

October 30, 2014

**Public Notice for Water Quality Certification and/or Waste  
Discharge Requirements (Dredge/Fill Projects)**

**Ruggiero Retaining Wall Repair  
WDID 1B14103WNSO**

**Sonoma County**

On October 23, 2014, the North Coast Regional water Quality Control Board (Regional Water Board) received an application from William Ruggiero (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) and/or Waste Discharge Requirements (Dredge/Fill Projects) for activities associated with the Ruggiero Retaining Wall Repair Project (project). The proposed project would cause disturbances to waters of the United States and the state associated with Hulbert Creek, tributary to the Russian River (114.11). The project is located at 14216 Lovers Lane in Guerneville, at latitude 38.496389°N and longitude 123.01°W. Permanent impacts to waters of the United States and state would be approximately 45 square feet or approximately 30 linear feet.

The purpose of the project is to stabilize a failing retaining wall by creating a footing and infill in an erosional void at the base. Underlying gravel will be pressure grouted and the void will be filled with shotcrete.

No mitigation is required as the project will return the retaining wall to its original configuration. The project will employ best management practices to prevent or reduce any discharges during and after construction. The project is expected to commence as soon as all required permits are acquired.

The applicant has applied for Clean Water Act Section 404 authorization from the United States Army Corps of Engineers. The applicant has also contacted the California Department of Fish and Wildlife for an emergency lake and streambed alteration agreement.

The North Coast Regional Water Board, as lead California Environmental Quality Act (CEQA) agency, has determined that the project qualifies for a Categorical Exemption, 15269: Emergency Projects, and will file a Notice of Exemption with the State clearinghouse concurrent with issuance of the 401 Water Quality Certification, pursuant to CEQA guidelines.

The information contained in this public notice is only a summary of the applicant's proposed activities. The application for Water Quality Certification in the Regional Water Board's file contains additional details about the proposed project including maps and photos. The application and Regional Water Board file are available for public review.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter Cologne-Water Quality Control Act authority.

The Project is scheduled to start as soon as possible to reduce the increased water quality impact and public safety issues associated with significant sediment delivery from the failing retaining wall during the next wet season and erosion that threatens an existing structure. Under Title 23, California Code of Regulations, Section 3858(a): "The executive director or the executive officer with whom an application for certification is filed shall provide public notice of an application at least twenty-one (21) days before taking certification action on the application, unless the public notice requirement has been adequately satisfied by the applicant or federal agency. If the applicant or federal agency provides public notice, it shall be in a manner and to an extent fully equivalent to that normally provided by the certifying agency. If an emergency requires that certification be issued in less than 21 days, public notice shall be provided as much in advance of issuance as possible, but no later than simultaneously with issuance of certification." Due to the nature of water quality impact and public safety issues associated with this project, 401 Water Quality Certification will be issued during the 21-day public comment period. If you have any questions, please contact staff member Kaete King at (707) 576-2848 or Stephen Bargsten at (707) 576-2653 within 21 days of the posting of this notice.

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