

SONOMA COUNTY BOARD OF SUPERVISORS

Conditions of Approval

Exhibit "B"

Staff: Robert Pennington, Professional Geologist

Date: March/11/2025

Applicant: Endangered Habitats Conservancy

File No.: PLP23-0014

Owner: Hanson Aggregates Mid-Pacific Inc.

APN: 066-300-011; 110-120-023; 110-110-018 and 020; 110-160-011 and 016; 066-290-049; and 053; 066-300-011, 027, and 049; 110-110-015 and 016; 110-120-020 and 021; 066-290-042, 043, and 044; and 110-120-030, 028, and 022

Address: 9245 Eastside Rd. Healdsburg CA 95448

Project Description:

The Russian River Floodplain Restoration Project proposes to restore a functional floodplain at a former gravel quarry of approximately 358-acres along the middle reach of the Russian River near Windsor, CA. The proposed natural process-based project design will improve the functions and values of the Russian River for ecological benefit, flood management, improved water quality and public enjoyment. The proposal also includes limited public access including public parking off Eastside Road, trail system, and small boat-in campground. The project proposes removal of Mineral Resources (MR) combining zone from APNS 066-300-049, 066-300-011, 066-300-027, 066-290-049, and 110-110-016, and change in General Plan land use and base zoning from Land Intensive Agriculture (LIA) to Land Extensive Agriculture (LEA) for APNs 066-300-011, 110-110-015, and 110-110-016.

Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.

FEES:

1. Notice of Exemption Fees. Within five business days after final project approval, the applicant shall pay a mandatory Notice of Exemption filing fee of \$48.00 (or the latest fee in effect at the time of payment) for County Clerk processing. The fee will be charged against the project At-Cost deposit account and billed to the applicant, unless the applicant requests an alternate payment method, such as a check made out to the Sonoma County Clerk and submitted to Permit Sonoma in advance of the fee due date. NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
2. Permit Processing and Development Fees. This "At Cost" entitlement is not vested until all permit processing costs and development fees are paid in full. No grading or building permits shall be issued until all permit processing costs and development fees are paid in full.
3. Condition Compliance Fee. At the time of submitting a building permit application, the applicant shall submit to Permit Sonoma an Approved Permit Condition Compliance Review fee deposit of \$3,029.00 (or other amount consistent with the adopted fee schedule in effect at the time). In addition, the applicant/operator shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final occupancy being granted.

GENERAL:

This project shall be constructed, maintained, and monitored in conformance with the project description and project plans submitted with the application located in File No. PLP23-0014 and as modified by these Conditions of Approval.

4. Permits by Other Agencies. To the extent required by applicable law, any and all permits or approvals required by other agencies having jurisdiction over the project shall be obtained and copies shall be provided to Permit Sonoma. This permit is subject to the conditions of said permits and any violation of other such permits shall constitute a violation of this permit. If there are conflicts between the conditions of any permits, the more restrictive shall apply. Project Review and Natural Resources staff will work with the agencies and the operator to help achieve solutions. A modification to this approval may be required. Agencies requiring permits or consultation may include, but are not limited to:
 - a. California Department of Fish and Wildlife
 - b. North Coast Regional Water Quality Control Board
 - c. Army Corps of Engineers
 - d. U.S. Fish and Wildlife Service
 - e. National Marine Fisheries Service

5. This permit shall be subject to revocation or modification by the Planning Commission if: (a) the Planning Commission finds that there has been noncompliance with any of the conditions or (b) the Planning Commission finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

6. Except as provided in Condition No. 7 below, any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of Permit Sonoma or the Planning Commission as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.

7. The Director of Permit Sonoma is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request demonstrating that the condition is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. Permit Sonoma will consult, as needed, with affected departments and agencies and may require an application for modification of the approved permit. Any modification of the permit conditions shall be documented with an approval letter from Permit Sonoma, and shall not affect the original permit approval date.

PERMIT SONOMA PLANNING AND NATURAL RESOURCES:

"The conditions below have been satisfied" BY _____ DATE _____

8. This Use Permit allows for the completion of floodplain restoration grading to restore a functional floodplain at a former gravel quarry of approximately 358-acres along the middle reach of the Russian River near Windsor, CA. The Use Permit also allows for limited public access including public parking off Eastside Road, trail system, and campground, constructed and operated in substantial compliance with Public Access Plans submitted with the use permit

application. Public access amenities, including trails, campground, and river access, are for use by the general public. This Use Permit does not authorize the development or operation of a private park or private campground.

Project phases are described below:

- a. Phase 1 (Restoration grading and planting): Restoration grading and planting is expected to occur in subphases over the course of four years, but may extend over a longer period, dependent upon funding, constructability, permitting and other factors. Grading for each subphase shall be designed such that cut and fill balance. Import and export of fill for each subphase is prohibited. Import of minor volumes (not to exceed 1% of the total fill volume) of soil and soil amendments for restoration planting, and aggregate construction materials, is permitted. Restoration grading work may include the grading for the public access amenities.
 - b. Phase 2 (Monitoring and Adaptive Management). After completion of restoration grading and planting in any given subphase, monitoring and adaptive management shall commence and continue in that subphase until the last subphase to be graded and planted has itself been monitored for a minimum of five years and performance standards are met. Vehicle access for the monitoring activities shall be confined to the maintenance road and existing access roads to and from Eastside Road.
 - c. Phase 3 (Public Access Amenities). Public access amenities including parking, trails, and campground may be developed after restoration grading is complete.
 - d. Phase 4 (Public Access). Public access may commence concurrently with the above phases, subject to compliance with health and safety provisions and conditions of this use permit related to access, water, septic, fire, and health and safety.
9. Prior to restoration grading permit approval, a Restoration, Monitoring, and Adaptive Management plan (RMAM Plan), shall be submitted to and approved by Permit Sonoma, Natural Resources Division. The RMAM Plan shall be developed in coordination with the resource and regulatory agencies listed in Condition No. 5, above, such that, to the extent practicable or allowable, there is a single plan for the project site. For the purposes of this Use Permit, the RMAM Plan shall include the following:
- a. Habitat Delineation. The project site will be delineated into target habitat areas in accordance with the "Revegetation Zones – Target Habitats" Sheet C-402 depicted in the 30% Design Plans submitted with the permit application.
 - b. Performance Standards. Quantitative ecological performance standards that at a minimum include the following:
 - i. Acreage of habitat types,
 - ii. Hydrologic regimes consistent with the target habitat type;
 - iii. Measurements of the successional trajectory of forested plant communities using standard forest ecology techniques (frequency, density, dominance, importance values);
 - iv. Vegetation standards including specifications for minimum cover, species composition, and invasive species, will be developed in coordination with resource and regulatory agencies as part of the development of the RMAM.
 - v. The following species known to host vineyard pests, including the glassy winged sharpshooter, shall not be specified for planting within 300 feet of adjacent vineyards: California Grape; California Blackberry; Blue Elderberry; Mugwort; Stinging nettle; and Mulefat.

- c. Construction Monitoring: The RMAM Plan shall specify quarterly or more frequent monitoring by a qualified biologist during the restoration grading and planting phase;
 - d. Post-Construction Monitoring.
 - i. Annual vegetation and hydrology monitoring shall commence in the first growing season after completion of restoration grading and planting for a subphase. Monitoring and adaptive management shall commence and continue in that subphase until the last subphase to be graded and planted has itself been monitored for a minimum of five years and performance standards are met.
 - e. Adaptive Management. The RMAM Plan shall specify adaptive management strategies including replanting of areas that do not meet performance standards, and control of non-native and highly invasive species using mechanical removal, herbicide application, or other appropriate methods.
10. The applicant shall comply with the approved RMAM Plan. At the conclusion of the monitoring periods for all subphases, the applicant shall submit an as built habitat delineation and evaluation report prepared by a qualified biologist that includes a map that delineates the project area into target habitats and documents compliance with the performance standards. If the project site is not in substantial compliance with criteria performance standard, then the operator will continue to maintain and monitor the site until the site is in substantial compliance with performance standard, subject to final review and approval by PRMD Natural Resources Division.
11. Prior to restoration grading permit approval, the applicant shall submit a Groundwater Management and Monitoring (GM&M) Plan in substantial conformance with the monitoring plan recommended in the Hanson Ponds Groundwater Study prepared by Luhdorff & Scalmanini Consulting Engineers dated November 2022, subject to review and approval by PRMD Natural Resources Division. The GM&M plan shall include:
- a. A complete Water Resources Monitoring application form (PJR-147).
 - b. Quarterly or more frequent water level monitoring of all existing onsite monitoring wells during construction and restoration monitoring phases.
 - c. Monthly or more frequent water level and temperature monitoring of all existing onsite monitoring wells during periods of active construction.
 - d. Monthly or more frequent sampling and analysis of methyl mercury from monitoring well MW-HPR-2 (or equivalent monitoring well), the Piombo or Mariani Pits, and the Russian River during the construction phase involving placement of fill within the Piombo or Mariani Pits.
 - e. Recommended thresholds and actions will be consistent with those recommended in the Hanson Ponds Groundwater Study prepared by Luhdorff & Scalmanini Consulting Engineers dated November 2022. If methyl mercury concentrations exceed thresholds, then:
 - i. The operator shall immediately cease filling of the Mariani or Piombo Pit; and
 - ii. The operator shall notify PRMD and the Town of Windsor of the exceedance within 24 hours;
 - iii. The operator shall not recommence placement of fill within the Mariani or Piombo Pit until written authorization is received from PRMD.
 - f. Construction methods, including water management and pumping, construction phasing, and construction methods designed to minimize the potential for water from the Mariani and Piombo pits to travel north toward the Town of Windsor well field.

12. Groundwater monitoring and construction methods shall be conducted consistent with the approved GM&M and Policies and Procedures adopted by Permit Sonoma.
 - a. Data shall be reported to Permit Sonoma in January of the following year pursuant to Permit Sonoma's most current groundwater monitoring guidelines.
 - b. An annual groundwater monitoring fee shall be paid by January 31 of each year.

13. The project shall be designed and constructed to support water right S015459, currently owned and operated by Jackson Family Investments III, LLC, consistent with existing water rights and beneficial uses, as follows:
 - a. A residual pond with a minimum volume of 50 acre feet below the seasonal low water table shall be developed in the area of the existing water diversion infrastructure within the northeast corner of Richardson Pond on APN 066-290-052. The existing water diversion infrastructure shall be modified or replaced, including intake plumbing, such that water is pulled from an elevation near the bottom of the residual pond. The modified or replaced water diversion infrastructure shall meet or exceed the flow rate and volume and reliability of the existing water diversion infrastructure.
 - b. The residual pond shall be designed to maintain and maximize hydraulic connectivity with the surrounding unconfined alluvial aquifer. The residual pond shall be unlined and the adjacent restored floodplain will be constructed of on-site native alluvium to maximize rates of equilibration with the adjoining alluvial aquifer.
 - c. An alternative water diversion infrastructure, such as an infiltration gallery or new water well, may be developed by the applicant or permit holder in lieu of the pond, provided a written statement from the owner of water right S015459 is submitted to PRMD clearly stating that the proposed alternative is acceptable to the water right holder. Development of alternative diversion infrastructure shall be subject to review and approval by PRMD.
 - d. An alternative source and temporary storage of water sufficient to support the water rights holder's existing water rights S015459 and beneficial uses shall be supplied during periods when surface water diversions are disrupted due to project construction. However, an alternative source of water shall not be required in response to reduced water supply that was not a result of the project such as water rights curtailments, aquifer depletion or equipment failure unrelated to the project.
 - e. Within one year of completion of the residual pond and diversion infrastructure, a diversion system test shall be conducted to ensure that the system is sufficient to support existing water rights and beneficial uses consistent with statements of diversion and use on file with the State Water Resources Control Board for years prior to 2024. The diversion system test results to establish the "baseline yield". The diversion system test shall be conducted in coordination with the owner of water right S015459 and shall monitor residual pond drawdown and recovery and diversion infrastructure flow rates and volumes during the water right's holders sustained diversions during the irrigation season and peak weekly and

monthly diversions for frost protection use in Spring. Results of the diversion system test shall be provided by the applicant in report format to PRMD, with evidence that the report was also concurrently provided to the owner of water right S015459. The owner of water right S015459 shall have 60 days to provide comments on the report to the County and the Applicant as to its accuracy. This condition shall not be considered met until a reliable test of the diversion system has been achieved, subject to review and approval by PRMD.

- f. If within 5 years of the completion of the residual pond, the system is found to produce less than 95% of the baseline yield, as determined pursuant to the paragraph above, due to failure of the residual pond to yield the baseline amount, then the pond shall be maintained, upgraded or reconstructed, or a supplemental water supply system developed, as necessary to provide the baseline yield. Maintenance and operation of diversion infrastructure, including mechanical and electrical equipment including pumps, generators, valves, and other related equipment is not the responsibility of the applicant and is the responsibility of the owner of water right S015459, and failure of such equipment shall not represent a failure of the system to perform as intended.
14. The project shall be designed and constructed such that the point of diversion associated with appropriative water right A014762 may be moved to the northeast corner of APN 066-290-052, at the same point of diversion as water right S015459, pursuant to a petition for change approved by the State Water Resources Control Board.

Mine Reclamation:

15. This Use Permit does not supersede, replace or terminate the prior mining Use Permit PLP97-0096 requiring reclamation of the Mariani and Piombo Mine sites. Termination of Use Permit PLP97-0096 is contingent upon completion of mine reclamation of all areas disturbed through mining within the reclamation boundaries, and release of all financial assurances pursuant to the Surface Mining and Reclamation Act (SMARA).
16. Mine Reclamation. Prior to operation of public access amenities on APN 066-300-049, mine reclamation of the Piombo Pit (State Mine ID 91-49-0003) and Mariani Pit (State Mine ID 91-49-0051) shall be complete and financial assurance released pursuant to the Surface Mining and Reclamation Act (SMARA). The reclamation plan authorized under Use Permit PLP97-0096 may be amended such that mine reclamation is completed in accordance with the floodplain restoration plan authorized through this Use Permit PLP23-0014 in lieu of the reclamation design approved under PLP97-0096. Reclamation plan amendment shall be subject to review and approval by Permit Sonoma and the Department of Conservation in accordance with Chapter 26A-07 and SMARA.

Public Access:

17. Public access amenities, including trails, campground, and river access, are for use by the general public. All fees for entry and use shall be reasonable and comparable to nearby County and State parks. Park operations may utilize third party contractors and private concessionaires.

18. Hours of Operation. Day use public access shall be limited to sunrise to sunset. Campground use may operate 24 hours each day with quiet hours between 10:00 pm and 7:00 am.
19. Amplified sound is not permitted on-site at any time, including indoors or outdoors. Very loud musical instruments (such as horns, drums and cymbals) are not permitted outdoors. The quieter, non-amplified musical instruments (such as piano, stringed instruments, woodwinds, flute, etc.) are allowed indoors or outdoors when in compliance with the Noise Element of the Sonoma County General Plan.
20. Special events were not requested in this Use Permit and are not authorized by this Use Permit.
21. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.
22. Campground Use. A campground for public use may be developed and operated on APN 066-300-011 and 110-110-016 within the historic footprint of the aggregate processing site, in substantial conformance with Public Access Plans. The campground shall have a perimeter fence and shall be setback from the northern property line by a minimum of 50 feet. Areas within the northern setback shall be heavily vegetated with native flora that discourages movement through the setback area. Campsites shall be primitive in nature and designed and operated for walk-in, bike-in, and boat-in campers. Campsites shall not have hook-ups and shall not include parking spaces, except for the two camp-host sites, unloading/loading area, and as required for American Disabilities Act (ADA) compliance. The campground shall be equipped with an ADA compliant floodproof restroom, and a fire-resistant water storage tank for fire suppression. The water storage tank may also be used for potable water. Campfires shall be regulated consistent with nearby County and State Parks. Campfires shall be allowed only in designated fire rings and barbeques surrounded by a minimum of 4 feet of clear ground space surfaced with non-combustible material such as compacted gravel or pavement.
23. Boat Portage Trail. A boat portage nature trail and boat launch for river access by the public may be developed on APN 110-110-015 and 110-110-016. Vehicular access by the public shall be prohibited on the boat portage trail.
24. Prior to public access, revised Public Access Plans shall be submitted to PRMD for its review and approval. Revised Public Access Plans shall include additional measures such as fencing, cameras, and signage to control and limit trespass and dumping on adjoining parcels. A copy of the revised public access plan shall be sent to all adjacent parcel owners at their respective addresses listed in the Sonoma County Assessor's Records, and evidence that copies were so sent and to what address shall be provided to PRMD. Access to the site shall be developed in substantial conformance with Public Access Plans submitted with the use permit application. Access from Eastside Road shall be controlled by timer controlled or locked gates with fire access lock.
25. North Parking Area.

The North Parking Area includes an area of approximately 5.0 acres located in the northeast

corner of APN 066-300-049 covering the “Parking Area”, “North Parking Area One-way Road Entry”, “North Parking Area One-way Road Exit”, “Multi-Use Trail Alignment Alternative if Mariani Does Not Purchase Back Portion of Parcel for Private Use” and areas east of the trail segment annotated “Multi-Use Trail Alignment Alternative if Mariani Purchase Back Portion of Parcel for Private Use” as identified on Sheet 014 of the Public Access Plans.

A parking area for day-use and overnight use for campground users located on the northeast corner of APN 066-300-049 may be developed in substantial conformance with Public Access Plans submitted with the Use Permit application, subject to restrictions below.

~~25.~~ No tree removal shall occur within the North Parking Area and pPermits for grading and improvement plans for development of the North Parking Area infrastructure shall not be issued unless:

- a. Written agreement and consent of the holders of the repurchase option for APN 066-300-049 (currently held by members of the Mariani family) is submitted to PRMD; or,
- b. The repurchase option has been executed or otherwise becomes null and void.

~~Restoration grading, restoration planting, material stockpiling, construction equipment storage and other restoration and reclamation activities are allowed within the footprint of the North Parking Area. This Use Permit does not restrict or prohibit private use or private development of the North Parking Area by future owners after the repurchase option has been executed or otherwise becomes null and void.~~

26. South Day-Use Parking. The South Day-Use Parking Area may be developed at either the “Option A” or “Option B” location, in substantial conformance with Public Access Plans submitted with the Use Permit application. This Use Permit allows for development of only one of the two parking options; development of both “Option A” and “Option B” is prohibited. Vehicular access to the South Day-Use Parking “Option B” location will require an access easement for development, maintenance and use of a driveway across APN 066-290-053. The access easement document shall be submitted to PRMD, Sonoma County Regional Parks, and County Counsel for review and approval by prior to recordation.

Permits for grading and improvement plans for the development of the “Option A” location shall not be issued if within one year of project approval an access easement is recorded that grants access and allows for development and maintenance of a driveway on APN 066-290-053 for the purposes of public access to the “Option B” location. Owner of the project parcel on which the South Day-Use Parking Option “B” is proposed shall not unreasonably refuse to accept said easement. Should the “Option A” location be developed, subsequent development and use of “Option B” may be allowed if upon completion and operation of “Option B” the “Option A” parking area is closed to public access.

27. Open Space Easements. Prior to grading permit issuance, the applicant shall deliver to the County a conformed copy of recorded open space easement(s) transferred by the property owner to a public agency or qualified non-profit organization covering the following core project parcels APNs: 066-290-050, 066-290-049, 066-300-027, 066-300-011, 110-110-016, 110-110-015, 110-120-021, 110-120-020. Easements shall guarantee that such land will be perpetually maintained in open space use, consistent with the approved project and existing reclamation

plans. The Open Space Easement shall include language that allows for adaptive management. The Open Space Easement document shall be submitted to PRMD, Sonoma County Regional Parks, and County Counsel for review and approval by prior to recordation.

28. Access Easement for Mariani Parcel

- a. Prior to grading permit issuance on APN 066-300-049, an access easement shall be recorded that grants access for development of, maintenance of, and access to a multi-use trail and maintenance road on APN 066-300-049 following the approximate alignment depicted on Sheet 001 of the Public Access Plans submitted with the Use Permit application. The access easement shall cover areas necessary to develop and maintain the multi-use trail and maintenance road extending between APN 066-300-011 and 066-300-027. The easement is not required to include the North Parking Area, entry road and trail segment identified as “Multi-Use Trail Alignment Alternative” on Sheet 014 of the Public Access Plans. The easement document shall be submitted to Permit Sonoma, Sonoma County Regional Parks, and County Counsel for review and approval prior to recordation.
- b. Prior to grading permit issuance on APN 066-300-049, an access easement shall be recorded that grants access for development of, maintenance of, and access to a seasonal nature trail on APN 066-300-049 following the approximate alignment depicted on Sheet 001 of the Public Access Plans submitted with the Use Permit application. The easement shall cover areas necessary to develop and maintain the seasonal nature trail extending between APN 066-300-011 and 066-300-027. The Easement document shall be submitted to Permit Sonoma, Sonoma County Regional Parks, and County Counsel for review and approval prior to recordation.

PERMIT SONOMA BUILDING:

- 29. All required building permits for site development shall be obtained from Permit Sonoma. The necessary applications may include building and encroachment permits for ADA compliant parking areas and campground, electric gates and lighting, roads, and engineered retaining walls.
- 30. The project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC) or California State Parks Accessibility Guidelines or Accessibility Standards for Federal Outdoor Developed Areas, as determined by the Building Division.

PERMIT SONOMA WELL & SEPTIC:

“The conditions below have been satisfied” BY _____ DATE _____

Water:

- 31. Development of a potable water supply is not a requirement for the campground or day use facilities. If a potable water supply is developed, then a water supply permit from the State Division of Drinking Water for operation of a public water system shall be required, if applicable.

Potable water can be delivered to the site by trucking and pumping into a storage tank for public use.

Septic:

32. Prior to public access and operation of the campground, south day use parking area, or north parking area, an ADA compliant floodproof vault toilet shall be installed at the specified site, subject to review and approval by Permit Sonoma. A different type of permanent wastewater disposal system may be developed, subject to review and approval by permit Sonoma. Portable restrooms may be used until a permanent wastewater disposal system is constructed. All portable restrooms must be removed from the site prior to flood events that may inundate the site.

Refuse:

33. All garbage and refuse on this site shall accumulate or be stored in ADA compliant and animal resistant steel container enclosures. Each enclosure will have 2 or 3 waste streams: one for landfill waste, one for recycling, and one for compost. The accumulated garbage and refuse shall be removed one to seven times a week depending on park use. All garbage and refuse containers shall be removed from the enclosures prior to flood events that may inundate the site.

SONOMA COUNTY FIRE PREVENTION AND HAZARDOUS MATERIALS DIVISION:

"The conditions below have been satisfied" BY _____ DATE _____

34. To facilitate locating an emergency and to avoid delays in response; all existing and newly constructed or approved roadways and buildings whether public or private shall provide for safe access for emergency fire apparatus and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during an emergency, and shall be constructed and maintained as required by Sonoma County Fire Safe Standards and the California Fire Code, as adopted and amended by Sonoma County Code.
35. Emergency water supply for fire protection shall be available and accessible in locations, quantities and delivery rates as specified in the California Fire Code as adopted and amended by Sonoma County Code. Emergency water supply for fire suppression may be provided in a naturally occurring or manmade containment structure for projects not served by a municipal water system, as long as the specified quantity and delivery rate is immediately provided.
36. Prior to public access, the site must be in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations to the property.
 - a. A fire inspection shall be conducted by the Sonoma County Fire Prevention Division to determine if the subject property (*or properties*) is currently in full compliance with applicable Building Code regulations, Fire Code Regulations and Hazardous Materials regulations.

b. The Sonoma County Fire Prevention Division may charge and collect a fee for the inspection in an amount, as determined by the county, sufficient to pay its costs of that inspection.

37. Prior to public access, an emergency response plan consistent with Chapter 4 of the 2019 California Fire Code as adopted and amended by Sonoma County Code shall be developed and approved by the Sonoma County Fire Prevention Division.

PERMIT SONOMA GRADING AND STORMWATER

"The conditions below have been satisfied" BY _____ DATE _____

38. All improvement plan projects must be submitted to Permit Sonoma Engineering Land Development staff to initialize the application(s). As a multi-faceted project that includes encroachment, grading, and/or water system, the project will be reviewed at-cost and the following options will be available for submittal and review of permit applications:
- a. Submit one set of improvement plans that encompasses all on-site and off-site improvements including encroachment, grading, water system, storm water, and utilities work. This will be one comprehensive plan set with all review fees charged at-cost and all permits issued at once after all have been approved. This will fall under an IMP record.
 - b. Split up improvements onto separate plan sets and apply for each permit individually for each respective scope of work. Fees will be charged at-cost and each permit will be issued as they are approved & will be under separate ENC, GRD, and WAT record types. Restoration grading shall be submitted as a single grading permit package or in three phases, consistent with the project application. Permits for development of ancillary project components related to parking areas, access roads, trails, and campground may be submitted separately.
 - c. The grading plans shall abide by and contain all applicable items from the Grading Permit Required Application Contents (GRD-004) handout.
 - d. Prior to submitting applications for review, the applicant shall coordinate with Engineering Division staff to determine which submittal route identified above will be pursued and provide notice to Land Development staff before any of the project's construction permit applications are submitted.
39. As part of the grading/improvement plans, the applicant shall include an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas/total work, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages or minimize adverse impacts to the surrounding properties and the environment.
40. A drainage report for the proposed project shall be submitted with the grading/improvement plans for restoration grading. The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all relevant existing and proposed drainage facilities. The drainage report shall abide by and contain all applicable items in the Drainage Report Required Contents (DRN-006) handout. The drainage report shall include a 100-year floodplain/floodway hydraulic study as an attachment.

41. The proposed project intersects the Russian River floodway. A complete 100-year floodplain/floodway hydraulic study shall be prepared by a civil engineer, registered in the State of California, to determine the extent and location of the floodway prior to issuance of the grading permit for restoration grading. The hydraulic study shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, cross sections, and a pre- and post-development analysis for the Russian River. All elevations shall be based upon the North American Vertical Datum of 1988 (NAVD 88). The hydraulic study shall be submitted to the Grading & Storm Water Section and to the Federal Emergency Management Agency (FEMA) for review and approval. Documentation of FEMA's approval and acceptance shall be submitted prior to final of the ultimate phase of the grading permit for restoration grading. The limits of the determined floodway(s) shall be delineated and noted on the grading/improvement plans.
42. Prior to final of the grading permit for restoration grading, a Letter of Map Amendment (LOMA) and the 100-yr floodplain /floodway hydraulic study must be submitted to and approved by FEMA.
43. Portions of the proposed project are located within a Special Flood Hazard Area (SFHA) and is affected by flooding from the Russian River and tributaries thereto. No-net fill shall be placed within a SFHA, unless an engineering analysis demonstrates that no reduction in the flood storage capacity within the SFHA will result from the fill placement and related improvements. Any land subject to inundation by a SFHA shall be delineated and shown on the grading/improvement plans as "SUBJECT TO INUNDATION" in one-inch lettering. Non-residential structures can either have lowest floor elevations raised above the Base Flood Elevation (BFE) or otherwise be floodproofed to 1 foot above the BFE. The grading plans shall show all elevations based upon the North American Vertical Datum of 1988 (NAVD 88).
44. This project is subject to National Pollutant Discharge Elimination System (NPDES) requirements and must obtain coverage under the State Water Resource Control Board's General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading & Storm Water Section of Permit Sonoma prior to issuance of any grading permit for the proposed project.
45. Prior to work within any surface water body with direct surface water connection with the Russian River a roiling permit from Permit Sonoma shall be obtained.
46. All grading and building permit plans involving ground disturbing activities shall include the following notes:

"If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit Sonoma Project Review staff of the find. The operator shall be responsible for the cost to have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to Permit Sonoma. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-

affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify Permit Sonoma and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code.”

47. The following dust control measures shall be specified on all grading, building, and improvement plans:
- a. Water or dust palliative shall be sprayed on unpaved construction and staging areas during construction as directed by the County.
 - b. Trucks hauling soil, sand and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
 - c. Paved roads will be swept as needed to remove soil that has been carried onto them from the project site.
 - d. Water or other dust palliative will be applied to stockpiles of soil as needed to control dust.