



**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

June 27, 2008

In the Matter of  
**Water Quality Certification**  
for the  
**CITY OF CLOVERDALE,  
CLARK AVENUE SEWER MAIN REPLACEMENT PROJECT  
WDID No. 1B08050WNSO**

APPLICANT:	Paul Wade – City of Cloverdale
RECEIVING WATER:	Unnamed Tributary to the Russian River
HYDROLOGIC AREA:	Russian River Hydrologic Unit No.114.00, Geyserville Hydrologic Sub Area No. 114.25
COUNTY:	Sonoma County
FILE NAME:	Clark Avenue Sewer Main Replacement Project

**BY THE EXECUTIVE OFFICER:**

1. On March 24, 2008, Mr. Paul Wade, on behalf of the City of Cloverdale (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) for activities associated with the Clark Avenue Sewer Main Replacement Project (Project). A fee in the amount of \$521.50 was received on March 24, 2008. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on June, 10, 2008, by posting information describing the Project on the Regional Water Board's website. No comments were received.
2. The Project is located on a Caltrans easement, between, Clark Avenue and Highway 101, east of the intersection of Bair Street and Clark Avenue, Cloverdale, Sonoma County, California. The latitude and longitude is 38°47'52.91" N and -123°00'50.07" W. The purpose of the Project is the replacement an outdated degrading sewer line with a modern functional sewer line. The existing sewer line is underground for most of its length but is exposed in one area. This area contains exposed manholes, existing sewer line, and supports, all will be in the location of the replacement.

The Project will replace two sewer lines within the vicinity of a 30" sewer line that crosses an unnamed tributary, and 10" sewer line that will be buried beneath a

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drainage ditch. The new 30" sewer line will cross the tributary approximately 20 yards east of the existing sewer main. Two existing concrete pads that form the top of the bank in that location will be modified to support the 30" main that will span the channel 3 inches above ordinary high water level.

The project is expected to cause temporary impacts to riparian vegetation. The 10" sewer line will cross underneath drainage ditch that drains to the tributary. The new pipe trench will be excavated with approximately 2-4 cubic yards of native soil removed, and a limited amount of clean gravel will be used to line the ditch around the pipe. In addition, trench plugs consisting of very low permeability material will be placed along the ditch to assure there is not a preferential pathway for possible pollutants.

3. Compensatory Mitigation: Project mitigation will include the following at a minimum; Willow poles will be planted along the graded stream banks during the rainy season when the willows are dormant. Planting holes will be spaced at 3 ft apart on center at appropriate elevations along the bank, with two poles planted in each hole. Monitoring of willow survival will continue for five years, with yearly reporting. Plantings will achieve a minimum of 80% survival at the end of five years.

All on-site invasive broom plants will be removed within 100 feet of any soil exposed as a result of project activities. These areas will be monitored for five years and any new broom found in the treatment areas will be removed.

All graded stream banks will be hydro seeded with a native seed mixture to prevent the spread of invasive species. The hydro seed mix will be applied at a rate of 38 pounds per acre and will be used in combination with the soil retention fabric.

Prior to construction the city will investigate the site for adequate soil preparation, and to determine the need to till or import top soil.

4. Non-compensatory mitigation: Non-compensatory mitigation measures include the Use of Best Management Practices (BMPs). 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: work in and around waterways will be conducted during the dry season (April 15<sup>th</sup> to October 15<sup>th</sup>); 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; and seeding and mulching. Additionally, all required BMPs shall be on-site and ready for timely deployment, before start of construction activities. Pruning of vegetation will be done by hand crews and kept to the minimum necessary to allow equipment and crews to operate and avoid breakage of trees. A Cofferdam will be utilized to dewater the work area during construction; the water will be pumped down stream of all proposed

construction activities. The Coffey Dam will include a fish screen, as well as inspection for the removal of all Western Pond Turtles from the project area.

5. On May 13, 2008, the Applicant adopted a mitigated negative declaration (State Clearinghouse number 2007052089) for the Project in order to comply with the California Environmental Quality Act (CEQA). 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.
6. On February 11, 2008 the Applicant received a California Department of Fish and Game (CDFG) Streambed Alteration Agreement, file number 1600-2008-0066-3.
7. The applicant received authorization from the United States Army Corps of Engineers (file No. 122007-400861N) to perform the Project under Nationwide Permit 3, pursuant to Clean Water Act, section 404, on May 12, 2008.

Receiving Water: Unnamed Tributary of the Russian River Watershed within the Russian River Hydrologic Area No. 114.00, Geyserville Hydrologic Sub Area 114.25.

Filled or Excavated Area: 0.001 acres of temporary impacts, and 0.003 acres of permanent impacts to waters of the United States/State.

Latitude/Longitude: 38° 47'52.91"N and -123°00'50.07"W.

Expiration: October 15, 2013

ACCORDINGLY, BASED ON ITS INDEPENDENT REVIEW OF THE RECORD, THE REGIONAL WATER BOARD CERTIFIES THAT THE CITY OF CLOVERDALE, CLARK AVENUE SEWER MAIN REPLACEMENT PROJECT (WDID NO. 1B08050WNSO), 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 conditioned upon total payment of any fee required under chapter 28, title 23, California Code of Regulations, and owed by the Applicant.
3. 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).

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4. 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 sediment and temperature. At present, there is no watershed-specific implementation plan for this TMDL. If TMDL implementation plans are 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 action plan.
5. 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.
6. The Applicant shall provide Regional Water Board staff access to the Project site to document compliance with this Order.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.

12. 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.
13. 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).
14. The authorization of this Order for any dredge and fill activities expire on October 15, 2013. 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.
15. 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.
16. When operations are complete, any excess material or debris shall be removed from the work area and disposed of properly.
17. 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.
18. 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.
19. 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.

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Catherine Kuhlman  
Executive Officer

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Enclosure: State Water Resources Control Board Order No. 2003-0017-DWQ

Original sent to: Mr. Paul Wade, City of Cloverdale, Cloverdale, CA 95425

Copies sent to: Mr. Bill Orme, SWRCB, 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  
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Mr. Dan Wilson, California Department of Fish and Game, P.O. Box  
47, Yountville, CA 94599

Mr. Geoff Smick, WRA Inc., 2169 G. East Francisco Blvd., San  
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