

# STAFF REPORT

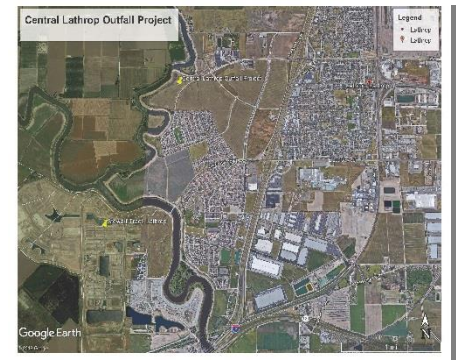
**SUBJECT:** Central Lathrop Regional Outfall Project,  
Plan Participation and Buffer Reduction

**RECOMMENDED ACTION:** Motion to 1) Allow the Central Lathrop Regional Outfall Project to Participate in the SJMSCP; and 2) Allow a Revision to the Incidental Take Minimization Measures for Giant Garter Snake (GGS) and Western Pond Turtle (WPT) Buffers

## DISCUSSION:

### SUMMARY:

The project applicant, City of Lathrop Public Works Department, is requesting coverage under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Although the project is in a mapped area of the plan, the project needs to be allowed to participate due to the United States Army Corps of Engineers (USACE) Clean Water Act Section 404 permit, California Regional Water Quality Control Board Section 401 permit, and the California Department of Fish and Wildlife 1602 Streambed Alteration Agreement permit needs. The project is located west of Interstate 5, along the eastern side of the San Joaquin River, within the city limits of Lathrop in the Central Zone (attachments 1 & 2).



### RECOMMENDATION:

SJCOG, Inc. staff recommends the HTAC make the recommendation to the SJCOG, Inc. Board to:

- 1) allow the project to participate under the SJMSCP to provide biological coverage for project impacts to the habitat types under the federal and state permits; and
- 2) allow a revision to the Incidental Take Minimization Measures for Giant Garter Snake (GGS) and Western Pond Turtle (WPT) buffers.

## FISCAL IMPACT:

If approved, SJCOG, Inc. will be provided mitigation for the project impacts, as required under the SJMSCP, for approximately 0.62 acres at the appropriate rate of disturbance under the Plan. The impacts for this project would consist of:

- 0.62 acres of Agricultural (C34) habitat at the appropriate rate of disturbance under the Plan.

## BACKGROUND:

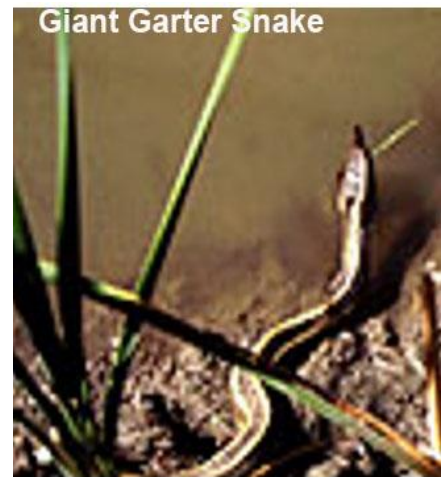


The City of Lathrop Public Works Department project consists of installing a storm-water outfall structure on the eastern bank of the San Joaquin river and extending the associated pipes from the outfall, over the existing levee, and connecting them to the infrastructure of the adjacent development. The outfall will serve three of the five sub-sheds in the existing Central Lathrop Specific Plan (attachment 3).

Construction activities include installing the outfall on the eastern bank of the San Joaquin River, extending the pipes over the levee access road, and grading the existing access road on the levee surface.

For the proponents to construct the required work for the Central Lathrop Regional Outfall Project, the project will impact potential Giant Garter Snake (GGS) habitat within the suggested 200-foot buffer and Western Pond Turtle (WPT) within the 300-foot buffer. As identified in section 5.59 of the plan, HTAC, on a case by case review, can establish a setback and buffer zone to be used by a project in place of the 200 and 300 feet suggested.

Because construction of portions of the project will be within the suggested 200-foot and 300 feet buffer areas, the project proponent has requested a reduction in the buffer to a 0 setback for the construction site impacts. The reduction of this buffer is necessary for the construction of this project. All other ITMM measures for GGS (*e.g. construction window between May and October and required survey work*) and WPT will remain standard.



The project's participation under the SJMSCP would provide coverage for biological and mitigation needs of all species covered except for protected fish, the Riparian Brush Rabbit and Riparian Woodrat. The project will need to seek coverage of those species, if required by the appropriate regulatory agencies, outside the SJMSCP permits.

The SJMSCP GIS habitat layer classifies the project site as Agricultural (C34) Habitat.

If allowed to participate in the SJMSCP, the total disturbed area will consist of 0.62 acres of Agricultural (C34) habitat impacts. The project applicant will be responsible for mitigating for the habitat impacts that is consumed by this project by either paying the appropriate fees at the time of ground disturbance or dedicating land in lieu of a fee at the appropriate SJMSCP ratio.

#### **Adjacent Vegetation and Land Use**

<b>Location</b>	<b>SJMSCP Vegetation Map Classification</b>	<b>Habitat Type Category</b>	<b>Actual Use Of Property</b>
<b>Site</b>	Agriculture (C34)	Agriculture (C34)	Agriculture (C34)
<b>North</b>	Agriculture (C34), Natural (W7)	Agriculture (C34), Natural (W7)	Agriculture (C34), Natural (W7)
<b>South</b>	Agriculture (C34)	Agriculture (C34)	Agriculture (C34)
<b>East</b>	Agriculture (C34)	Agriculture (C34)	Agriculture (C34)
<b>West</b>	Agriculture (C34)	Agriculture (C34)	Agriculture (C34)

#### **COMMITTEE ACTIONS:**

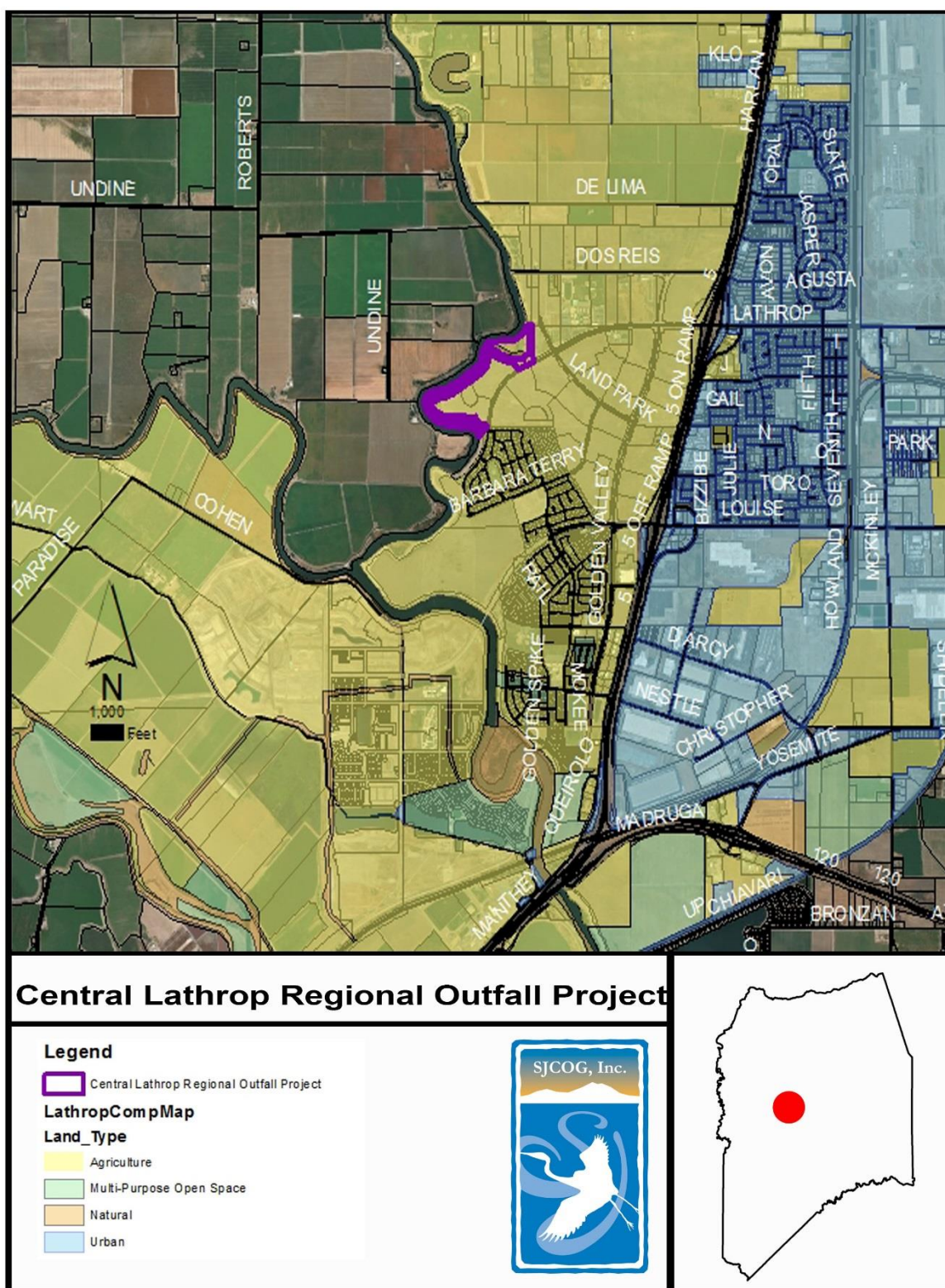
- Habitat Technical Advisory Committee: Recommended Approval
- SJCOG, Inc. Board: Action Required

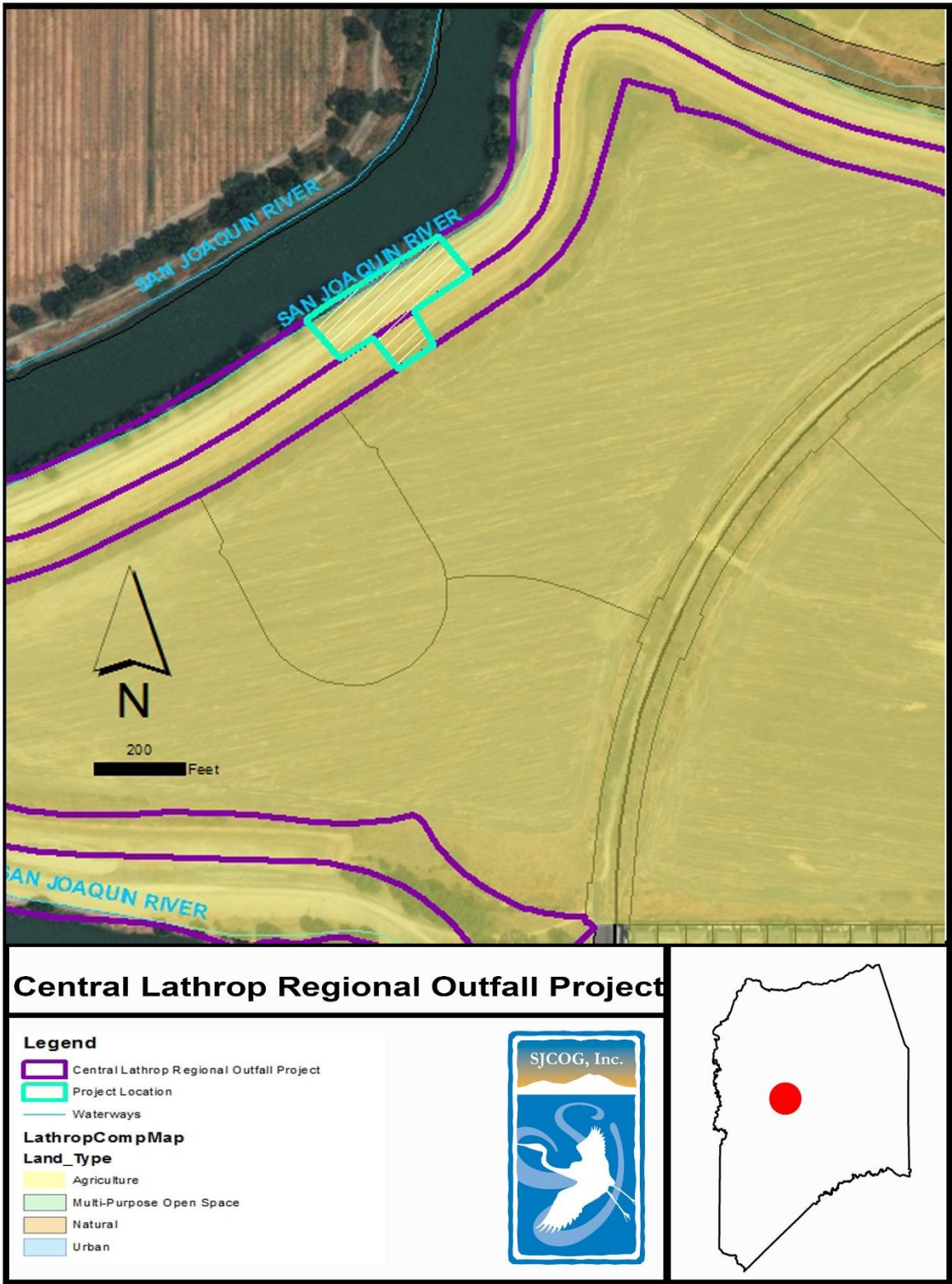
#### **ATTACHMENTS:**

1. General Location Map
2. Project Location Map
3. Project Site Map

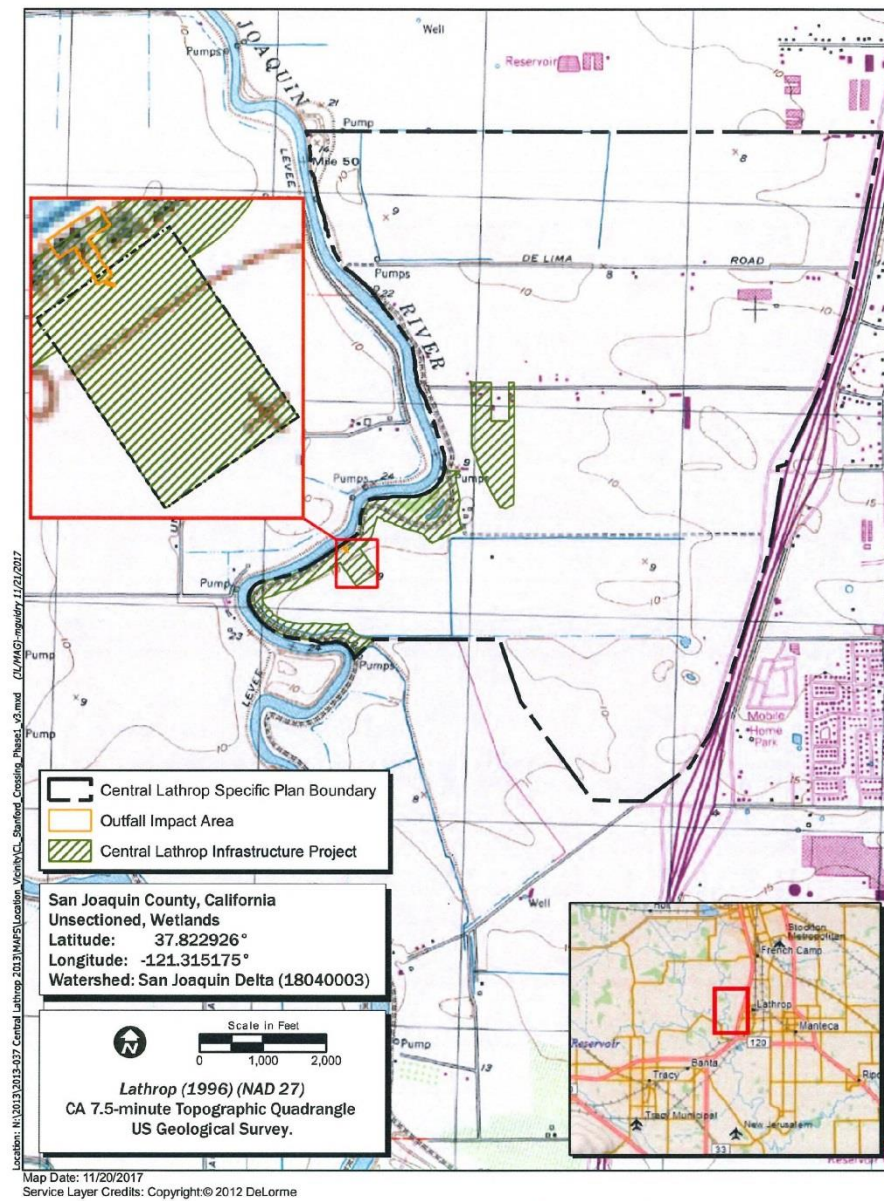
*Prepared by: Laurel Boyd, Assistant Habitat Planner*











**Figure 1. Project Location and Vicinity**  
*2013-037 Central Lathrop Outfall*