

February 28, 2005

**Public Notice for 401 Water Quality Certification
and/or
Waste Discharge Requirements (Dredge/Fill Projects)**

**Taylor Mountain Incorporated
Kawana Springs Residential Development, Phase 6
WDID No. 1B04121WNSO
Sonoma County**

On August 24, 2004, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Douglass Spicher, on behalf of Mr. Phillip Trowbridge of Taylor Mountain Inc., requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the permanent fill of .21 acres of wetland associated with the Kawana Springs Phase 6 residential development in Santa Rosa, Sonoma County. The proposed project will cause disturbances to the waters of the state associated with seasonal wetland and unnamed tributaries to Colgan Creek, Santa Rosa Hydrologic Subarea No. 14.22, Russian River Hydrologic Unit No. 114.00.

The proposed project involves an approximate 25-acre residential development, to include a water main pipeline installation project located at the end of the existing Kawana Springs Road, east of Brookwood Avenue in Santa Rosa, Sonoma County. The purpose of the project is the construction of 94 residential units, and corresponding infrastructure such as roads, storm water facilities, utilities, and designated parkland that constitute Phase 6 of the Kawana Springs Residential Development project.

The project includes the construction of Taylor Street, which would provide a crossing between the existing Kawana Springs Road and Tokay Street. A water main pipeline is proposed for installation under this new street, which will connect to the existing water tank located south of the project. This water main will serve the project and other projects, as approved, to the north.

The project affects .21 acres of jurisdictional Waters of the U.S. as delineated by Wetlands Research Associates, Inc., pending verification by the Army Corp of Engineers. Surveys were conducted for both sensitive plant and animal species on site, yielding negative results for both. On May 14, 2003, LSA Associates, Inc. issued a statement of negative finding for surveys conducted for the California Tiger Salamander.

The applicant applied to the U.S. Army Corps of Engineers (ACOE) for a Clean Water Act Section 404 permit—Nationwide Permit 39 (*Residential, Commercial, and Institutional Developments*)—approval pending.

The City of Santa Rosa, as the lead California Environmental Quality Act (CEQA) agency, prepared a Notice of Determination for the Southeast Area Plan, File Number 91-3027, State Clearinghouse Number 92083054, approved by the City of Santa Rosa Council on June 21, 1994 by certification of an Environmental Impact Statement, adoption of State of overriding considerations, and adoption of the Southeast Area Plan.

Taylor Mountain Incorporated is requesting that the water quality certification and/or waste discharge requirements be issued before their proposed start date of June 15th, 2005. Construction is projected to take approximately 6 weeks, and shall not occur during the rainy season of October 15th to May 15th.

Compensatory mitigation is required for this project to compensate the permanent loss of .21 acres of wetland, and will consist of on-site wetland creation. Regional Water Board staff will ensure that the mitigation is adequate to compensate for all current and potential beneficial uses lost as a result of the proposed fill. During wetland creation, a person qualified in wetland restoration will monitor construction to ensure wetland is assembled as specified in the final detailed construction drawings and specifications. The mitigation wetland will be monitored for a 90 percent success rate over a three-year period, and will be preserved in perpetuity through either an anticipated dedication to the City of Santa Rosa, or by deed restriction. Prior to dedicating the site to the City of Santa Rosa, Taylor Mountain will complete the implementation, monitoring, and remediation required in the mitigation plan. A copy of the agreement protecting the parcel shall be submitted to the Regional Water Board to document preservation. Regional Water Board staff are working with the Applicant to finalize the mitigation plan for approval.

Indirect impacts to Waters of the State include potential sediment and pollutant runoff from disturbance created by human activity during construction of the project and after the development is completed. To minimize these impacts, non-compensatory mitigation measures have been incorporated into the project proposal. Non-compensatory mitigation measures include the use of BMPs such as straw bales, sediment fences, and re-vegetation of disturbed soils. Additionally, the applicant is preparing a storm water pollution prevention plan (SWPPP) that will incorporate Best Management Practices (BMPs) for sediment reduction. Upon construction completion, runoff will be directed into either storm water interceptors or bioswales, depending on runoff location, prior to discharging into Waters of the State. Bioswales will be utilized to filter runoff entering the proposed wetland, and all other runoff will be treated via manufactured treatment interceptors prior to discharging through an existing outfall to Colgan Creek.

Regional Water Board staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this notice. If you have any questions or comments, please contact staff member Andrew Jensen at (707) 576-2683 or at AJensen@waterboards.ca.gov within 21 days of the posting of this notice.