

September 16, 2009

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

City of Ukiah  
Orrs Creek Bank Restoration and Habitat Protection Project  
WDID No. 1B09063WNME

Mendocino County

On May 18, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Ms. Maya Simerson of the City of Ukiah (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 and habitat protection project on Orrs Creek. The proposed project involves stabilization of an approximately 80 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 at 599 Park Boulevard in the City of Ukiah, latitude 39.150116° N, longitude 123.225037° W, Mendocino County. The proposed project permanently impacts approximately 0.02 acres of waters of the State associated with Orrs Creek in the Ukiah Hydrologic Subarea No. 114.31, Russian River Hydrologic Area 114.00.

The purpose of the proposed project is to reinforce a damaged embankment and restore riparian habitat along approximately 80 linear feet of streambank. The bank was damaged during the 2005-2006 New Years storms and continued erosion is delivering sediment into the stream and threatening a roadway above.

The Applicant proposes to slope back the eroding southern bank in order to maintain the current channel capacity and excavate a three foot deep by two feet wide keyway at the toe of the bank. Approximately 110 cubic yards of existing fill and native soil will be excavated. The area will be covered with geo-textile fabric and rip-rap will be placed up the side of the slope to approximately 3 feet above the ordinary high water mark, installing approximately 45 cubic yards of rip-rap at a maximum grade of one to one. Three 12-inch diameter logs will be cabled together, placed on top of the rip-rap and anchored to a fourth, 12-inch diameter dead man log. The fourth log will be buried in a one foot trench and approximately 65 cubic yards of the excavated soil will be installed on top of this log structure. Willow poles, harvested from native trees in the vicinity, will be planted at two foot centers in the interstices of the rip-rap from the toe of the bank up throughout the rip-rap and in the log armored fill above the rip-rap. At least three alders will be planted at the top of the bank to provide shade and a source of leafy material. An irrigation system will be installed to provide water for the revegetation effort. Excess fill will be disposed of offsite in accordance with all applicable laws and regulations. The project will require the use of a backhoe or excavator, operated from the top of 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 and/or 80% vegetative cover 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 only; 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 riparian habitat improvements. Non-native, invasive species, such as Himalayan blackberry (*Rubus discolor*), will be cleared throughout the project site and replaced with native willow and alders as described above. This will help to restore the natural riparian habitat and reduce erosion at and near the project site. The proposed project will also decrease the amount of sediment introduced into the creek during future storm events.

The City of Ukiah, as lead California Environmental Quality Act (CEQA) agency, has determined this project to qualify for a Categorical Exemption for 15333, Small Habitat Restoration, pursuant to CEQA guidelines, filed on April 30, 2009.

The Applicant has applied to the California Department of Fish and Game for a Lake and Streambed Alteration Agreement, (Notification No. R1-09-0168).

The 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.