# Section 404 Individual Permit

For

# **Whitlow Property**

City of Rancho Cordova, Sacramento County, California

April 7, 2006

Prepared for:
**Lennar Communities**

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

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**Section 404 Individual Permit**

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## INTRODUCTION

The applicant is seeking authorization for the fill of 0.627 acre of jurisdictional waters of the United Sates at the ±42-acre Whitlow project site. An application for the Department of Army Permit is included as Attachment A. The applicant is requesting verification of the wetland delineation concurrent with the request to fill jurisdictional waters of the United States.

## PROJECT PROPONENT(S)

### APPLICANT:

Attn: Mr. Bob Shattuck
Lennar Communities
1075 Creekside Ridge Dr., Suite 110
Roseville, California 95678

Phone: (916) 783-3224
Fax: (916) 783-3914

### AGENT:

Attn: Mr. Craig W. Hiatt
ECORP Consulting, Inc.
2260 Douglas Blvd., Suite 160
Roseville, California 95661

Phone: (916) 782-9100
Fax: (916) 782-9134

## PROJECT LOCATION

The ±42-acre Whitlow project site consists of a rural residence and open grassland / pastureland located in mostly undeveloped lands north of Douglas Road and west of Grant Line Road in Rancho Cordova, California (Figure 1 – *Project Site and Vicinity Map*). The site corresponds to a portion of Section 3 Township 8 North, Range 7 East of the Buffalo Creek, California" 7.5-minute quadrangles (U.S. Department of the Interior Geological Survey). The project is located at approximately 38° 34' 30" North and 121° 12' 00" West within the Lower Sacramento watershed (#18020109).

## PROJECT PURPOSE

The project proposes to develop approximately 42 acres of land in southeast Sacramento County, currently planned for residential development in accordance with the Sunrise Douglas Community Plan (Plan). In addition, the project proposes a ±20-acre on-site preserve, which

will protect 3.795 acres of waters of the U.S., as well as potential special-status species habitat. The plan provides for a mix of land uses and residential densities designed to serve the increasing employment growth and housing needs in the Highway 50 corridor.

## PROJECT DESCRIPTION

The proposed project involves the development of 154 single-family residential lots, a ±20-acre wetland preserve, a detention / water quality basin, park space, roads and associated infrastructure (Figure 2 – *Proposed Land Use Plan*). The wetland preserve located on the project is in general compliance with the *Conceptual – Level Strategy for Avoiding, Minimizing and Preserving Aquatic Resource Habitat in the Sunrise Douglas Community Plan Area*, dated June 2004 (Attachment B).

### Residential Area

The proposed residential development will include 154 low-density single-family residential units (SFR). The remaining acreage will be devoted to a wetland preserve, a detention / water quality basin, a neighborhood park, landscape corridors and surface streets. The SFR land use category allows for a range of lot and dwelling sizes. The majority of the homes will be built on a network of residential streets that include convenient connections to arterials and thoroughfares, but are not subjected to high traffic volumes and through traffic.

### Detention / Water Quality Basin

The proposed detention / water quality basin will be located in the west-central portion of the project and will receive stormwater runoff from the project area. Stormwater runoff will be conveyed to the basin via storm drains and 12- and 15-inch drainage pipes located throughout the project. The basin will serve as a water quality basin during periods of low to normal runoff and will serve as a detention basin during periods of high runoff.

The basin will range in elevation from 215.0 feet to 220 feet. As water fills the basin, a 24-inch high-density polyethylene (HDPE) riser outlet pipe will slowly discharge water through a series of concentric rings of five 2-inch holes drilled at 1-foot intervals between 215.2 feet and 218.2 feet. At 218.7 feet, the 100-year water surface elevation, water will begin to pass through a sorption pad, which will absorb oil and grease from the water before it enters the pipe. At 219 feet, water will begin to overtop a weir in the northeast corner of the basin and drain into a 20-foot wide drainage channel. At 219.2 feet, water will pass through a metal pipe inlet cover grate and enter the pipe. Water from the riser outlet pipe and the weir drainage channel will discharge onto a loose rock riprap structure before ultimately entering an existing swale system and draining to the west off the property.

## ENVIRONMENTAL SETTING

The Project is located in the Sacramento Valley, east of the Greater Sacramento Metropolitan Area (see Figure 1). The site is comprised of gently rolling topography, and is situated at elevations ranging from 200 to 240 feet above mean sea level. With the exception of the on-site residential area, the site can generally be characterized as an annual grassland community that is interspersed with a complex of ephemeral pools and drainage swales. The site also contains a manmade perennial pond. The site has traditionally been used as pastureland, and surrounding land uses include rural residences, developed and undeveloped roadways, pastureland, and areas that have a similar composition of annual grasslands and vernal pools and swales.

The predominant soil series that occur within the project boundaries (Figure 3 – *Natural Resources Conservation Service Soil Types*) include (159) Hicksville gravelly loam (0-2% slopes) and (193) Red Bluff – Redding complex (2-5% slopes). According to the Sacramento County Soil Survey (USDA 1993), the Hicksville gravelly loam is an occasionally flooded soil type that occurs on slopes ranging from 0-2 percent between the elevations of 75 – 230 feet. This deep soil is found on low stream terraces, and is moderately to well-drained. The Red Bluff – Redding complex is a deep well-drained soil that occurs on high terraces at elevations ranging from 90 – 310 feet. Two additional soil types occur in the northwest corner of the project

including (192) Red Bluff loam (2-5%) and (198) Redding gravelly loam (0-8%). Both of these soils are well drained and occur on high terraces. No wetlands within the project occur on these soil types.

Table 1 lists potential jurisdictional waters of the U.S. found on-site. A total of 4.422 acres of wetlands and other Waters of the U.S. were delineated on the property. These include 1.223 acres of vernal pools, 0.002 acre of seasonal wetland, 1.139 acres of seasonal wetland swales, 1.914 acres of man made stock pond and 0.144 acre of ephemeral drainage (Figure 4 – *Wetland Delineation*, and Attachment C). The acreage of "other waters" within the project is primarily associated with the manmade stock pond, but also includes two ephemeral drainages with defined bed and banks.

**Table 1 – Potential Jurisdictional Waters of the U.S.**

| **Type** | **Acreage** |
|---|---|
| *Wetlands* | |
| Vernal pool | 1.223 |
| Seasonal wetland | 0.002 |
| Seasonal wetland swale | 1.139 |
| *Other Waters of the U.S.* | |
| Stock Pond | 1.914 |
| Ephemeral drainage | 0.144 |
| **Total:** | 4.422 |

A total of 1.223 acres of vernal pools were mapped within the site. Vernal pools are scattered through out the southern and northern portions of the Project Area. Vernal pools are topographic basins within the annual grassland habitat and typically are underlain with an impermeable or semi-permeable hardpan or duripan layer. Vernal pools are inundated up to one foot through the wet season and are dry by late spring through the following wet season. The plant species observed within the vernal pools include Carter's buttercup (*Ranunculus bonariensis*), slender popcorn-flower (*Plagiobothrys stipitatus*), smooth goldfields (*Lasthenia glaberrima*), Fremont's goldfields (*Lasthenia fremontii*), dwarf woolly-heads (*Psilocarphus brevissimus*), and Vasey's coyote-thistle (*Eryngium vaseyi*). Other species observed within the vernal pools were Douglas' mesamint (*Pogogyne douglasii*), Solano and double-horn downingias (*Downingia ornatissima* and *D. bicornuta*, respectively), and bractless hedgehyssop (*Gratiola ebracteata*).

One seasonal wetland totaling 0.002 acre was mapped on the site. Seasonal wetlands are ephemerally wet areas where runoff accumulates within low-lying depressions. These areas may remain inundated or saturated for shorter periods than vernal pools or for extended periods into the spring and summer. Dominant plants within this feature include Mediterranean barley (*Hordeum marinum*), toad rush (*Juncus bufonius*), annual hairgrass (*Deschampsia danthonioides*), hyssop loosestrife (*Lythrum hyssopifolium*), ryegrass, and creeping spikerush.

A total of 1.139 acres of seasonal wetland swales were mapped on the project site. Seasonal wetland swales are ephemerally wet areas that carry runoff to larger drainages and typically occur as linear features. The seasonal wetland swales on-site are broad gently sloping drainages that, in some areas, connect vernal pool depressions. Most of the seasonal wetland swales on the project site have physical characteristics similar to those found in the vernal pools (depth, vegetation, hydrology, and soil). The plant species observed within the seasonal wetland swales include Mediterranean barley, toad rush, annual hairgrass, hyssop loosestrife (*Lythrum hyssopifolium*), ryegrass, and creeping spikerush. The seasonal wetland swales are primarily located in the northern and central portions of the site.

In addition to the wetland features present on-site, 2.058 acres of "other waters" were mapped, including a man-made stock pond and two ephemeral drainages. The 1.914-acre man-made stock pond is located on the northwestern corner of the property. Emergent marsh vegetation likely occurs along the fringes of the manmade pond during normal water cycles. No emergent wetland vegetation, however, was observed along the pond during the field survey. This is likely a result of low and rapidly decreasing water levels that have left the pond mostly dry. Vegetation within the dry portions of the pond is comprised of a mix of wetland and upland plant species such as creeping spikerush, swamp grass, soft chess, little quaking grass (*Briza minor*), and Bermuda grass.

Two ephemeral drainages totaling 0.144 acre were mapped on-site. Both drainages exhibit defined bed and bank characteristics. The drainage located in the northwestern corner of the site serves as the overflow channel for the stock pond and supports sparse emergent

vegetation including ryegrass, curly dock (*Rumex crispus*), Bermuda grass (*Cynodon dactylon*), swamp grass (*Crypsis schoenoides*), and creeping spikerush (*Eleocharis macrostachya*). The small drainage in the southwestern corner of the site supports mannagrass (*Glyceria declinata*), Mediterranean barley (*Hordeum marinum*), ryegrass, and iris-leaf rush (*Juncus xiphioides*).

## AVOIDANCE AND MINIMIZATION OF IMPACTS TO WATERS OF THE U.S.

District Regional Condition I.3 requires an explicit statement regarding how minimization and avoidance of losses to waters of the U.S. would be achieved under the proposed land use plan.

Vernal pools (0.397 acre), seasonal wetland swales (0.219 acre) and an ephemeral drainage (0.011 acre) will be filled in preparation of mass grading and installation of project infrastructure (Figure 5 – *Land Use and Impact Plan*). The project design includes a ±20-acre wetland preserve, which will preserve 3.795 acres of wetlands and waters of the U.S. in perpetuity. The project, as proposed, preserves approximately 86 percent of the wetlands / waters present on-site. The preserve was designed with compatible land uses, as recommended by the *Conceptual – Level Strategy for Avoiding, Minimizing and Preserving Aquatic Resource Habitat in the Sunrise Douglas Community Plan Area* (Figure 6 – *Sunrise Douglas Proposed Wetland Preservation, Agency Conservation Area Draft 03-11-2003*). The compatible land uses consist of single-loaded streets, park areas and a detention / water quality basin.

**Table 2 – Proposed Impact Acreages**

| Type | Existing | Preserved | Impacted |
|---|---|---|---|
| *Wetlands* | | | |
| Vernal pool | 1.223 | 0.826 | 0.397 |
| Seasonal wetland | 0.002 | 0.002 | 0.000 |
| Seasonal wetland swale | 1.139 | 0.920 | 0.219 |
| *Other Waters* | | | |
| Pond | 1.914 | 1.914 | 0.000 |
| Ephemeral drainage | 0.144 | 0.133 | 0.011 |
| **Total:** | **4.422** | **3.795** | **0.627** |

In addition to the impacts described above, the project would indirectly impact 0.016 acre of seasonal wetland habitat. Indirect impacts were identified using aerial photograph

interpretation and are depicted in Figure 5. Indirect impacts were not assessed to the north and northeast of the property as the on-site preserve contains sufficient buffer from construction activities. The adjacent site to the west (Rio del Oro) has submitted an application for fill of waters of the U.S. The Applicant proposes to mitigate for indirect impacts at a 1:1 ratio for preservation.

## REGULATORY BACKGROUND

Proposed project activities fall under the jurisdiction of several resource agencies. Pursuant to Section 404 of the Clean Water Act, construction activities in waters of the U.S. are subject to the approval of the U.S. Army Corps of Engineers (Corps). The applicant is requesting authorization by an Individual Permit from the Corps for the proposed project. Pursuant to Section 401 of the Clean Water Act, this permit will need to be certified by the Central Valley Regional Water Quality Control Board (CVRWQB). In addition, there is the potential for special-status species within the project area; therefore, consultation will be initiated with the U.S. Fish and Wildlife Service (USFWS). Following is a summary regarding the status of relevant regulatory requirements.

### Federal Clean Water Act, Section 404

4.422 acres of potential jurisdictional waters of the U. S. were identified within the greater project area, including vernal pools, seasonal wetlands, seasonal wetland swales, ephemeral drainage and a man-made stock pond. The applicant is requesting authorization through an individual permit for project impacts to 0.627 acre of waters of the U.S.

### Federal Clean Water Act, Section 401

A request for Water Quality Certification will be submitted to the Central Valley Regional Water Quality Control Board.

## Federal Endangered Species Act

Project implementation (i.e. fill of seasonal wetlands) represents potential impacts to the federally-listed vernal pool fairy shrimp (*Branchinecta lynchi,* federal threatened) and vernal pool tadpole shrimp (*Lepidurus packardi*, federal endangered). To offset these impacts, mitigation will be carried out off-site. The applicant is proposing to permanently preserve and protect 0.616 acre of created and 1.248 acres of preserved vernal pool and seasonal wetland habitat to mitigate for the 0.616 acre of vernal pool/seasonal wetland impacts. The creation component of the mitigation plan will be carried out at Gill Ranch. The preservation component of the mitigation plan will be conveyed at the Klotz property and includes compensation for 0.016 acre of indirect impacts to vernal pool crustacean habitat.

No special-status plant species were identified on the project site during special-status plant surveys, which were conducted during May 2005. Please refer to Attachment D for a copy of the Special-Status Plant Survey report.

The Applicant requests that the Corps initiate formal Section 7 Consultation with the USFWS at the earliest opportunity. Information typically requested by the USFWS to facilitate Section 7 Consultation is included in Attachment E.

## California Fish and Game Code

The proposed project will require authorization from the California Department of Fish and Game (CDFG) for impacts to the ephemeral drainage as a result of project implementation. Project-specific construction will result in 0.011 acre of impact to a CDFG jurisdictional streambed (i.e., the ephemeral drainage). Therefore, pursuant to Section 1602 of the California Fish and Game Code, a request for a Lake and Streambed Alteration Agreement will be submitted to the California Department of Fish and Game concurrent with this application.

## California Environmental Quality Act

The City of Rancho Cordova will prepare a Mitigated Negative Declaration (MND) or the appropriate level of CEQA analysis.

## National Historic Preservation Act, Section 106

Section 106 of the National Historic Preservation Act requires that each federally sponsored project consider how that undertaking could affect historic properties. A records search was conducted for the property at the Northern California Information Center (NCIC) with the following results:

*Prehistoric Resources:* The records indicate that no previously recorded sites of this type are known to be located within or adjacent to the project area.

*Historic Resources:* The records indicate that no previously recorded sites of this type are known to be located within or adjacent to the project area.

*Previous Archaeological Investigations:* The records indicate that part of the property has been previously surveyed for cultural resources. One previous archaeological survey has been conducted within a portion of the Whitlow Property project area. ECORP Consulting Inc. conducted a survey within the southern portion of the project in 2004: *Cultural Resources Inventory North Douglas Sacramento County, California.* One previous survey has been conducted within one-half mile. Peak and Associates completed one archaeological survey adjacent to the western boundary of project area in 1982: *Cultural Resource Assessment of the Undredged Areas of the McDonnell Douglas Properties, Sacramento County, California.* The surveys cover about 25% percent of the total area within the project area within a one-half mile radius.

A field survey of the property was conducted during November 2005. A copy of the Cultural Resources Assessment report is included as Attachment F.

## ADJACENT LAND USE

Surrounding land uses include rural residences, developed and undeveloped roadways, and pastureland.

## NOTIFICATION TO ADJACENT PARCEL OWNERS

A list of adjacent parcels and their respective owners has been provided within Attachment A.

## ALTERNATIVES ANALYSIS

A detailed Alternatives Analysis will be provided under separate cover.

## MITIGATION PLAN

Mitigation for impacts to the isolated vernal pools (0.397 acre), seasonal wetland swales (0.219 acre), and ephemeral drainages (0.011 acre) will occur at Gill Ranch. Mitigation for impacts to 1.248 acres of potential endangered species habitat will be conveyed at the Klotz Property. The proposed mitigation is presented in Table 3, below. As noted in Table 3, the preservation acreages include 0.016 acre for indirect impacts to vernal pool crustacean habitat (see Figure 5).

**Table 3 – Proposed Mitigation Acreages**

| Type | Existing Acreage | Impact Acreage | Preservation Acreage (2:1)[1,2] | Creation Acreage (1:1)[3] |
|---|---|---|---|---|
| *Wetlands* | | | | |
| Vernal pool | 1.223 | 0.397 | 0.794 | 0.397 |
| Seasonal wetland | 0.002 | 0.000 | 0.016 | 0.000 |
| Seasonal wetland swale | 1.139 | 0.219 | 0.438 | 0.219 |
| *Other Waters* | | | | |
| Pond | 1.914 | 0.000 | 0.000 | 0.000 |
| Ephemeral drainage | 0.144 | 0.011 | 0.000 | 0.011 |
| **Total:** | **4.422** | **0.627** | **1.248** | **0.627** |

1. Includes 0.016 acre of indirect impacts to seasonal wetland habitat.
2. Preservation to be conveyed at the Klotz Property.
3. Compensatory mitigation will be conveyed at Gill Ranch.

## LIST OF FIGURES

Figure 1 – Project Site and Vicinity Map

Figure 2 – Land Use Plan

Figure 3 – Natural Resources Conservation Service Soil Types

Figure 4 – Wetland Delineation

Figure 5 – Land Use and Impact Plan

Figure 6 – Sunrise Douglas Proposed Wetland Preservation (Agency Conservation Area Draft 03-11-2003)

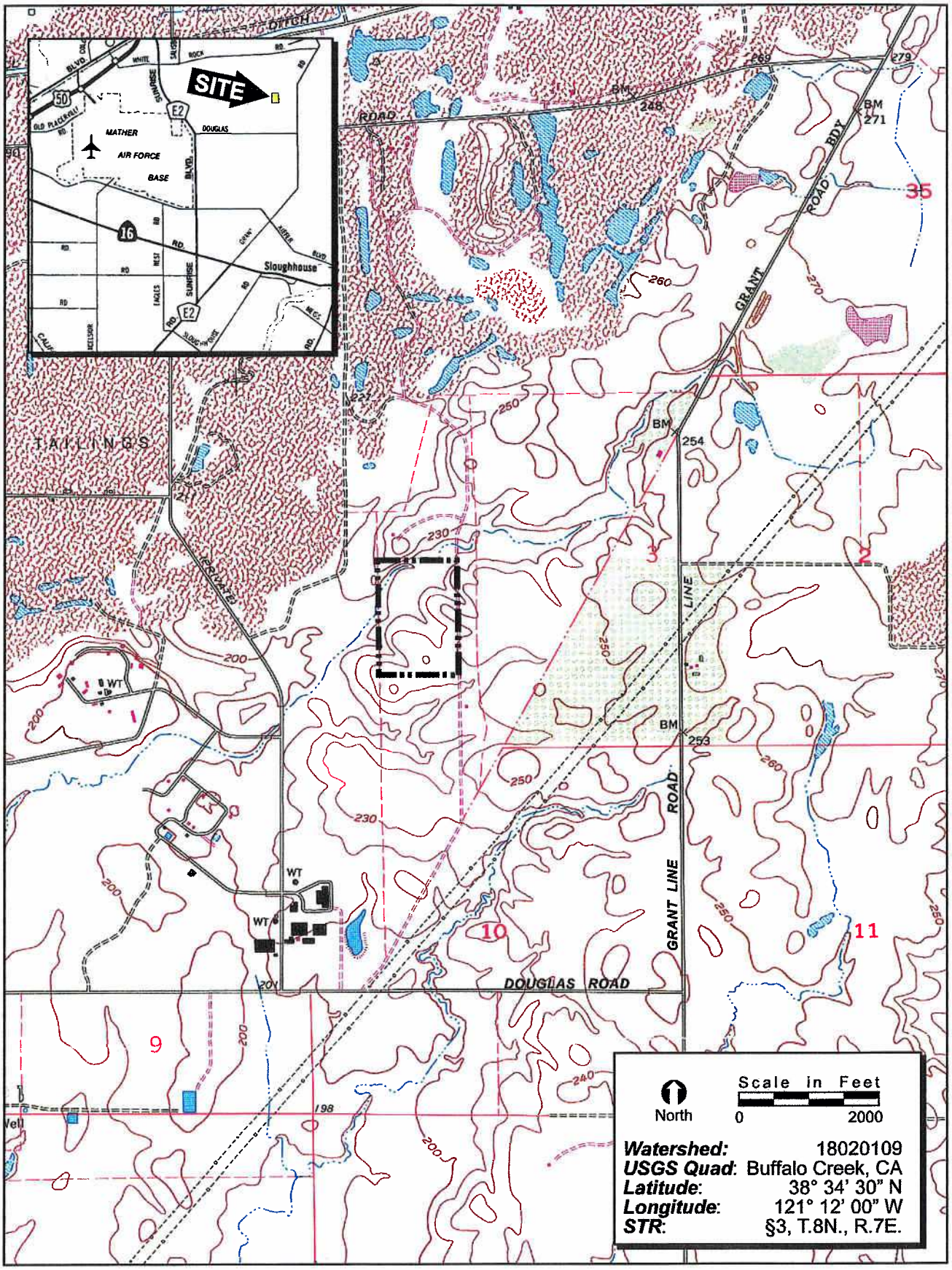



**FIGURE 1. Project Site and Vicinity Map**

*2004-261 Whitlow Property*

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

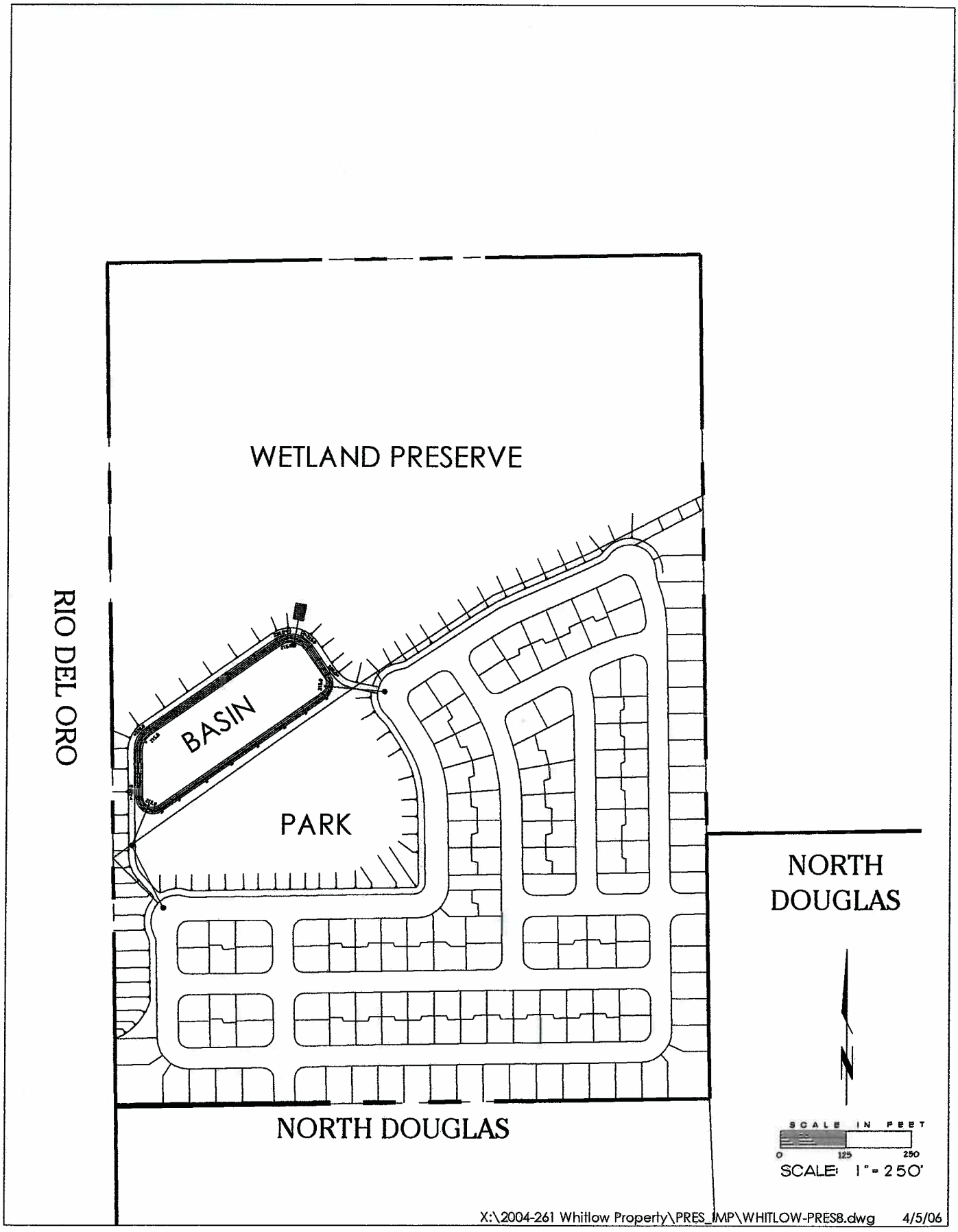



FIGURE 2. Proposed Land Use Plan

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

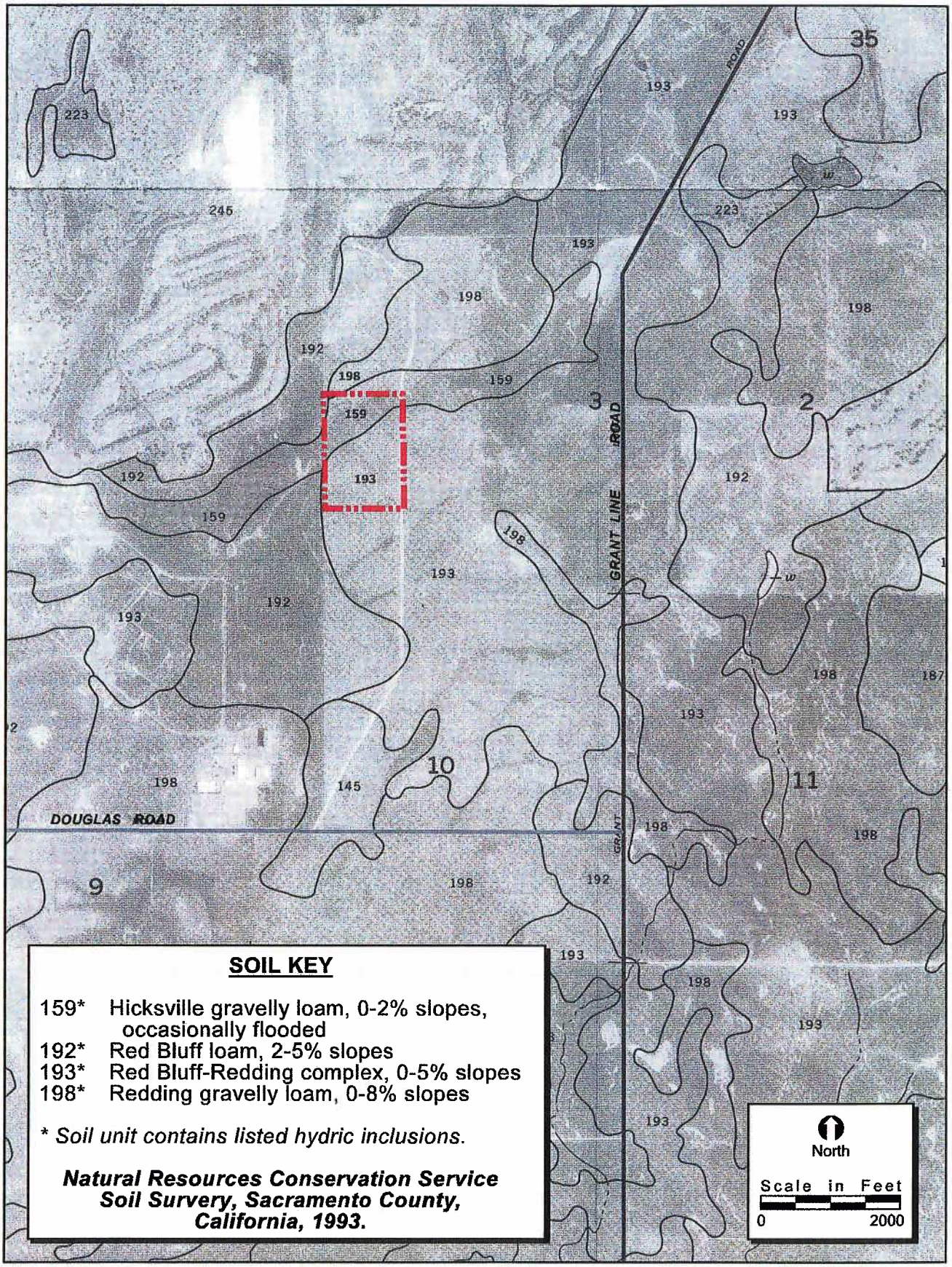
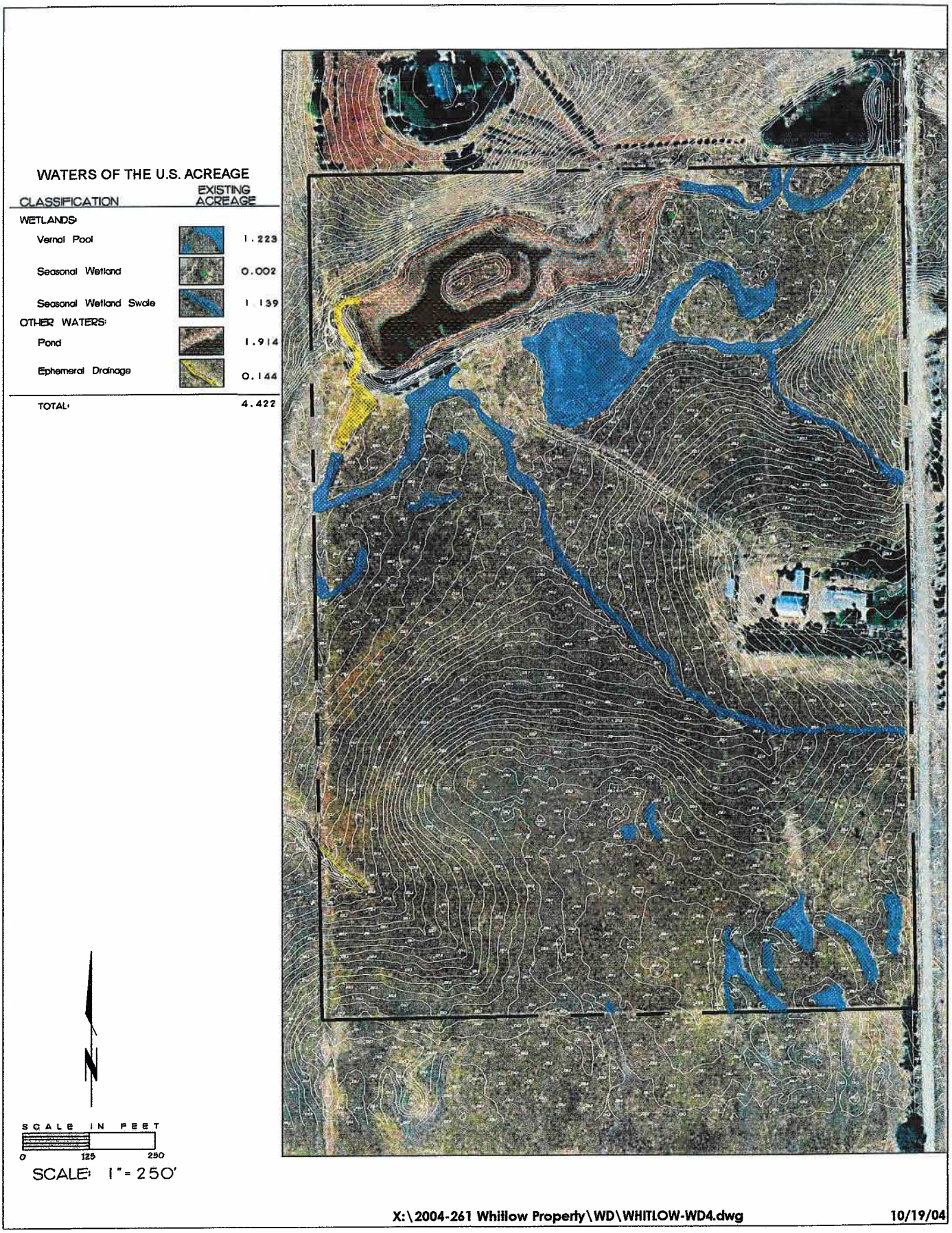



**FIGURE 3. Natural Resources Conservation Service Soil Types**




# FIGURE 4. Wetland Delineation

*2004-261 WHITLOW PROPERTY*

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

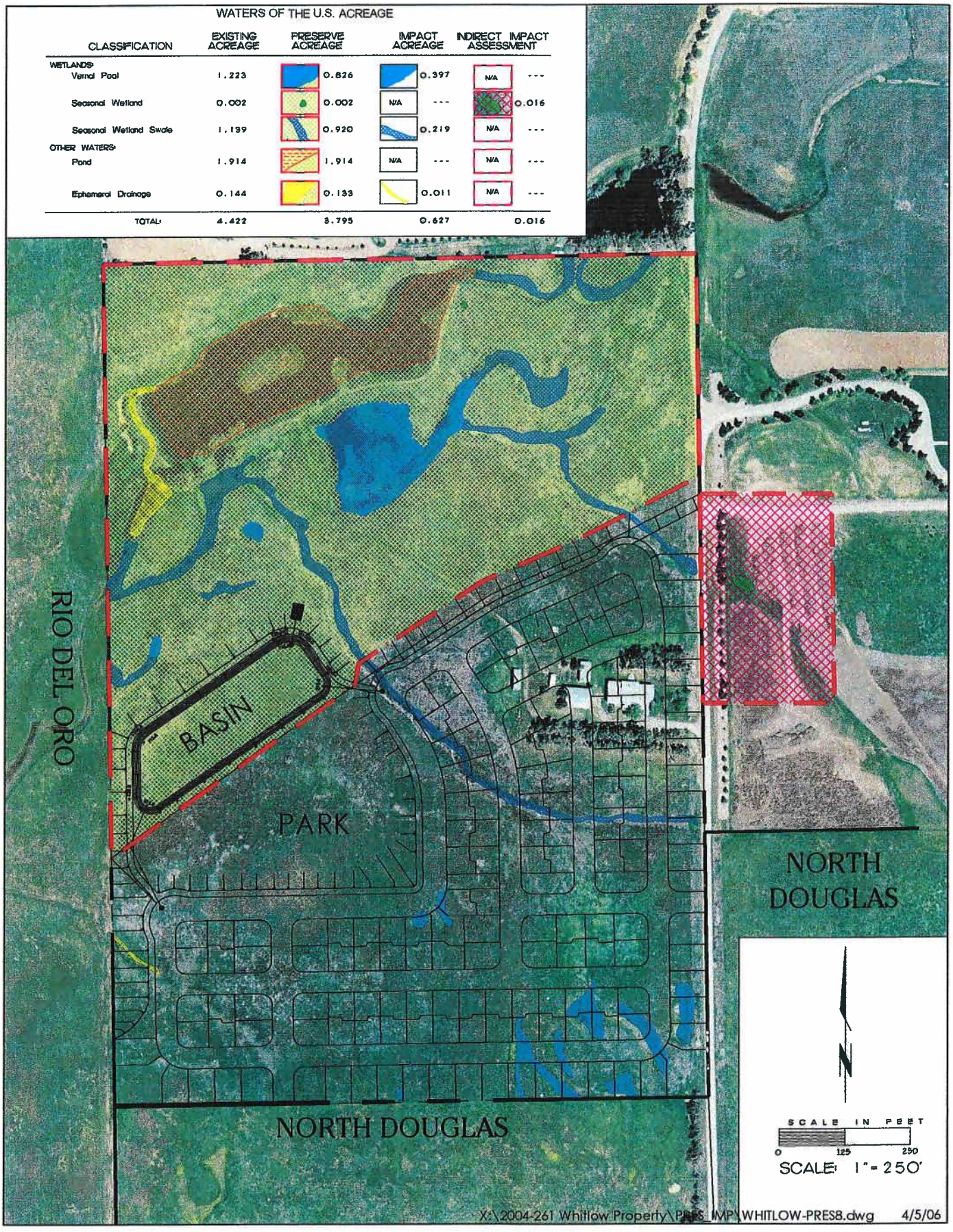



FIGURE 5. Land Use and Impact Plan

ECORP Consulting, Inc.
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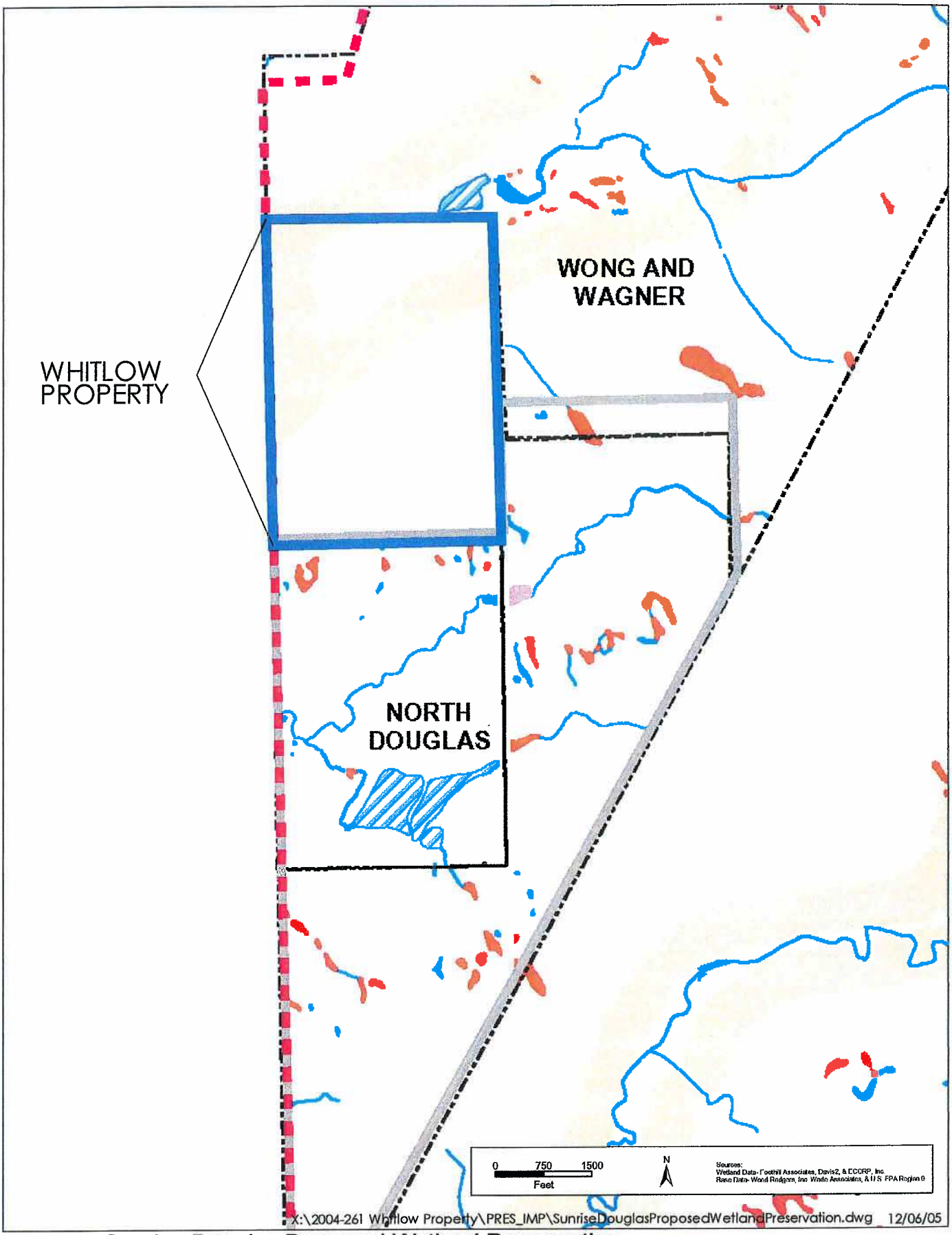



Figure 6. Sunrise Douglas Proposed Wetland Preservation
(Agency Conservation Area Draft 03-11-2003)

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

## LIST OF ATTACHMENTS

Attachment A – Department of the Army Permit Application and Adjacent Parcel Owners

Attachment B – Conceptual-Level Strategy for Avoiding, Minimizing and Preserving Aquatic Resource Habitat in the Sunrise Douglas Community Plan Area

Attachment C – Wetland Delineation

Attachment D – Special-Status Plant Survey Report

Attachment E – Section 7 Consultation Information

Attachment F – Cultural Resources Assessment

# ATTACHMENT A

Department of the Army Permit Application and Adjacent Parcel Owners

| APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT (33 CFR 325) | OMB APPROVAL NO. 0710-003 |
|---|---|

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, Searching existing data sources, gathering and marinating the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-003), Washington, DC 20503. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiciton over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States; the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine uses: Information provided, however, the permit application cannot be processed nor can a permit be issued.

One set of the original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

| 1. APPLICATION NO. | 2. FIELD OFFICE CODE | 3. DATE RECEIVED | 4. DATE APPLCIATION COMPLETED |
|---|---|---|---|
| | | | |

(ITEMS BELOW TO BE FILLED BY APPLICANT)

| 5. APPLICANT'S NAME<br>Mr. Bob Shattuck | 8. AUTHORIZED AGENT'S NAME & TITLE (AN AGNET IS NOT REQUIRED)<br>Mr. Craig Hiatt |
|---|---|
| 6. APPLICANT'S ADDRESS<br>Lennar Communities<br>1075 Creekside Ridge Road, Suite 110<br>Sacramento, CA 95678 | 9. AGENT'S ADDRESS<br>ECORP Consulting, Inc.<br>2260 Douglas Blvd., Suite 160<br>Roseville, CA 95661 |
| 7. APPLICANT'S PHONE NUMBERS WITH AREA CODE<br><br>a. Residence<br>b. Business (916) 783-3224 | 10. AGENT'S PHONE NUMBERS WITH AREA CODE<br><br>a. Residence<br>b. Business (916) 782-9100 |

11. STATEMENT OF AUTHORIZATION

I hereby authorize ECORP Consulting, Inc. to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

APPLICANT'S SIGNATURE

4/7/06

DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)
Whitlow

| 13. NAME OF WATERBODY, IF KNOWN (if applicable)<br>Unnamed vernal pools and seasonal wetlands tributary to Morrison Creek. | 14. PROJECT STREET ADDRESS (if applicable) |
|---|---|
| 15. LOCATION OF PROJECT<br><br>COUNTY Sacramento STATE CA | |

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)
The project site is located north of Douglas Road Florin Road, and west of Grant Line Road.

17. DIRECTIONS TO THE SITE
Take Highway 50 east to Sunrise Boulevard. Take Sunrise Boulevard south to Douglas Road, then east on Douglas Road to Cup Lane. Turn north on Cup Lane and travel north on Cup Lane through the North Douglas development. Be advised that the North Douglas development is an active construction site and access through the development may be limited.

18. NATURE OF ACTIVITY (Description of project, include all features)
The 42± acre proposed project involves the development of 154 single-family residential lots, a 20 +/- acre wetland preserve, a detention / water quality basin, park space, roads and associated infrastructure.

19. PROJECT PURPOSE (Describe the reason or purpose of the project, see instructions)
The purpose of the proposed project is to provide a well-planned, high quality suburban environment in the Sunrise Douglas Community Plan Area.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. REASON(S) FOR DISCHARGE
0.397 acre of vernal pool, 0.206 acre of seasonal wetland swale, and 0.011 acre of ephemeral drainage will be filled in preparation for mass grading and installation of project infrastructure.

21. TYPE(S) OF MATERIAL BEING DISCHARGED AND THE AMOUNT OF EACH TYPE IN CUBIC YARDS
Approximately 991 cubic yards of native soil.

22. SURFACE AREA IN ACRES OF WETLANDS OR OTHER WATES FILLED (see instructions)
0.397 acre of vernal pool
0.219 acre of seasonal wetland swale
0.011 acre of ephemeral drainage

23. IS ANY PORTION OF THE WORK ALREADY COMPLETE? YES O NO X IF YES, DESCRIBE THE WORK

24. ADDRESSES OF ADJOINING PROPERTY OWNERS, LESSEES, ETC. WHOSE PROPERTY ADJOINS THE WETERBODY (if more than can be entered her, please attach a supplemental list)

See attached sheet.

25. LIST OF OTHER CERTIFICATIONS OR APPROVALS/DENIALS RECEIVED FROM OTHER FEDERAL, STATE, OR LOCAL AGENCIES FOR WORK DESCRIBED IN THIS APPLICATION

| AGENCY | TYPE APPROVAL* | IDENTIFICATION NUMBER | DATE APPLIED | DATE APPROVED | DATE DENIED |
|---|---|---|---|---|---|
| RWQCB | Water quality certification | | to be submitted | | |
| CA DEPT OF FISH AND GAME | Lake and Streambed Alteration Agreement | | to be submitted | | |
| CITY OF RANCHO CORDOVA | TBD | | to be submitted | | |

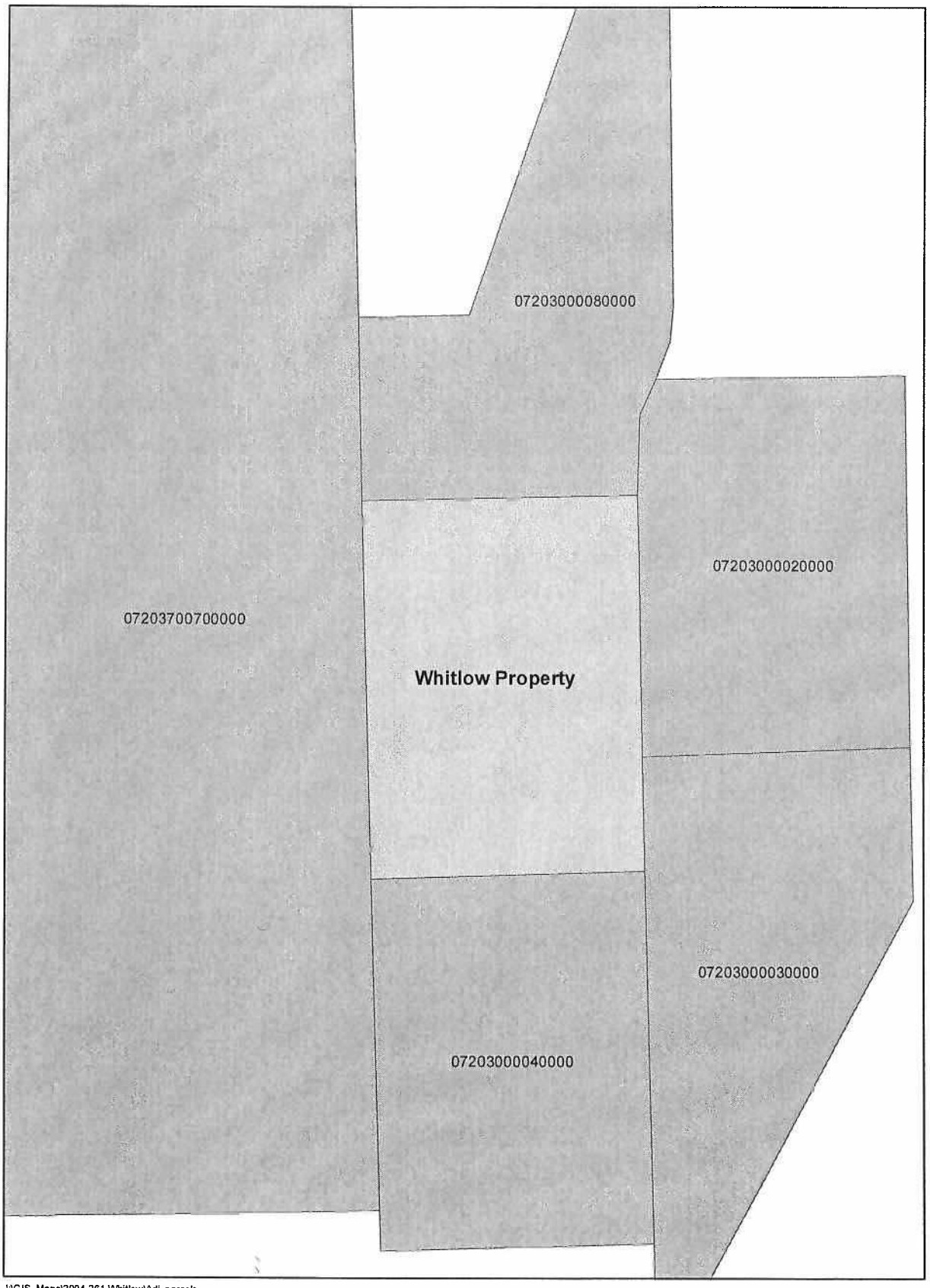
*Would include but is not restricted to zoning, building and flood plain permits.

26. Application is herby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

| SIGNATURE OF APPLICANT | DATE | SIGNATURE OF AGENT | DATE |
|---|---|---|---|
| Bob Gualtieri | 4/7/06 | | |

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and will fully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, factitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statements or entry, shall be fined not more the $10,000 or imprisoned nor more than five years or both.

| Jse | Description | Zone | YrBlt | Units | SqFt | SaleAmt | Phone | SaleDt |
|---|---|---|---|---|---|---|---|---|
| 1 | **Parcel:** 072-0300-002-0000 | | | | **Site:** 12565 DOUGLAS RD*RANCHO CORDOVA CA | | | 95742 |
| | **Owner:** DIVINE FAMILY DAVID & ALAINA 198 | | | | **Mail:** 12565 DOUGLAS RD*RANCHO CORDOVA CA | | | 95742 |
| RESIDENTIAL, RURAL 5+ ACRES | | AG80 | 1996 | 1 | 2,972 | $433,000F | | 10/07/1994 |
| 2 | **Parcel:** 072-0300-003-0000 | | | | **Site:** 12575 DOUGLAS RD*RANCHO CORDOVA CA | | | 95742 |
| | **Owner:** US HOME OF KB NORTH DOUGLAS LLC | | | | **Mail:** 1075 CREEKSIDE RIDGE DR*ROSEVILLE CA | | | 95678 |
| RESIDENTIAL, RURAL 5+ ACRES | | RD00 | 1979 | 1 | 2,457 | | | 01/28/2005 |
| 3 | **Parcel:** 072-0300-004-0000 | | | | **Site:** 12515 DOUGLAS RD*RANCHO CORDOVA CA | | | 95742 |
| | **Owner:** US HOME OF KB NORTH DOUGLAS LLC | | | | **Mail:** 1075 CREEKSIDE RIDGE DR*ROSEVILLE CA | | | 95678 |
| | | Z 00 | | | | | | 02/17/2005 |
| 4 | **Parcel:** 072-0300-008-0000 | | | | **Site:** 12535 DOUGLAS RD*RANCHO CORDOVA CA | | | 95742 |
| | **Owner:** FAGUNDES,TONY & LYNNE TRUST ETAL | | | | **Mail:** 12535 DOUGLAS RD*RANCHO CORDOVA CA | | | 95742 |
| DRY PASTURE & TAILINGS | | AG80 | | | | $225,000 | | 10/05/1988 |
| 5 | **Parcel:** 072-0370-070-0000 | | | | **Site:** 12300 WHITE ROCK RD* | | | |
| | **Owner:** AEROJET GENERAL CORPORATION | | | | **Mail:** PO BOX 13222*SACRAMENTO CA | | | 95813 |
| LIGHT INDUSTRIAL, PROCESSING | | SPA | | | | | | 04/23/1984 |




J:\GIS_Maps\2004-261-Whitlow\Adj_parcels

1:7,200

0 200 400 800 Feet

## Adjacent Parcels

*2004-261 Whitlow*

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

# ATTACHMENT B

Conceptual-Level Strategy for Avoiding, Minimizing and Preserving Aquatic Resource Habitat in the Sunrise Douglas Community Plan Area

**A Conceptual-Level Strategy for**
**Avoiding, Minimizing, & Preserving Aquatic Resource Habitat**
**in the Sunrise-Douglas Community Plan Area**

June 2004

In March through May 2004, representatives of the US Fish and Wildlife Service, US Environmental Protection Agency, and the US Army Corps Engineers (Agencies) met to formulate a conceptual-level strategy for avoiding, minimizing, and preserving aquatic resource habitat in the Sunrise-Douglas Community Plan Area (SDCPA). The intended result of this effort was to achieve reasonable protection and conservation of federally threatened and endangered species under the Endangered Species Act, while taking a regional approach to avoidance and minimization of impacts to waters of the US, including wetlands, in accordance with Section 404 (b)(1) guidelines under the Clean Water Act. The strategy also endeavors to ensure a viable South Sacramento County Habitat Conservation Plan (HCP) can be developed, given that a large proportion of vernal pool habitat under consideration by the HCP planners is at risk in the SDCPA.

The conceptual-level strategy is represented by preserve areas shown on the map titled Sunrise-Douglas Community Plan Area Conceptual-Level Strategy for Aquatic Resource Protection dated March 2004 (see attached). To meet the goals of ESA and the Clean Water Act, the Agencies arrived at the boundaries of the "Preserve Areas" based on best professional judgment and a limited amount of information regarding regional and site-specific biology and hydro-geomorphology (such as wetland delineations, species accounts, and environmental impact reports), while recognizing that development is planned in the area. Of particular focus is the preservation of vernal pool complexes and corridors for Morrison Creek and Laguna Creek. The mapped boundaries are the smallest that would be acceptable to the Agencies and are predicated on ten principles and standards that would be followed by developers and planners as each element of the overall development proceeds.

The conceptual level strategy should be used by developers and planners to design and plan projects in the SDCPA. The Agencies will use the strategy to aid in the review of proposed development and evaluate the probable individual and cumulative effects on aquatic resources and sensitive species.

The Agencies anticipate that permit decisions and biological opinions will be completed on a case-by-case basis, using site-specific project and aquatic resource habitat information. Each proposed project would be evaluated on its own merits within the larger context of the SDCPA. Depending on the particular hydrology, habitat features, and development plans for a particular parcel, the conceptual preserve boundaries may need to be adjusted to minimize direct and indirect impacts to aquatic resources. Appropriate compensatory mitigation will be developed following demonstrated avoidance and minimization of project impacts.

Strategy Principles and Standards:

1. Maintain natural (existing) watershed integrity and flows to downstream reaches (distribution, frequency and duration), including restricting summer nuisance flows.

2. Maintain corridors and large areas for wildlife and the propagation of flora. Preserve vernal pool hydrology and integrity to benefit listed plants and invertebrates. Establish interconnected conservation areas that are managed in perpetuity and tie into existing local and regional planning efforts. Provide for meaningful conservation of sensitive plant habitats for species integrity and long-term survival.

3. Manage storm water to retain the natural flow regime and water quality including not altering baseline flows in the receiving waters, not allowing untreated discharges to occur into existing aquatic resources, and not using existing aquatic resources for detention or transport of flows above current hydrology, duration, and frequency. All storm water flows generated on-site and entering preserve boundaries would be pre-treated to reduce oil, sediment, and other contaminants.

4. Use elevated roads, arched crossings and other practices for transportation corridors that must traverse Preserve Areas to minimize direct and indirect impacts to aquatic resources and maintain the integrity of Preserve Areas. Hydrologic and biologic functions and values of the Preserve Areas would not be significantly impacted by road crossings.

5. Use conservation design elements. These elements include construction techniques such as using single-loaded roads where housing abuts Preserve Areas, designing roadside landscaping to drain (surface and subsurface) toward urban features and not toward the preserve boundary, and orienting houses such that the front living area faces the Preserve Area. Fences would be low and not restrict visibility into the Preserve Area. Impervious surfaces would be minimized. Storm water/water runoff plans would be designed to maintain watershed integrity by employing such means as vegetated swales, infiltration trenches, and constructed wetland filter strips to treat storm water and water runoff from the large increases in impervious surfaces.

6. Locate compatible land uses next to preserves. Acceptable land uses include parks, hiking trails, athletic fields, and other forms of open space. Developed trails would be outside the preserve boundary. Any irrigated fields or landscaping must not drain toward preserves. Cut and fill activities adjacent to the preserve boundaries would be minimized.

7. Mow-only firebreaks may be located at the outer edges of Preserve Areas. Mowing within the Preserve Areas should be conducted consistent with achieving the goals of the preserve management plan, including promoting native/discouraging non-native species. Firebreaks that necessitate herbicide application or tilling, plowing or other soil disturbance would be located outside of the Preserve Areas.

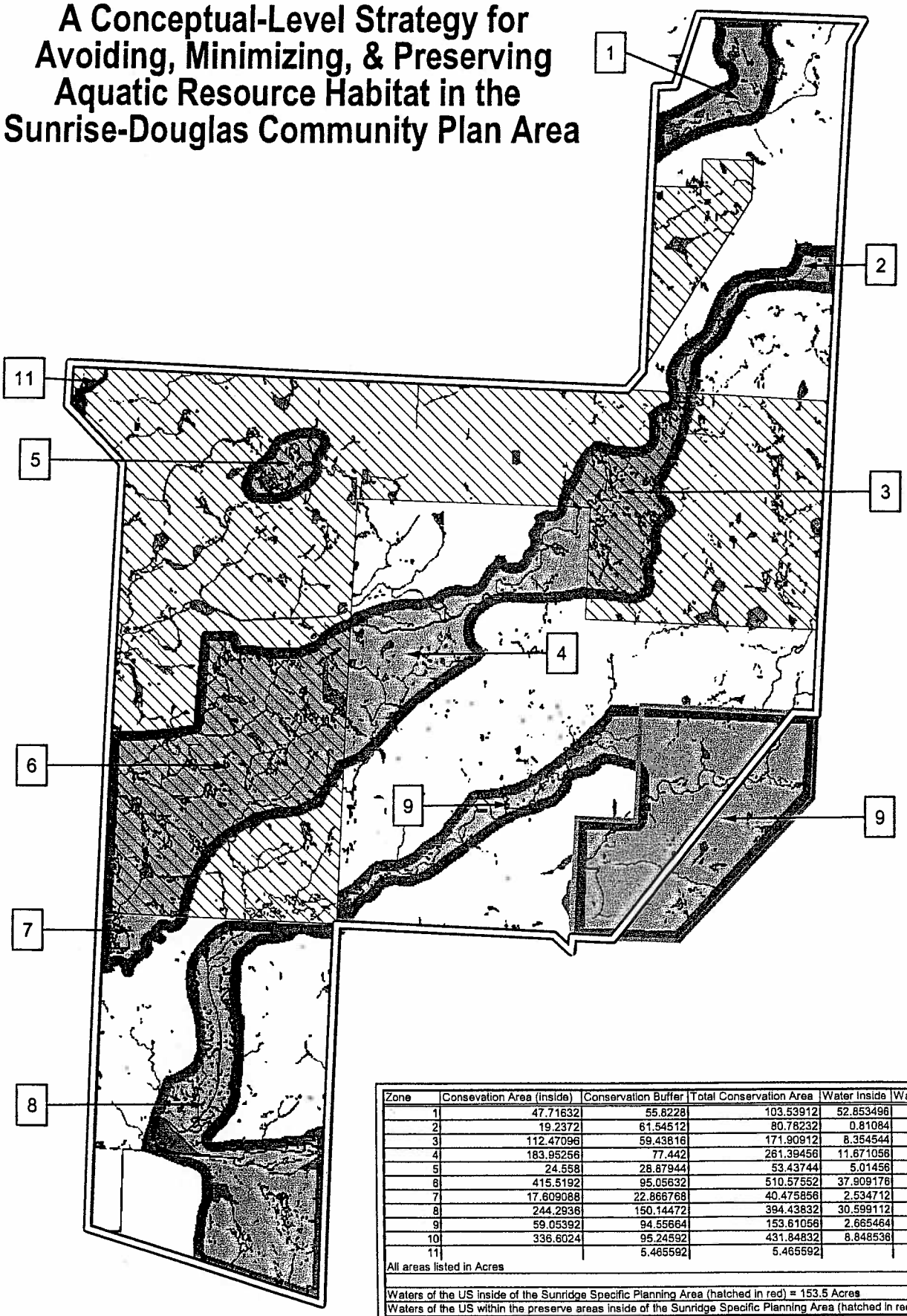
8. Ensure Preservation Areas are protected in perpetuity. This includes establishing buffers and not locating lot lines within the preserve boundary. Areas would be protected in perpetuity through conservation easement that is adequately funded for maintenance and managed by a conservation-oriented third-party. Preserve Areas would be fenced and signed.

9. Implement mitigation measures (avoidance, minimization, and compensation) that adequately offset direct and indirect impacts to aquatic resources and listed species. In general, establishing the Preserve Areas is considered a regional measure to achieve impact avoidance and minimization. Vernal pools that are directly impacted by projects should be mitigated at ratios

equal to or greater than 2:1 for preservation and 1:1 for creation/restoration. Vernal pools indirectly affected should be mitigated at ratios equal to or greater than 1:1 for preservation and 1:1 for creation/restoration. Preservation and creation/restoration will generally be completed in the same watershed but not within, or in a way that would affect, existing wetland complexes. On a case-by-case basis, preservation credit may be given for vernal pools in the Preserve Areas (except for the 250-foot wide indirect impact zone). Excellent opportunities exist in or near the SDCPA for the establishment of a vernal pool conservation bank(s) and a wetland compensatory (i.e., restoration/creation) mitigation bank(s).

10. Recognize the realities and constraints placed on construction design due to infrastructure and market-driven forces.

# A Conceptual-Level Strategy for Avoiding, Minimizing, & Preserving Aquatic Resource Habitat in the Sunrise-Douglas Community Plan Area




| Zone | Consevation Area (inside) | Conservation Buffer | Total Conservation Area | Water Inside | Water Buffer | Water Total |
|---|---|---|---|---|---|---|
| 1 | 47.71632 | 55.8228 | 103.53912 | 52.853496 | 1.840584 | 54.69408 |
| 2 | 19.2372 | 61.54512 | 80.78232 | 0.81084 | 1.897824 | 2.708664 |
| 3 | 112.47096 | 59.43816 | 171.90912 | 8.354544 | 3.8868504 | 12.2413944 |
| 4 | 183.95256 | 77.442 | 261.39456 | 11.671056 | 2.559408 | 14.230464 |
| 5 | 24.558 | 28.87944 | 53.43744 | 5.01456 | 0.858792 | 5.873352 |
| 6 | 415.5192 | 95.05632 | 510.57552 | 37.909176 | 8.056104 | 45.96528 |
| 7 | 17.609088 | 22.866768 | 40.475856 | 2.534712 | 3.708096 | 6.242808 |
| 8 | 244.2936 | 150.14472 | 394.43832 | 30.599112 | 11.204736 | 41.803848 |
| 9 | 59.05392 | 94.55664 | 153.61056 | 2.665464 | 2.604624 | 5.270088 |
| 10 | 336.6024 | 95.24592 | 431.84832 | 8.848536 | 2.31948 | 11.168016 |
| 11 | | 5.465592 | 5.465592 | | 2.511072 | 2.511072 |

All areas listed in Acres

Waters of the US inside of the Sunridge Specific Planning Area (hatched in red) = 153.5 Acres

Waters of the US within the preserve areas inside of the Sunridge Specific Planning Area (hatched in red) = 68.56 Acres

Sources: Foothill Associates, Ecorp Consulting and USGS
Projection: Region 9 Albers

0 1,000 2,000 3,000 4,000
Feet

N

WTR0400514.2 March 8, 2004