
Central Valley Regional Water Quality Control Board

11 January 2022

Rick Langdon
BHT II Northern Cal 1, LLC
5441 W. Oakridge Avenue
Visalia, CA 93291

ORDER AMENDING CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER; BHT II NORTHERN CAL 1, LLC, PLACER VINEYARDS 14TH STREET, A STREET, EAST TOWN CENTER DRIVE, AND TANWOOD AVENUE PROJECT (INFRASTRUCTURE SEGMENT N) (WDID NO. 5A31CR00492A1), PLACER COUNTY

This Order responds to the 12 November 2021 request for an amendment of the Placer Vineyards 14th Street, A Street, East Town Center Drive, and Tanwood Avenue Project (Infrastructure Segment N) Section 401 Water Quality Certification (WDID No. 5A31CR00492). The original Water Quality Certification (Certification) was issued on 28 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:

BHT II Northern Cal 1, LLC (hereinafter Permittee) is 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 Compensatory Mitigation for Permanent Impacts¹

- 1. Compensatory Mitigation Plan:** The Permittee shall provide compensatory mitigation for impacts to waters of the United States and waters of the state in accordance with Clean Water Act Section 404 Mitigation Strategy (Mitigation Strategy) for the Placer Vineyards Specific Plan (PVSP) dated 22 September 2015 and incorporated herein by reference. Any deviations from, or revisions to, the Mitigation Strategy for PVSP must be pre-approved by Central Valley Water Board staff. The monitoring period shall continue until the Central Valley Water Board staff determines that performance standards have been met. This may require the monitoring period to be extended.
- 2. Purchase of Mitigation Credits by Permittee for Compensatory Mitigation.**
 - a. A copy of the fully executed agreement for the purchase of mitigation credits shall be provided to the Central Valley Water Board prior to the initiation of in water work.
- 3. Total Required Compensatory Mitigation**
 - a. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.169 acre of Ephemeral Drainage by purchasing 0.140 vernal pool complex credits and 0.115 riverine/riparian complex credits from the Placer County Conservation Program In-Lieu Fee Program.
 - b. The Permittee is required to provide compensatory mitigation for the authorized impact to 1.743 acres of Seasonal Wetlands by purchasing 2.614 vernal pool complex credits from the Placer County Conservation Program In-Lieu Fee Program.
 - c. The Permittee is required to provide compensatory mitigation for the authorized impact to 0.087 acre of Seasonal Wetland Swales by purchasing 0.131 vernal pool complex credits from the Placer County Conservation Program In-Lieu Fee Program.
 - d. Total required Project compensatory mitigation information for permanent physical loss of area is summarized in Table 5. [Establishment (Est.), Re-establishment (Re-est.), Rehabilitation (Reh.), Enhancement (Enh.), Preservation (Pres.), Unknown].

¹ Compensatory Mitigation is for permanent physical loss and permanent ecological degradation of a water of the state.

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>Riverine/Riparian</u>	<u>In-Lieu Fee Program</u>	<u>Acres</u>						<u>0.115</u>
<u>Vernal Complex Pool</u>	<u>In-Lieu Fee Program</u>	<u>Acres</u>						<u>2.885</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

In-Lieu Fee Program Name:	<u>Placer County Conservation Program (PCCP) In-Lieu Fee Program</u>
Website:	www.placerconservation.com (https://placerconservation.com)
In-Lieu Fee Program Contact Name:	Gregg McKenzie or <u>Theresa Johnson</u>
Phone:	530-745-3075 or (530) 745-3129
Email:	GAMckenz@placer.ca.gov or tjohnson@placer.ca.gov
Mitigation Location - County:	Placer County
Latitude:	<u>To Be Determined</u>
Longitude:	<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>Riverine/Riparian Complex</u>	<u>0.115</u>		<u>Not Yet Purchased</u>
<u>Vernal Pool Complex</u>	<u>2.885</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 14th Street, A Street, East Town Center Drive, and Tanwood Avenue Project (Infrastructure Segment N) (WDID No. 5A31CR00492A1). 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 Clint Snyder, AEO (for)
PATRICK PULUPA, Executive Officer
Central Valley Regional Water Quality Control Board

1/11/22
Date

DLW: db

cc
via email: U.S. EPA, Region 9, San Francisco
Water Quality Certification Program, SWRCB, Sacramento
Kaitlyn A. Pascus, USACE, Sacramento
Kent MacDiarmid, The MacDiarmid Company
Hal Freeman, ECORP Consulting, inc., Rocklin