STAFF REPORT
19

A 2 06/23/20
A2337
S 2 S. Avila

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:
Sonoma County Regional Parks

PROPOSED LEASE:
AREA, LAND TYPE, AND LOCATION:
Sovereign land in the Russian River at Guerneville River Park, adjacent to Assessor's Parcel Numbers 071-160-069 and 071-160-070, near the State Highway 116 Vehicle Bridge, Guerneville, Sonoma County.

AUTHORIZED USE:
Construction, use, and maintenance of a nonmotorized boat ramp and rock slope protection.

LEASE TERM:
25 years, beginning June 23, 2020.

CONSIDERATION:
The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

STAFF ANALYSIS AND RECOMMENDATION:
Authority:
Public Resources Code sections 6005, 6216, 6301, 6321, 6321.2, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

Public Trust and State's Best Interests Analysis:
Sonoma County Regional Parks (Applicant) has applied for a General Lease – Public Agency Use for construction, use, and maintenance of a nonmotorized boat ramp and rock slope protection, along the east bank of the Russian River near the State Highway 116 Vehicle Bridge in Guerneville (Project). The Project will improve the east side of Guerneville River Park by providing a new and safe location on the Russian River for the public to hand launch nonmotorized vehicles such as canoes, kayaks, and other small craft for water-related recreation. The Applicant has

received a grant from and consulted extensively with the California State Parks Division of Boating and Waterways (DBW) for this Project.

Guerneville River Park is an 8.8-acre community park along the east bank of the Russian River in Guerneville. The park is situated below the Highway 116 vehicle bridge and the historic trestle bridge. The Sonoma County Board of Supervisors approved a Master Plan and adopted a Mitigated Negative Declaration for the park in October 2004. The property was subsequently deeded by Caltrans to Sonoma County in 2005. The first phase of park development took place on the west side of the property and was completed in 2007. This included a parking area, restroom, picnic sites, paved paths, drinking fountains, and other amenities. The Applicant intends to implement the second phase of park development to improve the presently undeveloped east side of the park, with construction anticipated to take place from June to October 2020. The proposed project consists of existing driveway and entrance improvements; paved park access road; parking areas; boat turnaround; paths and picnic sites; native revegetation; and the subject boat ramp for hand launching small, nonmotorized vessels.

The boat ramp will be constructed to provide access to the Russian River for hand launching small vessels (canoes, kayaks, and other nonmotorized small boats). The boat ramp is for small craft only and will not accommodate boats that require a vehicle to launch. Rather than simply entering the river perpendicularly, the boat ramp has been designed to slope down the bank and into the river at an angle that is closer to parallel with the downstream flow of the river. This design allows for more gentle grading and reduces future maintenance needs resulting from scour caused by river currents. The boat ramp will be 8 feet wide, with 8-inch shoulders on both sides, and approximately 220 feet long and will maintain a general slope of 12 percent for much of its length. The boat ramp will be constructed with 6 inches of precast concrete over 6 inches of compacted aggregate base rock. Due to the steep bank at this location and to ensure the stability of the boat ramp during high flow events, the slopes above and below the ramp will be stabilized with rock slope protection.

Riprap will be placed in an approximately 9,834-square-foot area to provide the rock slope protection. Willow poles will be planted between the rock to provide native vegetation cover in this area and are anticipated to increase native cover on the riverbank around the boat ramp relative to existing conditions.

DBW has participated, reviewed, and commented throughout the design process for the proposed boat ramp. The current design is the result of this consultation and has been approved by DBW. The concrete boat ramp and rock slope protection are the project elements that impact waters of the United States and State, as they occur almost entirely below top-of-bank and extend below the ordinary high-water mark.

The Project is consistent with the common law Public Trust Doctrine because it will provide an assortment of public outdoor and water-related recreational opportunities to visitors and residents of Sonoma County at Guerneville River Park. The completed park will also provide enhanced bicycle and pedestrian connections between downtown Guerneville north of the river and the park and residential areas south of the river. This project will complete the park development envisioned in Sonoma County's 2004 Master Plan, link the west and east portions into one unified park, and provide enhanced public access to the Russian River.

The proposed lease does not alienate the State's fee simple interest or permanently impair public rights. The proposed lease includes certain provisions protecting the public's use of the proposed lease area by requiring the Applicant to obtain necessary permits. The lease requires the Applicant to conduct all repair and maintenance work safely and indemnify the Commission in the event of any liability resulting from the proposed action. The lease also has a limited term of 25 years that allows the Commission flexibility to determine if the Public Trust needs of the area have changed over time.

Climate Change:

Climate change impacts, including sea-level rise, more frequent and intense storm events, and increased flooding and erosion, affect both open coastal areas and inland waterways in California. The subject facilities are located on the Russian River, in a tidally influenced site that is vulnerable to shallow coastal flooding at current sea levels, and will be at higher risk of flood exposure given projected scenarios of sea-level rise.

The California Ocean Protection Council updated the State of California Sea-Level Rise Guidance in 2018 to provide a synthesis of the best available science on sea-level rise projections and rates. Commission staff evaluated the "high emissions," "medium-high risk aversion" scenario to apply a conservative approach based on both current emission trajectories and the lease location and structures. The Point Reyes tide gauge was used for the projected sea-level rise scenario for the region as listed in Table 1.

Table 1. Projected Sea-Level Rise for Point Reyes[1]

Year	Projection (feet)
2030	0.8
2050	2.8
2100	7.0

Source: Table 10, State of California Sea-Level Rise Guidance: 2018 Update
Note: [1] Projections are with respect to a baseline of the year 2000.

Rising sea levels can lead to more frequent flood inundation in low-lying areas and larger tidal events. In addition, as stated in *Safeguarding California Plan: 2018 Update* (California Natural Resources Agency 2018), climate change is projected to increase the frequency and severity of natural disasters related to flooding, fire, drought, extreme heat, and storms (especially when coupled with sea-level rise). In rivers and tidally influenced waterways, more frequent and powerful storms can result in increased flooding conditions and damage from storm-created debris. Climate change and sea-level rise will further influence coastal and riverine areas by changing erosion and sedimentation rates. Near-coastal riverine areas will be exposed to increased wave force and run-up, potentially resulting in greater bank erosion than previously experienced. Finally, in rivers and tidally influenced waterways, flooding and storm flow will likely increase scour, decreasing bank stability and structure.

The combination of these projected conditions could increase the likelihood of damage to structures within the lease premises during the term of the lease. The boat ramp and riprap are fixed and will likely need reinforcement or replacement in the future to withstand higher levels of flood exposure and storm activity. In addition, the adjacent upland may experience periodic or continuous inundation with rising water levels and more frequent flooding, creating a public safety hazard.

Regular maintenance, as required by the lease, will reduce the likelihood of severe structural degradation or dislodgement. Pursuant to the proposed lease, the Applicant acknowledges that the lease premises and adjacent land are located in an area that may be subject to effects of climate change, including sea-level rise.

Conclusion:

For all the reasons above, staff believes issuance of this lease will not substantially interfere with Public Trust needs at this location, at this time, and for the foreseeable term of the proposed lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. If the Commission denies the application, the Applicant will not be allowed to install a nonmotorized boat ramp or rock slope protection. Upon expiration or prior termination of the lease, the lessee has no right to a new lease or to renewal of any previous lease.

2. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.

3. A Mitigated Negative Declaration, State Clearinghouse No. 2004022066, and a Mitigation Monitoring Program were prepared and adopted by Sonoma County on October 5, 2004, for this project. Staff reviewed these documents and prepared an independent Mitigation Monitoring Program (Exhibit C), which incorporates the County's document.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon staff's consultation with the persons nominating such lands and through the California Environmental Quality Act (CEQA) review process, it is staff's opinion that the Project, as proposed, is consistent with its use classification.

EXHIBITS:

A. Land Description
B. Site and Location Map
C. Mitigation Monitoring Program

RECOMMENDED ACTION:
It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration, State Clearinghouse No. 2004022066, and a Mitigation Monitoring Program were prepared by Sonoma County and adopted on October 5, 2004, for this Project and that the Commission has reviewed and considered the information contained therein; that in the Commission's independent judgment, the scope of activities to be carried out under the lease to be issued by this authorization have been adequately analyzed; that none of the events specified in Public Resources Code section 21166 or the State CEQA Guidelines section 15162 resulting in any new or substantially more severe significant impact has occurred; and, therefore no additional CEQA analysis is required.

Adopt the Mitigation Monitoring Program, as contained in the attached Exhibit C.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease will not substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the Applicant beginning June 23, 2020, for a term of 25 years, for the construction, use, and maintenance of a nonmotorized boat ramp and rock slope protection, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right, at any time, to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interests.

EXHIBIT A

A2337

LAND DESCRIPTION

A parcel of submerged land lying within the bed of the Russian River, adjacent to Section 32, Township 8 North, Range 10 West, M.D.M. as shown on Official Government Township Plat approved on December 2, 1874, County of Sonoma, State of California, more particularly described as follows:

COMMENCING at the northerly corner of the Caltrans Right of Way for Route 116, as shown on that certain Record of Survey filed in Map Book 724, Page 27-28, Sonoma County records, State of California, thence southerly along said Right of Way S23°04'59"E 20.00 feet to the POINT OF BEGINNING; thence along the following four (4) courses:

1) S23°04'59"E 115.00 feet thence;
2) S43°19'14"W 140.00 feet thence;
3) N23°04'59"W 115.00 feet thence;
4) N43°19'14"E 140.00 feet to the POINT OF BEGINNING.

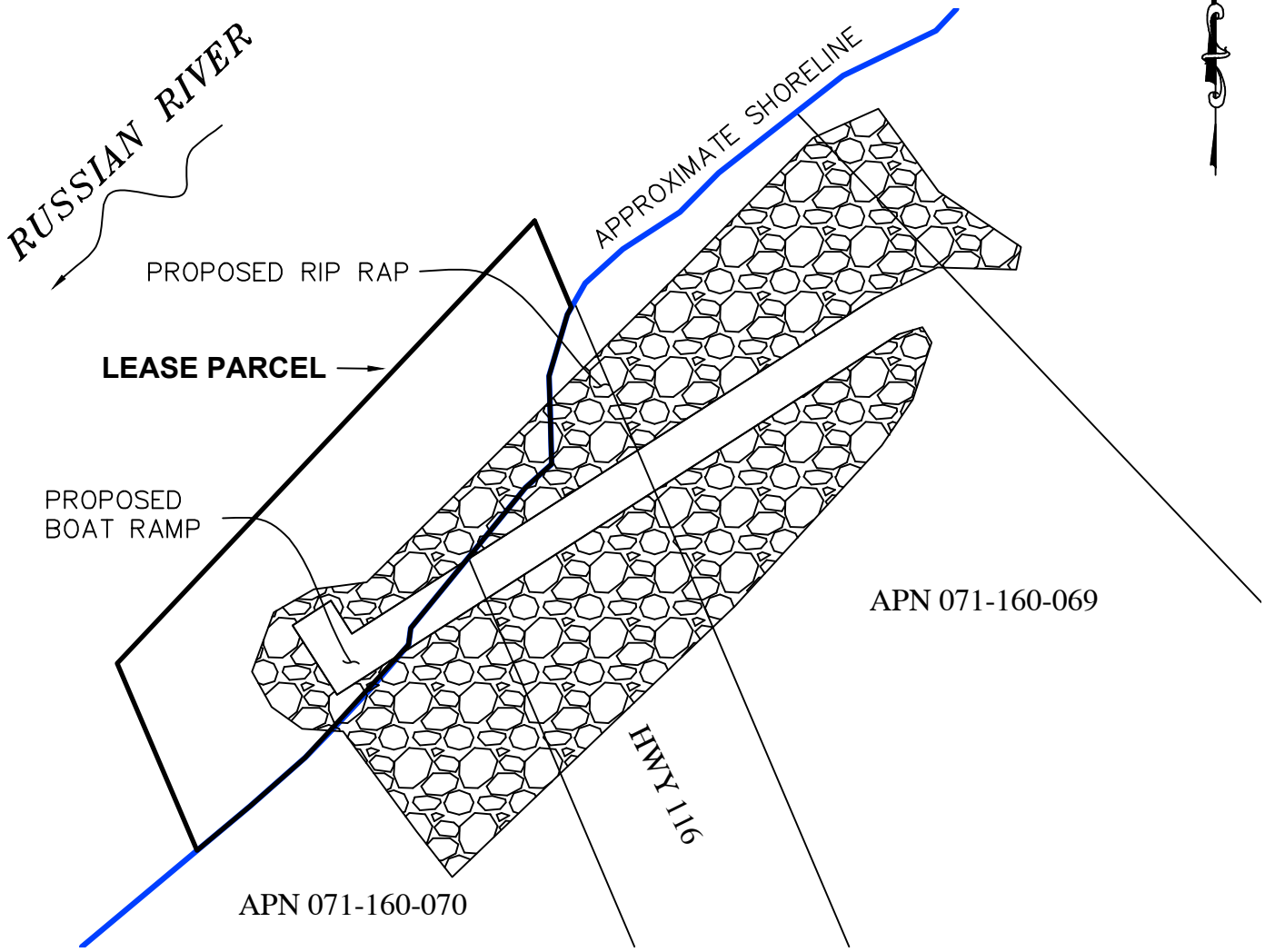
EXCEPTING THEREFROM any portion lying landward of Low Water of the left bank of the Russian River.

END OF DESCRIPTION

Prepared 5/7/2020 by the California State Lands Commission Boundary Unit.

NO SCALE

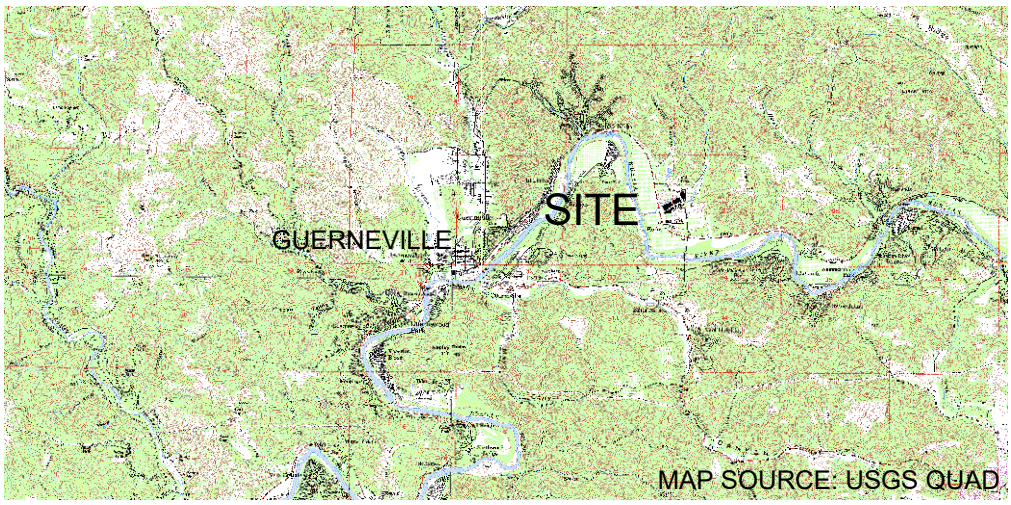
SITE



GUERNEVILLE RIVER PARK BOAT RAMP

NO SCALE

LOCATION



THIS EXHIBIT IS SOLELY FOR PURPOSES OF GENERALLY DEFINING THE LEASE PREMISES, IS BASED ON UNVERIFIED INFORMATION PROVIDED BY THE LESSEE OR OTHER PARTIES AND IS NOT INTENDED TO BE, NOR SHALL IT BE CONSTRUED AS, A WAIVER OR LIMITATION OF ANY STATE INTEREST IN THE SUBJECT OR ANY OTHER PROPERTY.

EXHIBIT B

A2337
SONOMA COUNTY
REGIONAL PARKS
APN 071-160-069 & 071-160-070
GENERAL LEASE -
PUBLIC AGENCY USE
SONOMA COUNTY

DJF 5/6/2020

EXHIBIT C
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM

GUERNEVILLE RIVER PARK PROJECT
(A2337, State Clearinghouse No. 2004022066)

The California State Lands Commission (Commission or CSLC) is a responsible agency under the California Environmental Quality Act (CEQA) for the Guerneville River Park Project (Project). The CEQA lead agency for the Project is Sonoma County.

In conjunction with approval of this Project, the Commission adopts this Mitigation Monitoring Program (MMP) for the implementation of mitigation measures for the portion(s) of the Project located on Commission lands. The purpose of a MMP is to impose feasible measures to avoid or substantially reduce the significant environmental impacts from a project identified in an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND). State CEQA Guidelines section 15097, subdivision (a), states in part:[1]

> *In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.*

The lead agency adopted an MND, State Clearinghouse No. 2004022066, adopted a MMP for the whole of the Project (see Exhibit C, Attachment C-1), and remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with its program. The Commission's action and authority as a responsible agency apply only to the mitigation measures listed in Table C-1 below. The full text of each mitigation measure, as set forth in the MMP prepared by the CEQA lead agency and provided in Attachment C-1, is incorporated by reference in this Exhibit C. Any mitigation measures adopted by the Commission that differ substantially from those adopted by the lead agency are shown as follows:

- Additions to the text of the mitigation measure are <u>underlined</u>; and
- Deletions of the text of the mitigation measure are shown as ~~strikeout~~ or as otherwise noted.

[1] The State CEQA Guidelines are found at California Code of Regulations, title 14, section 15000 et seq.

Table C-1. Project Impacts and Applicable Mitigation Measures

Potential Impact[2]	Mitigation Measure (MM)[3]	Difference Between CSLC MMP and Lead Agency MMP
Air Quality		
AQ (b) and (c)	AQ-1	None
Biological Resources		
BR (a)	BR-1	None
BR (b)	BR-2	See note below
BR (c)	BR-3	See note below
Cultural Resources		
CR (a) and (b)	CR-1	See addition below
CR (c)	CR-2	See addition below
CR (d)	CR-3	None
Geology and Soils		
GS (b)	GS-1	None
Hazards and Hazardous Materials		
HM (b)	HM-1, HM-2	None
HM (h)	HM-4	None
Noise		
N (a)	N-1	None
N (d)	N-2	None

Note: Regulatory agency consultation as required by MM BR-2 and MM BR-3 resulted in additional "*Measures to Protect Fish, Wildlife, and Water Resources*" (December 2019) and are included in Attachment C-1.

Add to MM CR-1:

- Commission staff shall be notified of any significant cultural discovered on lands under the jurisdiction of the Commission. The final disposition of archaeological and historical resources from such lands must be approved by the Commission. Regional Parks shall also contact applicable Tribes if an archeological discovery is made.

Add to MM CR-2:

- California State Lands Commission (Commission) staff shall be notified of any paleontological specimens discovered on lands under the jurisdiction of the Commission. The final disposition of any artifacts or specimens including, but not limited to, those of a paleontological nature from such lands must be approved by the Commission.

[2] Impact numbering corresponds to the Environmental Checklist questions in the MND.
[3] See Attachment C-1 for the full text of each MM taken from the MMP prepared by the CEQA lead agency.

ATTACHMENT C-1

Mitigation Monitoring Program Adopted by

Sonoma County

and

Measures to Protect Fish, Wildlife, and Water Resources

MITIGATION MONITORING PROGRAM

Guerneville River Park

Pursuant to Section 21081.6 of the State CEQA Guidelines,[1] the mitigation measures listed in the Proposed Mitigation Monitoring Program (MMP) are to be implemented as part of the proposed project. The Proposed MMP identifies the time at which each mitigation measure is to be implemented and the person or department responsible for implementation. The initials of the designated responsible person will indicate completion of their portion of the mitigation measure. Regional Parks' Environmental Specialist or Park Planner's signature on the Certification of Compliance will indicate complete implementation of the Proposed MMP.

The mitigation measures included in the Proposed MMP are considered conditions of approval of the proposed project. Regional Parks agrees to implement the mitigation measures proposed in the MMP. Implementation of the mitigation measures included in the Proposed MMP is expected to avoid, minimize, rectify, reduce, or compensate potentially significant impacts to a less than significant level.

TIME OF IMPLEMENTATION

Project Design:	The mitigation measure will be incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.
Construction:	The mitigation measure will be implemented during construction.
Post Construction:	The mitigation measure will be implemented after project construction.

RESPONSIBLE PERSONS AND DEPARTMENTS

Regional Parks' Environmental Specialist and Project Planner will be responsible for the overall implementation of the MMP. Generally, Regional Parks' Environmental Specialist and Project Planner will sign off on the mitigation measures included in the MMP. Periodically, staff of other County departments or regulatory agencies will be involved in the implementation of specific mitigation measures. In these instances, the staff, department, or agency will be identified in the MMP.

CERTIFICATION OF COMPLIANCE

Regional Parks' Environmental Specialist and Park Planner will be responsible for providing signatures on the Certification of Compliance. The Certification of Compliance is a double-check to ensure that the MMP was fully implemented.

RECORD KEEPING

Regional Parks' Environmental Specialist and Project Planner will maintain the records of the MMP. When the MMP is fully implemented, the original signed copy will be maintained in the official Project Binder.

1 California Code of Regulations Title 14.

CERTIFICATION OF COMPLIANCE

Complete the Certification of Compliance after mitigation measures have all been initialed. Use this Certification of Compliance to ensure the full implementation of each mitigation measure.

Design

Regional Parks' Environmental Specialist and/or the Project Planner has reviewed the project design, the plans, and the contract special provisions to verify that designated mitigation measures have been incorporated.

_____

Regional Parks staff signature & job title *Date*

☐	BR1	Biological	☐	BR6	Biological	☐	HM1	Haz Mat
☐	BR2	Biological	☐	CR1	Cult. Resources	☐	HM2	Haz Mat
☐	BR3	Biological	☐	CR2	Cult. Resources	☐	N1	Noise
☐	BR4	Biological	☐	CR3	Cult. Resources	☐	N2	Noise
☐	BR5	Biological	☐	GS1	Soils			

Construction

Regional Parks' Environmental Specialist and/or the Project Planner has verified that designated mitigation measures were implemented during construction.

_____

Regional Parks staff signature & job title *Date*

☐	BR1	Biological	☐	CR1	Cult. Resources
☐	BR2	Biological	☐	CR2	Cult. Resources
☐	BR4	Biological	☐	CR3	Cult. Resources
☐	BR5	Biological	☐	GS1	Soils
☐	BR6	Biological	☐	N2	Noise

Post-Construction

Regional Parks' Environmental Specialist and/or the Project Planner has verified that designated mitigation measures were implemented after construction. Mitigation measures pertaining to maintenance activities have been forwarded to the Regional Parks maintenance department.

_____

Regional Parks staff signature & job title *Date*

☐	BR2	Biological
☐	BR3	Biological
☐	BR5	Biological
☐	BR6	Biological
☐	NI	Noise

AIR QUALITY

AQ1 *Project plans and specifications shall require that the contractor control dust generated by construction vehicles and equipment during all phases of construction. Dust shall be controlled by spraying water. Vehicles and equipment shall be maintained in good operating order and turned off when not in use to minimize exhaust emissions.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person present during ground disturbing work.

Initials *Date*

BIOLOGICAL RESOURCES

BR1 *To avoid take of bats during ground disturbance the following measures shall be implemented:*

- *Emergence surveys shall be conducted prior to construction by a qualified bat biologist. If no bats are observed emerging from the holes in the bridge no further action is required.*
- *If bats are observed emerging from the holes in the bridge during emergence surveys, construction under the bridge shall be delayed until August when bats may be safely evicted by a bat biologist from the holes.*
- *If bats are present and construction under the bridge cannot be delayed until after bat eviction in August, no staging areas shall be placed underneath the Highway 116 Bridge, no exhaust fumes shall be allowed to rise into the weep holes, no idling machines shall be allowed in proximity to the weep holes, and no work at night shall be allowed near the bridge.*

As an alternative mitigation, if no surveys are conducted and bat presence is assumed, construction under the bridge shall be delayed until after bat eviction in August. If construction cannot be delayed, emergence surveys shall be required.

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by ensuring that emergence surveys have been conducted or by having a qualified staff person present during ground construction work under the Highway 116 bridge.

Initials *Date*

BR2 *Regional Parks will design, construct, and operate proposed improvements to avoid impacts to the riparian forest, including riparian understory, to the maximum extent possible. Where avoidance is not possible, Regional Parks will replace the permanent loss of mixed riparian forest habitat on-site at a minimum ratio of 3:1 (replacement to loss) to create a high quality willow riparian habitat. Regional Parks will coordinate on-site mixed riparian forest mitigation with the appropriate regulatory agencies, such as the CDFG and USACE.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person present during ground disturbing work.

Initials *Date*

Post-Construction: Regional Parks staff will verify that the mitigation measure is implemented after construction by inspecting and monitoring any replacement planting for a period of five years.

Initials *Date*

BR3 *If any elements of the final design of the River Park fall below the OHWM, visually estimated at the 16 foot NGVD elevation, Regional Parks will submit a request for a jurisdictional determination to the USACE. It the USACE determines that project elements are within its jurisdiction, Regional Parks will apply for Section 404 Certification from the USACE and Section 401 Certification from the Regional Board.*

Implementation & Monitoring

Project Design: Regional Parks staff will obtain Section 401 and 404 Certification prior to any construction within the ordinary high water mark.

Initials *Date*

Post-Construction: Regional Parks staff will ensure that any mitigation measures associated with Section 401 and 404 Certification permit issuance is complied with.

Initials *Date*

BR4 *To avoid take and/or further evaluate presence or absence of raptors, all of the following measures shall be implemented:*

- *Grading in the vicinity of or removal of potential nesting trees shall be conducted outside the nesting season, which occurs between approximately March 15 and July 31.*
- *A pre-construction nesting raptor survey of the trees within the project area shall be performed by a qualified biologist. If no nesting raptors are observed no further action is required and grading may occur within one week of the survey to prevent take of individual raptors that may have begun nesting after the survey.*
- *If raptors are observed nesting on-site after March 15, it shall be assumed that they are nesting adjacent to the site. The CDFG Central Coast Regional office allows grading to occur if nesting raptors are observed on-site, providing that a 200-foot buffer zone is created around the observed nest to prevent disturbance and ultimately take of young. Once the young have fledged away from the nest, construction may take place within the buffer zone.*
- *Nesting bird surveys for raptors and passerines may occur at the same time, after February 15.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that appropriate surveys have occurred or that construction will occur outside of the nesting period.

Initials *Date*

Post-Construction: Regional Parks staff will verify that the mitigation measure is implemented after construction by inspecting the project site during routing park monitoring and maintenance and noting surface conditions.

Initials *Date*

BR5 *To avoid take and/or further evaluate presence or absence of passerines, the following measures shall be implemented:*

- *Grading or removal of nesting trees shall be conducted outside the nesting season, which occurs between approximately March 15 and July 31.*
- *If grading before March 15 is infeasible and groundbreaking must occur within the breeding season, a pre-construction nesting passerine survey of the grasslands and adjacent trees shall be performed by a qualified biologist. If no nesting passerines are observed no further action is required and grading shall occur within one week of the survey to prevent take of individual passerines that may have begun nesting after the survey.*
- *If passerines are observed on-site after March 15, the nesting tree shall be identified and a buffer of 75 feet shall be placed around the nesting tree. No disturbance shall occur within the buffer area until after the young have fledged, as determined by passerine surveys by a qualified biologist, or after the nesting season.*
- *Nesting bird surveys for raptors and passerines may occur at the same time, after February 15.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

_____

Initials *Date*

Construction: Regional Parks staff will verify that appropriate surveys have occurred or that construction will occur outside of the nesting period.

_____

Initials *Date*

Post-Construction: Regional Parks staff will verify that the mitigation measure is implemented after construction by inspecting the project site during routing park monitoring and maintenance and noting surface conditions.

_____

Initials *Date*

BR6 *Regional Parks will clearly identify trees that will require removal for development on construction drawings. The contractor will be required to clearly mark in the field the trees that will be removed for improvements. Regional Parks will clearly identify the protected perimeter of any native trees on the construction drawings. The protect perimeter is defined in Sonoma County Ordinance No. 4014 as the tree dripline. The following measures will be followed during construction of the project:*

- *The contractor shall be required to place temporary protective fencing at the outermost edge of the protected perimeter of each tree or group of trees to be protected. Protective fencing will be placed prior to commencement of construction and will remain in place until all construction related activities are complete. The contractor will be required to avoid disturbance within the protected perimeter during construction of the proposed project. Construction related activities including storing equipment, chemicals, spoil materials, trash, parking vehicles or equipment, shall not take place within the protective fencing.*
- *The contractor shall be required to perform all tree trimming and branch removal in accordance with the International Society of Arborists Tree Pruning Guidelines, adopted in 1995. These standards require that: (a) branches are cut cleanly, utilizing pruning shears, loppers, or a fine tooth saw that cuts on the pull stroke; (b) branches are cut just outside the branch bark ridge or at the callus shoulder, and at a point of junction with*

another branch to avoid leaving a limb section without live leaf support; (c) climbing spurs cannot be worn when performing work on any tree; and, (d) trees will not be "headed".

- *Regional Parks staff may require a certified arborist to be on-site to direct pruning cuts on large limbs and to ensure that necessary pruning cuts are made to balance the weight of the tree.*
- *The contractor shall be required to report any damage to protected trees that occurs during, or as a result of, project construction to Regional Parks staff. If a protected tree is damaged so that it cannot be preserved in a healthy state, the tree will be replaced in accordance with the Arboreal Value Chart included in Sonoma County Ordinance No. 4014.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person present during work adjacent to protected trees.

Initials *Date*

Post-Construction: Regional Parks staff will verify that the mitigation measure is implemented after construction by inspecting and monitoring any replacement planting for a period of five years.

Initials *Date*

BR7 *Replace vegetation removed during construction activities that is not protected by Ordinance 4014. Specifically, replace non-protected trees removed in kind at a 3:1 ration. Disturbed areas will be reseeded with a native seed mix.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person present direct replanting.

Initials *Date*

Post-Construction: Regional Parks staff will verify that the mitigation measure is implemented after construction by inspecting and monitoring any replacement planting for a period of five years.

Initials *Date*

BR8 *Trees to be removed for construction of the Guerneville River Park will be retained on-site as near as possible to the downed location. Downed tree retention will provide additional wildlife habitat.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person direct placement of downed trees.

Initials *Date*

CULTURAL RESOURCES

CR1 *The project plans and specifications shall provide that in the event prehistoric-era or historic-era archaeological site indicators are unearthed during the course of grading, excavation and/or trenching, all ground disturbing work in the vicinity of the discovery shall cease and all exposed materials shall be left in place. Prehistoric-era archaeologic site indicators could include chipped chert and obsidian tools and tool manufacture waste flakes, grinding implements such as mortars and pestles, and locally darkened soil containing the previously mentioned items as well as fire altered stone and dietary debris such as bone and shellfish fragments. Historic-era archaeologic site indicators could include items of ceramic, glass and metal, and features such as structural ruins, wells and pits containing such artifacts. After cessation of excavation, the contractor shall immediately contact Regional Parks. Regional Parks shall contact a qualified professional archaeologist immediately after the find. Such archaeologist shall conduct an evaluation of significance of the site, and assess the necessity for appropriate mitigation. The contractor shall not resume construction activities until authorization to proceed is received from Regional Parks.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person present during ground disturbing work.

Initials *Date*

CR2 *The project plans and specifications shall provide that in the event paleontological site indicators are unearthed during the course of grading, excavation and/or trenching, all ground disturbing work in the vicinity of the discovery shall cease and all exposed materials shall be left in place. After cessation of excavation, the contractor shall immediately contact Regional Parks. Regional Parks shall contact a qualified professional geologist or paleontologist immediately after the find. Such consultant shall conduct an evaluation of significance of the site, and assess the necessity for appropriate mitigation. The contractor shall not resume construction activities until authorization to proceed is received from Regional Parks.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person present during ground disturbing work.

Initials *Date*

CR3 *If human remains are encountered during grading, excavation or trenching, all construction activity shall cease and the contractor shall immediately contact Regional Parks and the Sonoma County Coroner's Office. If the remains are determined by the Coroner's Office to be of Native American origin, the Native American Heritage Commission shall be contacted and the procedures outlined in CEQA §15064.5(e) shall be implemented by Regional Parks or their designee.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

_____

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person present during ground disturbing work.

_____

Initials *Date*

GEOLOGY & SOILS

GS1 *Erosion control measures that follow Best Management Practices shall be incorporated into the plans and specifications. The Bay Area Regional Water Quality Control Board publishes an Erosion and Sediment Control Field Manual which describes such practices. Specifically, the project shall preserve existing vegetation where possible, and use a stabilized construction access way. Additionally, silt fences and straw bale barriers will be utilized during rainfall events to prevent offsite erosion.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction by having a qualified staff person check implementation of specified erosion control measures.

Initials *Date*

HAZARDS/HAZARDOUS MATERIALS

HM1 *The contractor will be required to prepare, submit, and implement a spill prevention plan for any construction of the proposed project. The contractor will be required to store all flammable liquids be in compliance with the Sonoma County Fire Code and section 7-1.01G of the Caltrans Standard Specification (or the functional equivalent) for the protection of surface waters. The contractor shall be required to follow the provisions of §5163 through §5167 of the General Industry Safety Orders (California Code of Regulations, Title 8) to protect the project area from being contaminated by accidental release of any hazardous materials. If hazardous materials are encountered during construction, the contractor shall halt construction immediately, notify Regional Parks, and implement remediation in accordance with the project specifications and applicable requirements of the North Coast Regional Water Quality Control Board. Disposal of all hazardous materials shall be in compliance with current California hazardous waste disposal laws.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Pre-construction: Regional Parks staff will verify that the mitigation measure is implemented by reviewing and approving the spill prevention plan submitted by the contractor.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction.

Initials *Date*

HM2 *The contractor will be required to dispose of petroleum-based products in accordance with applicable laws and regulations. If a spill should occur, the contractor will be required to immediately call 9-1-1 and report the spill to the appropriate authority. The contractor will be prohibited from conducting vehicle and equipment repair and maintenance on-site.*

Sonoma County Regional Parks Department operations and maintenance crews will be required to dispose of petroleum-based products in accordance with applicable laws and regulations. If a spill should occur, Regional Parks staff will immediately call 9-1-1 and report the spill to the appropriate authority. Regional Parks staff will be prohibited from conducting vehicle and equipment repair and maintenance on-site.

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction.

Initials *Date*

Post-construction: Regional Parks staff will verify that the mitigation measure is implemented during maintenance activities.

Initials *Date*

HM3 *The contractor will be required to conduct inspections and maintenance, according to current regulations, of portable toilet facilities used during construction. The contractor will be required to conduct routine waste removal to ensure that effluent spills are avoided or minimized.*

Regional Parks staff or agent will be required to conduct inspections and maintenance, according to current regulations, of portable toilet facilities used during project operation. Regional Parks staff or agent will ensure that routine waste removal is conducted so that effluent spills are avoided or minimized.

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction.

Initials *Date*

Post-construction: Regional Parks staff will verify that the mitigation measure is implemented during maintenance activities.

Initials *Date*

HM2 *The project plans and specifications shall require that construction vehicles and equipment have appropriate exhaust systems and/or spark-arresting devices installed.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

NOISE

N1 *To reduce noise levels generated by the project to generally comply with the standards in Table NE-2, the following measures should be included in the design of the project. Noise barriers or earth berms are not feasible mitigation measures because the project is located in a floodway or floodplain area. Therefore, the following alternative procedures are designed to reduce the potential for violations of NE-2, however even with the proposed strategies, noise levels could occasionally exceed the County's noise limits. The intent of these measures is to reduce the potential for exceedances as much as is practical.*

- *Install signage in the parking areas to encourage visitors to be considerate of the neighbors, including the use of portable radios and boom-boxes. Park rules prohibit excessively loud and/or amplified music.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

Initials *Date*

Post-Construction: Regional Parks staff will verify that the mitigation measure is implemented after construction during routing park monitoring and responding to noise complaints.

Initials *Date*

N2 *The following measures should be implemented at the construction site to reduce the effects of construction noise on adjacent residential land uses:*

- *Noise-generating activities at the construction site or in areas adjacent to the construction site associated with the project in any way should be restricted to the hours 7:00 a.m. to 7:00 p.m., Monday through Friday. No construction activities should occur on Saturdays, Sundays, or holidays except in emergencies or by special arrangement.*
- *Equip all internal combustion engine driven equipment with intake and exhaust mufflers which are in good condition and appropriate for the equipment.*
- *Unnecessary idling of internal combustion engines should be strictly prohibited.*
- *Avoid staging of construction equipment within 200 feet of residences and locate all stationary noise-generating construction equipment, such as air compressors and portable power generators, as far practical from existing noise sensitive receptors. Construct temporary barriers (e.g., temporary plywood screens) to screen stationary noise generating equipment when located in areas adjoining noise sensitive land uses.*
- *Utilize "quiet" air compressors and other stationary noise sources where technology exists.*
- *Control noise from construction workers' radios to the point where they are not audible at existing residences bordering the project site.*
- *The contractor shall notify adjacent residents to the project site of the construction schedule in writing.*
- *Designate a "noise disturbance coordinator," the Regional Parks Department Project Manager, who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.*

Implementation & Monitoring

Project Design: Regional Parks staff will verify that the mitigation measure is incorporated into the project design and/or included in the project specifications and contract special provisions prior to awarding a construction project.

_____

Initials *Date*

Construction: Regional Parks staff will verify that the mitigation measure is implemented during construction and respond to noise complaints.

_____

Initials *Date*

Guerneville River Park Improvements Phase II
Measures to Protect Fish, Wildlife, and Water Resources

1 General Protection Recommendations

To ensure potential impacts on sensitive biological resources present in the Russian River (including steelhead, chinook salmon, coho salmon, and northwestern pond turtle) and sensitive biological resources present on the project site (including breeding birds and sensitive natural communities) are avoided or minimized, they should be protected in accordance with the following recommendations.

To avoid impacts to aquatic habitat, portions of the project located below the top of bank will occur during the summer dry season, specified as June 15 - October 31 (with the exception of revegetation activities, which can occur beyond October 31, as necessary to ensure plant establishment).

Contractors must follow all permit conditions. A copy of all project permits should be on site at all times and reviewed by construction crew personnel prior to beginning work.

A qualified biologist(s) should oversee the implementation of the following protection measures. The qualified biologist or a combination of biologists should be approved by CDFW and NMFS to capture, handle, and release all species described in the project's Biological Resources Assessment. The qualified biologist(s) should have all the necessary permits and experience as determined by the regulatory agencies.

- Complete a preconstruction training session for all construction crew staff by a qualified biologist. The training should include a discussion of the sensitive biological resources within the project site and the potential presence of special-status species. This should include a discussion of special-status species' habitats, protection measures to ensure species are not impacted by project activities, project boundaries, biological conditions outlined in the project permits, and procedures to follow if sensitive wildlife species are found within the project site.
- Prior to construction, the construction supervisor and a qualified biologist should meet on site to agree upon and delineate project boundaries (see below). All work will be confined within these boundaries.
- Foot and vehicle traffic should be restricted to the designated work and staging areas.
- Excavated holes, trenches, etc. greater than one foot in depth should be covered with boards or other appropriate materials or backfilled with dirt at the end of each working day. If trenches remain open overnight, earthen escape ramps should be constructed every 10 feet.

- Proper erosion control and other water quality Best Management Practices (BMPs) should be implemented to avoid sedimentation and disturbance to downstream aquatic habitats.
- All staging, maintenance, fueling, and storage of construction equipment will occur at least 25 feet from a waterbody and should be conducted in a location and manner that will prevent potential runoff of petroleum products into downstream aquatic habitats. Oil-absorbent and spill-containment materials should be on site at all times.
- All food trash that may attract predators should be properly stored and removed at the end of each construction day. Following construction, all trash and construction debris should be removed.
- To prevent harassment, injury, or mortality to sensitive species or their habitat, no pets should be permitted within the work area.
- If a special-status species enters the work area, the construction crew supervisor shall contact a qualified biologist and/or on-site biological monitor for further guidance. Special-status species shall not be captured or handled by the supervisor or field crew unless directed by a qualified biologist and/or resource agencies.

2 Native Plants and Communities

Construction of the project will require removal of native riparian vegetation. To minimize impacts on native plants and plant communities, the following measures should be implemented:

Minimize removal of riparian and wetland vegetation to only those areas necessary to construct the project and restore areas affected by construction activities. Revegetation of the site should be of local provenance (i.e., from within the Russian River watershed). See *Guerneville River Park, Phase II, Mitigation Planting Plan dated October 2019* by PCI for planting recommendations (PCI 2019).

Minimize disturbance to native trees and shrubs. Native trees are particularly susceptible to disturbance, especially within the root crown (the base of the trunk) and root zone commonly referred to as the root protection zone (RPZ), which is typically defined as one-third larger than the drip line radius measured from the trunk. When feasible, work within the RPZ should be limited, and all trees greater than 6 inches in diameter at breast height (DBH) should be retained where feasible.

Prevent the introduction and spread of invasive plant species.

- Any seed, straw, or mulch brought into the site should be weed-free.
- Construction vehicles and other landscaping equipment should be cleaned of seed and soil from weed-infested locations before entering new areas.
- Revegetation of disturbed soil should occur promptly after disturbance.
- All site restoration and erosion control seeding should include only native species from the Russian River watershed or Sonoma County.

- Monitor areas of ground disturbance for invasive species infestation as part of the revegetation monitoring plan.

3 Isolate Work Area & Procedures for Removing Fish and Other Vertebrate Aquatic Species

During construction of the boat ramp and rock bank protection, the work area will need to be isolated to minimize disturbance to the river and impacts on aquatic species. This may include dewatering the site or isolating the work through the installation of a temporary turbidity curtain and fish screen. Aquatic species will need to be protected and relocated during any work in the water. The contractor, in consultation with a qualified fisheries biologist, should prepare a dewatering and aquatic species protection plan. This should include detailed specifications regarding procedures and materials to be used to isolate the work area. This would include the location and materials for the turbidity curtain, cofferdam, by-pass pipe, fish exclusion materials, and/or pump specifications. The work should take place during summer low-flow conditions. Pumps should be screened in accordance with Fish Screening Criteria by NOAA Fisheries (2011) cited in NOAA Fisheries (2016). A qualified fisheries biologist should be on site to oversee installation and decommissioning of the water diversion structures and to conduct aquatic species relocation. The river should be returned to its natural flow and bed condition upon project completion.

The dewatering plan will be submitted to regulatory agencies at least 30 days prior to in-water construction.

3.1 Aquatic Species

To avoid impacts on aquatic species (e.g., anadromous and resident fish, amphibians, western pond turtle), surveys and relocation activities by a qualified biologist should occur to avoid disturbance to these species during construction. If work will occur in the river in areas of flowing water or inundation, fish and other vertebrate aquatic species (e.g., frogs, newts, etc.) should be relocated outside of the work area prior to instream work. Fish relocation techniques will be dependent on the methods used to isolate the site. Based on the approved dewatering plan prepared by the contractor, the qualified fisheries biologist should implement techniques to relocate aquatic species from the site. This could include the uses of weighted seines or electrofishing (NOAA Fisheries 2000) to capture animals from the site.

Aquatic species should be relocated to suitable habitat up- and/or downstream of the work area. Release sites should contain suitable cover and foraging. A complete record of all fish and wildlife species observed during the observation and relocation process should be kept and provided to CDFW, NOAA Fisheries, and other permitting agencies as required.

Throughout project construction, a qualified biologist should make weekly visits to the site to ensure that no fish or other aquatic species are being impacted by construction activities. If fish and other vertebrate aquatic species are observed in the work area after construction

commences, work should be stopped and appropriate actions taken to remove the species from the work area.

4 Fish and Wildlife Protection Measures

4.1 General Wildlife Species Protection Measures

To avoid impacts on wildlife (general) within the project site, the following protection measures should be implemented.

A preconstruction survey (ahead of the construction crew) should be performed by a qualified biologist prior to any site disturbance. If terrestrial species are observed within the work area or immediate surroundings, these areas should be avoided until the animal(s) has (have) vacated the area and/or the animal(s) will be relocated out of the project area by a qualified biologist with agency approval.

Temporary wildlife exclusionary fencing (e.g., silt fence, which is a piece of synthetic filter fabric [also called geotextile]) should be installed around work areas along the Russian River during construction, as determined by the qualified biologist. Openings should be restricted to areas of construction site access. This fencing would preclude animals from entering the work area and prevent construction debris and workers from entering adjacent riparian habitat.

To avoid impacts on terrestrial species (e.g., reptiles, amphibians, and mammals) within the project site, a preconstruction survey (on the day preceding work and/or ahead of the construction crew) should be performed prior to disturbance of the site to ensure that no terrestrial species are occupying the site. If terrestrial species are observed within the project site or immediate surroundings, these areas should be avoided until the animal(s) has (have) vacated the area or the animal(s) should be relocated out of the project area by the qualified biologist. In addition, the site should be surveyed periodically during construction to ensure that no terrestrial species are being impacted by construction activities.

4.2 Work Period

To avoid impacts to aquatic habitat, the construction will occur during the summer dry season (June 15 to October 31).

Construction, fish relocation, and dewatering activities within any wetted or flowing stream channel will occur only within this period. If precipitation sufficient to produce runoff is forecast to occur while construction is underway, work will cease and erosion control measures will be put in place sufficient to prevent significant sediment runoff from occurring.

4.3 Protected Birds

To avoid potential losses of nesting native birds and overwintering burrowing owls, preconstruction breeding bird surveys will be completed from February 15 through August 15 for

special-status, migratory birds, and raptors and November 15 through April during the burrowing owl overwintering season prior to any ground disturbance in undisturbed habitats or vegetation removal. The preconstruction surveys should be conducted within two weeks prior to initiation of vegetation clearing, tree removal and trimming, or other construction related activities that require ground disturbance in undisturbed areas. The survey will be completed within the construction area and a 100-foot buffer. If the biologist finds no active nesting or overwintering activity, then work will proceed without restrictions.

If active raptor or owl nests or occupied burrows are identified within 200 feet of the construction area or active nests of other birds are identified within 50 feet of the construction area, a qualified biologist will determine whether or not construction activities may impact the active nest or disrupt reproductive behavior. If it is determined that construction would not affect an active nest or disrupt breeding/overwintering behavior, construction will proceed without restrictions. The determination of disruption will be based on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance and the line of sight between the nest and the disturbance.

If a qualified biologist determines that construction activities would likely disrupt nesting or overwintering activities, then a no-disturbance buffer will be placed around the nesting location. The no-disturbance buffer will include the active nest or breeding areas plus a 50-foot buffer for small songbirds and a 200-foot buffer for larger birds (e.g., raptors, owls). Construction activities in the no disturbance buffers will be avoided until the nests have been vacated.

If the site is left unattended for more than one week following the initial surveys or any time during construction during the breeding season, additional surveys will be completed.

To the extent feasible, vegetation removal will occur during the non-breeding season (late August to February) to limit the potential for birds to nest within the project site.

4.4 Special-status Reptiles

A preconstruction survey for northwestern pond turtle should occur prior to beginning work, and work should only occur in areas that have been surveyed; this should include all disturbance areas and 50-foot buffer around them. This would include a focused survey for adult turtles and nest site searches. Any adults found within the work area should be relocated to suitable off-site habitat. Nest sites discovered during the preconstruction survey or anytime during construction should be avoided until vacated, as determined by a qualified biologist. If nest sites are present, weekly monitoring during construction should occur to ensure turtle nests are not being impacted by activities.

4.5 Special-status and Common Bats

Prior to construction (tree removal or trimming; for all trees greater than 6 inches in diameter at DBH), a qualified biologist should survey for bat roosts. If active bat roosts area identified,

disturbance should not be allowed until the roost is abandoned or unoccupied. If the qualified biologist determines special-status bat species area present, CDFW consultation would be required.

If occupied roosting habitat is identified by the qualified biologist, disturbance of roost trees or work near occupied roosts should not be allowed until the roost is abandoned or unoccupied and/ or CDFW is consulted. If bats are present, a number of deterrent methods can be used to encourage bats to relocate (for non-CDFW listed species). This could include changes to lighting, air flow patterns, and noise disturbance. Exclusion methods should be developed based on the species present and location of occupied roosts. Bat exclusion should not be performed during that maternity season (June through August) or during winter hibernation (November through February). Bat exclusion should be overseen by a qualified biologist. This should only occur in March, April, May, September, and October.

If trees are removed, it should include a two-step process – limb removal on day one followed by bole removal on day two. This approach will allow bats an opportunity to move out of the area prior to completing removal of the trees.

4.6 Terrestrial Species

To avoid impacts on terrestrial species (e.g., reptiles, amphibians, and mammals) within the project site, a preconstruction survey (on the day preceding work and/or ahead of the construction crew) will be performed prior to disturbance of the site to ensure that no terrestrial species are occupying the site. If terrestrial species are observed within the project site or immediate surroundings, these areas will be avoided until the animal(s) has (have) vacated the area or the animal(s) will be relocated out of the project area by the qualified biologist. In addition, the site will be surveyed periodically during construction to ensure that no terrestrial species are being impacted by construction activities.

5 Water Quality Protection Measures

Effective erosion control measures shall be in place at all times during construction.

All vehicles and equipment on the site will be inspected for leaks, and leaks will be corrected immediately. Fueling will take place outside of the riparian corridor.

Staging/storage areas for fuels, lubricants, and solvents will be located beyond the top of bank of the Russian River and at least 25 feet from the wetland edge. Such staging and storage areas shall be located such that fuels, lubricants, and solvents cannot enter the stream channel.

All mechanized equipment working in the river channel or within 25 feet of a wetted channel will have a double containment system for diesel and oil fluids. Hydraulic fluids in mechanical equipment working within the stream channel shall not contain organophosphate esters.

Stationary equipment such as motors, pumps, generators, and compressors, located within the dry portion of the river channel or adjacent to the river, will be positioned over drip-pans. Vehicles will be moved beyond top of bank prior to refueling and lubricating.

All construction equipment must be in good working condition, showing no signs of fuel or oil leaks. Prior to construction, all mechanical equipment shall be thoroughly inspected and evaluated for the potential of fluid leakage. All mechanical equipment shall be inspected on a daily basis to ensure there is no motor oil, transmission fluid, hydraulic fluid, or coolant leaks. All leaks shall be repaired in the equipment staging area or other suitable location prior to resumption of construction activity.

All equipment operators will be trained in the procedures to be taken should an accident occur. The contractor will have emergency spill cleanup gear (spill containment and absorption materials) and fire equipment available on site at all times.

Oil absorbent and spill containment materials shall be located on site when mechanical equipment is in operation within 100 feet of the watercourse. If a spill occurs, no additional work shall commence in-channel until (1) the mechanical equipment is inspected by the contractor and the leak has been repaired, (2) the spill has been contained, and (3) regulatory agencies are contacted and have evaluated the impacts of the spill.

Trash, litter, construction debris, cigarette butts, etc., will be stored in an approved and designated area or removed from the site at the end of each working day.

Temporary stockpiling of material will be minimized. Stockpiled soil or other material will be placed where it will not be washed into the watercourse. If rain occurs while the soil is temporarily stockpiled, the stockpiled soil will be covered with plastic. The plastic will be secured in place to ensure that soil is protected from rain and wind. Silt fencing or wattles will be installed on contour around all stockpile locations.

The contractor will employ Best Management Practices to prevent the discharge of sediment or turbid water beyond grading limits. Effective erosion control measures will be in place at all times during construction. All permanent erosion control material will be 100% biodegradable and made of all natural materials (no plastic). An adequate supply of erosion control materials (gravel, straw bales, shovels, etc.) will be maintained onsite to facilitate a quick response to unanticipated storm events or emergencies.

The wastewater from the construction area will be discharged to an upland location where it will not drain sediment-laden water back to the channel.

After project completion, all exposed soil will be stabilized with mulch, seeding, and/or placement of erosion control blankets. Artificial erosion control devices will be removed after project area has fully stabilized.

All bare and/or disturbed slopes (larger than 10’ x 10’ of bare mineral soil) will be treated with erosion control methods such as straw mulching, netting, fiber rolls, and hydro-seed as permanent erosion control measures.

6 Riparian Vegetation

Retain as many trees and shrubs as feasible, emphasizing shade-producing and bank-stabilizing trees and brush.

Prior to construction, determine locations and equipment access points that minimize riparian disturbance.

Any stream bank area left barren of vegetation will be restored to a natural state by seeding and/or replanting as shown in the project plans.

Disturbed areas will be revegetated the native species comprised of a diverse community structure as shown in the plans and as listed above.

7 Cultural and Tribal Resources

If previously unidentified cultural resources are encountered during project implementation, avoid altering the materials and their stratigraphic context. A qualified professional archaeologist will be contacted to evaluate the situation. Project personnel will not collect cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or abode foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.

Although unlikely, if human remains are encountered, all work will stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist will be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated and further recommendations regarding treatment of the remains is provided.