



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



Linda S. Adams
Secretary for
Environmental Protection

www.waterboards.ca.gov/northcoast
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

**Arnold
Schwarzenegger**
Governor

June 29, 2008

In the Matter of
Water Quality Certification

For

**Mr. Rich Stabler
Sonoma County PRMD
SCPRMD Roadside Ditch Work Various Locations
WDID No. 1B07176WNSO**

APPLICANT: SCPRMD
RECEIVING WATER: Various Seasonal Wetlands
HYDROLOGIC AREA: Guerneville Hydrologic Sub Unit No. 114.11
COUNTY: Sonoma County
FILE NAME: SCPRMD Roadside Ditch Work

BY THE EXECUTIVE OFFICER:

1. On December 6, 2007, Mr. Rich Stabler and Ms. Laura Peltz, on behalf of 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) for activities associated with the Sonoma County Permit Resource Management (SCPRMD) Roadside Ditch Work-Variou Locations-After the Fact (Project). A fee in the amount of \$1,274.00 was received on December 6, 2007. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on June 13, 2008, and posted information describing the Project on the Regional Water Board's website. No comments were received.
2. The Project is located in various locations in Western Sonoma County, California., Work was done with prior approval from Water Board staff in order to complete work

in advance of the wet season. Location 1 is on Bohemian Highway, Post Mile 12.47, south of Occidental, 38°24'11" N and -122°56'42" W. Location 2 is on Graton Road, 120 feet westerly of Atascadero Creek, south side of road, near Graton, 38°25'27" N and -122°51'39" W. Location 3 is at 8490 Occidental Road, north side of road near Peachland Drive, northwest of Sebastopol, 38°25'20" N and -122°52'20" W. Location 4 is on Bloomfield Road near Blucher Valley Road, south of Sebastopol, 38°21'0" N and -122°49'24" W. The purpose of the Project is to restore capacity in the roadside ditches for stormwater and minimize roadway flood potential.

3. Location 1: Bohemian Highway at PM 12.47: The project location consists of a roadside ditch at the base of a slide with a year-around seep. Sediment removal maintenance has been performed in the past at this ditch. Road maintenance crews used a backhoe excavator to remove sediment from the ditch, which is 284 ft long, approximately 3 ft wide, and is now (after the project) about 1 ft deep. Straw wattles were staked across the ditch at 30-ft intervals to control sediment. Adjacent to the ditch, white alder (*Alnus rhombifolia*) colonizing the edge and up-slope were left undisturbed. The excavation was shallow and did not sever any alder roots. The ditch will quickly reestablish upright plants from the underground rhizomes, tubers, and roots. The straw wattles will be left in the ditch through the rainy season to control sediment.

Location 2: Graton Road about 120-ft westerly of Atascadero Creek near Dyer Road: The existing ditch, located on the southerly side of the road was about 3 ft wide and varies from 6-8 inches deep. The work included using a backhoe excavator to excavate about 80 ft of ditch to a depth of 1 ft. Fiber roll check dams were placed in the excavated ditch to contain sediment. Willows (*Salix sp.*) were trimmed but not removed. The fiber rolls will be left in place until vegetation reestablishes itself.

Location 3: Occidental Road at 8490 on the northerly side near the intersection with Peachland Drive: This roadside ditch is about 1 ft deep and about 3 ft wide. The ditch currently has no surface water but is saturated in some areas. Broad cattails (*Typha latifolia*) is common and characterizes the site as being very wet most of the year. Approximately 1200 ft of ditch was excavated to a depth of about 2 ft (with no widening) in an effort to add capacity to the ditch and aid in flow. Fiber roll checkdams were placed in 30-ft intervals to control potential sediment. An erosion control mix was applied by hand to the edges of the ditch.

Location 4: Bloomfield Road near Blucher Valley Road

The existing ditch was about 1 ft deep and 3.5 ft wide. The project excavated the ditch to an overall depth of 3 ft and a width of 3.5 ft for a distance of about 800 ft. Bare soils were hand seeded and fiber roll check dams were installed to mitigate for potential sediment migration.

4. **Compensatory Mitigation Plan** Temporary impacts to waters of the state will be compensated for by restoration/rehabilitation of other areas to be determined within

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. 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. All mitigation activities shall be completed as proposed in the application.
11. 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.

12. 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.
13. 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.
14. 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).
15. The authorization of this Order for any dredge and fill activities expire on October 15, 2008. 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.
16. 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.
17. 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.

18. When operations are complete, any excess material or debris shall be removed from the work area and disposed of properly.
19. 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.
20. 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.
21. 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.

Catherine E. Kuhlman
Executive Officer

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Original sent to: Mr. Rich Stabler and Ms. Laura Peltz, SCPRMD,
2550 Ventura Avenue, Santa Rosa, CA 95403

Copies sent to: Mr. Bill Orme, SWRCB, 401 Program Manager,
Clean Water Section 401 Certification and Wetlands Unit Program
Ms. Kim Niemeyer, SWRCB, Office of the Chief Counsel
Mr. Pete Straub, U.S. Army Corps of Engineers, Regulatory
Functions, 1455 Market Street, San Francisco, CA 94103-1398
Ms. Dan Wilson, California Department of Fish and Game,
P.O. Box 47, Yountville, CA 94599

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