



**California Regional Water Quality Control Board**  
**North Coast Region**  
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*Agency Secretary*

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June 23, 2005

Mr. Ed Baker  
City of Santa Rosa Public Works  
69 Stony Circle  
Santa Rosa, CA 95401

Dear Mr. Baker:

**Subject:** Notice of Coverage, Waiver of Waste Discharge Requirements for Minor Dredging and Fill Activities, Pierson Connector Ramp Project, Sonoma County.

**File:** Pierson Connector Ramp Projects, 2 West Third Street, Santa Rosa  
Sonoma County - WDID No. 1B04170WNSO

This letter provides notice that certain proposed activities are covered by the Waiver of Waste Discharge Requirements for Minor Dredging and Fill Activities (Waiver), which was adopted pursuant to California Water Code Section 13269 by the California Regional Water Quality Control Board, North Coast Region, (Regional Water Board) in Resolution 2002-0080. It responds to your December 20, 2004, application, on behalf of the City of Santa Rosa Department of Public Works (Applicant), for a Clean Water Act Section 401 Water Quality Certification and/or Waste Discharge Requirements for dredge/fill activities. The Regional Water Board received a complete application and processing fee in the amount of \$500 on December 23, 2004. Information describing the proposed project was noticed for public comment for a 21-day period on the Regional Water Board's website. No comments were received.

**Project Description:** The Applicant proposes to construct a 10 ft wide connector ramp between the existing Pierson Reach Pedestrian Pathway along Santa Rosa Creek (project). According to the Applicant, the purpose of the proposed project is to connect the existing pedestrian pathway to a pedestrian bridge being proposed by the County of Sonoma. The proposed pathway will be approximately 150 feet in length and involve removal of the existing grouted riprap to make room for the pathway. Project construction was proposed to begin in June 2005. Because the Project involves the discharge of waste that may affect waters of the state, the Regional Water Board has regulatory jurisdiction under Water Code Section 13260.

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***California Environmental Protection Agency***

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Receiving Water: Santa Rosa Creek, Santa Rosa Hydrologic Subarea Unit 114.22, Russian River Hydrologic Unit 114.00.

Filled or Excavated Area: Total Area Impacted: 0.04 acres of streambank (rip rap)  
Area Temporarily Impacted (Restored): 0.000 acres  
Area Permanently Impacted (Not Restored): 0.04 acres

Federal Permit: The project occurs above the ordinary high water level and therefore will not involve impacts to Waters of the US and will not require Army Corps of Engineers approval.

State Approvals: A Lake and Streambed Alteration Agreement was issued from the California Department of Fish and Game in January 2003 (File no. 1600-2005-0005-3).

Compensatory Mitigation Proposed for Implementation as Part of the Project: Compensatory mitigation for this project will include the replanting of riparian trees at a ratio of 4:1 for the loss of the four trees removed. All trees removed will be re-placed with native species and any disturbed soil on the top of the bank will be planted with native grass seed.

Non-compensatory Mitigation Proposed for Implementation as Part of the Project: Non-compensatory mitigation measures include the use of erosion control Best Management Practices (BMPs).

CEQA Compliance: A Negative Declaration was adopted by the City of Santa Rosa on July 17, 2001 (Resolution No. 24916).

Standard Conditions: Pursuant to California Water Code Section 13269 and Resolution 2002-0080, the Applicant shall comply with the following standard conditions:

1. The Applicant shall comply with all applicable provisions of the Water Quality Control Plan for the North Coast Region.
2. The Applicant shall discharge only in accordance with the submitted Report of Waste Discharge or equivalent (i.e., the Application).

3. The Project shall not create a pollution, contamination, or a nuisance, as defined by California Water Code Section 13050.
4. There shall be no discharge of any waste not specifically regulated by waivers in Resolution 2002-0080.
5. The Applicant shall allow Regional Water Board staff reasonable access onto the affected property for the purpose of performing an inspection to determine compliance with waiver conditions.

Additional Conditions:

Pursuant to California Water Code Section 13269 and Resolution 2002-0080, the Applicant shall comply with the following additional conditions:

1. Discharges shall be non-toxic, short-term, discharges to land.
2. The Project shall not result in a net loss of wetlands or beneficial uses.
3. This Notice of Coverage is valid only if operations are not being covered by General Waste Discharge Requirements.

Applicability of Waiver  
of Waste Discharge  
Requirements:

The proposed construction activity meets the eligibility criteria for the Waiver and, if constructed as described in the Application and in compliance with the above-listed conditions, the Project will adhere to applicable water quality standards. No monitoring and reporting program is required, as it is not in the public interest. Therefore, I have determined that the Project is covered by the Waiver.

Expiration:

This Notice of Coverage expires upon completion of the Project or on October 16, 2008, whichever occurs first.

Please be aware that a failure to implement the Project according to the Project Description and other information submitted in the Application may result in the revocation of this Notice of Coverage and the initiation of formal enforcement proceedings as authorized by provisions of the California Water Code.

Please notify Andrew Jensen of our staff at (707) 576-2683 before Project construction begins so that we can answer any public inquiries about the work.

***California Environmental Protection Agency***

Sincerely,

Catherine Kuhlman  
Executive Officer

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cc: Ms. Liz Ellis, Green Valley Consulting Engineers, 1400 Dutton Avenue, Suite 19, Santa Rosa, CA 95401

Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333 Market Street, San Francisco, CA 94599