



Central Valley Regional Water Quality Control Board

13 November 2024

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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, STARDUST PROPERTY PROJECT (WDID#5A31CR00534-032), PLACER COUNTY

On 13 August 2024, Beazer Homes Holdings, LLC, (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 Stardust Property 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 67-acre Project consists of the construction of a residential development within the City of Lincoln. The project will construct approximately 302 units of low-density residential housing, a recreation center, a 20-acre open space area, and a new Oak Tree Lane Road connection. The project will also construct storm water quality basins

and landscape corridors. Construction activities will include clearing and grubbing, grading, and filling associated with roads, buildings, and utility infrastructure.

The Project will primarily result in the fill of wetlands and drainages due to grading for residential lots and roads. One drainage crossing is proposed that will allow for continuous flows from the east to the west through the project site. The crossing will accommodate the construction of Oak Tree Lane and is located on a perennial drainage that is tributary to Ingram Slough. Construction at this location will begin with the removal of all vegetation within the limit of work around the proposed crossing. A 5-foot by 10-foot arch culvert will be installed within the existing channel. The culvert is approximately 210 feet long and will allow for flow within the perennial drainage. Head walls and rock rip rap will be placed at both ends of the culvert to prevent scour. Bioengineering techniques will be used over the rip rap areas and soil will be placed over the rock and native vegetation will be re-established. Grass-lined stormwater quality swales will be installed on both sides of the culvert to treat runoff prior to it entering the channel. Upstream and downstream ends of the swales will be stabilized with rock rip rap, as needed. Once construction of the new Oak Tree Lane is completed, revegetation and bank stabilization will occur. All work is anticipated to be completed while the drainage is dry, and stabilization and revegetation will occur before the drainage becomes inundated.

Project elements that affect aquatic resources include grading the project site and installing the arched culvert in the perennial drainage. The Project will permanently impact 1.239 acres of seasonal wetland habitat and 0.062 acre of stream channel habitat. Approximately 0.094 acre of seasonal wetland will be indirectly impacted from construction activities and will be mitigated for in accordance with the Placer County Conservation Program requirements.

PROJECT TYPE:

Residential Development

ADDITIONAL CONDITIONS:

1. 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.
2. If the perennial drainage is not naturally dry when construction commences, then the applicant shall submit a Surface Water Diversion and/or Dewatering Plan and Water Quality Monitoring Plan to Central Valley Water Board staff for acceptance at least 30 days in advance of any discharge to the affected water body. Water quality monitoring shall be conducted in accordance with the approved plan.

PROJECT LOCATION:

The Project is located at 200 Stardust Lane in the City of Lincoln.

Section 24, Township 12 North, Range 6 East, MDB&M

Latitude: 38.882818° and Longitude: -121.251847°

PROJECT SCHEDULE:

1 April 2025 through 1 October 2029.

PUBLIC NOTICE

The Central Valley Water Resources Control Board (State Water Board) provided public notice of the application from 16 August 2024 to 6 September 2024. The Central Valley Water Board did not receive any comments during the comment period.

COMPENSATORY MITIGATION

To mitigate for the loss of 1.239 acres of seasonal wetland, 0.062 acre of stream channel, and 0.094 acre of indirect impacts to seasonal wetland, the Applicant shall purchase a minimum of 2.0 seasonal wetland credits and 0.09 riverine credits from the Western Placer County In-Lieu Fee Program for the impacted watershed prior to commencing construction. The Applicant shall provide evidence of purchase of In-Lieu Fee Program credits to the Central Valley Water Board prior to commencing construction. At a minimum, compensatory mitigation must achieve a ratio of 1.5:1 for permanent and indirect impacts to seasonal wetlands, and a ratio of 1.52:1 for permanent impacts to stream channels. Compensatory mitigation must comply with the effective policy, which ensures no overall net loss of wetlands for impacts to waters of the state, at the time of Certification.

Evidence of compliance with compensatory mitigation requirements includes providing a letter from the in-lieu fee recipient. The letter must: a) be on the in-lieu fee recipient's letterhead; b) be signed by an authorized representative of the in-lieu fee recipient; c) indicate the United States Army Corps of Engineers' SPK number; d) describe the Project name and location; and e) detail the type of in-lieu fees paid for the Project's impacts.

APPLICATION FEE RECEIVED:

An application fee of \$2,985.00 was received on 15 August 2024. The remaining application fee balance of \$31,605.00 was received on 8 November 2024.

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 Stardust Project was designed to avoid impacts to drainage features that flow through the property. Apart from one road crossing, the perennial drainage is avoided along with its associated intermittent drainages and riparian wetlands. Also avoided is a seasonal swale and seasonal marsh that flow into the perennial drainage creating a

long open space corridor that connects to regionally planned open space corridors. Where development is proposed adjacent to these features, fill slopes will be constructed between the avoidance areas and the residential lots. In these locations, temporary grading will occur, but the slopes will be returned to vegetation immediately following grading through hydroseeding with a native seed mix creating a re-established buffer. Where temporary grading is to occur, the area will continue to drain towards the wetland features, ensuring that wetland hydrology is retained. Outfalls from the project have been designed with water quality swales and basins that will remove pollutants from the development and dissipate energy prior to runoff being introduced to the drainage features.

The proposed Project will comply with all applicable measures identified within Master Conditions on Covered Activities Checklist, submitted as Attachment 4 of the application. The Applicant will implement the Avoidance and Minimization Measures (AMMs) and construction Best Management Practices (BMPs) outlined in the County Aquatic Resource Program (CARP) document, the Habitat Conservation Program/Natural Community Conservation Program (HCP/NCCP) document, and General Order No. 5 R5-2020-0048.

WATER QUALITY MONITORING:

Water quality monitoring is not required in a wetland where the entire wetland is being permanently filled, provided there is no outflow connecting the wetland to surface waters. Water quality monitoring is not required if the perennial drainage is naturally dry at the time of construction. If the perennial drainage is not naturally dry when construction commences, then the applicant shall submit a Water Quality Monitoring Plan to Central Valley Water Board staff for acceptance at least 30 days in advance of any discharge to the affected water body. Water quality monitoring shall be conducted in accordance with the approved plan.

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 on the Water Quality Petitions Page (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 Nicholas Savino by phone at (916) 464-4920 or by email at Nicholas.Savino@waterboards.ca.gov.

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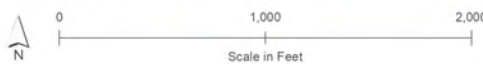
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Figure 1: Project Area



STARDUST PROPERTY

Figure 1

Site and Vicinity Map

Figure 2: Project Impacts

