhawk North Unit 12 Project (Project) meets the requirements of, and is hereby enrolled under, General Order R5-2019-0023. You may proceed with your Project in accordance with the Order.

A copy of the General Order No. R5-2019-0023 can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/sacramento/r5-2019-0023.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/sacramento/r5-2019-0023.pdf).

Please familiarize yourself with the requirements of General Order R5-2019-0023. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order R5-2019-0023 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 12.2-acre Project consists of mass grading the project site to develop a residential subdivision.

Project elements that affect aquatic resources include the permanent filling of 0.22 acre of aquatic resources. The Project will permanently impact 0.22 acre of vernal pool habitat.

PROJECT TYPE:

Residential Development

ADDITIONAL CONDITION:

The Applicant 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, excavations, 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.

PROJECT LOCATION:

The Project is located at the south side of Gerber Rd, about 0.35 mile east of the Gerber Rd/Bradshaw Rd intersection in Sacramento County.

Section 9, Township 7 North, Range 6 East, MDB&M

Latitude: 38.481254° and Longitude: -121.328038°

PROJECT SCHEDULE:

Project activities will occur between 2021 and 2023 within a work window approved by Sacramento County.

COMPENSATORY MITIGATION:

To mitigate for the loss of 0.22 acre of vernal pool habitat, the Applicant shall purchase a minimum of 0.22 acre of vernal pool mitigation credits from the SSHCP In-Lieu Fee Program for the impacted watershed prior to commencing construction. The Applicant shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. Evidence of on-site compensatory mitigation shall be provided with the Notice of Completion. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Compensatory mitigation must comply with the effective policy, which ensures no overall net loss of wetlands for impacts to waters of the state, at the time of Certification.

Evidence of compliance with compensatory mitigation requirements includes providing a letter from the approved in-lieu fee recipient. The letter must: a) be on the in-lieu fee recipient's letterhead; b) be signed by an authorized representative of their in-lieu fee

recipient; c) indicate the United States Army Corps of Engineers' SPK number; d) describe the Project name and location; and e) detail the type of in-lieu fees paid for the Project's impacts.

APPLICATION FEE RECEIVED:

An application fee of \$4,051.00 was received on 24 September 2021. 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 A - Fill & Excavation Discharges (fee code 84) with the dredge and fill fee calculator.

PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:

The Applicant shall implement the Avoidance and Minimization Measures (AMM) listed in the Project SSHCP AMM compliance document that was submitted on 16 September 2021.

WATER QUALITY MONITORING:

Water Quality Monitoring is not required for the permanent filling of 0.22 acre of aquatic resources.

If you have any questions regarding this Notice of Applicability, please contact Nicholas Savino at (916) 464-4920 or Nicholas.Savino@waterboards.ca.gov.

Original Signed by Adam Laputz (for)
Patrick Pulupa
Executive Officer

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

cc: [Via email only]

United States Army Corps of Engineers
Sacramento District Office
Regulatory Division
SPKRegulatoryMailbox@usace.army.mil

United States Environmental Protection Agency
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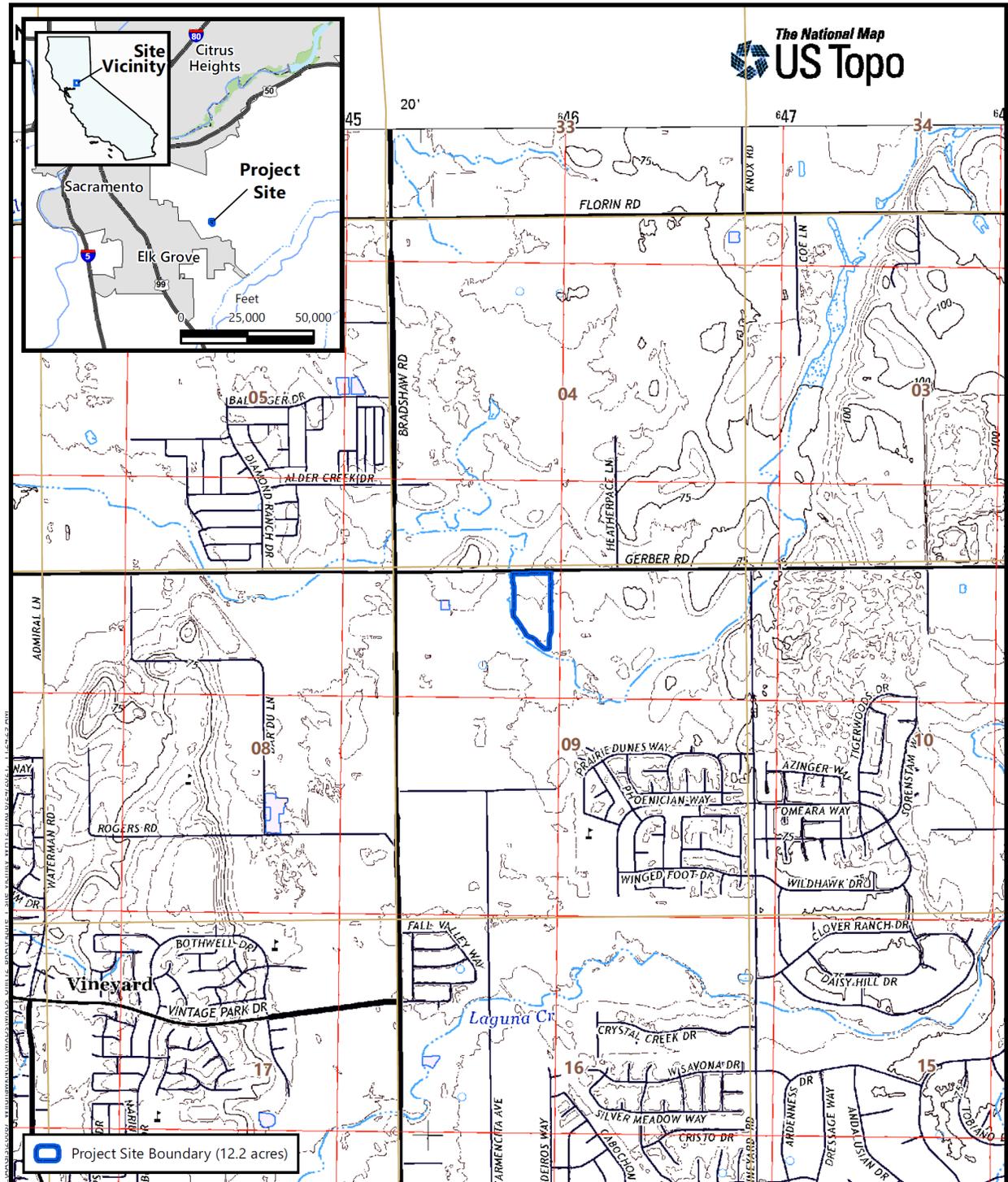
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State Water Resources Control Board
CWA Section 401 WQC Program
Stateboard401@waterboards.ca.gov

Figure 1: Project Location



Source: United States Geologic Survey, 2015
 Section 9, Township 7 North, Range 6 East, MDB&M
 "Elk Grove, California" 7.5-Minute Topographic Quadrangle
 Longitude -121.327562, Latitude 38.480238

Figure 1
Site and Vicinity

Wildhawk North Unit 12
 Sacramento County, California



Figure 2: Site Impacts



Aerial Source: Sac Regional GIS Coop, 26 March 2018

Figure 3
Aquatic Resources

Wildhawk North Unit 12
Sacramento County, California

