

May 15, 2006

**After the Fact Public Notice for Water Quality Certification and/or Waste  
Discharge Requirements (Dredge/Fill Projects)  
Varena Senior Living Community  
Santa Rosa, WDID No. 1B06057WNSO**

**Sonoma County**

On May 5, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an “after the fact” application from Mr. Thomas R. Jones requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Varena Senior Living Community (Varena), 1401 Fountaingrove Parkway, Santa Rosa, Sonoma County. The proposed senior citizen residential construction project will cause disturbances to waters of the state associated with Fountaingrove Lake and Santa Rosa Creek, and Hydrologic Area No. 114.22.

Fountaingrove Parkway bound the Varena project site to the south and east, to the west by Fountaingrove Lake and Fountaingrove Golf Course, and to the north by Fountaingrove Resort and Country Club. The project will provide a variety of housing options, including affordable units, for Santa Rosa’s senior citizens. Services will range from assisted living units to individual housing units. Additionally, the project will provide a licensed Community Care facility, pursuant to state law and §20-42.060 of the City of Santa Rosa’s zoning code. An EIR was prepared for the Varena project in December 2004 and, following CEQA requirements, was subsequently adopted by the City of Santa Rosa in May 26, 2005.

Results of the Jurisdictional Delineation (confirmed by the US Army Corps of Engineers on October 12, 2004) identified 5 seasonal wetland areas, an emergent wetland along the lakeshore and jurisdictional water in the lake. The project has resulted in the fill of 500 square feet of identified wetland area. In addition to the wetland fill, a small boat dock is planned to extend into Fountaingrove Lake, with up to 30 16” diameter piers being placed within the lake. Construction of the dock structure will result in the filling of approximately 42 square feet of wetland related to dock support piers. However, the dock structure itself will be of sufficient height that waters will not be impacted beyond the direct impacts of piers. Thus the total area of permanent wetland impact resulting from the Varena project will be approximately 0.012 acres. Biological surveys found no potential impacts to threatened or endangered plant or wildlife species resulting from this project.

Because the project needed to fill 0.012 acre of wetlands for construction of the Health Center building along Fountaingrove Parkway, which location could not be physically avoided by the project, and because the construction of a recreational pier over a small portion of Fountaingrove Lake is proposed, a comprehensive post construction BMP program was developed for the project. Because of the size, relatively steep topography of the site, and the variety of buildings and unit types, a variety of post construction storm

water measures have been developed for the project. Proposed post-construction stormwater treatment measures include construction of vegetative bio-swales; disconnected downspouts that discharge through energy dissipaters and natural areas; subsurface hydrodynamic separators in three locations on the storm drain system; storm drain inlet markers and erosion control landscaping.

Mitigation for an “after the fact” application requires a 1:5 to 1 mitigation ratio. Thus the project applicant will purchase mitigation in the form of 0.018 acres of wetland creation credits for the 0.012 acres of wetland filled. The project applicant has secured the necessary agreement for the sale and transfer of wetland mitigation credits to satisfy the conditions of the Clean Water Act Section 401.

Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or 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 letter. If you have any questions or comments, please contact staff member Paul Keiran at (707) 576-2753, or at [pkeiran@waterboards.ca.gov](mailto:pkeiran@waterboards.ca.gov) within 21 days of the posting of this notice.

The related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Blvd., Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.

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