



Linda S. Adams
Secretary for
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**California Regional Water Quality Control Board
North Coast Region
Bob Anderson, Chairman**

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Arnold
Schwarzenegger
Governor

September 15, 2008

In the Matter of

Water Quality Certification

for the

**CITY OF SEBASTOPOL
SEBASTOPOL LAGUNA FORCE MAIN REPLACEMENT
WDID NO. 1B08007WNSO**

APPLICANT: City of Sebastopol
RECEIVING WATER: Laguna de Santa Rosa, Laguna Hydrologic Subarea No 114.21
HYDROLOGIC AREA: Russian River Hydrologic Area No. 114.00
COUNTY: Sonoma County
FILE NAME: Sebastopol Laguna Force Main Replacement

BY THE EXECUTIVE OFFICER:

1. On January 17, 2008, Ms. Amy Jeane, of Green Valley Consulting Engineers, on behalf of the City of Sebastopol (Applicant), filed an application for water quality certification under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the North Coast Regional Water Quality Control Board (Regional Water Board) for activities associated with the Sebastopol Laguna Force Main Replacement (Project). A fee in the amount of \$500 was received on March 24, 2008 and an additional fee of \$43 was received on May 8, 2008. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on August 22, 2008, and posted information describing the Project on the Regional Water Board's website. No comments were received.
2. The latitude and longitude of the project start location, near Morris Street (most westerly part), is 38.404872°N and 122.81882°W. The most easterly section, where construction will end, near Llano Road, has coordinates: 38.402238°N and 122.78896°W. The project includes the assessor parcels (APNs) 060-010-033, 060-060-060, -044, -056, -063.
3. The Project is a public utilities project implemented by the City of Sebastopol. The purpose is to replace segments of an existing sewer force main consisting of 14-inch diameter Techite pipe with new 14-inch diameter HDPE and PVC pipe. The

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existing Techite pipe is prone to failure; replacement with the more reliable HDPE and PVC pipe will reduce the potential that a spill of waste water effluent will occur in the future. The project will involve placing approximately 6,350 feet of new pipe.

4. The overall project will be completed along two segments. Segment 1 is between the existing sanitary lift station located at Morris Street, in Sebastopol, and a point approximately 0.35 miles south of Morris Street where the pipe will cross under Highway 12 and connect to a 14-inch diameter PVC pipe that is presently in service. New PVC piping will be installed parallel to the existing Techite pipe line, which will be capped and abandoned in place. The new piping will connect to an existing ductile iron pipe that crosses under the Laguna de Santa Rosa. After the crossing under the Laguna de Santa Rosa, new piping will be connected to the other end of the aforementioned ductile iron pipe and further installed by method of underground directional drilling continuing horizontally toward State Highway 12 for approximately 1,125 feet. Underground directional drilling will be utilized in order to protect the jurisdictional wetlands and riparian areas, as it alleviates the need for open trenching within waters of the state and other sensitive areas. The 14 inch HDPE piping installed by directional drilling, will be installed to a depth of about 30 feet. In upland areas the piping will be installed by conventional open trenching to a depth of about 44 inches. Jack and bore methods will be used to bore under the highway for about 120 feet. The new piping will be placed under the highway and will connect to existing PVC piping (which was installed to replace the Techite pipe years ago) that runs parallel to Highway 12 for approximately 1.2 miles.

Section 2 of the project begins where the existing PVC pipe ends just south of State Highway 12 and west of Duer Road. The new piping will be installed in an open trench heading southward for approximately 3,300 feet. Trenching will cross the Joe Rodota Trail. Provisions have been made so that trail users will be able to navigate around the construction area. Directional drilling will be used to cross under Gravenstein Creek, a tributary to the Laguna de Santa Rosa, to avoid trenching in the creek and to protect riparian habitat. On the other side of Gravenstein Creek, the new pipeline will be installed by open trenching method, making a turn eastward for approximately 1,800 feet around the south side of a waste water storage pond, and tying back into the existing sewer system at Llano Road, approximately 1 mile south of the State Highway 12/Llano Road intersection. The trenching activities in Section 2, specifically its eastward portion, will have temporary impacts to jurisdictional wetlands.

5. Top soil (approximately one foot deep) from trenching activities in wetlands will be carefully removed and separately stockpiled to preserve the existing seed bank. The trench will then be backfilled with the stockpiled topsoil and restored to pre-excavation elevation. A biological monitor shall be present during the initial stages of the trenching/pit excavation to ensure compliance with construction-related impact avoidance measures. Provisions will be made to protect any special status

wildlife species and plants that are within the construction zone, these activities will be supervised by a qualified biologist.

6. This project will mitigate for the impacts to wetlands and waters of the state by the City of Sebastopol purchasing credits at approved mitigation banks. From the Hazel Mitigation Preserve, LLC, the City of Sebastopol, has purchased 0.09 acres of California Tiger Salamander credits and 0.05 acres of wetland credits. 0.01 acres of Sebastopol Meadowfoam credits which also count as 0.01 acres of California Tiger Salamander credits have been purchased from the Swift/Turner Conservation Bank of the Davis Preserve, LLC.
7. 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: Silt fences or other sediment containment methods will be placed around and/or down slope of disturbed areas prior to construction. Most importantly, silt fencing and other appropriate erosion control BMPs shall be placed around wetlands and swales that drain to water courses. Installation of construction barrier fencing to preclude equipment entry into sensitive areas shall be required. Additionally, all required BMPs shall be on-site and ready for timely deployment before the start of construction activities. These and other measures will be utilized to protect the site from pollution created by storm water, as detailed in the Storm Water Pollution Prevention Plan that was prepared by Green Valley Consulting Engineers and Submitted to the Regional Water Board.
8. The Applicant shall undertake the project as described in the application and in any additional supporting materials that have been sent to, and approved by, the Regional Water Board. Construction as well as avoidance and mitigation of impacts shall be conducted according to the Mitigation Monitoring and Reporting Plan, found in appendix A of the Initial Study and Mitigated Negative Declaration submitted to the Regional Water Board.
9. The City of Sebastopol, as the lead California Environmental Quality Act (CEQA) agency, has determined that this Project qualifies for a Mitigated Negative Declaration, which was prepared by the City of Sebastopol Planning Department pursuant to CEQA.
10. The applicant has received at 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Game. Notification Number: 1600-2008-0007-3.
11. Applicant has applied for a section 404 Permit from the United States Army Corps of Engineers. File Number 29509N.

Receiving Water: Laguna Hydrologic Sub Area No. 114.12
Russian River Hydrologic Area No. 114.00.

Filled or Excavated Area: 0.02 acres of permanent impacts to waters of the United States / State.

Latitude/Longitude: Most westerly section: 38.404872°N and 122.81882°W.
Most easterly section: 38.402238°N and 122.78896°W

Expiration: October 15, 2012

ACCORDINGLY, BASED ON ITS INDEPENDENT REVIEW OF THE RECORD, THE REGIONAL WATER BOARD CERTIFIES THAT THE LAGUNA FORCE MAIN REPLACEMENT PROJECT (FACILITY NO. 1B08007WNSO), 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 and the Laguna de Santa Rosa (tributary to the Russian River) are identified as impaired on the Clean Water Act Section 303(d) list. The Russian River is listed as impaired for sediment and temperature. The Laguna de Santa Rosa is listed as impaired for sediment, temperature, nitrogen, phosphorus, dissolved oxygen, and mercury. At present, total maximum daily loads (TMDLs) have not been established for these water bodies. If TMDLs are established and implementation plans are adopted for these watersheds 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 plans.

6. 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. 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 activity 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.

Catherine Kuhlman
Executive Officer

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

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