

September 10, 2009

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

Kimberly Pfendler  
Copeland Creek Bank Stabilization Project  
WDID No. 1B09074WNSO

Sonoma County

On June 18, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Damon Morelli of Green Valley Consulting Engineers, on behalf of Kimberly Pfendler (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) and/or Waste Discharge Requirements (Dredge/Fill Projects) for activities associated with a bank stabilization project on the southern bank of Copeland Creek. The proposed project involves stabilization of an approximately 100 foot section of stream bank, using bank armoring, bioengineering, and planting of native willows and vegetation for reinforcement and stabilization of the bank. The project is located near the intersection of Pressley, Roberts and Lichau Roads, east of Rohnert Park, latitude 38.337000° N, longitude 122.645392° W, Sonoma County. The proposed project permanently impacts approximately 0.02 acres of waters of the State associated with Copeland Creek in the Laguna Hydrologic Subarea No. 114.21, Russian River Hydrologic Area 114.00.

The purpose of the proposed project is to reinforce a damaged embankment and halt erosion of approximately 100 linear feet of streambank. The erosion is undercutting the bank and threatens to deliver more sediment to the stream.

The Applicant proposes to slope back the eroding bank in order to maintain the current channel capacity. A three foot deep keyway will be excavated at the edge of the embankment, within the streambed, which will be filled with one quarter ton rip-rap up the side of the slope for approximately 1/3 of the way up the bank. Biodegradable coconut fiber fabric will be installed on the upper slope, above the rip-rap and planted with willows. Interstices in the rip-rap from stream bed to top of rip-rap will be filled with native soil and planted with willow poles, harvested from native trees in the vicinity. Willow poles will also be planted upstream and downstream from the repair for a distance of at least 10 feet each way. The project will require the use of an excavator, operated from the bank above the creek. All operations, including harvesting of local willow stems, will be done with respect to all wildlife and cause the minimal possible disruption.

All plantings shall be irrigated and managed for a minimum of 5 consecutive years immediately following planting. Planted vegetation shall have at least an 85% survival rate of thriving planted species at the end of five years. Annual reports shall be submitted to the Regional Water Board for five years, and shall include photos of the revegetated areas, and include survival rates and a narrative summary of the status of the revegetation effort.

All erosion control measures will be installed and in place by October 15 and maintained thereafter. At a minimum, the following construction Best Management Practices (BMPs) will be incorporated into the final project plans as appropriate 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; and seeding and mulching. Additionally, all required BMPs shall be on-site and ready for timely deployment before the start of construction activities.

Compensatory mitigation will consist of planting native riparian vegetation in and around the repair area to help reduce erosion at and near the project site and prevent further encroachment of the creek into the surrounding property. The proposed project will also decrease the amount of sediment introduced into the creek during future storm events.

The County of Sonoma Permitting and Resources Department, as lead California Environmental Quality Act (CEQA) agency, will file the appropriate CEQA document, pursuant to CEQA guidelines before Section 401 Water Quality Certification is issued.

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 Permit.

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. 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](mailto: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 Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.