

February 6, 2013

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

Codorniu Napa, Inc., Artesa Vineyards & Winery
Fairfax Artesa Vineyard Conversion Project
WDID No. 1B12026WNSO

Sonoma County

On April 3, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Geoff Monk of Monk & Associates, Inc. on behalf of Mr. Keith LaVine, of Codorniu Napa, Inc., DBA Artesa Vineyards & Winery (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) and/or Waste Discharge Requirements (Dredge/Fill Projects) for activities associated with conversion of approximately 173 acres of the 324 acre project site into a vineyard.

Project is located on the west side of Annapolis Road, near 35000 Annapolis Road at Red Fern Road, approximately 1 mile southeast of the town of Annapolis, at latitude 38.7169°N, and longitude 123.346°W. The proposed project will cause permanent impacts to approximately 0.298 acres of seasonal wetland and drainages, and temporary impact to approximately 0.005 acres of season wetland and creek, within the Buckeye Creek Hydrologic Subarea No. 113.83 and the Wheatfield Fork Gualala River, Gualala River Hydrologic Area No. 113.80, Mendocino Coast Hydrologic Unit No. 113.00.

The proposed project includes conversion of approximately 173 acres of timberland into vineyard. Timber harvesting will remove all trees within the conversion area. Eight vineyard units totaling 116 acres will be installed within the vineyard conversion area, surrounded by 18 acres of perimeter avenues for equipment access. A 9-acre sump basin/reservoir system will be constructed on the slopes of the northern portion of the project site to capture surface runoff water for vineyard irrigation. Overflow from this structure will drain into the tributaries to the south via a constructed spillway. The proposed project will impact 0.303 acres of waters of the State. Two rock ford crossings will be constructed on the east side of the project site to facilitate access roads within the vineyard. Temporary trenches will be dug across two minor tributaries to install drain pipe from vineyards to the proposed sump basin. The proposed project will preserve 151 acres of the 324 acre project site. Patchett Creek, and all other unnamed tributaries on the project site will be protected from disturbance by a minimum of 30 to 440 foot protective buffer zones/streamside conservation areas. Three botanical preserves will be designated on the site to protect thin-lobed horkelia (*Horkelia tenuiloba*), and a unique hybrid Annapolis manzanita population (*Arctostaphylos manzanita x A. stanfordiana*). Mitigation for impacts to a total of 0.303 acres of waters of the State will include the creation of 0.61 acres (2:1 mitigation ratio) of seasonal wetlands in the Horkelia and Annapolis Manzanita Preserves. Four archeological sites will also be preserved. The preserves/mitigation areas, protective buffer zones, and streamside conservation areas will be protected by dedicated deed restrictions that will be recorded on the title of the property and that will run with the title of the property in perpetuity.

The wetland mitigation areas will include monitoring for a period of five years or until the wetland creation success criteria are met for the project. This monitoring is regarded as Short-Term Monitoring. Long-Term Monitoring will commence once the applicant meets performance standards and success criteria for the mitigation wetlands. There are provisions, including monitoring requirements and financial liability for monitoring and remediation contingency measures, if long-term objectives are not being met.

All erosion control measures will be installed and in place by October 15, or before seasonal rains, and maintained thereafter. At a minimum, the following construction Best Management Practices (BMPs) will be incorporated into the final project plans as appropriate in order to reduce and control soil erosion: work in and around waterways will be conducted during the dry season; installation of construction barrier fencing to preclude equipment entry into sensitive areas; straw wattles, straw bales, erosion control matting, and/or seeding of disturbed soil. Additionally, all required BMPs shall be on-site and ready for timely deployment before the start of construction activities.

The California Department of Forestry and Fire Protection, as lead California Environmental Quality Act (CEQA) agency, completed a Draft Environmental Impact Report on May 5, 2009, a Recirculated Draft Environmental Impact Report on March 14, 2011, and a Notice of Determination on June 23, 2011, and filed these documents with the State Clearinghouse, (SCH No. 2004082094), pursuant to CEQA guidelines.

The Applicant has applied to the California Department of Fish and Game for a Lake and Streambed Alteration Agreement, to US Army Corps of Engineers for a Clean Water Act Section 404 Nationwide Permit.

Project construction is scheduled for work within the dry season, and is planned to take approximately three years within a total four year period to complete. In-stream work should be completed by October 15, or by date determined by resource agencies.

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 Stephen Bargsten at (707) 576-2653 within 21 days of the posting of this notice.