

## INFORMATION SHEET

INFORMATION SHEET- ORDER R5-2013-XXXX  
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 are 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).