

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

ORDER R5-2013-0113

WASTE DISCHARGE REQUIREMENTS

FOR

**FRIANT RANCH, A LIMITED PARTNERSHIP
FRIANT RANCH SPECIFIC PLAN PROJECT
FRESNO COUNTY**

The California Regional Water Quality Control Board, Central Valley Region (hereinafter Central Valley Water Board), finds:

Discharger

1. On 25 March 2010, Friant Ranch, A Limited Partnership (hereinafter Discharger) submitted a federal Clean Water Act (CWA) § 401 Water Quality Certification Application Form to the Central Valley Water Board that identified its intent to fill isolated waters of the State to develop a large-scale, age-qualified, active-adult, mixed-use master planned community in Fresno County (Project). The § 401 Water Quality Certification Application Form as prepared by the Discharger is sufficient to meet the requirements for submitting a Report of Waste Discharge (ROWD) for fill of isolated waters of the State. The ROWD was deemed complete on 26 October 2010. As described in the findings that follow, this Order regulates discharges of dredge and fill materials to 1.35 acres of isolated waters of the State.

Project Location and Description

2. The Project site is in north central Fresno County, adjacent to the unincorporated community of Friant. The 942-acre Project site is situated east of Friant Road and west of the Friant-Kern Canal in close proximity to the San Joaquin River and Millerton Lake. The Project site occupies portions of Sections 7, 8, 17, and 18 within Township 11 South, Range 21 East, Mount Diablo Base Line and Meridian. See Attachment A for a general location map.
3. Fresno County approved the Project through adoption of the Friant Ranch Specific Plan, which is within the greater Friant Community Plan area. The Project is a mixed use, master-planned community development consisting of approximately 2,500 dwelling units, of which 2,270 will be age-qualified (55 and over) units. The developed portion of the Project site comprises a total of 482.2 acres and will necessitate discharges of dredge and fill materials to Project site surface waters. The remaining 460 acres will remain undisturbed and will be dedicated as a permanent open space preserve.
4. The Project's land use plan includes medium density and medium-high density residential uses consisting of single-family and multi-family homes. The Project also includes a Village Center

on approximately 32 acres which will contain a mix of retail, office, medical, and social gathering uses, and may include approximately 50 non-age-qualified mixed use housing units. In addition, the Project includes an active adult recreation center. The onsite storm drainage facilities will be designed in accordance with Low Impact Development standards and principles. The Project's land use plan also includes 22.4 acres of re-vegetated open space slopes adjacent to the 460-acre open space preserve.

Site Regulation

5. Generally, the CWA and regulations promulgated thereunder apply to discharges of dredged and fill materials and the discharges of pollutants to waters of the United States (waters of the U.S.). Waters that do not fall under the regulatory umbrella of the federal CWA and its regulations are commonly called non-jurisdictional waters. Waters of the State, as defined by California Water Code (CWC) § 13050, include both waters of the U.S. and non-jurisdictional waters.
6. The Central Valley Water Board has largely relied upon its authority under CWA § 401 to regulate discharges of dredged or fill material to waters of the State. That section requires an applicant to obtain "water quality certification" from the Central Valley Water Board that the project will comply with State water quality standards before certain federal licenses or permits may be issued. The permits subject to § 401 include permits for the discharge of dredged or fill material (CWA § 404 permits) issued by the U. S. Army Corps of Engineers (Corps).
7. The Corps approved a jurisdictional delineation of the Project site on 1 October 2008 that identifies 31.35 acres of waters of the U.S. (wetlands and other waters) present on the site.
8. The Corps-approved delineation indicated there will be discharges of dredged and fill material to 5.43 total acres at 140 locations in waters of the U.S. that are subject to regulation under federal CWA §401 and § 404. On 13 March 2012, the Central Valley Water Board issued a CWA § 401 Water Quality Certification for proposed discharges of dredge and fill materials at these locations.
9. The Corps determined on 1 October 2008 that approximately 3.65 acres of the existing wetlands and waters on the Project site are non-jurisdictional for purposes of CWA § 404 due to the nature of the wetlands and waters as non-navigable, isolated water bodies. However, the non-jurisdictional vernal pools and swales are waters of the State subject to regulation under the CWC.
10. Construction of the Project will involve the proposed discharge of structural materials and/or earthen materials (fill) at 65 Project locations that are in non-jurisdictional waters, as listed in Attachment B. This Order regulates only the proposed discharges of dredged and fill materials to these non-jurisdictional isolated waters.

11. Vernal pools and swales are shallow waters of the State, which are by their nature affected most often and severely by filling and excavation. Regulatory attention to these water bodies is necessitated by the California Wetlands Conservation Policy (Executive Order W-59-93, signed 23 August 1993); the high habitat value of these waters; the basin-wide value of these waters for pollutant removal, floodwater retention, channel stability, and habitat connectivity; the high number of special-status species associated with these waters and their associated habitats; the high percentage of historic losses of these waters in California; the vulnerability of these waters to future impacts from projected population growth and land development; and the high level of public interest in these waters.
12. This Order is necessary to adequately address potential and planned impacts to waters of the State from the Project, to require mitigation for these impacts to comply with the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011 (Basin Plan), to fulfill the Central Valley Water Board's obligation to act on the Discharger's application, and to satisfy the objectives of the California Wetlands Conservation Policy. The goals of the California Wetlands Conservation Policy include ensuring "no overall loss" and achieving a "...long-term net gain in the quantity, quality, and permanence of wetland acreage and values..."
13. This Order does not regulate storm water discharges that may result from the Project during construction. Discharges of pollutants associated with construction-related storm water runoff in the San Joaquin River watershed are subject to National Pollutant Discharge Elimination System permitting under CWA § 402. The Discharger must file a Notice of Intent to comply with *State Water Resources Control Board Order No. 2009-0009-DWQ (as amended by Order No. 2010-0014-DWQ)*, *National Pollutant Discharge Elimination System General Permit No. CAS000002, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities* (Construction General Permit) to cover discharges of construction related storm water. Discharge of any pollutants to waters of the State resulting from storm water during construction must also be conducted in accordance with the Friant Community Plan Update and Friant Ranch Specific Plan Environmental Impact Report (EIR) certified by Fresno County on 1 February 2011, and the corresponding mitigation monitoring program adopted by the County as conditions of the Friant Ranch Specific Plan approval.
14. This Order does not regulate discharges from the proposed Project wastewater treatment facility, water reclamation facility, or ongoing municipal storm water discharges. If applicable, these discharges will be regulated under separate orders.

Site-Specific Conditions

15. The Project site is generally undeveloped. The site consists of non-native grassland habitat utilized for cattle grazing. Surrounding land use is a mix of developed and undeveloped lands. Some lands to the west have been modified by sand and gravel quarrying and a public park

along the San Joaquin River. The unincorporated community of Friant is to the north with commercial and residential development. Private undeveloped ranchland is to the south and east.

16. Elevation ranges from 330 to 694 feet (National Geodetic Vertical Datum). The topography is characterized by rolling grass-covered hillsides and meandering waterways that lead to pockets of seasonal vernal pools. The soils of the site consist of alluvium derived primarily from plutonic rocks of the Sierra Nevada to the east. Some of the soils have developed a subsurface iron-silica hardpan at 2-6 feet below the surface that perches water during late winter and early spring creating seasonal pools in topographic depressions.
17. The Project site experiences a Mediterranean climate with hot, dry summers and cool, moist winters. Average summer temperatures (degrees Fahrenheit) range from highs in the upper 90s and lows in the 50s. Average winter temperatures range from highs in the low 60s and lows in the 30s. Average annual precipitation is approximately 15 inches, most of which falls between the months of October and March.

**Impacts and Mitigation and Monitoring Plan
for Discharges
of Dredge and Fill to Waters of the State**

18. As described in Findings 8 and 10, the Project includes 205 water locations that will be impacted. There are 140 sites that will be impacted within jurisdictional waters of the U.S. The remaining 65 sites are within non-jurisdictional waters of the State. Total permanent impacts to non-jurisdictional waters of the State include 1.35 acres of non-jurisdictional isolated waters, including 0.52 acres of vernal pool habitat and 0.83 acres of vernal swale habitat, which are addressed by this Order.
19. On 11 July 2012, the Discharger submitted a document entitled Mitigation and Monitoring Plan, Friant Ranch Specific Plan, dated May 2009 (Mitigation Plan). The Mitigation Plan proposes to mitigate for impacts to both the jurisdictional and non-jurisdictional waters of the State through the creation/restoration of wetlands. As described in the Mitigation Plan, the Discharger will provide for the creation/restoration of 1.35 acres of wetlands either by purchasing constructed vernal pool and/or vernal swale creation/restoration credits from a Corps-approved mitigation bank within the San Joaquin River watershed, or by creating or restoring 1.35 acres of vernal pool and/or vernal swale habitat on the Drayer Ranch in Merced County, which will be protected in perpetuity under conservation easement. Or, in the alternative, the Discharger may provide for the creation/restoration of 1.35 acres of vernal pool and/or vernal swale habitat at any other appropriate site approved by the Executive Officer, which must be protected in perpetuity under conservation easement. Portions of the Drayer Ranch have previously been preserved as the Drayer Conservation Bank.

These created/restored wetlands will be in addition to the 5.43 acres of wetlands to be created/restored to offset Project impacts to waters of the U.S.

20. Additionally, to mitigate for loss of waters of the State and the U.S., the Discharger proposes in the Mitigation Plan to permanently protect one onsite and three off-site open space preserves under conservation easements. The undisturbed onsite preserve will total approximately 460 acres in size. Three off-site preserves, located in the proximity of the Project area (see Attachment C), have been acquired with a combined area of 1,054 acres. These off-site preservation areas are known as the Friant Ranch East Preserve (208 acres), the Nohrnberg Preserve (583 acres), and the Klein-Morgan Preserve (263 acres). An estimated total of 28.2 acres of wetlands and other waters will be protected in the onsite preserve and 60.4 acres of wetlands and other waters exist at the off-site preservation areas for a total of 88.6 acres of wetlands and other waters. Table 1 lists the estimated area of existing wetlands, by type, for each preserve area.

Table 1. Summary of Preserved Waters of the State

	Vernal Pool (acres)	Vernal Swale (acres)	Channel (acres)	Total (acres)
Onsite	13.4	8.1	6.8	28.2
Friant Ranch East	<0.1	3.6	1.8	5.5
Nohrnberg	15.4	18.2	14.3	47.9
Klein-Morgan	3.8	3.2	0.0	7.0
Total	32.7	33.1	22.9	88.6

21. This Order serves as the Central Valley Water Board approval of the Mitigation Plan.
22. The Discharger submitted draft Long-Term Management Plans for the Friant Ranch East Open Space Preserve, the Klein-Morgan Open Space Preserve, the Friant Ranch Open Space Preserve, and the Nohrnberg Open Space Preserve, all dated 18 March 2013, (collectively referred to as Long-Term Management Plans).
23. The Long-Term Management Plans are a key component of the Mitigation Plan addressing impacts to waters and state and federal endangered species subject to the permit authority of the Corps, the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife, and the Central Valley Water Board. The listed agencies only have authority/control over the management plan implementation, enforcement and future revision to the extent of their explicit legal authority over the resources they regulate. The Central Valley Water Board has authority over management activities related to any discharge of waste that could affect the quality of waters of the State.

24. The Long-Term Management Plans state that the Discharger will conduct maintenance and monitoring to ensure success at the mitigation sites. This Order requires the Discharger to proceed with the proposed Long-Term Management Plans and requires monitoring and adaptive management measures to ensure successful implementation.
25. This Order approves the draft Long-Term Management Plans, dated 18 March 2013 for the purposes of this Order. Any changes to the Long-Term Management Plans concerning management activities related to waters that may be required by the Corps, the U.S. Fish and Wildlife Service, or the California Department of Fish and Wildlife will require Central Valley Water Board Executive Officer approval.

Basin Plan, Beneficial Uses, and Water Quality Objectives

26. The Basin Plan designates beneficial uses, establishes narrative and numerical water quality objectives, contains implementation plans and policies to protect waters of the Basin, and incorporates, by reference, plans and policies of the State Water Resources Control Board (State Water Board). Pursuant to § 13263(a) of the CWC, these requirements implement the Basin Plan.
27. The Project will affect isolated non-jurisdictional wetlands within the San Joaquin River Basin of the Central Valley Region. The Basin Plan does not designate beneficial uses for isolated wetlands in the San Joaquin Basin of the Central Valley Region. However, CWC § 13263 (a) requires that waste discharge requirements (WDRs) be prescribed as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. Such WDRs must implement any relevant water quality control plans, *taking into consideration beneficial uses to be protected* [emphasis added], the water quality objectives reasonably required for those purposes, other waste discharges, the need to prevent nuisance, and the provisions of CWC § 13241. In addition, the Basin Plan states that beneficial uses will be evaluated on a case-by-case basis for unidentified water bodies.
28. Beneficial uses present in the Project area include rare, threatened, or endangered species (RARE); warm freshwater habitat (WARM); and wildlife habitat (WILD). Biological surveys conducted for preparation of the Project EIR show the isolated wetlands in the Project area support special status plant and wildlife species; warm freshwater aquatic life; and wildlife.
29. The beneficial uses of underlying groundwater in the Project area are municipal and domestic supply, agriculture supply, and industrial service and process supply.

Antidegradation Analysis

30. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16 (*Statement of Policy with Respect to Maintaining High Quality of Waters in California*). Resolution No. 68-16 requires that existing high quality of waters be maintained unless degradation is justified based on specific findings. Pursuant to this policy, a report of waste discharge must include information regarding the nature and extent of the discharge and the potential for the discharge to affect surface or groundwater quality in the region. In addition, the discharger must identify treatment or control measures to be taken to minimize or prevent water quality degradation.
31. As described below, the permitted discharges will be controlled through the requirements herein as well as the application of mitigation measures for the discharges of dredge and fill materials. The permitted discharges will not cause violations of water quality objectives within any surface waters or groundwater under the Basin Plan, will not unreasonably affect beneficial uses, and will be to the maximum benefit of the people of the State. More specifically, the permitted discharge is consistent with the antidegradation provisions of State Water Board Resolution No. 68-16 for the following reasons:

- a. *The degradation will not result in water quality less than that prescribed in the Basin Plan.*

This Order contains discharge prohibitions, discharge specifications, groundwater limits, and reporting provisions that require compliance with Basin Plan water quality objectives; thus, this Order does not authorize exceedences of Basin Plan water quality objectives.

- b. *The degradation will not unreasonably affect present and potential beneficial uses.*

While the permitted discharges will cause degradation (by and through the complete fill and removal) with respect to the 1.35 acres of isolated waters that are proposed to be filled, the filling of these waters will be mitigated by the creation/restoration and preservation of wetlands. The Discharger will also be required to conduct monitoring and reporting to ensure success at the mitigation site(s) as described in Monitoring and Reporting Program R5-2013-0113. With respect to waters other than those proposed to be filled as part of the Project, this Order ensures that present and potential beneficial uses will not be affected. The Discharger is prohibited from undertaking any dredge and fill activities not specifically authorized herein, and shall not cause or threaten to cause a nuisance or pollution, as defined in CWC § 13050. The Discharger is further required to adhere to construction and post-construction measures that will apply

best practicable treatment or control, discussed below, that will avoid impacts on any present and potential beneficial uses.

- c. Dischargers must use the best practicable treatment or control (BPTC) to avoid pollution or nuisance and maintain the highest water quality consistent with maximum benefit to the people of the State.*

A total of nine alternative project designs were proposed for the Project, ranging from developing the entire Project area to avoiding all surface waters. A CWA § 404(b)(1) alternatives analysis that examined three of the onsite alternatives and onsite avoidance and minimization measures was prepared to document the Discharger's planning process. The analysis also considered 14 off-site alternative locations for the Project. The analysis concluded the proposed Project is the least damaging practicable alternative.

The Discharger will implement an integrated mitigation plan to compensate for the loss of wetlands and associated threatened and endangered species habitats that would result from the Project. The Mitigation Plan incorporates a combination of measures including purchase of mitigation bank credits to create/restore vernal pool and/or vernal swale habitat or an option for creation/restoration of vernal pool and/or vernal swale habitat at Drayer Ranch, preservation of existing habitats, and management of the preserved habitats to maximize wetland function and wetland restoration and prevent future degradation. Or, in the alternative, with respect to the creation/restoration of vernal pool and/or vernal swale habitat, the Discharger may create/restore 1.35 acres of vernal pool and/or vernal swale habitat at any other appropriate site approved by the Executive Officer. The mitigation plan is designed to assure that there will be no net loss of wetland function or area.

Implementation of these measures reflects BPTC.

- d. Any change in water quality must be consistent with maximum benefit to the people of the State.*

Any degradation that will occur as a result of the dredge and fill activities authorized under this Order will comply with water quality objectives and protect designated beneficial uses, and is consistent with the maximum benefit to the people of the State. The Project implements and furthers plans and public policies adopted and endorsed by the County of Fresno related to urban growth, as set forth in Fresno County Resolution 11-031, adopted 1 February 2011. Specifically, the Findings adopted by the County as part of that Resolution state that the Project will:

- i. generate significant and needed economic output in the County, including positive fiscal impacts to the County's operating funds;
 - ii. generate significant and needed employment for the County, consistent with the Fresno Regional Jobs Initiative;
 - iii. provide unique social and recreational benefits, including needed housing that will accommodate the varying lifestyles and income levels of Fresno's expanding Active Adult (55+) population, as well as considerable open space, trails, and linkages to recreational amenities;
 - iv. provide needed infrastructure improvements to serve the larger community in the Project area; and
 - v. preserve and protect, more than half of the Project area as open space, to be preserved in perpetuity, consistent with the Fresno County 2025 General Plan.
32. Given Finding 31 (a-d), the proposed discharges authorized herein comply with Resolution 68-16.

CEQA

33. The County of Fresno, acting as California Environmental Quality Act (CEQA, Public Resources Code § 21000, et seq.) Lead Agency, certified the Final EIR for the Friant Community Plan Update and Friant Ranch Specific Plan on 1 February 2011. A Notice of Determination was filed with the State Clearinghouse on 3 February 2011 by the County of Fresno.
34. The County of Fresno adopted a Statement of Overriding Considerations for significant impacts considered unavoidable and not reduced to a level of Less Than Significant by mitigation. The unavoidable significant impacts not expected to be reduced by mitigation listed in the EIR were related to aesthetics, agricultural resources, air quality, climate change, noise, and traffic and transportation resources.
35. The EIR concludes that the Project is not expected to cause or contribute to any violation of applicable water quality standards or substantially degrade existing water quality, and that the implementation of specific mitigation measures will further reduce potential impacts to water quality to a less than significant level.
36. The Central Valley Water Board, acting as a CEQA Responsible Agency in compliance with California Code of Regulations (CCR), title 14 section 15096, reviewed both the Notice of

Preparation of an EIR and the Draft EIR for the Project, and submitted comments to the County of Fresno accordingly. The Central Valley Water Board also evaluated the potentially significant impacts resulting from the fill of isolated wetlands and related mitigation measures identified in the Final EIR. Mitigation measures imposed on the Project in the Final EIR to ensure that impacts resulting from the fill of isolated wetlands are less than significant are summarized in Attachment D. The mitigation measures identified in the Final EIR, supplemented with the provisions in this Order, are adequate to reduce potentially significant impacts resulting from the dredge and fill of isolated wetlands to less than significant levels.

General Findings

37. Pursuant to CWC § 13263(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.
38. The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.
39. California Water Code § 13267(b) states that:

In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including the costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

40. The technical reports required by this Order and the attached Monitoring and Reporting Program R5-2013-0113 are necessary to assure compliance with these waste discharge requirements. The Discharger operates the Project that discharges the waste subject to this Order.

Public Notice

41. All the above and the supplemental information and details in the attached Information Sheet, which is incorporated by reference herein, were considered in establishing the following conditions of discharge.

42. The Discharger and interested agencies and persons have been notified of the intent to prescribe waste discharge requirements for this discharge, and have been provided an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
43. All comments pertaining to the discharge were heard and considered in a public meeting.

IT IS HEREBY ORDERED that, pursuant to § 13263 and § 13267 of the California Water Code (CWC), Friant Ranch, a Limited Partnership and its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the CWC and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. Discharge of dredge and fill materials not described in the ROWD submitted by the Discharger on 25 March 2010, Findings 10 and 18, and Attachment B are prohibited.
2. Discharge shall not violate any discharge prohibitions contained in the Basin Plan.
3. Discharge causing or threatening to cause pollution, contamination, or nuisance as defined in CWC § 13050 is prohibited.
4. Discharge of waste classified as “hazardous”, as defined in § 2521(a) of Title 23, CCR, § 2510 et seq., is prohibited. Discharge of waste classified as ‘designated’, as defined in CWC § 13173, in a manner that causes violation of groundwater limitations, is prohibited.
5. Operation of equipment in areas of flowing or standing water is prohibited.
6. Fueling, cleaning, or maintenance of vehicles or equipment; and storage of construction materials and heavy equipment within any areas where an accidental discharge to waters of the State may occur is prohibited.

B. Discharge Specifications

1. Dredge and fill activities will be conducted when water bodies are dry to the maximum extent practicable.
2. Except for specific dredge and fill activities described in the ROWD, Attachment B, or the 401 certification for the Friant Ranch Specific Plan Project 404 permit (U.S. Army Corps of Engineers File No. SPK-2004-00966), no debris, soil, silt, sand, cement, concrete, or washings thereof, other construction related materials or wastes, oil or

petroleum products or other organic or earthen material shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. Upon completion of construction, all construction-related materials shall be removed from the work area and any areas adjacent to the work area.

3. The Discharger shall comply with all California Department of Fish and Game Code § 1600 requirements for the Project.
4. The Discharger shall implement the mitigation measures specified in the Final Environmental Impact Report for the Project as they pertain to biology, hydrology, and water quality impacts.
5. All areas disturbed by Project activities shall be protected from washout or erosion.
6. Disturbance or removal of vegetation in the Project area shall be minimized. Native species shall be used for re-vegetation of disturbed areas.

C. Groundwater Limitations

The discharges authorized herein shall not cause groundwater to contain waste constituents in concentrations greater than the ambient quality.

D. Provisions

1. The Discharger shall comply with the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*, dated 1 March 1991, which is made part of this Order.
2. The Discharger shall comply with Monitoring and Reporting Program R5-2013-0113, which is made a part of this Order, and future revisions thereto as specified by the Executive Officer.
3. The Discharger shall maintain a copy of this Order and supporting documentation (Attachments) at the Project site during construction for review by site personnel and agencies. All personnel (employees, contractors, and subcontractors) performing work on the Project shall be adequately informed and trained regarding the conditions of this Order.
4. This Order hereby approves the draft Mitigation and Monitoring Plan, Friant Ranch Specific Plan, dated 1 May 2009 (Mitigation Plan), as final for the purposes of this Order. Any proposed modifications to the plan must be submitted **90 days** prior to implementation to the Executive Officer for approval. The Discharger shall not

implement the proposed changes until it obtains written approval from the Executive Officer or the Central Valley Water Board, as appropriate.

5. This Order hereby approves the draft Long-Term Management Plans for the Friant Ranch East Open Space Preserve, the Klein-Morgan Open Space Preserve, the Friant Ranch Open Space Preserve, and the Nohrnberg Open Space Preserve, all dated 18 March 2013, as final for the purposes of this Order. Any proposed modifications to the plans must be submitted **90 days** prior to implementation to the Executive Officer for approval. The Discharger shall not implement the proposed changes until it obtains written approval from the Executive Officer or the Central Valley Water Board, as appropriate.
6. The Discharger shall provide the Central Valley Water Board with evidence of the creation/restoration of 1.35 acres of vernal pool and/or vernal swale habitat, as described in Finding 19, by either:
 - a. providing proof of purchase of constructed vernal pool and/or vernal swale creation/restoration credits totaling 1.35 acres from a Corps-approved mitigation bank within the San Joaquin River watershed **prior to initiating grading within waters of the State**; or
 - b. providing, **not less than 120 days prior to initiating grading within waters of the State**, a Vernal Pool/Swale Creation/Restoration Plan, prepared by a qualified professional, for Executive Officer approval for creation/restoration of 1.35 acres of vernal pools and/or swales at the Drayer Ranch site, as described in the Mitigation Plan, or any other appropriate site that is approved by the Executive Officer. Initial construction of the creation/restoration mitigation must be completed within 1 year of initial impacts to waters of the State. **Within 30-days of completion** of construction of the creation/restoration mitigation site, the Discharger shall submit complete sets of as-built plans for the site to the Executive Officer for review.
7. All areas used to mitigate for permanent impacts to waters of the State identified in Attachment B must be protected in perpetuity from land-use and maintenance activities that would threaten water quality or beneficial uses within the preservation area. Not less than **one-hundred and twenty (120) days prior to initiating grading within waters of the State**, the Discharger shall submit draft conservation easements for the onsite preserve, the Friant Ranch East Preserve, the Nohrnberg Preserve, the Klein-Morgan Preserve, and, if the Discharger chooses Provision D.6.b to comply with this Order, the Drayer Ranch creation/restoration site or other appropriate site that is approved by the Executive Officer to the Central Valley Water Board's Executive Officer for review and acceptance as consistent with the provisions within the Mitigation Plan that relate to Central Valley Water Board requirements. The language of the conservation easements shall follow the California Department of Fish and Wildlife

and/or U.S. Fish and Wildlife Service templates and guidelines for conservation easements and shall identify the third-party nonprofit entity qualified to hold a conservation easement under California Civil Code, § 815.3, to whom the conservation easement would be granted. The conservation easements shall include provisions and responsibilities of the Discharger and the designated land trust organization, including any future transfers of the easement or fee interest that may be anticipated, and must grant access rights to Central Valley Water Board staff. The conservation easements shall also specify the purposes for which they are established and include a list of prohibited activities that are inconsistent with the purpose and maintenance of the preservation areas.

8. **Not less than one-hundred and twenty (120) days prior to initiating grading within waters of the State**, the Discharger shall provide to the Central Valley Water Board's Executive Officer evidence that the endowment amounts, as calculated by the Property Analysis Record software program and approved by the California Department of Fish and Wildlife, necessary to provide funding for monitoring and perpetual management and maintenance of the mitigation features and habitat in the preservation areas and, if applicable, the Drayer Ranch or other appropriate mitigation area have been funded. The principal in the endowments should generate sufficient revenue to cover the costs described in the Monitoring and Reporting Program R5-2013-0113 including funding for any extended monitoring and maintenance activities, as well as contingency measures, that the Central Valley Water Board's Executive Officer may determine are necessary to meet the mitigation requirements for the Project.
9. If the Discharger elects to mitigate for wetland impacts by creating/restoring 1.35 acres of vernal pools and/or swales at the Drayer Ranch site or any other appropriate site approved by the Executive Officer (i.e., Provision D.6.b), the mitigation areas at the Drayer Ranch site or other appropriate approved site must fully meet the established functional success criteria of the Mitigation Plan by **no later than 5 years** from the date the as-built plans for the creation/restoration area are submitted to the Central Valley Water Board. If the mitigation areas fail to meet the criteria, the Discharger must provide by this date a technical report proposing remedial measures, for acceptance by the Central Valley Water Board's Executive Officer, to be implemented within 1 year following the determination that success criteria were not met.
10. If the Discharger elects to mitigate for wetland impacts by creating/restoring 1.35 acres of vernal pools and/or swales at the Drayer Ranch site or any other appropriate site approved by the Executive Officer (i.e., Provision D.6.b), **not less than one-hundred and twenty (120) days** prior to initiating grading in waters of the State, the Discharger shall provide to the Central Valley Water Board's Executive Officer a performance bond for 120% of the amount required to complete the Drayer Ranch or other appropriate approved site establishment (creation) and/or enhancement.

11. The discharge of fill material described in the ROWD submitted by the Discharger on 25 March 2010 or Attachment B is limited to those described therein. The Project must be constructed and operated in accordance with the ROWD, its supporting documents, and this Order. The Discharger shall file a supplemental ROWD if material changes in location, quantity, or character of the discharge are required.
12. Any and all monitoring reports required by this Order are required pursuant to CWC § 13267.
13. The Discharger shall provide the name and contact information of any third party accepting responsibility (liability) for implementing the mitigation requirements of this Order. Written notification shall be submitted to the Central Valley Water Board within **60 days of the proposed transfer of responsibility**. The notification shall include a signed statement from the new party demonstrating acceptance and understanding of the responsibility to meet the mitigation conditions and applicable requirements of this Order, or the liability will remain with the Discharger.
14. The Discharger shall attach a signed, certified cover letter to all monitoring reports provided to the Central Valley Water Board. The certified cover letter shall clearly identify any violations of this Order, discuss corrective actions taken or planned, and propose a time schedule for completing identified corrective actions. Identified violations shall include a description of the violation.
15. The Central Valley Water Board may review and revise waste discharge requirements in accordance with CWC § 13263, subdivisions (e) and (f). The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$5,000 per violation, per day, depending on the violation, pursuant to the CWC, including § 13268 and § 13350. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Water Board to review the action in accordance with CWC § 13320 and CCR, title 23, § 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next

business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 26 July 2013.

Original signed by:

PAMELA C. CREEDON, Executive Officer

Order Attachments: A. Location Map and Project Area Map
B. Dredge and Fill Location Identification Number and Attributes
C. Preservation Area Map
D. California Environmental Quality Act Mitigation Measures

Monitoring and Reporting Program R5-2013-0113

Information Sheet

Standard Provisions for Waste Discharge Requirements (1 March 1991)

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

**MONITORING AND REPORTING PROGRAM R5-2013-0113
FOR
FRIANT RANCH, A LIMITED PARTNERSHIP
FRIANT RANCH SPECIFIC PLAN PROJECT
FRESNO COUNTY**

All reports and information required herein are required pursuant to California Water Code (CWC) § 13267.

I. DREDGE AND FILL AND COMPENSATORY MITIGATION MONITORING

A. Dredge and Fill Activity Monitoring

1. The Discharger shall document the start dates and end dates for each individual dredge and fill project within non-jurisdictional waters.
2. The Discharger shall maintain on-site records of all inspections, personnel performing the observations, observation dates, weather conditions, locations observed, and corrective actions taken in response to the observations.
3. The Discharger shall take photographs of all completed, stabilized dredge and fill projects.

B. Compensatory Mitigation Monitoring

1. Preservation Areas

The Discharger shall monitor the preservation mitigation areas in accordance with the *Long-Term Management Plan, Friant Ranch East Open Space Preserve*; the *Long-Term Management Plan, Klein-Morgan Open Space Preserve*; the *Long-Term Management Plan, Friant Ranch Open Space Preserve*; and the *Long-Term Management Plan, Nohrnberg Open Space Preserve*, all dated 18 March 2013, as summarized in Table 1 below, or subsequent revisions thereto approved by the Executive Officer.

Table 1: Preservation Area Monitoring and Maintenance Schedule

INFRASTRUCTURE, FACILITIES, SECURITY, SAFETY, AND PUBLIC ACCESS		
Monitoring/Maintenance Activity	Implementation Schedule	Implementing Entity
Trash and Trespass: Examine site for accumulated trash and evidence of trespass. Identify measures required to clean up site and repair barriers to trespass.	Early spring (late March or early April), annually.	Preserve Manager
Fire Hazard Reduction: Comply with applicable local fire abatement ordinances by disking or mowing perimeter firebreaks without compromising biotic values, to the extent required.	Late spring, annually.	Preserve Owner. Preserve Manager will ensure fire abatement activities are consistent with the intent of the management plan.
Fences and Gates: Monitor condition of fences and gates, and identify maintenance to comply with management plan requirements.	Early spring (late March or early April), annually.	Preserve Manager will monitor fences and gates and make required repairs necessary to maintain the conservation values of the mitigation sites.
Roads: Monitor road maintenance activity to ensure activities are in compliance with the intent of the management plan.	Early spring (late March or early April), annually.	Preserve Manager will maintain on-site roads. The Conservation Easement Holder will monitor for compliance with management plan.
Signage: Monitor all fencing and gates for signage identifying the site as an open space preserve to which public access is limited.	Annually.	Preserve Manager and/or Conservation Easement Holder.
Erosion Control: Monitor all slopes for signs of sheet, rill, and gully erosion.	Annually.	Preserve Manager

BIOLOGICAL MONITORING		
Monitoring/Maintenance Activity	Implementation Schedule	Implementing Entity
All waters of the State: Examine all waters on the site at reconnaissance level to assess extent and biological health.	Years 1, 3, 5, and 7 following the execution of the conservation easement and every 10 years, thereafter. Surveys to be conducted in late March or early April, depending on the year.	Monitoring Biologist
Covered species and their habitat: Examine sites for habitat suitable for covered species at the appropriate time of year at a reconnaissance level to assess presence and abundance of species.	Years 1, 3, 5, and 7 following the execution of the conservation easement and every 10 years, thereafter. Surveys to be conducted in late March or early April, depending on the year.	Monitoring Biologist
Invasive Species: Examine sites for invasive alien plant and animal species, and recommend and/or implement measures to control such species if established.	Years 1, 3, 5, and 7 following the execution of the conservation easement and every 10 years, thereafter. Surveys to be conducted in late March or early April, depending on the year. The Preserve Manager will also monitor the site annually for invasive weed and animal species.	Monitoring Biologist. The Preserve Manager will be responsible for implementation of measures intended to control alien species.
Vegetation Management: Use monitoring data to adjust grazing regime, propose invasive weed management measures, or otherwise use adaptive management to maximize the conservation values of the sites.	Conduct a residual dry matter assessment in late fall, annually.	Preserve Manager or Conservation Easement Holder

MONITORING OF CONSERVATION EASEMENT PROVISIONS		
Monitoring/Maintenance Activity	Implementation Schedule	Implementing Entity
Site inspection to ensure compliance with all provisions of the conservation easement.	Early spring (late March or early April), annually.	Conservation Easement Holder. Preserve Manager to correct any violation of the easement.

2. **Vernal Pool/Swale Creation/Restoration Area**

If the Drayer Ranch or other appropriate Corps-approved site creation/restoration option is exercised, monitoring of the creation/restoration areas shall be in accordance with monitoring and reporting requirements to be included in the Vernal Pool/Swale Creation/ Restoration Plan submitted for Executive Officer approval.

II. REPORTING

A. Annual Reporting Requirements

1. **Dredge and Fill Activity Monitoring Annual Report**

The Discharger shall submit a Dredge and Fill Activity Monitoring Annual Report by no later than **July 31** of each year within which ground-disturbing activities take place in the vicinity of the affected isolated wetlands. The Dredge and Fill Activity Monitoring Annual Report shall contain at minimum:

- a. a list of all dredge and fill projects initiated or completed, their start dates, their end dates if applicable, and their location identification number as listed in Attachment B of Order R5-2013-0113;
- b. summaries of all inspections and results obtained;
- c. summaries and evaluations of all monitoring results including a summary of all corrective actions taken during the year; identification of any compliance activities or corrective actions that were not implemented;
- d. a summary of all violations of Order R5-2013-0113 and corrective actions taken;
- e. the names of individual(s) who performed the inspections, sampling, and/or measurements;
- f. the date, place, time of inspections, sampling, visual observations, and/or measurements; and
- g. copies of photographs taken during inspections.

2. **Compensatory Mitigation Monitoring Annual Report**

The Discharger shall submit a Compensatory Mitigation Monitoring Annual Report by no later than **July 31** of each year. The Compensatory Mitigation Monitoring Annual Report shall contain documentation of all monitoring and maintenance activities required by section I.B. of this Monitoring and Reporting Program.

III. RECORDS

- A.** The Discharger shall maintain the following records on-site and such records shall be available to Central Valley Water Board staff for inspection:
1. all sampling and analyses results and records including laboratory data sheets;
 2. meter calibration records;
 3. complete copies of qualitative and quantitative data gathered;
 4. all quality control and quality assurance records;
 5. complete copies of all inspection reports and records, incident reports and records;
 6. all photographic evidence gathered as a result of monitoring and assessment activities;
 7. reports of corrective actions and adaptive management measures implemented; and
 8. all plans and reports referenced by and/or required by this Monitoring and Reporting Program.
- B.** These records shall be retained for a period of at least 5 years from the date of the sample, inspection, measurement, report, or application, or 5 years from the date of Project completion, whichever is longer.

The Discharger shall implement the above monitoring program on the effective date of Order R5-2013-0113.

Ordered by: Original signed by:
PAMELA C. CREEDON, Executive Officer

26 July 2103

(Date)

INFORMATION SHEET

INFORMATION SHEET- ORDER R5-2013-0113
FRIANT RANCH, A LIMITED PARTNERSHIP
FRIANT RANCH SPECIFIC PLAN PROJECT
FRESNO COUNTY

On 25 March 2010, Friant Ranch, a Limited Partnership (Discharger), submitted a Report of Waste Discharge (ROWD) for proposed discharge of fill to waters of the State resulting from the development of a 942-acre mixed-use, master-planned community, currently known as Friant Ranch Specific Plan Project (Project). The Project is in north central Fresno County near the community of Friant and approximately 15 miles north-northeast of the City of Fresno. The Project will include up to 2,500 homes, a Village Center containing retail, office, medical and social community centers, and utilities. The Project will require installation of roads and infrastructure to serve the Project needs. Development will be restricted to a 482 acre building area with the remaining 460 acres being preserved as open space. The Project area currently contains non-native grassland habitat utilized for cattle grazing.

Development is planned to avoid impacts to natural drainages and wetland areas to the greatest extent feasible and to maintain the pre-development hydrology of the site through use of low impact development techniques including an extensive system of vegetative swales, basins, and landscape source controls to protect surface water quality.

Portions of the Project drain to an unnamed seasonal drainage that is tributary to the San Joaquin River and subject to regulation under § 404/401 of the Clean Water Act for dredge or fill of waters of the United States. The Central Valley Regional Water Quality Control Board (Central Valley Water Board) issued a § 401 Water Quality Certification for the Project on 13 March 2012. The remainder of the Project is in areas that drain to isolated, non-navigable waterbodies which are not considered to be waters of the United States, and therefore, not eligible for regulation under the § 404/401 of the Clean Water Act. This makes it necessary to regulate fill activities to waters of the State with this Order.

The prohibitions in this Order are largely based on prohibitions in the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised October 2011 (Basin Plan) or parts of the California Code of Regulations and California Water Code that restrict discharges to those proposed by the Discharger and evaluated by and authorized by the Central Valley Water Board. Discharge specifications in this Order are largely designed to ensure discharges meet the water quality objectives listed in the Basin Plan or to ensure the Discharger implements measures it proposed and/or are necessary to protect water quality. Monitoring and reporting requirements in this Order are also similar to the requirements in the 13 March 2012 CWA §401 Water Quality Certification issued by the Central Valley Water Board.

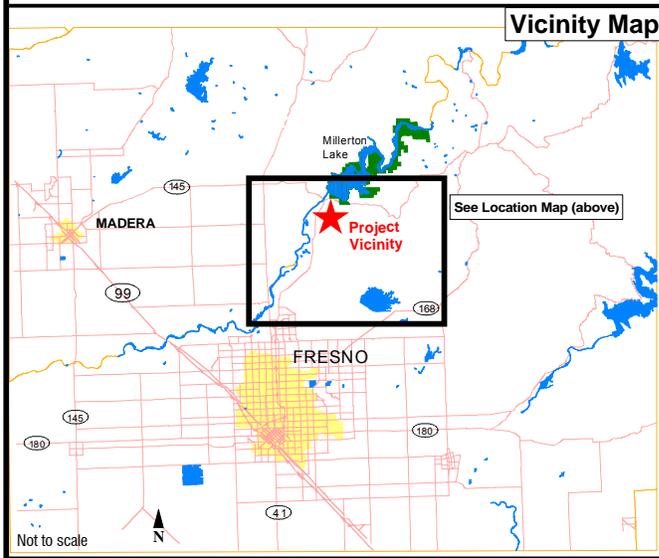
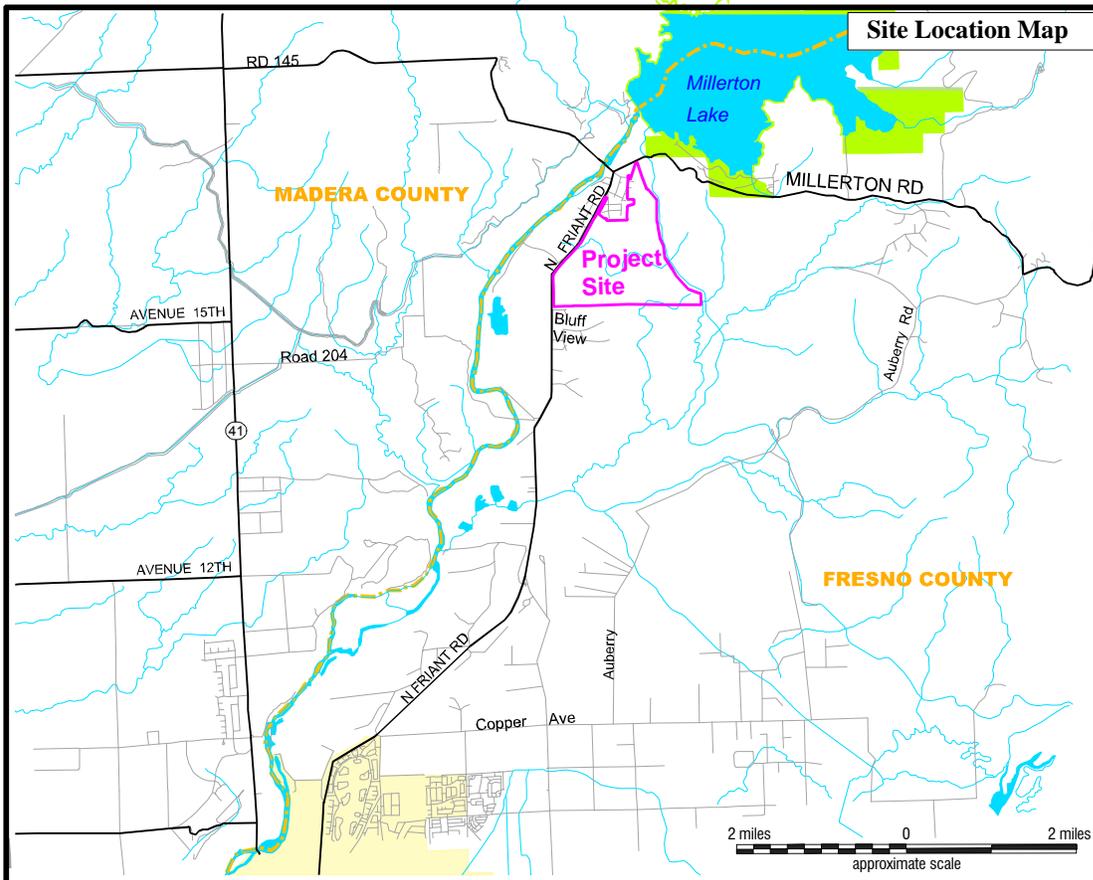
Avoidance of impacts to waters of the State, including wetlands and riparian areas, was a primary planning consideration in establishing the location of land uses and infrastructure within the Project. Due to the effort in avoiding waters of the State, the Project avoids impacts to 28.2 acres, or 81% of the on-site waters of the State, including 22.5 acres of vernal pools and swales and 6.8 acres of unvegetated streambed within the Project boundaries which will be permanently preserved under conservation easement. In addition to the on-site preserve, the Discharger will also permanently protect three off-site open space preserves with a combined area of 1,054 acres under conservation easements and will implement long-term management plans for the preserves.

To comply with the goals of the California Wetlands Conservation Policy (Executive Order W-59-93, signed 23 August 1993), which include ensuring “no overall loss” and achieving a “...long-term net gain in the quantity, quality, and permanence of wetland acreage and values...,” the Discharger is proposing to create/restore 6.78 acres of wetlands to mitigate for permanent impacts to 6.78 acres of waters of the State and waters of the United States (1:1 ratio). The Discharger is also proposing to preserve of a total of 88.6 acres of wetlands in the four open space preserves. In summary, permanent impacts to 6.78 acres of waters of the State and waters of the United States will be mitigated by the establishment, enhancement, preservation, or restoration of 95.38 acres of waters, which is an average 14:1 mitigation ratio overall.

The mitigation ratios applied for permanently impacted waters are consistent with the U.S. Army Corps of Engineers' and the Environmental Protection Agency's Compensatory Mitigation for Losses of Aquatic Resources, Final Rule (73 FR 19594-19705) to provide permittee-responsible compensatory mitigation of "no net loss" of wetland acreage and function. The Discharger submitted a mitigation and monitoring plan which includes a functional assessment of the proposed mitigation areas and demonstrates that implementation of the plan will result in a net increase in aquatic resources. The proposed Order will require implementation of the mitigation plan.

The Discharger has proposed many mitigation measures included in this Order to insure protection of water quality during development of the Project. The measures, an antidegradation analysis, and best practicable treatment or control are discussed in detail in the Order. Maintaining compliance with this Order will result in compliance with the State Water Resources Control Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California).

Attachment A
 Order R5-2013-0113
 Friant Ranch, A Limited Partnership
 Friant Ranch Specific Plan Project
 Fresno County



 Live Oak Associates, Inc.		
Friant Ranch Specific Plan Site / Vicinity Map		
Date	Project #	Figure #
3/23/2010	572-06	1

Dredge and Fill Location Identification Numbers and Attributes

Location Identification (ID)	Jurisdiction	Type	Impact Type	Impact Area in Acres	Impact Area in Square Feet	Location	USGS Quadrangle	Section	Township and Range	Longitude	Latitude
VS 1	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active- Adult Residential	0.0022	96	Specific Plan	Friant	18	T 11S R 21E	-119.724571	36.9700632
VS 3	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Road	0.0075	328	Specific Plan	Friant	18	T 11S R 21E	-119.722929	36.9725168
VS 4	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Road	0.0042	184	Specific Plan	Friant	18	T 11S R 21E	-119.722787	36.9718355
VS 5	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Road	0.0127	554	Specific Plan	Friant	18	T 11S R 21E	-119.722664	36.9728186
VS 6	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active- Adult Residential	0.0056	242	Specific Plan	Friant	18	T 11S R 21E	-119.722333	36.9697986
VS 7	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active- Adult Residential	0.0089	388	Specific Plan	Friant	18	T 11S R 21E	-119.722208	36.9695791
VS 8	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active- Adult Residential	0.0097	424	Specific Plan	Friant	18	T 11S R 21E	-119.722115	36.973039
VS 9	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active- Adult Residential	0.0096	418	Specific Plan	Friant	18	T 11S R 21E	-119.721792	36.9719129
VS 10	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active- Adult Residential	0.0106	461	Specific Plan	Friant	18	T 11S R 21E	-119.721486	36.9716213
VS 11	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active- Adult Residential	0.0116	503	Specific Plan	Friant	18	T 11S R 21E	-119.72118	36.9719239

Order R5-2013-0113

Friant Ranch, A Limited Partnership

Friant Ranch Specific Plan Project

Fresno County

Location Identification (ID)	Jurisdiction	Type	Impact Type	Impact Area in Acres	Impact Area in Square Feet	Location	USGS Quadrangle	Section	Township and Range	Longitude	Latitude
VS 12	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0033	142	Specific Plan	Friant	18	T 11S R 21E	-119.721052	36.9727991
VS 18	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0043	188	Specific Plan	Friant	18	T 11S R 21E	-119.72044	36.9717527
VS 19	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0028	122	Specific Plan	Friant	18	T 11S R 21E	-119.720373	36.9719193
VS 20	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0106	460	Specific Plan	Friant	18	T 11S R 21E	-119.720229	36.9722937
VS 21	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0069	302	Specific Plan	Friant	18	T 11S R 21E	-119.720215	36.971994
VS 22	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0032	140	Specific Plan	Friant	18	T 11S R 21E	-119.720182	36.9721378
VS 23	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0052	226	Specific Plan	Friant	18	T 11S R 21E	-119.720086	36.9720904
VS 24	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0037	163	Specific Plan	Friant	18	T 11S R 21E	-119.720002	36.9719035
VS 25	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0049	214	Specific Plan	Friant	18	T 11S R 21E	-119.719986	36.9726509
VS 26	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0017	73	Specific Plan	Friant	18	T 11S R 21E	-119.719897	36.9725739
VS 27	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0087	379	Specific Plan	Friant	18	T 11S R 21E	-119.719135	36.9742419

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Friant Ranch, A Limited Partnership

Friant Ranch Specific Plan Project

Fresno County

Location Identification (ID)	Jurisdiction	Type	Impact Type	Impact Area in Acres	Impact Area in Square Feet	Location	USGS Quadrangle	Section	Township and Range	Longitude	Latitude
VS 28	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0057	250	Specific Plan	Friant	18	T 11S R 21E	-119.718908	36.974316
VS 30	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Active-Adult Residential	0.0292	1271	Specific Plan	Friant	18	T 11S R 21E	-119.718532	36.974755
VS 65	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Community Center	0.1323	5,765	Specific Plan	Friant	18	T 11S R 21E	-119.712753	36.9783739
VS 92A	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Non-Age Restricted Residential	0.0379	1,649	Specific Plan	Friant	8	T 11S R 21E	-119.708044	36.9888492
VS 92B	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Non-Age Restricted Residential	0.0106	461	Specific Plan	Friant	8	T 11S R 21E	-119.708189	36.9888497
VS 92C	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Non-Age Restricted Residential	0.4736	20,631	Specific Plan	Friant	8	T 11S R 21E	-119.707282	36.9886243
VS 93	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Swale	Grading for Non-Age Restricted Residential	0.0037	162	Specific Plan	Friant	8	T 11S R 21E	-119.706817	36.9884105
VP 10	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0083	361	Specific Plan	Friant	18	T 11S R 21E	-119.72417	36.9702725
VP 11	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0066	289	Specific Plan	Friant	18	T 11S R 21E	-119.724063	36.9703184
VP 12	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0182	791	Specific Plan	Friant	18	T 11S R 21E	-119.723936	36.97042
VP 13	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0028	121	Specific Plan	Friant	18	T 11S R 21E	-119.723663	36.97109

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Friant Ranch, A Limited Partnership

Friant Ranch Specific Plan Project

Fresno County

Location Identification (ID)	Jurisdiction	Type	Impact Type	Impact Area in Acres	Impact Area in Square Feet	Location	USGS Quadrangle	Section	Township and Range	Longitude	Latitude
VP 17	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Road	0.0086	373	Specific Plan	Friant	18	T 11S R 21E	-119.722987	36.9725427
VP 18	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0508	2212	Specific Plan	Friant	18	T 11S R 21E	-119.722836	36.9713252
VP 21	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0031	134	Specific Plan	Friant	18	T 11S R 21E	-119.722603	36.9697389
VP 22	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Road	0.0078	338	Specific Plan	Friant	18	T 11S R 21E	-119.722593	36.9720002
VP 23	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0059	258	Specific Plan	Friant	18	T 11S R 21E	-119.722471	36.9720205
VP 24	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0082	357	Specific Plan	Friant	18	T 11S R 21E	-119.722443	36.9718516
VP 25	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0199	868	Specific Plan	Friant	18	T 11S R 21E	-119.722257	36.9696569
VP 26	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0027	119	Specific Plan	Friant	18	T 11S R 21E	-119.722223	36.9698053
VP 28	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0122	533	Specific Plan	Friant	18	T 11S R 21E	-119.722218	36.9719308
VP 32	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.006	263	Specific Plan	Friant	18	T 11S R 21E	-119.722023	36.9706499
VP 33	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0049	215	Specific Plan	Friant	18	T 11S R 21E	-119.722021	36.9718877

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Fresno County

Location Identification (ID)	Jurisdiction	Type	Impact Type	Impact Area in Acres	Impact Area in Square Feet	Location	USGS Quadrangle	Section	Township and Range	Longitude	Latitude
VP 34	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0036	157	Specific Plan	Friant	18	T 11S R 21E	-119.72198	36.9721619
VP 41	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0143	623	Specific Plan	Friant	18	T 11S R 21E	-119.721763	36.9723509
VP 43	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0049	213	Specific Plan	Friant	18	T 11S R 21E	-119.721699	36.9721657
VP 46	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0056	246	Specific Plan	Friant	18	T 11S R 21E	-119.721615	36.9722732
VP 49	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0152	660	Specific Plan	Friant	18	T 11S R 21E	-119.721471	36.9721499
VP 59	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0036	156	Specific Plan	Friant	18	T 11S R 21E	-119.721292	36.9722125
VP 64	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.004	173	Specific Plan	Friant	18	T 11S R 21E	-119.72118	36.9704079
VP 77	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0079	346	Specific Plan	Friant	18	T 11S R 21E	-119.720757	36.9711544
VP 81	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0037	160	Specific Plan	Friant	18	T 11S R 21E	-119.720493	36.9723506
VP 82	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0105	457	Specific Plan	Friant	18	T 11S R 21E	-119.720488	36.9719128
VP 83	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.009	394	Specific Plan	Friant	18	T 11S R 21E	-119.720463	36.9721966

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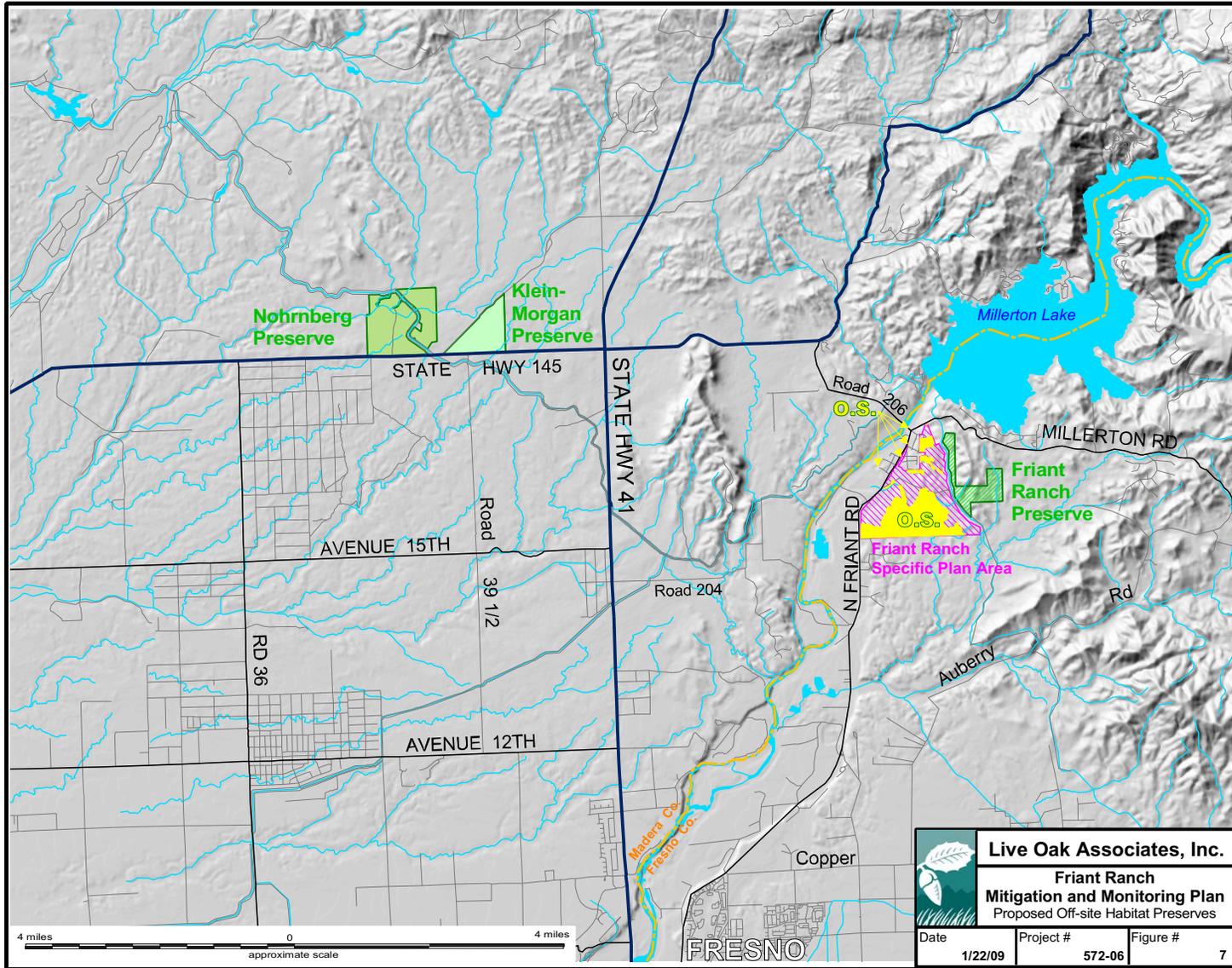
Friant Ranch, A Limited Partnership

Friant Ranch Specific Plan Project

Fresno County

Location Identification (ID)	Jurisdiction	Type	Impact Type	Impact Area in Acres	Impact Area in Square Feet	Location	USGS Quadrangle	Section	Township and Range	Longitude	Latitude
VP 85	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0045	197	Specific Plan	Friant	18	T 11S R 21E	-119.720426	36.9723079
VP 86	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0148	644	Specific Plan	Friant	18	T 11S R 21E	-119.720345	36.9721265
VP 95	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0102	445	Specific Plan	Friant	18	T 11S R 21E	-119.719783	36.972154
VP 457	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Community Commercial	0.016	697	Specific Plan	Friant	18	T 11S R 21E	-119.715053	36.9794046
VP 463	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Road	0.0031	133	Specific Plan	Friant	18	T 11S R 21E	-119.714229	36.9792461
VP 471	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Active-Adult Residential	0.0522	2,274	Specific Plan	Friant	18	T 11S R 21E	-119.712711	36.9791753
VP 474	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Road	0.0095	412	Specific Plan	Friant	18	T 11S R 21E	-119.712217	36.9797481
VP 500	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Non-Age Restricted Residential	0.0098	425	Specific Plan	Friant	8	T 11S R 21E	-119.708487	36.9892542
VP 501	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Non-Age Restricted Residential	0.0402	1,751	Specific Plan	Friant	8	T 11S R 21E	-119.708397	36.9888462
VP 503	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Non-Age Restricted Residential	0.0055	241	Specific Plan	Friant	8	T 11S R 21E	-119.708288	36.9890373
VP 504	Porter-Cologne Jurisdictional Areas: Wetlands	Vernal Pool	Grading for Non-Age Restricted Residential	0.0968	4,218	Specific Plan	Friant	8	T 11S R 21E	-119.708203	36.9885721

Attachment C
 Order R5-2013-0113
 Friant Ranch, A Limited Partnership
 Friant Ranch Specific Plan Project
 Fresno County



O.S. = Onsite preservation areas

Attachment D

Order R5-2013-0113
Friant Ranch, A Limited Partnership
Friant Ranch Specific Plan Project
Fresno County

CALIFORNIA ENVIRONMENTAL QUALITY ACT MITIGATION MEASURES

Fresno County adopted a Final Environmental Impact Report on 1 February 2011 for the Friant Ranch Specific Plan. The Final Environmental Impact Report requires the implementation of water quality related mitigation measures and monitoring summarized below:

1. Of the 14.38 acres of vernal pool habitat identified on the Project site, 12.32 acres of vernal pools shall be protected under a conservation easement. (USFWS Biological Opinion, 7 April 2010; EIR Mitigation Measure #3.4.1c.)
2. The project applicant shall compensate for the loss of vernal pool habitat through the creation/restoration of additional vernal pool habitat at a ratio of one acre of creation/restoration for each acre of such habitat directly and permanently disturbed by grading and construction associated with the Project development. (USFWS Biological Opinion, 7 April 2010; EIR Mitigation Measure #3.4.1c.)
3. The designated open space required by the Friant Ranch Specific Plan provides buffers of 75 feet or greater between developed areas of the Project site and vernal pools. (EIR Mitigation Measure #3.4.1c.)
4. Prior to issuance of a grading permit for the Project site, a Drainage Plan satisfying specific elements shall be prepared for the undisturbed open space of the site. (EIR Mitigation Measure #3.4.1c.)
5. The project applicant shall implement measures to reduce impacts to wetlands and other waters by preservation under conservation easement of on-site and off-site wetlands. Additionally, the project applicant shall create/restore wetlands to compensate for any wetlands and other water bodies that are directly and permanently disturbed at a ratio of one acre of created/restored wetlands and other waters for each acre of wetlands and other waters disturbed. (Mitigation Measure #3.4.3a.)
6. An erosion control plan shall be prepared by a qualified engineer consistent with the requirements of a Fresno County grading permit and the State Water Resources Control Board Construction General Permit. (EIR Mitigation Measure #3.4.3b; USFWS Biological Opinion, 7 April 2010.)
7. Where possible, project grading should be confined to the dry season. (EIR Mitigation Measure #3.4.3b.)
8. All post-construction runoff shall be managed by a system designed in accordance with Low Impact Development standards and principles, as required by the Friant Ranch Specific Plan and its appendices. (EIR Mitigation Measures #3.4.3b and #3.8.3a.)