

August 4, 2008

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

Mountain Meadows Residential Subdivision  
WDID No. 1A08094WNSI

Siskiyou County

On May 30, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Tullis Newton Properties (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with constructing an access road from South Weed Boulevard to the proposed Mountain Meadows Subdivision, a 42-unit residential subdivision in the City of Weed. The proposed project will cause disturbances to waters of the United States associated with wetlands in the Shasta Valley Hydrologic Area No. 105.50.

The proposed subdivision is on a 77-acre parcel located west of Interstate-5 near the South Weed Boulevard exit ramp. The 77-acre project area includes 40 acres of proposed residential subdivision and approximately 37 acres of offsite improvements including roads and drainage features. The proposed project received California Environmental Quality Act (CEQA) approval in April 2006 and since that time the timber has been logged, the internal streets have been graded and rocked, and the footings for an arch culvert over a perennial stream have been installed. However, during a post-CEQA plan review, the City of Weed's traffic engineer determined that a proposed retaining wall structure located along the approach to the east side of the arch culvert was infeasible due to safety concerns. The applicant had to modify the design of the eastern approach to the arch culvert to address the City's safety concerns.

The arch culvert spans an unnamed perennial stream that is tributary to Boles Creek. The stream was previously channelized through a large wet meadow and the channel is confined by constructed berms that are likely the result of historical efforts to drain or irrigate the adjacent land for agricultural purposes. The modified design requires a wider roadway fill prism and placement of fill material into portions of two intermittent pool features (IP1 and IP2) that are located adjacent to the constructed berm on the east side of the channel. The wetlands areas appear to have formed after the upper layer of soil was used to create the berm along the stream channel. These wetland features were determined to be jurisdictional waters of the United States.

Placement of fill for the approach to the arch culvert will result in 1655 square feet (0.038 acre) of permanent wetland impact at IP1 on the north side of the access road and 480 square feet (0.011 acre) of permanent wetland impact at IP2 on the south side of the access road. Compensatory mitigation is required for the permanent wetland impacts. Proposed compensatory mitigation includes creating new intermittent pool wetland features by enlarging the unaffected portions of the existing pools by 2,500 square feet adjacent to IP1 and 740 square feet adjacent to IP2, for a total of 0.074 acre of onsite wetland creation. Proposed activities will also result in approximately 0.037

acres of temporary impacts to wetlands in IP1 and IP2. Temporary impacts are associated with removing soil spoils that may be inadvertently placed into the wetland areas during placement of the approach fill or during the process of connecting the wetland mitigation areas to the existing wetlands. Noncompensatory mitigation for this project includes the use of Best Management Practices (BMPs) for sediment and erosion control and for the operation of heavy equipment near a waterway.

The proposed residential development and new roads will increase the amount of impervious surface area within the project area. Projects that increase the amount of impervious surface area can increase the volume of storm water runoff from the area, the duration of elevated storm water flows, and the runoff flow rate, which can lead to channel scour, bank erosion, and flooding. The applicant has evaluated potential changes in storm water runoff and flow rates from the proposed project and prepared a hydrology calculations and drainage report (report). The project was divided into three sub-basin drainage areas for the purpose of preparing the runoff calculations. The report describes the existing conditions and the proposed post-construction storm water treatment BMPs that have been incorporated into the drainage areas. Post development runoff in Sub-basin A will be diverted from the new roads into swales and that connect to a detention swale that will also receive sheet flow from other areas of the project. A check dam will be installed in the swale to impede flows and maximize infiltration in the swale. In Sub-basin B, the post development runoff will be diverted from sheet flow to a ditch along Mountain View Drive and then to a point near the north entrance to the City's Botanical Gardens site where cross culverts will be placed to further convey the runoff into the Botanical Gardens area. Post development runoff in Sub-basin C will be diverted into the ditch along Mountain View Drive and conveyed to a cross culvert located at the new intersection of Mountain View Drive and South Weed Boulevard. A surface swale will direct runoff from each cul-de-sac bulb to an existing drainage swale and then to the detention swale constructed along the toe of the slope.

The applicant has obtained authorization (File No. 2005-297330) from the United States Army Corps of Engineers to perform the project under Nationwide Permit Number 29, pursuant to Clean Water Act, section 404. The applicant has also applied for a Lake or Streambed Alteration Agreement from the California Department of Fish and Game. On October 24, 2006, the City of Weed approved a mitigated negative declaration for the project in order to comply with CEQA. 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.

The information contained in this public notice is a general summary of the applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed project including maps and design drawings. The application and the Regional Water Board file are available for public review.

Regional Water Board staff are 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 submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Dean Prat at (707) 576-2801 within 21 days of the posting of this notice.

080408\_DLP\_mtnmeadows\_pubnot.doc