



Linda S. Adams  
Secretary for  
Environmental Protection

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

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Arnold  
Schwarzenegger  
Governor

June 8, 2009

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In the Matter of  
Water Quality Certification  
for the  
Jenner Community Club – Jenner Creek Bridge Replacement Project  
WDID No. 1B08110WNSO

APPLICANT: Jenner Community Club  
RECEIVING WATER: Creek bed and bank within Jenner Creek  
HYDROLOGIC UNIT: Guerneville Hydrologic Subarea No. 114.11, Russian River  
Hydrologic Area 114.00  
COUNTY: Sonoma  
FILE NAME: Jenner Community Club – Jenner Creek Bridge  
Replacement  
WDID No. 1B08110WNSO

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BY THE EXECUTIVE OFFICER:

1. On July 14, 2008, the Jenner Community Club (Applicant) filed an application for water quality certification (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 related to the Jenner Community Club – Jenner Creek Bridge Replacement (Project). The proposed project will cause permanent impact to approximately 0.13 acres of waters of the State associated with Jenner Creek in the Guerneville Hydrologic Subarea No. 114.11, Russian River Hydrologic Area 114.00. Fee payment for the total of \$773 was completed on April 28, 2009. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on April 7, 2009, and posted information describing the project on the Regional Water Board's website. We did not receive any public comments on this project.
2. The purpose of the Project is to replace a damaged bridge and repair damage done by winter storm events of 2005/2006. During the storm event, the bridge abutment collapsed and the water main to the Jenner Community Club (JCC) ruptured. Under the emergency situation the abutments and the adjacent banks were secured with rock revetment to prevent further damage. The bridge is the only access to the JCC and the primary entrance to the Fire Department Annex.

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The Project will restore access to the JCC and the Fire Annex, as well as install protection to the creek banks.

3. The existing bridge and both abutments will be removed. The replacement bridge will be a pre-cast concrete bridge with abutment system. Rock revetment will be placed on the upstream face of the abutments and adjacent banks to prevent scour. The creek bank will be stabilized by repositioning previously installed boulders into more favorable locations, and interplanted with native riparian vegetation to provide wildlife and aquatic habitat and bank stability. The former bridge and abutments formed a constriction in the stream width. The Project will increase the stream width and add a flood terrace downstream of the new bridge that will help alleviate flood flow impacts.
4. Compensatory mitigation consists of revegetation of impacted area with species native to the area and increasing aquatic habitat. Species to be planted are listed on the Planting Plan, dated May 23, 2008, by Prunuske Chatham, Inc. Planted vegetation will be monitored for at least five years, with yearly reports submitted to the Regional Water Board. Revegetation shall have an 50-80% survival rate (depending on species) at the end of five years, as outlined in the California Department of Fish and Game Streambed Alteration Agreement, Notification No. 1600-2008-0331-3. Plants shall be irrigated as necessary for survival and establishment. Invasive plant species such as vinca and Himalayan blackberry will be removed. Several root wads/large woody debris constructions shall be installed one above and one below the bridge. These shall provide in-stream aquatic habitat, and increase complexity of the creek. The creek may need to be dewatered during the project, and will be done per the "Dewatering and Species Protection Plan", Prunuske Chatham, Inc., March 2009. A qualified biologist will be available to supervise necessary activities.
5. The Applicant has received Army Nationwide Permit 3, for Maintenance, from the United States Army Corps of Engineers, on October 29, 2008, file number 2008-00284N, to perform the project pursuant to Clean Water Act, section 404. The Federal Emergency Management Agency (FEMA) initiated a Section 7 consultation with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) to address project related impacts to federally listed species and designated critical habitat. NMFS issued a Biological Opinion with an incidental take statement for Central California Coast steelhead (*Oncorhynchus mykiss*), and USFWS issued a Biological Opinion with an incidental take statement for California red-legged frog (*Rana aurora draytonii*).
6. A Lake or Streambed Alteration Agreement from the California Department of Fish and Game has been obtained, Notification No. 1600-2008-0331-3.

7. The Sonoma County, as lead California Environmental Quality Act (CEQA) agency, has determined that the proposed project is categorically exempt from CEQA review (Section 15301 – Existing Structures), and have filed a Notice of Exemption for this project with the State Clearinghouse, pursuant to California Environmental Quality Act (CEQA) guidelines.

Receiving Water: Jenner Creek in the Guerneville Hydrologic Subarea No. 114.11, Russian River Hydrologic Area 114.00

Filled or Excavated Area: Area Permanently Impacted: 0.13 acres of creek bed and bank

Latitude/Longitude: 38.449573°N / 123.114771°W

Expiration: June 8, 2014

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the Jenner Community Club – Jenner Creek Bridge Replacement Project (WDID No.1B08110WNSO), 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 that the Applicant complies with the following terms and conditions:

1. This certification action 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 certification action 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 certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 2200, and owed by the Applicant.
4. The Russian River is identified as impaired on the Clean Water Act Section 303(d) list. The Russian River is listed as impaired for sediment and temperature. At present, total maximum daily loads (TMDLs) have not been established for this water body. If TMDLs are established and 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 plans.

5. The Regional Water Board shall be notified prior to the commencement of ground disturbing activities, with details regarding the construction schedule, in order to allow staff to be present onsite during construction, and to answer any public inquiries that may arise regarding the project.
6. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement 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. When operations are completed, any excess material or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.
7. BMPs for erosion, sediment and turbidity control shall be implemented and in place at commencement of, during and after any ground- clearing activities or any other project activities that could result in erosion or sediment discharges to surface water.
8. All activities and BMPs shall be implemented according to the submitted application and the conditions in this certification.
9. A copy of this Order and the application documents submitted by the Applicant for this certification shall be provided to all contractors and subcontractors conducting the work, and shall be in their possession at the work site.
10. 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.
11. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project.
12. Prior to implementing any change to the project that may have a significant or material effect on the findings, conclusions, or conditions of this Order, the Applicant shall obtain the written approval of the Regional Water Board Executive Officer.
13. All project work shall be conducted as described in this Order and in the application submitted by the Applicant. If the Regional Water Board is not notified of a significant alteration to the project, it will be considered a violation of this

Order, and the Applicant may be subject to Regional Water Board enforcement actions.

14. 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 and approved pursuant to the Porter-Cologne Water Quality Control Act or Section 303 of the Clean Water Act.
15. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
16. 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 certification. In response to a suspected violation of any condition of this certification, the Regional Water Board may require the holder of any federal 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.
17. 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 at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, and the address and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the project as described in this Order.

18. Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited to 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 Region (Basin Plan).

19. The authorization of this certification for any dredge and fill activities expires on June 8, 2014. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

If you have any questions or comments please call Stephen Bargsten of our office at (707) 576-2653.

Sincerely,

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Catherine Kuhlman  
Executive Officer

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Original to: Mr. David Kenly, Jenner Community Club, P.O. Box 1,  
Jenner, CA 95450

Copies sent to: Mr. Bill Orme, SWRCB, 401 Program Manager, SWRCB  
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