



EL DORADO COUNTY PLANNING SERVICES

2850 Fairlane Court, Placerville, CA 95667 (530) 621-5355 http://edcgov.us/Planning/

CONDITIONAL/MINOR USE PERMIT

FILE # S17-0012

ASSESSOR'S PARCEL NO.(s) 121-280-24

PROJECT NAME/REQUEST: (Describe proposed use) Solar array and Battery Energy Storage System (BESS). Proposed development of a 2.5-megawatt (MW), 10-megawatt hour (MWh) battery energy storage system (BESS) topped with and charged by solar photovoltaic (PV) modules. The facility would consist of batteries housed in custom containers, solar photovoltaic modules mounted on fixed-tilt racking mounted on each container, utility scale inverters, associated transformers and electrical equipment, and perimeter fencing. The project would feed into existing electrical distribution lines and be decommissioned after 25 years of service.

APPLICANT/AGENT Western Grid Development, LLC

Mailing Address 604 Sutter Street, Suite 250, Folsom, CA 95630
P.O. Box or Street City State & Zip

Phone (916) 985-9461 EMAIL: jamie@zglobal.biz

PROPERTY OWNER Huddinge Partners

Mailing Address 634 A Prospect Row, San Mateo, CA 94401
P.O. Box or Street City State & Zip

Phone (916) 470-4634 EMAIL: JLB87@aol.com

LIST ADDITIONAL PROPERTY OWNERS ON SEPARATE SHEET IF APPLICABLE

ENGINEER/ARCHITECT _____

Mailing Address _____
P.O. Box or Street City State & Zip

Phone () _____ EMAIL: _____

LOCATION: The property is located on the N side of Joerger Cutoff Road
N / E / W / S street or road

650 feet/miles NW of the intersection with Silva Valley Pkwy/White Rock Rd
N / E / W / S major street or road

in the _____ area. PROPERTY SIZE _____
acreage / square footage

X James J. Brunello Date July 27, 2017
signature of property owner or authorized agent

FOR OFFICE USE ONLY

Date 7/28/2017 Fee \$ 9,433.00 Receipt # 30971 Rec'd by em Census _____

Zoning RBD GPD RBD Supervisor Dist 1 Sec 12 Twn 9N Rng 8E

ACTION BY PLANNING COMMISSION
ZONING ADMINISTRATOR

ACTION BY BOARD OF SUPERVISORS

Hearing Date _____

Hearing Date _____

Approved _____ Denied _____
findings and/or conditions attached

Approved _____ Denied _____
findings and/or conditions attached

APPEAL:
Approved _____ Denied _____

Executive Secretary _____

(Application Revised 4/2016)

S 17-0012

(Last revised 04/16)



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REQUIRED SUBMITTAL INFORMATION for Conditional/Minor Use Permit

The following items 1 through 9 must be provided with all applications. The remaining items shall be required where applicable. If all the required and applicable information is not provided, the application will be deemed incomplete and will not be accepted. For your convenience, please use the check (✓) column on the left to be sure you have all the required and applicable information. All plans and maps MUST be folded to 8 1/2" x 11".

FORMS AND MAPS REQUIRED

Check (✓) Applicant County

- 1) Application form, completed and signed.
2) Letter of authorization from all property owners...
3) Proof of ownership (Grant Deed)...
4) A copy of official Assessor's map...
5) An 8 1/2 x 11" vicinity map...
6) Environmental Questionnaire form...
7) Provide name, mailing address and phone number...
8) A record search for archaeological resources...
9) A traffic impact determination...
10) If public sewer or water service is proposed...

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FORMS AND MAPS REQUIRED

Check (✓)
 Applicant County

_____ 7 11) If off-site sewer or water facilities are proposed to serve the project, provide four (4) copies of a map showing location and size of proposed facilities. If ground water is to be used for domestic water, submit a report noting well production data for adjacent parcels, or submit a hydrological report prepared by a geologist noting the potential for water based on the nature of project site geology.

_____ 1 12) In an accompanying report, provide the following data for area on each proposed parcel that is to be used for sewage disposal:
 _____ a) Percolation rate and location of test on 4.5 acres or smaller
 _____ b) Depth of soil and location of test
 _____ c) Depth of groundwater and location of test
 _____ d) Direction and percent of slope of the ground
 _____ e) Location, if present, of rivers, streams, springs, areas subject to inundation, rock outcropping, lava caps, cuts, fills, and easements
 _____ f) Identify the area to be used for sewage disposal
 _____ g) Such additional data and information as may be required by the Division Director of Environmental Management to assess the source of potable water, the disposal of sewage and other liquid wastes, the disposal of solid wastes, drainage, and erosion control

_____ needed 13) Preceding parcel map, final map, or record of survey, if any exists.

_____ 14) Four (4) copies of an oak tree preservation plan. The oak tree preservation plan shall accurately include the following:

_____ a) General identification of the oak tree canopy, noting significant oak tree species (e.g. blue oak, valley oak, etc.) where such groups are clearly distinguishable. Identification of the oak tree canopy shall be determined from base aerial photographs or by an on-site survey performed by a qualified biologist, certified arborist, or Registered Professional Forester (RPF).

_____ b) Parcels having canopy cover of at least ten percent (10%) are subject to oak tree canopy coverage retention or replacement standards as follows:

<u>Existing Canopy Cover</u>	<u>Percent of Canopy Cover to be Retained or Replaced</u>
80 - 100 percent	60 percent of existing canopy
60 - 79 percent	70 percent of existing canopy
40 - 59 percent	80 percent of existing canopy
20 - 39 percent	85 percent of existing canopy
19 percent or less	90 percent of existing canopy

_____ c) Where item (b) above applies and trees will be removed as the result of project improvements, a replacement plan shall be included with application submittal. Any provisions for tree preservation, transplanting, or replacement, shall be shown on a recordable (black and white version) site plan. The replacement plan shall also include a mitigation monitoring plan to ensure that proposed replacement trees survive.

FORMS AND MAPS REQUIRED

Check (✓)

Applicant County

- _____ 15) Preliminary grading, drainage plan, and report. The plan should be of sufficient detail to identify the scope of grading, including quantities, depths of cut and fills (for roads and driveways where cuts/fills exceed 6 feet, and mass pad graded lots), location of existing drainage, proposed modifications, and impacts to downstream facilities. (See Section 110.14.240 of County Grading Ordinance for submittal detail)
- _____ 16) If located within one of the five Ecological Preserve - EP overlay zones (Mitigation Area 0), rare plants may exist on-site. The State Department of Fish & Wildlife will require an on-site biological plant survey to determine the extent and location of rare plants on the project site. Such a survey can only occur from March 15 through August 15 when plants are readily visible. Therefore, if the State Department of Fish & Wildlife requires the plant survey, a substantial delay in the processing of your application could result. To avoid potential delays, you may choose to provide this survey with application submittal. (A list of possible Botanical Consultants is available at Planning Services.)
- _____ 17) Name and address of Homeowner's Association, CSA 9 Zone of Benefit, or other road maintenance entity if it exists in the project area.
- _____ 18) A site-specific wetland investigation shall be required on projects with identified wetlands as delineated on the applicable U.S.G.S. Quadrangle and/or by site visit, when proposed improvements will directly impact the wetland (reduce the size of the wetland area) or lie near the wetlands. (Available from Planning Services are the U.S. Corps of Engineers requirements for a wetlands delineation study. A list of qualified consultants is also available.)
- _____ 19) An acoustical analysis shall be provided whenever a noise-sensitive land use (residences, hospitals, churches, libraries) are proposed adjacent to a major transportation source, or adjacent or near existing stationary noise sources. Such study shall define the existing and projected noise levels and define how the project will comply with standards set forth in the General Plan.
- ✓ _____ 20) Where potential for special status plant and/or animal habitats are identified on the parcel(s), an on-site biological study shall be required to determine if the site contains special status plant or animal species or natural communities and habitats.
- _____ 21) An air quality impact analysis shall be provided utilizing the El Dorado County Air Pollution Control District's "Guide to Air Quality Assessment."

SITE PLAN REQUIREMENTS

Five (5) copies plus an electronic copy (CD-ROM or other medium) of the site plan detailing what exists on the site at time of application shall be submitted on 24" x 36" sheets or smaller, drawn to scale, and of sufficient size to clearly show all details and required data. **All plans MUST be folded to 8½" x 11", plus one 8½" x 11" reduction. NO ROLLED DRAWINGS WILL BE ACCEPTED.**

For your convenience, please check the Applicant column on the left to be sure you have all the required submittal information.

Check (√)
Applicant County

- | | | | |
|-------------------------------------|--------------------------|-----|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1) | Project name (if applicable). |
| <input type="checkbox"/> | <input type="checkbox"/> | 2) | Name, address of applicant and designer (if applicable). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3) | Date, north arrow, and scale. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4) | Entire parcel of land showing perimeter with dimensions. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5) | All roads, alleys, streets, and their names. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6) | Location of easements, their purpose and width. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7) | All existing and proposed uses (i.e. buildings, driveways, dwellings, utility transmission lines, etc.). |
| <input type="checkbox"/> | <input type="checkbox"/> | 8) | Parking and loading stalls with dimensions (refer to Zoning Ordinance Chapter 130.35 and the Community Design Standards-Parking and Loading Standards). |
| <input type="checkbox"/> | <input type="checkbox"/> | 9) | Trash and litter storage or collection areas, and propane tank location(s). |
| <input type="checkbox"/> | <input type="checkbox"/> | 10) | Total gross square footage of proposed buildings. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 11) | Proposed/existing fences or walls. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12) | Sign locations and sizes (if proposed) (refer to Zoning Ordinance Chapter 130.16). |
| <input type="checkbox"/> | <input type="checkbox"/> | 13) | Pedestrian walkways, courtyards, etc. (if proposed). |
| <input type="checkbox"/> | <input type="checkbox"/> | 14) | Exterior lighting plan (if proposed), along with a Photometric Study and fixture specifications (refer to Zoning Ordinance Chapter 130.34 and the Community Design Standards-Outdoor Lighting Standards) . |
| <input type="checkbox"/> | <input type="checkbox"/> | 15) | Existing/proposed water, sewer, septic systems, and wells (if applicable). |
| <input type="checkbox"/> | <input type="checkbox"/> | 16) | Existing/proposed fire hydrants. |
| <input type="checkbox"/> | <input type="checkbox"/> | 17) | Tentative subdivision or parcel map (if applicable). |
| <input type="checkbox"/> | <input type="checkbox"/> | 18) | Public uses (schools, parks, etc.) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 19) | The location, if present, of rock outcropping, lava caps, drainage courses, lakes, canals, reservoirs, rivers, streams, spring areas subject to inundation and wetlands. (Show respective 100-foot and 50-foot septic system setbacks when a septic system is proposed). |

SITE PLAN REQUIREMENTS

Check (√)
Applicant County

- _____ 20) Identify areas subject to a 100-year flood on perennial streams or creeks, and show high water level (100-year) on map. Where this data is not readily available, January 1997 flood level can be shown if known. (Refer to the Federal Emergency Management Agency (FEMA) website).
- _____ 21) Note any proposed trails within the project; and where applicable, connection to existing or proposed trail systems.

PRELIMINARY LANDSCAPE PLAN REQUIREMENTS

Required when parking facilities are proposed or otherwise at planner's discretion. (Refer to Zoning Ordinance Chapter 130.33 and the Community Design Standards – Landscaping and Irrigation Standards).

(Five (5) copies plus an electronic copy (CD-ROM or other medium), **folded to 8½" x 11", plus one 11" x 17" reduction**).

Check (√)
Applicant County

- _____ 1) Location, quantity, and a gallon size of proposed plant material (See Zoning Ordinance Chapter 130.33 and the Community Design Standards – Landscaping and Irrigation Standards).
- _____ 2) Note quantity/type of trees to be removed.
- _____ 3) Location, general type (pine, oak, etc.) and size of all existing trees, in those areas that are subject to grading or otherwise may be removed/affected by proposed improvements. Note quantity of trees to be removed.
- _____ 4) List of both common and botanical names of plant material (use of drought tolerant species is highly recommended). A recommended list of drought-tolerant species is available at Planning Services.
- _____ 5) Location of irrigation proposed. (NOTE: The final Landscape Plan will ultimately be required to meet the County's Water Conserving Landscape Standards. Copies are available at Planning Services).

PRELIMINARY GRADING AND DRAINAGE PLAN

Required whenever any grading is proposed.

(Five (5) copies plus an electronic copy (CD-ROM or other medium), **folded to 8½" x 11", plus one 8.5" x 11" reduction**).

Check (√)
Applicant County

- _____ 1) Contours or slope data (pursuant to Chapter 110.14 of County Code Grading, Erosion, and Sediment Control Ordinance).
- _____ 2) Drainage improvements, culverts, drains, etc.
- _____ 3) Limits of cut and fill.

PLAN OF BUILDING ELEVATIONS

Required whenever a new structure or addition is proposed.

(Five (5) copies plus an electronic copy (CD-ROM or other medium), **folded to 8½" x 11", plus one 8.5" x 11" reduction**).

Check (✓)
Applicant County

- | | | | |
|-------------------------------------|-------|----|--|
| <input checked="" type="checkbox"/> | _____ | 1) | Building design, elevations of all sides. |
| <input type="checkbox"/> | _____ | 2) | Exterior materials, finishes, and colors. |
| <input type="checkbox"/> | _____ | 3) | Existing/proposed signs showing location, height and dimensions. Include sign plan for project with multiple businesses. |

Planning Services reserves the right to require additional project information as provided by Section 15060 of the California Environment Quality Act, or as required by the General Plan development policies, when such is necessary to complete the environmental assessment.

NOTE: APPLICATION WILL BE ACCEPTED BY APPOINTMENT ONLY. MAKE YOUR APPOINTMENT IN ADVANCE BY CALLING (530) 621-5355.

File # S17-0012
Date Filed: _____

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**EL DORADO COUNTY PLANNING SERVICES
ENVIRONMENTAL QUESTIONNAIRE**

Project Title El Dorado Solar BESS Project
Lead Agency El Dorado County
Name of Owner Telephone Huddinge Partners (916) 470-4362
Address 634 A Prospect Row, San Mateo, CA 94401
Name of Applicant Telephone Western Grid Development, LLC (916) 985-9461
Address 604 Sutter Street, Suite 250, Folsom, CA 95630
Project Location Northeast of Joerger Cutoff Road, west of Silva Valley Pkwy
Assessor's Parcel Number(s) 121-280-24
Acreage ±3.5-acre portion of a 24.6-acre parcel Zoning R&D

Please answer all of the following questions as completely as possible. Subdivisions and other major projects will require a Technical Supplement to be filed together with this form.

1. Type of project and description: Solar array and Battery Energy Storage System (BESS). Proposed development of a 2.5-megawatt (MW), 10-megawatt hour (MWh) battery energy storage system (BESS) topped with and charged by solar photovoltaic (PV) modules. The facility would consist of batteries housed in custom containers, solar photovoltaic modules mounted on fixed-tilt racking mounted on each container, utility scale inverters, associated transformers and electrical equipment, and perimeter fencing. The project would feed into existing electrical distribution lines and be decommissioned after 25 years of service.
2. What is the number of units/parcels proposed? No housing units. Two BESS containers, canopy mounted solar PV modules.

GEOLOGY AND SOILS

3. Identify the percentage of land in the following slope categories:
100% 0 to 10% ___ 11 to 15% ___ 16 to 20% ___ 21 to 29% ___ over 30%
4. Have you observed any building or soil settlement, landslides, rock falls or avalanches on this property or in the nearby surrounding area?
No
5. Could the project affect any existing agriculture uses or result in the loss of agricultural land?
No, no agricultural land in the area, the parcel is identified as "urban built-up land" by the Department of Conservation

DRAINAGE AND HYDROLOGY

6. Is the project located within the flood plain of any stream or river? If so, which one?
No. Site is listed as being within Zone X on FEMA map 06017C0725E
7. What is the distance to the nearest body of water, river, stream or year-round drainage channel? There is an unnamed tributary to Carson Creek that flows through the site from north to south. Name of the water body? Unnamed.
8. Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amount into any lakes, rivers or streams? No, because the project is over 1 acre in size, the project will be required to comply with the RWQCB's General Construction Storm Water Permit including the best management practices of the Storm Water Pollution Prevention Plan (SWPPP).
9. Will the project result in the physical alteration of a natural body of water or drainage way? If so, in what way? No. project was designed specifically to avoid the creek area by providing a 25-foot buffer area from all wetlands on the project site.
10. Does the project area contain any wet meadows, marshes or other perennially wet areas? The biological resources assessment completed for the project identified seasonal wetlands, including the afore mention seasonal creek, a seasonal marsh, and an ephemeral drainage. The project is designed to avoid these features by including a 25-foot buffer area between the project structures and the wetlands.

VEGETATION AND WILDLIFE

11. What is the predominant vegetative cover on the site (trees, brush, grass, etc.)? Estimate percentage of each: Vegetation communities found on-site include annual grassland (approximately 85% of site), riparian woodland/scrub (10% of site), and aquatic vegetation communities (5% of site).
12. How many trees of 6-inch diameter will be removed when this project is implemented? Potentially 3 to 4 trees to be removed. One maybe of 6-inch diameter or greater.

FIRE PROTECTION

13. In what structural fire protection district (if any) is the project located? El Dorado Hills Fire Department.
14. What is the nearest emergency source of water for fire protection purposes (hydrant, pond, etc.)? Unknown.
15. What is the distance to the nearest fire station? Station 87 Golden Foothills Fire Station approximately 2 miles from the site.
16. Will the project create any dead-end roads greater than 500 feet in length? The project will not create any roads.

17. Will the project involve the burning of any material including brush, trees and construction materials? No burning of materials will be required.

NOISE QUALITY

18. Is the project near an industrial area, freeway, major highway or airport? If so, how far?
The project site is approximately 270 feet south of SR-50. However, the project is for the construction of a solar array and battery storage system. No structures will be occupied.
19. What types of noise would be created by the establishment of this land use, both during and after construction? The project will have general construction noise during construction, however the nearest residential use is approximately 1,200 feet to the north across SR-5. Construction will take approximately 5 months. Once completed, the project would not produce any noise other than routine maintenance reequipments which would not create substantial amounts of noise.

AIR QUALITY

20. Would any noticeable amounts of air pollution, such as smoke, dust or odors, be produced by this project? No, the project would not produce air emissions, smoke, dust or odors.

WATER QUALITY

21. Is the proposed water source: ___public or ___private, ___treated or ___untreated?
Name the system: The project would not require a continuous supply of treated or untreated water. The only water use will occur when washing the solar panels. The amount of water needed for this purpose is conservatively estimated at 0.0075-acre-feet per washing, with up to four washings per year, or a total of up to 0.3 acre-feet of water annually. The necessary water would be trucked in via a 4,000-gallon water truck.
22. What is the water use (residential, agricultural, industrial or commercial)?
See response under question 21.

AESTHETICS

23. Will the project obstruct scenic views from existing residential areas, public lands, public bodies of water or roads? The project will be viewable from SR-50, however the project will be below the highway elevation by approximately 15 feet and therefore would not obstruct the views of the rolling hills south of the highway.

ARCHAEOLOGY/HISTORY

24. Do you know of any archaeological or historical areas within the boundaries or adjacent to the project? (e.g., Indian burial grounds, gold mines, etc.) A cultural resources report was prepared for the project site by ECORP Consulting. It was determined that the project site is within the Mormon Hill Historic District and the project may require mitigation to reduce potential impacts.

SEWAGE

25. What is the proposed method of sewage disposal? ___septic system ___sanitation district

Name of district: Sewage disposal will not be required for operation of the project.

26. Would the project require a change in sewage disposal methods from those currently used in the vicinity? Sewage disposal will not be required for operation of the project.

TRANSPORTATION

27. Will the project create any traffic problems or change any existing roads, highways or existing traffic patterns? No

28. Will the project reduce or restrict access to public lands, parks or any public facilities?
No

GROWTH-INDUCING IMPACTS

29. Will the project result in the introduction of activities not currently found within the community?
No

30. Would the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas (include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?
No

31. Will the project require the extension of existing public utility lines? If so, identify and give distances: No. The project will connect to existing on-site PG&E facilities.

GENERAL

32. Does the project involve lands currently protected under the Williamson Act or an Open Space Agreement? No

33. Will the project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances or radioactive material?

Yes. The project will use be Samsung SDI lithium-ion batteries for the BESS. However, Samsung SDI's lithium ion battery based stationary energy storage systems are designed with industry leading safety and have an unrivalled global safety track record. In addition, the proposed project includes additional safety measures such as a three-tiered battery management system (BMS), at the container, string, and system level, monitors critical-to-safety parameters, including all cell voltages, all currents, and representative temperatures. Further, the project uses a storage container and fire suppression system specifically designed for this type of use. The storage containers will house the batteries, battery mounting racks and associated electrical equipment. Each container will be of a metal frame construction, retrofitted to add insulation, air-conditioning,

and fire suppression for battery reliability, with separate rooms for the electronic controls, inverters, and rectifiers. Each container will utilize a supply and return air conditioning system; this system has a fresh air (economizer mode) intake system and is also referred to as a closed loop system. The mechanics of this type of air conditioning system make it highly compatible with a positive pressure environment and does not require venting; this complements the fire suppression system which requires slightly positive pressure to function optimally. The BESS facility is designed to last for a minimum of 25 years and the equipment will be serviced on an intermittent basis by technicians.

Finally, the project includes personnel safety training to help address the unique issues this type of battery technology presents, such as battery fire behavior, emergency response procedures, and fire extinguisher use (Li-ion battery focus).

34. Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals or top soil)?

No _____

35. Could the project create new, or aggravate existing health problems (including, but not limited to, flies, mosquitos, rodents and other disease vectors)?

No _____

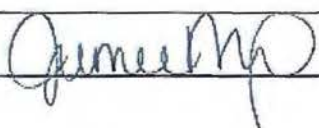
36. Will the project displace any community residents? No _____

DISCUSS ANY YES ANSWERS TO THE PREVIOUS QUESTIONS (attach additional sheets if necessary)

All yes answers have been addressed under that particular question. For a complete description of the project please see the *El Dorado Solar Battery Energy Storage Project Operational Statement* that was submitted with this application.

MITIGATION MEASURES (attach additional sheets if necessary)

Proposed mitigation measures for any of the above questions where there will be an adverse impact:

Form completed by:  Date: July 26, 2017



Western Grid Development LLC

Conditional/Minor Use Permit
Review Submittal

July 28, 2017

El Dorado County Planning Department
2850 Fairlane Court
Placerville CA 95667
phone: (530) 621-5355
fax: (530) 642-0508

To Whom It May Concern:

ZGlobal respectfully submits the attached Conditional/Minor Use Permit Application, with all applicable attachments, for the above referenced project site on behalf of the project owner, Western Grid Development, LLC. A full itemization of the documents provided is listed below:

- Conditional/Minor Use Permit Application Form (executed)
- Project Operational Statement
- Vicinity Map (8.5" x 11")
- Environmental Questionnaire Form (executed)
- Project Cultural Resource Assessment
- Project Biological Resource Assessment
- Site Plan (5 copies; 24" x 36", folded to 8.5" x 11")
- Flash Drive containing digital representation of submittal
- Conditional/Minor Use Permit Filing Fee; payable to El Dorado County

If you should have any questions or concerns regarding the Conditional Use Permit application or any attachments provided as part of this application submission, please feel free to contact me directly.

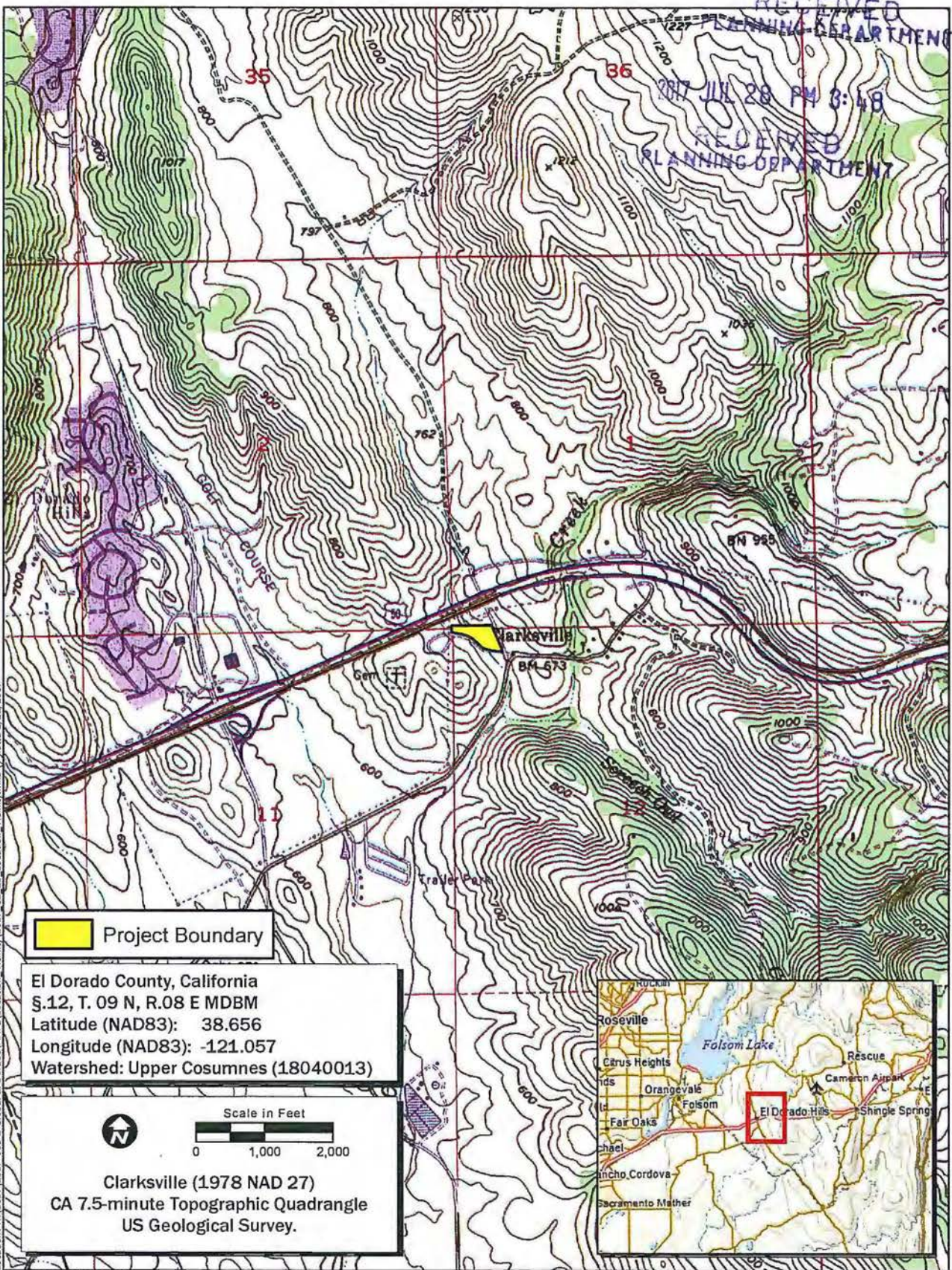
Best Regards,

Jamie Nichole Nagel
Sr. Project Manager
ZGlobal, Inc.
916.985.9461 (O)
916.803.0950 (C)
jamie@zglobal.biz

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Map Date: 2/21/2017
 Service Layer Credits: Copyright:© 2015 DeLorme

DRAFT

Figure 1. Project Location and Vicinity

2017-005 Z Global El Dorado Hills



S 17-0012



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

February 10, 2016

Regulatory Division SPK-2015-00811

Huddinge Partners, LP
Attn: Mr. James Brunello
634 Prospect Row A
San Mateo, CA 94401

Dear Mr. Brunello:

We are responding to your January 26, 2016 request for a preliminary jurisdictional determination (JD), in accordance with our Regulatory Guidance Letter (RGL) 08-02, for the Clarksville Community Project site. The approximately 276.08-acre project site is located near Carson Creek, Latitude 38.6553°, Longitude -121.0493°, El Dorado Hills, El Dorado County, California.

Based on available information, **we concur with the amount and location of wetlands and other water bodies on the site as depicted on the enclosed January 26, 2016, Figure 4., Sheet 1-3, Clarksville Community Project, El Dorado County, CA, Jurisdictional Delineation Map drawing prepared by Sycamore Environmental Consultants, Inc. (enclosure 1).** The approximately 10.038 acres of wetlands and other water bodies present within the survey area are potential waters of the United States regulated under Section 404 of the Clean Water Act.

We have enclosed a copy of the *Preliminary Jurisdictional Determination Form* for this site (enclosure 2). Please sign and return a copy of the completed form to this office. Once we receive a copy of the form with your signature we can accept and process a Pre-Construction Notification or permit application for your proposed project.

You should not start any work in potentially jurisdictional waters of the United States unless you have Department of the Army permit authorization for the activity. You may request an approved JD for this site at any time prior to starting work within waters. In certain circumstances, as described in RGL 08-02, an approved JD may later be necessary.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

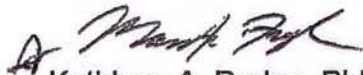
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This preliminary determination has been conducted to identify the potential limits of wetlands and other water bodies which may be subject to Corps of Engineers' jurisdiction for the particular site identified in this request. A Notification of Appeal Process and Request for Appeal form is enclosed to notify you of your options with this determination (enclosure 3). This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2015-00811 in any correspondence concerning this project. If you have any questions, please contact Mr. Peck Ha at California North Branch Office, Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922, by email at Peck.Ha@usace.army.mil, or telephone at 916-557-6617. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,



Kathleen A. Dadey, PhD
Chief, California South Branch

Enclosures

cc (w/o encls):

Mr. Jeffery Little, Sycamore Environmental Consultants, Inc.

Jeffery.Little@SycamoreEnv.com

Ms. Elizabeth Lee, Storm Water and Water Quality Certification Unit, Central Valley Regional Water Quality Control Board Elizabeth.lee@waterboards.ca.gov

Ms. Tina Bartlett, California Department of Fish and Wildlife, Region 2;
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Mr. Leana Rosetti, U.S. Environmental Protection Agency, Region IX,
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PRELIMINARY JURISDICTIONAL DETERMINATION FORM

Sacramento District

This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

Regulatory Branch: California South File/ORM #: SPK-2015-00811 PJD Date: February 11, 2016

State: CA City/County: El Dorado County
Nearest Waterbody: Carson Creek

Location (Lat/Long): 38.6553°, -121.0494°

Size of Review Area: 276.08 acres

Name/Address: Huddinge Partners, LP
Of Property: Attn: Mr. Jim Brunello
Owner/: 634 Prospect Row A
Potential: San Mateo, California 94401
Applicant:

Identify (Estimate) Amount of Waters in the Review Area

Non-Wetland Waters:

Linear feet: 16548 ft wide 7.685 acre(s)

Stream Flow: Perennial

Wetlands: 2.353 acre(s)

Cowardin Class: Palustrine, emergent

Name of any Water Bodies Tidal:
on the site identified as
Section 10 Waters: Non-Tidal:

Office (Desk) Determination

Field Determination:

Date(s) of Site Visit(s): November 19, 2015

SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply – checked items should be included in case file and, where checked and requested, appropriately reference sources below)

Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: January 26, 2016, Figure 4., Sheet 1-3, Clarksville Community Project, El Dorado County, CA, Jurisdictional Delineation Map drawing prepared by Sycamore Environmental Consultants, Inc

Data sheets prepared/submitted by or on behalf of the applicant/consultant.

Data sheets prepared by the Corps.

Corps navigable waters' study.

U.S. Geological Survey Hydrologic Atlas:

USGS NHD data.

USGS HUC maps.

U.S. Geological Survey map(s). Cite scale & quad name: 1:24K; CA-CLARKSVILLE

USDA Natural Resources Conservation Service Soil Survey.

National wetlands inventory map(s).

State/Local wetland inventory map(s).

FEMA/FIRM maps.

100-year Floodplain Elevation (if known):

Photographs: Aerial

Other

Previous determination(s). File no. and date of response letter:

Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.


Signature and Date of Regulatory Project Manager
(REQUIRED) 2/11/2016

Signature and Date of Person Requesting Preliminary JD
(REQUIRED, unless obtaining the signature is impracticable)

EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

Feature	Hydrology	Length (ft)	Avg. Width (ft)	Area (ac)	Feature	Cowardin Classification	Length (ft)	Avg. Width (ft)	Area (ac)
Carson Creek	Intermittent	4,152	55.4	5.280	Wetland (W)				
Overflow A	Ephemeral	150	13.1	0.045	W1	PEM1C	--	--	0.013
Overflow B	Ephemeral	206	3.0	0.014	W2	PEM1C	--	--	0.004
Screech Owl Creek	Intermittent	1,105	17.7	0.450	W3	PEM1C	--	--	0.178
Channel (CH)					W4	PEM1C	--	--	0.975
CH 1	Int./Eph. [†]	926	3.0	0.064	W5	Removed from original map (merged into other wetlands)			
CH 1a	Ephemeral	31	2.8	0.002	W6	PEM1C	--	--	0.398
CH 2 [‡]	Intermittent	1,657	24.2	0.922	W7	PEM1C	--	--	0.340
CH 2a	Ephemeral	212	1.2	0.006	W8	Removed from original map (merged into other wetlands)			
CH 3	Intermittent	4,262	6.6	0.645	W9	PEM1C	--	--	0.094
CH 3a	Int./Eph. [†]	966	2.7	0.059	W10	PEM1C	--	--	0.051
CH 3b	Ephemeral	197	2.0	0.009	W11	PEM1C	--	--	0.069
CH 3c	Intermittent	355	2.5	0.020	W12	PEM1C	--	--	0.020
CH 3d	Ephemeral	52	1.7	0.002	W13	PEM1C	--	--	0.089
CH 4	Ephemeral	1,994	2.7	0.121	W14	PEM1A	--	--	0.024
CH 4a	Ephemeral	63	2.1	0.003	W15	PEM1B	--	--	0.072
CH 5	Ephemeral	220	2.6	0.013	Seep (S)				
Pond 1	PEM1C	--	--	0.023	S1	PEM1B	--	--	0.007
Pond 2	PEM1C	--	--	0.007	S2	PEM1B	--	--	0.009
Subtotal Waters:					S3	PEM1B	--	--	0.007
		16,548	--	7.685	S4	PEM1B	--	--	0.003
[†] CH 1 is intermittent downstream of the confluence with Seep 1. CH 3a is intermittent downstream of the confluence with CH 3c.					Subtotal Wetlands:				
[‡] The measurements for Channel 2 includes box culverts.							--	--	2.353
					Total Wetlands and Waters:				
		16,548	--	7.685			16,548	--	10.038

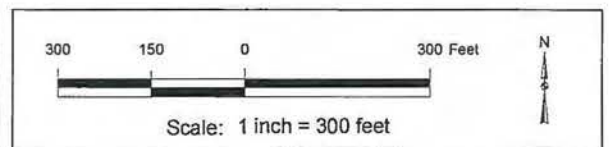
Lat: 38°39'48.75"N
Long: 121°2'38.81"W

Clarksville Community Project
El Dorado County, CA
26 January 2016

Figure 4. Jurisdictional Delineation Map
Sheet 1 of 3

- Project Study Area (276.08 ac)
- Creek
- Channel (CH)
- Pond
- Wetland (W)
- Box culvert
- Data point
- Culverts
- Photopoint Location and Direction

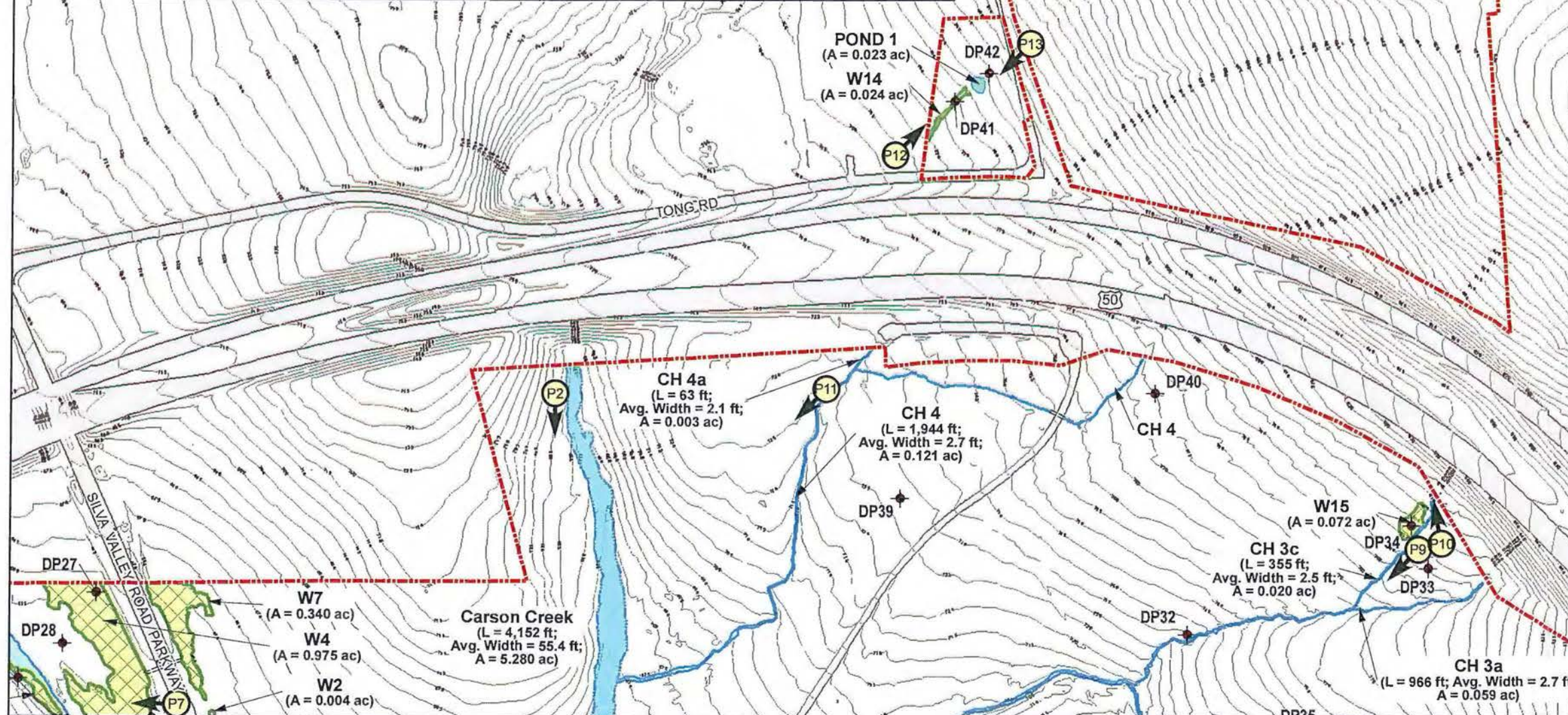
Data points 21 and 25, and Wetlands 5 and 8, were deleted from the originally submitted map.



Date	Submittal	Delineators	Agency/Company
17 Sept. 15	Original	C. Hughes, C. Rich	Sycamore Environmental
26 Jan. 16	Revised	C. Hughes	Sycamore Environmental



Topography: Clarksville Base.dwg (19 August 2015)
provided by CTA Engineering & Surveying












Lat: 38°39'19.48"N
Long: 121°3'26.86"W

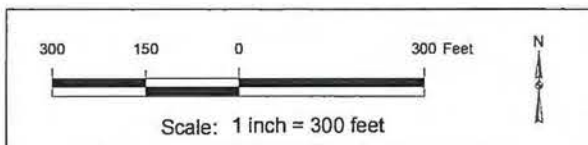
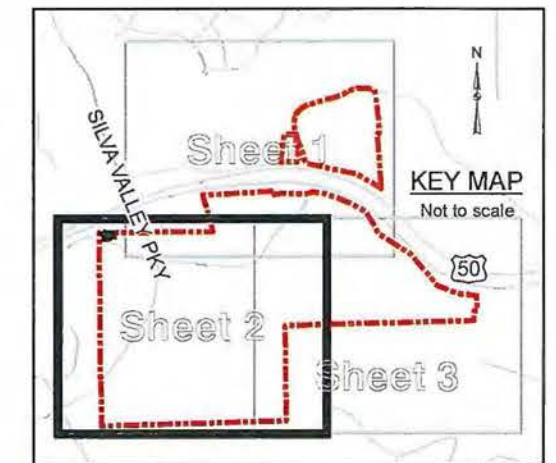
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Figure 4. Jurisdictional Delineation Map
 Sheet 2 of 3

-  Project Study Area (276.08 ac)
-  Creek
-  Channel (CH)
-  Seep (S)
-  Wetland (W)
-  Box culvert
-  Data point
-  Culverts
-  Photopoint Location and Direction

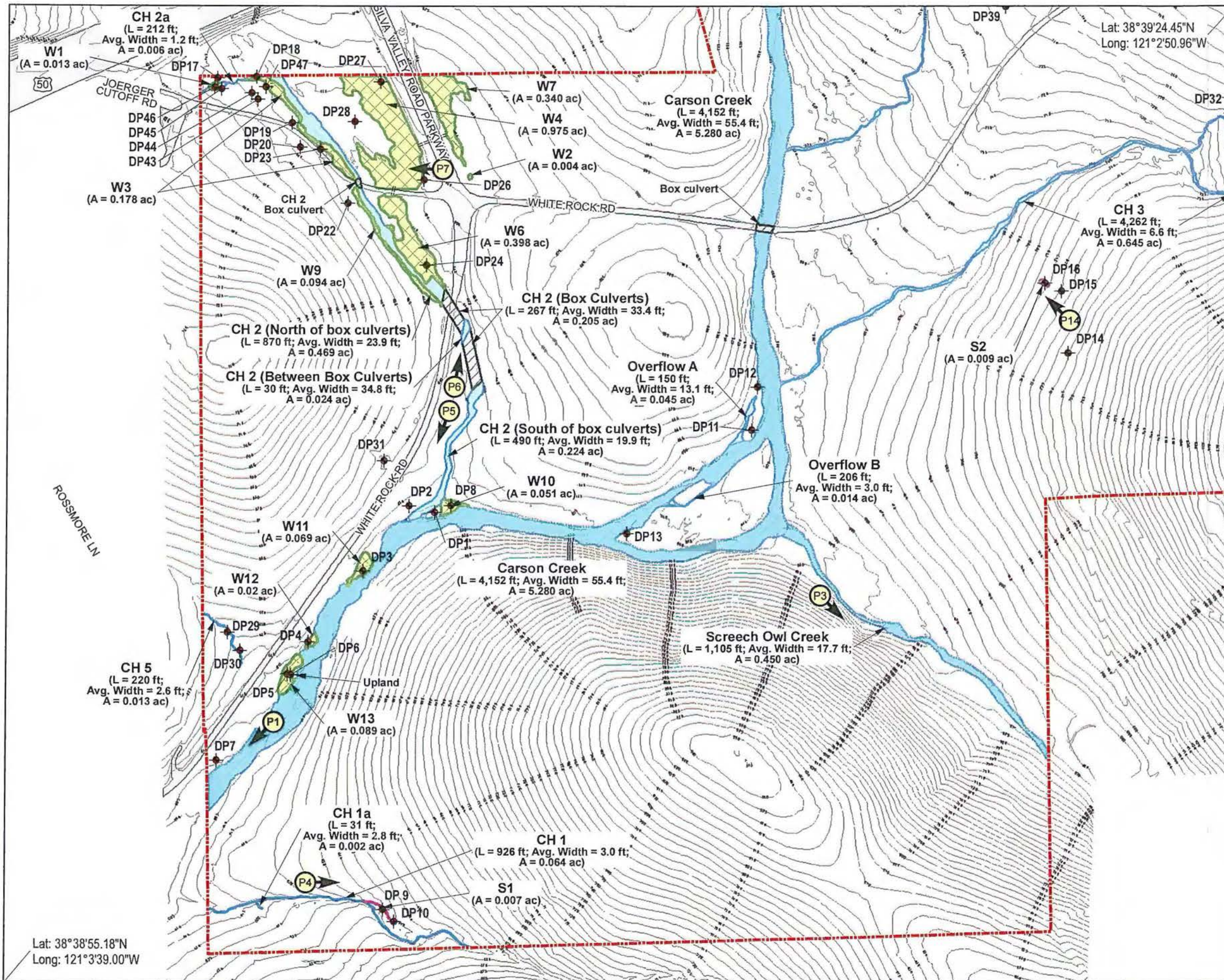
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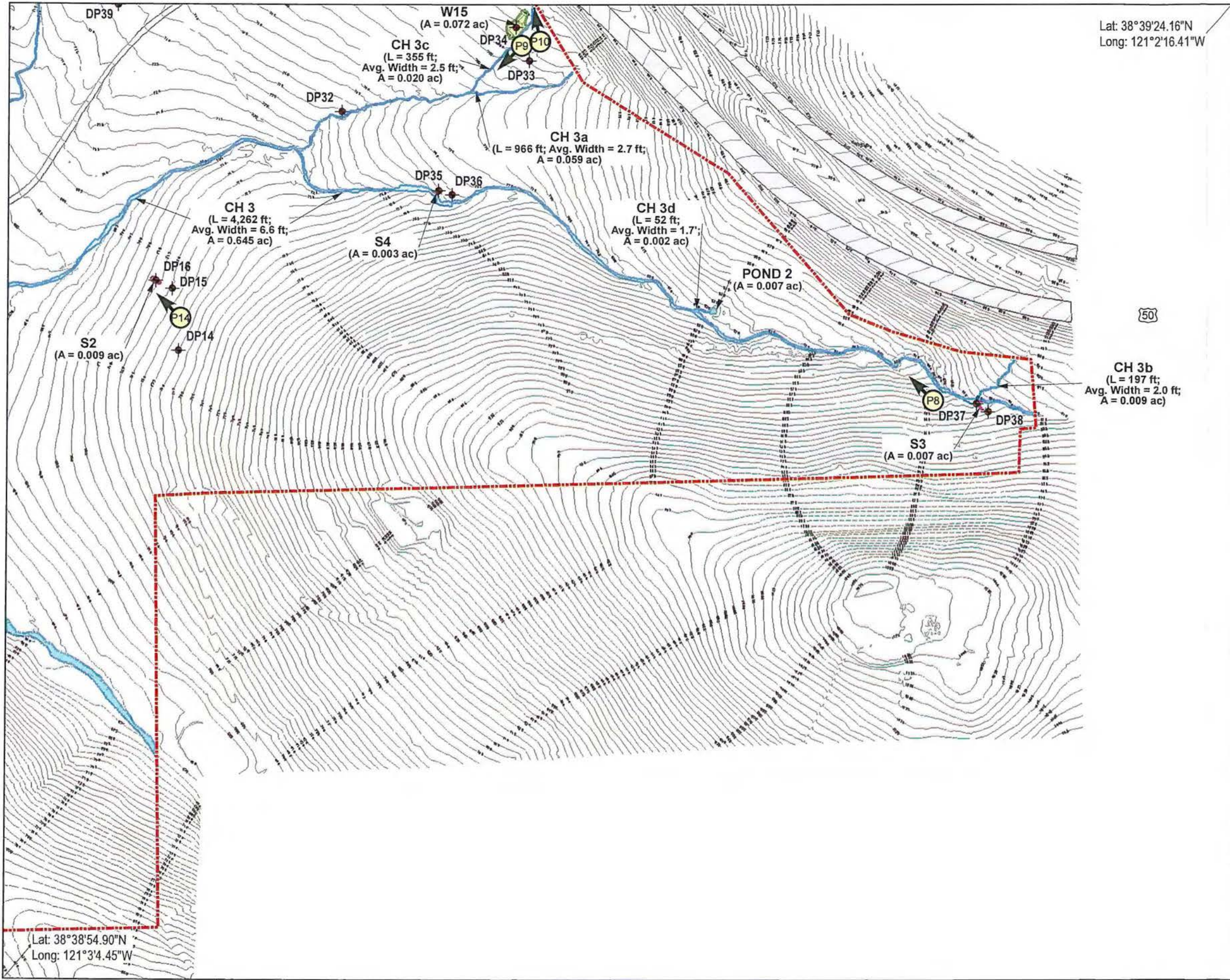


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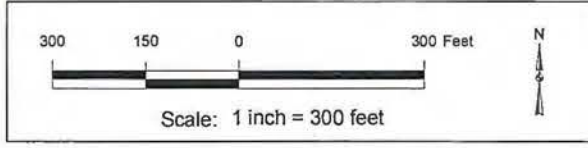
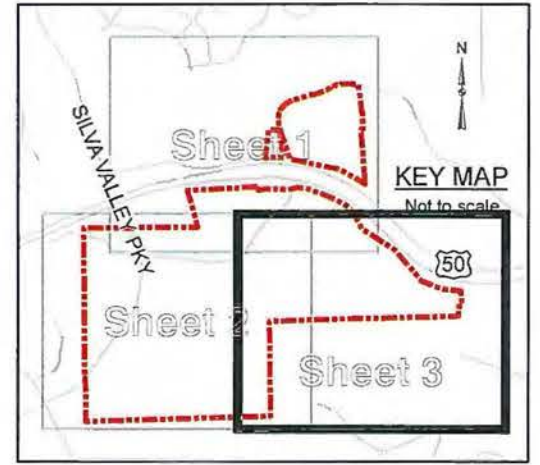


Clarksville Community Project
El Dorado County, CA
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Figure 4. Jurisdictional Delineation Map
Sheet 3 of 3

- Project Study Area (276.08 ac)
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