



## Legislation Details (With Text)

**File #:** 2021-0104  
**Type:** Consent Calendar Item **Status:** Agenda Ready  
**File created:** 1/29/2021 **In control:** Permit and Resource Management  
**On agenda:** 4/20/2021 **Final action:**  
**Title:** Roiling Permit for Sonoma Resource Conservation District for Construction Work along Mark West Creek and Making Findings as a Responsible Agency Pursuant to CEQA  
**Sponsors:** Permit and Resource Management  
**Indexes:**  
**Attachments:** 1. ROI21-0001 Summary Report.pdf, 2. ATT1: Resolution.pdf, 3. ATT2: Application.pdf, 4. ATT3: Maps.pdf

Date	Ver.	Action By	Action	Result
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**To:** County of Sonoma Board of Supervisors  
**Department or Agency Name(s):** Permit and Resource Management Department  
**Staff Name and Phone Number:** Reg Cullen, 565-2502  
**Vote Requirement:** 4/5th  
**Supervisory District(s):** First

### Title:

Roiling Permit for Sonoma Resource Conservation District for Construction Work along Mark West Creek and Making Findings as a Responsible Agency Pursuant to CEQA

### Recommended Action:

Adopt a resolution issuing a roiling permit (Ordinance No. 3863 R) and necessary permit extensions to Sonoma Resource Conservation District for construction work on riparian property along Mark West Creek (5005 Alpine Rd., Santa Rosa), considering the mitigated negative declaration that was prepared by Sonoma Resource Conservation District as lead agency (MND), and in the County's limited role as responsible agency, making findings accepting the MND pursuant to the California Environmental Quality Act. (4/5<sup>th</sup> Vote Required)(First District)

### Executive Summary:

The recommended resolution will issue a roiling permit to Aaron Fairbrook of Sonoma Resource Conservation District for construction work to take place between 1 August 2021 and 15 October 2021. Permit and permit extensions for work within a channel or stream must be approved by and file with the Board of Supervisors.

### Discussion:

Section VIII of Ordinance No. 3836R requires that an application for a permit be filed with the Board of Supervisors prior to the performance of certain prescribed work or operations in a river, stream or channel which may decrease the clarity of these waterways.

Concurrent Resolution No. 88-1220 of the Board of Supervisors requires that applications for permits describe the work or operations to be done, the purpose of the work or operations, the manner in which the work or

operations will be carried out, and the time within which the work or operations will be completed. Pursuant to the Resolution, applications must be accompanied by a copy of the agreement required by Section 1601 et seq. of the California Fish and Wildlife Code and water discharge permits applicable to the work or operations, if any, pursuant to the Porter-Cologne Water Quality Control Act. Applications by public agencies must also be accompanied by evidence of compliance with the California Environmental Quality Act.

The application submitted by the Sonoma Resource Conservation District complies with the requirements of the 3836R Ordinance. The applicant represents that no significant residual impacts affecting water clarity of the rivers or streams of the County of Sonoma will result. The applicant states that the project will work to prevent erosion and sedimentation into nearby streams along both sides of main stem Mark West Creek. The work is proposed to commence no earlier than 1 August 2021 and be completed by 15 October 2021.

As described in the application, the work will likely require greater than 30 days to complete. To accomplish this, the permit may be extended for additional 30-day periods if such permit period extensions are approved by the Board of Supervisors as requested in this agenda item. The Director of the Permit and Resource Management Department shall confirm the need for each permit extension immediately prior to the expiration of the current permit period to ensure that the work is not yet completed and an additional 30-day period extension is needed. Two 30-day extensions may be required.

The 3836R permit and 30-day extensions require a 4/5ths approval vote by the Board according to the requirements of the 1988 ballot measure creating the 3836 R Ordinance.

**Prior Board Actions:**

None

**FISCAL SUMMARY**

**Narrative Explanation of Fiscal Impacts:**

N/A

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

Attachment 1 Resolution

Attachment 2 Application

Attachment 3 Maps

**Related Items “On File” with the Clerk of the Board:**

California Department of Fish and Wildlife Authorization

North Coast Water Quality Control Board Authorization

US Army Corps of Engineers Authorization

Mitigated Negative Declaration

Notice of Determination