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JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

21 December 2021

Jim Joiner
Joiner Nicolaus Partnership
5515 Riviera
Granite Bay, CA 95746

NOTICE OF APPLICABILITY FOR COVERAGE UNDER GENERAL ORDER NO. R5-2020-0048, WASTE DISCHARGE REQUIREMENTS AND CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION OF THE WESTERN PLACER COUNTY HABITAT CONSERVATION PLAN PROGRAMMATIC GENERAL PERMIT, JOINER RANCH EAST PROJECT (WDID#5A31CR00534-002), PLACER COUNTY

On 16 August 2021, the Joiner Nicolaus Partnership (Permittee) 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 R5-2020-0048, Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification of the Western Placer County Habitat Conservation Plan Programmatic General Permit.

The Central Valley Water Board has reviewed your enrollment materials and finds the Joiner Ranch East Project (Project) meets the eligibility requirements of, and is hereby enrolled under, General Order R5-2020-0048. You may proceed with your Project in accordance with the Order.

A copy of General Order R5-2020-0048 can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/401_wq_certs/5a31cr00534.pdf).

Please familiarize yourself with the requirements of General Order R5-2020-0048. You are responsible for complying with all applicable Order requirements. Failure to comply with General Order R5-2020-0048 constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 25-acre Project consists of mass grading to prepare the site for a housing development and associated infrastructure.

The Project will permanently impact 0.21 acre of wetland habitat and 0.18 acre of vernal pool habitat. Total project impacts for the project are 0.39 acres.

DENISE KADARA, ACTING CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

PROJECT TYPE:

Residential Development

PROJECT LOCATION:

The Project is located in the city of Lincoln, CA at:

Latitude: 38.895667° and Longitude: -121.311056°

PROJECT SCHEDULE:

The Project will be constructed April 15 through October 15, or as otherwise required by the Department of Fish and Wildlife.

PUBLIC NOTICE:

The State Water Resources Control Board (State Water Board) provided public notice of the application from 1 September 2021 to 24 September 2021. The Central Valley Water Board received one comment regarding the Project during this comment period from Michael Garabedian, Placer County Tomorrow. The Central Valley Water Board considered the comments and concludes the Project is eligible for enrollment under General Order R5-2020-0048.

COMPENSATORY MITIGATION:

To mitigate for the loss of 0.39 acre of vernal pool and streambed habitat, the Permittee is required, pursuant to Section XIV.K of General Order R5-2020-0048, to provide compensatory mitigation for the authorized impact to 0.39 acre of impacts by purchasing the appropriate Aquatic Resource Credits from the Western Placer In-Lieu Fee Program. Mitigation ratios shall meet or exceed 1.5:1 for direct impacts. Copies of fully executed agreements for the purchase of the Western Placer In-Lieu Fee Program mitigation credits shall be provided to the Central Valley Water Board prior to the initiation of associated in-water work. Evidence of In-Lieu Fee Program credits shall be demonstrated by a copy of a notice or certificate from the Placer Conservation Authority. The notice or certificate should include the individual project name, individual project phase, amount of the mitigation fee, date of purchase, United States Army Corps of Engineers file number, and detail the credits purchased, including, but not limited to, the mitigation ratios and other pertinent information.

APPLICATION FEE RECEIVED:

An application fee and project fees of \$ 7,181.00 was received on 18 August 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) or E – Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

PETITIONS FOR RECONSIDERATION:

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following.

The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Links to the law and regulations applicable to filing petitions may be found at: [Water Quality Petitions | California State Water Resources Control Board](#) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

If you have any questions regarding this Notice of Applicability, please contact Greg Hendricks at (916) 464-4709 or Greg.Hendricks@waterboards.ca.gov.

Original Signed by James Marshall for:
Patrick Pulupa
Executive Officer

cc: [Via email only]

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

Department of Fish and Wildlife, Region 2
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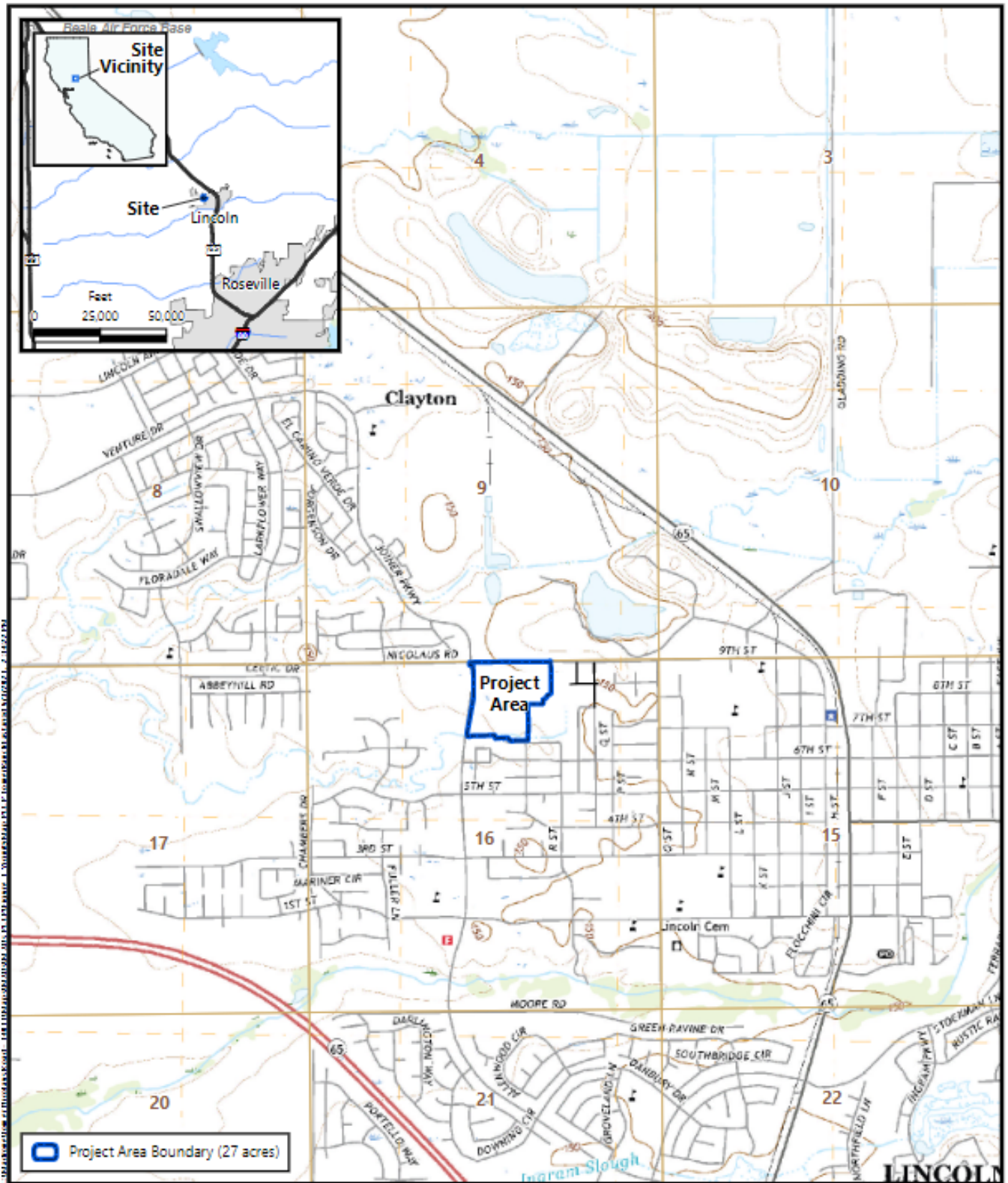


Figure 1 – Project Location Map



Figure 2 – Project Site Map