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To: [Shaw, Jeremy](#)
Cc: [OPR State Clearinghouse](#)
Subject: Comments on SCH 2019089097 Initial Study Application 7487
Date: Friday, September 27, 2019 11:25:23 AM

SEP 27 2019**STATE CLEARINGHOUSE**

Thank you for the opportunity to comment on the Initial Study/Conditional Use application for construction of a Derrel's Mini Storage on two 20-acre parcels in an unincorporated area of the county.

We disagree with the finding of less than significant impact to state or federally-protected wetlands through direct removal, filling, hydrological interruption, or other means. The finding is based on a Wetland Delineation Technical Memorandum prepared for the project, which concluded there are no State or federally-protected wetlands on or in the vicinity of the site.

The delineation itself indicates the site does contain wetlands in two areas, and a review of historical aerial photos show areas of persistently saturated soils throughout the site which do not appear to have been evaluated as potential wetlands. Additionally, as this land has been used for agriculture, it has been exempt from dredge/fill permit requirements. Conversion to another use will require mitigation for all impacts to waters and wetlands at the site. Highly disturbed ag land should be evaluated on the basis of what would happen at the site if all agriculture activity ceased and the land is allowed to return to an undisturbed state, and the delineation should be conducted using the procedures outlined in the *Difficult Wetland Situations in the Arid West* section of the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2.0).

The application indicates that at least the two identified wetland areas will be preserved. A deed restriction will be necessary to ensure these areas are preserved in perpetuity.

The State General Permit for Discharges of Storm Water Associated with Construction Activity, Order 2009-0009 DWQ, requires post construction storm water runoff to match pre construction runoff. The discharger shall use non-structural controls i.e., (vegetated swales, planting trees, disconnected gutters, etc.) unless the discharger demonstrates that non-structural controls are infeasible or that structural controls (basins) will produce greater reduction in water quality impacts. Dischargers shall inform Regional Water Board staff at least 30 days prior to the use of any structural control measure used to comply with this requirement. Volume that cannot be addressed using nonstructural practices shall be captured in structural practices and approved by the Regional Water Board. When seeking Regional Board approval for the use of structural practices, dischargers shall document the infeasibility of using non-structural practices on the project site, or document that there will be fewer water quality impacts through the use of structural practices.

Please let me know if you have any questions regarding the above comments.

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