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## Central Valley Regional Water Quality Control Board

26 July 2021

Larry Gualco  
Lennar  
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Roseville, CA 95678  
*Larry.Gualco@lennar.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, GARDNER PARKE OFFSITE INFRASTRUCTURE PROJECT (WDID#5A34CR00759-012), SACRAMENTO COUNTY**

On 8 June 2021, Lennar (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 R5-2019-0023, 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 Gardner Parke Offsite Infrastructure 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 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](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 No. 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 10-acre Project will construct storm water management and sanitary sewer improvements that will support development from the Gardner Parke subdivision located north of the Project area. Project elements include construction of a storm water

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

collection system that will collect all storm water from the division and route it to a detention basin, construction of a storm water detention/water treatment basin, and a sanitary sewer system from the Gardner Parke development south that will connect to the City of Elk Grove's existing sewer system.

Project activities that will impact aquatic resources include grading and construction to accommodate a gravel-surface access road; excavation for and surfacing of an open storm water channel and associated outfalls; excavation and grading for a storm water detention basin. The project will permanently impact 0.452 acres of isolated wetland and vernal pool habitat from excavation and fill activities. The Project will excavate approximately 903 cubic yards of clean soil and place approximately 1,265 cubic yards of clean soil into wetland and vernal pool habitat. The project will temporarily impact 0.07 acres of isolated wetland and vernal pool habitat. No dewatering will occur in the project area. No wet concrete will be placed into waters of the state. Temporarily impacted areas will be restored to pre-project condition.

**PROJECT TYPE:**

Storm water Construction and Maintenance

**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 at Elk Grove Florin Road, between Gerber Road and Florin Road, Sacramento.

Section 1, Township 7 North, Range 5 East, MDB&M

Latitude: 38.487119° N and Longitude: 121.374359° W

**PROJECT SCHEDULE:**

1 August through 15 October

**COMPENSATORY MITIGATION**

A copy of the fully executed agreements for the purchase of mitigation credits shall be provided to the Central Valley Water Board prior to the initiation of in-water work.

The Permittee shall retain responsibility for providing the compensatory mitigation and long-term management until Central Valley Water Board staff has received

documentation of the credit purchase and the transfer agreement between the Permittee and the seller of credits.

The Permittee shall purchase 0.45 acre of vernal pool credits from the South Sacramento In-Lieu Fee Program prior to the initiation of in-water work for the permanent impacts to 0.45 acre of vernal pool habitat.

**APPLICATION FEE RECEIVED:**

An application fee of \$9,575.00 was received on 10 June 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) with the dredge and fill fee calculator.

**PROJECT SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES:**

The Permittee shall implement the avoidance and minimization measures (AMMs) listed in Attachment G of the Gardner Parke Offsite Infrastructure Project, Notice of Intent dated 8 June 2021.

**WATER QUALITY MONITORING:**

No sampling is required for the permanent fill of 0.45 acre of isolated wetland and vernal pool habitat.

If you have any questions regarding this Notice of Applicability, please contact Angela Nguyen-Tan at (916)-464-0335 or [Angela.Nguyen-Tan@waterboards.ca.gov](mailto:Angela.Nguyen-Tan@waterboards.ca.gov)

*Original Signed By James Marshall for:*

Patrick Pulupa  
Executive Officer

Attachments: Figure 1 – Project Location map  
Figure 2 – Impacts to Waters of the State

cc: Distribution List, Page 4

**DISTRIBUTION LIST**

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(SPK-2019-00569)  
United States Army Corps of Engineers  
Sacramento District Office  
Regulatory Division  
SPKRegulatoryMailbox@usace.army.mil

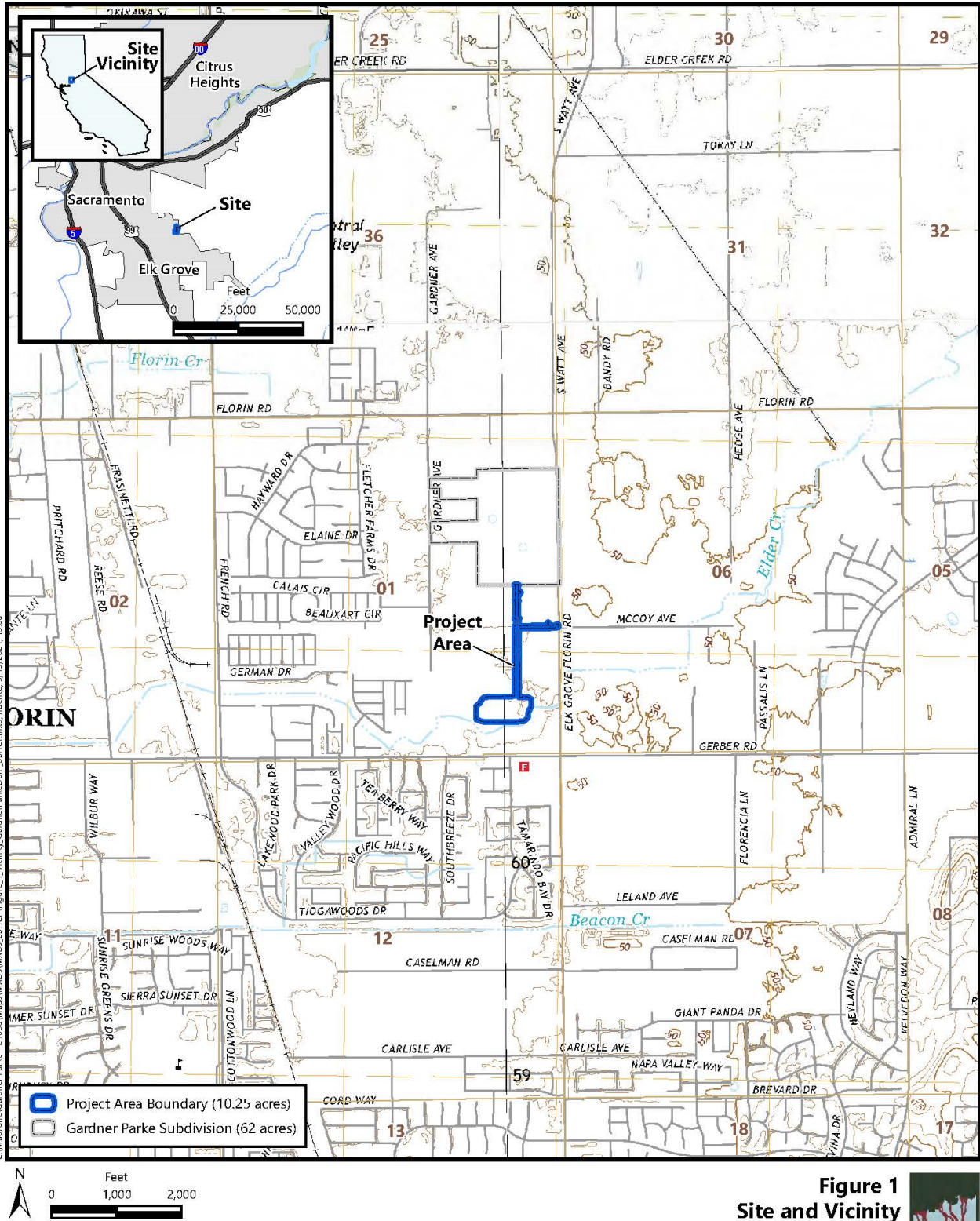
Department of Fish and Wildlife, Region 2  
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CWA Section 401 WQC Program  
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Ginger Fodge  
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**Figure 1**  
**Site and Vicinity**

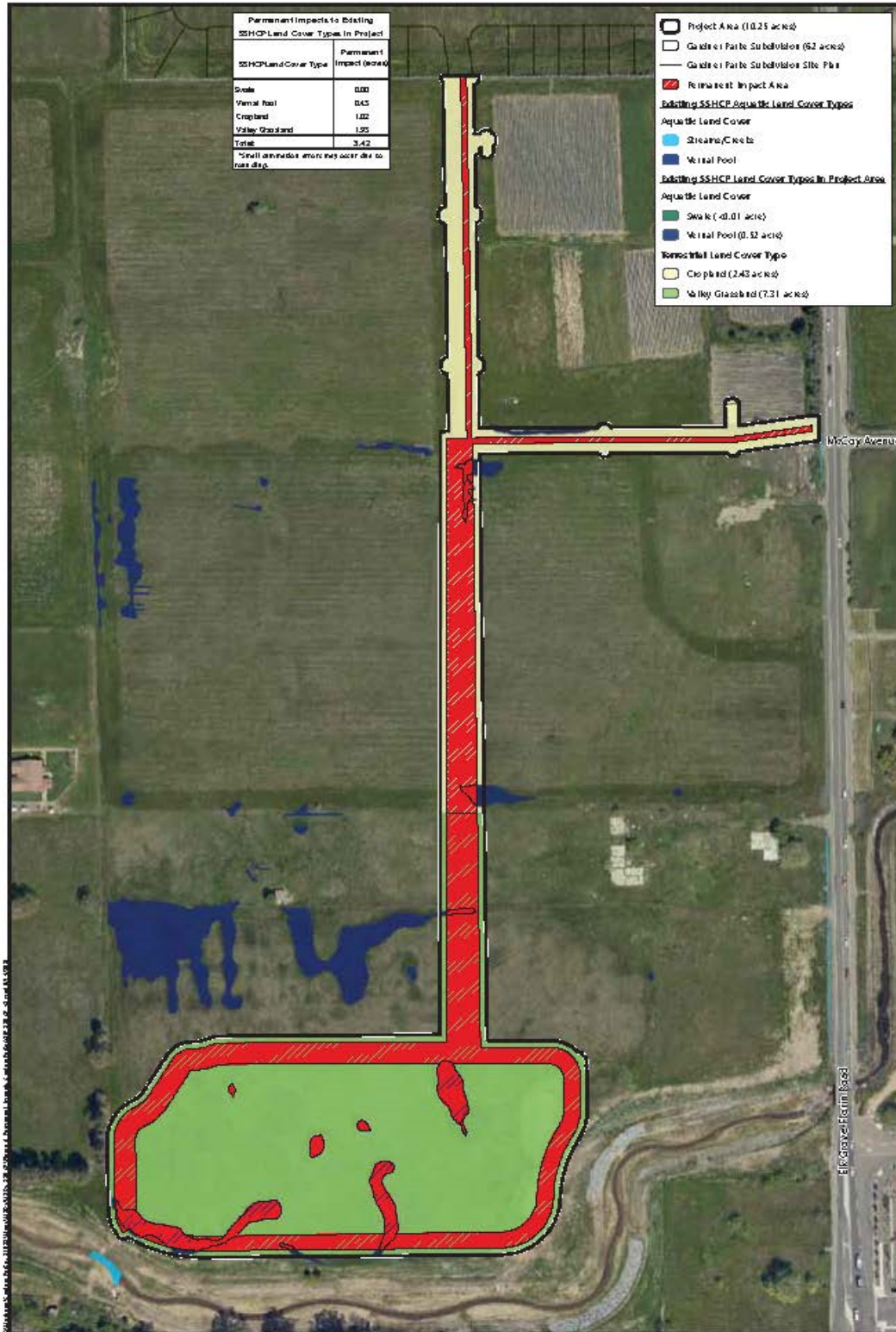
Source: United States Geologic Survey, 2018  
Section 1, Township 7 North, Range 5 East, MDB&M  
"Florin, California" and "Elk Grove, California" 7.5-Minute Topographic Quadrangles  
Longitude -121.374501, Latitude 38.485274

Gardner Parke Offsite Infrastructure Project  
Sacramento County, California



**Figure 1 – Project Location Map**





Note: Small amounts of impacts may occur due to rounding.  
Land Cover and Observed Species Habitat Source: Madroño, 2021,  
South Sacramento Habitat Conservation Plan (SSICP), 2018  
Aerial Source: Sac Regional GIS Coop, 26 March 2019

**Figure 6**  
Permanent Land Cover Impacts

Gardner Parke Offsite Infrastructure Project  
Sacramento County, California

**Figure 2 – Impacts to Waters of the State**