



US Army Corps  
of Engineers.

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

NUMBER: 20183N      DATE: August 11, 2000  
RESPONSE REQUIRED BY: September 18, 2000

Regulatory Branch  
333 Market Street  
San Francisco, CA 94105-2197

PERMIT MANAGER: Richard Flynn      PHONE: 415-977-8470      rflynn@spd.usace.army.mil

**1. INTRODUCTION:** Mr. Dean Grotzky, of the First Baptist Church of Windsor, 10285 Starr Road, Windsor, California, 95492, through his agent Charles Patterson (telephone 925-938-5263) has applied for: (1.) after-the-fact Department of the Army authorization for the fill of 0.13 acres of wetlands in 1997 during construction of a lawn, and (2.) authorization for the fill of an additional 0.02 acres of wetlands for the construction of new buildings and associated parking lots. These activities have occurred and will occur on a 3-acre site, on land occupied by the First Baptist Church, in the town of Windsor, Sonoma County, California. This application is being processed for authorization pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

**2. PROJECT DESCRIPTION:** The address of the project is 10285 Starr Road, Windsor, CA 95492. The project site is located on the west side of Starr Road, south of Old Redwood Highway, approximately 0.5 mile west of Highway 101. Assessor's parcel number 161-030-06. As shown in the attached drawings, the applicant plans to construct a classroom building complex, as well as a paved parking area for these buildings.

0.6 acres of jurisdictional seasonal wetlands originally occurred on the site, of which 0.13 acres have been filled to date. The proposed project would permanently fill an additional 0.02 acres of this wetland, while avoiding and preserving 0.45 acre. Observation of the Federally listed endangered plant species Burke's goldfield (*Lasthenia burkei*) in these wetlands has precluded authorization of this project under a Nationwide Permit.

The project is located within the Santa Rosa Plain. To compensate for the loss of 0.15 acre of wetlands, the applicant proposes to purchase 0.15 acre of wetland creation/restoration (credits) in either the Five Creek mitigation site near Rohnert Park, or in the Sonoma County Consolidated Mitigation site near Windsor, in addition to purchasing 0.3 acre of wetland preservation credits at the Wright Mitigation Bank. The Wright bank is administered by the California Department of Fish and

Game, and contains habitat for Burke's goldfields.

**3. STATE APPROVALS:** Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification or waiver before a Corps permit may be issued. The applicant is notified by this Public Notice that, unless he provides the Corps with evidence of a valid request for state water quality certification to the North Coast Regional Water Quality Board within 30 days of the date of this Public Notice, the Corps may consider this application withdrawn. No Corps permit will be granted until the applicant obtains the required certification or waiver. A waiver shall be explicit, or it will be deemed to have occurred if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issues that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Blvd., Suite A, Santa Rosa, California, 95403, by the close of the comment period of this public notice.

**4. PRELIMINARY ENVIRONMENTAL ASSESSMENT:** The Corps of Engineers has assessed the environmental impacts of the action proposed in accordance with the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190), and pursuant to Council on Environmental Quality's Regulations, 40 CFR 1500-1508, and Corps of Engineers' Regulations, 33 CFR 230 and 325, Appendix B. Unless otherwise stated, the Preliminary Environmental Assessment describes only the impacts (direct, indirect, and cumulative) resulting from activities within the jurisdiction of the Corps of Engineers. The Environmental Matrix used in the preparation of this Preliminary Environmental Assessment is on file in the Regulatory Branch, Corps of Engineers, 333 Market Street, San Francisco, California.

The Preliminary Environmental Assessment resulted in the following findings:

**a. IMPACTS ON THE AQUATIC ECOSYSTEM**

**(i.) PHYSICAL/CHEMICAL CHARACTERISTICS AND ANTICIPATED CHANGES**

**Substrate** – The site has been graded and is essentially flat. Prior to grading the site contained scattered small depressions that would pond seasonally. The current substrate will be covered by impervious surfaces (pavement, concrete pads) and drainage infrastructure to form a parking lot.

**Drainage Patterns** – The site is somewhat poorly drained. Due to a clay layer below the surface, prior to grading runoff tended to accumulate in low areas forming seasonal ponds. The project will grade uniform surfaces and direct storm water into drainage ditches and underground storm drains.

**(ii.) BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES**

**Wetlands (Special Aquatic Site)** - Vegetation in the wetlands on site is dominated by a mix of common, non-native (introduced) annual grasses (*Lolium*, *Hordeum*, *Poa*, *Anthoxanthum*, *Polypogon*), herbs and weeds (*Rumex*, *Cyperus*, *Xanthium*, *Lythrum*, *Ranunculus muricatus*, *Polygonum*, *Mentha*), and a moderate component of native wetland species, including semaphore grass (*Pleuropogon californicus*), popcornflower (*Plagiobothrys bracteatus* and *P. stipitatus*), several rushes (*Juncus bufonius*, *J. Phaeocephalus*, *J. tenuin*), white-tip clover (*Trifolium variegatum*), *Downingia concolor*, smooth goldfields (*Lasthenia glaberrima*), and meadowfoam (*Limnanthes douglasii* var. *nivea*).

The applicant's consultant conducted special-status plant surveys on the site in 1995 (May 3 and 17, June 14), in 1997 (April 8, 29) and in 1999 (April 27, May 25). Several small clusters of Burke's goldfield (*Lasthenia burkei*) were present on the site, but because of the degraded condition of the site, suitable habitat for other special-status plants is not considered present. No other federally-listed endangered species were observed on the site.

The applicant is proposing to mitigate the loss of 0.15 acre of wetlands through the acquisition of 0.15 acre of wetland creation/restoration (credits) from one of the two aforementioned mitigation sites (see Section 2), and 0.3 acre of wetland preservation credits at the Wright Mitigation Bank. Under this arrangement, mitigation ratios would be 1:1 in the form of wetland creation, and 2:1 in the form of preservation. The Corps is reviewing this proposal.

**Endangered Species** - Impacts to federally listed endangered species have been identified in the form of loss of Burke's goldfields and their habitat. Because the Wright Mitigation

bank provides habitat for this species, acquisition of 0.3 acre there is intended to compensate for these impacts. The Corps will consult with the United States Fish and Wildlife Service (FWS) and request that this project be appended to the Programmatic Formal Consultation for projects that may affect endangered plant species on the Santa Rosa Plain.

**Habitat for Fish, Other Aquatic Organisms, and Wildlife** – According to the applicant's agent, there are no federally listed or special-status invertebrate or amphibian species known to occur in any aquatic habitat on the project site. The site cannot support fish, no critical wildlife habitat has been identified on the project site, and the site's jurisdictional areas are unsuitable as habitat for any sensitive wildlife species (e.g. tiger salamander, fairy shrimp) due to their highly intermittent and very shallow ponding. There are no significant ponds or persistent pools suitable for breeding habitat for the California tiger salamander.

**b. IMPACTS ON RESOURCES OUTSIDE THE AQUATIC ECOSYSTEM**

**(i.) PHYSICAL CHARACTERISTICS AND ANTICIPATED CHANGES**

**Air Quality** - Project activity would have minor, short-term impacts on air quality in the vicinity of the project site. Based on the relative minor size of the proposed project and limited to an evaluation of air quality impacts only within Corps of Engineers' (Corps) jurisdictional areas, the Corps has determined that the total direct and non-direct project emissions would not exceed the de minimis threshold levels of 40 CFR 93.153. Therefore, the proposed project would conform to the State Air Quality Implementation Plan (SIP) for California.

**Noise Conditions** – Project activity would have moderate, short-term impacts on ambient noise levels during the construction phase, and minor long-term impacts on the surrounding residential areas due to the transformation of the site from undeveloped space to an area of light industrial activity.

**(ii.) BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES**

**Upland Habitat** – The site is generally in a degraded condition, due to recent grading and planting of lawns. The lawn areas would be converted to paved surfaces.

**(iii.) SOCIOECONOMIC CHARACTERISTICS AND ANTICIPATED CHANGES**

**Aesthetic Quality** – The site is currently open space adjacent to a church-operated complex of buildings. The open space would be replaced by parking lots and office/school buildings. Also, several temporary buildings would be replaced by permanent structures.

**Employment** - The offices and facilities may generate some new employment opportunities, and will provide short-term employment opportunities in the form of construction-related jobs.

**(iv.) HISTORIC - CULTURAL CHARACTERISTICS AND ANTICIPATED CHANGES**

According to the agent for the applicant, there are no known historical resources on the project site. However, all contractors and subcontractors will be informed in writing of the potential for unearthing culturally significant resources, and if any artifacts are found during construction, work in the vicinity of the finds will cease until an archaeologist has evaluated the situation.

***c. SUMMARY OF INDIRECT IMPACTS***

None has been identified.

***d. SUMMARY OF CUMULATIVE IMPACTS***

In the larger picture on the Santa Rosa Plain, seasonal wetlands known as vernal pools, once common and widespread, have been incrementally filled and compromised over the past few decades, as urbanization expands within the area, such that they are considered relatively rare and vanishing habitats today.

***e. CONCLUSIONS AND RECOMMENDATIONS***

Based on an analysis of the information available, the Corps of Engineers has determined that it is not necessary to prepare an Environmental Impact Statement (EIS) for subject permit application. The Environmental Assessment (EA) for the proposed action has not yet been finalized and this preliminary determination may be reconsidered if additional information is developed.

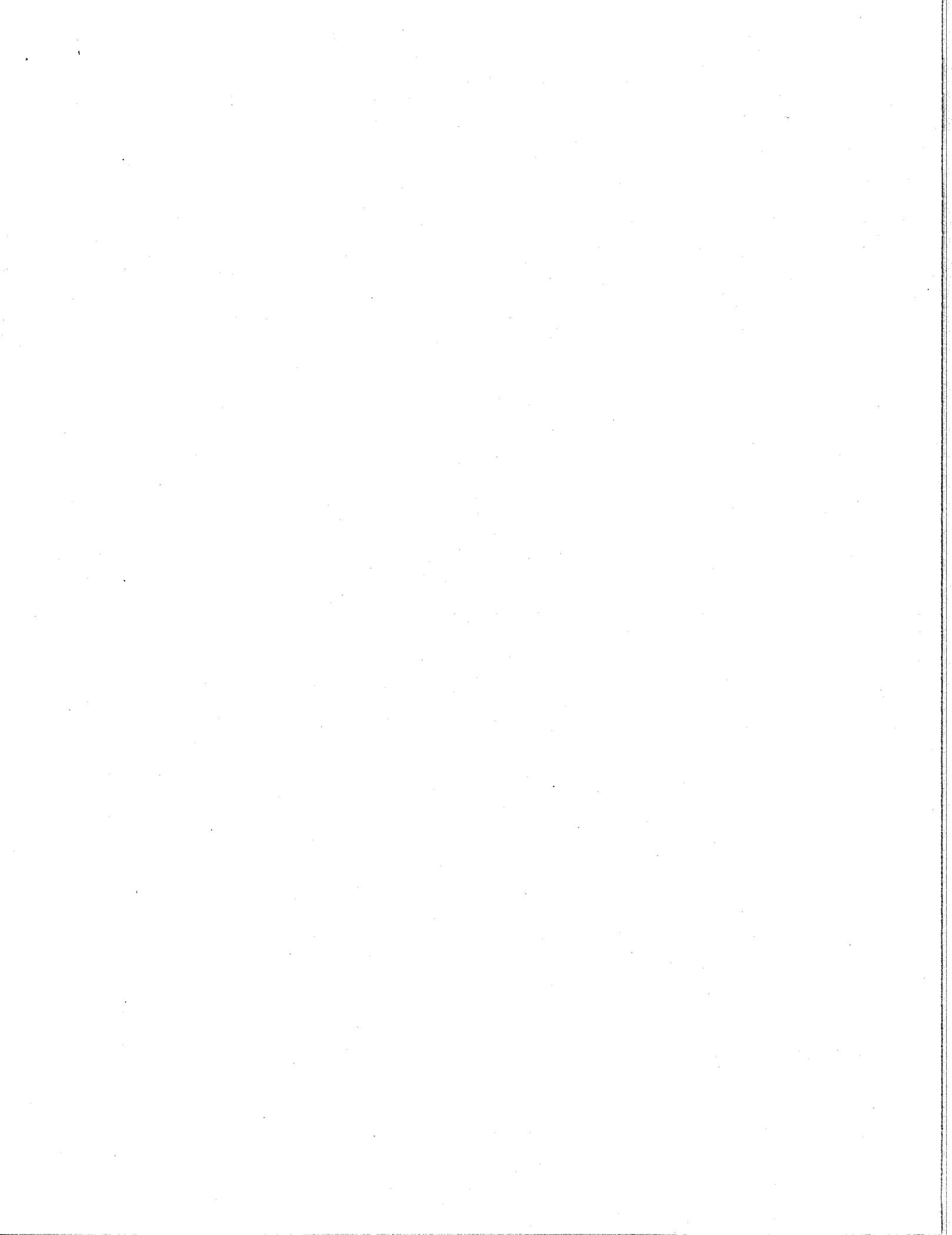
**5. EVALUATION OF ALTERNATIVES:** Evaluation of this activity's impacts includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. 1344(b)). An evaluation under the 404(b)(1) Guidelines indicates that the project is not water/wetland dependent. The applicant has not submitted an Analysis of Alternatives and has been informed that such an Analysis is required and will be reviewed for compliance with the guidelines.

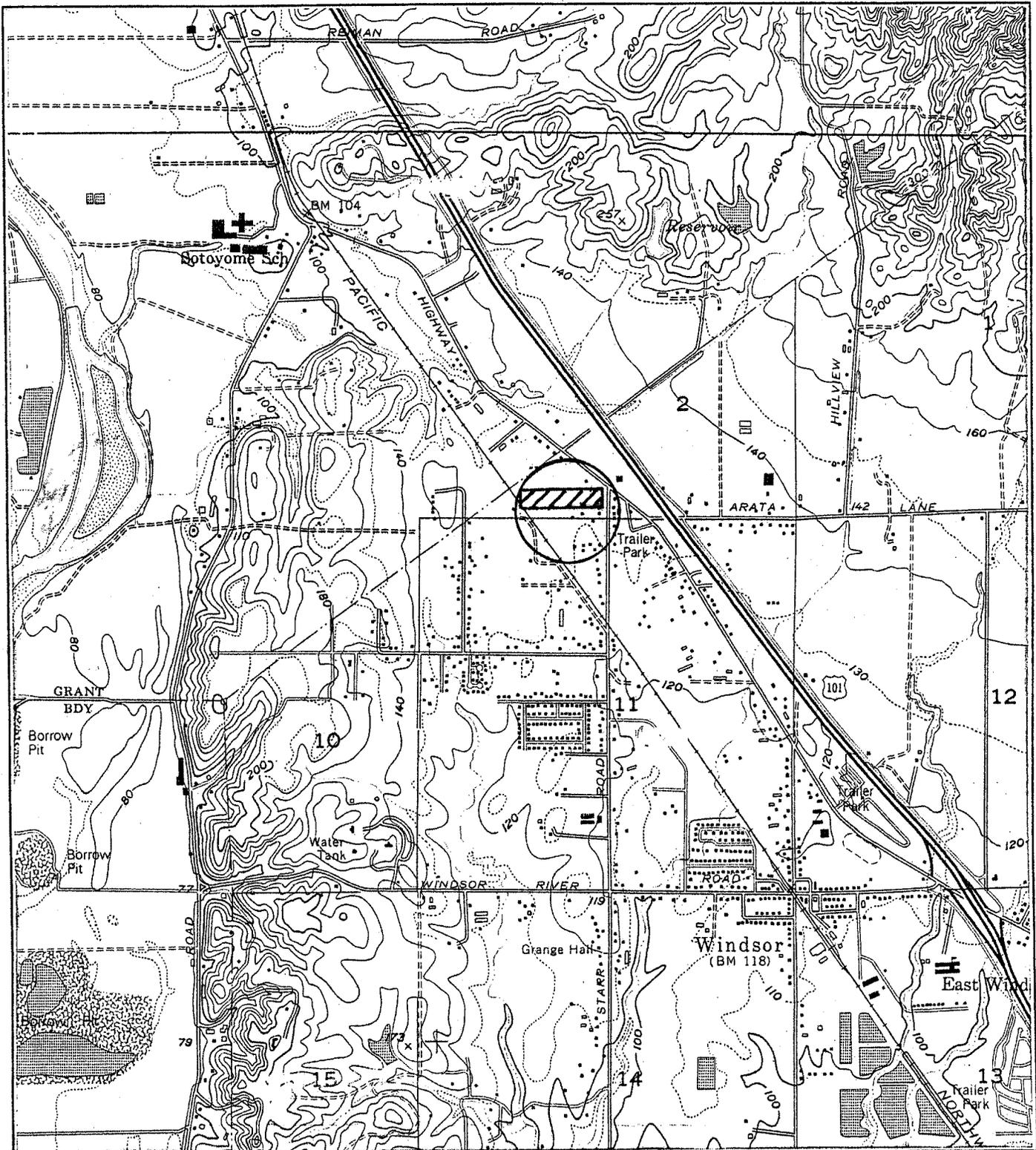
**6. PUBLIC INTEREST EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of

all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision will reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

**7. CONSIDERATION OF COMMENTS:** The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**SUBMISSION OF COMMENTS:** Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this notice and should be forwarded so as to reach this office within the comment period specified on page one of this notice. Comments should be sent to: United States Army Corps of Engineers, Attention: Regulatory Branch. It is Corps policy to forward any such comments which include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this notice, or by contacting Richard Flynn of our office at telephone 415-977-8470, or via internet at e-mail: rflynn@spd.usace.army.mil. Details on any changes of a minor nature which are made in the final permit action will be provided on request.





Purpose: fill of 0.15 acre of isolated seasonal wetland for new church facilities  
 Datum: NGVD  
 Adjacent landowners: available upon request



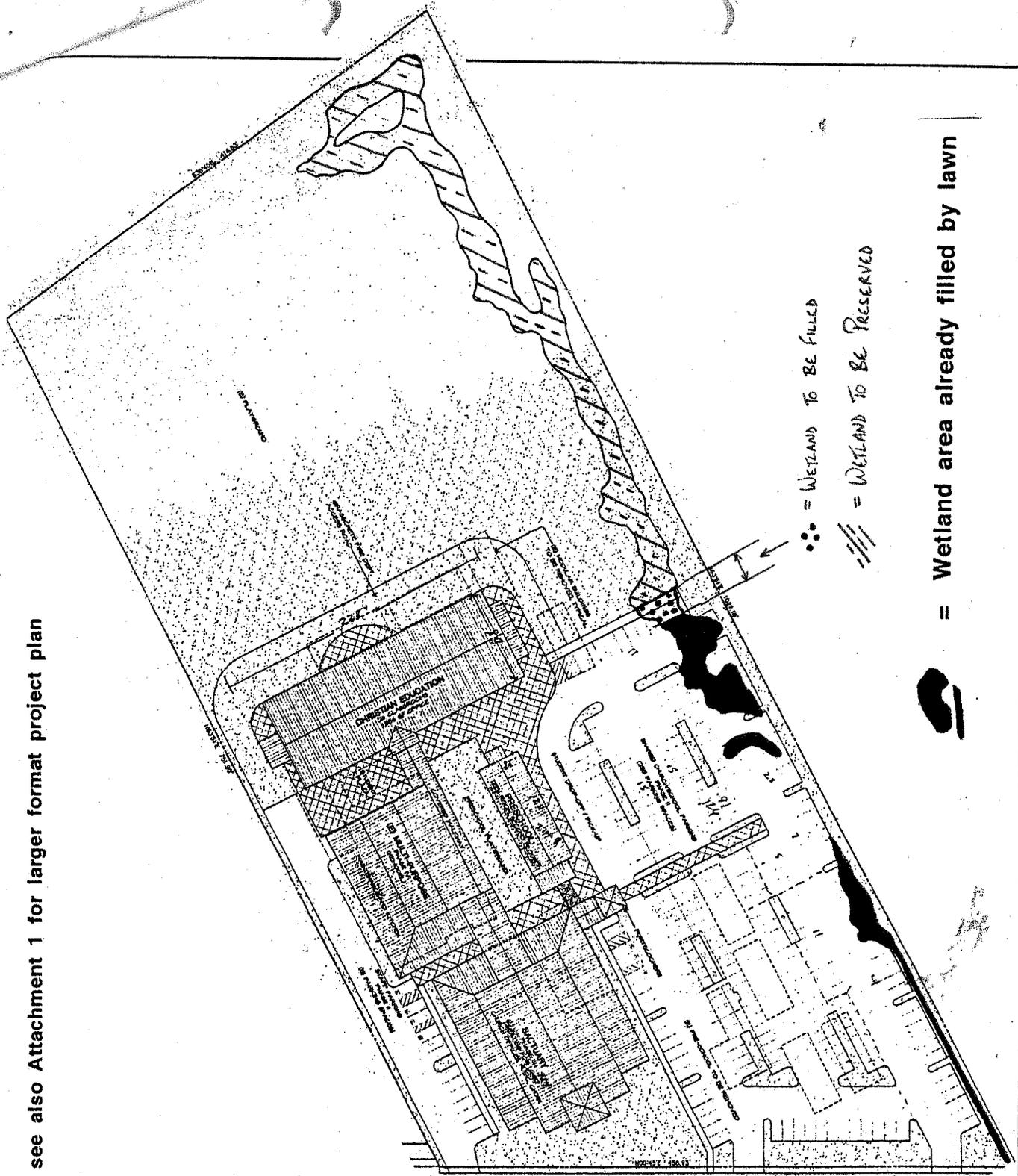
**Project Setting**

Basemap: U.S.G.S. 7.5' Healdsburg quadrangle; Scale: 1 inch = 2000 feet

Applicant: First Baptist Church of Windsor, 10285 Starr Road, Windsor, CA 95492

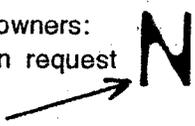
In: Isolated wetlands; no nearby creek  
 At: First Baptist Church of Windsor; Sonoma Co., CA

see also Attachment 1 for larger format project plan



STARR ROAD

Purpose: fill of 0.15 acre of isolated seasonal wetland for new church facilities  
 Datum: NGVD  
 Adjacent landowners: available upon request



**Project Layout at the First Baptist Church Site**

asemap by Robert Moore, Architect, 1999  
 Scale: 1 inch = approx. 40 feet

Applicant: First Baptist Church of Windsor,  
 10285 Starr Road, Windsor, CA 95492

In: Isolated wetlands; no nearby creek  
 At: First Baptist Church of Windsor; Sonoma Co., CA