

March 30, 2005

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

**Mino Property Bank Stabilization Project on the Russian River, Monte Rio
WDID No. 1B04150WNSO, Sonoma County**

On November 4, 2004, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Rob Huffman of Huffman Engineering, on behalf of Mr. John Mino the property owner, requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Mino Property Bank Stabilization Project on the Russian River, Monte Rio, Sonoma County. The proposed project causes disturbances to waters of the state associated with the Russian River Hydrologic Unit No. 114.00.

The proposed project is located at 19611 Redwood Drive, Monte Rio, Sonoma County (APN 094-250-009), California. The purpose of the project is to repair a failing bank of the Russian River, with slope stabilization and erosion control by means of a designed rip rap placement.

The proposed project consists of discharge of approximately 450 cubic yards of gravel and rock rip rap along a 73 lineal foot section of eroding bank of the Russian River at 19611 Redwood Drive in Monte Rio. Of the complete volume discharged, approximately 175 cubic yards will be placed below the ordinary high water level (OHWL), permanently altering 0.04 acre of riverbank below the OHWL. The proposed project will require the removal of minor amount of willows existing on the eroding bank. Bank material will be removed to accommodate rip rap. Mr. Mino's home is located approximately 20 feet from the top of the proposed rip rap. An excavator with a thumb will be used to place rip rap along the riverbank, compact the soils and to create a keyway. A dump truck will be used to dump the rip rap and fill materials, and a small backhoe will be used to feed material to the excavator. Straw wattles, wilt fencing and willows will be incorporated into the project for overall streambank stability.

In addition to the proposed project, according to an Army Corps of Engineers (ACOE) letter dated August 16, 2004, there are two additional adjoining properties that are also pursuing permits to conduct bank stabilization activities. The two properties are not included in this project proposal, but are worth noting as they will add to the overall cumulative impacts associated with the stabilization efforts in the immediate area. The two additional properties have ACOE file numbers and are listed below for documentation:

- 1) ACOE File No: 288690N: Mr. William Gilbert seeks ACOE authorization to install approximately 690 cubic yards of gravel and rock rip rap slope protection along 92 lineal feet of eroding riverbank at 19595 Redwood Drive, Monte Rio, Sonoma County; of this volume, approximately 220 cubic yards of fill material would be discharged below the OHWL, permanently altering 0.04 acre of riverbank below the OHWL.

- 2) ACOE File No. 289390N: Mr. Richard Thomas seeks ACOE authorization to install approximately 820 cubic yards of gravel and rock rip rap slope protection along 121 lineal feet of eroding riverbank at 19603 Redwood Drive, Monte Rio, Sonoma County; of this volume, approximately 285 cubic yards of fill material would be discharged below the OHWL, permanently altering 0.06 acre of riverbank below the OHWL.

Project applications have not been received by the Regional Water Board for the above two projects to date.

Instream work will take place between July 1 and October 31 to minimize impacts to aquatic species and migrating anadromous salmonids. The total area of riverbank to be permanently altered is approximately 0.12 acre of riverbank. A Mitigation and Monitoring Proposal will be established through consultation with the Regional Water Board as part of the overall project to ensure the success of riparian replanting efforts and the overall success of the project.

Compensatory mitigation for this project will be attained through the planting of the stabilized section of riverbank, with willow sprigs. Non-compensatory mitigation measures include the use of standard erosion control best management practices (BMPs), such as silt fencing and wattles.

The California Department of Fish and Game (CDFG), as the lead California Environmental Quality Act (CEQA) agency, has reviewed the proposed project pursuant to the California Environmental Quality Act (CEQA).

The project applicant has applied to the ACOE, File No. 288720N, and the ACOE initiated consultation with the National Marine Fisheries Service on August 16, 2004, concluding that the project, as well as the additional two projects mentioned above, are not likely to adversely affect coho (*Oncorhynchus kisutch*), chinook salmon (*Oncorhynchus tshawytscha*) or steelhead (*Oncorhynchus mykiss*), or result in the adverse modification or destruction of critical habitat for coho salmon, pursuant to Section 7(a) of the Endangered Species Act of 1973, as amended (16 U.S.C. section 1531 *et seq.*); and that the projects are not likely to adversely affect essential fish habitat for coho and chinook salmon, pursuant to Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act of 1996.

The ACOE determined that the projects qualify for authorization under Department of the Army Nationwide Permit 13 for *Bank Stabilization*, pending completion of the consultation process. The ACOE approval includes special conditions to the nationwide permit, limiting construction work to the low-flow period of July 1 to October 31 to avoid the principal migratory period for salmonids; precluding work and operation of equipment in flowing water; incorporating appropriate BMPs to minimize sediment input to the river and to minimize the loss or disturbance of existing riparian vegetation; and requiring a three-year vegetation maintenance and monitoring period to ensure the successful reestablishment of riparian vegetation on the affected banks.

The nearest receiving water is the Russian River Hydrologic Unit No. 114.00.

The project is scheduled to begin after July 1, 2005. Staff is 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 comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Andrew Jensen at (707) 576-2683, or at ajensen@waterboards.ca.gov within 21 days of the posting of this notice.