

MINUTE ITEM

This Calendar Item No. C13
is proposed as a Minute Item
by 73 of the Board of Supervisors
by a vote of 2
to 0 on 7/25/85

CALENDAR ITEM

A 27

C 13

07/25/85
W 23549
Gordon

S 12

GENERAL PERMIT - RIGHT-OF-WAY USE

APPLICANT: Waterford Community
Services District
P. O. Box 117
Waterford, California 95386

AREA, TYPE LAND AND LOCATION:
A 0.025-acre parcel of submerged land, located
in the Tuolumne River at Waterford, Stanislaus
County.

LAND USE: Construction and maintenance of a buried
pipeline utilized to transport treated sewage.

TERMS OF PROPOSED PERMIT:
Initial period: 15 years beginning July 26,
1985.

Public liability insurance: Combined single
limit coverage of \$1,000,000.

Special: 1. The permit conforms to
the Lyon/Fogerty decision.

CONSIDERATION: \$100 per annum; with the State reserving the
right to fix a different rental on each fifth
anniversary of the permit.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee has been received.

(ADDED 07/16/85)

-1-

CALENDAR PAGE	52
MINUTE PAGE	2101

CALENDAR ITEM NO. C 13 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 01/05/86.

OTHER PERTINENT INFORMATION:

1. Applicant proposes to construct a pipeline for the purpose of transporting treated sewage across the Tuolumne River from the Waterford Sewage Treatment Plant to an evaporation/percolation pond on the south side of the river.
2. A Negative Declaration was prepared and adopted for this project by the Waterford Community Services District. The State Lands Commission's staff has reviewed such document and believes that it complies with the requirements of the CEQA.
3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

City of Waterford, County of Stanislaus.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers,
California Department of Fish and Game,
California Central Valley Regional Water
Quality Control Board and California
Reclamation Board.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Notice of Determination/Negative Declaration.

(ADDED 07/16/85)

-2-

CALENDAR PAGE	52 .1
MINUTE PAGE	2102

CALENDAR ITEM NO. C 13 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE WATERFORD COMMUNITY SERVICES DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
4. AUTHORIZE ISSUANCE TO WATERFORD COMMUNITY SERVICES DISTRICT OF A 15-YEAR GENERAL PERMIT - RIGHT-OF-WAY USE BEGINNING JULY 26, 1985; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR CONSTRUCTION AND MAINTENANCE OF A BURIED PIPELINE UTILIZED TO TRANSPORT TREATED SEWAGE ACROSS THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(ADDED 07/16/85)

-3-

CALENDAR PAGE	522
MINUTE PAGE	2103

EXHIBIT "A"

LAND DESCRIPTION

W 23549

A strip of submerged land 10 feet in width in the bed of the Tuolumne River at Waterford, Stanislaus County, California, said strip lying 5 feet on each side of the following described centerline:

BEGINNING at a point on the left bank of said Tuolumne River 1800 feet, more or less, southwesterly of the northern most corner of that land described in the grant deed recorded May 22, 1958 in Book 1484, Page 412, Official Records of Stanislaus County; thence from said point of beginning N 38° 06' 49" W 400 feet to the end of the herein described line.

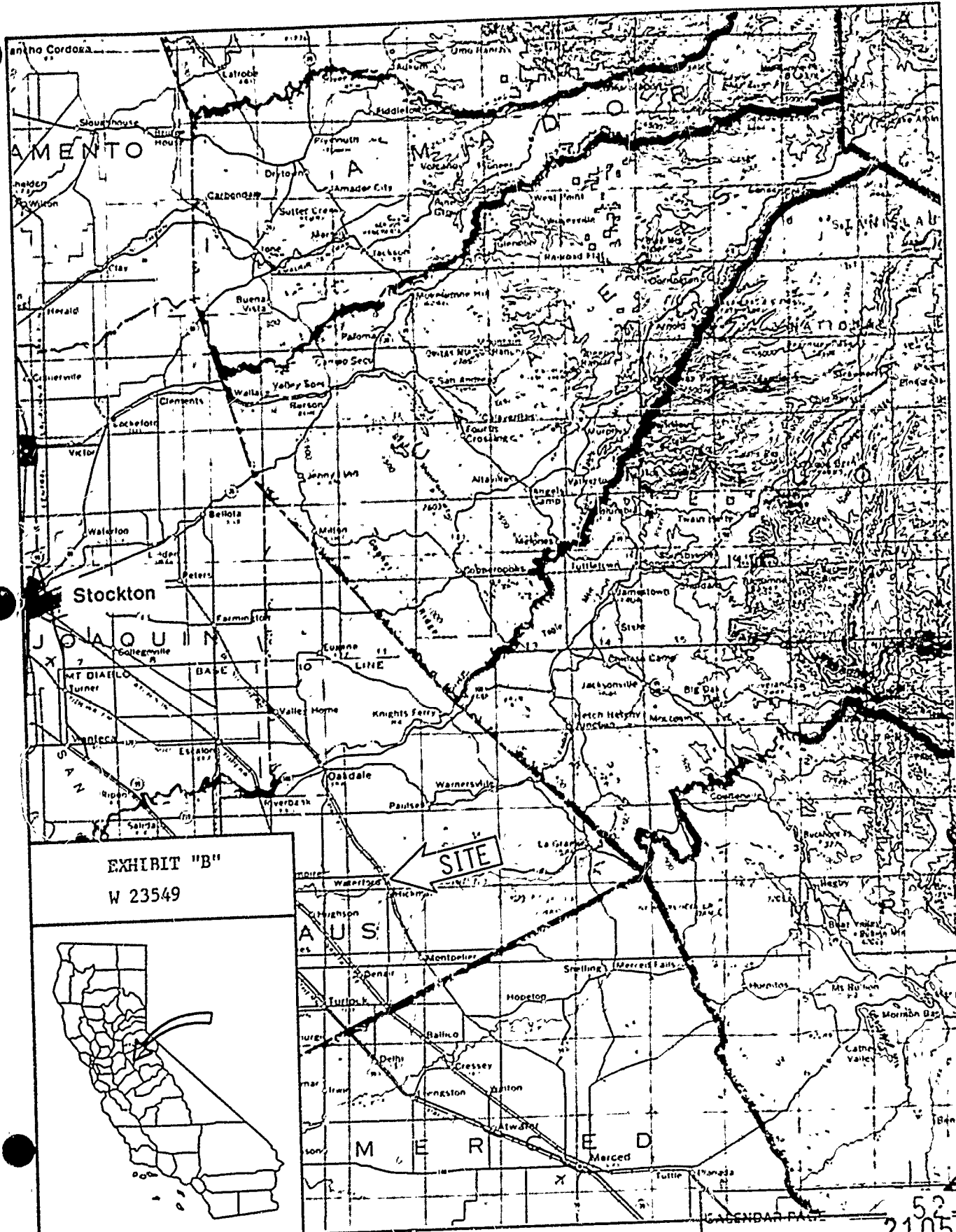
EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of the Tuolumne River.

END OF DESCRIPTION

PREPARED JULY 2, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

(ADDED 07/16/85)

CALENDAR PAGE	<u>52.3</u>
MINUTE PAGE	<u>2104</u>



(ADDED 07/16/85)

CALENDAR PAGE 52
MINUTE PAGE 2105

MAR 27 1985

EXHIBIT "C"

W 23549

NOTICE OF DETERMINATION

Tuolumne River Pipe Crossing
Waterford Community Services District

The Waterford Community Services District proposes to construct a pipeline across the Tuolumne River at approximately River Mile 35. The pipeline shall connect and shall transport treated sewage from their sewage treatment plant in Waterford to a evaporation/percolation pond across the river in Stanislaus County. The project envisions an approximately fourteen (14) inch pipe trenched five (5) feet below the river flow-line from the north bank of the Tuolumne River to the 100-year high water line on the south bank—a horizontal distance of about 500 feet. Construction is proposed for the months June, July and August and is to be completed in the "dry" as much as possible.

On 21 March 1985, the Waterford Community Services District approved this project having found that the project will not have a significant effect on the environment. A Negative Declaration to this effect has been prepared pursuant to the provisions of the California Environmental Quality Act. This document is available for examination at 221 North Western Avenue, Waterford, California.

Leslie Johnston
Leslie Johnston, President
Waterford Community Services District

FILED AND POSTED BY
Governor's Office of
Planning and Research

MAR 26 1985

(PAGES 52.5 - 52.18 WERE ADDED 07/16/85)

CALENDAR PAGE	52.5
MINUTE PAGE	2106

NEGATIVE DECLARATIONTuolumne River Pipe Crossing
Waterford Community Services District

The Waterford Community Services District proposes to construct a pipeline crossing from their sewage treatment plant in Waterford to a evaporation/percolation pond across the Tuolumne River located in Stanislaus County. The project envisions an approximately fourteen (14) inch pipe trenched five (5) feet below the river flow-line from the north bank of the Tuolumne River to the 100-year high water line on the south bank—a horizontal distance of about 500 feet. Construction is proposed for the months June, July and August and is to be completed in the "dry" as much as possible.

The project site is located at approximately River Mile 35 on the Tuolumne River. To the north of the site is the Waterford Community Services District's treatment plant, to the east is the Hickman Bridge and to the south is the pond site which is surrounded by agricultural lands (walnut orchards). Only the lands to the south of the pond site are farmed. At the proposed pipe crossing site, the north bank of the river is steep and the south bank has a gentle slope. The river is approximately 100 to 150 feet wide during winter flows. Soils are classified as riverwash, and the vegetation is typical riparian habitat common to the Valley region. At the pond site, the area is barren with a surrounding levee system. The site has previously been used for disposal of liquid industrial waste and presently receives sludge.

The Waterford Community Service District finds that the proposed project will not have a significant impact on the environment. Appendices "III" and "IV" of the California Environmental Quality Act, Law and Guidelines were prepared (attached) and reviewed during a workshop held on 12 December 1984, by the State of California (State Clearinghouse No. 85012909) and at a Public Hearing held on 5 March 1985. The results of these reviews support the Waterford Community Services District's finding.

Leslie Johnston
Leslie Johnston, President
Waterford Community Services District

APPENDIX H

ENVIRONMENTAL INFORMATION FORM
(To Be Completed By Applicant)

Date Filed _____

General Information

1. Name and address of developer or project sponsor: Waterford Community Services District, P.O. Box 117, Waterford, CA., 95386
2. Address of project: Tuolumne River and parcel west of Hickman Bridge
Assessor's Block and Lot Numbers: 15-28-1
3. Name, address, and telephone number of person to be contacted concerning this project: Leslie Johnston, President, 221 Western Avenue, Waterford, CA., 95386 (209) 874-2460
4. Indicate number of the permit application for the project to which this form pertains: California State Water Quality Control Board, Central Valley Region
5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:
 1. State Reclamation Board Encroachment Permit
 2. Stanislaus County Use Permit
 3. Calif. Dept. Fish and Game Stream Alteration Agreement
6. Existing zoning district: Stanislaus County
7. Proposed use of site (Project for which this form is filed): Treated wastewater transport and disposal

Project Description

8. Site size. 1. approximately 15-ft. by 750-ft. at river crossing
2. approximately 310-ft. by 1040-ft. at pond site
9. Square footage. 1. 11,250
2. 263,287
10. Number of floors of construction. N/A
11. Amount of off-street parking provided. N/A
12. Attach plans. To be prepared
13. Proposed scheduling. Summer of 1985
14. Associated project. N/A

- 15. Anticipated incremental development. N/A
 - 16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. N/A
 - 17. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities. N/A
 - 18. If industrial, indicate type, estimated employment per shift, and loading facilities. N/A
 - 19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project. N/A
 - 20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required. Stanislaus County Use Permit-project in County jurisdiction
- Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

	<u>Yes</u>	<u>No</u>
21. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours.	—	<u>X</u>
22. Change in scenic views or vistas from existing residential areas or public lands or roads.	—	<u>X</u>
23. Change in pattern, scale or character of general area of project.	—	<u>X</u>
24. Significant amounts of solid waste or litter.	—	<u>X</u>
25. Change in dust, ash, smoke, fumes or odors in vicinity. Possible odors may occur if pond becomes anaerobic	<u>X</u>	—
26. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns. Addition of less than 0.3 MGD to south side of Tuolumne River	<u>X</u>	—
27. Substantial change in existing noise or vibration levels in the vicinity.	—	<u>X</u>
28. Site on filled land or on slope of 10 percent or more.	—	<u>X</u>
29. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.	—	<u>X</u>
30. Substantial change in demand for municipal services (police, fire, water, sewage, etc.).	—	<u>X</u>
31. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).	—	<u>X</u>
32. Relationship to a larger project or series of projects.	—	<u>X</u>

CALENDAR PAGE	52.8
MINUTE PAGE	2109

Environmental Setting

33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or polaroid photos will be accepted. (See attached drawing)
34. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or polaroid photos will be accepted. (See attached drawing)

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date June 17, 1995

X Lester L. Robertson
Signature

For Waterford Community Services District

(Note: This is only a suggested form. Public agencies are free to devise their own format for initial studies.)

Non-substantial revision 8/22/85

303

CALENDAR PAGE	<u>529</u>
MINUTE PAGE	<u>2710</u>

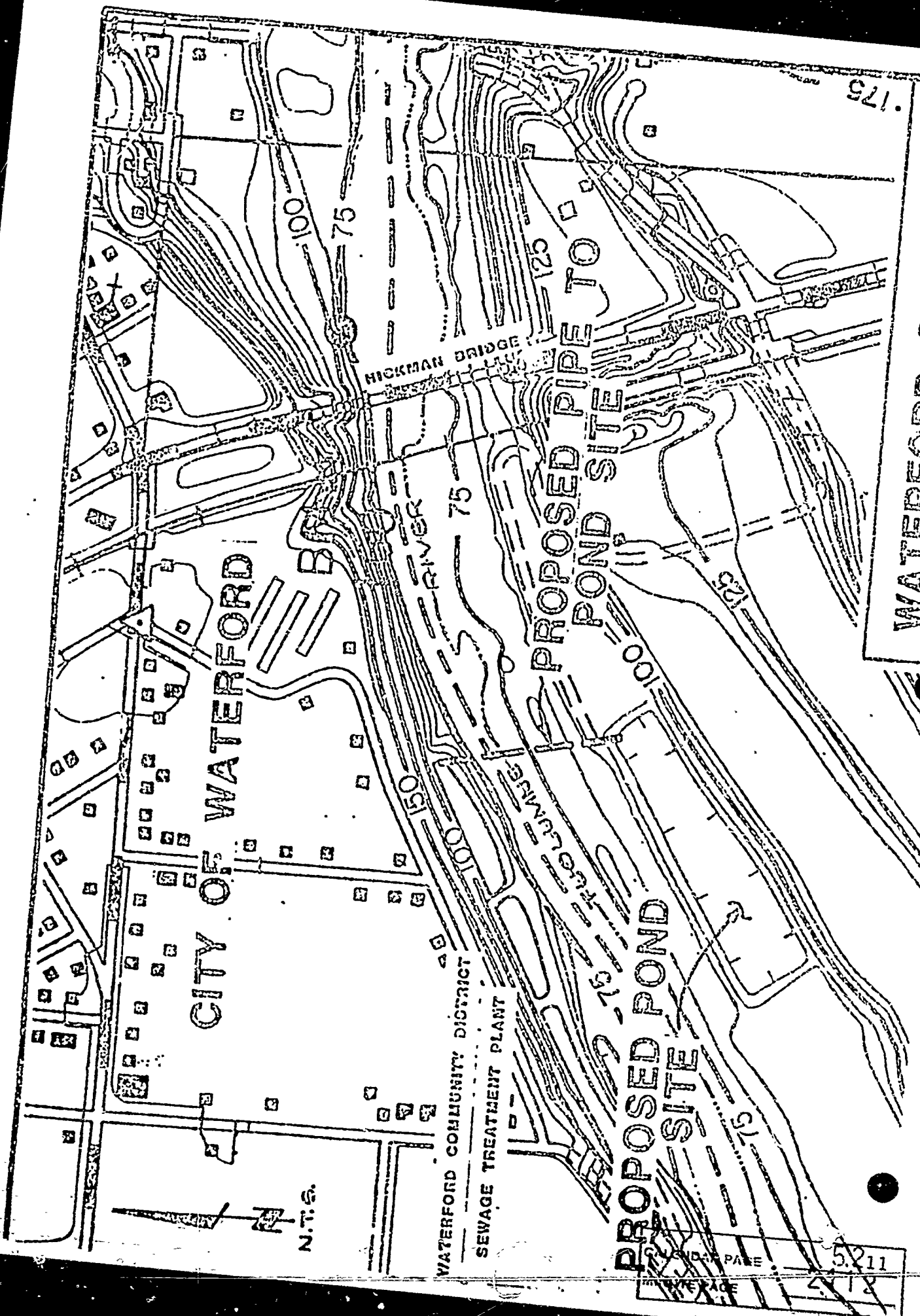
Appendix H (continued):

Environmental Setting

Section 33 - At the proposed pipe crossing site, the north bank of the river is steep and the south bank has a gentle slope. The river is approximately 100 to 150 feet wide during winter flows. Soils are classified as riverwash, and the vegetation is typical riparian habitat common to the Valley region. At the pond site, the area is barren with a surrounding levee system. The site has previously been used for disposal of liquid industrial waste and presently receives sludge. The site has been dry-farmed in the past but is not cropped now. The soils are classified as loamy sand and sandy loam.

Section 34 - North of the pipe crossing site is the Waterford Community Services District waste treatment plant; south of the crossing location is the pond site. The Tuolumne River flows through the site from the east to the west. Surrounding the pond site are walnut orchards. Only the trees to the south are cultivated. These trees are on a terrace approximately ten feet above the elevation of the pond.

CALENDAR PAGE	52.10
MINUTE PAGE	2111



WATERFORD SITE PLAN

PROPOSED POND
SITE

SCALE	5.211
DATE	4.18

APPENDIX I
 ENVIRONMENTAL CHECKLIST FORM
 (To Be Completed By Lead Agency)

I. Background

1. Name of Proponent Waterford Community Services District
2. Address and Phone Number of Proponent Leslie Johnston, President,
221 Western Ave., Waterford CA. 95386, (209) 874-2460
3. Date of Checklist Submitted _____
4. Agency Requiring Checklist Regional Water Quality Control Board
5. Name of Proposal, if applicable Tuolumne River Pipe Crossing

II. Environmental Impacts

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
1. Earth. Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	_____	_____	X _____
b. Disruptions, displacements, compaction or overcovering of the soil?	_____	_____	X _____
c. Change in topography or ground surface relief features?	X _____	_____	_____
d. The destruction, covering or modification of any unique geologic or physical features?	_____	_____	X _____
e. Any increase in wind or water erosion of soils, either on or off the site?	_____	_____	X _____
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	_____	_____	X _____

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	_____	_____	<u>X</u>
2. Air. Will the proposal result in:			
a. Substantial air emissions or deterioration of ambient air quality?	_____	_____	<u>X</u>
b. The creation of objectionable odors?	_____	<u>X</u>	_____
c. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?	_____	_____	<u>X</u>
3. Water. Will the proposal result in:			
a. Changes in currents, or the course of direction of water movements, in either marine or fresh waters?	_____	_____	<u>X</u>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	_____	_____	<u>X</u>
c. Alterations to the course or flow of flood waters?	_____	_____	<u>X</u>
d. Change in the amount of surface water in any water body?	_____	_____	<u>X</u>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	_____	_____	<u>X</u>
f. Alteration of the direction or rate of flow of ground waters?	_____	_____	<u>X</u>
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<u>X</u>	_____	_____
h. Substantial reduction in the amount of water otherwise available for public water supplies?	_____	_____	<u>X</u>
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	_____	_____	<u>X</u>

- | | <u>Yes</u> | <u>Maybe</u> | <u>No</u> |
|---|------------|--------------|----------------|
| 4. Plant Life. Will the proposal result in: | | | |
| a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)? | _____ | _____ | _____ <u>X</u> |
| b. Reduction of the numbers of any unique, rare or endangered species of plants? | _____ | _____ | _____ <u>X</u> |
| c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | _____ | _____ | _____ <u>X</u> |
| d. Reduction in acreage of any agricultural crop? | _____ | _____ | _____ <u>X</u> |
| 5. Animal Life. Will the proposal result in: | | | |
| a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)? | _____ | _____ | _____ <u>X</u> |
| b. Reduction of the numbers of any unique, rare or endangered species of animals? | _____ | _____ | _____ <u>X</u> |
| c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | _____ | _____ | _____ <u>X</u> |
| d. Deterioration to existing fish or wildlife habitat? | _____ | _____ | _____ <u>X</u> |
| 6. Noise. Will the proposal result in: | | | |
| a. Increases in existing noise levels? | _____ | _____ | _____ <u>X</u> |
| b. Exposure of people to severe noise levels? | _____ | _____ | _____ <u>X</u> |
| 7. Light and Glare. Will the proposal produce new light or glare? | _____ | _____ | _____ <u>X</u> |
| 8. Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area? | _____ | _____ | _____ <u>X</u> |
| 9. Natural Resources. Will the proposal result in: | | | |
| a. Increase in the rate of use of any natural resources? | _____ | _____ | _____ <u>X</u> |

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
b. Substantial depletion of any nonrenewable natural resource?	_____	_____	<u>X</u>
10. Risk of Upset. Will the proposal involve:			
a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	_____	_____	<u>X</u>
b. Possible interference with an emergency response plan or an emergency evacuation plan?	_____	_____	<u>X</u>
11. Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	_____	_____	<u>X</u>
12. Housing. Will the proposal affect existing housing, or create a demand for additional housing?	_____	_____	<u>X</u>
13. Transportation/Circulation. Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	_____	_____	<u>X</u>
b. Effects on existing parking facilities, or demand for new parking?	_____	_____	<u>X</u>
c. Substantial impact upon existing transportation systems?	_____	_____	<u>X</u>
d. Alterations to present patterns of circulation or movement of people and/or goods?	_____	_____	<u>X</u>
e. Alterations to waterborne, rail or air traffic?	_____	_____	<u>X</u>
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	_____	_____	<u>X</u>
14. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?	_____	_____	<u>X</u>
b. Police protection?	_____	_____	<u>X</u>
c. Schools?	_____	_____	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
d. Parks or other recreational facilities?	_____	_____	X _____
e. Maintenance of public facilities, including roads?	_____	_____	X _____
f. Other governmental services?	_____	_____	X _____
15. Energy. Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	_____	_____	X _____
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	_____	_____	X _____
16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
a. Power or natural gas?	_____	_____	X _____
b. Communications systems?	_____	_____	X _____
c. Water?	_____	_____	X _____
d. Sewer or septic tanks?	_____	_____	X _____
e. Storm water drainage?	_____	_____	X _____
f. Solid waste and disposal?	_____	_____	X _____
17. Human Health. Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	_____	_____	X _____
b. Exposure of people to potential health hazards?	_____	_____	X _____
18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	_____	_____	X _____
19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	_____	_____	X _____
20. Cultural Resources.			
a. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site?	_____	_____	X _____

- | | <u>Yes</u> | <u>Maybe</u> | <u>No</u> |
|---|------------|--------------|-------------|
| b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? | _____ | _____ | _____X_____ |
| c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? | _____ | _____ | _____X_____ |
| d. Will the proposal restrict existing religious or sacred uses within the potential impact area? | _____ | _____ | _____X_____ |

21. Mandatory Findings of Significance.

- | | | | |
|--|-------|-------|-------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | _____ | _____ | _____X_____ |
| b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.) | _____ | _____ | _____X_____ |
| c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.) | _____ | _____ | _____X_____ |
| d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | _____ | _____ | _____X_____ |

III. Discussion of Environmental Evaluation

IV. Determination
(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION WILL BE PREPARED**.

I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Date Jan 17, 1985

X. Leslie L. Johnson
Signature

For Waterford Community Services District

(Note: This is only a suggested form. Public agencies are free to devise their own format for initial studies.)

Appendix I (continued):

Section II-

Part 1, subsection c. - Topography will change slightly due to levee reinforcement at the abutments.

Part 2, subsection b. - Odors may occur if the infiltration/evaporation ponds become anaerobic.

Part 3, subsection g. - The quantity of water entering the ground waters may increase as much as 0.3 MGD at the new pond site.