

**Attachment 3**  
**Conditions of Approval and Mitigation Monitoring Program for the Roblar Road Quarry**  
**(Modified Use Permit PLP03-0094)**

**Date:** October 7, 2019

**File No.:** UPE16-0058

**Applicant:** John Barella Tr. And Andrea Barella Tr. **Quarry APNs:** 027-080-009 and -010

**Address:** 7175 and 7601 Roblar Road, Sebastopol

*Note: Recommended changes to Conditions of Approval are identified as underlined for new and in ~~strikeout~~ as deleted*

**Project Description:** Applicant's request to modify Use Permit (PLP03-0094) Conditions of Approval, including:

- Condition/Mitigation Measure #44 would be revised to allow for a different signalization design of the intersection of Roblar Road and Stony Point Road than that designed and approved by the County in 2005 to avoid California Tiger Salamander habitat and potential wetlands;
- Former Condition/Mitigation Measure #49 and Condition #59 (Draft Conditions 51 and 61) would be modified to change the existing requirements for the reconstruction and widening of the approximately 1.6-mile segment of Roblar Road west of the Quarry driveway utilized by haul trucks to address challenges with acquiring adequate right-of-way to complete the approved design without the use of condemnation; and
- Former Condition 101 and Condition/Mitigation Measure 133, which pertain to protection of wetlands and riparian areas, would be modified to allow the realignment and creation of a new Americano Creek channel to widen Roblar Road, requiring encroachment into wetland and riparian areas.

The following summarizes proposed changes to Conditions of Approval as a result of project modifications. Conditions that have been modified to address Board direction provided at the June 13, 2019 Public Hearing, including additional right-of-way investigation, are noted with an asterisk:

Condition of Approval 44/Mitigation Measure E.1/3.4-1 is amended to allow the applicant to construct the Stony Point Road/Roblar Road intersection and signal in conformance with the applicant's preliminary design, including adjustments to improve turning movements from the private driveway on the east side of the intersection. This Condition of Approval is further modified to make it clear that the applicant's obligation to pay traffic mitigation fees will be credited toward the applicant's cost of installing the signal. And the applicant's obligation will also be reduced by DTPW \$159,800 contribution earmarked for the signal.

Former Condition of Approval 45/Mitigation Measure E.2a requiring a right turn lane on Stony Point Road as feasible is deleted and superseded by Condition of Approval 46/Mitigation Measure 3.4-5, as noted below (no turn lane required due to required signal timing adjustments).

Condition of Approval 45/Mitigation Measure 3.4-2 is added to require the design of the Stony Point Road/Roblar Road intersection to include 5-foot wide shoulders on Stony Point Road within the limits of the existing improvements.

Condition of Approval 46/Mitigation Measure 3.4-5 is added requiring the Stony Point Road/Roblar Road traffic signal timing to be optimized to address projected future cumulative traffic volumes.

\*Former Condition of Approval 50/Mitigation Measure E.3a, E.4a is replaced with new revised Condition of Approval 50/Mitigation Measures 3.4-3 and 3.4-4, to require the 12-5-1 design along the project frontage and the 11-4-1 design along the remainder of the Roblar Road haul route segment.

\*Condition of Approval 60 is revised to require Roblar Road to meet a cross section design of 12-5-1 along the project frontage and 11-4-1 design along the remainder of the Roblar Road haul route segment instead of the original 12-6-2 design requirement.

\*Item 8 of Condition of Approval 60 is added requiring the applicant to install rumble strips in the center of the Roblar Road haul route.

\*Condition of Approval 64 is amended to require solar radar speed monitoring sign installation on Roblar Road and Valley Ford Road.

Condition of Approval 83 is modified to add construction noise control restrictions relative to the proposed creek relocation.

Condition of Approval 102/Mitigation Measure 3.3-1b is amended and added as a mitigation measure to allow encroachment into the Americano Creek Riparian Corridor for the reconstruction of Roblar Road and the associated relocation of Americano Creek.

Condition of Approval 119 is modified to delete the requirement to restrict mining until the Williamson Act contract on the 70-acre mining site has been terminated or an easement exchange has been completed. This is a cleanup item because the Williamson Act contract on the 70 acre mining site has completed phase out.

Former Condition of Approval 120 is deleted because the former Land Conservation Contract applying to the 70-acre mining site has completed phase out and the approved Modified Alternative 2 haul route avoids agricultural land under an open space easement. This clean up amendment should be made regardless of the Board's decision on the proposed modifications.

Condition of Approval 133/Mitigation Measure D.1b/3.3-1 is amended to allow encroachment into wetlands and riparian habitat as shown in the Applicant's plans for relocation of Americano Creek. This Condition has also been amended to clarify that setbacks from designated critical habitat, i.e. critical California Tiger Salamander (CTS) habitat designated in the General Plan, do not apply to sites that were reviewed pursuant to the California Environmental Quality Act and approved prior to the designation of the relevant critical habitat in the General Plan.

Condition 145/Mitigation Measures 3.6-2, 3.6-3, 3.6-4, and 3.6-5 are added to address potential impacts to Cultural resources associated with the relocation of Americano Creek.

\*Conditions of Approval 152 and 153 are amended to include a required 45 MPH speed limit in all quarry sales and hauling contracts.

\*Condition of Approval 153 is amended to require the applicant to provide an annual report one-year after rock hauling begins, including a detailed written log demonstrating compliance with quarry hauling operational requirements.

The current Use Permit and this modification authorize the environmentally superior Modified Alternative Two/Contracted Sales Only) to allow a 20-year mining permit with an annual production limit of 570,000 cubic yards per year, and a Reclamation Plan to return the 70 acre mining area to a natural condition with native soil and vegetation suitable for agriculture and open space. The Modified Alternative 2 haul route, as further modified by this Use Permit modification would improve Roblar Road from the proposed quarry entrance shown for the proposed Project (Draft SEIR Figure 2-2) westward to the point where the Alternative 2 haul road turns overland off Roblar Road onto Access Road 2. Instead of the originally approved road section of 12-6-2, the modified proposal, as mitigated, includes a 12-5-1 design on the project site and an 11-4-1 design along the remainder of the Roblar Road haul route.

The on-site project access road and quarry entrance would be constructed as described for the proposed project and analyzed and mitigated in the Final EIR, i.e., it would connect to Roblar Road approximately 1200 feet east of the existing site access point. All Modified Alternative 2 haul route restrictions and mitigation measures would continue to apply.

The Permit and Resource Management Department (PRMD) is responsible for monitoring the compliance of aggregate operations with all permit conditions and ordinance requirements as part of the ongoing inspection, enforcement, mitigation and monitoring program established by the Aggregate Resources Management (ARM) Plan. In addition, the County conducts periodic inspections of every mining site to fulfill the requirement of the State Surface Mining and Reclamation Act (SMARA). Some of the monitoring for the following conditions of approval will be carried out concurrently through the above activities; in other cases more frequent monitoring or monitoring by a qualified professional or responsible agency has been deemed necessary and added to the on-going monitoring activities.

The monitoring activities planned for each condition of approval along with the responsible person or agency, and the frequency or schedule of monitoring are provided after each applicable condition in the following conditions of approval.

The requirements of this Use Permit modification run with the real property that is the subject of the project. Successive owners, heirs, and assigns of this real property are bound to comply with all the requirements of these conditions. Prior to any lease, sale, transfer, or conveyance of any portion of the real property that is the subject of the project, the owner shall provide a copy of the adopted conditions to the prospective lessee, buyer, transferee, or one to whom the conveyance is made. All conditions set forth herein shall be applicable to both mining and processing within parcel APN 028-080-009, unless otherwise specified. The applicant's obligations under Conditions 112 (sediment control and stormwater pollution prevention), 117 (groundwater seepage), 41, 42, and 43 (indemnification and release agreement), and 172 (reclamation) shall survive the expiration of this Use Permit.

**Prior to issuance of any permits (grading, septic, building, etc. ) or commencement of clearing or mining activity on parcels defined as APNs 027-080-009 and -010, all of the pre-operational conditions must be met and verified by PRMD staff pursuant to this Use Permit. Conditions relating to the Use Permit for mining are denoted with a "U." Conditions related to the Reclamation Plan are denoted with an "R." Operational conditions applicable to both the Use Permit and Reclamation Plan are denoted with "U/R."**

**BUILDING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

- U      1. The operator shall apply for and obtain building-related permits from PRMD. The necessary applications appear, but may not be limited to site review, grading, and building permits.
- U      2. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction.

**HEALTH:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

**Preoperational Health Conditions:**

Water:

- U      3. Prior to building permit issuance, project operation and vesting the Use Permit, the applicant shall provide the Project Review Health Specialist with the bacteriological (E. Coli and total coliform) and nitrate analysis results of a sample of the well water tested by a California State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County requirements and re-test the well. If the contamination cannot be cleared from the well, destruction under permit of PRMD and an alternate on-site (or off-site easement to a) well or spring water source may be required. Copies of all laboratory results must be submitted to the Project Review Health Specialist. (Note: Arsenic analysis has already been performed and is listed in the EIR, response to comments HYD-2).

- U 4. Prior to the issuance of building permits, project operation and vesting the Use Permit, the applicant shall provide an engineered design of the water supply system, construct and/or develop the water sources (wells and/or springs), complete the appropriate water quality testing and apply for a water supply permit from the State Department of Public Health, Office of Drinking Water if more than 25 persons per day for 60 days within a year will be served by the water system. A copy of the Use Permit application and conditions must be provided to the State Department of Public Health in order to obtain appropriate raw water source sampling requirements. (This process should begin as soon as possible, as the application, plan check and sampling may take some time.) Prior to the issuance of building permits, copies of the clearance letter must be submitted to the Project Review Health Specialist, or the Office of Drinking Water may E-mail clearance directly to PRMD.
- U 5. If a water supply permit is required, then the water supply well is required to have a 50 foot annular seal prior to project operation and vesting the Use Permit. Annular seals are installed at the time of construction of the water well, and are very difficult (and sometimes impossible) to retro-fit in an economic manner. If documentation of a 50 foot annular seal cannot be obtained, then a new water well may be required.
- U 6. The applicant shall modify the existing supply well DW-2 under permit for Phases I and II, and abandon the existing well under permit from the Well and Septic Section of PRMD for Phase III.
- U 7. Prior to the issuance of any building permit, project operation and vesting the Use Permit, an easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements. Access shall be granted Monday through Friday from 8:00 AM to 5:00 PM. All easement language is subject to review and approval by PRMD-Project Review and County Counsel prior to recordation.
- U 8. Prior to the issuance of any building permit, project operation and vesting the Use Permit, any new or existing water well serving this project shall be fitted with a water meter to measure all groundwater extracted for this use.
- U 9. Prior to the issuance of any building permit, project operation and vesting the Use Permit, a separate, dedicated groundwater supply monitoring well is required to be drilled for this project. The monitoring well is required to be drilled under permit of this Department and shall be of a depth, screening and development comparable to the supply well. The monitoring well shall be located as far away from other wells, ponds and wastewater disposal fields as is consistent with being in the same geologic formation as the primary well and being accessible by street vehicle. The monitoring well location shall be approved by PRMD in advance of construction. The monitoring well shall be marked with a water level measuring reference point, and the GPS coordinates (in NAD83 California State Plane II or WGS 84 lat./long.) of the monitoring well shall be submitted to PRMD.

Alternatively, PRMD will evaluate proposals to use existing nearby standby or auxiliary water wells as a substitute for the required monitoring well. Any proposal to use a substitute well must include at a minimum, a copy of the drillers log for both the production well and the substitute monitoring well, and a site plan with the GPS coordinates of both wells. The proposal must verify that the substitute well does not have a collapsed casing, and is suitable for groundwater level monitoring purposes.

Septic:

- U 10. Prior to building permit issuance, project operation and vesting the Use Permit, the applicant shall obtain a permit for the sewage disposal system. The system may require design by a Registered Civil Engineer or Registered Environmental Health Specialist and both soils analysis, percolation and wet weather testing may be required. Wet weather groundwater testing may also be required. The sewage system shall meet peak flow discharge of the wastewater from all sources granted in the Use Permit and any additional sources from the parcel plumbed to the disposal system, and shall include the required reserve area. If a permit for a standard, innovative or Experimental Sewage Disposal System sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees

apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements. The Project Review Health Specialist shall receive a final clearance from the Well and Septic Division of PRMD that all required septic system testing and design elements have been met.

- U 11. The use of portable toilets shall not substitute for required bathrooms and septic systems, but may be used to supplement the required restrooms and shall meet the following minimum requirements:
- a. Portable hand washing facilities shall be provided with all portable toilets used for employees, serving visitors or the public.
  - b. Portable toilets shall be serviced as needed, but in no case less than once every seven days.
  - c. The applicant shall provide an accessible portable restroom on the job site where required by Federal, State or local law, including but not limited to, requirements imposed under OSHA, the Americans with Disabilities Act or Fair Employment and Housing Act.
  - d. If complaints are received that PRMD believes are valid complaints, the applicant or current operator of the Use Permit shall increase the number of portable toilets and/or increase the frequency of maintenance of the portable toilets as directed by PRMD. The property owner and his agent(s) are expected to maintain portable toilets and hand washing units so that:
    - i. The holding tank does not leak or overflow.
    - ii. Toilet paper is promptly replaced when the dispenser runs out.
    - iii. Water, paper towels and soap are promptly replaced when the hand washing units run out.
    - iv. The wait to use a portable toilet shall not be so long that people relieve themselves at other impromptu locations.
    - v. Reliance upon portable toilets shall not create a public nuisance.
- U 12. Toilet facilities shall be provided for patrons and employees prior to project operation and vesting the Use Permit. A copy of the floor plan showing the location of the restrooms shall be submitted to PRMD Project Review Health prior to issuance of building permits.

Vector Control:

- U 13. A mosquito and vector control plan acceptable to the Marin-Sonoma Mosquito and Vector Control District (telephone 707-285-2200) shall be submitted prior to the construction of any ponds and prior to vesting the Use Permit. The Project Review Health Specialist shall receive a copy of the vector control plan and an acceptance letter from the Marin-Sonoma Mosquito and Vector Control District.

Hazardous Materials:

- U 14. The applicant/operator shall prepare a Spill Prevention, Control and Counter Measure Plan (SPCCMP) in conformance with the requirements of the Code of Federal Regulations 40CFR112. A copy of the SPCCMP shall be submitted to the Sonoma County Department of Emergency Services (DES) to demonstrate completion of the mitigation. *Mitigation Measure H.1a*

Mitigation Monitoring: Prior to the storage or handling of petroleum products, PRMD staff will verify that a Spill Prevention, Control and Counter Measure Plan (SPCCMP) has been submitted to the DES for review and approval.

Noise:

- U 15. The applicant/operator shall fund residential noise insulation upgrades, as agreed to by the property owners, on the two residences on Roblar Road between the project entrance and Valley Ford Road (APNs 022-290-008 and 027-080-005, sufficient to maintain existing interior noise levels with the increased truck traffic. The applicant shall contact the property owners in writing with an offer to

perform noise insulation upgrades. If approved by the property owners, perform the upgrades prior to the commencement of mining.

*Mitigation Measures G.2, G.4*

Mitigation Monitoring: PRMD will verify that the applicant has made a written offer to the property owners and installed noise insulation upgrades prior to commencement of mining, if approved by the property owners.

**Operational Health Conditions:**

**Water:**

- U 16. A safe, potable water supply shall be provided and maintained.
- U/R 17. Production well DW-1 shall not be used for any quarry-related operations or reclamation. In the event operational constraints prevent production well DW-2 from being used throughout the project duration, well DW-2 shall be abandoned under permit and a new well drilled onsite within, or in proximity to, the quarry footprint (and no closer to the adjacent landfill property than existing Well DW-2).  
*Mitigation Measure C.4d*
- Mitigation Monitoring: PRMD ARM staff will verify during quarterly inspections that well DW-1 is not utilized for quarry operations. PRMD Planning will verify that any proposed new production well is located no closer to the landfill property than DW-2, should operational constraints be experienced with well DW-2. PRMD staff will also verify that well DW-2 is abandoned under permit, as necessary.
- U 18. The location of the wells, and groundwater elevations and quantities of groundwater extracted for this use shall be monitored monthly and reported to PRMD and the Local Enforcement Agency on a quarterly basis pursuant to section WR-2d of the Sonoma County General Plan and County policies. Annual monitoring fees shall be paid at the rate specified in the County Fee Ordinance. If the County determines that groundwater levels are declining in the basin, then the applicant shall submit and implement a water conservation plan, subject to review and approval by PRMD.
- U 19. Required water meters shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD-Project Review at least once every five years.
- U 20. In accordance with the Water Management Plan a groundwater level monitoring and adaptive management program shall be implemented when the project begins to pump groundwater for quarry operations from Well DW-2. The applicant shall retain a California certified hydrogeologist to develop the monitoring program, subject to approval by the County. Groundwater levels in well DW-2 and the onsite monitoring wells (MW-1, MW-2b, MW 3, MW-4 and DW-1) as well as the adjacent landfill property wells (R-1, R-2 and R-3) shall be monitored on a weekly basis by quarry staff during the period of active pumping from Well DW-2. If pumping at Well DW-2 results in a measurable declining trend of static water levels, the applicant shall employ appropriate adaptive management strategies including short-term (e.g. alteration of pumping schedule, reduced pumping, decreased water use, changes in overall water management strategies or temporary cessation of pumping) or long-term corrective measures (e.g. permanent cessation of pumping at Well DW-2, installation of a higher producing well in an alternate onsite location) until the groundwater levels in onsite wells are shown to recover to pre-project pumping conditions.
- U/R 21. In conjunction with the groundwater sampling program required below, groundwater levels in the four monitoring wells (MW-1, MW-2b, and MW-3 and MW-4), two existing onsite production wells (well DW-1 and DW-2), as well as the adjacent landfill property wells (R-1, R-2 and R-3) shall be measured to allow continued monitoring of groundwater levels and potential localized changes in gradient in the site vicinity.

To ensure consistency in measured groundwater level data, prior to mining and as required, all the existing and proposed wells on the quarry and landfill properties to be used for monitoring shall be

surveyed by a licensed surveyor for location and elevation, referenced to mean sea level, utilizing the North American Datum of 1988-GEOID 99 (NAVD88).

*Mitigation Measure C.4c*

Mitigation Monitoring: PRMD staff will verify that groundwater levels are surveyed prior to mining and review groundwater level data after mining has commenced to verify changes in groundwater levels.

- U 22. Split samples shall be collected under County supervision from the four on-site monitoring wells (MW-1, MW-2b, MW-3 and new MW-4) and two existing onsite production wells (wells DW-1 and DW-2) each quarter to continue to provide water quality data and provide an early warning of potential groundwater contamination, including any potential contamination that could be entering the quarry property from the Roblar Landfill property. The split samples shall go to different State-certified laboratories. Water samples shall be tested for the same suite of analytes used at the adjacent Roblar Landfill during the 2004 through 2008 monitoring events, and at the project site during the 2007/08 monitoring events. The QA/QC protocol for the sampling and analysis program shall be developed in consultation with, and approved by, the County and RWQCB as applicable. Quarterly water sample results shall be sent to and reviewed by PRMD, Regional Water Quality Control Board (RWQCB), and the Local Enforcement Agency in Environmental Health.

*Mitigation Measure C.4b*

Mitigation Monitoring: PRMD Health, RWQCB, and the Local Enforcement Agency in Environmental Health will review groundwater sampling results each quarter to verify the results of groundwater monitoring.

- U 23. The enhanced monitoring well system proposed by the applicant, including six additional groundwater monitoring wells primarily between the landfill and the quarry to provide ongoing water level and water quality data, shall be implemented as described in PES Environmental, Inc.'s Work Plan for Installation of Additional Groundwater Monitoring Wells, Roblar Road Quarry, dated September 27, 2010, in consultation with the RWQCB and PRMD.

- U 24. In the event that leachate and/or landfill materials are detected on site, the Local Enforcement Agency in Environmental Health must be contact within 24 hours.

- U 25. In addition to compliance with all of the procedures outlined in the Water Management Plan provided in the Final EIR, the applicant shall provide quarterly groundwater quality results to PRMD, RWQCB, and the Local Enforcement Agency in Environmental Health.

- U 26. In the event that destabilization of the Roblar Landfill occurs, operation shall cease in the areas adjacent to the landfill until the issue is adequately addressed/resolved according to CCR Title 27.

Septic:

- U 27. Maintain the annual operating permit for any Alternative (mound or pressure distribution) or Experimental Sewage Disposal System installed per Sonoma County Code 24-32, and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.

- U 28. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.

- U 29. All future sewage disposal system repairs shall be completed in the designated reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area. If wastewater ponds or a package treatment plant are needed, then a modification of the Use Permit is required.

Noise:

- U 30. Noise shall be controlled in accordance with the following as measured at the exterior property line of any affected residential or sensitive land use:

**TABLE NE-2: Maximum Allowable Exterior Noise Exposures**

Hourly Noise Metric <sup>1</sup> , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (5 minutes in any hour)	60	55
L02 (1 minute in any hour)	65	60
<sup>1</sup> The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 1 minute in any hour.		

- U 31. If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD's opinion, then the applicant shall hire a qualified acoustical consultant to conduct a noise study to determine if the current operations meet noise standards and identify any additional noise mitigation measures if necessary. A copy of the noise study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a noise complaint has been received. The owner/operator shall implement any additional mitigation measures needed to meet noise standards.
- U 32. At the initiation of each of the three project phases and at regular intervals within each phase, noise monitoring shall be conducted by a qualified acoustical consultant at fence line locations to the west and the northeast that are on the direct line between the path from the center of quarry operations and the nearest off-site sensitive receptor in that direction. Noise source levels at the residences shall be measured. The applicant shall submit the noise monitoring information to PRMD upon the initiation of site development, initiation of each phase of mining, and biannually.

If no exceedances of the Table NE-2 daytime standards are predicted, operations may proceed. Should noise levels exceed the daytime limits in Table NE-2, the quarry operator shall take measures so that quarry operations are within the limits in Table NE-2. Measures could include any combination of the following: (1) additional soundproofing to equipment (2) soundberms or other noise barriers to attenuate equipment noise, (3) sound proofing to affected occupied residences, (4) restriction on duty cycles for noisy equipment, or other recommended measures. If the operator presents evidence to the County that demonstrates that the identified measures will reduce noise levels to meet Table NE-2 standards, then the measures shall be implemented and mining operations may proceed within the area included in the monitoring study. Once work begins, the noise level shall be monitored for a period long enough to validate the predicted levels. Upon request by the County, the applicant shall provide additional monitoring at later times to demonstrate compliance.

*Mitigation Measure G.1a*

Mitigation Monitoring: Prior to initial grading and at each phase of mining, PRMD Arm staff will verify that noise monitoring occurs at specified intervals through the submission of monitoring data and noise reduction measures to insure Table NE-2 standards are met.

- U 33. To comply with the nighttime noise limits in Table NE-2, loud operations capable of exceeding the nighttime standards shall not occur in the 6:00 to 7:00 a.m. time frame.



*Mitigation Measure G.1b*

Mitigation Monitoring: PRMD ARM staff will verify that loud operations do not occur within the early morning hours as specified in this condition. Should complaints arise, PRMD ARM staff will inspect and enforce the complaints.

- U 34. Consistent with ARM Plan operating standards, the applicant shall develop and implement a truck driver education program that informs drivers of procedures established to reduce public conflicts. This program shall be implemented by contract and stipulate the Modified Alternative 2 haul route and include instructions to drivers to avoid the use of engine brakes on the quarry access road and local haul routes, as safety allows. The operator shall submit to PRMD a written list of contractor haulers and the date of their participation in the required training.

*Mitigation Measure G.1c*

Mitigation Monitoring: PRMD will monitor the mitigation by verifying that the operator has an education program for truck drivers and submits to PRMD a written list of the date of their participation in the required training.

- U 35. The applicant/operator shall require and verify that all quarry haul trucks, which are required to be under contract with the quarry operator, use a properly functioning exhaust muffler (capable of meeting the federal passby standards) equivalent to the original factory installed muffler. Each haul truck which would be under contract with the quarry operator shall be inspected upon signing a hauling contract and no less than once a year. The applicant shall annually submit written confirmation haul trucks have met this requirement. The applicant shall also provide evidence that this requirement is in the aggregate sales contracts.

*Mitigation Measure G.1d*

Mitigation Monitoring: PRMD will verify this measure on an annual basis by verifying that the applicant submits written confirmation that trucks have been inspected for compliance with this requirement. PRMD will also verify that this requirement is in the standard hauling contract.

- U 36. A blasting plan shall be provided that ensures that ground motions do not exceed 0.5 inches per second at the nearest residence. To ensure that the intensity of ground motion in this location would not exceed the 0.5 inch per second limit, all blasting in the eastern edge of the proposed quarry shall be designed to assure that charges are sized to maintain a scaled distance (Ds) of 65 or greater (see Appendix F-1 in the EIR) to avoid impacts to residential uses 600 feet away. With this limitation, maximum cumulative weight of any charges firing within any 8-milliseconds time period shall not exceed 85.2 pounds  $[(600/65)^2]$ . The applicant shall use delay-decked charges in 5 inch holes or reduced hole-size or the height of benches. For practical blasting purposes, the single charge in a 34-foot hole could be separated into two or three individually delayed charges, separated by stemming, to ensure the maximum charge weight-per-delay in 5-inch holes is appropriate for vibration control.

*Mitigation Measure G.3a*

Mitigation Monitoring for G.3a - G.3i: PRMD Project Review staff will review the Blasting Plan to insure that the above measures are included. PRMD ARM Staff will periodically monitor compliance with blasting mitigations during ongoing quarterly field inspections. PRMD Code Enforcement will investigate all noise complaints and will ensure compliance from the permit holder. All inspection reports will be placed in the project file.

The Blasting Plan shall specify the following:

- a. The applicant shall conduct monitoring of ground vibration and air-overpressure at a minimum of two locations to ensure these effects remain under threshold levels. One location should be close to the nearest residential property. The second monitoring point should be the adjacent landfill property. All monitoring equipment and practices shall conform with the standards

developed by the Vibration Section of the International Society of Explosive Engineers (see Attachment 1 in Appendix F of the May 2008 Draft EIR).  
*Mitigation Measure G.3b*

- b. Blasting shall be limited to daytime hours between 10:00 am. and 4:00 p.m.  
*Mitigation Measure G.3c*
- c. A blasting permit shall be obtained from the Sonoma County Sheriff's Department prior to any blasting.  
*Mitigation Measure G.3d*
- d. The blast monitoring program shall be discussed with the residents in the project area. Educate property owners as to what is being done and why. Obtain information on time periods that are sensitive to blast activity.  
*Mitigation Measure G.3e*
- e. Conduct a pre-blast survey to determine the condition of existing structures, and to alert homeowners that some rattling may be expected but damage is not expected. Contacts should be provided so that damage claims and complaints can be monitored and responded to quickly.  
*Mitigation Measure G.3f*
- f. Schedule blasts to occur at approximately the same time on each blast day. Include this information in public announcements.  
*Mitigation Measure G.3g*
- g. Prior to any blast proposed within 1,500 feet of the Roblar landfill cells, the applicant shall test methane using methane detection devices at hole-collars of six holes drilled closest to the Roblar landfill property. Blasting shall only proceed if any detected methane is below the 0.1 percent minimum trace level established by the Bay Area Air Quality Management District.  
*Mitigation Measure G.3h*
- h. The blasting plan shall include a procedure, acceptable to PRMD, for notifying nearby residents prior to each blasting event. This public notification process shall be fully explained in the blasting education program for area residents (Mitigation Measure G.3e), and shall include the list of residents to be notified, a standard time at which such pre-blast notification shall be made, and a telephone number area residents can call to hear a regularly-updated recording describing the next scheduled blasting activity. *Mitigation Measure G.3i*

Mitigation Monitoring: for G.3a - G.3i: PRMD Project Review staff will review the Blasting Plan to insure that the above measures are included. PRMD ARM Staff will periodically monitor compliance with blasting mitigations during ongoing quarterly field inspections. PRMD Code Enforcement will investigate all noise complaints and shall ensure compliance from the permit holder. All inspection reports will be placed in the project file.

Hazardous Materials Program:

- U 37. Comply with applicable hazardous waste generator, underground storage tank, above ground storage tank and AB2185 (hazardous materials handling) requirements and maintain any applicable permits for these programs from the Hazardous Materials Division of Sonoma County Department of Emergency Services. The applicant shall submit a copy of a current permit to the PRMD Health Specialist to verify compliance.  
*Mitigation Measure H.1b*

Mitigation Monitoring: Prior to the handling and storage of hazardous waste, PRMD will verify that appropriate approval is obtained for the generation or storage of hazardous waste.

- U 38. All hazardous waste materials shall be stored, handled and managed in accordance with the approved site plan and hazardous materials plan so as to reduce the potential for any spillage.  
*Mitigation Measure H.1c*

Mitigation Monitoring: In conjunction with ongoing inspections, PRMD ARM staff and Fire and Emergency Services staff will verify compliance with the hazardous materials management plan.

- U 39. No soil or other material containing hazardous or toxic waste shall be imported to the quarry.  
*Mitigation Measure H.1d*

Mitigation Monitoring: In conjunction with ongoing inspections, PRMD ARM staff will verify compliance with this measure.

**Solid Waste:**

- U 40. All garbage and refuse on this site shall be accumulated or stored in non-absorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. All garbage and refuse on this site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of to a County Transfer Station or County Landfill before the end of the seventh day. Please note that the Local Enforcement Agency (at Environmental Health) bills at an hourly rate for enforcement of violations of the solid waste requirements.

**TRANSPORTATION AND PUBLIC WORKS (DTPW):**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

**Integrated Waste Division:**

- U/R 41. The applicant and subsequent owners and operators shall accept responsibility for loss or damage to any person or entity, including the County and its Board of Supervisors, representatives, agents, employees, and consultants (hereinafter "County") and/or Applicant, that arises out of, pertains to, results from and/or relates to migration or threat of migration of contaminants from the former Roblar landfill as a result of the Quarry Project. The burden of proof shall be on the Project Applicant to demonstrate that any contaminants found on the Quarry site are not the result of the Quarry Project.
- U/R 42. The applicant and subsequent owners and operators shall indemnify and hold harmless the County from and against any and all actions, claims, debts, damages, liabilities, obligations, costs, expenses, penalties, fines, and/or judgments undertaken and/or asserted by any person or entity, including any governmental authority, that arise out of, pertain to, result from and/or relate to migration or threat of migration of contaminants from the former Roblar landfill as a result of the Quarry Project in a form acceptable to the County. This includes all costs and expenses of any kind, including attorneys' fees and expenses, incurred by the County. The project applicant shall execute the form of indemnity and release agreement attached as Exhibit "F" to the Board resolution approving the Quarry Project within 10 days of the adoption of the Board resolution. This Use Permit shall not be operative, vested, final, or valid until the indemnity and release agreement is fully executed and recorded. The indemnification obligations shall survive the expiration or termination of the Use Permit as provided in the indemnity and release agreement.
- U/R 43. The applicant and subsequent owners and operators shall release the County from any and all losses, costs and/or expenses of any kind the applicant incurs or may incur as a result of any and all actions, claims, debts, damages, liabilities, obligations, costs, expenses, penalties, fines, and/or judgments undertaken and/or asserted by any person or entity, including the Project Applicant or any governmental authority, that arise out of, pertain to, result from and/or relate to migration or threat of migration of contaminants from the former Roblar landfill as result of the quarry project. This release shall be binding on all future owners/operators, successors and assigns of the Quarry site. The project applicant shall execute the form of indemnity and release agreement attached as Exhibit

"F" to the Board resolution approving the Quarry Project within 10 days of the adoption of the Board resolution. The release provisions shall survive the expiration or termination of the Use Permit as provided in the indemnity and release agreement.

**Roads Division Preoperational Conditions:**

- U 44. Prior to the commencement of mining, the applicant shall enter into an improvement and reimbursement agreement with DTPW and install a signal at the Stony Point Road/Roblar Road intersection. The applicant shall have plans prepared for the work in conformance with the ~~County's~~ Applicant's preliminary design plans, including widening all approaches to the intersection, including shoulders, lengthening the northbound left-turn lane, and adding a southbound left-turn lane (for access to the driveway across Roblar Road). The applicant shall widen or relocate to the north the private driveway opposite Roblar Road, within the County right-of-way, or revise the plans to show a relocation of the stop line for the northbound left-turn lane, to provide sufficient turning radius for larger vehicles and vehicles with trailers. The signal shall be designed in accordance with Caltrans guidelines, subject to review and approval by DTPW. The applicant's obligation to pay traffic mitigation fees will be credited toward the intersection improvements. The applicant's obligation will also be reduced by DTPW \$159,800 contribution earmarked for the intersection.

*Mitigation Measure /3.4-1 Final SEIR*

Mitigation Monitoring: PRMD and DTPW will verify that the plans are modified to implement the mitigation measure, reimbursement funding agreement for signal installation is in place, and the signal is installed per the construction plans prior to the commencement of mining.

- U 45. The design for the Stony Point Road/Roblar Road intersection shall include widening of the paved shoulders on Stony Point Road to a minimum of five feet within the limits of the intersection improvement at Roblar Road unless such widening would disturb ditches.

*Mitigation Measure 3.4-2 Final SEIR*

Mitigation Monitoring: The Department of Transportation and Public Works will verify that the intersection design plans include 5-foot wide paved shoulders where feasible. Conformance of construction improvements with plans shall be confirmed through DTPW inspections.

- U 46. The Department of Transportation and Public Works shall optimize the traffic signal timing at the intersection of Stony Point Road and Roblar Road to address projected future turning movement traffic volumes.

*Mitigation Measure 3.4-5 Final SEIR*

Mitigation Monitoring: The Department of Transportation and Public Works will periodically adjust the signal timing at the intersection to minimize average delays.

- U 47. Prior to the commencement of mining, the applicant shall pay to DTPW a fair share of the cost of the future signalization of the Stony Point Road/West Railroad Avenue intersection. The method for calculating equitable fair share is based on the Caltrans Guide for the Preparation of Traffic Impact Studies, Appendix "B", Methodology for Calculating Equitable Mitigation Measures, subject to the review and approval of PRMD and DTPW. The fair share is 5%. The DTPW will provide the cost estimate prior to commencement of mining.

*Mitigation Measure E.2b*

Mitigation Monitoring: PRMD will verify that fair share mitigation fees are collected according to the above condition prior to the commencement of mining.

- U 48. Prior to the commencement of mining, the applicant shall pay to DTPW a fair share of the cost of the future signal timing optimization of the Stony Point Road/SR 116 intersection. The fair share is 1%.

The method for calculating equitable fair share is based on the Caltrans Guide for the Preparation of Traffic Impact Studies, Appendix "B", Methodology for Calculating Equitable Mitigation Measures, subject to the review and approval of Caltrans, PRMD and DTPW. The cost estimate shall be determined by a qualified consultant and approved by Caltrans.

*Mitigation Measure E.2c*

Mitigation Monitoring: PRMD will verify that fair share mitigation fees are collected according to the above condition prior to commencement of mining.

- U 49. Prior to the commencement of mining the applicant shall pay to the City of Cotati a fair share of the cost of future signal timing optimization of the Highway 116/Old Redwood Highway intersection and shall provide proof of payment to PRMD. The fair share is 1 %. The method for calculating equitable fair share is based on the Caltrans Guide for the Preparation of Traffic Impact Studies, Appendix "B", Methodology for Calculating Equitable Mitigation Measures, subject to the review and approval of PRMD and Caltrans. Caltrans or the City of Cotati shall perform signal optimization once signal warrants are met.

*Mitigation Measure E.2d*

Mitigation Monitoring: PRMD will verify that fair share mitigation fees are collected according to the above condition prior to the commencement of mining.

- U 50. The Applicant shall widen Roblar Road on the 1.6 mile segment between the quarry site entrance and Access Road 2 with at least the following cross section dimensions, appropriate side slope for the entire road design, a traffic index of 10.5, and appropriate signage and striping for Class II bike facilities as determined by the Department of Transportation & Public Works. The applicant may obtain fill material for the Roblar Road improvements from the quarry site subject to a grading permit.

Project site road frontage -

- 12-foot wide vehicle travel lanes;
- 5-foot wide paved shoulders;
- 1-foot wide unpaved (rock) shoulders.

Remainder of the 1.6 mile haul route -

- 11-foot wide vehicle travel lanes and 11-foot-wide left turn lane;
- 4-foot wide paved shoulders;
- 1-foot wide unpaved (rock) shoulders.

Final design of the horizontal curves shall meet A Policy on Geometric Design of Highways and Streets, as determined by the Department of Transportation & Public Works, to accommodate all project trucks (including but not limited to trucks hauling gravel) through the curves to prevent offtracking within the pavement in the 1.6 mile segment, while maintaining an acceptable clearance to bicycles and vehicles in the opposing lane. If any component of an adequate design requires additional right of way, and if the applicant is unable to obtain this additional right of way from willing sellers, then any condemnation required must be paid for solely by the applicant.

*Mitigation Measure 3.4-3 and 3.4-4*

Mitigation Monitoring: The Department of Transportation and Public Works will verify that the road design plans meet the above specifications. Conformance of construction improvements with plans shall be confirmed through DTPW inspections.

- U 51. The applicant shall post warning signs on Roblar Road in accordance with guidelines set forth in the California Manual on Uniform Traffic Control Devices (Caltrans 2006c) at key locations where sight distance may continue to be limited after implementation of Mitigation Measure E.3a.

*Mitigation Measure E.4b.*

Mitigation Monitoring: PRMD and DTPW staff will review the Roblar Road public improvement plans to insure roadway warning signs are included on the plans and verify proper installation.

- U 52. The applicant shall post warning signs on Roblar Road 250 feet ahead of the access driveway that cautions drivers about truck traffic entering and exiting the roadway, subject to County approval. The warning signs shall follow guidelines set forth in the California Manual on Uniform Traffic Control Devices (Caltrans, 2006c).

*Mitigation Measure E.4c*

Mitigation Monitoring: PRMD and DTPW staff will review the Roblar Road public improvement plans to insure that these roadway warning signs are included on the plans and verify proper installation.

- U 53. Prior to grading permit issuance for on-site improvements, the applicant shall improve Roblar Road at the proposed access according to American Association of State Highway and Transportation Officials (AASHTO) design standards.

*Mitigation Measure E.5a*

Mitigation Monitoring: PRMD and DTPW will review the Roblar Road driveway access plans to insure that these improvements meet AASHTO standards.

- U 54. The design of the quarry site access road, at it's connection to Roblar Road, shall be configured to prohibit truck turning movements to/from Roblar Road, east of the access road.

- U 55. Design the roadway cross-section at the site access to meet the design standards set forth by the American Association of State Highway and Transportation Officials (AASHTO) in A Policy on Geometric Design of Highways and Streets.

*Mitigation Measure E.5b*

Mitigation Monitoring: PRMD and DTPW will review the Roblar Road public improvement plans to insure that the design for the site access on Roblar Road meets AASHTO standards.

- U 56. Prior to grading permit issuance, the project applicant shall have a qualified consultant conduct core sampling and associated testing on Pepper Road between Mecham Road and Valley Ford Road, and review as-builts if available, in order to determine the roadway thickness, and the condition of the base and subbase of the roadway. If such testing indicates the existing roadway is not designed for, and/or is in a condition that would not accommodate, long-term project truck traffic, the roadways shall be improved as needed (e.g., overlays or reconstruction to meet a traffic index of 10.5) per Caltrans Design Manual standards. The project applicant shall pay the full cost of road improvements, including design and construction.

*Mitigation Measure E.6a*

Mitigation Monitoring: The DTPW will verify the core test results and public improvement plans for roadway improvements as needed.

- U 57. Prior to the issuance of a grading permit, the project construction contractor(s) shall develop a construction management plan for review and approval by the DTPW. To minimize construction-related traffic congestion, the plan shall provide comprehensive traffic control measures including designated construction access routes and scheduling major deliveries to avoid peak traffic hours. Adjacent property owners and public safety agencies shall be notified prior to such major deliveries.

*Mitigation Measure E.7*

Mitigation Monitoring: PRMD will not authorize grading until it has verified that DTPW has reviewed and approved the construction management plan for conformance with this measure.

- U 58. The applicant shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width:
- a. To contain the public improvement of Roblar Road described herein. This right-of-way requirement shall be void if the existing right-of-way meets or exceeds the minimum requirements described above in conditions 51, and #61.
  - b. To contain all relocated overhead utilities.
- U 59. Right-of-way shall be dedicated as roadway easement. The applicant shall have prepared an easement deed, together with the required descriptions and shall submit them to the County Surveyor for review and approval. A copy of the recorded deed shall be submitted to the Land Development Section of PRMD prior to clearance of these conditions.
- U. 60. The applicant shall widen, reconstruct and/or overlay, and install improvements on Roblar Road between the project site entrance and Private Access Road 2 as described as follows:
- Project site road frontage -
- 1) 12-foot wide vehicle travel lanes;
  - 2) 5-foot wide paved shoulders; and
  - 3) 1-foot wide unpaved (rock) shoulders.
- Remainder of 1.6 mile haul route -
- 1) Eleven (11) foot wide paved travel lanes;
  - 2) Four (4) foot wide paved shoulders;
  - 3) One-foot wide shoulder backing at the edge of pavement; and
  - 4) Construct left-turn channelization at the intersection with Access Road 2.
  - 5) The roadway alignment and channelization shall be designed in conformance to Caltrans standards for a design speed of 45 miles per hour. As determined by DTPW, the design speed of the roadway may be reduced in constrained areas with appropriate signing.
  - 6) Depending on the existing conditions, the improvements may require overlay, re-striping, metal beam guardrail, and overhead utilities relocation, as necessary.
  - 7) The applicant shall mill, repair and overlay the existing pavement as necessary to make a smooth transition between the existing pavement and the new pavement.
  - 8) The applicant shall install rumble strips in the center of the Roblar Road haul route.
- U 61. The structural section of all road improvements shall be designed using a soils investigation which provides the basement soil's R-value and Expansion Pressure test results. A copy of the soils report shall be submitted with the first set of improvement plan check prints. The Traffic Index (TI) to be used for the pavement design of Roblar Road is 10.5.
- U 62. Storm drainage facilities shall be designed and constructed in accordance with Sonoma County Water Agency design standards. Drainage improvements shall be reviewed and cleared by the Grading & Storm Water Section of PRMD.
- U 63. Private access road intersections with Roblar Road and Valley Ford Road shall be constructed to meet

the following criteria:

- a. A minimum throat width of 28 feet,
  - b. To prevent right-turning trucks from crossing centerline on Valley Ford Road, the pavement curve returns shall have sufficient radius to accommodate the inside wheel path of the largest anticipated haul vehicle,
  - c. The driveway shall enter the public road as close to perpendicular as possible, but in no case shall the driveway enter the public road at more than 20 degrees from perpendicular,
  - d. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with AASHTO requirements for the speed traveled on the intersecting public road,
  - e. The road shall be surfaced with asphalt concrete.
  - f. Refer to DTPW Construction Standard Drawing 814, latest revision, for private road and driveway intersection details,
  - g. The entrance improvements shall be in place prior to commencement of mining activity.
- U 64. The applicant shall install traffic control devices as required by DTPW, including items such as traffic signs, roadway striping, pavement markers, etc. This shall include solar powered radar speed monitoring signs on Roblar Road and Valley Ford Road. DTPW will work with the applicant to obtain the encroachment permit on Valley Ford Road as necessary.
- U 65. The applicant shall employ a Registered Civil Engineer, licensed in the State of California, to develop plans for the required improvements. The scale of these improvement plans shall be a minimum 1 inch equals 40 feet, and shall be submitted on 24-inch by 36-inch sheets for review. The Plans shall include roadway cross-sections, at a maximum interval between cross-sections of 50 feet.
- U 66. Plan checking fees and Inspection fees, including those involving off-site frontage improvements, shall be paid to PRMD, prior to signature of the Improvement Plans by the Director of the Department of Transportation and Public Works.
- U 67. A Traffic Mitigation Fee shall be paid to the County of Sonoma, as required by Section 26, Article 98 of the Sonoma County Code, prior to commencement of mining activities. This fee is for indirect cumulative traffic impacts throughout the county. This permit shall not be vested until the traffic mitigation fees are paid in full.
- U 68. The applicant shall submit improvement plans for all required improvements to the Office of the County Surveyor in PRMD for review and approval and shall obtain signed approval from the Director of DTPW prior to the issuance of a Grading, Building or Encroachment permit.
- U 69. The applicant shall obtain an Encroachment Permit from PRMD prior to constructing any improvements within County Road right-of-way.
- U 70. Prior to commencement of mining, the applicant shall complete construction of all the required public improvements, except that overburden and rock may be used to construct Roblar Road. No overburden may be outhauled until the roadway improvements are completed.



**Haul Route Secondary Impact Preoperational Conditions:**

- U 71. As part of the grading and construction specifications for the roadway widening, implement best management practices (BMPs) to reduce or eliminate soil erosion during construction. The project construction contractor(s) shall implement these BMPs and be responsible for the inspection and maintenance of the BMPs during construction. These measures shall be incorporated into the Storm Water Pollution Prevention Plan (SWPPP) for the proposed roadway widening (see Mitigation Measure E.8c, below).

*Mitigation Measure E.8a*

Mitigation Monitoring: PRMD staff will verify that roadway improvement plans for include appropriate erosion control measures prior to grading permit issuance.

- U 72. Prior to grading permit issuance, a design level geotechnical investigation shall be required to identify site specific geologic conditions and geotechnical constraints and develop adequate engineering design criteria and remedies to reduce the potential for slope instability from cutting and filling of adjacent slopes along the roadway alignments. Methods for reducing potential slope instability effects could include, but are not limited to, slope reconstruction, earth buttress construction, or retaining structures/walls. All recommendations identified by the licensed geotechnical engineer shall be included in the final design and be incorporated into the roadway widening project, subject to review and approval of DTPW.

*Mitigation Measure E.8b*

Mitigation Monitoring: PRMD will verify that road improvements are in conformance with the geotechnical report recommendations and approved by DTPW.

- U 73. Prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) before commencing with roadway widening construction. As part of this process, a Notice of Intent shall be filed with the State Water Resources Regional Control Board, in compliance with the statewide NPDES General Permit for Discharges of Stormwater Runoff Associated with Construction Activity (General Construction Permit). The SWPPP shall specify Best Management Practices (BMPs) to control contamination of surface flows through measures to prevent the potential discharge of pollutants from the construction area.

The BMPs shall be designed to minimize erosion of disturbed soil areas. BMPs could include, without limitation, silt fences, gravel or sand bags, stormdrain inlet protection, soil stockpile protection, preservation of existing vegetation where feasible, use of straw mulch, dust control, and other measures. The SWPPP will also include protection and spill prevention measures for any temporary onsite storage of hazardous materials used during construction. The project applicant shall adhere to the identified BMPs as well as the waste discharge and stormwater requirements outlined in the permit.

*Mitigation Measure E.8c*

Mitigation Monitoring: PRMD will verify that a Notice of Intent to comply with the NPDES is filed with the RWQCB prior to grading permit issuance.

- U 74. The proposed storm drain system for the roadway widening improvements shall be designed in accordance with all applicable County and Sonoma County Water Agency (SCWA) drainage and flood control design standards. The drainage plan for the roadway widening improvements shall ensure the proposed drainage facilities are properly sized to accommodate projected stormflows and prevent

any potential project flooding on-site and in downstream areas.

*Mitigation Measure E.8d*

Mitigation Monitoring: PRMD will verify that roadway storm drain systems are design to meet PRMD and Water Agency design standards.

- U 75. Prior to issuance of a grading permit for the Alternative 2 haul route, as modified by the Board (Modified Alternative 2), the applicant shall:

- Conduct a formal wetland delineation in accordance with 1987 Corps of Engineers Wetlands Delineation Manual and have it verified by the U.S. Army Corps of Engineers (Corps). If the Corps and/or CDFG determine that the potentially affected water-associated features are jurisdictional, then the project proponent shall obtain appropriate wetland permits and implement all conditions contained in the Section 404 Clean Water Act permit (possibly an Nationwide permit) from the Corps, Section 1603 Streambed Alteration Agreement from CDFG, and/or Section 401 water quality certification from the Regional Water Quality Control Board.
- Compensate for the loss of jurisdictional wetlands at a 2:1 ratio (or as agreed to by the permitting agencies) within the project site boundary, or at a 3:1 ratio (or as agreed to by the permitting agencies) off-site within the local watershed, by creating, restoring or enhancing waters of the U.S., or contributing in-lieu funds to an existing or new restoration project preserved in perpetuity. The restoration effort shall require implementation of a five-year monitoring program with applicable performance standards, including but not limited to establishing: 80 percent survival rate of restoration plantings native to local watershed; absence of invasive plant species; absence of erosion features; and a functioning, and self-sustainable wetland system.

*Mitigation Measure E.8e*

Mitigation Monitoring: PRMD will verify that wetland delineations, mitigation, and resource agency approval is obtained prior to grading permit issuance for road improvements.

- U/R 76. Avoid all potential jurisdictional wetlands and riparian habitat located along the roadway alignments, as feasible. Prior to construction activities, the project applicant shall take appropriate measures to protect the wetland and riparian habitat located in these areas. The following protection measures are to be included in the grading and Reclamation Plan:

- Installation of exclusionary construction fencing to protect these features from all project construction and operation activities; and
- Implementation of measures to control dust in adjacent work areas (see comprehensive dust control program identified in Condition of Approval #162).

*Mitigation Measure E.8f*

Mitigation Monitoring: PRMD will verify that wetland delineations, mitigation, and resource agency approval is obtained and verify that protective measures are installed prior to grading permit issuance for road improvements.

- U 77. The project construction contractor(s) shall comply with all laws and regulations (Caltrans Standard Specifications, section 7-1.01). The contractor(s) shall be made aware that, if there is removal of any trees on private property in conjunction with the roadway widening improvements, it must be in accordance with the following: 1) the County Tree Protection and Replacement Ordinance; 2) the Sonoma County Valley Oak Stewardship Guidelines for valley oak trees removed within the Valley Oak Habitat combining district; and 3) the Heritage or Landmark Tree Ordinance. Enforcement of this measure will be through a combination of the DTPW and PRMD staff. *Mitigation Measure E.8g*

Mitigation Monitoring: PRMD will verify that tree protection and mitigation measures are provided on road construction plans.

- U 78. The project applicant shall implement measures to minimize and avoid take of CRLF and CTS that would additionally benefit pond turtles and FYLF, if present. The following measures are derived from the Programmatic Biological Opinion (PBO) for impacts to California red-legged frog (USFWS, 1999), and the Santa Rosa Plain Conservation Strategy for CTS (Conservation Strategy Team, 2005). Projects that impact CRLF or CTS require formal consultation with the USFWS and issuance of a Biological Opinion. The following actions will minimize impacts to these species.

- A USFWS-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training will include a description of the CRLF and CTS and their habitat, and the general measures that are being implemented to protect the CRLF and CTS as they relate to the roadway widening improvements.
- A preconstruction survey for CTS shall be performed by a qualified biologist within 72 hours of new ground disturbances for work areas on Roblar Road between the western end of the "S" curve on Roblar Road west of the project site and the project access driveway. Such surveys allow for the identification and relocation of CTS and other special status species that may be present.
- A USFWS-approved biologist shall be present during initial grading activities to monitor roadway construction activities within 100 feet of creek corridors and aquatic habitat that could support CRLF. Thereafter, an onsite person shall be designated to monitor onsite compliance with all minimization measures. The USFWS-approved biologist shall ensure that this individual receives training consistent with that outlined in the Biological Opinion.

*Mitigation Measure E.8h*

Mitigation Monitoring: PRMD will verify that the applicant has obtained a biological opinion and necessary clearances from the United States Fish and Wildlife Service and contract with a qualified biologist prior to grading permit issuance.

- U 79. Implement Mitigation Measure D.4a and D.4b (Conditions #139 and #140) to reduce potential impacts to nesting raptors and other special-status birds.

*Mitigation Measure E.8i*

- U 80. Implement Mitigation Measure D.5 (Condition #141) to reduce potential impacts to badgers.

*Mitigation Measure E.8j*

- U 81. In conjunction with Mitigation Measure E.7 the project construction contractor(s) shall develop a construction management plan for review and approval by the Sonoma County Public Works Department and meet the following requirements:

- To the extent possible, the contractor shall schedule truck trips outside of peak commute hours.
- Lane closures on Roblar and Pepper Road shall occur only between the hours of 8:30 a.m. and 4:30 p.m. Outside of these hours on Monday through Friday, or on weekends, two lanes of traffic on both roads must be open.
- If lengthy delays are anticipated, signs shall be posted to notify motorists that traffic will be subject to delay.
- Traffic safety guidelines compatible with Section 12 of the Caltrans Standard Specifications, "Construction Area Traffic Control Devices" shall be followed during construction. Project plans and specifications shall also require that adequate signing and other precautions for public safety be provided during project construction.
- For highly sensitive land uses, such as schools, fire and police, the County shall require the

construction contractor to develop access plans in consultation with facility owner or administrator. The contractor shall notify the facility owner in advance of the timing, location, and duration of construction activities and the locations of detours and lane closures.

- The contractor shall provide for passage of emergency vehicles through the project site at all times.
- The contractor shall maintain access to all parcels adjacent to the construction zone during construction.

*Mitigation Measure E.8k*

Mitigation Monitoring: PRMD will not release grading permits until it has verified that DTPW has reviewed and approved the construction management plan for conformance with this measure.

U 82. Comply with Mitigation Measure E.8m and the following dust control measures:

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

*Mitigation Measure E.8l*

U 83. Roadway widening and creek relocation construction activities for this project shall be restricted as follows:

- All internal combustion engines used during construction of this project shall be operated with mufflers that meet the requirements of the State Resources Code, and, where applicable, the Vehicle Code.
- Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. and 7:00 p.m. on weekends and holidays. Only work that does not require motorized vehicles or power equipment shall be allowed on holidays. If work outside the times specified above becomes necessary, the resident engineer shall notify PRMD Project Review and Code Enforcement as soon as practical.

*Mitigation Measure E.8m:*

Mitigation Monitoring: PRMD project review will verify that road construction plans include the above requirements. PRMD and DTPW field inspectors will verify that the design details and notes on the plans are implemented. Code Enforcement will respond should complaints be received for work conducted outside of approved hours.

U 84. The applicant shall provide landscape improvements following roadway widening and creation of any cut slopes. Native shrubs and trees shall be planted to create a landscape that recalls the native landscape of the region. Plants shall be selected that require the least maintenance, and create a sustainable landscape.

- If retaining walls are required as part of the roadway widening, the use of natural finishes shall be incorporated.
- A maintenance program, including weeding and summer watering shall be followed until plants

have become established (minimum of three years).

*Mitigation Measure E.8n*

Mitigation Monitoring: PRMD project review will verify that road construction plans include the above requirements. PRMD and DTPW field inspectors will verify that the design details and notes on the plans are implemented.

- U 85. If archaeological materials are discovered during project construction, construction shall cease in the immediate vicinity of the find until a qualified archaeologist is consulted to determine the significance of the find, and has recommended appropriate measures to protect the resource. Further disturbance of the resource will not be allowed until those recommendations deemed appropriate by the County have been implemented.

*Mitigation Measure E.8o*

Mitigation Monitoring: PRMD project review will verify that the above requirement is noted on the construction plans and verify that the above procedure is utilized should resources be discovered.

- U 86. If paleontological resources or unique geologic features are discovered during project construction, construction shall cease in the immediate vicinity of the find until a qualified paleontologist or geologist is consulted to determine the significance of the find and has recommended appropriate measures to protect the resource.

*Mitigation Measure E.8p*

Mitigation Monitoring: PRMD project review will verify that the above requirement is noted on the construction plans and verify that the above procedure is utilized should resources be discovered.

- U 87. For installation of the Stony Point Road/Roblar Road signal, implement adopted mitigation measures contained in the Signalization of Stony Point Road at Roblar Road, Mitigated Negative Declaration and Mitigation Monitoring Program, Sonoma County PRMD, October 2005.

*Mitigation Measure E.9*

Mitigation Monitoring: DTPW will verify that the mitigation measures included in the Mitigated Negative Declaration approved for the Signalization of Stony Point Road at Roblar Road are implemented at the time of intersection design and signal construction.

**Roads Division Operational Conditions:**

- U 88. The applicant/operator shall install and use a tire wash and tire scraper to loosen dirt from the trucks and their tires. The applicant shall weekly sweep the paved shoulders and the traveled way as necessary, of Roblar Road and Valley Ford Road, in the vicinity of the private access road intersections. Sweeping shall be performed by mechanized sweeping equipment that can collect the sweepings and are equipped with devices/features to adequately control dust. Sweeping operations shall be performed under the appropriate traffic control contained in the California Manual of Uniform Traffic Control Devices (MUTCD) and for which the applicant will be required to obtain a blanket encroachment permit from the County's Permit and Resource Management Department.

*Mitigation Measure E.3c*

Mitigation Monitoring: PRMD ARM plan staff will verify that this condition is being implemented during their quarterly inspections. PRMD Project Review will verify that the tire washer is installed prior to the commencement of mining.

- U 89. The applicant/operator shall report annually to PRMD, all aggregate materials transported from the facility, including recycled aggregate materials. This information shall be deemed proprietary. The applicant shall pay annually the adopted per ton fee on aggregate materials, including recycled aggregate materials, transported from the facility as the applicant's share of the Aggregate Road Mitigation Fee.

*Mitigation E.6b*

Mitigation Monitoring: PRMD staff will review annual reports submitted by the operator and shall invoice the applicant annually.

**Grading and Storm Water:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

- U/R 90. Grading and/or building permits require review and approval by the Grading & Storm Water Section of PRMD prior to issuance.
- U/R 91. Separate grading permits for on-site improvements shall be required for each phase of the proposed project including work for construction of roads/driveways, ponds, and drainage facilities.
- U/R 92. Prior to placement of overburden in the proposed stockpile locations, all areas receiving material shall be cleared and stripped. Where overburden materials are placed on underlying supporting slopes steeper than 6:1 (H:V), the fill area shall be prepared by constructing horizontal benches into firm natural soil or rock. The benches shall be at least 8 feet in width, with a step of at least 4 feet between benches. Overburden stockpile material shall be placed and compacted using conventional heavy equipment. All grading work and fill placement plans shall be in a conformance with SMARO and the UBC and be approved, in writing, by a California registered Geotechnical Engineer and a California Certified Engineering Geologist.

*Mitigation Measure B.2a*

Mitigation Monitoring: Prior to grading permit issuance for the removal of overburden, PRMD Grading and Stormwater will verify that plans address this condition. PRMD grading inspectors will verify that field work is performed according to the approved plans.

- U 93. The applicant shall construct a small sedimentation pond downstream of the toe of the Stockpile Area "B" designed and sized to minimize erosion of any soil material into Ranch Tributary and Americano Creek. The dike of the sedimentation pond shall be placed across the natural swale and the pond constructed similar to the proposed main sedimentation pond at the entrance of the quarry. The sedimentation pond design shall be developed by a Registered Civil Engineer, and submitted to PRMD for approval.

*Mitigation Measures B.2b, B.3a*

Mitigation Monitoring: Prior to grading permit issuance for the removal of overburden, PRMD Grading and Stormwater will verify that a sedimentation pond is included on the plans in accordance with this condition. PRMD grading inspectors will verify that field work is performed according to the approved plans.

- U 94. In areas where cut-slopes intercept saturated seepage zones during construction of access roads, the applicant shall install appropriate improvements into the finished slope (i.e. subsurface drains, localized slope support, or compacted fill buttresses). The final slope treatment must be designed and approved by a California registered Geotechnical Engineer and be consistent with the UBC and be in compliance with the SMARO.

*Mitigation Measure B.2c*

Mitigation Monitoring: Prior to grading permit issuance for constructing the site access road, PRMD Grading and Stormwater will verify that plans address this condition. PRMD grading inspectors will verify that field work is performed according to the approved plans.

- U 95. A California registered Geotechnical Engineer shall inspect on a quarterly basis the quarry slopes during excavation (in addition to following major storms, earthquakes, or blasting) to assess bedrock fracture and joint conditions. The inspection shall require continued mapping and movement monitoring of the mining slopes to assess slope stability. If a slope condition presents risk to mine safety or the potential for erosion/siltation, repair measures shall be implemented.

Evaluation of slope stability under seismic conditions and strategies to reduce slope instability hazards shall conform to the guidelines and recommendations contained in the current edition of the California Geological Survey's Special Publication 117 Guidelines for Evaluating and Mitigating Seismic Hazards in California. Engineering recommendations for slope repair or stabilization shall be approved by PRMD and incorporated into the proposed project.

*Mitigation Measure B.2d*

Mitigation Monitoring: PRMD ARM and Grading and Stormwater staff will verify that slopes are inspected, mapped, and repaired as necessary on a quarterly basis.

- U/R 96. Re-vegetation of the site shall comply, as required, with Section 26A-11-040, part c of the SMARO. The reestablishment of protective vegetative cover greatly reduces the velocity of surface water runoff on natural soils and fill slopes. In turn, this reduced velocity sharply decreases the erosion potential of these materials to near or even below pre-development erosion rates.

*Mitigation Measure B.3b*

Mitigation Monitoring: PRMD ARM staff will verify that revegetation of the site occurs in accordance with SMARO and the approved Reclamation Plan.

- U/R 97. All surface and subsurface drainage facilities, siltation retention structures, and larger cuts and fills, including overburden stockpiles, shall be inspected quarterly and after major storm events to confirm adequate performance by mine personnel. Such facilities shall be cleaned, and maintained on an annual basis and routinely inspected for erosion and slippage during the rainy season. This measure would reduce the potential for erosion-induced damage and siltation.

*Mitigation Measure B.3c*

Mitigation Monitoring: PRMD ARM staff will inspect the site quarterly and after major storm events to verify that drainage and erosion control measures are implemented in accordance with this measure.

- U 98. The applicant shall provide grading plans, prepared by a registered civil engineer, which clearly indicate the nature and extent of the work proposed. The grading plans shall conform to and contain all applicable items in the Grading Permit Required Application Contents (GRD-004) handout.

- U/R 99. The applicant shall provide an erosion prevention/sediment control plan, prepared by a registered civil engineer, which clearly shows best management practices to be implemented, limits of disturbed areas, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages and minimize adverse impacts to the environment. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands. The erosion prevention/sediment control plan shall conform to and contain all applicable items in the Grading Permit Required Application Contents (GRD-004) handout.

- UR 100. A master drainage plan for the proposed project shall be prepared by a registered civil engineer in accordance with the Sonoma County Water Agency Flood Control Design Criteria and be submitted to the Grading & Stormwater Section of the Permit and Resource Management Department for review and approval. The master drainage plan shall include analyses and drainage reports for initial, interim and final drainage improvements and shall demonstrate no increase in storm water levels or polluted runoff from the proposed project at each phase of development. The master drainage plan must be approved prior to the issuance of any grading permits for quarry development. The drainage reports shall conform to and contain all applicable items in the Drainage Report Required Contents (DRN-006) handout. Drainage Facilities shall be operated and maintained in accordance with approved plans during operation of the quarry and post-reclamation.

*Mitigation C.1d*

Mitigation Monitoring: PRMD Grading and Stormwater will review storm drainage plans to verify they are designed by a registered engineer, meet Water Agency Flood Control Criteria, are installed, and are maintained through post-reclamation. PRMD will inspect facilities at permit final and during quarterly ARM Plan inspections.

- UR 101. The applicant shall prepare, for review and approval by the Sonoma County PRMD, a design level drainage plan that addresses stormwater runoff from the proposed project during active mining and post reclamation. The stormwater drainage plan must ensure that the peak stormwater flows from outside the quarry footprint are managed to the extent that stormwater flow entering Americano Creek and Ranch Tributary from the project site does not exceed pre-project baseline flows during the 2, 10, 25-, 50-, and 100-year storm events. The design level drainage plan shall include specific design criteria that ensure 1) the proposed sediment ponds operate as a stormwater runoff detention feature with the capacity to contain and manage at least a 25-year return storm and 2) alternative on-site stormwater detention strategies are implemented to ensure that stormwater flows are adequately detained so discharges to Americano Creek and Ranch Tributary do not exceed baseline discharge rates. Alternative detention strategies could include alternate detention basins, expanded use of the quarry floor for detention, or expanded use of infiltration areas for percolation and storage.

*Mitigation Measure C.1c*

Mitigation Monitoring: PRMD Grading and Drainage Review staff will review drainage plans to verify that storm drainage facilities are designed to detain flows so as not to exceed pre-project base flows in Ranch Tributary and Americano Creek during flood events.

- U/R 102. Except for stream crossings and also except as shown in the Applicant's Roblar Road widening plans and plans for relocation of Americano Creek, including related roadway improvements, specifically the drawing by BKF Engineers, "Americano Creek Relocation" dated September 1, 2017 and the "Conceptual Planting Plan for Realigned Americano Creek" prepared by Ted Winfield, Ph.D., dated August 21, 2017, no grading or land disturbance shall occur within 50 feet of the top of banks of the waterways. Any waterway setbacks, including but not limited to building setbacks, grading setbacks, riparian corridor setbacks or biotic resources setbacks, shall be shown and noted on the grading plans. A construction fence must be placed along the most stringent waterway setback to prevent land disturbance adjacent to the waterways.

*Mitigation Measure 3.3-1b*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD Project Review staff will verify that plans provide the above protection measures. County Staff will verify compliance in the field during inspection.

- U/R 103. Any bridge or stream crossing shall maintain at least one foot of freeboard from the 100-year water surface elevation and the lowest structural component of the crossing. Streams shall be adequately protected from erosion resulting from the installation and function of a stream crossing.
- U/R 104. Polluted runoff from waste receptacles or industrial areas/activities shall not be allowed to drain directly to the storm drain system or waterway(s).
- U/R 105. The 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 PRMD prior to issuance of a grading permit.
- U/R 106. The applicant will be responsible to contact the Regional Water Quality Control Board (RWQCB)



and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of a grading permit.

- U/R 107. The applicant will be responsible to contact the California Department of Fish & Game and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of a grading permit.
- U/R 108. The applicant will be responsible to contact the U.S. Army Corps of Engineers and obtain any necessary permits or waivers for proposed work in or near a waterway. The applicant shall provide said documentation to the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance of a grading permit.
- U/R 109. A roiling permit from PRMD shall be obtained prior to start of work within an active waterway.
- U/R 110. At project approval, the applicant shall implement a baseline flow and creek stage monitoring program for the Ranch Tributary and Americano Creek. This program shall continue the flow monitoring program currently underway through the project duration, and as determined by the SCWA and PRMD, through post-reclamation. The required monitoring program should include two locations of Ranch Tributary (representative of upstream and downstream conditions) and three representative locations on Americano Creek (i.e., upstream location at east property boundary, and locations upstream and downstream of Ranch Tributary). Flow and creek stage monitoring shall be conducted quarterly and following winter storm events. The applicant shall apply the data to design of stormwater discharge facilities to ensure that stormwater discharges from the site do not exceed pre-project flows in Ranch Tributary and Americano Creek. The Applicant shall submit baseline flow monitoring data to the Sonoma County Water Agency and Sonoma County PRMD.  
*Mitigation Measure C.1a*

Mitigation Monitoring: PRMD Grading and Drainage Review staff will review base line flow and creekstage monitoring data to verify that storm drainage facilities are designed to maintain baseline flows and that stormwater discharges from the site do not exceed pre-project flows in Ranch Tributary and Americano Creek.

- U/R 111. Only surface water runoff occurring on the project site outside the quarry footprint shall be discharged to Ranch Tributary and/or Americano Creek. No water collected within the quarry footprint and/or production Well DW-2 shall be discharged to surface waters, including Ranch Tributary or Americano Creek.  
*Mitigation Measure C.1b*

Mitigation Monitoring: PRMD Grading and Drainage Review staff will review drainage plans to verify that storm drainage facilities are designed to detain flows so that no water collected within the quarry footprint or drawn from production well DW-2 is discharged to surface water.

- U/R 112. The applicant shall develop and implement a Water Quality Protection Program (WQPP) to control sediment and pollutant runoff from the quarry during its operational life and beyond through post reclamation. All structural elements and processes shall be designed and approved by a professional civil engineer experienced in stormwater management and sediment control. The design shall meet the standards of the Sonoma County Surface Mining and Reclamation Ordinance (SMARO). All hydrologic and engineering calculations, including sediment trap efficiency, shall be submitted to the County and the RWQCB for review and approval prior to commencement of project grading.

The WQPP consists of several elements, as discussed below, to control the source of sediment and the discharge of that sediment into the adjacent receiving waters of Americano Creek and Ranch Tributary.

As part of the WQPP, the applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) as required by the RWQCB. The applicant shall submit a copy of the SWPPP that adequately addresses control and reduction of stormwater laden with sediment or other pollutants to the County PRMD. The applicant shall comply with requirements set forth by the RWQCB in the SWPPP Program for annual reporting and water quality sampling, which typically includes annual reports and reports of failed best management practices (BMPs). The SWPPP shall be regularly updated as BMPs are updated and new BMPs are constructed and/or the quarry operation changes. The SWPPP shall be implemented during the initial stage of quarry construction and stay in effect through the completion of reclamation.

**Aggressive Source Control.** The WQPP shall outline and describe source control measures designed to prevent erosion. Specific measures, as cited below, shall be adapted from the most current edition of the Stormwater Best Management Practice Handbook for Construction, published by the California Stormwater Quality Association (CASQA). Equivalent measures deemed more effective by the North Coast RWQCB may be substituted.

- Reclamation or stabilization of all quarry slopes and the quarry floor (excluding the working/processing/stockpile/loading/access areas) shall be completed by October 1 of each year. Stabilization measures include hydraulic application of surface stabilizing compounds, hydroseeding, mulching, or other measures to prevent erosion. To insure accurate compliance with this condition, the applicant shall submit to the Sonoma County PRMD, a site plan or aerial photograph clearly depicting the extent of mining and reclamation on the site every five years during mining and reclamation and at the completion of reclamation;
- In areas not being actively mined, bare soil shall be protected from erosion with the application of hydraulic mulch or hydroseeded;
- In areas requiring temporary protection until a permanent vegetative cover can be established, bare soil shall be protected by the application of straw mulch, wood mulch, or mats;
- To the extent practical, benches should be back-sloped or provided with rock or straw bale checks so that sediment is trapped on the benches rather than washed into the sediment ponds; and
- Benches shall drain into adequately sized pipes or rock-lined channels that convey the runoff to the quarry floor. Outlets of pipes shall have appropriate energy dissipaters to prevent erosion at the outfall.

**Sediment Retention Measures.** The WQPP shall include specific measures to trap eroded sediment on site to prevent a discharge to receiving waters. Specific measures cited below shall be adapted from the most current edition of the CASQA Stormwater BMP handbook for construction. The applicant shall install sediment retention measures prior to winter (on or about October 15) or in areas receiving surface water runoff in the dry season (e.g. the areas receiving seepage from the quarry walls). Sediment retention measures shall be regularly inspected by quarry personnel and corrective action shall be conducted in the event that the measures fail. Inspection and performance of the sediment retention measures shall be included in the SWPPP and included in the required annual report. Equivalent measures deemed more effective by the North Coast RWQCB may be substituted.

- Silt fences, fiber rolls, and straw bale barriers shall be used on bare slopes not being actively mined to intercept and trap sediment carried by sheet flow;
- The program shall include a description of the construction method for the sediment ponds, including the design storm and spillways;
- The applicant shall design the proposed sediment ponds to the maximum size practical for the available space. The sediment control basin shall include a forebay to trap coarse soil particles. Recognizing that the sediment ponds may not be large enough to trap very fine particles such as clay, the design shall include supplemental treatment that can be used as needed to meet

the water quality discharge criteria for this project. Supplemental treatment may be chemical treatment that promotes fine particle settlement, mechanical filters to remove fine particles, or other measures approved and required by the North Coast RWCQB for this particular project;

- All runoff from actively mined or reclaimed areas shall be directed through the sediment control basins.

**Implement Contaminant-Control BMPs.** The applicant shall implement BMPs to reduce the potential for discharge of contaminants to storm water runoff. These BMPs shall be designed by a civil engineer and the design engineer shall oversee BMP installation. To minimize the introduction of contaminants which may degrade the quality of water discharged from the site, the following measures shall be taken:

- Fueling and maintenance of all rubber-tired loading, grading and support equipment shall be prohibited within 100 feet of drainage ways. Fueling and maintenance activities associated with other less mobile equipment shall be conducted with proper safeguards to prevent hazardous material releases. All refueling and maintenance of mobile vehicles and equipment shall take place in a designated area with an impervious surface and berms to contain any potential spills;
- The site shall be controlled by maintaining security fencing and locking gates and posted trespass signs at all vehicular access points to the site to prevent unauthorized entry;
- Runoff from the access roads shall be captured, retained and conveyed to the sediment control pond; and
- All chemical dust suppressants and slope stabilization chemicals or polymers, and sediment pond enhancement chemicals or polymers shall be EPA approved and shall be used strictly according with the manufacturer's directions. An accurate accounting of the kinds and quantities of these materials used on the site shall be maintained by the operator.

*Mitigation Measure C.2a*

Mitigation Monitoring: PRMD Grading and Stormwater, SCWA, and RWQCB, as applicable, will review the WQPP to verify that the storm drain and sediment control ponds are designed to handle storm events and that best management practices are utilized for sediment, erosion, and contaminant control. The RWQCB will also insure that the plan meets their requirements for stormwater pollution prevention. PRMD ARM staff will verify through quarterly inspections that reclamation and slope stabilization occurs to avoid excessive erosion.

- U/R 113. Maintain and repair storm damage to conveyance and water quality control systems, as necessary. The applicant shall maintain procedures to ensure prompt identification and repair of damage to the drainage and water quality control systems, especially after large storm events. The applicant shall conduct routine inspection and maintenance of the stormwater and sediment control facilities. Stormwater drainage conveyance and outfalls shall be inspected monthly during the dry season and after each rain storm between October and March. If inspections reveal that stormwater conveyance of water quality control facilities (e.g. sediment ponds, energy dissipation structures) are damaged, corrective actions shall be implemented immediately. The applicant shall immediately report, to the Sonoma County PRMD and RWQCB, any storm-related drainage or sediment control system failure that results in discharge of sediment to Ranch Tributary or Americano Creek. The applicant shall submit a written report within 72 hours and describe the occurrence, corrective action, and observed performance of the corrective action.

*Mitigation Measure C.2b*

Mitigation Monitoring: PRMD ARM staff and the RWQCB will inspect the site, as necessary, to verify that water conveyance and control systems are maintained.

- U/R 114. The drainage plan identified in Conditions #100 and #101 shall account for additional flows created by groundwater seepage expected to occur through the quarry walls. The plan shall consider management of seepage during operation, as well as, in the long term following reclamation and be based on conservative estimates of seepage derived from measured hydraulic conductivities in the weathered and unweathered Wilson Grove Formation and the Tolay Volcanics. The drainage plan shall include measures to ensure that the quarry wall seepage can be managed by stormwater flow conveyance structures and that these structures would not be overwhelmed during the 2-, 10-, 25-, and 100-year storm events.

*Mitigation Measure C.3*

Mitigation Monitoring: PRMD Grading and Stormwater will review drainage plans to verify that storm drainage facilities are designed and installed to detain flows, including groundwater seepage, so that those structures are not overwhelmed during the 2-, 10-, 25-, and 100-year storm events.

- U/R 115. The applicant shall fully incorporate and implement all measures specified in the approved Water Management Plan, including those reflected in this mitigation measure as follows:

The applicant/operator shall regularly sample and analyze all water collected within the quarry footprint and in production well DW-2 for the same suite of analytes used at the adjacent Roblar Landfill during the 2004 through 2008 monitoring events, and at the project site during the 2007/08 monitoring events. The QA/QC protocol for the sampling and analysis program shall be completed by an environmental professional knowledgeable of current surface water/groundwater regulations and sampling procedures.

The sediment control basin sampling and analysis schedule shall be developed in conjunction with the basin management operations. Prior to the release of water from any sediment control basin, the quarry shall obtain representative samples of the water held in the basin and submit the samples for analysis of VOCs and metals by a California state certified analytical laboratory. Once samples and final analytical results are received, the quarry shall determine the appropriate routing of the water based on applicable water quality standards. Basin water quality sampling schedules, guidelines, protocols, and procedures required to collect and analyze representative samples from each basin will be provided in a detailed Sediment Control Basin Sampling and Analysis Plan, subject to review and approval by the County of Sonoma PRMD, and as applicable, the RWQCB, prior to commencement of operation of the treatment system.

Groundwater extracted from Well DW-2 shall be sampled and analyzed once every 24-hours during periods of sustained or cyclic pumping, and at the end of each pumping episode during times of intermittent use of the well (intermittent use means pumping episodes separated by more than 24 hours).

In the event that the monitoring of the water collected within the quarry footprint or production well DW-2 contains contaminants exceeding water quality standards, such water shall be treated on-site (e.g., use of granular activated carbon vessels to treat VOCs, and use of an ion-exchange resin system to treat metals) until concentrations meet acceptable water quality standards and subsequently be available only for either direct onsite reuse or temporary storage prior to onsite reuse.

In addition, in the event that VOCs and/or metals are detected in the water in the sediment control basins exceeding water quality standards, the sediment within the respective sediment control basin would also be sampled and analyzed for VOCs and/or metals prior to removal. In the event that VOCs and/or metals are detected in this sediment at concentrations above applicable standards, the sediment shall be removed, transported and disposed of off-site at an appropriate licensed facility in accordance with all applicable state and federal regulations.

*Mitigation Measure C.4e:*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD staff will verify that a detailed Sediment Control Basin Sampling, Analysis, Monitoring, and Reporting Plan is submitted in

conformance with the above requirements for review and approval by PRMD and RWQCB, as applicable.

- U/R 116. The applicant shall incorporate into the final project drainage plan a hydrologic strategy that replaces potential baseflow in Ranch Tributary lost due to the quarry operation. This mitigation measure requires a) continuation of the baseflow monitoring program that commenced in Spring 2007, and b) determining from that data whether substantial changes in baseflow is occurring during the operation of the quarry. If a reduction in baseflow due to project activities becomes evident through long term monitoring, the applicant shall adapt their on-site surface water discharge program as needed to provide additional infiltration (e.g. recharge basins, additional infiltration trenches) to replicate pre-project base flows. Sonoma County PRMD shall review and approve the monitoring plan and on-site surface water discharge system prior to implementation. The applicant shall continue to monitor the flows in Ranch Tributary to ensure consistent replacement of baseflow. The applicant shall submit quarterly reports to the Sonoma County PRMD and Sonoma County Water Agency (SCWA) that details system monitoring and performance.  
*Mitigation Measure C.5a (also addresses MM D.1c)*

Mitigation Monitoring: Prior to issuance of a grading permit for work within the quarry footprint, PRMD Project Review and Drainage Review staff will review the monitoring program as well as grading and drainage plans to verify that they include an infiltration system designed to address the retention of base flow conditions in Ranch Tributary. PRMD ARM Plan staff and Drainage Review, in conjunction with SCWA, will review the quarterly monitoring reports to verify the performance and require adaptive measures as necessary.

**PLANNING:**

“The conditions below have been satisfied” BY \_\_\_\_\_ DATE \_\_\_\_\_

- U/R 117. This approval authorizes a (1) Zone Change to add the MR (Mineral Resources) overlay zone to the proposed 70 acre mining site (APN 027-080-009) and a 25 foot perimeter setback area around the parcel, (2) Use Permit for Alternative 2 (Alternative Haul Route/Contracted Sales Only), as modified by the Board, to allow a 20-year mining permit with an annual production limit of 570,000 cubic yards per year, including no more than 57,000 cubic yards of recyclable material, and (3) Reclamation Plan to return the 70 acre mining area to a natural condition with native soil and vegetation suitable for agriculture and open space use.
- U/R 118. This Use Permit allows mining/rock extraction, processing, rock crushing, screening and stockpiling, concrete/asphalt recycling, and reclamation supported by an office, a scale, and on-site fueling/shop operations, with up to 10 employees on APN 028-080-009 as described in the Roblar Road Final EIR, including the Draft EIR and associated Response to Comments, Revised Response to Comments and Revised Water Management Plan, Recirculated Draft EIR and associated Response to Comments, and Draft SEIR and Final SEIR Response to Comments Document as modified by the these conditions. (See Operational Conditions of Approval for operational restrictions)
- U 119. Grading for the on-site quarry access road and obtaining fill for the improvement of Roblar Road may be permitted on the project site with a grading permit.

**Pre-operational Conditions:**

- U/R 120. Prior to grading permit issuance for on-site improvements, a comprehensive mining Operation and Management Plan shall be prepared to address all operational conditions, including but not limited to erosion and sediment control, stormwater management, water quality and groundwater monitoring, wind monitoring and dust control, noise monitoring, blasting, hazardous materials management, sediment pond operation and maintenance, and slope stability and vegetation management, as detailed in these conditions.
- U/R 121. The applicant shall submit a final Reclamation Plan for review and approval by PRMD. The final

Reclamation Plan shall meet all County and State requirements. At minimum, the Reclamation Plan shall be amended to substitute coast redwood for pinion pine (pgs. 33-34 of Reclamation Plan) and the Planting Success Criteria for Trees Table (pg. 41) shall be revised per the Department of Conservation's November 2, 2010 correspondence. This permit shall not be vested or effective until the final Reclamation Plan has been approved by PRMD.-

- U 122. Prior to grading permit issuance for phase one mining, a site landscape/irrigation plan shall be submitted consistent with the project description. Landscaping shall consist of a mixture of native trees, shrubs, and groundcover. Trees shall be planted in natural groupings along Roblar Road, along the on-site access road, and around the parking lot and quarry office. All landscaping shall be automatically irrigated.
- U/R 123. A Water Conservation Plan shall be submitted for all landscaping prior to building permit issuance, subject to PRMD review and approval. The Water Conservation Plan shall comply with all provisions of the County Landscape Water Efficiency Ordinance as applicable. Verification, from a qualified irrigation specialist, that landscaping complies with the County Landscape Water Efficiency Ordinance shall be provided prior to building permit issuance. The measures in the plan shall be implemented and verified by PRMD staff prior to Certificate of Occupancy.
- U 124. A Water Conservation Plan shall be submitted for all buildings prior to building permit issuance. The Water Conservation Plan shall include, at a minimum, proposals for low-flow fixtures.
- U/R 125. Prior to issuance of building permits, an exterior lighting plan shall be submitted for administrative design review. 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. All parking lot shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.
- U/R 126. The applicant/operator shall submit to PRMD financial assurance(s) payable to the County of Sonoma and, in the alternative, the State Department of Conservation, in an amount and format to be reviewed and approved by PRMD and State Department of Conservation - Mines and Geology Division, to assure compliance with the approved Reclamation Plan and conditions thereof for the entire area of the quarry. A valid financial assurance shall be maintained on file until PRMD determines that all reclamation has been successfully carried out in compliance with the reclamation and final conditions. Financial assurance shall renew automatically and shall not expire without 90-days advance written notice being provided to PRMD. A Continuation Certificate or other proof of extended coverage shall be forwarded to PRMD no less than 30 days prior to the expiration date of the financial assurance. PRMD may adjust the amount of the security on an annual basis to account for additional lands disturbed or reclaimed, inflation, or revised cost estimates. The financial assurance shall reference the name of the mining site, the resolution number of the County approval, and PRMD file number.

The County may pursue redemption of the securities if: 1) the final reclamation does not meet the performance standards, 2) satisfactory progress is not made towards completing the reclamation in a timely manner, or 3) The operator is financially incapable of carrying out the reclamation.

- U 127. The applicant/operator shall pay all applicable development and processing fees prior to initial grading, unless otherwise specified in this permit.
- U/R 128. Within 30 days of approval of the project, the applicant shall submit to PRMD a Condition Compliance Review Fee deposit (amount to be determined consistent with the ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based on hours of staff time worked).

- U/R 129. This “At Cost” entitlement is not vested until all permit processing costs are paid in full. No clearing or mining activities shall be authorized until all permit processing costs are paid in full.
- U/R 130. Mining, and reclamation is subject to Sonoma County Fire Safe Standards and the mining plan shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: 1) emergency vehicle access and turn-around at the site(s), 2) addressing, and 3) water storage for fire fighting and fire break maintenance around all structures. Prior to the commencement of mining, written approval that the required improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.
- U/R 131. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50 (or latest fee in effect at time of payment) for County Clerk processing, and \$3,271 (or latest fee in effect at the time of payment) because an Supplemental EIR was prepared, for a total of \$3,321 made payable to Sonoma County Clerk and submitted to PRMD. If the required filing fee is not paid for a project, the project will not be operative, vested, or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code.) NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges.
- U/R 132. To mitigate the filling or excavating of potentially jurisdictional wetlands within the proposed project area, the project proponent shall:
- Conduct a formal wetland delineation in accordance with 1987 Corps of Engineers Wetlands Delineation Manual and have it verified by the U.S. Army Corps of Engineers (Corps). If the Corps and/or CDFG determine that the potentially affected water-associated features are jurisdictional, then the project proponent shall obtain appropriate wetland permits and implement all conditions contained in the Section 404 Clean Water Act permit (possibly an Nationwide permit) from the Corps, Section 1603 Streambed Alteration Agreement from CDFG, and/or Section 401 water quality certification from the Regional Water Quality Control Board.
  - Compensate for the loss of jurisdictional wetlands at a 2:1 ratio (or as agreed to by the permitting agencies) within the project site boundary, or at a 3:1 ratio (or as agreed to by the permitting agencies) off-site within the local watershed, by creating, restoring or enhancing waters of the U.S., or contributing in-lieu funds to an existing or new restoration project preserved in perpetuity. The restoration effort shall require implementation of a five-year monitoring program with applicable performance standards, including but not limited to establishing: 80 percent survival rate of restoration plantings native to local watershed; absence of invasive plant species; absence of erosion features; and a functioning, and self-sustainable wetland system.

*Mitigation Measure D.1a*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD Project Review staff will verify that wetlands have been formally delineated and wetlands are created and/or mitigation fees paid in accordance with resource agency approvals.

- U/R 133. Avoid all potential jurisdictional wetlands and riparian habitat located along the southern boundary (i.e., Ranch Tributary) and the southwestern corner (i.e., seasonal wetlands on valley floor adjacent to Americano Creek) of the property, except as shown in the Applicant’s plans for relocation of Americano Creek, including related roadway improvements, specifically the drawing by BKF Engineers, “Americano Creek Relocation” dated September 1, 2017 and the “Conceptual Planting Plan for Realigned Americano Creek” prepared by Ted Winfield, Ph.D., dated August 21, 2017. Prior to construction activities, the project Applicant shall take appropriate measures to protect the wetland and riparian habitat located in these areas. The following protection measures are to be included in the grading and Reclamation Plan:

- Installation of exclusionary construction fencing along the southern property line as well as around the two seasonally wetlands identified on [Final EIR] Figure IV.D-1 except for the wetland that would be impacted by the relocation of Americano Creek to protect these features from all project construction and operation activities.;
- Implementation of measures to control dust in adjacent work areas (see comprehensive dust control program identified in Condition 162);
- Maintenance of the hydrologic inputs (flow) to the seasonally wet area in the southwestern corner of the property, unless otherwise approved by resource agencies.
- Except as stated above for the relocation of Americano Creek, the project Applicant shall maintain the minimum allowed 200-foot and 100-foot setback for quarry mining operations from stream banks (Americano Creek and Ranch Tributary) respectively and critical habitat areas designated in the Sonoma County General Plan (Chapter 26A, County Code), provided, however, that setbacks from designated critical habitat do not apply to sites that were reviewed pursuant to the California Environmental Quality Act and approved prior to the designation of the relevant critical habitat in the General Plan.
- Nothing in this condition or other conditions will preclude enhancements to the North Pond subject to resource agency approvals.

*Mitigation Measure D.1b*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD Project Review staff will verify that plans provide the above protection measures. County Staff will verify compliance in the field during inspection.

- U 134. In accordance with Sonoma County Ordinance No. 4014, prior to the start of any clearing, stockpiling, excavation, grading, compaction, paving, change in ground elevation, or construction, the project applicant shall retain a certified arborist to identify trees proposed for preservation (saved) and trees proposed for removal at the project site on a map. The map shall indicate the size and species of trees proposed for removal and preservation. The project applicant shall save trees identified for preservation on the project site and clearly delineate such trees by constructing short post and plank walls, or other protective fencing material, at the dripline of each tree to hold back fill. The delineation markers shall remain in place for the duration of the work. The placement of the fencing material at the dripline shall be coordinated with a certified arborist.

*Mitigation Measure D.2a*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD Project Review staff will verify that an arborist report is provided showing trees to be removed and preserved and that plans include tree protection fencing at the dripline of trees to be saved that could be impacted by construction.

- U 135. Where proposed development or other site work must encroach upon the dripline of a tree identified to be saved (see Mitigation Measure D.2a, above), special construction techniques will be required to allow the roots of remaining trees within the project site to breathe and obtain water (examples include, but are not limited to, use of hand equipment for tunnels and trenching, installation of protective fencing, allowance of only one pass through a tree's dripline). Tree wells or other techniques may be used where advisable. Permission from, and inspection by, the PRMD will be required prior to backfilling, if applicable. No burning or use of equipment with an open flame shall occur near or within the dripline (except for authorized controlled burns) of a tree identified for preservation. No parking; storage of vehicles, equipment, machinery, stockpiles of excavated soils, or construction materials; or dumping of oils or chemicals shall be allowed within the dripline of preserved trees.

*Mitigation Measure D.2b*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD Project Review staff will review arborist report and tree protection measures to ensure compliance with this condition. Ongoing monitoring will occur during quarterly ARM Plan inspections.

- U 136. In coordination with a landscape architect, certified arborist or qualified biologist, the project



proponent shall replace all removed protected trees in accordance with the Sonoma County Tree Protection and Replacement Ordinance No. 4014 and incorporate these trees into the tree replacement, reclamation and erosion control plans. Arboreal Value Chart #1 shall be used to determine the number of replaced trees or amount of in-lieu fees.

*Mitigation Measure D.2c*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD Project Review staff will review arborist report, tree protection measures, and tree replacement/replanting plan to ensure compliance with this condition.

- U/R 137. In coordination with a landscape architect, certified arborist or qualified biologist, the project applicant shall develop and implement a five-year tree monitoring program for all replaced trees. Appropriate performance standards may include, but are not limited to establishing: a 80 percent survival rate of tree plantings and the ability to be self-sustaining at the end of five years. Additional monitoring periods may be required until the trees successfully establish.
- Mitigation Measure D.2e*

- U 138. The project applicant shall implement measures to minimize and avoid take of California Red-legged Frog (CRLF) that would additionally benefit pond turtles and foothill yellow-legged frog, if present. The following measures are derived from the Programmatic Biological Opinion (PBO) for impacts to California red-legged frog (United States Fish and Wildlife Service (USFWS, 1999)). The applicant shall obtain formal consultation with the USFWS and issuance of a project specific Biological Opinion. The following actions will minimize impacts to these species.

Construction-Related Measures

- A USFWS-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training will include a description of the CRLF and their habitat, and the general measures that are being implemented to protect the CRLF as they relate to the project.
- The mitigation pond shall be created and suitable for receiving relocated CRLF prior to the removal of Center Pond and surrounding upland habitat.
- Following construction of the mitigation pond and no more than 14 days prior to the initiation of grading activities near Center Pond, a USFWS-approved wildlife biologist shall capture all CRLF and other special-status aquatic species and relocate them to the mitigation pond.
- A USFWS-approved biologist shall be present during initial grading activities in and surrounding Center Pond until CRLF have been removed. Thereafter, an onsite person shall be designated to monitor onsite compliance with all minimization measures. The USFWS-approved biologist shall ensure that this individual receives training consistent with that outlined in the Biological Opinion.
- During all phases of project operations, all trash that may attract CRLF predators shall be properly contained and removed from the site.
- The fueling and maintenance of vehicles and other equipment shall occur at least 20 meters from any riparian habitat or water body.

Pond Design, Management, and Monitoring

- The project applicant shall coordinate with the USFWS to select a suitable site for a new mitigation stockpond of equal or greater size to Center Pond within the property boundaries. The location and design of the new pond shall conform to guidelines of the USFWS Recovery Plan for CRLF (USFWS, 2002) and shall also include a permanent upland habitat buffer of no

less than 250 feet around the pond. The final pond design shall be approved by the USFWS as a requirement of the project Biological Opinion. The mitigation pond should be created and functioning prior to the initiation of ground disturbing activities within 250 feet of Center Pond.

- The mitigation pond shall be designed to provide CRLF breeding habitat and shall include areas with deep-water cover for adult, juvenile and metamorphic red-legged frogs and shallow areas to provide for tadpole and juvenile rearing. The pond shall be designed to pool to a depth of between 3 to 4 feet and to maintain at least 1.0 foot of standing water through September 15 during years with average rainfall. To ensure sufficient water is available to support CRLF breeding, a qualified hydrologist shall be consulted to assess the amount of water that will be available at the selected site during dry, average, and wet years. A design plan shall be prepared to include a grading plan and cross-section plan indicating pond depth and dimensions. The basin shall be contoured based on the above design, and lined with clay or a similar impervious substrate to ensure water holding capacity that meets minimum performance standards and specifications.
- The mitigation pond shall be vegetated in accordance with the guidelines set forth in the Red-legged Frog Recovery Plan. Relocated vegetation shall salvage and utilize native emergent and aquatic vegetation from Center Pond whenever possible. Upland habitat surrounding the pond should be seeded with native grassland cover species.
- An adaptive management plan shall be developed for the mitigation pond consistent with the USFWS Recovery Plan for CRLF (USFWS, 2002) and project Biological Opinion. The plan shall include a program to monitor pond performance over time and discourage the presence of non-native vegetation and bullfrogs. During the initial five year monitoring period, annual hydrologic, vegetation and wildlife surveys shall be performed to document ponding conditions, the establishment of aquatic vegetation and to monitor California red-legged frog use of the pond.
- The adaptive management plan shall provide provisions to quantify site conditions relative to performance standards for a period of five years, to include:
  1. Ability to maintain standing water at a depth of at least 1.0 foot within at least 50 percent of the pond area through September 15 during a year with average rainfall.
  2. Presence of CRLF in any life history stage, to be determined by egg mass surveys and focused nighttime surveys for adults and juveniles.
  3. The presence of native emergent or aquatic vegetation covering at least 10 percent of the pond edge.
  4. Absence of persistent, self-sustaining populations of non-native CRLF predators, particularly bullfrogs.

The adaptive management plan shall include contingency measures to respond to inadequate hydrologic conditions (if later identified) and provide for control of non-native vegetation and CRLF predators, if identified in the mitigation pond. If bullfrogs are identified, the preferred management method shall be manual (hand) removal using a gig or other means. This method maintains the availability of aquatic habitat for red-legged frogs and sustains aquatic vegetation. If hand removal of bullfrogs proves ineffective, the pond shall be drained and dried between October 1 and November 15 (following metamorphosis of red-legged frog tadpoles) to break the bullfrog life cycle.

An invasive plant species management plan shall be incorporated into the adaptive management plan to provide for the management and removal of invasive aquatic vegetation, if present. The preferred management method shall be for manual (i.e., non-chemical) removal of invasive species, whenever possible.

Pond management shall continue for the duration of the proposed project, or as required by the

Biological Opinion.

*Mitigation Measure D.3*

Mitigation Monitoring: Prior to grading permit issuance, PRMD will verify that the applicant has obtained a biological opinion and necessary clearances from USFWS for establishment of the mitigation pond, relocation of any red-legged frogs, and an adaptive management plan. Ongoing Monitoring and Reporting to PRMD and USFWS shall be accomplished in compliance with the project biologist and USFWS requirements.

- U 139. Avoid disturbing active nests of raptors and other special-status birds through preconstruction surveys and creation of no-disturbance buffers during ground-clearing and grading activities associated with initiation of each mining phase. If site preparation activities (i.e., ground clearing and grading, including removal of trees or shrubs) are scheduled to occur during the non-breeding season (September 1 through January 31), no mitigation is required.

If site preparation activities are scheduled to occur during the breeding season (February 1 through August 31), the following measures shall be implemented to avoid potential adverse effects to nesting raptors and other special-status birds:

- A qualified wildlife biologist shall conduct preconstruction surveys of all potential nesting habitat within 500 feet of construction activities where access is available.
- If active nests are found during preconstruction surveys, a no-disturbance buffer acceptable in size to CDFG shall be created around active raptor nests and nests of other special-status birds during the breeding season or until it is determined that all young have fledged. Typical buffers include 500 feet for raptors and 250 feet for other nesting special-status birds. The size of these buffer zones and types of construction activities restricted in these areas may be further modified through coordination with CDFG and will be based on existing noise and human disturbance levels at each project site. Nests initiated during construction are presumed to be unaffected and no buffer is necessary. The "take" of any individuals is prohibited.
- If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required. Trees and shrubs within the project footprint that have been determined to be unoccupied by special-status birds or that are located outside the no-disturbance buffer for active nests may be removed.

*Mitigation D.4a*

Mitigation Monitoring: If site preparation activities are scheduled to occur during the breeding season (February 1 through August 31), PRMD will verify that preconstruction surveys are completed and buffer areas established through consultation with the CDFG, as necessary. Ongoing Monitoring and Reporting to PRMD and CDFG shall be accomplished in compliance with the project biologist and CDFG requirements.

- U/R 140. The applicant shall avoid disturbing potential burrowing owl burrows through preconstruction surveys and creation of no-disturbance buffers during ground-clearing and grading activities associated with initiation of each mining phase.
- No more than 2 weeks before grading and ground-clearing activities begin prior to each of the three mining phases, a survey for burrowing owls shall be conducted by a qualified biologist within 500 feet of the earthmoving activities. The survey shall conform to the most current protocol described by the California Burrowing Owl Consortium (presently the 1993 protocol). If burrowing owl habitat is identified during the initial survey, a complete owl survey consisting of four site visits shall be performed as detailed in the Consortium guidelines.
  - If occupied owl burrows are found during the surveys, a determination shall be made by a qualified burrowing owl biologist as to whether or not proposed project activities would affect the occupied burrows or disrupt reproductive behavior. If it is determined that the project would not adversely affect occupied burrows or disrupt breeding behavior, project

implementation may proceed without any restriction or mitigation measures. If it is determined that the project could adversely affect occupied burrows during the August 31 through February 1 non-breeding season, the subject owls may be passively relocated from the occupied burrow(s) using one-way doors. There shall be at least two unoccupied burrows suitable for burrowing owls within 300 feet of the occupied burrow before one-way doors are installed. The unoccupied burrows shall be located 160 feet from construction activities and can be natural burrows or artificial burrows constructed according to current design specifications. Artificial burrows shall be in place at least one-week before one-way doors are installed on occupied burrows. One-way doors would be in place for a minimum of 48 hours before burrows are excavated.

- If it is determined that the project would physically affect occupied burrows or disrupt reproductive behavior during the nesting season (February 1 through August 31) then avoidance is the only mitigation available (California Burrowing Owl Consortium 1993; CDFG 1995). Implementation of ground-clearing and grading activities shall be delayed within 250 feet of occupied burrows until it is determined that the subject owls are not nesting or until a qualified biologist determines that juvenile owls are self-sufficient or are no longer using the natal burrow as their primary source of shelter.

*Mitigation Measure D.4b*

Mitigation Monitoring: PRMD will verify that preconstruction surveys are completed for burrowing owl, buffer areas established, and avoidance accomplished, as necessary for initial grading and each phase of mining. Ongoing Monitoring and Reporting to PRMD and CDFG shall be accomplished in compliance with the project biologist and CDFG requirements.

- U      141. Avoid and minimize impacts to badgers through preconstruction surveys prior to ground clearing and grading in annual grasslands habitat or areas that are known or suspected to support badger.

Within 30-days prior to initiation of each mining phase, a qualified biologist shall survey for badgers within 100-feet of project activities. If no evidence of badger presence is detected, no further mitigation is required. If evidence of badgers is identified, the following measures are required to avoid potential impacts to this species:

- Use exclusion techniques to passively relocate any badgers that are present in project areas or within 50 feet of project activities. When outside the project area, but within 50 feet of activities, vacated dens shall be temporarily covered using plywood sheets or similar materials.
- To reduce the risk of badger mortality from vehicles, the use of private (non-county operated) haul roads shall be limited to daylight hours during the March to June badger pupping season with gated access.
- A 25 mile-per-hour speed limit shall be posted for roads on the site.

*Mitigation Measure D.5*

Mitigation Monitoring: PRMD will verify that preconstruction surveys are completed for badgers, dens covered, and relocation accomplished, as necessary, for initial grading and each phase of mining. Ongoing Monitoring and Reporting to PRMD and CDFG shall be accomplished in compliance with the project biologist and CDFG requirements.

- U      142. Avoid disturbing active roosts of special-status bats through preconstruction surveys and creation of no-disturbance buffers during ground-clearing and grading activities associated with initiation of each mining phase, as well as during project activities related to remodeling and/or renewed use of the existing buildings.

Prior to construction activities (i.e., ground-clearing and grading, including removal of trees or shrubs, building remodeling, renewed building use) within 200 feet of trees or buildings potentially supporting special-status bats, a qualified bat biologist will survey for special-status bats. If no

evidence of bats (i.e., direct observation, guano, staining, strong odors) is present, no further mitigation is required.

If evidence of bats in trees on the property is observed, the following measures are required to avoid potential adverse effects to special-status bats:

- A no-disturbance buffer of 100-feet, or other suitable distance determined in coordination with CDFG, will be created around active bat roosts during the breeding season (April 15 through August 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer is necessary. However, the "take" of individuals is prohibited.
- Removal of trees showing evidence of bat activity will occur during the period least likely to impact the bats as determined by a qualified bat biologist (generally between February 15 and October 15 if winter hibernacula are observed or between August 15 and April 15 if maternity roosts are present). If known bat roosting habitat is destroyed during tree removal activities, artificial bat roosts shall be constructed in an undisturbed area of the property, at least 200 feet from any project activities. The design and location of the artificial bat roost(s) shall be determined by a qualified bat biologist.

If evidence of bats in existing buildings on the property is observed, the following measures are required to avoid potential adverse effects to special-status bats:

- Prior to any remodeling activities and/or renewed use of existing buildings with observed bat activity, a qualified bat biologist shall review design drawings and use plans for the building(s). The biologist shall then make a determination, in coordination with CDFG, whether the bats would need to be evicted in order to implement the remodeling/new use of the structures, or if the bats would not be affected and should remain in the structure. If eviction is deemed necessary, the bats shall be transferred to an artificial roosting site. The artificial roost shall be constructed in an undisturbed area of the property, at least 200 feet from any project activities. The design and location of the artificial bat roost(s) shall be determined by a qualified bat biologist.

*Mitigation Measure D.6*

Mitigation Monitoring: PRMD will verify that preconstruction surveys are completed, buffer areas established, habitat created, and relocation of bats occurs, as necessary, prior to tree removal, building modification, initial grading, and initiating each phase of mining. Ongoing Monitoring and Reporting to PRMD and CDFG shall be accomplished in compliance with the project biologist and CDFG requirements.

- U/R      143. The project would impact the federally and state listed California Tiger Salamander (CTS) and require compliance with the federal and state Endangered Species Acts. Because the project would impact wetland subject to the authority of the U.S. Corps of Engineers (Corps) pursuant to Section 404 of the Clean Water Act, the project applicant, through the Corps, shall be required to consult with the USFWS in compliance with Section 7 of the federal Endangered Species Act. Through this consultation process the USFWS will define the necessary mitigation to compensate for the unavoidable impacts to the CTS and its breeding and upland habitat and issue its findings in a Biological Opinion (BO) for the project. Following the provisions of Section 2080.1 of the California Fish and Game Code, the California Department of Fish and Game (CDFG) will review the incidental take statement in the BO and determine if it is consistent with the requirements of the California Endangered Species Act (CESA). If CDFG determines that the federal authorization is not consistent with the CESA, the project proponent shall apply for a State Incidental Take Permit under section 2081(b) of the CDFG Code.

Although the project site is west of and outside the Santa Rosa Plain Conservation Area, mitigation for impacts to CTS breeding and upland habitat shall be consistent with the CTS mitigation

identified in the Santa Rosa Plain Conservation Strategy (2005) and the Programmatic Biological Opinion (USFWS, 2007). The appropriate mitigation ratio shall be negotiated with the USFWS and CDFG, and shall be no less than 1:1. Under the Santa Rosa Plain Conservation Strategy (2005), the agencies concluded that compliance with the interim mitigation guidelines is sufficient to mitigate significant effects to listed species.

The following measures are recommended to minimize the possible “take” of CTS, as defined by the federal and state Endangered Species Acts. These measures are identified in the Santa Rosa Plain Conservation Strategy (2005) and the Programmatic Biological Opinion (USFWS, 2007) to minimize and avoid project impacts to CTS. These measures include actions to be implemented prior to construction, and during construction.

Pre-Construction Minimization and Avoidance Measures: One year prior to initiation of grading and other ground-disturbing activities at the project site, exclusion fencing with one-way ramps, one-way doors, or similar USFWS-approved exclusion devices shall be installed around the project impact area and each phase of mining to passively exclude CTS from accessing the impact area. The fence will remain in place for at least one season (October through June of the following year) unless CDFG and the Service require it to remain in place for a longer period of time. Following removal of the fence and ramp system, and prior to the following rainy season, a more permanent structure will be installed, either a solid fence or curb structure, that is high enough to prevent CTS from accessing the project impact area once construction begins. The fence and ramp setup shall be installed prior to the first rains in the fall, or by October 15th and shall remain in place until the larvae have exited or been removed from Center Pond. The fence shall prevent migrating CTS from accessing the project site, and the one-way ramps shall allow dispersing CTS to exit the project impact area but prevent them from returning to the impact area. The area in which the fence and ramp system is to be installed shall be fenced to prevent cattle from accessing the site as the cattle will knock down the fencing and trample the one-way ramps. Prior to installation of the fence and exclusion system, a plan shall be submitted to the USFWS and CDFG for approval of the design and procedures for maintaining the fence and ramp system.

Construction Minimization and Avoidance Measures: A qualified biologist(s) or designated trained monitor(s) shall be onsite during initial groundbreaking activities. The qualifications of the biologist(s) and monitor(s) must be presented to the USFWS for review and written approval prior to ground-breaking at the project site. Prior to approval, the biologist(s) and monitor(s) must submit a letter to the USFWS verifying that they possess a copy of the biological opinion prepared for the project by the USFWS and understand its Terms and Conditions. The biologist(s) and monitor(s) shall keep a copy the biological opinion in their possession when onsite. The biologist(s) and monitor(s) shall have the authority to stop any work that may result in take of CTS. If the biologist(s) or monitor(s) exercises this authority, the USFWS and CDFG shall be notified by telephone and electronic mail within one (1) working day.

In addition, the following minimization measures shall be implemented during the initial ground disturbing activities at the beginning of each phase of construction. This initial ground disturbing activity will consist of stripping and stockpiling the upper several feet of soil and vegetation material.

1. A duly trained monitor shall be present during the initial ground disturbing activity at the beginning of each phase of the project. The monitor should remain onsite until the top several feet of soil have been removed and stockpiled. Thereafter, an onsite person shall be designated to monitor compliance with all applicable minimization measures. The USFWS approved biologist shall ensure that this individual receives training consistent with that outlined in the Biological Opinion.
2. A training session shall be given by the biologist to all construction workers before work is started on the projects. After initial training, all new personnel shall be given the training as well. The training session shall provide pictures of CTS, information on behavior and habitat requirements, measures required to protect these species, relevant federal and state

regulations, penalties to harming or harassing CTS and other listed species known to occur in the area, and what to do if CTS are found.

3. If a CTS is observed within the project site by a worker, the worker shall immediately inform the monitor. The monitor shall notify the biologist immediately. All work shall halt and machinery turned off within 100 feet of the animal until a biologist can capture and remove the tiger salamander from the work area. Biologists approved by the USFWS and CDFG are the only personnel allowed to handle CTS. CTS found in the work area shall be relocated to pre-approved areas no more than one hour after capture.
4. The monitor and the biologist have the authority to halt work activities at any time to prevent harming special status species or when any of these protective measures have been violated. Work shall only commence when authorized by the monitor or biologist.
5. Before the start of work each morning, the monitor shall check for animals under any equipment such as vehicles and stored pipes.
6. Before the start of work each morning, the monitor shall check all excavated steep-walled holes or trenches greater than one foot deep for any wildlife. Wildlife shall be removed; the biologist will be notified if CTS are found.
7. A record of all CTS observed and the outcome of that observation shall be kept by the biologist and submitted to the USFWS.
8. Access routes and number and size of work areas shall be limited to the minimum necessary to achieve the project goals. Routes and boundaries of the road work shall be clearly marked. Off-road driving during non-quarry activities shall be limited to only what is necessary for the project.
9. All foods and food-related trash items, such as lunch bags, plastic sandwich bags, fast food containers, foods of any type, candy wrappers, chip packages, drink bottles and cans. etc., shall be enclosed in sealed trash containers and removed from the site regularly. Food items could attract predators into the work area.
10. No pets are to be allowed anywhere in the project site during the initial ground disturbing activities at the beginning of Phase 1. Pets would not be restricted after the initial ground disturbing activities associated with Phase 1, unless required by the applicant.
11. A speed limit of 15 mph on dirt roads shall be maintained. [This measure is also addressed in Condition of Approval #162]
12. All equipment shall be maintained such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents. [This measure is also addressed in Condition of Approval #112]
13. Hazardous materials such as fuels, oils, solvents, etc., shall be stored in sealable containers in a designated location that is at least 200 feet from aquatic habitats. All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 200 feet from any aquatic habitat. [This measure is also addressed in Condition of Approval #112]
14. A pollution prevention plan and the identification of best management practices to control storm water discharge, erosion, and sedimentation shall be developed and implemented. [This measure is also addressed in Condition of Approval #112]
15. Project areas outside of the footprint of the development that have been disturbed by construction activities shall be re-vegetated with native plants.  
*Mitigation Measure D.11a.*

Mitigation Monitoring: PRMD will verify that consultation with resource agencies occurs and measures from the biological opinion are implemented. PRMD will also insure that the above listed Pre-Construction measures are implemented and Construction Minimization and Avoidance Measures are listed on the grading plans and are implemented. Ongoing Monitoring and Reporting to PRMD and resource agencies shall be accomplished in compliance with the project biologist and resource agency requirements.

- U/R 144. Construction of the replacement pond (stock pond) shall occur in the year prior to removal of the Center Pond. During the spring prior to the destruction of Center Pond, CTS larvae shall be translocated from the Center Pond to the newly constructed pond(s) under the direction of the USFWS and CDFG. The design and management of the pond is described above under Condition #138.

Monitoring of CTS larvae shall be conducted annually in the spring using the time-constrained method (USFWS, 2003). Pools shall be sampled by sweeping a standard “D” shaped dipnet along the pool bottom, making sure to sample all of the aquatic habitat types (i.e., deep to shallow depths, open water, and emergent and floating vegetation). Each survey shall be timed to allow calculations of capture rates per unit effort. The depth of each pool shall be measured at the time of the larval survey.

*Mitigation Measure D.11b:*

Mitigation Monitoring: Prior to grading permit issuance, PRMD will verify that the applicant has obtained a biological opinion and necessary clearances from USFWS for the establishment of the mitigation pond, relocation of any CTS, and an adaptive management plan. USFWS and CDFG will verify that the project biologist surveys for CTS larvae as noted above.

- U 145. Archaeological monitoring of ground-disturbing construction activities associated with the relocation of Americano Creek and also those associated with Roblar Road widening/reconstruction near ARS 10-016-01 and ARS 10-016-02.

Archaeological monitoring shall be conducted for any ground-disturbing construction activities associated with the relocation of Americano Creek, and also any ground-disturbing construction activities associated with Roblar Road widening/reconstruction activities that are within 200 feet of previously recorded archaeological resources ARS 10-016-01 and ARS 10-016-02. Monitoring shall be required for all surface alteration and subsurface excavation work in these areas, including grubbing, cutting, trenching, grading, use of staging areas and access roads, and driving vehicles and equipment. The archaeological monitoring shall be under direction of an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology (Supervising Archaeologist). An archaeological monitor shall be present during the specified construction ground-disturbing activities according to a schedule agreed upon by the Supervising Archaeologist and County until the Supervising Archaeologist has, in consultation with the County, determined that construction activities could have no impacts on any potentially significant archaeological resources. Archaeological monitors shall record and be authorized to temporarily collect soil samples and artifactual/ecofactual material, as warranted, for analysis. All recovered artifacts and samples not associated with human remains will be photographed on-site and removed to a secure location for temporary storage, cleaning and processing. On completion of the project, all retained artifacts and samples with a potential to increase our knowledge of the past will be permanently curated in a facility that meets the standards and guidelines of the Secretary of the Interior, as required by CEQA.

Archaeological monitors and the Supervising Archaeologist shall be empowered to temporarily redirect construction crews and heavy equipment until any potential archaeological material, including human remains, is evaluated. If suspected archaeological material, including human remains, is identified during monitoring, the procedures set forth in Mitigation Measure K.1b of the Final EIR shall be implemented. These measures consist of: halting construction activities at the



location of the suspected archaeological material; inspection and significance assessment of the find by a qualified archaeologist (i.e., one meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology [Supervising Archaeologist]); and, if the find is determined to be a potentially significant archaeological resource under CEQA, pursuant to CEQA Guidelines Section 15064.5, development of a management plan for the resource, consistent with CEQA and County requirements and policies.

The management plan shall be developed and implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4(b)(3), and shall recommend preservation in place or, if preservation in place is not feasible, data recovery through excavation. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding resource site into a permanent conservation easement.

If the Supervising Archaeologist determines that any archaeological material identified during construction may have association with Native Americans, relevant Native American representatives (already identified by the California Native American Heritage Commission as the Federated Indians of Graton Rancheria) shall inspect the find within 24 hours of discovery and the County shall consult with potentially interested Native American representatives in developing the management plan for the resource and to determine if the resource qualifies as a tribal cultural resource, as defined in PRC Section 21074.

If preservation in place is not feasible, the Supervising Archaeologist shall prepare and implement, in coordination with the County and relevant Native American representatives (if applicable), a detailed treatment plan to recover the scientifically consequential information from and about the resource, which shall be reviewed and approved by the County prior to any excavation at the resource's location. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources, though not tribal cultural resources, would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals. Treatment for tribal cultural resources shall be determined through the consultation between the County and relevant Native American representatives (see Impact 3.6-5). After implementation of the management plan and treatment plan (if required), the Supervising Archaeologist shall submit a final report to the County, and relevant Native American representatives (if applicable), detailing their implementation and results.

If human remains are encountered, construction ground-disturbing activities within 100 feet of the find shall halt and the protocol set for in PRC Section 5097.98, including notifying the Sonoma County Coroner and, if needed, the California Native American Heritage Commission, shall be followed.

Resumption of ground-disturbing activities within 100 feet of any find shall only occur with written permission of the County.

*Mitigation Measure 3.6-2, 3.6-3, 3.6-4, and 3.6-5*

Mitigation Monitoring: Prior to issuance of permits for creek relocation, PRMD will confirm that a qualified archaeologist has been retained to conduct construction monitoring and will confirm a monitoring schedule. PRMD will confirm that procedures specified in the mitigation measure are followed in the event of discovery.

- U 146. All employees on site shall undergo a cultural resources orientation and awareness training prior to commencing work activities on site. Such training shall include familiarization with the stop work restrictions if buried archaeological remains or artifacts are uncovered. The operator shall provide Permit and Resource Management Department with a verification list of the employees completing the orientation. The training and list shall be updated by the operator as new employees are added.  
*Mitigation Measure K.1a*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD will verify that employee orientation has been provided.

- U/R 147. Prior to grading permit issuance, a qualified paleontologist shall be retained to conduct a preliminary survey and surface salvage in an effort to recover, as is feasible, surface deposits (if present) in their original context. The preliminary survey shall identify and map areas of high-potential rock units, as well as low and undetermined-potential rock-units within the quarry site area-if such distinctions can be established on a micro-topographic scale versus existing geologic surveys of the area. The paleontologist shall focus the field survey in exposures of sensitive stratigraphic units within the quarry site that would be disturbed.  
*Mitigation Measure K.2b*

Mitigation Monitoring: Prior to issuance of a grading permit, PRMD will verify that the survey has been conducted in accordance with the above criteria.

- U/R 148. Prior to grading permit issuance for on-site improvements, the consulting paleontologist shall both prepare a monitoring and mitigation program and implement the program during the excavation phase at the quarry site and for all other project-related ground disturbance. The paleontologic resource monitoring and mitigation program shall include, but not limited to, as outlined by the Society of Vertebrate Paleontology (1995):

- preconstruction coordination;
- guidelines for excavation monitoring;
- emergency discovery procedures;
- procedures to permit the stabilization of large remains to allow for identification and permanent preservation. This includes stabilization of large remains and screen washing of fossiliferous sediments to recover significant microfossil remains;
- discusses how recovered fossils would be analyzed, including (but not limited to): identification to genus/species, element, etc.; interpretation of species abundance and diversity; determination of sex ratios and the relative abundance of ontogenetic age groups; dating of remains as appropriate; evaluation of potential taphonomic factors; and comparison with other vertebrate faunas from the Sonoma County region.
- Discusses how recovered significant fossils would be preserved and curated, including all associated contextual data, at a Federally recognized, accredited repository with long-term retrievable storage.
- Defines a framework for regularly scheduled reporting on the project.

*Mitigation Measure K.2c*

Mitigation Monitoring: Prior to grading permit issuance, PRMD will verify that a monitoring and mitigation program is prepared by a paleontologist.

**Operational Conditions:**

- U 149. In no case shall the total amount of material produced (extracted, processed, and sold/exported) in any one year exceed the 570,000 cubic yard limit. No more than 10% of the annual maximum permitted production shall be imported recycled materials. If recycled materials are imported, the maximum allowed annual production shall be reduced by an amount equal to the amount of imported material, except where it is documented that the sale of aggregate has been coordinated with import, such that the inbound truck trip for imported material is coordinated with the

outbound truck trip distributing rock.

- U 150. This Use Permit does not authorize an asphalt or concrete manufacturing (batch plant). Imported recycled materials shall be limited to Type A Inert Materials as defined in CCR Title 14, Division 7, Chapter 3, Article 5.9, Section 17381 (k) (1).
- U/R 151. Permitted hours of operation are 7:00 a.m. to 5:00 p.m. weekdays and 7:00 a.m. to 4:00 p.m. on Saturdays. Extended evening hours (until 10:00 p.m.) as needed, consistent with the County Surface Mining and Reclamation Ordinance (SMARO) and the Aggregate Resources Mining (ARM) plan may be permitted with prior written County authorization. Blasting shall be limited to day time hours from 10:00 a.m. to 4:00 p.m., Monday through Friday. There shall be no clearing or mining operations on Sundays or federal holidays. The approved mining area shall not encroach within 25 feet of the boundary of the Mineral Resources Zoning District. The boundaries of the approved mining area shall be surveyed and staked prior to the commencement of clearing or mining.
- U/R 152. Sales of aggregate material shall be by contract only. All contracts shall specify compliance and the applicant/operator shall implement all mitigation measures, including implementation of a truck driver education program, muffler specifications/inspections, haul route restrictions, haul truck age restrictions, Jake brake restrictions, recycling limitations and incentives to reduce air emissions. The use of Roblar Road, east of the project site and Pepper Road, east of Mecham Road for hauling aggregate or recycled material is prohibited. The haul route, a contractual speed limit of 45 MPH on Roblar Road, and relevant mitigation measures shall be specified in all aggregate sales contracts.
- U/R 153. The applicant/operator shall require all aggregate haulers to participate in a truck driver education/safety orientation which familiarizes them with the approved haul route, speed limit zones (including a 45 MPH contractual speed limit on Roblar Road), school bus stops, weight and load height limits, and established procedures to reduce public conflicts and ensure traffic safety. Truck drivers shall be informed that Roblar Road, east of the quarry and Pepper Road, east of Mecham Road are not approved haul routes and shall not be used. A list of haulers undergoing the orientation shall be submitted to PRMD on an annual basis. Also, the applicant shall meet with staff one-year after hauling rock begins to provide a written report demonstrating permit compliance and traffic safety conditions.
- U 154. If any protected tree (as defined in County of Sonoma Ordinance No. 4014) proposed for preservation is damaged or stressed and results in mortality due to mining operations (including changes to shallow groundwater flows), then the project applicant/operator shall replace the protected tree in accordance with the Arboreal Value Chart. If on-site replacement is not feasible, the applicant/operator shall pay in-lieu fees into the County of Sonoma tree replacement fund. Should pruning be required, this will be performed by a certified arborist. No more than 25 percent of a tree's canopy will be removed during the pruning of preserved trees.  
*Mitigation Measure D.2d*
- Mitigation Monitoring: PRMD ARM staff will periodically monitor the health of trees affected by quarry development and require replacement as necessary.
- U 155. The applicant/operator shall ensure that all loaded trucks are covered or maintain at least two feet of free board to prevent spillage of materials onto haul routes.  
*Mitigation Measure E.3b*
- Mitigation Monitoring: PRMD ARM plan staff will verify compliance with this mitigation measure during quarterly inspections.
- U/R 156. The applicant shall utilize electricity to power the mobile processing plant instead of using

diesel-powered generator.

The specific electrical loading and requirements of the proposed project shall be determined after the project applicant submits a formal application for electrical service. At that time the service provider would identify what electrical requirements would be needed.

*Mitigation Measure F.1a*

Mitigation Monitoring: PRMD will verify that electrical service is provided prior to issuance of a building permit for the quarry office.

- U 157. The approved haul route consisting of a 1.6 mile-long section of improved Roblar Road, new Access Road 2, Valley Ford Road, Pepper Road (west of Mecham Road), Mecham Road, and a combination of Stony Point Road, SR 116, Railroad Avenue, and/or Old Redwood Highway to/from U.S. 101 shall be stipulated in all aggregate sales and importation of recyclable materials contracts.

- U/R 158. The project applicant/operator shall utilize 2007 model engines or newer on-site loaders, dozers, rock trucks, and water truck. The applicant shall provide on annual basis, a written inventory of the model year of on site mobile equipment.

*Mitigation Measure F.1b*

Mitigation Monitoring: PRMD ARM staff will verify this measure is being implemented through quarterly inspections and through written documentation provided by the applicant.

- U/R 159. The project applicant shall require that all quarry haul trucks be under contract and utilize 2003 model or newer trucks. The applicant shall annually provide a written inventory of the model year of haul trucks utilizing the quarry.

*Mitigation Measure F.1c*

Mitigation Monitoring: PRMD ARM staff will verify this measure is being implemented through on-site inspections and through written documentation provided by the applicant.

- U/R 160. The applicant/operator shall implement the following combustion equipment emissions measures:

- Use alternative powered equipment (i.e., hybrid, CNG, biodiesel, electric), where feasible. Feasibility shall be determined by market availability and cost considerations. The applicant shall provide an annual report to PRMD explaining what alternative powered equipment has been brought online and what efforts were made in the previous 12 months to modify the composition of applicant's equipment. Such report shall include information on market availability and cost in sufficient detail for PRMD to determine whether additional equipment can feasibly be brought online;
- Use equipment which uses add-on control devices, such as diesel oxidation catalysts, as required by CARB's In-Use Off-Road Diesel Vehicle Regulation and On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation;
- Limit the hours of operation of heavy duty equipment where feasible;
- The project applicant shall keep all equipment well-tuned and regularly serviced to minimize exhaust emissions, and shall establish a regular and frequent check-up and service/maintenance program for all operating equipment at the quarry; and
- Minimize idling time of diesel powered equipment to five minutes, as required by regulation, or less where feasible.

*Mitigation Measure F.1e*

Mitigation Monitoring: PRMD ARM staff will verify this measure is being implemented through on site inspections and through written documentation provided by the applicant.

- U/R 161. The applicant/operator shall use commercially feasible efforts to pursue an offsite mitigation

program to achieve contemporaneous emission reductions from sources off-site. Such efforts shall include pursuit of State, Bay Area, and grant funds (e.g., the Carl Moyer Fund, Transportation Fund for Clean Air, etc.) for improved trucks and retrofits such as diesel particulate filters for use in reducing emission sources within the vicinity of the project, such as school bus conversion. Such efforts shall also include incentives to contractors to induce them to achieve greater air quality efficiencies. Applicant shall submit an annual report to PRMD detailing the efforts made during the previous 12 months to achieve off-site mitigation.

*Mitigation Measure F.1f*

Mitigation Monitoring: PRMD ARM staff will verify this measure is being implemented through an annual report provided by the applicant.

- U/R 162. Prior to grading permit issuance for on-site improvements, the applicant shall submit a comprehensive dust control and meteorological monitoring program for PRMD review to minimize fugitive dust impacts from the project.

Elements of the dust control program (especially during the dry season) for project components include, but are not necessarily limited to, the following:

- Water all active unpaved vehicle circulation areas daily, using reclaimed water whenever possible. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency whenever wind speeds exceed 15 miles per hour during dry conditions.
- Suspend excavation activity when winds (instantaneous gusts) exceed 25 miles per hour during dry conditions.
- Cover all trucks hauling soil, sand, and other loose materials, or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and the top of the trailer) or CHP standards.
- Sweep paved roadways (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved roads.
- Hydroseed or apply soil stabilizers to inactive exposed soil areas (as presented in the quarry's reclamation and water quality control plan).
- Exposed soil stockpiles shall be enclosed, covered, watered daily or treated with a (non-toxic) soil stabilizer.
- Limit traffic speeds on unpaved roads and circulation areas to 15 miles per hour.
- Designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. The operator shall have at least one employee who is a certified visual emissions evaluator.
- Install wheel washers or other washing method (e.g., water sprayers or use of a water depression crossing) so that that tires or tracks of all exiting trucks leaving the site are cleaned of dirt and gravel to minimize tracking these materials onto public roads.
- Conduct blasting activities by using water injection when drilling to control drilling dust, using sequential delay timing schemes to generate effective rock fragmentation and vibration control to minimize blasting dust, remove loose overburden to prevent dilution of mined rock, which lessens the amount of fine material that can become airborne by blasting, and as needed, during dry summer periods, water onto blast areas to further mitigate dust.
- Ensure covers over the quarry's crushers (e.g., baghouses or sheds) are in place to minimize fugitive dust during crushing operations. With certain equipment, the use of water or foam spray may be the most effective method to be used, as determined in consultation with the Air District.
- The applicant shall retain a qualified meteorological consultant to design and implement a wind monitoring program at the quarry site during project construction and operations. The monitoring program shall be limited to providing wind speed and direction information sufficient to implement these specific dust mitigation measures. The meteorological consultant shall conduct an initial field meteorological study to select the equipment and establish onsite locations for wind speed monitoring; the meteorological consultant shall use

that information to develop an operating plan for the on-going meteorological monitoring program. The meteorological consultant shall prepare a design and operating plan for the meteorological monitoring (subject to the approval of the County). The meteorological consultant shall supervise the long-term operation of the meteorological monitoring program, regularly preparing and submitting to the County a report summarizing the results of the wind monitoring program. (For the first year, quarterly reports shall be required; yearly meteorological monitoring reports may be more appropriate after the first year's experience.) The long-term meteorological monitoring program shall be reviewed periodically by the meteorological consultant and, subject to the approval of the County, adjustments made to reflect the experience and understanding of wind conditions and the related experience with dust generation and control at the quarry.

The meteorological monitoring plan shall include the basic elements in Attachment AQ-1, General Meteorological Monitoring Guidelines for Roblar Road Quarry, which generally discusses aspects of a well-designed and -operated meteorological monitoring system. These elements include use of suitable equipment, proper instrument siting and maintenance practices, electronic data recording and preservation, periodic quality control audits of the station equipment and operating practices, and frequent review of the resulting data. The meteorological consultant shall consider each element in developing a plan that addresses plan objectives.

On-going wind monitoring shall be conducted at the project site during the quarry construction and long-term operation, especially during any dry periods of the year when winds are anticipated to exceed 15 mph at the quarry. As part of the wind monitoring program, suitable anemometry shall be employed to regularly monitor winds at locations within the project site subject to fugitive dust, including quarry slopes being actively mined, stockpiles, unpaved travel paths being used for mobile equipment, and where processing operations are occurring. The wind monitoring shall measure and report, at a minimum, average wind speeds and wind gust speeds during the operating hours of the quarry. The measurement intervals for average wind speed (initially anticipated to be one- or two-minute measurements that are made up of 60 consecutive 1- or 2-second samples, taken once every 15-minutes) and wind gust duration (initially anticipated to be a five- to ten-second gust, extracted as the highest 5 consecutive samples among the 60 samples that make up an average wind speed reading) shall be reviewed and modified, as appropriate, by the meteorological consultant as a part of the development of an operating plan for the on-going meteorological monitoring.

All applicable electronic and manually measured wind data shall be time-stamped and recorded, so that it can be cross-referenced or linked to time-stamped entries in a (manual or electronic) log book that describe the specific dust control measures or changes in operations made in response to attaining the identified wind speed criteria.

- If, based on the wind monitoring, wind speeds at an active quarry area are found to exceed 15 miles per hour, watering frequency shall be increased and/or other appropriate dust control methods of equal or better effectiveness shall be implemented within the area of effect. Quarry personnel shall put into action and shall document the specific dust control measures or changes in operations that were implemented when the identified 15 miles per hour wind speed was exceeded. These measures shall continue until wind speeds decrease to less than 15 miles per hour, as recorded on two successive regular measurements.
- If wind gusts during quarry operations are determined to exceed 25 miles per hour at any active quarry area of the quarry and those quarry operations generate any visible dust, that dust-generating activity in the area of effect shall be suspended until such time wind gust speeds in that area clearly subside. Quarry personnel shall put into action and document the change in operations that were implemented when the identified 25 miles per hour wind speed was exceeded. These measures shall continue until wind gust speeds

decrease to less than 25 miles per hour, as recorded on two successive regular measurements.

- Automated dust control systems shall be used (e.g. automated sprinkler systems) to maintain proper surface moisture in the stockpiles before sufficient vegetative cover in the stockpiles has been established.
- If determined to be needed by the meteorological consultant, the applicant shall plant native evergreen trees along the perimeter of the quarry footprint to further minimize wind from entering the active quarry area. (This would be in addition to the trees already proposed to be planted in the vicinity of the proposed office, equipment storage area and parking lot, and along the proposed access road.) The specific tree type, location, and number of rows and spacing of trees shall be determined by the meteorological consultant.
- The quarry's dust control monitor shall provide nearby landowners (within a radius of potential effect as determined by the meteorological consultant) with a contact phone number for the quarry's dust control monitor for off-site dust complaints that may arise associated with the quarry. The dust control monitor shall determine the cause of the complaint and ensure that measures are implemented to correct the problem.

*Mitigation Measures F.4, F.1d*

Mitigation Monitoring: PRMD will review the applicant's comprehensive dust control and meteorological monitoring program to insure it includes the above measures. PRMD will review the applicant's wind monitoring data documenting the changes in dust control measures that were implemented when winds exceeded 15 mph and changes in operations that were implemented when winds exceeded 25 mph.

- U/R 163. The applicant shall become a reporting member of The Climate Registry. Beginning with the first year of quarry operations and continuing through the completion of quarry reclamation, the applicant shall conduct an annual inventory of greenhouse gas emissions, and report these to The Climate Registry. The annual inventory shall be conducted according to The Climate Registry protocols and third-party verified by a verification body accredited through The Climate Registry. Copies of the annual inventory shall be submitted to the Sonoma County PRMD.

*Mitigation Measure F.6a*

Mitigation Monitoring: PRMD staff will verify that the applicant conducts the annual inventory, has it third party verified, and submits it to the Climate Registry and PRMD.

- U/R 164. Prior to grading or initiation of grading activities, the applicant/operator shall take the following steps to ensure that GHG emissions do not exceed 1,100 MT CO<sub>2</sub>e per year:
- As described in Mitigation measure F.1a, the applicant shall utilize electricity to power the mobile processing plant instead of using the proposed diesel-powered generator.
  - The applicant shall fuel on-road and off-road vehicles with alternative fuels (such as biodiesel and compressed natural gas) to the extent feasible.
  - Other measures, including those listed in Mitigation Measures F.1e (which will limit the use of diesel-powered equipment), shall be employed and quantified to achieve the maximum feasible reduction in GHG emissions from quarry operations.
  - If the applicant is unable to reduce emissions to below 1,100 MT CO<sub>2</sub>e per year using the above measures, the applicant shall submit a detailed plan for PRMD review and approval demonstrating offset of all remaining project emissions above that threshold. Any offset of project emissions shall be demonstrated to be real, permanent, verifiable, enforceable, and additional, as determined by PRMD in its sole discretion. To the maximum extent feasible, as determined by PRMD, offsets shall be implemented locally. Offsets may include but are not limited to, the following (in order of preference):
    - i. Onsite offset of project emissions, for example through development of a renewable energy generation facility or a carbon sequestration project (such as a forestry or wetlands

project for which inventory and reporting protocols have been adopted). If the applicant develops an offset project, it must be registered with the Climate Action Reserve or otherwise approved by PRMD in order to be used to offset project emissions. The number of offset credits produced would then be included in the annual inventory, and the net (emissions minus offsets) calculated.

- ii. Funding of local projects, subject to review and approval by PRMD, that will result in real, permanent, verifiable, enforceable, and additional reduction in GHG emissions. If the BAAQMD or Sonoma County develops a GHG mitigation fund, the applicant may instead pay into this fund to offset GHG emissions in excess of the significance threshold.
- iii. Purchase of carbon credits to offset emissions to below the significance threshold. Only carbon offset credits that are verified and registered with the Climate Action Reserve, or available through a County approved local GHG mitigation bank or fund, may be used to offset project emissions.

*Mitigation Measure F.6b*

Mitigation Monitoring: Prior to grading or initiation of quarry activities PRMD will review the GHG reduction plan to verify that emission reductions have been reduced to below thresholds and are real, permanent, enforceable, and additional. Payments and/or on- or off-site inspections for capital improvements will be performed to verify compliance.

- U 165. Prior to the issuance of a building permit for the quarry office the plans shall be reviewed by Department of Emergency Services and the Gold Ridge Fire Department, as necessary to ensure compliance with Fire Safe Standards.

*Mitigation Measure J.1*

Mitigation Monitoring: PRMD will verify that the building plans are reviewed for compliance with Fire Safe Standards.

- U 166. During quarry operations, particularly initial grading and on-going clearing operations, should any undiscovered evidence of archaeological materials be encountered, work at the place of discovery shall be halted, and a qualified archaeologist shall be consulted to assess the significance of the finds. Prompt evaluations could then be made regarding the finds, and management plan consistent with CEQA and Sonoma County cultural resources management requirements could be adopted. This mitigation shall appear as a note on the grading plans.

*Mitigation Measure K.1b*

Mitigation Monitoring: PRMD will coordinate with the qualified archaeologist and ensure that work is halted if archaeological resources are uncovered.

- U/R 167. If prehistoric Native American burials are encountered, a qualified archaeologist, the Sonoma County Coroner, the California Native American Heritage Commission and local Native American Heritage Commission shall be consulted in accordance with established requirements.

*Mitigation Measure K.1c*

Mitigation Monitoring: PRMD will coordinate with the qualified archaeologist, the Sonoma County Coroner, the California Native American Heritage Commission and local Native American Heritage Commission should Native American burials be discovered. uncovered.

- U/R 168. Prior to the start of construction, construction personnel involved with earth-moving activities will be informed on the appearance of fossils and the proper notification procedures. This worker training will be prepared and presented by a qualified paleontologist.

*Mitigation Measure K.2a*

Mitigation Monitoring: PRMD will monitor the mitigation by requiring the operator to submit to



PRMD a written list of the employees and the date of their participation in the required training sessions prior to authorizing clearing or mining and periodically when new employees are hired.

- U/R 169. Earth-moving quarry activities shall be monitored by the mining personnel under the direction of the project paleontologist where this activity will disturb previously undisturbed sediment. Monitoring will not be conducted in areas where exposed sediment will be buried, but not otherwise disturbed. If high-potential and undetermined-potential areas within the quarry can be distinguished, full-time monitoring shall take place in rock units that have high paleontologic sensitivity, e.g. Wilson Grove Formation, while units of undetermined sensitivity shall be spot-checked monitored. In lieu of any rock-unit distinction on the site, the frequency and duration of the monitoring conducted shall be under the discretion of the project paleontologist.  
*Mitigation Measure K.2d*

Mitigation Monitoring: PRMD staff will coordinate with the qualified paleontologist and ensure that a monitoring plan is developed in accordance with the above condition.

- U/R 170. Significant fossils discovered shall be salvaged. Salvage would include recovery of exposed significant paleontologic resources, removal and/or molding of exposed trackways and sampling where necessary to recover microfossil remains.  
*Mitigation Measure K.2e*

Mitigation Monitoring: If fossils are discovered, PRMD ARM staff will coordinate with the qualified paleontologist to ensure that they are salvaged in accordance with the above condition.

- U/R 171. Upon completion of a 50% threshold of quarry excavation, as determined by quarry managers, the project paleontologist shall prepare a progress report including a summary of the field and laboratory methods, site geology and stratigraphy, faunal list, and a brief statement of significance and relationship of the site to similar fossil localities. A similar final report shall be prepared at the 100% threshold of quarry excavation. These reports shall be distributed to the appropriate lead and cooperating agencies and any relevant scholarly publications.  
*Mitigation Measure K.2f*

Mitigation Monitoring: PRMD ARM staff will verify that a progress report and a final report are submitted as required.

- U/R 172. The applicant/operator and subsequent owners or operators of the above-referenced project shall complete mining and reclamation activities in accordance with the Roblar Road surface mining application materials and Reclamation Plan dated May 2010 as revised by these Conditions of Approval and subject to the revised Reclamation Plan requirements herein. Owners shall maintain the site in perpetuity in accordance with the Reclamation Plan, including but not limited to the drainage improvements, slopes and vegetation. Prior to the lease, sale or other conveyance of any portion of the real property subject to this approval, the owner shall provide a copy of the Use Permit and Reclamation Plan approval along with this exhibit to the prospective lessee, buyer or other recipient of such conveyance. The County has the power to modify or revoke a permit, entitlement, or project approval if the conditions are not met. The mining operator must also notify the State Division of Mines and Geology and PRMD of any changes in ownership/operator and a new performance bond may be required.

- U/R 173. When mining encroaches within 200 feet of the property line of APN 028-080-010, the approved top of final reclamation slope in that area shall be clearly marked in the field by brightly colored stakes projecting at least 4 feet above ground level spaced every 200 feet. When mining encroaches within 100 feet of the approved toe of final reclamation slope in any area, the toe shall be clearly marked in the field by brightly colored stakes projecting at least 4 feet above ground level spaced every 200 feet. The operator shall be responsible for submitting a site plan or aerial photograph showing the extent of existing mining in relationship to all property lines if requested by PRMD to verify the need for, or location of, the required stakes.

- U/R 174. Payment of ARM Plan Fees for Monitoring, Administration, and Other Mitigation:  
The operator shall contribute to ARM Plan Monitoring and Administration funds established by the County pursuant to the ARM Plan and shall otherwise mitigate identified impacts as follows:
- Inspection Enforcement and Monitoring Fees:  
Annual inspection, enforcement and monitoring fees shall be paid by the operator in order to cover all actual costs incurred by the County for the inspection, monitoring, and enforcement of the applicable Use Permit and reclamation plan conditions in accordance with the ARM Plan. Where the monitoring service of a qualified professional is required by the Mitigation Monitoring Program, additional monitoring fees may be levied on the operator to cover such costs. *ARM Plan EIR*
- Mitigation Monitoring: PRMD ARM staff shall be responsible for determining compliance with this condition. PRMD staff shall also be responsible for billing the operator for all monitoring work done in compliance with ARM Plan and County ordinance requirements. Violations of the condition may result in proceedings to revoke the Use Permit for mining.
- U/R 175. The Use Permit and Reclamation Plan shall be subject to the provisions of the 1994 ARM Plan, Chapter 26A of the Sonoma County Code, and other County ordinances, local, state and federal regulations, rules, orders and requirements regulating surface mining and reclamation in existence or hereafter adopted pursuant to the 1994 ARM Plan. Any violation of applicable regulations is a violation of this permit.
- U/R 176. The Reclamation Plan shall be updated annually to incorporate a detailed cost estimate for reclamation and incorporate provisions for reclamation plan monitoring and maintenance. All descriptions, terminology, and procedures shall be consistent with the FEIR, including the Water Management Plan dated March 2010. In addition, the Reclamation Plan shall include the following:
- a) Property owner signature acknowledging responsibility for reclamation.
  - b) Reclamation planting plan indicating the size and locations of planting areas on cut slopes, benches, berms, and the quarry floor.
  - c) Sediment ponds to be converted to permanent ponds and riparian habitat.
  - d) Reclamation of Access Road 2 upon completion of mining.
  - e) To ensure accurate compliance with this condition, the operator shall submit a site plan or aerial photograph clearly depicting the extent of mining and reclamation on the site every year during mining and reclamation and at the completion of reclamation. The operator must provide annual documentation to PRMD that they are up to date with all required reporting forms and fees, and have no outstanding water quality-related violations anywhere on the project site.
- U/R 177. The operator shall notify PRMD in writing at least fifteen (15) days before the conclusion of each phase of reclamation to request a site inspection. *ARM Plan EIR*
- Mitigation Monitoring: PRMD ARM staff shall inspect the site periodically in accordance with the inspection, enforcement, monitoring, and mitigation program of the ARM Plan and also within thirty (30) days of receiving the operator's notification of completion of each phase of reclamation. A written inspection report on each site visit shall be placed in the project file, which shall be used to determine the official start date of reclamation effort time frames for each

area as established in these Conditions of Approval.

- U/R 178. To the extent required by applicable law, the operator and all successors in interest shall obtain any and all permits or approvals required by other agencies having jurisdiction over the project and shall provide copies of same to PRMD. This Use Permit is subject to the conditions of said permits and any violation of other such permits shall constitute a violation of this Use Permit. If there are conflicts between the conditions of any permits, the more restrictive shall apply. PRMD Project Review staff will work with the agencies and the operator to help achieve solutions. A modification to this Use Permit may be required. Such agencies may include, but are not limited to:

- a) Sonoma County Water Agency
- b) Sonoma County Department of Health Services
- c) Bay Area Air Quality Management District
- d) California Department of Fish and Game
- e) State Water Resources Control Board
- f) North Coast Regional Water Quality Control Board
- g) Army Corps of Engineers
- h) U.S. Fish and Wildlife Service
- i) U.S. Environmental Protection Agency
- j) California Department of Transportation (Caltrans)
- k) NOAA Fisheries

- U/R 179. Grading of slopes, replacement of soil, and replanting shall be completed concurrently with mining activities where possible rather than be delayed until after the completion of all mining. In no case shall the planting of vegetation and final reclamation of slopes last more than two years past cessation of mining in that area unless weather or other conditions beyond the control of the operator make performance within this time period unreasonable. To ensure accurate monitoring of this condition, the operator shall be responsible for submitting a site plan or aerial photograph by October 1st of every second year (after mining has begun) that clearly depicts the total extent of the mining and reclamation areas on the property. Failure to comply with this condition shall require the immediate cessation of all mining, processing, and sales of material (reclamation work may continue). *ARM Plan EIR*

Mitigation Monitoring: PRMD ARM staff will review the reports and will periodically monitor compliance with the condition during ongoing quarterly field inspections and will respond to all complaints. All inspection reports will be placed in the project file.

- U/R 180. The operator shall continue to provide the California Department of Conservation and PRMD, in the manner specified by said agencies, annual reports on mining and reclamation activities on the site until the project is completed and the site is taken off the state's mining list. *ARM Plan EIR*

Mitigation Monitoring: PRMD will review reports for compliance with permit requirements .

- U/R 181. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and written approval of PRMD or the Planning Commission, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.

The Director of PRMD 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 operator must submit a written request to PRMD demonstrating that the condition(s) 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. The Director of PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by the Director of PRMD are limited to those conditions that were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from the Director, and shall not affect the original permit approval date or the term for expiration of the permit.

- U/R 182. This permit shall be subject to revocation or modification by the Planning Commission if: (a) the Commission finds that there has been a violation or noncompliance with any of the conditions, (b) the use for which this permit is hereby granted constitutes a nuisance, or (c) the Commission finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use, recognizing that the project as approved may result in some unavoidable environmental impacts. Any such revocation shall be preceded by a public hearing pursuant to Section 26-92-120, except that the Planning Commission shall be the hearing body, and noticed pursuant to 26-92-140 of the Sonoma County Code.
- U/R 183. The applicant shall notify PRMD in writing 30 days before implementation/activation of the use permit. Implementation/activation of the use permit shall consist of mining or clearing on the mining parcel or implementation of major conditions of approval as determined by PRMD. If the Use Permit modification has not been implemented/activated within seven (7) years after the date of the granting thereof, the permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the seven year period, the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code. Mining shall cease 20 years from the commencement of mining. Reclamation and remediation of potential contaminants, as necessary, shall continue until completed in accordance with Department of Conservation and RWQCB requirements. Upon the completion of mining, all processing equipment used for mining and other materials and vehicles shall be removed from the site so that reclamation can be completed.