



County of Yolo

PLANNING, RESOURCES AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775 FAX (530) 666-8728
www.yolocounty.org

Cache Creek Resources Management Plan (CCRMP) Area Emergency Permit Information

DATE: February 12, 2007

TO: Landowners, organizations, and entities conducting activities within the Cache Creek Management Plan Area

FROM: Yolo County Parks and Natural Resources Management Division

SUBJECT: Process to obtain permits to conduct activities under emergency conditions in the Cache Creek Management Plan (CCRMP) Area

Under most circumstances, a Flood Hazard Development Permit, issued by the County, is required to conduct any in-channel activities within the Cache Creek Resources Management area. In an emergency event however, when work in the floodplain zone is necessary to protect immediate threats to life, health, property or essential public services alternative emergency permitting actions may be taken to satisfy regulatory requirements. Under emergency circumstances, the project proponent is required to notify the California Department of Fish and Game and the US Army Corps of Engineers directly and comply with all emergency permitting protocols established by these regulatory agencies. In any case in which either a Flood Hazard Development Permit or Emergency Permit is required to conduct work in the Cache Creek Management Plan area, the Yolo County Parks and Natural Resources Management Division should be contacted as soon as possible at 530-666-8029 such that the project proponent can receive technical assistance and to insure that projects are coordinated within the CCRMP area.

The attached information sheets have been prepared by the Yolo County Parks and Natural Resources Management Division as a reference guide for any landowner, organization, or entity that is faced with an emergency situation within the Cache Creek Management Plan area. These sheets outline the policies and protocols for conducting emergency work, where to obtain and send regulatory agency applications and notification forms, and information regarding the USDA's program for providing financial and technical assistance for watersheds ravaged by natural disasters. Please contact the Yolo County Parks and Natural Resources Management Division at 530-666-8029 if you have any questions or need additional information.

Enclosures:

- A. Regulatory Agency Contacts and Guidelines for Emergency Projects
- B. USDA Emergency Watershed Protection Program Fact Sheet

Attachment A

Regulatory Agency Contacts and Guidelines for Emergency Projects

Department of Fish and Game

The Department of Fish and Game constitutes the following as emergency work applicable to an Emergency Permit Application:

1. Immediate emergency work necessary to protect life or property;
2. Immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in an area which the governor has proclaimed a state of emergency; and/or
3. Emergency projects undertaken, carried out, or approved by a state or local governmental agency to maintain, repair, or restore an existing highway, as defined in Vehicle Code section 360, within the existing right-of-way of the highway, that has been damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, within one year of the damage.

In an emergency situation, notification is **not required before** beginning emergency work although it is up the project proponent to comply with Department of Fish and Game codes and conduct work such that impacts to fish and wildlife are minimized as much as possible. The Department of Fish and Game **MUST be notified in writing within 14 days after** emergency work begins. This is called “emergency notification.” The notification requirement can be met with the Emergency Notification Form (Attachment A). Project proponents that do not notify the Department of Fish and Game within 14 days of beginning work or conduct work without a Flood Hazard Development Permit that is not considered an emergency may be subject to criminal or civil prosecution.

Emergency work should not release deleterious substances or materials into the waterway. The work should not prevent or impede fish passage.

The Lake or Streambed Alteration Program Notification of Emergency Work form and additional information can be found on the California Department of Fish and Game website at: <http://www.dfg.ca.gov/1600/EmergencyPackage.pdf>

Notification should be sent to:

Department of Fish and Game
North Central Region-2
1701 Nimbus Road
Rancho Cordova, CA 95670

Fax: (916) 358-2912
Tel: (916) 358-2900

Army Corps of Engineers

The Army Corps of Engineers constitutes an “emergency situation” as an event in which there is a clear, sudden, unexpected, and imminent threat to life or property demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property or essential public services (i.e., a situation that could potentially result in an unacceptable hazard to life or a significant loss of property if corrective action requiring a permit is not undertaken immediately).

A Regional General Permit 60 issued by the Sacramento District Regulatory Branch of the Army Corps of Engineers allows for repair and protection activities in emergency situations. It authorizes discharges of dredged or fill material and/or work or structures in waters of the

Attachment A – Contacts and Guidelines for Emergency Projects

United States, including wetlands, for necessary repair and protection measures associated with an emergency situation. In order to utilize this permit a project proponent must send a notification to the Army Corps of Engineers office in writing and as early as possible.

Notification must be sent PRIOR to beginning emergency work.

Project proponents should use the standard Application for Department of the Army Permit (ENG 4345), a letter, or an email to notify the Army Corps of Engineers of an emergency project. Notification should include:

1. The name, address, telephone number (and email address, if available) of the applicant and any designated agent, including contractors; and
2. the location of the proposed project; and
3. a description of the nature of the imminent threat, and the project's purpose and need; and
4. a description of the work proposed to rectify the situation; and
5. a description of existing conditions at the project site; and
6. a description of any mitigation proposed to offset impacts to US waters and associated habitat; and
7. identification of any federally listed or proposed species or designated or proposed critical habitat which may be affected by or which is in the vicinity of the project.

Regional General Permit Number 60 can be found on the US Army Corps of Engineers Sacramento District Regulatory Branch website at:

<http://www.spk.usace.army.mil//organizations/cespk-co/regulatory/gp/GP60.pdf>

Notification should be sent to the US Army Corps of Engineers Sacramento District Regulatory Branch using the standard Application for Department of the Army Permit form (ENG 4345) which is available at: <http://www.spk.usace.army.mil//organizations/cespk-co/regulatory/pdf/ENG4345.pdf>

Send notification to:

Chief, Delta Office
Sacramento District Regulatory Branch
U.S. Army Corps of Engineers
1325 J Street, Room 1480,
Sacramento, CA 95814-2922

Regulatory-info@usace.army.mil
(916) 557-5324
(916) 557-6877 fax

Attachment B

USDA Emergency Watershed Protection Program Fact Sheet

USDA Emergency Watershed Protection Program (EWP)

Phil Hogan 530-662-2037 x111 phil.hogan@ca.usda.gov

<http://www.ca.nrcs.usda.gov/programs/ewp/>

- Provides technical and financial assistance for watersheds ravaged by natural disasters
- Provides funding for such work as clearing debris from clogged waterways, restoring vegetation, and stabilizing river banks.
- The measures must be environmentally and economically sound and generally benefit more than one property owner.
- Requires a local sponsor (usually city or county government or flood control district). USDA pays 75%; sponsor pays 25%
 - Yolo County Planning, Resources, and Public Works and the Yolo County Flood Control and Water Conservation District have acted as sponsors in the past
 - The sponsor should send a letter signed by a qualified representative of the agency. Letter should include information on the nature, location and scope of the problem.
- Send application to the local NRCS field office:
NRCS Woodland Service Center
221 W Court St., Suite 3B
Woodland, CA 95696-2983