
Central Valley Regional Water Quality Control Board

2 August 2024

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ORDER AMENDING CLEAN WATER ACT SECTION 401 TECHNICALLY CONDITIONED WATER QUALITY CERTIFICATION; LENNAR HOMES, MURPHY GLEN ESTATES PROJECT (WDID#5B34CR00061A3), SACRAMENTO COUNTY

This Order responds to the 11 June 2024 request for an amendment of the Murphy Glen Estates Project (Project) Section 401 Water Quality Certification (WDID#5B34CR00061). The original Water Quality Certification (Certification) was issued on 28 October 2014. The Certification was amended on 7 September 2017 and on 27 June 2018. A Certification Deviation Request was approved on 9 December 2021. The requested amendment is hereby approved. The original Certification is therefore amended as described below. Please attach this document to the original Certification.

AMENDMENT:

Lennar Homes is requesting a change of ownership and time extension through 31 December 2024. The ownership change will allow Lennar Homes to proceed with the Project described in the original Certification. A time extension was authorized by the United States Army Corps of Engineers on 11 November 2022. Lennar Homes has provided documentation from the United States Army Corps of Engineers (SPK-2004-00814) authorizing in-water construction activities to continue until 31 December 2024.

Additionally, Lennar Homes is requesting to amend the compensatory mitigation requirement to reflect that in lieu fee credits will be purchased from the South Sacramento Habitat Conservation Plan (SSHCP) In-Lieu Fee (ILF) Program as mitigation for permanent impacts to aquatic resources. Lennar Homes is requesting to remove the requirement to create a swale onsite to mitigate for indirect impacts. Mitigation for permanent impacts will be accomplished through the purchase of in-lieu

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

fee credits from SSHCP ILF Program. The SSHCP is a watershed-based plan, and it is assumed that the wetland areas identified for indirect effects in the prior permits will be directly impacted and mitigated by another project under the SSHCP, as they are not in a preserve or planned preserve area. As a result, the indirect effect mitigation requirement (creating a swale onsite) is no longer required, as those impacts will be fully mitigated under the SSHCP ILF program in the future.

Lastly, Lennar Homes is requesting an amendment to change the 0.09 acre of roadside ditch impacts to be changed from temporary to permanent impacts.

The Certification is amended as shown below:

- Lennar Homes is the legally responsible Permittee for the Certification.
- In-water construction activities are authorized to continue until 31 December 2024.
- ILF Credits will be purchased from the SSHCP ILF Program as mitigation for permanent impacts.
- Creation of a swale onsite to mitigate for indirect impacts is no longer required.
- 0.09 acre of temporary impacts to roadside ditch are now considered permanent impacts and will be mitigated for through the purchase of in-lieu fee credits from the SSHCP In-Lieu Fee Program.

APPLICATION FEE RECEIVED:

No fee was required for this amendment. Total fees of \$34,291.00 for the original Certification were received on 20 October 2014. The fee amount was determined as required by California Code of Regulations, title 23, sections 3383(b)(3) and 2200(a)(3).

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL 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 Murphy Glen Estates Project (WDID#5B34CR00061A3). 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 Anne Walters for:
Patrick Pulupa
Executive Officer

Attachment: Project Figures

cc: [Via email only]

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Figure 1: Project Location

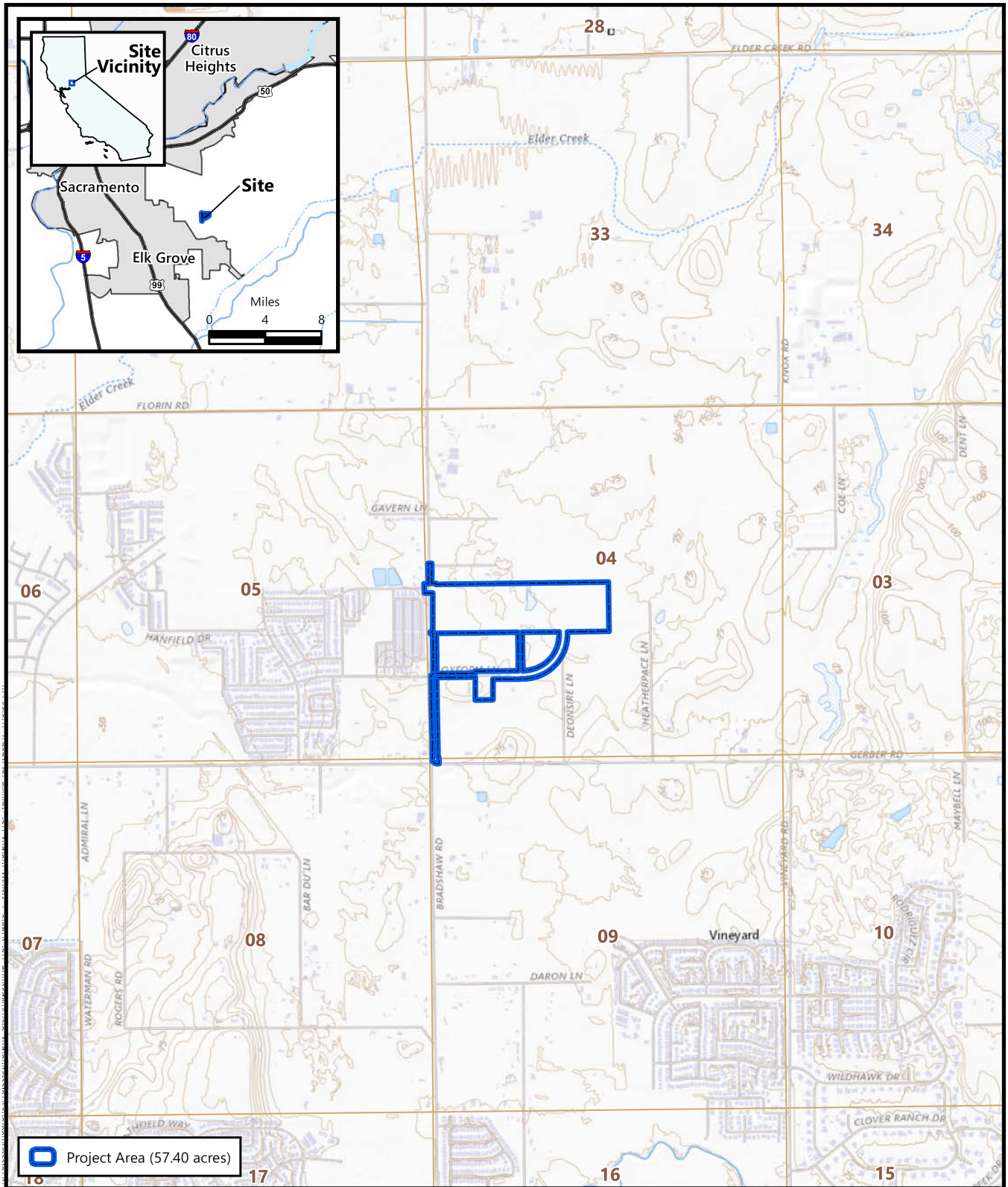


Figure 2: Project Area

