

April 13, 2009

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

Anthony Faga  
Cold Creek Crossing  
Mendocino County (WDID# 1B08132WNME)

On August 21, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from William Vanderwall, on behalf of Anthony Faga (applicant), requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for proposed activities related to installing a culvert across Cold Creek and creating an access road that will service a residence (Project). The Project is located at 9705 Highway 20, Ukiah, Assessors Parcel Number: 188-270-11. Latitude is 39.2056° N and longitude is 123.05328° W. The proposed project will cause permanent impacts to Cold Creek, in the Ukiah Hydrologic Sub Area 114.31, Russian River Hydrologic Area 114.00.

The proposed Project involves creating a driveway to an existing residence by constructing an encroachment on the Highway 20 Right Of Way (ROW). The proposed project will create a crossing over Cold Creek, which lies between the highway and the residence, by means of a 10 foot corrugated metal pipe (CMP) culvert. The crossing will provide additional access to the existing residential house and light agricultural business (olive orchard). The owner is applying for a kennel license and a driveway is required as a condition of approval. Approximately 1,200 Cubic Yards (CY) of fill will be needed for the creek crossing. This fill will come from 3,900 CY of earth that will be removed in creating the encroachment on the Highway 20 ROW. The remaining 2,700 CY of removed fill will be deposited on an upland site and shall be seeded and straw wattles shall be placed around the perimeter to prevent erosion and sediment discharges to the creek.

The proposed culvert shall be installed to a depth of about a foot below the creek bottom, this will allow for a foot of native gravel to be placed on the bottom of the culvert creating a more natural stream bottom that will match the existing gradient of the stream. This will be beneficial to aquatic animals that are in the area. The culvert shall have appropriately sized headwalls and wing walls on both ends of the crossing. Rock rip rap will be used to create a shallow bowl at the outflow of the culvert which will serve to dissipate some of the energy of the water and to allow some settling of sediments. Rip rap will be used to protect the banks on both sides of the creek at the inlet and the outlet of the crossing; this will be to prevent undercutting and to provide bank stabilization. Willows will be placed around and in-between the gaps in the rocks in order to; provide shade directly on the rip rap and water, to help stabilize the rip rap, slow the water flow and help deposit some finer material within the rip rap. The total area of impacts to the creek will be about 0.08 acres.

Compensatory mitigation for the Project includes planting of willows within the applied rip rap and other impacted areas, planting of native shade trees (if any are removed) within the impacted areas and nearby riparian areas to increase and reestablish shaded areas. Planted vegetation shall be monitored for five years, with yearly reports

submitted to the Regional Water Board. Survival rate for revegetation is at least 85% at the end of five years. Irrigation for the plantings will be done as necessary to establish the plantings.

Applicant has received a Lake and Streambed Alteration Agreement from the California Department of Fish and Game. Notification No: R1-07-0512

Applicant has applied to the US Army Corps of Engineers, the County of Mendocino and the California Department of Transportation for their respective permits.

The California Department of Fish and Game, as lead California Environmental Quality Act (CEQA) agency has determined that the proposed project is Categorically Exempt from CEQA review (Section 15304 – Minor alterations), and have filed a Notice of Exemption for this project on October 11, 2007, with the State of California Office of Planning & Research.

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 comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Stephen Bargsten at (707) 576-2653 within 21 days of the posting of this notice.

This is a brief summary of this project; all 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.