

November 15, 2005

**Public Notice for 401 Water Quality Certification  
and/or  
Waste Discharge Requirements (Dredge/Fill Projects)**

**Sonoma County Water Agency  
Cook Creek Sediment Basin Dredge Project  
WDID No. 1B05069WNSO  
Sonoma County**

On May 26, 2005, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Ron Benkert, on behalf of the Sonoma County Water Agency (Applicant), requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the annual dredging of a flood control sediment basin located within Cook Creek, off of Petaluma Hill Road, in Santa Rosa, Sonoma County. The proposed project will cause disturbances to the waters of the state associated with Cook Creek, tributary to the Russian River, Laguna Hydrologic Subarea No. 14.21, Upper Russian River Hydrologic Area No. 114.30, Russian River Hydrologic Unit No. 114.00.

The proposed project involves the removal of approximately 1600 yards of sediment from an earthen lined flood control basin located on Cook Creek, just east of Petaluma Hill Road, approximately 100 yards north of Crane Canyon Road, in Santa Rosa, Sonoma County. According to the Applicant, the basin has reached its sediment capacity and there is a risk that sediment may be conveyed into the Cook Creek conduit and downstream into the City of Rohnert Park, creating a potential increase of flood waters during the winter rain season. The purpose of this project is to remove the sediment that has filled the basin, restore the original design capacity of the basin, and reduce potential flood damage to property downstream during the coming winter.

The proposed dredging would be done using a long-reach excavator to remove the sediment and place it directly into trucks to be hauled away to an approved disposal site. The excavator would work from an established service road at the project site. No equipment is proposed to enter the active channel. The project affects approximately 0.4 acres of jurisdictional Waters of the State.

The Applicant is requesting that the water quality certification and/or waste discharge requirements be issued immediately so that excessive sediment does not mobilize downstream during the coming rains. As such, this project has been deemed an emergency and permitting will be expedited. Work shall commence as soon as all necessary permits are obtained, and is expected to take approximately one week to complete.

Compensatory Mitigation is not required for this project. This basin was constructed in 1998 to catch some of the sediment that had caused flooding and property damage downstream in the City of Rohnert Park. Originally, this basin was designed to be dredged once every five years. However, since construction, a series of landslides upstream of the basin have increased the sediment deposits and created a need to dredge the basin annually. The Applicant is currently assessing options to stabilize the upstream slopes, and intends to submit plans for review and approval as soon as a viable option is agreed upon. At this time, the Applicant and the Regional

Water Board understand that annual dredging of the basin is a temporary fix, and a long-term solution to prevent sediment deposition is required. As such, this permit shall be limited to two years in anticipation of the forthcoming stabilization proposal.

Non-compensatory mitigation measures include the use of Best Management Practices (BMPs) for sediment and erosion control as described in the Bay Area Storm Water Management Agencies Association's (BASMAA) Flood Control BMPs manual. No equipment shall be allowed to enter the active channel, and silt fencing will be installed upstream and downstream of the work area. The Applicant maintains a vegetation project adjacent to the basin, and proposes to isolate this area to prevent disturbance. Other measures include conducting work during low-flow or dry periods, and dewatering the channel if necessary using a vacuum pump truck for ponded water or a cofferdam and bypass pipe system for flowing water.

The Sonoma County Water Agency, as the lead California Environmental Quality Act (CEQA) agency, has determined that this project qualifies for a Mitigated Negative Declaration, signed by Mr. Randy Poole, General Manager, on September 3, 1997, pursuant to CEQA.

The Applicant intends to conduct this work under their existing blanket Streambed Alteration Agreement with the Department of Fish and Game (DFG Permit No. III-334-82, approved April 30, 1992). Application is also pending with the U.S. Army Corps for Nationwide Permits 3—*Maintenance*—and 33—*Temporary Construction, Access, and Dewatering*.

Regional Water Board staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and Porter-Cologne Water Quality Control Act Authority. As per Title 23, California Code of Regulations, Section 3858(a), "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." Based on the high risk of flooding within the City of Rohnert Park should the project not be conducted, and also based upon the risk of habitat damage which may result from excessive sediment loads within Cook Creek should this sediment be mobilized downstream with coming winter rains, staff are issuing certification immediately. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this notice. Significant concerns raised may prompt staff to issue an amendment to the certification. If you have any questions or comments, please contact staff member Andrew Jensen at (707) 576-2683 or at [AJensen@waterboards.ca.gov](mailto:AJensen@waterboards.ca.gov) within 21 days of the posting of this notice.

The related documents and comments received are on file and may be inspected or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Interested parties can make appointments by calling (707) 576-2220.