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North Coast Regional Water Quality Control Board

July 26, 2019

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

**Price Pond Improvement Project  
ECM PIN CW-857075; WDID 1B189924WNSO  
Sonoma County**

On April 9, 2019, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Schaefer Price (applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) for activities related to the proposed Price Pond Improvement Project (Project). On June 24, 2019, additional information was submitted to the Regional Water Board and the application was determined to be complete.

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**Project Location**

The Project is located at 10775 Brooks Road, Windsor, CA, at latitude 38.571735 and longitude -122.800099. The proposed project would cause disturbances to Windsor Creek, within the Lower Russian River Hydrologic Area (114.10).

**Project Description**

The Project would provide a resilient and durable spillway for a pond that was originally constructed in 1954. The pond's spillway has degraded and eroded over time, resulting in a reduction in the pond's storage capacity. The new spillway would be constructed to restore the original height of the pond and to conform with the California Department of Water Resources Division for the Safety of Dams freeboard requirements for the operation of the dam. A bathymetric survey of the pond indicated the existing volume of the pond has reduced, likely due to sedimentation and infilling of the pond from upland areas and land disturbances, and from erosion of the spillway over time. The proposed Project will restore the spillway and raise the height of the pond 1.6 feet to result in a stored volume of 98 acre-feet.

The pond is currently regulated and inspected by the California Department of Water Resources – Division of the Safety of Dams. It is inspected annually by the agency and is regulated as a High Hazard rating for downstream impacts by the California Department of Water Resources if a failure of the structure were to occur. The use of water within the pond is also regulated pursuant to an appropriative water right (A015603) that is administered by the State Water Resources Control Board. The water right allows for the use of up to 133 acre-feet of water for irrigation purposes.

Consultation was performed with the SWRCB Division of Water Rights and the proposed project will have no effect on the existing water rights.

The new outlet would consist of a concrete structure with rock aprons and would be located in the immediate area of the existing outlet. Approximately 25 cubic yards of earthen material would be removed from the existing spillway so that the new spillway could be keyed into competent soil and to form and pour the new spillway structure. Construction would occur during late summer when the pond level decreases to below the existing spillway. Erosion control best management practices (BMPs) would be used to stabilize earthen and prevent sediment discharge. Rock present within the materials would be reused if and where possible in the new spillway.

The new spillway structure would include concrete footings at the spillway inlet and outlet that would extend approximately three feet below the finished grade. Grouted rock aprons would be constructed at the inlet and outlet and extend up to 10 feet from the concrete apron. Each rock apron would be approximately 300 square feet. The concrete apron would be 350 square feet. Fill materials would extend approximately 32 inches below the final grade of the spillway surface and the rock aprons.

The Project would also include vegetation management, specifically in areas identified by the Department of Water Resources Division of the Safety where vegetation could adversely affect the normal and safe function of the pond. Vegetation would be removed using both hand tools and power equipment. Vegetation management would be conducted during summer months when pond levels are at their lowest.

Construction BMPs include, but are not limited to, the following:

1. All vehicle and equipment parking would be within designated areas away from the creek and riparian areas. Vehicle and equipment fueling and maintenance would be in designated areas only.
2. Spillway excavation and construction would only begin when no precipitation is forecasted throughout the entire construction phase and the time necessary to implement erosion control measures. Seventy-two-hour weather forecasts from the National Weather Service would be consulted prior to beginning any phase of the project that may result in sediment runoff.
3. Containment structures would be onsite to control the placement of wet concrete and to prevent it from entering the pond outside of those structures. No concrete would be poured within the high flow line if the 15-day weather forecast indicates any chance of rain greater than 20 percent.
4. All cement-based products (concrete, mortar, etc.) would be excluded from the wetted channel or areas where it may contact water for a period of 30 days after it is applied. During that time the product would be kept moist and runoff from the product would not be allowed to enter the pond. Commercial sealants may be applied to the product surface or mixture where difficulty in excluding flow for a long period may occur. If sealant is used, water would be excluded from the site until the sealant is cured.

5. At all times, when pouring or working with wet concrete, there would be a designated monitor to inspect the containment structures and ensure that no concrete or other debris enters the pond outside of those structures.
6. All exposed or disturbed areas and access points within the spillway area left barren of vegetation as a result of the construction activities would be restored by seeding with a blend of native erosion control grass seeds. Seeded areas would be mulched. Revegetation would be completed as soon as possible after construction activities in those areas cease. Seeding placed after October 15 would be covered with broadcast straw, jute netting, coconut fiber blanket or similar erosion control blanket.
7. Temporary or permanent erosions control devices containing plastic netting, including photo- or bio-degradable plastic netting would not be allowed.
8. Riprap would be properly keyed into the inlet and outlet sides of the spillway and be sized to remain in place and withstand highest velocity of water anticipated within the channel.
9. Any equipment or vehicles driven and/or operated within or adjacent to the spillway would be checked and maintained daily to prevent leaks of materials that could be deleterious to aquatic and terrestrial life or riparian habitat.
10. Stationary equipment such as motors, pumps, generators, and welders, located within or adjacent to the stream would be positioned over drip pans. Stationary heavy equipment would have suitable containment to handle a catastrophic spills or leaks.
11. Clean up equipment such as extra booms, absorbent pads, skimmers, would be on site prior to the start of work.
12. Staging and storage areas for equipment, materials, fuels, lubricants and solvents would be located outside of the stream channel and banks.
13. All debris and waste would be removed from the site daily.
14. Water containing mud, silt, or other pollutants from equipment washing or other activities, would not be allowed to enter the spillway or placed in locations that may be subjected to high storm flows.

### **Construction Timing**

The Project is expected to commence in August 2019 and be completed in approximately 45 days.

### **Impacts**

No new impacts. Approximately 0.02 acres of existing spillway will be reconstructed.

### **Mitigation for Project Impacts**

This Project would raise the full pond level approximately 1.6 feet resulting in an additional 14,727 square feet of pond surface and an increase in pond shoreline perimeter. The increase of shoreline would create additional habitat for emergent vegetation. The proposed project would be self-mitigating.

### **Post-Construction Storm Water Treatment**

The Project is a standalone spillway and will not generate concentrated stormwater runoff of significance, thus Stormwater BMPs and LID treatment are not required.

### **Total Maximum Daily Load**

The Russian River is identified as impaired for sediment and temperature under Clean Water Act Section 303(d).

### **Other Agency Permits**

The applicant has applied to the United States Army Corps of Engineers for Nationwide Permit No. 43, pursuant to section 404 of the Clean Water Act. The applicant has also submitted a section 1600 Notification of Lake or Streambed Alteration to the California Department of Fish and Wildlife. The applicant has also applied for a Grading Permit with Permit Sonoma.

### **CEQA**

As lead California Environmental Quality Act (CEQA) agency, the North Coast Regional Water Quality Control Board (NCRWQCB) has determined that the project qualifies for a Categorical Exemption 15301 Existing Facilities (d). The NCRWQCB will file a Notice of Exemption with the State Clearinghouse concurrent with issuance of the 401 Water Quality Certification, pursuant to CEQA guidelines.

### **Public Comments**

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. In addition, staff will consider all phone calls and comments submitted in writing and received within a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00 pm on the last day of the comment period. If you have any questions or comments, please contact staff member Ryan Bey at (707) 576-2679 or [Ryan.Bey@waterboards.ca.gov](mailto:Ryan.Bey@waterboards.ca.gov) within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the applicant's proposed activities. The Regional Water Board's project file includes the application for certification and additional details of the proposed project, including maps and design drawings. Project documents and any comments received are on file and may be reviewed or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, CA. Appointments are recommended for document review and can be made by calling (707) 576-2220.