

North Coast Regional Water Quality Control Board

Name and Location of Facility Inspected Saggio Hills, 16840 Healdsburg Avenue Healdsburg, CA, 95448 Construction General Permit WDID #: 1 49C375878 App ID: 470857 CWA Section 401 Water Quality Certification WDID #: 1B06169WNSO		Inspection Date November 29, 2018	Inspection Time 1:00 pm-6:00 pm
Names & Titles of On-Site Representatives and Consultants Chris Theiss – The Robert Green Company Bob Keys – The Robert Green Company Clay Thistle – City of Healdsburg Curt Bates – City of Healdsburg Linda Ruffing – City of Healdsburg Steve Stenson – Advanced Stormwater Protection Kevin Kruizenga – Advanced Stormwater Protection Jim Fane – Carlile/Macy		Consent¹ Provided? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Notified of Inspection? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Regional Water Board Inspector Name & Title Heidi M. Bauer - Engineering Geologist, P.G. Paul Nelson - Engineering Geologist, P.G., C.Hg. Josh Luders - Water Resources Control Engineer Jeremiah Puget - Senior. Environmental Scientist (Specialist) *Referred to as inspection team / staff			
Weather Conditions at the Time of the Inspection: Raining		Facility Receiving Water Names: Foss Creek and unnamed tributaries, unnamed tributaries to Jordan Pond and Lytton Creek. Russian River Watershed	
Prepared By: Jeremiah Puget, 12/28/2018			

I. Background

Sonoma Luxury Resort, LLC (Discharger), is constructing a resort and residential homes with structures and associated infrastructure disturbing approximately 65 acres of the 258-acre Site (Site) in the hills in the northern portion of the unincorporated urban boundary of the City of Healdsburg, in Sonoma County.¹ The Site consists of a 43-acre Site for a 130 room hotel resort, 37 acres for a public park and fire substation, 14.3 acres for 150 units of affordable housing, and 22 acres for construction of 70 privately owned residences within a 142-acre private open space. Site construction began in May 2016; grading is anticipated to

¹ Project information taken from the Discharger’s Notice of Intent for coverage of the Construction General Permit and Regional Water Board November 29, 2018 inspection report written by Jeremiah Puget, dated December 13, 2018.

be completed in October 2019,² with final stabilization in November 2021. The Site contains approximately 3.8 acres of wetlands and other waters of the state and the United States, and the project will permanently fill 2.08 acres of seasonal wetlands and 1,100 linear feet of watercourse. Storm water runoff discharges to Foss Creek, and to an unnamed tributary to Jordan Pond then to Lytton Creek, both of which are tributary to the Russian River. The Russian River is a water of the state and the United States and is identified as impaired on the Clean Water Act section 303(d) list for sediment and temperature.

II. Inspection Narrative

On November 19th, Regional Water Board staff contacted Site representatives via email requesting coordination on a Site inspection the week of November 26th. The email indicated rain was on the way and according the National Oceanic and Atmospheric Administration (NOAA) forecast 2-3" of precipitation were anticipated through Sunday November 23rd. Staff and Site representatives agreed to conduct the inspection the afternoon of November 29th. The inspection team arrived at the Site approximately 1:00 pm during a rain event. Sonoma County Airport precipitation records indicate 0.47", 0.92", and 0.65" of rainfall on November 27th, 28th, and 29th, respectively. The monthly precipitation total for November was 4.8", slightly above the historical average of 4.5".

The inspection team met with Site representatives and City of Healdsburg staff to discuss the inspection agenda. Site representatives informed the inspection team of the construction schedule and phases. As shown on Figure 1 below the Site can be divided into three areas:

1. The lower project entrance including staging areas and slopes along Passalacqua Road (Foss Creek) – Green Area and portion of project along Healdsburg Ave.;
2. Shannon Road including roads 4, 5 and 8 (tributaries to Foss Creek) – Red Area; and
3. The resort area (tributaries to Jordan Pond and Lytton Creek) – Yellow Area.

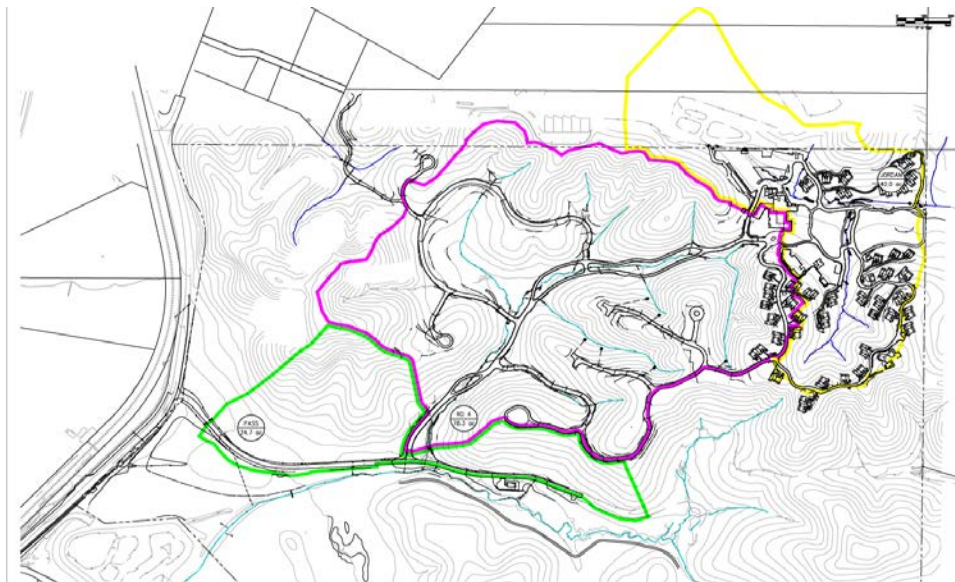


Figure 1 Above shows the major drainage areas for the Saggio Hills Project.

² These completion dates do not account for the delay from City of Healdsburg's temporarily rescinding their exception to grading restrictions, or the Regional Water Board's temporarily revoking the 401 Certification.

III. Summary of Inspection

The lower resort area had numerous BMPs present, yet the Site appeared to be overwhelmed by the amount of runoff and BMPs needed maintenance. Additional BMPs were needed to further prevent erosion and sediment to waters of the state. The upper resort area including the unpaved roads had numerous deficiencies resulting in significant amounts of sediment discharges to waters of the state. See pictures 5-31.

The Shannon Road area including roads 5 and 8 had egregious deficiencies with respect to erosion and sediment controls. It was noted by Saggio Hills representatives (Chris Theiss and Bob Keys) during the inspection that they just ran out of time trying to winterize roads 5 and 8. While some BMPs were placed on the northern portion of road 8 the application and amount was insufficient to prevent erosion and discharges to waters of the state. The Shannon Road area, primarily roads 5 and 8, had extensive deficiencies resulting in significant amounts sediment discharges to waters of the state. See pictures 32-62.

The lower portion of the Site along Passalacqua Road and Healdsburg Ave. had numerous BMPs and yet several areas were overwhelmed by the amount of runoff and BMPs needing maintenance. Additional BMPs were needed to further prevent erosion and sediment to waters of the state. BMPs in the lower area had deficiencies resulting in sediment discharges to waters of the state. See pictures 1-4 and 63-68.

During the Site inspection Regional Water Board staff collected turbidity samples from seven locations as shown in Figure 2 below. The samples gathered were collected to assess upstream or background conditions to compare with downstream samples influenced by storm water effluent. Turbidity samples were analyzed by Regional Water Board staff in accordance with EPA Method 180.1.

Turbidity results ranged from 367 nephelometric turbidity units (NTU) to 2,941 NTU in samples collected from Healdsburg Ave. and Road 5 (RD5), respectively. As depicted in Figure 2, the most upstream sample RD8 was measured at 411 NTU, although this sample was influenced by storm water runoff from construction activities. Downstream sample RD4 was measured at 896 NTU a 118% percent increase as compared to sample RD8. The Basin Plan water quality objective for Turbidity states "Turbidity shall not be increased more than 20 percent above naturally occurring background levels." While it is acknowledged that sample RD8 was elevated above natural background levels it serves as an upstream background concentration and sample RD4 indicates an exceedance of the water quality objective.

At the conclusion of the inspection staff informed representatives that there was a lot of work to do throughout the Site and the roads did not meet our definition of winterization. Saggio Hills representatives were informed that the staff had observed numerous permit violations and sediment discharges to waters of the state. Staff advised them to mitigate these discharges to the extent possible by removing sediment from drain inlets, culverts and streams when and where they could do so without further exacerbating water quality. Staff emphasized the importance of implementing BMPs throughout the entire Site. Finally,

staff pointed out that the Site had failed to conduct the bioassessment monitoring as required by the CGP. We informed them that they would need to seek an exception in order to conduct the work or pay the SWAMP fund pursuant the CGP and that we would follow up on the matter.

The categories of violations observed at the Site during the inspection include, but are not limited to:

- Inadequate BMPs for erosion, sediment control, and housekeeping;
 - Unprotected slopes, uncovered stockpiles, riling of soil and slopes, slumping of banks, and exposed disturbed soil;
 - Lack of BMPs to provide inlet protection, perimeter control, slope stability, and soil stabilization;
 - Inadequate maintenance of BMPs to ensure effectiveness;
- Sediment discharges to waters of the state;
- Violation of CGP receiving water limitations and 401 Certification by exceeding the Basin Plan turbidity objective; and
- Commencement of construction prior to performing receiving water bioassessment monitoring.

The Site was not protected in order to successfully prevent discharges from the Site above acceptable levels and to prevent impacts to receiving waters.

As documented in the picture log below staff noted several violations of the following permits:

- Clean Water Act Section 401 Water Quality Certification (401), and
- National Pollutant Discharge Illimitation System (NPDES) Permit for Storm Water Discharges Associated with Construction for Land Disturbance Activities (CGP).

IV. ENFORCEMENT DISCRETION

The observations in this report will be assessed for violations of the California Water Code. The Regional Water Board and the State Water Board reserve the rights to take any enforcement action authorized by law.



Picture 1 above shows Foss Creek with high level of turbidity and suspended sediment. As the inspection team approached the Site the brown color and turbid condition of Foss Creek was noticeable.



Pictures 2a and 2b above. Pic 2a (left) shows a turbid discharge from construction Site entrance along Healdsburg Avenue. Pic 2b shows Regional Water Board sampling the turbid storm water discharge from the project entrance (367 NTU). Additionally, a background storm water sample was collected from Healdsburg Ave (72.7 NTU).



Pictures 3a (left) and 3b (right) above are from the lower Site construction trailer. BMPs are overwhelmed and turbid discharges from this area flow toward the City of Healdsburg detention basin.



Picture 4 above shows wattles displaced by the storm water flowing off the construction Site towards the City's detention basin.



Picture 5 Above. Resort Area. Image show erosion and sediment controls with environmental sensitive area (ESA) fencing.



Picture 6 Above. Resort Area. Image show erosion and sediment controls with ESA fencing. BMP maintenance and housekeeping is needed. Some erosion and siltation and noted.



Picture 7a and 7b above. Resort Area. Images show tannins leaching from wood chips and mulch.



Picture 8 above. Resort Area. Shows waters of the state. While BMPs are present maintenance is needed and some stockpiles are placed near the top of bank and are uncovered. Additionally, bark, slash and woodchips are placed where they may wash into waters of the state.



Picture 9 above. Resort Area. Shows waters of the state with BMPs along slopes and creek banks. BMP maintenance is needed: many areas are overwhelmed by flows. Straw appears to be placed in waters.



Picture 10 above. Resort Area. BMP maintenance is needed: many areas are overwhelmed by flows.



Picture 11 above. Resort Area. Good example of redundant BMPs. Even with this level of protection turbid runoff is still observed.



Picture 12 above. Resort Area. More evidence of BMPs needing maintenance that were unable to handle storm water flows.



Picture 13 above. Resort Area. Instream sediment basin.



Picture 14 above. Resort Area. Downstream of sediment basin. Looking at downstream discharge location that leaves the Site. BMP maintenance is needed: many areas are overwhelmed by flows.



Picture 15 above. Resort Area. Erosion controls need maintenance. No sediment controls.



Picture 16 above. Resort Area. Sediment deposition in waters at culvert outfall.



Picture 17 above. Resort Area. BMPs need maintenance and additional sediment controls.



Picture 18 above. Resort Area. BMPs need maintenance and additional sediment controls. Storm water seems to be bypassing the DI causing additional erosion.



Picture 19 above. Resort Area. Inadequate erosion and sediment controls.



Picture 20 above. Resort Area. Inadequate erosion and sediment controls. Sediment discharge to drain inlet.



Picture 21 above. Resort Area. Inadequate erosion and sediment controls.



Picture 22 above. Resort Area. Inadequate erosion and sediment controls.



Picture 23 above. Resort Area. Inadequate erosion and sediment controls. Discharge to drain inlet.



Picture 24 above. Resort Area. Inadequate erosion and sediment controls. Discharge to drain inlet.



Picture 25 above. Resort Area. Inadequate erosion and sediment controls. BMPs were compromised leading to bank erosion.



Picture 26 above. Resort Area. Inadequate erosion and sediment controls. BMPs were compromised leading to bank erosion.



Picture 27 above. Resort Area. Inadequate erosion and sediment controls. BMPs were compromised leading to bank erosion.



Picture 28 above. Resort Area. Inadequate erosion and sediment controls. BMPs were compromised leading to bank erosion. Culvert full of sediment.



Picture 29 above. Resort Area.



Picture 30 above. Resort Area. BMPs maintenance needed.



Picture 31 above. Resort Area. Poor housekeeping. Evidence of sediment discharge.



Picture 32 above. Shannon Road. Inadequate erosion and sediment controls.



Pictures 33a (left) & 33b (right) above. Shannon Road. BMPs overwhelmed and in need of maintenance.



Picture 34 above. Shannon Road. BMPs overwhelmed and in need of maintenance. Sediment discharge to DI.



Picture 35 above. Road 8. BMPs present yet there are signs of erosion.



Picture 36 above. Road 8. BMPs present yet there are signs of erosion.



Picture 37 above. Road 8. BMPs present yet there are signs of erosion and sedimentation.



Picture 38 above. Road 8. Sections of road with no erosion and sediment controls.



Picture 39 above. Road 8. Sections of road with no erosion and sediment controls.



Picture 40 above. Road 8. Inadequate erosion and sediment controls.



Picture 41 above. Road 8. Culvert outfall with turbid water and fine sediment discharge.



Picture 42 above. Road 8. Large quantities of fine sediment discharged to waters from upstream culvert installation.



Picture 43 above. Road 8. Large quantities of fine sediment discharged to waters from upstream culvert installation.



Picture 44 above. Road 8. Inadequate erosion and sediment controls at the newly installed stream crossing.



Picture 45 above. Road 8. Inadequate erosion and sediment controls at the newly installed stream crossing.



Picture 46 above. Road 8. Inadequate erosion and sediment controls at the newly installed stream crossing.



Picture 47 above. Shannon Road upstream of lower entrance to Road 8.



Picture 48 above. Confluence of Road 5 tributary and Shannon Road tributary. Discharge from Road 5 tributary visibly alters water quality downstream.



Picture 49 above. Upstream and downstream of confluence of Road 5 tributary and Shannon Road tributary.



Picture 50 above. Road 5 tributary.



Picture 51 above. Road 5 tributary.



Picture 52 above. Road 5. Inadequate erosion and sediment controls.



Picture 53 above. Road 5. Inadequate erosion and sediment controls.



Picture 54 above. Road 5. Inadequate erosion and sediment controls. Rills indicating sediment transport.



Picture 55 above. Road 5. Inadequate erosion and sediment controls. Discharge of sediment and turbid water to DI.



Picture 56 above. Road 5. Inadequate erosion and sediment controls resulting in significant erosion and downstream sedimentation.



Picture 57 above. Road 5. Trash left onSite. Poor housekeeping.



Picture 58 above. Road 5. Inadequate erosion and sediment controls. Rills indicating sediment transport.



Picture 59 above. Shannon Road. Turbid water downstream of road 5, road 8, and portion of resort.



Picture 60 above. Shannon Road. Rack line of debris indicates flows overtopping BMPs and depositing fine sediment and debris downstream.



Picture 61 above. Shannon Road. Culvert inlet along Shannon Road that carries flows beneath Passalacqua Rd. Culvert outlets into Foss Creek.



Picture 62 above. Shannon Road. Fine sediment deposition of the same composition (silty sand) as compared to sediment discharging from Road 5 and Road 8.



Picture 63 above. Drainage from Passalacqua Rd. Inadequate BMPs. Storm water flows have eroded the tow of the slope and undermined BMPs resulting in discharge to waters.



Picture 64 above. Turbid waters observed downstream in Foss Creek. Existing concrete lining of creek.



Picture 65 above. Confluence of Foss Creek and unnamed tributary from Parkland farms. City detention pond bypass to the right.



Picture 66 above. Confluence of Foss Creek and unnamed tributary from Parkland farms.



Picture 67 above. Downstream Foss Creek



Picture 68 above. Downstream Foss Creek

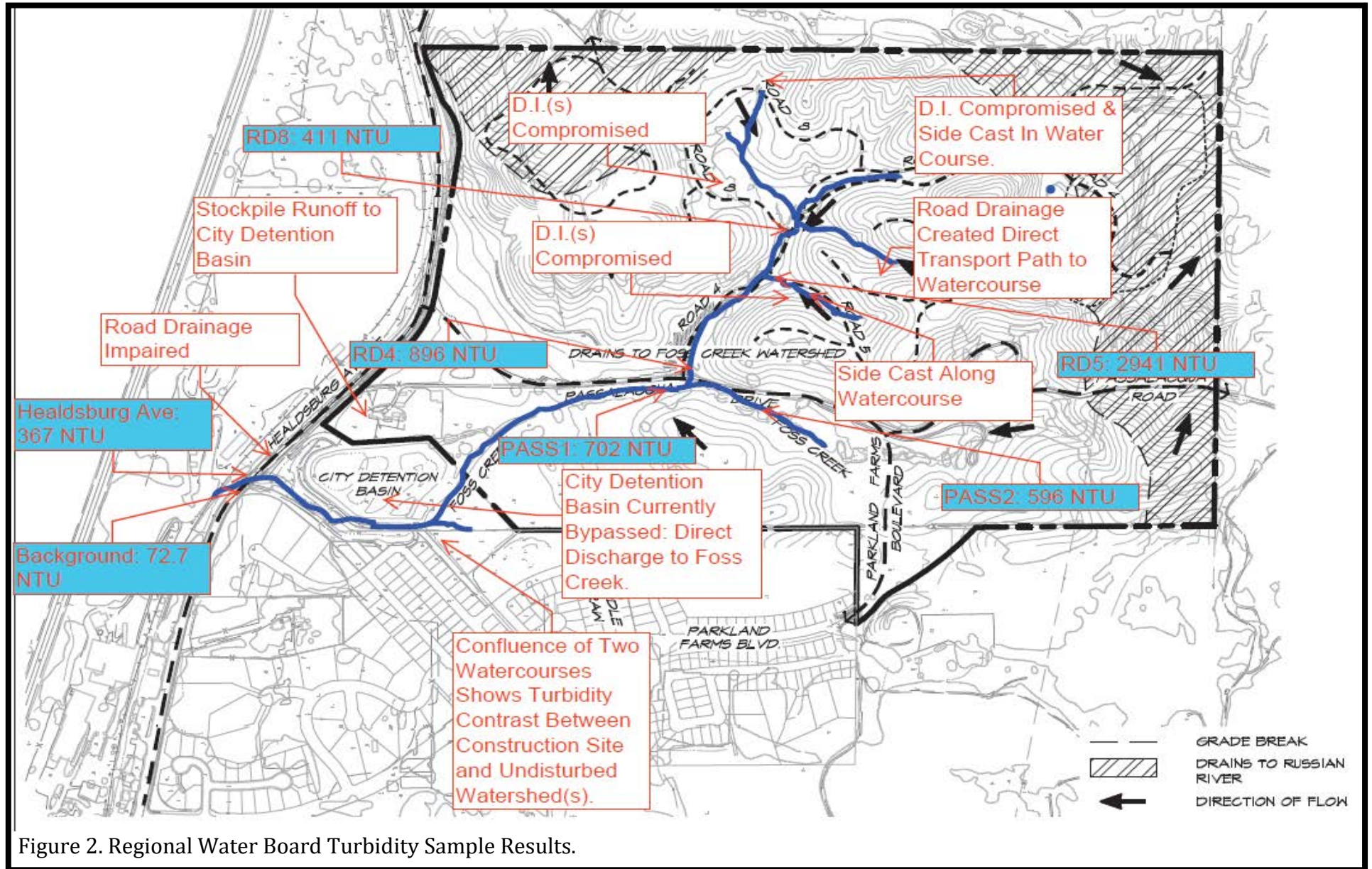


Figure 2. Regional Water Board Turbidity Sample Results.