



# County of Yolo

John Bencomo  
DIRECTOR

## PLANNING, RESOURCES AND PUBLIC WORKS DEPARTMENT

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[www.yolocounty.org](http://www.yolocounty.org)

### Cache Creek Resources Management Plan (CCRMP) Area Flood Hazard Development 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 a Flood Hazard Development Permit under the County's General Permit to conduct in-channel activities in the Cache Creek Management Plan (CCRMP) Area

The Cache Creek Resources Management Plan (CCRMP) guides the County, landowners, the aggregate industry, and other participating entities in the management of Cache Creek between the Capay Dam and Interstate 5. In an effort to help coordinate management and to ease permitting procedures for work done in this section of Cache Creek, Yolo County holds a general permit that covers minor bank and channel stabilization, habitat management, and floodway management projects that are consistent with the CCRMP. As a result, any landowner, agency, or entity intending to conduct these types of activities within the CCRMP area may apply directly to the County to obtain a Flood Hazard Development Permit such that a project can be conducted under the general permit held by the County. This permitting process relieves the project applicant of the lengthy processes and permitting fees associated with applying for individual project permits from state and federal regulatory agencies.

The attached informational packet has been prepared by the Yolo County Parks and Natural Resources Management Division as a reference guide for any landowner, organization, or entity that intends to implement a project within the Cache Creek Management Plan area. This packet outlines how to determine if a Flood Hazard Development Permit is required for a project, the process in which to apply for a Flood Hazard Development Permit and receive project planning assistance from the County, and lists the project policies and protocols required by regulatory agencies. 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. Guidelines for obtaining a Flood Hazard Development Permit in the CCRMP area
- B. Permit Applicant Questionnaire
- C. Flood Hazard Development Permit Application
- D. Reference List of Regulatory Agency Requirements

## ***Attachment A***

### **Cache Creek Resources Management Plan Area Guidelines for Obtaining a Floodplain Hazard Development Permit**

1. Contact the Yolo County Resource Specialist and fill out the Project Information Questionnaire to see if a Flood Hazard Development Permit is required for the proposed project.
2. If a permit is required, you will receive:
  - Project Permit Applicant Checklist,
  - Floodplain Hazard Development Permit Application,
  - Department of Fish and Game Streambed Alteration Agreement, and
  - Copies of Army Corps and RWQCB permits.
3. Submit project plans to the Resource Specialist. The Resource Specialist and the Cache Creek Technical Advisory Committee (TAC) will review your plans for compliance with the CCRMP and provide project recommendations as needed.
4. Address Resource Specialist and TAC recommendations in your Project Plan. Update or complete the Flood Hazard Development Permit Application, and sign the Department of Fish and Game Streambed Alteration Agreement.
5. Submit Application, any associated project plans, and the signed Streambed Alteration Agreement to Planning, Resources and Public Works Department with required fee (\$365.00). The Resource Specialist will give you a receipt from the receipt book at the front counter.
6. Resource Specialist completes the Flood Hazard Development Permit based on the information received on the Flood Hazard Development Permit Application, and sends a copy of the Army Corps Notification Form, the Flood Hazard Development Permit Application, the FHDP, and ALL applicable plans to Army Corps of Engineers.
7. Notify the Central Valley Regional Water Quality Control Board's Water Quality and Stormwater Enforcement Unit of intent to implement project activities. If water quality will be affected, mail project plans with notification:  
Central Valley Regional Water Quality Control Board  
Water Quality and Stormwater Enforcement Unit  
Environmental Specialist  
11020 Sun Center Dr.  
Rancho Cordova, CA 95670  
Phone: (916) 464-4709
8. Once the Resource Specialist receives a Notification Number from the Army Corps of Engineers, the Resource Specialist will issue you the Flood Hazard Development Permit.
9. For projects scheduled during the raptor and migratory bird nesting season (02/01-07/31), a qualified biologist must conduct a focused survey for active nests within 15 days before the start date. You must send the results of the survey to the Resource Specialist prior to starting an in-channel work.
10. Notify the Yolo County Resource Specialist three days prior to beginning work.
11. Notify Yolo County Resource Specialist two days after the work is completed.

**Attachment B**

**Cache Creek Resources Management Plan Area  
Project Information Questionnaire**

Please answer the following questions regarding your project and submit to the Yolo County Resources Specialist to determine whether a Flood Hazard Development Permit is required. Include attachments or additional information as necessary to describe the proposed project.

Name:
Address:
Contact number(s):
1. Location of proposed project:
2. Briefly describe the proposed project.
3. What is the purpose of the proposed project?
4. What are the expected start and end dates of the project?
5. Will the proposed project cause discharges of any kind into the creek?
6. Will the project affect the streambed or bank of Cache Creek? If so, please explain the type of disturbance and how it will be restored at the end of the project.



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### CACHE CREEK MANAGEMENT PLAN AREA FLOOD HAZARD DEVELOPMENT PERMIT APPLICATION

Planning, Resources and Public Works Department  
Parks & Natural Resources Management Division  
(530) 666-8029

#### APPLICANT

**Contact name:**

**Title:**

**Date:**

**Organization:**

**Address:**

**Phone:**

**E-mail:**

#### PROJECT LOCATION

Describe the location of this project, including Assessor's Parcel Number(s) (APNs)

#### PROPOSED PROJECT

Describe the proposed project. Be as detailed as possible: include number of acres to be disturbed, materials to be used, etc.

#### WILL DREDGED AND/OR FILL MATERIAL BE DISCHARGED INTO ANY WATER BODIES?

Describe the reason for the discharge, the materials and amounts to be discharged.

## **Attachment C**

### **COMPLIANCE WITH FLOOD ORDINANCE**

1. Describe the extent to which the waterway (Cache Creek) may be altered or relocated as a result of the proposed project;
2. Is the site and/or structure reasonably safe from flooding?
3. Has the \$365 processing fee been paid?
4. Will the proposed project affect the flood carrying capacity of Cache Creek or other waters?
5. Has the Regional Water Quality Control Board been notified of the proposed project?
6. If any sand or gravel will be removed from the channel, which of the following is it for?
  - a. To provide flood control;
  - b. To protect existing structures;
  - c. To minimize bank erosion; and
  - d. To implement the Test 3 boundary.
7. Describe how proposed channel modification will protect sensitive biological resources.
8. Will existing flood problems near Woodland be exacerbated by the proposed channel modification?

### **ADDITIONAL FLOOD HAZARD DEVELOPMENT PERMIT REQUIREMENTS**

Please include the following in this application:

9. A description of the potential effects of the proposed project on hydraulic conditions upstream and downstream of the proposed channel modifications; and

## ***Attachment C – Flood Hazard Development Permit Application***

10. A chemical spill prevention and emergency plan (or its equivalent) for all long-term projects that involve the use of heavy equipment.
11. One set of original drawings or good reproducible copies which show the location and character of the proposed activity.
12. A plot plan of the site, including the following information:
  - Entire parcel drawn to scale with lot dimensions
  - North direction arrow
  - Centerline of low-flow channel and direction of flow
  - Vegetation location and type
  - High stream banks

### **CONDITIONS OF APPROVAL**

1. The applicant shall comply with all applicable requirements of California Department of Fish and Game Stream Alteration Agreement #315-97, the U.S. Army Corps of Engineers General Permit #58, Regional Water Quality Control Board 401 Certification dated June 11, 1999, and the Yolo County Cache Creek Resources Management Plan. All other permits and approvals required by other agencies having jurisdiction over the project shall be obtained and copies provided to the Planning and Public Works Department prior to the commencement of in-channel activities.
2. The applicant shall comply with the existing approved spill prevention and emergency plan (or equivalent procedures), approved by the appropriate lead agency, to ensure that contamination from heavy equipment working within the creek channel is minimized.
3. The applicant shall provide documentation of the project to the Planning and Public Works Department within thirty days of project completion. Documentation may include, but shall not be limited to surveyed elevations, photographs, or other materials sufficient to provide a record of as-built conditions.
4. Failure to comply with the stipulated Conditions of Approval for this Flood Hazard Development Permit, shall result in this permit being deemed as null and void.
5. The applicant shall comply with the requirements of the September 19, 1996, Programmatic Formal Consultation from the U.S. Fish and Wildlife Service regarding the removal and/or transplantation of elderberry bushes from the subject site.
6. The applicant shall return the disturbed low flow creek channel to the original alignment and conditions upon completion of the project.
7. Upon completion the project the applicant shall monitor and report back to the Resources Specialist, the condition of the plantings on an annual basis for five years.

If you have any questions regarding this approval or require further assistance, please contact the Yolo County Parks and Natural Resources Management Division at 530-666-8029.

## ***Attachment D***

# **Cache Creek Resources Management Plan Area Reference List of Regulatory Agency Requirements For Projects Requiring a Flood Hazard Development Permit**

The following bulleted items are regulatory agency project protocols and regulations for implementing projects in the Cache Creek Management Plan Area utilizing a Flood Hazard Development Permit. These items are from the Department of Fish and Game Streambed Alteration Agreement R2-2002-251 (08/30/2002-08/30/2007), Regional Water Quality Control Board Water Quality Certification (08/28/2002), and Department of the Army General Permit 58 (05/01/2004-05/01/2009) and are provided as a list of regulatory items for Project Applicants to be aware of when planning and implementing projects within the Cache Creek Management Plan area. This is only a partial list of regulations. Please contact the Yolo County Parks and Natural Resources Management Division to request a copy of these agreements for a complete list of Fish and Game, Regional Water Quality Control Board, and Army Corps of Engineers requirements that pertain to projects utilizing a Flood Hazard Development Permit in the Cache Creek Resources Management area.

### **Department of Fish and Game Requirements:**

- **A copy of this agreement shall be provided to the Contractor(s) [Project Applicant]** who works within the stream zone. A copy of this agreement must be available upon request at the work site.  
The **Contractor(s) [Project Applicant]** shall sign this agreement prior to working within the stream zone. Fax or mail the signature page to Department of Fish and Game, Environmental Services Desk, FAX No. 916-358-2912; mailing address, Department of Fish and Game, Sacramento Valley-Central Sierra Region, 1701 Numbus Road, Rancho Cordova, CA 95670. The Contractor(s) [Project Applicant] or a designated crew supervisor(s) shall be on site the entire time a work crew is working near the stream zone. The supervisor(s) shall be completely familiar with the terms and conditions of this agreement and shall ensure compliance with all terms and conditions.
- The **Operator/Contractor [Project Applicant]** shall notify the Department within two working days of the completion of work within the stream zone on this project. Notification shall be a FAX transmittal to fax number 916-358-2912. Refer to Notification Number R2-2002-251 when notifying the department
- **When work in a flowing stream is unavoidable**, the entire stream flow shall be diverted around or through the work area during the excavation and/or construction operations. Stream flow shall be diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.  
When any dam or other artificial obstruction is being constructed, maintained or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain aquatic life below the dam pursuant to Fish and Game Code section 5937. Any temporary dam or other artificial obstruction constructed shall only be built from materials such as sandbags or clean gravel which will cause little or no siltation. No other diversion method shall be used without prior authorization by the Department. Authorization of any other diversion method shall be at the discretion of the Department.

## ***Attachment D – Reference List of Regulatory Agency Requirements***

- **Precautions to minimize turbidity/siltation shall be taken into account** during project planning and implementation. This may require the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches.

Passage of sediment beyond the sediment barrier(s) is prohibited. If any sediment barrier fails to retain sediment, corrective measures shall be taken. The sediment barrier(s) shall be maintained in good operating condition throughout the construction period and the following rainy season.

Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged silt fencing, coir logs, coir rolls, and/or straw bale dikes. The Operator is responsible for the removal of non-biodegradable silt barriers (such as plastic silt fencing) after the disturbed areas have been stabilized with erosion control vegetation (usually after the first growing season).

- **Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project-related activities, shall be prevented from contaminating the soil and/or entering the waters of the state.** Any of these materials, placed within or were they may enter a stream or lake, by Operator or any party working under contract, or with the permission of the Operator, shall be removed immediately. The Department shall be notified immediately by the Operator of any spills and shall be consulted regarding clean-up procedures.
- During construction, the Contractor shall not dump any **litter or construction debris** within the stream zone. All construction debris and associated materials shall be removed from the work site upon completion of this project.
- All exposed/disturbed areas and access points within the stream zone **left barren of vegetation** as a result of the construction activities shall be restored to its natural state by seeding with a blend native and non-native erosion control grass seeds. Revegetation shall be completed as soon as possible after construction activities in those areas cease. Seeded areas shall be covered with broadcast straw, anchored jute netting, coconut fiber blanket or similar erosion control blanket. Supplemental watering may be required to establish plant growth.
- This agreement does not allow for the take, or incidental take of any State or Federal listed threatened or endangered listed species. The Operator [Project Applicant] is required, as prescribed in the state or federal endangered species acts, to consult with the appropriate agency prior to commencement of the project. Any unauthorized take of such listed species may result in prosecution and cancellation of this agreement.
- If construction, grading or other project-related improvements are scheduled during **the nesting season of protected raptors and migratory birds (February 1 to July 31)**, a focused survey for active nest of such birds shall be conducted by a qualified biologist (as determined by a combination of academic training and professional experience in biological sciences and related resource management activities) within 15 days prior to the beginning of project-related activities.  
The results of the survey shall be faxed to (916) 358-2912. Refer to Notification Number R2-2002-251 when submitting the survey to the Department. If active nests are found, the Operator [Project Applicant] shall consult with the Department and the United States Fish & Wildlife Service (USF&WS) regarding appropriate action to comply with the Migratory Bird Treaty Act of 1918 and the Fish & Game Code of California.



## **Attachment D – Reference List of Regulatory Agency Requirements**

If a lapse in project-related work of 15 days or longer occurs, another focused survey, and if required, consultation with the Department and USF&WS, will be required before project work can be reinitiated.

- This site contains typical habitat of the **giant garter snake** (*Thamnophis gigas*) listed as threatened by the State. This habitat (broken concrete, irregular shaped rocks) should be replaced upon project completion. If any garter snakes are encountered during construction, the stakes shall not be harmed or handled and be allowed to escape out of the construction area.
- **Beaver dams and other obstructions blocking flow** in the stream near the work site may be cleared with the use of hand tools only. Beavers can be discouraged from building a new dam at the same location by placing a length of 12 inch diameter plastic culvert which has been perforated with several holes at the dam site. The perforated pipe is placed at stream grade at the dam site inline with the stream flow. The beaver will try to plug the opening of the pipe but cannot plug all the small holes along the length of the pipe. Water will continue to pass downstream and will not cause ponding as before. The beaver will eventually get discouraged and will seek a new location for its dam.
- Species designated by the Department as **Species of Special Concern** may be present at this site. All and any negative impacts to these species are strictly prohibited. This may include impacts to habitat, species numbers or distribution.
- An adequate **fish passage facility** shall be incorporated into any barrier that might obstruct such up or downstream passage of fish.
- **Culverts shall be installed** to allow both the up and downstream passage of fish at all times. Failure to comply will result in prosecution or the requirement that the structures be modified or removed at the discretion of the Department.
- The **disturbance or removal of vegetation** shall not exceed the minimum necessary to complete operations. Precautions shall be taken to avoid other damage to vegetation by people or equipment. The disturbed portions of the stream channel within the normal high-water mark of the stream shall be restored to as near their original condition as possible.

### **Regional Water Quality Control Board Requirements:**

- Any discharge will comply with provisions of the Clean Water Act: §301 Effluent Limitations, §302 Water Quality Related Effluent Limitations, §303 Water Quality Standards and Implementation Plans, §306 National Standards of Performance, and §307 Toxic and Pretreatment Effluent Standards.

### **Army Corps of Engineers Requirement:**

- No activity which may affect historic properties listed, or eligible for listing, in the **National Register of Historic Places** is authorized, until the District Engineer (DE) has complied with the provisions of 33 CFR Part 325, Appendix C. The prospective permittee [Project Applicant] must notify the DE if the proposed activity may affect any historic properties listed, determined to be eligible, or which may be eligible for listing in the National Register of Historic Places. No activity will begin until notified by the DE that requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized.

## **Attachment D – Reference List of Regulatory Agency Requirements**

- No work is authorized under this permit in areas that have been set aside by municipalities, counties, the State of California, or the Federal Government as **parks, national or historic monuments, or wilderness areas**, without prior written authorization from the agency responsible for the management of the area.
- Any **structure or fill authorized shall be properly maintained**, including maintenance to ensure public safety
- Appropriate **erosion and siltation controls** must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date.
- Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to **minimize soil disturbance**.
- No activity or its operation may impair **reserved tribal rights**, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
- All activities will comply with the November 1, 2002, **Section 401** Regional Water Quality Control Board water quality certification for the CCRMP.
- No activity is authorized under any Corps permit which is likely to jeopardize the continued existence of a **threatened or endangered species** proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the DE if any listed species or critical habitat might be affected or is in the vicinity of the project and shall not begin work on the activity until notified by the DE that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. For projects with limited impacts on the valley elderberry longhorn beetle (VELB) (*Democerus californicus dimorphus*), work must comply with the U.S. Fish and Wildlife Service's final Programmatic Biological Opinion dated September 19, 1996.
- No **discharge of dredged or fill material** may consist of unsuitable material (e.g. trash, debris, car bodies, asphalt, etc.) and material discharged must be free from toxic pollutants in toxic amounts (See §307 of the Clean Water Act)
- To the maximum extent practicable, discharges must not permanently restrict or impede **the passage of normal or expected high flows** or cause the relocation of the water (unless the primary purpose of the fill is to maintain or modify the defined low flow channel).
- Any **temporary fills** must be removed in their entirety and the affected areas returned to their preexisting elevation.
- Any **discharge of dredged or fill material** authorized by this permit shall be consistent with the terms and conditions of this permit. Activities involving the discharge of dredge and fill material not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of approval to conduct the activity authorized under this permit.