

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

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**Amendment No. 1 to Clean Water Act Section 401
Water Quality Certification No. R9-2013-0140**

**PROJECT: Tract 32535 North Ranch Residential Development
Certification Number R9-2013-0140**

**APPLICANT: Lennar Homes of California, Inc
980 Montecito Drive, Suite 302
Corona, CA 92879**

Reg. Meas. ID: 393103 Place ID: 798578 Party ID: 584929 Person ID: 542528 WDID: 9000002638
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On July 8, 2014, Clean Water Act Section 401 Water Quality Certification No. R9-2013-0140 (Certification) was issued to CV Inland Investment I, LP for the Tract 32535 North Ranch Residential Development Project (Project). By letter dated May 24, 2016, the San Diego Water Board was notified that CV Inland Investment I, LP transferred ownership of the property to Lennar Homes of California, Inc (Applicant).

The approved compensatory mitigation for the Project's permanent impacts to 0.062 acre of jurisdictional waters included the establishment of 0.84 acres (554 linear feet) of waters of the United States and/or State at the Yates Road Property (Tract 36437). Mitigation implementation was delayed as a result of construction delays associated with the Yates Road Project that involved the installation of a hydro-arch structure designed to convey water into the mitigation sites. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is amending the Certification to change ownership and increase the required mitigation to include establishment of 0.68 acre of mulefat scrub habitat and the re-establishment of a historically existing streambed. This additional mitigation will compensate for temporal loss that occurred as result of a delay in construction of required compensatory mitigation for the Project.

Except as modified or superseded by the Certification modifications set forth below, all of the findings, provisions and other requirements of Certification No. R9-2013-0140 remain in full force and effect. The following changes are made to Certification No. R9-2013-0140 and are shown in underline/strikeout format to indicate added and removed language:

Page 1, APPLICANT is replaced by:

**Lennar Homes of California, Inc
980 Montecito Drive, Suite 302
Corona, CA 92879**

Page 2, PROJECT DESCRIPTION is modified as follows:

The Applicant reports that compensatory mitigation for the permanent loss of 0.062 acre of jurisdictional waters will be achieved through the establishment of 0.84 acres (554 linear feet) of waters of the United States and/or State. All waters of the United States and/or State receiving temporary discharges of fill material will be restored upon removal of the fill. Mitigation for discharges of fill material to waters of the United States and/or State will be completed by the Applicant at Yates Road Property (Tract 36437) located in the Lower Culp hydrologic sub-area (HSA 902.91) at a minimum compensation ratio of 13.93:1 (area mitigated:area impacted) for wetland impacts and 2:1 for streambed impacts. An additional 0.68 acre of mule fat scrub habitat that includes the re-establishment of a previously disked streambed will also be required as compensatory mitigation for the temporal loss that occurred from a delay in compensatory mitigation completion as detailed in the Addendum to the Conceptual Habitat Mitigation and Monitoring Plan prepared by Glenn Lukos Associates dated September 25, 2016.

Page 12, Project Impacts and Compensatory Mitigation is modified as follows:

	Impacts (acres)	Impacts (linear ft.)	Mitigation for Impacts (acres)	Mitigation Ratio (area mitigated :area impacted)	Mitigation for Impacts (linear ft.)	Mitigation Ratio (linear feet mitigated :linear feet impacted)
Permanent Impacts						
Streambed	0.002	22	0.004 Establishment ¹ 0.30 Re-establishment ³	2:1	44 Establishment ¹	2:1
Wetland	0.06	185	0.836 Establishment ² 0.38 Establishment ³	13.93:1	510 Establishment ²	2.76:1

1. Streambed establishment at Yates Road Project (Tract 36437) mitigation area located within the Community of French Valley near the intersection of Abelia Street and Washington Street.
2. The wetland establishment mitigation area shall be located within the downstream, southern portion of the Charlois Channel at 33°36'02"N latitude and -117°05'15"W longitude.

3. The additional 0.38 acres of establishment of mule fat scrub and 0.30 acre of re-establishment of streambed is required as compensation for the temporal loss of 0.062 acres that occurred from mitigation construction delays.

Notification: Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with the California Code of Regulations, title 23, sections 3867 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Certification Amendment. 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 or will be provided upon request.

I, David W. Gibson, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of Amendment No. 1 to Certification No. R9-2013-0140 issued on June 29, 2017.



DAVID W. GIBSON
Executive Officer
San Diego Water Board

29 JUNE 2017

Date