
Central Valley Regional Water Quality Control Board

26 January 2022

Alan Hersh
LDK-AREP Placer Owner, LLC
3140 Peacekeeper Way
McClellan, CA 95652

ORDER AMENDING CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER; LDK-AREP PLACER OWNER, LLC, PLACER VINEYARDS PROPERTY 4B PROJECT (WDID NO. 5A31CR00480A1), PLACER COUNTY

This Order responds to the 2 December 2021 request for an amendment of the Placer Vineyards Property 4B Project Section 401 Water Quality Certification (WDID No. 5A31CR00480). The original Water Quality Certification (Certification) was issued on 8 May 2019. The requested amendment is hereby approved, and the original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

LDK-AREP Placer Owner, LLC (hereinafter Permittee) are requesting an amendment to the Section 401 Water Quality Certification and Order to revise the mitigation type and quantity per the Placer County Conservation Program requirements. Therefore, Section XIV.K.3; Table 5; and Attachment B, Table 3 are amended in underline format below. In addition, Table 4 has been added to Attachment B.

XIV.K.3 Total Required Compensatory Mitigation

a. Total Required Compensatory Mitigation

- i. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.583 acres of seasonal wetland by purchasing 0.875 acres of vernal pool complex credits from the Placer County Conservation Program In-Lieu Fee Program.
- ii. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.757 acre of seasonal wetland swale by purchasing 1.136 acres of vernal pool complex credits from the Placer County Conservation Program In-Lieu Fee Program.
- iii. Total required Project compensatory mitigation information for permanent physical loss of area for Placer Vineyards 4B Project is summarized in Table 5. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

Table 5. Required Project Compensatory Mitigation Quantity for Permanent Physical Loss of Area.

<u>Aquatic Resource Type</u>	<u>Mitigation Type</u>	<u>Units</u>	<u>Est.</u>	<u>Re-est.</u>	<u>Reh.</u>	<u>Enh.</u>	<u>Pres.</u>	<u>Unknown</u>
<u>Vernal Pool Complex</u>	<u>In-Lieu Fee Program</u>	Acres						<u>2.010</u>

Attachment B

Compensatory Mitigation Information

The following table(s) show individual compensatory mitigation information and location.

In-Lieu Fee Compensatory Mitigation Information

Table 3: In-Lieu Fee Program

<u>In-Lieu Fee Program Name:</u>	<u>Placer County Conservation Program (PCCP) In-Lieu Fee Program</u>
<u>Website:</u>	www.placerconservation.com (https://placerconservation.com)
<u>In-Lieu Fee Program Contact Name:</u>	Gregg McKenzie or Theresa Johnson
<u>Phone:</u>	530-745-3075 or (530) 745-3129
<u>Email:</u>	GAMckenz@placer.ca.gov or tjohnson@placer.ca.gov
<u>Mitigation Location - County:</u>	Placer County
<u>Latitude:</u>	<u>To Be Determined</u>
<u>Longitude:</u>	<u>To Be Determined</u>

Table 4: In-Lieu Fee Program Credit Type Information

<u>Aquatic Resource Credit Type</u>	<u>Acres</u>	<u>Linear Feet</u>	<u>Number of Credits Purchased</u>
<u>Vernal Pool Complex</u>	<u>2.010</u>		<u>Not Yet Purchased</u>

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 Water Quality Certification and Order for Placer Vineyards Property 4B Project (WDID No. 5A31CR00480A1). All other conditions and provisions of the original Water Quality Certification 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 Bryan Smith, P.E. for
PATRICK PULUPA, Executive Officer
Central Valley Regional Water Quality Control Board

1/26/2022
Date

DLW: db

cc

via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Kaitlyn A. Pascus, USACE, Sacramento
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