



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Central Valley Regional Water Quality Control Board

20 May 2016

Clifton Taylor  
Richland Communities  
3000 Lava Ridge Court, Suite 115  
Roseville, CA 95661

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***ORDER AMENDING CLEAN WATER ACT §401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; RICHLAND COMMUNITIES, HEIN PROJECT (WDID#5A34CR00639A1), SACRAMENTO COUNTY***

This Order responds to the 15 March 2016 request for an amendment of the Hein Project § 401 Water Quality Certification (WDID#5A34CR00639). The original Water Quality Certification (Certification) was issued on 5 February 2016. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

**AMENDMENT:**

Richland Communities is requesting to modify the Certification due to an error in the credit type available for purchase at the Cosumnes Floodplain Bank (Westervelt Ecological Services) to mitigate for impacts to waters of the United States and State.

The Certification is amended as shown in underline/strikeout format below:

25. Prior to commencing construction, the Applicant shall provide evidence of all off-site compensatory mitigation to the Central Valley Water Board. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Evidence of mitigation includes, but is not limited to, the purchase of ~~0.20 acre of floodplain mosaic wetland mitigation credits, 1.79 acres of pond habitat mitigation credits, and 0.02 acre of stream bed habitat~~ 2.01 floodplain mosaic habitat mitigation credits from the Cosumnes Floodplain Bank (Westervelt Ecological Services) for permanent impacts to waters of the State. In addition, the Applicant shall also purchase 0.01 acre of ~~stream bed habitat mitigation~~ floodplain mosaic habitat credits from Cosumnes Floodplain Bank (Westervelt Ecological Services) for permanent impacts to waters of the United States, or as otherwise required by the United States Army Corps of Engineers.

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.

The Project Information Sheet is amended as shown in underline/strikeout format below:

**Compensatory Mitigation:** Prior to commencing construction, the Applicant shall provide evidence of all on-site and off-site compensatory mitigation to the Central Valley Water Board. At a minimum, compensatory mitigation must achieve a ratio of 1:1 for permanent impacts. Evidence of mitigation includes, but is not limited to, the purchase of ~~0.20 acre of floodplain mosaic wetland mitigation credits~~, ~~1.79 acres of pond habitat mitigation credits~~, and ~~0.02 acre of stream bed habitat~~ 2.01 floodplain mosaic habitat mitigation credits from the Cosumnes Floodplain Bank (Westervelt Ecological Services) for permanent impacts to waters of the State. In addition, the Applicant shall also purchase 0.01 acre of ~~stream bed habitat mitigation~~ floodplain mosaic habitat credits from Cosumnes Floodplain Bank (Westervelt Ecological Services) for permanent impacts to waters of the United States, or as otherwise required by the United States Army Corps of Engineers.

**Table 3: Compensatory Mitigation for Permanent Physical Loss of Area**

Aquatic Resource Type	Comp Mitigation Type			Units		Established	Re-established	Rehabilitated	Enhanced	Preserved	Unknown
	In-Lieu	Mit. Bank	Permittee Responsible	AC (Acres)	LF (Linear Feet)						
<del>Wetland Floodplain Mosaic (wetland, waters of the United States)</del>	--	X	X	<del>0.20</del> <u>0.01</u>	--	X	--	--	--	--	--
<u>Floodplain Mosaic (wetland, waters of the State)</u>	--	X	--	<u>2.01</u>	--	X	--	--	--	--	--
Lake/Pond	--	X	X	1.79	--	X	--	--	--	--	--
<del>Stream-Bed</del>	--	X	X	<del>0.03</del>	--	X	--	--	--	--	--
<b>Total</b>	--	--	--	<b>2.02</b>	--	--	--	--	--	--	--

**APPLICATION FEE RECEIVED:**

No fees were submitted for this amendment. Total fees of \$14,742.00 for the original Certification were submitted to the Central Valley Regional Water Quality Control Board as required by § 3833 (b)(3)(A) and by § 2200(a)(3) of the California Code of Regulations.

**CENTRAL VALLEY WATER BOARD CONTACT:**

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**WATER QUALITY CERTIFICATION:**

I hereby issue an Order amending the existing Clean Water Act, Section 401 Technically Conditioned Water Quality Certification for the Hein Project (WDID#5A34CR00639A1). 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

cc: Distribution List, page 4

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