

August 25, 2009

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

Sotoyome RCD – Martorana, Grape Creek Fish Habitat Improvement, Phase II
WDID No. 1B09091WNSO

Sonoma County

On August 5, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Ms. Valerie Sherron of Sotoyome Resource Conservation District, on behalf of Martorana Family Vineyards (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) for activities associated with a fish habitat improvement project on Grape Creek. The project involves layback and revegetation of 110 feet of over steepened banks and the installation of nine instream log and boulder structures on Grape Creek, located at 5201 West Dry Creek Road, near the City of Healdsburg, latitude 38.655°N, longitude 122.939°W, Sonoma County. The project begins at the West Dry Creek Road bridge crossing and continues approximately 700 feet upstream. The proposed project will cause permanent impacts to approximately 175 linear feet of waters of the State associated with Grape Creek in the Warm Springs Hydrologic Subarea No. 114.24, Russian River Hydrologic Area 114.00. Grape Creek is a tributary to Dry Creek and thence the Russian River.

The purpose of the project is to satisfy a mitigation requirement of the Federal Endangered Species Act Section 7 Consultation Biological Opinion for Water Supply, Flood Control Operations, and Channel Maintenance conducted U.S. Army Corps of Engineers, the Sonoma County Water Agency (SCWA), and Mendocino County Russian River Flood Control and Water Conservation Improvement District in the Russian River watershed (RRBO). The project is one of five projects that the SCWA must implement as required in the Reasonable and Prudent Alternative (RPA) in the RRBO. The RPA requires that SCWA enhance 730 square meters of in-stream spawning and rearing habitat in two reaches of Grape Creek. The project covered by this application represents Phase II of the RPA requirement for Grape Creek for the lower 1,000 foot reach. The project will increase instream habitat and slow creek velocities for migrating salmonids, and increase the currently narrow riparian corridor.

The Applicant proposes to re-grade 110 feet of the right bank to a 2:1 slope and create a new floodplain adjacent to the channel. Laying back of the currently over-steepened banks and re-connecting the channel to an inset floodplain will reduce flow velocities for migrating salmonids, reduce bank erosion, restore natural fluvial functions, and increase the quality of riparian cover and instream habitat throughout the project reach. It will also reduce flood potential on downstream adjacent properties. The bank setback will require moving the current road, and taking out some rows of vineyard. Complex log and boulder structures will be installed at nine locations within a 700 foot reach of Grape Creek. The objective of the log and boulder structures is to improve instream pool cover and shelter values for Steelhead and Coho salmon migration and establish habitat for the rearing of juveniles and adults. The structures will be placed by an

excavator operated from the top of bank, and anchored down in the stream by hand crews. The project involves the placement of approximately 40 redwood logs, which will be anchored in approximately $\frac{3}{4}$ ton boulders throughout the project reach, using 1 inch bolts or rebar. These logs will be placed in the stream according to guidelines set forth in the California Department of Fish and Game's California Salmonid Stream Habitat Restoration Manual. The entire re-graded area will be re-vegetated with native riparian vegetation and all plantings shall be irrigated and managed, as necessary, for two to three years immediately following planting. Applicant will submit a report detailing the project after it is installed. Yearly reports will be submitted for a period of five years, or until the project is deemed successful by the permitting agencies, detailing how the restoration is progressing. Continued maintenance of these facilities shall be the responsibility of the property owner.

Compensatory mitigation is not required as the project itself consists of habitat restoration, and is in itself mitigation.

The Sotoyome Resource Conservation District, as lead California Environmental Quality Act (CEQA) agency, submitted a Mitigated Negative Declaration to the State Clearinghouse (SCH No. 2009032038) on March 12, 2009, pursuant to California Environmental Quality Act (CEQA) guidelines.

Applicant has applied to the California Department of Fish and Game for a Lake and Streambed Alteration Agreement.

Applicant has applied to US Army Corps of Engineers for a Clean Water Act Section 404 Nationwide Permit.

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.