

ROILING PERMIT APPLICATION

DRN-003

By placing my contact information (name, address, phone number, email address, etc.) on this application form and submitting it to Permit Sonoma, I understand and authorize Permit Sonoma to post the application to the internet for public information purposes, including my contact information.

Date April 20, 2026 ROI _____ Previous ROI _____

Site Address 1200 Nuns Canyon Road, Glen Ellen CA 95442

APN 053-040-030 River or Stream Calabazas Creek

Anticipated Work Start Date August 15 2026 Estimated Completion Date October 15 2026

Type of Work

☒ To protect riparian property adjacent to a river or stream

☐ To perform construction work on riparian property

☐ To construct recreational dams

☐ To construct temporary bridges, dikes, dams and settling ponds

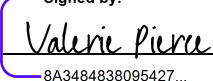
Applicant ☒ Owner ☐ Engineer

☐ Architect ☐ Contractor ☐ Other

Name Valerie Pierce Company _____

Mailing address 1200 Nuns Canyon Road

Phone 4155727992 Email vlpmjs3@gmail.com

Applicant Signature 
Signed by: 8A3484838095427...

Additional Contact ☐ Owner ☐ Engineer

☐ Architect ☐ Contractor ☒ Other

Name Kyle Johnson Company PCI Ecological

Phone 7078278933 Email kyle@pciecological.com

APPLICATION REQUIREMENTS

- A detailed statement describing the work or operations to be done and the manner in which they will be carried out to avoid unreasonably decreasing the clarity of the river or stream, including any proposed monitoring or mitigation measures.
- A location/vicinity map (8 ½ in. X 11 in.) showing where the project is located in relation to nearby lots, streets, highways and/or major natural features (e.g., locator maps & road maps).
- A copy of the Fish and Wildlife permit or waiver.
- A copy of the California Regional Water Quality Control Board water quality certification, if required.
- Reference to last roiling permit, if any.
- A check payable to "Permit Sonoma" (see current fee schedule). This fee includes any requested extensions for the calendar year.
- A copy of the California Environmental Quality Act (CEQA) document.
- A copy of any approved County permit conditions (e.g. mining approval).

TO BE COMPLETED BY PERMIT SONOMA STAFF

Proposed Board Meeting Date _____ Fees _____

GENERAL INFORMATION

The Board of Supervisors approves all roiling permits under Section VIII of the Water Clarity Ordinance of the County of Sonoma, Ordinance No. 3836R (Chapter 23 of the Sonoma County Code).

A complete application must be submitted to the Permit Sonoma a minimum of eight weeks before the start of project.

Work cannot start until after the Sonoma County Board of Supervisors has approved the application for a Roiling Permit.

Ordinance No. 3836R is an initiative measure adopted by the electorate of Sonoma County on June 7, 1988. The Ordinance requires that a roiling permit be issued prior to performing the types of work described on the application form. The permit can only be issued upon a four-fifths vote of the Sonoma County Board of Supervisors and only for a maximum period of 30 days. Permits may be extended for additional 30 day periods upon an additional four-fifths vote of the Board of Supervisors. The Board designated Permit Sonoma as the administering agency of this Ordinance.

Permit applications are filed electronically by sending an email to PermitSonoma-Engineering@Sonoma-County.org, by mail or in person. Roiling permits are subject to CEQA. Applications by other than public agencies must be accompanied by evidence that the proposed work or operations have been submitted for review to the Permit and Resource Management Department pursuant to Article III of Chapter 23A of the Sonoma County Code. Such applications shall not be deemed completed until such environmental review has been completed. Applications by departments of the County of Sonoma must be accompanied by evidence of compliance with Article II of Chapter 23A of the Sonoma County Code. Applications by other public agencies must be accompanied by either a Notice of Determination or a Notice of Exemption filed by such public agency pursuant to the California Environmental Quality Act (CEQA).

Because the ordinance requires each permit to be authorized by a four-fifths vote of the Board of Supervisors, the issuance of a permit requires at least two weeks after compliance with CEQA requirements have been demonstrated (but cannot occur until the Board takes action at a regularly scheduled Board meeting).

The categories of work described on the application form may require an Agreement Regarding Proposed Stream or Lake Alteration with the California Department of Fish and Wildlife pursuant to Section 1601 et seq. of the California Fish and Wildlife Code and waste discharge requirements issued by a Regional Water Quality Control Board pursuant to the Porter-Cologne Water Quality Control Act (commencing at Section 13000 of the California Water Code). The work may also require a permit issued by the United States Army Corps of Engineers pursuant to Section 404 of the Federal Clean Water Act. In addition, the work may be subject to other Federal, State, and local governmental regulations. It is the applicant's responsibility to comply with all applicable laws and regulations.



Project Description

Pierce Erosion Control Project

December 2025

Prepared for:

Pierce Erosion Control Project
1200 Nuns Canyon Road
Glen Ellen, CA 95442

Prepared by:

PCI Ecological
103 Morris Street, Suite A-5
Sebastopol, CA 95472

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Introduction

The applicant proposes to stabilize a 82-foot long eroding streambank of Calabazas Creek adjacent to the residential property at 1200 Nuns Canyon Road, Glen Ellen, CA (Figure 1). The bank is actively eroding and migrating towards a residence and increasing the risks of flooding and future erosion to the structural safety of the home. The erosion is likely caused by high-velocity flow and exacerbated by flows through the Nuns wildfire burn area. The project will stabilize the eroding creek bank by installing a rootwad revetment along the toe of the bank reinforced with boulders. A log vane will also be installed to redirect flow away from the repaired streambank towards the center of the channel.

Existing Conditions and Proposed Solution

The 2017 Nuns fire burned much of the Calabazas Creek watershed resulting in accumulated large woody debris in the channel altering channel conditions and flow patterns in the downstream areas. Upstream of the project area a large oak tree has lodged into the channel and collected additional woody debris throughout winter storms. The resulting woody debris in the channel has caused flows to be rerouted outside of the channel into the backyard of the residential structure at the project site. Flows have scoured the bank adjacent to the residence with continued migration towards the structure, which is now approximately 35 feet from the streambank. The risk of continued scour is high, and the proposed solution will create a stable bank that can withstand the anticipated flows without further erosion.

Location

The project is located along the southern bank of Calabazas Creek at 1200 Nuns Canyon Road, Glen Ellen, CA 95442 (053-040-030). The property is developed with an existing residence adjacent to Calabazas Creek on the northern parcel boundary. The project is mapped on the Kenwood USGS 7.5' quadrangle at 38.23984°N, 122.30516°W. The parcel and surrounding parcels are zoned Resources and Rural Development. The project area includes work in the Riparian Corridor, Scenic Resources, and Taylor/Sonoma/Mayacamas mountains overlays.

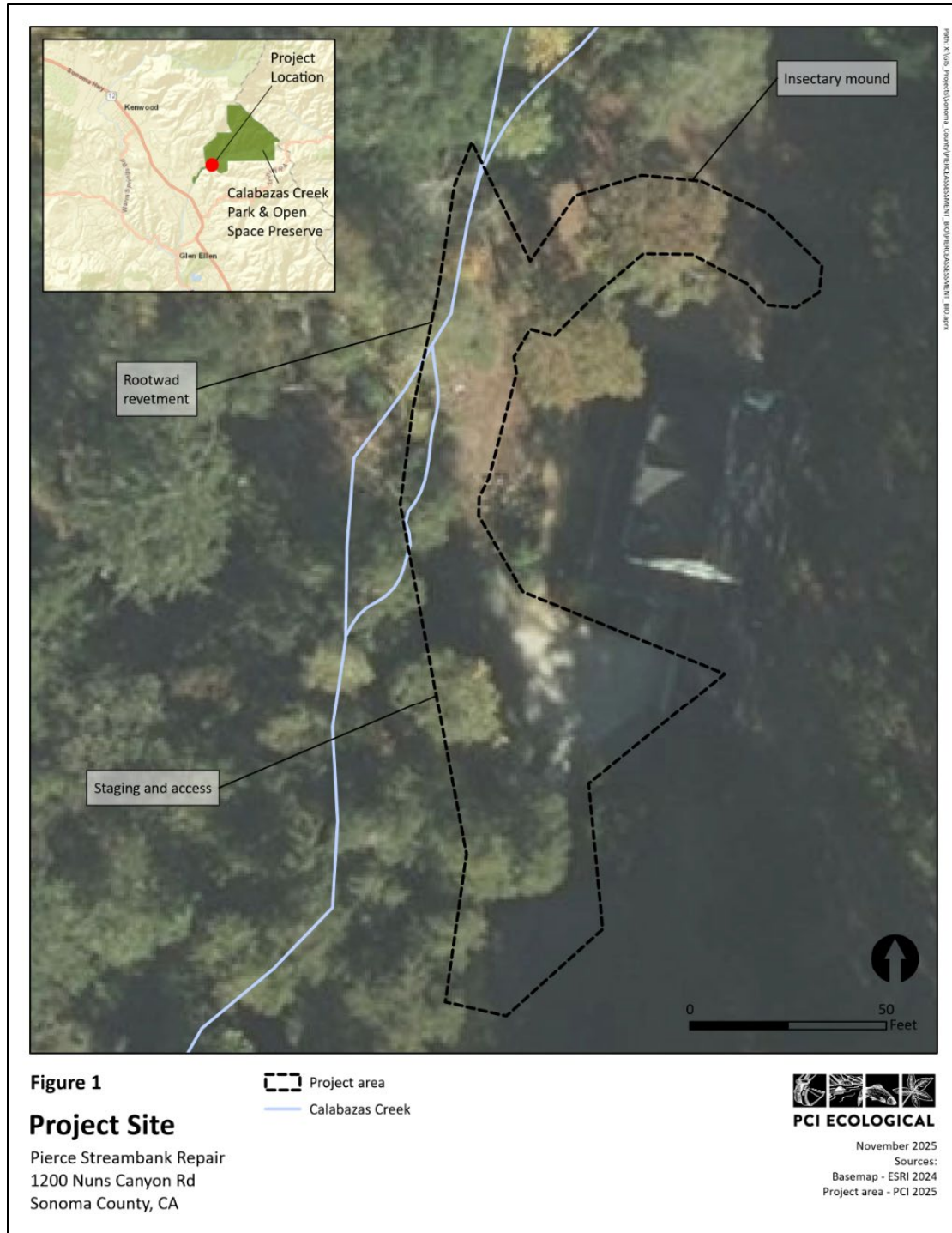


Figure 1 Project Site

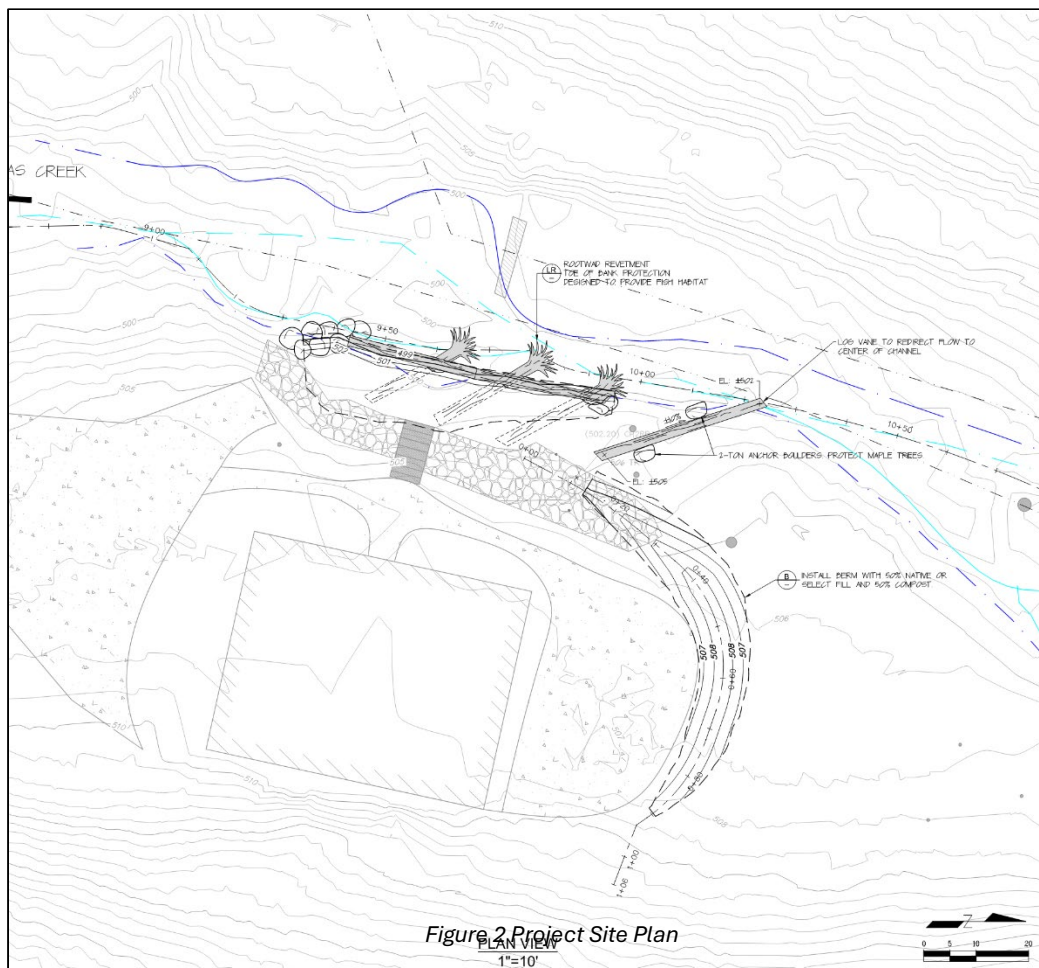
Project Description

Rootwad revetment

A rootwad revetment will be constructed to armor the eroding streambank and prevent further erosion along an 82-foot reach of streambank along Calabasas Creek. A line of two-ton rocks will be placed along the toe of the streambank. Three redwood logs with the rootwad attached will be keyed into the streambank and each log will be anchored to boulders with threaded rebar and epoxy adhesive (See Figure 2 Project Site Plan).

Additional boulders will be installed between rootwads to provide additional stabilization. An 18-inch redwood log will be placed along the high-water line on top of the rootwads and bolted to the logs, providing additional anchoring and securing the flood plain surface. Fabric reinforced earth fill (FREF) will be installed above the 18-inch redwood log to rebuild the streambank and to provide a stable medium for planting and revegetating the area.

The total disturbed area for installation of the rootwad revetment structure is approximately 820 square feet. Preparation of the streambank for placement of the logs and rock will produce approximately 31 cubic yards cut of soil material. Soil material from



the excavation will be used to create an insectary mound adjacent to the residence. The insectary mound will be approximately 800 square feet located upslope of the streambank.

All disturbed areas will be stabilized with seed and straw. The FREF will receive erosion control treatment including seed erosion control blanket, coir twine mat, and wood stakes. The insectary mound will be treated with seed, coir erosion blanket held in with wood stakes. Alders will be planted in the FREF along the streambank and sedges and rushes will be planted through the FREF and along the entire floodplain surface throughout the disturbed area.

Redwood Log Vane

A redwood log vane will be installed directly upstream of the rootwad revetment to direct flows toward the center of the channel, further protecting the eroding bank. The log vane will be anchored to two boulders, tied into the toe of the bank angled up to the top of the bank.

Staging, Access and Materials

Staging and access will occur in the property driveway and side yard. Equipment will be staged in the driveway and brought along the access area as needed for construction of project elements. Excavation of the rootwad revetment and installation of associated boulders will result in a net fill. Soil from excavation will be compacted and seeded upslope of the log vane structure to create an insectary mound and provide additional flood protection to the residence.

Project Construction

Project construction will begin no sooner than August 15th, 2026, and will be completed by October 15th, 2026. Revegetation and planting activities may continue into the fall of 2026.

Equipment

Project equipment will include an excavator working outside the channel, dump trucks, and jumping jack for soil compaction. Crane mats will be used above the stream bank as needed. No equipment will enter Calabazas Creek.

Dewatering

The reach of Calabazas Creek within the project area is typically dry during the summer months. The project will be constructed in the late summer to avoid the need for dewatering. Calabazas Creek flows through a braided network of channels. If water is present at in the braided channel next to the work site during construction, a dry work area will be created by deflecting upstream flows toward a braided channel outside of the work

area. If flows are high and warrant full dewatering, the project area will be dewatered using cofferdams upstream and downstream with piping to direct flows around the work area. Fish species are not expected to be present; however, a qualified biologist will be present during dewatering to determine the potential presence of fish species and lead fish relocation efforts. In the event fish are present, potential habitat will be hazed to encourage species to leave of their own volition and seined as needed to relocate fish to suitable habitat downstream of the project area.

Tree Protection

Protected trees are present in the project area. Use of equipment and machinery will remain outside the dripline of protected trees where feasible. Where work is required to occur within the dripline of protected trees, tree wrap will be constructed using 8' 2"x4"s and orange safety fencing. Crane mats will be used to provide root protection.

San Francisco Bay Regional Water Quality Control Board

Sent via electronic mail: No hard copy to follow

February 10, 2026

RM 463842
Place ID 904811
WDID# 2 CW463842

Valerie Pierce
1200 Nuns Canyon Road
Glen Ellen, CA 95442
Email: vlpmjs3@gmail.com

Subject: Notice of Applicability (NOA) for Enrollment of Pierce Bank Stabilization Project under the Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects ([File No. SB12006GN](#)), Sonoma County

Dear Ms. Pierce:

On January 14, 2026, Valerie Pierce (Permittee) submitted a Notice of Intent (NOI) to enroll the Pierce Erosion Control Project (Project) for coverage under the subject General Water Quality Certification (General Certification). On January 15, 2026, we received the full application fee of \$1,123 (Fee Category D – *Ecological Restoration and Enhancement Projects*). On January 28, 2026, we received additional information needed to complete the NOI.

Project

The Project will construct a root wad revetment and log vane along the toe of an 82-foot-long eroding stretch of Calabazas Creek (Creek) at Nuns Canyon Road (38.399733, -122.508600) and install fabric-reinforced earth fill above the revetment to rebuild the bank and provide a stable planting medium. High-velocity flows and an upstream log jam, a result of the 2017 Nuns Fire altering channel conditions, are scouring the left bank and threatening the property above it. The Project's objectives are to redirect flows towards the center of the channel, create a stable bank that can withstand anticipated future flows, and enhance habitat value both in-stream and on the bank.

Project work activities will include the following:

1. Excavate approximately 31 cubic yards of streambank soil along the eroding bank to make space for placement of three redwood logs with attached root wads. The logs will be keyed into the streambank and anchored to boulders with threaded rebar and

- epoxy adhesive, and additional boulders will be installed between the root wads to stabilize them.
2. Attach an 18-inch-diameter redwood log across the three root wads by bolting it to them, to provide additional anchoring. Install a line of two-ton rocks into the toe of the streambank.
 3. Install a redwood log vane directly upstream of the root wad revetment to direct flows back towards the center of the channel. The log vane will be anchored by two boulders and tied into the toe of the bank, angling up to the top of the bank.
 4. Place fabric-reinforced earth fill above the 18-inch-diameter redwood log to rebuild the streambank, and revegetate the area with native plants including alders, sedges and rushes. Container plants will be installed in-between rock rip rap.
 5. Create an insectary mound with the soil spoils from bank excavation to protect the property from any additional debris washing up. The mound will be approximately 800 square feet and located upslope of the streambank. The mound will be compacted, treated with seed and coir erosion blanket, and held together with wooden stakes.
 6. All site access and equipment staging will take place in the driveway and side yard of the Permittee. Temporary erosion control measures, such as straw wattles and erosion control fabric will be installed to prevent the transport of sediment and other wastes into the waterway.
 7. If dewatering is necessary, a qualified biologist will supervise the installation of cofferdams upstream and downstream of the project site, and lead fish relocation efforts.
 8. All temporarily disturbed areas will be returned to pre-project conditions. Project completion is planned for October 2026, and construction is anticipated to occur over a 2-month span.

Impacts

During Project implementation, ground-disturbing activities may impact water quality by increasing erosion and sedimentation and discharging debris and other waste materials if appropriate best management practices (BMPs) are not implemented.

The Project will permanently impact approximately 0.03 acre of riparian habitat through the installation of the fabric reinforced earth fill and insectary mound, and 0.006 acre of creek through the placement of rock rip rap.

Mitigation

During construction activities, the Permittee will prevent impacts to waters of the State by implementing appropriate and effective BMPs as described in the NOI and as specified in this NOA. These BMPs include, but are not limited to: (1) installing temporary erosion control measures, such as erosion control matting and wattles; (2) minimizing disturbance to riparian vegetation and the aquatic habitat to the greatest extent possible by confining construction staging to the landowner's driveway and side yard;

(3) restricting the use of heavy machinery to above the top of bank; and (4) employing a qualified biologist if dewatering is necessary to supervise dewatering and fish relocation.

The Project will result in temporary and permanent impacts, but with implementation of measures described herein and, in the NOI, adverse effects to waters of the State are not anticipated. The Project's temporary impacts will be mitigated by returning all disturbed areas to pre-project conditions, or better. Permanent impacts will be mitigated by the Permittee through the Project's riparian habitat improvements and bank stabilization detailed in the Habitat Restoration Maintenance and Monitoring Plan (HRMMP) titled, *Monitoring Plan Pierce Bank Stabilization Project* (PCI Ecological, January 2026). The Project will improve in-stream habitat quality through the addition of three root wads, enhance the biotic and structural integrity of the riparian habitat, reduce long-term erosion and sediment delivery to the Creek by restoring bank stability, and revegetate with native riparian species. Overall, the Project will provide an ecological uplift to the Watershed's riparian creek bank and aquatic habitat.

Conditions

The Water Board Executive Officer finds that the Project meets the eligibility criteria and is hereby conditionally authorized for coverage under the General Certification. The following conditions are associated with this Notice of Applicability (NOA):

1. The Project shall be constructed in conformance with the Project description provided in the NOI. The Permittee shall fully comply with engineering plans, specifications, and technical reports submitted in the NOI or required as part of this NOA. Any changes to information provided in the NOI must be submitted to the Water Board and receive Executive Officer approval before the changes are implemented.
2. Disturbance or removal of vegetation shall be minimized. The site shall be stabilized through incorporation of appropriate BMPs, including the successful re-establishment of native vegetation to enhance wildlife habitat values, and to prevent and control erosion.
3. No equipment shall be operated in stream channels or other waters where there is flowing or standing water. Fueling, cleaning, or maintenance of vehicles or equipment during construction shall not take place within any areas where an accidental discharge to waters of the State may occur.
4. No unauthorized construction-related materials or wastes shall be allowed to enter into or be placed where they may be washed by rainfall or runoff into waters of the State. When construction is completed, any excess material shall be removed from the work area and any areas adjacent to the work area where such material may be discharged to waters of the State.
5. The Permittee shall submit a Start of Construction Report at least seven days prior to start of initial ground disturbance activities. The Report shall reference **SOC_463842_Pierce Bank Stabilization** and shall be sent via email to RB2-401Reports@waterboards.ca.gov and nicholas.regent@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports (see address on the letterhead).

6. Per Condition B.6 of the General Certification, the Permittee shall submit a Notice of Project Construction Completion, acceptable to the Executive Officer, no later than 30 days after completing Project construction activities. The Notice shall include the date Project construction activities were completed, an As-Built Report, and reference **NOC_463842_Pierce Bank Stabilization**. The Notice shall be sent via email to RB2-401Reports@waterboards.ca.gov and nicholas.regent@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports (see address on the letterhead).
7. The Permittee shall restore all areas of temporary impacts to waters of the State and all upland areas temporarily impacted that could result in a discharge to waters of the State in accordance with the NOI and incorporated herein by reference.
8. To mitigate for 0.036 ac of permanent impacts to waters of the State, the Permittee shall implement the Habitat Restoration Maintenance and Monitoring Plan (HRMMP) titled, *Monitoring Plan Pierce Bank Stabilization Project* (PCI Ecological, January 2026). The Project shall stabilize the 82-foot-long eroding bank with a redwood revetment and fabric-reinforced earth fill, and revegetate the area with alders, sedges and rushes. Soil spoils from the excavation of the streambank shall be used to create an insectary mound to provide additional protection from flood debris, and the mound shall be seeded and stabilized with coir fabric and wooden stakes.
9. To verify that the Project is performing as intended, the Permittee shall monitor the Project site annually for a minimum of five years to verify that the vegetation is successfully established as described in the HRMMP titled, *Monitoring Plan Pierce Bank Stabilization Project* (PCI Ecological, January 2026). The annual performance criteria shall be the following:

Vegetation Cover (herbaceous plants and willows)

Year 1: At least 10 percent total vegetation cover

Year 2: At least 25 percent total vegetation cover

Year 3: At least 50 percent total vegetation cover

Year 4: At least 70 percent total vegetation cover

Year 5: At least 85 percent total vegetation cover

Tree and shrubs (not including willows)

Year 1: At least 95 percent survival

Year 2: At least 95 percent survival

Year 3: At least 90 percent survival

Year 4: At least 90 percent survival

Year 5: At least 85 percent survival

In addition, invasive plant species shall not comprise greater than ten percent of vegetation in any year. Invasive plants shall be defined as species rated “high” or included as “red alert” species by the California Invasive Plant Council and species rated “high priority” by the Bay Area Early Detection Network.

Estimates of vegetation cover or percent survival can include natural recruitment. Irrigation should be discontinued as soon as possible and plantings shall be irrigated no more than two years after vegetation installation.

If the performance criteria are not achieved, the Permittee shall, in consultation with the Water Board and other appropriate agencies, undertake an evaluation that identifies corrective actions, and implement corrective actions upon receiving written acceptance by the Executive Officer. Further, the monitoring period shall be extended until the final performance criteria are achieved.

10. To verify that the Project is performing as intended, annual assessments of creek stability shall be performed by a qualified professional for a minimum of five years as described in the HRMMP titled, *Monitoring Plan Pierce Bank Stabilization Project* (PCI Ecological, January 2026). These assessments shall be performed through the Project site and 100 feet upstream and downstream. Monitoring shall be conducted at approximately the same time annually during the low flow summer season and shall consist of photo-documentation and visual inspections to assess whether the Project is functioning as intended. The performance criterion shall be no erosion or sedimentation that threatens water quality or property.

If performance criteria are not achieved, the Permittee shall, in consultation with the Water Board and other appropriate agencies, undertake an evaluation that identifies the cause of the excessive erosion and/or sedimentation, and develop corrective actions to ensure channel stability. The evaluation of the cause of failure shall include, but not be limited to, the results from the current and previously performed geomorphic assessments, storm event data, and topographic surveys. The Permittee shall implement all corrective actions identified in the evaluation upon receiving written acceptance by the Executive Officer. Further, the monitoring period shall be extended until performance criteria are achieved.

11. The Permittee shall submit annual monitoring reports, acceptable to the Executive Officer, by January 31 following each monitoring year. The first monitoring year commences in the calendar year after completing the Project. At the time of this Order, the Project completion is anticipated in 2026. Therefore, monitoring shall begin in 2027, and the first annual monitoring report shall be submitted by January 31, 2028, unless the Project is completed at a different time. Each annual report shall summarize each year's monitoring results, including the need for, and implementation of, any adaptive management actions needed to help meet the performance criteria. The annual reports shall compare data to previous monitoring years and describe progress towards meeting final performance criteria. The Permittee shall implement all remedial measures upon receiving written acceptance by the Executive Officer, and not before.
12. The final monitoring report shall document if the site meets the final performance criteria. If the final criteria are not met, the Permittee shall, in consultation with the Water Board and appropriate agencies, identify remedial measures to be undertaken, including extending the monitoring and reporting period until the criteria are met. The Permittee shall implement all remedial measures identified upon receiving written

acceptance by the Executive Officer. Success of the mitigation program shall be determined by, and acceptable to, the Executive Officer.

13. Annual monitoring reports shall reference **AMR_463842_Pierce Bank Stabilization** and shall be submitted via email to rb2-401reports@waterboards.ca.gov and Nicholas.Regent@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports (see the address on the letterhead).
14. Within 30 days of successfully achieving the Project's final monitoring performance criteria, the Permittee shall submit, acceptable to the Executive Officer, a Notice of Mitigation Monitoring Completion notifying the Water Board that the Project has been completed. The Notice shall include the date the construction was completed, the date the project monitoring indicated successful completion, and shall be submitted via email to rb2-401reports@waterboards.ca.gov and Nicholas.Regent@waterboards.ca.gov, or by mail to the attention of 401 Certifications Reports. This notification shall reference **NMMC_463842_Pierce Bank Stabilization**.
15. In accordance with 23 CCR section 2200, the Permittee shall pay an annual fee to the Water Board each fiscal year (July 1 – June 30) until Project construction activities are completed and an acceptable Notice of Project Completion is received by the Water Board. If monitoring is required, the Permittee shall pay an annual fee to the Water Board until monitoring activities are completed, and an acceptable Notice of Project Completion is received by the Water Board. Annual fees will be automatically invoiced to the Permittee.

The Permittee must notify the Water Board at Project and monitoring completion with a final report to request to terminate annual invoicing. The Notification (NOT) shall reference **NOT_463842_Pierce Bank Stabilization** and shall be sent to rb2-401reports@waterboards.ca.gov and Nicholas.Regent@waterboards.ca.gov. Water Board staff will verify conditions of the General Certification have been met and may request a site visit at that time to confirm the Project's status and compliance with this General Certification.

If you have any questions, please contact Nick Regent of my staff by email to Nicholas.Regent@waterboards.ca.gov or at (510) 622-2328.

Sincerely,



Digitally signed by Keith
H. Lichten, Assistant
Executive Officer
Date: 2026.02.10 17:18:22

Water Boards
-08'00'

for Eileen M. White, P.E.
Executive Officer

cc: SWRCB, DWQ, stateboard401@waterboards.ca.gov
Water Board, SF Bay Region, Victor Aelion, victor.aelion@waterboards.ca.gov
U.S. EPA, Region IX:
Regulatory Inbox r9cwa401@epa.gov
Zoe Chan, chan.zoe@epa.gov
U.S. Army Corps, SF Regulatory District:
Regulatory Inbox, cespn-rq-info@usace.army.mil
Bryan Matsumoto, Bryan.T.Matsumoto@usace.army.mil
PCI Ecological. Kyle Johnson, kyle@pciecological.com
CDFW:
Regulatory Inbox, askbdr@wildlife.ca.gov
James Hansen, James.Hansen@Wildlife.ca.gov

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
BAY DELTA REGION
2825 CORDELIA ROAD, SUITE 100
FAIRFIELD, CA 94534



STREAMBED ALTERATION AGREEMENT
EPIMS-SON-64330-R3
CALABAZAS CREEK

VALERIE PIERCE
PIERCE BANK STABILIZATION PROJECT

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Valerie Pierce (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code section 1602, Permittee notified CDFW on January 15, 2026, that Permittee intends to complete the project described herein.

WHEREAS, pursuant to Fish and Game Code section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in this Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed this Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the project in accordance with this Agreement.

PROJECT LOCATION

The project is located at Calabazas Creek, in an unincorporated area of the County of Sonoma, State of California; Latitude 38.399689°, Longitude -122.508675°; 1200 Nuns Canyon Road, Glen Ellen, CA, 95442; Assessor's Parcel Number 053-040-030.

PROJECT DESCRIPTION

The project is limited to stabilizing an 82-foot-long streambank of Calabazas Creek to protect a residence. The bank will be stabilized with the use of a

rootwad revetment that will include a rock toe, redwood logs with rootwads attached, and fabric reinforced earth fill (FREF) to rebuild the streambank. Once the bank is stabilized it will be planted with native riparian plants, including alder (*Alnus* sp.) trees. A redwood log vane will be installed directly upstream of the stabilized bank to direct flows toward the center of the channel. The log vane will be anchored to two boulders and tied into the toe of the bank. As part of the project, excess soil excavated from the rootwad revetment will be used to create a berm along the northern end of the residence outside of the riparian area, in what is a residential landscaped yard, to provide additional flood protection.

Staging and access will occur via the existing residential driveway and developed side yard adjacent to the creek. No riparian trees will be removed as part of this project, but minor tree trimming may be required. The project will result in approximately 100 square feet of permanent impacts to riparian habitat and approximately 720 square feet of temporary impacts to riparian habitat. Depending on the amount of surface water present at the time of construction, dewatering and aquatic species rescue may be required.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include:

Fish:

- Steelhead – central California coast distinct population segment (DPS) (*Oncorhynchus mykiss irideus* pop. 8), California Species of Special Concern (SSC), Federal Endangered Species Act (ESA) listed as Threatened
- Chinook salmon – Central Valley fall-run evolutionarily significant unit (*Oncorhynchus tshawytscha* pop. 13), SSC

Birds:

- Northern spotted owl (*Strix occidentalis caurina*), California Endangered Species Act listed as Threatened, ESA listed as Threatened

Amphibians:

- California red-legged frog (*Rana draytonii*), SSC, ESA listed as Threatened
- Foothill yellow-legged frog – north coast DPS (*Rana boylei* pop. 1), SSC
- California giant salamander (*Dicamptodon ensatus*), SSC
- Red-bellied newt (*Taricha rivularis*), SSC

Reptiles:

- Northwestern pond turtle (*Actinemys marmorata*), SSC, ESA Proposed Threatened Species

Other:

- common terrestrial and aquatic organisms
- nesting birds
- waterfowl
- aquatic habitat
- riparian habitat
- riparian vegetation
- water quality

The adverse effects the project could have on the fish or wildlife resources identified above include:

- Disruption to species listed above
- Colonization by exotic plant species
- Temporary and permanent loss of riparian habitat
- Loss of aquatic and terrestrial wildlife species
- Temporary impediment to migration of aquatic and terrestrial species
- Alter the existing drainage pattern of the site in a manner which would result in on- or off-site erosion
- Change in flow depth, width, or velocity
- Change in composition of channel materials
- Change in contour of bed, channel or bank
- Change in gradient of bed, channel or bank
- Change in channel cross-section
- Loss of bank stability during construction
- Soil compaction or other disturbance to soil layer
- Increased bank erosion during construction
- Restriction or increase in sediment transport
- Increased turbidity
- Disturbance from project activity
- Short term release of contaminants

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make this Agreement, any extensions and amendments to this Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents,

readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.

- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of this Agreement and any extensions and amendments to this Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in this Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the project site at any time to verify compliance with this Agreement.
- 1.5 Notify CDFW Prior to Work. The Permittee shall notify CDFW by email at least five working days prior to commencement of covered activities. See contact information below.
- 1.6 No Trespass. To the extent that any provisions of this Agreement provide for activities that require the Permittee to traverse another owner's property, such provisions are agreed to with the understanding that the Permittee possesses the legal right to so traverse. In the absence of such right, any such provision is void.
- 1.7 Unauthorized Take. The Permittee is required to comply with all applicable State and Federal laws, including the California Endangered Species Act (CESA) and Federal Endangered Species Act. This Agreement does not authorize the take of any State or Federal endangered or threatened species. Liability for any take or incidental take of such listed species remains the responsibility of the Permittee for the duration of the project. Any unauthorized take of such listed species may result in prosecution and nullification of the Agreement.
- 1.8 Fish Passage. The project shall be in compliance with Fish and Game Code section 5901 and shall not install or maintain any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish up and down stream.
- 1.9 Designated Representative. Before initiating ground-disturbing project activities, Permittee shall designate a representative (Designated

Representative) responsible for communications with CDFW and overseeing compliance with this Agreement. The Permittee shall notify CDFW in writing five days prior to commencement of project activities of the Designated Representative's name, business address, and contact information. Permittee shall notify CDFW in writing if a substitute Designated Representative is selected or identified at any time during the term of this Agreement.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

- 2.1 Work Period. All work shall begin on or after June 15 and all work shall be completed by October 15. Revegetation work is not limited to this work window but must be completed within the same season as project activities. If more time is needed to complete project activities, the work period may be modified in writing on a week-by-week basis after October 15 by a CDFW representative if conditions remain dry and at the discretion of CDFW. Permittee shall plan to complete project activities by October 15 and shall not rely on a work period modification to complete work. The work period modification request should consider the effects of noise, increased stream flows, rain delays, increased erosion control measures, limited access due to saturated soil conditions, and limited growth of erosion control grasses due to cool weather. Work period modifications are issued at the discretion of CDFW. Requests for a work period extension shall at a minimum: 1) describe the extent of work already completed; 2) detail the activities that remain to be completed; 3) provide a National Weather Service forecast covering the time needed, up to one week, to complete a phase or activity; 4) detail the time required to complete each of the remaining activities; 5) provide photographs of both the current work completed and the proposed site for continued work; and 6) include an assessment of additional biological impacts as a result of the work extension.
- 2.2 Conduct Work During Daylight Hours. Work is restricted to daylight hours (one hour after sunrise to sunset).
- 2.3 Work According to Documents. Except as they are contradicted by measures required by this Agreement, all work shall be conducted in conformance with the project description above and the avoidance, minimization, and mitigation measures provided in the notification package.

- 2.4 Work according to plans. All work shall be completed according to the plans, and all associated appendices and attachments, submitted to CDFW entitled *Pierce Residence Bank Stabilization Project*, prepared by PCI Ecological, dated December 21, 2025 (Exhibit A). If the Permittee finds it necessary to update project plans prior to construction, the updated plans will be submitted to CDFW at least 30 days prior to beginning project activities to determine if an Amendment to this Agreement is required. Project activities shall not proceed until CDFW has accepted the updated plans in writing. At the discretion of CDFW, minor plan modifications may require an amendment to this Agreement. At the discretion of the CDFW, if substantial changes are made to the original plans this Agreement becomes void and the Permittee shall submit a new notification.
- 2.5 Best Management Practices. All Best Management Practices (BMPs) and other conditions as submitted in the Notification shall be implemented as part of this project, unless otherwise conditioned herein.
- 2.6 No Equipment in Stream Where Surface Water is Present. No equipment shall be operated within the stream where surface water is present or anticipated.
- 2.7 No Work in Stream Where Surface Water is Present. No work shall occur in the portion of the stream where surface water is present or anticipated, except as necessary to install cofferdams for dewatering.

Weather Restrictions

- 2.8 Work Period in Dry Weather Only. Project work shall be restricted to dry weather, as allowed during the work period specified in Measure 2.1. Permittee shall monitor the National Weather Service 72-hour forecasted precipitation. All necessary erosion control measures shall be implemented prior to the onset of precipitation. Construction activities shall cease when the National Weather Service 24-hour weather forecast indicates a 30 percent chance or higher of 0.25-inch or more of precipitation, unless otherwise approved in writing by CDFW. (For a weekly forecast see <https://www.weather.gov/> and for a 48-hour percent precipitation forecast <https://graphical.weather.gov/sectors/northcalifornia.php>, click on QPF in Amount of Precipitation row, toggle +/- 12 hours). Construction equipment and materials shall be removed if inundation is likely. After any storm event, the Permittee shall inspect all sites currently under construction and all sites scheduled to begin construction within the next 72 hours for erosion and sediment problems and take corrective action as needed. Seventy-two-

hour weather forecasts from the National Weather Service shall be consulted and work shall not resume until runoff ceases and there is less than a 30 percent forecast for precipitation for the following 24-hour period. Weather forecasts shall be documented upon request by CDFW.

Wildlife Protection and Prevention

- 2.9 CDFW Approved Qualified Biologist or Biological Monitor On-site. A Qualified Biologist or Biological Monitor shall be on site daily to monitor compliance with all conditions of this Agreement unless otherwise approved in writing by CDFW. The Qualified Biologist or Biological Monitor shall have the authority to halt project activities, through communication with the Project Manager or their on-site designee, in order to comply with the terms of this Agreement and otherwise avoid impacts to species and or habitats. If the on-site Qualified Biologist or Biological Monitor has requested a work stop due to failure to implement any of the conditions CDFW shall be contacted within 24 hours.
- 2.10 Biologist Approval. No later than 30 days prior to project activities covered by this Agreement, the Permittee shall submit to CDFW, for review and approval, the qualifications for the biologist(s) that shall oversee the implementation of the conditions in this Agreement and conduct surveys or monitoring work using the Biologist Resume Form, (found at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=202869>), or another format containing the same information. Project activities covered by this Agreement may not commence unless CDFW has approved the proposed biologist(s) in writing. At minimum the CDFW approved Qualified Biologist(s) shall have a minimum of five years of academic training and professional experience in biological sciences and related resource management activities with a minimum of two years conducting surveys for each species that may be present within the project area. At minimum, the CDFW approved Biological Monitor shall have a minimum of five years of academic training and professional experience in biological sciences and related resource management activities.
- 2.11 Training Session for Personnel. Permittee shall ensure that a CDFW-approved Qualified Biologist conducts an education program for all persons employed on the project prior to performing covered activities. Instruction shall consist of a presentation by the designated Qualified Biologist that includes a discussion of the biology and general behavior of any sensitive species that may be in the area, how they may be encountered within the work area, and procedures to follow when they are encountered. The status of CESA and Federal Endangered Species Act listed species including

legal protection, penalties for violations and project-specific protective management measures provided in this Agreement shall be discussed. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to on-site project activity. Copies of the Agreement for this project shall be maintained at the worksite with the project supervisor. Permittee or designated biologist shall prepare and distribute wallet-sized cards or a factsheet handout containing this information for workers to carry on-site. Upon completion of the program, employees shall sign an affidavit stating they attended the program and understand all protection measures. These forms shall be filed at the Permittee's office and be available to CDFW upon request.

- 2.12 Northern Spotted Owl Surveys. No project activities shall occur from March 15 to July 31, unless northern spotted owl surveys have been completed by a Qualified Biologist following the U.S. Fish and Wildlife Service's (USFWS) *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*. If breeding northern spotted owls are detected during surveys, a quarter mile no-disturbance buffer zone shall be implemented around the nest and the Qualified Biologist shall immediately notify CDFW. Survey results shall be provided to CDFW and to the Spotted Owl Observations Database (<https://wildlife.ca.gov/Data/CNDDDB/Spotted-Owl-Info>). No project activities shall occur within the buffer zone until the end of breeding season, or a Qualified Biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. If take of Northern spotted owl cannot be avoided by project activities, Permittee shall obtain a CESA incidental take permit from CDFW prior to starting project activities, and authorization from USFWS may be required.

Alternate buffer zones may be proposed by a Qualified Biologist after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternate buffers must be approved in writing by CDFW.

- 2.13 California Red-legged Frog Surveys. No more than 48 hours prior to ground-disturbing activities the project activity area and nearby vicinity, including a minimum 500-foot radius surrounding the project activity area, shall be surveyed by a Qualified Biologist. The results of the survey shall be submitted to CDFW via email (see Contact Information) for written acceptance prior

to starting project activities. Burrows and refugia sites shall be flagged or otherwise marked for avoidance. Project activities shall avoid habitat features to the extent feasible. If California red-legged frogs are encountered during the survey or project activities, the project activity shall not proceed or all work shall cease, and CDFW shall immediately be notified. Work shall not proceed until the frog, through its own volition, moves out of harm's way and CDFW has provided permission in writing to proceed with the project activity. If California red-legged frog is encountered or the Qualified Biologist determines that impacts to the species are likely to occur, Permittee shall consult with USFWS pursuant to the Federal Endangered Species Act and receive written approval from CDFW prior to the impact. In this case, CDFW may require additional protection measures which shall be implemented by the Permittee.

2.14 Foothill Yellow Legged Frog Surveys and Methodology. A Qualified Biologist shall provide a foothill yellow-legged frog (FYLF) survey methodology for CDFW review and written approval at least 15 days prior to conducting project activities, unless otherwise approved in writing by CDFW. Project activities shall not begin until FYLF surveys have been completed using the methodology approved by CDFW. Survey methodology should include:

- Targeting all life stages, including the times at which surveys will occur,
- Carefully searching under rocks, within vegetation such as sedges and other clumped vegetation, and under undercut banks,
- Carefully searching within a minimum of 50 feet from top of bank on both sides of the stream and a minimum of 500 feet upstream and downstream of the project area in any suitable habitat with persistent moisture,
- Surveys conducted at different times of day and under variable weather conditions, if possible, and
- Avoiding windy days (15 miles per hour or greater), as ripples in the water make it more challenging to detect frogs.

Prior to starting project activities, a Qualified Biologist shall conduct surveys for FYLF using the CDFW-approved methodology, unless otherwise approved in writing by CDFW. The results of the surveys shall be emailed to CDFW (see Contact Information section), or if unavailable another CDFW representative, uploaded to EPIMS, and Permittee shall obtain CDFW's written approval of the survey results prior to starting project activities. If FYLF or their eggs are found, Permittee shall install exclusionary fencing and prepare and implement a CDFW-approved FYLF Habitat Improvement Plan, unless otherwise approved in writing by CDFW.

If documentation is provided to CDFW that the stream has been completely dry for at least 30 days prior to starting project activities, and no water or moist areas within 50 feet from top of bank on both sides of the stream and 500 feet upstream and downstream of the project area, then a methodology and surveys for FYLF are not necessary.

- 2.15 California Giant Salamander Surveys. A Qualified Biologist shall conduct a pre-construction survey for California giant salamander within 48 hours of the commencement of project activities. All California giant salamanders observed on-site shall be avoided and allowed to leave the project area of their own volition or may be relocated to suitable habitat within the same stream and out of harm's way by a Qualified Biologist.
- 2.16 Northwestern Pond Turtle Surveys. No more than 48 hours prior to the commencement of ground-disturbing activities, a Qualified Biologist shall perform surveys for northwestern pond turtles within aquatic and upland habitat at the project site. Surveys shall target both individual turtles and nest sites. If a pond turtle is detected at any time CDFW shall be notified immediately. Survey results shall be submitted to CDFW prior to construction activities. All northwestern pond turtles observed on-site shall be avoided and allowed to leave the project area of their own volition or may be relocated to suitable habitat within the same stream and out of harm's way by a Qualified Biologist. Any turtle nest sites shall be avoided with an appropriate buffer identified by a Qualified Biologist and accepted by CDFW. If pond turtles or their nests are found, the Permittee shall prepare and implement a Pond Turtle Habitat Improvement Plan or other protection measures, if required by CDFW.
- 2.17 Nesting Bird Surveys. If construction, grading, vegetation removal, or other project-related activities are scheduled during the nesting season, February 1 to August 31, a Qualified Biologist shall conduct a survey for active bird nests within 7 days prior to the beginning of project-related activities. The survey shall consist of include the entire project site and a minimum 500-foot buffer. If inaccessible by foot, areas within the 500-foot buffer may be surveyed with binoculars or spotting scope at the discretion of CDFW. Permittee shall request landowner permission to conduct surveys if necessary. If a lapse in project-related work of 7 days or longer occurs, another survey shall be conducted before project work can be reinitiated. If an active nest is found during surveys, the Qualified Biologist shall immediately notify the CDFW contact below (see Contact Information section), or if unavailable another CDFW representative, and establish site- and species-specific no-work buffers to ensure the nest is not disturbed. The buffer distances shall be specified to protect the bird's normal behavior to

prevent nesting failure or abandonment and comply with Fish and Game Code section 3500 et seq. and the federal Migratory Bird Treaty Act. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards project personnel, standing up from a brooding position, and flying away from the nest. The Qualified Biologist shall have authority to order the cessation of all nearby project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.

The Qualified Biologist or Biological Monitor shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by project work. Nest monitoring shall continue during project work until the young have fully fledged (have completely left the nest site and are no longer being fed by the parents), as determined by the Qualified Biologist or Biological Monitor, unless otherwise approved in writing by CDFW.

- 2.18 Trenching. At the end of each workday all trenches and holes greater than one foot deep shall be covered to prevent wildlife from entering. When trenches cannot be fully covered, an escape ramp shall be placed at each end of any constructed open trench to allow any wildlife that may have become entrapped in the trench to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than 30 degrees.
- 2.19 Pipes, Hoses, and Similar Structures. All pipes, hoses, or similar structures less than 12 inches in diameter shall be closed or covered to prevent animal entry. All construction pipes or similar structures greater than 2 inches in diameter stored at the project site overnight shall be inspected thoroughly for wildlife before the pipe or similar structure is buried, capped, used, or moved.
- 2.20 Special Status Species Encountered During Work. If Permittee encounters special status species during project activities, work shall be suspended, CDFW notified, and avoidance and minimization measures shall be developed in agreement with CDFW prior to re-initiating the activity.
- 2.21 Daily Inspections. At the beginning of each workday, a Biological Monitor shall inspect the project area unless otherwise approved in writing by CDFW. If special status species are encountered during project activities, all work shall cease and CDFW shall immediately be notified. Work shall not proceed without written approval from CDFW.

Dewatering

2.22 Dewatering and Aquatic Species Rescue Plan. The Permittee shall submit a Dewatering and Aquatic Species Rescue Plan (Plan) to CDFW for review covering all areas that will be dewatered and shall obtain CDFW's written approval of the Plan prior to the commencement of dewatering activities. Permittee shall implement the CDFW-approved Plan and it shall include, at a minimum, the following measures:

- a) Permittee shall implement and adhere to the terms and conditions in the Biological Opinion (2020-00688) for steelhead issued by National Marine Fisheries Service for the project.
- b) Aquatic species relocation activities shall be performed during the morning when temperatures are coolest. Hourly air and water temperatures shall be measured and recorded.
- c) Before removal and relocation of aquatic species, the Qualified Biologist shall identify the most appropriate release location(s). Release locations shall provide suitable habitat for the aquatic species and shall be selected to minimize the likelihood of reentering the work area.
- d) Any temporary dam or other artificial obstruction constructed by Permittee shall only be built from materials that will cause little or no siltation, such as clean gravels.
- e) Following installation of water diversion structures, and prior to project activities, a Qualified Biologist shall perform surveys for aquatic species, in the project Area, collect, and relocate them to the nearest predetermined suitable habitat. During holding and transportation, aquatic species shall be held in stream water collected from the site.
- f) When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, Permittee shall allow sufficient water at all times to pass downstream to maintain aquatic life below the dam pursuant to Fish and Game Code section 5937.
- g) Permittee shall minimize the potential for aquatic species to be entrained during de-watering activities. The Permittee shall implement the use of a screen in accordance with the National Marine Fisheries Service 1996 Juvenile Fish Screen Criteria for Pump Intakes. Screen material may be constructed of any rigid woven,

perforated, or slotted material that provides water passage while physically excluding fish. Round openings in the screen shall not exceed 0.093-inch diameter, square openings shall not exceed 0.093-inch measured diagonally, and slotted openings shall not exceed 0.069 inches in width. Approach velocity shall not exceed 0.33 feet per second.

- h) Prior to fully dewatering the project area, remaining aquatic species in the work area shall be rescued. Dewatering efforts shall be monitored by the Qualified Biologist at all times. The Qualified Biologist shall reduce the rate of dewatering if it appears that species may be stranded.
- i) Once water has been diverted around the work area the site shall be dewatered to provide an adequately dry work area. Any muddy or otherwise contaminated water shall be pumped to a settling tank, dewatering filter bag, upland area, or other CDFW-approved location prior to re-entering the creek.
- j) Permittee shall divert flow in a manner that prevents turbidity, siltation, or pollution and provides flows to downstream reaches. Flows to downstream reaches shall be provided during all times that the natural flow would have supported aquatic life. Said flows shall be sufficient quality and quantity, and of appropriate temperature to support fish and other aquatic life both above and below the diversion.
- k) The Qualified Biologist shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas.
- l) Efforts shall be made to reduce collecting and handling stress, minimize the time that aquatic species are held in buckets, and minimize handling stress during processing and release. Special status species shall not be held in containers with other species. Immediately after collection, species shall be identified and counted. Capture methods may include dip nets. All nets shall be made of a soft braded nylon material that is non-abrasive. Mesh sizing shall be matched to species and the life stages likely encountered.
- m) No employee or contractor shall remove any species, dead or alive, from the site for personal use. All efforts to reduce the time that live

aquatic species are out of the water shall be made to reduce the chances of adverse impacts during the rescue. All aquatic species are to be promptly returned to the water with the exception of mortality.

- n) Special status species shall be processed first and released as soon as possible. Species name and length data will be recorded on data sheets, as well as time, date, location, gear type, water temperature, and any other pertinent observations of species status species.
- o) After completing the rescue, a brief documentation report shall be prepared. The report shall include information on the personnel conducting the rescue, methods used, numbers of aquatic species collected and relocated, length data, and estimate of the survival of aquatic species immediately after release. Photographs of the site and rescue operations shall be included. Any take of aquatic species shall be documented.
- p) After the aquatic species rescue effort is completed, if additional aquatic species are observed, project activities shall cease until those individuals have been relocated. The Qualified Biologist shall remain at the site during dewatering to rescue additional aquatic species as necessary.
- q) Reintroduction of stream flows shall be gradual to the isolated work area, so as to prevent stranding, channel instability, or excessive scour. The Qualified Biologist shall monitor upstream and downstream reaches to ensure no aquatic species are stranded or in distress during reintroduction of flows. If conditions causing or contributing to stress and/or injury are observed, the Permittee shall take immediate remedial actions directed at lessening sources of stress. This may include a more gradual reintroduction of flows, to avoid abrupt water surface elevation changes both downstream and upstream of the project area.
- r) Permittee shall restore normal flows to the effected stream immediately upon completion of work at that location.

Rock Armoring

2.23 Rock Slope Protection - Limitations. Rock slope protection (i.e. riprap) shall not be used for armoring/protecting the bank if any of the following criteria apply:

- Rock slope protection could transfer erosive forces to the opposite bank or another area downstream;
- Rock slope protection would narrow or otherwise constrain the stream channel, limiting passage of peak flows and debris; or
- Installation of the rock would require removal of woody vegetation and/or trees over 4 inches diameter at breast height (DBH), unless otherwise permitted in this Agreement.

2.24 Rock Slope Protection. Permittee shall install angular, energy dissipating rock slope protection that is properly sized to withstand wash out during peak flows. Only clean material such as rock riprap that is free of trash, debris and deleterious material shall be used as bank stabilization. Asphalt shall not be considered an acceptable material.

2.25 Fill Voids in Rock Slope Protection. Permittee shall ensure that all voids and spaces within the riprap are filled with smaller rock, gravels, and native soil material, and/or willow cuttings. Cementitious grouts or geotextile linings shall not be used.

Vegetation Protection, Prevention, and Restoration

2.26 Restoration and Enhancement According to Plan. Permittee shall perform all restoration and enhancement according to the plans and all associates appendices submitted to CDFW entitled *Pierce Residence Bank Stabilization Project*, prepared by PCI Ecological, dated December 21, 2025 (Exhibit A), unless otherwise approved in writing by CDFW. Restoration and enhancement plantings shall be monitored and maintained pursuant to Measure 2.32, until they meet the identified success criteria.

2.27 Treat Exposed Areas. All exposed/disturbed areas and access points within the riparian zone left barren of vegetation as a result of the construction activities shall be restored by seeding with a blend of native erosion control grass seed. Seeded areas shall be mulched. Landscape fabric shall not be used. Revegetation shall be completed as soon as possible after construction activities in those areas cease. Seeding placed after October 15 must be covered with broadcast straw, jute netting, coconut fiber blanket or similar erosion control blanket.

2.28 Habitat Protection. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project. Vegetation outside the construction corridor shall not be removed or damaged without prior consultation and approval of a CDFW representative.

- 2.29 Vegetation Marked for Protection. Prior to project activities, the Permittee shall clearly mark all vegetation within the project area that shall be avoided during project activities.
- 2.30 Tree Drip Line. Construction materials, equipment storage, and parking areas shall be located outside the drip line of any preserved tree. Construction equipment shall not cause root compaction. For each existing tree with a greater than four-inch diameter at breast height within or adjacent to the work area that will be retained following the project, a critical root zone shall be established by the Qualified Biologist. The critical root zone shall extend from the trunk to the dripline (i.e., the outer extent of the tree canopy) of each tree within the project area and shall be flagged or fenced off from work. Protection and avoidance of the critical root zone shall be emphasized during the on-site education program to avoid impacts. If work will be conducted within the root protection zone of a tree that tree shall be considered an "impacted tree", and the Permittee or Qualified Biologist shall monitor the tree for signs of mortality as a result of project. If the tree becomes injured or shows signs of mortality, additional revegetation actions shall be required.
- 2.31 Tree Removal. No riparian trees shall be removed as part of this project. If the removal of riparian trees is required, the Permittee shall obtain written approval from CDFW in writing before construction activities begin.
- 2.32 Vegetation Success. To ensure a successful revegetation effort as required by Measure 2.26, all plants shall be monitored and maintained as necessary for five years. At the end of the five years of monitoring, with at least two years without supplemental irrigation, each category of plantings (e.g., oaks, other trees, shrubs, etc.) shall have a minimum of 85 percent survival at the end of the minimum monitoring period and plantings shall attain 70 percent cover after 3 years and 75 percent cover after 5 years, unless otherwise approved in writing by CDFW. Invasive species cover shall not exceed 5 percent of the restoration area, unless otherwise approved in writing by CDFW. Survival and cover criteria shall both be required unless the herbaceous or spreading plants cannot be differentiated by individual, in which case only cover success criteria are required.
- 2.33 Irrigation. When supplemental watering is used to establish and maintain plant growth to meet success criteria, irrigation shall be done in the most water efficient manner possible, such as using hand watering, drip/microirrigation or through the use of a time release system.

- 2.34 Revegetation Remediation. If revegetation survival and/or cover requirements do not meet established goals, Permittee is responsible for replacement planting, additional watering, weeding, invasive exotic eradication, or any other practice, to achieve these requirements. Replacement plants shall be monitored with the same survival and growth requirements for five years after planting.
- 2.35 Native Plant Materials Required. Revegetation shall include only local plant materials native to the project area, unless otherwise approved by CDFW in writing.
- 2.36 Prohibited Plant Species. Permittee shall not plant, seed or otherwise introduce invasive exotic plant species. Prohibited exotic plant species include those identified in the California Exotic Pest Plant Council's database, which is accessible at: www.cal-ipc.org/paf/.
- 2.37 Phytophthora. Permittee shall implement measures to avoid using plant stock that may be infected with the plant pathogen *Phytophthora* sp. Measures to avoid contamination with *Phytophthora* sp. may include, but are not limited to, avoiding collection of propagules from 1) known or likely infected areas; 2) during wet conditions; 3) when soil is muddy; or 4) from within 0.5 meters of the soil surface. Measures may also include implementing heat or chemical treatments to collected seeds prior to installation.
- 2.38 Control Invasive Species. Permittee is responsible for monitoring and if needed, eradication of invasive exotic species that may occur within the project area for a minimum of five years following construction. All revegetation efforts shall include local plant materials native to the project area.
- 2.39 Allowable Herbicide. If herbicide use is necessary, only herbicides registered with the California Department of Pesticide Regulation shall be used. All herbicides shall be applied in accordance with regulations set forth by the California Department of Pesticide Regulation and according to labeled instructions. Only herbicides approved for use in aquatic environments are permitted. Care shall be taken to avoid herbicide contact with native vegetation, and it shall only be applied on calm days (wind speed less than 5 miles per hour) to prevent airborne transfer of herbicide. No herbicides shall be used where threatened or endangered species occur, unless otherwise approved by in writing by CDFW.

- 2.40 Disposal of Vegetation and Debris. All removed vegetation and debris shall be moved outside the ordinary high-water mark prior to inundation by water. All removed vegetation and debris shall be disposed of according to state and local laws and ordinances.

Erosion and Sediment Control

- 2.41 Erosion control. At no time shall silt-laden runoff be allowed to enter a river, stream, or lake or directed to where it may enter a river, stream, or lake. Erosion control measures shall be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter a river, stream, or lake. Erosion control measures, such as, silt fences, straw hay bales, gravel or rock lined ditches, water check bars, and broadcasted straw shall be used wherever sediment has the potential to leave the work site and enter the river, stream, or lake.
- 2.42 Monofilament. Permittee shall not use erosion control materials containing plastic monofilament netting (erosion control matting) or similar material containing netting within the project area due to documented evidence of amphibians and reptiles becoming entangled or trapped in such material. Acceptable substitutes include coconut coir matting or similar.
- 2.43 Erosion Control Monitoring. Permittee shall monitor erosion control measures during and after each storm event and repair and/or replace ineffective measures immediately.
- 2.44 Excavation. No spoil from the excavation shall be placed on the stream side. Excavated spoil shall be removed to an area where the sediment will not deliver to a watercourse.
- 2.45 Groundwater Encountered. Nuisance groundwater encountered during excavation within the streambed or floodplain shall be discharged at a location where it will infiltrate into the soil, resulting in no overland flow. Turbid water shall not be allowed to flow downstream.

Material Handling, Debris, and Waste

- 2.46 Stockpiled Materials. Building materials and/or construction equipment shall not be stockpiled or stored where they may be washed into the water or cover aquatic or riparian vegetation. Stockpiles shall be covered when measurable rain is forecasted.

- 2.47 No Dumping. Permittee and all contractors, subcontractors, and employees shall not dump any litter or construction debris within the stream, or where it may pass into the stream.
- 2.48 Pick Up Debris. Permittee shall pick up all debris and waste daily.
- 2.49 Wash water. Water containing mud, silt, or other pollutants from equipment washing or other activities, shall not be allowed to enter a lake or flowing stream or placed in locations that may be subjected to high storm flows.
- 2.50 Disposal and Removal of Materials. All removed spoils and construction debris shall be moved outside the work area prior to inundation by water. Spoil sites shall not be located within the stream channel or areas that may be subjected to stream flows, where spoil may be washed back into a stream, or where it may impact streambed habitat, aquatic or riparian vegetation. All removed material shall be disposed of according to State and local laws and ordinances.

Equipment and Vehicles

- 2.51 Operating Equipment and Vehicle Leaks. Any equipment or vehicles driven and/or operated adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that could be deleterious to aquatic and terrestrial life or riparian habitat.
- 2.52 Stationary Equipment Leaks. Stationary equipment such as motors, pumps, generators, and welders, located within or adjacent to the stream shall be positioned over drip pans. Stationary heavy equipment shall have suitable containment to handle a catastrophic spill/leak.
- 2.53 Equipment Storage. Staging and storage areas for equipment, materials, fuels, lubricants, and solvents, shall be located outside of the stream channel and banks.
- 2.54 Refueling of Equipment. Refueling of construction equipment and vehicles may not occur within 175 feet of any water body, or anywhere that spilled fuel could drain to a water body. Appropriate hazardous materials absorbent pads and tarps or similar material shall be placed underneath the construction equipment and vehicles, when refueling, to capture incidental spillage of fuels. Equipment and vehicles operating in the project area shall be checked and maintained daily to prevent leaks of fuels, lubricants, or other liquids.

Toxic and Hazardous Material

- 2.55 Inspection of Project Equipment. Permittee shall inspect all vehicles, silt curtains, tools, waders and boots, and other project related equipment and remove all visible soil/mud, plant materials, and animal remnants prior to entering and exiting the project site and/or between each use in different waterbodies.
- 2.56 Toxic Materials. Any hazardous or toxic materials that could be deleterious to aquatic life that could be washed into the stream or its tributaries shall be contained in water tight containers or removed from the project site.
- 2.57 Hazardous Materials. Debris, soil, silt, bark, slash, sawdust, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, wildlife, or riparian habitat resulting from the project related activities shall be prevented from contaminating the soil and/or entering the Waters of the State.

Spills and Emergencies

- 2.58 Spill Kits. Prior to entering the work site, all field personnel shall know the location of spill kits and trained in their appropriate use.
- 2.59 Spill of Material Deleterious to Fish and Wildlife. In the event of a hazardous materials spill into a stream (e.g., concrete or bentonite), Permittee shall immediately notify the California Office of Emergency Services State Warning Center by calling 1-800-852-7550 and immediately provide written notification to CDFW by email at R3LSA@wildlife.ca.gov. Permittee shall take all reasonable measures to document the extent of the impacts and affected areas including photographic documentation of affected areas, injured fish and wildlife. If dead fish or wildlife are found in the affected area, Permittee shall collect carcasses and immediately deliver them to CDFW. Permittee shall meet with CDFW within ten days of the reported spill in order to develop a resolution including: site clean-up, site remediation and compensatory mitigation for the harm caused to fish, wildlife and the habitats on which they depend as a result of the spill. The Permittee shall be responsible for all spill clean-up, site remediation and compensatory mitigation costs. Spill of materials to waters of the state that are deleterious to fish and wildlife are in violation of Fish and Game Code section 5650 et. seq. and are subject to civil penalties for each person responsible. CDFW reserves the right to refer the matter to the District Attorney's Office if a

resolution cannot be agreed upon and achieved within a specified timeframe, generally six months from the date of the incident.

- 2.60 Spill Containment. All activities performed in or near a river, stream, or lake shall have absorbent materials designated for spill containment and cleanup activities on-site for use in an accidental spill. The Permittee shall immediately notify the California Emergency Management Agency at 1-800-852-7550 and immediately initiate the cleanup activities. CDFW shall be notified by the Permittee and consulted regarding clean-up procedures.

3. Reporting Measures

Permittee shall meet each reporting requirement described below.

- 3.1 Notification Prior to Work. As per Measure 1.5, at least 5 days prior to the start of project activities, Permittee shall notify CDFW that work will commence.
- 3.2 Notification of Designated Representative. As per Measure 1.9, at least 5 days prior to the start of project activities, Permittee shall submit to CDFW the name, business address, and contact information of the Designated Representative.
- 3.3 Biologist Approval. As per Measure 2.10, at least 30 days prior to commencement of project activities covered by this Agreement, the Permittee shall submit to CDFW, for review and approval, the qualifications for the biologist(s) that shall oversee the implementation of the conditions in this Agreement and conduct surveys or monitoring work.
- 3.4 Northern Spotted Owl Survey Results. Survey results for northern spotted owl shall be submitted to CDFW prior to the start of work, if required based on project timing.
- 3.5 California Red-Legged Frog Survey Results. Survey results for California red-legged frog shall be submitted to CDFW prior to the start of work.
- 3.6 Foothill Yellow-Legged Frog - Survey Methodology. A CDFW-approved Qualified Biologist shall provide a foothill yellow-legged frog survey methodology for CDFW review and written approval at least 15 days prior to conducting project activities.

- 3.7 Foothill Yellow-Legged Frog Survey Results. Survey results for foothill yellow-legged frog shall be submitted to CDFW prior to the start of work, if required based on presence of water.
- 3.8 California Giant Salamander Survey Results. Survey results for California giant salamander shall be submitted to CDFW prior to the start of work.
- 3.9 Northwestern Pond Turtle Survey Results. Survey results for northwestern pond turtle shall be submitted to CDFW prior to the start of work.
- 3.10 Nesting Bird Survey Reports. Survey results for nesting birds shall be submitted to CDFW prior to the start of work, if required based on project timing.
- 3.11 Dewatering and Aquatic Species Rescue Plan. Pursuant to Measure 2.22, the Permittee shall submit a Dewatering and Aquatic Species Rescue Plan to CDFW for review and written approval prior to any dewatering.
- 3.12 Re-vegetation Annual Report. Permittee shall submit to CDFW a status report by January 31 every year until restoration goals identified in Measure 2.26 are accomplished pursuant to Measure 2.32. This report shall include the survival and percent cover of species planted and native species that have colonized the area, the height of planted trees and shrubs, and the percent cover of invasive plants. The number by species of plants replaced, an overview of the revegetation effort, and the method used to assess these parameters shall also be included. The report shall include photos from designated photo stations and other relevant information such as: a summary of invasive species control, methods used to remove non-native plants, and a list of wildlife observed on-site. After CDFW's review of the fifth-year monitoring report, if plantings have achieved the required success criteria, CDFW shall email Permittee stating that the monitoring requirements have been satisfied. **Monitoring requirements will not be deemed complete until CDFW emails Permittee stating so.**
- 3.13 Photographic Documentation of Work. Prior to commencement of work a minimum of four (4) vantage points that offer representative views of the project site and work areas shall be identified. The Permittee shall photograph the project area from each of the vantage points, noting the direction and magnification of each photo. Upon completion of work, the Permittee shall photograph post-project conditions from the vantage points using the same direction and magnification as pre-project photos. A reference key shall be submitted with the photos describing the location of the photo, the direction of the view, and whether the photo is pre- or post-

construction. All photos shall be submitted within 30 days of project conclusion.

- 3.14 Notification to the California Natural Diversity Database. If any listed, rare, or special status species are detected during project surveys or on or around the project site during project activities, the Permittee shall submit CNDDDB Field Survey Forms to CDFW in the manner described at the CNDDDB website (<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>) within five working days of the sightings. Copies of such submittals shall also be submitted to the CDFW regional office as specified below.

CONTACT INFORMATION

Any communication that Permittee or CDFW submits to the other shall be submitted through Environmental Permit Information Management System (EPIMS) as instructed by CDFW.

To Permittee:

Valerie Pierce
EPIMS-SON-64330-R3
Pierce Bank Stabilization
1200 Nuns Canyon Road
Glen Ellen, CA 95442
VPierce@outlook.com

To CDFW:

Department of Fish and Wildlife
Bay Delta Region
EPIMS-SON-64330-R3
Pierce Bank Stabilization
R3LSA@wildlife.ca.gov; James.Hansen@wildlife.ca.gov

LIABILITY

Permittee shall be solely liable for any violations of this Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that this Agreement authorizes.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if CDFW determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with this Agreement, in accordance with section 723 of title 14 of the California Code of Regulations.

Before CDFW suspends or revokes this Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before CDFW suspends or revokes this Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in this Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking this Agreement.

Nothing in this Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with, or obtaining any other permits or authorizations that might be required under, other federal, state, or local laws or regulations before beginning the project or an activity related to it. For example, if the project causes take of a species listed as threatened or endangered under the Endangered Species Act (ESA), such take will be unlawful under the ESA absent a permit or other form of authorization from the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the Fish and Game Code including, but not limited to, Fish and Game Code sections 2050 *et seq.* (threatened and endangered species), section 3503 (bird nests and eggs), section 3503.5 (birds of prey), section 5650 (water pollution),

section 5652 (refuse disposal into water), section 5901 (fish passage), section 5937 (sufficient water for fish), and section 5948 (obstruction of stream).

Nothing in this Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend this Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend this Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall use the "Amendments & Extension" form in EPIMS to submit the request. Permittee shall include with the completed form, payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of this Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of this Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall use the "Amendments & Extension" form in EPIMS to submit the request. Permittee shall include with the completed form, payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with Fish and Game Code section 1605, subdivision (b), Permittee may request one extension of this Agreement, provided the request is made prior to the expiration of this Agreement's term. To request an extension, Permittee shall use the "Amendments & Extension" form in EPIMS to submit the request. Permittee shall include with the completed form, payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit.

14, § 699.5). CDFW shall process the extension request in accordance with Fish and Game Code section 1605, subdivisions (b) through (e).

If Permittee fails to submit a request to extend this Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project this Agreement covers (Fish & G. Code § 1605, subd. (f)).

EFFECTIVE DATE

This Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable Fish and Game Code section 711.4 filing fee listed at <https://wildlife.ca.gov/Conservation/Environmental-Review/CEQA/Fees>.

TERM

This Agreement shall expire on December 31, 2030, unless it is terminated or extended before then. All provisions in this Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after this Agreement expires or is terminated, as Fish and Game Code section 1605, subdivision (a)(2) requires.

EXHIBITS

The documents listed below are included as exhibits to this Agreement and incorporated herein by reference.

- A. *Pierce Residence Bank Stabilization Project*, prepared by PCI Ecological, dated December 21, 2025

AUTHORITY

If the person signing this Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project this Agreement authorizes,

Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with Fish and Game Code section 1602.

CONCURRENCE

Through the electronic signature by the permittee or permittee's representative as evidenced by the attached concurrence from CDFW's EPIMS, the permittee accepts and agrees to comply with all provisions contained herein.

The EPIMS concurrence page containing electronic signatures must be attached to this agreement to be valid.



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102

April 21, 2026

Regulatory Division

Subject: File Number SPN-2026-00041

Mr. Kyle Johnson
PCI Ecological
103 Morris Street, Suite A5
Sebastopol, CA 95472
kyle@pciecological.com

Mr. Johnson:

This correspondence is in reference to your submittal of January 15, 2026, on behalf of Valerie Pierce, concerning Department of the Army (DA) authorization for the Pierce Bank Stabilization Project located in Calabazas Creek at 1200 Nuns Canyon Road, Glen Ellen, Sonoma County (Lat: 38.3996°, Long: -122.5086°)

Work within U.S. Army Corps of Engineers (Corps) jurisdiction will include the installation of rootwad/rock stabilization and the construction of a two-foot-high flood protection berm in and along Calabazas Creek to reinforce the eroding creek bank and for flood control. Work will require placement of fill material within 0.013 acre of Calabazas Creek. All work shall be completed in accordance with the plans and drawings titled: "USACE File ID SPN-2026-00041, Pierce Bank Stabilization Project," dated April 20, 2026, in five sheets, provided as enclosure 1.

Section 404 of the Clean Water Act (CWA) generally regulates the discharge of dredged or fill material below the plane of ordinary high water in non-tidal waters of the United States, below the high tide line in tidal waters of the United States, and within the lateral extent of wetlands adjacent to these waters. Section 10 of the Rivers and Harbors Act (RHA) generally regulates construction of structures and work, including excavation, dredging, and discharges of dredged or fill material occurring below the plane of mean high water in tidal waters of the United States; in former diked baylands currently below mean high water; outside the limits of mean high water but affecting the navigable capacity of tidal waters; or below the plane of ordinary high water in non-tidal waters designated as navigable waters of the United States. Navigable waters of the United States generally include all waters subject to the ebb and flow of the tide; and/or all waters presently used, or have been used in the past, or may be susceptible for future use to transport interstate or foreign commerce.

Based on a review of the information in your submittal, the project qualifies for authorization under Department of the Army Nationwide Permit (NWP) 13 Bank Stabilization (91 Fed. Reg. 768, January 8, 2026), pursuant to Section 404 of the CWA of 1972, as amended (33 U.S.C. § 1344 et seq.). The project must be in compliance

with the terms of the NWP, the general conditions of the Nationwide Permit Program, and the San Francisco District regional conditions cited on our website (www.spn.usace.army.mil/Missions/Regulatory/Permitting/Nationwide/). You must also be in compliance with any special conditions specified in this letter for the NWP authorization to remain valid. Non-compliance with any term or condition could result in the revocation of the NWP authorization for your project, thereby requiring you to obtain an Individual Permit from the Corps. This NWP authorization does not obviate the need to obtain other State or local approvals required by law. Upon completion of the project and all associated mitigation requirements, you shall sign and return the Certification of Compliance, enclosure 2, verifying that you have complied with the terms and conditions of the permit.

This verification will remain valid until March 15, 2031, unless the NWP authorization is modified, suspended, or revoked. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon a NWP will remain authorized provided the activity is completed within 12 months of the date of a NWP expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 C.F.R. § 330.4(e) and 33 C.F.R. § 330.5(c) or (d). This verification will remain valid if, during the time period between now and March 15, 2031, the activity complies with any subsequent modification of the NWP authorization. The Chief of Engineers will periodically review NWPs and their conditions and will decide to modify, reissue, or revoke the permits. If a NWP is not modified or reissued within five years of its effective date, it automatically expires and becomes null and void. It is incumbent upon you to remain informed of any changes to the NWPs. Changes to the NWPs would be announced by Public Notice posted on our website (<https://www.spn.usace.army.mil/Missions/Regulatory/Public-Notices.aspx>).

You shall comply with all terms and conditions set forth by the “Notice of Applicability (NOA) for Enrollment of Pierce Bank Stabilization Project under the Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects (File No. SB12006GN), Sonoma County,” issued by the San Francisco Bay Regional Water Quality Control Board on February 10, 2026 (enclosure 3). You shall consider such conditions to be an integral part of the NWP authorization for your project.

General Condition 18 stipulates that project authorization under a NWP does not allow for the incidental take of any federally-listed species in the absence of a biological opinion (BO) with incidental take provisions. As the principal federal lead agency for this project, the Corps initiated consultation with the National Marine Fisheries Service (NMFS) to address project related impacts to listed species, pursuant to Section 7(a) of the Endangered Species Act of 1973, as amended, 16 U.S.C. § 1531 *et seq.* By email of February 12, 2026, NMFS verified that the project can be included in the “Endangered

Species Act Section 7(a)(2) Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the U.S. Army Corps of Engineers' Programmatic Bio-Engineered Bank Stabilization Permitting Program."

In order to fulfill our tribal trust responsibilities, the Corps consulted with local Native American tribes. Based on recommendations from the Federated Indians of Graton Rancheria (FIGR), a federally recognized tribe, you have agreed to invite a tribal cultural monitor from FIGR for all ground disturbing activities as part of your project description. You should contact the Tribal Heritage Preservation Officer (Buffy McQuillen, 707-318-0485, bmcquillen@gratonrancheria.com) at least two weeks prior to commencement of ground disturbing activities for scheduling purposes.

In order to ensure compliance with this NWP authorization, the following special conditions shall be implemented:

1. To remain exempt from the prohibitions of Section 9 of the Endangered Species Act, the non-discretionary Terms and Conditions for incidental take of federally-listed Species shall be fully implemented as stipulated in the Biological Opinion titled "Endangered Species Act Section 7(a)(2) Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the U.S. Army Corps of Engineers' Programmatic Bio-Engineered Bank Stabilization Permitting Program," dated July 1, 2020 (https://usace.dps.mil/b:s/TDL-CESPN-RG-Regulatory/EZ-n9OtqN_19ltECQAG_Mbl4BQS_VKSwo_1pP_D0PxG13uw?e=XfY2gN). Project authorization under the NWP is conditional upon compliance with the mandatory terms and conditions associated with incidental take. Failure to comply with the terms and conditions for incidental take, where a take of a federally-listed species occurs, would constitute an unauthorized take and non-compliance with the NWP authorization for your project. The NMFS is, however, the authoritative federal agency for determining compliance with the incidental take statement and for initiating appropriate enforcement actions or penalties under the Endangered Species Act.

You may refer any questions on this matter to me by telephone at 628-629-1064 or by e-mail at Bryan.T.Matsumoto@usace.army.mil. All correspondence should be addressed to the Regulatory Division, North Branch, referencing the file number at the head of this letter.

The San Francisco District is committed to improving service to our customers. The Regulatory staff seeks to achieve the goals of the Regulatory Program in an efficient and cooperative manner while preserving and protecting our nation's aquatic resources. If you would like to provide comments on our Regulatory Program, please complete the Customer Service Survey Form available on our website:
www.spn.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,



2026.04.21

16:04:06 -07'00'

Bryan Matsumoto
Senior Project Manager

Enclosures

cc:

FIGR, Buffy McQuillen, bmcquillen@gratonrancheria.com

NMFS, Teresa Moore, teresa.moore@noaa.gov

CA RWQCB, Nicholas Regent, nicholas.regent@waterboards.ca.gov

SHPO, Alvin Rosa-Figueroa, alvin.rosa-figueroa@parks.ca.gov

Valerie Pierce, vlpmjs3@gmail.com



2550 Ventura Avenue
Santa Rosa, CA 95403

p: (707) 565-1900
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Scott Orr
Director

Michelle Arellano
Administration

Nathan Quarles
Engineering and Construction

Cecily Condon
Planning

Steve Mosiurchak
Fire Marshal

15 May 2026
Valerie Pierce
1200 Nuns Canyon Road, Glen Ellen, CA 95442
Petaluma, CA

Re: File No.: UPE25-0078
Address: 1200 Nuns Canyon Road, Glen Ellen, CA
APN: 053-040-029

This letter is in reference to your request for a Riparian Corridor Use Permit with a streamside conservation plan for the stabilization of Calabazas Creek within a riparian corridor setback on a 5.84 acre parcel.

The Use Permit approval is based on a determination by the Permit and Resource Management Department that the use will not be detrimental to the health, safety or welfare of adjacent land uses or properties. The project is categorically exempt under CEQA, per CEQA Guidelines 15333.

The Use Permit is issued for the use as described on the application form, the proposal statement, the site plan submitted to this department, and the Streamside Conservation Plan and as modified by the Conditions of Approval. Any modifications of the use, expansion or alteration shall be submitted for review and approval by the Permit and Resource Management Department, Natural Resources Division, in advance of the proposed change and may, at the discretion of the department, require a new Use Permit with or without a public hearing. This decision may be appealed in writing, along with an appeal fee, within 10 (ten) calendar days of the date of this letter.

If you have any questions, feel free to contact me at Robert.Aguero@sonomacounty.gov or at 707-565-3718. Please refer to your file number (UPE25-0078) and site address when making inquiries.

Sincerely,

Robert Aguero

Robert Aguero
Department Program Manager

Enclosures: Conditions of Approval dated 5/14/2026

c: File No.: UPE25-0078
Kyle Johnson, PCI Ecological