



**CERTIFICATION**  
**for the**  
**Stormwater Quality Improvement Plan**  
**September 22, 2009 Submittal Date**

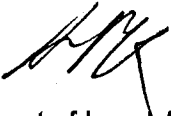
I certify under penalty of law that the Sacramento Stormwater Quality Improvement Plan (regional and Sacramento City-specific activities), to be submitted September 22, 2009, and all associated attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted.

Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Gregg L. Halladay, P.E.  
Director of Public Works  
City of Galt

Date: 9/15/09

**MEMORANDUM**

**DATE:** April 27, 2009  
**TO:** California Regional Water Quality Control Board  
**FROM:** Steven P. Rudolph  
Galt City Attorney   
**RE:** City of Galt - Statement of Legal Authority

This Statement is provided on behalf of the City of Galt pursuant to the "Waste Discharge Requirement for County of Sacramento and Cities of Citrus Heights, Elk Grove, Folsom, Galt and Sacramento Storm Water Discharges from Municipal Separate Storm Sewer Systems Sacramento County, NPDES No. CAS082597, Order No. R5-2008-0142," issued by the California Regional Water Quality Control Board Central Valley Region on September 11, 2008 (hereafter referred to as the "Order").

**Order NO. R5-2008-0142**

Section C.6. of the Order provides as follows:

"Each Permittee shall provide to the Regional Board a statement certified by its chief legal counsel that the Permittee has adequate legal authority to implement and enforce each of the requirements contained in 40 CFR § 122.26(d)(2)(i)(A-F) and this Order, including any modifications thereto in effect when the certified statement is provided. This statement, which shall be included in Permittees' revise SQIP, shall include the following:

- a. Citation of urban runoff related ordinances adopted by the Permittee and the reasons the ordinances are enforceable;
- b. Progressive enforcement policy and how it will be effectively implemented;
- c. Identification of the local administrative and legal procedures available to mandate compliance with urban runoff related ordinances and therefore with the conditions of this Order.
- d. Description of how these ordinances are implemented and how enforcement actions under these ordinances may be appealed; and

To: California Regional Water Quality Control Board  
From: Steven P. Rudolph  
Re: City of Galt - Statement of Legal Authority  
Date: April 27, 2009  
Page: 2

e. Description of whether the municipality can issue administrative orders and injunctions or if it must go through the court system for enforcement actions.

f. Description of the Permittee's storm water management structure. There might be different departments that are to develop, implement, and enforce various components of the program. Summarize how the various departments communicate and coordinate activities.

### **Legal Authority**

a. Urban runoff related ordinances adopted by the Permittee and the reasons the ordinances are enforceable:

The principle ordinance governing discharges to the City's municipal separate storm sewer system (MS4) is Chapter 16.10 of the Municipal Code, Storm Water Protection. In addition, the City's Grading Ordinance, Chapter 16.30 of the Municipal Code, regulates grading projects and sets conditions for approval. Copies of these ordinances are attached as Exhibits A and B, respectively.

These ordinances were duly adopted by the Galt City Council and constitute valid municipal enactments pursuant to the City's police power. The California Constitution provides that a city "may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." (Cal. Const. Art XI, § 7.) A general law city's police power within its own territory is subject to preemption by the State, but "otherwise is as broad as the police power exercisable by the legislature itself." (*Birkenfield v. City of Berkley*, 17 Cal. 3d. 129, 140 (1976).)

b. Progressive enforcement policy and how it will be effectively implemented:

Chapter 16.10 of the Municipal Code, Storm Water Protection, authorizes and provides City enforcement officers with a range of enforcement options, including issuing notices to clean and abate, directing the preparation of storm water pollution prevention plans, establishing best management practices for specific properties, developing compliance schedules, issuing cease and desist orders, undertaking the abatement of discharges, or pursuing civil or criminal lawsuits. Additionally, City enforcement officers may impose administrative penalties pursuant to Chapter 21.01 of the Municipal Code, Violations, Penalties and Enforcement, and Chapter 21.02 of the Municipal Code, Administrative Citations. Copies of these ordinances are attached as Exhibits C and D, respectively.

City enforcement officers will assess any violations of urban runoff regulations, and will utilize the enforcement mechanism most suited to the situation. Repeat violators will be subject to increasing administrative fines in accordance with Chapter 21.02, and the City will seek court-issued injunctions.

To: California Regional Water Quality Control Board  
From: Steven P. Rudolph  
Re: City of Galt - Statement of Legal Authority  
Date: April 27, 2009  
Page: 3

c. Identification of the local administrative and legal procedures available to mandate compliance with urban runoff related ordinances and therefore with the conditions of this Order:

The Galt Municipal Code sets forth a variety of mechanisms that can be utilized by the City to ensure compliance with storm water related ordinances. The Storm Water Protection ordinance provides that persons violating the ordinance are subject to monetary penalties, charges and cleanup costs, judgments and associated costs, and costs of containment, treatment or disposal necessary to abate adverse impacts on water quality. (Section 16.10.060.) Administrative penalties are set forth in Chapters 21.01 and 21.02 of the Municipal Code. In addition, the City's enforcement officer may issue cease and desist orders, order abatement of any discharge, undertake to abate the discharge in emergency circumstances, and arrest or cite any person violating the ordinance for committing a misdemeanor. (Section 16.10.108.)

In addition, the City has the authority to inspect property, take samples and require any person to conduct monitoring and submit the results to the City. (Section 16.10.150.) The City may also bring a civil action against violators for, among other things, injunctive relief, cost recovery and civil penalties of up to \$25,000 per day. (Section 16.10.200.)

The Grading Ordinance includes similar enforcement provisions. (See Section 16.30.240.)

d. How the ordinances are implemented and how enforcement actions under these ordinances may be appealed:

The storm water protection ordinances are implemented by the Director to Public Works, or his or her designee, and authorized enforcement officers, defined as the Director, the code enforcement officer, and the building official and their designees. (Section 16.10.180; Section 16.10.030.) The ordinance sets forth the enforcement mechanisms the enforcement officer may use, including compliance schedules, cease and desist orders, abatement order, criminal citations and declaration of public nuisance. (Section 16.10.180.) Any person served with any of these administrative orders may appeal by providing to the City Manager or his or her designee, a written request for hearing within seven days of the effective date of service of the notice. (Section 16.10.190.) The City Manager shall set a date for hearing before a hearing officer, and notify the party requesting the hearing in writing of the time, date and place for hearing at least 10 calendar days before the hearing. Procedures for conduct of the hearing are set forth in the Code (Section 16.10.190(C).) The hearing officer's decision must be in writing, and can be appealed pursuant to Government Code Section 53069.4. (Section 16.10.190(F)-(G).)

The Grading Ordinance is implemented by the Director of Public Works and the Building Official. The ordinance requires written notice to violators and provides that a person served with a notice may request a hearing. (Section 16.30.240(D)-(F).) The City Manager shall set a date for hearing before a hearing officer, and notify the party requesting the hearing in writing of the time, date and place for hearing at least 10 calendar days before the hearing. Procedures for conduct of the hearing are set forth in the Code. (Section 16.30.240(F).) The hearing officer's decision must be in writing, and can be appealed pursuant to Government Code Section 53069.4 (Section 16.30.240(F)-(G).)

To: California Regional Water Quality Control Board  
From: Steven P. Rudolph  
Re: City of Galt - Statement of Legal Authority  
Date: April 27, 2009  
Page: 4

e. Description of whether the municipality can issue administrative orders and injunctions or if it must go through the court system for enforcement actions:

The City's administrative enforcement powers under the Storm Water Protection ordinance are described in Section 16.10.180. As noted above, these powers include the issuance of various administrative order and notices, including compliance schedules, cease and desist orders, abatement orders, criminal citations and declaration of public nuisance. The Code also authorizes the filing of a civil action to enforce the ordinance and provides that the City may seek, among other remedies, injunctive relief. (Section 16.10.200.)

The City has similar authority under its Grading Ordinance. (Section 16.30.240.) The powers include the issuance of stop work notices, denial of future grading permits, and the abatement of nuisance conditions. (Section 16.30.090; Section 16.30.230.)

Further administrative enforcement authority is described in Chapters 21.01 and 21.02, as discussed under paragraph b, above.

f. Description of the Permittee's storm water management structure. There might be different departments that are to develop, implement, and enforce various components of the program. Summarize how the various departments communicate and coordinate activities:

The Director of Public Works has primary responsibility for the development, implementation and enforcement of the various components of the urban runoff program. When other city officials, such as code enforcement officers, become aware of illicit discharges or other violations of the storm water regulations, they communicate this information to the Department of Public Works, who will undertake corrective action.

**Additional Legal Authority / Clarification of Legal Authority**

The City's authority under its ordinances is quite broad, and sufficient to address the pollutant sources set forth in the Order. To the extent that any activities become a cause for concern, and are not explicitly addressed in the City ordinances, the City has the ability to amend such ordinances as necessary.

## **Title 16**

### **STORM WATER**

#### **Chapters:**

<b>16.10</b>	<b>STORM WATER PROTECTION</b>
<b>16.30</b>	<b>GRADING</b>
<b>16.50</b>	<b>DRAINAGE UTILITY</b>

## Chapter 16.10

### STORM WATER PROTECTION

#### Sections:

- 16.10.010 Title.**
- 16.10.020 Purpose.**
- 16.10.030 Definitions.**
- 16.10.040 Consistency.**
- 16.10.050 Ultimate responsibility of the discharger.**
- 16.10.060 Liability.**
- 16.10.070 Prohibited activities.**
- 16.10.080 Exceptions to discharge prohibition.**
- 16.10.090 Reduction of pollutants in storm water.**
- 16.10.100 Separately npdes permitted dischargers.**
- 16.10.110 Construction activities.**
- 16.10.120 New development and redevelopment.**
- 16.10.130 Industrial discharges.**
- 16.10.140 Inspection authority.**
- 16.10.150 Monitoring, analysis and reporting authority.**
- 16.10.160 Notification of spills.**
- 16.10.170 Monitoring fees.**
- 16.10.180 Enforcement.**
- 16.10.190 Appeal.**
- 16.10.200 Civil violation.**
- 16.10.210 Criminal violations.**
- 16.10.220 Remedies not exclusive.**

#### Section 16.10.010 Title.

This Chapter shall be known as the storm water protection ordinance of the city of Galt, and shall be referred to herein as the “storm water protection ordinance.”

(2002-05, Added, 07/02/2002)

#### Section 16.10.020 Purpose.

A. The intent of this Chapter is to protect and enhance the water quality of the city's watercourses, water bodies, and wetlands pursuant to, and consistent with, the Federal Water Pollution Control Act (Clean Water Act, 33 USC section 1251 et seq.), Porter-Cologne Water Quality Control Act (California Water Code section 13000 et seq.) and National Pollutant Discharge Elimination System

(NPDES) permit no. CA0082597 issued by the California Regional Water Quality Control Board, as such permit is amended and/or renewed.

B. The purpose of this Chapter is to ensure, protect, and promote the health, safety, general welfare, and protection of property for city of Galt citizens by:

1. Regulating non-storm water discharges to the city storm drain system;
2. Controlling the discharge to city storm drain systems from spills, dumping, or disposal of materials other than storm water;
3. Reducing pollutants in storm water discharges from the city storm drain system to the maximum extent practicable;
4. Minimizing damage to surrounding properties and public rights-of-way, the degradation of the water quality of watercourses, and the disruption of natural or city authorized drainage flows caused by the activities of clearing and grubbing, grading, filling, and excavating of land, and sediment and pollutant runoff from other construction related activities, and to comply with the provisions of the city's npdes permit. Significant grading activities are further regulated in Chapter 16.30, grading ordinance. (2002-05, Added, 07/02/2002)

#### Section 16.10.030 Definitions.

The following words and phrases when used in this Chapter shall be defined herein. Words and phrases used in this Chapter and not otherwise defined shall be interpreted as defined in the regulations of the United States Environmental Protection Agency to implement the provisions of the Federal Clean Water Act, and as defined by the State Water Resources Control Board to implement the Porter-Cologne Act in the state water code.

**Authorized enforcement officer:** shall include the city of Galt director of public works or his/her designee, code enforcement officer, and building official or his/her designee.

**Best management practice (bmps):** means schedules of activities, prohibitions of practices, general good housekeeping practices, maintenance procedures, educational programs, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to water of the united states or groundwater.

**City:** means the city of Galt.

**City standards:** means the city improvement standards, city standard construction specifications, city erosion and sediment control standards, and other standards included in applicable city ordinances, regulations and manuals, as amended from time to time and adopted by the city.

**Civil engineer:** means a professional engineer in the branch of civil engineering holding a valid certificate of registration issued by the state of California.

**Council:** means the city council of the city of Galt.

**Director:** means the city of Galt director of public works or his/her designee.

**Discharge:** means any release, spill, leak, pumping, flow, escape, dumping, or disposal of any gas, liquid, semi-solid, or solid substance.

**Erosion control measures:** means seeding, mulching, vegetative buffer strips, sod, plastic covering, burlap covering, watering, and other measures, which control the movement of the ground surface or soil.

**National pollutant discharge elimination system (NPDES) permit:** shall mean a discharge permit issued by the State Regional Water Quality Control Board, in compliance with section 402(p) of the Federal Clean Water Act.

**Noncommercial vehicle washing:** means the washing and rinsing of passenger vehicles on private property in which no commercial enterprise is being conducted in the washing of those vehicles.

**Non-storm water discharge:** means any discharge to the storm drain system that is not entirely composed of storm water.

**Person:** means any natural person, firm, association, club, organization, corporation, partnership, business trust, company or other entity, which is recognized by law as the subject of rights or duties.

**Pollutant:** means those pollutants defined in section 502 of the Federal Clean Water act (33 USC), or incorporated into California water code section 13373. Pollutants include, but are not limited to anything, which causes the deterioration of water quality such that it impairs subsequent and/or competing uses of the water. Pollutants include paints, oil and other petroleum hydrocarbons, soil, rubbish, trash, garbage, debris, refuse, waste, fecal coliform, fecal streptococcus, enterococcus, metals (such as cadmium, lead, zinc, copper, silver, nickel,

chromium), nonmetals (such as phosphorus and arsenic), hazardous wastes, chemicals, fresh concrete, yard waste from commercial landscaping operations, animal wastes, materials that result from the process of constructing a building or structure, noxious or offensive matter of any kind. Pollutants also include hazardous materials, hazardous wastes, and any material that the enforcement agency has a reasonable basis for believing would be harmful to the environment if it were released into the municipal storm water system. Pollutant also means any contaminant, which can degrade the quality of the receiving waters by altering ph, total suspended or settleable solids, biochemical oxygen demand, chemical oxygen demand, nutrients, or temperature.

**Sediment:** means soil or earth material deposited by water.

**Sediment control measures:** means dikes, sediment detention traps, sediment detention basins, filters, fences, barriers, swales, berms, drains, check dams, and other measures which control sediment.

**Storm drain system:** means a conveyance or system of conveyances owned or operated by the city designed or used to convey storm water to waters of the united states. Storm drain systems include, but are not limited to, rockwells, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains.

**Storm water:** means water that originates from atmospheric moisture (rainfall, hail, snow or snow melt) and that falls onto land, water or other surfaces.

(2002-05, added, 07/02/2002)

#### **Section 16.10.040 Consistency.**

This Chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and acts amendatory thereof or supplementary thereto, applicable implementing regulations, and any existing or future municipal NPDES permits and any amendments, revisions or reissuance thereof. In the event of any conflict between this Chapter and any federal or state law, regulation, or permit, that requirement which establishes the higher standard shall govern. To the extent permitted by law, nothing in this Chapter shall preclude enforcement of any other applicable law, regulation, order, or permit.

(2002-05, added, 07/02/2002)



**Section 16.10.050 Ultimate responsibility of the discharger.**

The standards set forth herein and promulgated pursuant to this Chapter are minimum standards; therefore, this Chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants into the water of the united states caused by said person. This Chapter shall not create liability on the part of the city or any agents or employee thereof, for any damages, claims, or liabilities that result from any discharger's reliance on this chapter or any administrative decision, lawfully made hereunder. (2002-05, added, 07/02/2002)

**Section 16.10.060 Liability.**

In the event that any person does not comply with the provisions of this Chapter and wastes or pollutants are discharged to the city's storm drain system that causes or threatens to cause an adverse impact on the water quality or a receiving stream or the groundwater, that person shall be liable for any or all of the following:

A. Any and all monetary penalties, charges, fees, cleanup costs, and other costs that may be imposed on the city by state or federal regulatory agencies as a result of threatened or actual violation(s), including administrative and legal fees;

B. Any and all judgments and associated costs that may be awarded to individuals or entities as a result of threatened or actual violation(s);

C. The total costs of containment, cleanup, treatment or disposal that the director may deem necessary to abate threatened or actual adverse impact on water quality of a receiving stream or the ground water, including consulting and administrative fees.

(2002-05, added, 07/02/2002)

**Section 16.10.070 Prohibited activities.**

A. Discharge of pollutants (illicit discharge). A non-storm water discharge to the city storm drain system is prohibited. All discharges of material other than storm water must be in compliance with a NPDES permit issued for the discharge.

B. Discharge in violation of permit. Any discharge that would result in or contribute to a violation of the city's existing or future

municipal NPDES permit and any amendment, revision or reissuance thereof, either separately considered or when combined with other discharges, is a violation of this Chapter and is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, as well as the parcel owner on whose property the discharge occurs, who shall be strictly liable for its consequences, and such persons and/or owners shall defend, indemnify and hold harmless the city in any administrative or judicial enforcement action relating to such discharge.

C. Illicit connections. It is a violation of this Chapter to establish, use, maintain, or continue illicit connections to the city storm drain system, and to commence or continue any illicit discharge to the city storm drain system. This prohibition against illicit connections is retroactive and applies to unpermitted connections made in the past, regardless of whether permissible under the law or practices applicable or prevailing at the time of the connection.

D. Roof run-off. New construction, renovations, and alterations of domestic roof drain leaders may not be directly connected to sidewalks and gutters. Any practical method must be administered to discharge roof run-off into landscaped areas.

E. Private drains. Storm water or surface water, which is causing flooding on private property served by an on-site storm drainage system, may not be discharged to the city's storm drainage facilities.

F. Swimming pool water. Discharge of water from a swimming pool or fountain filter into an open channel is prohibited. Discharge of water, if dechlorinated, from a swimming pool into the street drain inlet or underground storm drainage facilities is allowed only with the written permission of the director. Such discharge may not cause flooding of the street. Water from pumping out a swimming pool or fountain filter backwash may be discharged into the sanitary sewer.

G. Food-related wastes. Food-related waste such as fats, oils, grease and fish processing water may not be discharged to the storm drain system. Restaurant kitchen mat and trash bin

waste water may be discharged to the sanitary sewer.

(Ord. 2003-11, Amended, 10/07/2003; 2002-05, added, 07/02/2002)

#### **Section 16.10.080 Exceptions to discharge prohibition.**

The following discharges are exempt from the prohibition set forth in section 16.10.070 above:

A. Any discharge or connection regulated under a NPDES permit issued to the discharger provided that the discharger is in compliance with all requirements of the permit and all other applicable laws and regulations;

B. Discharges from the following activities which do not cause or contribute to the violation of any standard:

1. Water line flushing and other discharges from potable water sources,
2. landscape irrigation and lawn watering (except as prohibited under the water conservation ordinance),
3. rising ground waters or springs,
4. passive foundation and footing drains,
5. water from crawl space pumps and basement pumps,
6. air conditioning condensate,
7. noncommercial vehicle washing,
8. natural flows from riparian habitats and wetlands,
9. flows from fire suppression activities, including fire hydrant flows,
10. diverted stream flows,
11. untreated ground water,
12. waters from street cleaning equipment during street cleaning operations.

C. Any discharge which an authorized enforcement officer, the local health officer, or the Regional Water Quality Control Board determines, in writing, is necessary for the protection of the public health and safety, and the environment.

D. Any discharge caused by flooding or other natural disaster, which could not have been reasonably foreseen or mitigated for in advance by the discharger, as determined by the authorized enforcement officer.

(2002-05, added, 07/02/2002)

#### **Section 16.10.090 Reduction of pollutants in storm water.**

Any person engaged in activities, which will

or may result in pollutants entering the city storm drain system shall undertake all practicable measures to reduce such pollutants. Examples of such activities include ownership and use of facilities, which may be a source of pollutants such as parking lots, gasoline stations, industrial facilities, commercial facilities, stores, etc. The following minimal requirements shall apply:

A. Littering. No person shall throw, deposit, leave, maintain, keep or permit to be thrown, deposited or placed, any refuse, rubbish, garbage or other discarded or abandoned objects, articles or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit, or other drainage structure, business place, or upon any public or private lot of land, so that the same might be or become a pollutant, except in containers or in lawfully established dumping grounds. The occupant or tenant, or in the absence of occupant or tenant, the owner, lessee, or proprietor of any real property in the city in front of which there is a paved sidewalk shall maintain the sidewalk free of dirt or litter to the maximum extent practicable. Sweeping from the sidewalk and driveways shall not be swept, or washed, or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained as required for the disposal of solid wastes.

B. Drain inlets and gutters. Owners of properties fronting a city right-of-way shall maintain the drain inlets and gutters adjacent to their property free of debris, leaves, dirt, or other sediment. The owner shall remove debris, leaves, dirt, and other sediment from the drain inlets and gutters adjacent to their properties and disposed of in receptacles maintained as required for the disposal of solid wastes.

C. Animal waste. Waste from dogs, cats, and other animals shall not be washed into the street or storm drain system.

D. Bodies of water. No person shall throw or deposit litter in any fountain, pool, lake, stream, river or any other body of water within the city's jurisdiction.

E. Standards for parking lots, paved areas, and related storm water systems. Persons, owning, operating, or maintaining a paved parking, lot the paved areas of a gas station, a paved private street, alley or road, and related storm water conveyance systems shall clean those structures as frequently and thoroughly as practical in a manner that does not result in the

discharge of pollutants to the city's storm drain system.

F. Outdoor storage areas. In outdoor areas, no person shall improperly store grease, oil or other hazardous substances. In outdoor areas, no person shall improperly store motor vehicles, machine parts, or other objects in a manner that may leak grease, oil, or other hazardous substances. To prevent discharge of hazardous substances from the property, the city may require the installation of a spill containment system.

G. Banned pesticides. No person shall use, store or dispose of any state or federally banned pesticide in a manner that allows the pesticide to be washed into the street or storm drain system.

H. Mobile washing operations: Mobile washing operations may not discharge wash water to the storm drain system. Operations shall be conducted so as to contain discharge runoff for disposal to the sanitary sewer system.

(Ord. 2003-11, Amended, 10/07/2003; 2002-05, added, 07/02/2002)

#### **Section 16.10.100 Separately npdes permitted dischargers.**

A. Compliance with NPDES permits and notification of intent. Any industrial discharger, discharger associated with construction activity, or other discharger subject to a storm water NPDES permit issued by the United States Environmental Protection Agency, the State Water Resource Control Board, or the Regional Water Quality Control Board, shall provide a notice of intent to the appropriate permitting agency and comply with all requirements of such NPDES permit. Every person undertaking any activity or use of a premises which may cause or contribute to storm water pollution or contamination, illegal discharges, or non-storm water discharges shall comply with best management practices guidelines or pollution control requirements as stated in their permit and as may be reasonably established by the authorized enforcement officer or this chapter.

B. Storm water pollution prevention plan. The authorized enforcement officer may require any business or construction site, which may directly or indirectly discharge into the city storm drain system that is engaged in activities which may result in pollutant discharges, to develop and implement a storm water pollution prevention plan, which must include an employee training program and any other BMPS, programs, or

process descriptions which the authorized enforcement officer deems necessary to prevent a non-storm water discharge. Business activities which may require a storm water pollution prevention plan include, but are not limited to construction maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading or fueling, or cleanup procedures which are carried out partially or wholly out of doors.

(2002-05, added, 07/02/2002)

#### **Section 16.10.110 Construction activities.**

A. Best management practices for construction activities. All construction contractors performing work in the city shall conform to adopted city standards. In addition to any adopted BMPS or other requirements for construction projects adopted by the city, the following requirements shall apply to all projects undergoing construction in the city. The requirements set forth below shall apply at the time of demolition of an existing structure or commencement of construction and until the project receives final occupancy/clearance from the city.

1. Sediment, construction waste and other pollutants from construction sites and parking areas, including runoff from equipment at construction sites, shall be retained on the site to the maximum extent practicable.

2. Any sediment or other materials that are not retained on the site shall be removed the same day as the projects are completed. Where determined necessary by the director, a temporary sediment barrier shall be installed.

3. On an emergency basis only, plastic covering may be utilized to prevent erosion of an otherwise unprotected area, along with runoff devices to intercept and safely convey the runoff.

4. Excavated soil or stockpiled base materials shall be located on the site in a manner that minimizes the amount of sediments running into the street or adjoining properties. Soil and materials piles shall be covered until the soil is either used or removed. Soil and materials shall not be placed on paved streets or sidewalks without specific permission of the director.

5. No washing of construction or other industrial vehicles shall be allowed on a construction site or property adjacent to a construction site.

6. Drainage controls shall be utilized as needed, depending on the extent of the proposed grading and topography of the site, including but not limited to the following: detention ponds, sediment ponds, infiltration pits, dikes, filter berms, ditches, down drains, chutes, or flumes.

B. Notification to the director shall be required within twenty-four (24) hours following the failure of authorized measures to prevent erosion or sediment from leaving the construction site; the deposit of debris or material on adjoining property or public rights-of-ways, or; the interference with any existing watercourses or drainage facilities.

(2002-05, added, 07/02/2002)

#### **Section 16.10.120 New development and redevelopment.**

The city may establish controls on the volume and rate of storm water runoff from new developments and redevelopments as may be appropriate to minimize the discharge and transport of pollutants. To minimize the discharge and transport of pollutants, the city may require, in its discretion, new development or redevelopment projects to implement designs, which minimize storm water runoff. Acceptable methods and standards for controlling storm water runoff volumes, rates, and pollutant load may include but are not limited to the following: increasing permeable areas, directing runoff to permeable areas, maximizing storm water storage for controlled release and/or reuse, and requiring the construction of sediment basins, ponds and/or other structures to reduce sediments and pollutants. Where treatment devices are installed to reduce pollutants, such treatment devices must be properly operated and maintained.

(Ord. 2003-11, Amended, 10/07/2003; 2002-05, added, 07/02/2002)

#### **Section 16.10.130 Industrial discharges.**

A. Coordination with hazardous materials release response plans and inventory. Any business requiring a hazardous materials release response and inventory plan under section 25500 of the California Health and Safety Code shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting non-storm water discharges and illegal discharges, and requiring the release of pollutants to be reduced to the maximum extent

practicable.

B. Coordination with hazardous waste generator contingency plan. Any business requiring a hazardous waste generator contingency plan and emergency procedures pursuant to California Code of Regulations, TITLE 22, shall include in that plan provisions for compliance with this chapter, including the provisions prohibiting non-storm water discharges and illegal discharges, and requiring the release of pollutants to be reduced to the maximum extent possible.

C. National categorical storm water effluent limitations. All users listed in 40 CFR Sub-Chapter N shall comply with the effluent limitations guidelines as set forth therein. However, where the city has adopted effluent limitation standards more stringent than those contained in the national categorical water effluent limitations, the specific prohibitions or limits on pollutants or pollutant parameters as developed by the city shall be deemed the applicable pretreatment standards. When local limitations are more stringent than those contained in the act have been adopted, the city shall notify all affected users of the applicable reporting requirements.

(2002-05, added, 07/02/2002)

#### **Section 16.10.140 Inspection authority.**

The director may enter and inspect property for which a grading permit, building permit, or improvement plan approval has been issued to determine applicability or compliance with all applicable city ordinances and city standards. The director may also inspect any and all property on which grading, filling, clearing and grubbing or excavating activities are occurring. In addition, whenever necessary to make an inspection to enforce any of the provisions of this Chapter, or whenever an authorized enforcement officer has reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a violation of this Chapter, the agent may, enter such building or premises to inspect the same or perform any duty imposed upon the officer by this Chapter. If an owner, tenant, occupant, agent or other responsible party refuses to grant the city permission to enter or inspect, the city may seek an administrative inspection warrant pursuant to the procedures provided for in the California Code of Civil Procedure. Routine or area inspections shall be

based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this Chapter, including but not limited to random sampling and/or sampling in areas with evidence of storm water contamination, illicit discharges, discharge of non-storm water to the storm drain system, or similar factors. With the consent of the owner or occupant or pursuant to a search warrant, any authorized enforcement officer may establish on any property such devices as are necessary to conduct sampling or metering operations. During all inspections as provided herein, the authorized enforcement officer may take any samples deemed necessary to aid in the pursuit of the inquiry or in the recording of the activities onsite. (2002-05, added, 07/02/2002)

**Section 16.10.150 Monitoring, analysis and reporting authority.**

Any authorized enforcement officer may request that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to storm water pollution or contamination, illicit discharges, and/or discharge of non-storm water to the storm water system, undertake such monitoring activities and/or analysis and furnish such reports as the officer may specify. The burden, including costs, of these activities, analysis and reports shall bear a reasonable relationship to the need for the monitoring, analysis, and reports and the benefits to be obtained. The recipient of such request shall undertake and provide the monitoring, analysis and/or reports requested. In the event the owner or operator of a facility subject to a monitoring and/or analysis order fails to conduct required monitoring and/or analysis and furnish the required reports in the form required, the authorized enforcement officer may cause such monitoring and/or analysis to be performed and the cost, therefore, including the reasonable additional administrative costs incurred by the city shall be borne by the owner of the property and the cost thereof shall be invoiced to the owner of the property. (2002-05, added, 07/02/2002)

**Section 16.10.160 Notification of spills.**

Any person owning, occupying or in charge of a premises or responsible for emergency response for a facility has a personal responsibility to train facility personnel and

maintain notification procedures to assure immediate notification is provided to the city of any suspected, confirmed, or unconfirmed release of materials, pollutants or wastes creating a risk of discharge into the city storm drain system. As soon as any person owning, occupying or in charge of the premises or responsible for emergency response for a facility has knowledge of any suspected, confirmed or unconfirmed release, such person shall take all necessary steps to ensure the discovery and containment and cleanup of such release and shall immediately notify the city of the occurrence by telephoning the city public works department or police department and confirming the notification by written correspondence to the director within twenty-four (24) hours of any known or confirmed pollutant. (2002-05, added, 07/02/2002)

**Section 16.10.170 Monitoring fees.**

A. Council may, from time to time, establish by resolution a schedule of storm water monitoring activities fees. These fees shall apply to persons performing activities which are required by federal law to obtain a National Pollutant Discharge Elimination System (NPDES) permit regulating the discharge of storm water and surface water from the site of an industrial or construction activity; and shall apply to persons performing any activity which the city may be required to regulate or monitor by the NPDES municipal storm water permit issued to the city. The fees shall correspond to the costs expended by the city in monitoring the discharge from such a site or activity for compliance with the conditions of any applicable NPDES permit, as well as any costs associated with damage to or degradation of city's storm drain system. Every cost, fee, charge, penalty, or other monies collected under this Chapter shall be paid to the city to be used exclusively for storm water and drainage programs.

B. If the City Council and the Sacramento County Board of Supervisors enter into an agreement for Sacramento County to monitor any provisions of this Chapter within the city, Sacramento County may directly charge fees to persons performing activities being monitored in the same manner as the City, to monitor any activity of any provision of this Chapter with respect to such agreement. Such fees shall be

established by Sacramento County and shall correspond to the costs expended by the county in monitoring the discharge from such a site or activity for compliance with the conditions of any applicable NPDES permits

(Ord. 2004-06, Amended, 08/02/2004; 2002-05, added, 07/02/2002)

#### **Section 16.10.180 Enforcement.**

A. The enforcement officer may utilize any enforcement powers authorized or provided in this code. These include, but are not limited to, the penalties as set forth in Chapter 21.01 of Title 21 and the penalties as set forth in this Chapter.

B. The enforcement officer may exercise any of the following supplemental enforcement powers as he deems necessary or advisable:

1. Notice to clean and abate. Whenever an authorized enforcement officer finds any oil, earth dirt, cans, rubbish, refuse, waste or any other material of any kind, in or upon the sidewalk abutting or adjoining any parcel of land, or upon any parcel of land or grounds, which may result in an increase in pollutants entering the city storm drain system or natural water course, he or she may give notice to remove and abate such oil, earth, dirt, cans, rubbish, refuse, waste or other material, in any manner that he or she may reasonably provide. The recipient of such notice shall undertake the activities as described in the notice. In the event the owner or operator of a facility fails to conduct the activities as described in the notice, the authorized enforcement officer may cause such required activities as described in the notice and the cost thereof shall be invoiced to the owner of the property.

2. Storm water pollution prevention plan. The director shall have the authority to establish elements of a storm water pollution prevention plan and to require any business to adopt and implement such a plan, as may be reasonably necessary to fulfill the purposes of this chapter.

3. Best management practices. The director may establish the requirements of best management practices for any premises.

4. Compliance schedule. The authorized enforcement officer may develop and implement a schedule for compliance to meet any applicable federal or state standards or regulations covering the discharge of storm water or surface water for any activity not complying with the strictest of said standards and regulations. Failure to

complete the compliance schedule by any specified date shall constitute a violation of this chapter.

5. Cease and desist orders. When an authorized enforcement officer finds that a discharge has taken place or is likely to take place in violation of this chapter or, that may lead to such violation, the officer may issue an order to cease and desist such discharge, or practice, or operation likely to cause such discharge and direct that those persons not complying shall: comply with the requirement; comply with a time schedule for compliance; and/or take appropriate remedial or preventive action to prevent the violation from recurring.

6. Nuisance and Abatement. The authorized enforcement officer may order the abatement of any discharge from any source to the storm water drain system when, in the opinion of the authorized enforcement officer, the discharge causes or threatens to cause a condition which presents an imminent danger to the public health, safety, or welfare, or the environment, or a violation of a NPDES permit, and therefore is deemed a public nuisance. In emergency situations where the property owner or other responsible party is unavailable and time constraints are such that service of a notice and order to abate cannot be effected without presenting an immediate danger to the public health, safety, or welfare, or the environment, or a violation of a NPDES permit, the City may perform or cause to be performed such work as shall be necessary to abate said threat or danger pursuant to section 21.01.090. The costs of any such abatement shall be borne by the owner and shall be collectable as provided by sections 21.01.100 and 21.01.110.

7. Criminal citation. Authorized enforcement officers shall have and are hereby vested with the authority to arrest or cite any person who violates any section of this code in the manner provided by the California Penal Code for the arrest or release on citation of misdemeanor infractions as prescribed by Chapter 5, 5c, and 5d of TITLE 3, part 2 of the penal code (or as the same may be hereafter amended). Such authorized enforcement officers may issue a citation and notice to appear in the manner prescribed by Chapter 5 of TITLE 3, part 2 of the penal code, including section 853.6 (or as the same may hereafter be amended). It is the intent of the city council that the immunities prescribed in section 836.5 of the penal code be

applicable to public officers or employees acting the course and scope of employment pursuant to this chapter.

8. In addition to the actions provided herein, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to the public health, safety and welfare, is declared and deemed a public nuisance.

#### C. Notices and Orders

##### 1. Notice of Non-Compliance

a. The authorized enforcement officer may issue to the owner, manager, operator, or occupant of any premises, or to any person responsible for any violation of this Title, a Notice of Non-Compliance.

b. The Notice shall identify the provisions of this Title that have been violated, the corrective actions required to achieve compliance, required date of completion of corrective actions to be in compliance, and the right to appeal the matter.

##### 2. Administrative Enforcement Orders

a. If the Director determines that a person has committed, or is committing, a violation of any law, regulation, permit, information request, order, variance, or other requirement that the Director is authorized to enforce or implement pursuant to this Chapter, the Administrator may issue an Administrative Enforcement Order requiring that the violation be corrected and may impose an Administrative Civil Penalty as specified in Section 16.10.20 of this Chapter.

b. The Director shall adopt written procedures for issuing an Administrative Enforcement Order and imposing an Administrative Civil Penalty. In establishing a penalty amount and ordering that the violation be corrected pursuant to this section, the Director shall take into consideration such factors as the nature, circumstances, extent, and gravity of the violation, the violator's past and present efforts to prevent, abate, or clean up conditions posing a threat to the public health or safety or the environment.

c. The Administrative Enforcement Order shall specify a date by which the discharger must be in compliance with this Chapter. The Director may extend the compliance date when good cause exists for such an extension.

d. The Administrative Enforcement Order may state that the City may recover any costs incurred by the City as a result of the violation and may include a demand for recovering costs incurred.

e. An Administrative Enforcement Order may be issued in the same document or separately from any Notice of Non-Compliance and/or any Cease and Desist Order.

f. The Administrative Enforcement Order shall state that the recipient has a right to appeal as set forth in Section 16.10.190 of this Chapter.

##### 3. Cease and Desist Orders

a. The Director may issue a Cease and Desist Order. The Cease and Desist Order may be included in a Notice of Non-Compliance and/or in an Administrative Enforcement Order. A Cease and Desist Order may direct the owner or occupant of any premises, or any other person responsible for any violation of this Chapter, to take any of the following action:

1. Immediately discontinue any prohibited discharge to the City storm water conveyance system.

2. Immediately discontinue any other violation of this Chapter.

3. Clean up the area affected by the violation.

b. The Director may direct by a Cease and Desist Order that any person immediately cease any activity which may lead to a violation of Receiving Water Limitations.

D. If the City Council and the Sacramento County Board of Supervisors enter into an agreement for Sacramento County to administer and enforce any provisions of this Chapter within the City, any administrative or civil enforcement by Sacramento County of any provision of this Chapter with respect to such agreement shall be governed by and conducted pursuant to Chapter 15.12 of the Sacramento County code. Within the terms of any such agreement, Sacramento County and its authorized official(s) and employee(s) shall be authorized to take any action with respect to facilities located within the City, in accordance with the provisions of this Chapter, including the levying and collection of applicable

penalties, fees, and other payments.

(Ord. 2006-07, Amended, 06/06/2006; Ord. 2004-06, Repealed and Replaced, 08/02/2004; 2002-05, added, 07/02/2002)

#### **Section 16.10.190 Appeal.**

Any person served with an administrative citation, administrative notice and order, notice to clean and abate, cease and desist order, compliance schedule or who is aggrieved by a decision of the Director or other authorized enforcement officer, may appeal by filing a written request for a hearing with the City Clerk within seven (7) days of the effective date of service of the notice. The hearing shall be set and conducted pursuant to section 21.03.060. The decision of the hearing officer is final. Any person aggrieved by a decision of the hearing officer may obtain judicial review pursuant to section 21.03.070.

(Ord. 2006-07, Amended, 06/06/2006; Ord. 2004-06, Amended, 08/02/2004; 2002-05, added, 07/02/2002)

#### **Section 16.10.200 Civil violation.**

In addition to any other remedies provided in this Chapter, any violation of the provisions of this Chapter may be enforced by civil action brought by the city pursuant to sections 21.01.060 and 21.01.080. In any such action, the City may seek any or all of the following remedies:

- A. Injunctive relief;
- B. Assessment against the violator for the costs of any investigation, inspection, or monitoring survey which led to the discovery of the violation, and for the reasonable costs incurred in preparing and prosecuting the legal action as a result of violations of this chapter;
- C. Recovery for costs incurred in removing, correcting, terminating, or preventing adverse effects resulting or likely to result from the violation;
- D. Compensatory damages for loss or destruction to water quality, wildlife, fish, and aquatic life; and/or
- E. Such other relief as the court may authorize.

Any person who violates any provision of this Chapter, who discharges or causes pollution, or who violates any cease and desist order, state or national law or regulation, or any other order

of the director shall be civilly liable to the city in a sum not to exceed twenty-five thousand dollars (\$25,000.00) per violation per day. In addition, the city may require the user to pay any excess costs to the system for supplementary treatment systems, facilities, or operations needed as a result of allowing the entry of such discharges into the storm water system. The city may petition the Sacramento County Superior Court to impose, assess, and collect any sums levied pursuant to this chapter and sections 54725, 54739, and 54740, et seq. of the California Government Code. In determining the amount to be recovered, the court shall take into consideration all relevant circumstances including, but not limited to, the extent of the harm caused by the violation, the economic benefit derived through any noncompliance, the nature and persistence of the violation, the length of time over which the violation occurs, and corrective action, if any, attempted or taken by the discharger. Notwithstanding any other provision of law, all civil penalties imposed by the court pursuant to this paragraph shall be distributed to the city. Remedies imposed pursuant to this section are in addition to and do not supersede or limit any and all other administrative, civil, or criminal remedies available at law.

(Ord. 2006-07, Amended, 06/06/2006; 2002-05, added, 07/02/2002)

#### **Section 16.10.210 Criminal violations.**

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Chapter. A violation of any of the provisions or failing to comply with any of the mandatory requirements of this Chapter shall constitute a misdemeanor. Causing, permitting, aiding, abetting or concealing a violation of any provision of this Chapter is unlawful and shall also constitute a misdemeanor. Notwithstanding any other provision with this code, any such violation constituting a misdemeanor under this Chapter may, in the discretion of the City Attorney, be charged and prosecuted as an infraction. Misdemeanors shall be punishable as provided by Section 21.01.050. Infractions shall be punishable as provided by section 21.01.040. Each person shall be charged with a separate offense for each and every day, during which



any violation of any provision of this code is committed, continued or permitted by such person and shall, upon conviction, be punished accordingly.

(Ord. 2006-07, Amended, 06/06/2006; 2002-05, added, 07/02/2002)

**Section 16.10.220 Remedies not exclusive.**

A. Remedies under this Chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided herein shall be cumulative and not exclusive. In addition to any penalty, sanction, fine or imprisonment, any person violating the provisions of this Chapter shall be required to pay any and all expenses of enforcement including those costs necessary to monitor, inspect, remove and/or correct the violation. In addition to all remedies herein contained, the city may pursue all reasonable and legal means in collecting those sums authorized and due.

B. If the costs of enforcement and any penalties assessed are not paid within thirty (30) days of effective date of service of the notice or order demanding payment, such costs may be assessed against the parcel of land pursuant to section 21.01.110, and shall be transmitted to the tax collector for collection and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ad valorem taxes.

(Ord. 2006-07, Amended, 06/06/2006; Ord. 2004-06, Amended, 08/02/2004; 2002-05, added, 07/02/2002)



**Chapter 16.30****GRADING****Sections:**

- 16.30.010 Title.**
- 16.30.020 Purpose.**
- 16.30.030 Definitions.**
- 16.30.040 Grading approval required.**
- 16.30.050 Exemptions.**
- 16.30.060 Grading approval.**
- 16.30.070 Conditions of grading approval.**
- 16.30.080 Liability.**
- 16.30.090 Compliance with permits and standards.**
- 16.30.100 Water obstruction.**
- 16.30.110 Levee work.**
- 16.30.120 Application for grading permit.**
- 16.30.130 Grading prior to issuance of approval of improvement plans.**
- 16.30.140 Permission of other agencies or owners.**
- 16.30.150 Erosion and sediment control plans (esc plan).**
- 16.30.160 Modification of approved grading plans.**
- 16.30.170 Permit fees.**
- 16.30.180 Inspection of work.**
- 16.30.190 Identification of property lines.**
- 16.30.200 Other responsibilities of permittee.**
- 16.30.210 Time limits.**
- 16.30.220 Permits nontransferable.**
- 16.30.230 Abatement.**
- 16.30.240 Penalty and cost of enforcement.**

**Section 16.30.010 Title.**

This Chapter shall be known as the grading ordinance of the city of Galt, and shall be referred to herein as the “grading ordinance.”  
(2002-06, Added, 07/02/2002)

**Section 16.30.020 Purpose.**

The grading ordinance is enacted for the purpose of regulating grading on property within the city limits of the city to safeguard life, limb, health, property and the public welfare; to avoid pollution of watercourses with nutrients, sediments, or other materials generated or caused by surface water runoff; to comply with the city's National Pollution Discharge

Elimination System (NPDES) permit no. CA0082597, issued by the California Regional Water Quality Control Board and to ensure that the intended use of a graded site within the city limits is consistent with the city general plan, any specific plans adopted thereto and all applicable city ordinances and regulations. The grading ordinance is intended to control all aspects of grading operations within the city limits of the city.

(2002-06, Added, 07/02/2002)

**Section 16.30.030 Definitions.**

Unless the particular provision or the context otherwise requires, wherever the following terms are used in the grading ordinance, they shall have the meaning ascribed to them in this section.

**Best management practices:** Any program, technology, technique, process, siting criteria, operating method, measure or device which controls, prevents, removes or reduces pollution, erosion, and sediment transport.

**Building official:** The building official for the city of Galt who has responsibility for the application of california building code within the city.

**City council:** City council of the city of Galt.

**City standards:** A compilation of administrative procedures, technical standards, and design specifications adopted by the city of Galt.

**Director:** Director of the public works department of the city of Galt, or his or her authorized designees.

**Erosion and sediment control plan (ESC plan):** Consists of a set of best management practices or equivalent measures designed to control surface runoff and erosion, retain sediment on a particular site, and prevent pollution of site runoff during the period in which preconstruction and construction related grading and/or soil storage occur, and before final improvements or permanent structures are completed.

**Person:** Includes any individual, firm, partnership, association, corporation, public district, public agency, public utility, trust,

estate, other political subdivision or any other entity.

(2002-06, Added, 07/02/2002)

**Section 16.30.040 Grading approval required.**

Except for the specific exemptions listed hereinafter, no person shall do or permit to be done any grading on any site in the city without first obtaining approval of such grading from the director or the building official in accordance with the provisions of the grading ordinance.

(2002-06, Added, 07/02/2002)

**Section 16.30.050 Exemptions.**

The following grading may be done without obtaining grading approval unless grading approval is required in mitigation monitoring agreements or other conditions of project approval. Exemption from the grading approval requirement shall not be deemed as permission to violate any other provision of this chapter.

A. Minor construction projects, which meet all of the following requirements:

1. The volume of material graded is less than fifty (50) cubic yards,

2. The depth of cuts and fills is less than two feet,

3. Any drainage way is not blocked or obstructed and its storm water carrying capacities are not modified,

4. Slopes are less than ten percent and are not left in an unstable or erodible condition;

B. Single family residential lots less than one-half acre that are not part of a larger common plan and residential infill projects less than one-half acre which also meet the requirements of subsection (A) of this section;

C. Grading necessary for agricultural operations unless the failure of any cut or fill created by such grading could endanger any structure intended for human or animal occupancy or any public road, or could obstruct any watercourse or drainage way;

D. Exploratory excavations of less than three hundred fifty (350) cubic yards under the supervision of a geotechnical engineer;

E. Routine cemetery excavations and fills;

F. Performance of emergency work necessary to protect life or property when an urgent necessity therefore arises. The person

performing such emergency work shall notify the director promptly of the problem and work required;

G. Refuse disposal sites controlled by TITLE 23 of the California Code of Regulations;

H. The repair and maintenance of levees for river and local drainage control performed by a governmental agency.

(2002-06, Added, 07/02/2002)

**Section 16.30.060 Grading approval.**

Grading approval for grading done on a single parcel in conjunction with imminent construction of a building or other structure shall be granted by the building official in accordance with California Building Code and is not further addressed in this ordinance with the exception that section 16.30.150 applies to all grading permits. Grading approval for multiple parcels and single parcels where grading is requested in the absence of construction of buildings or structures, may be issued by the director in connection with the issuance of an encroachment permit, or the approval of improvement plans; or where commencement of grading is desired prior to such issuance or approval, or is performed separately, through the issuance of a separate grading permit. If a building permit, improvement plan or encroachment permit is approved in accordance with other sections of city code, and then a separate grading permit shall not be required. Approval of the building permit, improvement plans, or encroachment permit, constitutes approval of the grading work intended.

(2002-06, Added, 07/02/2002)

**Section 16.30.070 Conditions of grading approval.**

A. No grading shall be approved unless the project conforms with the city's general plan, any adopted specific or community plans, and applicable city ordinances, including the zoning ordinance and the subdivision ordinance.

B. Where the California Environmental Quality Act (CEQA) requires the preparation and approval of environmental documents concerning a project which will result in grading for which a grading permit is required under this Chapter, no grading shall be approved until all CEQA requirements have been met, including

but not limited to mitigation measures relating to protection of threatened and endangered species under applicable federal and state endangered species laws.

C. Where a proposed grading project requires the filing of a tentative map or the intended use requires approval of a discretionary zoning permit or variance, grading may also require approval from the city planning and building departments.

D. Work shall be performed in accordance with the provisions of this grading ordinance and the applicable criteria set forth in the city standards.

E. Grading approval shall be limited to work shown on the grading plans as approved by the director. The director may impose any condition deemed necessary to protect the health, safety, and welfare of the public, to prevent the creation of a hazard to public or private property, and/or to assure proper completion of the grading.  
(2002-06, Added, 07/02/2002)

#### **Section 16.30.080 Liability.**

The issuance of a permit hereunder shall not be construed as imposing any liability upon the city or upon any of its officers, employees, or agents by reason of damage or injury to persons or property resulting from any activity, repair, improvement, excavation or obstruction authorized by the permit. Neither issuance of grading approval under the provisions of the grading ordinance nor compliance with the provisions hereof or with any conditions imposed in a permit issued hereunder shall relieve any person from responsibility for damage to any person or property.  
(2002-06, Added, 07/02/2002)

#### **Section 16.30.090 Compliance with permits and standards.**

The issuance of grading approval shall not be construed as an approval of any action or condition constituting a violation of the provisions of the grading ordinance or of any other applicable laws, ordinances, rules or regulations. Any act done under the authority of a written permit issued pursuant to the provisions of this Chapter shall be done in accordance with the terms and conditions of such permit. All federal and state laws and

codes, and the construction standards of the city will be complied with during the execution of work under the permit. All work shall be done and must be constructed in accordance with the standards adopted by the city. The failure of any permittee or person to obey the provisions of this Chapter or the lawful directions of the director of public works or his or her designated representative relative to grading work shall be deemed to be sufficient cause to refuse the request of the person for further permits for work of such character or to cause the stoppage of any work and progress by the director of public works by written notice until the permittee is in full compliance with the terms of this Chapter.

(2002-06, Added, 07/02/2002)

#### **Section 16.30.100 Water obstruction.**

No person shall do or permit to be done any grading which may obstruct, impede, or interfere with the natural flow of storm waters, whether such waters are unconfined upon the surface of the land or confined within land depressions, natural drainage ways, unimproved channels, watercourses, improved ditches, channels or conduits, in such manner as to cause flooding where it would not otherwise occur, aggravate any existing flooding condition or cause accelerated erosion except where said grading is in accordance with all applicable laws including, but not limited to, the provisions of the grading ordinance.

(2002-06, Added, 07/02/2002)

#### **Section 16.30.110 Levee work.**

No person shall excavate or remove any material from or otherwise alter any levee adjacent to any river, creek, bay, or local drainage control channel, without prior approval of the governmental agency or agencies responsible for the operation and/or maintenance of the levee.

(2002-06, Added, 07/02/2002)

#### **Section 16.30.120 Application for grading permit.**

The director shall determine whether the application is complete and may require additional information from the applicant before accepting the application as complete. The

director may require the submission of plans, soil or geological reports, detailed construction recommendations, drainage study or other engineering data prior to and in connection with any work or activity proposed. Grading plans and specifications shall be prepared and signed by a registered civil engineer, except as otherwise provided herein and shall include the information required in the city standards. The director may waive the requirement that all plans and specifications be prepared and signed by a registered civil engineer if the grading would not endanger the public health, safety, or welfare as determined by the director.

(2002-06, Added, 07/02/2002)

**Section 16.30.130 Grading prior to issuance of approval of improvement plans.**

Approval of a separate grading permit to perform grading prior to issuance of approval of improvement plans shall not prohibit the city from requiring additional grading or changes to grading in accordance with improvement plans once approved. Any additional grading or revisions to work necessitated by conflicts discovered during the improvement plan check, subsequent building plan checks, or subsequent construction will be corrected at the permittee's expense.

(2002-06, Added, 07/02/2002)

**Section 16.30.140 Permission of other agencies or owners.**

No application for grading approval shall relieve the permittee of responsibility for securing other permits or approvals required for work which is regulated by any other department or other public agency, or for obtaining any easements or authorization for grading on property not owned by the permittee. Proof of applicable public agency permits may be required prior to issuance of grading approval.

(2002-06, Added, 07/02/2002)

**Section 16.30.150 Erosion and sediment control plans (esc plan).**

An ESC plan shall be prepared for all projects to control surface runoff and erosion and to retain sediment on a particular site and prevent pollution of site runoff during the period when preconstruction and construction related

grading activities occur, but before final improvements or permanent structures are complete. The ESC plan shall be prepared and submitted concurrently with the grading plan and shall include all of the information required by city standards.

(2002-06, Added, 07/02/2002)

**Section 16.30.160 Modification of approved grading plans.**

Any modifications of an approved grading plan shall be submitted in writing to the director, who shall approve or deny such modification at his or her sole discretion.

(2002-06, Added, 07/02/2002)

**Section 16.30.170 Permit fees.**

Processing fees in an amount established by resolution of the city council shall be paid for permits prior to permit issuance, except where a continuous billing account has been established. Costs incurred by city for processing and checking the application and for inspection shall be billed to the permittee based upon the city fee schedule in effect at the time of permit processing. If grading work is done in violation of the grading ordinance or does not comply with the terms and conditions of a grading approval issued for such grading, a fee covering investigation of any violation and inspection and plan checking of work required to correct such violation shall be charged to the violator to cover all costs actually incurred by the city.

(2002-06, Added, 07/02/2002)

**Section 16.30.180 Inspection of work.**

The director may inspect any work done pursuant to the grading ordinance at any time during the course of construction. No person shall be deemed to have complied with the grading ordinance until a final inspection of the work has been made by the director. As a condition of any grading approval, the permittee shall provide the city a right-of-entry and reasonable access to the site during the performance of all work and for a minimum period of one year after final inspection pursuant to the grading permit.

(2002-06, Added, 07/02/2002)

**Section 16.30.190 Identification of property lines.**

Prior to any grading work or related activities, the owner may be required to mark all property corners of the parcel of land to be graded. If the property corners are unknown, or whenever the location of a property line or easement or the title thereto is disputed during the application process or during a grading operation, a survey by a licensed land surveyor or civil engineer, or other resolution of the title dispute, all at the expense of the permittee, may be required by the director. Whenever necessary to enforce the provisions of the grading ordinance, the director may enter the premises at all reasonable times to the extent authorized by law to perform any duty imposed by the grading ordinance. If such entry is refused, the director shall have recourse to every remedy provided by law to secure entry.

(2002-06, Added, 07/02/2002)

**Section 16.30.200 Other responsibilities of permittee.**

The permittee shall be responsible for the prevention of damage to any public utilities or services, for the prevention of damage to adjacent property, and to prevent discharge of sediment from the site, in quantities greater than before the grading occurred, to any watercourse, drainage system, or adjacent property.

(2002-06, Added, 07/02/2002)

**Section 16.30.210 Time limits.**

All the work required by the permit or grading approval shall be completed within the time limits specified in the permit or approval. The director may in his or her sole discretion approve or denies a request for time extension. The director may require a new application and fees depending on the time between the expiration date and the extension request, revisions in city regulations, and/or changed circumstances in the immediate area.

(2002-06, Added, 07/02/2002)

**Section 16.30.220 Permits nontransferable.**

No approval or permit issued under the grading ordinance may be transferred or

assigned in any manner whatsoever, without the express written consent of the director.

(2002-06, Added, 07/02/2002)

**Section 16.30.230 Abatement.**

Any activity contrary to the provisions of this Chapter or contrary to the issued permit or the terms or conditions imposed therein is unlawful and a public nuisance, and the City Manager or his or her designee is authorized to commence in the name of the city actions or proceedings for the abatement and removal and enjoining thereof in the manner provided by sections 21.01.060 and 21.01.080, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such operation and restrain and enjoin any person, firm or corporation from so operating.

(Ord. 2006-07, Amended, 06/06/2006; 2002-06, Added, 07/02/2002)

**Section 16.30.240 Penalty and cost of enforcement.**

A. Any person violating the provisions of this chapter or any grading permit issued pursuant to this Chapter is guilty of a misdemeanor.

B. In addition to any other remedies available by law, any person violating the provisions of this Chapter or any grading permit issued pursuant to this Chapter shall be liable to the city for all expenses and damages caused by any such violation.

C. In addition to any other remedies provided by this Chapter or state law, there are hereby imposed the following administrative civil penalties for each violation of this Chapter or the terms and conditions of any grading permit issued pursuant to this Chapter.

1. Any person initiating work within the public road right-of-way without obtaining a grading permit shall be subject to and responsible for a fine in the amount of \$500 for a first violation, \$750 for a second violation, or \$1,000 for a third or subsequent violation.

2. Any person in possession of a valid grading permit that initiates work, but fails to provide notification for inspection as required by the permit shall be subject to and responsible for a fine in the amount of \$250 for a first violation,

\$1,000 for a second violation, or \$1,000 for a third or subsequent violation.

D. Whenever the city manager or his or her designee determines that grading violates the provisions of this Chapter or the terms and conditions of any permit issued pursuant to this Chapter, the city manager or his or her designee shall give written notice of such violation to the alleged violator. The notice shall include the following information:

1. The street address, legal description or other description sufficient to identify the affected property.

2. The penalty imposed as a result of such violation.

3. A statement that the party affected may file a written request for hearing with the director of public works if it objects to imposition of the penalty.

4. A statement that the penalty imposed shall be enforced if the party fails to file a timely written request for a hearing.

E. Notice of any administrative civil penalty shall be served either personally or by mailing a copy of such notice by certified mail, postage prepaid, return receipt requested, to the alleged violator. Service shall be effective for all purposes upon receipt if personally served, or within five (5) days of mailing as herein provided. Proof of service of the notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the city manager or his or her designee. The failure of a party to receive such notice shall not affect in any manner the validity of any proceedings taken pursuant to this chapter.

F. A written request for a hearing must be received by the City Manager or his or her designee within seven (7) days of the effective date of service of the notice. The hearing shall be set and conducted pursuant to Section 21.03.060. The order of the hearing officer shall be in writing resolving the essential issues raised in the hearing and confirming, amending or

rejecting the administrative civil penalty imposed by the Director of Public Works.

G. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Government Code section 53069.4, or any successor provision thereto. A copy of the notice of appeal authorized by Government Code section 53069.4 shall be served upon the City Clerk.

H. Each party violating any provision of this chapter or any grading permit issued pursuant to this chapter shall be guilty of a separate offense for each and every day on which any such violation is committed, continued, or permitted by any such person.

I. In addition to any penalty, sanction, fine or imprisonment, any person violating the provisions of this Chapter or any grading permit issued pursuant to this Chapter shall be required to pay any and all expenses of enforcement including those costs necessary to inspect, remove and/or correct the violation. In addition to all remedies herein contained, the City may pursue all reasonable and legal means in collecting those sums authorized and due, including, but not limited to the provisions of Chapter 21.01 of Title 21.

(Ord. 2006-07, Amended, 06/06/2006; 2002-06, Added, 07/02/2002)



## Chapter 16.50

### DRAINAGE UTILITY

#### Sections:

- 16.50.010 Purpose.**
- 16.50.020 Findings.**
- 16.50.030 Definitions.**
- 16.50.040 Levy of charge for storm drainage services.**
- 16.50.050 Adjustment of charge.**
- 16.50.060 Bill procedure.**
- 16.50.070 Lien.**
- 16.50.080 Administration and enforcement.**
- 16.50.090 Administrative appeal.**
- 16.50.100 Deposit of collection.**
- 16.50.110 Severability.**

#### Section 16.50.010 Purpose.

The purpose of this Chapter is to establish a drainage utility for managing and funding the operation and maintenance of the City storm water program in order that storm and surface waters may be properly drained and controlled to safeguard the health, safety and welfare of the City's inhabitants; to protect the waters of the United States, and to insure compliance with applicable federal and state laws and permits. This Chapter shall be known as the *drainage utility ordinance* of the City of Galt, and shall be referred to herein as the "drainage utility ordinance."

(Ord. 2002-11, Added, 10/15/2002)

#### Section 16.50.020 Findings.

The City Council hereby finds as follows:

A. The City maintains a system of storm and surface water management facilities within the incorporated area of the City, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, and other components as well as natural waterways.

B. Those elements of the City's storm and surface water management system that provide for the collection, storage, treatment, and conveyance of storm drainage are of benefit and provide services to all developed property within the incorporated area of the City.

C. The cost of operating and maintaining the storm water management system, including necessary repairs, should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received therefrom.

D. Erosion and the discharge of nutrients, metals, oil, grease, and other substances into and through the storm drainage system is resulting in a degradation in water quality.

E. The public health, safety and welfare are adversely affected by poor water quality and flooding resulting from inadequate storm drainage management practices.

F. The storm drainage management practices necessary to protect water quality are largely established by federal and state statutes, regulations and permitting requirements.

G. Real property either uses or benefits from the presence and operation of the storm drainage management system.

H. The use of the storm drainage system is dependent on factors that influence runoff, including land use and impervious area.

I. The City has the authority under applicable law, including, but not limited to, Health and Safety Code section 5471 to prescribe, revise and collect fees, tolls, rates, rentals and other charges for facilities and services furnished by it in connection with its storm drainage system.

J. The Legislature, through the adoption of applicable law, including, but not limited to, Health and Safety Code section 5471, has specifically authorized the City to provide storm drainage services as a utility function for which service charges may be levied.

K. A fee to fund storm drainage services offers a reliable and consistent source of revenue that is locally controlled.

(Ord. 2002-11, Added, 10/15/2002)

#### Section 16.50.030 Definitions.

The meanings ascribed to the terms set forth in this section shall govern the interpretation of this Chapter.

A. Administrative charge: shall mean the charge imposed by the City's consolidated utility billing service for the actual cost of billing for, and collection of, storm drainage service fees.

B. Director: shall mean the City of Galt Director of Public Works, his/her designee.

C. City: shall mean the City of Galt.

D. City storm drainage system: shall mean the system of storm and surface water management facilities, including but not limited to inlets, conduits, manholes, storm sewers, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors and other components as well as natural waterways, within the unincorporated area that is either owned or operated by the City.

E. Developed parcel: shall mean any parcel of land altered from its natural state by the construction, creation or addition of impervious area.

F. Exempt use: shall mean the use of any public or undeveloped property and the use of any other parcel for any of the following purposes: agricultural land used for crops or pasture, aquatic farms, orchards, City-maintained drainage ditches, property within a floodplain recognized by the City on which improvements are prohibited, and levees.

G. Parcel: shall mean the smallest separately segregated lot, unit or plot of real property having an identified owner, boundaries, and surface area which is documented for property tax purposes and given a tax lot number by the County Assessor.

H. Person: shall mean any individual, firm, company, association, society, partnership, corporation, organization, group or public agency.

I. User: shall mean the owner of a parcel of real property that is charged for storm drainage services.

(Ord. 2002-11, Added, 10/15/2002)

#### **Section 16.50.040 Levy of charge for storm drainage services.**

City Council may levy on any parcel, subject to applicable law, within the boundaries of the City of Galt, a storm drainage service fee to be calculated based on the approximate pro-rata cost share impact of the parcel with development on storm drainage. Rates and charges for drainage services shall be fixed from

time to time, by resolution of the City Council, subject to applicable law.

(Ord. 2002-11, Added, 10/15/2002)

#### **Section 16.50.050 Adjustment of charge.**

A. Whenever the owner of any parcel is subject to a storm drainage service fee, other than parcels classified as a single-family residential use, he/she may file an application with the director to have the fee levied on such parcel reduced by means of one of the following mechanisms: (1) by designing, constructing and maintaining, at the owner's expense, storm drainage detention facilities approved by the director; (2) demonstrating to the satisfaction of the director that less than five percent (5%) of the parcel area drains into a City storm drainage system; or (3) demonstrating to the satisfaction of the director that the actual impervious area of the parcel is at least ten percent (10%) less than that calculated using the impervious factor for the parcel's use classification.

B. After receipt and review of the application, the director shall either deny any reduction in the fee or approve a reduced fee calculated pursuant to subdivision C hereof. The director, in approving any reduction in the otherwise applicable fee, may attach reasonable conditions to any such approval. If the applicant is dissatisfied with the action of the director, he/she may file a petition pursuant to section 16.50.100 hereof.

C. Any storm drainage facilities constructed by a parcel owner pursuant to this section shall meet the standards set forth in the City's improvements standards. Upon approval of any reduction in the otherwise applicable fee pursuant to this section, the revised fee shall be calculated on the basis of the equivalent contributing parcel area.

D. The fee for a parcel may be adjusted for the impact of any additional development on the parcel upon completion of construction.

E. Any adjustment of charges may be initiated by either the director or by the owner of a parcel subject to the storm drainage service fee. If the director denies any adjustment proposed by an owner or an owner objects to an adjustment proposed by the director, any adjustment shall be made pursuant to the procedure set forth in section 16.50.100 hereof.

Any debit adjustments shall be added to the charge in the succeeding billing period. Any credit adjustments shall first be credited against the previous balance and then any remaining credit shall be applied to subsequent charges. No debits or credits shall be made for any period more than three (3) years prior to the date that an adjustment is proposed by the director or requested by the owner of record pursuant to section 16.50.100.

(Ord. 2002-11, Added, 10/15/2002)

#### **Section 16.50.060 Bill procedure.**

A. Whenever a storm drainage service fee is levied, it shall be billed as part of the City's consolidated utility billing service in the same manner as for water service in Chapter 13.08. Alternatively, the fee may be collected by any procedure available to the City under applicable law. Specific billing procedures as appropriate, delinquency charges, and deposits will be further detailed in the service fee schedule.

B. The storm drainage service fee shall be based on the use of the parcel as determined by the director. For each parcel of property there shall be only one unit for purposes of billing for storm drainage services. The charge may be divided among tenants of condominium or multi-family residential dwelling units if separate utility accounts exist for water services and if approved by the director.

C. The storm drainage service fee shall be billed to the owner of record of the parcel, to the successor in interest of such person, or to such person's designees if approved by the director and separate water accounts exist. The owner of record shall remain liable for any delinquent fees.

D. Application of fees shall be based on current parcel numbers, square footage and use codes on record in the county assessor's office, unless the director determines that the actual use of the parcel is different than the use reflected in the use codes in which case the fees shall be based on the actual use of the parcel.

(Ord. 2002-11, Added, 10/15/2002)

#### **Section 16.50.070 Lien.**

A. The City shall notify the assessee shown on the latest equalized assessment roll whenever delinquent and unpaid fees, which would

become a lien on the parcel pursuant to subdivision B remain delinquent and unpaid for sixty (60) days.

B. Whenever a storm drainage service fee and any penalties are levied pursuant to this Chapter, they shall constitute a lien upon the parcel subject to the fee; as provided for in applicable law, including, but not limited to, Health and Safety Code section 5473.11; if the fee remains delinquent for a period of sixty (60) days and the City has notified the assessee of the parcel shown on the latest equalized assessment roll of the delinquent fees and the lien provided by this section.

C. The lien provided herein shall have no force or effect until a certificate specifying the amount of the unpaid fees is recorded with the county recorder.

D. Any delinquent storm drainage service fees and penalties may be collected on the tax roll in the same manner and at the same time as property taxes are collected.

(Ord. 2002-11, Added, 10/15/2002)

#### **Section 16.50.080 Administration and enforcement.**

The director shall be responsible for the administration and enforcement of the provisions of this Chapter. The director shall have the authority to adopt rules and regulations not inconsistent with provisions of this Chapter for purposes of carrying out and enforcing the payment, collection and remittance of the fee herein levied.

(Ord. 2002-11, Added, 10/15/2002)

#### **Section 16.50.090 Administrative appeal.**

A. Any owner who disputes the amount of a levied storm drainage service fee charged to his/her parcel, the classification of the property in terms of its use, any adjustment proposed by the Director, or any other determination affecting the property made by or on behalf of the City pursuant to this Chapter may appeal with regard to any such issue. Any appeal petition may only be filed once in connection with the issue or issues presented in the petition, except upon a showing of changed circumstances sufficient to justify the filing of such additional petition.

B. Any appeal petition shall be in writing, signed by the owner under penalty of perjury and filed with the City Clerk. The petition shall include the following information: (1) a complete description of the factual basis for the appeal; (2) the legal basis for the appeal; and (3) the remedy sought by the appellant.

C. The hearing shall be set and conducted pursuant to section 21.03.060. The hearing officer shall make and serve by mail written findings of facts based upon all relevant information presented in the appeal petition or at the hearing, shall make a determination of issues based upon such findings and, if appropriate, an order setting forth an appropriate remedy subject to the limitations set forth in subdivision E of section 16.50.060. The determination of the hearing officer shall be final.

(Ord. 2006-07, Amended, 06/06/2006; Ord. 2002-11, Added, 10/15/2002)

#### **Section 16.50.100 Deposit of collection.**

There is hereby created in the City treasury a special revenue account. All storm drainage service fees collected by the City shall be deposited in such account. The revenue deposited in such account from any fees collected, shall be used only for management and execution of the City storm water program including prevention of storm water pollution; compliance with drainage related federal and state laws and permits; and the acquisition, construction, reconstruction, maintenance, and operation of drainage facilities.

(Ord. 2002-11, Added, 10/15/2002)

#### **Section 16.50.110 Severability.**

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Chapter or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this Chapter or any part thereof. The City Council of the City hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

(Ord. 2002-11, Added, 10/15/2002)



general plan

2030

a vision for the future

galt, california

# 2030 Galt General Plan Policy Document

Final



live.com 2007

April 2009

Prepared by:

Mintier Harnish  
Environmental Science Associates  
Applied Development Economics  
Omni-Means

Please visit the City's website for more information  
on the General Plan: [www.ci.galt.ca.us](http://www.ci.galt.ca.us)



# 2030 Galt General Plan Policy Document

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City of Galt

April 2009

*Prepared by:*

**mintierharnish**  
planning consultants

*In Association With:*



APPLIED  
DEVELOPMENT  
ECONOMICS





## Public Facilities and Services Element

### Introduction

City development is dependent on a complicated network of public facilities and services. Each type of facility or service has a unique set of opportunities and constraints and must adapt to growth and change differently. The Public Facilities and Services Element focuses on water production, treatment, and distribution; sewage collection and treatment; flood protection; parks and recreational open space; storm drainage; solid waste collection and disposal; fire protection and emergency medical service; law enforcement; schools; and other utilities such as gas, electricity, and communications. This element provides guidance for the logical and efficient extension of these services as new development occurs. The City will also provide for the development of major public facilities through capital improvement projects to accommodate growth projected under the General Plan consistent with applicable State and Federal law. Transportation facilities are discussed separately in the Circulation Element.

This element contains goals, policies, and implementation measures related to the following topics:

- Public Facilities and Services Funding
- Water Supply, Treatment, and Delivery
- Wastewater Collection, Treatment, Disposal, and Reuse
- Stormwater Drainage
- Solid Waste Collection and Disposal
- Law Enforcement
- Fire Protection and Emergency Medical Services
- Parks and Recreational Open Space
- Education
- Childcare
- Gas and Electric Services
- Information Technology

### Public Facilities and Services Funding

The goal and policies in this section seek to identify funding methods for new facilities and services as new development occurs, and to consider how the ongoing maintenance and operations of these facilities will be funded to ensure that operational levels do not decline. New development is generally responsible for financing and/or providing for the extensions of the services it requires. The City will plan for the development of major public facilities through its Capital Improvement Program, which identifies capital improvement projects to accommodate growth projected under the General Plan consistent with applicable State and Federal law.

**Policy PFS-3.8: Sewer Services**

The City should not extend sewer service to areas outside the city limits prior to annexation unless the City amends the Utility Services Area with LAFCO. *(City Staff)*

**Policy PFS-3.9: Expand Use of Reclaimed Water**

The City shall encourage the use of tertiary treated wastewater and household gray water for irrigation of agricultural lands, large landscaped areas, and recreation/open space areas within close proximity to the City's WWTP to help ensure ongoing compliance with RWQCB requirements. *(Draft EIR Analysis)*

**Policy PFS-3.10: Point Source Control**

The City shall work with the RWQCB to ensure that all point source pollutants are adequately mitigated (as part of the CEQA review and project approval process) and monitored to ensure long-term compliance. *(Final EIR Analysis)*

**Stormwater Drainage**

The City's storm drainage system consists of collection, conveyance, detention, and pumping facilities. Stormwater is ultimately pumped and discharged into several area waterways. Future development will require the development of new storm drainage and flood protection systems. In addition, Federal and State water quality standards will require examination of the quality of stormwater released into public waterways. Policies of this section require the development of new storm drainage and flood protection systems in the safest and most efficient manner.

**Goal  
PFS-4**

To collect and dispose of stormwater in a manner that protects the city's residents and property from the hazards of flooding, manages stormwater in a manner that is safe and environmentally sensitive, and enhances the environment. *(M&A)*

**Policy PFS-4.1: Storm Drain Enhancements**

The City shall continue to upgrade the storm drainage facilities in the older section of the city, and provide for systems needed in newly developing areas. *(City: I-11)*

**Policy PFS-4.2: Conservation/Stormwater**

The City shall develop storm water drainage facilities consistent with the policies of the Conservation and Open Space Element. *(City: I-12)*

**Policy PFS-4.3: Stormwater Quality**

The City shall ensure compliance with Federal and State clean water standards by continuing to monitor and enforce provisions to control non-point source and point source water pollution contained in the U.S. Environmental Protection Agency NPDES program. *(Draft EIR Analysis)*

**Policy PFS-4.4: Project Design**

The City should encourage project designs that minimize drainage concentrations and impervious surfaces. *(M&A)*

**Policy PFS-4.5: Grading During the Rainy Season**

The City shall prohibit grading activities during the rainy season, unless adequately mitigated, to avoid sedimentation of storm drainage facilities. *(M&A)*



**Policy PFS-4.6: Erosion Control Plan**

The City shall require new development projects to prepare an erosion control plan. (M&A)

**Policy PFS-4.7: Mitigating Stormwater Runoff**

The City ~~should~~ shall require projects that have significant impacts on the quantity and quality of surface water runoff to incorporate mitigation measures for impacts related to urban runoff. (M&A)

**Policy PFS-4.8: Joint Use of Detention Facilities**

The City ~~should~~ shall encourage stormwater detention facilities to be designed for multiple purposes, including recreational (e.g., parks, ball fields, etc.) stormwater quality improvement, and/or waterfowl habitat. (M&A and PC)

**Policy PFS-4.9: Detention Requirements**

The City should require detention storage with measured release to ensure that the capacity of downstream creeks and sloughs will not be exceeded. To ensure downstream capacity is not exceeded, the following measures will be applied:

- a. Outflow to creeks and sloughs should be designed and constructed to avoid exceeding downstream channel capacities; and
- b. Storage facilities should be designed and constructed to prevent problems caused by timing of storage outflows. (M&A)

## Solid Waste Collection and Disposal

Solid waste collection and disposal and curbside recycling in Galt are provided by a franchise agreement with California Waste Recovery Systems based in Lodi. Waste is disposed at one of several locations, including Foothill-Sanitary Landfill, L-D Landfill, North County Landfill, and Sacramento County Landfill. Policies in this section seek to reduce the amount of waste produced through source reduction, reuse, and recycling, and to ensure safe disposal of waste. The goal of this plan is to reduce the total amount of waste generated and disposed of through source reduction, recycling and composting, and safe transformation and land disposal of solid wastes.

**Goal  
PFS-5**

To ensure the safe and efficient disposal and recycling of solid waste generated in Galt. (M&A)

**Policy PFS-5.1: Waste Collection**

The City shall require waste collection in all new developments. (M&A)

**Policy PFS-5.2: Waste Reduction**

The City ~~should~~ shall promote maximum use of solid waste reduction, recycling, composting, and environmentally-safe transformation of wastes. (M&A)

**Policy PFS-5.3: Solid Waste Facilities**

The City shall require that all solid waste facilities be located in areas free of incompatible land uses and prohibit future incompatible land uses on surrounding lands. (City: B-32)



## Conservation and Open Space Element

### Introduction

Galt's environmental resources (water, air, vegetation, wildlife, and open space) contribute to the city's economy and are important elements in the quality of life of Galt's residents. The preservation of these natural resources is frequently in conflict with urban development. The General Plan seeks to balance the need for growth with the need for the conservation and enhancement of the area's natural resources, frequently in cooperation with other agencies.

Modern ecological research shows the value of natural land corridors and large preservation areas instead of small, isolated preserves, in perpetuating complete ecosystems and wildlife habitats. These contiguous linkages between natural community types help protect biologically important transition zones for species higher in the food chain (e.g., mammals, raptors, etc.) When their natural habitat is reduced to isolated patches, and no linkages are available between preserves, the long term viability of the species is severely threatened.

This element contains goals, policies, and implementation measures related to the following topics:

- Water Resources
- Fish and Wildlife Habitat
- Vegetation
- Agriculture, Open Space, and Natural Resource Preservation
- Air Quality—General
- Air Quality—Transportation
- Global Warming and Energy Conservation

### Water Resources

The availability, quantity, and quality of water are vital to natural processes and human activities. Water is essential to the development of housing, commerce, industry, and agriculture, to recreation, and to the maintenance of high quality fish and wildlife habitats. Cosumnes River, Laguna Creek, Skunk Creek, Dry Creek, Hen Creek, and Deadman Gulch are all located within the Planning Area. A groundwater aquifer underlies Galt and serves as the City's municipal water supply. Most of these resources are regional in nature and require a cooperative effort to ensure protection of water quality in these bodies.

The goal and policies in this section seek to protect these water resources and maintain the highest quality for human and natural use. Goals and policies related to the City's water supply and delivery system are discussed in the Public Facilities and Services Element.



The goal and policies in this section seek to protect these water resources and maintain the highest quality for human and natural use. Goals and policies related to the City's water supply and delivery system are discussed in the Public Facilities and Services Element.

**Goal  
COS-1**

To protect and enhance the qualities of the area's rivers, creeks, sloughs, and groundwater. (M&A)

**Policy COS-1.1: Flood Control**

The City shall require adequate natural floodway design to assure flood control in areas where stream channels have been modified and to foster stream enhancement, improved water quality, recreational opportunities, and groundwater recharge. (City: A-14 and City Staff)

**Policy COS-1.2: Flood Protection Ordinance**

The City shall continue to implement the City's flood protection ordinance. (City: A-15)

**Policy COS-1.3: Inter-Agency Coordination**

The City ~~should~~ shall cooperate with FEMA, California Department of Water Resources, and other appropriate local, State, and Federal agencies to address local and regional flood issues. (M&A)

**Policy COS-1.4: Storm Flow Impacts**

The City will continue to ensure, through the development review process, that future developments do not increase peak storm flows and do not cause flooding of downstream facilities and properties. (City: A-16)

**Policy COS-1.5: Water Quality Control Board Regulations Compliance**

The City shall continue to comply with the Regional Water Quality Control Board's regulations concerning the operation of the City's wastewater treatment plant. (City: A-17)

**Policy COS-1.6: Underground Storage Tank Law Compliance**

The City shall provide continued compliance with the Underground Storage Tank Law and all other laws relating to water quality. (City: A-18)

**Policy COS-1.7: Stormwater Quality Protection**

The City shall, through the development review process, ensure compliance with Federal and State stormwater quality standards and regulations. (M&A)

**Policy COS-1.8: Septic System Discouragement**

The City ~~should~~ shall protect groundwater resources by ~~discouraging~~ discouraging ~~protesting~~ protesting urban development with septic systems in the unincorporated County on parcels ~~less~~ less than 2 acres on the west side of the Planning Area and ~~larger~~ less than 5 acres on the north and east side of the Planning Area. (M&A & PC)

**Policy COS-1.9: Streambed Alteration Watershed Regulations Compliance**

The City shall require proposed developments to comply with streambed alteration and watershed protection regulations as administered by the California Department of Fish and Game. (M&A)

**Policy COS-1.10: Ecological Features Retention**

The City ~~should~~shall retain to the extent feasible the ecological features of the creeks, sloughs, and rivers in their natural state. (M&A)

**Policy COS-1.11: Riparian Corridor Protection**

The City ~~should~~shall endeavor to protect, preserve, and improve riparian corridors. (M&A)

**Policy COS-1.12: Best Management Practices**

The City shall require all new development and redevelopment to implement Best Management Practices (BMPs) to reduce pollutants to the maximum extent practicable. Additionally, the City shall require, as part of its Storm Water NPDES Permit and ordinances, to implement the Grading Plan, Erosion Control Plan, and Pollution Prevention Plan (SWPPP) during construction activities of any improvement plans, new development and redevelopment projects for reducing pollutants to the maximum extent practicable. (ESA)

**Policy COS-1.13: No Net Loss of Wetlands**

The City shall review development proposals in accordance with applicable local, State, and Federal statutes protecting jurisdictional wetlands (Section 404 of the Clean Water Act) and require that new developments have no net loss of existing wetland habitats. (City Staff)

**Policy COS-1.14: Floodplain Dedication**

The City should require property owners and developers to dedicate land within 100 year floodplains to the City, or other City-designated entity for biological mitigation credit or similar purpose, when a development project is approved. In addition to the land requirement, the City should require public access adjacent to these areas, but outside the 100 year flood plain, via bicycle and pedestrian trails and related amenities with appropriate signage. (City staff and PC)

**Policy COS-1.15: Trails and Open Space Access**

The City shall provide public access to all City-owned and maintained trails and open space areas in city limits. The City should also provide educational signage in these areas. (City Staff)

**Policy COS-1.16: Incorporating Parks and Open Space with School Curricular Activities**

The City should encourage schools to maximize curricular activities based on their location near parks and open space areas. (City Staff)

**Policy COS-1.17: Floodplain Visual Accessibility**

The City ~~should~~shall require visual accessibility to floodplains via direct, single frontage roadways, along the length of any particular stream and associated floodplain section being developed (on both sides). (City: C-3 and City Staff)

**Fish and Wildlife Habitat**

Fish and wildlife resources in the Galt area occur in both natural and altered habitats. Habitats altered either by agricultural cultivation or urban development make up most of the Planning Area. Although altered by human activities, these areas may still be valuable for wildlife (e.g., Deadman Gulch, Hen Creek). Natural habitats in and around Galt include Cosumnes River, Dry, Laguna, and Skunk Creeks.





## Implementation Programs

### Introduction

The section summarizes the implementation programs associated with the goals and policies of the Policy Document. Implementation programs are shown as follows:

- Table IMP-1: Circulation Element Implementation Programs
- Table IMP-2: Community Character Element Implementation Programs
- Table IMP-3: Conservation and Open Space Element Implementation Programs
- Table IMP-4: Economic Development Element Implementation Programs
- Table IMP-5: Historic Resources Element Implementation Programs
- Table IMP-6: Housing Element Implementation Programs
- Table IMP-7: Land Use Element Implementation Programs
- Table IMP-8: Noise Element Implementation Programs
- Table IMP-9: Public Facilities and Services Element Implementation Programs
- Table IMP-10: Safety and Seismic Element Implementation Programs

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**Table IMP-3**  
**Conservation and Open Space Element Implementation Programs**

Implementation Programs	Implements What Policies	Who is Responsible	Timeframe			
			Near Term	Mid Term	Long Term	On-going
<b>COS-A: Annual Review</b> The City should annually review General Plan goals, policies, and implementation programs and identify City priorities and any quantifiable objectives that should be addressed for the upcoming fiscal year.	All COS policies	City Council City Manager				■
<b>COS-B: Flood Protection Ordinance</b> The City should monitor and update the flood protection ordinance to assure adequate flood controls.	COS-1.1 COS-1.2	City Manager Public Works Director				■
<b>COS-C: Aquifer Monitoring</b> The City should prepare and regularly update a Water Supply Master Plan to monitor any activities that may degrade the aquifers of Cosumnes River, Laguna Creek, Skunk Creek, and Dry Creek and affect City water supplies.	COS-1.6 COS-1.8	City Manager Public Works Director	■			■
<b>COS-D: Visual Accessibility of Floodplains</b> The City should include in the floodplain ordinance a requirement for direct roadway access of the entire length of any particular stream (perennial or intermittent) and associated floodplain section being developed (both sides). This should include an explanation of the nexus between the requirement and the impact of development.	COS-1.17	City Council Planning Commission Community Development Director	■			
<b>COS-E: Infill Development Priority</b> The City should adopt incentives for implementing infill development near job centers and transportation nodes. Incentives can include, but are not limited to, building permit fee waiver, parking standard reductions, etc.	COS-5.3	City Council Planning Commission Community Development Director	■			
<b>COS-F: City Fleet Vehicles</b> The City should adopt a program for the phased replacement of City fleet vehicles with low-emission technology vehicles, as appropriate.	COS-6.4 COS-6.5	City Council City Manager	■			■

**Table IMP-3  
Conservation and Open Space Element Implementation Programs**

Implementation Programs	Implements What Policies	Who is Responsible	Timeframe			
			Near Term	Mid Term	Long Term	On- going
<b>COS-G: Support Energy Conservation Legislation</b> The City shall support legislation that promotes cleaner industry, lowest emission technology vehicles, and more efficient-burning engines and fuels.	COS-7.1 COS-7.2	City Council City Manager				■
<b>COS-H: City Facilities</b> The City should upgrade existing City facilities so that energy use can be derived from sustainable energy sources by 2020. This can include, but is not limited to, the installation of solar panels or by purchasing electricity from service providers that use renewable energy sources.	COS-7.9	City Council City Manager				■
<b>COS-I: Energy Efficiency</b> The City should encourage new housing units be constructed to meet and/or exceed LEED Certified energy efficiency standards.	COS-7.11	City Council City Manager				■
<b>COS-J: Energy Conservation Features</b> The City shall coordinate with utility providers to provide City residents with information on a variety of energy conservation features including tree planting programs, energy efficient development, and increased use of renewable energy sources.	COS-7.17	City Manager Community Development Director	■			■
<b>COS-K: Greenhouse Gas Emissions Reduction Plan</b> The City will prepare and adopt a Greenhouse Gas Emissions Reduction Plan.	COS-7.1	City Manager City Council Community Development Director Public Works Director	■			
<b>COS-L: Green Construction</b> The City shall amend the municipal code as necessary to remove barriers to green construction.	COS-7.1 COS-7.18	Community Development Director Public Works Director	■			



**Table IMP-7**  
**Land Use Element Implementation Programs**

Implementation Programs	Implements What Policies	Who is Responsible	Timeframe			
			Near Term	Mid Term	Long Term	On-going
<b>LU-A: Sphere of Influence</b> The City should request that the Sacramento Local Agency Formation Commission (LAFCO) modify Galt's sphere of influence consistent with the long-term growth plans reflected in the General Plan.	LU-1.5	City Council Planning Commission Community Development Director	■			
<b>LU-B: Habitat Conservation Plan</b> The City should work with Sacramento County to identify and protect critical species habitat as shown in the proposed South Sacramento County Habitat Conservation Plan.	LU-1.10	City Council City Manager Community Development Director				■
<b>LU-C: Landscape and Lighting District</b> The City should explore the use of a citywide Landscape and Lighting District and other programs to fund landscape maintenance.	LU-3.3 LU-5.4 CC-4.2	City Manager Public Works Director				■
<b>LU-D: Annual General Plan Reviews</b> The City Council should review the General Plan annually, focusing principally on actions undertaken in the previous year to carry out the implementation programs of the plan.	LU-11.1 LU-11.2	City Council Planning Commission City Manager Community Development Director				■
<b>LU-E: Major General Plan Reviews</b> The City should conduct a major review of the General Plan, including the General Plan Policy Document and Existing Conditions Report, beginning every ten years from the date of final approval of this General Plan, and should revise it as deemed necessary.	LU-11.1	City Council Planning Commission City Manager Community Development Director		■		■
<b>LU-F: Ordinance Consistency</b> The City should review and amend, as necessary, applicable ordinances, regulations, and plans referenced herein to ensure consistency with the General Plan. These shall include, but not be limited to, the Park Master Plan, Bicycle and Pedestrian Plan, Landscape Manual, and Building Code.	LU-1.15 LU-4.7 LU-6.4 LU-8.5 LU-11.2 CC-1.9 C-4.1 C-4.2 N-1.5	City Council City Manager Community Development Director Building Official Public Works Director	■			■

**Table IMP-7  
Land Use Element Implementation Programs**

Implementation Programs	Implements What Policies	Who is Responsible	Timeframe			
			Near Term	Mid Term	Long Term	On-going
<b>LU-G: Downtown Revitalization and Improvement</b> The City should work with Downtown business and property owners to continue revitalization efforts via private property improvements and programs.	LU-3.2 LU-3.3	City Council Assistant City Manager Community Development Director				■
<b>LU-H: Zoning Ordinance and Zoning Map Consistency</b> The City shall review and amend, as necessary, the Zoning Ordinance and Zoning Map to ensure consistency with the General Plan.	C-3.4 C-4.1 C-4.2 C-4.5 C-4.7 C-6.5 C-6.8 C-6.9 CC-1.9 CC-2.2 CC-2.3 CC-2.4 CC-4.1 CC-4.2 CC-4.3 COS-5.2 COS-5.10 COS-6.2 COS-7.4 COS-7.5 COS-7.6 COS-7.7 COS-7.14 COS- 7.21 COS-7.23 LU-1.13 LU-2.2 LU-2.3 LU-3.3 LU-6.4 LU-11.2 N-1.5 N-1.14	City Council City Manager Community Development Director Building Official Public Works Director	■			■

**Table IMP-7**  
**Land Use Element Implementation Programs**

Implementation Programs	Implements What Policies	Who is Responsible	Timeframe			
			Near Term	Mid Term	Long Term	On-going
	PFS-6.4 SS-4.3					



**Table IMP-9**  
**Public Facilities and Services Element Implementation Programs**

Implementation Programs	Implements What Policies	Who is Responsible	Timeframe			
			Near Term	Mid Term	Long Term	On-going
<b>PFS-A: Infrastructure Master Plans</b> The City shall prepare, annually review, and update every five years a Water Master Plan, Wastewater Master Plan, Storm Drainage Master Plan, and Pavement Management Plan.	PFS-1.10	City Council Public Works Director	■	■	■	
<b>PFS-B: Capital Improvement Program</b> The City shall annually review and update the Capital Improvement Program.	PFS-1.11	City Council Assistant City Manager	■	■	■	■
<b>PFS-C: Development Fee Schedule</b> The City shall prepare development fee schedules based on the Capital Improvement Program.	PFS-1.4 PFS-1.14	City Council Public Works Director Assistant City Manager				■
<b>PFS-D: Water Supply Alternatives Study</b> The City shall conduct a study of future water supply alternatives to determine the most appropriate long-term water supply to serve Galt.	PFS-2.1 PFS-2.2	City Council Public Works Director	■			
<b>PFS-E: Water Management Plan</b> The City shall update the Water Management Plan to include fire protection needs, water conservation, management measures, and monitoring as required by State law.	PFS-2.2 PFS-2.6 PFS-2.8 PFS-2.11	City Council Public Works Director		■		
<b>PFS-F: Ground Water Protection Response Plan</b> If the results from PFS-E indicate an imbalance between safe groundwater and project water requirements, the City should develop a response plan to address the imbalance, including an appropriate mix of water conservation measures, reuse, surface water supplements, and other water management techniques.	PFS-2.2	City Council Public Works Director		■		
<b>PFS-G: Stormwater Management Plan</b> The City shall prepare, periodically update, and implement on an ongoing basis a Stormwater Management Plan in coordination with other member agencies.	PFS-4.3	City Council Public Works Director	■	■	■	

**Table IMP-9**  
**Public Facilities and Services Element Implementation Programs**

Implementation Programs	Implements What Policies	Who is Responsible	Timeframe			
			Near Term	Mid Term	Long Term	On-going
<b>PFS-H: Stormwater and Flood Protection Ordinance</b> The City shall prepare and adopt a Stormwater and Flood Protection Ordinance to implement the updated Storm Drainage and Flood Protection Master Plan to address stormwater runoff and flood protection.	PFS-4.7 PFS-4.8 PFS-4.9	City Council City Manager Public Works Director	■			
<b>PFS-I: Public Safety Services Master Plan</b> The City shall update the Public Safety Services Master Plan for police services based on future development trends.	PFS-6.3 PFS-6.4 PFS-6.5 PFS-6.6	City Council Police Chief	■			
<b>PFS-J: New Fire Substations</b> The City shall work with the Cosumnes Community Services District Fire Department to identify and site new fire stations in accordance with the "maximum fire station siting zones" identified on the Land Use and Circulation Diagram (Figure LU-1).	PFS-7.1	City Council City Manager Fire Chief		■		
<b>PFS-K: Park and Recreation Master Plan</b> The City shall update the park and recreation master plan as necessary to outline facility needs and funding mechanisms.	PFS-8.4 PFS-8.6 PFS-8.8	City Council City Manager Parks and Recreation Director	■			
<b>PFS-L: Technology Coordinator</b> The City shall designate a Technology Coordinator, within a City department or agency, with responsibility for oversight over communitywide information technology infrastructure development.	PFS-12.1	City Council City Manager Assistant City Manager	■			
<b>PFS-M: Telecommunications Program</b> The City shall develop and expand telecommunications programs at City Hall.	PFS-12.2	City Council City Manager Assistant City Manager		■		

**Table IMP-10**  
**Safety and Seismic Element Implementation Programs**

Implementation Programs	Implements What Policies	Who is Responsible	Timeframe			
			Near Term	Mid Term	Long Term	On-going
<b>SS-A: Uniform Address System</b> The City shall continue to implement a Uniform Address System.	SS-1.5	Community Development Director				■
<b>SS-B: Unreinforced Masonry Structures Inventory</b> The City shall complete an inventory of non-single family unreinforced masonry structures.	SS-2.2	Building Inspector Fire Chief		■		
<b>SS-C: Sacramento County Hazardous Waste Management Plan</b> The City should continue to implement the County's Hazardous Waste Management Plan.	SS-5.1 SS-5.2 SS-5.3	City Council City Manager Fire Chief Police Chief				■
<b>SS-D: Use, Production, or Transport of Hazardous Materials and Wastes</b> The City should develop siting and enforcement criteria for businesses that use, produce, or transport hazardous materials and wastes.	SS-5.1 SS-5.2 SS-5.3 SS-5.4 SS-5.5 SS-5.6	City Council City Manager Public Works Director Fire Chief		■		



# Draft Environmental Impact Report for the 2030 Galt General Plan

SCH No. 2007082092

Final



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Please visit the City's website for more information  
on the General Plan Update: [www.ci.galt.ca.us](http://www.ci.galt.ca.us)



## Storm Drainage System Overview

The City of Galt Public Works Department operates the City's storm drain collection and disposal system. The storm drain system consists of curbs and gutters which collect the storm waters and direct them into catch basins where it enters an underground system of pipes. The underground piping system then directs the storm runoff to one of three drainage channels: Dry Creek, Hen Creek and Deadman's Gulch.

Dry Creek is a natural channel which forms the southern boundary of the City and the boundary between Sacramento and San Joaquin County to the south. Dry Creek, flowing in a westerly direction, flows into the Mokelumne River which then flows to the Delta.

Deadman's Gulch flows in the westerly direction generally through the northern sector of the City. East of SR99, Deadman's Gulch has been designed and reconstructed to serve as a storm water detention facility in addition to a storm water conveyance facility. This occurs as a result of the culvert structure under SR 99 which meters the flow into Deadman's Gulch west of the highway. This allows the storm water flows from the development occurring east of the highway to better match the channel capacity west of the highway.

The City has one other detention basin which serves as a joint use facility/city park. It is located on the west side of town adjacent to the Greer Middle School. After being detained in the detention basin the storm flows are pumped to Hen Creek for ultimate disposal. The lift station at Greer Detention Basin is one of only two stormwater lift stations in the City of Galt. The other is the Wagon Way lift station.

The storm drainage system is comprised of pipelines ranging in size from 8" to 84" in diameter. The larger pipe sizes serve as the outfall structures conveying the storm runoff from the southwest portion of the community to Dry Creek.

The City of Galt has a Phase 1 NPDES stormwater permit. The City joined with Sacramento County and other cities in the County to obtain the permit during the first round of permitting in the early 1990s.

The City funds the operation and maintenance of the storm drainage system through a storm drainage monthly utility rate. For the most part, the monthly utility rate is insufficient to fully fund the operation and maintenance of the system and is augmented with gas tax funding. A storm drainage impact fee is assessed to new development to fund the construction of the major components of the storm drain system. New development is required to construct the storm drainage system associated with their projects.

Sacramento area public agencies, including the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Folsom, Galt, and Rancho Cordova have joined together to form the Sacramento Stormwater Quality Partnership (SSQP). These agencies are regulated by Order No. R5-2002-0206 NPDES No. CAS082597 "Waste Discharge Requirements for County of Sacramento and Cities of Citrus Heights, Elk Grove, Folsom, Galt and Sacramento Storm Water Discharges



From Municipal Separate Storm Sewer Systems Sacramento County” issued by the Central Valley RWQCB. Galt is unlike the other permittees in that its MS4 is non-contiguous with the other MS4s; it is also surrounded by rural and agricultural areas that are not subject to the NPDES regulations. An MS4 (or municipal separate storm sewer system) is a conveyance or system of conveyances owned by a State, City, Town, or other public entity that discharges to waters of U.S. and is: designed or used for collecting or conveying stormwater; not a combined sewer; and not part of a Publicly Owned Treatment Works (POTW). Galt became part of the Phase I Sacramento Storm Water Management Program voluntarily in 1990.

The General MS4 permit requires the discharger to develop and implement a Storm Water Management Plan/Program (SWMP) with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in Section 402(p) of the Clean Water Act. The general permit requires regulated Small MS4s to develop and implement a SWMP that describes Best Management Practices (BMPs), measurable goals, and timetables for implementation in the following six program areas.

- Public Education – Educate the public in its permitted jurisdiction about the importance of the storm water program and the public’s role in the program;
- Public Participation – Comply with all State and local notice requirements when implementing a public involvement/participation program;
- Illicit Discharge Detection and Elimination – Adopt and enforce ordinances or take equivalent measures that prohibit illicit discharges, and implement a program to detect illicit discharges;
- Construction Site Storm Water Runoff Control – Develop a program to control the discharge of pollutants from construction sites greater than or equal to one acre in size within its permitted jurisdiction. The program must include inspections of construction sites and enforcement actions against violators;
- Post Construction Storm Water Management – Require long term post-construction BMPs that protect water quality and control runoff flow, to be incorporated into development and significant redevelopment projects. Post construction programs are most efficient when they stress (1) low impact design; (2) source controls; and (3) treatment controls.

## Impacts and Mitigation Measures

**Impact 6.4-1: The Proposed Project could result in increase of erosion during the construction process or cause significant changes in the flow velocity or volume of storm water runoff to cause environmental harm and the potential for significant increases in erosion of the project site and surrounding areas.**

## Impact Summary

Level of Significance Before Mitigation: <i>Potentially Significant</i>
Required Mitigation: <i>Mitigation Measure 6.4-1a: Adopt Revised General Plan Policy PFS-4.3 "Stormwater Quality" to Address Storm Drainage System Impacts and Mitigation Measure 6.4-1b: Adopt Revised General Plan Implementation Program PFS-G to Address Storm Drainage System Impacts.</i>
Level of Significance After Mitigation: <i>Less than Significant</i>

## Impact Analysis

Drainage runoff from developing areas or parcels is dependent on the percent of impervious surface created on individual parcels or projects. Development resulting from the Proposed Project (particularly within currently undeveloped areas) will increase the amount of impervious surfaces, thereby increasing the amounts and speed of runoff. Increased runoff volumes and speeds may increase erosion or siltation and result in localized nuisance flooding in areas without adequate drainage facilities.

The existing drainage channels of Dry Creek, Hen Creek and Deadman's Gulch all serve the drainage sheds of the Study Area south of Twin Cities Road. With continued urbanization under the Proposed Project (including both the Preferred Land Use Alternative and the Circulation Diagram), these existing drainage sheds will continue to increase in runoff requiring additional detention storage to meter downstream flows and prevent flooding. Therefore, future detention sites should be identified early in the process as individual development projects are proposed to provide adequate storm water detention over time.

Under the Proposed Project, urban development is planned north of Twin Cities Road both west and east of SR 99. The drainage shed north of Twin Cities Road is oriented north toward the Cosumnes River. With such an orientation, additional processing and permits would be required to identify locations for drainage outfalls and detention requirements to help meter increased runoff due to the urbanization of land.

Policies and implementation programs included as part of the Proposed Project that would minimize this impact are summarized below by General Plan Element, with a complete description of these policies and programs provided in Appendix C "Policy Document" of this draft EIR.

Public Facilities and Services Element
Policies designed to minimize this water quality impact through adherence to appropriate best management practices designed to address soil erosion include the following:
PFS-4.3 Stormwater Quality PFS-4.4 Project Design PFS-4.5 Grading During the Rainy Season PFS-4.6 Erosion Control Plan PFS-4.7 Mitigating Stormwater Runoff
Policies and implementation programs designed to minimize this impact through management of downstream channel capacities, and allow for development of the City's storm drainage system to prevent flooding include the following:
PFS-1.5 Public Facilities Master Plans PFS-1.6 Capital Improvement Program

PFS-1.7 Public Facility Financing
PFS-1.8 Ultimate Capacity Needs
PFS-4.8 Joint Use of Detention Facilities
PFS-4.9 Detention Requirements
PFS-A Infrastructure Master Plans
PFS-B Capital Improvement Program
PFS-C Development Fee Schedule
PFS-G Stormwater Management Plan
PFS-H Stormwater and Flood Protection Ordinance

Implementation Program PFS-A requires the City to prepare, annually review, and update every five years a Storm Drainage Master Plan and a Pavement Management Plan. The preparation and implementation of a Storm Drainage Master Plan would implement Policy PFS-1.5 by ensuring compatibility with current land use policy, and identifying necessary improvements consistent with State and Federal Laws. PFS-A would also implement Policy PFS-1.2 by establishing areas suitable for development consistent with the location of master planned infrastructure. PFS-A would also implement Policies PFS-1.6 and PFS-1.8 through the identification of needed capital improvements and associated schedule for inclusion in the City's CIP, and by sizing infrastructure facilities to meet ultimate demands. A Storm Drainage Master Plan would identify the ultimate capacity of receiving channels, appropriate locations for joint use detention facilities, and ultimate sizing of major storm drainage conveyance facilities. The implementation of a Storm Drainage Master Plan would identify future drainage facilities that are necessary in order to control flooding in existing and future development areas. The City would then tie Master Planned Drainage Improvements to its CIP which would ensure that funding is dedicated on an annual basis to implement storm drainage infrastructure projects. The preparation of a Storm Drainage Master Plan would also assist the City in evaluating its development impact fees to ensure that they are adequate to finance future drainage facilities required as a result of new development.

Implementation Program PFS-B requires the City to annually review and update its CIP. Annual reviews and updates of the City's CIP would implement Policies PFS-1.3 and PFS-1.7 by establishing the required financing for needed infrastructure improvements, and tying the needed funds to development impact fees. Implementation Program PFS-C requires the City to prepare development fee schedules based on the City's CIP. The preparation of development fee schedules implements Policies PFS-1.4 and PFS-1.9 by assuring that financing mechanisms are in place in order to construct capital infrastructure improvements that are required as a result of new development.

Implementation Program PFS-G also requires the City to prepare and periodically update a Stormwater Management Program (SWMP). Implementation Program PFS-G implements Policy PFS-4.3 by coordinating all storm water discharges with the RWQCB consistent with the requirements of the NPDES permit, and SWMP. Through NPDES compliance and implementation of the SWMP, the City ensures that stormwater discharges are in compliance with Federal and State laws. As previously mentioned, the City has prepared a SWMP in a joint effort with other agencies that establishes a comprehensive Development Standards Plan. The implementation of the comprehensive Development Standards Plan requires proposed development projects to incorporate erosion control measures, BMPs, and other design aspects to improve the water quality of receiving streams and rivers (including reducing erosion and siltation on- and off-site).

Implementation Program PFS-H requires the City to prepare and adopt a Stormwater and Flood Protection Ordinance to implement the updated Storm Drainage and Flood Protection Master Plan to address stormwater runoff and flood protection.

Even with implementation of the above mentioned policies and implementation programs, this impact is considered *potentially significant*.

### **Required Mitigation Measures**

To address this impact, the City shall implement the following mitigation measures:

#### **Mitigation Measure 6.4-1a: Adopt Revised General Plan Policy PFS-4.3 “Stormwater Quality” to Address Storm Drainage System Impacts:**

To mitigate storm drainage system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Policy PFS-4.3 “Stormwater Quality” into the Final General Plan.

- **Policy PFS-4.3: Stormwater Quality.** The City shall ensure compliance with Federal and State clean water standards *by continuing to monitor and enforce provisions to control non-point source, and point source water pollution contained in the U.S. Environmental Protection Agency NPDES program. (M&A)*

#### **Mitigation Measure 6.4-1b: Adopt Revised General Plan Implementation Program PFS-G to Address Storm Drainage System Impacts:**

To mitigate storm drainage system impacts resulting from implementation of the Proposed Project, the City shall incorporate the following revisions to Implementation Program PFS-G into the Final General Plan.

- **Implementation Program PFS-G: Stormwater Management Plan.** The City shall prepare, ~~and~~ periodically update, *and implement on an ongoing basis, its Stormwater Management Plan, in coordination with other member agencies. (M&A)*

### **Significance after Implementation of Mitigation for Impact 6.4-1**

The City’s implementation of the Sacramento SWMP, and associated Development Standards Plan would address a variety of erosion generating or water quality impacts associated with the alteration of an existing drainage pattern. As stated above, the City will continue to implement a variety of policies and programs designed to address the provision of needed storm drainage infrastructure and stormwater quality issues. Therefore, implementation of the Proposed Project including the adoption of the revised policy and implementation program described under Mitigation Measure 6.4-1a and Mitigation Measure 6.4-1b (revisions to Policy PFS-4.3 “Stormwater Quality” and Implementation Program PFS-G: “Stormwater Management Plan” ) would result in a *less-than-significant* impact.

**Impact 6.4-2: The Proposed Project could result in an increase of the level of pollutants in storm water runoff from the post-construction activities or cause the impairment of the beneficial uses of receiving waters or areas that provide water quality benefit or cause significant harm on the biological integrity of the waterways and water bides by the discharge of stormwater;**

### Impact Summary

Level of Significance Before Mitigation: <i>Potentially Significant</i>
Required Mitigation: <i>Mitigation Measure 6.4-1a: Adopt Revised General Plan Policy PFS-4.3 "Stormwater Quality" to Address Storm Drainage System Impacts and Mitigation Measure 6.4-1b: Adopt Revised General Plan Implementation Program PFS-G to Address Storm Drainage System Impacts.</i>
Level of Significance After Mitigation: <i>Less than Significant</i>

### Impact Analysis

Flood control detention is considered the most viable option for mitigating the increase in runoff from new development areas, with the specific types and locations of these drainage facilities to be determined at the time development applications are submitted. Pollution associated with increased stormwater and urban runoff would affect local and regional surface and groundwater quality conditions. Unlike sewage, which is transported to a treatment plant, urban runoff may flow untreated through the storm drainage system. Anything thrown, swept, or poured into the street, gutter, or a catch basin (the curbside openings that lead into the storm drainage system) flows directly into ponding basins or local channels and creeks. Pollutant loads can be particularly acute at the beginning of the rainy season, but can be a problem at any time due to the improper disposal of products associated with home, garden, or automotive use.

Policies and implementation programs included as part of the Proposed Project that would minimize this impact are the same as those described above under Impact 6.4-1. However, even with implementation of the above mentioned policies and implementation programs, this impact is considered *potentially significant*.

### Required Mitigation Measures

To address this impact, the City shall implement "Mitigation Measure 6.4-1a: Adopt Revised General Plan Policy PFS-4.3 "Stormwater Quality" to Address Storm Drainage System Impacts and Mitigation Measure 6.4-1b: Adopt Revised General Plan Implementation Program PFS-G to Address Storm Drainage System Impacts", which are more fully described above under the description for Impact 6.4-1.

### Significance after Implementation of Mitigation for Impact 6.4-2

The City's implementation of the Sacramento SWMP, and associated Development Standards Plan would address a variety of erosion generating or water quality impacts associated with runoff water that exceeds the capacity of existing storm drainage infrastructure



As stated above, the City will continue to implement a variety of policies and programs designed to address the provision of needed storm drainage infrastructure and stormwater quality issues. Therefore, implementation of the Proposed Project including the adoption of the revised policy and implementation program described above under Mitigation Measure 6.4-1a and Mitigation Measure 6.4-1b would result in a *less-than-significant* impact.

**Impact 6.4-3: The Proposed Project could place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map or place within a 100-year flood hazard area structures which could impede or redirect flood flows.**

### Impact Summary

Level of Significance Before Mitigation: <i>Less than Significant</i>
Required Mitigation Measures: <i>No Mitigation Required</i>
Level of Significance After Mitigation: <i>Less than Significant</i>

### Impact Analysis

A review of applicable FEMA flood maps indicates that there are several areas within the City's Planning Area that are within a 100-year floodplain area. Floodplain lands are found (but not limited to) areas along Dry Creek, Laguna Creek, Skunk Creek, and Deadman Gulch. Additionally, there are small patches of 100-year floodplain areas along Hen Creek in the southwest portion of the Study Area. The Proposed Project (Preferred Land Use Diagram) has identified the floodplain areas around Dry Creek as remaining as open space. Implementation of the Proposed Project (including build-out of the Preferred Land Use Alternative) could expose more people and habitable structures to potential flooding if development occurs within or adjacent to these floodplain areas. The City of Galt has channelized Deadman Gulch and a Letter of Map Revision (LOMR) has been issued from FEMA. The City anticipates that there will be no structures in the floodplains located within the current City limits.

Policies and implementation programs included as part of the Proposed Project that would minimize this impact are summarized below by General Plan Element, with a complete description of these policies and programs provided in Appendix C "Policy Document" of this draft EIR. Specific policies direct the City to preserve floodplain areas (see policies SS-3.1, SS-3.3, COS-1.14, COS-4.2, and Implementation Program COS-A) and limit development in hazardous areas (see policies SS-3.1 and SS-3.2). Additional policies require the City to continue to cooperate with local, state, and federal agencies to address local and regional flood issues (see policy COS-1.3) and continue to enforce the City's Emergency Response Plan (policy SS-1.1) in the event of a flood emergency. Other policies from the Public Facilities and Services Element require the City to prepare, annually review, and update every five years a Storm Drainage Master Plan and a Pavement Management Plan to ensure that adequate levels of storm drainage infrastructure are planned and provisions are made for their development (see policies PFS-1.5, PFS-4.1, and Implementation Programs PFS-A, PFS-G, and PFS-H). With implementation of these policies and implementation programs, this impact is considered *less-than-significant*.

Safety and Seismic & Land Use Elements	Conservation and Open Space Element
Policies and implementation programs designed to minimize this impact through the preservation of floodplain areas and the management of new development in hazardous areas include the following:	
SS-3.1 Floodplain Mapping SS-3.2 Development in the 100-Year Floodplain SS-3.3 Natural Drainageways Enhancements LU-1.9 Growth in Hazard-Prone Areas	COS-1.1 Flood Control COS-1.2 Flood Protection Ordinance COS-1.4 Storm Flow Impacts COS-1.14 Floodplain Dedication COS-1.17 Floodplain Visual Accessibility COS-4.2 Natural Floodway Protection COS-4.4 Open Space Protection COS-A Flood Protection Ordinance
Policies designed to minimize this impact through the continued coordination with emergency response plans and service providers include the following:	
SS-1.1 City Emergency Operations Plan (EOP) SS-1.2 Inter-Agency Coordination	COS-1.3 Inter-Agency Coordination
Public Facilities and Services Element	
Policies and implementation programs designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:	
PFS-1.4 Financing from New Development PFS-1.5 Public Facility Master Plans PFS-1.6 Capital Improvement Program PFS-1.7 Public Facility Financing PFS-1.8 Ultimate Capacity Needs PFS-1.9 Fair Share Costs on New Developments PFS-1.10 Broad-Based Funding Sources PFS-1.11 Fiscal Impact Analysis for Specific Plans and Significant General Plan Amendments	PFS-4.1 Storm Drain Enhancements PFS-4.2 Conservation/Stormwater PFS-4.4 Project Design PFS-4.7 Mitigating Stormwater Runoff PFS-4.8 Joint Use of Detention Facilities PFS-4.9 Detention Requirements PFS-A Infrastructure Master Plans PFS-G Stormwater Management Plan PFS-H Stormwater and Flood Protection Ordinance

### Required Mitigation Measures

This impact is considered *less-than-significant*. No additional mitigation measures are required.

**Impact 6.4-4: The Proposed Project could expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.**

### Impact Summary

Level of Significance Before Mitigation: <i>Less than Significant</i>
Required Mitigation Measures: <i>No Mitigation Required</i>
Level of Significance After Mitigation: <i>Less than Significant</i>

### Impact Analysis

Flood hazards associated with inundation resulting from levee or dam failure are considered a low threat in the City of Galt. A system of levees and dikes for the streams and creeks draining to the Cosumnes River are generally found in the northwestern portion of the Study Area outside of the General Plan boundary and to the north of the Study Area. Additionally, Laguna Creek may be subject to dam failure inundation in the event of a major dam failure at Rancho Seco Dam, which is located almost 10 miles northeast of the City of Galt. However, the dam inundation area along Laguna Creek and near the City of Galt is located along the northern boundary of the Study Area.

(California OES 1997-2007) No development is proposed for these areas as part of the Proposed Project since they are outside of the City's proposed Sphere of Influence boundary.

Policies and implementation programs included as part of the Proposed Project that would minimize this impact are summarized below by General Plan Element, with a complete description of these policies and programs provided in Appendix C "Policy Document" of this draft EIR. Specific policies direct the City to preserve floodplain areas (see policies SS-3.1, SS-3.3, COS-1.14, COS-4.2, and Implementation Program COS-A) and limit development in hazardous areas (see policies SS-3.1 and SS-3.2). Additional policies require the City to continue to cooperate with local, state, and federal agencies to address local and regional flood issues (see policy COS-1.3) and continue to enforce the City's Emergency Response Plan (policy SS-1.1) in the event of a flood emergency. Other policies from the Public Facilities and Services Element require the City to prepare, annually review, and update every five years a Storm Drainage Master Plan and a Pavement Management Plan to ensure that adequate levels of storm drainage infrastructure and planned and provisions are made for their development (see policies PFS-1.5, PFS-4.1, and Implementation Programs PFS-A, PFS-G, and PFS-H). With implementation of these policies and implementation programs, this impact is considered *less-than-significant*.

Safety and Seismic & Land Use Elements	Conservation and Open Space Element
Policies and implementation programs designed to minimize this impact through the preservation of floodplain areas and the management of new development in hazardous areas include the following:	
SS-3.1 Floodplain Mapping SS-3.2 Development in the 100-Year Floodplain SS-3.3 Natural Drainageways Enhancements LU-1.9 Growth in Hazard-Prone Areas	COS-1.1 Flood Control COS-1.2 Flood Protection Ordinance COS-1.4 Storm Flow Impacts COS-1.14 Floodplain Dedication COS-1.17 Floodplain Visual Accessibility COS-4.2 Natural Floodway Protection COS-4.4 Open Space Protection COS-A Flood Protection Ordinance
Policies designed to minimize this impact through the continued coordination with emergency response plans and service providers include the following:	
SS-1.1 City Emergency Operations Plan (EOP) SS-1.2 Inter-Agency Coordination	COS-1.3 Inter-Agency Coordination
Public Facilities and Services Element	
Policies and implementation programs designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:	
PFS-1.4 Financing from New Development PFS-1.5 Public Facility Master Plans PFS-1.6 Capital Improvement Program PFS-1.7 Public Facility Financing PFS-1.8 Ultimate Capacity Needs PFS-1.9 Fair Share Costs on New Developments PFS-1.10 Broad-Based Funding Sources PFS-1.11 Fiscal Impact Analysis for Specific Plans and Significant General Plan Amendments	PFS-4.1 Storm Drain Enhancements PFS-4.2 Conservation/Stormwater PFS-4.4 Project Design PFS-4.7 Mitigating Stormwater Runoff PFS-4.8 Joint Use of Detention Facilities PFS-4.9 Detention Requirements PFS-A Infrastructure Master Plans PFS-G Stormwater Management Plan PFS-H Stormwater and Flood Protection Ordinance

### Required Mitigation Measures

This impact is considered *less-than-significant*. No additional mitigation measures are required.

### Impact 6.4-5: The Proposed Project could result in an increase of the discharge of storm water from material storage areas, vehicle or equipment fueling, vehicle or equipment



maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas;

### Impact Summary

Level of Significance Before Mitigation: <i>Potentially Significant</i>
Required Mitigation: <i>Mitigation Measure 6.4-1a: Adopt Revised General Plan Policy PFS-4.3 "Stormwater Quality" to Address Storm Drainage System Impacts and Mitigation Measure 6.4-1b: Adopt Revised General Plan Implementation Program PFS-G to Address Storm Drainage System Impacts.</i>
Level of Significance After Mitigation: <i>Less than Significant</i>

### Impact Analysis

Development consistent with the build-out of the General Plan could result in stormwater discharges from material storage areas, vehicle or equipment fueling/maintenance areas, loading docks, or other outdoor work areas. Several policies and implementation measures contained in the General Plan are designed to minimize discharge of polluted runoff.

Detention and implementation of other best management practices (BMPs) are considered the most viable option for minimizing the discharge of pollutants to receiving waters. Pollution associated with increased stormwater and urban runoff would affect local and regional surface and groundwater quality conditions. Unlike sewage, which is transported to a treatment plant, urban runoff may flow untreated through the storm drainage system. Anything thrown, swept, or poured into the street, gutter, or a catch basin (the curbside openings that lead into the storm drainage system) flows directly into ponding basins or local channels and creeks. Pollutant loads can be particularly acute at the beginning of the rainy season, but can be a problem at any time due to the improper disposal of products associated with home, garden, or automotive use. The implementation of BMPs on every project helps to reduce the discharge of pollutants to receiving waters.

Policies and implementation programs included as part of the Proposed Project that would minimize this impact are the same as those described under Impact 6.4-1. However, even with implementation of the above mentioned policies and implementation programs, this impact is considered *potentially significant*.

### Required Mitigation Measures

To address this impact, the City shall implement "Mitigation Measure 6.4-1a: Adopt Revised General Plan Policy PFS-4.3 "Stormwater Quality" to Address Storm Drainage System Impacts and Mitigation Measure 6.4-1b: Adopt Revised General Plan Implementation Program PFS-G to Address Storm Drainage System Impacts", which are more fully described above under the description for Impact 6.4-1.

### Significance after Implementation of Mitigation for Impact 6.4-5

The City's implementation of the Sacramento SWMP, and associated Development Standards Plan would address a variety of erosion generating and water quality impacts associated with runoff water that exceeds the capacity of existing storm drainage infrastructure.

As stated above, the City will continue to implement a variety of policies and programs designed to address stormwater quality issues. Therefore, implementation of the Proposed Project including the adoption of the revised policy and implementation program described above under Mitigation Measure 6.4-1a and Mitigation Measure 6.4-1b would result in a *less-than-significant* impact.

## 6.5 Solid Waste

This section focuses on impacts resulting from the generation, handling, and storage of solid waste materials associated with implementation of the Proposed Project.

### Environmental and Regulatory Setting

Section 15150 of the CEQA Guidelines permits documents of lengthy technical detail to be incorporated by reference in an EIR. Specifically, Section 15150 states that an EIR may "incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public ...." Consistent with the CEQA Guidelines and as a way to avoid creating an overwhelming amount of paper for members of the public and decision-makers to sort through, this draft EIR incorporates by reference information from both the Existing Conditions and Policy Document. Consistent with this approach, the reader is directed to Chapter 4 of the Existing Conditions Report for environmental and regulatory setting information specific to public facilities and services topics (see Appendix B of this draft EIR).

### Impact Methodology

Solid waste impacts were evaluated by comparing the expected solid waste generated by the Proposed Project to existing and any planned capacity of the landfills expected to serve the Study Area. Estimates of City-wide average daily solid waste production were calculated using average daily production rates provided by the EPA (4.6 pounds per day) and the estimate of current solid waste production (20,406 tons per year in 2003) provided for the City.

As a result of comments (see Table 1-1 of Chapter 1.0 "Introduction") received during the NOP public scoping phase of the Proposed Project, specific effects from the project relating to solid waste have been considered as part of the impact analysis. For example, the California Waste Recovery Systems suggested that the City should have a solid waste transfer station and that the identification of a transfer station site should be included in the project description of the EIR. To address this concern, the Policy Document includes Policy LU-8.5 "Refuse Transfer Station". This policy requires the City to coordinate efforts with the refuse service provider to locate a new refuse transfer station along the railroad tracks, north of Twin Cities Road.



# **CHAPTER 8.0**

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## **Natural Resources**

### **8.1 Introduction**

In preparing the Proposed Project, a common chapter numbering system was used in preparing the key general plan documents to allow readers the ability to easily find related information throughout the various documents. In the Existing Conditions Report, Chapter 8.0 is the “Natural Resources” section. This section provides background information on the existing open space and natural resource conditions of the Study Area, with the draft Policy Document providing the policy framework for the various resources identified under the Proposed Project.

This chapter discusses the potential impacts of the Proposed Project on a variety of natural resources including:

- Hydrology (8.2),
- Biological Resources (8.3), and
- Soils and Agricultural Resources (8.4).

### **8.2 Hydrology**

Hydrology issues include the distribution and circulation of water, both aboveground (surface water) and belowground (groundwater). Water quality deals with the quality of both surface and groundwater resources. Surface water includes all water resources on the surface of the land and includes rivers, lakes, canals, and of course the Sacramento-San Joaquin River Delta (Delta). Hydrologic impacts related to the provision of water supply, wastewater, and storm water drainage services are addressed in Chapter 6.0 “Public Facilities & Services” (see Sections 6.2 “Water Supply”, Section 6.3 “Wastewater Systems”, and Section 6.4 “Storm Drainage”). Hydrologic impacts related to flooding issues are addressed in Chapter 10.0 “Public Health and Safety” (see Section 10.4 “Flooding”).

### **Environmental and Regulatory Setting**

As previously described in the “Readers Guide” (see Chapter 1 of this draft EIR), Section 15150 of the CEQA Guidelines permits documents of lengthy technical detail to be incorporated by reference in an EIR. Specifically, Section 15150 states that an EIR may “incorporate by reference all or portions of another document which is a matter of public record or is generally available to the

public...” Consistent with the CEQA Guidelines and as a way to avoid creating an overwhelming amount of paper for members of the public and decision-makers to sort through, this draft EIR incorporates by reference information from both the Existing Conditions Report and Policy Document. Consistent with this approach, the reader is directed to Chapter 8.0 of the Existing Conditions Report for environmental and regulatory setting information specific to hydrology and water quality topics (see Appendix B of this draft EIR).

## Impact Methodology

The provision of ongoing storm water management is currently being accomplished through requirements set forth in the City of Galt Municipal Code. The City of Galt also submitted its Storm Water Management Plan/Program (SWMP) (as a joint effort with other member agencies of the Sacramento Stormwater Quality Partnership) in November 2000 and a subsequent update in December 2003. The SWMP includes program elements that each permittee will implement to reduce the discharge of pollutants in storm water to the maximum extent practicable (MEP), and to effectively prohibit non-storm water discharges into municipal separate storm sewer systems (MS4s) within each permittee’s jurisdiction. Each Stormwater Quality Improvement Program (SQIP) is a site-specific modification of the existing comprehensive SWMP required under the previous MS4 permit, Order No. 96-105. The County and the Cities of Citrus Heights, Elk Grove, Folsom, and Galt jointly submitted a SQIP (County SQIP). The City of Sacramento submitted a separate SQIP (City SQIP). The City is required to maintain compliance with National Pollutant Discharge Elimination System (NPDES) requirements that evolve over time.

Impacts associated with hydrologic resources were evaluated using information provided in the General Plan Existing Conditions Report (see Appendix B of this draft EIR). This assessment of impacts to hydrologic resources is a qualitative review of the existing hydrologic conditions within the Study Area and a determination of whether the Proposed Project includes adequate provisions to ensure continued protection of these resources.

As a result of comments (see Table 1-1 of Chapter 1.0 “Introduction”) received during the NOP public scoping phase of the Proposed Project, specific effects on groundwater resources have been considered as part of the impact analysis. For example, Michael Eaton recommended that the EIR analysis consider specific impacts to groundwater resources and that the City consider working actively with the South Sacramento County Agricultural Water Authority (SSCAWA) in order to move towards a system of conjunctive water use.

## Standards of Significance

The Proposed Project will establish development guidelines against which future projects will be judged for consistency. The significance criteria for this analysis were developed from criteria presented in Appendix G, “Environmental Checklist Form”, of the CEQA Guidelines (as amended by the City of Galt to address a variety of water quality issues). The project (or the project alternatives) would result in a significant impact if it would:



- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted); or
- Violate any water quality standards, waste discharge requirements, or otherwise substantially degrade water quality.

## Impacts and Mitigation Measures

**Impact 8.2-1: The Proposed Project would have the potential, in the long-term, to deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table.**

### Impact Summary

Level of Significance Before Mitigation: <i>Potentially Significant</i>
Required Mitigation: <i>Mitigation Measure 8.2-1: Adopt General Plan Policy PFS-2.12 "Water Meter Retrofit Program" to Address Water Supply Impacts</i>
Level of Significance After Mitigation: <i>Significant and Unavoidable</i>

### Impact Analysis

Implementation of the Proposed Project (including build out of the Preferred Land Use Alternative and the Circulation Diagram) would result in an increased demand on groundwater supplies for urban and rural uses within the City. Effective implementation of groundwater management practices are necessary to meet future water demands via groundwater extraction, without creating declining groundwater levels, and adversely affecting existing wells. Concerns of declining groundwater levels are heightened by the fact that the City is presently dependent upon groundwater supplies.

The City of Galt relies upon groundwater from the Cosumnes Sub-basin (DWR Groundwater Basin Number 5-22.16) of the San Joaquin Valley Groundwater Basin as its sole source of domestic potable water. The Cosumnes Sub-basin is an un-adjudicated basin that supports both municipal and agricultural users.

The publication, "*California's Groundwater – Bulletin 118, Update 2003*", published by the California Department of Water Resources contains a wide range of information pertaining to groundwater basins and sub-basins throughout California. The information summarized below was derived from the referenced publication.

*Cosumnes Sub-Basin: "Montgomery Watson Consultants (Montgomery Watson 1993) developed a groundwater model for Sacramento County. A subsequent model was developed for San Joaquin County by Montgomery Watson as part of*