

P05-052 – Cameron 5

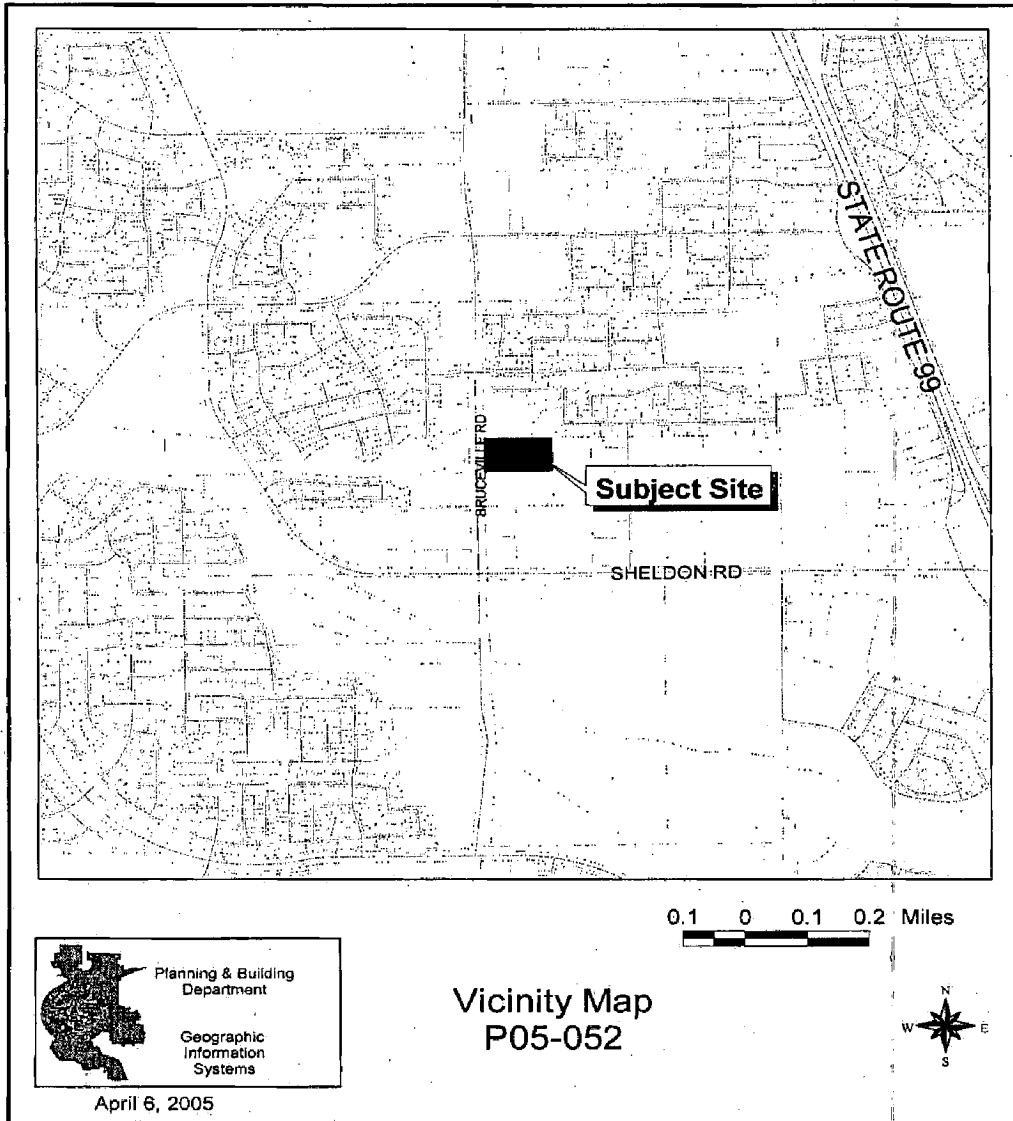
REQUEST:

- A. Environmental Determination:** Negative Declaration
- B. Mitigation Monitoring Plan**
- C. General Plan Amendment** to re-designate 5.0+ acres from Parks/Open Space to Low Density Residential (4-15 dwelling Units per net acre(du/na));
- D. Community Plan Amendment** to re-designate 5.0+ acres from Parks/Open Space to Residential 4-8 du/na;
- E. Rezone** 5.0+ acres from the Rural Estates (RE ¼) zone to the Single Family Alternative (R-1A) zone;
- F. Tentative Map** to subdivide 5.0+ acres into twenty-two (22) single family lots, four (4) half-plex lots, one (1) landscape lot, one (1) drainage lot, and one (1) pedestrian connection lot in the Single Family Alternative (R-1A) zone;
- G. Special Permit** to construct twenty-two single family residences and four half-plex residences within the Single Family Alternative (R-1A) zone;
- H. Inclusionary Housing Plan**

LOCATION:

Northeast of the Intersection of Sheldon Road and Bruceville Road
APN: 117-0212-045
South Sacramento Community Plan
Elk Grove Unified School District
Council District 8

APPLICANT:	Law Offices of Gregory Thatch 1730 I Street, Ste. 220 Sacramento, CA 95816
OWNER:	Dean B. Cameron 4555 Auburn Blvd., Ste. D Sacramento, CA 95841
APPLICATION FILED:	March 29, 2005
APPLICATION COMPLETED:	November 8, 2005
STAFF CONTACT:	Ellen Marshall, 808-5851



SUMMARY:

The applicant is seeking entitlements to subdivide 5.0± gross acres in the Rural Estates (RE – 1/4) zone on the east side of Bruceville Road and north of Sheldon Road. The subject site will be divided into twenty-two lots for the future development of single-family detached homes and four half-plex lots. The proposed lots would be consistent with the single-family homes to the north and with the Sheldon Whitehouse subdivision (P02-083) that will create 160 single-family lots adjacent to the subject site. Aside from the tentative map required to subdivide the property, a General Plan Amendment to redesignate the site from Parks/Open Space to Low Density Residential (4-15 dwelling Units per net acre(du/na)), Community Plan Amendment to re-designate the site from Parks/Open Space to Residential 4-8 du/na , a Rezone to redesignate the site *from* Rural Estates (RE – 1/4) to Single-Family Alternative (R-1A), Permit to construct twenty-two single family residences and four half-plex residences within the Single Family Alternative (R-1A) zone, and an Inclusionary Housing Plan are required to develop the site. There have been no public comments submitted and there are no outstanding issues related to this project.

RECOMMENDATION:

Staff recommends approval of the project, subject to conditions in the Notice of Decision.

PROJECT INFORMATION:

General Plan Designation:	Parks/Open Space
Community Plan Designation:	Parks/Open Space
Existing Land Use of Site:	Vacant
Existing Zoning of Site:	Rural Estates (RE-1/4)

Surrounding Land Use and Zoning:

North:	Jacinto Creek Parkway; A-OS
South:	Vacant; RE – ¼
East:	Future Single Family Residential; R-1
West:	Bruceville Road

Property Dimensions:	564' x 329'
Property Area:	5.0± gross acres (3.5± net acres)
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

Permit
Final Map
Building Permits

Agency
Public Works, Development Services
Development Services Department

BACKGROUND INFORMATION:

The subject site consists of a single 5.0± gross acre parcel on the east side of Bruceville Road, north of Sheldon Road. The site is currently vacant and was planned to be a City park. The City Parks Department does not have the ability to purchase the site for a park, so the property owner would like to develop the site with single family homes. A recently approved subdivision, Sheldon Whitehouse (P02-083), surrounds the property except to the north, where a detention basin connected to the Jacinto Creek Parkway is located. The property owner and the developer of the Sheldon Whitehouse subdivision have reached an agreement to develop this property as an extension of the Sheldon Whitehouse. The developer now wishes to subdivide the property in a manner consistent with recent approvals on adjacent properties.

STAFF EVALUATION: Staff has the following comments:**A. Policy Considerations****General & Community Plan**

In 1992, the subject property was included in an annexation of the properties in the Cosumnes River College area. In 1995, the City Council approved the Jacinto Creek Planning Area Land Use Plan that designated the subject site for parks and open space.

The general plan designates the site as Parks/Open Space. This designation would allow for the future development of a park. As stated above, the City does not have the funding to purchase the property to develop as a park site, therefore, the property owner is requesting to redesignate the site to Low Density Residential. This designation allows for residential development ranging from 4 to 15 dwelling units per net acre. The proposed project is consistent with the General Plan in that it provides residential development at a density of seven units per net acre, and develops a residential land use in a manner which is efficient and utilizes existing urban resources (sec 2-15, Goal C).

The South Sacramento Community Plan designates the subject site as Parks/Open Space. To develop the site with single family residences, a Community Plan Amendment is necessary. The property owner is requesting to redesignate the site to Residential (11-21 du/ac). In 1995, with the creation of the Jacinto Creek Planning Area, the South Sacramento Community Plan was amended such that densities as low as seven units per acre are allowed in the Residential (11-21 du/ac). Staff supports the General Plan and Community Plan Amendments because it is unlikely the Parks Department will ever be able to develop the site as park.

Zoning

The subject property has been zoned Rural Estates (RE-1/4) since the parcels were annexed into the City of Sacramento in 1992. The current zoning is inconsistent with the General and South Sacramento Community Plans that call for parks/open space for the site and would be inconsistent if the General Plan and Community Plan Amendments were approved. The applicant is requesting to rezone the subject property from Rural Estates to

Single Family Alternative (R-1A). Staff has no objections to the Rezone, as the resulting zone would be consistent with the single-family homes to the north (across the Jacinto Creek Parkway) and the recently approved subdivision to the east.

B. Site Design

Tentative Map design

The Tentative Map will create 22 single family lots, four half-plex lots, (1) landscape lot, one (1) drainage lot, and one (1) pedestrian connection lot on 5.0± gross acres. The majority of the lots meet the Zoning Ordinance standards for interior lots (52' x 100') and corner lots (62' x 100'). Several lots do not meet the minimum interior lot width and range in width from 48 feet to 50 feet. The proposed R-1A zoning allows lots to vary from the Zoning Ordinance standards upon approval of the Planning Commission. The lots to be created will be suitable for the development of single-family homes and staff supports the reduced lot width.

The proposed subdivision lots will be accessed from an extension of West Wing Drive in the Sheldon Whitehouse subdivision. The extension of West Wing Road will create a connection between Sheldon Road through the Sheldon Whitehouse subdivision to the project site. The improvements for this connection will be consistent with the City's pedestrian friendly street standards. This connection is necessary as the project was not permitted an access to Bruceville Road. There are no issues with vehicular, pedestrian, or emergency access.

The proposal will result in eleven (11) lots backing up to the Jacinto Creek Parkway. Although City Policy discourages the lots backing on to parks and open spaces. The applicant originally submitted a map similar to the current map, with lots backing onto the open space. Staff requested the map be redesigned to allow a road along the open space. The applicant complied with this request and provided a revised map. The revised map was reviewed by other City department and outside agencies and it was determined, based on the overall width of the parcel (329 feet), that there was not width to accommodate the necessary utilities without losing several lots. The applicant worked with Planning and Parks staff to resolve the issue of lots backing onto the open space and it was determined that because the lots will back onto a detention basin, not an active recreation area, the map layout could be supported. In addition, the project will be conditioned to provide open, wrought-iron type fencing along lots 1 through 9. Lots 10 and 11 will have a masonry wall as required for noise attenuation.

C. Building Design

The proposed homes will be the same homes under construction at the Sheldon Whitehouse Subdivision to the east. The applicant is proposing one and two-story homes and a half-plex unit. The unit information is listed below:

Plan Name	Square Footage	Number of Bedrooms	Garage Spaces	Number of Stories	Number of Elevations
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Plan 1776	1776	3	2	1	3
Plan 1841	1841	3	2	1	3
Plan 2806	2806	5*	2	2	3
Plan 2242	2242	4*	2	2	3
Plan 2444	2444	4*	2	2	3
Duplex	945	3*	2	1	3

*with den/bedroom option

Seven different homes with three distinct elevations are proposed. The exterior of all buildings will be finished with stucco with many decorative accents. Such decorative accents include: wood siding, stone accents, corbels, decorative windows and wood shutters. The roofs will be of concrete tile, and the garages will have raised panel doors.

The complex is consistent with the Single-family Residential Design Guidelines in that: the homes provide living space at the front of the house, the garages are recessed, and the applicant proposes to use different styles and materials in order to add variety.

D. Inclusionary Housing Plan

The Cameron 5 Tentative Map proposes to subdivide 5.0+ acres into twenty-two single family residences and four half-plex lots for the development of single-family residential units in one of the City's designated new growth areas. As a development project in a new growth area, the project must include units developed for, offered to, and leased or sold to low and very low income households. With twenty-six proposed single-family units, the Cameron-5 project must include four units available to low income households.

The developer has submitted an Inclusionary Housing Plan that proposes to meet the inclusionary requirements on-site. The on-site units will be half-plex units on corner lots. The developer plans to make four of these units available to low income households. These units will be one-story units totaling 945 square feet. The on-site units will be located on lots 16, 17, 23, and 24. The Inclusionary Housing Plan submitted by the applicant satisfies the inclusionary housing requirements.

PROJECT REVIEW PROCESS:

A. Environmental Determination

A Mitigated Negative Declaration has been prepared for the proposed project in compliance with Section 15070(b)1 of the California Environmental Quality Act (CEQA). Environmental Planning Services has determined that the proposed project would result in significant impacts associated with biological resources, noise, and cultural resources. However, the environmental analysis determined that the implementation of mitigation measures would

reduce the impacts to a less-than-significant levels. The project applicant has agreed to the proposed mitigation measures, which are listed in the attached Mitigation Monitoring Plan (Exhibit 1A). The Mitigated Negative Declaration was available for public review during the period of September 21, 2005 through October 20, 2005. Three letters were received that provided comment on the proposed project.

The first letter was from County Sanitation District 1 stating that CSD-1 and Sacramento Regional County Sanitation District (SRCSD) do not have any specific concerns related to the proposed project. However, the letter did point out that the project is within the CSD-1 service area and will be served by the CSD-1 sewer system, not by the City of Sacramento Utilities System, as indicated in the Mitigated Negative Declaration. The letter is attached (Attachment 3).

According to the City's Department of Utilities, the comment made by CSD-1 is correct. The Mitigated Negative Declaration misstated that the project would be served by the City of Sacramento Utilities System. The proposed development is located within CSD-1 service area, and sanitary sewer service will be served by CSD-1, as indicated in the comment letter. This correction is indicated in the Errata attached to the cover of the Mitigated Negative Declaration. The Errata also indicates that the correction of the service provider would not result in changes to the conclusions made in the Mitigated Negative Declaration.

The second letter (Attachment 3) was from the California Regional Water Quality Control Board. The letter consists of their standard comment language describing the regulatory requirements for construction storm water, post-construction storm water, wetlands and/or stream course alteration, and dewatering permits and their regulatory authority over those requirements. The City's Department of Utilities reviewed the letter and indicated that the standard comments made in the letter are consistent with the City's standard conditions of approval that have been placed on this project.

The third letter is from the Sacramento County Department of Transportation, and they had no comments on the project.

Therefore, staff recommends the City Planning Commission approve the Mitigated Negative Declaration and adopt the Mitigation Monitoring Plan.

B. Public/Neighborhood/Business Association Comments

Upon receipt of the original application, the project information was forwarded to the North Laguna Creek Neighborhood Association. As of the date of this report, no public comments on this project have been received.

C. Summary of Agency Comments

The project has been reviewed by several City Departments including City Fire, Development Engineering, and City Utilities. The project was approved at the Subdivision

Review Committee on September 21, 2005. The conditions incorporating all applicable comments were incorporated into the project at that time.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A, B, F, and G. Items C, D, E and H must be approved by City Council. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Environmental Determination:** Negative Declaration;
- B. Mitigation Monitoring Plan**
- C.** Recommend approval of the General Plan Amendment to re-designate 5.0+ acres from Parks/Open Space to Low Density Residential (4-15 dwelling Units per net acre(du/na));
- D.** Recommend approval of the Community Plan Amendment to re-designate 5.0+ acres from Parks/Open Space to Residential 4-8 du/na;
- E.** Recommend approval of the Rezone 5.0+ acres from the Rural Estates (RE ¼) zone to the Single Family Alternative (R-1A) zone;
- F.** Adopt the attached Notice of Decision and Findings of Fact approving the **Tentative Subdivision Map** to subdivide 5.0+ acres into twenty-two (22) single family lots, four (4) half-plex lots, one (1) landscape lot, one (1) drainage lot, and one (1) pedestrian connection lot in the Single Family Alternative (R-1A) zone;
- G.** Adopt the attached Notice of Decision and Findings of Fact approving the **Special Permit** to construct twenty-two single family residences and four half-plex residences within the Single Family Alternative (R-1A) zone;
- H.** Recommend approval of the **Inclusionary Housing Plan**

Report Prepared By,



Ellen Marshall, Associate Planner

Report Reviewed By,

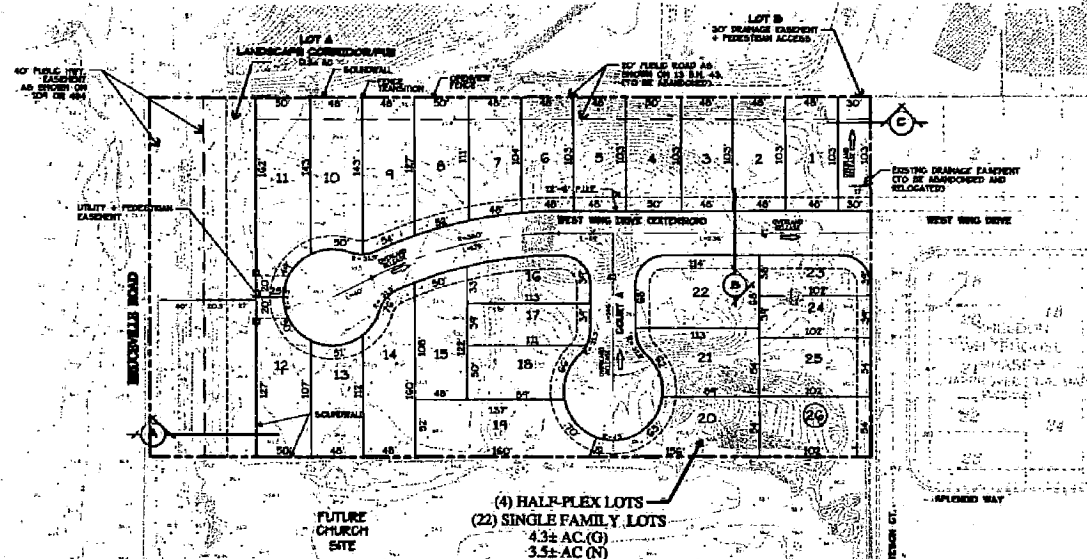
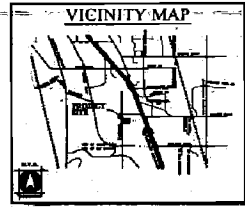


Thomas S. Pace, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Mitigation Monitoring Plan
Exhibit 1B	General Plan Amendment
Exhibit 1C	Community Plan Amendment
Exhibit 1D	Rezone Exhibit
Exhibit 1E	Tentative Map
Exhibit 1F	Plan 1776
Exhibit 1G	Plan 1841
Exhibit 1H	Plan 2806
Exhibit 1I	Plan 2242
Exhibit 1J	Plan 2444
Exhibit 1K	Duplex
Exhibit 1L	Inclusionary Housing Plan
Attachment 2	Land Use and Zoning Map
Attachment 3	Negative Declaration Comment Letters

TENTATIVE SUBDIVISION MAP
CAMERON 5
CITY OF SACRAMENTO, CALIFORNIA
NOVEMBER 1, 2005



PROJECT NOTES

REGULATORY CODES:
CAMERON FAMILY TRACT
4000 SERIES REGULATORY CODE # 1
SACRAMENTO, CA 95811
CONTACT: JOHN A. LAWSON
PHONE: (916) 941-7600

EXISTING LINE:
VACANT
EXISTING LINES
E 1/4
PROPOSED LINES
E-1/4

EXISTING LINES:
3200 F STREET, STATE ESD
SACRAMENTO, CA 95811
CONTACT: GUY GUYT TRUTH
PHONE: (916) 443-6906

BLANCKENHORN:
WOOD BROTHERS, INC.
2000 F STREET, SUITE 100-8
SACRAMENTO, CA 95811
CONTACT: TRACY BROWN/BRUCE WILLIAMS
PHONE: (916) 341-7700

AGRICULTURE REGULATORY CODE:
27-022-000

AREA:
SACRAMENTO COUNTY-UNINCORPORATED

NUMBER OF LOTS:
26 SINGLE FAMILY LOTS
11 SINGLE FAMILY LOTS
4 HALF-PLEX LOTS

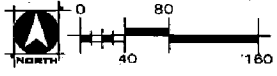
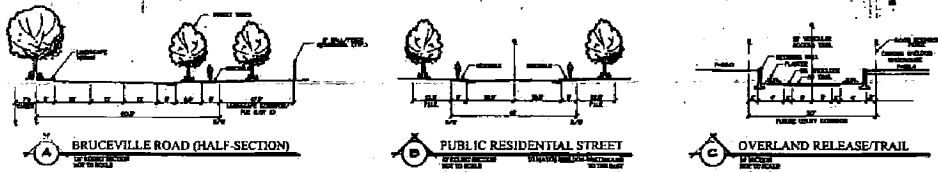
NOTES:
1. SUBMITTER WARRANTS THE RIGHT TO FILE PLAT/PLANS WITH THIS PLAT/PLAN TO BECOME A PART OF THE SUBDIVISION PROJECT.
2. THE 60 FOOT PUBLIC STREET RIGHTS-OF-WAY WILL BE LOCATED PARALLEL TO ALL RIGHTS-OF-WAY EXCEPT AS APPROVED BY THE CITY ENGINEER.
3. ALL EXISTING UTILITIES TO BE RELOCATED AND ALL EXISTING WELLS TO BE ABANDONED.
4. THE ENGINEER HAS CONDUCTED SURVEY WORK ONLY. ALL SITE CHARACTERISTICS ARE TO BE DETERMINED BY THE BUYER.
5. THIS IS A TENTATIVE MAP. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SACRAMENTO.

⊕ INDICATES HALF-PLEX LOTS

SUMMARY TABLE

SECTION	LAND USE	AREA (AC)	AREA (SQ. FT.)	INTERNAL USES	REMARKS
LOT A	LANDSCAPE CORRIDOR	0.5	437	4 HALF-PLEX LOTS EXCEPT 170, 180 BEING 26 LOTS EXCEPT 170	
LOT B	LANDSCAPE CORRIDOR	0.5	437		
LOT C	LANDSCAPE CORRIDOR	0.5	437		
LOT D	LANDSCAPE CORRIDOR	0.5	437		
LOT E	LANDSCAPE CORRIDOR	0.5	437		
LOT F	LANDSCAPE CORRIDOR	0.5	437		
LOT G	LANDSCAPE CORRIDOR	0.5	437		
LOT H	LANDSCAPE CORRIDOR	0.5	437		
LOT I	LANDSCAPE CORRIDOR	0.5	437		
LOT J	LANDSCAPE CORRIDOR	0.5	437		
LOT K	LANDSCAPE CORRIDOR	0.5	437		
LOT L	LANDSCAPE CORRIDOR	0.5	437		
LOT M	LANDSCAPE CORRIDOR	0.5	437		
LOT N	LANDSCAPE CORRIDOR	0.5	437		
LOT O	LANDSCAPE CORRIDOR	0.5	437		
LOT P	LANDSCAPE CORRIDOR	0.5	437		
LOT Q	LANDSCAPE CORRIDOR	0.5	437		
LOT R	LANDSCAPE CORRIDOR	0.5	437		
LOT S	LANDSCAPE CORRIDOR	0.5	437		
LOT T	LANDSCAPE CORRIDOR	0.5	437		
LOT U	LANDSCAPE CORRIDOR	0.5	437		
LOT V	LANDSCAPE CORRIDOR	0.5	437		
LOT W	LANDSCAPE CORRIDOR	0.5	437		
LOT X	LANDSCAPE CORRIDOR	0.5	437		
LOT Y	LANDSCAPE CORRIDOR	0.5	437		
LOT Z	LANDSCAPE CORRIDOR	0.5	437		

NOTE: ALL SITE CHARACTERISTICS INCLUDING BUT NOT LIMITED TO THE FOLLOWING: PLANNED UTILITIES, EXISTING UTILITIES, AND EXISTING WELLS SHALL BE DETERMINED BY THE BUYER.

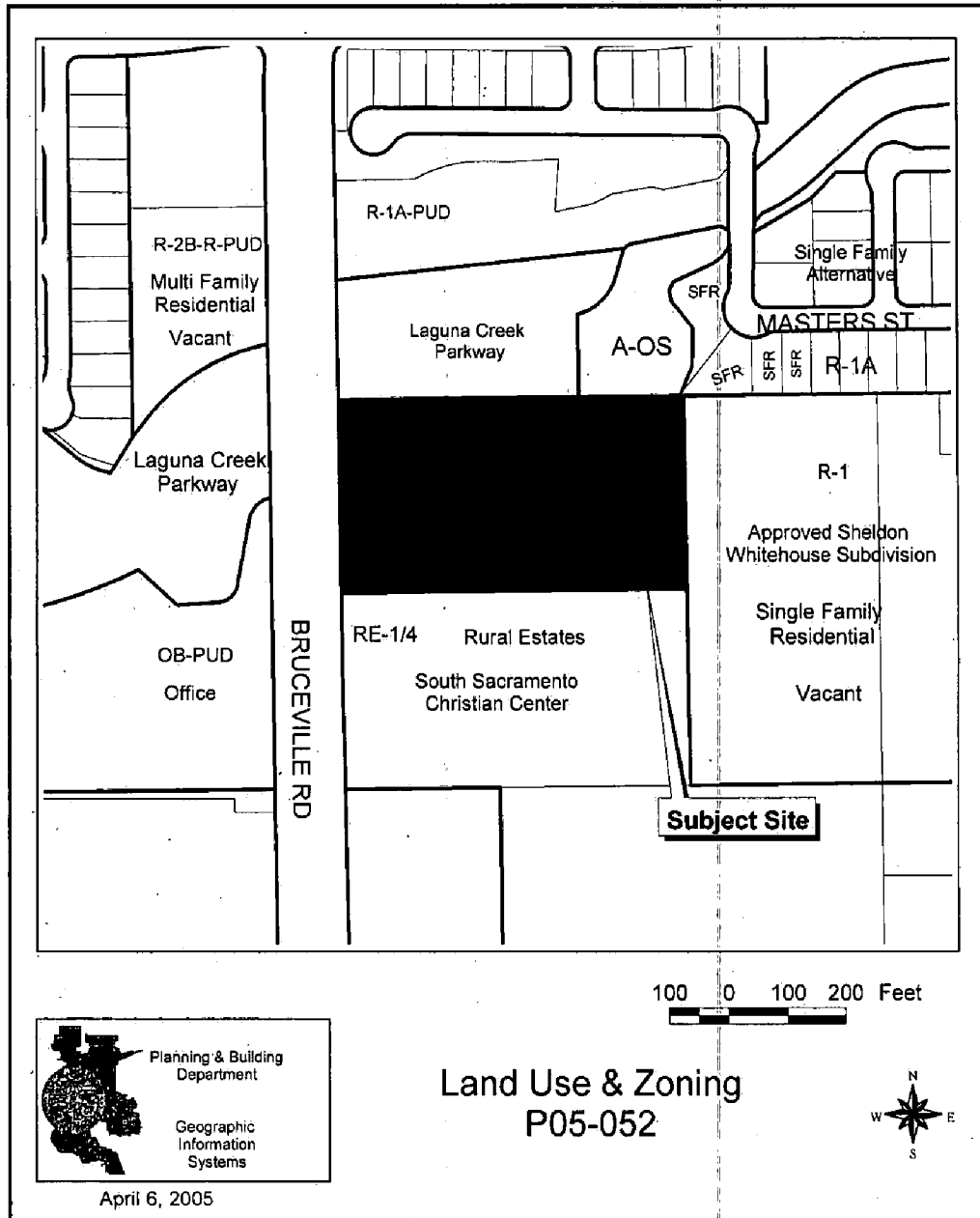


WOOD RODGERS
ENGINEERS - ARCHITECTS - PLANNERS
3301 O ST., SUITE 100-8
SACRAMENTO, CA 95816
Tel: 916.341.7780
Fax: 916.341.7787

TSM 3RD SUBMITTAL - CAMERON 5

Attachment I - Tentative Map

Attachment 2 - Land Use and Zoning Map



Attachment 3 – Negative Declaration Comment Letters



Municipal Services Agency
Department of Transportation
Tom Zlotkowski, Director

Terry Schutton, County Executive
Cheryl Creson, Agency Administrator

County of Sacramento

September 23, 2005

Mr. Michael Parker, Assistant Planner
City of Sacramento, Development Services Department
2101 Arena Boulevard, Suite 200
Sacramento, CA 95834

Subject: Notice of Availability/Intent to Approve – Draft Mitigated Negative Declaration for the Cameron 5 Project (P05-052)

Dear Mr. Parker:

The Sacramento County Department of Transportation has reviewed the Draft Mitigated Negative Declaration for the Cameron 5 project. We appreciate the opportunity to review these documents, and have no comments at this time.

If you have any questions please call me at 874-6291.

Sincerely,

Matthew G. Darrow
Senior Civil Engineer

MGD:mgd

c: Steve Hong, IFS



"Leading the Way to Greater Mobility"

Design & Planning: 906 G Street, Suite 510, Sacramento, CA 95814 . Phone: 916-874-6291 . Fax: 916-874-7831
Operations & Maintenance: 4100 Traffic Way, Sacramento, CA 95827 . Phone: 916-875-6123 . Fax: 916-875-5303
www.ascdot.com



October 18, 2005
E225.000

10548 Armstrong Avenue
Mother
California
95655
Tele: (916) 876-6000
Fax: (916) 876-6160
www.csd-1.com

Michael Parker
City Of Sacramento
Development Services Department
2101 Arena Boulevard, Suite 200
Sacramento, CA 95834

**Subject: Draft Mitigated Negative Declaration for the Cameron
5 Project (P05-052) Notice of Availability/Intent to Approve
APN: 117-0212-045
Control No. P05-052**

- Board of Directors
Representing:
- County of Sacramento
- City of Citrus Heights
- City of Elk Grove
- City of Folsom
- City of Rancho Cordova
- City of Sacramento

Dear Mr. Parker:

County Sanitation District 1 (CSD-1) and Sacramento Regional County Sanitation District (SRCSD) reviewed the Negative Declaration for the subject property.

CSD-1 and SRCSD do not have any specific concerns. We expect that if the project is subject to currently established policies, ordinances, fees, and to conditions of approval, that we have proposed after review of entitlement application documents, then mitigation measures within the mitigated negative declaration will adequately address the sewage aspects of the project, and we anticipate a less than significant impact to the sewage facilities.

Please note that this project is within the CSD-1 service area and will be served by the CSD-1 sewer system, not by the City Of Sacramento Utilities System as indicated in the Mitigated Negative Declaration.

If you have any questions regarding these comments, please call Stephen Moore at (916) 876-6296 or myself at (916) 876-6094.

- Robert E. Shanks
District Engineer
- Marcia Maurer
Chief Financial Officer
- Wendell H. Kido
District Manager
- Mary K. Snyder
Collection Systems Manager

Sincerely,
Wendy Haggard
Wendy Haggard, P.E.
Department of Water Quality
Development Services

WH/JRO: cc

cc: Melenie Spahn
Amber Schalansky

parker101805.ltr.doc



Alan C. Lloyd, Ph.D.
Agency Secretary

California Regional Water Quality Control Board Central Valley Region

Robert Schneider, Chair

Sacramento Main Office
11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
Phone (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>



Arnold
Schwarzenegger
Governor

11 October 2005

Mike Parker
City of Sacramento
2101 Arena Blvd., Suite 200
Sacramento, CA 95834

***PROPOSED PROJECT REVIEW, CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA),
NEGATIVE DECLARATION FOR CAMERON 5, STATE CLEARINGHOUSE #2005092104,
SACRAMENTO, SACRAMENTO COUNTY***

As a Responsible Agency, as defined by CEQA, we have reviewed the Negative Declaration for Cameron 5. Based on our review, we have the following comments regarding the proposed project.

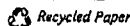
Construction Storm Water

A NPDES General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000002, Order No. 99-08-DWQ is required when a site involves clearing, grading, disturbances to the ground, such as stockpiling, or excavation that results in soil disturbances of one acre or more of total land area. Construction activity that involves soil disturbances on construction sites of less than one acres and is part of a larger common plan of development or sale, also requires permit coverage. Coverage under the General Permit must be obtained prior to construction. More information may be found at <http://www.swrcb.ca.gov/stormwtr/construction.html>

Post-Construction Storm Water Management

Manage storm water to retain the natural flow regime and water quality, including not altering baseline flows in receiving waters, not allowing untreated discharges to occur into existing aquatic resources, not using aquatic resources for detention or transport of flows above current hydrology, duration, and frequency. All storm water flows generated on-site during and after construction and entering surface waters should be pre-treated to reduce oil, sediment, and other contaminants. The local municipality where the proposed project is located may now require post construction storm water Best Management Practices (BMPs) pursuant to the Phase II, SWRCB, Water Quality Order No. 2003 - 0005 - DWQ, NPDES General Permit No. CAS000004, WDRS for Storm Water Discharges from Small Municipal Separate Storm Sewers Systems (MS4). The local municipality may require long-term post-construction BMPs to be incorporated into development and significant redevelopment projects to protect water quality and control runoff flow.

California Environmental Protection Agency



Mike Parker

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11 October 2005

Wetlands and/or stream course alteration

Section 401 of the federal Clean Water Act requires any project that impacts waters of the United States (such as streams and wetlands) to file a 401 Water Quality Certification application with this office. The project proponent must certify the project will not violate state water quality standards. Projects include, but are not limited to, stream crossings, modification of stream banks or stream courses, and the filling or modification of wetlands. If a U.S. Army Corp of Engineers (ACOE) permit is required for the project, then Water Quality Certification must be obtained prior to initiation of project activities. The proponent must follow the ACOE 404(b)(1) Guidance to assure approval of their 401 Water Quality Certification application. The guidelines are as follows:

1. **Avoidance** (Is the project the least environmentally damaging *practicable* alternative?)
2. **Minimization** (Does the project minimize any adverse effects to the impacted wetlands?)
3. **Mitigation** (Does the project mitigate to assure a no net loss of functional values?)

If, after avoidance and minimization guidelines are considered and wetland impacts are still anticipated:

- determine functional losses and gains (both permanent and temporal; both direct and indirect)
- conduct adequate baselines of wetland functions including vegetation, wildlife, hydrology, soils, and water quality
- attempt to create/restore the same wetland type that is impacted, in the same watershed
- work with a regional context to maximize benefits for native fish, wildlife, vegetation, as well as for water quality, and hydrology
- use native species and materials whenever possible
- document all efforts made to avoid the minimize adverse wetland impacts
- be prepared to develop performance criteria and to track those for between 5 to 20 years
- be prepared to show project success based on achieving wetland functions
- if the project fails, be prepared to repeat the same process (via financial assurance), with additional acreage added for temporal losses
- specify how the mitigation project will be maintained in perpetuity and who will be responsible for the maintenance

For more information regarding Water Quality Certification may be found at
http://www.waterboards.ca.gov/centralvalley/available_documents/wq_cert/application.pdf

Mike Parker

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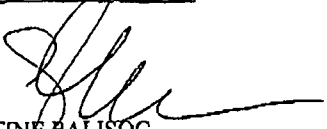
11 October 2005

Dewatering Permit

The proponent may be required to file a Dewatering Permit covered under Waste Discharge Requirements General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit, Order No. 5-00-175 (NPDES CAG995001) provided they do not contain significant quantities of pollutants and are either (1) four months or less in duration, or (2) the average dry weather discharge does not exceed 0.25 mgd:

- a. Well development water
- b. Construction dewatering
- c. Pump/well testing
- d. Pipeline/tank pressure testing
- e. Pipeline/tank flushing or dewatering
- f. Condensate discharges
- g. Water Supply system discharges
- h. Miscellaneous dewatering/low threat discharges

For more information, please visit the Regional Boards website at <http://www.waterboards.ca.gov/centralvalley/> or contact me at 916.464.4663 or by e-mail at palisoc@waterboards.ca.gov.



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