

August 6, 2009

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

Don Oliver
Oliver Property Bank Repair
WDID No. 1B08064WNSO

Sonoma County

On April 8, 2008, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Rob Huffman of Huffman Engineering and Surveying, on behalf of Mr. Don Oliver (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) for activities associated with a riparian restoration and bank stabilization project on the northern bank of Ducker Creek, located at 5244 Beaumont Way, Santa Rosa, latitude 38.48127° N, longitude 122.65427° W, Sonoma County. The proposed project causes permanent impacts to approximately 0.006 acres of stream bank associated with the Santa Rosa Hydrologic Subarea No. 114.22, Russian River Hydrologic Area 114.00

The purpose of the project is to restore native vegetation and arrest the continuing erosion on approximately 60 linear feet of stream bank. The bank failed during the 2006-2007 winter storms and is now threatening an existing home at the site.

The Applicant proposes to use a combination of rip rap and bioengineering techniques to reinforce the bank and prevent further erosion. The proposed project will include removal of one horizontal oak tree, excavation of a three foot by four foot keyway along the stream just outside the low flow channel, placement of rip rap on the lower slope, and the reconstruction of a bioengineered and re-vegetated upper slope. The key way will be excavated with a track-mounted excavator and approximately 240 square feet of bank slope will be stabilized with rip-rap. Rip rap and soil will be installed from the toe of bank to the top of bank with dense plantings of willows and alder trees filling the voids and reestablishing the riparian corridor. The soil cover and tree plantings will shade the area and mitigate for the temperature increase due to rip rap. The planting plan includes poplar, strawberry, cottonwood, native grasses, alder and willow cuttings, and live oaks. Irrigation will be completed during the dry season, as needed. The jute netting (erosion control blanket) and plantings will be installed by hand. Watering will be done by using a total of 4 rotary impact sprinklers, 2 placed at opposite ends of the top of bank and 2 placed at the top center of the rip-rap, as well as a drip irrigation system. The access route up the creek will be prepared prior to use by spreading rice straw along the creek bed and then filling in low areas with 1" to 6" of clean river-run mix gravels. Project construction will be performed in accordance with the project plans.

Compensatory mitigation includes restoration, removal of Himalayan blackberry, and re-vegetation to create a shaded creek habitat at the site. After two years, to allow time for stabilization, fifteen thirty-gallon live oaks will be planted at 25' spacing in the upper bank. Native grass and strawberry seeds will be spread and watered to allow for germination prior to the onset of the rainy season. The bank stabilization and planting will reduce sediment delivery to the creek, provide creek shading, and reduce threats to

life and property. The direct impacts will be mitigated by using jute netting and intensive planting to prevent erosion of soil from the site. The rip rap will deflect the energy of the flowing water at the toe of the bank, while the establishment of willows, also at the toe, will help to capture sediment, stabilize the bank and placed rip rap, and recreate a riparian zone. Monitoring of the repair site will occur monthly and after every significant rainfall event for five years after installation of the project.

All plantings shall be managed for a minimum of five consecutive years immediately following planting. The applicant shall attain a minimum of 85% survival of thriving trees and other vegetation planted after five years. All work done shall be monitored and reported on annually for a minimum of five years, or until deemed successful. Annual reports shall include photos of the revegetated areas, and include survival rates and a narrative summary of the status of the revegetation effort. Future monitoring, maintenance and management of the site after construction are the responsibility of the property owner.

Ducker Creek at the project site is a seasonal stream. Downstream of the project site there are perennial reaches. Standard erosion control procedures will be followed from the street to the edge of Ducker Creek. Any disturbed ground along the access route and creek banks, where equipment has accessed the creek, will be repaired and revegetated to pre-construction condition upon completion of the project. Straw wattles will be installed at edge of disturbed area during construction. The site will be covered with sheet plastic when raining. No sediment will be allowed to enter the creek.

At a minimum, the following construction Best Management Practices (BMPs) will be incorporated into the final Project plans in order to reduce and control soil erosion: work in and around waterways will be conducted during the dry season; installation of construction barrier fencing to preclude equipment entry into sensitive areas; installation of silt fencing or fiber rolls to prevent sediment loss from immediate work area; topsoil salvage and reapplication; and seeding and mulching. Additionally, all required BMPs shall be on-site and ready for timely deployment, before start of construction activities.

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 or comments, please contact staff member Stephen Bargsten at (707) 576-2653, or at sbargsten@waterboards.ca.gov, within 21 days of 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 Blvd., Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.