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**North Coast Regional Water Quality Control Board**

August 28, 2013

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In the Matter of

**Water Quality Certification**

for

**Sonoma County Airport  
Runway Safety Enhancement  
WDID No. 1B12182WNSO**

APPLICANT: Charles M. Schulz - Sonoma County Airport  
RECEIVING WATER: Seasonal wetlands and Airport Creek  
HYDROLOGIC UNIT: Mark West Hydrologic Sub-Area, Russian River Hydrologic Unit  
114.23  
COUNTY: Sonoma  
FILE NAME: Sonoma County Airport Runway Safety Enhancement

BY THE EXECUTIVE OFFICER:

1. On October 1, 2012, Mr. Jon Stout, Airport Manager, Charles M. Schulz - Sonoma County Airport (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 associated with improvements to Runway Safety Areas (RSA) to meet Federal Aviation Administration (FAA) safety standards and guidelines for the purpose of improvement of public safety (Project). The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on June 6, 2013, and posted information describing the Project on the Regional Water Board's website. We did receive public comments on the Project, primarily concerned with stormwater treatment, and have had them

adequately addressed within the project description. The Project is located at the Charles M. Schulz – Sonoma County Airport, Airport Boulevard, Santa Rosa, latitude 38.508147°N, longitude 122.812901°W. The Project will cause disturbances to waters of the United States associated with seasonal wetlands and creeks, in the Russian River Hydrologic Unit, Mark West Hydrologic Sub-Area No. 114.23. Total permanent impact to various types of wetlands is 7.02 acres, and a permanent impact to Airport Creek of 1,506 linear feet.

2. The Project includes the filling of a 1,506 linear foot reach of Airport Creek, a perennial stream, and re-routing of the filled reach into a new 671 linear foot channel and into an 885 linear foot underground culvert. The creek work is required to meet the FAA RSA specifications. The Project also includes various other components that will require filling of jurisdictional wetlands and the clearing of jurisdictional and non-jurisdictional riparian habitat. Specific impacts to waters of the state include:

1. Seasonal wetlands	4.46 acres
2. Non-wetland ditches	0.02 acres
3. Pond/marsh	2.24 acres
4. Perennial Stream (Airport Creek)	1,506 linear feet
5. Willow scrub	0.30 acres

The proposed Project will also result in the loss of 4.46 acres of habitat occupied by Burke's goldfields (*Lasthenia burkei*), a state and federally listed plant species. The proposed Project will also result in permanent loss of 35.84 acres of uplands that are suitable movement and aestivation habitat for California tiger salamander (*Ambystoma californiense*)(CTS), a state and federally listed amphibian species.

3. The Project is planned to commence in summer 2013 and have work duration of approximately three years.
4. Compensatory mitigation to offset impacts to waters of the state includes on-site and off-site mitigation. The FAA has safety regulations that result in prohibiting most of the on-site mitigation. Compensatory mitigation shall be implemented as described in the *Revised Mitigation and Monitoring Plan, Volume 1 and 2*, dated May 2013, and associated subsequent submittals to the application. The bulk of mitigation for both wetland and creek impacts will be mitigated by purchase of credits from approved mitigation banks, and/or specific off-site projects. These mitigation banks and projects include: Desmond Mitigation Bank; Horn Mitigation Bank; Alton South Conservation Area; Brown Farm Site; East Austin Creek Mitigation Bank, and on-site mitigation for creek impacts within the re-routed Airport Creek section. The total mitigation ratio for combined impacts to jurisdictional wetlands is 1.9:1. The total mitigation ratio for impacts to jurisdictional creek and riparian area is 3.5:1 based on acreage and 4.7:1 based on linear feet. The applicant will also mitigate for impacts to listed plants and CTS at agency approved banks/projects.

Due to the timing of funding, mitigation credit purchase and other associated mitigation funding will take place after issuance of this Order. Applicant shall submit all signed receipts for mitigation credit purchases by November 15, 2013, to the Regional Water Board. Applicant shall also comply with all conditions with the United States Army Corps of Engineers Clean Water Act Section 404 permit.

5. The Project shall implement the *Stormwater Management Plan, Charles M. Schulz Airport Runway Safety Area Improvements*, dated May 2013 and revised in July 2013, and subsequent submittals related to the application. This plan implements techniques and facilities that provide stormwater treatment and hydromodification mitigation associated with this Project. Future improvements at the site will require similar treatments and approvals by the Regional Water Board.
6. The Applicant has applied for authorization from the United States Army Corps of Engineers for a Clean Water Act, section 404 permit. The Applicant has also applied to California Department of Fish and Wildlife for a Streambed Alteration Agreement.
7. Sonoma County PRMD, as lead California Environmental Quality Act (CEQA) agency, completed an Environmental Impact Report and filed the Notice of Determination for it with the State Clearinghouse, (SCH No. 2008062022) on January 24, 2012, pursuant to CEQA guidelines.
8. 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 water quality certification.  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0017.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0017.pdf)

Receiving Water: Russian River Hydrologic Unit 114.22

Filled or Excavated Area: Permanent impact to waters of the state:

Seasonal wetlands	4.46 acres
Non-wetland ditches	0.02 acres
Pond/marsh	2.24 acres
Perennial Stream (Airport Creek)	1,506 linear feet
Willow scrub	0.30 acres

Latitude/Longitude: 38.508147°N / 122.812901°W

Expiration: August 28, 2018

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the Sonoma County Airport Runway Safety Enhancement Project (WDID No. 1B12182WNSO), 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:

All conditions of this order apply to the Applicant (and all their employees) and all contractors (and their employees), sub-contractors (and their employees), and any other entity or agency that performs activities or work on the project as related to this Water Quality Certification.

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. The validity this certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 3833, and owed by the Applicant.
4. The Regional Water Board shall be notified annually and in writing at least five working days (working days are Monday – Friday) 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.
5. Monitoring and reporting shall be implemented as described in the *Revised Mitigation and Monitoring Plan, Volume 1 and 2*, dated May 2013, and associated subsequent submittals to the application.
6. The Russian River is identified as impaired for sediment and temperature under Clean Water Act Section 303(d). 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 the requested Certification, the Regional Water Board may revise the provisions of that Certification to address actions identified in such action plans. Bank erosion is identified as a source contributing to the sediment impairment. Removal of riparian vegetation is

identified as a source contributing to temperature impairment. Activities that will be authorized by this Order are designed to reduce removal of riparian vegetation and reduce sediment discharges from bank erosion. Accordingly, this Order is consistent with, and implements, BMPs that would attenuate sediment and temperature adverse impacts.

7. Pursuant to Regional Water Board Resolution R1-2004-0087, Total Maximum Daily Load Implementation Policy Statement for Sediment-Impaired Receiving Waters within the North Coast Region (Sediment TMDL Implementation Policy), the Executive Officer is directed to “rely on the use of all available authorities, including existing regulatory standards, and permitting and enforcement tools to more effectively and efficaciously pursue compliance with sediment-related standards by all dischargers of sediment waste.”
8. The federal antidegradation policy requires that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California’s antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board’s Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. This Order is consistent with applicable federal and State antidegradation policies, as it does not authorize the discharge of increased concentrations of pollutants or increased volumes of treated wastewater.
9. Any water pumped from the work area shall not be discharged back to the creek; it shall be pumped to a tank or other conveyance and disposed of at a legal point of appropriate disposal.
10. Applicant shall use wildlife-friendly 100% biodegradable erosion control products/BMPs. For purposes of this Order, photodegradable synthetic products are not considered biodegradable. Applicant shall not use or allow the use of erosion control products, that contain synthetic (e.g., plastic or nylon) netting or materials for permanent erosion control (i.e., erosion control materials to be left in place for two years or after the completion date of the Project). If the Applicant finds that erosion control netting or products have entrapped or harmed wildlife, the Applicant shall remove the netting or product and replace it with wildlife-friendly biodegradable products. Applicant shall remove any remaining synthetic netting or materials remaining at the end of two years, or sooner.
11. The Project shall be implemented according to the submitted application materials and the findings in this certification.

12. BMPs shall be implemented as proposed in the application materials. 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. Severe and unseasonal rain events are becoming more frequent due to the effects of climate change. Therefore, BMPs shall be immediately available for deployment at all times to prevent discharges to waters of the state.
13. 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.
14. The Applicant shall provide Regional Water Board staff access to the Project site to document compliance with this certification.
15. If, at any time, an unauthorized discharge to surface water (including wetlands, lakes, rivers or streams) occurs, or any water quality problem arises, the associated project activities shall cease immediately until adequate BMPs are implemented including stopping work. 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.
16. 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. 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 action(s).
17. 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.
18. The Applicant shall provide a copy of this Order and State Water Resources Control Board (SWRCB) Order No. 2003-0017-DWQ to any contractor(s), subcontractor(s), and utility company(ies) conducting work on the Project, and shall require that copies remain in their possession at the work site. The Applicant shall be responsible for ensuring that all work conducted by its contractor(s), subcontractor(s), and utility companies is performed in accordance with the information provided by the Applicant to the Regional Water Board.

19. The Applicant shall implement the Project in accordance with the Project described in the application and the findings above, and shall comply with all applicable water quality standards as detailed in the Basin Plan.
20. Disturbance or removal of existing vegetation shall not exceed the minimum necessary to complete the Project.
21. Fueling, lubrication, maintenance, storage, and staging of vehicles and equipment shall not result in a discharge or threatened discharge to any waters of the State including dry portions of the shoreline. At no time shall the Applicant or its contractors allow use of any vehicle or equipment, which leaks any substance that may impact water quality.
22. 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.
23. In the event of any violation or threatened violation of the conditions of this Order, 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 for the violation or threatened violation 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 certification, the State Water Board may require the holder of any federal permit or license subject to this Order to furnish, under penalty of perjury, any technical or monitoring reports the State 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 Order, the Regional Water Board may add to or modify the conditions of this Order as appropriate to ensure compliance.
24. 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. 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).

25. The authorization of this certification for any dredge and fill activities expires on August 28, 2018. 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.

If you have any questions or comments, please call Stephen Bargsten at (707) 576-2653 or Gil Falcone at (707) 576-2830.

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Matthias St. John  
Executive Officer

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Weblink: 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 can be found at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0017.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0017.pdf)

Original to: Mr. Jon Stout, Sonoma County Airport, 2290 Airport Blvd.,  
Santa Rosa, CA 95403

Copy to: Mr. George Molnar, LSA Associates Inc., 157 Park Place,  
Point Richmond, CA 94801