

California Regional Water Quality Control Board
North Coast Region

AMENDMENT

OF

ORDER NO. R1-2005-0043

WAIVER OF WASTE DISCHARGE REQUIREMENTS
FOR
CIRCUIT RIDER PRODUCTIONS
GIANT REED REMOVAL AND HABITAT RESTORATION
IN THE RUSSIAN RIVER WATERSHED
MENDOCINO AND SONOMA COUNTIES

The California Regional Water Quality Control Board, North Coast Region, (hereinafter Regional Water Board) finds that:

1. On June 22, 2005, the Regional Water Board adopted Order No. R1-2005-0043 Waiver of Waste Discharge Requirements for Circuit Rider Production (hereinafter Discharger) Giant Reed Removal and Habitat Restoration in the Russian River Watershed (hereinafter project).
2. The Discharger has requested an amendment to the Waiver for the proposed Project to allow for the use of tarp application on *Arundo* infestation sites. The Discharger has determined that application of the tarps to infestation sites during the early spring is necessary to minimize the ability for *Arundo* to regenerate following mechanical removal.
3. The following language is currently included in the adopted waiver regarding tarps:
 - i. Tarping efforts will involve first manually removing as much of the biomass (above-ground vegetation) as possible. Heavy duty, opaque plastic tarps will then be placed over the cut stems and secured with stakes or large weights. Tarps will not be placed over native plants. Tarps will remain in place from April through October.
 - ii. The Discharger will inspect the tarps every two weeks, and will make any necessary repairs or adjustment to the tarps. The tarps are composed of materials that are expected to be resistant to photo-degradation for up to 20 years.
 - iii. Because 1) the tarps will only be used between April and October, a period when stream flows are not typically high; 2) the discharger will be regularly inspecting and maintaining the tarps; and 3) the tarps are not likely to deteriorate in the sun, it is unlikely that tarps, or pieces thereof, will enter or adversely affect receiving waters.
4. The following language shall amend Order No. R1-2005-0043 and replace the language cited above in Item 3 (i-iii) – additions are underlined, deletions are in strikeout:
 - i. Tarping efforts will involve first manually removing as much of the biomass (above-ground vegetation) as possible. Heavy duty, opaque plastic tarps will then be placed

over the cut stems and secured with stakes or large weights. Tarps will not be placed over native plants. ~~Tarps will remain in place from April through October.~~

- ii. The Discharger will inspect the tarps every two weeks, and will make any necessary repairs or adjustment to the tarps. The tarps are composed of materials that are expected to be resistant to photo-degradation for up to 20 years.
 - iii. The Discharger shall take precautionary measures to ensure that tarps will not be placed in locations where they will be readily inundated by winter storm flows. Precautionary measures should include monitoring of weather forecasts in order to predict when large storm events may occur. All tarps that have potential to become mobilized should be removed prior to large storm events. Tarps will not be placed in locations where the Discharger does not expect to be able to take measures to prevent such occurrences.
 - iv. Because 1) the Discharger will take precautionary measures to ensure that tarps will not be washed away during large storm events ~~the tarps will only be used between April and October, a period when streamflows are not typically high;~~ 2) the discharger will be regularly inspecting and maintaining the tarps; and 3) the tarps are not likely to deteriorate in the sun, it is unlikely that tarps, or pieces thereof, will enter or adversely affect receiving waters.
 - v. Within 24 hours, the Discharger shall report to the Regional Water Board if any tarps are washed away during large storm events, or for any other reason.
5. On October 15, 2004, the Sotoyome Resource Conservation District (RCD) certified a mitigated negative declaration for this project, in compliance with the California Environmental Quality Act (CEQA) (Calif. Pub. Resources Code §21000 et seq.).
 6. For purposes of CEQA, the RCD acted as lead agency in preparing the required environmental documents, and the Regional Water Board acts as a responsible agency. This amendment to the previously adopted WDRs for this project will have no potentially significant adverse environmental impacts, and all potentially adverse environmental impacts have been identified and mitigated to below a level of significance.

Certification:

I, Catherine Kuhlman, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on March 8, 2006.

Catherine Kuhlman
Executive Officer