

October 5, 2006

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

**Oak Pond Ranch (Sahud), Storm Damage Repair
Sonoma County (WDID No. 1B06147WNSO)**

On September 22, 2006, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Ms. Jacqueline Sahud, requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Oak Pond Ranch (Sahud), Storm Damage Repair Project (Project), Sonoma County. The proposed project causes disturbances to waters of the state associated with the Warms Springs unit of the Russian River Hydrologic Area No. 114.24.

The proposed project is located in Sonoma County, on the east fork of Norton Creek, at 16205 Norton Road, Healdsburg, Sonoma County, California. The purpose of the project is to conduct emergency repairs to a plunge pool created by scouring during the January 1, 2006 storm event. This eroded area is directly downstream and adjacent to the 30 foot bridge. Further erosion would threaten the integrity of the bridge. Emergency repair of the erosion is critical to maintaining the bridge and prevention of its catastrophic failure and resulting erosion and sedimentation.

The proposed project involves filling the scoured hole with approximately 11 cubic yards of crushed concrete blocks and capping them with a layer of concrete approximately 2 inches thick to secure the blocks. Blocks will be layered at an angle facing the oncoming flow of water to resist displacement. Undercutting below the retaining walls adjacent to the plunge pool will be repaired to address any undercutting. All work will be done by hand labor. No existing vegetation will be removed. The repair will restore the scoured plunge pool area to the state it was before the January 1, 2006 storm event. The repairs shall be at the same elevation, and be the same length and width as the previously armored area that was damaged by the January 1, 2006 storm event. No work shall be done that will change the hydraulic flow of the creek from the conditions that existed before the damage occurred in the scoured plunge pool area.

On or about September 15, 2005, concrete was applied to the creek bed and banks, directly below the bridge. This work was not done under the necessary permits, and is a violation of Water Code. This unauthorized repair to the bridge impacted an area of the creek channel directly below the bridge, in an area of approximately 400 square feet, and involved a reported use of 2.5 yards of concrete and some reinforcement wire. This repair was commissioned by Oak Pond Ranch to repair undercutting, replacing loose revetment bags, filling holes and smoothing the concrete, to an area under the bridge including the bed and banks of the stream. The applicant states that the concrete was applied over existing bridge structures, such as concrete revetment sacks, and did not substantially change the width or depth of the creek channel.

The work proposed within this application is only to repair the damage done by the January 1, 2006, storm event. The Project and its corresponding compensatory mitigation, does not include any compensatory mitigation for the above mentioned violation.

Compensatory mitigation for the Project includes revegetation of the riparian area south of the bridge with willow wattles and willow pole plantings, to approximately 200 linear feet of stream bank riparian area, where appropriate. Planting shall be done within one

year of completion of the Project. Watering will be done as necessary, for the first 3 years to ensure survival. Vegetation will be monitored for 3 years with 80% survival at end of monitoring period. A monitoring report will be submitted annually during the monitoring period summarizing the number of surviving plants, proposed remediation of any issues that have arisen (loss of plants, herbivory), and the overall success of the revegetation effort.

The North Coast Regional Water Quality Control Board, as the lead California Environmental Quality Act (CEQA) agency, has determined the project qualifies for Categorical Exemption Section 15301, Existing Facilities, pursuant to the CEQA guidelines.

The Project is scheduled to begin Fall 2006, and end prior to November, 2006. 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. 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 emergency associated with this project, 401 Water Quality Certification will be issued during the 21-day public comment period. Public comments will still be accepted and reviewed during the entire 21-day comment period; ending October 26, 2006. If you have any questions or comments, please contact staff member Stephen Bargsten at (707) 576-2653, or at Sbargsten@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. Appointments can be made by calling (707) 576-2220.