

September 9, 2013

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

Windy Gap Vineyards Gravel Roadway  
WDID No. 1B12199WNSO

Sonoma County

On December 19, 2012, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Mr. Robert Mauritson, Swallowfork, LLC (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification for activities associated with the Windy Gap Vineyards Gravel Roadway (Project). The proposed project would cause disturbances to waters of the United States (U.S.) and the State associated with Barnes Creek, a linear water course within the Russian River Hydrologic Unit. The Project is located at approximately 11300 Chalk Hill Road, Healdsburg, CA 95448 at latitude 38.57275°N, and longitude 122.759828°W. Permanent impact to waters of the U.S. would be approximately 26 linear feet, approximately 581 square feet. Permanent impact to waters of the State would be approximately 26 linear feet, approximately 884 square feet.

The primary purpose of the project is to grade a gravel roadway to provide access to a future vineyard development. The proposed project crosses an existing drainage and would install a total of three 24" culverts each with a length of 26' in parallel at one crossing site. The existing road is not an all season road and in wet weather causes sediment delivery to watercourses; improvements to the roadway will reduce sedimentation.

Mitigation for the effects of the project on waters of the U.S. and State consists of revegetation of impacted areas with native vegetation and five years of maintenance and monitoring to ensure success criteria are met.

The project is planned for summer-fall 2013. Work is planned to last 6.5 months.

The Applicant has applied for authorization from the United States Army Corps of Engineers for a Clean Water Act, section 404 permit and the County of Sonoma for a grading permit under GRD 12-0117. The Applicant has obtained a Streambed Alteration Agreement from the California Department of Fish and Wildlife on July 12, 2013 (Notification No. 1600-2012-0443-R-3).

The North Coast Regional Water Quality Control Board, as lead California Environmental Quality Act (CEQA) agency, had determined that the project qualifies for a Categorical

Exemption, 15303(d)-New Construction, and will file a Notice of Determination with the State Clearinghouse concurrent with issuance of the 401 Water Quality Certification, pursuant to CEQA guidelines.

The information contained in this public notice is only a 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 photos. The application and 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.

The Project is scheduled to start as soon as possible to reduce the increased water quality impact issues associated with the existing roadway sediment delivery during the wet season. Under Title 23, California Code of Regulations, Section 3858(a): "The executive director or the executive officer with whom an application for certification is filed shall provide public notice of an application at least twenty-one (21) days before taking certification action on the application, unless the public notice requirement has been adequately satisfied by the applicant or federal agency. If the applicant or federal agency provides public notice, it shall be in a manner and to an extent fully equivalent to that normally provided by the certifying agency. If an emergency requires that certification be issued in less than 21 days, public notice shall be provided as much in advance of issuance as possible, but no later than simultaneously with issuance of certification." Due to the nature of water quality impact issues associated with this project, 401 Water Quality Certification will be issued during the 21-day public comment period. If you have any questions, please contact staff member Stephen Bargsten at (707) 576-2653 or Gil Falcone at (707) 576-2830 within 21 days of the posting of this notice.