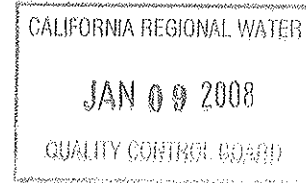


**S A S M**  
SEWERAGE AGENCY OF  
SOUTHERN MARIN

**A Joint Powers Agency**

- Almonte S.D.
- Alto S.D.
- City of Mill Valley
- Homestead Valley S.D.
- Richardson Bay S.D.
- Tamalpais S.D.



January 7, 2008

California Regional Water Quality Control Board  
San Francisco Region  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

Attention: Farhad Azimzadeh

Subject: Mandatory Minimum Penalty Assessment  
Complaint No. R2-2007-0074 against the  
Sewerage Agency of Southern Marin  
NPDES permit number CA0037711

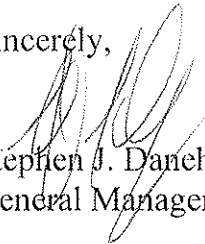
Dear Mr. Azimzadeh:

The Sewerage Agency of Southern Marin (SASM) is in receipt of the above referenced complaint. As allowed in the complaint, SASM wishes to undertake a Supplemental Environmental Project. The proposed project involves riparian restoration of a portion of Old Mill Creek in the city of Mill Valley. Up to \$11,200.00 may be available to support this SEP, depending on the assignment of project oversight. The proposal is included with this letter.

I have also signed and attached the Waiver and have indicated on the waiver my desire to waive the "right to a hearing and agree to make payment and undertake an SEP" and agree to the conditions contained within that selection.

This completes my submittal. Please let me know if you need any additional information.

Sincerely,

  
Stephen J. Danchy  
General Manager

encl.

WAIVER

If you waive your right to a hearing, the matter will be included on the agenda of a Water Board meeting but there will be no hearing on the matter, unless a) the Water Board staff receives significant public comment during the comment period, or b) the Water Board determines it will hold a hearing because it finds that new and significant information has been presented at the meeting that could not have been submitted during the public comment period. If you waive your right to a hearing but the Water Board holds a hearing under either of the above circumstances, you will have a right to testify at the hearing notwithstanding your waiver. Your waiver is due no later than January 7, 2008.

Waiver of the right to a hearing and agreement to make payment in full.

By checking the box, I agree to waive my right to a hearing before the Water Board with regard to the violations alleged in Complaint No. R2-2007-0074 and to remit the full penalty payment to the State Water Pollution Cleanup and Abatement Account, c/o Regional Water Quality Control Board at 1515 Clay Street, Oakland, CA 94612, within 30 days after the Water Board meeting for which this matter is placed on the agenda. I understand that I am giving up my right to be heard, and to argue against the allegations made by the Executive Officer in this Complaint, and against the imposition of, or the amount of, the civil liability proposed unless the Water Board holds a hearing under either of the circumstances described above. If the Water Board holds such a hearing and imposes a civil liability, such amount shall be due 30 days from the date the Water Board adopts the order imposing the liability.

X

Waiver of right to a hearing and agree to make payment and undertake an SEP.

By checking the box, I agree to waive my right to a hearing before the Water Board with regard to the violations alleged in Complaint No. R2-2007-0074, and to complete a supplemental environmental project (SEP) in lieu of the suspended liability up to \$15,000 and paying the balance of the fine to the State Water Pollution Cleanup and Abatement Account (CAA) within 30 days after the Water Board meeting for which this matter is placed on the agenda. The SEP proposal shall be submitted no later than January 7, 2008. I understand that the SEP proposal shall conform to the requirements specified in Section IX of the Water Quality Enforcement Policy, which was adopted by the State Water Resources Control Board on February 19, 2002, and be subject to approval by the Executive Officer. If the SEP proposal, or its revised version, is not acceptable to the Executive Officer, I agree to pay the suspended penalty amount within 30 days of the date of the letter from the Executive Officer rejecting the proposed/revised SEP. I also understand that I am giving up my right to argue against the allegations made by the Executive Officer in the Complaint, and against the imposition of, or the amount of, the civil liability proposed unless the Water Board holds a hearing under either of the circumstances described above. If the Water Board holds such a hearing and imposes a civil liability, such amount shall be due 30 days from the date the Water Board adopts the order imposing the liability. I further agree to satisfactorily complete the approved SEP within a time schedule set by the Executive Officer. I understand failure to adequately complete the approved SEP will require immediate payment of the suspended liability to the CAA.

Stephen J. Daneluj  
Name (print)  
1/7/08  
Date

[Signature]  
Signature  
General Manager  
Title/Organization  
Sewerage Agency of Southern Marin.

The Sewerage Agency of Southern Marin (SASM) proposes to undertake a Supplemental Environmental Project (SEP) in the amount of **\$12,000** that will benefit Old Mill Creek in Mill Valley. The project site is located at Old Mill Park on Old Mill creek and is a tributary to the Arroyo Corte Madera del Presidio watershed as shown in the attached Figure 1. It flows year round and supports a small but viable population of federally threatened steelhead trout.

The Sewerage Agency of Southern Marin is proposing to fund a SEP project to be carried out jointly with the Mill Valley StreamKeepers, the Marin County Stormwater Pollution Prevention Program (MCSTOPPP), the City of Mill Valley and the Bay Institute to restore 500 linear feet of riparian habitat within Old Mill Park and to educate creek-side property owners and the general public about creek stewardship. The SEP funding would complement and greatly expand upon current efforts to restore this riparian corridor through the installation of temporary summer irrigation and provide continuous summer maintenance. Additionally the riparian restoration project would be promoted to local residents as a demonstration site for creek stewardship.

MCSTOPPP and the Bay Institute's Students and Teachers Restoring A Watershed (STRAW) would provide matching funds and also staff support.

### Project Description

1. Implement riparian restoration project along 500 linear feet of Old Mill creek in Old Mill Park. Remove invasive species, augment soil for planting and plant 100 native plants. (\$500) This is done by elementary school classes working with STRAW and MCSTOPPP.
2. Develop and distribute educational materials to creek side residents promoting stewardship techniques utilized at this site. The printed material would acknowledge the support provided by the SASM and the Regional Water Quality Control Board material and would also be posted to Mill Valley StreamKeepers web site and MCSTOPPP web site. (\$2,000)
3. Install temporary summer irrigation (\$5,000)
4. Provide year round maintenance. (\$2,500)
5. Mill Valley StreamKeepers administrative costs, miscellaneous (\$1,280)
- 5.6. Association of Bay Area Governments (ABAG) third party for Regional Board project oversight ~~\$ 2,000/20?~~ *or 720.00*

### Schedule

| Task                     | Start         | Completion    |
|--------------------------|---------------|---------------|
| 1. Riparian restoration  | February 2008 | February 2009 |
| 3. Educational materials | June 2008     | February 2009 |
| 6. Final Report          |               | February 2009 |

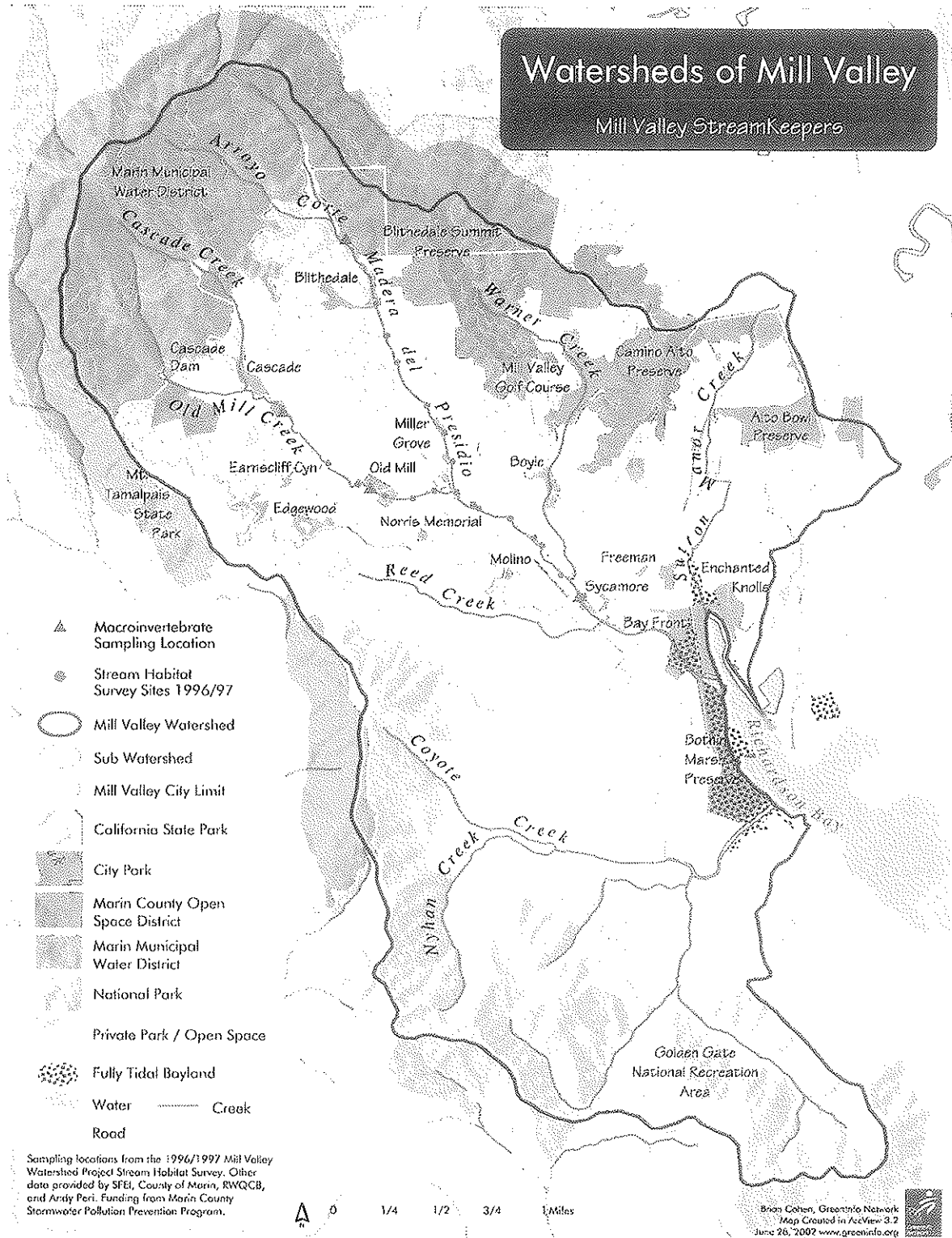
### Participants

**Mill Valley StreamKeepers** is a 501c3 non-profit, volunteer-based watershed group established for the protection, restoration and improvement of the Arroyo de Corte Madera del Presidio watershed.

**Marin County Stormwater Pollution Prevention Program (MCSTOPPP)** is a joint effort of Marin's cities, towns and unincorporated areas to prevent stormwater pollution, protect and enhance water quality in creeks and wetlands, and preserve beneficial uses of local waterways. It is administered by the Marin County Department of Public Works.

**The Bay Institute (TBI)** is a 501c3 non-profit dedicated to the protection and restoration of the ecosystems of San Francisco Bay, the Sacramento-San Joaquin Delta, and the rivers, streams,

and watersheds tributary to the Estuary. TBI works to promote comprehensive ecological restoration throughout the entire watershed. STRAW is a program of TBI.



## Project Follow up