



Linda S. Adams
Secretary for
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**California Regional Water Quality Control Board
North Coast Region
John W. Corbett, Chairman**



Arnold
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December 20, 2007

In the Matter of

Water Quality Certification

for the

**AIRPORT PARKING LOT AND TRANSIT FACILITY PROJECT
WDID NO. 1B05136WNSO**

APPLICANT: Sonoma County Dept. of Transportation and Public Works
RECEIVING WATER: Mark West Creek Sub Area No.114.23
HYDROLOGIC AREA: Russian River Hydrologic Unit No.114.00
COUNTY: Sonoma County
FILE NAME: Airport Parking Lot and Transit Facility

BY THE EXECUTIVE OFFICER:

1. On October 10, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from the Sonoma County Department of Transportation and Public Works (Applicant) filed an application for water quality certification under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Airport Parking Lot and Transit Facility (Project) in Sonoma County. The Project will disturb Waters of the United States and State associated with Mark West Creek Sub Area No.114.23, Russian River Hydrologic Unit No.114.00. A fee in the amount of \$1,510 was received on October 11, 2005. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on March 1, 2007, and posted information describing the Project on the Regional Water Board's website. No comments were received.
2. The Project is located at the Sonoma County Airport, south of Airport Boulevard, and west of Flightline Drive. The latitude and longitude is 38.50981°N and - 122.80387°W. The area is currently an open field and watercourse consisting of ephemeral stream and riparian area. The purpose of the Project is to construct a 450-space parking lot (built in two phases) and bus loading area for commuters

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using the airport. The Project will cover approximately 6 acres. The Project will permanently fill 0.037 acres of Waters of the State and United States.

3. The treatment of post construction storm water for the Project will consist of the installation of type I vegetated bioswales to remove contaminants from parking lot storm water runoff before it can enter surface water. The bioswales are sized to treat the 85th percentile/24 hour storm for both phases of the parking lot. After treatment, the storm water will be conveyed to an existing storm drain that drains to Ordinance Creek, a tributary to Windsor Creek, and Mark West Creek. Maintenance of the storm water treatment bioswales will be conducted by airport maintenance personnel in a manner consistent with proper bioswale maintenance.
4. Compensatory mitigation will be accomplished on-site by construction of wetlands and linear swales to the west of the Project on airport property. The Applicant will construct approximately 0.30 acres of wetlands and linear watercourse near presently occurring wetlands and an ephemeral watercourse. Wetland swales will be planted with a wetland seed mix, approximately 2000 plug plantings of *Danthonia californica* (California oatgrass), *Juncus xiphioides* (Iris-leaved rush), *Juncus spp.*, and *Carex spp.* Additionally, upland areas will be planted with clusters of *Baccharis pilularis* (Coyote Bush, quantity 30) and *Rosa californica* (California Wild Rose, quantity 50). All plantings and follow up maintenance will be as specified in Circuit Rider Productions, "Revised proposal for installation and partial maintenance of the Wetland Mitigation at the Sonoma County Airport, dated June 22, 2007. Yearly monitoring and reporting will be required for a minimum of five years, with at least 85% survival rate of planted vegetation and establishment of viable wetlands. Yearly monitoring reports shall be submitted to the Regional Water Board for five years, detailing status of wetlands, any work that has been done within the wetlands, and will include photos. At the end of five years, area of successful mitigation will be calculated. The area of successful mitigation above 0.037 acres (1:1 mitigation ratio of area providing equal or higher quality wetlands and beneficial uses than filled wetland area), may be used as mitigation for other appropriate projects (to be determined by Regional Water Board). The area where the mitigation wetlands are being constructed is within an established Environmental Mitigation Preserve, and thus is protected as wetlands in perpetuity.
5. At a minimum, the following construction Best Management Practices (BMPs) will be incorporated into the final Project plans in order to reduce and control soil erosion and transport: work in and around waterways will be conducted during the dry season; installation of construction barrier fencing to preclude equipment entry into sensitive areas; installation of silt fencing or fiber rolls to prevent sediment loss from immediate work area; topsoil salvage and reapplication; seeding and mulching; and application of erosion control fabric as necessary. All required BMPs shall be on-site and ready for timely deployment, before start of construction activities. BMPs shall be installed following the manufacturers' specifications for preparation, installation, and maintenance of these products. Qualified personnel shall inspect the

construction site at least every fourteen calendar days and within 24 hours of the end of a rainfall event that is 0.5-inch or greater.

6. The County of Sonoma, as the lead California Environmental Quality Act (CEQA) agency, adopted an Initial Study/Mitigated Negative Declaration, SCH# 2005022021, on April 5, 2005, per CEQA guidelines. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the Project or required as a condition of approval to avoid significant effects to the environment.
7. A federal Clean Water Act Section 404 nationwide permit No. 39 from the Army Corps of Engineers has been applied for, file number 28282N.
8. The Applicant has consulted with the California Department of Fish and Game (DFG) regarding the necessity for a Lake and Streambed Alteration Agreement. DFG determined that no Streambed Alteration Agreement would be required.

Receiving Water: Mark West Creek Sub Area No.114.23, Russian River
Hydrologic Unit No.114.00

Filled or Excavated Area: 0.037 acres of permanent impacts.

Latitude/Longitude: 38.50981°North and -122.80387° West

Expiration: October 15, 2012

ACCORDINGLY, BASED ON ITS INDEPENDENT REVIEW OF THE RECORD, THE REGIONAL WATER BOARD CERTIFIES THAT THE AIRPORT PARKING LOT AND TRANSIT FACILITY PROJECT, (FACILITY WDID NO. 1B05136WNSO), as described in the application will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law, provided the Applicant complies with the following terms and conditions:

1. This Order is subject to modification or revocation upon administrative or judicial review; including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.
2. This Order is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to title 23, California Code of Regulations, section 3855, subdivision (b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

3. This Order is conditioned upon total payment of any fee required under chapter 28, title 23, California Code of Regulations, and owed by the Applicant.
4. This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification", which requires compliance with all conditions of this certification (Enclosed).
5. The Russian River watershed is identified on the State of California Clean Water Act Section 303(d) list. The Russian River is listed as impaired for excess sediment and temperature. At present, there is no total maximum daily load (TMDL) or watershed-specific implementation plan for the Russian River. If a TMDL and implementation plan is adopted for this watershed prior to the expiration date of this Order, the Regional Water Board may revise the provisions of this Order to address actions identified in such an action plan.
6. The Applicant shall construct the Project in accordance with the conditions described in the application and the findings above, and shall comply with all applicable water quality standards.
7. The Applicant shall provide Regional Water Board staff access to the Project site to document compliance with this Order.
8. Any change to the operation of the Project that would have a significant or material effect on the findings, conclusions, or conditions of this Order shall be submitted to the Executive Officer of the Regional Water Board for prior review and written approval.
9. The Applicant shall provide a copy of this Order and attachments to the contractor and all subcontractors conducting the work, and require that copies remain in their possession at the work site. The Applicant shall be responsible for work conducted by its contractor or subcontractors.
10. All conditions required by this Order shall be included in the Plans and Specifications prepared by the Applicant for the contractor. In addition, the Applicant shall require compliance with all conditions included in this Order in the bid contract for this Project.
11. All mitigation activities shall be completed as proposed in the application.
12. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under applicable state or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions constitutes a limitation necessary to assure compliance with the water quality standards and other

pertinent requirements incorporated into this Order. In response to a suspected violation of any condition of this Order, the Regional Water Board may require the holder of any federal or state permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In response to any violation of the conditions of this certification, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.

13. The Regional Water Board may add to or modify the conditions of this Order, as appropriate, to implement any new or revised water quality standards and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act or section 303 of the Clean Water Act.
14. This Order is not transferable. In the event of any change in control of ownership of land presently owned or controlled by the Applicant, the Applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board. The successor-in-interest must send to the Regional Water Board Executive Office a written request for transfer of this certification to discharge dredged or fill material under this Order. The request must contain the following:
 - a. requesting entity's full legal name
 - b. the state of incorporation, if a corporation
 - c. address and phone number of contact person
 - d. description of any changes to the Project or confirmation that the successor-in-interest intends to implement the Project as described in this Order.
15. Except as may be modified by any preceding conditions, all Orders are contingent on: a) the discharge being limited and all proposed mitigation being completed in strict compliance with the Applicant's Project description, and b) compliance with all applicable requirements of the Water Quality Control Plan for the North Coast Basin (Basin Plan).
16. The authorization of this Order for any dredge and fill activities expires on October 15, 2012. Conditions and monitoring requirements outlined in this Order are not subject to the expiration date outlined above, and remain in full effect and are enforceable.
17. If construction dewatering is found to be necessary, the Applicant shall use a method of water disposal other than disposal to surface waters (such as land disposal) or the Applicant shall apply for coverage under the General Construction Dewatering Permit and receive notification of coverage prior to discharge to surface waters.

18. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this Order, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State.
19. When operations are complete, any excess material or debris shall be removed from the work area and disposed of properly.
20. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall be outside of waters of the State and United States. Fueling, lubrication, maintenance, storage and staging of vehicles and equipment shall not result in a discharge or a threatened discharge to any waters of the State or the United States. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality.
21. BMPs for erosion, sediment and turbidity control shall be implemented and in place at commencement of, during and after any ground clearing activities, construction activities, or any other project activities that could result in erosion or sediment discharges to surface water.
22. If, at any time, an unauthorized discharge to surface water (including wetlands, rivers or streams) occurs, or any water quality problem arises, the associated project activities shall cease immediately until adequate BMPs are implemented. The Regional Water Board shall be notified promptly and in no case more than 24 hours after the unauthorized discharge or water quality problem arises.

Please contact Stephen Bargsten of our staff at (707) 576-2653 if you have any questions or need to report any violation of this Order.

Robert R. Klamt
Interim Executive Officer

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Original sent to: Mr. Steve Urbanek, Sonoma County Department of Transportation and Public Works, 2300 County Center Drive, Suite B100, Santa Rosa, CA 95403

Copies sent to: Mr. Richard Stabler, Sonoma County PRMD, 2550 Ventura Ave., Santa Rosa, CA 95403-2829

Mr. Bill Orme, SWRCB, 401 Program Manager, Clean Water Act
Section 401 Certification and Wetlands Unit Program

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