



# California Regional Water Quality Control Board Central Valley Region

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DEPARTMENT OF  
RESOURCE MANAGEMENT  
RECEIVED

29 January 2009

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Mr. Kent Hector  
Shasta County Planning Department  
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PLANNING/BUILDING  
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## COMMENTS ON THE NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED USE PERMIT AMENDMENT UP17-092A, SHINGLETOWN, SHASTA COUNTY

On 29 July 2008, our office received a Notice of Intent to Adopt a Mitigated Negative Declaration, Hydrogeological Study, Vicinity Map and Request for Comments Letter from your office regarding the proposed development project referenced above. The Central Valley Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this proposed project, as defined by the California Environmental Quality Act (CEQA).

On 24 September 2008, our office submitted a comment letter to the Shasta County Planning Department regarding the proposed amendment to Use Permit 17-92, that would allow for:

- Increasing the approved average of 26,000 gallons per day to approximately 288,000 gallons per day, with total pumping hours not to exceed 22 hours per day.
- Increasing the maximum of 5 trucks per day to 48 trucks per day.
- Rerouting the existing access through Hidden Meadows Road a new chip-seal surfaced driveway from State Route 44.
- Installing a left-turn lane on State Route 44 to allow turn movement onto the newly constructed driveway.
- Replacing the existing pipeline with 500 feet of new three-inch pipeline to connect to a new 160,000 water storage tank.
- Phasing these improvements over a four to five year period.

Our comments to the proposed amendment to Use Permit 17-92 focused primarily on the types of discharges that are regulated under the Regional Board's CWA §401 and storm water programs and the associated project permitting requirements from our agency.

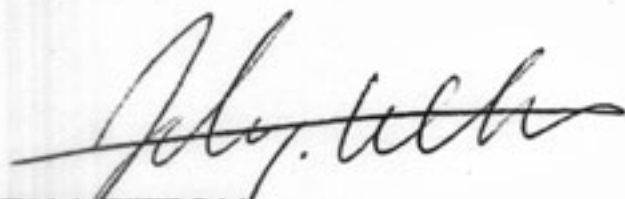
Since our initial comment submittal on 24 September 2008, the Regional Water Board has made an additional review of the Notice of Intent to Adopt a Mitigated Negative Declaration, Hydrogeological Study, Vicinity Map, Request for Comments Letter, and Biological and Wetland Evaluation and conclude that your findings for the potential impacts to wetlands are inadequate to determine what type of permit we will require, the content of the permit and any potential mitigation that our agency would require to reduce impacts to water quality and beneficial uses.

The following is a list of concerns and questions that we have with respect to the documents that our office received on 29 July 2008:

1. The pumping rate at the site was 108 GPM for six days in January. Why wasn't the pumping rate 218 GPM to simulate actual withdrawal? It also seems appropriate to conduct the pumping at multiple times of year when the perched groundwater is at its highest and lowest levels.
2. The monitoring wells used for the pump test seem to be very far apart from the wetlands and do not appear to be within the wetland area where potentially lower water levels are predicted. More monitoring wells within the wetlands on a smaller scale monitored over several seasons may be more appropriate to assess impacts.
3. What are the potential variations in water elevation and wetted edge within the creeks when the pumping cycle it on and off? What are the potential impacts that this might have on habitat, accelerated erosion, invasive species, etc.?
4. Was the wetland delineation determined by depth to groundwater alone? Should a three parameter test be applied?
5. Temporal loss of wetland varies depending on season and groundwater elevation, pumping rate, etc. The three depth-to-water contours, interference, and potential wetland loss maps contained in the hydrological study capture only a snapshot in time of potential wetland loss. Losses would be cumulative from early spring until fall. Therefore, total acres, at a very minimum would be 1.65 and potentially much greater.
6. Has the Army Corp of Engineers conducted a Jurisdictional Determination?
7. Page 8 of the Crook Springs Biological and Wetland evaluation states that "potential effect of increased water extraction on meadow habitat is difficult to predict." Based on this type of statement, it may be necessary to conduct further study to better determine these impacts.

As the responsible agency, the Regional Water Board would like the applicant to submit additional information that addresses the above questions to better determine the types of permits that may be necessary and the content of those permits.

If you have any questions regarding this review, do not hesitate to contact me at (530) 224-4129.



BEN LETTON  
Environmental Scientist

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