

Western Placer County Aquatic Resources Program

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- Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603.

PLACER COUNTY CONSERVATION PROGRAM

WESTERN PLACER COUNTY AQUATIC RESOURCES PROGRAM



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WESTERN PLACER COUNTY AQUATIC RESOURCES PROGRAM EXECUTIVE SUMMARY

Overview

The Western Placer County Aquatic Resources Program (CARP) and the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) are the central components of the Placer County Conservation Program (PCCP). The role of the CARP is to provide a structure for protecting aquatic resources in western Placer County while streamlining the environmental permitting process for impacts to aquatic resources. The CARP protects aquatic resources by establishing avoidance, minimization, and mitigation requirements for projects that have the potential to impact such resources. CARP avoidance, minimization, and mitigation requirements are derived from the HCP/NCCP's requirements and do not add to them. However, the CARP focuses on aquatic resources specifically and, in some cases, addresses them in greater detail and requires more information about them than the HCP/NCCP.

The CARP provides a means to fulfill the requirements of federal, state, and local laws that protect aquatic resources using the HCP/NCCP's comprehensive, long-term, regional conservation strategy. This regional strategy focuses authorized impacts to aquatic resources near or within existing urban areas and away from rural, intact natural areas, thereby avoiding and minimizing impacts to aquatic resources on a regional scale.

The CARP uses a watershed approach to identify intact watersheds for conservation, creation, and establishment of aquatic resources, while authorizing development in watersheds that are already degraded and impacted by development. The implementation of Best Management Practices (BMPs) and Low Impact Development (LID) strategies would prevent further degradation within affected watersheds and may improve water quality within them. This comprehensive regional approach to aquatic resource conservation and mitigation in western Placer County provides a greater level of landscape- and watershed-scale protection of aquatic resources than is possible with project-by-project permitting under the federal Clean Water Act (CWA) Sections 404 and 401, and the California Fish and Game Code (FGC) 1602 programs.

Along with the CARP and the HCP/NCCP, the PCCP also includes the Western Placer County In-Lieu Fee Program (ILF) under which compensatory mitigation requirements under Section 404 of the CWA can be fulfilled by payment of a fee (see CARP Chapter 6, Section 6.2.3). Compliance can also be achieved through the purchase of credits at an agency-approved mitigation bank or through land dedications in lieu of fee payments (see CARP Chapter 6, Section 6.2.3). Because of the ILF program, Development Fees paid under the PCCP cover mitigation requirements for impacts to both aquatic resources and special status species (see CARP Sections 4.6 and 6.2.3).

Regulatory Framework

The U.S. Army Corps of Engineers (USACE), with oversight and guidance from the U.S. Environmental Protection Agency (USEPA), regulates the discharge of dredged and/or fill material

into “waters of the United States” (WOUS) pursuant to Section 404 of the CWA. The Regional Water Quality Control Board (RWQCB) certifies that 404 permits issued by the USACE meet State water quality requirements pursuant to Section 401 of the CWA. In addition, pursuant to the Porter-Cologne Water Quality Act, the RWQCB also regulates activities that impact “waters of the State (WOS),” which include certain wetlands and waters not regulated by the USACE. The California Department of Fish and Wildlife (CDFW) regulates activities that may impact fish and wildlife resources associated with rivers, streams, and lakes, as described in FGC Section 1600 et seq.

The CARP applies to Covered Activities as defined in the HCP/NCCP (HCP/NCCP Chapter 2 Covered Activities) that have the potential to directly or indirectly impact aquatic resources. Placer County and the City of Lincoln (Local Jurisdictions) have incorporated CARP and HCP/NCCP requirements into their project review and permitting processes through the adoption of PCCP Implementation Ordinances (Appendix A).

The Local Jurisdictions developed the CARP and adopted PCCP Implementation Ordinances in order to obtain agreements, permits, and certifications with federal and state agencies, including:

- a Programmatic General Permit (PGP) from the USACE, along with a programmatic 401 certification from the RWQCB;
- a Letter of Permission (LOP) procedure from the USACE;
- streamlined procedures for standard permits from the USACE;
- a Regional General Permit (RGP) from the USACE for restoration projects associated with the ILF program;
- a Regional General Permit (RGP) from the USACE for certain Placer County Water Agency (PCWA) projects;
- a Memorandum of Understanding (MOU) between the Local Jurisdictions and the USACE; and
- a MOU for a streamlined Water Quality Certification process from the RWQCB.

CDFW can, in most circumstances, use the CARP in issuing Lake or Streambed Alteration Agreements to entities using the CARP by agreeing to the same avoidance, minimization, and mitigation measures as required under the CARP. Under the FGC, CDFW can only issue an agreement to an entity as defined by FGC 1601(d) and cannot extend permitting authority to the Local Jurisdiction.

Aquatic Resources of Placer County

Aquatic Resources of Placer County include WOUS under USACE jurisdiction and waters outside USACE jurisdiction (waters of the State). The CARP applies to all aquatic resources including those that are not regulated by the USACE. Aquatic Resources of Placer County also include upland riparian habitat (outside of the USACE jurisdiction) within the Riparian Zone, which is supported by stream hydrology and is considered a sensitive habitat in Placer County. The CARP also applies to the Stream System, which includes WOUS regulated by the USACE, WOS, and upland areas extending outward from the ordinary high-water mark (OHWM) of streams. The Stream System is discussed in more detail in CARP Chapter 3.

WOUS are defined in USACE regulations at 33 CFR 328.3 and, in western Placer County, include lacustrine, riverine, and palustrine systems. Lacustrine systems include lakes, reservoirs, and ponds. Riverine systems include perennial, intermittent, and ephemeral streams, drainage ditches, and canals. Palustrine systems include perennial and seasonal emergent marsh, wetland swales, seasonal wetland, fringe wetlands, vernal pools, springs and seeps, palustrine ponds, irrigated wetlands in existing and active rice fields, and “complexes” – mosaics of wetlands and open waters.

WOS comprise any surface water or groundwater, including saline waters, within the boundaries of the state. In Placer County, examples include, but are not limited to, perennial, intermittent, or ephemeral rivers, streams, lakes, marshes, mudflats, unvegetated seasonally ponded areas, drainage swales, sloughs, wet meadows, natural ponds, vernal pools, seasonal wetlands, and riparian woodlands inside the Riparian Zone. WOS also include aquatic resources that are not regulated by the USACE.

The CARP also applies to the Stream System, which has been established around the streams and creeks in western Placer County (see CARP Section 3.6). The Stream System boundary is determined by a set distance from the OHWM or the boundary of the 100-year floodplain (as determined by the FEMA or project specific information; whichever is more accurate). If the boundary of the 100-year flood plain lies beyond the prescribed basic boundary line (CARP Chapter 6), the Stream System would extend to whichever of these is located furthest from the OHWM. The Stream System encompasses all riverine and valley foothill riparian cover mapped immediately adjacent to a stream within these boundaries.

Conservation Approach

The HCP/NCCP conservation strategy, discussed in detail in CARP Chapter 4, is designed to establish a network of conservation areas to protect and conserve sensitive species and natural communities, including aquatic resources, and to guide and streamline permitting for development and infrastructure projects in western Placer County over the next fifty years.

Western Placer County is roughly defined by Highway 49 and the American River on the east, the Sacramento County boundary to the south, the Sacramento and Sutter County boundaries to the west, and the Yuba and Nevada County boundaries (the Bear River) to the north. The HCP/NCCP covers approximately 269,672 acres in western Placer County (Plan Area) and includes stream environments, vernal pool grasslands, freshwater wetlands, grasslands, blue oak and valley oak woodlands, and agricultural lands such as rice fields. The HCP/NCCP will protect and enhance ecological diversity and function in the greater portion of western Placer County, while allowing appropriate and compatible growth in accordance with applicable laws. To accomplish this, the HCP/NCCP identifies a Reserve Acquisition Area (RAA) comprised of 67,400 acres of interconnected land blocks located in the Sacramento Valley portion of the Plan Area and western foothills of the Sierra Nevada within Placer County. Based upon economic forecasts for western Placer County, approximately 30,000 acres of agricultural land and infill areas will develop into future urban, suburban, rural residential, and agricultural land uses within an area designated as the Potential Future Growth (PFG) area.

A watershed approach was used to establish the boundaries of the RAA. Eight (8) component hydrologic units (10-digit Hydrologic Unit Code [HUC]) form the basis of the HCP/NCCP’s watershed approach and regional conservation strategy (see Figure 4-3). The provisions of the CARP will

ensure restoration and preservation of aquatic resources within the Plan Area. The HCP/NCCP conservation strategy focuses compensatory mitigation and conservation activities in the Raccoon Creek/Bear River 10-digit HUC watersheds and the western third of the Auburn Ravine watershed because they contain the largest and least-fragmented aquatic resources in the Plan Area, and they present Placer County with aquatic resource restoration opportunities that are not present in the other watersheds within the Plan Area.

The ILF program, which provides compensatory mitigation for impacts to Aquatic Resources of Placer County, is intended to follow the HCP/NCCP and focus mitigation and conservation efforts in the RAA, thereby providing avoidance and protection of thousands of acres of sensitive environments. Approximately 47,300 acres would be acquired in the RAA for these purposes. Permitting of rural, urban, and suburban development that is consistent with locally adopted General Plans and zoning designations will be allowed to occur in the PFG area. Degraded parcels connecting to priority conservation parcels are targeted for enhancement and restoration as part of the regional compensatory mitigation strategy.

Avoidance, Minimization, and Mitigation

The CARP provides avoidance, minimization, and mitigation measures that will be implemented specifically for Aquatic Resources of Placer County (see CARP Chapter 3 for definitions), including WOUS. The CARP is designed to achieve the regional aquatic resources conservation goals and objectives of the HCP/NCCP and provide a program to address impacts to Aquatic Resources of Placer County. The CARP's measures are derived from the HCP/NCCP conditions on Covered Activities (see CARP Section 1.3.1), which provide site-specific avoidance, minimization, and mitigation for natural and semi-natural communities. The CARP does not add to HCP/NCCP conditions, rather it focuses on the site-specific avoidance, minimization, and compensatory mitigation requirements for impacts to Aquatic Resources of Placer County specifically, including specific mitigation ratios for land area conversion and for wetland area impacts.

Under the CARP, projects must implement avoidance, minimization, and compensatory mitigation measures designed to protect Aquatic Resources of Placer County (CARP Chapter 6). The site-specific avoidance and minimization measures required by the CARP are derived from the HCP/NCCP. However, the CARP's requirements about these measures may be more specifically defined than those called for in the HCP/NCCP.

Avoidance of aquatic resources within the RAA and in the Stream System (see CARP Sections 4.7.1 and 6.2.1) is a primary goal of the CARP and the HCP/NCCP. The HCP/NCCP's conservation strategy requires acquisition and conservation of land within the RAA for the purposes of protecting aquatic resources, providing habitat for Covered Species and restoring habitat. In the PFG area, acquisition and conservation of land within the Stream System will occur when feasible and when it can be demonstrated that the protected land can be suitably managed as part of the HCP/NCCP Reserve System. In addition, in the PFG area, onsite avoidance of aquatic resources is required in the Stream System or on adjacent lands that connect to the Stream System, the RAA, or existing preserves larger than 200 acres. These avoided areas will continue to contribute to the viability of the Stream System and provide opportunities for restoration and enhancement of aquatic resources.

When it is not possible or feasible to completely avoid aquatic resources while still meeting the objectives of a project, impacts to such resources shall be minimized through the implementation of

LID strategies and BMPs. LID strategies are incorporated into project design in part to replace the function of wetlands that would otherwise be protected under the USACE standard onsite avoidance-based regulatory regime. These minimization strategies are focused on mitigating negative impacts to water quality and surface water runoff. BMPs will further minimize potential impacts to Covered Species and Aquatic Resources of the County.

Compensatory mitigation requirements for impacts to Aquatic Resources of the County will be fulfilled through the ILF program. Credits will be allocated from the ILF program based on the mitigation requirements established by the CARP and will be covered by the PCCP Program Development Fees (Development Fees) paid for by the project applicant. The ILF program uses fee revenues to fund the preservation, enhancement, restoration, creation, and management of aquatic resources. The ILF program can also be used to compensate for impacts regulated under Sections 404 and 401 of the CWA and FGC 1600 et seq.

CARP Procedures and Conditions of Approval

CARP procedures and conditions of approval are intended to occur concurrently with the HCP/NCCP permitting procedures and the California Environmental Quality Act (CEQA) process. Specific processes, procedures, and timelines for CARP applications are provided in CARP Chapter 7.

Prior to submitting an application, all Applicants will be required to review their proposed projects with Local Jurisdiction staff to determine whether a CARP Authorization is needed. This review will enable staff to determine if aquatic resources may be present, and if so, how those resources may be affected by project activities.

For projects that require a CARP Authorization, the Applicant must submit a CARP Application, which the Local Jurisdiction will review. Once the application is deemed complete, the Program Biologist (PB) will conduct a site assessment to evaluate the extent of aquatic resources that are present. If a delineation has been conducted, the Local Jurisdiction will review the delineation, make suggested changes if necessary, and submit it to the USACE for verification. If a delineation has not been prepared, the PB will either create a delineation map (for small projects under 0.01 acre of aquatic resources) or will request that the Applicant provide a delineation of the aquatic resources present. After the USACE verification has been received, the Local Jurisdiction will determine what compensatory mitigation is required. Once the Applicant has satisfied the compensatory mitigation requirements, the Local Jurisdiction will issue the CARP Authorization.

For all projects that will impact aquatic resources, the environmental review process under CEQA will occur concurrently with the CARP process. Permitting for projects that will be implemented by a Local Jurisdiction will follow a similar process as described above.

CARP Chapter 7 includes detailed Conditions of Approval that apply to all Covered Activities that have the potential to impact aquatic resources. Chapter 7 also describes the procedure for submitting and processing a Section 404 application for an HCP/NCCP Covered Activity, where applicable.

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Chapter 1. INTRODUCTION

The CARP establishes a multidisciplinary approach for identifying and protecting the Aquatic Resources of Placer County. The CARP also provides a programmatic approach for obtaining permits for impacts to aquatic resources.

Aquatic Resources of Placer County include those regulated by the USACE, the RWQCB, the CDFW, the City of Lincoln, Placer County, and the City's and County's local zoning, grading, and aquatic resource ordinances (Appendix A).

1.1. Relationship to the Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan

The HCP/NCCP (or Plan) and the CARP are the central components of the PCCP. The HCP/NCCP sets forth a comprehensive conservation strategy for a range of sensitive fish and wildlife, and their habitats in the Plan Area, which is located in western Placer County (Figure 1-1). The CARP is based on the HCP/NCCP conservation strategy for aquatic species and habitats but is a separate program that focuses specifically on aquatic resources.

A covered species list can be found in HCP/NCCP Chapter 1 (Table 1-1 *Covered Species*). The HCP/NCCP's conservation strategy for these species and their habitat is explained in HCP/NCCP Chapter 5 (*Conservation Strategy*), and HCP/NCCP Chapter 6 (*Conditions on Covered Activities*), minimizing and mitigating impacts to natural communities and Covered Species. The HCP/NCCP identifies avoidance, minimization, and mitigation requirements for impacts to sensitive species and habitats caused by Covered Activities; the CARP identifies the specific requirements that apply to Covered Activities that have the potential to directly or indirectly impact aquatic resources. CARP requirements are derived from the HCP/NCCP's requirements and do not add to them. However, the CARP focuses on aquatic resources specifically and, in some cases, addresses them in greater detail and requires more information about them than is covered in the HCP/NCCP.

The CARP establishes standards, requirements, and procedures required for aquatic resource protection, and it defines a mitigation program that will serve to implement the conservation strategy for aquatic resources set forth in the HCP/NCCP. Together, the CARP and HCP/NCCP provide Applicants with a comprehensive regional approach to natural resource conservation and permitting (see HCP/NCCP Chapter 1 *Introduction* for details).

The CARP and the HCP/NCCP have consistent, complementary goals and objectives. The HCP/NCCP minimizes and mitigates impacts to Covered Species and natural communities, including aquatic natural communities and habitat, and provides for their conservation and management at a landscape-level scale. The CARP provides a multidisciplinary, programmatic approach to avoid, minimize, and mitigate impacts to aquatic resources, providing preferred avoidance, minimization, conservation, and mitigation at a larger landscape level, rather than on a project-by-project basis. The mitigation requirements under the CARP are drawn from the HCP/NCCP, and these

compensatory mitigation actions will be used to create the HCP/NCCP Reserve System that is described in the HCP/NCCP (Chapter 5, Section 5.3 *Conservation Measures*).

Local Jurisdictions (Placer County and the City of Lincoln) formed the Placer Conservation Authority (PCA) to implement both the HCP/NCCP and the CARP (See HCP/NCCP Chapter 8, Sections 8.3 *Responsibilities of the Placer Conservation Authority*). As further explained in CARP Section 2.4.2, the PCA will also administer and implement the CARP mitigation program as part of the overarching PCCP.

1.2. Functions of the CARP

The CARP and the Local Jurisdiction's PCCP Implementation Ordinances (Appendix A) meet federal and state standards for the protection of aquatic resources through a centralized environmental review and permitting process that is implemented by local agencies with the best knowledge of local aquatic resources and local project impacts.

By establishing a centralized, locally implemented environmental review process, the Local Jurisdictions have incorporated wetland protection policies, standards, and conditions into the environmental review process required by CEQA and the land use decision-making process. This process, in turn, will facilitate early consideration of potential wetland impacts, project design alternatives, and the application of consistent, predictable wetland protection measures on a regional scale.

The CARP thus provides a means to fulfill the requirements of federal, state, and local laws that protect aquatic resources using a comprehensive, long-term, regional conservation strategy. This allows the CARP to both streamline permitting processes and provide greater environmental benefits than can be achieved by separate federal, state, and local permitting implemented on a project-by-project basis.

1.2.1. Regional Protection of Aquatic Resources

Because of the establishment of the Reserve Acquisition Area (RAA) and the identification of PFG areas, the CARP provides a greater level of landscape-and watershed-scale protection of aquatic resources than is possible with project-by-project permitting under the federal CWA Sections 404 and 401, and the FGC 1602 programs.

Project-by-project permitting focuses on project-specific impacts and cannot directly address the long-term impacts of regional growth and development. Implementing a regional aquatic resource conservation strategy in conjunction with local land use planning processes allows the Local Jurisdictions to minimize long term regional impacts and coordinate compensatory mitigation requirements across a wide range of projects. By coordinating compensatory mitigation requirements and actions, the Local Jurisdictions can identify and achieve regional conservation goals and needs. The CARP and the HCP/NCCP establish a regional conservation program for aquatic resources and reflect a regional vision for long-term land use planning.

1.2.2. Efficient Integration with Federal and State Aquatic Regulatory Programs

The USACE regulates activities in WOUS pursuant to Section 404 of the CWA. The RWQCB provides Water Quality Certifications pursuant to Section 401 of the CWA. In addition, pursuant to the Porter-Cologne Water Quality Act, the RWQCB also regulates activities that impact waters of the State (WOS), which include certain wetlands and waters not regulated by the USACE. The CDFW regulates activities that may impact fish and wildlife resources associated with rivers, streams, and lakes, as described in FGC Section 1600 et seq.

The CARP is based on the HCP/NCCP and provides avoidance, minimization, and mitigation requirements specifically for impacts to Aquatic Resources of Placer County (as defined in CARP Chapter 3). The CARP supplements provisions in the HCP/NCCP where necessary. The Local Jurisdictions implement the CARP through local ordinances and policies and their lead or responsible agency under CEQA.

The CARP addresses all Aquatic Resources of Placer County, which include WOUS, as defined by the federal CWA and WOS, as defined by the Porter-Cologne Water Quality Act. The CARP also regulates the Stream System, which has been established around the streams in western Placer County (Chapter 3.6). (The figures in CARP Chapter 3 illustrate the jurisdictional boundaries of these waters.) By incorporating and integrating federal and state requirements into the CARP, the Local Jurisdictions have created an environmental review and permitting process at the local level by which Applicants obtain federal, state, and local permits required for impacts to aquatic resources.

1.2.3. CARP Regional Avoidance Strategy

The RAA contains a regional system of large, connected conservation reserve areas (Reserve System) described throughout the PCCP. The RAA provides the basis for avoidance, minimization, and mitigation on a regional scale.

Establishing the RAA under the PCCP allows the Local Jurisdictions to comply with avoidance requirements of the Federal Guidelines promulgated under CWA Section 404(b)(1) at a regional scale rather than on a project-by-project basis. The CARP Regional Avoidance Strategy focuses future urban and suburban development and infrastructure into areas that are adjacent to existing development and infrastructure and by encouraging the infill of vacant lands already designated for future urban/suburban land uses. Additionally, the CARP Regional Avoidance Strategy will limit the expansion of rural residential fragmentation by encouraging the infill of existing rural residential areas. Together these approaches to managing urban, suburban, and rural residential growth will reduce the pressure for development in the predominantly rural RAA, which contains more intact and restorable aquatic resources that provide greater functions and services. For the same reason, avoidance and minimization of impacts to aquatic resources are given a higher priority in the RAA. This increases protections for aquatic resources that are more intact, have greater long-term viability, and can be permanently protected.

1.2.4. Essential Fish Habitat Protection

The CARP and HCP/NCCP also help to fulfill the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Many stream and wetland resources found in western Placer County are regulated by the CWA, federal Endangered Species Act (FESA),

and the Magnuson-Stevens Act. The Magnuson-Stevens Act provides for the conservation and management of the nation's fishery resources through the preparation and implementation of fishery management plans. Among other things, fishery management plans identify Essential Fish Habitat (EFH) for fisheries. EFH has been identified for the Chinook fishery in Northern California, including a portion of the Plan Area. This EFH includes the Bear River watershed below Camp Far West Reservoir Dam, and the Dry Creek, Raccoon Creek, and Auburn Ravine watersheds (Figure 1-2). Because the HCP/NCCP and CARP specifically address impacts to Chinook salmon and its habitat resulting from Covered Activities, the HCP/NCCP can be used to fulfill the requirements of the Magnuson-Stevens Act for such Covered Activities.

1.3. Covered Activities

1.3.1. Covered Activities

The CARP applies to Covered Activities that have the potential to directly or indirectly impact Aquatic Resources of Placer County. Such Covered Activities must comply with the CARP and can mitigate for impacts to aquatic resources by payment of the PCCP Development Fees to the ILF program. As explained further below in Section 7.3, Covered Activities that meet the threshold requirements for the PGP must obtain a CARP Authorization; Covered Activities that are required to obtain a Standard Permit or LOP to comply with section 404 of the CWA must pay PCCP Development Fees to the ILF Program but are not required to obtain a CARP Authorization. The HCP/NCCP also provides the conservation strategy for aquatic resource permits (CWA 404) from the USACE, Lake and Streambed Alteration Agreements from CDFW for FGC 1600 et seq, and RWQCB certifications (CWA 401). Chapter 2 (Covered Activities) of the HCP/NCCP describes in detail the activities and projects within the Plan Area that will be covered by the HCP/NCCP and the CARP. (Note: There are a number of activities not covered by the Plan [See Section 2.7 of the HCP/NCCP *Activities Not Covered By This Plan*]. These activities must still comply with CESA, FESA, FGC 1600 et seq., and other local, state and federal laws and permitting requirements.)



Source: Placer County, 2014; MIG | TRA 2015

— Interstate		
— Highway		
— Road		
— City of Lincoln		
— Valley/Foothill Divide		
— Surrounding Urban Area		

Plan Area A		
Valley	100,921 acres	
Foothills	109,295 acres	
All Plan Area A	210,216 acres	

Plan Area B		
B1. Permittee Activity in Non-Participating City Jurisdiction.	50,636 acres	
B2. PCWA Zone 1 Operations and Maintenance.	6,315 acres	
B3. Raccoon Creek Floodplain Conservation.	1,724 acres in Sutter County	
B4. Fish Passage Channel Improvement.	33 miles of channels in Sutter County	
B5. Big Gun Conservation Bank.	52 acres in Placer County (Not shown on map)	

Essential Fish Habitat (EFH) Western Placer County Chinook Salmon

Legend



-  NOAA Chinook Salmon EFH
-  PCCP Boundary



FIGURE 1-2

Chapter 2.

FEDERAL, STATE, AND LOCAL AQUATIC RESOURCE PERMITTING UNDER THE CARP

2.1. Introduction

As discussed in CARP Chapter 1 *Introduction*, the USACE regulates the discharge of dredged and/or fill material into WOUS pursuant to Section 404 of the federal CWA. The RWQCB provides Water Quality Certifications pursuant to Section 401 of the CWA and, pursuant to the Porter-Cologne Water Quality Act, also regulates activities that impact waters of the State (WOS), including certain wetlands and waters not otherwise regulated by the USACE. The CDFW regulates activities that may impact fish and wildlife resources associated with rivers, streams, and lakes, as described in FGC Section 1600 et seq. All proposed development projects are potentially subject to these regulations and are generally required to submit individual applications separately to each agency for permits to comply with these regulations.

For Covered Activities that require environmental permits from the above-mentioned federal and state agencies, the CARP provides an integrated regulatory procedure combining most federal, state, and local permits under a local program with clear procedural guidelines and reasonable timelines. This streamlined permitting process is intended to be more efficient for both Applicants and for federal, state, and local regulatory agencies.

The Local Jurisdictions developed the CARP and adopted PCCP Implementation Ordinances (Appendix A), in order to obtain the following agreements, permits, and certifications with federal and state agencies, enabling projects to meet these agencies' regulatory requirements through the CARP process:

- A programmatic general permit (PGP) from the USACE founded on the CARP, and designed to reduce duplication with the CARP, for activities with minimal individual and cumulative adverse effects on the aquatic environment to meet the requirements of Section 404 of the CWA, along with a 401 programmatic certification from the RWQCB;
- A procedure from the USACE for issuing Letters of Permission (LOPs) for activities with more than minimal but less than significant effects on the human environment, including aquatic resources;
- A Regional General Permit (RGP) from the USACE for minimal impact activities conducted under the In-Lieu Fee Program (ILF) program;
- An RGP from the USACE for projects that meet the required terms and conditions and have no more than minimal individual and cumulative adverse effects that result from PCWA activities to meet the requirements of Section 404 of the CWA;
- An abbreviated process for evaluating standard permits (SPs) for other Covered Activities consistent with the CARP but not covered under the PGP, RGP, or the LOP procedure; and

- A Memorandum of Understanding (MOU) between the Local Jurisdictions, the USACE, and the RWQCB that outlines joint environmental review and permitting procedures and timeframes for meeting the requirements of Section 404 and Section 401 of the CWA.

As identified in USACE regulations (33 CFR Part 325.2(e)(2)), the PGP and the two RGPs are valid for no more than five (5) years, and may be modified, suspended, or revoked by USACE as may be necessary (33 CFR Part 325.7). Prior to the expiration of the PGP and RGPs, the USACE may determine to re-issue the PGP and/or RGPs, re-issue the PGP and/or RGPs with modifications, or not re-issue the PGP and/or RGPs. The USACE would follow the procedures of 33 CFR 325 in the re-issuance of the PGP and/or RGPs.

2.2. Federal Permitting

2.2.1. U.S. Army Corps of Engineers Section 404 Clean Water Act Permits

Section 404 of the CWA prohibits the discharge of dredged or fill material into WOUS without permit authorization by the USACE. The USACE and the U.S. Environmental Protection Agency (USEPA) administer Section 404 of the CWA. WOUS regulated under Section 404 of the CWA are identified in USACE regulations at 33 CFR 328.3. In addition to streams and other WOUS with an OHWM, the definition of WOUS includes wetlands. Wetlands are defined as areas “that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3 (7)(b)).

The USACE evaluates two types of permits under Section 404 of the CWA: general permits (nationwide, regional, and programmatic) and individual permits (letters of permission and standard permits). General permits are issued by the USACE on a nationwide or regional basis for a category or categories of activities when: (1) those activities are substantially similar in nature and cause only minimal individual and cumulative environmental impact; or (2) the general permit would result in avoiding unnecessary duplication of the regulatory control exercised by another federal, state, or local agency provided it has been determined that the environmental consequences of the action are individually and cumulatively minimal (33 CFR 322.2(f)). Individual permits are evaluated on a case-by-case basis for activities that do not qualify for a general permit (i.e., that may have more than a minimal adverse environmental impact).

The USACE intends to use the CARP and Aquatic Resources Protection Ordinances in its Section 404 CWA permitting strategy for the Covered Activities, including a Programmatic General Permit (PGP) based on the CARP; a Regional General Permit (RGP) for PCWA Covered Activities, a RGP for minimal impact activities conducted under the ILF; a LOP procedure for Covered Activities with impacts that meet certain requirements/thresholds and are more than minimal but would have less-than-significant impacts under the NEPA; and an abbreviated Standard Permit (SP) procedure for other Covered Activities that exceed the LOP threshold and/or may have significant impacts under NEPA, but otherwise comply with the requirements of the CARP and HCP/NCCP.

2.2.2. U.S. Fish and Wildlife Service and National Marine Fisheries Service Consultation

Many species listed as threatened or endangered under the federal Endangered Species Act (FESA) occur in Placer County. The United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) consult with other federal agencies pursuant to Section 7 of the FESA regarding project effects on federally listed species. The USACE would act as the Lead Agency for projects that include discharges of dredged or fill material into WOUS. As Lead Agency, the USACE would consult with the USFWS and NMFS for projects with the potential to affect federally listed species. All of the federally listed species that are covered by the HCP/NCCP are included in the HCP/NCCP's Covered Species (see HCP/NCCP Chapter 1, Table 1-1).

Prior to issuance of incidental take permits, the USFWS and NMFS will have issued programmatic biological opinions for the HCP/NCCP and USACE Permit Strategy. These biological opinions address all Covered Activities. Any consultations with the USACE regarding the issuance of Section 404 permits for Covered Activities will be focused on analyzing any relevant details not addressed or anticipated in the biological opinion for the HCP/NCCP or the USACE Permit Strategy.

2.2.3. National Marine Fisheries Service Essential Fish Habitat

Many streams in western Placer County are designated as Essential Fish Habitat (EFH) for the Chinook fishery in Northern California and are therefore regulated by the Magnuson-Stevens Act. Because the HCP/NCCP and CARP specifically address impacts to Chinook salmon and its habitat resulting from Covered Activities, the PCCP can be used to fulfill the requirements of the Magnuson-Stevens Act for Covered Activities.

2.2.4. Section 106 of the National Historic Preservation Act -- State Historic Preservation Officer

Section 106 of the National Historic Preservation Act requires federal agencies to consider the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. To meet the requirements of Section 106 for compliance with Section 404 of the CWA, the USACE is required to consult with the State Historic Preservation Officer on activities that have the potential to affect historic properties.

2.3. State Permitting

2.3.1. Regional Water Quality Control Board (RWQCB) Permits

For projects that impact WOUS and WOS, the RWQCB issues Water Quality Certifications for projects under Section 401 of the CWA. Through the certification, the discharge is also regulated and authorized under State Water Resources Control Board Water Quality Order No. 2003-0017 DWQ "Statewide General Waste Discharge Requirements For Dredged Or Fill Discharges That Have Received State Water Quality Certification (General WDRs)". For projects that only impact WOS, the RWQCB issues Waste Discharge Requirements (WDRs) under the Porter-Cologne Water Quality Control Act. Other permits (e.g., NPDES permit for discharges to surface water or WDRs for

discharges to land for materials excavated or dredged within the aquatic resources) may be required for activities related to work conducted within the aquatic resources.

2.3.1.1 Section 401 Certification

A streamlined, programmatic procedure will be utilized for obtaining certifications under Section 401 of the CWA for projects that qualify for permitting under the PGP. Covered Activities that do not meet the PGP or the two RGPs must obtain a separate water quality certification under Section 401 of the CWA directly from the RWQCB.

2.3.1.2 Porter-Cologne Water Quality Act Waste Discharge Requirements

Projects that only impact WOS and do not impact WOUS will be permitted under WDRs from the RWQCB and Applicants would submit a Report of Waste Discharge to the RWQCB for review, public notice and comment, and RWQCB approval.

2.3.2. California Department of Fish and Game Code 1602

Applicants whose activities require notification for a Lake and Streambed Alteration Agreement (LSAA) pursuant to FGC Section 1602 must contact CDFW. During the permit term, the HCP/NCCP and the CARP can serve, under most circumstances, as the framework for determining the avoidance and minimization measures and compensatory mitigation requirements to offset impacts from activities subject to FGC 1600 et seq. Furthermore, the ILF program is available for use for compensatory mitigation for Lake and Streambed Alteration Agreements. FGC Section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:

- Substantially divert or obstruct the natural flow of any river, stream or lake;
- Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- Deposit debris, waste or other materials that could pass into any river, stream or lake.

2.4. Local Permitting—CARP Authorization

2.4.1. Overview of Local Jurisdiction Aquatic Resources Permitting Program

CARP requirements will be incorporated into the Local Jurisdiction's review and permitting of projects through the adoption of PCCP Implementation Ordinances. These ordinances set forth (1) CARP requirements for projects under Local Jurisdiction land use authority and (2) terms and conditions under which the Local Jurisdictions will authorize impacts to aquatic resources. In addition to projects within the Local Jurisdictions' land use authority, the CARP applies to activities that the Local Jurisdictions and PCWA implement, such as capital improvement projects.

The Local Jurisdictions will conduct an initial review of proposed projects to ensure that they comply with CARP requirements and that Applicants provide the environmental information and analysis required by the CARP. Likewise, the Local Jurisdictions will ensure that their own activities meet CARP requirements and will provide the same environmental information and analysis as is

required for public Applicants. By fulfilling these requirements, the Local Jurisdictions and Applicants can fulfill federal, state, and local regulatory requirements and receive local, federal, and state permits and authorizations.

Chapter 5 of the CARP describes in detail the structure and requirements of the CARP permitting program, and Chapter 7 of the CARP describes permitting procedures.

2.4.2. Placer Conservation Authority (PCA)

The Placer Conservation Authority (PCA) is responsible for implementing the PCCP and for “the creation and long-term stewardship of the PCCP Reserve System” (HCP/NCCP Chapter 8, Section 8.4 *Establishing the Reserve System*). The PCA receives regular advice and guidance from federal and state agencies on such issues as acquisition, restoration, monitoring, and stewardship of the HCP/NCCP Reserve System; adaptive management; coordination of funding sources; review of monitoring reports; and compliance with federal and state laws and regulations. The PCA sends annual summary reports to the agencies outlining all Covered Activities approved under the CARP. The PCA also conducts conservation actions to implement the HCP/NCCP and CARP. For the purpose of compliance with the CWA, the USACE has issued an RGP covering PCA activities that must comply with CARP requirements to be permitted under the RGP.

2.4.3. Placer County Water Agency (PCWA)

PCWA was created in 1957 and is the primary water resource agency for Placer County. The agency carries out a broad range of responsibilities including water resource planning and management, retail and wholesale supply of irrigation and municipal water, and production of hydroelectric energy. It is self-governed by an independently elected five-member Board of Directors. For the purpose of compliance with the CWA, the USACE has issued an RGP covering PCWA activities that must comply with CARP requirements to be permitted under the RGP.

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Chapter 3.

PLACER COUNTY AQUATIC RESOURCES PROTECTED BY THE CARP

3.1. Introduction

Western Placer County (Plan Area), the area covered by the PCCP, is roughly defined by Highway 49 and the American River on the east, the Sacramento County boundary to the south, the Sacramento and Sutter County boundaries to the west, and the Yuba and Nevada County boundaries (the Bear River) to the north. Figure 1-1 in CARP Chapter 1 shows the limits of western Placer County as defined in the HCP/NCCP.

Aquatic Resources of Placer County include waters of the U.S. (WOUS) and waters of the State (WOS). Aquatic Resources of Placer County also include riparian habitats within the Riparian Zone, which are supported by stream hydrology and are considered a sensitive habitat in Placer County. These riparian habitats that contain both WOUS and other waters are regulated by the CDFW. Riparian habitats can include both wetland and upland components. The CARP also regulates the Stream System, which includes upland areas extending outwards from the (OHWM¹ of streams. The Stream System is discussed in more detail in CARP Section 3.6 below.

Delineations of aquatic resources conducted within the Local Jurisdictions participating in the PCCP must be conducted, at a minimum, according to the Corps of Engineers Wetland Delineation Manual (Environmental Laboratory 1987) and the Arid West Regional Supplement (U.S. Army Corps of Engineers [USACE] 2008), or other USACE-approved delineation manual and should follow the wetland terminology discussed here. The Local Jurisdiction is responsible for making determinations on whether or not a feature is considered a jurisdictional Aquatic Resource of the County.

3.2. Waters of the United States (WOUS)

WOUS are defined in detail in USACE regulations at 33 CFR 328.3. In Placer County, WOUS include (but may not be limited to) lakes, reservoirs, and ponds; perennial, intermittent, and ephemeral streams; ditches and canals; marshes, wetland swales, fringe wetlands, seasonal wetlands, vernal pools, seeps and springs, wetland complexes, and irrigated wetlands in active rice fields.

¹ For the USACE, the term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas (33 CFR 328.3(e)).

3.3. Classification Systems for Waters of the U.S.

There are several different methodologies for categorizing aquatic resources that are considered WOUS. The system currently in use is the USFWS Cowardin classification system (USFWS 1979). The USACE and Local Jurisdictions all utilize the Cowardin system, discussed in detail below.

The highest levels of the Cowardin classification, of which there are five, are called systems. Three of these systems are present in western Placer County: lacustrine, riverine, and palustrine. Figure 3-1 provides a stylized schematic illustration of these three systems. Marine and estuarine are coastal systems that do not occur in Placer County, and thus, are not discussed in this document. Combinations of two or three systems are common in western Placer County and are referred to as “complexes.” Lower levels in the Cowardin classification include subsystems and classes with modifiers. Subsystems and other lower hierarchical categories within the Cowardin system are not readily adaptable to delineating WOUS in California. Therefore, the Local Jurisdictions have devised lower categories for each of the three systems and provide definitions for each of them.

The jurisdictional boundary of all non-wetland waters in the Plan Area (referred to as “other waters”), are defined by the OHWM as defined in the USACE regulations at 33 CFR Part 328.3.

3.3.1. Lacustrine

Lacustrine systems are deep water habitats characterized by the presence of standing water or water deep enough to prevent the growth of emergent vegetation. By definition, 6.6 feet (~ 2 meters) is taken as the shallow limit of lacustrine habitat. The depth of the lacustrine system is defined as the depth at which rooted vegetation can no longer be sustained. This may be as shallow as 3 feet (~ 1 meter) but must be determined on a case-by-case basis. Lacustrine systems are considered “*other waters*” (i.e. non-wetlands).

3.3.1.1 Lakes and Reservoirs

In western Placer County, lakes and reservoirs are open water/lacustrine habitats defined by the high water line established by a dam or weir and associated spillway. There are no natural lakes in western Placer County, but there are two large reservoirs; Folsom Lake and Camp Far West, which were established when Folsom Dam on the American River and Camp Far West Dam on the Bear River were built.

3.3.1.2 Ponds

Western Placer County has hundreds of ponds, some of which are called reservoirs (e.g., Clover Valley Reservoir). For purposes of consistency, all lacustrine features in the Plan Area, except Folsom and Camp Far West Reservoirs, are considered ponds. During the dry season, water in western Placer County ponds is typically supplied by one of the local raw water purveyors. Ponds may have an inlet and outlet if constructed in a stream channel, but they may lack these features if they were created away from stream channels (off-stream ponds). Ponds can be lacustrine, palustrine, or a complex of both. Ponds may have small areas of open water and fringes of emergent marsh vegetation. In such cases, the pond would support two systems (lacustrine and palustrine) and should be mapped as such. See Section 3.3.3.8 for a description of palustrine ponds.

3.3.2. Riverine

Riverine systems are water conveyance systems that include rivers, streams, and their tributaries. These features are linear, non-wetland aquatic resources that carry high velocity flows and have a sparsely vegetated stream bed. High flows create bed-and-bank morphology, and the USACE jurisdictional line is the OHWM. Names used to describe riverine features include, but are not limited to, rivers, streams, creeks, drainages, ditches, and canals, all of which occur in Placer County. These riverine features may be perennial, intermittent, or ephemeral. Riverine systems' bed-and-bank morphology may be limited to narrow scour lines in ephemeral streams. A measurable OHWM distinguishes riverine systems from otherwise similar palustrine systems, such as wetland swales. Riverine systems in western Placer County often have a palustrine fringe component (wetlands along the banks) and may support woody riparian vegetation. Like lacustrine systems, riverine systems are considered "other waters."

3.3.2.1 Perennial Stream

Perennial streams have bed-and-bank morphology and flow 12 months a year from either natural or man-made sources or a combination of the two. Some streams in western Placer County were historically intermittent, or even ephemeral, but leaky or unlined canals, irrigation, effluent discharges, and urban runoff now cause many of them to flow all year. In general, historically intermittent streams that are now perennial are regulated as perennial streams. Some of these streams have a developed Riparian Zone and thus have increased value to wildlife and water quality. The Riparian Zone associated with perennial streams is typically comprised of hydrophytic woody plant species such as willow (*Salix* spp.), Fremont cottonwood (*Populus fremontii*), valley oak (*Quercus lobata*), and Himalayan blackberry (*Rubus armeniacus*).

3.3.2.2 Intermittent Stream

Intermittent streams have bed-and-bank morphology but are distinct from perennial streams in that they are seasonal and cease to flow for some portion of the year. They have a broad range of flow duration: some cease flowing shortly after the end of the rainy season, whereas others flow until fall but cease flowing briefly before the onset of the next rainy season. Groundwater is a significant source of water for intermittent streams, and intermittent streams may also be influenced by leaky canals, irrigation, and urban runoff. Intermittent streams may support a Riparian Zone to that found in association with perennial streams. Riparian vegetation can be patchy or continuous.

3.3.2.3 Ephemeral Stream

Ephemeral streams have bed-and-bank morphology, but only flow during or shortly after rainfall events. Water always flows above the water table in ephemeral streams, and they are not influenced by groundwater. Ephemeral streams lack a Riparian Zone. Ephemeral streams are common on sloped landscapes in western Placer County and are considered an Aquatic Resource of Placer County.

3.3.2.4 Drainage Ditch

Drainage or roadside ditches are long, narrow man-made features. They are usually excavated in upland locations for the purpose of draining water from a roadway, parking lot, or other similar area. The USACE may determine that some ditches are not regulated under Section 404 of the CWA,

but ditches are included as Aquatic Resource of Placer County. Therefore, ditches should be included on delineation maps. The PB will determine and/or verify in the field whether a ditch is considered an Aquatic Resource of Placer County.

3.3.2.5 Canal

Canals are long, man-made features constructed for the purpose of water distribution. Canals can vary in width but are typically larger than drainage ditches. Water purveyors often transport water from a source to a customer or treatment facility using canals. PCWA, Nevada Irrigation District, South Sutter Water District, Camp Far West Water District, and Pacific Gas and Electric (PG&E) operate canals in western Placer County. Private landowners also construct canals typically for the distribution of irrigation water. Canals are included in Aquatic Resources of Placer County. Canals should be identified on delineation maps, and their source and destination identified to the extent possible. The PB will determine and/or verify in the field whether a canal is considered an Aquatic Resource of Placer County.

3.3.3. Palustrine

Palustrine systems are features that support wetland vegetation, have hydric soil characteristics, and have wetland hydrology. Wetlands are considered “special aquatic sites” by the USEPA. Wetlands in western Placer County include marshes, wetland swales, seasonal wetlands, vernal pools, seeps and springs, fringe wetlands, palustrine ponds, irrigated active rice fields, and complexes.

3.3.3.1 Perennial Emergent Marsh

Perennial emergent marshes have at least some standing water throughout the year. They usually occur where water is available at the surface for most of the year, for example, along the shallow edges of ponds. Perennial emergent marshes are often dominated by cattails (*Typha* spp.), hardstem bulrush (*Schoenoplectus acutus*), and other emergent or floating species that are rooted to the bottom.

3.3.3.2 Seasonal Emergent Marsh

Seasonal emergent marshes typically have a more non-persistent vegetative component than perennial emergent marshes and have an extended dry period, typically from mid-summer through fall. Seasonal emergent marshes are often dominated by sedges (*Carex* spp.), rushes (*Juncus* spp.), and smartweed (*Persicaria* spp.).

3.3.3.3 Wetland Swale

Wetland swales are conveyance systems that occur on sloped topography. Water may flow during rainy periods in wetland swales but not with enough velocity to create the bed-and-bank morphology that defines riverine systems. Wetland swales are usually dominated by facultative wetland species (FACW) and facultative (FAC) wetland generalist species, such as Italian ryegrass (*Lolium perenne* [*Festuca perennis*]) and curly dock [*Rumex crispus*]]. Although the flora in a wetland swale is generally herbaceous, shallow subsurface water may allow the growth of woody vegetation, particularly willows. In describing wetland swales, the flora and vegetation structure should clearly be identified.

3.3.3.4 Seasonal Wetland

Seasonal wetland is a general term for seasonally saturated palustrine systems that are not defined as vernal pools or other specific wetland types. Seasonal wetlands are typically depressional and have wetland hydrology lasting until early or mid-spring but become dry before emergent marsh species can become established. They can also occur in other landforms during the dry season due to agricultural runoff or from leaks in irrigation or water delivery canals and urban runoff. Seasonal wetlands typically support wetland generalist species. In Placer County, seasonal wetlands can occur in vernal pool complexes (See Section 3.4.3 of the HCP/NCCP – Vernal Pool Complex). When seasonal wetlands occur within a vernal pool complex, they are considered vernal pool constituent habitat and not aquatic/wetland constituent habitat.

Section 3.4 provides additional guidance for distinguishing between seasonal wetlands and vernal pools.

3.3.3.5 Fringe Wetland

Fringe wetlands form along streams (riverine systems) and at the edges of ponds (lacustrine systems) above the OHWM forming complexes of wetlands including seasonal emergent marshes, wetland swales and seasonal wetlands. Fringe wetlands may be solely characterized by herbaceous species or may also support woody hydrophytes including willow and cottonwood. Fringe wetlands support both annual and perennial vegetation species. Hydrophytic vegetation that is present below the OHWM is considered Riverine/Riparian constituent habitat. Fringe wetlands above the OHWM should be mapped separately, if possible, and are considered Aquatic/Wetland constituent habitat.

3.3.3.6 Vernal Pool

Vernal pools are seasonally inundated wetlands that form in relatively shallow soil depressions underlain by a water-restricting layer such as clay, cemented alluvium, or volcanic basalt at or near the surface. These depressions fill with rainwater, near surface groundwater and/or runoff from adjacent areas during the winter and may remain inundated until spring or early summer, sometimes filling and emptying multiple times during the wet season. Vernal pools are typically characterized by endemic plants species.

In Placer County, vernal pools are typically between 3-16 inches in depth measured vertically from the lowest point in the pool to the spillway. Vernal pools are differentiated from other seasonal wetlands by the distinct flora that are present. Examples of vernal pool flora include stalked popcornflower (*Plagiobothrys stipitatus*), Fremont's goldfields (*Lasthenia fremontii*), coyote thistle (*Eryngium vaseyi*), Baker's navarretia (*Navarretia leucocephala*), and short woolyheads (*Psilocarphus brevissimus*). See Table 3.1 below for a list of plant species commonly found in vernal pools. If none of the species listed in Table 3.1 are present, then the feature should be delineated as a seasonal wetland.

3.3.3.7 Seep/Spring

Seeps and springs are points of groundwater discharge that usually occur on slopes. Seeps generally lack the flowing water of springs. Nearly all the groundwater discharge areas in western Placer County are low-volume and considered seeps. Seeps and springs typically support herbaceous hydrophytic vegetation including black sand spikerush (*Eleocharis pachycarpa*), pennyroyal (*Mentha pulegium*), and dense-flowered spike primrose (*Epilobium densiflorum*).

3.3.3.8 Palustrine Pond

Western Placer County has hundreds of ponds, some of which are called reservoirs (e.g., Clover Valley Reservoir). For purposes of consistency, all lacustrine features in the Plan Area, except Folsom and Camp Far West Reservoirs, are considered ponds. Ponds can be lacustrine, palustrine, or a complex of both. Ponds may have an inlet and outlet if constructed in a stream channel, but they may lack these features if they were created away from stream channels (off-stream ponds). Ponds that support emergent or rooted floating vegetation and lack an area of open water should be mapped as palustrine habitats. See Section 3.3.1.2 for a description of lacustrine ponds.

3.3.3.9 Complexes

Mosaics of wetland and open water are not easily categorized. For example, Markham Ravine, west and north of the City of Lincoln, has been dammed, in part by beavers, resulting in a significant wetland complex of open water, freshwater marsh, fringe wetland, and riparian habitat. This mosaic of wetland and open water varies through the year as the amount of open water is reduced, and freshwater marsh expands. Although these complexes are in part or wholly caused by human and beaver activity, they nevertheless provide significant habitat diversity for wildlife. When complexes are mapped, the types that are present should be identified, and the structure of the vegetation present should be discussed.

3.3.3.10 Irrigated Wetlands in Existing and Active Rice Fields

Rice fields are flooded annually from the spring to the fall. This annual flooding can be problematic in identifying areas within the rice field that would be considered a wetland under natural conditions. Section 3.4.2 below provides guidance for determining what constitutes a wetland within existing and active rice fields.

3.4. Guidance for Delineating Aquatic Resources of the County

3.4.1. Vernal Pools and Seasonal Wetlands

Vernal pools are a unique type of seasonal wetland. They have an epiaquic moisture regime (wetted from the top down) and are sometimes difficult to differentiate from other types of seasonal wetlands; hydrology and flora are used to make the distinction. To be considered a vernal pool, the wetland must be a shallow depression, almost always between 3 inches and 16 inches measured vertically from the lowest point in the pool to the spillway. The sole water source should be from direct precipitation and natural runoff with no dry-season input. Vernal pools in western Placer County must be characterized by the presence of species listed from Table 3.1. If none of the species listed in Table 3.1 are present, then the feature should be delineated as a seasonal wetland.

Table 3.1 Characteristic Vernal Pool Plants – Western Placer County

Taxon	Common Name
<i>Alopecurus saccatus</i>	Pacific foxtail
<i>Cicendia quadragnularis</i>	Common microcalis
<i>Crassula aquatica</i>	Water pygmy-weed
<i>Deschampsia danthonioides</i>	Annual hairgrass
<i>Downingia</i> spp.	Calicoflower
<i>Eleocharis acicularis</i>	Least spikerush
<i>Eleocharis macrostachya</i>	Creeping spikerush
<i>Eryngium vaseyi</i>	Coyote thistle
<i>Gratiola ebracteata</i>	Bractless hedge-hyssop
<i>Lasthenia fremontii</i>	Fremont's goldfield
<i>Lasthenia glaberrima</i>	Smooth goldfields
<i>Lysimachia minima</i>	Chaffweed
<i>Mimulus tricolor</i>	Tricolor monkeyflower
<i>Myosurus minimus</i>	Tiny mouse-tail
<i>Navarretia leucocephala</i>	White-flowered navarretia
<i>Phalaris lemmonii</i>	Lemmon's canary grass
<i>Pilularia americana</i>	American pillwort
<i>Plagiobothrys stipitatus</i>	Stalked popcorn-flower
<i>Pogogyne zizphoroides</i>	Sacramento mesamint
<i>Psilocarphus brevissimus</i>	Short woollyheads
<i>Ranunculus bonariensis</i>	Vernal pool buttercup
<i>Triglochin scilloides</i>	Flowering quillwort

3.4.2. Irrigated Wetlands in Existing and Active Rice Fields

Rice fields and other artificially flood-irrigated fields can be problematic when trying to delineate wetlands. The USACE provides guidance for determining whether, and to what extent, wetlands occurring on irrigated land would persist in the absence of irrigation. The USACE has provided guidance that should be followed when delineating wetlands in active rice fields (*Wetlands Determination and Delineation Procedures for Irrigated Lands*, U.S. Army Corps of Engineers, South Pacific Division 2012).

3.5. Waters of the State

Waters of the State comprise any surface water or groundwater, including saline waters, within the boundaries of the state. In Placer County, examples include, but are not limited to, rivers, streams, lakes, marshes, mudflats, unvegetated seasonally ponded areas, drainage swales, sloughs, wet meadows, natural ponds, vernal pools, seasonal wetlands, and riparian woodlands. Waters of the State also include isolated features that are not regulated by the USACE. Examples of isolated waters include man-made, off-stream ponds.

3.6. The Stream System

In addition to the Aquatic Resources described above, the Local Agencies regulate land uses and activities in Stream Systems. In the HCP/NCCP, the Stream System is established around the main streams and creeks in western Placer County that define watersheds. Canals or artificial water courses are included if they serve to convey natural runoff through the watershed in lieu of a natural stream, and they are not wholly lined with impervious material. Minor drainages at the headwaters of watersheds may have small streams that exhibit riverine or riparian features. These small headwater streams are not included in the Stream System. However, a Covered Activity that impacts any of these features would require authorization under the CARP and would still be subject to the CARP avoidance and minimization measures.

The Stream System is defined as the stream channel itself (wet or dry) and the surrounding areas as follows:

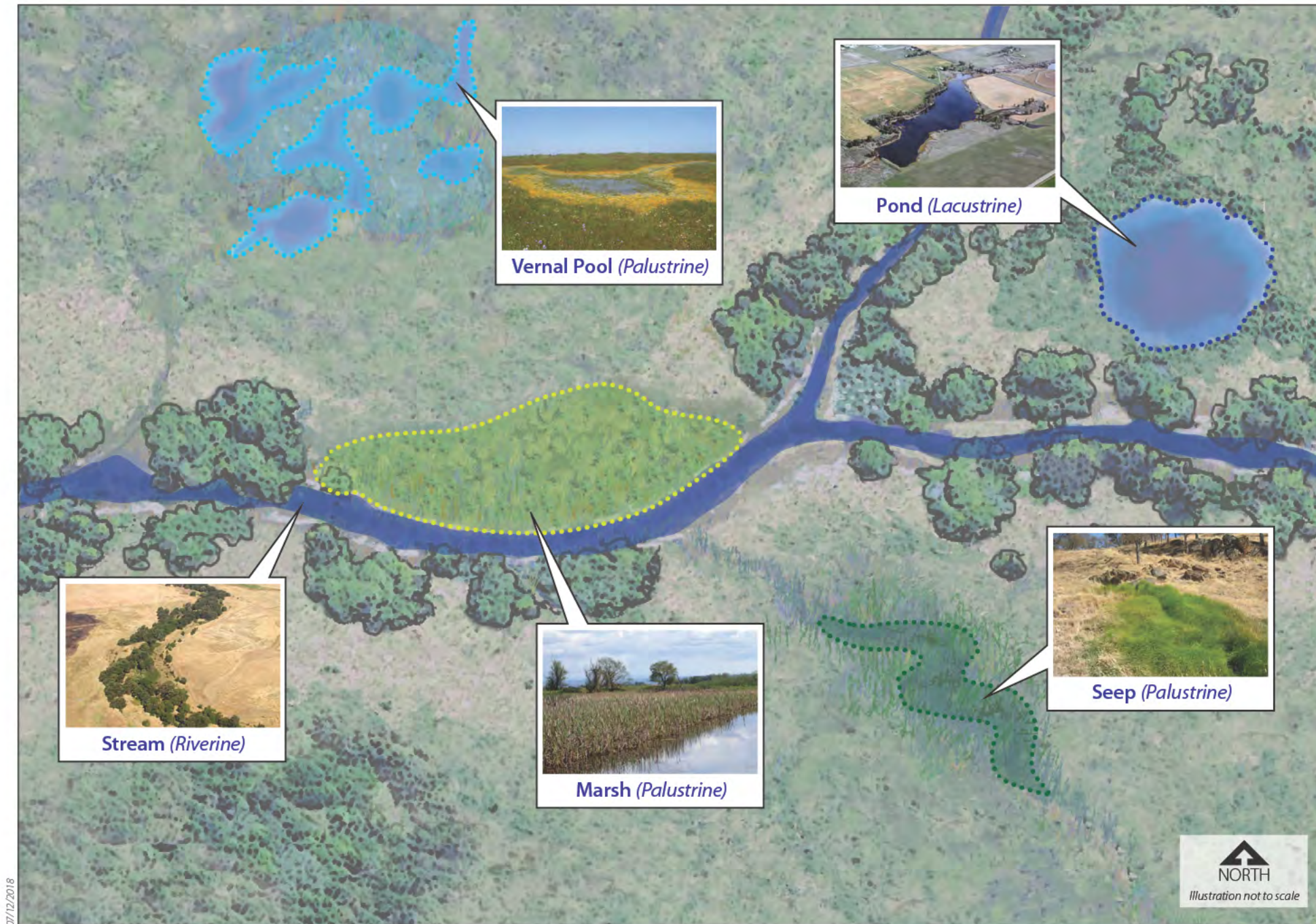
1. Any area subject to flooding in a 100-year event as defined by the Federal Emergency Management Agency (FEMA) (FEMA 2005) or as determined by hydrologic analysis based on an engineering site survey (whichever is more accurate), or the area in #2 below, whichever is greater.
2. The outermost limit of a variable-width buffer measured outward from the edge of the OHWM on streams mapped in the National Hydrography Dataset (NHD) (so-called blueline streams). The OHWM corresponds to the waterline of the full channel when in non-flood condition and is defined as “that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas” (33 Code of Federal Regulations [CFR] 328.8(e)). When the criteria specified by 33 CFR 328.8(3) are not present in the field or conditions do not provide a clear demarcation of the OHWM, the location of the OHWM will be based upon the two-year event.
3. The area within 50 feet of streams, as measured from the OHWM as described above, not named on Table 6.1, but which are shown as “blueline” streams on United States Geological Survey (USGS) Quad maps as specified in California Public Resources Code Section 4528 and as located on the NHD.
 - a. Streams not shown on the NHD will be added:
 - 1) To provide hydraulic continuity between mapped streams in the upper watershed and mapped streams in the lower watershed. This is necessary because land alteration may have erased original stream traces;
 - 2) If the watercourse is artificial (such as canals, channels, and flood water conveyances) and the watercourse serves in lieu of a natural stream to maintain hydraulic continuity with the watershed above, and where the channel is in an unlined, earthen condition;
 - 3) If the stream is determined to be perennial; or
 - 4) If the stream is determined to provide habitat for salmonids.
 - b. Streams defined as part of the Stream System will be truncated at the point where the watershed falls below 40 acres in extent in order to avoid defining the Stream System around minor drainages.

- c. The 50- foot boundary may be adjusted based on a site survey.

Figure 3-2 provides a schematic illustration of the Stream System. This figure shows either the greater of the 100-year event floodplain, as defined by FEMA, or the boundary for all stream reaches specified in Table 6.1, with a 50-foot boundary measured outward from the OHWM for all NHD blueline streams not named in Table 6.1. The Stream System boundaries on Figure 3-2 span the width of the entire Stream System including the stream channel. Figure 3-2 does not show canals, as determination of inclusion of canals in the Stream System will be based on the results of site surveys. Figure 3-3 provides a cross-section illustration of the Stream System.

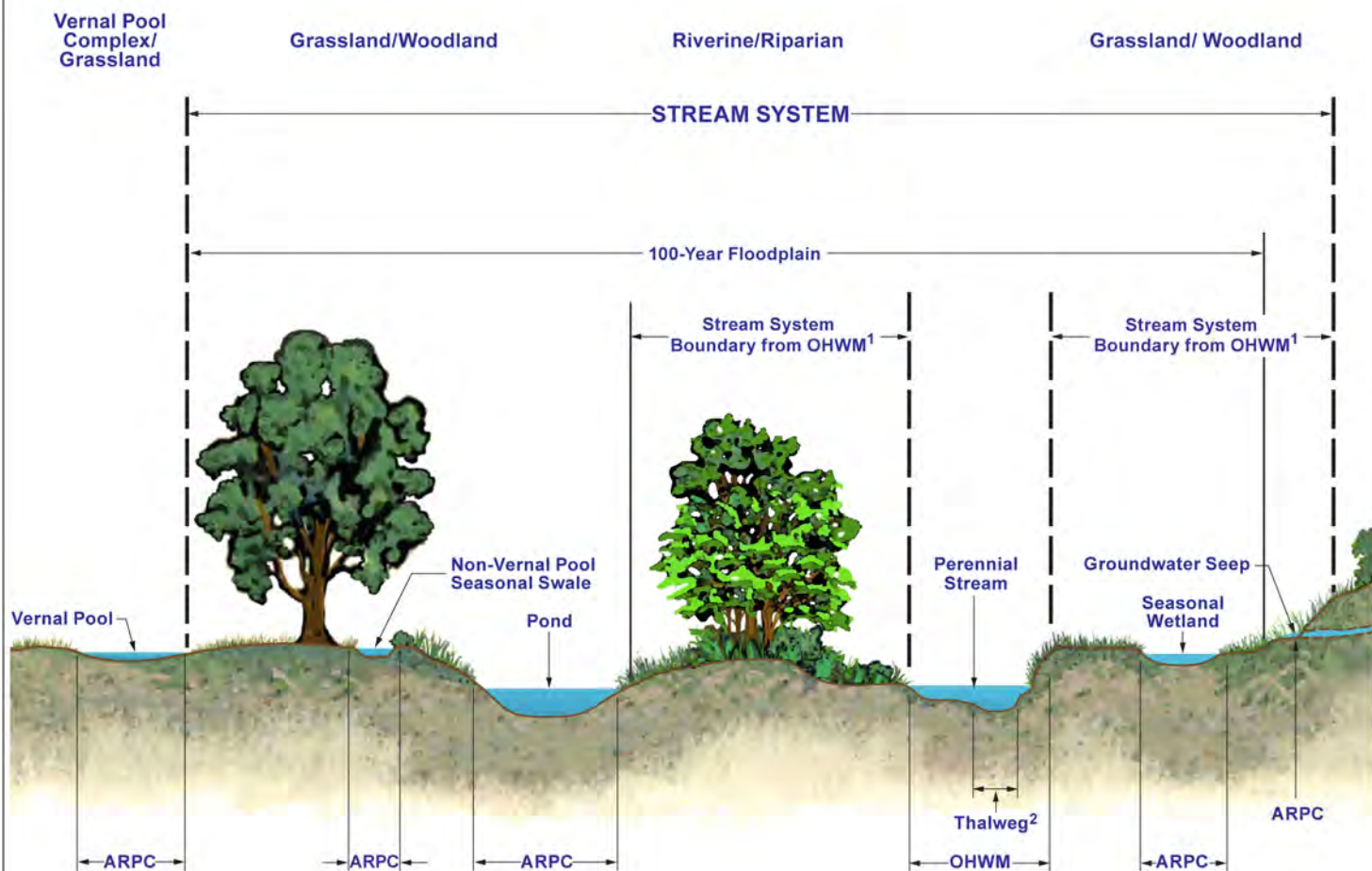
3.7. Fish and Game Code 1600 et seq.

The CDFW regulates activities that may substantially adversely affect fish and wildlife resources associated with rivers, streams, and lakes, including those that are episodic (dry for periods of time), as well as those that are perennial (flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. Notification under FGC Section 1602 may be required for activities that occur within the Stream System, and in some cases, in habitat types that extend beyond the Stream System boundaries.



07/12/2018

Figure 3-1
Conceptual Overview
(Cowardin Classification Systems in Western Placer County)



¹ The outer edge of the Stream System Boundary is identified by the 100-year floodplain or the Stream System Boundary width described in Table 3-4 of the HCP/NCCP, whichever is greater.

² Thalweg is the deepest part of the stream channel.

Drawing Not To Scale

Key

ARPC Aquatic Resources of Placer County

OHWM Ordinary High Water Mark

Figure 3-3 Typical Aquatic Resources of Placer County Cross-Section

Placer County Conservation Program - Western Placer County Aquatic Resources Program

Chapter 4.

CONSERVATION PLANNING AND APPROACH IN PLACER COUNTY

4.1. Introduction

The CARP and the HCP/NCCP are the central components of the PCCP.

The purpose of the HCP/NCCP is to protect, enhance, and restore landscapes, natural communities, and Covered Species habitat, while allowing appropriate and compatible economic growth. To accomplish this goal, the HCP/NCCP establishes a Reserve Acquisition Area (RAA) comprised of approximately 68,300 acres. Within this RAA and some lands that qualify for avoidance within the PFG area, the PCCP will establish a Reserve System comprised of approximately 47,300 acres of interconnected land blocks including all major streams. The Reserve System created by the PCCP will also connect to approximately 15,957 acres of existing reserves (Figure 4-1). Compensatory mitigation fees collected for impacts in the PFG area will be used to purchase, restore and preserve land in the RAA, thereby providing permanent protection to more intact watersheds and avoiding and minimizing impacts to natural resources on a regional scale.

Approximately 125,800 acres of existing developed areas and agricultural and other open land is designated as the PFG area. It is estimated that over the course of the HCP/NCCP's 50-year permit term, approximately 30,000 acres of land within the PFG area will be converted to urban, suburban, and rural residential uses and public infrastructure, consistent with locally adopted General Plans and zoning designations. Some of this development will occur in the form of infill, but the majority of the new development will result in the conversion of natural, semi-natural, and agricultural lands.

The In-Lieu Fee Program (ILF) program is a mechanism to provide compensatory mitigation for impacts to Aquatic Resources of Placer County that meets the requirements of Sections 404 and 401 of the federal CWA. In addition, the ILF program is a mechanism available to provide compensatory mitigation for impacts pursuant to FGC 1600 et seq. for Lake and Streambed Alteration Agreements, subject to CDFW approval. The ILF program will implement conservation and mitigation actions to protect and restore Aquatic Resources in the RAA and Stream System in conjunction with the HCP/NCCP conservation and mitigation actions, thereby creating mitigation credits that can be used to meet the compensatory mitigation requirements of Sections 404 and 401 of the CWA. ILF program credits will be used to mitigate impacts to Aquatic Resources resulting from Covered Activities. The number and type of ILF program credits used will be determined based on the mitigation requirements established by the CARP. The cost of ILF program credits will be covered by the PCCP Development Fees paid by project applicants. PCCP Development fees include Land Conversion Fees, which are used to purchase and preserve land within the RAA, and Special Habitat Fees, which are collected for impacts to Aquatic Resources of Placer County. Special Habitat Fees are used to create, enhance, and restore aquatic resources within the RAA for both the HCP/NCCP and ILF Program.

The watershed approach discussed below and in further detail in Appendix B was the primary tool used to define the boundaries of the RAA and will be used to assemble the Reserve System over the HCP/NCCP permit term of 50 years. Degraded parcels connecting to priority conservation parcels

are targeted for enhancement and restoration as part of the regional compensatory mitigation strategy discussed further in CARP Chapter 6.

4.2. The CARP Watershed Approach

The USACE and U.S. Environmental Protection Agency (USEPA) describe a watershed approach as:

...an analytical process for making compensatory mitigation decisions that support the sustainability or improvement of aquatic resources in a watershed. It involves consideration of watershed needs, and how locations and types of compensatory mitigation projects address those needs. A landscape perspective is used to identify the types and locations of compensatory mitigation projects that will benefit the watershed and offset losses of aquatic resource functions and services caused by activities authorized by DA (Department of the Army) permits. The watershed approach may involve consideration of landscape scale, historic and potential aquatic resource conditions, past and projected aquatic resource impacts in the watershed, and terrestrial connections between aquatic resources when determining compensatory mitigation requirements for DA permits.²

The CARP's watershed approach is designed to ensure that compensatory mitigation will be located where it is most likely to accomplish the following goals and objectives:

- Successfully replace lost functions and services consistent with the state and federal “no net loss” policies.
- Consider watershed-scale features such as aquatic habitat diversity, habitat connectivity, and relationships to hydrologic sources (including the availability of water rights).
- Recognize trends in land use planning and compatibility with adjacent land uses.
- Consider out-of-kind compensatory mitigation for wetland impacts when larger landscape-level goals and objectives may be met by doing so.

Watershed planning focuses on a geographic area that is defined by a drainage basin and that is large enough to ensure adequate mitigation of impairments and threats to the impacted water body. Although there is no rigorous definition or delineation of this concept, the general intent is to avoid a focus on single waterbody segments or other narrowly defined areas that do not provide an opportunity for addressing watershed impacts in a rational, efficient, and economical manner. At the same time, the scale should not be so large that it hampers the ability of the resource to recover and negatively affects biodiversity. The USACE generally uses the 8-digit Hydrologic Unit Code (HUC) designation, which includes four (4) watersheds within the Plan Area (Figure 4-2). The CARP watershed approach instead uses the more detailed 10-digit HUC level, which includes nine (9) watersheds in the Plan Area (Figure 4-3).

The ultimate goal of this watershed approach is to maintain and improve the quality and quantity of aquatic resources within the watersheds of the Plan Area. In order to protect the most valuable aquatic resources, the conservation strategy should select compensatory mitigation sites within the watersheds present within the Plan Area based on goals and objectives for the Plan Area as a whole. The HCP/NCCP includes conservation goals and objectives and conservation measures for the Plan

²*Compensatory Mitigation for Losses of Aquatic Resources*, Authority: 33 U.S.C. 401 et seq.; 33 U.S.C. 1344; and Pub. L. 108–136. Source: 73 FR 19670, Apr. 10, 2008.

Area (HCP/NCCP Chapter 5, Section 5.2.4 *Framework for Biological Goals, Objectives, and Conservation Measures*). These goals, objectives, and measures preserve critical aquatic functions in all watersheds by preserving valuable aquatic resources, regulating activity within the Stream System, adopting LID strategies, and implementing Best Management Practices (BMPs).

At a landscape scale, the HCP/NCCP conservation strategy focuses a large portion of its compensatory mitigation and conservation activities in the northwest portion of the Plan Area. Raccoon Creek, Lower Bear River, and the western third of the Auburn Ravine watershed contain the largest and least-fragmented aquatic resources in the Plan Area, and they have aquatic resource restoration opportunities that are not present in the other watersheds, with the exception of the lower reaches of Markham Ravine and Pleasant Grove (aka Pleasant Grove-Cross Canal), which have the potential for conservation and restoration. At a project scale, the HCP/NCCP conservation strategy focuses on avoidance and minimization of impacts within the Stream System as a whole.

Existing and projected land uses limit the suitability for large-scale aquatic resource preservation and restoration projects in the following 10-digit HUC watersheds: Pleasant Grove Creek – Cross Canal, Curry Creek – Sacramento River, the upper reaches of Auburn Ravine, and Dry Creek.

Extensive studies support focusing conservation efforts in the Raccoon Creek (previously known as Coon Creek) and Lower Bear River watershed (e.g., *the Auburn Ravine/Coon Creek Ecosystem Restoration Plan*, 2002; *the Conservation Assessment for the Yuba River Watershed Foothills*, 2008; and *the Coon Creek Watershed Assessment*, 2017). When compared to other watersheds in western Placer County, the Raccoon Creek and Lower Bear River 10-digit HUC watersheds have the following characteristics:

- the greatest assemblage of large parcels (> 200 acres),
- the least number of roads,
- the least amount of existing or projected urban/suburban land uses,
- the largest area of a relatively un-fragmented intact landscape,
- connectivity to other conservation efforts in Placer County and adjacent jurisdictions (e.g., Nevada and Yuba Counties),
- the absence of a treated effluent discharge, and
- the greatest number of sites that are suitable for restoration within a larger matrix of existing and future conserved lands.

Mitigation in these priority areas (i.e., Raccoon Creek and Lower Bear River) within the Plan Area is intended provide similar wetland functions and services to that of wetlands impacted. This assumption is based on the Plan's commitment to restore, enhance, create, and preserve overall wetland functions related to hydrology, biochemistry, and habitat suitability. The CARP will protect hydrology by maintaining surface and shallow subsurface water storage and exchange, and maintaining landscape hydrologic connections, as is best achieved by large parcels in un-fragmented watersheds. By protecting wetlands in an undisturbed and un-fragmented landscape, the PCCP will enable biogeochemical functions such as nutrient cycling and carbon export to continue within protected areas. Similarly, restoring, enhancing, creating, and preserving wetland habitat in the priority watersheds targeted in the CARP watershed approach will protect wildlife and plant communities to the benefit of common, rare, threatened, and endangered species. Overall, CARP

mitigation areas will support the hydrology, biochemistry, and habitat values via a landscape-scale conservation strategy.

A detailed discussion of the watersheds that are a priority for conservation and the rationale used to arrive at this conclusion is provided in Appendix B. Due to the limited availability of landscape-scale mitigation opportunities within the other watersheds (e.g., Pleasant Grove and Dry Creek watersheds), it will be necessary to mitigate outside of the 8-digit HUC boundary in which the impact occurs. This approach is also discussed in detail in the In-Lieu Fee (ILF) program instrument.

4.2.1. Conservation Strategies within Individual Watersheds

Landscape-scale compensatory mitigation and conservation activities are focused in the Raccoon Creek and Lower Bear River watersheds because they contain the largest and least-fragmented aquatic resources in the Plan Area and provide the best aquatic resource restoration opportunities. Both watersheds are designated as Essential Fish Habitat (EFH) for Chinook salmon by NMFS and provide important spawning habitat for anadromous steelhead (Figure 4-4). Compensation activities will also occur in the lower reaches of Auburn Ravine (a prime steelhead stream), Pleasant Grove Creek – Cross Canal, and Curry Creek – Sacramento River watersheds. The Dry Creek watershed is surrounded by urban/suburban and rural residential development. Despite the indirect effects of development, the Dry Creek watershed provides suitable spawning habitat for Chinook salmon.

The HCP/NCCP conservation strategy is designed to address watershed-specific resource conditions and each watershed's relative potential for landscape-level ecosystem management. BMPs and LID strategies are important minimization measures that will be required across all watersheds. The conservation strategy for each watershed is summarized below. Avoidance, minimization, and mitigation requirements are addressed in Chapter 6 of the CARP.

4.2.1.1 Lower American (HUC 18020111)

- Stream System conservation (wherever possible) for Dry Creek and its major tributaries including Linda Creek, Strap Ravine, Miners Ravine, Secret Ravine, Antelope Creek, Clover Valley Creek, and Cirby Creek inside the Plan Area.
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Preservation of channel forming gravel sources.
- Restoration of the Stream System where feasible.
- Facilitation of fish passage through barrier removal or barrier modification.
- Enhancement/restoration of HCP/NCCP Covered fish species habitat.

4.2.1.2 Upper Bear (HUC 18020126)

- Conservation and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System within the Lower Bear River watersheds located within the Plan Area.
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Restoration/enhancement.

- Preservation of channel forming gravel sources.
- Enhancement/restoration of HCP/NCCP Covered fish species habitat.

4.2.1.3 Lower Bear (HUC 1802012605)

- Stream System conservation and restoration consistent with the conservation strategy for the development of a Reserve System.
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Creation and restoration of wetland riparian habitat in the Yankee Slough sub-watershed.

4.2.1.4 North Fork American (HUC 18020128)

- Stream System conservation (wherever possible).
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Preservation of channel-forming gravel sources.
- Restoration of the Stream System where feasible.
- Enhancement/restoration of HCP/NCCP Covered fish species habitat.

4.2.1.5 Upper Raccoon-Upper Auburn (HUC 18020161)

The following HUC 10 watersheds are included in the Upper Raccoon-Upper Auburn conservation strategy:

Raccoon Creek Watershed (HUC 1802016102)

- Conservation and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System within the Raccoon Creek watershed located within the Plan Area.
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Restoration/enhancement.
- Preservation of channel-forming gravel sources.
- Facilitation of fish passage through barrier removal or barrier modification.
- Enhancement/restoration of Covered fish species habitat.
- For Raccoon Creek, implementation of remedial actions to improve water quality (including water temperature) based on the recommendations and findings of the *Coon Creek Assessment*, 2017.

Pleasant Grove Creek – Cross Canal (Markham Ravine) Watershed (HUC 1802016103)

- Stream System conservation and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System in the western reaches of the watershed.
- Minimization and avoidance of effects from Covered Activities within the Stream System.

Auburn Ravine Watershed (HUC 1802016101)

- Stream System conservation and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System in the western reaches of the watershed.
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Preservation of channel-forming gravel sources.
- Facilitation of fish passage through barrier removal or barrier modification.
- Landscape-scale conservation of the floodplain and adjoining uplands in the western reaches of the watershed.
- Enhancement/restoration of Covered fish species habitat.

Pleasant Grove Creek-Cross Canal (Pleasant Grove Creek) Watershed (HUC 1802016103)

- Stream System conservation and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System.
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Restoration of Pleasant Grove Creek in the western reaches of the watershed west of the boundaries of the non-participating cities (Roseville and Rocklin).

Curry Creek – Sacramento River Watershed (HUC 1802016104)

- Stream System conservation and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System.
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Restoration of Curry Creek in the western reaches of the watershed west of the boundaries of Roseville (a non-participating city).
- Creation and restoration of wetland riparian habitat in the Curry Creek watershed except for the upper portion of the watershed located in Roseville (a non-participating city).

4.3. Defining Principles and Characteristics of the Reserve System and Reserve Acquisition Area (RAA)

Under the HCP/NCCP conservation strategy, aquatic resources are preserved within the Reserve System – large protected reserve areas that are managed in perpetuity for the benefit of natural resources (see HCP/NCCP Chapter 5 *Conservation Strategy*). When completed, the Reserve System will:

- protect and restore approximately 47,300 acres of high-quality habitat for natural communities and Covered Species, preserving biological diversity and ecosystem function and providing

extensive opportunities for habitat enhancement, restoration, creation, and management of natural and semi-natural landscapes³ and other altered landscapes;

- protect and maintain habitat areas that adequately support sustainable populations of Covered Species;
- preserve major local and regional habitat connections and corridors between key habitat areas and between existing protected areas;
- provide for timely restoration of riparian woodland, valley oak woodland, foothill oak woodland, vernal pools and vernal pool complexes, other wetlands, and ponds to maximize resiliency, offset losses of these land-cover types, and contribute to species recovery; and
- provide protection and management of aquatic resources in the Plan Area, particularly in stream, riparian, and vernal pool habitats, that support Covered Species and other native biodiversity, through a combination of acquisition and avoidance.

The PCA will create the Reserve System through acquisition of land in fee title or conservation easement, or purchase of credits at approved Mitigation or Conservation Banks in the Plan Area. A map of the RAA has been developed through a technical advisory process to identify where the majority of future land acquisition for conservation may take place (Figure 4-1). The PCCP also describes how some lands, within the PFG, may also be acquired if they meet specific avoidance standards and qualify for lands suitable to be managed in perpetuity in the Reserve System.

Using the watershed approach, the Reserve System consists of:

- existing conservation areas already protected in perpetuity as a result of federal, state, local, and private sector conservation activities (approximately 17,185 acres in 2017), including lands acquired by the Placer Legacy Open Space and Agricultural Conservation Program; and
- lands that could be acquired or protected with conservation easements during the 50-year permit term for permanent conservation from the RAA. The entire RAA is approximately 68,300 acres. As much as 47,300 acres would be acquired to achieve the conservation goals of the HCP/NCCP; and
- lands acquired or protected with conservation easements during the 50-year permit term for permanent conservation from the PFG. Only those lands in the PFG that meet specific avoidance criteria will be incorporated into the Reserve System.

Avoidance and minimization of impacts to aquatic resources are encouraged in the RAA and Stream System, thus increasing protections for aquatic resources that are more intact, have greater long-term viability, and can be permanently protected in the regional Reserve System. The RAA extends from the Valley floor to the upper portions of numerous watersheds (Figure 4-1). All major watersheds containing Chinook salmon and steelhead Stream Systems within the Plan Area are identified for habitat conservation, fish passage improvements, and restoration. The RAA is one mile wide at its narrowest point, and 14 miles wide at the widest and encompasses the transition from grasslands to oak woodland to coniferous forest. The RAA also provides connectivity to the Sierra Nevada via the Bear River and other public/private conservation efforts in Sutter, Yuba, and Nevada Counties.

³ A semi-natural landscape is defined as one that is disturbed by human activity but still provides important habitat for a variety of native species. All agricultural lands in the Plan are considered semi-natural.

The majority of land acquired for the Reserve System will be in the RAA. Lands will be acquired only from willing sellers/donors. Candidate lands must meet one or more of the biological goals defined in HCP/NCCP Chapter 5, Section 5.2.4.1 (*Biological Goals and Objectives*) and land acquisition requirements as defined in HCP/NCCP Chapter 8, Section 8.4.2 (*Process for Acquiring Lands*).

4.4. Defining Principles and Characteristics of the Potential Future Growth Areas (PFG)

The HCP/NCCP conservation strategy focuses authorized impacts within and near existing urban areas (i.e. within the PFG) and away from more intact rural and natural areas (i.e., the RAA and Stream System), thereby avoiding and minimizing impacts to natural resources on a regional scale (Figure 4-1). By focusing development in and adjacent to existing urban areas, pressure to develop in rural areas with more intact aquatic resources will be reduced.

The PFG area incorporates existing urban, suburban, rural residential and agricultural areas and is intended to accommodate potential projected growth for the 50-year term of the HCP/NCCP. Impacts to aquatic resources that occur within the PFG will be mitigated under the CARP. Within the PFG area, onsite avoidance of aquatic resources is required in the Stream System or on adjacent lands that connect to the Stream System, the RAA, or existing preserves larger than 200 acres. If avoidance is not practicable due to the purpose of the project or the characteristics of the project site, then impacts to aquatic resources must be minimized by implementing BMP measures and LID strategies described in CARP Chapter 6. To qualify as avoidance, land set aside in the PFG area must meet certain criteria discussed in CARP Section 6.2.1. It is anticipated that the PFG area will become increasingly developed over time. However, implementation of regulatory standards within the Stream System, LID strategies, and BMPs in the PFG area will contribute to the overall conservation goals and objectives of the HCP/NCCP.

4.5. HCP/NCCP Framework for Compensatory Mitigation

The HCP/NCCP conservation strategy is the planning framework that is used to conserve a range of natural communities and provide compensatory mitigation for unavoidable impacts to Aquatic Resources of Placer County that result from Covered Activities. Regarding compensatory mitigation, the HCP/NCCP:

- describes the geographic area within which impacts will occur and mitigation projects will be implemented (i.e., the Plan Area);
- describes the threats to aquatic resources in the Plan Area, including how the PCCP will help offset impacts resulting from those threats;
- analyzes historic aquatic resource loss in the Plan Area;
- analyzes current aquatic resource conditions in the Plan Area;
- explains the goals and objectives for aquatic resources, including a description of the general amounts, types and locations of aquatic resources the PCCP will seek to provide;

- provides a prioritization strategy for selecting and implementing compensatory mitigation projects;
- describes conservation objectives and how they will be met;
- explains public and private stakeholder participation;
- describes a funding strategy to acquire, manage, restore, and monitor lands during the 50-year permit term and after the permit term expires.
- defines the long-term protection and management strategies for mitigation projects implemented as part of the program; and
- defines a strategy for periodic evaluation and reporting on the progress of the program in achieving its goals and objectives.

To sustain aquatic resource functions within the watershed, the HCP/NCCP compensatory mitigation strategy focuses on how the types and locations of compensatory mitigation projects will provide the desired aquatic resource functions, and how they will continue to function over time in a changing landscape. The strategy also considers the following:

- habitat requirements of Covered Species,
- habitat loss or conversion trends,
- sources of watershed impairment,
- current development trends, and
- the requirements of other regulatory and non-regulatory programs that affect the watershed (such as storm water management or habitat conservation programs).

The conservation strategy includes the protection and maintenance of terrestrial resources, such as non-wetland riparian areas and uplands, when those resources contribute to or improve the overall ecological functioning of aquatic resources in the watershed. The HCP/NCCP's compensatory mitigation requirements do not focus exclusively on specific functions (e.g., water quality or habitat for certain species). Instead, aquatic resource creation and restoration projects are designed to provide, wherever practicable, the suite of functions that can be provided by the affected aquatic resource.

Using the framework for compensatory mitigation in the HCP/NCCP, the PCA is able to ensure that aquatic resources are preserved within a large Reserve System and that compensatory mitigation projects (creation, enhancement, and restoration) proposed for impacts to aquatic resources will occur within areas that will be managed in perpetuity for the benefit of aquatic resources, sensitive species, and natural communities.

4.6. Overview of the Western Placer County In-lieu Fee (ILF) Program

The ILF program ensures that compensatory mitigation projects (creation, enhancement, and restoration) that are funded with Development Fees collected for impacts to Aquatic Resources of Placer County will occur within the RAA, and where appropriate, the PFG, including the Stream System. The ILF program is one element of the HCP/NCCP funding strategy and will help to achieve

the goals and objectives of the HCP/NCCP conservation strategy. The ILF program provides a means by which proponents of Covered Activities may fulfill CARP compensatory mitigation under Sections 404 and 401 of the CWA. The ILF program is a mechanism available to provide compensatory mitigation for impacts pursuant to FGC 1600 et seq. for Lake and Streambed Alteration Agreements, and special-status species requirements under the Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA) by paying the PCCP Special Habitat Fees. ILF program credits will be allocated from the ILF program based on the mitigation requirements established by the CARP and will be covered by the PCCP Development Fees paid by the project applicant. The PCA uses Development Fee revenues to develop and implement aquatic resources preservation, enhancement, restoration, and creation projects in accordance with the HCP/NCCP and in consultation with the USACE, USEPA, RWQCB, USFWS, NMFS, and CDFW.

4.6.1. In-Lieu Fee Program Instrument

The ILF program instrument sets forth the program details and establishes the terms and conditions necessary for fulfilling compensatory mitigation requirements under Section 404 of the CWA.

4.7. Principles of Avoidance, Minimization, and Mitigation

The CARP, as a component of the PCCP, is designed to achieve the regional conservation goals and objectives for aquatic resources of the HCP/NCCP and provide a program to specifically address Aquatic Resources of Placer County. By avoiding, minimizing, and mitigating on a regional scale, the HCP/NCCP and CARP can prevent the creation of a patchwork of small reserves surrounded by developments, and instead, establish a large interconnected Reserve System with permanent site protections for aquatic resources. The CARP integrates the HCP/NCCP conditions (HCP/NCCP Chapter 6, Section 6.3 *Conditions on Covered Activities*) on Covered Activities that provide site-specific avoidance, minimization, and mitigation measures for natural and semi-natural communities. In addition to site-specific avoidance and minimization, the HCP/NCCP establishes mitigation requirements for impacts to Aquatic Resources of Placer County, including specific mitigation ratios for land area conversion and for wetland area impacts (HCP/NCCP Chapter 5, Section 5.3 *Conservation Measures*). The HCP/NCCP also provides conservation measures to ensure that wetlands are protected and monitored in a landscape devoted to conservation and management in perpetuity (HCP/NCCP Chapter 7 *Monitoring and Adaptive Management*). The following table summarizes the HCP/NCCP Objectives that dictate the overarching conservation principles of the CARP.

Table 4.1 HCP/NCCP Summary of Aquatic Conservation Measures

HCP/NCCP Objective	Description Summary	Purpose/Benefit	Conservation Measure
<i>Landscape Level</i>			
L-1.1. Establish large, interconnected Reserve System	Design and acquire Reserve System of at least 47,300 acres that would preserve and protect existing, restored, and created aquatic resources.	A large Reserve System will ensure that the functions and services of existing, restored, and created wetlands are protected and managed in perpetuity. The large size of the Reserve System will contribute to the natural function of watersheds.	CM1 L-1 through L-5
L-2.1. Protect habitat linkages	Reserve System connectivity protects habitat linkages and large interconnected blocks of habitat.	Ensures that water ways and the watersheds contributing to them are protected and not broken into fragments.	CM1 L-3 and L-4
L-2.3. Establish East-West corridors	Establish corridors for east-west movement by species along the Stream System	This will protect and restore interconnected riverine and riparian complex natural communities.	CM1 L-4
L-2.4. Conserve North-South connectivity	Protect and restore north-south connectivity in the Valley RAA through an interconnected network of vernal pool complex, grassland, rice land, and agricultural reserves extending from the border of the Plan area with Sutter County, east and north to the border of Yuba and Nevada County.	Connectivity is beneficial to all aquatic resources as it helps to maintain normal hydrologic regimes and retains watershed functions.	CM1 L-4
L-2.5 Conserve upland natural communities surrounding aquatic/wetlands complex natural communities	Protect upland natural communities surrounding wetlands and ponds to provide the life history requirements for native amphibians and covered species with both aquatic and upland habitat requirements.	Protecting uplands surrounding wetlands and ponds will help to maintain natural hydrological regimes and is beneficial for the water quality of these features.	CM1 L-4
L-3.1 Implement Low Impact Development Standards (LIDS)	Implement LID strategies for Covered Activities in the Plan Area	This measure will benefit the water quality of surrounding aquatic resources by utilizing infrastructure surfaces to retain, detain, store, and filter runoff.	CM4 L-1

HCP/NCCP Objective	Description Summary	Purpose/Benefit	Conservation Measure
L-3.2 Reduce non-native species and increase native species	Increase native species diversity and relative cover of native plant species and reduce the introduction and proliferation of non-native plants and animals.	This will benefit aquatic resources by limiting invasive plants that can choke out wetlands.	CM2 L-1, VPCG-1, AW-1, AW-2, OW-1 and CM4 RAR-4
L-3.3 Manage fire	Manage fire as a natural process of the ecosystem to enhance and/or restore natural communities while protecting natural communities from adverse effects of fire.	If managed correctly, fire can be beneficial to native landscapes by reducing thatch buildup and promoting native wetland plants.	CM2 L-3
VPCG-1.1 Protect vernal pool complexes	Protect 17,000 acres of existing vernal pool complex, including 790 wetted acres of vernal pool habitat in order to build a vernal pool Reserve System in large, contiguous blocks primarily in the Valley RAA.	A large, connected Reserve System will reduce indirect impacts to aquatic resources that result from edge effects commonly associated with small, non-contiguous development. It will also allow natural hydrologic regimes to persist.	CM1 VPCG-1
VPCG-1.2 Restore/create vernal pool complexes	Restore/create 3,000 acres of vernal pool complex in the Reserve System by Year 35. Within the 20,000 acres of protected and restored/created vernal pool complex restore/create vernal pool complex habitat consistent with Tables 5-4 and 5-5). Assuming all effects occur, an additional 870 acres of vernal constituent habitats will be restored as mitigation. If the maximum allowable effect occurs, restoration totals will be 900 acres of vernal pool constituent habitat of which a minimum of 326 acres would be delineated as vernal pool wetlands. Restore/create at least 30 acres of delineated vernal pools independent of effects.	This will ensure that there is no net loss of aquatic functions and services within the Plan Area.	CM1 NC-1, VPCG-2 and CM3 VPCG-1

HCP/NCCP Objective	Description Summary	Purpose/Benefit	Conservation Measure
VPCG-1.3 Protect grasslands	Protect 2,740 acres of grassland natural community (non-vernal pool complex grassland), including 350 acres in the Valley RAA and 2,390 acres in the Foothill RAA	Grasslands help to filter water and buffer aquatic resources from surrounding adverse stressors.	CM1 VPCG-3
VPCG-1.4 Restore grasslands	In addition to the protection of 2,740 acres of existing grassland natural community, restore 1,000 acres of grassland in the Valley RAA.	Restoration of natural grasslands will help to increase buffers surrounding aquatic resources. Buffers are important for protecting aquatic resources from surrounding adverse stressors.	CM1 NC-1 and CM3 VPCG-2
VPCG-2.14 Enhance vernal pool vegetation and hydrology	Enhance the vegetation and hydrology of degraded vernal pools and seasonal wetlands in the Reserve System to a self-sustaining natural hydroperiod.	This will help to lift functions and services of degraded wetlands.	CM2 VPCG-1 and CM2 VPCG-2
<i>Aquatic/Wetlands Complex Natural Communities</i>			
AW-1.1 Protect aquatic/wetland complex natural communities	Protect 600 acres of aquatic/wetlands complex natural community (400 acres in Valley, 200 acres in Foothills), including at least 586 acres of wetlands (fresh emergent marsh, lacustrine, non-vernal pool seasonal wetland), of which at least 256 acres will be fresh emergent marsh.	Protecting existing aquatic resources will help maintain existing hydrologic regimes, functions and services.	CM1 AW-1
AW-1.2 Restore /create aquatic/wetland complex natural communities	Restore and create aquatic/wetlands complex natural community by restoring fresh emergent marsh, lacustrine, and non-vernal pool seasonal wetland constituent wetlands.	This will ensure that there is no net loss of aquatic functions and services within the Plan Area.	CM1 NC-1 and CM3 AW-1
AW-1.3 Maintain and enhance wetlands and ponds	Maintain and enhance hydrological functions, native biodiversity, and habitats for populations of covered species in all protected fresh emergent marsh aquatic and wetland land cover types within the Reserve System.	This will ensure that there is no net loss of aquatic functions and services for existing wetlands and ponds.	CM2 AW-1 through 8

HCP/NCCP Objective	Description Summary	Purpose/Benefit	Conservation Measure
<i>Riverine and Riparian Complex Natural Communities</i>			
RAR-1.1 Protect riparian woodland	Protect 2,200 acres of riverine/riparian natural community, of which will include at least 1,410 acres of riparian woodland (960 acres in the Valley and 451 acres in the Foothills).	Protection of riparian woodland ensures that the waterways that they are associated with will be protected and buffered from indirect impacts associated with edge effects.	CM1 RAR-1
RAR-1.2 Protect riverine constituent habitat	Include at least 88.6 linear stream miles of riverine within the protected riverine/riparian complex natural community.	This will protect riverine aquatic resources.	CM1 RAR-1
RAR-1.3 Restore riverine/riparian complex	A minimum of 32 acres of riparian constituent habitat will be restored, independent of effects. In addition, impacts on riverine/riparian constituent habitat and the Stream System will be mitigated by restoration of riverine and riparian constituent habitat at a ratio of 1.52:1. If the maximum allowable effects on riverine/riparian complex and the Stream System occur, up to an additional 1,425 acres of riverine/riparian complex will be restored. Of the 1,425 acres of riverine and riparian constituent habitat restoration, 1,250 acres must be restored as riparian constituent habitat.	Restoration of riparian community along streams will help to protect and buffer streams from indirect impacts associated with edge effects.	CM1 NC-1, RAR-2 and CM3 RAR-1
RAR-1.5 Remove or modify fish barriers	Initiate partnerships with managing agencies to remove or modify two high-priority fish passage barriers, including the barrier at Doty Ravine at Garden Bar Road and one other barrier listed in HCP/NCCP Table 3-54. When partnerships allow, remove or modify up to three more of the fish passage barriers identified in Table 3-54.	This will help to restore streams to their natural state within jurisdictions other than the County.	CM2 RAR-2

HCP/NCCP Objective	Description Summary	Purpose/Benefit	Conservation Measure
RAR-1.7 Enhance streams	Enhance stream reaches within the Plan Area to promote habitat complexity and function	Enhancement of stream reaches will uplift the functions and services of those streams.	CM2 RAR-2, RAR-4, and RAR-5

Under the CARP, projects that obtain a CARP Authorization must implement avoidance, minimization, and mitigation measures (discussed further in CARP Chapter 6) designed to protect Aquatic Resources of the County. These additional measures are summarized in Table 4.2 below. Most site-specific avoidance and minimization measures required by the CARP originate from HCP/NCCP concepts. In some cases, the CARP's requirements about avoidance, minimization, or mitigation measure are more specific than called for in the HCP/NCCP. For example, the CARP may require a more detailed delineation of aquatic resources or may require compensatory mitigation for a more specifically identified aquatic resource type. CARP permitting requirements are discussed further in CARP Chapter 5.

Table 4.2 CARP Summary of Aquatic Conservation Measures

Measures	CARP Reference	Description	Purpose/Benefit	HCP/NCCP Reference #
Avoidance				
Measure 1 – Avoidance on a Regional Scale	Sections 4.7.1, 6.2.1	Avoid impacts to natural resources on a regional scale by focusing authorization of impacts within the urbanized PFG areas and away from the more intact, rural RAA.	This measure will result in large-scale preservation of aquatic resources with more intact, connected hydrology. It will reduce indirect impacts caused by edge effects, by preserving large areas rather than small disconnected patches.	Objective L-1.1, Conservation Measure 1
Measure 2 – Stream System Avoidance	Sections 4.7.1, 6.2.2	Avoid impacts to aquatic resources within and adjacent to the Stream System when practicable.	Stream System avoidance will help to protect streams and their associated riparian habitat, floodplains, and upland buffer areas, thereby protecting water quality, maintaining hydrologic conditions, and reducing factors that contribute to erosion.	Stream System Condition 1, Stream System Condition 2
Measure 3 - Site-specific Avoidance within the PFG	Section 4.7.1	Evaluate new land development projects within the PFG to insure that impacts within or adjacent to the Stream System, the RAA, or an existing preserve, are avoided when practicable.	This measure encourages avoidance of high quality/high functioning aquatic resources that are part of and contribute to the local watersheds.	Objective Aquatic Wetland (AW) – 1.1

Measures	CARP Reference	Description	Purpose/Benefit	HCP/NCCP Reference #
Minimization				
Measure 4 – Stream System Effects Minimization	Section 4.7.2	Where Stream System avoidance is not feasible, Covered Activities shall minimize effects on Stream Systems by following design, construction, and operations minimization measures.	This measure will minimize effects within the Stream System.	Stream System Condition 2
Measure 5 – Stormwater Management Plan	Section 6.2.2.1	The West Placer County Stormwater Management Plan regulates new development, infill, and redevelopment as part of compliance with regulations under National Pollutant Discharge Elimination System (NPDES) permit requirements.	This plan is designed to reduce the amount of pollutants that enter waterways as a result of human activities.	General Condition 1
Measure 6 – Low Impact Development	Section 6.2.2.2	LID strategies are required for all new developments.	This measure will benefit the water quality of surrounding aquatic resources by utilizing water quality features to retain, detain, store, and filter runoff.	Objective L-3.1, Conservation Measure 4
Measure 7– Best Management Practices	Section 6.2.2.3	The Local Agencies have adopted BMPs (Appendices C-1 and C-2) that shall be utilized for all projects covered by the CARP within the PFG area.	BMPs help to minimize potential impacts to aquatic resources during construction activities.	Stream System Condition 2
Mitigation				
Measure 8 – Mitigation for Impacts to Aquatic Resources	Section 6.2.3	To ensure that there is no net loss of aquatic resource functions and services, mitigation shall be purchased at a 1.5:1 ratio through the ILF program, or at an agency-approved mitigation bank for all wetland types described in CARP Chapter 3. For riverine/riparian constituent habitat the mitigation ratio is 1.52:1.	Mitigation fees will be used to ensure that aquatic resources are preserved within the RAA and that compensatory mitigation projects (creation, enhancement, and restoration) proposed for impacts to aquatic resources will occur within areas that will be managed in perpetuity for the benefit of sensitive species, and natural communities.	Objective VPCG-1.2, Conservation Measure 1, Conservation Measure 3 and Objective RAR-1.3, Conservation Measure 1 and Conservation Measure 3.

Measures	CARP Reference	Description	Purpose/Benefit	HCP/NCCP Reference #
Measure 9 – Establish a Large, Interconnected Reserve System	Section 6.2.3	All ILF fees collected for impacts to aquatic resources will be used to create, enhance, and restore aquatic resources within the RAA. These created, enhanced, and restored resources will be permanently protected and managed as part of a large, interconnected Reserve System.	This will ensure that mitigation for impacts to aquatic resources is permanently protected and buffered from indirect impacts and edge effects.	Objective L-1.1, Conservation Measure 1
Benefits from Permitting Requirements				
Measure 10 – Verified Delineation	Section 5.3.3.2	A delineation that has been verified by the USACE.	Ensures that all aquatic resources are identified properly.	N/A
Measure 11 – Grading Ordinances	Section 6.3.2	A grading permit is required for disturbance of 25 or more cubic yards within the Stream System in the unincorporated County. Within the City of Lincoln, a grading permit is required for disturbance of fifty (50) or more cubic yards.	Applicants applying for grading permits will be required to follow the CARP and / or HCP/NCCP permitting process.	N/A
Measure 12 – Avoidance and Minimization Measures	Section 5.2.4	A description of the methods used to avoid and minimize impacts to protected resources (such as stream structural setbacks, grading permit requirements, conditions on the Aquatic Resources Permit, etc.).	This will allow the PB to review and comment on plans to ensure that aquatic resources are properly protected to the extent possible.	N/A
Measure 13 – Stormwater Pollution Prevention Plan (SWPPP)	Section 5.2.4	A Stormwater Pollution Prevention Plan (SWPPP) or other document describing what methods will be used to ensure water quality downstream from the construction site.	Ensures water quality downstream from the construction site.	N/A
Measure 14 – Description of Best Management Practices	Section 5.2.4	A description of BMPs that shall be utilized for the proposed project.	Protects aquatic resources from project disturbance.	N/A

Measures	CARP Reference	Description	Purpose/Benefit	HCP/NCCP Reference #
Measure 15 – Re-vegetation Plan	Section 5.2.4	A plan for restoring the construction site with vegetation, which includes the measures that will be used to prevent erosion until the site is re-vegetated	Prevents negative effects from erosion and brings construction site back to a restored, stable condition.	N/A
CARP Authorization Conditions of Approval (Section 7.5)				
Condition 1 – Work Shall be Completed According to Submitted Plans	Section 7.5	All work within the Plan Area that impacts Aquatic Resources of Placer County shall be completed according to the plans and documents included in the CARP application.	Ensures that method of project implementation has been reviewed and approved by the PB.	N/A
Condition 2– Avoid and Minimize Impacts to Vegetation	Section 7.5	Any construction within the Stream System shall be implemented in a way to avoid and minimize impacts to vegetation outside the construction area. All preserved wetlands, other Aquatic Resources of the County, and the Stream Zone shall be protected with bright construction fencing. Temporary fencing shall be removed upon completion of the project	This will limit the areas of disturbance and ensure that avoided areas are protected and not impacted accidentally.	N/A
Condition 3 – Erosion Control Measures	Section 7.5	Erosion control measures shall be specified as part of the CARP application, and the application is not complete without them.	Protects aquatic resources from adverse indirect impacts and helps to maintain water quality.	N/A
Condition 4 – HCP/NCCP Required Setbacks.	Section 7.5	Implementation of all required setbacks according to the HCP/NCCP Section 6.1.2	Setback requirements will help to protect aquatic resources.	N/A
Condition 5 – Restricted Work Window	Section 7.5	All work in the Stream System shall be restricted to periods of low flow and dry weather between April 15 and October 15, unless otherwise permitted by Local Agencies and approved by the appropriate State and federal regulatory agency.	Reduces impacts to water quality.	N/A
Condition 6 – Monitor Weather Forecasts	Section 7.5	Weather forecasts should be monitored, and erosion control established before all storm events.	Protects water quality and avoided aquatic resources	N/A

Measures	CARP Reference	Description	Purpose/Benefit	HCP/NCCP Reference #
Condition 7 – Restore Stream Channels	Section 7.5	Following work in a stream channel, the low flow channel shall be returned to its natural state to the extent possible. The shape and gradient of the streambed shall be restored to the same gradient that existed before the work to the extent possible.	Restores stream to its original condition. Maintains original flow and hydrologic regime.	N/A
Condition 8 – No Excavation in Flowing Streams	Section 7.5	Except for site preparation for the construction of dewatering structures, no excavation is allowed in flowing streams. Detailed plans for dewatering must be part of the Application.	Protects water quality and ensures that dewatering is conducted properly.	N/A
Condition 9 – Temporary Crossings Work Window	Section 7.5	Temporary crossings as described in the Application shall be installed no earlier than April 15 and shall be removed no later than October 15, unless otherwise permitted by Local Agencies and approved by the appropriate State and federal regulatory agency.	Protects waterways from disturbance during high flow events.	N/A
Condition 10 – No Vehicles other than Construction Equipment in Stream System	Section 7.5	No vehicles other than necessary earth-moving and construction equipment shall be allowed within the Stream System. The equipment and vehicles used in the Stream System shall be described in the Application.	Limits disturbance and pollution from vehicles within the Stream System.	N/A
Condition 11 – Staging Areas Away from Stream	Section 7.5	Staging areas for equipment, materials, fuels, lubricants, and solvents shall be located outside the stream channel and banks and away from all preserved aquatic resources. All stationary equipment that must be within the Stream System must be positioned over drip-pans. Equipment entering the Stream System must be inspected daily for leaks that could introduce deleterious materials into the stream waters.	Prevents contaminants from vehicles and equipment from entering streams.	N/A

Measures	CARP Reference	Description	Purpose/Benefit	HCP/NCCP Reference #
Condition 12 – Locate Hazardous Materials Away from Aquatic Resources	Section 7.5	Cement, concrete, washings, asphalt, paint, coating materials, oil, other petroleum products, and other materials that could be hazardous to aquatic life shall be prevented from reaching stream, lakes, or other water bodies. These materials shall be placed away from aquatic environments and removed immediately if they are accidentally placed there.	Prevents contamination of streams from construction materials.	N/A
Condition 13 – No Construction Debris in Aquatic Resources	Section 7.5	During construction, no litter or construction debris shall be dumped into water bodies or other aquatic resources; nor shall it be placed in a location where it might be moved by wind or water into aquatic resources. All construction debris shall be removed from the site upon completion of the project.	Prevents litter and debris from entering aquatic resources.	N/A
Condition 14 – Limited Herbicide Use	Section 7.5	Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions.	Protects aquatic resources from being contaminated by chemicals.	N/A
Condition 15 – Mitigation Must be Paid Prior to Construction	Section 7.5	Before beginning construction, the project Applicant must pay all mitigation fees or purchase appropriate credits from an agency-approved mitigation bank.	Ensures no net loss of aquatic functions and services within the Plan Area.	N/A

Together, the conservation and compensatory activities occurring in the RAA, the use of LID strategies, and the regulation of activities within the Stream System, are designed to mitigate the impacts of new impervious surfaces, installation of storm drains, construction of wastewater treatment facilities and transportation infrastructure, landscaping, and other human activities.

4.7.1. Avoidance Strategy

By design, the HCP/NCCP reflects a regional strategy that focuses authorized impacts to natural resources near existing urban and PFG areas and away from more intact rural and natural areas (i.e.,

the RAA), thereby avoiding and minimizing impacts to natural resources on a regional scale. Compensatory mitigation is also directed toward the RAA and more intact watersheds, providing permanent protection to areas avoided under the HCP/NCCP's regional conservation strategy. This enables a more comprehensive approach to conservation of natural resources by concentrating protection where it has the greatest long-term value.

Site-specific avoidance within the PFG area consists of evaluating each new land development project to ensure that impacts within and adjacent to the Stream System are avoided when practicable. If it is not practicable to avoid impacts to aquatic resources, then impacts shall be minimized as outlined in CARP Section 4.7.2 below. Avoided lands within the Stream System may be set aside as open space utilizing dedications to the Local Jurisdictions, dedications to the PCA, dedications to stewardship organizations (e.g., a land trust), or purchase of conservation easements. Lands offered for dedication to the PCA will only be accepted when it can be demonstrated that the land can be suitably managed as part of the HCP/NCCP Reserve System. To be added to the Reserve System, lands within the Stream System that include Aquatic Resources of Placer County and that are to be set aside in perpetuity must be managed by an entity (such as the PCA or an accredited land trust organization designated by the PCA) that is familiar with the long-term stewardship and monitoring requirements of the HCP/NCCP. Property owners and homeowner associations are not acceptable stewards for those Stream System lands containing Aquatic Resources of Placer County for purposes of determining whether such lands can be added to the Reserve System.

In addition to avoidance, the Local Jurisdictions will regulate activities within the Stream System to protect water quality, maintain hydrologic conditions, and reduce factors that contribute to erosion. Regulation of activities within the Stream System is discussed in detail in CARP Section 6.3, which includes regulated area distances for specific streams measured from the edge of the OHWM.

Pursuant to the HCP/NCCP conservation strategy (HCP/NCCP Chapter 5 *Conservation Strategy*), wetlands within the PFG area are to be avoided to the maximum extent practicable when adjacent⁴ to, or part of, the Stream System. This serves to preserve high quality/high functioning aquatic resources that are part of and contribute to the local watersheds.

4.7.2. Minimization Strategy

Where Stream System avoidance is not practicable, all projects that are Covered Activities shall minimize impacts on Stream Systems by complying with General Condition 1, *Watershed Hydrology and Water Quality* (HCP/NCCP Chapter 6, Section 6.3.1.1 *General Condition 1, Watershed Hydrology and Water Quality*). In addition, the LID strategies and BMPs discussed below shall be implemented for all projects within the PFG area.

4.7.2.1 Low Impact Development (LID) Strategies

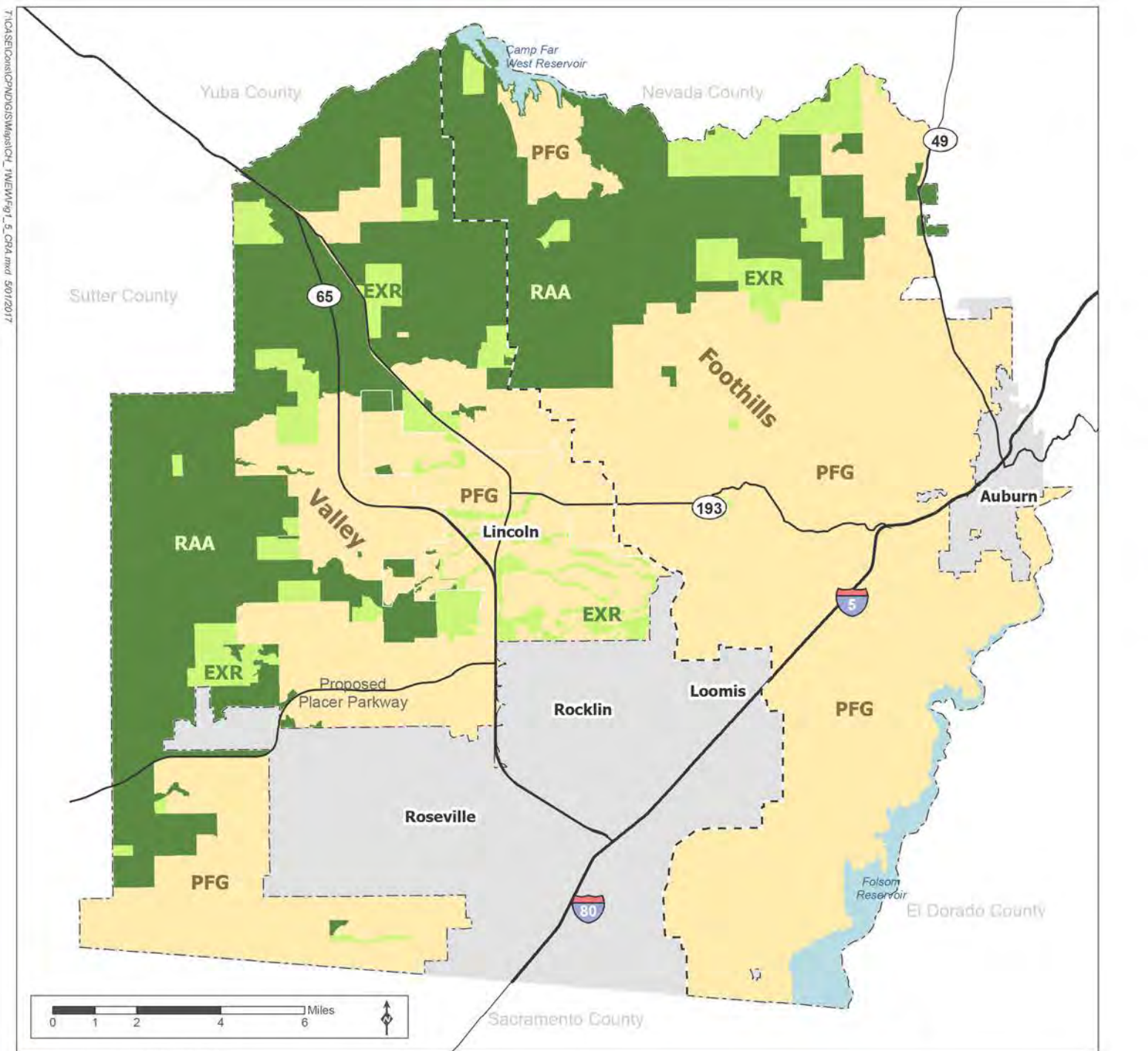
LID strategies described in the West Placer Post Construction Stormwater Design Manual (County of Placer 2016) are designed to minimize the direct, secondary, and cumulative impacts of onsite development, and to improve upon pre-construction environmental conditions, thereby reversing historical environmental damage and degradation for Placer County and the City of Lincoln. LID

⁴ The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the United States by man-made dikes or barriers, natural river berms, beach dunes and the like are "adjacent wetlands." 33 CFR 328.3 Definitions (c).

strategies are designed to produce post-construction environmental conditions that represent an improvement in ecological health and function. This methodology allows for filling some onsite Aquatic Resources of Placer County as long as the lost functions and services can be re-created, re-established, or rehabilitated elsewhere. These avoidance strategies are focused on mitigating negative impacts to water quality and surface water runoff that occur with watershed development.

4.7.3. Mitigation Strategy

Impacts to aquatic resources within the PFG that remain after incorporating practicable avoidance and minimization measures must be mitigated through compensatory mitigation. The PCCP includes an ILF program (discussed above), under which Applicants and the Local Jurisdictions pay PCCP Program Development Fees to fulfill compensatory mitigation requirements for impacts to Aquatic Resources of Placer County. The ILF program, as part of the PCCP, may also be used for compensatory mitigation for Lake and Streambed Alteration Agreements with the CDFW. Special Habitat Fees collected under the ILF program cover mitigation requirements for impacts to both aquatic resources and Covered Species. The PCA may also provide compensatory mitigation for impacts to aquatic resources by purchasing credits at agency-approved mitigation banks within the Plan Area.



Source: Placer County, 2014; MIG | TRA 2015

- Reserve Aquisition Area (RAA)
- Potential Future Growth Area (PFG)
- Existing Protected Area (EXR)
- Non-participating City
- Area A Boundary
- Highways
- Valley/Foothill Divide

Figure 4-1 PCCP Designation Map

Placer County Conservation Program - Western Placer County HCP/NCCP

Western Placer County 8-Digit Hydrologic Units



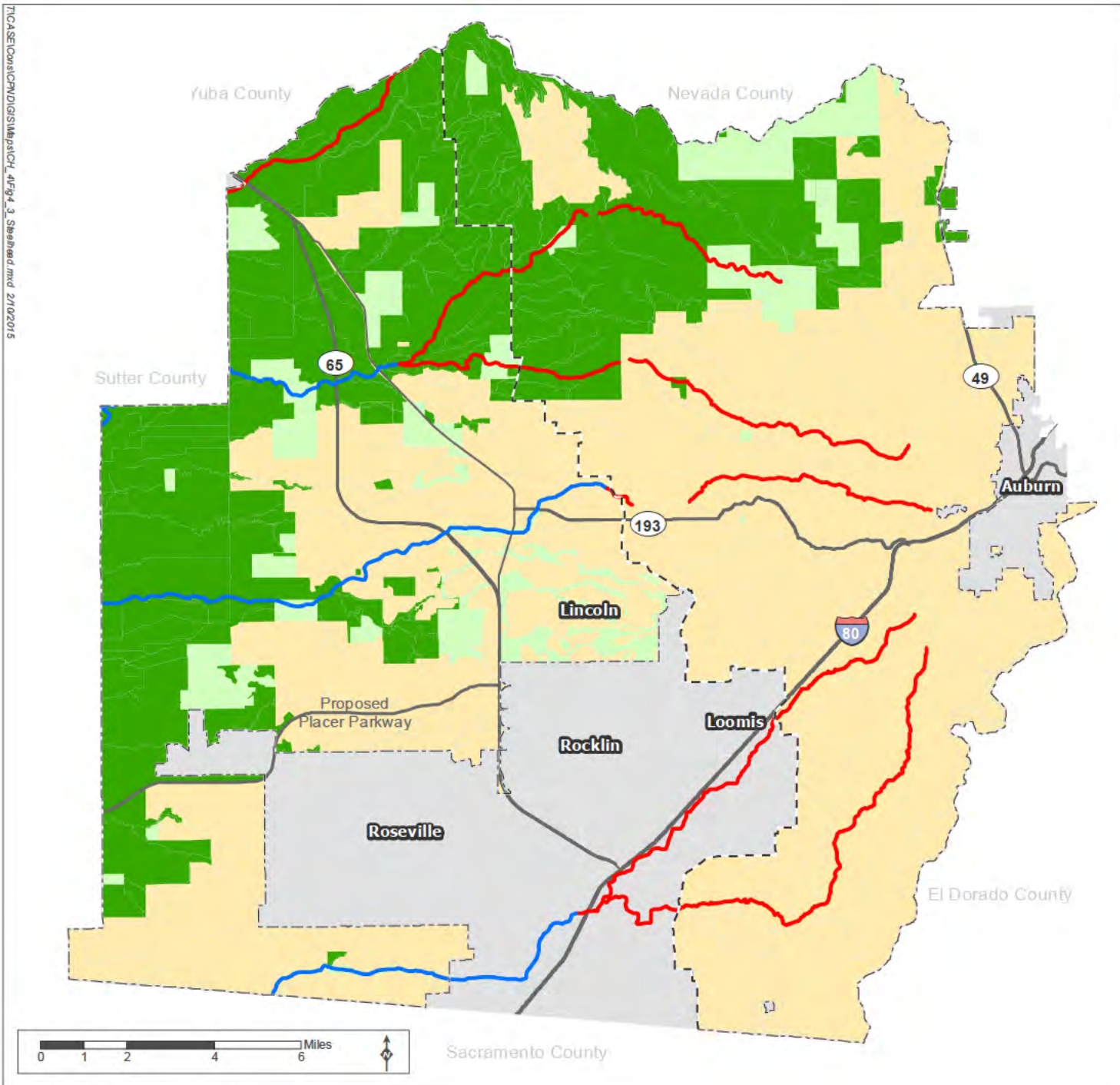
FIGURE 4-2

Western Placer County

COMPONENT HYDROLOGIC UNITS (10 Digit HUC)



FIGURE 4-3



Source: Placer County, 2014; MIG | TRA 2015; CDFG

Central Valley Steelhead Critical Habitat

— Spawning

— Rearing and/or Migration

Existing Reserve

Reserve Acquisition Area

Potential Future Growth Area

Nonparticipating City

-- Valley/Foothill Divide

— Road

— Stream

— Major Road

Figure 4-4 Central Valley Steelhead Critical Habitat

Chapter 5.

CARP APPLICATION REQUIREMENTS

5.1. Introduction

The PCCP Implementation Ordinances adopted by the Local Jurisdictions provide that all HCP/NCCP Covered Activities that directly or indirectly impact Aquatic Resources of Placer County must comply with the CARP (CARP Section 1.3.1).

Applicants for such Covered Activities comply with the CARP by following the permitting procedures explained in Chapter 7 of the CARP. While the process is streamlined, delineations of aquatic resources, biological resources assessments, and cultural resource surveys may be required at the discretion of the Local Jurisdiction (discussed further in CARP Sections 5.2.3). The Local Jurisdiction will work with Applicants to ensure that Aquatic Resources of Placer County occurring within or adjacent to the Stream System have been avoided to the greatest extent practicable. If impacts to Aquatic Resources cannot be fully avoided, then the Applicant must minimize the impacts using Best Management Practices (BMPs) and LID strategies. When impacts are unavoidable, compensatory mitigation requirements can be fulfilled by payment of the PCCP Special Habitat Fee, as discussed in Chapter 6 of the CARP.

5.2. Application Requirements

As part of the discretionary land use approval process, the Local Jurisdictions require that all Applicants for Covered Activities that have the potential to impact the environment must fill out a project application (Appendix D-1 or D-3) and supplemental environmental form (Appendix D-2). After review of these two forms or any other form required for non-discretionary projects (e.g., building permit), the Local Jurisdiction will determine if a CARP authorization is required. If so, the Applicant must submit the CARP Authorization to Impact Aquatic Resources of Placer County Form (Appendix E – CARP Application) in addition to completing an HCP/NCCP Take Authorization Application Form to the Local Jurisdiction. At a minimum, the following information is required for a CARP Application:

- a complete project description of all activities
- topographic map(s) and recent aerial photography that depict the project footprint overlaid on the habitat types including, but not limited to those within the Stream System and aquatic features, the connectivity of aquatic features on the landscape and anticipated temporary and permanent impacts. The map should include all components for each project, for example: access roads, staging areas, stockpile locations, temporary disturbance areas, and permanent footprints.
- plan- and cross-section view drawings with a north arrow and appropriate scale
- a description of the methods used to avoid and minimize impacts to protected resources to the extent practicable (project design, stream structural setbacks, etc.) (CARP Section 5.2.4, Chapter 6 of the CARP and Chapter 6 of the HCP/NCCP – *Program Participation and Conditions on Covered Activities*)

- assessment of impacts to aquatic resources including amount of fill in cubic yards to WOUS
- biological resource effects assessment (CARP Section 5.2.3.1)
- delineation of Aquatic Resources of Placer County including the Stream System boundary overlaid on a topographic map (CARP Section 5.2.3.2)
- cultural resource assessment (CARP Section 5.2.3.3.1)
- California Environmental Quality Act (CEQA) compliance (CARP Section 5.2.5)
- A description on how the project will fulfill compensatory mitigation requirements (CARP Section 5.2.7 and Chapter 6)

The Local Jurisdictions will prepare the same information for their own projects and will ensure compliance with all CARP requirements. Their CARP-related information will be submitted to the PCA, and, if required by the USACE Section 404 permitting strategy, to the USACE, and to the RWQCB. The PCA will maintain a record of all CARP information provided by the Local Jurisdictions for all projects covered by the CARP.

5.2.1. Completed Application Form with Project Description

The CARP permitting procedures are integrated into Local Jurisdictions' CEQA and land development review processes and will apply to Covered Activities when aquatic resources are onsite and have the potential to be impacted during project implementation. Applicants must complete the HCP/NCCP Participation Package (see HCP/NCCP Chapter 6 *Program Participation and Conditions on Covered Activities*). During the preparation of CEQA documents, including a categorical exemption, initial study, negative declaration, notice of preparation, and environmental impact report, the Local Jurisdiction will determine if Aquatic Resources of Placer County will be impacted by the proposed project. If Aquatic Resources will be impacted, the Applicant must also complete the CARP Application. If the project's impacts to aquatic resources exceed the threshold(s) authorized by the USACE Programmatic General Permit and the Applicant is required to obtain a LOP or Standard Permit to impact aquatic resources, the Applicant must notify the Local Jurisdiction that one or more applications is being processed by the USACE by completing the relevant portion of the CARP Authorization Form (See Appendix E). As explained in Section 7.3, if a LOP or Standard Permit covering the project is issued, and a copy is provided to the Local Jurisdiction, a CARP Authorization is not required for the Project.

The CARP Application form requires a narrative description of the proposed project that includes details about project activities that will affect Aquatic Resources of Placer County. The Application also requires plan-view and cross-section view drawings to scale that show the location and extent of impacts to aquatic resources. The PB will conduct a site assessment (discussed below) to assess the extent of aquatic resources and Covered Species habitat within the project site. The PB will prepare or review (if already prepared) a delineation of aquatic resources. Impacts to aquatic resources and the Stream System shall be presented in a table which clearly identifies the different water types that will be impacted. Environmental review under CEQA may be required by the Local Jurisdictions as well.

The Applicant may be required to submit additional information for projects that impact streams below the OHWM. Additional information may include, but is not limited to, the following: location of the OHWM, dewatering plans, and location and description of temporary crossings, riparian vegetation, staging areas, and stream bank stabilization structures.

If the activities will require Notification under FGC 1602, the Applicant will submit a complete Notification package and applicable fee to the CDFW for review and determination of whether a LSAA will be issued.

5.2.2. Site Assessment

The purpose of the CARP site assessment is to evaluate aquatic resources present on the project site and determine the impacts that would result from the project. The CARP site assessment will help the Local Jurisdiction determine whether aquatic resources on a site should be preserved or whether land dedication, collection of Special Habitat Fees, or the purchase of credits at a mitigation bank is the preferable mitigation strategy.

The site assessment will include a preliminary review of high-resolution aerial photography, LiDAR, or other available imagery of the site, measurement of the extent of aquatic resources, and review of project plans. For small projects that have limited aquatic resources (less than 0.01 acre) for which the Applicant has not provided a delineation, the PB precisely maps the aquatic features found on the project site on a site plan provided by the Applicant. The mapping is based upon exact measurements taken of the aquatic features found at the project site. The PB works with the Applicant, PCA and/or Local Jurisdiction's Geographic Information System (GIS) staff to create an exhibit showing Aquatic Resources of Placer County and other pertinent features. The resulting exhibit will depict the type(s) of aquatic resources on the property and provide a table quantifying the size of each type of aquatic features to be affected directly and indirectly by the proposed action. For larger projects (i.e., projects that will be permitted through a LOP or Standard Permit) for which the Applicant obtains a LOP or Standard Permit to comply with section 404 of the CWA, a CARP site assessment will not be required. However, note that the delineation of WOUS required for a LOP or Standard Permit application must be provided by the Applicant as part of the HCP/NCCP Participation Package.

For applications processed by the Local Jurisdiction, the Local Jurisdiction's personnel will complete the CARP Site Assessment Form (sample in Appendix F) and document all sources of information, which may include, but is not limited to the following:

- Placer County, City of Lincoln, PCWA, PCA or other public GIS data sources
- Western Placer County aerial photographs
- Unmanned Aerial Vehicle photography and related data
- Light Detection and Ranging (LiDAR) data
- U.S. Geological Survey (USGS) quadrangles
- resource assessment and aquatic resource delineation provided by Applicant
- reports, such as hydrology studies, provided by Applicant
- Natural Resources Conservation Service (NRCS) surveys
- CEQA, NEPA or other documents that the PB considers current that were previously prepared for the site or in the vicinity of the project
- site photographs
- site visits by Local Jurisdiction personnel

- phone conversations with state and federal agency personnel
- phone conversations with consultants or other knowledgeable individuals
- HCP/NCCP land cover maps (GIS data)

Once the PB confirms the onsite habitat conditions and creates or reviews the delineation exhibit for accuracy, the information will be provided to the USACE for review and verification. A copy of the form will also be provided to the PCA.

5.2.3. Further Studies as Deemed Necessary

5.2.3.1 Biological Resource Effects Assessment

As noted above, Applicants must submit a Biological Resource Effects Assessment for any project with impacts to Covered Species habitat. This is also a requirement of the HCP/NCCP (HCP/NCCP Chapter 6 – *Program Participation and Conditions on Covered Activities*), and one assessment will serve for both applications.

5.2.3.2 Delineation of Aquatic Resources

If the site is small and has limited (less than 0.01 acre) aquatic resources, the PB will prepare the delineation if one is not provided by the Applicant. If there are aquatic resources greater than 0.01 acre in area, the Applicant will be required to provide an aquatic resource delineation map and report. The project's location within any Stream System must also be identified. These documents must be submitted to the Local Jurisdiction for approval. The Local Jurisdiction will then submit the delineation to the USACE for verification. Delineations must be conducted in accordance with current USACE methodology found on the USACE Sacramento District Regulatory Division website and meet the current USACE standards for delineations.

5.2.3.3 Other Studies That May be Required

Cultural Resources

As part of the initial CARP application review, the Local Jurisdiction will consult the County's cultural resource data base and will review the cultural resource report if one has been prepared. If cultural resources are present, the Local Jurisdiction will consult with County Museum staff to determine if the proposed project has the potential to affect cultural resources. If it is determined that the proposed project has the potential to impact cultural resources, Applicants must submit a cultural resource report (if one was not been submitted with the initial application) completed by a qualified archaeologist to current USACE standards, which may be found on the USACE Sacramento District Regulatory Division website. Documentation of consultation with Native American groups in the area must be included with the cultural report.

Onsite Project Alternatives

If the County determines that the proposed project does not avoid and minimize impacts to aquatic resources to the extent practicable, additional information regarding the practicability of an onsite alternative to the proposed action, may be required.

Other Studies

Depending on the findings of the PB site assessment, and aquatic resource delineation, the Local Jurisdiction may determine that other studies are required in order to determine impacts that may result from the proposed project. For example, a drainage or hydrology study may be required if a proposed project requires work within or adjacent to streams such as bridges, maintenance within a stream, outfalls, flood-protection capital projects, and any emergency actions that occur near streams. In addition, Applicants are encouraged to contact CDFW to verify the information provided in this Chapter would be sufficient for purposes of any compliance with FGC Section 1600 et seq. As noted earlier, CDFW can, in most circumstances, use the CARP in issuing Lake or Streambed Alteration Agreements to entities using the CARP by agreeing to the same avoidance, minimization, and mitigation measures as required under the CARP.

5.2.4. Avoidance and Minimization Measures

Avoidance and minimization requirements are discussed in detail in CARP Chapter 6. In brief, projects covered by the CARP must implement avoidance and minimization measures designed to protect Aquatic Resources of Placer County. Avoidance, minimization, and mitigation measures required by the CARP are derived from the HCP/NCCP and do not increase HCP/NCCP requirements. However, in some cases, the CARP's requirements regarding avoidance, minimization, or mitigation measure are more specific than called for in the HCP/NCCP. For example, the CARP may require certain BMPs that are specific to Aquatic Resources of Placer County. Applicants are required to avoid and protect Aquatic Resources of Placer County in the design of proposed projects and during construction and must include the following avoidance and minimization measures in the CARP Application:

- A description of the methods used to avoid and minimize impacts to protected resources in accordance with Chapter 6, Section 6.3 (*Conditions on Covered Activities*) of the HCP/NCCP (such as stream structural setbacks, grading permit requirements, conditions on the CARP authorization, etc.).
- A Stormwater Pollution Prevention Plan (SWPPP) or other document describing what methods will be used to ensure water quality downstream from the construction site. This information must provide a detailed description of applicable project-specific onsite avoidance and minimization measures showing the location of all erosion control fences and other barriers. Other measures required by the HCP/NCCP must be included for impacts to Covered Species habitat.
- A plan for restoring the construction site with vegetation, which includes the measures that will be used to prevent erosion until the site is re-vegetated. If the project site is a natural area, only native plant material may be used unless otherwise permitted by the Local Jurisdiction. Plant species listed on the California Invasive Plant Councils (Cal-IPC) Invasive Plant Inventory Database shall not be planted in these areas. If trees and shrubs will be planted, the plan must include a planting diagram showing the location and species of all woody vegetation to be planted and method of irrigation. Note that restoring the work area is required and is not considered to be mitigation for project impacts. Monitoring may be required to ensure that the construction site restoration objectives are met.
- A description of BMPs that shall be utilized for the proposed project. Applicable required BMPs for each Local Jurisdiction are provided in Appendices C-1 and C-2 (see CARP Section 4.7).

5.2.5. CEQA Review

If it is determined in the initial environmental review of a proposed project that there will be environmental impacts to Aquatic Resources of Placer County, impacts to special-status species, or impacts to cultural resources, a more comprehensive California Environmental Quality Act review of the project may be required beyond the programmatic coverage of the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) prepared for the PCCP. The Local Jurisdiction will determine the appropriate level of CEQA review that is required for the proposed project. For issuance of water quality certifications, Waste Discharge Requirements (WDRs) and Lake or Streambed Alteration Agreements (LSAAs), a project-specific CEQA document is required if the PCCP's programmatic EIR/EIS does not address project-specific impacts.

5.2.6. NEPA Review

The Programmatic General Permit (PGP), Regional General Permit (RGP), and LOP issued by the USACE for the CARP include a National Environmental Policy Act (NEPA) review. For all other permits issued under Section 404 of the CWA, the USACE will comply with NEPA and may require additional information for their review.

5.2.7. Proof of Fulfillment of Mitigation Requirements

Mitigation requirements are discussed in detail in CARP Chapter 6. In brief, to provide a CARP Authorization, the Local Jurisdiction must approve the method used for offsetting impacts to aquatic resources. Applicants must provide the following information:

- If in-lieu fees (ILFs) under the Western Placer County ILF program or any other agency-approved ILF program will be the mitigation mechanism, provide the amount of the required fees. (Note, ILF program credits will be allocated from the ILF program based on the mitigation requirements established by the CARP and will be covered by the PCCP Development Fees paid by the project applicant.)
- If the Applicant requests to contribute land in lieu of paying fees, the conditions listed in the HCP/NCCP Section 8.4.13 must be met, and a Land Dedication Agreement must be signed between the PCA and the Applicant.
- If the Applicant requests to offset impacts with mitigation bank credits, or requests land dedications in-lieu of paying mitigation fees, the request must be reviewed and approved by the Local Jurisdiction and appropriate state and federal agencies. Bank credits will be evaluated according to the resources affected by the project and credits available at agency-approved banks. Some banks may be pre-approved for CARP and PCCP use based on a finding that use of these banks is consistent with the CARP and HCP/NCCP conservation strategies. In such cases, bank credits will not require project-by-project approval from the agencies.

Chapter 6.

AVOIDANCE, MINIMIZATION, AND MITIGATION REQUIREMENTS

6.1. Introduction

The CARP, as a component of the PCCP, is designed to achieve the regional aquatic resources conservation goals and objectives of the HCP/NCCP and provide a program to protect Aquatic Resources of Placer County (see CARP Chapter 3 for definitions) at a more refined level. The CARP has been designed to integrate the HCP/NCCP conditions on Covered Activities that provide site-specific avoidance, minimization, and mitigation measures for impacts to natural communities. In addition to site-specific avoidance and minimization measures, the HCP/NCCP establishes compensatory mitigation requirements for impacts to Aquatic Resources of Placer County and for land area conversion (See Tables 6-1, 6-2, and 6-3 in the HCP/NCCP). The CARP also provides conservation measures to ensure that wetlands are protected and monitored in a landscape devoted to conservation and management in perpetuity.

The HCP/NCCP's regional conservation strategy focuses authorized impacts to natural resources (resources) near or within existing urban and PFG areas and away from rural and more intact natural areas (the RAA), thereby avoiding and minimizing impacts to natural resources on a regional scale. Compensatory mitigation measures are also directed toward the RAA and more intact watersheds, providing permanent protection to areas avoided under the HCP/NCCP's regional conservation strategy. By avoiding resources, minimizing impacts, and mitigating impacts on a regional scale, the HCP/NCCP and CARP prevent the establishment of a patchwork of small reserves surrounded by developments, and instead establish large interconnected reserves (Reserve System) within the RAA, with permanent site protections for aquatic resources. This comprehensive approach to conservation of natural resources concentrates protection where it has the greatest long-term value.

Establishment of a regional system of large, interconnected conservation reserves allows the Local Jurisdictions to comply with avoidance requirements of the Federal Guidelines promulgated under federal CWA Section 404(b)(1) at a regional scale. The regional conservation strategy described in CARP Chapter 4 is better-suited to protecting the long-term health and viability of aquatic resources than avoidance or onsite compensatory replacement on a project-by-project basis.

In the regional conservation strategy, onsite avoidance and minimization are also required within and adjacent to the Stream System. For infill areas of the PFG, it is projected that there will be small-scale effects as landowners continue to conduct activities on their property that may encroach into the Stream System (e.g., construction or modification of new small structures, bridges/culverts, installation of landscaping and hardscape materials, etc.). These infill impacts will be limited in scale and effect because of the largely built-out condition that already exists within watersheds dominated by infill development (e.g., upper reaches of Auburn Ravine, Dry Creek, and Pleasant Grove Creek). The PCCP Conservation Strategy would result in avoidance of the majority of the Stream System within the newly developed areas of the PFG. For new large projects, particularly in the Valley area of the PCCP Plan Area, the impacts will largely be limited to infrastructure

development such as road crossings, flood control improvements and stormwater features. It is also anticipated that there will be some amount of recreational development such as trails and the potential for indirect effects from adjoining land uses (see CARP Chapter 4). Consequently, residential and non-residential (e.g., commercial) development is focused in areas where aquatic resources are already degraded or have limited long-term viability because of their adjacency to urban areas, thus reducing the pressure for development in more rural areas with more intact aquatic resources. For the same reason, avoidance and minimization of impacts to aquatic resources are encouraged in the RAA, thus increasing protections for aquatic resources that are more intact, have greater long-term viability, and can be permanently protected in the regional Reserve System.

Under the CARP, HCP/NCCP Covered Activities that have the potential to impact Aquatic Resources of Placer County must implement avoidance, minimization, and compensatory mitigation measures designed to protect such resources. While site-specific avoidance and minimization measures required by the CARP are derived from the HCP/NCCP, the CARP's requirements regarding avoidance, minimization, or mitigation measures may be more specifically defined than in the HCP/NCCP.

6.2. Preferred Avoidance, Minimization, and Mitigation Strategies for Aquatic Resources in the PCCP Plan Area

The HCP/NCCP conservation strategy's watershed approach is discussed in detail in Section 4.2 of the CARP. This strategy focuses authorized impacts to natural resources near existing urban and PFG areas and away from more intact rural and natural areas (the RAA), thereby avoiding and minimizing impacts to natural resources on a regional scale. Compensatory mitigation is also directed toward the RAA and more intact watersheds, providing permanent protection to areas avoided under the HCP/NCCP's regional strategy.

Within the PFG area, each new land development project will be evaluated to ensure that site-specific avoidance occurs within and adjacent to the Stream System when practicable. If it is not practicable to avoid impacts to aquatic resources, then impacts shall be minimized as outlined in CARP Section 4.7.2. Compensatory mitigation will be required for any impacts to aquatic resources that remain after the incorporation of practicable avoidance and minimization.

6.2.1. Avoidance within the PCCP Plan Area

Avoidance of aquatic resources is required within the RAA and in the Stream System (as described in CARP Section 6.3). In addition, the HCP/NCCP's conservation strategy requires acquisition and preservation of land within the RAA for the purposes of protecting aquatic resources and providing habitat for Covered Species. Acquisition and preservation of land within the Stream System will occur when possible and when it can be demonstrated that the property to be acquired can be suitably managed as part of the HCP/NCCP Reserve System. Virtually all of the RAA has land use designations for non-urban land uses, such as agriculture, rural residential development, and open space.

In the PFG area, open space areas may be left within the project site, but in many cases their function will mainly be for land use buffers, landscaping, flood control, aesthetic, or recreational purposes

rather than biological conservation. However, it may be necessary to set aside and protect areas within the PFG that contain special-status species, including rare plants, which are not covered by the PCCP. Small, avoided areas are subject to secondary or indirect effects; for this reason, the CARP emphasizes avoidance of aquatic resources on a regional scale. Within the PFG area, onsite avoidance of aquatic resources is required when practicable in the Stream System or on adjacent lands that connect to the Stream System, the RAA, or existing preserves larger than 200 acres. When connected to a larger preserve area, these avoided resources will contribute to the ecological functions of the larger Stream System, RAA, or preserve. In addition to avoidance of aquatic resources of the Stream System under the CARP, the HCP/NCCP has specific avoidance criteria that are required for the “vernal pool complex” land type, which includes aquatic resources (HCP/NCCP Chapter 6, Section 6.3.2.1.1 - Community Condition 1, *Avoidance of Vernal Pool Complex Constituent Habitat*).

The Local Jurisdiction will evaluate proposed projects within the PFG for practicable onsite avoidance approaches. Factors such as the resource’s relationship to existing or potential reserves in the RAA and the location of the avoided resource within the Stream System will be considered during the evaluation. The evaluation will determine the extent to which impacts on the avoided aquatic resource are reduced and/or eliminated, as well as mitigation requirements for direct and indirect effects. In some cases, the Applicant may be required to provide information on the practicability of alternatives to the proposed action or revise their land plan to reduce impacts to aquatic resources. The Local Jurisdiction will consult the PCA for guidance in this determination.

6.2.2. Preferred Minimization within the PCCP Plan Area

If it is not practicable to avoid impacts to aquatic resources, then impacts must be minimized. Minimization within the PFG area consists of implementation of stormwater management plans, LID strategies, and Best Management Practices (BMPs).

6.2.2.1 Stormwater Management Plans

The Local Jurisdictions have adopted the West Placer Storm Water Quality Design Manual (County of Placer 2016), stormwater management plans, and/or programs that regulate new development, infill, and redevelopment as part of compliance with regulations under National Pollutant Discharge Elimination System (NPDES) Permit requirements. These plans and programs are designed to reduce the amount of pollutants that enter waterways as a result of human activities. The current Local Jurisdictions’ stormwater management plans must be followed when obtaining a CARP authorization.

6.2.2.2 Low Impact Development (LID) Strategies

The Local Jurisdictions have adopted LID strategies through the creation of LID standards. LID is an integrated, natural approach to managing stormwater close to its source and restoring and maintaining natural hydrologic and ecologic function (USEPA 2016). LID strategies and practices are incorporated into project design in part to replace some of the function of wetlands (e.g., water quality and groundwater recharge) that would otherwise be protected under the USACE standard onsite avoidance-based regulatory regime (see HCP/NCCP Chapter 6, Section 6.3.1.1 *General Condition 1, Watershed Hydrology and Water Quality*). These minimization strategies are focused on reducing contaminants within surface water runoff that occurs in the watershed of the development, thus reducing negative impacts to water quality.

LID strategies are designed to help mitigate for the direct, secondary, and cumulative impacts of onsite development, and to improve upon pre-construction environmental conditions (thereby reversing historical environmental damage and degradation). Implementation of LID strategies and practices produces post-construction environmental conditions that represent an improvement in ecological health and function when compared to traditional stormwater and flood control management practices. This methodology allows for filling some onsite Aquatic Resources of Placer County if the lost functions and services can be recreated, re-established, or rehabilitated elsewhere. Together, the conservation and compensatory activities occurring in the RAA, the use of LID strategies, and the regulation of activities within the Stream System (CARP Section 6.3.1) are designed to mitigate for impacts to Aquatic Resources of Placer County.

6.2.2.3 Best Management Practices (BMP)s

BMPs help to minimize potential impacts to Covered Species and Aquatic Resources of Placer County. The Local Jurisdictions have adopted BMPs (Appendices C-1 and C-2) that shall be utilized for all projects covered by the CARP within the PFG area within their jurisdictions and include BMPs that apply to both the HCP/NCCP and the CARP.

CARP BMPs are more detailed than standard BMPs in such areas as equipment and fuel storage and staging, stockpiling of erodible materials, sediment trapping, invasive plant control, and other requirements.

6.2.3. Compensatory Mitigation within the PCCP Plan Area

To obtain a CARP Authorization, the Applicant must avoid and minimize impacts to Aquatic Resources of Placer County as described in Section 6.2.1 and Section 6.2.2. The Applicant must compensate for any impacts that remain after practicable avoidance and minimization measures are incorporated to ensure that there is no net loss of aquatic resource functions and services. Compensatory mitigation shall be provided at a 1.5:1 ratio through payment of applicable PCCP Special Habitat Fee to the In-lieu Fee (ILF) program (CARP Section 4.6) or purchase of mitigation credits at an agency-approved mitigation bank. The 1.5:1 ratio applies to all wetland types described in CARP Chapter 3. For riverine/riparian constituent habitat the ratio is 1.52:1. Land dedications in lieu of fee payments are also permitted pursuant to Section 8.4.13 of the HCP/NCCP. Using the framework for compensatory mitigation defined in the HCP/NCCP, the PCA will use PCCP Development Fees to preserve aquatic resources within the RAA. The PCCP has three types of Development Fees:

1. **Land Conversion Fees**, which are required for the conversion of all land cover types by Covered Activities irrespective of the land cover type,
2. **Special Habitat Fees** for vernal pools (direct and indirect effects), aquatic/wetland, riverine/riparian stream system encroachments, and salmonid stream channels. Special Habitat Fees will be used to implement compensatory mitigation projects (creation, enhancement, and restoration) for impacts to aquatic resources within the HCP/NCCP Reserve System for the benefit of aquatic resources, Covered Species, and natural communities.
3. **Temporary Effect Fees**, which are discussed in detail in Section 9.4.1.5 of the HCP/NCCP

The PCCP includes an In-Lieu Fee Program (ILF) under which Applicants and Local Agencies may fulfill compensatory mitigation requirements for impacts to WOUS (Aquatic Resources of Placer

County include, but are not limited to, WOUS.) The ILF program would, therefore, provide compensatory mitigation for impacts regulated under Sections 404 and 401 of the CWA. Revenues from PCCP Special Habitat Fees would be used to fulfill the requirements of both the HCP/NCCP and the CARP; that is, Special Habitat Fees paid under the HCP/NCCP would cover CARP fee requirements for impacts to aquatic resources.

Because the HCP/NCCP conservation strategy includes the acquisition of a Reserve System and funding of restoration projects throughout the Plan Area in core habitat areas and within key habitat linkages and Riparian Zones, the ILF program can, under most circumstances, be used to offset unavoidable impacts from Covered Activities subject to notification under FGC Section 1600 et seq. In some cases, additional measures may be required, for example, to reduce or offset effects to non-Covered Species, or to minimize impacts to hydrology or sediment transport after review of project-specific construction plans. If the Applicant finds any of the additional measures proposed by CDFW to be unacceptable, negotiation may be initiated and conducted in accordance with FGC Section 1603. Nothing in the HCP/NCCP or the CARP alters FGC Section 1610 for Emergency Projects. Nothing in the CARP alters or limits CDFW's authority under FGC Sections 1600-1616.

In lieu of payment of a portion of PCCP Development Fees and the ILF, Applicants may also, under certain circumstances, purchase mitigation credits from agency-approved mitigation banks within the Plan Area or dedicate lands to the Reserve System (See Section 9.4.1.10 of the HCP/NCCP – Land Provided In Lieu of Development Fees). An Applicant may also implement a restoration or creation mitigation plan through the ILF review process (See HCP/NCCP Section 8.7.2 Restoration or Creation in Lieu of Special Habitat Fees and 9.4.1.4.2 Wetland Restoration or In-stream Enhancement provided in Lieu of Fee).

6.3. Stream System Preferred Avoidance and Minimization Strategies

The management of waterways and associated riparian habitat through the implementation of avoidance and minimization measures has become an increasingly important tool for protecting water quality, maintaining hydrologic conditions, and reducing factors that contribute to erosion. The HCP/NCCP has identified a Stream System (defined in CARP Section 3.5) within the Plan area that encompasses all riverine and valley foothill riparian mapped land cover (i.e., riverine and riparian community types) immediately adjacent to a stream (Figure 3-2). For projects where impacts within the Stream System are unavoidable (e.g. bridge crossing and bank stabilization), the projects must be designed to minimize adverse effects on stream morphology, aquatic and riparian habitat, and flow.

6.3.1. Regulation of Activity within the Stream System

The CARP Stream System boundary denotes an area that includes streams, floodplains (if present), and buffer areas adjacent to streams that may include upland natural communities. Avoidance and minimization of impacts where practicable within the Stream System boundary are necessary in order to protect those streams that are adjacent to new projects throughout the Plan area (RAA and PFG). Existing uses and activities within the Stream System are not subject to modification or retrofit unless a new application is filed for discretionary approval (e.g., grading permit, tentative map, parcel map, or conditional use permit), or a building permit is required for modifications to

existing structures that impact resources within the Stream System. Non-discretionary construction activities (e.g., construction of a new home or accessory building) would be subject to the standards in effect at the time of issuance of the building permit.

The basic Stream System boundary (defined in CARP Section 3.6) is measured from the edge of the OHWM on the side of the stream where the proposed project would occur. The basic boundary width depends on several factors including the size of the stream, its value as a wildlife corridor, and whether it provides habitat for salmonids. The width of a specified stream reach in western Placer County is listed in Table 6.1 and illustrated in Figure 6-1. (NOTE: The Stream System boundary is different than the watercourse structural setback requirements of local zoning codes.)

Table 6.1 Basic Boundary Widths for Specified Stream Reaches

Key	Stream Name Listed from North to South and from West to East	Basic Boundary in feet Measured from OHWM*
1	Bear River downstream of Camp Far West Dam	600
2	Bear River upstream of Camp Far West Reservoir	400
3	Yankee Slough downstream of Sheridan Lincoln Blvd. crossing	200
4	Yankee Slough upstream of Sheridan Lincoln Blvd. crossing	100
5	Yankee Slough North Fork to Riosa Road	100
6	Raccoon Creek downstream of the Doty Ravine Confluence	600
7	Raccoon Creek between the Doty Ravine Confluence and McCourtney Road	300
8	Raccoon Creek between McCourtney Road and Garden Bar Road	200
9	Raccoon Creek upstream of Garden Bar Road	100
10	Orr Creek	100
11	Dry Creek tributary to Raccoon Creek	100
12	Rock Creek	100
13	Deadman Canyon	100
14	Doty Ravine downstream of Caps Ravine	300
15	Doty Ravine upstream of Caps Ravine	100
16	Caps Ravine	100
17	Sailors Ravine	100
18	Markham Ravine downstream of Dowd Road	200
19	Markham Ravine between Dowd Road and Sheridan- Lincoln Blvd	100
20	Markham Ravine North Fork	100
21	Auburn Ravine downstream of Moore Road crossing	600
22	Auburn Ravine between Moore Road and Lincoln Blvd	400
23	Auburn Ravine between Lincoln Blvd and Fowler Road	300
24	Auburn Ravine between Fowler Road and Auburn WWTP	200
25	Auburn Ravine upstream of Auburn WWTP	100
26	North Ravine	100

Key	Stream Name Listed from North to South and from West to East	Basic Boundary in feet Measured from OHWM*
27	Dutch Ravine	100
28	Orchard Creek downstream of State Route 65	200
29	Orchard Creek upstream of State Route 65	100
30	Ingram Slough	100
31	King Slough	100
32	Pleasant Grove Creek – West of Reason Farms	400
33	Curry Creek downstream of Baseline Road	200
34	Curry Creek upstream of Baseline Road	100
35	Dry Creek downstream of Cook-Riolo Road	400
36	Dry Creek from Cook-Riolo to Roseville City Limits	300
37	Secret Ravine	200
38	Secret Ravine North Tributary	100
39	Secret Ravine South Tributary	100
40	Secret Ravine along Boardman Canal	100
41	Miners Ravine downstream of King Road	200
42	Miners Ravine upstream of King Road	100
43	Linda Creek downstream of Barton Road	200
44	Linda Creek upstream of Barton Road	100
45	Strap Ravine	100
46	Antelope Creek upstream of Loomis Town Limits	100
47	Mormon Ravine	100
N/A	Stream Reaches not Specified Above	50

**The Stream System basic boundary is measured directly outward from the OHWM. The OHWM corresponds to the waterline of the full channel when in non-flood condition and is defined as “that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas” (33 CFR 328.8(e))*

In addition, the Stream System boundary is further determined by the edge of the 100-year floodplain boundary as defined by the Federal Emergency Management Agency (FEMA) or project-specific information regarding the 100-year floodplain; whichever is greater. Therefore, if the boundary of the 100-year flood plain lies beyond the prescribed basic boundary width (Table 6.1), the Stream System would extend to whichever of these is located furthest from the OHWM, as illustrated in the following examples:

Example 1: The stream has a basic boundary width of 100 feet from the edge of the OHWM. However, the 100-year floodplain boundary is located 175 feet from the OHWM. Therefore, the width of the required boundary, in this case, would be 175 feet wide.

Example 2: The stream has a basic boundary width of 500 feet from the edge of the OHWM, and the 100-year floodplain extends 250 feet from the OHWM. Therefore, the width of the required boundary, in this case would be 500 feet.

Example 3: The stream has a basic boundary width of 100 feet from the edge of the OHWM. No 100-year floodplain is present. Therefore, the width of the required boundary in this case would remain 100 feet.

For the purpose of defining the Stream System, the OHWM and stream course will be determined and/or verified in the field by the PB as necessary.⁵

Some unnamed tributaries of named streams are not included in Table 6.1. Site-specific data is required to determine specific avoidance measures for these features. The default Stream System boundary width for these streams will be 50 feet from the edge of the OHWM. The default boundary width may be increased at the discretion of the PB if one of the following applies:

- The stream is determined to be perennial.
- It is determined that the stream provides habitat for salmonids, and/or
- Floodplain delineations are prepared as a part of project review and the 100-year floodplain boundary is in excess of fifty (50) feet.

In some cases where impacts are unavoidable, or if it is determined that avoidance and minimization measures do not contribute to the overall objectives of the CARP and HCP/NCCP, avoidance and minimization within the Stream System boundary will not be required. This may be particularly true for ephemeral streams and unlined private canals that have low functions and services associated with them. However, any impacts to Aquatic Resources of Placer County require compensatory mitigation.

The PB will determine the appropriate Stream System boundary width for these smaller streams on a case-by-case basis. The Local Jurisdiction can reduce the Stream System limit line following an assessment of either field conditions and/or remote sensing data. No separate discretionary permits are required from the Local Jurisdiction to reduce the default minimum.

6.3.2. Avoidance within the Stream System

Within the Stream System, the goal of the HCP/NCCP and CARP is to avoid impacts to natural resources, particularly streams and their associated riparian vegetation. Impacts to any aquatic resources (including streams below the OHWM), within the Stream System require a CARP Authorization. Wetlands within the PFG area must be avoided to the maximum extent practicable when adjacent to (bordering, contiguous, or neighboring), or part of the Stream System. The PCCP Implementation Ordinances require that a CARP Authorization be obtained for any HCP/NCCP Covered Activity that would directly and/or indirectly impact aquatic resources. To comply with the CARP, avoidance and minimization measures may be required, including project design modifications. In addition to the Conditions on Covered Activities listed in Chapter 6, Section 6.3 (*Conditions on Covered Activities*) of the HCP/NCCP, the CARP has the following protections that are intended to reduce the amount of disturbance that can occur within the Stream System:

- Disturbance within 50 feet of the edge of riparian vegetation shall be limited to exempt activities (CARP Section 6.3.3) such as bridge crossings, bank stabilization, and restoration activities.

⁵ As mentioned in section 5.2.3.3.3, Applicants are encouraged to contact CDFW to verify the information they are developing would be sufficient for purposes of any compliance with FGC Section 1600 et seq.

- Any grading activity within the floodplain of the unincorporated areas of the Placer County requires a grading permit. Additionally, a Stream System Grading Permit is required for any grading activity over 25 cubic yards within the Stream System. For all other areas outside of the Stream System, a grading permit is required for any grading activity over 250 cubic yards or as required by Placer County Code.
- For the City of Lincoln, any grading activity over 50 cubic yards within the City of Lincoln (including all upland areas) requires a grading permit from the City.
- No structures are permitted within 50 feet of intermittent streams or within 100 feet of perennial streams unless authorized through an approved variance processed by the Local Jurisdiction in consultation with the PB (see CARP Section 6.3.4). A setback of 50 feet is required from the edge of ponds. In the unincorporated area, a structure is defined as being 120 square feet or greater with a permanent attachment to the ground. Minimization measures such as stormwater management plans, LID practices, and BMPs apply to all Aquatic Resources of the County both within the Stream System and throughout the Plan Area (CARP Section 6.2.2).
- Within the City of Lincoln, lands located within the 100-year floodway (as shown on the Flood Insurance Rate Map [FIRM]) and for floodplain fringe areas, as determined by a project drainage plan, must be set aside as open space that is dedicated to the City or a non-profit organization acceptable to the City and preserved through perpetual covenants enforceable by the City or other appropriate agencies, to ensure their maintenance and survival.
- Within the City of Lincoln, land located within a minimum of 50 feet from the center channel of all perennial and intermittent streams and creeks providing natural drainage, and to areas consisting of riparian habitat, must be set aside as open space that is dedicated to the City or a non-profit organization acceptable to the City and preserved through perpetual covenants enforceable by the City or other appropriate agencies, to ensure their maintenance and survival.

6.3.3. Activities Exempt from CARP Requirements within the Stream System Boundary

The Stream System boundary does not include irrigation canals, underground stream reaches, or drainages and swales that have neither defined bed and bank nor evidence of scour or sediment transport. These features may, however, be subject to the avoidance and minimization measures, and mitigation requirements of the HCP/NCCP including the payment of Land Conversion and Special Habitat fees.

Exemptions within the Stream System include the following:

- Covered Activities that entail work within or adjacent to streams such as bridges, maintenance within a stream, outfalls, flood protection capital improvement projects, and any emergency actions that occur near streams
- Recreational trails (see Section 6.3.6.2, HCP/NCCP)
- New installation, maintenance, or replacement of utilities that result in no new significant permanent disturbance to the Riparian Zone during construction and operation and generate only incidental human activity with temporary loss of habitat
- Construction and maintenance of access roads providing access to streams or levees for managing facilities and infrastructure

- Stream crossings essential for access to a parcel or facility (i.e., crossing the stream is the only available means to access the parcel)
- Implementation of LID strategies
- Restoration projects
- These activities must still adhere to the HCP/NCCP (HCP/NCCP Section 6.3), where applicable. Covered Activities exempt from the Stream System requirements will still be subject to applicable PCCP Program Development Fees (see HCP/NCCP Chapter 9, Section 9.4.1 *HCP/NCCP Development Fees*).⁶ Impacts to aquatic resources within the Stream System must still obtain a CARP authorization and are subject to Special Habitat Fees.

6.3.4. Structural Exception Provisions

Under the CARP, structures within 50 feet from centerline of intermittent streams and 100 feet from centerline of perennial streams are not allowed. Additionally, a structural setback of 50 feet is required from the edge of ponds measured at the high-water line. A structure is generally defined as being 120 square feet or greater with a permanent attachment to the ground. In addition, within the City of Lincoln, 100-year floodplain areas within a minimum of 50 feet from the center channel of perennial and intermittent streams and creeks are designated as Open Space by the City's General Plan.

Structural setback requirements that apply to parcels with varying site characteristics require a clear and practical set of exceptions. The term "exception" means that an allowance for a reduction in the mandated structural setback distances is necessary to allow reasonable use and development of a property, based on the variety of unique characteristics that may affect the property.

Structural exceptions are intended to be used in the very few cases where circumstances limit or restrict the ability of a landowner to fully apply the structural setbacks to the design of the proposed project.

A proposal for an exception shall be requested through the CARP application process and any local procedures required by the Local Jurisdiction. Applications for structural setback exceptions must be reviewed and approved by the Local Jurisdiction based upon their own administrative procedures (e.g., variance application). The reduction in the setback must be based upon special circumstances applicable to the specified property, including size, shape, topography, location, or surroundings, and, if due to these circumstances, the strict application of the setback would deprive the property of privileges enjoyed by other property or properties in the near vicinity and subject to the same setback standards.

As part of the review process, the Local Jurisdiction must consider the implications of 1) a reduced setback on the aquatic resource, 2) progress toward the biological goals and objectives of the HCP/NCCP, and 3) effects on surrounding aquatic resources. The Local Jurisdiction must make written findings that document these considerations and the rationale for the exception and report the outcome of decisions on the exceptions to the PCA. The findings required to approve an exception must be supported by factual information and judgments in the record.

⁶ Compliance with FGC Section 1600 et seq. may also be required. As mentioned in section 5.2.3.3.3, Applicants are encouraged to contact CDFW.

The Local Jurisdiction may require technical reports from qualified professionals or consultants to support the exception request. For example, for any significant proposed reduction in the structural setback, studies and reports by a qualified biologist, stream hydrologist, registered engineer, and/or other professionals may be required as a basis for making the necessary findings.

The established structural setbacks may be reduced based on site conditions or project design. This finding may be based on topography and will often apply to small tributaries, intermittent or ephemeral streams, and swales where less than the default 50-foot setback is warranted. In some cases, these features may have been filled, realigned, or otherwise modified from their natural condition. LID strategies and realignment or relocation may be used to minimize and avoid impacts to these resources and justify reducing the prescribed setback.

The PCA will coordinate with Local Jurisdictions to compile a list of all exceptions granted each calendar year for inclusion in the annual report to the state and federal regulatory agencies.

6.3.5. Project Modification Standards

As stated in CARP Section 6.3.2, project modifications may be required in order to avoid and/or minimize effects within the Stream System boundary. During discretionary review of projects that have the potential to impact the Stream System (including tentative maps, parcel maps, conditional use permits, structural setback exceptions [e.g., variances], and grading permits), the following standards would apply to ensure avoidance and minimization where practicable:

- Move the location of the proposed land use or land development activity so that no direct or indirect effects are generated.
- Reduce or modify the scale of the proposed land use or activity so that no direct or indirect effects are generated.
- Modify the type of land use or proposed activity if the primary project objective can still be achieved so that there are no direct or indirect effects generated.

The same three standards would apply to minimizing effects. If the standards cannot achieve avoidance and minimization while still allowing the project objective to be realized, the implementation of mitigation measures is required.

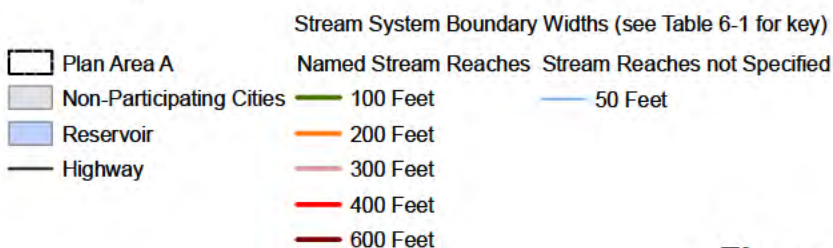
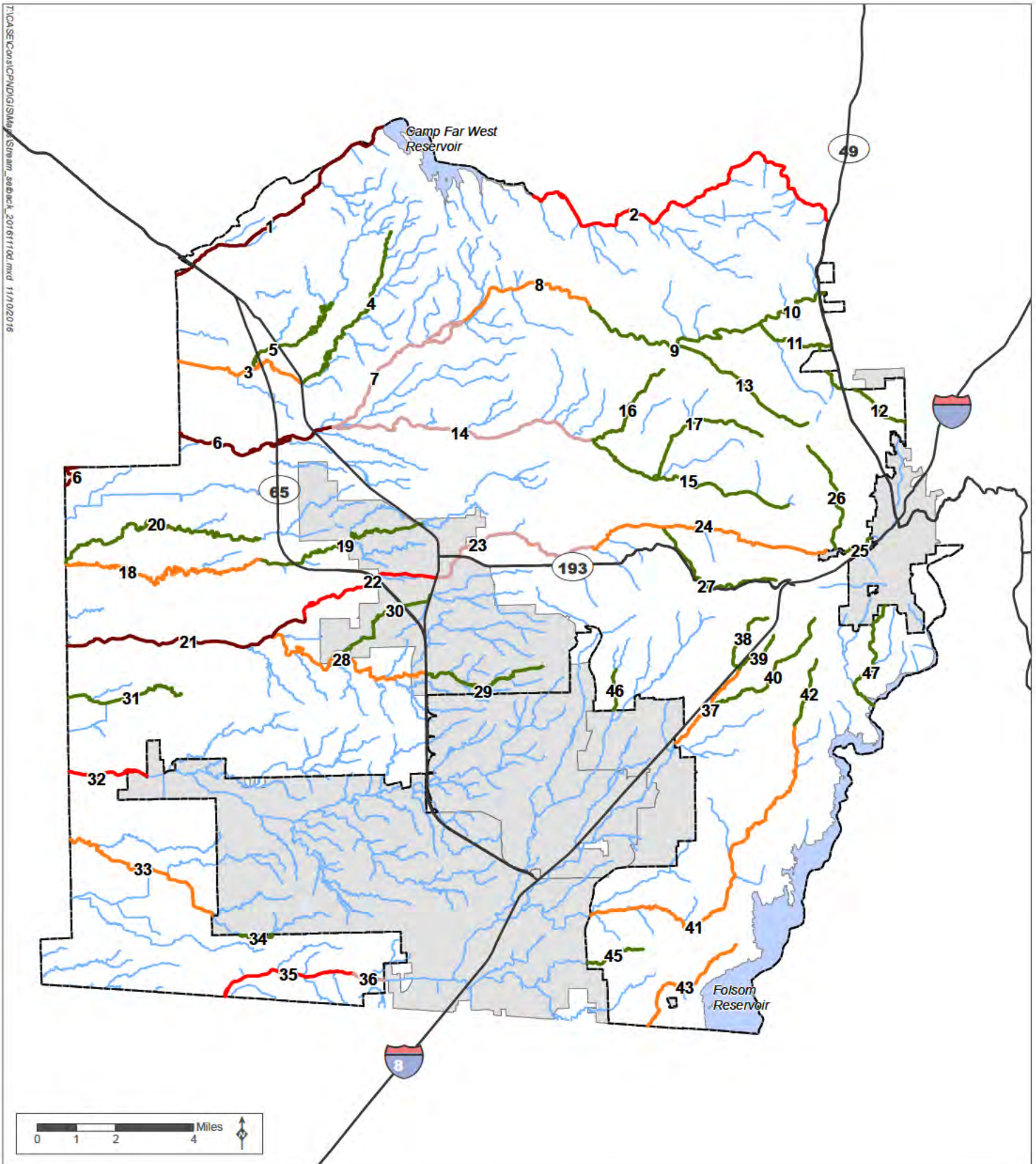


Figure 6-1 Stream System Boundary Widths

Placer County Conservation Program - Western Placer County HCP/NCCP

Chapter 7. CARP PROCEDURES, TIMELINES, AND CONDITIONS OF APPROVAL

7.1. Introduction

CARP procedures are designed to occur concurrently with the HCP/NCCP permitting process (HCP/NCCP Chapter 6, Section 6.2 *Program Participation: Receiving Take Authorization under the Plan*) and, as needed, the CEQA process. This Chapter explains the permitting processes, procedures, and timelines that can be anticipated when submitting a CARP Authorization Form. A detailed description of the documents required for submittal of a CARP application is provided in Chapter 5 of this document. A detailed description of the avoidance, minimization, and mitigation requirements of the CARP authorization is provided in Chapter 6. Applicants are encouraged to review the requirements described in CARP Chapters 5 and 6, as well as the procedures outlined in this Chapter prior to submitting an application for a CARP Authorization.

7.2. Initial Screening and Consultation

For discretionary projects subject to CEQA, the Applicant initiates the first step in determining whether compliance with the CARP is required by submitting an application with an environmental supplement to the Local Jurisdiction (Appendices D-1 through D-3). For ministerial projects not subject to CEQA, the project proponent will file the appropriate land development application (e.g., building permit). These applications will be reviewed by a Local Jurisdiction's staff to: 1) determine the completeness of the application, 2) determine the project's complexity, and 3) assess the likelihood that Aquatic Resources of Placer County are present on the proposed project site. The Local Jurisdiction will review the best available information and resources (e.g., LiDAR, high-resolution aerial photography, or other available imagery of the site) and may need to conduct a site visit to determine if Aquatic Resources of Placer County are present. If aquatic resources are present or are likely to be present, a CARP Authorization will be required, and a full site assessment and aquatic resource delineation will be required, and the application will be required to file a CARP Application (Appendix E). Many Applicants will already know that they have Aquatic Resources present and will submit the CARP Application with their development project applications.

For larger, more complex projects (i.e., projects that will be permitted through a LOP or standard permit), prior to submitting a CARP application, Applicants must participate in an Initial Consultation (pre-application meeting) with Local Jurisdiction staff to review the proposed project and determine whether a CARP Authorization is needed. The Initial Consultation will also help to determine the level of CEQA review necessary and will identify any studies that may be needed in addition to the required aquatic resource delineation and Biological Resources Assessment (CARP Chapter 5). The process of the Initial Screening and Consultation is illustrated in Figure 7-1.

During Initial Consultation, Applicants will be expected to adequately describe the site and provide aerial photographs, drawings, site plans, or tentative maps with enough information to determine if aquatic resources are present on the project site, and if the proposed project will impact those

resources that are identified as Aquatic Resources of Placer County. A list of application requirements is provided in CARP Chapter 5. Some sites may not have Aquatic Resources of Placer County present, and/or some activities may not affect Aquatic Resources of Placer County, and thus, compliance with the CARP may not be required. If the Applicant or Local Jurisdiction representative identifies aquatic resources onsite, the resources must be shown on a project map, site plan, or tentative map. In all cases, Aquatic Resources of Placer County are to be depicted even if an Applicant is proposing avoidance of all direct and indirect effects.

If compliance with the CARP is not required due to the absence of Aquatic Resources of Placer County or the absence of any effect on Aquatic Resources of Placer County, the Applicant may proceed through the HCP/NCCP application process.

If Aquatic Resources of Placer County are present and impacts to these resources are anticipated, compliance with the CARP will be required, and the Applicant will be provided with both the HCP/NCCP and CARP Application packages (Appendix E). The Applicant will be required to complete and submit both applications along with the Local Jurisdiction's standard planning project application forms (Appendix D).

7.3. CARP Authorization Process

The CARP Authorization process closely follows the Local Jurisdiction's environmental review (i.e., CEQA) and discretionary entitlement review process. As part of the entitlement review process, Local Jurisdictions require that all Applicants fill out a project application and a supplemental environmental form. After review of these two forms, the Local Jurisdiction will determine if a CARP Authorization and CARP Application are required for the Covered Activity. For non-discretionary projects that are Covered Activities, the Local Jurisdiction and PB will evaluate the project's ministerial application (e.g., building permit) to determine if there is any potential impact to Aquatic Resources (See Section 5.2)

If the project's impacts to aquatic resources exceed the threshold(s) authorized by the USACE PGP and the Applicant is required to obtain a LOP or Standard Permit to comply with section 404 of the CWA, the Applicant must notify the Local Jurisdiction that one or more applications is being processed by the USACE by completing the relevant portion of the CARP Authorization Form (Appendix E) and, once issued, must provide a copy of the approved LOP or Standard Permit to the Local Jurisdiction. For these projects, a CARP Authorization will not be required, provided the project complies with the terms and conditions of the LOP or Standard Permit and the requirements of the HCP/NCCP, including but not limited to the payment of applicable PCCP Development Fees. The process described below applies to Covered Activities authorized by the Local Jurisdiction that meet the threshold for the PGP.

As illustrated in Figure 7-2, once the Applicant submits the CARP application, the Local Jurisdiction will have 15 calendar days to review it for completeness and request additional information. Once the application is deemed complete, the PB will have 15 calendar days to conduct a site assessment to evaluate the extent of aquatic resources that are present and to determine if habitat for Covered Species or cultural resources will be affected by the proposed project (CARP Chapter 5). The PB will either map the aquatic resources within the proposed project site for small projects (projects with less than 0.01 acres of aquatic resources) if one is not provided by the Applicant, or review the delineation provided by the Applicant. The purpose of the review is to ensure that the delineation

meets the USACE's minimum standards for delineations in order to expedite the verification process at the USACE. The PB's review is not intended to provide a two-step verification process. The review of the delineation will occur during the 15-calendar day review period. The Applicant may be asked to provide additional information and conduct further studies after the PB has conducted the site assessment.

Once the aquatic resource delineation is reviewed by the PB, the Local Jurisdiction will submit it to the USACE for verification, as necessary under the USACE Section 404 permitting strategy for Covered Activities. This step is not necessary if the Applicant has already received a valid aquatic resources verification or preliminary or approved jurisdictional determination from the USACE. This step is also not necessary if the Applicant notifies the Local Jurisdiction that it is filing a separate LOP or Standard Permit application with the USACE. In addition to a delineation, the Applicant will also submit any other documents required to complete the application, and once these have been received and the delineation has been verified, the CARP Application will be deemed complete, and the process will continue. The proposed project will be evaluated by Local Jurisdiction staff and the PB to ensure that Aquatic Resources of Placer County within or adjacent to the Stream System, or an existing preserve, are being avoided to the greatest extent practicable. The Applicant may be required to modify their project to avoid aquatic resources.

If a Water Quality Certification is required for the project, a fee as required by Section 2200(a)(3) of the California Code of Regulations must accompany the CARP Application, and the application will be placed on public notice through the Central Valley RWQCB website for 21-days or as otherwise required by the State. If the Applicant indicates that project activities will not impact waters of the U.S. (WOUS) and will only impact WOS, the Local Jurisdiction will forward the CARP Application to the RWQCB for review and issuance of Waste Discharge Requirements (WDRs). The CARP Application fulfills the requirement under California Water Code Section 13260 to submit a Report of Waste Discharge for WDRs.

If the activities will require Notification under FGC Section 1602, the Applicant will submit a complete Notification package and applicable fee to CDFW for review and determination of whether a LSAA will be issued. The HCP/NCCP and the CARP can, under most circumstances, serve as the framework for determining the avoidance and minimization measures and compensatory mitigation requirements to offset impacts from activities subject to FGC 1600 et seq.

The CEQA process will run concurrently with the permitting process described above and integrate the CARP's BMPs and mitigation measures into the final environmental document. This timeline may vary depending on the outcome of the analysis of impacts (such as traffic, air quality, noise, biology, etc.) and the level of environmental review required for the project (Negative Declaration [Neg. Dec.], Mitigated Negative Declaration [MND], or Environmental Impact Report [EIR]).

After all approvals have been obtained and the Applicant has paid all the applicable fees, the CARP Authorization will be granted through a CARP Authorization Form.

7.4. Process for CARP Authorizations of Local Jurisdiction Projects

To gain CARP Authorization for Local Jurisdiction projects, a site assessment will be conducted, and all aquatic resources will be mapped. A Site Assessment Form will be completed to determine the

extent and type of biological, aquatic, and cultural resources present. The Site Assessment Form will establish applicable CARP requirements for the project. If the proposed project meets all the requirements of the CARP as noted on the Site Assessment Form, then the project will have authorization under the CARP.

CARP Authorizations are not required for a Local Jurisdiction project if a LOP or Standard Permit is issued for the project by the USACE.

All Site Assessment Forms will be submitted to the PCA, which will maintain a record of all CARP information provided by the Local Agencies for all projects covered by the CARP.

7.5. CARP Authorization Conditions of Approval

The following conditions apply to all Covered Activities that have the potential to impact Aquatic Resources of Placer County:

Administrative

- All work within the Plan Area that impacts Aquatic Resources of Placer County shall be completed according to the plans and documents included in the CARP application, Water Quality Certification, and, if applicable, WDRs. All changes to those plans shall be reported to the Local Jurisdiction. Minor changes may require an amendment to the CARP Authorization, Water Quality Certification, and, if applicable, WDRs. Substantial changes may render the authorization, Water Quality Certification, and, if applicable, WDRs, void, and a new application may be required.
- A copy of the CARP conditions and Water Quality Certification and WDRs shall be given to individuals responsible for activities on the site. Site personnel, (employees, contractors, and subcontractors) shall be adequately informed and trained to implement all permit, Water Quality Certification, and WDR conditions and shall have a copy of all permits available onsite at all times for review by site personnel and agencies.
- Any construction within the Stream System shall be implemented in a way to avoid and minimize impacts to vegetation outside the construction area. All preserved wetlands, other Aquatic Resources of Placer County, and the Stream Zone shall be protected with bright construction fencing. Temporary fencing shall be removed immediately upon completion of the project.
- Before beginning construction, the project Applicant must have a valid CARP authorization or waiver notice. In order to obtain a permit, the Applicant must pay all mitigation fees or purchase appropriate credits from an agency-approved mitigation bank.
- All deviations from plans and documents provided with the Application and approved by the Local Jurisdiction must be reported to the Local Jurisdiction immediately.

Erosion Control

- Erosion control measures shall be specified as part of the CARP application, and the application is not complete without them. All erosion control specified in the permit application shall be in place and functional before the beginning of the rainy season and shall remain in place until the end of the season. Site supervisors shall be aware of weather forecasts year-round and shall be

prepared to establish erosion control on short notice for unusual rain events. Erosion control features shall be inspected and maintained after each rainfall period. Maintenance includes, but is not limited to, removal of accumulated silt and the replacement of damaged barriers and other features.

- All required setbacks shall be implemented according to the HCP/NCCP Condition 4 (HCP/NCCP Section 6.1.2).

Work Period

- All work in aquatic resources within the Stream System shall be restricted to periods of low flow and dry weather between April 15 and October 15, unless otherwise permitted by Local Jurisdictions and approved by the appropriate State and federal regulatory agency. Work within aquatic resources in the Stream System outside of the specified periods may be permitted under some circumstances. The Applicant must provide the Local Jurisdiction with the following information: a) the extent of work already completed; b) specific details about the work yet to be completed; and c) an estimate of the time needed to complete the work in the Stream System.

Restoration

- Following work in a stream channel, the low flow channel shall be returned to its natural state to the extent possible. The shape and gradient of the streambed shall be restored to the same gradient that existed before the work to the extent possible.
- Work shall not disturb active bird nests until young birds have fledged. To avoid impacts to nesting birds, any disturbance shall occur between September 1 and February 1 prior to the nesting season. Tree removal, earthmoving or other disturbance at other times is at the Local Jurisdiction's discretion and will require surveys by a qualified biologist to determine the absence of nesting birds prior to the activity.
- All trees marked for removal within the Stream System must be shown on maps included with the Application. Native trees over five inches diameter at breast height (DBH) shall not be removed without the consent of the Local Jurisdiction.

Dewatering/Diversion

- Except for site preparation for the installation and removal of dewatering structures, no excavation is allowed in flowing streams unless dredging WDRs are issued by the RWQCB. Detailed plans for dewatering must be part of the Application.
- Temporary crossings as described in the Application shall be installed no earlier than April 15 and shall be removed no later than October 15, unless otherwise permitted by Local Agencies and approved by the appropriate State and federal regulatory agency. This work window could be modified at the discretion of the Local Jurisdiction and the CDFW.

Equipment/Staging Areas

- No vehicles other than necessary earth-moving and construction equipment shall be allowed within the Stream System after the section of stream where work is performed is dewatered. The equipment and vehicles used in the Stream System shall be described in the Application.
- Staging areas for equipment, materials, fuels, lubricants, and solvents shall be located outside the stream channel and banks and away from all preserved aquatic resources. All stationary equipment operated within the Stream System must be positioned over drip-pans. Equipment

entering the Stream System must be inspected daily for leaks that could introduce deleterious materials into aquatic resources. All discharges, unintentional or otherwise, shall be reported immediately to the Local Jurisdiction. The Local Jurisdiction shall then immediately notify the appropriate state and federal agencies.

- Cement, concrete, washings, asphalt, paint, coating materials, oil, other petroleum products, and other materials that could be hazardous to aquatic life shall be prevented from reaching streams, lakes, or other water bodies. These materials shall be placed a minimum of 50 feet away from aquatic environments. All discharges, unintentional or otherwise, shall be reported immediately to the Local Jurisdiction. The Local Jurisdiction shall then immediately notify the appropriate state and federal agencies.
- During construction, no litter or construction debris shall be dumped into water bodies or other aquatic resources; nor shall it be placed in a location where it might be moved by wind or water into aquatic resources. All construction debris shall be removed from the site upon completion of the project.
- Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions. A list of all pesticides that may be used in the project area shall be submitted to the Local Jurisdiction before use.

Wildlife

- The Local Jurisdiction shall be notified immediately if threatened or endangered species that are not Covered Species are discovered during construction activities. The Local Jurisdiction shall suspend work and notify the USFWS, NMFS, and the CDFW for guidance.
- Wildlife entering the construction site shall be allowed to leave the area unharmed or shall be flushed or herded humanely in a safe direction away from the site.
- All pipe sections shall be capped or inspected for wildlife before being placed in a trench. Pipes within a trench shall be capped at the end of each day to prevent entry by wildlife, except for those pipes that are being used to divert stream flow.
- At the end of each workday, all open trenches will be provided with a ramp of dirt or wood to allow trapped animals to escape.

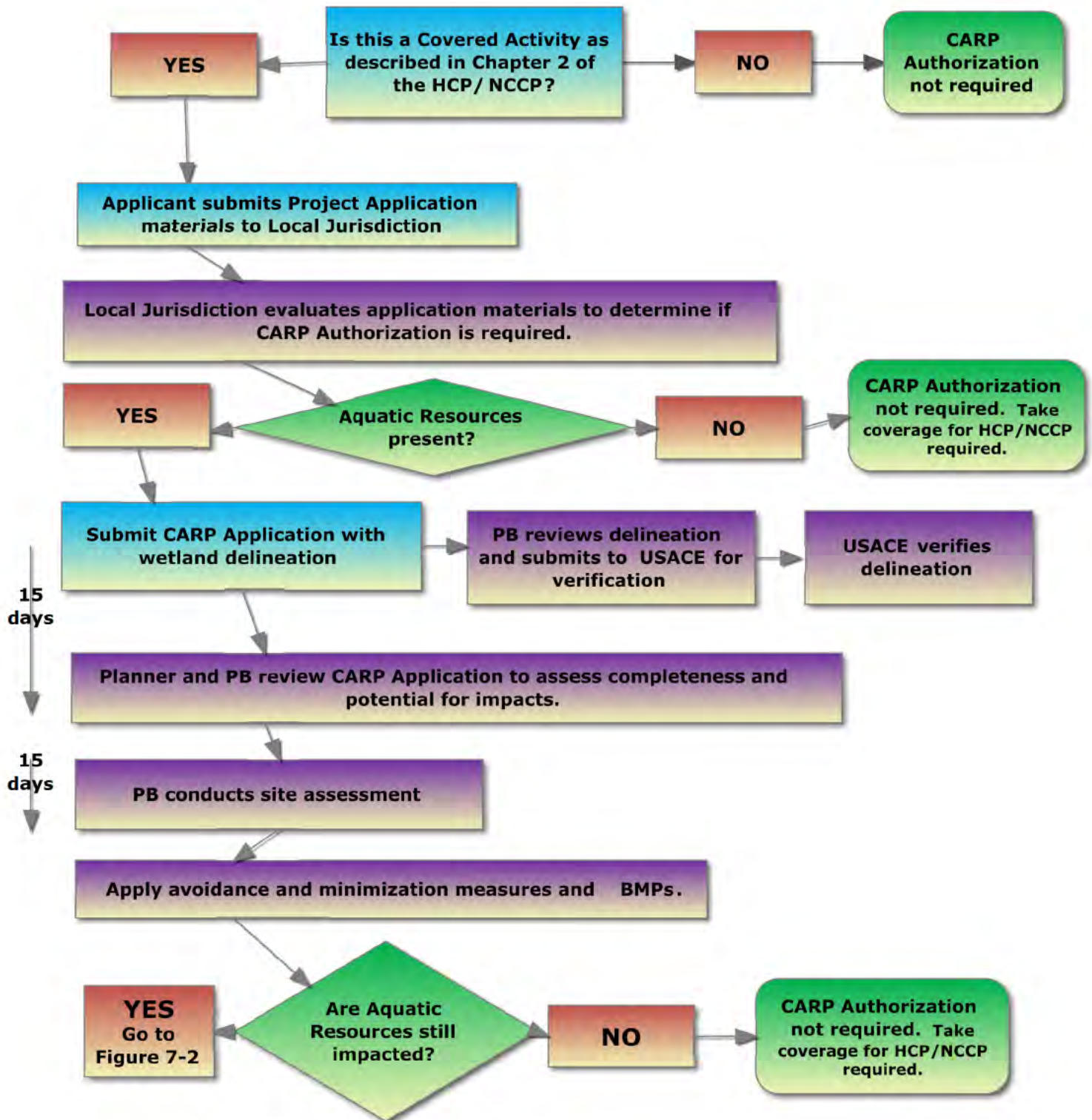
Cultural Resources

- If human remains or cultural artifacts are discovered during construction, the Applicant shall stop work in the area and notify the Local Jurisdiction immediately. Work will not continue in the area until a qualified coroner and archaeologist have evaluated the remains, conducted a survey, prepared an assessment, and required consultations are completed.

Additional Conditions

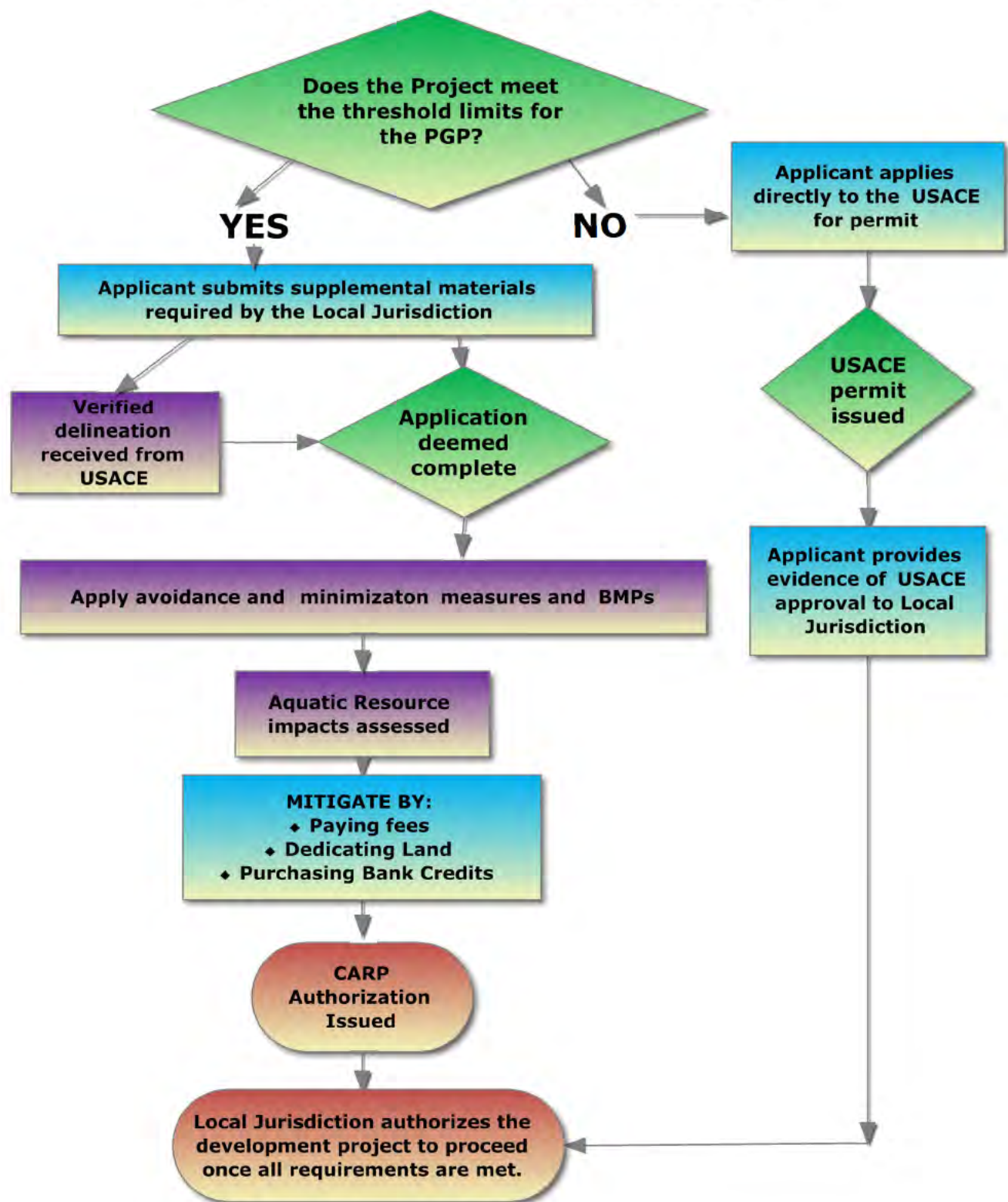
- Additional conditions may be required by CDFW if the Covered Activity is subject to a LSAA.

DRAFT FIGURE 7-1 CARP Initial Screening and Consultation



Agency Action/Step
 Applicant Step
 Decision Step
 Determination

**Figure 7-2
CARP Authorization Process**



Chapter 8.

PLACER COUNTY WATER AGENCY WATER CONVEYANCE FACILITIES

8.1. Description of Placer County Water Agency Water Conveyance Facilities That Are Not Part of the Stream System

Placer County Water Agency (PCWA) water conveyance facilities include irrigation ditches, also referred to as canals, and other non-natural water conveyance features in PCWA's service area. PCWA's irrigation ditches / canals are man-made features constructed as ditches excavated in uplands for the purpose of water distribution. These facilities do not serve in lieu of a natural stream to maintain hydraulic continuity with the watershed above.

8.2. Applicability of the Stream System Requirements

Construction and maintenance of canals or irrigation ditches consistent with Section 404(f) of the CWA is exempt from permitting requirements associated with discharges of dredged or fill material into waters of the U.S. These canals / ditches constructed in uplands are not within the Stream System under Section 3.6 of the CARP and their operation and maintenance is not subject to PCCP Special Habitat Fees. These canals/ditches may still require notification under FGC 1602.

Any discharge of dredged or fill material into aquatic resources incidental to any activity having as its purpose bringing an area of the aquatic resources into a use to which it was not previously subject, where the flow or circulation of aquatic resources may be impaired or the reach of such waters be reduced, shall be required to obtain an authorization through the CARP. Also, these activities must still adhere to the HCP/NCCP (HCP/NCCP Section 6.3), where applicable. Impacts to aquatic resources within the Stream System must still obtain a CARP authorization and are subject to Special Habitat Fees.

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9.1. Description of Placer County Vineyards Specific Plan Avoidance, Minimization and Mitigation Requirements

The Placer County Board of Supervisors approved the Placer Vineyards Specific Plan (PVSP) in 2007 and approved amendments to the PVSP in 2015. All PVSP development is required to comply with the “Placer Vineyards Mitigation Strategy” adopted by Placer County in connection with the PVSP (See Section 8.9.5 of the HCP/NCCP). Subsequent to those approvals, a Programmatic Biological Opinion was issued by the FWS in April of 2016 and NMFS issued a “not likely to adversely affect” letter in May of 2016. The USACE subsequently issued a Record of Decision and CWA section 404 permits for some of the projects, including an RGP for backbone infrastructure.

Because the PVSP local government entitlement and some FESA/404 authorizations were finalized while the PCCP was still in development, some of the avoidance and minimization measures and mitigation requirements in the PVSP Mitigation Strategy differ slightly from the Conditions on Covered Activities in Chapter 6 of the HCP/NCCP and the Avoidance, Minimization and Mitigation Requirements of the CARP (Chapter 6). These differences are described in Appendix N of the HCP/NCCP (Placer Vineyards Specific Plan).

Except as provided for in Section 8.9.5 and Appendix N of the HCP/NCCP, projects in the PVSP will obtain take authorization through the HCP/NCCP and CARP under the same terms and conditions as other Covered Activities.

9.2. Applicability of the CARP Stream System Requirements

Section 6.3 of the CARP (Stream System Preferred Avoidance and Minimization Strategies) describes how projects can avoid and minimize effects to the Stream System. The section also includes standards and criteria that will assist project proponents in devising their avoidance and minimization strategies for individual projects.

The Placer Vineyards Mitigation Strategy, Programmatic Biological Opinion, and Section 8.9.5 and Appendix N of the HCP/NCCP describe avoidance criteria for PVSP that may differ from CARP Section 6.3.2 (Avoidance within the Stream System). The PCA, in consultation with the appropriate state or federal agency with jurisdiction over an aquatic resource of Placer County (e.g., USACE, CDFW or RWQCB) may authorize avoidance criteria within PVSP that differs from the requirements of Section 6.3.2.

9.3. Onsite Avoidance Within Placer Vineyards

Avoidance of aquatic resources of Placer County within the PVSP project will be consistent with the USACE's Record of Decision (ROD) for the Environmentally-Preferred Alternative (SPK-1999-00737) and Appendix N, Sections N.3.1 (Avoidance Requirements) and N.3.2. (Onsite Mitigation/PCCP Protection Commitments) of the HCP/NCCP. Compliance with the requirements of the ROD and HCP/NCCP may differ from CARP Chapter 6, Sections 6.2.1 (Avoidance within the PCCP Plan Area) and 6.3.2 (Avoidance within the Stream System).

Chapter 10.

LIST OF ACRONYMS AND DEFINITIONS

10.1. List of Acronyms

BMPs	Best Management Practices
CARP	Western Placer County Aquatic Resources Program
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CWA	Clean Water Act
DBH	Diameter at Breast Height
EFH	Essential Fish Habitat
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
FAC	Facultative (species)
FACW	Facultative wetland (species)
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
GIS	Geographic Information Systems
HCP/NCCP	Western Placer County Habitat Conservation Plan and Natural Community Conservation Program
HUC	Hydrologic Unit Code
ILF	In-lieu Fee
IPA	Initial Program Application
LID	Low Impact Development
LOP	Letter of Permission
LSAA	Lake or Streambed Alteration Agreement
MND	Mitigated Negative Declaration
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act

NHD	National Hydrography Dataset
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
OHWM	Ordinary High-Water Mark
PA	Programmatic Agreement
PB	Program Biologist
PCA	Placer Conservation Authority
PCCP	Placer County Conservation Plan
PCWA	Placer County Water Agency
PFG	Potential Future Growth Area
PG&E	Pacific Gas and Electric Company
PGP	Programmatic General Permit
RAA	Reserve Acquisition Area
RGP	Regional General Permit
RWQCB	Regional Water Quality Control Board
SP	Standard Permit
SWPPP	Storm Water Pollution Prevention Program
USACE	United States Army Corps of Engineers
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WDRs	Waste Discharge Requirements
WOS	Waters of the State
WOUS	Waters of the United States

10.2. Definitions

Applicant. Any person or entity who applies for a Land Conversion Authorization for a Covered Activity

Aquatic resources. Aquatic resources are “Aquatic Resources of Placer County”.

Aquatic Resources of Placer County. Aquatic Resources of Placer County include Waters of the U.S.; Waters of the State; Stream Systems, and constituent habitats for Aquatic/Wetland Complex, Vernal Pool Complex and Riverine/Riparian Complex within the Stream System and includes all definitions described in Section 3.3 of the CARP.

Aquatic/Wetland Complex Constituent Habitat. The aquatic/wetland complex community consists of aquatic vegetation and wildlife that is not primarily riverine or riparian and not primarily associated with vernal pools. The key constituent habitats for the aquatic/wetland complex are Perennial Emergent Marsh, Seasonal Emergent Marsh, Lacustrine and Non-vernal Pool Seasonal Wetland.

Authorization conditions. Authorization conditions are appended to an Aquatic Resource Permit at the time the Permit is issued. Applicants must comply with all permit conditions. Chapter 7, Section 7.5 of the CARP provides a set of standard conditions that are applied to all permits. In some circumstances, the Local Agencies may impose additional conditions.

Bed-and-bank morphology. The shape of a stream channel that exhibits a clear channel and bank created by evidence of flowing water. Water may flow through upland swales during high rainfall events, but not with enough duration or force to create bed and bank morphology.

CARP Application. The application that an Applicant must provide to the Local Jurisdiction to obtain an Aquatic Resource Permit, as explained in the CARP, Chapter 5, Section 5.2.

CARP Authorization. An authorization to impact Aquatic Resources of Placer County issued by the Local Jurisdictions to an Applicant for an HCP/NCCP Covered Activity that will affect aquatic resources, as described in the CARP, Chapter 7.

CARP Manual. The manual that sets forth the procedures for implementing the CARP (this document). The CARP Manual appendices contain examples of the forms and supporting documents for the CARP.

Clean Water Act (CWA). The federal law designed to protect the quality of the nation’s waters.

Complex. A mosaic of wetland types that is difficult to map as separate units. For example, ponds and sloughs often have a mixture of open water, emergent marsh, and seasonal wetland habitat that varies throughout the year. Rivers and streams often have a riparian or marshy edge. These are better mapped as complexes with an explanation of what types are included in the complex.

Conservation bank. A conservation bank means a publicly or privately owned and operated site that is to be conserved and managed in accordance with a written agreement that includes provisions for the issuance of credits, on which important habitat, including habitat for threatened, endangered, or other special status species, exists, has been, or will be created to do any of the following: 1) Compensate for take or other adverse impacts of covered activities and 2) Reduce adverse impacts to fish or wildlife resources from covered activities.

County Aquatic Resources Program (CARP). The Western Placer County Aquatic Resource Program adopted by the Board of Supervisors on ____, 2020, and any amendments thereto.

Covered Activity. A Covered Activity as described in Chapter 2 of the HCP/NCCP and Section 1.3 of the CARP. Covered activities may be Development Projects, programs or operations and maintenance activities. To be covered under state and federal permits issued for the PCCP, Covered Activities must meet avoidance, minimization, and compensatory mitigation requirements set forth in the HCP/NCCP and CARP for certain species of fish and wildlife and their habitat, including measures to protect Aquatic Resources of Placer County.

Covered Species. The species, listed and non-listed, whose conservation and management are provided for in the HCP/NCCP and for which Incidental Take is authorized by the Wildlife Agencies pursuant to the Take Permits: Vernal pool fairy shrimp (*Branchinecta lynchi*), Vernal pool tadpole shrimp (*Lepidurus packardii*), Conservancy fairy shrimp (*Branchinecta conservatio*), Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), Swainson's hawk (*Buteo swainsoni*), California black rail (*Laterallus jamaicensis coturniculus*), Tricolored blackbird (*Agelaius tricolor*), Western burrowing owl (*Athene cunicularia*), Giant garter snake (*Thamnophis gigas*), Western pond turtle (*Emys marmorata*), California red-legged frog (*Rana draytonii*), Foothill yellow-legged frog (*Rana boylei*), Central Valley steelhead – Distinct Population Segment (*Oncorhynchus mykiss irideus*), Central Valley fall/late fall-run Chinook salmon Evolutionarily Significant Unit (*Oncorhynchus tshawytscha*).

Delineation of aquatic resources. A delineation of Aquatic Resources of Placer County, as defined in the CARP, (commonly referred to as a “wetland delineation”) includes a map and narrative report prepared to USACE standards. The map must show the location and extent of ponds, lakes, rivers, creeks, streams, marshes, seeps, springs, vernal pools, or other aquatic resources that occur within the area of the proposed project. Delineations must be approved by the Local Jurisdiction for an application to be deemed complete.

Dewater. To remove water temporarily from a work area so that a structure can be built.

Dewatering structures. Pumps, pipes, dams, coffer dams, and other structures designed to remove water from the work area.

Enhancement. The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s) but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area. Community- and species-specific enhancement concepts can be found in the HCP/NCCP.

Ephemeral stream. An ephemeral stream is one that flows only in direct response to precipitation. They have bed-and-bank morphology or show evidence of sediment transport. Ephemeral streams do not include irrigation ditches and they largely lack hydrophytic vegetation. Ephemeral streams are common on sloped landscapes in western Placer County and are considered an Aquatic Resource of Placer County.

Erosion control measures. Methods implemented during and after construction to ensure water quality in the county's aquatic resources. These are sometimes referred to as Best Management Practices. Storm Water Pollution Prevention Plans (SWPPP's) include Best Management Practices.

Establishment (Creation). The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist. Establishment results in a gain in aquatic resource area and functions.

Fringe wetland. Fringe wetlands form along streams (riverine systems) and at the edges of ponds (lacustrine systems) above the Ordinary High-Water Mark (OHWM) forming complexes. Fringe wetlands may be solely characterized by herbaceous species or may also support woody hydrophytes including willow and cottonwood. Fringe wetlands support both annual and perennial vegetation species. Hydrophytic vegetation that is present below the OHWM is considered Riverine/Riparian constituent habitat. Fringe wetlands above the OHWM should be mapped separately, if possible and are considered Aquatic/Wetland constituent habitat.

Functions. Functions are the physical, chemical, and biological processes that occur in ecosystems.

Groundwater. Water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water but does not include water that flows in known and definite channels.

Habitat Conservation Plan and Natural Community Conservation Plan (HCP/NCCP). The Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan adopted by the County on _____, 2020, and any amendments thereto.

Hydrologic Unit Code. A sequence of numbers or letters that identifies a hydrological feature such as a river, river reach, lake, or drainage basin (watershed) or catchment. The United States Geological Survey (USGS) created this hierarchical system of hydrologic units originally called regions, sub-regions, accounting units, and cataloging units. Each unit was assigned a unique Hydrologic Unit Code (HUC). Currently, there are six levels in the hierarchy, represented by hydrologic unit codes from 2 to 12 digits long, called regions, subregions, basins, subbasins, watersheds, and subwatersheds.

Impact. Any activity that has a direct or indirect adverse effect on the function or service of an Aquatic Resource of Placer County. Examples include (but are not limited to) placing fill, draining, dredging, or working in or immediately adjacent to an Aquatic Resource.

In-lieu Fee Program (ILF). The Western Placer County In-Lieu Fee Program (ILF) approved by the Placer County Board of Supervisors on _____, 2020, and Interagency Review Team dated March 14, 2019 and any amendments thereto. The ILF program provides an option for compensatory mitigation for impacts to Aquatic Resources authorized under individual, nationwide, and programmatic permits, certifications, and other approvals or authorizations. The ILF will site ILF projects using the best available decision support tools and by aligning compensatory mitigation with the conservation priorities, goals and objectives of the HCP/NCCP.

Intermittent stream. Intermittent streams have bed-and-bank morphology but are distinct from perennial streams in that they are seasonal and cease to flow for some portion of the year. They have a broad range of flow duration: some cease flowing shortly after the end of the rainy season, whereas others flow until fall but cease flowing briefly before the onset of the next rainy season. Groundwater is a significant source of water for intermittent streams, and intermittent streams may also be influenced by leaky canals, irrigation, and urban runoff. Intermittent streams may support a Riparian Zone similar to that found in association with perennial streams. Riparian vegetation can be patchy or continuous.

Isolated waters. Wetlands and other waters that have no direct connection to interstate commerce. Isolated waters, including wetlands, are Aquatic Resources of Placer County.

Lacustrine system. Lacustrine systems are deep water habitats characterized by the presence of standing water or water deep enough to prevent the growth of emergent vegetation. By federal definition, 6.6 feet (~ 2 meters) is taken as the shallow limit of lacustrine habitat. The depth of the lacustrine system is defined as the depth at which rooted vegetation can no longer be sustained. Conditions in western Placer County have shown that lacustrine systems may be as shallow as three (3) feet (~ 1 meter). Lacustrine systems are considered “other waters” (i.e., non-wetlands). Ponds, lakes, and reservoirs are examples.

Lakes and reservoirs. In western Placer County, lakes and reservoirs are open water/lacustrine habitats delineated at their high water by a dam and associated spillway. There are no natural lakes in western Placer County, but there are two large reservoirs; Folsom Lake and Camp Far West, which were established when Folsom Dam on the American River and Camp Far West Dam on the Bear River were built.

Lake and Streambed Alteration Agreement. Pursuant to Fish and Game Code Section 1602, any entity (defined as any person, State or local governmental agency, or public utility) must notify the California Department of Fish and Wildlife (CDFW) before beginning any activity that will: 1) substantially obstruct or divert the natural flow of any river, stream, or lake; 2) substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or 3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. If, after receiving the notification, CDFW determines the activity may substantially adversely affect an existing fish or wildlife resource, CDFW will provide the entity a Lake and Streambed Alteration Agreement.

Letter of Permission (LOP). A type of individual permit issued by the USACE through an abbreviated processing procedure which includes coordination with Federal and state fish and wildlife agencies, as required by the Fish and Wildlife Coordination Act, and a public interest evaluation, but without the publishing of an individual public notice.

Local Jurisdiction. The Permittees that are also local governments with land use authority. There are two Local Jurisdictions described in the PCCP, the City of Lincoln (City), and the County of Placer (County). The Local Jurisdictions are the only Permittees with the authority to grant Land Conversion Authorizations on Development Projects that are considered Covered Activities under the HCP/NCCP and CARP.

Low flow channel. The narrowest channel within a broader stream channel that carries water during periods of low flow, particularly in intermittent and perennial streams during the summer months.

Marshes. Marshes are shallow wetlands that occur where water is available at or near the surface for most of the year. A marsh may be seasonal or perennial. **Seasonal marshes** have an extended dry period, typically from mid-summer through fall. Typical vegetation includes sedges (*Carex* spp.), rushes (*Juncus* spp.), and smartweed (*Persicaria* spp.). **Perennial marshes** are saturated to the surface or have shallow standing water throughout the year. Perennial emergent marshes are often dominated by persistent vegetation including cattails (*Typha latifolia*) and hardstem bulrush (*Schoenoplectus acutus*). A seasonal marsh is distinguished from a seasonal wetland by the presence

of water at or near the surface at the end of the rainy season. A seasonal marsh will still have water present at the end of the rainy season and a seasonal wetland typically will not.

Mitigation bank site. A publicly or privately owned and operated site on which wetlands have been or will be created to compensate for adverse impacts caused by removal or fill permit activities authorized pursuant to Section 404 of the federal Clean Water Act (33 U.S.C. Sec. 1344 et seq.).

National Pollution Discharge Elimination System (NPDES). A permit program that addresses water pollution by regulating point sources that discharge pollutants into WOUS. The permit translates general requirements of the Clean Water Act into specific provisions tailored to the operations of each entity discharging pollutants. Issued by states that have obtained U.S. Environmental Protection Agency (USEPA) approval. NPDES programs are administered by the Regional Water Quality Control Board (RWQCB).

Ordinary high-water mark (OHWM). The ordinary high-water mark generally corresponds to the upper limit on the streambank of a two-year storm event for riverine systems and corresponds to the spillway elevation of lacustrine features. The ordinary high-water mark in a riverine or lacustrine system is the limit of Aquatic Resources of Placer County in those systems.

Other waters. A term used by the USACE to designate waters of the United States that are not wetlands or special aquatic sites as defined by USACE and USEPA regulations. Rivers, streams, lakes, and large ponds are not wetlands and are generally called other waters on aquatic resource delineation maps.

Palustrine system. Palustrine systems are non-tidal wetlands characterized by the presence of hydrophytic trees, shrubs, and emergent vegetation (vegetation that is rooted below water but grows above the surface). Palustrine wetlands range from permanently saturated (e.g., perennial marsh) to land that is wet only seasonally (e.g., seasonal wetlands and vernal pools).

“Placer County Conservation Program Development Fees”, “Fees”, or “Development Fees” means the fees adopted by the County in accordance with Chapter 9, Section 9.4 of the HCP/NCCP, and the PCCP Development Fee Nexus Study in support thereof, and any amendments and adjustments to those fees. PCCP Development Fees consist of the following types of fees:

1. Land Conversion Fee;
2. Special Habitat Fees; and
3. Temporary Effect Fee.

Perennial stream. Perennial streams have bed-and-bank morphology and flow 12 months a year from either natural or man-made sources or a combination of the two. Some streams in western Placer County were historically intermittent, or even ephemeral, but leaky or unlined canals, irrigation, effluent discharge, and urban runoff now cause many of them to flow all year. In general, historically intermittent streams that are now perennial are regulated as perennial streams. Some of these streams have a developed Riparian Zone and thus have increased value to wildlife and water quality. Perennial streams typically have a Riparian Zone comprised of hydrophytic woody plant species such as willow (*Salix* spp.), Fremont cottonwood (*Populus fremontii*), valley oak (*Quercus lobata*), and Himalayan blackberry (*Rubus armeniacus*) associated with them.

Placer County Conservation Program (PCCP). The Placer County Conservation Program (PCCP) applies to western Placer County and specific areas where conservation activities will take place in neighboring Sutter County. The goal of the PCCP is to provide an effective framework to protect, enhance, and restore the natural resources in specific areas of western Placer County while

streamlining environmental permitting for Covered Activities. Within this framework, the PCCP will achieve conservation goals, comply with state and federal environmental regulations, accommodate anticipated urban and rural growth, and permit the construction and maintenance of infrastructure needed to serve the county's population. The PCCP includes three separate, but complementary, components that support two sets of state and federal permits:

1. Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan
2. Western Placer County Aquatic Resources Program
3. Western Placer County In-Lieu Fee Program.

Pond. Western Placer County has hundreds of ponds, some of which are called reservoirs (e.g., Clover Valley Reservoir). For purposes of consistency, all lacustrine features in the Plan Area, except Folsom and Camp Far West Reservoirs, are considered ponds. Ponds can be lacustrine, palustrine, or a complex of both. During the dry season, water in western Placer County ponds is typically supplied by one of the region's raw water purveyors. Ponds may have small areas of open water and fringes of emergent marsh vegetation. In such cases, the pond would support two systems (lacustrine and palustrine) and should be mapped as such. Ponds that support emergent or rooted floating vegetation and lack an area of open water should be mapped as palustrine habitats. Ponds may have an inlet and outlet if constructed in a stream channel, but they may lack these features if they were created away from stream channels (off-stream ponds).

Porter-Cologne Water Quality Act. The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the National Pollutant Discharge Elimination System permitting program. Section 401 of the Clean Water Act gives the State Water Board the authority to review any proposed federally-permitted or federally-licensed activity that may impact water quality and to certify, condition, or deny the activity if it does not comply with State water quality standards

Preservation. The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those resources. Preservation includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions unless such gains are the natural consequence of the conservation and monitoring of the preservation area.

Program Biologist. The Program Biologist (PB) is responsible for oversight of all wetland and biological regulatory and conservation activities of the HCP/NCCP and CARP. The PB conducts site assessments to evaluate the extent of aquatic resources that are present and to determine if habitat for Covered Species will be affected by the proposed project. If an aquatic resource delineation and/or Biological Resources Assessment have been conducted, the PB will assess these documents for accuracy and completeness.

Programmatic General Permit (PGP). A type of general permit issued by the USACE founded on an existing state, local or other Federal agency program and designed to avoid duplication with that program.

Project. For the purposes of the CARP, a specific activity or activities that are to be covered by permits for impacts to Aquatic Resources of Placer County. Project also refers to the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Qualified Biologist. Those biologists who have the experience, education, and training necessary to perform a given task described in this Plan accurately and in an unbiased fashion. A qualified biologist must have obtained a B.S. or B.A. or equivalent degree in biology, environmental studies, fisheries, or related field, and have at least two years of related work experience.

Re-establishment. The manipulation of the physical, chemical, or biological characteristics of a site or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function but does not result in a gain in aquatic resource area.

Reserve Acquisition Area (RAA). The Reserve Acquisition Area is a 68,300-acre area designated in the PCCP within which a 47,300-acre connected reserve system will be assembled. Portions of the reserve system may also be established outside the RAA boundary after avoidance and minimization has been considered and the PCA determines that acquisition of land outside of the RAA meets the avoidance criteria of the plan and determines that such properties are a viable reserve site. The RAA extends from the Valley floor to the upper portions of numerous foothill stream watersheds. The ultimate reserve system boundary will be based upon property owners' willingness to sell property or conservation easements and the ability of these properties to meet PCCP mitigation and conservation requirements.

Reserve System. The Reserve System that will be assembled through the HCP/NCCP and the CARP to provide for the conservation of Covered Species and Aquatic Resources of Placer County. The Reserve System will be a large system of interconnected land blocks located in the western and northern Valley and northern Foothills, estimated to be around 47,300 acres when completed and will include existing and newly acquired lands that are adaptively managed consistent with the Plan. The Reserve System would be capable of protecting, managing, restoring and creating the natural and semi-natural communities and habitats that support the Covered Species.

Restoration. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation. Species-specific restoration concepts can be found in the HCP/NCCP.

Riparian Zone - The constituent habitat comprising the band of hydrophytic trees and shrubs that are adjacent to perennial and intermittent streams. Riparian habitat relies on streams with sufficient flow duration or near surface groundwater to support woody hydrophytes. In western Placer County, valley oak (*Quercus lobata*), Fremont cottonwood (*Populus fremontii*), and white alder (*Alnus rhombifolia*), and are typical riparian tree species. Willows (*Salix* spp.) and buttonbush (*Cephalanthus occidentalis*) are typical shrub species. The Riparian Zone is measured from the outermost canopy edge of the riparian species or from the top-of-bank, whichever is greater.

Riparian habitat within the Stream System is considered an Aquatic Resource of Placer County. Riparian vegetation outside the Stream System is subject to the requirements of the HCP/NCCP but is not considered an Aquatic Resource of Placer County.

Riverine system. Riverine systems are water conveyance systems that include rivers, streams, and their tributaries. These features are linear, non-wetland aquatic resources that carry high velocity flows and have a sparsely vegetated stream bed. High flows create *bed-and-bank* morphology, and the USACE jurisdictional line is the OHWM. Names used to describe riverine features include, but are not limited to, rivers, streams, creeks, drainages, ditches, and canals, all of which occur in Placer County. These riverine features may be perennial, intermittent, or ephemeral. Riverine systems' bed-and-bank morphology may be limited to narrow scour lines in ephemeral streams. A measurable OHWM distinguishes riverine systems from otherwise similar palustrine systems, such as wetland swales. Riverine systems in western Placer County often have a palustrine fringe component (wetlands along the banks) and may support woody riparian vegetation. Like lacustrine systems, riverine systems are considered "*other waters*".

Riverine/Riparian Complex Constituent Habitat. Riverine/Riparian Complex Constituent Habitat includes riverine and riparian habitat. Riverine/Riparian Complex Constituent Habitat has a minor association with vernal pool complex, annual grassland, pasture, marsh complex, pond, valley oak woodland and oak savanna. Riverine/Riparian Complex Constituent Habitat is considered an Aquatic Resource of Placer County when it is located within the Stream System. Riparian habitat found in uplands outside the Stream System is not considered an Aquatic Resource of Placer County but is subject to all requirements for Riverine/Riparian Complex Constituent Habitat including the HCP/NCCP biological goals and objectives and special habitat fees.

Seasonal wetland. Seasonal wetland is a general term for seasonally saturated palustrine systems that are not defined as vernal pools or other specific wetland types. Seasonal wetlands are typically depressional and have wetland hydrology lasting until early or mid-spring but become dry before emergent marsh species can become established. They can also occur in other landforms during the dry season due to agricultural runoff or from leaks in irrigation or water delivery canals and urban runoff. Seasonal wetlands typically support wetland generalist species. In Placer County, seasonal wetlands can occur in vernal pool complexes (See Section 3.4.3 of the HCP/NCCP – Vernal Pool Complex). When seasonal wetlands occur within a vernal pool complex, they are considered vernal pool constituent habitat and not aquatic/wetland constituent habitat.

Seep/Spring. Seeps and springs are points of groundwater discharge that usually occur on slopes. Seeps generally lack the flowing water of springs. Nearly all the groundwater discharge areas in western Placer County are low-volume and considered seeps. Seeps and springs typically support herbaceous hydrophytic vegetation including black sand spikerush (*Eleocharis pachycarpa*), pennyroyal (*Mentha pulegium*), and dense-flowered spike primrose (*Epilobium densiflorum*).

Special aquatic sites. Special aquatic sites are defined by the USEPA at 40 CFR Part 230 Subpart E. These include sanctuaries and refuges, wetlands, mud flats, vegetated shallows, coral reefs, and riffle and pool complexes. Of these special aquatic sites, only wetlands and riffle and pool complexes occur in western Placer County.

Standard permit. A Standard Permit is a type of individual permit issued by the USACE that has been processed through the public interest review procedures, including public notice and receipt of comments, as described in USACE regulations at 33 CFR 325. A review through the Standard Permit

process is only done for activities that do not qualify for authorization under a Regional General Permit, Programmatic General Permit, Nationwide Permit, or Letter of Permission.

Stream channel. The area of a stream where normal to high flows occur. It is usually marked by bed-and-bank morphology.

Stream System. The stream channel (wet or dry) and the surrounding area including any area subject to flooding in a 100-year event as determined by the FEMA or project specific information; whichever is more accurate or the outermost limit of a variable-width boundary measured outward from the edge of the Ordinary High Water Mark (OHWM). Further details are provided in CARP Section 3.6, and Stream System boundaries are schematically illustrated in Figure 3-2. The Stream System boundary is truncated at the point where the watershed falls below 40 acres in extent.

Storm Water Pollution Prevention Plan (SWPPP). A plan that describes the BMPs that will be used to comply with Section 402 of the Federal Clean Water Act. It applies primarily to construction activities.

Verified aquatic resource delineation. An aquatic resource delineation that has been verified by the USACE. Delineations are submitted to the Local Jurisdiction for approval. Once approved by the Local Jurisdiction, delineations are submitted to the USACE for verification.

Vernal pool. Vernal pools are seasonally inundated wetlands that form in relatively shallow soil depressions underlain by a water-restricting layer such as clay, cemented alluvium, or volcanic basalt at or near the surface. These depressions fill with rainwater, near surface groundwater and/or runoff from adjacent areas during the winter and may remain inundated until spring or early summer, sometimes filling and emptying multiple times during the wet season. Vernal pools are typically characterized by endemic plants species.

In Placer County, vernal pools are typically between 3-16 inches in depth measured vertically from the lowest point in the pool to the spillway. Vernal pools are differentiated from other seasonal wetlands by the distinct flora that are present. Examples of vernal pool flora include *Plagiobothrys stipitatus*, *Lasthenia fremontii*, *Eryngium vaseyi*, *Navarretia leucocephala*, and *Psilocarphus brevissimus*.

Vernal Pool Complex Constituent Habitat. Vernal Pool Complex Constituent Habitat includes vernal pools, seasonal wetlands in a vernal pool complex and seasonal swales. Vernal Pool Complex Constituent Habitat has a major association with intermediate and high-density vernal pool complexes and a low association with low density vernal pool complex, annual grassland, pasture, marsh complex, oak savanna and rural residential land-cover.

Waste Discharge Requirements (WDRs). A permit that is issued by the RWQCB that regulates the discharge of pollutants from a point source to a WOUS. The RWQCB issues WDRs consistent with the requirements of the NPDES under Section 402 of the Clean Water Act. The NPDES program is a federal program which has been delegated to the State of California for implementation through the State Water Resources Control Board (State Water Board) and the nine RWQCBs.

Waters of the State (WOS). Waters of the state include “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code section 13050(e)). In Placer County, examples include, but are not limited to, rivers, streams, lakes, marshes, mudflats, unvegetated seasonally ponded areas, drainage swales, sloughs, wet meadows, natural ponds, vernal pools, seasonal wetlands, and riparian woodlands. Waters of the State also include isolated features

that are not regulated by the USACE. Examples of isolated waters include man-made, off-stream ponds. WOS are included in Aquatic Resources of Placer County.

Waters of the United States (WOUS). Waters of the United States means all waters and wetlands over which the USACE and the USEPA are granted jurisdiction in the Clean Water Act, 33 U.S.C. Section§ 1251, et seq. as defined in 33 CFR Part 328.

Watershed. A land area that drains to a common waterway, such as a stream, lake, estuary, wetland, or ultimately the ocean.

Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan Referred to as the “HCP/NCCP” or “Plan”. The Plan is a joint HCP and NCCP that will protect fish and wildlife and their habitats and fulfill the requirements of the federal Endangered Species Act, and the California Natural Community and Conservation Planning Act as adopted by the County on _____, 2020, and any amendments thereto.

Western Placer County Aquatic Resources Program or CARP. The program that protects streams, wetlands, and other water resources and fulfills the requirements of the federal Clean Water Act and analogous state laws and regulations as adopted by the County on _____, 2020, and any amendments thereto.

Wetland swale. Wetland swales are conveyance systems that occur on sloped topography. Water may flow during rainy periods in wetland swales but not with enough velocity to create the bed-and-bank morphology that defines riverine systems. Wetland swales are usually dominated by facultative wetland species (FACW) and facultative (FAC) wetland generalist species, such as Italian ryegrass (*Lolium perenne* [*Festuca perennis*]) and curly dock (*Rumex crispus*). Although the flora in a wetland swale is generally herbaceous, shallow subsurface water may allow the growth of woody vegetation, particularly willows. In describing wetland swales, the flora and vegetation structure should clearly be identified.

Wetland. Wetlands are those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Most wetlands are considered waters of the United States, but isolated wetlands are not regulated by the USACE. The County and City regulate wetlands and isolated waters when a Development Project is a Covered Activity. Wetlands in western Placer County include seasonal wetlands, vernal pools, seeps and springs, marshes, fringe wetlands, and wetland swales.

Chapter 11. REFERENCES AND CITATIONS

- California Department of Fish and Game. 2004. Spenceville Wildlife and Recreation Area Expansion - Conceptual Area Protection Plan (CAPP) Number 2 – FINAL. September 28, 2004.
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APPENDIX A
Draft Model
Implementing Ordinance

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**MODEL IMPLEMENTING ORDINANCE
ORDINANCE NO. _____**

**AN ORDINANCE OF THE [BOARD OF SUPERVISORS OF THE COUNTY OF
PLACER/CITY COUNCIL OF THE CITY OF LINCOLN] ADDING [TITLE/CHAPTER #]
TO THE [COUNTY OF PLACER/CITY OF LINCOLN] CODE**

WHEREAS, the County of Placer ("County"), the City of Lincoln ("City"), the Placer County Water Agency ("PCWA"), and the South Placer Regional Transportation Authority ("SPARTA") developed the Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan ("HCP/NCCP") and the Western Placer County Aquatic Resource Program ("CARP").

WHEREAS, the County developed the Placer County In-Lieu Fee Program ("In-Lieu Fee Program").

WHEREAS, the HCP/NCCP, the CARP, and the In-Lieu Fee Program collectively comprise the Placer County Conservation Program ("PCCP").

WHEREAS, the HCP/NCCP has been developed to:

- preserve the ecosystems of the western portion of Placer County ("Plan Area"), which include the [County of Placer/City of Lincoln];
- conserve and prevent further endangerment of the species that are dependent upon those ecosystems;
- comply with federal and state laws that protect such species; and
- obtain long-term authorized Take coverage through permits from the U.S. Fish and Wildlife Service ("USFWS"), the National Marine Fisheries Service ("NMFS"), and the California Department of Fish and Wildlife ("CDFW") for the activities of the County, the City, the PCWA, and SPARTA and to extend such authorized Take coverage to private project applicants under the County's or City's jurisdiction and to participating special entities.

WHEREAS, the CARP has been developed to:

- protect Aquatic Resources of Placer County and to preserve and enhance their aquatic functions and values;
- comply with federal laws that protect Waters of the United States and state laws that protect Waters of the State;
- support the issuance of permits from the U.S. Corps of Engineers ("USACE") and the Central Valley Regional Water Quality Control Board ("CVRWQCB") authorizing minimal impacts to such waters for the activities of the County, the

City, the PCWA, and SPARTA and to private project applicants under the County's or City's jurisdiction; and

- support abbreviated federal procedures for the USACE's issuance of permits authorizing impacts to Waters of the United States that are more than minimal for the activities of the County, the City, PCWA, SPARTA and private project applicants.

WHEREAS, the In-Lieu Fee Program has been developed to:

- provide an effective regional compensatory mitigation program in western Placer County for impacts to aquatic resources authorized by the USACE in Clean Water Act Section 404 permits;
- comply with the USACE and U.S. Environmental Protection Agency ("USEPA") Compensatory Mitigation Rule requirements for compensatory mitigation projects for impacts to Waters of the United States;
- allow project proponents to fulfill compensatory mitigation requirements for impacts to Waters of the United States by payment of a fee; and
- consolidate funding for compensatory mitigation projects in western Placer County to implement larger, more comprehensive, more efficient, and more beneficial mitigation projects compared to project-by-project mitigation.

WHEREAS, the HCP/NCCP and the CARP were developed by the County, the City, the PCWA, and SPARTA in cooperation with the USFWS, NMFS, CDFW, the USACE, the USEPA, and the CVRWQCB, and in consultation with stakeholder groups and the general public.

WHEREAS, the In-Lieu Fee Program was developed by the County, in cooperation with the City, the USACE, the USEPA and the CVRWQCB, and in consultation with stakeholder groups and the general public.

WHEREAS, the Placer County Board of Supervisors approved the In-Lieu Fee Program and authorized the County Executive Officer to sign the In-Lieu Fee Program Enabling Instrument on _____, 2016, copies of which are on file in the County's Community Development Resource Agency.

WHEREAS, on _____, 201_, the [Board/Council] certified the Environmental Impact Report for the HCP/NCCP and CARP projects and made appropriate findings pursuant the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000 et seq.), under Clearinghouse No. _____.

WHEREAS, the [Board/Council] approved the HCP/NCCP and the CARP, and authorized the [Board Chair/City Manager] to sign the HCP/NCCP Implementing Agreement and the Joint Exercise of Powers Agreement Creating the Placer Conservation Authority, on _____, 2016, copies of which are on file with the [Clerk of Board/City Clerk] and the [e.g., Community Development Resource Agency].

WHEREAS, as a result of the adoption of the HCP/NCCP by the [County/City], the [County/City] received long-term endangered species permits/authorized Take coverage from the USFWS, the NMFS, and the CDFW. The Take authorizations cover the [County/City's] own activities and, in addition to coverage of its own public projects, the [County/City] will be able to extend authorized Take coverage to private Project Applicants under its jurisdiction. Rather than separately permitting and mitigating individual projects, the HCP/NCCP evaluates natural resource impacts and mitigation requirements comprehensively in a manner that is more efficient and effective for at-risk species and their essential habitats. The USFWS, NMFS, and CDFW Take authorizations also provide assurances that no further commitments of funds, land, or water from covered public and private projects will be required to address impacts on Covered Species beyond that described in the HCP/NCCP, as long as the HCP/NCCP is properly implemented.

WHEREAS, as a result of the adoption of the CARP by the [County/City], the [County/City] USACE [has issued/will issue] a permit that covers certain projects that will have minimal impacts to Waters of the United States. The wetland permit [covers/will cover] the [County/City's] own activities and, in addition to coverage of its own public projects, the [County/City] will be able to extend wetland permit coverage to private Project Applicants and public agencies under its jurisdiction. Rather than separately permitting and mitigating individual projects, the CARP evaluates aquatic resource impacts and mitigation requirements comprehensively in a manner that is more efficient and effective for Aquatic Resources of Placer County and their aquatic functions and values.

WHEREAS, as a result of the approval of the In-Lieu Fee Program, the County [received/will receive] approval from the USACE to create mitigation "credits" that can be used to fulfill Clean Water Act Section 404 compensatory mitigation requirements for development projects in western Placer County. The PCA will implement the In-Lieu Fee Program on behalf of the County. The In-Lieu Fee Program does not include procedures or requirements for development projects. Rather, it enables the PCA to create mitigation credits under Clean Water Act Section 404 by protecting, enhancing and restoring aquatic resources.

The HCP/NCCP, CARP and In-Lieu Fee Program are complementary programs that will be jointly implemented using the land acquisition, protection, management, enhancement, and restoration actions set forth in the HCP/NCCP.

WHEREAS, the PCCP incorporates the HCP/NCCP, CARP and In-Lieu Fee Program into a comprehensive local program that strengthens local control over land use and natural resource protection and more efficiently protects natural resources by creating new reserves that will be larger in scale, more ecologically and hydrologically viable, and easier to manage than the individual mitigation sites created under the current individual project-by-project approach. The PCCP is intended to protect the existing character of the [County/City] and the region through the implementation of a system of

reserves which will provide for permanent open space, habitat conservation for species covered by the HCP/NCCP, and protection for Aquatic Resources of Placer County.

WHEREAS, the PCCP provides a more efficient and streamlined approach for complying with state and federal environmental laws for both public and private projects that is intended to:

- reduce the time and resources previously required to obtain state and federal permits;
- preserve the ability of affected property owners to make reasonable use of their land consistent with the requirements of applicable laws, which include but are not limited to the National Environmental Policy Act ("NEPA") (42 U.S.C. §§ 4321-4347), the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000 et seq.), the Federal Endangered Species Act ("ESA") (16 U.S.C. §§ 1531-1544), the California Endangered Species Act ("CESA") (Fish & Game Code § 2050 et seq.), the California Natural Community Conservation Planning Act ("NCCPA") (Fish & Game Code §§ 2800-2835); the Clean Water Act ("CWA") (33 U.S.C. §§1251-1387), and the Porter Cologne Water Quality Control Act (California Water Code section 13000 et seq.; and
- maintain economic development within the [County/City] by providing a streamlined environmental review and permitting process from which development can proceed in an orderly manner.

WHEREAS, the County and the City formed the Placer Conservation Authority ("PCA"), a joint powers agency, to administer and implement the HCP/NCCP, the CARP and the In-Lieu Fee Program.

WHEREAS, the purpose and intent of this Placer County Conservation Program Ordinance is to:

- protect vegetation communities and natural areas in western Placer County that are known to support threatened, endangered, or key sensitive populations of fish and wildlife species;
- protect Aquatic Resources of Placer County, which include Waters of the United States and Waters of the State, and to preserve their aquatic functions and values;
- help to achieve the goals set forth in the HCP/NCCP, the CARP, and the In-Lieu Fee Program;
- protect the existing character of the [County/City] and the region by creating a system of reserves that will provide for permanent open space, habitat conservation for species covered by the HCP/NCCP, and aquatic resource protection for Aquatic Resources of Placer County;
- preserve the ability of affected property owners to make reasonable use of their land consistent with the requirements of applicable laws, which include but are

not limited to the CEQA, NEPA, ESA, CESA, NCCPA, CWA, and the Porter Cologne Water Quality Control Act;

- insure the collection of PCCP development fees to support implementation of the PCCP; and
- maintain economic development within the [County/City] by providing a streamlined environmental review and permitting process from which development can proceed in an orderly manner.

WHEREAS, the [County/City] General Plan, adopted by the [Board/Council] on [Date], (“General Plan”), includes land use, open space, and conservation goals, policies, standards and programs that anticipate, support, and complement the PCCP.

WHEREAS, Article 11, Section 7 of the California Constitution authorizes the [County/City] to enact measures that protect the health, safety, and welfare of its citizens.

WHEREAS, the Mitigation Fee Act, Government Code Section 66000 et seq. authorizes the [County/City] to impose fees and other exactions to provide necessary funding for public facilities required to provide mitigation for the negative effect of new development projects within the Plan Area and to provide regulatory benefits to those development projects.

WHEREAS, a public hearing to consider this Ordinance was noticed in accordance with State law and, on [date], the [Board of Supervisors/City Council] held the public hearing.

WHEREAS, the [County/City] has considered the General Plan, the HCP/NCCP, the CARP, the In-Lieu Fee Program, and the EIR/EIS, and all written material and oral testimony presented before and during the public hearing, and desires to establish development fees as described in Chapter 9 of the HCP/NCCP and **Section XX** of the CARP.

NOW, THEREFORE, THE [BOARD/COUNCIL] OF THE [COUNTY OF PLACER/CITY OF LINCOLN] DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS

The [Board of Supervisors/City Council] finds and determines as follows:

- A. The foregoing recitals are true and correct and are incorporated herein by reference.
- B. There is a need to establish a comprehensive framework to protect and conserve species, Aquatic Resources of Placer County, natural communities and ecosystems in [western Placer County/the City of Lincoln], while improving and streamlining the environmental permitting process for impacts of future

development on rare, threatened, and endangered species and Aquatic Resources.

C. The PCCP, including the HCP/NCCP, the CARP, and the In-Lieu Fee Program, implemented in accordance with the Implementing Agreement, will:

1. provide comprehensive species, Aquatic Resources of Placer County, and ecosystem conservation and contribute to the recovery of endangered species within [*western Placer County/the City of Lincoln*];
2. provide a balance between open space, agriculture, habitat, and all forms of development;
3. reduce the cost and increase the clarity and consistency of federal and state permitting;
4. consolidate and streamline these processes into one, locally controlled process;
5. ensure the efficient and timely development of public facilities and related services;
6. encourage, where appropriate, multiple uses of protected areas;
7. share the costs and benefits of the PCCP as widely and equitably as possible; and
8. protect the rights of private property owners.

D. Adoption and implementation of this Ordinance will enable the [*County/City*] to promote the health, safety and welfare of all of its residents by helping to achieve the goals set forth in the General Plan, HCP/NCCP, the CARP, and the In-Lieu Fee Program, and to preserve the ability of affected property owners to make reasonable use of their land consistent with the General Plan, NEPA, CEQA, ESA, CESA, NCCPA, CWA, and the Porter Cologne Water Quality Control Act and other applicable laws.

SECTION 2. PLACER COUNTY CONSERVATION PROGRAM IMPLEMENTATION ORDINANCE

[*Title/Chapter*] _____ is hereby added to the [*County of Placer/City of Lincoln*] Code to read as follows:

CHAPTER _____ PLACER COUNTY CONSERVATION PROGRAM IMPLEMENTATION ORDINANCE

Sections:

_____	Summary
_____	Definitions
_____	Purpose
_____	Incorporation of HCP/NCCP and CARP by Reference
_____	Applicability
_____	Responsibility for Administration
_____	Land Conversion Authorization Requirements
_____	Application Requirements
_____	PCCP Development Fees
_____	Authorization of Take and Impacts to Aquatic Resources of Placer County
_____	Enforcement

[Section] Summary

This article provides for the adoption of procedures to implement the Placer County Conservation Program, the adoption of requirements for development to avoid or minimize impacts to natural resources, and the adoption of fees to be used for the conservation of natural resources in mitigation of the impacts of development in *[western Placer County/the City of Lincoln]*.

[Section] Definitions

The definitions set forth in this section shall govern the application and interpretation of this Ordinance. Words and phrases not defined in this section shall be interpreted so as to give this Ordinance its most reasonable application.

- A. "Aquatic Resources of Placer County" has the meaning defined in the County Aquatic Resource Program. Aquatic Resources of Placer County include stream systems, and the bed, bank, channel of lakes, ponds, reservoirs within the Plan Area of the Habitat Conservation Plan/Natural Community Conservation Plan, as well as riparian habitats with upland components, which are supported by stream hydrology and are considered a sensitive habitat.
- B. "Building Permit" means a permit for the construction, assembly, or installation of a structure that requires attachment to the ground.
- C. "County Aquatic Resource Program" or "CARP" means the Western Placer County Aquatic Resource Program adopted by the *[County/City]* on _____, 201_, and any amendments thereto.
- D. "Covered Activity" means a covered activity under the HCP/NCCP, as provided in Chapter 2 of the HCP/NCCP.
- E. "Covered Species" means the species, listed and non-listed, whose conservation and management are provided for in the HCP/NCCP and for which

incidental Take is authorized by the Wildlife Agencies pursuant to the Take Permits: *[list species here.]*

- F. "Development Project" means any project or activity within the *[County/City]* that requires a Land Conversion Authorization.
- G. "Habitat Conservation Plan/Natural Communities Conservation Plan" or "HCP/NCCP" means the Western Placer County Habitat Conservation Plan/Natural Communities Conservation Plan adopted by the *[County/City]* on _____, 201_, and any amendments thereto.
- H. "Implementing Agreement" means that agreement made and entered into by and among *[identify signatories]* that defines the parties' respective roles and responsibilities and provides a common understanding of actions that will be undertaken to implement the HCP/NCCP.
- I. "In-Lieu Fee Program" means the Placer County In-Lieu Fee Program approved by the Placer County Board of Supervisors on _____, 2016, and any amendments thereto.
- J. "Land Conversion Authorization" means any permit or approval that authorizes a ground disturbing activity , including, but not limited to, *[list County's/City's applicable land use approvals here, such as tentative map, parcel map, conditional use permit, site development permit, planned development permit, or special use permit]*.
- K. "Ordinance" means this *[title/chapter]*.
- L. "PCCP Development Fees" or "Fees" means the fees adopted by the *[County/City]* in accordance with Chapter 9, Section 9.4 of the HCP/NCCP, and the PCCP Development Fee Nexus Study in support thereof, and any amendments and adjustments to those fees. PCCP Development Fees consist of the following types of fees:
 - 1. Land Conversion Fee;
 - 2. Special Habitat Fees; and
 - 3. Temporary Effect Fee.
- M. "Placer Conservation Authority" or "PCA" means the joint exercise of powers agency formed on _____, 201_, by and among the County and the City pursuant to the Joint Powers Act, Gov. Code § 6500 et seq.
- N. "Project Applicant" means any person or entity applying for a Land Conversion Authorization for a Covered Activity.

- O. “Reserve System” means the Reserve System that will be assembled through the HCP/NCCP and the CARP to provide for the conservation of Covered Species and Aquatic Resources of Placer County.
- P. “Take” and “Taking” have the same meaning provided by the Federal Endangered Species Act (“ESA”) (16 U.S.C. §§ 1531-1544) and its implementing regulations with regard to activities subject to the ESA, and also have the same meaning provided in section 86 of the California Fish and Game Code with regard to activities subject to the California Endangered Species Act (“CESA”) (Fish & Game Code § 2050 et seq.), and the California Natural Community Conservation Planning Act (“NCCPA”) (Fish & Game Code §§ 2800-2835).
- Q. “Take Permits” means the federal incidental Take permits issued by United States Fish and Wildlife Service and the National Marine Fisheries Service pursuant to Section 10(a)(1)(B) of the ESA, and the state Take authorization issued by CDFW pursuant to Section 2835 of the California Fish and Game Code, to the Placer Conservation Authority, the County of Placer, the City of Lincoln, the Placer County Water Agency and the South Placer Regional Transit Authority.

[Section] Purpose

The purpose of this [Title/Chapter] is to implement the Placer County Conservation Program in order to provide a regulatory framework for promoting the protection and recovery of natural resources, including Covered Species and Aquatic Resources of Placer County, while streamlining the permitting process for both publicly funded and privately funded planned development in the [County of Placer/City of Lincoln]. The Placer County Conservation Program includes the Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan (“HCP/NCCP”), the Western Placer County Aquatic Resource Program (“CARP”), and the Placer County In-Lieu Fee Program. The HCP/NCCP was developed by the County, the City, PCWA, and SPRTA, in cooperation with the USFWS, the NMFS, and the CDFW, and in consultation with stakeholder groups and the general public. The CARP was developed by the County, the City, PCWA, and SPRTA in cooperation with the USACE, the USEPA, and the CVRWQCB, and in consultation with stakeholder groups and the general public. The In-Lieu Fee Program was developed by the County in association with the USACE, the USEPA, and the CVRWQCB, and in consultation with stakeholder groups and the general public.

[Section] Incorporation of HCP/NCCP and CARP by Reference

The HCP/NCCP and CARP are incorporated by reference as though fully set forth herein. Complete copies of the HCP/NCCP and CARP are available for inspection at the Office of the [County/City] Clerk and the [administering department, e.g., Community Development Resource Agency], and on the [County’s/City’s] website.

[Section] Applicability

- A. This Ordinance shall apply to all Development Projects within the HCP/NCCP Plan Area, consisting of Plan Area A and Plan Area B, as further defined and described Chapter 3 of the HCP/NCCP, except for the following:
1. Any Development Project that is not a Covered Activity under the HCP/NCCP, as set forth in Chapter 2, Section 2;
 2. Development Projects that the [administrator] determines are entirely within managed water or urban land cover types, as defined in the HCP/NCCP;
 3. Development Projects in Plan Area B and in the Valley Subarea of Plan Area A that are constructed on parcels equal to or less than 20,000 square feet at the time of Plan adoption;
 4. Improvements of less than 5,000 square feet of new impervious surface to existing improved sites, regardless of parcel size, including new structural improvements and installation of roads, sidewalks, hardscape and other impervious surfaces;
 5. Development Projects for which project-specific state and federal take authorizations have been issued under the ESA and CESA;
 6. Development Projects for which USFWS, NMFS, and CDFW provide written confirmation to the PCA that ESA and CESA permits are not necessary or that compliance with the ESA and CESA has been achieved by other means; and
 7. Development Projects that have obtained vested [County/City] entitlements prior to the adoption of this Ordinance, unless post-Ordinance adoption (a) the Development Project entitlements are subsequently amended through the discretionary review process, or (b) the Development Project entitlements' term expires, or (c) a Project Applicant with such vested entitlements elects to participate in the program set forth in this Ordinance.

- B. This Chapter establishes requirements and application procedures whereby Project Applicants may receive authorization for the incidental take of Covered Species under state and federal law and authorization for impacts to Aquatic Resources of Placer County, subject to the Applicants' compliance with all of the terms and conditions required by this Chapter, including compliance with applicable terms and conditions of the HCP/NCCP, the Implementing Agreement, and the CARP.

[Section] Responsibility for Administration

The *[identify administrator, the Community Development Resource Agency Director, for example.]* shall administer and apply the provisions of this Chapter for the *[County/City]*.

[Section] Land Conversion Authorization Requirements

All Project Applicants for Development Projects that are subject to this Ordinance shall comply with the conditions on Covered Activities in Chapter 6 of the HCP/NCCP and Section 6 of the CARP. Applicable conditions on Covered Activities from Chapter 6 of the HCP/NCCP and Section 6 of the CARP, as determined by the *[administrator]*, shall be included in each Land Conversion Authorization approval for such Development Projects.

[Section] Application Requirements

- A. Each Land Conversion Authorization application for a Development Project that is subject to this Ordinance shall include details, in the form and manner required by the *[administrator]*, of the methods and timing by which the project will comply with the HCP/NCCP and the CARP. Every such application shall be accompanied by a completed HCP/NCCP participation package, as set forth in Chapter 6, Section 6.2, of the HCP/NCCP and shall include any additional contents and requirements set forth by the *[administrator]* for implementation of this Ordinance.
- B. The *[administrator]* shall review HCP/NCCP participation packages for completeness. The HCP/NCCP participation package for a Development Project must be reviewed and approved for completeness before the Land Conversion Authorization application for the Project can be deemed complete.

[Section] PCCP Development Fees

- A. The PCCP Development Fees are hereby adopted in accordance with Chapter 9 of the HCP/NCCP for the purpose of mitigating impacts to open space, to habitat and species covered by the HCP/NCCP, and to aquatic resources covered by the CARP. PCCP Development Fee revenues will be used to fund the acquisition of land that does or could provide habitat for covered species, the management and enhancement of such land and habitat, the protection and enhancement of aquatic resources on such land, and the administrative actions necessary to

accomplish these tasks, as more particularly set forth in the HCP/NCCP and CARP. Because the tasks and actions set forth in the HCP/NCCP encompass the tasks and actions set forth in the CARP, the PCCP Development Fees set forth in the HCP/NCCP will fund both HCP/NCCP and CARP tasks and actions.

- B. The amounts and method of calculating the PCCP Development Fees, including the Land Conversion Fee, the Special Habitat Fees, and the Temporary Effect Fee, shall be adopted by [Board of Supervisors/City Council] fee resolution. The amount of the PCCP Development Fees shall be adjusted periodically based on determinations and assessments by the Placer Conservation Authority in accordance with Chapter 9, Section 9.4.1.7, of the HCP/NCCP. The adjusted PCCP Development Fee amounts shall be adopted by [Board/Council] fee resolution.
- C. Payment of applicable PCCP Development Fees shall be required for all Development Projects subject to this article. Each Land Conversion Authorization for such Development Projects shall require the Project Applicant to pay such Fees in full to the [City/County] according to the payment schedule determined by the [administrator]. The [administrator] shall determine the PCCP Development Fee payment schedule for each such Development Project as follows:
 - 1. For Development Projects that are approved as a single-phased project, PCCP Development Fees shall be paid in full prior to the issuance of the first Land Conversion Authorization;
 - 2. For Development Projects that are approved as phased projects, the PCCP Development Fees shall be paid prior to the issuance of the first Land Conversion Authorization for each phase, in proportion to the extent of land conversion associated with each phase, and prior to any ground-disturbing activities in each phase; and
 - 3. For Development Projects that require both Land Conversion Authorizations and Building Permits, the [administrator] may allow for the splitting of PCCP Development Fee payments, in which an initial payment is made prior to the issuance of the first Land Conversion Authorization, in proportion to the extent of land conversion associated with such Land Conversion Authorization, and subsequent payment(s) are made prior to the issuance of Building Permits, in accordance with Chapter 9, Section 9.4.1.8 of the HCP/NCCP.
- D. If the Placer Conservation Authority authorizes another manner of compensatory mitigation in lieu of some or all of the PCCP Development Fees pursuant to Chapter 9, Section 9.4.1 (e.g., a land donation, or establishing a special tax or assessment, in lieu of payment of a portion of the PCCP Development Fees), the Project Applicant shall provide the [City/County] with written documentation from the Placer Conservation Authority of compliance with such alternative manner of

payment and the dollar equivalent amount of such alternative manner of compensatory mitigation, and the amount of the PCCP Development Fees owed for the Development Project shall be reduced accordingly.

- E. In the event the *[administrator]* determines that the HCP/NCCP, pursuant to Chapter 9, Section 9.4.1.2, exempts a Development Project from payment of the PCCP Development Fees, no PCCP Development Fees shall be required for the project.
- F. Any fee amounts paid for a Development Project pursuant to *[identify fee ordinances for removal of native trees (oak trees, riparian woodlands, etc.) and open space impacts]* shall be credited against the Land Conversion Fee assessed for the project.
- G. All PCCP Development Fees collected shall be transmitted to the Placer Conservation Authority quarterly, within thirty (30) days of the end of the quarter within which the fee was collected, for deposit into a separate account or fund, and for the investment, accounting and expenditure in accordance with the provisions of the this Ordinance and the Mitigation Fee Act.

[Section] Authorization of Take and Impacts to Aquatic Resources of Placer County

Upon approval of a Land Conversion Authorization incorporating all applicable HCP/NCCP and CARP conditions of approval, and payment in full of the PCCP Development Fees, the *[administrator]* shall extend the following to the Project Applicant:

- authorized Take coverage for the Development Project in accordance with the terms of the HCP/NCCP and the Implementing Agreement; and
- authorization to impact Aquatic Resources of Placer County in accordance with the terms of the CARP.

[Section] Enforcement

The *[City/County]* Planning Director shall be authorized to enforce the provisions of this Chapter by civil or administrative action as permitted by law and *[County/City]* Code.

SECTION 3. SEVERABILITY

If any part of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining portion of this Ordinance, and the *[Board/Council]* hereby declares that it would have adopted each provision of this Ordinance irrespective of the validity of any other provision.

[Include agency-specific adoption language and signature block]

APPENDIX B
Watershed Approach
Background Information

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The PCCP Watershed Approach

The Western Placer County Aquatic Resources Program (CARP) is being established with the goal of providing a structure for protecting aquatic resources in western Placer County while streamlining the environmental permitting process for impacts to aquatic resources. The CARP protects aquatic resources by establishing avoidance, minimization, and mitigation requirements for projects that have the potential to impact such resources. The CARP also provides a means to fulfill the requirements of federal, state, and local laws that protect aquatic resources using a comprehensive, long-term, regional conservation strategy. This regional strategy uses a watershed approach to focus authorized impacts to aquatic resources near or within existing urban areas and away from rural, intact natural areas, thereby avoiding and minimizing impacts to aquatic resources on a regional scale.

The CARP's watershed approach identifies watersheds for conservation and restoration, of aquatic resources (for the purpose of mitigation), while authorizing development in watersheds that are already degraded and impacted by development. The implementation of Best Management Practices (BMPs) and Low Impact Development (LID) strategies would prevent further degradation within affected watersheds, and may actually improve water quality within them. This comprehensive regional approach to aquatic resource conservation and mitigation in western Placer County provides a greater level of landscape-and watershed-scale protection of aquatic resources than is possible with project-by-project permitting under the federal Clean Water Act (CWA) Sections 404 and 401, and the California Fish and Game Code 1602 programs.

By definition, watershed planning focuses on a watershed, a geographic area that is defined by a drainage basin. A watershed based mitigation strategy should address a geographic area large enough to ensure that implementing the strategy will successfully mitigate causes of impairments and threats to the waterbody impacted. Although there is no rigorous definition or delineation of this concept, the general intent is to avoid a focus on single waterbody segments or other narrowly defined areas (e.g., land use designations such as zoning) that do not provide an opportunity for addressing watershed impacts in a rational, efficient, and economical manner. At the same time, the scale should not be so large that it hampers the ability of the resource to recover and negatively affect biodiversity. The U.S. Army Corps of Engineers (USACE) generally uses the 8-digit Hydrologic Unit Code (HUC) designation when reviewing aquatic resource impacts. Four 8-digit HUCs are present within the Placer County Conservation Program (PCCP) area (Plan Area) also covered by the CARP. These are shown on Figure 1 and are the Lower American (HUC 18020111), Upper Bear (HUC 18020126), North Fork American (HUC 18020128), and the Upper Coon-Upper Auburn (HUC 18020161).



The USACE and USEPA describe a watershed approach as:

...an analytical process for making compensatory mitigation decisions that support the sustainability or improvement of aquatic resources in a watershed. It involves consideration of watershed needs, and how locations and types of compensatory mitigation projects address those needs. A landscape perspective is used to identify the types and locations of compensatory mitigation projects that will benefit the watershed and offset losses of aquatic resource functions and services caused by activities authorized by DA permits. The watershed approach may involve consideration of landscape scale, historic and potential aquatic resource conditions, past and projected aquatic resource impacts in the watershed, and terrestrial connections between aquatic resources when determining compensatory mitigation requirements for DA permits.¹

Plans that group watersheds within a given geographical location with similar sets of challenges, or address common stressors (e.g., sediment, nutrients, loss of biological function) across multiple related watersheds can be particularly useful for planning, efficient implementation, and the strategic use of administrative resources.

There are eight perennial streams and associated watersheds at the 10-digit HUC level that occur within the Plan Area (Figure 2). These watersheds share a common landscape with a similar set challenges and stressors, although these challenges and stressors have a great deal of variability in terms of their severity from one watershed to another.

The CARP's watershed approach is designed to ensure that compensatory mitigation will be located where it is most likely to accomplish the following goals and objectives:

- Successfully replace lost functions and services consistent with the state and federal “no net loss” policies.
- Consider watershed-scale features such as aquatic habitat diversity, habitat connectivity, and relationships to hydrologic sources (including the availability of water rights).
- Recognize trends in land use planning and compatibility with adjacent land uses.
- Consider out-of-kind compensatory mitigation for wetland impacts when larger landscape-level goals and objectives may be met by doing so.

The ultimate goal of this watershed approach is to maintain and improve the quality and quantity of aquatic resources within the 10-digit HUC watersheds that occur in the Plan Area (Figure 2). To do this in a way that protects the most valuable aquatic resources, a conservation strategy has been developed that selects compensatory mitigation sites within and among all the watersheds based on goals and objectives for the Plan Area as a whole. The Western Placer

¹ *Compensatory Mitigation for Losses of Aquatic Resources*, Authority: 33 U.S.C. 401 et seq.; 33 U.S.C. 1344; and Pub. L. 108–136. Source: 73 FR 19670, Apr. 10, 2008.



County Habitat Conservation Plan and Natural Community Conservation Plan (HCP/NCCP) includes guiding principles (HCP/NCCP Chapter 1), biological goals and objectives for the Plan Area (HCP/NCCP Chapter 5) and conditions on covered activities (HCP/NCCP Chapter 6). These guiding principles, goals, objectives, and conditions on covered activities preserve critical aquatic functions in all watersheds by preserving valuable aquatic resources, regulating activities within the Stream System (defined as the area along a stream extending outward from the Ordinary High Water Mark on the side of the stream where the proposed project would occur, plus the outermost edge of riparian vegetation or the boundary of the 100-year floodplain, whichever is greater), adopting Low Impact Development (LID) strategies, and implementing BMPs.

Stakeholders in the region are currently implementing the following three watershed plans within the Plan Area:

Dry Creek Watershed Coordinated Resource Management Plan (CRMP) (December 2003)

The Dry Creek Watershed ranges from the unincorporated community of Newcastle (near Auburn) in Placer County to approximately 25 miles southwest to the point where Dry Creek drains to Steelhead Creek in north Sacramento in Sacramento County. The Dry Creek Watershed CRMP is a comprehensive, stakeholder driven watershed plan. The Plan synthesized existing data identifying information gaps and problems perceived by the stakeholders, as well as opportunities for improvement of existing conditions, and funding sources for implementation. Six major issues were identified during the planning process:

- Fisheries Management
- Riparian and Floodplain Habitat Management
- Water Resources Management
- Development and Growth
- Open Space Preservation
- Public Education and Involvement

Auburn Ravine/Coon Creek Ecosystem Restoration Plan (ERP) (April 2002)

The Auburn Ravine/Coon Creek ERP focuses on the restoration of three 10-digit HUC watersheds in the Plan area including Auburn Ravine, Markham Ravine, and Coon Creek. The headwaters of Auburn Ravine and Coon Creek are located in the western Sierra Nevada foothills in the Auburn area. Both streams support a cold water fishery. Markham Ravine, which is located between Auburn Ravine (south) and Coon Creek (north), originates just east of the City of Lincoln. Markham Ravine supports a warm water fishery and an extensive riparian and perennial freshwater emergent marsh complex. The primary goal of the ERP is to restore and protect water quality and fisheries habitat. A major emphasis is on protection and restoration of riparian and aquatic habitats (including anadromous and native resident species), protecting watershed integrity, improving water quality, reducing the risk of catastrophic wildfire, improving wildlife habitat, and improving the ecological functioning of the watersheds.

Pleasant Grove/Curry Creek Ecosystem Restoration Plan (ERP) (February 2006)

The Pleasant Grove 10-digit HUC watershed is located in western Placer County, including large portions of the Cities of Roseville and Rocklin. The watershed is composed of five major drainages: Curry Creek, Lower Pleasant Grove Creek, Kaseberg Creek, South Branch Pleasant Grove Creek, and upper Pleasant Grove Creek. Pleasant Grove and Curry Creek empty into the Pleasant Grove Creek Canal in eastern Sutter County, which drains to the Sacramento River via the Cross Canal. The Pleasant Grove/Curry Creek ERP was developed to examine urban growth in the Pleasant Grove watershed, project potential impacts of that development on habitat, hydrology and water quality, and to make recommendations for strategies and projects to help reduce those projected impacts.

These watershed management plans give direction to efforts to control water pollution, manage stormwater, and restore and enhance stream system habitats and the uplands that surround them. Moreover, those watershed management plans reflect stakeholder collaboration and consensus cultivated during the watershed planning process.

During the watershed planning process, Placer County developed watershed-level goals and program-level objectives to realize broader policy ambitions. These watershed planning goals and objectives are listed in Table B-1 below and match PCCP goals, objectives, and implementation language found throughout the HCP/NCCP.

Table B-1

Watershed-level Goals	Program-level Objectives
GOAL 1: Sensitive habitats and species within the watershed are protected. (<i>Goal of the Dry Creek, Pleasant Grove/Curry Creek, and Auburn Ravine/Coon Creek Watershed Plans</i>)	Objective 1.1 - Identify the various habitat types within the watershed and evaluate their distribution and condition.
	Objective 1.2 - Identify the wildlife species that have potential to occur within the watershed based on habitat availability.
	Objective 1.3 - Prioritize which habitat types and species are significantly threatened and/or in decline.
	Objective 1.4 - Provide protection to sensitive habitats and species through a combination of means including public acquisition, conservation easements, and development of preserves.
	Objective 1.5 - Establish buffer zones for no development or removal of riparian vegetation.
	Objective 1.6 - Preserve large contiguous corridors/areas
GOAL 2: Degraded habitat areas with high potential for healthy ecosystem functionality are restored and/or enhanced. (<i>Goal of the Dry Creek, Pleasant Grove/Curry Creek, and Auburn Ravine/Coon Creek Watershed</i>)	Objective 2.1 - Identify, document, and prioritize new areas where opportunities exist to create /expand /enhance riparian forest, willow scrub, freshwater marsh, and adjacent upland habitat types.
	Objective 2.2 - Develop and implement stewardship of restoration/enhancement projects for adequate establishment periods to insure their long-term success.

Watershed-level Goals	Program-level Objectives
<i>Plans)</i>	Objective 2.3 - Restore the stream system hydrologic and hydraulic function and value.
GOAL 3: Ongoing monitoring and mapping of ecosystem conditions provides meaningful information to prevent and/or correct adverse impacts. (Goal of the Pleasant Grove/Curry Creek and Auburn Ravine/Coon Creek Watershed Plans)	Objective 3.1 - Implement a water quality monitoring program to characterize ambient conditions and to identify both the source (point and non-point) and constituents of discharges into surface waters.
	Objective 3.2 - Monitor the condition of restoration/enhancement projects to provide information on project benefits and to improve the design and implementation of future projects.
	Objective 3.3 - Map and monitor hydrology and hydraulics of the watershed to better understand impacts from large and small storm events and dry season flows on channel form, vegetation and water quality.
	Objective 3.4 - Map and monitor vegetation and wildlife distribution and condition in the sensitive habitats to provide early detection of possible adverse impacts and to aid in developing adaptive management strategies.
GOAL 4: Biological diversity of healthy native habitat is maintained by preventing the establishment of invasive, non- native plant and animal species in native ecosystems. (Goal of the Dry Creek, Pleasant Grove/Curry Creek and Auburn Ravine/Coon Creek Watershed Plans)	Objective 4.1 - Identify most significant non-native invasive species and vectors by which they are entering the watershed.
	Objective 4.2 - Map locations where non-native invasive species are established or becoming established.
	Objective 4.3 - Develop a prioritized strategy to eradicate and/or control significant non-native invasive species that includes coordination with public and private stakeholders in adjacent watersheds.
	Objective 4.4 - Identify ongoing maintenance/management strategies to prevent reestablishment or maintain control of the establishment of nonnative species.
	Objective 4.5 - Implement public education projects to publicize the adverse impacts of non-native invasive species and to limit their introduction and spread through vectors such as private ornamental landscapes and the release of nonnative fish or wildlife into natural areas.
GOAL 5: The ecological richness, function and viability of the watershed are enhanced by the size, location, diversity, and connectivity of habitat areas. (Goal of the Dry Creek, Pleasant Grove/Curry Creek, and Auburn Ravine/Coon Creek Watershed Plans)	Objective 5.1 - Develop an overall open space and habitat preservation strategy for the watershed that includes a representative variety of native habitat communities of adequate size and with connecting corridors to maintain access for wildlife.
	Objective 5.2 - Protect, enhance or recreate natural riparian processes, particularly hydrology and associated high water events, to promote the natural cycle of channel movement and sediment deposition that create a mosaic of riparian vegetation types.

Watershed-level Goals	Program-level Objectives
	Objective 5.3 - Design and implement restoration projects that complement the existing diversity and structure of habitat types and locations.
	Objective 5.4 - Identify and set minimum buffer widths for riparian corridors, to help conserve ecological structure and function.
GOAL 6: Practices, policies, and ordinances related to flood control, land use and agriculture, and economic development strategies serve to protect and/or enhance ecosystem function of sensitive habitats. (<i>Goal of the Dry Creek, Pleasant Grove/Curry Creek, and Auburn Ravine/Coon Creek Watershed Plans</i>)	Objective 6.1 - Review existing policies, ordinances and other mechanisms that are intended to protect sensitive habitats and evaluate their effectiveness.
	Objective 6.2 - Recommend modifications to existing policies and ordinances to better facilitate the protection of sensitive habitats.
	Objective 6.3 - Integrate meaningful ecosystem protection and restoration opportunities with the development review and approval process to encourage low impact development and ecologically sensitive transportation planning.
	Objective 6.4 - Provide adequate enforcement of storm water and other water quality regulations and access restrictions (such as for vehicles, dogs, etc.) to protect sensitive habitats from adverse impacts.
	Objective 6.5 - When designing restoration/enhancement projects, anticipate hydrological and species displacement/competition impacts associated with new development in the watershed.
	Objective 6.6 – Establish off-stream regional detention for reducing flood flow peaks and timing.
	Objective 6.7 - Where feasible, ensure that flood control projects benefit habitat and wildlife while also meeting the needs of the watershed's agricultural and urban populations.
	Objective 6.8 - Recognize the need for a balance between economic viability and ecosystem protection and restoration in all aspects of watershed planning for the benefit of future generations.
	Objective 6.9 – Implement Smart Growth principles.
GOAL 7: Watershed stakeholders are engaged as active stewards in the protection and enhancement of ecosystem health. (<i>Goal of the Pleasant Grove/Curry Creek and Auburn Ravine/Coon Creek Watershed Plans</i>)	Objective 7.1 - Include a broad coalition of public and private stakeholders (property owners, educators, special interest organizations, residents, businesses, public agencies, local governments, etc.) in the full range of watershed planning activities, such as community plans, development plans, and ecosystem restoration plans, and in the implementation of these plans.

Watershed-level Goals	Program-level Objectives
	Objective 7.2 - Encourage citizen-based participation wherever feasible such as for water quality monitoring or removal of non-native invasive species.
	Objective 7.3 - Encourage a wide variety of watershed advocacy organizations that reflect the age, cultural and economic diversity of watershed interests.
	Objective 7.4 - Develop a public education and outreach strategy to identify specific watershed stewardship opportunities and to engage stakeholders in these opportunities. Stewardship opportunities should be diverse ranging from community sponsored events focused on public lands to voluntary changes in land management practices by individuals on private residential and agricultural property.
	Objective 7.5 - Make information about watershed resources and conditions readily available to stakeholders through a variety of methods including the media, libraries, the internet, educational programs, events, local governments, and special interest organizations.
	Objective 7.6 – Use American Basin Council of Watersheds to regularly convene stakeholders to address watershed issues and collaborative problem solving.
	Objective 7.7 - Seek and obtain funding and other resources as needed to support implementation of the education/outreach strategy, dissemination of watershed information and coordination/facilitation of the watershed stakeholder forum.
	Objective 7.8 - Collaborate with other watershed planning and stewardship efforts in the region to optimize resources and to identify and implement projects with mutually beneficial outcomes.
	Objective 7.9 - Implement at least one publicly accessible project within the watershed that can be used to educate stakeholders on watershed resource values and highlight the role of stakeholder stewardship in ecosystem preservation and restoration.
GOAL 8: Water quality meets or exceeds the standards established by the Central Valley Regional Water Quality Control Board's Water Quality Plan (the Basin Plan) for Inland Surface Waters. (Goal of the Dry Creek, Pleasant Grove/Curry Creek, and Auburn	Objective 8.1 – Identify sources and reduce erosion and sedimentation for each of the watersheds within the ERP planning area to within the water quality standards set forth by the Water Quality Control Plan (Basin Plan) and any other applicable standards.
	Objective 8.2 - Control discharges into and human activities adjacent to the creeks to prevent unhealthy levels of anthropogenic bacteria.

Watershed-level Goals	Program-level Objectives
<i>Ravine/Coon Creek Watershed Plans</i>	Objective 8.3 – Implement measures to prevent discharge of urban runoff containing contaminants (e.g., herbicides/pesticides, nutrients, and hydrocarbons) from both existing and new developments and roads.
	Objective 8.4 – Establish vegetative buffers to filter surface runoff water.
	Objectives 8.5 – Prevent excess sediment by controlling upland and channel erosion associated with increased runoff due to development or loss of stabilizing vegetation.
	Objective 8.6 – Apply the appropriate and cost effective Low Impact Development (LID) principles and strategies to new and redevelopment projects.
	Objective 8.7 – Enforce post-construction BMPs for stormwater detention.
GOAL 9: Enhance, restore, and protect the salmonid bearing streams of western Placer County. (Goal of the Dry Creek and Auburn Ravine/Coon Creek Watershed Plans)	Objective 9.1 – Develop a comprehensive strategy to guide implementation of measures to enhance salmonid habitat in the watersheds that identifies current and historical migration timing and extent, determines locations of existing and potential spawning and rearing habitat, and establishes habitat restoration/enhancement priorities. Incorporate information developed for the PCCP in this process.
	Objective 9.2 – Based on the priorities established in the salmonid habitat enhancement strategy, identify barriers for adult Chinook salmon and steelhead trout migration to spawning areas.
	Objective 9.3 – Require new in-stream structures to meet design requirements for flow and fish passage. In addition screen diversions, relocate sewer and water pipes that impede fish migration, retrofit bridges and culverts to enhance fish passage.
	Objective 9.4 – Based on the priorities established in the salmonid habitat enhancement strategy, identify barriers for juvenile Chinook salmon and steelhead trout to the Sacramento River during emigration in all watersheds.
	Objective 9.5 – Based on the priorities identified in the salmonid habitat enhancement strategy, select areas in the upper watersheds that are determined to have good potential for spawning habitat but where stream channel sediment concentration is excessive.
	Objective 9.6 – Optimize juvenile salmonid rearing habitat in the upper watersheds where the potential for fish presence is high as determined by the salmonid habitat enhancement strategy.

Placer County also adopted the Cosumnes American Bear Yuba (CABY) Integrated Regional Water Management Plan (IRWMP) in 2008 and is an Associate Member in the Regional Water Authority who is implementing the American River Basin IRWMP. Diverse stakeholder involvement was a priority at the inception of these plans.

CABY comprises more than 30 organizations, representing water supply, conservation, recreation, agriculture, and community interests, as well as federal and local government. CABY functions as a vehicle to bring funding into the region, and its mission is to improve water management in the Sierra foothills by increasing communication and coordination and seeking funding to implement projects throughout the region. The organization's priorities are water quality (maintaining and restoring), water quantity (for both people and the environment, within the CABY region and statewide), and environmental quality (restoration and preservation). A representative of the Placer Conservation Authority (PCA) (the joint powers authority that implements the PCCP) will sit on the CABY Stakeholder Group. CABY will assist the PCA with funding opportunities to restore and protect aquatic resources which are consistent with CABY's mission.

Prioritizing Conservation Actions between Watersheds

The ultimate goal of this watershed approach is to maintain and improve the quality and quantity of aquatic resources within the watersheds of the Plan Area. In order to protect the most valuable aquatic resources, the conservation strategy should select compensatory mitigation sites within the watersheds present within the Plan Area based on goals and objectives for the Plan Area as a whole. The PCCP includes scientifically-based aquatic resource goals and objectives and aquatic resource conservation measures for Plan Area. These goals, objectives, and measures preserve critical aquatic functions in all watersheds by preserving valuable aquatic resources, regulating activities within the Stream System, adopting LID strategies, and implementing BMP's.

At a landscape scale, the PCCP conservation strategy focuses on compensatory mitigation and conservation activities in the Coon Creek/lower Bear River watersheds and the western third of the Auburn Ravine watershed because they contain the largest and least-fragmented aquatic resources in the Plan Area and present Placer County with the best aquatic resource restoration opportunities that are not present in other watersheds. At a project scale, the PCCP conservation strategy focuses on avoidance and minimization of impacts within the Stream System. Placer County's rationale for focusing conservation efforts in the Coon Creek/lower Bear River is discussed below.

Landscape scale conservation actions and compensatory mitigation in the Dry Creek watershed is a lower priority since the aquatic resources in the Dry Creek Watershed have been fragmented and impacted to such an extent that preservation and restoration opportunities are limited, and the long-term viability of preserved and restored resources is less certain. Impervious surface cover in the Dry Creek watershed has been studied exclusively between 2003 and 2011 (*Dry Creek Watershed Coordinated Resource Management Plan [2003], Update to Dry Creek Watershed Flood Control Plan [2011, et.al]*) and is projected to be 28% of the watershed at build-out. The Pleasant Grove watershed will likely exceed these impervious surface cover estimates at build-out. Placer County conducted an analysis of "likely future conditions" (what the landscape will look like at build-out) of the Pleasant Grove watershed that

reinforces this conclusion (*Pleasant Grove and Curry Creek Ecosystem Restoration Plan*, 2005). The Auburn Ravine watershed is dominated by rural residential development east of the City of Lincoln and a significant footprint of current and proposed urban development within the City of Lincoln. As a consequence of the existing and proposed development pattern, there are limited opportunities for large scale conservation for the upper two-thirds of the watershed. Therefore, Stream System conservation and restoration will be emphasized on lands west of the City of Lincoln. East of the City of Lincoln, efforts will be directed to fish passage, bank stabilization and other restoration and conservation efforts directly along the stream. Together, these limitations on the Dry Creek, Pleasant Grove and Auburn Ravine watersheds reinforce that Coon Creek and lower Bear River watersheds are the principal watersheds in which landscape-level conservation should occur.

In 2017, Placer County completed a Coon Creek Watershed Assessment in support of its efforts to improve conditions within the watershed and in recognition of the importance of this watershed to the successful implementation of the PCCP. This effort was partially funded through a grant from the U.S. Fish and Wildlife Service Cooperative Endangered Species Conservation Fund. The assessment was a multi-disciplinary effort to characterize environmental conditions, assess disturbances, and develop and prioritize restoration opportunities for the Coon Creek watershed. The assessment had a number of recommended actions to improve the environmental conditions within the watershed. A summary of those recommendations includes the following from Section 9 of the report.

Despite the historic and ongoing disturbances to the Coon Creek watershed, it remains one of the least developed Sierra foothill watersheds in Placer County and has the potential for significant physical and ecological uplift. This assessment identified a portfolio of basin-level rehabilitation and management strategies, site-specific restoration projects, and considerations for future management efforts and studies. Of specific emphasis are projects aimed at improving the success of salmonid rearing and emigration life stages. The installation of fish screens and passage improvements at the Doty South at Head Diversion Dam and Coppin Dam on the East Side Canal would address two major lethal entrainment points that likely affect anadromous fish populations. Retrofitting or replacing the Garden Bar Road culvert on Doty Ravine would address a prominent passage barrier for salmon and provide access to additional spawning habitat. Screening other pumps and diversions throughout the watershed is also recommended.

Channel and floodplain rehabilitation measures can be pursued to enhance physical processes and the condition of the stream and floodplain in the middle and lower watershed. Recommended strategies include floodplain grading to increase topographic complexity and to enhance or create secondary channel alignments. Degraded stream reaches can also be improved through channel form rehabilitation, reconnection of historic meander bends, channel re-profiling and placement of large woody material. These efforts would all serve to improve floodplain connectivity, and, particularly in the lower watershed, would improve the quality and availability of floodplain rearing habitat for juvenile salmonids. Another option for improving the quality, quantity and duration of availability of floodplain rearing habitat for juvenile salmonids is implementing multi-purpose floodplain management of rice fields in the lower watershed. Inundated rice fields can be used to achieve tremendous growth rates in rearing juveniles in winter and spring months while still being used for rice cultivation during the growing season.

Other high-priority rehabilitation strategies including enhancing the riparian corridor, particularly in the lower and middle watershed where there the riparian buffer width is minimal along many reaches. Efforts should aim to increase the width of the riparian buffer, improve longitudinal connectivity of the riparian corridor, increase the presence of large woody vegetation and reduce the coverage of invasive species. Cattle exclusion measures would also be significantly beneficial in reducing livestock disturbances to the stream channel along several reaches in the middle watershed. Altering current flow management practices to lessen the temporal and spatial variability of stream flows would likely benefit aquatic habitat conditions. However, this report does not recommend specific actions due to the complexity of today's flow management activities (and the resulting benefits and detriments for a broad array of species) and the lack of stream flow data. Instead, numerous considerations and concepts regarding flow management are presented that require further exploration.¹

Furthermore, a GIS evaluation of roads and fragmentation in the PCCP coverage area (See Figures 3 through 5) determined that the Coon Creek and lower Bear River watersheds are a mostly intact natural environment in a relatively un-fragmented landscape. Additionally, the Coon Creek and lower Bear River watersheds provide the only opportunity for foothill to valley floor connectivity. The Bear River watershed also provides connectivity to other conservation lands in Yuba and Nevada Counties and public lands in the Sierra Nevada foothills. A study prepared by Conservation Biology Institute in October 2008 (*Conservation Assessment for the Yuba River Watershed Foothills*) further illustrates the need for conservation in the Sierra Nevada foothills, including conservation in the lower Bear and Coon Creek watersheds and the relationship to other conservation actions occurring to the north in Nevada, Yuba, and Butte Counties. These studies suggest that existing and projected land uses in the Auburn Ravine, Dry Creek, and Pleasant Grove Creek watersheds limit their suitability for large-scale aquatic resource preservation and restoration from compensatory mitigation projects. Thus, Placer County will focus its landscape-level compensatory mitigation and conservation actions within the Coon Creek and lower Bear River watersheds

¹ County of Placer. *Coon Creek Watershed Assessment, Final Report*. February 2017

Figure 3

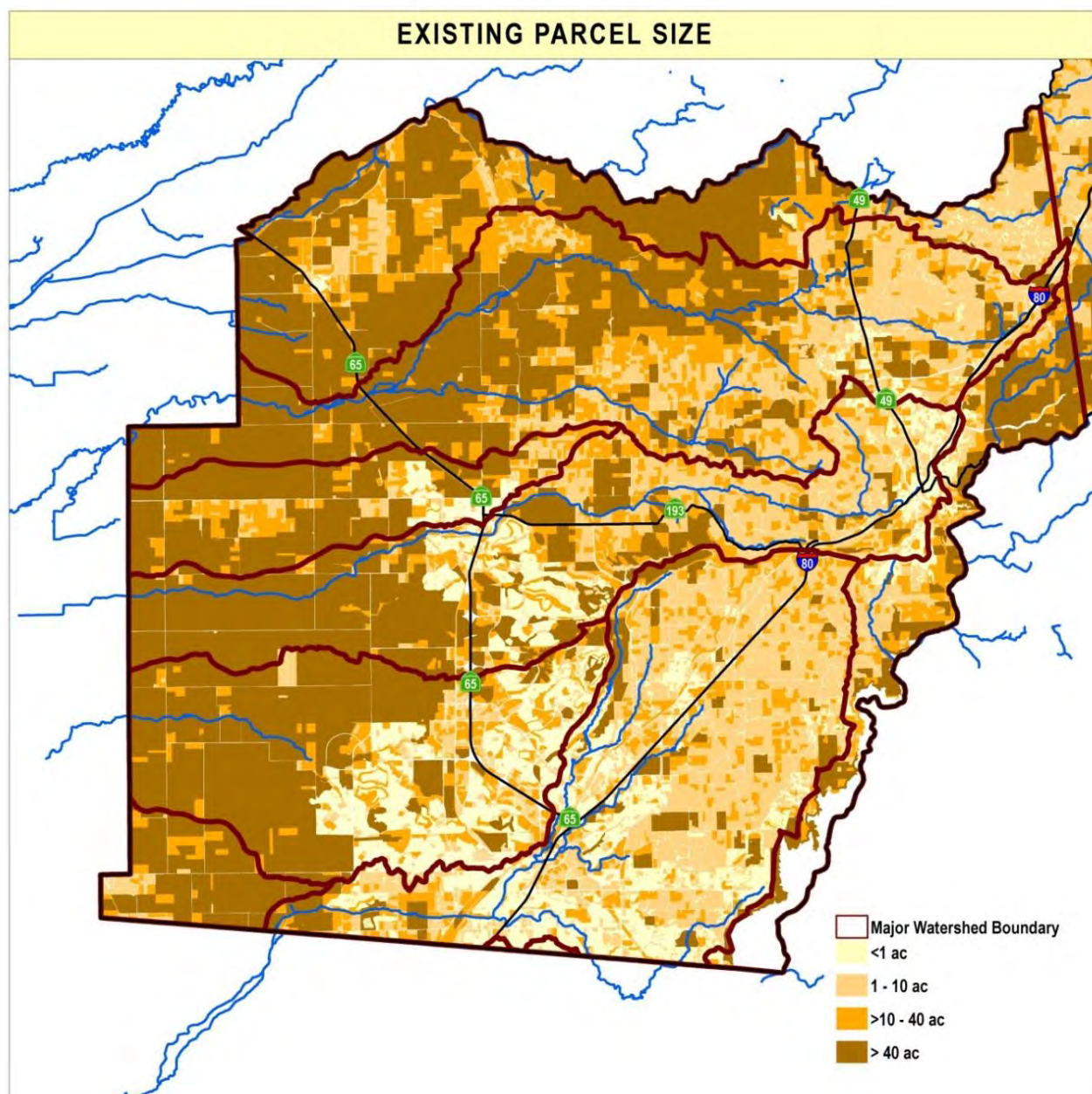


Figure 4

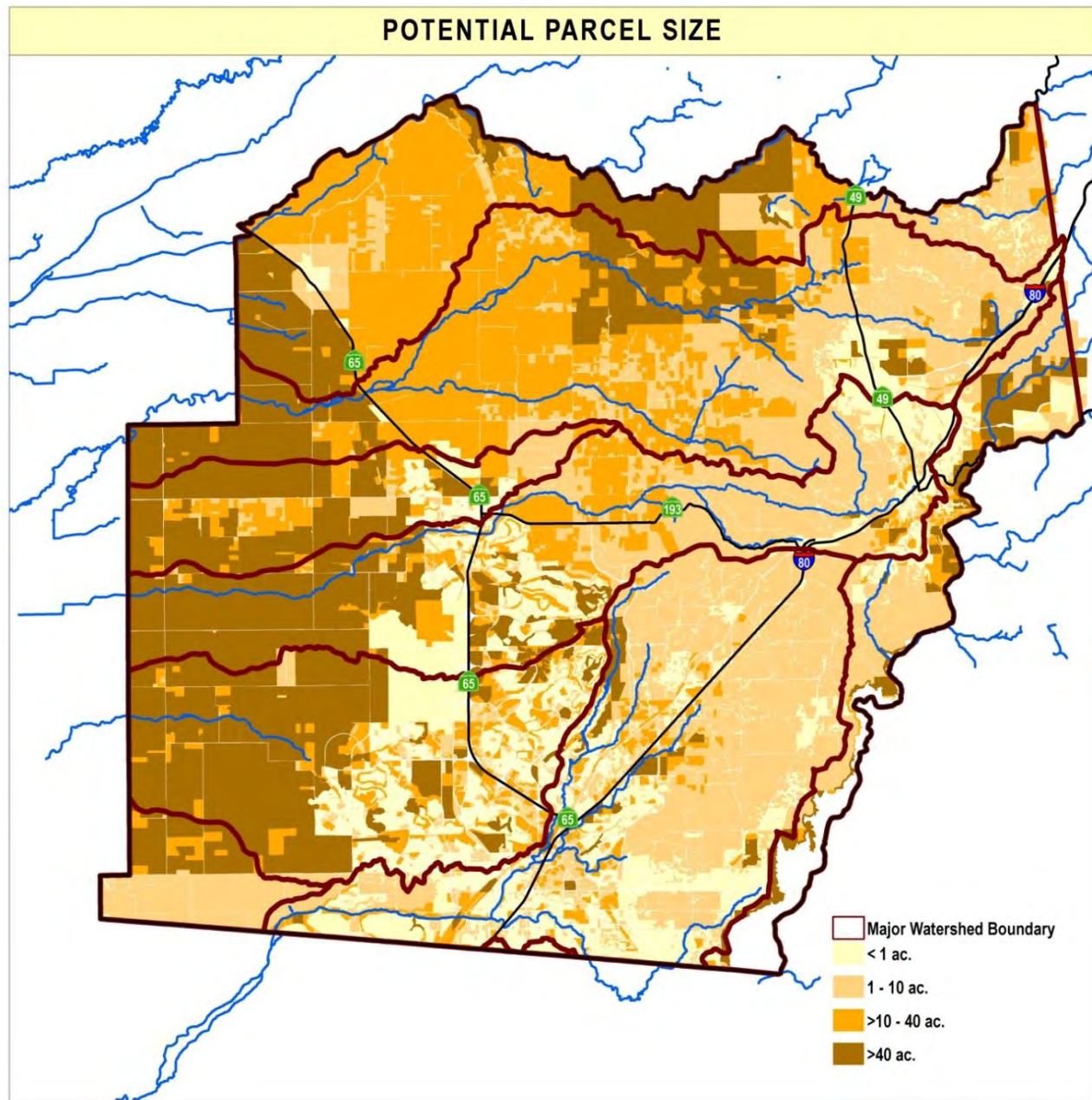
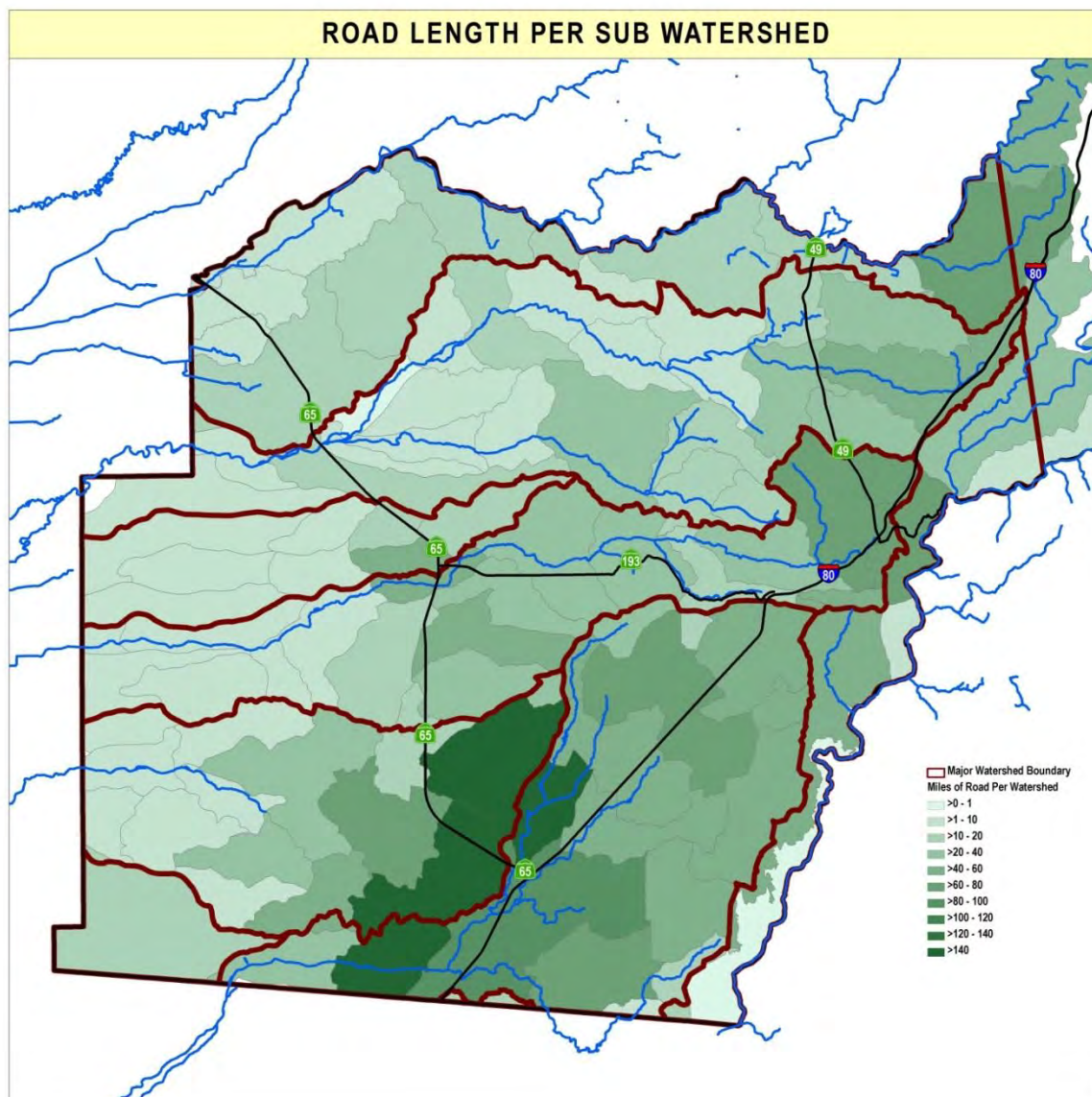


Figure 5



In addition to road length, fragmentation and parcel size, Table B-2 below depicts the average size of parcels, by watershed, within the Potential Future Growth Area (PFG) and the Reserve Acquisition area (RAA) in the PCCP. As noted in Table B-2, there is a significant parcel size differential between RAA areas and PFG areas within the Coon Creek and lower Bear River watersheds and other watersheds in the Plan Area. The Coon Creek and lower Bear River watersheds have the greatest number of large parcels (i.e., greater than 40 acres in size) and the fewest number of smaller parcels in western Placer County that are not fragmented by roads or large parcel sub-divisions.

Table B-2 - Existing Parcel Size by Watershed

AVERAGE PARCEL SIZE BY WATERSHED			
Watershed	# Of Parcels	Total Parcel Acres	Average Acres Per Parcel
American River	3022	7567.28	2.50
Auburn Ravine	23625	43198.98	1.83
Bear River	1413	32814.31	23.22
Coon Creek	4417	51791.12	11.73
Dry/Steelhead Creek	42223	55332.07	1.31
Markham Ravine	5802	16375.28	2.82
Pleasant Grove	37881	36883.24	0.97
Grand Total	118383	243962.27	2.06
AVERAGE PARCEL SIZE BY PFG & RAA			
	# Of Parcels	Total Parcel Acres	Average Acres per Parcel
PFG	43490	118128.42	2.72
RAA	1444	67445.81	46.71
Grand Total	44934	185574.23	4.13

AVERAGE PARCEL SIZE BY OF PFG & RAA BY WATERSHED				
Watershed	Area	# Of Parcels	Total Parcel Acres	Average Acres per Parcel
American River	PFG	1140	6257.49	5.49
Auburn Ravine	PFG	17968	29010.38	1.61
	RAA	49	6786.95	138.51
Bear River	PFG	831	5188.95	6.24
	RAA	541	22188.99	41.01
Coon Creek	PFG	3744	23525.12	6.28
	RAA	591	23894.97	40.43
Dry/Steelhead Creek	PFG	13826	35636.31	2.58
	RAA	17	1271.61	74.80
Markham Ravine	PFG	5483	8898.85	1.62
	RAA	178	6050.51	33.99
Pleasant Grove	PFG	498	9611.33	19.30
	RAA	68	7252.78	106.66
Grand Total	NA	44934	185574.23	4.13

This information demonstrates that existing and projected land uses in the Auburn Ravine, Dry Creek, and Pleasant Grove watersheds limit their suitability for large-scale aquatic resource preservation and restoration from compensatory mitigation projects. On the other hand, the Coon Creek and lower Bear River watersheds are appropriate focus areas for the PCCP/CARP conservation strategy. Accordingly, locational factors (e.g., hydrology, surrounding land use) will be a key component of the HCP/NCCP/CARP compensatory mitigation strategy for mitigating impacted habitat functions. These factors will lead to siting of mitigation and conservation activities away from the highly-fragmented and impaired Dry Creek, Pleasant Grove, and upper Auburn Ravine watersheds.

Individual Watershed Conservation Strategies

The PCCP conservation strategy is designed to address watershed-specific resource conditions and each watershed's relative potential for landscape-level ecosystem management. BMPs and LID strategies are important minimization measures that will be required across all watersheds. The PCCP conservation strategy for each watershed is summarized below. Avoidance, minimization, and mitigation requirements are addressed in Chapter 6 of the CARP.

Lower American (HUC 18020111) Conservation Strategy

- Conservation of the Stream System (wherever possible) for Dry Creek and its major tributaries including Linda Creek, Strap Ravine, Miners Ravine, Secret Ravine, Antelope Creek, Clover Valley Creek, and Cirby Creek (outside of the boundaries of non-participating cities).
- Minimization and avoidance of effects from Covered Activities within the Stream System
- Preservation of channel forming gravel sources.
- Restoration of the Stream System where feasible.
- Facilitation of fish passage through barrier removal or barrier modification.
- Enhancement/restoration of HCP/NCCP Covered fish species habitat.

Upper Bear (HUC 18020126) Conservation Strategy

- Conservation and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System within the Coon Creek/lower Bear River watersheds located within the Plan Area boundary.
- Minimization and avoidance of effects from Covered Activities within the Stream System.
- Landscape level restoration/enhancement.
- Preservation of channel forming gravel sources.
- Enhancement/restoration of covered fish species habitat.
- For Coon Creek, identification of sources of water quality impacts (including water temperature) and implementation of remedial actions to improve water quality.

Yankee Slough Watershed

- Conservation of the Stream System and restoration consistent with the conservation strategy for the development of a Reserve System.
- Minimization and avoidance of effects from Covered Activities within the Stream System
- Creation and restoration of wetland riparian habitat in the Yankee Slough watershed.

North Fork American (HUC 18020128) Conservation Strategy

- Stream system conservation to the extent feasible.
- Minimization and avoidance of effects from Covered Activities within the Stream System

- Preservation of channel forming gravel sources.
- Restoration of the Stream System where feasible.
- Enhancement/restoration of HCP/NCCP Covered fish species habitat.

Upper Coon-Upper Auburn (HUC 18020161) Conservation Strategy

The following HUC 10 watersheds are included in the Upper Coon-Upper Auburn conservation strategy:

Coon Creek Watershed

- Conservation and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System within the Coon Creek watershed located within the Plan Area boundary.
- Minimization and avoidance of effects from Covered Activities within the Stream System
- Landscape level restoration/enhancement.
- Preservation of channel forming gravel sources.
- Facilitation of fish passage through barrier removal or barrier modification.
- Enhancement/restoration of covered fish species habitat.
- For Coon Creek, identification of sources of water quality impacts (including water temperature) and implementation of remedial actions to improve water quality.
- Implementation of the findings and recommendations of the 2017 Coon Creek Watershed Assessment

Markham Ravine Watershed

- Conservation of the Stream System and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System in the western reaches of the watershed.
- Minimization and avoidance of effects from Covered Activities within the Stream System
- Restoration and preservation in the western reaches of the watershed where development is not projected to occur.

Auburn Ravine Watershed

- Conservation of the Stream System and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System in the western reaches of the watershed.
- Minimization and avoidance of effects from Covered Activities within the Stream System
- Preservation of channel forming gravel sources.
- Facilitation of fish passage through barrier removal or barrier modification.
- Landscape-scale conservation of the floodplain and adjoining uplands in the western reaches of the watershed.

- Enhancement/restoration of covered fish species habitat.

Pleasant Grove/Curry Creek Watersheds

- Conservation of the Stream System and restoration consistent with the HCP/NCCP conservation strategy for the development of a Reserve System.
- Minimization and avoidance of effects from Covered Activities within the Stream System
- Restoration of Pleasant Grove Creek and Curry Creek in the western reaches of the watershed west of the boundaries of the non-participating cities (Roseville and Rocklin).
- Creation and restoration of wetland riparian habitat in the Curry Creek watershed except for the upper portion of the watershed located in the non-participating cities.

To ensure the sustainability of aquatic resource functions within each watershed, the PCCP and CARP consider how the types and locations of compensatory mitigation projects will provide the desired aquatic resource functions, and how they will continue to function over time in a changing landscape. They also consider the habitat requirements of important species, habitat loss or conversion trends, sources of watershed impairment, and current development trends. In addition, they consider the requirements of other regulatory and non-regulatory programs that affect the watershed, such as storm water management or habitat conservation programs. They include the protection and maintenance of terrestrial resources, such as non-wetland riparian areas and uplands, when those resources contribute to or improve the overall ecological functioning of aquatic resources in the watershed. The HCP/NCCP and CARP's compensatory mitigation requirements of conservation, restoration, and creation are designed to replicate wherever practicable, the suite of functions that may be lost by impacts to aquatic resources. This is the most comprehensive and cost-effective landscape-level approach to protecting aquatic and terrestrial resources in the PCCP Plan Area.

APPENDIX C
Best Management Practices (BMPs)

C-1. CARP BMPs for Unincorporated Placer County

C-2. City of Lincoln City Ordinance 876B

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Best Management Practices (BMPs) for the Western Placer County Aquatic Resource Program (CARP)

I. Introduction

The purpose of this document is to define the Best Management Practices (BMPs) that will be required for all projects permitted through the County Aquatic Resource Program (CARP).

II. Definitions

Applicant. A private landowner, department or division of a Local Agency, or other party who submits an Application to the County for a CARP Authorization. The CARP document refers to the applicant or “project proponent” in the same sense.

Aquatic resources. Aquatic resources are “Aquatic Resources of Placer County”.

Aquatic Resources of Placer County. Aquatic Resources of Placer County include Waters of the U.S.; Waters of the State; Stream Systems, and constituent habitats for Aquatic/Wetland Complex, Vernal Pool Complex and Riverine/Riparian Complex within the Stream System and includes all definitions described in Section 3.3 of the CARP.

Bed-and-bank morphology. The shape of a stream channel that exhibits a clear channel and bank created by evidence of flowing water. Water may flow through upland swales during high rainfall events, but not with enough duration or force to create bed and bank morphology.

Best Management Practices (BMPs). BMPs are avoidance and minimization measures designed to reduce or avoid an adverse effect on a particular resource. BMPs described in this chapter were based on Permittees’ current practices.

California Department of Fish and Wildlife (CDFW). The agency that enforces Section 1600 et seq. of the Fish and Game Code, which authorizes and includes avoidance, minimization and mitigation measures for project activities that would substantially divert or obstruct water, change or use material from or deposit debris waste or other material where it could pass into the bed, bank, or channel of a river, stream, or lake.

CARP. The Western Placer County Aquatic Resource Program. A component of the Placer County Conservation Program (PCCP) The CARP provides a structure for protecting aquatic resources in western Placer County while streamlining the environmental permitting process for impacts to aquatic resources.

CARP Application. The application that an Applicant must provide to the Local Jurisdiction to obtain an Aquatic Resource Permit, as explained in the CARP, Chapter 5, Section 5.2..

CARP Authorization. An authorization to impact Aquatic Resources of Placer County issued by the Local Jurisdictions to an Applicant for an HCP/NCCP Covered Activity that will affect aquatic resources, as described in the CARP, Chapter 7. CARP authorization.

CARP Manual. The manual that sets forth the procedures for implementing the CARP. The CARP Manual contains examples of the forms and supporting documents for the CARP.

Construction zone. The limit of project construction plus equipment staging areas and access roads.

Covered Activity. A Covered Activity as described in Chapter 2 of the HCP/NCCP and Section 1.3 of the CARP. Covered activities may be Development Projects, programs or operations and maintenance activities. To be covered under state and federal permits issued for the PCCP, Covered Activities must meet avoidance, minimization, and compensatory mitigation requirements set forth in the HCP/NCCP and CARP for certain species of fish and wildlife and their habitat, including measures to protect Aquatic Resources of Placer County.

Dewater. To remove water temporarily from a work area so that a structure can be built.

Dewatering structures. Pumps, pipes, dams, coffer dams, and other structures designed to remove water from the work area.

Discharge of fill material. The discharge of material to Aquatic Resources of the County that has the effect of eliminating aquatic resources from a project site.

Enhancement. The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area. Community and species-specific enhancement concepts can be found in the HCP/NCCP.

Erodible materials. Material that is easily eroded by hydrologic forces such as soil or small gravels.

Erosion control measures. Methods implemented during and after construction to ensure water quality in the aquatic resources. These are sometimes referred to as Best Management Practices (BMPs).

Exception. An allowance for reductions in mandated setback distances necessary to allow reasonable use and development of a property based on the variety of constraints and factors that may affect the property.

Functions. Functions mean the physical, chemical, and biological processes that occur in ecosystems.

Groundwater. Water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water but does not include water that flows in known and definite channels.

Habitat Conservation Plan (HCP). A habitat conservation plan (HCP) is a document that meets federal ESA requirements and enables local agencies to allow projects and activities to occur in endangered species' habitats. In exchange, those projects and activities must incorporate HCP-prescribed measures to avoid, minimize, or compensate for adverse effects on natural communities and endangered species.

Intermittent stream. Intermittent streams have bed-and-bank morphology but are distinct from perennial streams in that they are seasonal and cease to flow for some portion of the year. They have a broad range of flow duration: some cease flowing shortly after the end of the rainy season, whereas others flow until fall but cease flowing briefly before the onset of the next rainy season. Groundwater is a significant source of water for intermittent streams, and intermittent streams may also be influenced by leaky canals, irrigation, and urban runoff. Intermittent streams may support a Riparian Zone similar to that found in association with perennial streams. Riparian vegetation can be patchy or continuous.

Land Conversion Authorization. Means any permit or approval that authorizes a ground disturbing activity, including, but not limited to, specific plan, tentative map, parcel map, conditional use permit, minor use permit, administrative review permit, design/site agreement, variance, grading permit, grading plan, improvement plan, and building permit. Also includes approvals for County-sponsored capital improvement projects and operations and maintenance activities.

Lake. Natural water bodies and reservoirs. Western Placer County does not have natural lakes. Large ponds with more than 20 percent open water that are not periodically dredged are treated as lakes.

Local Jurisdictions. The Permittees that are also local governments with land use authority. There are two Local Jurisdictions described in the PCCP, the City of Lincoln (City), and the County of Placer (County). The Local Jurisdictions are the only Permittees with the authority to grant Land Conversion Authorizations on Development Projects that are considered Covered Activities under the HCP/NCCP and CARP.

Low flow channel. The narrowest channel within a broader stream channel that carries water during periods of low flow, particularly in intermittent and perennial streams during the summer months.

Natural Community Conservation Plan (NCCP). A natural community conservation plan (NCCP) is the State of California counterpart to the federal HCP. It provides a means of complying with California's Natural Community Conservation Planning Act (NCCP Act) and securing take authorization at the State level. The primary objective of the NCCP program is to conserve natural communities at the ecosystem scale while accommodating compatible land uses.

Ordinary High Water Mark (OHWM). The ordinary high-water mark generally corresponds to the upper limit on the streambank of a two-year storm event for riverine systems and corresponds to the spillway elevation of lacustrine features. The ordinary high-water mark in a riverine or lacustrine system is the limit of Aquatic Resources of Placer County in those systems.

Other waters. A term used by the U.S. Army Corps of Engineers (USACE) to designate waters of the United States that are not wetlands or special aquatic sites as defined by USACE and USEPA regulations. Rivers, streams, lakes, and large ponds are not wetlands and are generally called other waters on aquatic resource delineation maps.

Palustrine system. Palustrine systems are non-tidal wetlands characterized by the presence of hydrophytic trees, shrubs, and emergent vegetation (vegetation that is rooted below water but grows above the surface). Palustrine wetlands range from permanently saturated (e.g., perennial marsh) to land that is wet only seasonally (e.g., seasonal wetlands and vernal pools).

Permit conditions. Permit conditions are appended to an Aquatic Resource Permit at the time the Permit is issued. Permittees must comply with all permit conditions. Section 7.5 of the CARP Manual provides a set of standard conditions that are applied to all permits. In some circumstances, the Local Agencies may impose additional conditions.

Permittee. An Applicant who has received a CARP Authorization from the County or the City. PCWA acts as both applicant and permittee for its own activities.

Placer Conservation Authority (PCA). Means the joint exercise of powers agency formed by and among the County and the City of Lincoln pursuant to the Joint Powers Act, Gov. Code § 6500 et seq.. Oversees implementation of PCCP on behalf of the Local Jurisdictions.

Placer County Conservation Program (PCCP). The Placer County Conservation Program (PCCP) applies to western Placer County and specific areas where conservation activities will take place in neighboring Sutter County. The goal of the PCCP is to provide an effective framework to protect, enhance, and restore the natural resources in specific areas of western Placer County while streamlining environmental permitting for Covered Activities. Within this framework, the PCCP will achieve conservation goals, comply with state and federal environmental regulations, accommodate anticipated urban and rural growth, and permit the construction and maintenance of infrastructure needed to serve the county's population. The PCCP includes three separate, but complementary, components that support two sets of state and federal permits:

1. Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan
2. Western Placer County Aquatic Resources Program
3. Western Placer County In-Lieu Fee Program.

Project. For the purposes of the CARP, a project is a specific activity or activities that are to be covered by permits for impacts to Aquatic Resources of Placer County. Project also refers to the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Project area. The area in which the proposed project would occur. Usually corresponds with parcel boundary lines.

Project footprint. The area that would be directly impacted or affected by the proposed project. Usually corresponds to the limits of the construction in the plans and specifications for the project.

Qualified Biologist. A qualified biologist must have obtained a B.S. or B.A. or equivalent degree in biology, environmental studies, fisheries, geomorphology, or related field, and have at least two years of related work experience.

Resource Agencies. The U.S. Army Corps of Engineers (Corps), U.S. Fish and Wildlife Service (USFS), the National Marine Fisheries Service (NMFS), the State Historic Preservation Officer (SHPO), the California Department of Fish and Wildlife (CDFW), and, in Placer County, the Central Valley Regional Water Quality Control Board (CVRWQCB).

Rehabilitation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: reestablishment and rehabilitation. Species specific restoration concepts can be found in the HCP/NCCP.

Riparian Zone. The constituent habitat comprising the band of hydrophytic trees and shrubs that are adjacent to perennial and intermittent streams. Riparian habitat relies on streams with sufficient flow duration or near surface groundwater to support woody hydrophytes. In western Placer County, valley oak (*Quercus lobata*), Fremont cottonwood (*Populus fremontii*), and white alder (*Alnus rhombifolia*), and are typical riparian tree species. Willows (*Salix* spp.) and buttonbush (*Cephalanthus occidentalis*) are typical shrub species. The Riparian Zone is measured from the outermost canopy edge of the riparian species or from the top-of-bank, whichever is greater. Riparian habitat within the Stream System is considered an Aquatic

Resource of Placer County. Riparian vegetation outside the Stream System is subject to the requirements of the HCP/NCCP but is not considered an Aquatic Resource of Placer County.

Riverine system. Riverine systems are water conveyance systems that include rivers, streams, and their tributaries. These features are linear, non-wetland aquatic resources that carry high velocity flows and have a sparsely vegetated stream bed. High flows create bed-and-bank morphology, and the USACE jurisdictional line is the OHWM. Names used to describe riverine features include, but are not limited to, rivers, streams, creeks, drainages, ditches, and canals, all of which occur in Placer County. These riverine features may be perennial, intermittent, or ephemeral. Riverine systems' bed-and-bank morphology may be limited to narrow scour lines in ephemeral streams. A measurable OHWM distinguishes riverine systems from otherwise similar palustrine systems, such as wetland swales. Riverine systems in western Placer County often have a palustrine fringe component (wetlands along the banks) and may support woody riparian vegetation. Like lacustrine systems, riverine systems are considered "other waters".

Seep/Spring. Seeps and springs are points of groundwater discharge that usually occur on slopes. Seeps generally lack the flowing water of springs. Nearly all the groundwater discharge areas in Western Placer County are low-volume and considered seeps. Seeps and springs typically support herbaceous hydrophytic vegetation including black sand spikerush (*Eleocharis pachycarpa*), pennyroyal (*Mentha pulegium*), and dense-flowered spike primrose (*Epilobium densiflorum*).

Sensitive landcover types. Fragile habitats or ecosystems that are susceptible to impacts from encroachment.

Special aquatic sites. Special aquatic sites are defined by the U.S. Environmental Protection Agency at 40 CFR Part 230 Subpart E. These include sanctuaries and refuges, wetlands, mud flats, vegetated shallows, coral reefs, and riffle and pool complexes. Only wetlands and riffle and pool complexes occur in western Placer County.

Spring. Similar to seeps, except usually exhibiting flowing water for part of the year.

Stream channel. The area of a stream where normal to high flows occur. It is usually marked by bed-and-bank morphology.

Stream System. The stream channel (wet or dry) and the surrounding area including any area subject to flooding in a 100-year event as determined by the FEMA or project specific information; whichever is more accurate or the outermost limit of a variable-width boundary measured outward from the edge of the Ordinary High Water Mark (OHWM). Further details are provided in CARP Section 3.6, and Stream System boundaries are schematically illustrated in Figure 3-2. The Stream System boundary is truncated at the point where the watershed falls below 40 acres in extent..

Stream Zone. Defined by the Department of Fish and Wildlife as the stream channel through which water and sediment flow, have flowed, or are capable of flowing. It is delineated by the top of the bank or the outer edge of the riparian canopy, whichever is more landward. Where

riparian habitat is lacking, the Stream Zone is the top of the bank. The Stream Zone is embedded within the Stream System.

Storm Water Pollution Prevention Plan (SWPPP). A plan that describes the Best Management Practices (BMPs) that will be used to comply with Section 402 of the federal Clean Water Act. It applies primarily to construction activities.

U.S. Army Corps of Engineers (USACE). The USACE regulates the discharge of dredged and/or fill material into waters of the United States, including wetlands, pursuant to Section 404 of the federal CWA.

Value. The value to society that accrues from the function of wetlands and other aquatic resources. For example, wetlands that store water during storm events have value in flood control.

Vernal pool. Vernal pools are seasonally inundated wetlands that form in relatively shallow soil depressions underlain by a water-restricting layer such as clay, cemented alluvium, or volcanic basalt at or near the surface. These depressions fill with rainwater, near surface groundwater and/or runoff from adjacent areas during the winter and may remain inundated until spring or early summer, sometimes filling and emptying multiple times during the wet season. Vernal pools are typically characterized by endemic plants species.

In Placer County, vernal pools are typically between 3-16 inches in depth measured vertically from the lowest point in the pool to the spillway. Vernal pools are differentiated from other seasonal wetlands by the distinct flora that are present. Examples of vernal pool flora include *Plagiobothrys stipitatus*, *Lasthenia fremontii*, *Eryngium vaseyi*, *Navarretia leucocephala*, and *Psilocarphus brevissimus*.

Waters of the State (WOS). Waters of the state include “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code section 13050(e)). In Placer County, examples include, but are not limited to, rivers, streams, lakes, marshes, mudflats, unvegetated seasonally ponded areas, drainage swales, sloughs, wet meadows, natural ponds, vernal pools, seasonal wetlands, and riparian woodlands. Waters of the State also include isolated features that are not regulated by the USACE. Examples of isolated waters include man-made, off-stream ponds. WOS are included in Aquatic Resources of Placer County.

Waters of the United States (WOUS). Waters of the United States means all waters and wetlands over which the USACE and the USEPA are granted jurisdiction in the Clean Water Act, 33 U.S.C. Section§ 1251, et seq. as defined in 33 CFR Part 328.

Watershed. A land area that drains to a common waterway, such as a stream, river, lake, estuary, wetland, or ultimately the ocean.

Wetland delineation. A map of a property showing the location and extent of ponds, lakes, rivers, creeks, streams, marshes, seeps, springs, vernal pools, or other wetlands that occur there. Wetland delineations must be conducted according to certain standards established by the Corps and must be reviewed by the Local Jurisdiction for completeness.

Wetlands. Wetlands are those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Most wetlands are considered waters of the United States, but isolated wetlands are not regulated by the USACE. The County and City regulate wetlands and isolated waters when a Development Project is a Covered Activity. Wetlands in western Placer County include seasonal wetlands, vernal pools, seeps and springs, marshes, fringe wetlands, and wetland swales.

III.General Measures (good housekeeping practices)

A. Scheduling

All construction within the Stream System, in or near Aquatic Resources of Placer County (within 50 feet) should be scheduled around the weather to better manage erosion and sediment control. The following measures shall be taken to reduce the amount of soil exposed to erosion by weather:

- Land disturbance activities should be avoided or minimized between October 15 and May 1.
- Weather shall be checked prior to the start of work.
- Work in streams containing listed salmonid species shall be limited to the May 15 through October 15 work-window.
- Maintain sufficient erosion and sediment control materials onsite at all times, including during the dry season, to be able to effectively protect the site in advance of any storms.

B. Pre-Project Measures

It is important to clearly define the boundaries of the project with fencing and flagging. Implementation of the following measures will minimize disturbance of sensitive areas and habitats. These measures should be in place prior to the start of ground breaking activities.

- Prior to construction, the project proponent shall be required to prepare an erosion and sediment control plan or Storm Water Pollution Prevention Plan (SWPPP) for projects that disturb one (1) acre or more of soil. New construction within the project footprint can alter watershed hydrology and introduce new pollution sources that may affect water quality in local streams. The erosion and sediment control plan or SWPPP shall describe site design planning approaches that will protect water quality by preventing and reducing the adverse impacts of stormwater pollutants and increases in peak runoff rate and volume. Such approaches include hydrologic source control measures that focus on the protection of natural resources and the reduction of impervious surfaces.
- All areas of vegetation to be preserved shall be clearly marked with flagging or fencing. Sensitive habitats to be avoided such as wetlands, elderberry shrubs, or heritage oak

trees shall be fenced off to prevent construction equipment from damaging those habitats.

- Silt fencing or other sediment trapping methods shall be installed between areas where soil will be exposed and Aquatic Resources of Placer County to minimize the transport of sediment off the site.
- Temporary barriers shall be constructed to keep wildlife out of construction sites.
- All staging areas shall be clearly marked with flagging or fencing and located a minimum of 100 feet away from Aquatic Resources of Placer County when possible.
- During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.
- The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
- In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction).
- The contractor shall suspend all grading operations when fugitive dust exceeds Placer County Air Pollution Control District (APCD) Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is California Air Resources Board (CARB)-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours.

C. Project Implementation

Once a project is underway, it is important to maintain the following conditions.

- All sites are required to utilize a combination of Best Management Practices (BMPs) such as fiber rolls, straw waddles, mulch, tarps, sand bags, etc. that effectively protect the site and prevent anything but clean rainwater from running off site.
- Equipment storage, fueling, and staging areas shall be sited on previously disturbed areas or on non-sensitive non-native grassland land cover types, when these sites are available, to minimize risk of direct discharge into riparian areas or other sensitive land cover types. When such sites are not available, staging shall occur on the road used to access the site. Standard BMPs, such as those developed in the West Placer Storm Water Quality Design Manual pertaining to staging must be utilized.

- As required for all projects, all species survey protocols shall be followed within the construction zone. The survey area shall be expanded beyond the project footprint whenever possible to help identify covered species and their habitats so that impacts on covered species that occur adjacent to the construction zone can be minimized.
- No erodible materials such as loose soil shall be deposited into watercourses. Brush, loose soils, or other debris material shall not be stockpiled within stream channels or within 100 feet of stream banks or any Aquatic Resources of Placer County that is being avoided.
- All sediment trapping methods, such as silt fence or straw wattles, shall be inspected and maintained on a daily basis.
- On-site monitoring shall be conducted by a qualified biologist throughout the construction period to ensure that disturbance limits, BMPs, and Plan restrictions are being implemented properly.
- Prior to approval of Grading or Improvement Plans, on project sites greater than one acre, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD.
- Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- All exposed soil shall be covered with bio degradable erosion control measures such as straw wattles and erosion control blankets. Such measures must be installed if rain is forecasted.
- Portions of the project that occur in streams (e.g., bridge or culvert construction) shall comply with the BMPs listed under the In-Stream Projects section below.

D. Post-project Practices

Following completion of project construction:

- All construction material, trash, and debris including fencing and flagging shall be removed from the project site and properly disposed of off-site.
- The applicant shall revegetate all disturbed areas.
- All temporarily disturbed areas, such as staging areas, shall be returned to pre-project conditions or improved with native plants within two years of project completion.
- Geotextiles, blankets, and mats shall be installed on any exposed slopes of 3:1 or greater as these slopes are highly susceptible to erosion. These slopes shall also be hydroseeded with a native seed mix to minimize soil erosion.

- Cut and fill slopes shall be revegetated with native plants if possible, or with non-invasive plants suitable for the altered soil conditions.
- Invasive plants within the project area and any construction staging areas shall be removed to prevent the spread of these species into nearby or adjacent reserves.
- Vegetation and debris shall be managed in and near culverts and under and near bridges to ensure that entryways remain open and visible to wildlife and that the passage through the culvert or under the bridge remains clear.
- All structures constructed for wildlife movement (tunnels, culverts, underpasses, fences) shall be monitored by the PCA, and repairs made promptly to ensure that the structure is in proper condition. For facilities owned by entities not participating in the PCCP, the PCA will coordinate with these entities to ensure regular monitoring through access and data collection agreements reached with these entities.

IV. In-Stream Projects

In-stream projects—such as flood protection projects, construction of new bridges, repair or rehabilitation of existing bridges, water supply capital projects, and other development may affect wildlife, aquatic species, and habitats by discharging sediment, disturbing earth and riparian vegetation, and altering hydrologic and hydraulic characteristics of water bodies.

Impacts to streams should be avoided wherever possible. See section 4.7.1 of the CARP for Stream System Avoidance guidelines. For projects where Stream System impacts are unavoidable, projects must be designed to minimize adverse impacts on stream morphology, aquatic and riparian habitat, and flow, and must adhere to the BMPs listed under IV.C. Stream System Impact Minimization.

A. Stream Protection

Projects occurring in the proximity of a flowing body of water such as a stream or creek require additional protection from erosion and sedimentation to protect the water quality of these features. Permits may be required from the Corps, CVRWQCB, California Department of Fish and Wildlife, and the National Marine Fisheries Service depending on the extent of impacts and the resources that are present in and adjacent to the waterway. The CVRWQCB may require water sampling before, during, and after project activities to ensure that the project is not negatively impacting water quality.

Temporary Stream Crossings

Temporary stream crossings such as culverts, fords, and bridges can help prevent and/or reduce stream bed erosion and sediment from entering the waterway. Spanning the waterway is the preferred temporary crossing as this allows construction equipment to cross without coming in contact with the bed or bank of the waterway. Culverts may be used for perennial or intermittent streams if spanning the waterway is cost prohibitive. Fords may be used only on intermittent or ephemeral drainages during the dry season when water has ceased to flow. The following measures must be employed for temporary stream crossings:

- For bridges or culverts, the structure design must be prepared under the direction and approval of a registered civil or structural engineer
- To prevent water backing up or washouts during rain events, any temporary structure shall not constrict the waterway flow.
- Crossings shall be constructed in the dry season (May 1 to October 15) or in the case of salmonid streams, May 15 to October 15.
- Adjacent construction roadways and work areas shall be stabilized.
- Removal of adjacent vegetation shall be minimized to the extent possible.
- Vehicles shall not be operated, stored, fueled or maintained in the wet or dry portions of the waterway without authorization of the County.
- Drip pans must be placed under vehicles/equipment on temporary stream crossing structures that remain idle from more than an hour. Being in such proximity to a water course, this measure and others implemented with it shall be installed correctly and maintained to prevent any polluting discharge.
- Any incident of discharge requires notifying the CVRWQCB of the noncompliance.
- Inspect temporary stream crossings weekly and after significant rain events for water flow blockage, sediment buildup, trapped debris, structural damage, riprap displacement or stream bed erosion. Verify sediment buildup is removed regularly.
- Temporary crossings must be removed once they are no longer needed and the waterway must be restored to its original condition.

Bank Stabilization

It is essential to stabilize the banks of streams and channels when working around these features to minimize turbidity and sediment input into the waterway. The potential for discharging sediment and other pollutants into waterways can be greatly reduced by stabilizing work areas in and around these features. The following measures must be adhered to when implementing bank stabilization projects:

- Existing vegetation shall be left intact to the extent possible. Vegetation helps stabilize banks and prevent erosion.
- If vegetation must be removed, disturbed areas shall be temporarily stabilized with hydraulic mulch, hydroseed, soil binders, straw mulch, or a combination thereof.
- If possible, construct a water diversion away from the work area and implement a barrier around the work area.
- BMP's and equipment shall be inspected daily. Repairs shall be completed in a timely manner. Leaky equipment shall be removed from the stream area immediately until it is repaired.

B. Stormwater Flow Diversion

Covered activities that require work within or adjacent to streams such as bridges, levee maintenance and repair, flood protection projects, stream maintenance, outfalls, flood-protection capital projects, and any emergency actions that occur near streams. Examples include:

- Recreational trails (see Section 6.3.6.1.2 of the HCP/NCCP, New Trail Design and Use Standards for Future Reserves).

- New installation or replacement of utilities that result in no new significant permanent disturbance to the riparian corridor during construction and operation and generate only incidental human activity with temporary loss of habitat.
- Construction and maintenance of access roads providing access to streams or levees for managing facilities and infrastructure.
- Stream crossings essential for access to a parcel or facility (i.e., crossing the stream is the only available means to access the parcel).

C. Stream System Impact Minimization

Where Stream System avoidance is not feasible, all projects that are PCCP/CARP covered activities shall minimize impacts on the Stream System by implementing the following BMPs. All in-stream projects must be designed to minimize adverse impacts on stream morphology, aquatic and riparian habitat, and flow conditions.

D. Types of Projects Subject to In-stream BMPs

Covered activities that occur in-stream are subject to design requirements or construction practices guidelines because they are expected to result in impacts on creeks or streams. Examples include:

- Installation or rehabilitation of flood protection projects and levee reconstruction.
- Operations and maintenance of flood protection facilities (e.g., dams, armored creeks, detention ponds, streams). Activities may include construction of new facilities, vegetation management, minor sediment removal, or bank stabilization.
- Non-routine stream maintenance activities including extensive removal of vegetation in flood control channels.
- Bridge construction and replacement including vehicular, train, and pedestrian bridges throughout the PCCP coverage area.
- Development of trails in or through the in-stream area (streambed, banks, and adjacent riparian land-cover).
- Culvert installation or replacement.
- Restoration projects throughout the PCCP coverage area, including removal or modification of fish barriers and creek realignment.
- Facility maintenance such as trail, bridge, road, and culvert repair and/or replacement in in-stream areas (including riparian areas).
- Natural resource protection such as small bank stabilization projects, restoration to reduce erosion, fish passage enhancements, removal of barriers to fish passage, and removal of debris deposited during flooding.
- Operations and maintenance of water supply facilities (e.g., flashboard dams, inflatable dams, stream gages, and diversions).

- Removal of debris blockages except in emergency situations.
- Mitigation and/or monitoring in creeks or adjacent riparian corridors.
- Vegetation management for exotic species removal and native vegetation plantings.

E. Design Requirements

Some impacts on stream and riparian land-cover types are expected under the CARP. All covered activities shall implement the following measures to avoid or minimize impacts of covered activities on streams and valley foothill riparian land-cover.

- Site characteristics shall be evaluated in advance of project design to determine if non-traditional designs, such as bioengineered bank treatments that incorporate live vegetation, can be successfully utilized while meeting the requirements of the project.
- Maintenance of natural stream characteristics, such as riffle-pool sequences, riparian canopy, sinuosity, floodplain connectivity, and a natural channel bed, shall be incorporated into the project design to the extent possible and practicable.
- If a culvert is used, up- and downstream ends of the culvert must be appropriately designed so that the stream cannot flow beneath the culvert or create a plunge pool at the downstream end.
- If structural changes to the channel bed are necessary as part of project design, provisions for fish passage shall be incorporated into the project design.
- All proposed creek crossings must be sited to avoid or minimize riparian removal.
- Trails shall be sited and designed with the smallest footprint necessary to cross through the in-stream area. Trail crossings shall be aligned perpendicular to the channel and be designed to avoid any potential for future erosion. Trails that follow stream courses shall be sited outside the riparian corridor to the maximum extent feasible.
- All projects shall be conducted in conformance with the County drainage policies.
- If the project requires removal of riparian vegetation, the amount of riparian vegetation removed shall be minimized while still meeting the project goals. The amount of riparian vegetation to be removed shall be included in the application package submitted to the County. The County shall determine if the requested riparian vegetation removal is necessary in order to implement the proposed project.
- Riparian restoration to offset project impacts shall be implemented on-site, if possible, to replace the functions of the riparian woodland degraded or lost to the covered activity. Riparian restoration implemented on-site shall be credited to CARP/PCCP mitigation requirements if the restoration helps to meet the biological goals and objectives of the CARP/PCCP.
- Projects that discharge dredged or fill material into waters of the United States must adhere to the requirements of the CARP.

- Projects must adhere to the National Marine Fisheries Service (NMFS) Guidelines for Salmonid Passage at Stream Crossings as described in the following section (National Marine Fisheries Service 2001).
- When implementing levee reconstruction covered activities, no baseline shaded riverine aquatic cover shall be removed if the shaded riverine aquatic cover was developed for or contributes to past mitigation projects or efforts.
- If levee reconstruction requires the removal of vegetation that provides habitat value to the adjacent stream (e.g., shading, bank stabilization, food sources, etc.), then the project shall include replacement of the vegetation/habitat that was removed during reconstruction unless it is determined to be inappropriate to do so by the relevant resource agencies (e.g., USACE, NMFS).
- All trees marked for removal from stream zones (riparian) must be shown on maps included with the application package. Non-riparian native trees greater than five inches in diameter at breast height shall not be removed without the consent of the County.
- Applicants for transportation improvements that include stream crossings must comply with Section V. Design and Construction Requirements for Covered Transportation Projects.

F. Guidelines for Salmonid Passage at Stream Crossings

All covered activities within the Stream System shall adhere to the NMFS Guidelines for Salmonid Passage at Stream Crossings unless otherwise noted. Key guidelines described in Guidelines for Salmonid Passage at Stream Crossings (NMFS 2001) are described below.

- For stream crossings, the following structure types (listed in descending order of preference) shall be considered.
 1. Free-span bridges that fully span the stream and allow for long-term dynamic channel stability.
 2. Streambed simulation approaches including bottomless arch, embedded culvert design, or ford that maintains the natural streambed. The structure should be sufficiently large and embedded deep enough into the channel to allow the natural movement of bedload and formation of a stable bed inside the culvert or structure.
 3. Non-embedded culvert (often referred to as a hydraulic design), for use in low-gradient areas, that allows fish passage.
 4. Baffled culvert (creases in the culvert create a series of short high-velocity runs and low-velocity backwater areas that allow the fish to swim in short bursts and then rest), for use in high-gradient areas, that allows fish passage.
- If the project's site is in an active salmonid spawning area, only free-span bridges or streambed simulations (i.e., culverts with a bed that simulates the natural streambed) are acceptable.
- All stream crossings, regardless of the design (i.e., bridge or culvert) or material used, shall be designed to accommodate the 100-year peak flood flow with appropriate clearance to prevent structural damage to the crossing. In practice, it is preferable that the crossing itself and its structural supports completely span the 100-year floodway. At

a minimum, culverts must accommodate the 100-year flood without causing any adjacent flooding around the crossing that could result in mass erosion of the bank or the structural support of the crossing. This requirement will reduce the risk of channel degradation, stream diversion, and failure that may lead to adverse effects on salmonids over the lifespan of the crossing.

- For in-stream culvert installation or replacement projects that may affect stream hydraulics, the project must be designed so that the elevations of surface waters in the stream-reach exhibit gradual flow transitions, both upstream and downstream. Abrupt changes in water surface and velocities must be avoided, with no hydraulic jumps, turbulence, or drawdown at the entrance. A continuous low-flow channel must be maintained throughout the entire stream reach. Hydraulic controls may be necessary to provide resting pools, concentrate low flows, prevent erosion of stream bed or banks, and allow passage of bedload material.
- If a free-span bridge is not feasible due to engineering or cost constraints, bridge piers and footings shall be designed to have minimum impact on the stream. This applies in all stream zones, not just active salmonid spawning areas. A hydraulic analysis must be prepared that shows piers or footings will not cause significant scour or channel erosion. Whenever possible, the span of bridges shall also allow for upland habitat beneath the bridge to provide undercrossing areas for wildlife species that will not enter the creek. Native plantings, natural debris, or large rocks (not riprap) shall be installed under bridges to provide wildlife cover and encourage the use of crossings.
- All in-stream structures shall be aligned with the stream, with no abrupt changes in flow direction upstream or downstream of the crossing. This requirement can often be accommodated by changes in road alignment or slight elongation of the culvert. Where elongation would be excessive, such a solution must be weighed against a better crossing alignment and/or modified transition sections upstream and downstream of the crossing. Project components that may result in disruption of stream hydraulics and alterations to the natural stream bed shall be anticipated and mitigated in the project design.
- Natural supplemental lighting shall be provided in new and replacement culverts that are more than 150 feet long. Where supplemental lighting is required, the spacing between light sources shall not exceed 75 feet.
- If structural changes to the channel bed are necessary as part of project design, provisions for fish passage shall be incorporated into the project design. If the project proponent has the opportunity to incorporate new fish passage into the project design in an area where fish passage is currently lacking, the project proponent shall work with the PCA to determine if new fish passage would support covered species recovery.

G. Construction BMPs

As described above, all in-stream projects shall adopt specific BMPs to minimize impacts on covered species, natural communities, and wildlife movement, as appropriate.

- All work in the Stream System, including wetlands and streams, shall be done according to the plans and documents included in the CARP application. All changes to those plans shall be reported to the County and the PCA prior to construction. Minor changes

may require an amendment to the CARP-related conditions on the land conversion authorization. Substantial changes may render the land conversion authorization void and the permittee may need to submit a new application.

- All CARP-related land conversion authorization conditions shall be depicted on the construction plans. A copy of the conditions shall be given to individuals responsible for activities on the site. Site supervisors shall be familiar with all conditions and shall have a copy on-site at all times.
- The construction corridor in the Stream System shall be created in a way to avoid and minimize impacts to vegetation outside the corridor. All preserved wetlands, other waters, and stream zones shall be protected with bright construction fencing. Temporary fencing shall be removed upon completion of the project.
- Erosion control measures shall be specified as part of the Environmental Questionnaire/CARP application, and the application is not complete without them. All erosion control specified in the permit application shall be in place and functional 48 hours prior to any rain event. Projects shall maintain sufficient erosion and sediment control materials onsite at all times, including during the dry season, to be able to effectively protect the site in advance of any storms. Erosion control features shall be inspected after each rain event. Site supervisors shall be constantly aware of weather forecasts, even during the summer dry season, and shall be prepared to establish erosion control on short notice for unusual rain events. Maintenance includes, but is not limited to, removal of accumulated silt and the replacement of damaged barriers and other features.
- All work between the top-of-bank or the outer edge of riparian vegetation, whichever is greater for perennial and intermittent streams, shall be restricted to periods of low flow and dry weather between May 1 and October 15 unless otherwise permitted by the Resource Agencies. Work may also be conducted two weeks immediately prior to or after work period defined above depending on current weather patterns and timing of salmonid runs, provided that the project proponent receives written permission from the Resource Agencies.
- All work in ephemeral or short-term intermittent streams that generally do not support fish shall be restricted to periods when the stream is not flowing, or by terms specified in the land conversion authorization, providing that erosion control measures are in place before wet weather. Weather forecasts should be monitored, and erosion control established before all storm events.
- Work between the top-of-bank or the outer edge of riparian vegetation, whichever is greater outside of the specified periods may be permitted under some circumstances. The project proponent must provide the County with the following information: a) the extent of work already completed; b) specific details about the work yet to be completed; and c) an estimate of the time needed to complete the work. The CDFW may be asked to confirm the modified dates.
- Work between the top-of-bank or the outer edge of riparian vegetation, whichever is greater shall not disturb active bird nests until young birds have fledged. To avoid impacts to nesting birds in stream zones, trees and shrubs shall be removed between August 15 and February 15. Tree removal at other times is at the County's discretion

and shall require surveys by a qualified biologist to determine the absence of nesting birds.

- Except for site preparation for the construction of dewatering structures, no excavation is allowed in live streams. Detailed plans for dewatering must be part of the permit application.
- Temporary crossings as described in the land conversion authorization permit shall be installed no earlier than May 1 or May 15 if the stream is a salmonid stream and shall be removed no later than October 15. This work window could be modified at the discretion of the County and the CDFW.
- No vehicles other than necessary earth-moving and construction equipment shall be allowed within the between the top-of-bank or the outer edge of riparian vegetation, whichever is greater. The equipment and vehicles used in this area shall be described in the CARP application.
- Staging areas for equipment, materials, fuels, lubricants, and solvents shall be located outside the stream channel and banks and away from all preserved aquatic resources. All stationary equipment that must be within the area that lies between the top-of-bank or the outer edge of riparian vegetation, whichever is greater, must be positioned over drip-pans. Equipment entering this area must be inspected daily for leaks that could introduce deleterious materials into the stream waters. All discharges, unintentional or otherwise, shall be reported immediately to the County. The County shall review the incident and determine whether the matter warrants notifying the appropriate state and federal agencies.
- Cement, concrete, washings, asphalt, paint, coating materials, oil, other petroleum products, and other materials that could be hazardous to aquatic life shall be prevented from reaching streams, lakes, or other water bodies. These materials shall be placed away from aquatic environments and removed immediately if they are accidentally placed near an aquatic feature. All discharges into waters, unintentional or otherwise, shall be reported immediately to the County. The County, in consultation with the PCA shall then determine if the matter warrants notification of the appropriate state and federal agencies.
- During construction, no litter or construction debris shall be dumped into water bodies or other aquatic resources. Nor shall it be placed in a location where it might be moved by wind or water into aquatic resources. All construction debris shall be removed from the site on a regular basis and upon completion of the project.
- Only herbicides registered with the California Department of Pesticide Regulation shall be used in streams, ponds, and lakes, and shall be applied in accordance with label instructions. A list of all pesticides that may be used in the project area shall be submitted to the County before use.
- The County and PCA shall be notified immediately if threatened or endangered species not expected on the site are discovered during construction activities. If the grading activity is deemed to put at risk the safety of the species, the County shall suspend work and notify USFWS, NMFS and the CDFW for guidance.

- Wildlife entering the construction site shall be allowed to leave the area unharmed, or shall be flushed or herded humanely in a safe direction away from the site.
- All pipe sections shall be capped or inspected for wildlife before being placed in a trench. Pipes within a trench shall be capped at the end of each day to prevent entry by wildlife.
- At the end of each workday all open trenches shall be provided with a ramp of dirt or wood to allow trapped animals to escape.

H. Post-construction In-stream Practices

Following construction, the project area shall be returned to pre-project conditions except in areas where permanent impacts (e.g., installation of a bridge) are part of the project design. Plants in re-vegetated areas shall be successfully established within two years of project completion. The following measures shall be applied to in-stream projects and will decrease the potential for subsequent erosion and/or spread of nonnative species at the project site.

- Following work in a stream channel, the low flow channel shall be returned to its natural state as nearly as possible. The shape and gradient of the streambed shall be as close as possible to the shape and gradient that existed before the work began.
- Any graded slopes or disturbed soils shall be revegetated with plants native to local watersheds.
- Permanent water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Division. Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants
- If an area with suitable spawning habitat, including spawning gravels, is disturbed during project construction, habitat shall be restored to pre-project conditions to the extent possible given any changes to the stream bed that result from project implementation.
- All temporarily disturbed areas, such as staging areas, shall be returned to pre-project conditions. Plants in re-vegetated areas shall be successfully established within two years of project completion.
- Vegetation and debris must be managed in and near culverts and under and near bridges to ensure that entryways remain open and visible to wildlife and that passage through the culvert or bridge remains clear.

I. In-stream Operation and Maintenance Activities

Placer County Flood Control and Water Conservation District is responsible for in-stream operations and maintenance of flood control facilities in the PCCP coverage area. Private property owners may also conduct stream operation and maintenance activities for specific purposes related to flood control and stormwater facilities.

The BMPs identified below are required for in-stream operations and maintenance activities. These BMPs are designed to minimize impacts to riparian and riverine land-cover and covered species during implementation of covered stream operations and maintenance activities.

- Operations and maintenance activities shall comply with HCP/NCCP preconstruction survey requirements.
- Prior to undertaking stream maintenance activities, conditions shall be assessed to identify tasks that are necessary to maintain the channel for the purpose for which it was designed and/or intended (e.g., flood control, groundwater recharge). Only in-stream work that is necessary to maintain the channel shall be conducted.
- When stream reaches require extensive vegetation thinning or removal (e.g., when the channel has been fully blocked by willows or other vegetation), removal shall be phased to the extent possible so that a portion of the riparian land-cover remains. In addition, vegetation removal shall be targeted and focused on removing the least amount of riparian vegetation as possible while still meeting the desired flood control needs. For example, vegetation removal shall be focused on shrubby undergrowth at the toe-of-slope that is most likely to increase roughness and create a flooding hazard. Vegetation on the upper banks, particularly mature tree canopy, should be maintained to the extent possible to provide habitat for birds and small mammals and shading for the active channel.
- When reaches require sediment removal, approaches shall be considered that may reduce the impacts of the activity.
- In natural streams not managed for flood control purposes, woody material (including live leaning trees, dead trees, tree trunks, large limbs, and stumps) shall be retained unless it is a safety issue, or threatening a structure, impedes reasonable access, or is causing bank failure and sediment loading to the stream.
- If debris blockages threaten bank stability and/or may increase downstream sedimentation, debris shall be removed. When clearing natural debris blockages (e.g., branches, fallen trees, soil from landslides) from the channel, removal shall concentrate on the minimum amount of debris removal necessary to maintain flow conveyance (i.e., prevent significant backwatering or pooling). Non-natural debris (e.g., trash, shopping carts, etc.) shall be fully removed from the channel.
- If bank failure occurs due to debris blockages, bank repairs shall only use compacted soil, and shall be re-seeded with native grasses and stabilized with natural erosion control fabric. If compacted soil is not sufficient to stabilize the slope, bioengineering techniques must be used. No hardscape (e.g., concrete or any sort of bare riprap) or rock gabions may be utilized in natural streams. Rock riprap may only be used to stabilize channels experiencing extreme erosion, and boulders must be backfilled with soil and planted with willows or other native riparian species suitable for the project site. If available, local native species shall be utilized as appropriate.
- Invasive plant species removed during maintenance activities shall be handled and disposed of in such a manner as to prevent further spread of the invasive species. Equipment used in construction should be cleaned to remove invasive species' propagules prior to use.

- Any disturbed soils shall be re-vegetated with native plants; non-native, non-invasive species; or non-reproductive (i.e., sterile hybrids) plants suitable for the altered soil conditions.
- When possible, activities in the active channel shall be avoided.

V. Design and Construction Requirements for Covered Transportation Projects

This condition identifies design and construction requirements to minimize the impacts of public transportation projects on wildlife movement, covered species, and their habitat. This condition applies to all covered transportation projects within the PCCP coverage area. All covered transportation projects that affect the Stream System (i.e. cross streams or creeks, including bridges) are subject to the BMPs listed in Section IV above.

A. Exempt Transportation Projects

The following projects are not subject to the design requirements or construction practices specified in this condition because they are not expected to result in new ground disturbance and are not expected to create new barriers to wildlife movement or augment existing barriers. Although they are not required to implement this condition, they shall still be subject to measures that are identified in the environmental impact analysis process.

- Installing traffic signals, signs, pavement markings, flashing beacons, or other safety warnings.
- Painting new lane striping.
- Installing “rumble” strips, channelizers, or other safety markers.
- Installing guardrails or similar structures that are permeable to wildlife.
- Installing ramp metering.
- Regrading existing shoulders (refer to Operations and Maintenance Activities Section below).
- Implementing other road safety improvements on less than 1,000 feet of roadway. Note that road safety improvements that cross creeks are subject to the BMPs in the In-stream Projects section above.

B. Types of Projects Subject to Condition

The following projects are subject to the design requirements or construction practices because they are expected to result in new ground disturbance, or they may create new barriers to wildlife movement, or augment existing barriers. Each project category is subject to a specific combination of requirements listed in Table C-1. The requirements are described below.

Highway Projects

Highway projects are those projects identified by the Placer County Transportation Planning Agency that call for the expansion of existing highways or the construction of new highway ramps within the PCCP coverage area. This includes freeways and highways.

Major Roadway Projects and Interchange Upgrades

All new road and interchange projects are considered major roadway projects. Road widening, realignment, extension, connection, or improvement projects that do not qualify as exempt or minor road safety improvements on County roads or road segments are also considered major road projects.

Minor Roadway Projects

Minor roadway projects are those County road projects subject to this condition (non-exempt projects) that are not listed above as major roadway projects, including the types of road safety improvements listed below.

- Widening roads to add lanes where the project exceeds 1,000 feet in length.
- Realigning roads for safety or operational purposes where the project exceeds 2,000 feet in length.
- Installing median barriers or other impermeable safety barriers longer than 2,000 feet.
- Repairing roads due to landslides and flood damage. Repair may require installation of retaining wall or drainage management features such as under-road culverts.

Minor Road Safety Improvements

Minor road safety improvements are expected to involve ground-disturbing activities but are not expected to impede or substantially worsen habitat linkages for wildlife. Therefore, the types of road safety improvements listed below shall be subject to construction and post-construction practices but not to project design requirements (Table C-1).

- Installing a solid barrier on a bridge or on a road for up to 2,000 feet at grade in areas with no known wildlife corridor.
- Constructing new turn lanes equal to or greater than 2,000 feet.
- Constructing a new road shoulder equal to or greater than 2,000 feet in locations where no sensitive vegetation or potential habitat in roadside ditches is present.

C. Construction Practices

In some cases, such as in public parks, restoration projects or PCCP reserves, new gravel or dirt roads may be constructed. The following BMPs for transportation related construction apply to all categories of transportation projects listed in Table C-1.

BMPs for Gravel Road Projects

- The recommended section for gravel roads is 6 inches Class II aggregate base at 95-percent relative compaction.
- For construction of new gravel roads, disconnect and disperse runoff flow paths, including roadside ditches, which might otherwise deliver fine sediment to stream channels.
- When constructing gravel roads, install road surface and ditch drainage structures frequently enough so that gullies do not form at drainage points and so that the road and drainage system are generally dry.
- For construction of new gravel roads, prevent gullies by dispersing runoff from road surfaces, ditches and construction sites, by correctly designing, installing and maintaining drainage structures (e.g., road shape, rolling dips, out-sloped roads, culverts, etc.) and by keeping streams in their natural channels. No single point of discharge from a road or other disturbed area should carry sufficient flow to create gullies. If gullies continue to develop, additional drainage structures will be needed to further disperse the runoff.

BMPs for Roadside Drainage

- When constructing or reconstructing a ditch, utilize designs for outlet locations that avoid directly dumping ditch water into surface waters, when practical. If not practical, implement sediment management BMPs to trap sediment before it reaches a stream. Remove temporary BMPs and replace with permanent BMPs as soon as practical. BMPs described in General Condition 2 (See Section 6.3.1.2 of the HCP/NCCP, General Condition 2, Conservation Lands: Development Interface Design Requirements) and General Condition 4 (See Section 6.3.1.4 of the HCP/NCCP, General Condition 4, Temporary Effects) shall be applied as appropriate.
- When designing or redesigning roads, look for opportunities to restore natural drainage patterns. Install culverts or rolling dips to retain water in its drainage of origin, which will decrease the potential for erosion downstream. On problem roads, look for opportunities to reconstruct the road segment to improve and maintain natural drainage patterns; for example, add rolling dips, emergency water bars and additional cross drains.

BMPs for Roadside Construction

- Equipment storage, fueling, and staging areas shall be sited on disturbed areas or on non-sensitive non-native grassland land-cover types, when these sites are available, to minimize risk of direct discharge into riparian areas or other sensitive land-cover types. When such sites are not available, staging shall occur on the road used to access the site. Construction BMPs, such as those developed in the California Stormwater Quality Association Stormwater Best Management Practice Handbooks pertaining to staging must be utilized.
- All species survey requirements of the HCP/NCCP shall be followed within the construction zone and the entire road right-of-way. Expanding the survey area beyond

the project footprint will help identify covered species and their habitats so that impacts on covered species that occur adjacent to the construction zone can be minimized.

- No erodible materials shall be deposited into watercourses. Brush, loose soils, or other debris material shall not be stockpiled within stream channels or on adjacent banks.
- Silt fencing or other sediment trapping methods shall be installed below the grade of new road construction or road widening activities to minimize the transport of sediment off the site.
- Temporary barriers shall be constructed to keep wildlife out of construction sites, as appropriate.
- On-site monitoring shall be conducted by a qualified biologist throughout the construction period to ensure that disturbance limits, BMPs, and CARP/HCP/NCCP restrictions are being implemented properly.
- Active construction areas shall be watered regularly to minimize the impact of dust on adjacent vegetation and wildlife habitats, if warranted. Operational watering trucks shall be on site during construction hours. In addition, dry, mechanical sweeping is prohibited. Watering of a construction site shall be carried out in compliance with all pertinent APCD rules (or as required by ordinance within each local jurisdiction).
- Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.

Portions of the project that occur in streams (e.g., bridge or culvert construction) shall comply with the BMPs in the In-stream Projects section above.

Table C-1. Conditions on Covered Transportation Projects

	Highway Projects	Roadway Projects and Interchange Upgrades	Road Safety Improvements
Design Requirements and Construction Practices			
<i>Transportation Project Design Requirements</i>			
Coordination between project applicant, PCA, and Wildlife Agencies to ensure project meets Plan requirements	M	M	NA
Enhance existing undercrossings	M	M	NA
Implement minimum sizing of culverts	M	M	NA
Install grating over tunnels/culverts for penetration of light	P	P	NA
Install fencing around undercrossings to maximize use of crossing	P	P	NA
Road barrier and passage designs for wildlife (to direct wildlife to safe crossing)	P	P	NA
<i>Construction Practices</i>			
Best Management Practices	M	M	M
<i>Post-Construction Practices</i>			
Control roadside vegetation adjacent to reserves	M	M	M
Revegetate cut/fill slopes with native vegetation	M	M	M
Vegetation management around undercrossings	M	M	M

Notes:

M = Mandatory

P = Possible (required unless data demonstrate action would not benefit wildlife and CDFW and USFWS agree to omit).

D. Post-construction Practices

Following construction, the areas beyond road shoulders and inside the right-of-way shall be returned to a natural state. These actions will likely be applied differently to each road project and will decrease the potential for the spread of nonnative species.

- Invasive plants within the project area and any construction staging areas shall be removed to prevent the spread of these species into nearby or adjacent reserves.
- Cut-and-fill slopes shall be re-vegetated with native plants if possible, or with non-invasive plants suitable for the altered soil conditions.

- All temporarily disturbed areas, such as staging areas, shall be returned to pre-project conditions or improved with native plants within two years of project completion.
- Vegetation and debris shall be managed in and near culverts and under and near bridges to ensure that entryways remain open and visible to wildlife and that the passage through the culvert or under the bridge remains clear.
- All temporary erosion control material such as silt fencing, straw wattles, and wood stakes shall be removed once soil is stable (typically during the dry season following the end of construction).
- All structures constructed for wildlife movement (tunnels, culverts, underpasses, fences) shall be monitored by the PCA, and repairs made promptly to ensure that the structure is in proper condition. For facilities owned by entities not participating in the PCCP, the PCA shall coordinate with these entities to ensure regular monitoring through access and data collection agreements reached with these entities.

VI. Operations and Maintenance of Roadways and Utilities

This condition applies to operations and maintenance activities on roadways and utility lines and facilities on public and private lands within the PCCP coverage area. Such operation and maintenance activities include utility lines and facilities maintenance, public or private road maintenance, vegetation management, and mitigation monitoring. These have the potential to affect covered species by disturbing nesting covered bird species, discharging sediment into waterways, and transporting propagules of nonnative invasive species. The following BMPs would reduce the severity of such impacts.

- Projects occurring in streams or the Stream System shall comply with the BMPs listed in Section IV, In-stream Projects, as appropriate.
- Silt fencing or other sediment control devices shall be installed downslope from maintenance activities that disturb soil to minimize the transport of sediment off-site.
- In the course of rural road maintenance, no erodible materials shall be deposited into watercourses. Brush, loose soils, or other debris material shall not be stockpiled within stream channels or on adjacent banks where it could be washed into the channel.
- Consider alternatives such as mechanical control to substantially lessen any significant impact on the environment before using pesticides. Use integrated pest management BMPs for all vegetation control. Limitations may occur due to fire management requirements and local integrated pest management ordinances.
- Herbicides and pesticides shall be used only when necessary and shall be applied in strict compliance with label requirements and state and federal regulations. Herbicides and pesticides shall only be applied when weather conditions will minimize drift and impacts on non-target sites.
- Maintenance activities on rural roads adjacent to natural land-cover types shall be seasonally timed, when safety permits and regulatory restrictions allow, avoiding or minimizing adverse effects on active nests of resident and migratory birds, including covered bird species (see Table 1-1 in the PCCP). This measure is particularly relevant for right-of-way mowing, brush clearing, and tree trimming. Project proponents shall

coordinate with the PCA to develop work schedules that optimize logistic, safety, and financial needs while minimizing potential impacts on nesting birds.

- Mowing equipment shall be thoroughly cleaned before use so they are free of noxious weeds (e.g., yellow star-thistle) and do not introduce such weeds to new areas.
- Maintenance or repair of road medians or shoulder barriers in areas that support natural and semi-natural land-cover types (e.g., annual grassland, oak savanna, oak woodland) shall not reduce the ability of wildlife of all types to move through or over them, within safety limits. Replacement or repair of road medians shall be designed or installed to allow wildlife to move past these structures. Exceptions may be made by the Permittee if significant safety concerns or financial constraints arise.
- All temporarily disturbed areas, such as staging areas, shall be returned to pre-project conditions or improved with native plants within two years of project completion.
- Ground-disturbing road maintenance activities, such as regrading, shall be timed so that the moisture content of the soil will support re-compaction of the soil and reduce the need for an imported water source to achieve soil compaction. Similarly, activities shall be timed so that use of heavy equipment will not result in the creation of mud puddles and ruts.
- Conduct regularly scheduled visual inspection of all roads to identify sites where erosion is contributing sediment to local streams and stabilize eroding areas.
- Conduct annual clearing of flow lines (e.g., culverts and ditches) such that flow lines are maintained free of debris.
- Utility pole or line replacement and maintenance should follow the suggested practices for the Avian Power Line Interaction Committee's publication "Suggested Practices for Avian Protection on Power Lines".

Section 1. Chapter 13.30 is hereby added to the Lincoln Municipal Code to read as follows.

Chapter 13.30

CONSTRUCTION STORM WATER RUNOFF CONTROL

ARTICLE I. GENERAL PROVISIONS

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13.30.020	Purpose and Intent
13.30.030	Definitions
13.30.040	Applicability
13.30.050	Compatibility with Other Permit and Ordinance Requirements
13.30.060	Construction Storm Water Manual
13.30.070	Liability
13.30.080	Water Obstruction

ARTICLE II PROCEDURES AND REQUIREMENTS

13.30.090	Projects Creating Less than One Acre of Disturbed Soil Area
13.30.100	Projects Creating One Acre or More of Disturbed Soil Area or Are Considered Part of a Larger Common Plan of Development
13.30.110	Projects That Are Exempt
13.30.120	City Inspections

ARTICLE III ENFORCEMENT

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13.30.140	Violations
13.30.150	Notice of Violation
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13.30.170	Administrative Citation and Civil and Criminal Penalties
13.30.180	Abatement by City
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13.30.200	Holds on Issuance of Certificates of Occupancy
13.30.210	Appeal and Hearing

13.30.010 Findings of Fact. The City Council adopts this Chapter based upon the following findings:

- A. The federal CWA provides for the regulation and reduction of pollutants discharged into waters of the United States by extending NPDES requirements to storm water and urban runoff discharges into the City's storm water conveyance system.
- B. Storm water flows from individual properties to the municipal storm drain system and then ultimately discharges to waters of the United States.
- C. The City has obtained permit coverage under the Phase II NPDES Permit. Under the provisions of the Phase II NPDES Permit, the City is required to possess the necessary legal authority and implement appropriate procedures to regulate the discharge of pollutants and non-storm water

discharges into the City's storm water drainage system. The Phase II NPDES Permit also requires the City to ensure all construction activity conducted within the City's jurisdiction that is subject to the requirements of the current Construction General Permit obtains the required Construction General Permit coverage.

13.30.020 Purpose and Intent The purpose and intent of this chapter is to ensure the health, safety, and general welfare of citizens, and to protect and enhance water quality of watercourses and water bodies in a manner pursuant to and consistent with the federal CWA by reducing pollutants in storm water discharges associated with construction activity to the maximum extent practicable and by prohibiting non-authorized non-storm water discharges to the storm water conveyance system.

13.30.030 Definitions. Any term(s) defined in the CWA, and as amended, and/or defined in the regulations for the storm water discharge permitting program issued by the SWRCB, and as amended, and which are not specifically defined in this Chapter, shall have the same meaning as those terms which are set forth in said act or regulation

A. Applicant shall mean a property owner or agent of a property owner who is completing construction activity.

B. Best Management Practices ("BMPs") shall mean activities, practices, and procedures implemented to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. BMPs include, but are not limited to: treatment measures to remove pollutants from storm water; operating and maintenance procedures, scheduling; preservation of existing vegetation; management practices to control run-off and run-on; measures for spill prevention and clean-up; waste management and disposal practices and measures; management practices related to the handling, storing and disposal of materials and waste; erosion and sediment control practices; and the prohibition of specific activities, practices and procedures and other such provisions as the City determines appropriate for the control of pollutants.

C. Building shall mean any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area

D. Channel shall mean a natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

E. City shall mean the City of Lincoln.

F. Common Plan of Development shall mean a site where multiple separate and/or distinct construction activities may be taking place at different times on different schedules, but still under a single plan. Examples include, but are not limited to: phased projects and projects with multiple lots, even if the separate phases or filings/lots will be constructed under separate contract or by separate owners; a development plan that may be phased over multiple years, but is still under consistent plan for long-term development; and projects in a contiguous area that may unrelated but still under the same contract, such as construction of a building extension and a new parking lot at the same facility. If the project is part of a common plan of development or sale, the disturbed soil area of the entire plan shall be used in determining permit and construction storm water requirements

G. Construction Activity shall mean any clearing, grading, grubbing, or excavation, or any other activity that results in land disturbance.

H. Development shall mean the division of land into lots or parcels

I. Drainage System shall mean all facilities operated by the City for collecting, transporting, treating and disposing of storm water. For the purpose of this ordinance the drainage system also

includes facilities owned and operated by other public entities or private citizens that direct storm water to the City's drainage system and are subject to the jurisdiction of the City as defined by law, contract, or inter-jurisdictional agreement.

J. Erosion and Sediment Control means any temporary or permanent measures taken to reduce erosion, control siltation and sedimentation and ensure that sediment laden water does not leave the site, including, but not limited to: preservation of existing vegetation, seeding, mulching, erosion control matting, plastic covers, fiber rolls, silt fences, drain inlet protection, sediment traps, sediment basins, check dams,

K. Erosion and Sedimentation Control Plan shall mean a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

L. Grading shall mean any excavation, filling, or combination thereof.

M. Land Disturbance Activity shall mean any activity which removes existing vegetation or otherwise disturbs the surface of the land. This may include the grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock.

N. Landowner shall mean the legal or beneficial owner of land, including those holding proprietary rights in the land.

O. Municipal Separate Storm Sewer System ("MS4") shall mean a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) owned by a State, County, City, town, or other public body, that is designed or used for collecting or conveying storm water, which is not a combined sewer, and which is not a part of a publicly owned treatment works.

P. Non-Storm water Discharge shall mean any discharge to the storm drain system that is not composed entirely of storm water.

Q. Pollutant shall mean anything which causes or contributes to pollution. Pollutants may include, but are not limited to: sediment; paints, varnishes, and solvents, oil and other automotive fluids; non-hazardous liquid and solid waste and yard wastes, refuse, rubbish, garbage, litter or other discarded or abandoned objects, articles, and accumulations, so that they may cause or contribute to pollution, floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete waste), and noxious or offensive matter of any kind.

R. Prohibited Non-Storm Water Runoff shall mean any non-storm water that contains any pollutant(s), and is not generated from the following activities:

1. Water line flushing,
2. Landscape irrigation;
3. Diverted stream flows,
4. Rising groundwater;
5. Uncontaminated groundwater infiltration (as defined at 40 CFR Section 35.2005 (20));
6. Uncontaminated pumped groundwater;
7. Discharges from potable water sources;
8. Foundation drains;
9. Air conditioning condensation;
10. Irrigation water,
11. Springs;
12. Water from crawl space pumps;
13. Footing drains,

- 14 Lawn watering;
- 15 Individual residential car washing;
- 16 Flows from riparian habitats and wetlands;
- 17. Dechlorinated swimming pool discharges, and
- 18. Discharges or flows from firefighting activities

S. Project or Project Site shall mean any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips subject to land disturbing or construction activities.

T. Receiving Water shall mean any body of water or surface water system to which surface runoff is discharged via point source of storm water or via sheet flow

U. Stop Work Order shall mean an order issued which requires that all construction activity on a site be stopped

V Storm Water shall mean water that originates from atmospheric moisture (rainfall or snowfall) that falls onto land, water, or other surfaces.

W Storm Water Pollution Prevention Plan ("SWPPP") shall mean a plan that is developed for construction activities that will create one acre or more of disturbed soil area. The intent of the SWPPP is to control pollution related to construction activities. All SWPPPs are required to be prepared in compliance with the requirements of the Construction General Permit issued by SWRCB.

X. Water Body or Water Course shall mean a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

Y. Waters of the United States shall mean surface watercourses and water bodies as defined at 40 CFR section 122.2, including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry storm water at and during all times and seasons

Z. Waters of the State shall mean all surface watercourses and water bodies, including lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, marshes, inlets, canals, and all other bodies of surface waters (Porter Cologne Section 13050 (e)). This definition includes, but is broader than, Waters of the United States.

13.30.040 Applicability. This Construction Storm Water Ordinance shall be applicable to all subdivision or site plan applications, building permits, grading permits and encroachment permits ("Projects") unless eligible for an exemption or granted a waiver by the City. This chapter shall be applicable to all projects which result in water entering the storm water conveyance system generated on any developed or undeveloped land (hereinafter referred to as, "Projects") within the City, unless exempt or expressly waived by the City.

13.30.050 Compatibility with Other Permit and Ordinance Requirements. This ordinance is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. The requirements of this ordinance should be considered the minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose a higher protective standard for human health or the environment shall be considered to take precedence.

13.30.060 Construction Storm Water Manual. The City may furnish additional policy, criteria, and information including specifications and standards, for the implementation of the requirements of this ordinance and may provide such information in the form of a Construction Storm

ORDINANCE NO. 876B

AN ORDINANCE OF THE CITY OF LINCOLN
ADDING CHAPTER 13.30 TO THE LINCOLN MUNICIPAL CODE
PERTAINING TO
CONSTRUCTION STORM WATER RUNOFF CONTROL

Recitals

WHEREAS, pursuant to the federal Clean Water Act ("CWA"), and its implementing regulations for the National Pollutant Discharge Elimination System ("NPDES"), dischargers of construction storm water runoff are required to have coverage under a General Permit for the Discharge of Storm Water from Small Municipal Separate Storm Sewer Systems ("MS4s") (the "Phase II NPDES Permit") for the City of Lincoln's (the "City") storm drainage system; and,

WHEREAS, pursuant to the NPDES Permit, the City has developed a construction storm water program to minimize the discharge of pollutants in storm water runoff related to construction activity; and,

WHEREAS, the NPDES Permit requires the City to require projects that create one acre or more of disturbed soil area to obtain coverage under the State Water Resource Control Board's ("SWRCB") General Permit for Discharges of Storm Water Associated with Construction Activity (the "Construction General Permit"); and,

WHEREAS, the NPDES Permit requires the City to ensure construction projects that create less than one acre of disturbed soil area but are considered part of a larger common plan of development to implement measures to reduce or eliminate pollutant discharges to the City's storm drainage system; and,

WHEREAS, the NPDES Permit requires the City to ensure construction projects that create less than one acre of disturbed soil area to implement measures to reduce or eliminate pollutant discharges to the City's storm drainage system, and,

WHEREAS, the enactment of this ordinance is exempt from the California Environmental Quality Act ("CEQA"), CEQA Guidelines Sections 15307 and 15308; and,

WHEREAS, this ordinance has been duly processed and the City Council has conducted legally noticed public hearings and provided all interested parties an opportunity to be heard on these issues.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF LINCOLN DOES HEREBY ORDAIN AS
FOLLOWS:

Water Manual. Until such time, BMPs shall be designed and implemented in accordance with the Construction General Permit and either the California Stormwater Quality Association's ("CASQA's") Construction BMP Handbook or the California Department of Transportation's ("Caltrans") Construction Site BMP Manual.

13.30.070 Liability Neither issuance of a grading permit, building permit, encroachment permit or subdivision agreement or approval of a Sedimentation and Erosion Control Plan under the provisions of the Construction Storm Water Ordinance nor compliance with the provisions hereof or with any conditions imposed in any permit or agreement issued hereunder shall relieve any person from responsibility for damage to any person or property or impose any liability upon the City for damage to any person or property

13.30.080 Water Obstruction. No person shall do or permit to be done any Construction Activity which may obstruct, impede, or interfere with the natural flow of storm waters, whether such waters are unconfined upon the surface of the land or confined within land depressions, natural drainage ways, unimproved channels, watercourses, improved ditches, channels or conduits, in such manner as to cause flooding where it would not otherwise occur, aggravate any existing flooding condition or cause accelerated erosion except where said grading is in accordance with all applicable laws including, but not limited to, the provisions of the Construction Storm Water Ordinance.

ARTICLE II REQUIREMENTS AND PROCEDURES

13.30.090 Projects Creating Less than One Acre of Disturbed Soil Area. All projects that meet the criteria of this ordinance, create less than one acre of disturbed soil area, and are not required to obtain coverage under the Construction General Permit shall develop an Erosion and Sedimentation Control Plan that complies with the requirements of this section and the City's current version of the City of Lincoln, Department of Public Works Design Criteria & Procedures Manual. If this Ordinance and the Design Criteria & Procedures Manual differ in requirements this ordinance shall govern. The Erosion and Sedimentation Control plan shall identify all BMPs that will be implemented throughout construction to control the discharge of pollutants in storm water runoff and to eliminate prohibited non-storm water runoff. At the City's discretion, the requirements of this section may be waived.

Pollutant storm water discharges and all Prohibited Non-storm Water Runoff discharges to the City's storm drainage system, to a water body, or off of the project site, are prohibited. In the event of an act of nature or an event which is outside the control of the applicant, owner or occupant, and which the affected project has in place the appropriate BMPs or other similar controls, such discharge shall not be considered as noncompliance with this Ordinance.

The Erosion and Sedimentation Control Plan shall be submitted to the City for review and written approval prior to the start of construction.

Drain inlet protection shall be installed on all drain inlets that will receive storm water runoff from disturbed soil areas prior to the start of construction.

All waste shall be handled, stored, utilized and disposed of in compliance with all applicable laws and regulations and in a manner that prohibits contact with storm water. All garbage shall be picked up and disposed of on a regular basis.

Hazardous materials shall be handled, stored, utilized and disposed of in compliance with all applicable laws and regulations, and in a manner that prohibits contact with storm water and storm water runoff

All projects shall effectively stabilize all disturbed soil areas with permanent erosion control or a hard surface protection system upon the completion of construction and any temporary BMPs shall be removed to the City's satisfaction.

13.30.100 Projects Creating One Acre or More of Disturbed Soil Area or Are Considered Part of a Larger Common Plan of Development. All projects meeting the criteria of this ordinance and creating one acre or more disturbed soil area or are part of a larger common plan of development shall obtain coverage under the SWRCB's current Construction General Permit.

Pollutant storm water discharges and all Prohibited Non-storm Water Runoff discharges to the City's storm drainage system, to a water body, or off of the project site, are prohibited. In the event of an act of nature or an event which is outside the control of the applicant, owner or occupant, and which the affected project has in place the appropriate BMPs or other similar controls, such discharge shall not be considered as noncompliance with this Ordinance.

The landowner or person responsible for construction activities, per the Legally Responsible Person ("LRP") conditions of the Construction General Permit, shall develop and submit a SWPPP to the City prior to issuance of a grading permit or encroachment permit. This requirement shall also be included in all subdivision agreements. The SWPPP shall be prepared and implemented in compliance with all requirements of the Construction General Permit.

If the SWPPP requires amendment, per the requirements of the Construction General Permit, the amended SWPPP shall be submitted to the City within 7 days of amendment.

A Waste Discharge Identification ("WDID") Number shall be obtained from the SWRCB prior to the commencement of any construction activities and shall be furnished to the City.

An Erosion and Sedimentation Control Plan shall be submitted to the City that identifies the BMPs that will be implemented throughout the duration of construction to control pollutant discharges. The Erosion and Sedimentation Control Plan shall comply with the requirements of this section and the City's current version of the City of Lincoln, Department of Public Works Design Criteria & Procedures Manual. If this Ordinance and the Design Criteria & Procedures Manual differ in requirements this ordinance shall govern. The Erosion and Sedimentation Control Plan shall be reviewed and approved in writing by the City prior to the commencement of any Construction Activity and shall be the same plan as approved by SWRCB.

The Erosion and Sedimentation Control plan shall be prepared and submitted concurrently with the grading plan. The Erosion and Sedimentation Control plan may be incorporated on the same plan sheet as the grading plan unless it makes the sheet cluttered, or it may be submitted on a clean separate sheet. The separate sheet shall be drawn clearly and legibly and entitled "Erosion and Sedimentation Control Plan," shall contain a statement of the purpose of the proposed best management practices to be used.

The Erosion and Sedimentation Control Plan shall include the items required by the City of Lincoln Public Facilities Improvement Standards, the City's Design Criteria and Procedures Manual and the following:

- A. Identification of the receiving water body for the project;
- B. Identification of the project's Risk Level in accordance with the Construction General Permit;
- C. Sizing information for any basins or other structural control BMPs that require sizing,
- D. Identification of the quantity and locations of storm water run-on; and
- E. Identification of all discharge points and all sampling and monitoring points per the requirements of the Construction General Permit.

The Erosion and Sedimentation Control Plan shall include the rationale for selecting or rejecting BMPs, including soil loss calculations, if required by the City

The Erosion and Sedimentation Control Plan shall list applicable permits including, but not limited to, the Construction General Permit, a 401 Water Quality Certification, U.S. Army Corps of Engineers 404 permit, California Department of Fish and Game 1600 agreement. The project applicant shall submit evidence to the City that all required permits for the project have been obtained prior to the commencement of soil disturbing activities.

If the Erosion and Sedimentation Control Plan requires revision, the City shall review and approve in writing all revisions.

All projects shall effectively stabilize all disturbed soil areas with permanent erosion control or a hard surface protection system upon the completion of construction and any temporary BMPs shall be removed to the City's satisfaction.

All projects shall remain subject to the requirements of this chapter until the Construction General Permit's Notice of Termination requirements are met and the City has accepted all improvements and has confirmed that the conditions of this chapter have been met in full.

13.30.110 Projects That Are Exempt. The following activities are exempt from this chapter:

- A. Disturbances to land surfaces solely related to agricultural activities such as disking, harrowing, terracing and leveling, and soil preparation,
- B. Activities or construction conducted on tribal lands;
- C. Landfill construction activity that is subject to the SWRCB's Industrial General Permit.

13.30.120 City Inspections. The City or designated agent shall make inspections, as hereinafter required, to determine compliance with the project's Erosion and Sedimentation Control Plan, the project's SWPPP, or the Construction General Permit. The City may inspect any work done pursuant to this chapter during the course of construction in accordance with the Municipal Code. No person shall be deemed to have complied with this chapter until a final inspection of the work has been made by the City. In the event the owner or occupant refuses entry after a request to enter and inspect has been made, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

The frequency of the inspections shall be determined by the City based on the nature and scoping of the project. At a minimum the inspections may be conducted:

- A. Prior to the start of construction;
- B. Upon completion of grading;
- C. Any work within a Waters of the U.S.;
- D. Upon completion of any in-water work;
- E. Completion of ground work;
- F. Upon the completion of landscaping,
- G. Upon project closeout.

During any inspection as provided herein, the City representative may take samples (or require the owner to take samples) and, perform any testing deemed necessary, and take photographs to aid in the pursuit of the inquiry or to record site activities. This authority may include the installation of sampling and metering devices, or requiring the owner to supply samples. All costs for said testing shall be paid for by the applicant. Such costs, if performed by the City, may be covered by the owner's inspection fee deposit.

13.30.200 Holds on Issuance of Certificates of Occupancy. Certificates of Occupancy will not be granted until all corrections to all storm water practices have been made and accepted by the City.

13.30.210 Appeal and Hearing. If a property owner chooses to show why any specific enforcement action does not apply to the conditions on his property he may appeal the enforcement action in accordance with the Municipal Code by writing to the City within 10 days of receiving the enforcement action. The City will respond to the appeal within 10 days. If the property owner is still not satisfied with the outcome of the appeal he may request a formal hearing regarding the matter being appealed. All abatements may be appealed per the hearing requirements per Section 8.08 of the Municipal Code.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance for any reason shall be held to be invalid or unconstitutional; the decision shall not affect the remaining portions of the Ordinance. The Council of the City of Lincoln hereby declares that it would have passed this Ordinance and each article, section, subsection, paragraph, sentence, clause or phrase which is a part thereof, irrespective of the fact that any one or more articles, sections, subsections, paragraphs, sentences, clauses or phrases are declared to be invalid or unconstitutional.

Section 3. Publication and Effective Date. This Ordinance shall become effective thirty (30) days after its adoption and within fifteen (15) days of the passage of this Ordinance, a copy shall be published once in the News Messenger, a newspaper of general circulation in the City.

PASSED AND ADOPTED this 22nd day of January, 2013.

AYES: Councilmembers: Joiner, Short, Gilbert, Nader

NOES: Councilmembers: Hydrick

ABSENT: Councilmembers: None



Stan Nader, Mayor

ATTEST:



Patricia Avila
City Clerk

Ordinance No. 876B
First Reading: 12.11.12
Second Reading: 01.22.13
Effective Date: 02.21.13

ARTICLE III ENFORCEMENT

13.30.130 Enforcement Official The City or authorized agent shall enforce the provisions of this chapter.

13.30.140 Violations. Any construction or land disturbance activity that is commenced or is conducted contrary to this Ordinance shall be deemed to be a public nuisance and may be restrained by injunction or otherwise abated in a manner provided by Chapters 1.20 or 8.08 of the Municipal Code

13 30 150 Notice of Violation. When the City determines that an activity is not being carried out in accordance with the requirements of this Ordinance, it shall issue a written administrative notice of violation to the owner of the property or the Legally Responsible Person. The notice of violation shall contain:

- A. The name and address of the owner or applicant,
- B. The address of the project site or a description of the project site location if an address is not available;
- C. A statement specifying the nature of the violation;
- D. A description of the remedial measures necessary to bring the construction activity into compliance with this Ordinance and a time schedule for the completion of such remedial action;
- E. The violation may require the performance of monitoring, analysis, and reporting
- F. A statement of the penalty or penalties that shall or may be assessed against the person to whom the violation is directed;
- G. A statement that the determination of the violation may be appealed to the municipality by filing written notice of appeal within fifteen (15) days of services of notice of violation.

13.30.160 Stop Work Orders. Persons receiving a notice of violation will be required to halt all construction activities except for remedial actions required by the notice of violation. The "stop work order" will be in effect until the City confirms that the construction activity is in compliance and the violation has been satisfactorily addressed. Failure to address the notice of violation in a timely manner can result in civil, criminal, or monetary penalties in accordance with the enforcement measures authorized in this ordinance.

13.30.170 Administrative Citation and Civil and Criminal Penalties In addition to, or as an alternative to any penalty provide herein or by law, any person who violates the provisions of this Chapter shall be punished by a civil fine in accordance with Chapter 1.20 of the City's Municipal Code.

13.30 180 Abatement by City. If correction has not occurred within the time period required by the notice of violation, the continuing violation shall be deemed a public nuisance, and the City or contracting agent hired by the City may abate the nuisance as provided by the City's Municipal Code Section 8.08.

13 30.190 Restoration of Lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time notice, the City may take necessary corrective action as provided by the City's Municipal Code.

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APPENDIX D
Standard Application Forms

D-1. Placer County Universal Project Application Form

D-2. Placer County Environmental Questionnaire

D-3. City of Lincoln Universal Application Form

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COMMUNITY DEVELOPMENT RESOURCE AGENCY

Planning Services Division

AUBURN OFFICE
3091 County Center Dr., Auburn, CA 95603
530-745-3000/FAX 530-745-3080

Email: planning@placer.ca.gov

TAHOE OFFICE
775 North Lake Blvd., Tahoe City, CA 96146
P.O. Box 1909, Tahoe City, CA 96145
530-581-6280/FAX 530-581-6282
Website: www.placer.ca.gov

Application Intake: To be Completed by County	
File No:	Date Filed:
Accepted by:	Major Project: <input type="checkbox"/> Yes <input type="checkbox"/> No
Zoning:	Hearing Body: <input type="checkbox"/> ZA <input type="checkbox"/> PRC <input type="checkbox"/> PC <input type="checkbox"/> BOS <input type="checkbox"/> N/A
GP Designation:	Pre-Development Application Number:
General/Community Plan:	Acceptable for EQ Filing: <input type="checkbox"/> Yes <input type="checkbox"/> No
Taxes Paid: <input type="checkbox"/> Yes <input type="checkbox"/> No	Notice Posters Provided: <input type="checkbox"/> Yes <input type="checkbox"/> No
1. Application / Entitlement Type: To be Completed by Applicant. See Filing Instructions for Each	
<input type="checkbox"/> Additional Building Site <input type="checkbox"/> Administrative Approval Relief from Standards <input type="checkbox"/> Administrative Approval of Cellular Antenna <input type="checkbox"/> Administrative Review Permit <input type="checkbox"/> Appeal <input type="checkbox"/> Certificate of Compliance <input type="checkbox"/> Community Plan Amendment <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Design Review Agreement <input type="checkbox"/> Development Agreement <input type="checkbox"/> Environmental Questionnaire – Minor EQ <input type="checkbox"/> Environmental Questionnaire – Standard <input type="checkbox"/> Exemption Verification from CEQA	<input type="checkbox"/> Extension of Time <input type="checkbox"/> Farmworker Housing <input type="checkbox"/> Farmland Security Zone <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Major Subdivision <input type="checkbox"/> Minor Boundary Line Adjustment <input type="checkbox"/> Minor Land Division <input type="checkbox"/> Minor Use Permit <input type="checkbox"/> Modification to Approved Project <input type="checkbox"/> Predevelopment Meeting – Major <input type="checkbox"/> Predevelopment Meeting - Minor <input type="checkbox"/> Previously Approved CEQA Document <input type="checkbox"/> Rafting Permit
<input type="checkbox"/> Rezone <input type="checkbox"/> Sign Permit <input type="checkbox"/> Specific Plan <input type="checkbox"/> Specific Plan Administrative Modification <input type="checkbox"/> Specific Plan Amendment <input type="checkbox"/> Specific Plan Density Transfer <input type="checkbox"/> Tahoe - Site Assessment <input type="checkbox"/> Temporary Outdoor Event <input type="checkbox"/> Tree Permit <input type="checkbox"/> Variance <input type="checkbox"/> Williamson Act <input type="checkbox"/> Voluntary Merger	
2. Project	
Project Name:	
Project Location:	
Assessor's Parcel Number(s):	
Size of Property (acreage or square footage):	
3. Applicant or Representative	
Name:	
Mailing Address (include city and zip):	
Telephone:	Email:
4. Property Owner	
Name:	
Mailing Address (include city and zip):	
Telephone:	Email:

5. Architect / Engineer	
Company Name:	
Representative:	
Mailing Address (include city and zip):	
Telephone:	Email:
6. Project Description: Describe the project in detail including project purpose, size of buildings, acres, number of units, phasing, operational characteristics and associated construction activities. If project description exceeds space below include as a supplement to the application.	
7. Indemnification	
<p>The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provision of this condition.</p> <p>Applicant(s) agree to defend, indemnify and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded by a certain development project known as:</p>	
Owner Signature:	Printed Name:
Owner Signature:	Printed Name:
8. Authorizations	
<input type="checkbox"/> I hereby authorize the above-listed applicant to make application for project approvals by Placer County, to act as my agent regarding the above-described project, and to receive all notices, correspondence, etc. from Placer County regarding this project, or <input type="checkbox"/> As owner, I will be acting as applicant. In addition, as owner, I will defend, indemnify, and hold Placer County harmless from any defense costs, including attorneys' fees or other loss connected with any legal challenge, brought as a result of an approval concerning this entitlement. I also agree to execute a formal agreement to this effect on a form provided by the County and available for my inspection. <input type="checkbox"/> Signatures of both the Transferring and Acquiring Property Owners are required for a Boundary Line Adjustment. Boundary Line Adjustments shall not be used to create new parcels. <input type="checkbox"/> The signature below authorizes any member of the Placer County Development Review Committee (DRC), and other County personnel as necessary, to enter the property/structure(s) that is (are) the subject of this application. <input type="checkbox"/> The Planning Division is prohibited from accepting applications on tax delinquent properties pursuant to Board of Supervisors direction.	

☐ Prior to the commencement of any grading and/or construction activities on the property in question, that are based upon the entitlements conferred by Placer County permit approval(s), the applicant should consult with the California Department of Fish & Wildlife (DFW) to determine whether or not a Streambed Alteration Agreement [§1603, CA Fish & Game Code] is required. The applicant should also consult with the U.S. Army Corps of Engineers to determine whether or not a permit is required for these activities pursuant to Section 404 of the Clean Water Act. Fees may be required to be paid to the Department of Fish and Game for their participation in the environmental review process as required by State law. **The applicant's signature on this application form signifies an acknowledgement that this statement has been read and understood.**

Owner Signature:	Printed Name:
------------------	---------------

Owner Signature:	Printed Name:
------------------	---------------

9. At Cost Entitlement Processing Disclosure for MAJOR Projects (Required for MAJOR Projects Only)

☐ In accordance with the adopted County Fee Ordinance, many of the entitlements (land use permits) applied for through the Community Development Resource Agency are processed "at-cost". The fee paid at the time of filing of the initial project application is a deposit. Staff time and other direct expenses (i.e., public noticing) will be charged against the deposit. A detailed invoice will be sent monthly.

☐ Staff time includes field visits, travel time, consultations in the office or by telephone, staff report preparation, public hearing and entitlement processing. Time may also include research for special/unique situations.

Placer County departments involved in the entitlement process may include, but are not limited to, the Community Development Resource Agency, Facility Services including the Parks and Environmental Engineering Divisions, Department of Public Works, Environmental Health, the County Executive Office and County Counsel. For questions regarding potential charges or fees, please contact this office for clarification.

☐ It is the policy of the Placer County Community Development Resource Agency to process applications in an efficient and timely manner. A time accounting and reporting system is in place to track activities associated with application processing.

Acknowledgement of At-Cost Project Processing

I have submitted an application deposit of: \$

☐ I understand that if charges associated with staff time exceed this deposit, I will be billed based on actual time spent. The hourly rate in effect at the time the service is actually performed shall apply. Invoices will be mailed to the address on the application. I have 10 days from receipt of an invoice to contact the County with any questions regarding the charges or the invoice will be deemed correct and payable as presented.

☐ Once the decision-making body has taken final action on the project, upon written request, any unused deposits will be refunded to the person or firm from whom a deposit has been received.

Past Due Accounts

☐ 30 Days Past Due: Environmental documentation will not be released; the project will not be presented to a hearing body; and the County will not issue a permit.

☐ 60 Days Past Due or Balance Due is \geq \$5,000: A Stop Work Status will be issued and all County land use departments will cease work until the account is paid.

☐ 90 Days Past Due: The account will be forwarded for collection.

Owner Signature:	Printed Name:
------------------	---------------

Owner Signature:	Printed Name:
------------------	---------------

**COMMUNITY DEVELOPMENT/RESOURCE AGENCY
ENVIRONMENTAL COORDINATION SERVICES**
County of Placer

Date Received	Filing Fee	Check No.	Receipt No.
	\$	#	#

ENVIRONMENTAL QUESTIONNAIRE

Answer all questions that are applicable.

Please note: If you are applying for a Conditional Use Permit, Subdivision over 4 lots, General Plan amendment, Specific Plan and/or Rezoning, you must schedule a pre-development meeting before this Environmental Questionnaire can be accepted. Please contact the Environmental Coordination Services at 530-745-3132 for scheduling.

I. GENERAL

- Project name (same as on IPA) _____
Project site area _____ acres, or _____ square feet
General Plan/Community Plan _____
Land use description _____
Zoning _____
- Project description in detail, including the number of units or gross floor area proposed, site area in acres/square feet (PLN)

- Describe existing uses and facilities onsite (buildings, wells, septic systems, parking, etc) _____

- Is adjacent property in common ownership? ☐ yes ☐ no
If yes, indicate acreage _____ and Assessor's Parcel Number(s) _____
- Indicate all historic uses of the property to its first known use and show areas of such use on site plan (ie. animal enclosures, livestock dipping areas, carcass burial locations, chemical mixing structures, clandestine drug labs or dumpsites, fuel tanks, crop areas, mining shafts, buildings, processing areas, storage, hazardous waste, spoils piles, etc.):
a. Residential uses? ☐ yes ☐ no
If yes, describe uses: _____

b. Commercial agriculture uses? ☐ yes ☐ no
If yes, what types of uses have occurred? ☐ animal husbandry ☐ crops ☐ other
Describe use, era/decade, associated pesticides, herbicides, or other hazardous materials storage or use: _____

c. Mining uses? ☐ yes ☐ no
If yes, describe types, features, and any related uses: _____

d. Physical hazards (i.e. mine audit, air shaft, etc)? ☐ yes ☐ no

If yes, describe hazards: _____

e. Commercial uses? ☐ yes ☐ no

If yes, describe types and any related uses: _____

6. Is any portion of the site under a Williamson Act contract? ☐ yes ☐ no

If yes, indicate contract name and number: _____

II. GEOLOGY & SOILS

1. Have you observed any building or soil settlement, landslides, slumps, faults, steep areas, rock falls, mud flows, avalanches or other natural hazards on this property or in the nearby surrounding area? ☐ yes ☐ no

If yes, describe _____

2. How many cubic yards of material will be moved onsite? _____

How many cubic yards of material will be imported? _____

How many cubic yards of material will be exported? _____

Describe material sources or disposal sites, transport methods and haul routes: _____

3. What is the maximum proposed height and slope of any excavation/cut? _____

What is the maximum proposed height and slope of any fill? _____

4. Are retaining walls proposed? ☐ yes ☐ no

If yes, identify location, type, height, etc. _____

5. Is there a potential for any blasting during construction? ☐ yes ☐ no

If yes, explain _____

6. How much of the area is to be disturbed by grading activities? _____

7. Would the project result in the direct or indirect discharge of sediment into any lakes or streams? ☐ yes ☐ no

If yes, explain _____

8. Are there any known natural economic resources such as sand, gravel, building stone, road base rock, or mineral deposits on the property? ☐ yes ☐ no

If yes, describe _____

9. Are any frontage or offsite road and/or drainage improvements proposed or required? ☐ yes ☐ no

If yes, explain and show on site plan _____

10. What are the current California Department of Conservation Farmland categories for the property? (Access the CA Important Farmland Finder application on the web at <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx> or call 916-324-0859 for assistance) _____

How many acres of each category? _____

III. DRAINAGE, HYDROLOGY & WATER QUALITY

1. Is there a body of water (lake, pond, stream, canal, etc.) within or on the boundaries of the property? ☐ yes ☐ no If yes, name the body of water here and show location on site plan: _____

2. If answer to the above is yes, would water be diverted from or into this water body? ☐ yes ☐ no

If yes, does applicant have an appropriative or riparian water right? ☐ yes ☐ no

3. Where is the nearest off-site body of water such as a waterway, river, stream, pond, lake, canal, irrigation ditch, or year-

round drainage-way? Include name, if applicable _____

4. What percentage of the project site is presently covered by impervious surfaces? _____
What percentage of the project site will be covered by impervious surfaces after development? _____
5. Would any run-off of water from the project enter any offsite canal/stream or watershed drainage? ☐ yes ☐ no
If yes, describe _____
6. Is stormwater run-off currently being intercepted by an upstream and/or onsite canal? ☐ yes ☐ no
If yes, describe _____
7. Will there be discharge to surface water of wastewaters other than storm water run-off? ☐ yes ☐ no
If yes, a) what materials will be present in the discharge? _____
b) what contaminants will be contained in storm water run-off? _____
8. Would the project result in the physical alteration of a body of water? ☐ yes ☐ no
If yes, how? _____
9. Will drainage from this project cause or exacerbate any downstream flooding condition? ☐ yes ☐ no
If yes, explain: _____
10. Are any improvements (streets, building sites, earthwork, etc) proposed within the limits of the 100-year floodplain?
☐ yes ☐ no
If yes, accurately identify the location of the future, fully developed, unmitigated 100-year floodplain on the site plan.
11. Are any areas of the property subject to flooding or inundation? ☐ yes ☐ no
If yes, accurately identify the location on the site plan.
12. Would the project alter any on or off site drainage channels or patterns? ☐ yes ☐ no
If yes, explain _____
a. How will drainage be discharged to offsite project boundaries? _____
b. Are downstream improvements required to upgrade, replace, or mitigate existing facilities? ☐ yes ☐ no
If yes, explain _____
c. Will grading be required for drainage conveyance, either in right of way or on private property? ☐ yes ☐ no
If yes, describe _____
13. What specific temporary and permanent Best Management Practice (BMP) measures will be provided? _____

IV. VEGETATION AND WILDLIFE

All projects disturbing wetlands, streams, vernal pools, or marshes are required to notify the U.S. Army Corps of Engineers and federal permits may be required prior to land disturbance activities. In addition, consultation with the California Department of Fish and Game, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and/or the Central Valley Regional Water Quality Control Board may be required depending on the types of vegetation and wildlife resources affected by project-related activities. See attached state and federal natural resource permitting information guidance document for more information.

1. Identify the vegetation communities occurring on the project site

_____ % alpine	_____ % orchard/vineyard
_____ % coniferous forest	_____ % perennial stream
_____ % freshwater wetland/marsh	_____ % pond-stock pond
_____ % grassland (dry pasture)	_____ % rice
_____ % hardwood woodland	_____ % row crop

_____ % intermittent stream
_____ % riparian (stream zone) woodland
_____ % irrigated pasture

_____ % scrub/chaparral
_____ % vernal pool
_____ % meadow (above 3000 ft)

Information specific to western county vegetation types is summarized in the **Placer County Natural Resources Report 2004**, available from the Placer County website <http://www.placer.ca.gov/~media/cdr/Planning/PCCP/BackgroundData/NaturalResourcesReport/Table2.pdf>, or the Department of Fish and Wildlife website http://www.dfg.ca.gov/biogeodata/cwhr/pdfs/CrosswalkWHR_CalVegClassifications.pdf

2. Estimate how many individual trees of 6-inches diameter or larger would be removed by the ultimate development of this project as proposed: _____
If oak trees (*Quercus* sp.) are present, estimate how many individual oak trees 5 inches diameter or larger would be removed by ultimate development of this project as proposed. _____
3. Estimate the percentage of all existing trees that would be removed by the project as proposed _____
4. Have any biological surveys been conducted on the property? ☐ yes ☐ no
If yes, give date of the survey(s) and attach a copy of the survey(s) _____
5. List any known endangered species of plants or animals (as defined in Section 15380 a-d of the California Environmental Quality Act Guidelines) found in the project area _____
6. What changes to the existing vegetative communities will the project cause as proposed? _____

V. FIRE PROTECTION

1. How distant are the nearest fire protection facilities? _____
2. What is the nearest emergency source of water for fire protection purposes? Describe the source and location: _____
3. What additional fire hazard and fire protection service needs would the project create? _____
What facilities are proposed with this project? _____
4. For single access projects, what is the distance from the project to the nearest through road? _____
Does the fire district require an emergency vehicle access road? ☐ yes ☐ no
If yes, show on the project grading plans and site plan.
5. Are there offsite access limitations that might limit fire truck accessibility (ie. steep grades, poor road alignment or surfacing, substandard bridges, etc.)? ☐ yes ☐ no
If yes, describe: _____

VI. NOISE

Project sites near a major source of noise, and projects which will result in increased noise, may require a detailed noise study prior to environmental determination.

1. Is the project near a major source of noise? ☐ yes ☐ no
If yes, name the source(s): _____
2. What noise would result from this project, both during and after construction? _____
3. If noises attenuation measure (ie. berms, walls, special construction) are proposed, please attach noise study, describe measures and include on the site plan and in cross-sectional details.

VII. AIR QUALITY

Specific air quality studies may be required by the Placer County Air Pollution Control District (APCD). It is suggested that applicants with residential projects containing 20 or more units, industrial, or commercial projects contact the APCD before proceeding.

1. Are there any sources of air pollution within the vicinity of the project? ☐ yes ☐ no
If yes, name the source(s): _____
2. At full buildout of the project, what are the quantities of air pollutants in terms of vehicle and stationary sources (ie. woodstove emissions, etc.)? Include short-term (construction) impacts: _____

3. Are there any sensitive receptors of air pollution located within one quarter mile of the project (ie. schools, hospitals, etc.)?
☐ yes ☐ no
If yes, describe _____
Will the project generate any toxic/hazardous emissions? ☐ yes ☐ no
If yes, describe _____
4. What specific mobile/stationary source mitigation measures, if any, are proposed to reduce the air quality impact(s) of the project? Quantify any emission reductions and corresponding beneficial air quality impacts on a local/regional scale.

5. Will there be any land clearing of vegetation for this project? ☐ yes ☐ no
If yes, how will vegetation be disposed? _____

VIII. WATER SUPPLY

1. Define purpose of water currently used on-site _____
2. Define existing water source and its location on-site _____
3. List water sources (provider or system) proposed and their projected peak water usage in gallons per day:
Domestic _____ peak gallons/day _____
Irrigation _____ peak gallons/day _____
Fire Protection _____ peak gallons/day _____
4. Is the project site located within a public domestic water district? ☐ yes ☐ no
5. Will there be public water supply for domestic use? ☐ yes ☐ no
If yes, provide district name here _____
If no, and the water main is in close proximity, please discuss why not _____

If no, give the distance to the closest public water main _____ feet
6. Will there be groundwater for domestic or other uses? ☐ yes ☐ no
If yes, what is the projected daily peak groundwater usage? _____
7. Are there any wells, drilled or hand-dug, on the site? ☐ yes ☐ no
If yes, describe approximate year well was constructed, depth, annular seal, yield, contaminants, etc. _____

Show existing and proposed well sites and label type of well on the site plan.
8. Will the project potentially impact the surrounding area's use of agricultural water? ☐ yes ☐ no
If yes, describe _____

IX. AESTHETICS

1. Describe adjacent land use and explain how the proposed project is consistent/compatible with these uses and densities

2. Is the proposed project consistent/compatible with adjacent architectural styles? ☐ yes ☐ no

If no, explain _____

3. Would aesthetic features of the project (such as architecture, height, color, etc.) be subject to review? ☐ yes ☐ no If yes, by whom (i.e. HOA, ARC)? _____
4. Describe signs and lighting associated with the project: _____
5. Is landscaping proposed? ☐ yes ☐ no
If yes, provide a conceptual landscape plan to describe and indicate types and location of plants.

X. ARCHAEOLOGY/HISTORY

1. What is the nearest historic site, state historic monument, national register district, or archaeological site? _____
2. How far away is it? _____
3. Are there any historical, archaeological or culturally significant features on the site (i.e. old foundations, structures, Native American habitation sites, etc.)? ☐ yes ☐ no
If yes, explain _____

XI. SEWAGE

1. How much wastewater is presently produced daily? _____
2. How is sewage presently disposed of at the site? _____
3. How much wastewater will be produced daily after the project? _____
4. What is the proposed method of sewage disposal? _____
5. Is there a plan to protect groundwater from wastewater discharges? ☐ yes ☐ no
If yes, attach a draft of this plan.
6. List all unusual wastewater characteristics of the project _____
What special treatment processes are proposed for these unusual wastes? _____
- Will pre-treatment of wastewater be available? ☐ yes ☐ no
If yes, attach a description of pre-treatment processes and monitoring system.
7. During the wettest time of the year, is the groundwater level less than 8 feet below the surface of the ground onsite?
☐ yes ☐ no
If no, explain _____
8. Is this project located within a sewer district? ☐ yes ☐ no
If yes, provide the district name here: _____
9. Is there sewer in the area? ☐ yes ☐ no
If yes, what is the distance to the nearest sewer line? _____
10. Will the project be trenching offsite to connect to sewer? ☐ yes ☐ no
If yes, describe distance and impacts to roadways, adjacent properties, etc. _____

XII. HAZARDOUS MATERIALS

"Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, or any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or

harmful to the environment if released into the workplace or the environment (i.e. oils, lubricants, and fuels).

1. a. Has the site ever stored or used hazardous materials, including pesticides and herbicides? ☐ yes ☐ no

If yes, describe _____

- b. Are these materials stored in underground tanks? ☐ yes ☐ no

If yes, contact the Environmental Health Division at 530-745-2300 for additional requirements.

2. Will the proposed project involve the handling, storage or transportation of hazardous materials? ☐ yes ☐ no

If yes, will it involve the handling, storage, or transportation at any one time of more than 55 gallons, 500 pounds, or 200 cubic feet (at standard temperature and pressure) of a product or formulation containing hazardous materials?

☐ yes ☐ no

If yes, describe _____

XIII. SOLID WASTE

1. What types of solid waste will be produced? _____

How much? _____ How will it be disposed of? _____

XIV. PARKS & RECREATION

1. How close is the project to the nearest public park or recreation area? _____

Name the area _____

2. Describe any onsite recreational facilities proposed as part of the project _____

3. How does this project propose to provide park and recreation facilities to the community? _____

XV. SOCIAL IMPACT

1. How many new residents will the project generate? _____

2. Will the project displace or require relocation of any residential units? ☐ yes ☐ no

If yes, explain _____

3. What changes in character of the neighborhood (surrounding uses such as pastures, farmland, residential) would the project cause? _____

4. Would the project create job opportunities? ☐ yes ☐ no

If yes, explain _____

5. Would the project destroy job opportunities? ☐ yes ☐ no

If yes, explain _____

6. Will the proposed development displace any currently productive use, including agricultural livestock grazing?

☐ yes ☐ no

If yes, describe _____

7. Is your project in a Placer County Redevelopment Area? ☐ yes ☐ no

If yes, you may be eligible for low interest loans. If your project contains any housing and is located in a Redevelopment Area, it is subject to the 15% inclusionary regulations of Ordinance 15.65. For more information, please contact the Redevelopment Agency at 530-886-4240.

8. Are there any Federal funds helping to finance your project? ☐ yes ☐ no

If yes, you may have to comply with NEPA, the National Environmental Policy Act.

XVI. TRANSPORTATION/CIRCULATION

1. Does the proposed project front on a County road or State Highway? ☐ yes ☐ no
If yes, what is the name of the road? _____

If no, what is the name of the private access road and nearest cross-street? _____
2. Would any non-auto traffic, not related to construction activities, result from the project (trucks, trains, etc.)?
☐ yes ☐ no
If yes, describe type and volume _____
3. What road standards are proposed within the development? _____
County land Development Manual Standard Plate _____
Show typical street section(s) on the site plan.
4. Will new roadway/driveway access onto County roads be constructed with the project? ☐ yes ☐ no
If yes, are the access points proposed in a location in which would provide sufficient sight distance along the roadway for safe entering and exiting vehicles? _____
5. Describe any proposed improvements to County roads and/or State Highways (i.e. frontage improvements, bike lanes, curb, sidewalk): _____
6. Would any form of transit be used for traffic to/from the project site? ☐ yes ☐ no
If yes, show proposed transit stop locations on site plan.
7. How much additional traffic is the project expected to generate? What are the expected peak hours of traffic to be caused by the development (i.e. Churches on Sundays, 8:00am-1:00pm; Offices on Mondays through Fridays, 8:00-9:00am, and 4:00-6:00pm)? _____
8. What bikeway, pedestrian, equestrian, or transit facilities are proposed with the project?

XVII. CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

First Name _____ Last Name _____

Signature _____ Date: _____

Work Phone () _____ Cell Phone () _____

Email Address _____

Environmental Questionnaire (EQ) Filing Instructions

Pursuant to the policy of the Board of Supervisors, this office cannot accept applications on tax delinquent property or property with existing County Code violations.

- For information regarding projects with effects that are normally significant, refer to Chapter 18.12.050 of the Placer County Environmental Review Ordinance. Applicants are encouraged to contact the staff planner assigned to the project at the earliest opportunity to determine possible need and scope of additional environmental studies.
- If you are applying for a Conditional Use Permit, Subdivision over 4 lots, General Plan Amendment, Specific Plan and/or Rezoning, you must schedule a pre-development meeting before this Environmental Questionnaire can be accepted. Please contact the Planning Department at 530-745-3000 for scheduling.

Please submit the following to:

Community Development Resource Agency
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn CA 95603

- 20 copies of the Environmental Questionnaire (EQ)
- 1 copy of Initial Project Application
- EQ filing fee
- Maps - Twenty (20) 8.5" x 11" maps (If folded to that size, must include one reduced to 8.5" x 11")
- For subdivisions, all information required by Section 16.12 of the Subdivision Ordinance for tentative map submittals must be included in addition to the information listed below.
 - Boundary lines and dimensions of parcel(s).
 - Existing and proposed structures and their gross floor area in square feet, parking areas with spaces delineated, distance between structures and distance from property lines.
 - Area of the parcel (in square feet or acres).
 - Names, locations and widths of all existing traveled ways, including driveways, streets, and rights-of-way on, or adjacent to the property.
 - Locations and widths of all proposed streets, rights-of-way, driveways, and/or parking areas.
 - Approximate location and dimensions of all proposed and existing easements, wells, leach lines, seepage pits, mining shafts, or other underground structures.
 - Location and dimensions of all proposed easements for utilities and drainage.
 - Location of all creeks, drainage channels, riparian areas, and a general indication of the slope of the land and all trees of significant size.
 - Accurately plot, label, and show exact location of the base and drip lines of all protected trees (native trees 6" dbh or greater, or multi-trunk trees 10" dbh or greater) within 50 feet of any development activity (i.e. proposed structures, driveways, cuts/fills, underground utilities, etc.) pursuant to Placer County Code, Chapter 36 (Tree Ordinance). Note: A tree survey prepared by an I.S.A. certified arborist may be required. Verify with the Planning Department prior to submittal of this application.
 - North arrow and approximate scale of drawing.
 - Vicinity map which shows the location of the subject property in relation to existing County roads and adjacent properties sufficient to identify the property in the field for someone unfamiliar with the area. The distance to the closest intersection of County roads should be shown to the nearest 1/10th of a mile.
 - Assessor's parcel number, section, township and range, and a copy of the Assessor's map(s) outlining the subject parcel(s).
 - Name(s) of property owner(s) and applicant, if any.
 - An indication of any adjacent lands in the same ownership.



Development Services Department
600 Sixth Street
Lincoln, CA 95648
(916) 434-2470

UNIVERSAL APPLICATION FORM

TYPE OF APPLICATION/ENTITLEMENT:

- | | |
|---|---|
| <input type="checkbox"/> Design Review _____
<input type="checkbox"/> Conditional Use Permit
<input type="checkbox"/> Public Convenience or Necessity
<input type="checkbox"/> Development Permit
<input type="checkbox"/> Development Agreement
<input type="checkbox"/> Rezone - From: _____ to: _____
<input type="checkbox"/> Variance _____
<input type="checkbox"/> Tentative Parcel Map
<input type="checkbox"/> Tentative Subdivision Map | <input type="checkbox"/> Modification of _____
<input type="checkbox"/> General Plan Amendment
<input type="checkbox"/> General Development Plan - PD
<input type="checkbox"/> Specific Development Plan/Permit - PD
<input type="checkbox"/> Lot Line Adjustment
<input type="checkbox"/> Parcel Merger
<input type="checkbox"/> Final Subdivision Map
<input type="checkbox"/> Final Parcel Map
<input type="checkbox"/> Appeal
<input type="checkbox"/> Other _____ |
|---|---|

NAME OF PROJECT: _____

Location & Address of Project: _____

Assessor's Parcel Number: _____

Existing Use of Property: _____

General Plan Designation: _____

Zoning Designation: _____

Property Size: Acres and/or square feet, _____

Dimensions of Property: _____

Is the property located within 1000 feet of McClellan Communications Station*? ☐ Yes ☐ No

*The McClellan Communications Station is located north of Moore Road and west of Dowd Road on Assessor's Parcel Numbers 021-081-018, 021-081-042 & 021-081-045.

Department Use Only

Date Received: _____

Fees Paid: _____

Received By: _____

Receipt #: _____

Describe your project, in detail, in the space provided below. If you need more space, please prepare the response on an additional sheet of paper.

[illegible]

Name _____

Mailing Address_____

E-mail Address_____

Telephone Number _____ Fax Number _____

Name_____

Mailing Address_____

E-mail Address_____

Telephone Number _____ Fax Number _____

Name _____

E-mail Address _____

Mailing Address_____

Telephone Number _____ Fax Number _____

Indemnification:

Applicant(s) agree to defend, indemnify and hold harmless the City of Lincoln ("City") and its agents, officers, consultants, independent contractors and employees ("City's Agents"), through legal counsel selected by the City, from any and all alleged damages, claims, actions, liabilities or proceedings concerning the Project, whether contractual, statutory, or otherwise, including, without limitation, claims against the City or the City's Agents to attack, set aside, void, or annul any approval by the City, or the City's Agents concerning the Project (collectively "Claim"). The City shall promptly notify the Applicant of any Claim. If the City fails to notify the Applicant of any Claim, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing in this paragraph shall obligate the City to defend any Claim and the City shall not be required to pay or perform any settlement arising from any such Claim not defended by the City, unless the settlement is approved in writing by the City.

Reimbursement:

Applicant(s) agree that the Applicant(s) shall fully reimburse the City for costs incurred in connection with the Application Process regardless of any action taken by the City with respect to the Applicant(s)'s application. Applicant(s) also acknowledge and agree that the Fees (hereinafter "Funds") paid herewith may not be adequate to fully reimburse the City for costs incurred in connection with the Application Process, and that periodically, as the need arises, Applicant(s) may be called upon to make further deposit of Funds. Applicant(s) agrees that there shall always remain on deposit with the City sufficient Funds to cover the anticipated costs to be incurred with the Application Process through the Public Hearing Process. In the event, for any reason, a City request for further deposit of Funds from Applicant(s) is not fully satisfied, within thirty (15) business days the City may cease processing of this application and the related project, and record the failure to make the requested deposit of Funds as the Applicant(s)' request to cease processing the application as is herein the legal claim of the title of the property. The failure of the City to request additional deposit(s) of Funds or to cease processing of the application due to lack of Funds shall not constitute a waiver of the Applicant's responsibility to fully reimburse the City for costs incurred in connection with the Application Process. The advance of Funds shall not be dependent upon the City's approval or disapproval of the Applicant(s)' application, or upon the result of any action, and shall in no way influence the Project. Neither Applicant(s) nor any other person providing funding for the Project shall, as a result of such funding, have any expectation as to the results of the Application Process or the selection of an alternative favorable to or benefiting Applicant(s).

SIGNATURES: (MUST BE OBTAINED FOR SUBMITTAL OF PROJECT)

OWNER: _____ DATE: _____

TYPE OR PRINT NAME HERE: _____

APPLICANT: _____ DATE: _____

TYPE OR PRINT NAME HERE: _____

I have read and agree to the above noted Indemnification and Reimbursement language - ☐

APPLICANT: _____ DATE: _____

TYPE OR PRINT NAME HERE: _____

I have read and agree to the above noted Indemnification and Reimbursement language - ☐

Indicate name, and e-mail address of all parties wishing to receive agenda for time and date of meetings regarding this project:

Supplementary Document D
ENVIRONMENTAL INFORMATION FORM
(To be Completed by Applicant)

General Information

1. Name and address of developer or project sponsor:

2. Address of project: _____

3. Assessor's Block and Lot Number: _____

4. Name, address, and telephone number of person to be contacted concerning this project:

5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

6. Existing zoning district:

7. Proposed use of site (Project for which this form is filed):

Project Description

8. Site size: _____

9. Square footage: _____

10. Number of floors of construction: _____

11. Amount of off-street parking provided: _____

12. Attach plans.

13. Proposed scheduling: _____

14. Associated project: _____

15. Anticipated incremental development: _____

16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. _____

17. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities. _____

18. If industrial, indicate type, estimated employment per shift, and loading facilities: _____

19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project: _____

20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required. _____

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

	Yes	No
21. Change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours.	<input type="checkbox"/>	<input type="checkbox"/>
22. Change in scenic views or vistas from existing residential areas or public lands or roads.	<input type="checkbox"/>	<input type="checkbox"/>
23. Change in pattern, scale or character of general area of project.	<input type="checkbox"/>	<input type="checkbox"/>
24. Significant amounts of solid waste or litter.	<input type="checkbox"/>	<input type="checkbox"/>
25. Change in dust, ash, smoke, fumes or odors in vicinity.	<input type="checkbox"/>	<input type="checkbox"/>
26. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.	<input type="checkbox"/>	<input type="checkbox"/>
27. Substantial change in existing noise or vibration levels in the vicinity.	<input type="checkbox"/>	<input type="checkbox"/>
28. Site on filled land or on slope of 10 percent or more.	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
29. Use of disposal of potentially hazardous materials, such as toxic Substances, flammables or explosives.	<input type="checkbox"/>	<input type="checkbox"/>
30. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
31. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).	<input type="checkbox"/>	<input type="checkbox"/>
32. Relationship to a larger project or series of projects.	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

34. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date _____ Signature _____
 For _____

ESTIMATED TIME FRAME FOR AN APPLICATION

The table below shows the Application Filing Cutoff date, Design Review Board meeting date and Planning Commission meeting date. The table provides an estimate of time that it would take to review a completed application. In some instances and based upon the complexity of the application, the below noted dates would not apply.

Typical applications that would require a meeting of the Design Review Board include, but are not limited to: Design Review (new buildings), Conditional Use Permit (drivethru), and Specific Development Plan (new buildings/development in a Planned Development area).

For example: A developer submits a completed application for homes to be constructed. The developer will be required to submit on or prior to the May filing cutoff date in order to be on the June Planning Commission meeting. The developer would also need to attend Design Review Board meeting will be held on May to discuss the project prior to the project being heard by the Planning Commission.

If an agenda is received, or you are notified, applicants are **required** to attend the Design Review meeting to answer any questions or concerns that may arise.

Failure to attend the Design Review meeting could result in the application being continued.

APPLICATION FILING CUTOFF	DESIGN REVIEW BOARD MEETING	PLANNING COMMISSION MEETING
May 9, 2018	May 30, 2018	June 20, 2018
June 6, 2018	June 27, 2018	July 18, 2018
July 3, 2018*	July 25, 2018	August 15, 2018
Aug. 8, 2018	Aug. 29, 2018	Sept. 19, 2018
Sept. 5, 2018	Sept. 26, 2018	October 17, 2018
Oct. 10, 2018	Oct. 31, 2018	November 21, 2018
Nov. 7, 2018	Nov. 28, 2018	December 19, 2018
Dec. 5, 2018	Dec. 19, 2018*	January 16, 2019
Jan. 9, 2019	Jan. 30, 2019	February 20, 2019
Feb. 6, 2019	Feb. 27, 2019	March 20, 2019
March 6, 2019	March 27, 2019	April 17, 2019
April 3, 2019	April 24, 2019	May 15, 2019

*Moved up one week due to Holiday

Design Review meetings will be held on the date noted above on Wednesday morning at 9 a.m., unless otherwise noted.

Submittal of application on the listed filing cutoff does not ensure scheduling of the project for Planning Commission. Scheduling an application for Planning Commission consideration is dependent upon such factors as the completeness of an application, the complexity of the project, number of filed applications, and the environmental issues raised by the proposal.

If the application is deemed complete and the Design Review Board has had ample time to review the application the Board will give its recommendation to the Planning Commission.

Applicants will receive an agenda for the Planning Commission meeting which will designate the time and place for the meeting. Planning Commission meetings are held on the third Wednesday of the month at 6:00 p.m.

Applicants are **required** to attend the Planning Commission meeting to answer any questions or concerns that may arise.

I have read and understand the information contained on this page:

Applicant Signature

Date

Schedule of Planning Fees and Servicesⁱ

Administrative Fee Level 1 ⁱⁱ	45% applied	to Consultant charges/contracted services
Administrative Fee Level 2 ⁱⁱ	20% applied	to Consultant charges/contracted services
Administrative Variance	\$1,330	Deposit (No Hearing)
Annexation Review	1-20 acres	\$5,000
	21-99 acres	\$10,000
	100+ acres	\$15,000
CEQA – Notice of Determination	\$85 +	+cost Dept Fish&Game County record fee
CEQA – Categorical Exemption	\$335	Per Application
CEQA – Initial Study	\$1,215	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
CEQA – Mitigated Negative Declaration	\$2,500	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
CEQA – Negative Declaration	\$2,500	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
CEQA - EIR	\$5,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Certificate of Compliance	\$3,075	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
City Council Appeal Process	\$1,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Conditions of Approval – Amendment	\$1,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Conditional Use Permit (CUP) – New Construction	\$3,210	New Construction
Conditional Use Permit (CUP) – Existing Building	\$1,605	Existing Building
Conditional Use Permit (CUP) Renewal	\$300	Per Application
Condominium Conversion Review	\$5,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Design Review – PC Review	\$1,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Design Review: Administrative	\$300	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Design Review: Admin+PC review	\$500	Per Review
Design Review – Modifications – PC review	\$1,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Determination of Public Convenience or Necessity	\$1,150	+ Cost of CUP if required
Development Agreement	\$10,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Development Agreement Amendment	\$5,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Development Permit	\$1,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Extension: Design Review, CUP, & Variances	\$300	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Extension: Specific Dev Plan/Dev Permit	\$2,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
General Development Plan	\$2,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
General Plan Amendment	\$5,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Modification from Subdivision Ordinance	\$5,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Parcel Map	\$5,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Parking In-Lieu Fee	\$6,460	Per Space
Planned Unit Development	\$2,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Planning Commission Appeal Process	\$1,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Pre-Application Conference ^{iv}	\$1,200	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Pre-zoning	\$1,200	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Protected Tree Removal Inspection	\$ 265	For Trimming Application
	\$ 530	For Removal Application
Protected Oak Tree Removal Mitigation Fee	\$150	Per Inch (triple if done without City approval)
Resubmitted Tract Map Review	Hourly Rates	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Reversions to Acreage Review	\$5,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Review of Project CC&R's	\$1,200	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Rezone Review	< 10 acres	\$3,365
Rezone Review	10 or more acres	\$6,730
Special Planning Commission Meeting	\$1,500	Per Application
Specific Development Plan	\$2,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Specific Development Plan Amendment	\$2,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Street R-O-W / Abandonment	\$5,000	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Substantial Conformance Finding	\$735	Per Application

Tentative Parcel Map Review		\$5,200	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Tentative Subdivision Map Review	1-50 lots	\$ 7,765	Per Application
Tentative Subdivision Map Review	>50 lots	\$ 8,580	Per Application
Time Extension Review of approved project		\$500	Deposit; Hourly Rates+Consultant+Admin ⁱⁱⁱ
Variance Application		\$3,655	Per Application

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- i Partial list of City fees. Please reference City of Lincoln Master Fee Schedule, City Council Resolution #2012-54, approved September 11, 2012, for complete description and minimum fee amounts.
 - ii The City shall determine the applicable administration fee - see Master Fee Schedule for details
 - iii Hourly Rates are based on City Council approved Fully Burdened Rates and/or actual cost of consultants retained by the City.
 - iv Starts after second conference with Development Services staff

APPENDIX E
CARP Authorization to Impact
Aquatic Resources of Placer County
Application Form
(To be provided)

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APPENDIX F
DRAFT CARP Site Assessment Form
(To be provided)

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