



Legislation Text

File #: 2022-0110, **Version:** 2

To: Sonoma County Board of Supervisors

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number: Reg Cullen, 707-565-2502

Vote Requirement: 4/5th

Supervisory District(s): Fifth

Title:

An Ordinance No. 3836R Permit and Extensions to Russian River Recreation and Park Department, ROI22-0001

Recommended Action:

Adopt a resolution issuing a roiling permit (Ordinance No. 3836R) and necessary permit extensions to the Russian River Recreation and Park District for recreation dam installation, maintenance and removal at Johnson's and Vacation Beaches (Russian River). (Fifth District) (4/5th Vote Required)

Executive Summary:

Sonoma County requires that an application for a permit, known as a roiling permit, be filed with the Board of Supervisors prior to work or operations in a river, stream, or channel which may decrease the clarity of these waterways. The recommended resolution will issue a roiling permit to the Russian River Recreation and Park District for summer flash board installation at Johnson's and Vacation Beaches between 15 May and 15 October 2022. Permit and permit extensions for work within a channel or stream must be approved by the Board of Supervisors.

Discussion:

Each year in May, after winter flood waters have subsided, two flash board dams are installed. One is just downstream from Johnson's Beach Resort, and the other, several miles downstream, at the Vacation Beach Summer Crossing. These dams form two lakes which provide public recreation opportunities. Fish ladders are installed at both locations to facilitate fish passage.

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.

Resolution No. 94-1053 of the Board of Supervisors requires that applications for permits describe the work or operations to be done, in detail, including expected impacts on the clarity of the river and any proposed monitoring or mitigation measures to avoid unreasonably decreasing the clarity of the river, 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. A site plan showing the exact location of the proposed work is also required.

Applications also must identify past roiling permits issued under Ordinance No. 3836R.

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 project is statutorily exempt from CEQA pursuant to Guidelines Section 15261, for ongoing projects that have not been modified in any way that creates new significant effects on the environment, and Public Resources Code Section 21169, for grandfathered projects, as the activity is ongoing maintenance and operation of Johnson's and Vacation Beaches which commenced in 1941, prior to CEQA's enactment in 1970.

The application submitted by Russian River Recreation and Park District complies with the requirements of the 3836R Ordinance. The applicant represents that no significant residual impacts affecting water clarity of the Russian River will result. The applicant proposes to install and remove recreational dams at Johnson's and Vacation Beaches on the Russian River. The work is proposed to commence no earlier than 15 May 2022 and is scheduled to be completed by 15 October 2022.

It should be noted that the work described in the application has historically been performed in accordance with permit requirements in past years. As described in the application and demonstrated in practice in previous permitting periods, 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 complete and an additional 30-day period extension is necessary. Four 30-day extensions may be required.

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

Strategic Plan:

N/A

Prior Board Actions:

03/23/2021: The Board adopted Resolution Number 21-0116 issuing permit and permit extensions to the Russian River Recreation and Park District for beach grooming and installation and removal of summer dams.

FISCAL SUMMARY

N/A

Narrative Explanation of Fiscal Impacts:

N/A

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

1. Board of Supervisors Resolution
2. Application
3. Maps
4. California Fish and Wildlife Authorization

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

N/A