February 16, 2010

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

Gilman Ranch LLC, Bickel Subdivision Project,
WDID No. 1B08133WNSO

Sonoma County

On August 25, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Charles Patterson acting on behalf of Mr. Harvey Rich, Gilman Ranch LLC (Applicant), requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for activities associated with the construction of a five lot subdivision, including reconstruction of a driveway, located at 780 West Cotati Avenue, Cotati, in Sonoma County. The latitude and longitude is 38.330253° N and 122.719218° W. The proposed project causes permanent impacts to approximately 0.47 acres of seasonal wetlands and 60 linear feet of waters of the State associated with an unnamed linear watercourse within the Laguna Hydrologic Sub Area No. 114.21, Russian River Hydrologic Unit No. 114.00.

The purpose of the proposed project is to construct a five lot residential subdivision, as well as attendant infrastructure, including underground utilities. The total size of the project will cover an area of approximately five acres. The property consists of undeveloped grasslands and wetlands, and two existing homes and a barn, which occur on the eastern side of the parcel.

The Applicant proposes to subdivide a 4.68 acre parcel into five single family residential lots. The proposed subdivision would range in size from approximately 0.8 to 1.0 acres. The three westerly lots will provide sites for three new single family residences and three second units. The two easterly lots will accommodate the existing two residences on the property and two second units. Two new driveways will be constructed from Gilman Ranch Road to provide access to the lots for the three new residences. Two private driveways, which currently allow access to the two existing homes, will be removed and a new relocated joint driveway will be constructed and will cross the linear watercourse by way of the existing culvert. Bioswales will be constructed around the perimeter of the three undeveloped subdivision parcels, and will be sized to treat post construction storm water runoff before it is conveyed through drop inlets into the newly constructed storm drain system. Between the two existing homes, along the new property line, an approximately 60 foot long bioswale will be constructed, carrying storm water runoff northward into drop inlets. All drop inlets will be protected with catch basin filters to remove sediment and pollution, before water enters the new storm drain system. The new storm drain system will flow into the existing linear watercourse along the northeastern portion of the property. Continued maintenance of the post construction storm water treatment features, including bioswales and drain filters, will be the responsibility of the property owners. One new outfall, one new culvert, and an approximately five feet extension of an existing culvert will be installed on the linear watercourse to allow for post construction storm water drainage and pedestrian crossing. Areas surrounding the new structures will be covered with turf reinforcement matting, covered with clean native soil, and hydroseeded in order to protect the slopes

from potential erosion. Willows harvested within the vicinity will also be planted within the matting to encourage bank stability and prevention of erosion.

Compensatory mitigation for impacts to seasonal wetlands and potential California Tiger Salamander habitat will consist of the purchase of 0.4 acres at Hale Mitigation Bank and 0.1 acres at Hazel Mitigation Bank of wetland mitigation credits, and 15 California Tiger Salamander credits at Wright Mitigation Bank. The Applicant also proposes riparian habitat improvements within the project area, which will include planting oaks and willows, and seeding native grass mix, as well as other appropriate native species.

All plantings shall be irrigated and managed, as necessary, for a minimum of five consecutive years immediately following planting. Annual reports shall be submitted to the Regional Water Board for five years, and shall include photos of the revegetated areas, and include survival rates and a narrative summary of the status of the restoration effort. Planted willows shall have at least an 85% survival rate of thriving planted species and disturbed soil will have a minimum of 85% coverage of native vegetation by the end of five years. A minimum of five thriving oak trees will be established by the end of the monitoring and reporting period.

All construction activities shall occur during the dry season. Non-compensatory mitigation measures include the use of Best Management Practices (BMPs) to be employed during construction to minimize sediment production and prevent the movement of loose soil off-site. All erosion control measures will be installed and in place by October 15 and maintained thereafter by the contractor. Ground disturbance will be limited to the minimum necessary and all disturbed soil will be revegetated with native species or seeded with native grasses. If vegetation cannot be reestablished before expected rainfall, mulching, erosion control fabric, or other sediment control measures will be implemented. All equipment will be maintained in good working order and spill kits will be on hand during construction. No heavy equipment will be operated from within the channel. All operations, including harvesting of local willow stems, will be done with respect to all wildlife and cause the minimal possible disruption. Additionally, all required BMPs shall be on-site and ready for timely deployment before the start of construction activities.

The United States Fish and Wildlife Services was consulted and has determined that the project will not jeopardize the continued existence of threatened plant or animal species on February 23, 2005, (File No. 1-1-04-F-0091).

The Applicant has applied to US Army Corps of Engineers for a Clean Water Act Section 404 Nationwide Permit Number 29 (File No. 27203N), which was issued on October 16, 2008.

The City of Cotati Planning Department, as the lead California Environmental Quality Act (CEQA) agency, has filed a Mitigated Negative Declaration, on September 4, 2007, pursuant to CEQA guidelines.

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 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 or comments, please contact staff member Stephen Bargsten at (707) 576-2653, or at sbargsten@waterboards.ca.gov, within 21 days of posting of this notice.

This is a brief summary of this project; all 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.

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