



Central Valley Regional Water Quality Control Board

22 August 2025

Inna Miller
Beazer Homes
2990 Lava Ridge Court, Suite 110
Roseville, CA 95661
Inna.Miller@beazer.com

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, MORVAI SOUTH 102 PROJECT (WDID#5A34CR00759-036), SACRAMENTO COUNTY

On 9 July 2025, Beazer Homes 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 Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Morvai South 102 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 23-acre Project consists of a residential subdivision of 102 single family residential parcels, a 0.29-acre landscape lot, and a 1.7-acre park site, with a total site area of 23 acres.

Project elements that affect aquatic resources include direct impacts from the development of the property. The Project permanently impact 0.49 acre of vernal pools.

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

PROJECT TYPE

Residential

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 south of Florin Rd between Bradshaw Rd and Elk Grove Florin Rd.

Section 5, Township 7 North, Range 6 East, MDB&M

Latitude: 38°29'27.89" N and Longitude: 121°20'34.25" W

PROJECT SCHEDULE:

Project construction is expected to start October 2025 and end September 2028.

COMPENSATORY MITIGATION

To mitigate for the loss of 0.49 acre(s) of vernal pools, the Applicant shall purchase a minimum of 0.49 vernal pool mitigation credits from SSHCP 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 \$18,397.00 was received on 5 August 2025.

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 proposed Project will comply with all applicable measures identified within the SSHCP Project Specific Avoidance and Minimization Measures Checklist, submitted as Attachment 5 of the application. The Applicant will implement the Avoidance and Minimization Measures (AMMs) and construction Best Management Practices (BMPs) outlined in the Habitat Conservation Program/Natural Community Conservation Program (HCP/NCCP) document and General Order No. R5-2019-0023.

If you have any questions regarding this Notice of Applicability, please contact Carter Cook at (916) 464-4699 or Carter.Cook@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Enclosure: 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

Attachments: Figure 1 – Site and Vicinity
Figure 2 – Impacts to Aquatic Resources

cc: [Via email only]

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

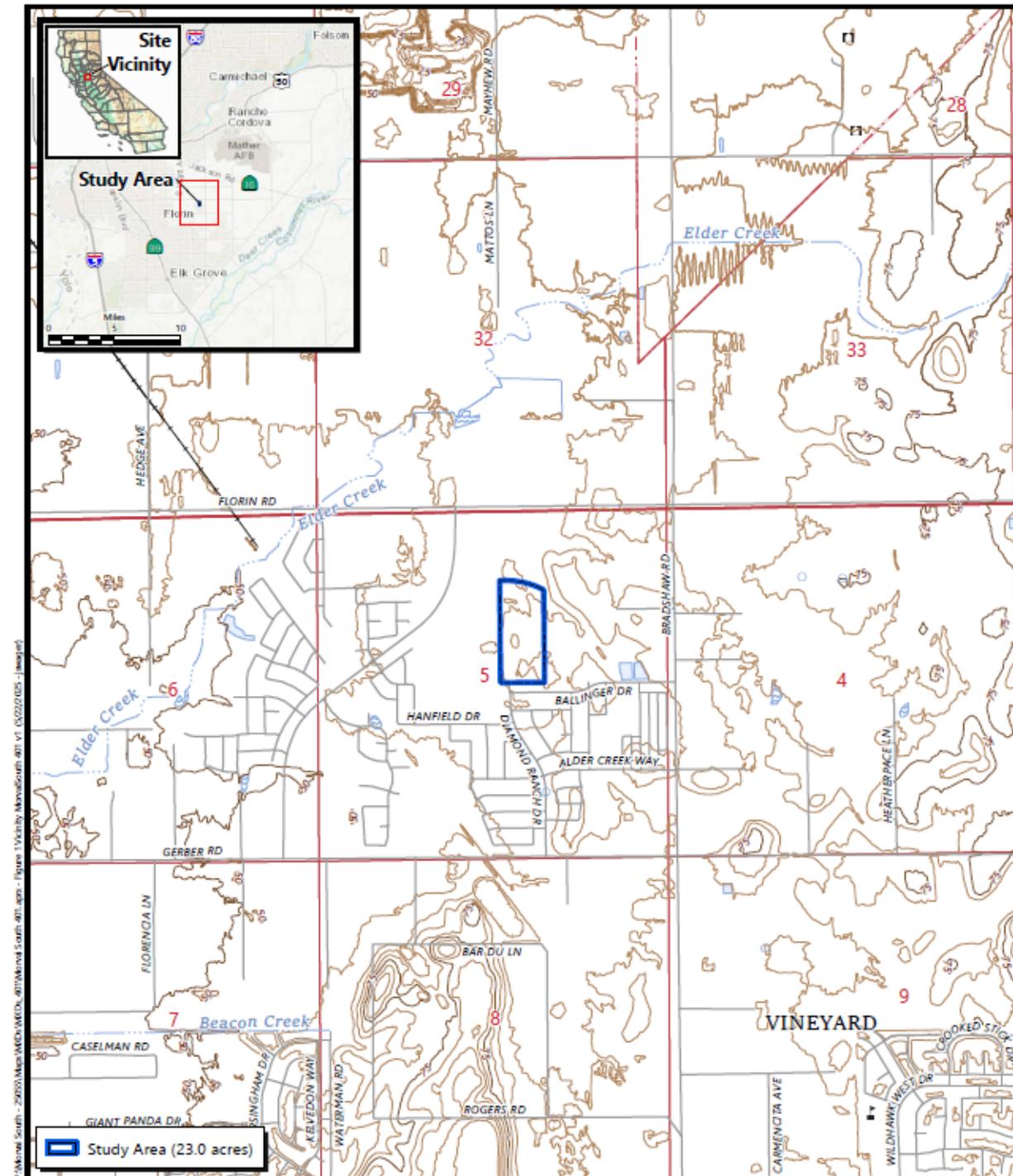
United States Environmental Protection Agency
R9CWA401@epa.gov

CWA Section 401 WQC Program
State Water Resources Control Board
StateBoard401@waterboards.ca.gov

Ginger Fodge
Madrone Ecological Consulting
GFodge@madroneeco.com

Susan Lee
Madrone Ecological Consulting
SLee@MadroneEco.com

Figure 1: Site and Vicinity



Source: United States Geologic Survey, 2022
"Elk Grove, California" 7.5-Minute Topographic Quadrangle
Section 5, Township 7N, Range 6E, MD8M
Latitude (NAD83): 38.491018", Longitude (NAD83): -121.343033"

Figure 1
Site and Vicinity

Morvai South
Sacramento County, California



