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As you can see that
Everyone is torturing
This I have terrible
I have thousands of
documentations.*

Memorandum

NCRWOCB

MAR 16 2009

To: John Short

CC:

From: Paul Keiran

Date: 9/5/2008

Re: Complaint Inspection, Upper Mark West Creek

<input type="checkbox"/> EO	<input type="checkbox"/> WMgmt	<input type="checkbox"/> Admin
<input type="checkbox"/> AEO	<input type="checkbox"/> Timber	<input type="checkbox"/> Legal
<input type="checkbox"/> Reg/NPS	<input type="checkbox"/> Cleanups	<input type="checkbox"/> Date

On Thursday, September 4, 2008, in response to a citizen complaint, I inspected a section of upper Mark West Creek. I invited Sonoma County Planning Supervisor David Hardy to join me on the inspection. The complaint alleged that the upper reaches of Mark West Creek have been heavily impacted over the past 4 years by both sediment discharges emanating from land use changes within the upper watershed, and a reduced baseflow brought about by extensive shallow groundwater withdrawals.

The inspection revealed that massive amounts of sediments exist within the upper Mark West Creek watershed, filling in rearing pools and raising the bed of the creek. The pools are filling in on the downgradient sides, causing them to close off and block fish from escaping downstream as flows decrease. Existing juvenile steelhead were noted as being trapped in pools that are now rapidly disappearing. I noted areas where pools had filled in 3 to 4 feet since the summer of 2004. Pools that were deep enough for proper egg deposition and fertilization had gravels that were cemented in with sediments, rendering them useless. Baseflows over the past four years of inspections were noted as being drastically reduced. I noted to Mr. Hardy that during a late spring inspection last year, all of the springs that discharge to the creek were flowing on the southern bank of the creek; all of the springs on the northern bank (Saint Helena Road side) were completely dry.

It appears that the rising creekbed has had a negative impact on the Alder Trees existing within the wider portions of the creekbed. Many of the larger Alders have fallen over into the creek due to the higher base level of the creek (scour removing the cobbles and small rocks that anchor the Alder roots). These fallen trees have created blockages that trap leaves, branches and ultimately sediments coming down through the system. The resulting web of material has greatly reduced migration routes for fish and has created additional bank erosion due to these blockages redirecting the flow energy of the creek from the center channel to the creek banks.

Attach. E

September 5, 2008

This rearing area of Mark West Creek has been severely damaged over the past four years and needs help in restoring its viability as a steelhead birthing and rearing zone. The accumulated sediments now existing within the system need human help in flushing out. This will only occur with an effort made to clear out the tangled mix of trees, tree roots and other materials that are presently trapping sediments in place. Until that time this critical upper watershed area will not support steelhead birthing and rearing as had been previously noted.

June 6, 2005

Board of Supervisors:

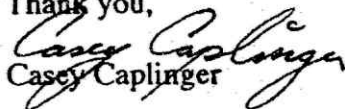
Please make these comments apart of the official administrative record in the appeal of UPE 03-0092 set for June 7, 2005.

This summer I am already witnessing the baby steelhead being stranded in small hot pools adjacent to my property on Mark West Creek. Last summer was the first time that I had to witness this tragic situation the six years that I have lived here.

My water intake located on the creek was exposed for the first time that I am aware of and it is likely to be exposed again this summer the rate things are going. The creek is drying up faster than in 1998-2002.

This area is already water scare and the creek is past its limit with respect to its ability to support steelhead and Coho salmon any longer. It is the policy of the Department of Fish and Game to identify and restore habitat of fish species known to have populated an area. Mark West Creek is just such an area. The headwaters of Mark West Creek, where I live and where the proposed winery is to be sited, is critical rearing and spawning habitat. Deep cold pools that have recently disappeared are required to protect juvenile fish from predation and the stresses of high water temperatures. These in stream structures need to be restored and the base flows of the creek that depend on the aquifer, springs, and tributaries need to be protected and restored. Additional pumping of groundwater away from the creek is not indicated. The impacts to the creek are already significant and directly correlate to the recent development activities that I have observed.

Thank you,


Casey Caplinger



June 21, 2005

Sonoma County Board of Supervisors
575 Administration Dr.,
Santa Rosa, CA 95403

RE: Proposed Winery, 420 Wappo Road, Sonoma County, CA

Dear Board of Supervisors,

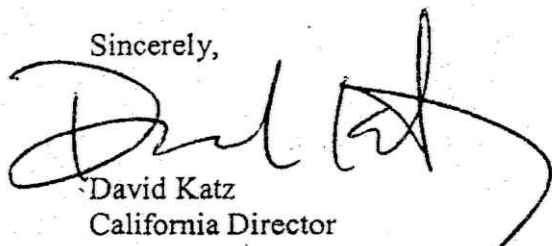
I am writing to request that you require a full EIR for this proposed project. We are extremely concerned that the impact of this project will have an extremely negative impact on the fishery resources of both Mark West Creek and the Russian River.

We are very concerned about the potential depletion of ground water resources by this project. Mark West Creek is a very important fisheries resource and is already suffering from severe habitat degradation due to diversion of water, both surface and groundwater, that once found its way to the creek. Mark West Creek is recognized as an important spawning and rearing resource for the Russian River for wild steelhead. The fish depend of having adequate water in the creek for their survival. This proposed project will rely on massive amounts of ground water pumping from an aquifer that clearly is contiguous to the creek and that directly affects water levels in the creek. This water withdrawal will come at a time, the summer and fall months, when water quality thresholds will be critical for the survival of young fish.

The various documentation, reports and actions that have been presented or occurred relative to this project raise grave concerns that indicate problems are present. A faulty THP used to clear land, an inadequate Negative Declaration, and the lack of a geologist's report, given the proposed site is identified as geologically unstable on the county's maps, are all indications of serious problems. NOAA and the Regional Water Quality Control Board have indicated that cumulative impact of projects such as this one is a serious unaddressed issue. We strongly agree that the county must also consider cumulative impact prior to considering approval of projects such as this one.

Please do not hesitate to contact me if you need further information.

Sincerely,



David Katz
California Director



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
777 Sonoma Ave., Room 325
Santa Rosa, CA 95404-6528

June 7, 2005

Sonoma County Board of Supervisors
575 Administration Drive, Room 100-A
Santa Rosa, California 95403

Dear Supervisors of Sonoma County:

NOAA's National Marine Fisheries Service (NMFS) is writing in relation to a request by W. Guy Davis for a new winery at 420 Wappo Road, Santa Rosa, California, APN 028-260-047, Supervisorial District 1.

NMFS is responsible for the protection, maintenance, and recovery of anadromous salmonids. The Mark West Creek watershed supports steelhead trout (*Oncorhynchus mykiss*) and may still support coho salmon (*Oncorhynchus kisutch*), both listed as threatened species under the Federal Endangered Species Act. We are deeply concerned about degrading habitat quality in Mark West Creek from cumulative development activities such as water supply development and fine sediment generation from grading activities.

Mark West Springs Creek is excellent juvenile steelhead rearing habitat, but tends to have low stream flow during the summer and fall. There are two dewatering reports in Mark West Creek in the California Department of Fish and Game files. One was directly upstream of 775 Mark West Springs Road and the other was along St. Helena Road at Rancho Mark West. Any vineyard development should verify where they will get their water. We would prefer that the water source not be tied to surface flow without first evaluating potential impacts on salmonid habitat.

Fine sediment in streams adversely affects spawning habitat, rearing habitat, and aquatic invertebrate production that is food for fish. Minimizing non-point source pollution is also a concern of the Regional Water Quality Control Board. It is identified in their Basin Plan. Please ensure that land development is not occurring in inappropriate places such as areas of high landslide potential.

who want



Memorandum

To: John Short

CC:

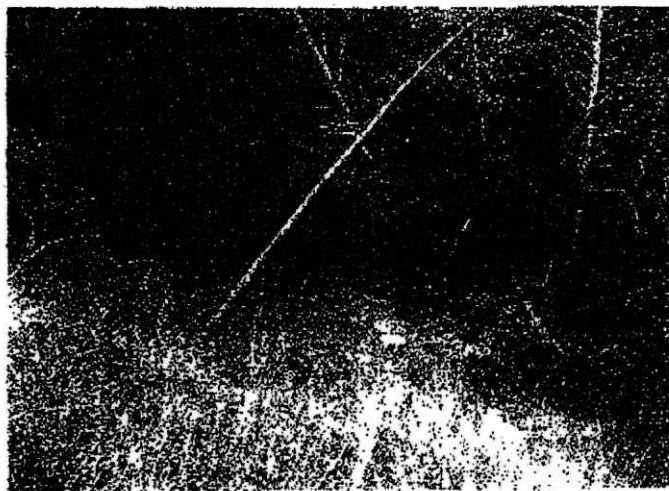
From: Paul Keiran

Date: 4/18/2006

Re: Landslide Notification – Wappo Road, Upper Mark West Creek

On Friday, April 14, 2006, in response to a complaint, I inspected an alleged landslide on Wappo Road. Wappo Road is a private road that intersects St Helena Road, just west of the Napa/Sonoma County lines. My inspection revealed that a large landslide exists behind a residence on Wappo Road, with the landslide discharging directly into a tributary to Mark West Creek (See map). The landslide is large, measuring approximately 200 feet by 80 feet, and deep, at places appearing to be at least 10 feet in depth. Continuous discharges to the Mark West Creek tributary are occurring and will continue to occur as this slide is very steep and active, as evidenced by the number of large trees that have fallen back into the hillside as the slide progressed. It appears that the slide has loosened up to 10,000 yards of material.

Wappo Road Landslide

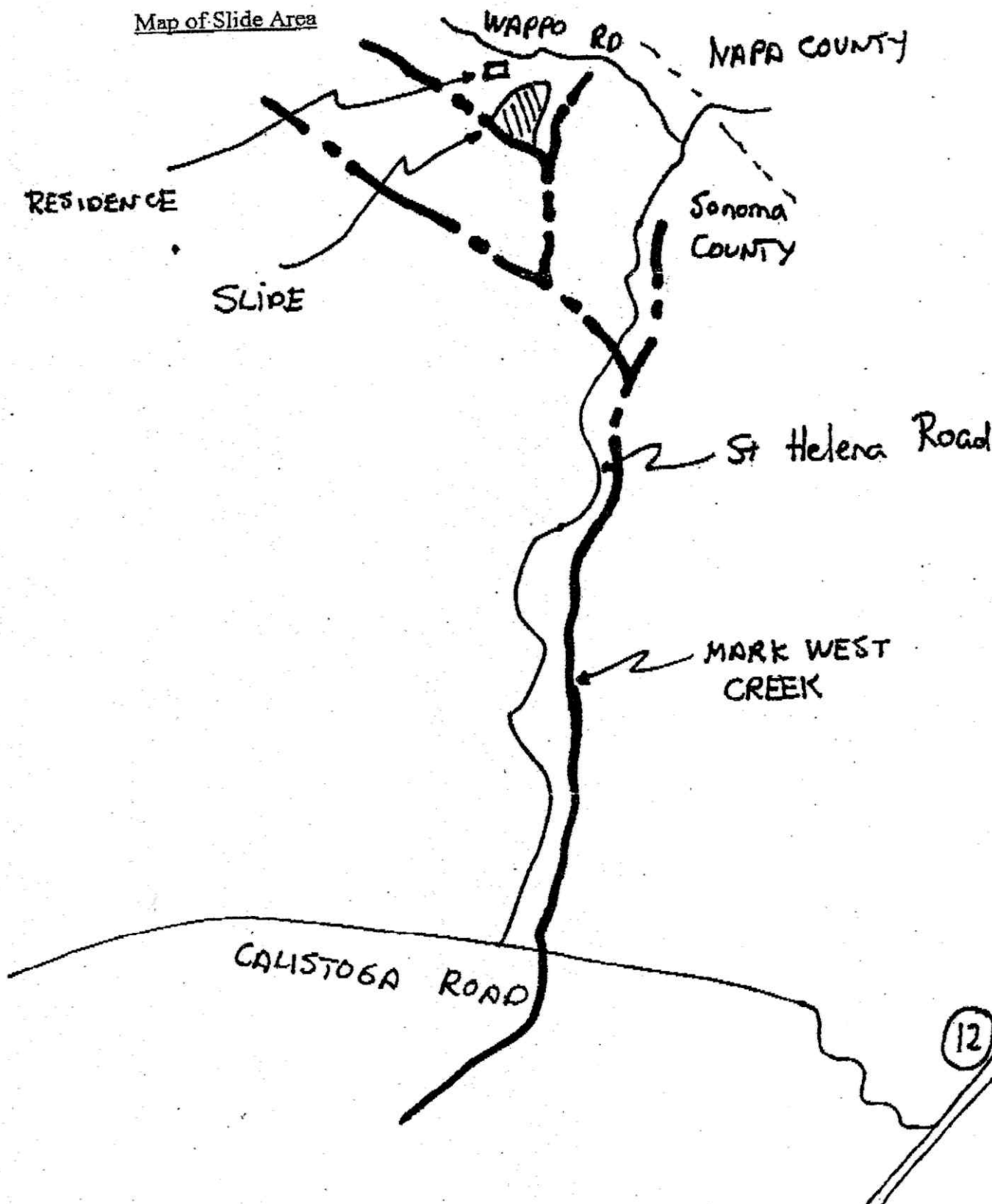


Attach. B

April 18, 2006

I will forward this information onto Department of Fish and Game and NOAA for their files and potential follow-up investigation. This slide will continue to produce sediments to the Mark West Creek system unless steps are taken to arrest its movement. I tried to contact the landowner but was unsuccessful at the time of inspection.

Map of Slide Area



Memorandum

To: John Short

CC:

From: Paul Keiran

Date: 12/1/2006

Re: Follow-up Inspection of Wappo Road Landslide

On Wednesday, November 29, 2006 I inspected the slide repair work for the Wappo Road landslide. This is a follow-up to my April 14, 2006 inspection of the slide area. The repair involved the removal of all trees and shrubs within the slide area, placement of approximately 60 feet of 4-foot diameter arched culvert within the creekbed, and the placement of approximately 10,000 cubic yards of slide material. Most of the slide material was placed over the culvert, with the remainder brought up to a safe storage area above the slide escarpment.

Erosion controls to carry the repair work through the winter rain season relied on huge sheets of plastic covering the entire slide zone. The plastic was being secured by long chains of roped sandbags with the ropes secured to trees and tree stumps bordering the slide zone. Water bars were created at several key juncture in order to direct storm water runoff off of the plastic and onto native areas outside of the slide boundary. These areas will need to be closely watched to determine if the quantity of runoff re-directed by the water bars are not weakening areas that historically had not been subject to such discharges.

This was a very challenging slide repair given the steepness and length of the landslide. It appears that areas immediately adjacent to the slide are also vulnerable to slippage. I will contact the landowner and project consultant to inquire what additional work might be performed as part of the slide repair efforts.

The following pictures depict conditions at the time of inspection: