

California Regional Water Quality Control Board  
North Coast Region

CLEANUP AND ABATEMENT ORDER NO. R1-2003-0070

FOR

County of Sonoma  
Department of Transportation and Public Works

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board) finds that:

1. The Sonoma County Department of Transportation and Public Works (hereinafter Discharger) owns and/or controls a public road know as Old Cazadero Road, which connects Guerneville and Cazadero in western Sonoma County. Approximately 1 mile of the road (hereinafter site) is eroding and discharging large volumes of sediment into East Austin Creek. This section of road is located in Section 19, Township 8 North, Range 11 West.
2. The Discharger has reported that they have not performed maintenance or installed erosion control measures on the road for nearly ten years. Most or all of the culverts at the site are plugged with sediment and debris. This has resulted in numerous stream flow diversions around the culvert inlets and down or across the road. The stream diversions have caused severe gully erosion of the road surface and adjacent hillsides. Large gullies resulting from the lack of road maintenance and stream diversions are discharging sediment into watercourses that are tributary to East Austin Creek. The watercourses are transporting sediment to East Austin Creek. The discharge of large volumes of sediment is deleterious to the beneficial uses of water. Excessive sediment is known to impact cold water fish habitat, including habitat for Salmonids and California Fresh Water Shrimp.
3. East Austin Creek, Austin Creek, and the Russian River provide habitat for Steelhead Trout, Chinook Salmon, Coho Salmon and the California Freshwater Shrimp. Steelhead Trout, Chinook Salmon and Coho Salmon are listed as threatened under the Endangered Species Act. The California Freshwater Shrimp is listed as endangered under the Endangered Species Act.
4. The Site is located in the East Austin Creek watershed, which is tributary to Austin Creek, and the Russian River. The beneficial uses of Austin Creek and the Russian River, as designated in the Water Quality Control Plan for the North Coast Region (Basin Plan), include:
  - a. Municipal and domestic supply
  - b. Agricultural supply
  - c. Industrial supply
  - d. Groundwater recharge
  - e. Navigation
  - f. Hydropower generation
  - g. Water recreation
  - h. Non-contact water recreation

- i. Commercial and sport fishing
  - j. Warm water fish habitat
  - k. Cold water fish habitat
  - l. Wildlife habitat
  - m. Rare, threatened or endangered species
  - n. Migration of aquatic organisms
  - o. Spawning, reproduction, and/or early development
  - p. Estuarine habitat
  - q. Aquaculture
5. The Discharger's lack of road maintenance and installation of proper erosion control measures have resulted in the discharge and threat of further discharge of earthen waste into waters of the State, in violation of the waste discharge prohibitions contained in the Action Plan for Logging, Construction and Associated Activities contained in the Basin Plan. The Discharger has caused or permitted waste to be discharged or deposited into waters of the state and to cause a condition of pollution or nuisance and has caused or permitted waste to be placed where it is or probably will be discharged to waters of the state and threatens to create a condition of pollution or nuisance.
6. This enforcement action is being taken for the protection of the environment and, therefore, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Code of Regulations.

THEREFORE, IT IS HEREBY ORDERED that, pursuant to California Water Code Sections 13267(b) and 13304, the Discharger shall:

1. By July 1, 2003, submit a road maintenance and erosion control plan for the Site to prevent the discharge of additional sediment to waters of the state.
2. By September 15, 2003, clean up and abate the discharge of earthen materials into tributaries of East Austin Creek, Austin Creek and the Russian River. Install erosion control devices and repair all stream crossings to prevent stream flow diversions which would cause additional erosion and sediment discharges into tributaries of East Austin Creek.
3. By October 1, 2003 submit a completion report for the above-required work.
4. The above required road maintenance and erosion control plan, shall be prepared by a California licensed civil engineer or engineering geologist experienced in road maintenance and erosion control. All culverts or stream crossings shall be designed to withstand at least one hundred year flood events.
5. If, for any reason, the Discharger is unable to perform any activity or to submit any document in compliance with the schedule set forth herein or in compliance with any work schedule submitted pursuant to this Order and concurred with by the Executive Officer, the Discharger may request, in writing, an extension of time specified. The extension request must be submitted at least five days in advance of the due date and shall include

justification for the delay, including a description of good faith efforts performed to achieve compliance with the due date. The extension request shall also include a proposed time schedule with new performance dates for the due date in question and all dependent dates. An extension may be granted for good cause, in which case this Order will be revised accordingly.

Ordered by \_\_\_\_\_

Susan A. Warner  
Executive Officer

May 29, 2003

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