



California Regional Water Quality Control Board
North Coast Region
Bob Anderson, Chairman



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

January 29, 2007

Theresa Martinelli-Jones
Martinelli Family Limited Partnership
P.O. Box 1510
Los Gatos, CA 95031-1510

Dear Ms. Martinelli-Jones:

Subject: Amendment to the Clean Water Act Section 401 Certification (Water Quality Certification) Order for the Green Valley Creek Restoration Project

File: Green Valley Creek Restoration
WDID No. 1B03166WNSO

On November 7, 2007, Mr. Rob Dickerson, on behalf of Martinelli Family Limited Partnership (Applicant), submitted a Request for an Amendment to the existing Clean Water Act Section 401 Certification (Water Quality Certification) Order for the Green Valley Creek Restoration Project. The project was originally permitted on October 29, 2003. The amendment request is based on changes to the project which include bridge construction, removal of an instream concrete creek crossing and culvert. Additionally the amendment will extend the expiration date for an additional work season as necessary to complete the project. The project causes permanent impacts to 0.01 acres of stream bank.

Amended Project Description:

The original project consisted of restoring 2,500 linear feet of stream bank to improve long term habitat function for Coho salmon and steelhead trout along a portion of Lower Green Valley Creek.

Additional work will consist of the replacement of a culvert and concrete crossing with a nine foot wide and ninety foot long railcar bridge in order to benefit fish passage. Concrete abutments will be poured onsite and the railcar bridge will be placed using a crane. Project construction work will be performed in general accordance with the drawings entitled, "Green Valley Creek Restoration Project, Martinelli Bridge," in five (5) sheets, dated October 2006.

Temporary screened water diversions to divert stream flow around the construction areas may be necessary. Diversion structures will be constructed of clean gravel and covered with suitable material to minimize water seepage into the construction area.

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PVC inflatable dams may be used in lieu of gravel. Water seepage will be pumped upslope to a flat area away from the stream channel such that no water will reenter the stream. Trout Unlimited (TU), National Oceanic and Atmospheric Administration (NOAA), and/or California Department of Fish and Game (CDFG) staff will utilize CDFG recommendations to assure aquatic life will be protected through relocation and Best Management Practices (BMPs) to protect aquatic life and manage storm water. Relocation of aquatic life will be undertaken by a qualified biologist. An even transition between the upstream and downstream portions of the site will be installed to minimize turbidity released during winter storm events. A native stock of willows will be obtained from onsite cuttings, and will provide soil stability in addition to riparian cover for the channel. Willow sprigs shall be watered and maintained by the property owner. A five year monitoring plan will be implemented with an 85% survival rate of all proposed plant species. Yearly monitoring and reporting will be required for a minimum of 5 years, and until the Project is deemed stable and established.

Additional construction Best Management Practices (BMPs) will be incorporated into the final Project plans in order to reduce and control soil erosion: work in and around waterways will be conducted during the summer base flow period between June 15 and October 15. 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.

Expiration:

The authorization of this amendment for any dredge and fill activities expires on December 31, 2009. Conditions and monitoring requirements outlined in this amendment or the original certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

I hereby issue an amendment to the Green Valley Creek Restoration Project Water Quality Certification Order (WDID No. 1B03166WNSO) certifying that the Water Quality Certification section of the Order is still valid. If you have any questions or comments, please contact Stephen Bargsten at (707) 576-2653 or at sbargsten@waterboards.ca.gov.

Sincerely,

Robert R. Klamt
Interim Executive Officer

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cc:

Rob Dickerson, Trout Unlimited, North Coast Field Office, 1120 College Avenue, Santa Rosa, CA 95404

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

Ms. Kim Niemeyer, SWRCB, Office of the Chief Counsel

Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 1455 Market Street, San Francisco, CA 94103-1398

Mr. Dan Wilson, California Department of Fish and Game, P.O. Box 47, Yountville, CA 94599

Mr. Dan Logan, National Marine Fisheries Service, 777 Sonoma Avenue, Suite 325, Santa Rosa, CA 95404

Amy Fesnock, Sacramento Field Office, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room 2605, Sacramento, CA 95815