



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 10/7/2025

To: Sonoma County Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Scott Orr and Robert Pennington, 707-565-1352

Vote Requirement: Majority

Supervisorial District(s): Fourth

Title:

Termination of Levee Repair and Security Agreement for Hanson Terrace Pits Along the Russian River

Recommended Action:

Authorize the Chair to execute the "Termination of the Levee Repair and Security Agreement and Quit Claim Deed" for Hanson Terrace Pits along the Russian River; and provide direction to Permit Sonoma staff to record it.

Executive Summary:

Permit Sonoma requests that the Board of Supervisors authorize the Chair to terminate the Levee Repair and Security Agreement (Agreement) associated with the Hanson pits along the Russian River. The Levee Repair and Security Agreement was executed between the County of Sonoma and Hanson Aggregates Mid-Pacific, Inc. in September of 2011 to comply with condition of approval #21 of Use Permit SMP95-089 for a Master Reclamation Plan Project.

The purpose of the Agreement was to ensure the maintenance and repair of bank and levees and shoreline facilities between the Russian River and terrace pits within 450 feet. The Agreement included a performance bond. The term of the Agreement ended on July 17, 2016. All terms and conditions of the Agreement have been met and the areas of the pits within 450 feet of the river have been reclaimed. Permit Sonoma and County Counsel have reviewed and determined that termination of the Agreement is appropriate.

Discussion:

On July 16, 1996, the Board approved Use Permit SMP95-089 through Resolution No. 96-0969, for a Master Reclamation Plan Project for terrace pits owned and operated by Hanson Aggregates Mid-Pacific. The project included the following terrace gravel pits: Benoist, Wilson, McLaughlin, and Richardson/Argonaut located along Eastside Road in Windsor. Condition of approval #21 of the Use Permit specified that:

"The applicant shall be responsible for maintaining and repairing all river bank and shoreline erosion (except that the applicant and operator shall not be responsible for bank erosion clearly caused by acts or requirements of other parties, including channel encroachment, vegetation removal, vegetation retention and limitations on removal of gravel from the channel) within 450 feet of the Wilson, Benoist, Richardson/Argonaut, and McLaughlin terrace pits identified in this application for a period of 20 years from

[July 16, 1996,] the date of approval of the reclamation plan...”

Condition of approval #21 also specified requirements for the operator to maintain a bond for the repair and maintenance of the levee for a 20-year period, and to grant an access easement to the County for levee monitoring.

In order to comply with conditions of Use Permit SMP95-089, including Condition of approval #21, the Levee Repair and Security Agreement (Agreement) was executed between the County of Sonoma and Hanson Aggregates Mid-Pacific, Inc. in September of 2011 (Exhibit A). The Agreement defined a Hanson Bank and Levee Maintenance Area as a 450 foot wide corridor extending along the bank of the Russian River, separating the river from the Richardson/Argonaut pit and the Piombo terrace pit.

After execution and recordation of the Agreement, the levee and portions of the Hanson terrace pits that intersect the Hanson Bank and Levee Maintenance Area were reclaimed. All terrace pits referenced in condition of approval #21, including the Wilson, Benoist, Richardson/Argonaut, and McLaughlin terrace pits, have been fully reclaimed. The only Hanson terrace pit area that still requires reclamation is a relatively small section (29 acres) of the Piombo and Mariani pits located greater than 700 feet from the river and entirely outside the Hanson Bank and Levee Maintenance Area. A standard performance bond is still in place for reclamation of the remaining 29 acres that are not yet reclaimed; this separate bond will not be released until those areas have been reclaimed or restored as detailed in Use Permit PLP23-0014, approved by the Board on April 22, 2025 through [Resolution No. 2025-0220. <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=7301012&GUID=EDE2D32F-3EEA-41EC-9DAA-8C719CDCB444&Options=&Search=>](https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=7301012&GUID=EDE2D32F-3EEA-41EC-9DAA-8C719CDCB444&Options=&Search=>) The existing reclamation plan boundary for the 29 acre un-reclaimed area of the Piombo and Mariani pits does not overlap any areas covered by the Hanson Bank and Levee Maintenance Area. As such, staff consider areas covered by the Hanson Bank and Levee Maintenance Area to be fully reclaimed and no longer subject to mine site regulation under County or State law.

Staff, in coordination with Counsel, have reviewed the Agreement and find that it is no longer necessary, and that the Agreement should be terminated. The term of the Agreement ended on July 17, 2016, and all terms and conditions of the Agreement have been met. Exhibit C of the Agreement included a form for agreement termination that requires signature by the Chair of the Board and Chief Deputy County Counsel. A clean version of the termination form is included as Exhibit B of this Board item.

Strategic Plan:

[Click here to enter text.](#)

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

None

Prior Board Actions:

7/16/1996 - Adopted a Mitigated Negative Declaration, Use Permit, and Master Reclamation plan for Benoist, Wilson, McLaughlin and Richardson/Argonaut Terrace Pits located on APNs 066-290-052 and 066-300-027 (Resolution No. 96-0969, Permit Sonoma File No. PLP95-0089).

FISCAL SUMMARY

Narrative Explanation of Fiscal Impacts:

N/A

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Exhibit A - Executed Levee Repair and Security Agreement

Exhibit B - Termination of Levee Repair and Security Agreement and Quit Claim Deed

Related Items "On File" with the Clerk of the Board:

N/A