

June 18, 2007

Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)
Vast Oak Properties Project
Sonoma County (WDID# 1B03040WNSO)

On August 27, 2004, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Kevin Pohlson, on behalf of Brookfield Homes Bay Area, Inc. (Applicant) requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Vast Oak Properties Project (Project) in Sonoma County. The proposed Project causes disturbances to Waters of the United States and State associated with seasonal wetlands and creeks draining to Laguna de Santa Rosa Sub Area No.114.21, Russian River Hydrologic Unit No. 114.00.

The proposed Project is located adjacent to the Sphere of Influence of the City of Rohnert Park. The Project is bounded on the south by Rohnert Park Expressway, on the west by existing development in the City of Rohnert Park, on the north by Keiser Avenue, and on the east by the Petaluma Hill Road. The latitude and longitude is 38.35091°N and -122.67269°W. The Project area is approximately 224.41 acres, and occupies approximately 75% of the University District Specific Plan Area in the City of Rohnert Park. The project will result in a wide range of development uses, including a variety of housing types, a mixed use commercial retail center, a linear park and plaza, speculative office and professional office type uses. The area is currently zoned DA-20 diverse agriculture with a 20-acre minimum lot size. The site now consists of several fields used to produce annual agricultural crops.

The purpose of the Project is to construct approximately 1,147 residential units. Higher-density housing will be located close to Rohnert Park Expressway, the parks and trails, and the mixed-use commercial center. Low and medium-density housing will surround these activity areas. A linear park will be located in the heart of the Vast Oak site. Recreational amenities including a passive recreation park will be scattered throughout the residential neighborhoods, and a public trail system will link the SSU campus and resident to the Vast Oak site. Approximately 30 acres of open space will act as a buffer along the westerly edge of Petaluma Hill Road to the edge of the Project. Wetland mitigation is proposed in this buffer. The project will be developed in six phases, with the majority of grading and wetland filling being done in the first two phases. The complete Project is scheduled to be complete in 2014. There are approximately 24.95 acres of total wetlands on the Project. In addition, Hinebaugh Creek also crosses the site from east to west and flows into the Laguna de Santa Rosa. There will be an 80-100 foot buffer from the top of bank of Hinebaugh creek to any development of the Project. The Project will also construct one bridge across Hinebaugh Creek. The Project will permanently fill approximately 23.75 acres of Waters of the State and U.S.

The treatment of post construction storm water for the project will consist of the installation of a water quality pond/detention basin to remove contaminants from stormwater runoff before it can enter surface water streams and to store and detain the peak storm flow. Stormwater will exit the water quality/detention basin through a metering structure which will attenuate the peak stormwater runoff from the newly

added impervious area of the Project draining to storm drains. After treatment, the stormwater will be conveyed to a storm drain that flows to an existing armored outfall in Hinebaugh Creek, a tributary to Laguna de Santa Rosa, and the Russian River. Additional water quality Best Management Practices (BMPs) to be integrated into the project include, public education to property owners to increase native and drought tolerant landscape cover, decreasing irrigation and associated runoff, minimization of hardscape and impervious cover, and regular street sweeping of streets and parking areas.

Compensatory mitigation will be accomplished by purchasing 6.5 acres of wetland credit from the Hazel Mitigation Bank, and creation of 17.3 acres of wetland on- and off-site. The credits and created wetlands will be purchased or constructed before corresponding wetlands on the Project are filled. Total mitigation wetland area will be 23.80 acres. Since the mitigation for the project has been or will be done before the fill of wetlands occurs, there is no temporal loss, and the mitigation ratio is 1:1. This mitigation ratio is dependent on the proper functioning of the necessary mitigation areas. If function is not adequate, then additional purchase of mitigation credits will be necessary. Additionally, mitigation consisting of approximately 11 acres of the riparian area along Hinebaugh Creek will be restored and enhanced with plantings of native trees, shrubs and vines, and wetland herbaceous plants; and by removal of invasive exotic plants and accumulated sediment.

Plant surveys were conducted at the Project for endangered species for six years with no species of concern found on-site. Surveys for special-status wildlife were conducted in 1994, 1995, 1996 and 2002-03, for California tiger salamander, foothill yellow-legged frog, western pond turtle, California freshwater shrimp, Ricksecker's water scavenger beetle, San Francisco fork-tailed damselfly, and California linderiella. None of these species were found at the Project. The U.S. Fish and Wildlife Service concurred on August 25, 2003, that the proposed project will not adversely affect any listed wildlife species.

Non-compensatory mitigation during construction will be achieved through the use of BMPs as described in the submitted Storm Water Pollution Prevention Plan.

The applicant has applied for a California Department of Fish and Game (DFG) Lake and Streambed Alteration Agreement.

A federal Individual Section 404 Permit from the Army Corps of Engineers has been applied for, file number 21263N.

The City of Rohnert Park, as the lead California Environmental Quality Act (CEQA) agency, adopted the Final Environmental Impact Report for the University District Specific Plan, SCH# 2003122014, on May 23, 2006, City of Rohnert Park Resolution No. 2006-141, per CEQA guidelines. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.

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 Stephen Bargsten at (707) 576-2653 or at **sbargsten@waterboards.ca.gov** within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the proposed Project. The application for Water Quality Certification contains additional detail about the Project. The related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.