

WASTE DISCHARGE REQUIREMENTS ORDER NO. 85-070
DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

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8. The discharge shall not alter the normal ambient pH of the receiving water more than 0.5 units.
9. The discharge shall not increase the normal ambient temperature of the receiving water more than 5°F (3°C).
10. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Board or the State Water Resources Control Board as required by the Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.
11. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (a) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - (b) controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

C. Provisions:

1. The Discharger shall not allow the dissolved oxygen concentration in the lake and lagoon system to fall below 5.0 mg/l.
2. Neither the discharge nor its treatment shall create a nuisance or pollution as defined in Section 13050 of the California Water Code.

WASTE DISCHARGE REQUIREMENTS ORDER NO. 85-070
DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

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3. The requirements prescribed by this Order supersede the requirements prescribed by Order No. 79-115, adopted by the Board on 25 May 1979, which is hereby rescinded.
4. The Discharger shall comply with all the items of the "Standard Provisions and Reporting Requirements (NPDES)", dated 1 August 1984, which are part of this Order.
5. The Discharger shall comply with the attached Monitoring and Reporting Program No. 85-070 as ordered by the Executive Officer.
6. This Order expires on 1 April 1990 and the Discharger must file a Report of Waste Discharge in accordance with Title 23, California Administrative Code, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.
7. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to this office.

I WILLIAM H. CROOKS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 26 April 1985.


WILLIAM H. CROOKS, Executive Officer

EXHIBIT I

WLC:jec

Attachments

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. 85-070

NPDES NO. CA0079910

FOR
DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

EFFLUENT MONITORING
(Monitoring Site 4 or Temporary Site 4A)

Effluent samples shall be collected downstream from the last connection through which wastes can be admitted into the outfall. Effluent samples should be representative of the volume and nature of the discharge. Samples collected from the outlet structure of ponds will be considered adequately composited. Time of collection of a grab sample shall be recorded. The following shall constitute the effluent monitoring program.

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Specific Conductivity	umhos/cm @25°C	Grab	Monthly
Copper Sulfate	mg/l	Grab	Monthly
pH	pH Units	Grab	Monthly
Bioassay ¹	% Survival	Grab	2
Total Coliform Organisms	MPN/100 ml	Grab	Monthly
Flow	MGD	Cumulative	Monthly

- 1 Test fish shall be determined by the Executive Officer.
- 2 Bioassays shall be conducted during copper sulfate treatment of Willow Lake.

MONITORING AND REPORTING PROGRAM NO. 85-070
DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

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If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record data for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the schedule.

RECEIVING WATER MONITORING

All receiving water samples shall be grab samples at Monitoring Sites 1, 2, 3, 5, 6, 7, 8, 9, and 10. Receiving water samples shall be taken for the following:

<u>Constituents</u>	<u>Units</u>	<u>Sampling Frequency</u>
Dissolved Oxygen	mg/l	Monthly
pH	pH Units	Monthly
Turbidity	Turbidity Units	Monthly
Temperature	°F	Monthly

Receiving water samples from Monitoring Sites 1 and 9 shall also be analyzed monthly for total coliform organisms (MPN/100 ml).

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions. Attention shall be given to the presence or absence of:

- a. Floating or suspended matter
- b. Discoloration
- c. Bottom deposits
- d. Aquatic life

Notes on receiving water conditions shall be summarized in the monitoring report.

MONITORING AND PROGRAM REPORTING NO. 85-070
DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

REPORTING

In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly the compliance with waste discharge requirements.

Monthly monitoring reports shall be submitted to the Regional Board by the 15th day of the following month.

The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported to the Board.

Upon written request of the Board, the Discharger shall submit a report to the Board by 30 January of each year. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge requirements.

The Discharger shall implement the above monitoring program on the effective date of this Order.

Ordered by William H. Crooks
WILLIAM H. CROOKS, Executive Officer

26 April 1985

(Date)

Amended 4/26/85:WLC:jec:

INFORMATION SHEET

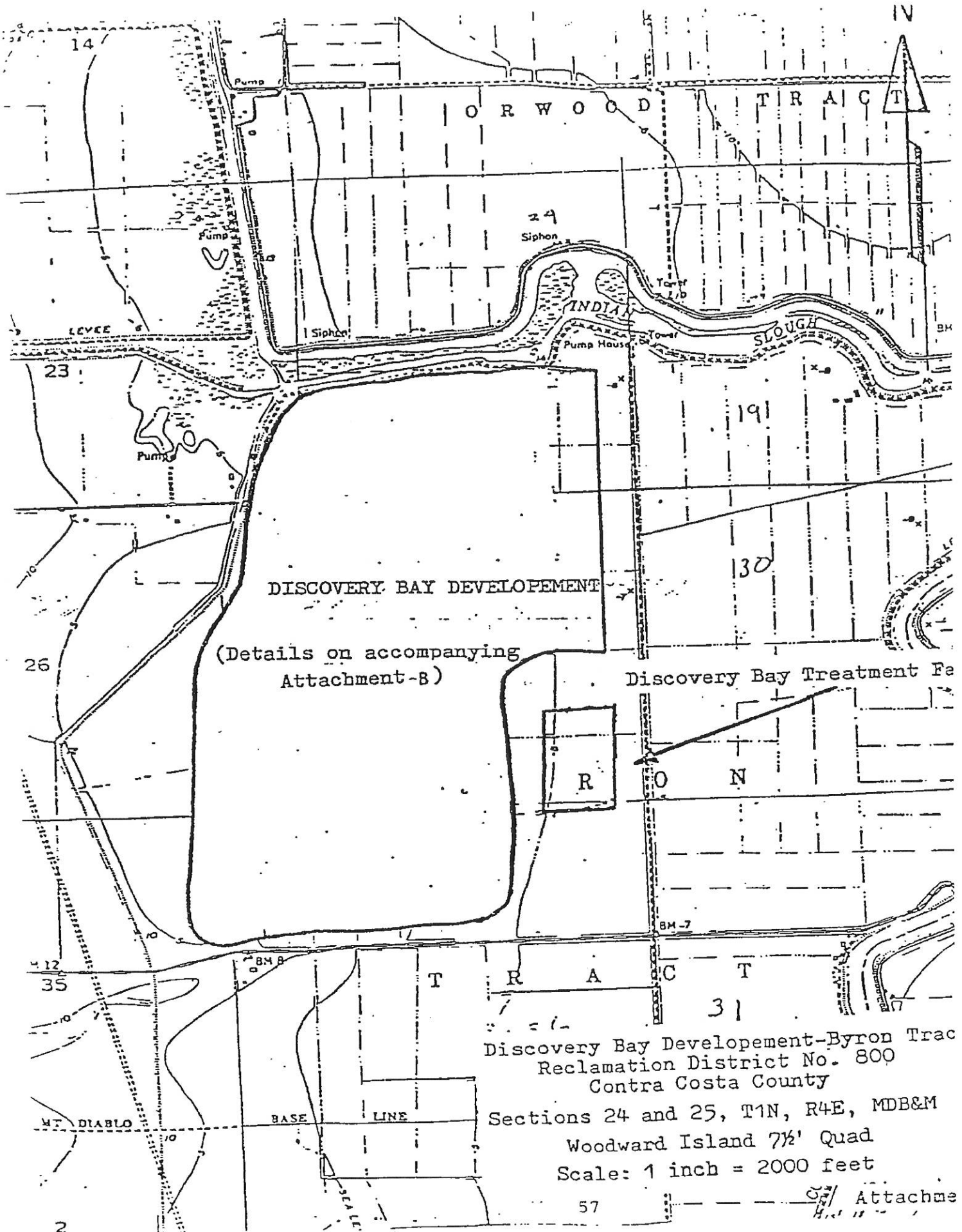
DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

The Discovery Bay Development was created by breaching a levee on Byron Tract, north of Highway 4. The breach connects this water-oriented community to Indian Slough. In order to ensure compliance with the Board's requirements, Discovery Bay Corporation constructed an extensive siphon system which circulates water from dead-end points in the lagoon system through Willow Lake and back to Indian Slough. The design of the siphon system is adequate to recharge the lagoon system once every seventeen (17) days.

Lower Willow Lake has a subsurface aeration system which contains a low pressure, high volume air compressor to maintain an adequate dissolved oxygen level in the lake. Copper sulfate may be added in small quantities in order to control algae concentrations, but this treatment has not been necessary since 1979.

Domestic wastes are transported to the Discovery Bay Treatment Plant, Contra Costa County Sanitation District No. 19, for secondary treatment and disposal under waste discharge requirements which were adopted by the Board on 27 March 1981 in Order No. 81-037.

WLC:jec:5/2/85



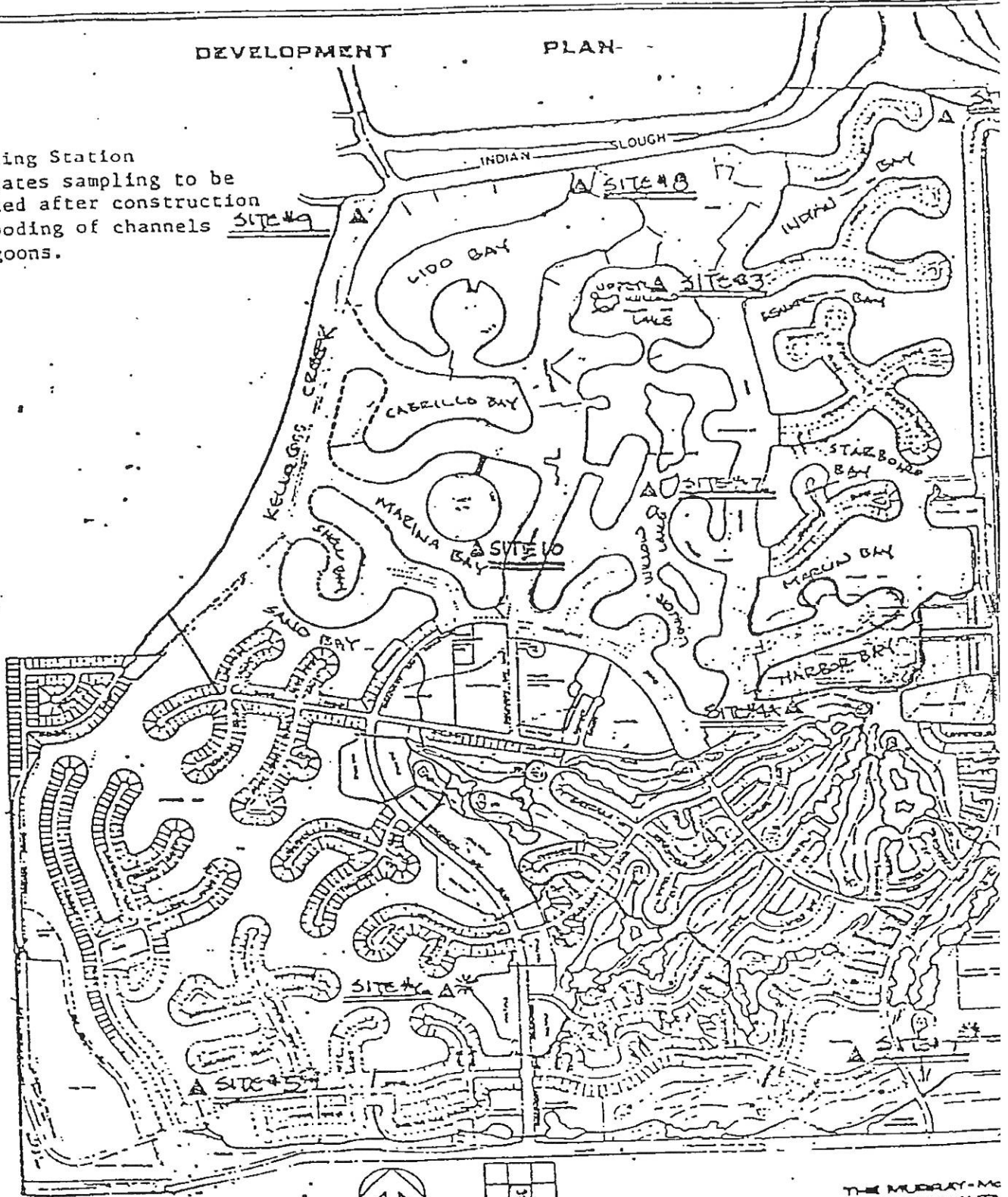
Discovery Bay Development-Byron Trac
 Reclamation District No. 800
 Contra Costa County
 Sections 24 and 25, T1N, R4E, MDB&M
 Woodward Island 7 1/2' Quad
 Scale: 1 inch = 2000 feet

DISCOVERY BAY DEVELOPMENT
MONITORING SITE

DEVELOPMENT PLAN

LEGEND:

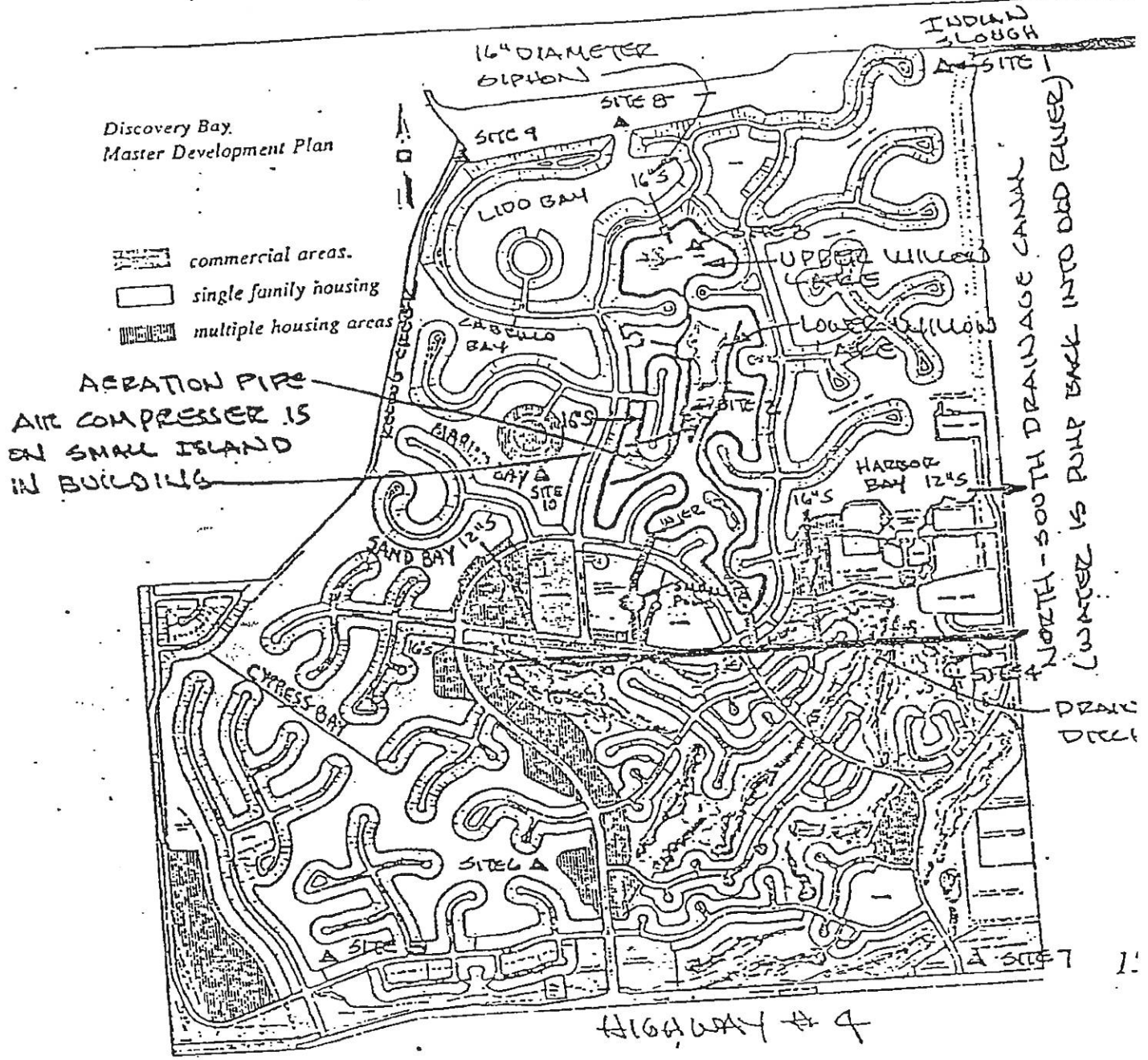
- ▲ Sampling Station
- * Indicates sampling to be started after construction & flooding of channels & lagoons.



DISCOVERY BAY
MYRON CONTRA COSTA COUNTY CALIFORNIA

THE MURRAY-Mc ENVIRONMENTAL

The Development



DISCOVERY BAY

SOME OF THESE BAYS WERE NOT
CONSTRUCTED EXACTLY AS SHOWN
ON THIS PLAN.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
CENTRAL VALLEY REGION3201 S STREET
SACRAMENTO, CALIFORNIA 95816-7090
PHONE: (916) 445-0270

29 October 1984

Mr. James W. Howton
Projects Northwest
609 Hoge Building
Seattle, WA 98104NPDES PERMIT RENEWAL FOR DISCOVERY BAY DEVELOPMENT; RECLAMATION DISTRICT
NO. 800, CONTRA COSTA COUNTY

Enclosed is the draft permit which we discussed by telephone on 10 October 1984. As you know, we need further information on the following items before the permit can be made final:

1. Outflow rates and times of year.
2. Progress of future development and when future sampling sites will be installed.
3. Use of copper sulfate, including quantities and resultant concentrations in the lake.
4. Description of the siphon and aeration systems.

Please provide your comments on the draft permit and the information requested above by 19 November 1984. If you have any questions, please call me at (916) 322-9092.

Handwritten signature of Wendy L. Cohen in cursive.

WENDY L. COHEN
Area Engineer

WLC:ljl

Enclosure

cc: Mr. Dante Nomellini, Reclamation District No. 800, Stockton

EXHIBIT I

TENTATIVE
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. _____

NPDES NO. CA0079910

WASTE DISCHARGE REQUIREMENTS
FOR

DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) finds that:

1. Discovery Bay Development, Reclamation District No. 800 (hereafter Discharger) submitted a Report of Waste Discharge, dated 17 April 1984, to discharge waste under the National Pollutant Discharge Elimination System (NPDES).
2. The Discharger discharges treated lake water and lagoon water from Willow Lake into Indian Slough and Old River, waters of the United States, at a point in the southwest 1/4 of Section 24, T1N, R3E, MDB&M.
3. Domestic wastes from the Discovery Bay Development are transported to Discovery Bay Treatment Plant, Contra Costa Sanitation District No. 19, for secondary treatment and disposal under Waste Discharge Requirements Order No. 81-037 adopted by the Board on 27 March 1981.
4. The Board, on 25 July 1975, adopted a Water Quality Control Plan for the Sacramento-San Joaquin Delta Basin (5B). These requirements are consistent with that plan.
5. The beneficial uses of Indian Slough, Old River, and San Joaquin River are domestic, municipal, industrial and agricultural supply; recreation; esthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife and other aquatic resources.
6. Effluent limitation, and toxic and pretreatment effluent standards established pursuant to Sections 301, 302, 304 and 307 of the Clean Water Act and amendments thereto are applicable to the discharge.

DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

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7. The action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Section 13389 of the California Water Code.
8. The Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
9. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.
10. This Order shall serve as a NPDES permit pursuant to Section 402 of the Clean Water Act, or amendments thereto, and shall take effect ten days from the date of hearing, provided EPA has no objections.

IT IS HEREBY ORDERED that, Discovery Bay Development, Reclamation District No. 800, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

- A. Effluent Limitations; Willow Lake Discharge Site 4 (or Temporary Site 4A):
 1. The discharge of an effluent with a copper ion concentration in excess of 0.1 mg/l is prohibited.
 2. The discharge shall not have a pH less than 6.5 nor greater than 8.5.
 3. By-pass or overflow of untreated or partially treated waste is prohibited.
 4. The Discharger shall use the best practicable cost-effective control technique currently available to limit mineralization to no more than a reasonable increment.
 5. Survival of test fishes in 96-hour bioassays of undiluted waste shall be no less than:

Minimum for any one bioassay - - - - - 70%
Minimum for any three or more bioassay - - - - - 90%

B. Receiving Water Limitations:

1. The Discharger shall not cause the dissolved oxygen concentration in the Indian Slough or Old River to fall below 5.0 mg/l.
2. The discharge shall not cause visible oil, grease, scum, foam, floating or suspended material in the receiving waters or watercourses.
3. The discharge shall not cause concentrations of any materials in the receiving waters which are deleterious to human, animal, aquatic, or plant life.
4. The discharge shall not cause esthetically undesirable discoloration of the receiving waters.
5. The discharge shall not cause fungus, slimes, or other objectionable growths in the receiving waters.
6. The discharge shall not cause bottom deposits in the receiving waters.
7. The discharge shall not increase the turbidity of the receiving waters by more than 10% over background levels.
8. The discharge shall not alter the normal ambient pH of the receiving water more than 0.5 units.
9. The discharge shall not increase the normal ambient temperature of the receiving water more than 5°F (3°C).
10. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Board or the State Water Resources Control Board as required by the Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.

11. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:

(a) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or

(b) controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

C. Provisions:

1. The Discharger shall not allow the dissolved oxygen concentration in the lake and lagoon system to fall below 5.0 mg/l.
2. Neither the discharge nor its treatment shall create a nuisance or pollution as defined in Section 13050 of the California Water Code.
3. The requirements prescribed by this Order supersede the requirements prescribed by Order No. 79-115, adopted by the Board on 25 May 1979, which is hereby rescinded.
4. The Discharger shall comply with all the items of the "Standard Provisions and Reporting Requirements (NPDES)", dated 1 August 1984, which are part of this Order.
5. The Discharger shall comply with the attached monitoring and Reporting Program No. _____ as ordered by the Executive Officer.
6. This Order expires on 1 December 1989 and the Discharger must file a Report of Waste Discharge in accordance with Title 23, California Administrative Code, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.

DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

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7. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to this office.

I WILLIAM H. CROOKS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on _____.

WILLIAM H. CROOKS, Executive Officer

WLC:ljl

Attachments..

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. _____

NPDES NO. CA0079910

FOR

DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

INFLUENT MONITORING

A sampling station shall be established and located where representative samples of the influent tidal water can be obtained. Samples shall be collected at approximately the same time as effluent samples and should be representative of the influent for the period sampled. The following shall constitute the influent monitoring program:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Suspended Solids	mg/l	8hr. Composite	Monthly

EFFLUENT MONITORING

(Monitoring Site 4 or Temporary Site 4A)

Effluent samples shall be collected downstream from the last connection through which wastes can be admitted into the outfall. Effluent samples should be representative of the volume and nature of the discharge. Samples collected from the outlet structure of ponds will be considered adequately composited. Time of collection of a grab sample shall be recorded. The following shall constitute the effluent monitoring program.

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Suspended Matter	mg/l	24 hr. Composite	Monthly
Specific Conductivity	umhos/cm @25°C	Grab	Monthly

DISCOVERY BAY DEVELOPMENT
 RECLAMATION DISTRICT NO. 800
 BYRON TRACT
 CONTRA COSTA COUNTY

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Copper Sulfate	mg/l	Grab	Monthly
pH	pH Units	Grab	Monthly
Bioassay ¹	% Survival	Grab	2
Total Coliform Organisms	MPN/100 ml	Grab	Monthly
Flow	MGD	Cumulative	Monthly

- 1 Test fish shall be determined by the Executive Officer.
- 2 Bioassays shall be conducted during copper sulfate treatment of Willow Lake.

If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record data for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the schedule.

RECEIVING WATER MONITORING

All receiving water samples shall be grab samples at Monitoring sites 1, 2, 3, 5, 6, 7, 8, and 9. Receiving water samples shall be taken for the following:

<u>Constituents</u>	<u>Units</u>	<u>Sampling Frequency</u>
Dissolved Oxygen	mg/l	Monthly
pH	pH Units	Monthly
Turbidity	Turbidity Units	Monthly
Temperature	°F (C°)	Monthly

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions. Attention shall be given to the presence or absence of:

- a. Floating or suspended matter
- b. Discoloration
- c. Bottom deposits
- d. Aquatic life

Notes on receiving water conditions shall be summarized in the monitoring report.

REPORTING

In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly the compliance with waste discharge requirements.

Monthly monitoring reports shall be submitted to the Regional Board by the 15th day of the following month.

The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported to the Board.

Upon written request of the Board, the Discharger shall submit a report to the Board by 30 January of each year. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge requirements.

The Discharger shall implement the above monitoring program on the effective date of this Order.

Ordered by

WILLIAM H. CROOKS, Executive Officer

(Date)

INFORMATION SHEET

DISCOVERY BAY DEVELOPMENT
RECLAMATION DISTRICT NO. 800
BYRON TRACT
CONTRA COSTA COUNTY

The Discovery Bay Development was created by breaching a levee on Byron Tract, north of Highway 4. The breach connects this water-oriented community to Old River and Indian Slough. In order to insure compliance with the Board's requirements, Discovery Bay Corporation constructed an extensive siphon system which recirculates water from dead-end points in the lagoon system back to Old River and Indian Slough. The design of the siphon system is adequate to recharge the lagoon system once every seventeen (17) days.

The lake system will have an aeration system installed on the bottom of Willow Lake to maintain adequate dissolved oxygen level. Copper sulfate will be added in small quantities in order to control algae concentrations.

Domestic wastes are transported to the Discovery Bay Treatment Plant, Contra Costa County Sanitation District No. 19, for secondary treatment and disposal under waste discharge requirements which were adopted by the Board on 27 March 1981 in Order No. 81-037.

The present requirements insure that the water quality in Discovery Bay and local environs is not impaired. The limitations specifically control the copper ion concentration, pH, lake water toxicity, and the lagoon water dissolved oxygen.

WLC:ljl

APPLICATION FOR VARIANCE

**RECLAMATION DISTRICT NO. 800
AND DISCOVERY BAY RECLAMATION
AND DRAINAGE MAINTENANCE DISTRICT**

P.O. BOX 262, BYRON, CA 94514

OWNER: _____ BUILDER: _____

ADDRESS: _____

PHONE NUMBERS: _____ HOME: _____ BUSINESS _____

LOT: _____

TRACT: _____

INVESTIGATION FEE: \$100.00

TYPE OF CONSTRUCTION: _____

REASON FOR VARIANCE: _____

DATE RECEIVED: _____

DATE LETTERS SENT TO ALL PROPERTY OWNERS (RADIUS OF 300'): _____

DATE REVIEWED BY BOARD: _____

DATE APPROVED: _____

DATE DISAPPROVED: _____

BOARD MEMBER
RECLAMATION DISTRICT NO. 800

EXHIBIT K
RECOMMENDED CONDITIONS OF APPROVAL FOR A VARIANCE RELATIVE TO
BELOW DECK STRUCTURES SUCH AS LATTICES, ETC. REFERRED TO IN
SECTIONS 2.01 AND 2.02*

VARIANCE CONDITIONS

For Lot _____ Tract _____ at _____
Street Address

1. Landowner will provide RD 800 access to the Slope Control Area and/or the Reclamation District Elevation Control Easement for inspections by either land or water, at any time of the day or year.
2. Landowner shall maintain the Slope Control Area and/or the Reclamation District Elevation Control Easement free from debris at all times, providing RD 800 the uninhibited and unrestricted ability to inspect.
3. In the event that RD 800 determines that the integrity of the Slope Control Area and/or the Reclamation District Elevation Control Easement is being jeopardized by the structure approved by this variance, then, upon demand of RD 800, the landowner will immediately remove the structure. In the event that the landowner does not do so within twenty-four (24) hours, RD 800 may do so, and the cost will be recoverable from the landowner. If the landowner does not pay the cost within thirty (30) days of invoice by RD 800, the cost shall become a lien on the premises.
4. An annual fee of \$50.00 will be added to the fees and charges and/or assessments levied against the property to cover the cost of inspection and administration.
5. In the event access is denied, this variance will be automatically revoked, without further action by the Board of Trustees, and the landowner shall remove the structure approved by this variance. In the event that the landowner does not do so within twenty-four hours, RD 800 may do so, and the cost will be recoverable from the landowner. If the landowner does not pay the cost within thirty (30) days of invoice by RD 800, the cost shall become a lien on the premises.
6. The District Manager is authorized to cause the District's attorneys to commence appropriate legal proceedings, if necessary, without further action by the Board.

Notarized Signature of Landowner(s)

Board Approved this date _____

EXHIBIT L

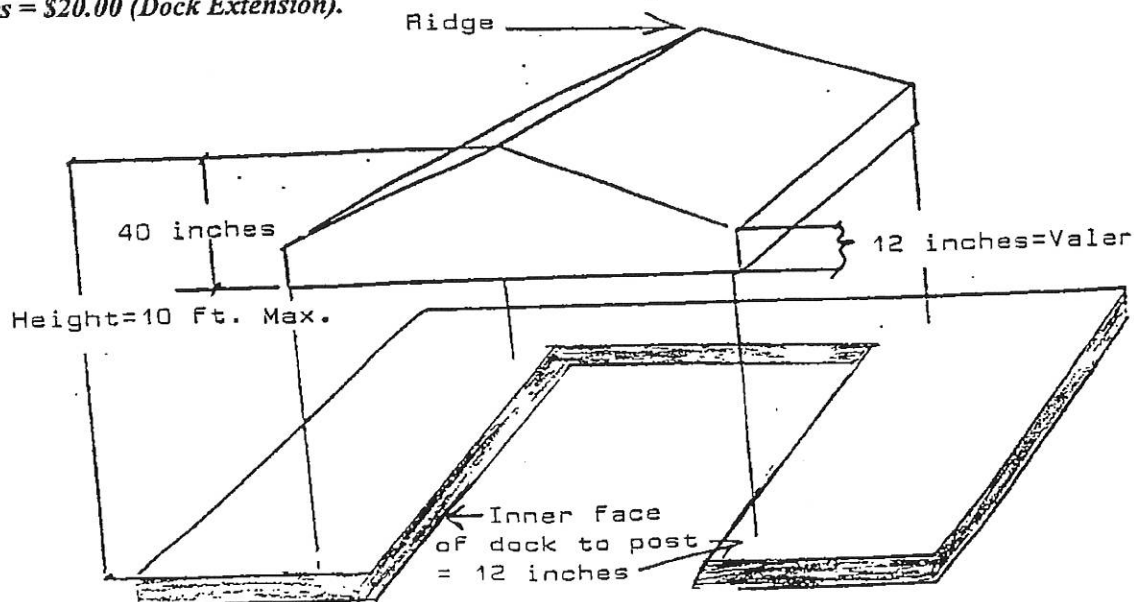
Mooring Lines. Placement of docks and the mooring of vessels will not be allowed outside the mooring lines. No structure shall be erected or attached to docks within the mooring area *except*:

A. Boarding ladders or steps

B. Dock boxes

C. *Approved Boat Slip Covers for the purpose of weather protection for moored boats that are within the following design guidelines:*

1. *Height = not more than 10 feet from deck surface to ridge, with no more than forty (40) vertical inches down from the maximum height (ridge) being opaque with valence being twelve (12) vertical inches maximum. Flat roofs are prohibited.*
2. *Frame = designed to facilitate easy removal. Centerline of support posts to be mounted no more than twelve (12) inches from the inner face of dock, made from galvanized or other weather protected metal pipe or tubing, which has been properly engineered to the size of the cover.*
3. *Covering = light weight covering that is easily removable and will not support a live load nor otherwise serve as a deck structure: e.g., canvas.*
4. *Side Curtains = are discouraged because they create a massive visual structure obstructing the view of the slope. However, if side curtains are installed, they must rollup and the material must be vinyl encapsulated woven polyester mesh with a minimum 30% openness factor. (Side Curtains that you cannot see through and do not roll up are prohibited.)*
5. *Plans = submit architecturally scaled drawings of the plot plan and profile on no less than an 11" x 17" paper, including the existing and/or proposed structure, relevant easements, mooring lines, and a description of the framing plans and materials. (See Exhibits "C" and "D").*
6. *Fees = \$20.00 (Dock Extension).*



Reclamation District No. 800

Exhibit M

Approved April 3, 2003 Update to Encroachment Standards:

Section 2.01, B., Paragraph 4 Coverings

Section 2.02, B., Paragraph 3 Coverings

Covering.

- a. Purpose. The District retains easements over properties bordering the bays in order to be able to take any action(s) that may be needed to ensure slope stability and/or prevent levee impairment during periods of high water. Allowing the encroachment of permanently inhabited areas into either the SCA or the R.D.E.C.E. could interfere with such actions and so is regulated by the District.
- b. General Requirements. First and second story decks shall be open uncovered, and unscreened, except that first story decks may be covered with a canvas, vinyl or aluminum type covering or with lattice-type covering. Such coverings for first-floor decks must not support a live load. Lattice-type covering must not block more than fifty percent (50%) of light and air in any one square foot. Beyond the R.D.E.C.E. no deck covering is allowed that extends into the SCA. No deck coverings will be allowed on second-story decks or balconies that extend into the SCA or R.D.E.C.E. The design and construction of deck covers, for either first or second story decks, must be based on reasonable engineering principles and must, in the reasonable judgment of the District Engineer, protect the District's interests in the SCA and the R.D.E.C.E. Fully enclosed decks, whether covered or uncovered, are not permitted.
- c. Application of the General Requirement. The District will look favorably on encroachment applications demonstrating:
 - i. The deck covering is constructed without the use of plywood, tar paper, shakes, shingles or other permanent type roofing materials; and
 - ii. The deck covering is constructed in sections weighing less than 200 pounds that can be added or removed by a single person; and

April 3, 2003

- iii. The deck covering can be removed without damage to the principal structure; and
- iv. The deck covering cannot be used as a second-floor deck; and
- v. The consulting engineer for a homeowner has adequately considered lateral earth pressures associated with slope movements as well as vertical loads; and
- vi. The design for the deck covering includes provision for collection and conveyance of irrigation, precipitation and other surface flow to the bays and lakes without wetting the slope control area.

The guidelines in this subparagraph are intended to describe the considerations that the District will consider in evaluating an encroachment permit application. The District reserves the right to reject applications satisfying all of these guidelines that do not satisfy the general requirements of subparagraph (b) above and to grant permit applications that satisfy the general requirements of subparagraph (b) above without satisfying any of these guidelines.

- d. Approval by Other Agencies. Applicants should be aware that approval by the District of a deck covering does not eliminate the need for a homeowner to obtain approval from other permitting agencies (most notably, Contra Costa County).

REVISIONS

On January 11, 1996 a motion from Trustee Lunding, second from Trustee Racz, passed 5 - 0: Page 19, Applications, Section 5.01 "...submit five (5)" revised to "submit four (4)".

On June 6, 1996 a motion from Trustee Lunding, second from Trustee Anderson, passed 4 - 1 (Trustee Racz voting no) the following revisions were adopted:

- 1) Page 23, Fees, Section 5.04, to the list of fees, "*Variance Request \$100.00*",
- 2) Page 21, Procedures, Section 6.02, Paragraph B, "...may be prescribed by the Board of Trustees" revised to "*of \$100.00 shall be paid upon submission of the application to accommodate the extra work required of the District to process the variance*",
- 3) Page 9, Slope Control Area, Section 2.01, Paragraph B, add "**8. Slope Clearance**: No part of any deck may extend below elevation 7.0', (U.S.G.S. Datum) except for pile foundations or landings and ramps constructed for the expressed purpose of accessing a floating boat dock. (See Variance Conditions Exhibit K, page 71)" Structures that do not comply with the above Rule and Regulation, and that were built prior to the adoption of this new Rule and Regulation, will need to apply for a variance (Exhibit K) and submit "as-built" plans, provided the landowner wishes to maintain this structure.
- 4) Page 11, Reclamation District Elevation Control Easement, Section 2.02, Paragraph B, add "**6. Slope Clearance**: same wording as item 3 above."

On August 1, 1996 a motion from Trustee Dawson, second Trustee Racz, passed 4 - 0.

(Trustee Lunding absent):

Page 25, Procedure, Section 7.01, Paragraph C, was revised from "*If the violation is corrected within the time period specified, no further action is needed, except in all events the District Manager shall*" to read "*If the violation is corrected within the time period specified, no further action is needed. If the violation is not corrected, the District Manager shall*"

On October 3, 1996 a motion from Trustee Anderson, second Trustee Racz, passed 3 - 2

(Trustees Lennon and Lunding voting no):

Page 14, Special Circumstances, Section 2.05, Paragraph C, was revised to accept Boat Slip Covers. (See Exhibit L, page 72)

REVISIONS

On March 11, 1997 a motion from Trustee Lennon, seconded by Trustee Anderson, passed 4 - 0 (Trustee Racz was absent):

Page 9, Special Conditions., Section 2.01, Paragraph D, incorporated the current changes and procedures of Army Corps of Engineers GP036 relative to docks and mooring for certain Lots and Tracts along Indian Slough (Current copy of Army Corps of Engineers GP036 on file with Reclamation District No. 800 for reference.)

On March 11, 1997 a motion from Trustee Lennon, seconded by Trustee Anderson, passed 4 - 0 (Trustee Racz was absent):

Page 9, Special Conditions., Section 2.01, Paragraph D, stated that Boat Slip Covers are not permitted in the area along Indian Slough covered by Army Corps of Engineers GP036 unless the Army Corps of Engineers permit has authorized such a structure.

On April 3, 1997 a motion from Trustee Lennon, second by Trustee Racz passed 4 - 0 (Trustee Anderson was absent):

Page 13, Special Conditions., Section 2.02, Paragraph C, add "6. Proposed principal structure designs for Lots and Tracts not specifically addressed under this section with RDECE easements will be reviewed and approved by the Board on a case by case basis using reasonable engineering judgment."

Pages 8, 11, & 14 - On April 3, 2003 a motion from Trustee Abbadie, seconded by Trustee Hefner, updated the Guidelines' regarding solid shade deck coverings (Section 2.01, Paragraph B, 4 and Section 2.02, Paragraph B, 3 by adding Exhibit M) and revisions to dock coverings (Section 2.05 Paragraph C revising Exhibit L) passed 3 - 0 - 1 (Trustee Harris abstaining and Trustee Lennon absent.)