

**AGENDA  
BOARD OF SUPERVISORS  
SONOMA COUNTY  
575 ADMINISTRATION DRIVE, ROOM 102A  
SANTA ROSA, CA 95403**

**TUESDAY**

**SEPTEMBER 11, 2012**

**8:30 A.M.**

---

(The regular afternoon session commences at 2:00 p.m.)

Valerie Brown	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, the Sonoma County Public Finance Authority, and as the governing board of all special districts having business on the agenda to be heard this date. Each of the foregoing entities is a separate and distinct legal entity.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

**AGENDAS AND MATERIALS:** Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

**SUPPLEMENTAL MATERIALS:** Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

**DISABLED ACCOMMODATION:** If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

**Public Transit Access to the County Administration Center:**

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or <http://www.sctransit.com/>

***APPROVAL OF THE CONSENT CALENDAR***

The Consent Calendar includes routine financial and administrative actions, are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

***PUBLIC COMMENT***

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

**8:30 A.M. CALL TO ORDER**

**COLOR GUARD PRESENTATION**

**PLEDGE OF ALLEGIANCE**

**I. APPROVAL OF THE AGENDA**

(Items may be added or withdrawn from the agenda consistent with State law)

**II. PRESENTATION OF RETIREMENT CERTIFICATES**

**III. BOARD MEMBER ANNOUNCEMENTS**

**IV. CONSENT CALENDAR**

(Items 1 through 32)

**PRESENTATIONS/GOLD RESOLUTIONS**

(Item 1 through 7)

**PRESENTATIONS AT BOARD MEETING**

1. Adopt a Gold Resolution in remembrance of the sacrifices and heroic actions after the attacks on America on September 11, 2001. (Fire and Emergency Services)
2. Adopt a Gold Resolution recognizing Petaluma Education Foundation for 30 years of dedication to local education. (Second District)
3. Adopt a Gold Resolution commending Lee Dysart for his three decades of dedicated, exemplary service to the citizens of Windsor through his work on the Shiloh Cemetery District Board of Trustees. (Fourth District)

**PRESENTATIONS AT DIFFERENT DATE**

4. Adopt a Gold Resolution recognizing Petaluma National Little League on their record setting season. (Second District)
5. Adopt a Gold Resolution honoring Laurie Parish for her service to the County and to the Volunteer Center of Sonoma County. (Third District)
6. Adopt a Gold Resolution celebrating the grand opening of the Osher Lifelong Learning Institute in Healdsburg, an adult education program that will benefit thousands of learners in Northern Sonoma County. (Fourth District)

CONSENT CALENDAR (Continued)

**AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT**

(Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

**AND**

**REGIONAL PARKS**

7. Authorize the General Manager of the Sonoma County Agricultural Preservation and Open Space District (“District”) and the Director of the Regional Parks Department (“Regional Parks”) to execute an agreement for an amount not to exceed \$39,296 pursuant to which Regional Parks will provide trail construction contract and oversight assistance to the District for the Montini Open Space Preserve (“Preserve”) trail system from September 11, 2012 to December 30, 2013; and Authorize the General Manager of the District to execute a Right-of-Entry permit with California State Parks that grants the District access (First District)

**SONOMA COUNTY WATER AGENCY**

(Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

8. Authorize the Chair to execute an agreement with Gwynne Cropsey dba ZunZun to provide water education school assemblies. (\$60,000; agreement terminates on June 30, 2014).
9. Authorize the Chair to execute the funding agreement for Salmon Lifecycle Exhibit at Children’s Museum of Sonoma County with the Children’s Museum of Sonoma County. (\$25,000; agreement terminates on December 1, 2014).

**SONOMA COUNTY WATER AGENCY**

(Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

**AND**

**SONOMA VALLEY COUNTY SANITATION DISTRICT**

(Directors: Brown, Zane, Sanders)

10. North Bay Water Reuse Authority – Professional Service Agreements – (1) Authorize the General Manager of Water Agency, acting as the Administrative Agency for North Bay Water Reuse Authority (Authority), to execute an agreement with Virginia Bryant dba Bryant & Associates to provide federal program development services for the amount of \$356,000, an agreement with Mark Millan dba Data Instincts to provide Public Outreach Services for the amount of \$130,500, an agreement with CDM Smith, Inc., to provide engineering assistance (Phase 1) for the amount of \$150,000, an agreement with CDM Smith, Inc., to provide federal and state appropriations/grant support and federal appropriations reporting for the amount of \$10,000, an agreement with The Ferguson Group to provide federal legislative advocacy services for the amount of \$120,000, an agreement with Environmental Science Associates to provide environmental services for the amount of \$40,000, and an agreement with Pilar Oñate dba The Oñate Group to provide state legislative advocacy services for the amount of \$55,000; agreements terminate on June 30, 2014; (2) Authorize expenditure of Sonoma Valley County Sanitation District funds for District’s portion of costs for the above professional service agreements with Authority-selected consultants. (First and Second Districts)

CONSENT CALENDAR (Continued)

**SONOMA VALLEY COUNTY SANITATION DISTRICT**

(Directors: Brown, Zane, Sanders)

11. Authorize the Chair to execute an agreement with Marin Municipal Water District for the Sonoma Valley Salt and Nutrient Management Plan at no cost; agreement terminates on September 17, 2013. (2/3 votes required) (First District)
12. Adopt a Resolution authorizing and directing the General Manager of the Sonoma Valley County Sanitation District (District), to execute Implementation Agreement No. 15 between Bay Area Clean Water Agencies and the District for the Sonoma Valley Recycled Water Project funded through the Proposition 84 grant from the State of California Department of Water Resources and to serve as the District's representative for the administration of the Implementation Agreement. (2/3 votes required) (First District)

**AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR**

**AND**

**NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT**

(Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

13. Review and accept the agreed upon procedures report of Northern Sonoma County Air Pollution Control District for the fiscal years ended June 30, 2011, and 2010, with no significant findings.

**BOARD OF SUPERVISORS**

14. Disbursement of 2012 – 2013 Discretionary Advertising Fund (Second District) – Approve Advertising Program grant awards and authorize the County Administrator to execute contracts with the following entities: American Legion Post 28, \$500; Sonoma County Farm Bureau \$1,000.

**CLERK-RECORDER-ASSESSOR**

15. Adopt a Resolution authorizing consolidation of all jurisdictions that have submitted requests for consolidation, as required by Elections Code Section 10400, and have measures to be placed before the voters or sufficient nominees to require elections to be held on November 6, 2012.

**GENERAL SERVICES**

16. Exchange of Real Property at Los Guilicos with the Ledson Family Trust – (1) Declare intent to acquire approximately 2.06 acres of real property commonly known as Assessor's Parcel Number (APN) 051-020-001, located north of the Juvenile Justice Center at Los Guilicos from Steven N. Ledson, Trustee of the Ledson 2006 Family Trust U.T.D. February 9, 2006 ("Ledson"); (2) Declare intent to execute a lot line adjustment grant deed in favor of Ledson, for a portion of County real property commonly known as APN 051-020-050, located west of the Juvenile Justice Center at Los Guilicos, comprising approximately 2.00 acres; (3) Authorize the General Services Director to execute an Exchange Agreement and an Environmental Indemnity between Ledson and the County; and (4) Authorize the General Services Director to execute any other agreements, instruments and documents reasonably required to effect the exchange of real property described above. (4/5 vote required) (First District)

CONSENT CALENDAR (Continued)

17. Authorize the General Services Director to execute an amendment to a lease with 1360 McDowell LLC for Department of Health Services office space located at 1360 N. McDowell Boulevard, Petaluma, to (1) Extend the term through November 5, 2016; (2) Reduce the monthly rent payments; and (3) Make minor tenant improvements at the landlord's sole cost and expense. (Second District)

**HEALTH SERVICES**

18. Adopt a Resolution delegating authority to the Director of Health Services to accept approximately \$53 million in funding allocations as listed in Attachment A to the Resolution for Sonoma County and execute revenue agreements as necessary to receive revenue from state and federal agencies during Fiscal Year 2012-13.
19. Authorize the Director of Health Services to execute a contract with Santa Rosa Community Health Centers to provide HIV outreach, education, and testing services for the term September 1, 2012 through June 30, 2013 for a total of \$50,000; and Adopt a Resolution finding it is in the best interest of the community to authorize the donation of D429 2005 Ford E350 HIV testing van to Santa Rosa Community Health Centers for use in providing HIV outreach, education, and testing services in the community.
20. Spay/Neuter Pilot Program – (1) Authorize the Director of Health Services to execute a grant agreement with Community Foundation Sonoma County to implement a mobile spay/neuter pilot program for the term August 15, 2012 through December 31, 2013 in the amount of \$104,000; (2) Adopt a Resolution adjusting the Fiscal Year 2012-13 budget, increasing revenue and appropriations in the Department of Health Services by \$161,150 and increase use of fund balance in Animal Care and Control Public Education (spay/neuter) special revenue index by \$79,500 (4/5 vote required); (3) Adopt a Resolution amending the Departmental Allocation List, Department of Health Services, adding 0.50 FTE positions effective September 11, 2012. (4/5 vote required)

**HUMAN SERVICES**

21. Authorize the Interim Director of Human Services to execute agreements with the University of California, Davis Extension to provide Eligibility, Child Welfare, and Adult Services training to Human Services Department staff for the period of July 1, 2012 through June 30, 2013 for a total net contract value of \$169,081.

**PERMIT AND RESOURCE MANAGEMENT**

22. Adopt a Resolution and Conditions of Approval for a Lot Line Adjustment between two parcels, under Williamson Act contract, owned by A. Rafanelli Winery and Vineyards LP and Douglas Rafanelli for property located at 4865 W. Dry Creek Road, Healdsburg (File No. LLA11-0046). (Fourth District)

CONSENT CALENDAR (Continued)

**REGIONAL PARKS**

23. Accept and approve the Sonoma County Parks & Recreation Advisory Commission's report of accomplishments for 2011 and work plan for 2012.
24. Authorize the Regional Parks Director to enter into a professional services agreement with M.I.G. to develop the Tolay Lake Regional Park Master Plan and Environmental Document, for the period of September 11, 2012 through March 11, 2015, in an amount not to exceed \$677,357. (First and Second Districts)

**SHERIFF'S OFFICE**

25. Authorize the Sheriff to execute Amendment No. 3 to the agreement for food service management services with ARAMARK Correctional Services, LLC, extending the existing agreement for one year from July 1, 2013 through June 30, 2014, for an estimated cost of \$1,910,764 per year.
26. Authorize the Sheriff to execute the agreement with the Sonoma Valley Unified School District for a School Resource Officer Program at Sonoma Valley High School from July 1, 2012, to June 30, 2016. (First District)

**TRANSPORTATION AND PUBLIC WORKS**

27. Adopt a Resolution adopting a mitigated negative declaration, and mitigation monitoring program, and approving the project to construct a roundabout at the intersection of Arnold Drive and Agua Caliente Road. (First District)
28. Adopt a Resolution accepting a United States Department of Agriculture (USDA) \$513,000 grant and \$792,000 loan for a total amount of \$1,305,000 eligible for the implementation of the improvements to the Salmon Creek Water District System – County Services Area 41, subject to the Proposition 218 process; and authorize the Transportation & Public Works Director to execute all necessary and appropriate documents. (Fifth District)
29. Authorize the Chair to execute the non-Federal reimbursable agreement between the Department of Transportation Federal Aviation Administration (FAA) and Sonoma County, Charles M. Schulz – Sonoma County Airport, providing for the relocation of various navigational aids at the Sonoma County Airport. Estimated reimbursable costs to the FAA for the project are \$900,022. (Fourth District)

**MISCELLANEOUS**

30. Approval of Minutes – (1) Approve the Minutes of the Meeting of August 14, 2012 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District; Sonoma County Water Agency, and Board of Supervisors; and (2) Approve the Minutes of the Meeting of August 21, 2012 for the following: Agricultural Preservation and Open Space District, Sonoma County Water Agency, and Board of Supervisors. (3) Approve the Minutes of the Meeting of August 21, 2012 for the Sonoma Valley County Sanitation District.

CONSENT CALENDAR (Continued)

**APPOINTMENTS/REAPPOINTMENTS**

(Items 31 through 32)

31. Adopt a Resolution appointing nominees to the office of director of their respective districts and serve exactly as if elected at the November 6, 2012, Consolidated Presidential General Election for the term prescribed by law. (Clerk-Recorder-Assessor)
32. Appoint Jeffrey Edmonds to the Sonoma County Regional Parks Foundation Board of Directors for a term of two years. (Second District)

**V. REGULAR CALENDAR**

(Items 33 through 36)

**TRANSPORTATION AND PUBLIC WORKS**

33. **10:00 A.M.** – Fitch Mountain Water District Financing – Conduct a public hearing and Adopt a Resolution introducing, reading the title of, and waiving further reading of a proposed Ordinance amending Ordinance No. 4023, for the Fitch Mountain Water District for annual inflation rate increases approved by the Board of Supervisors on August 9, 2011 that are needed to fund the additional system improvement expenses of the District and water system for provision of water service. (First Reading) (Fourth District)

**ECONOMIC DEVELOPMENT BOARD**

34. Receive report on the 2012 Sonoma County Restaurant Week.

**BOARD OF SUPERVISORS**

**AND**

**AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT**

**COMMUNITY DEVELOPMENT COMMISSION**

**IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY**

**INDUSTRIAL DEVELOPMENT AUTHORITY**

**NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT**

**OCCIDENTAL COUNTY SANITATION DISTRICT**

**RUSSIAN RIVER COUNTY SANITATION DISTRICT**

**RIO NIDO GEOLOGIC HAZARD ABATEMENT DISTRICT**

**SONOMA COUNTY FAIR AND EXPOSITION, INC.**

**SONOMA COUNTY PUBLIC FINANCING AUTHORITY**

**SONOMA COUNTY WATER AGENCY**

**SONOMA COUNTY WATER AND WASTEWATER FINANCING AUTHORITY**

**SOUTH PARK COUNTY SANITATION DISTRICT**

(Directors/Commissioners: Brown, Rabbitt, Zane, McGuire, Carrillo)

**AND**

**SONOMA VALLEY COUNTY SANITATION DISTRICT**

(Directors: Brown, Carrillo, Sanders)

35. Affirm commitment to fully comply with the Brown Act, when sitting as the Board of Supervisors and as the governing board of any other District, Commission, Authority or Board.

**BOARD OF SUPERVISORS**

36. Approve a Fee Waiver in the amount of \$186 by Neighbors Organized Against Hunger (NOAH) for a two year Retail Food Facility permit from Environmental Health (\$93 per year). (Third District)



## **VI. CLOSED SESSION CALENDAR**

(Items 37 through 43)

37. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Existing Litigation – Name of Case: In the Matter of Application of California-American Water Company (U210W) for an Order Authorizing and Imposing a Moratorium on New Water Service Connections in its Larkfield District, Proceeding No. A.11-09-016 (California Public Utilities Commission) (Govt. Code Section 54956.9 (a)).
38. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Initiation of Litigation (Govt. Code Section 54956.9 (c)).
39. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Initiation of Litigation (Govt. Code Section 54956.9 (c)).
40. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Anticipated Litigation – Name of Case: 2010 ARRA Cost Savings Overlay Project (Govt. Code Section 54956.9 (b)).
41. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Existing Litigation – Name of Case: Argonaut Constructors v. County of Sonoma (Arbitration), regarding the Sonoma Mountain Road Slide Repair Project (Govt. Code Section 54956.9 (a)).
42. The Board of Supervisors will consider the following in closed session: Conference with Real Property Negotiator – Property: 27+/- acre site located at the Central Disposal Site at 500 Meham Road, Petaluma, CA. Negotiators – For Owner: County of Sonoma, Phillip Demery, Director of Transportation and Public Works Department; For Licensee: Sonoma County Waste Management Agency (SCWMA), Henry Mikus, Executive Director. Under Negotiation: Terms and conditions of potential license of County property to SCWMA for purposes of composting operations (Govt. Code Section 54956.8).
43. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Anticipated Litigation (Govt. Code Section 54956.9 (b)).

## **VII. REGULAR AFTERNOON CALENDAR**

(Items 44 through 49)

### **2:00 P.M. - RECONVENE FROM CLOSED SESSION**

44. Report on Closed Session.
45. **PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA**  
(Comments are restricted to matters within the Board jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting.)
46. Permit and Resource Management Department: Review and possible action on the following:
- Acts and Determinations of Planning Commission/Board of Zoning Adjustments
  - Acts and Determinations of Project Review and Advisory Committee
  - Acts and Determinations of Design Review Committee
  - Administrative Determinations of the Director of Permit and Resource Management

### **PERMIT AND RESOURCE MANAGEMENT**

47. **2:10 P.M. – MNS11-0009 – (SECOND DISTRICT)**
- APPLICANT: Tom Bachman
  - LOCATION: 6525 Lakeville Highway, Petaluma
  - ASSESSOR'S PARCEL NO.: 068-110-026, -044, and -045
  - ENVIRONMENTAL DOCUMENT: Negative Declaration
  - REQUEST: Conduct a public hearing and consider adoption of a Resolution for a Minor Subdivision of 166 +/- acres of Williamson Act Contracted land into two lots of 99.61 +/- and 63.36 +/- acres and a dedication of 3.2 +/- acres to the County of Sonoma for Lakeville Highway. (UNCONTESTED HEARING)
48. **2:10 P.M. – ZCE11-0024 – (COUNTYWIDE)**
- APPLICANT: N/A
  - LOCATION: Countywide
  - ASSESSOR'S PARCEL NO.: Various
  - ENVIRONMENTAL DOCUMENT: Categorical Exemption
  - REQUEST: Conduct a public hearing and consider adoption of an Ordinance amending Chapter 26 of the Sonoma County Code to repeal the Parking District, and Mobilehome Park combining districts and rezone five properties to remove the Parking District. (UNCONTESTED HEARING)
49. **2:10 P.M. – UPE11-0093 – (FIRST DISTRICT)**
- APPLICANT: David Brigode, Interfaith Shelter Network Inc.
  - APPELLANT: Ron Jayne
  - LOCATION: 14148 Arnold Drive, Glen Ellen
  - ASSESSOR'S PARCEL NO.: 054-070-040
  - ENVIRONMENTAL DOCUMENT: Categorical Exemption
  - REQUEST: Conduct a public hearing and consider adoption of a Resolution to deny the appeal of the Board of Zoning Adjustments approval of a Minor Use Permit to legalize an existing second dwelling unit and a request for a reasonable accommodation owned by Interfaith Shelter Network Inc. (REGULAR HEARING)

**NOTE:**

**The next meeting will be held on September 18, 2012 at 8:30 a.m.**

**Upcoming Hearings** (All dates tentative until each agenda is finalized)

1. October 2<sup>nd</sup> (AM) – Resolution of Intent - Ground Water Management Plan
2. October 2<sup>nd</sup> (AM) – Environmental Health Milk and Dairy Fees
3. October 23<sup>rd</sup> (PM) – General Plan Amendments (Round 2)
4. October 23<sup>rd</sup> (PM) – Draft EIR for Watmaugh Road Bridge Project



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** <sup>1</sup>  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Fire & Emergency Services

**Staff Name and Phone Number:**

**Supervisory District(s):**

Mark Aston, 565-1157

All

**Title:** Commemoration of the sacrifices and heroic actions on September 11, 2001.

### **Recommended Actions:**

Approve a gold resolution in remembrance of the sacrifices and heroic actions after the attacks on America on September 11, 2001.

### **Executive Summary:**

On September 11, 2001, 19 militants associated with the Islamic extremist group al-Qaeda hijacked four airliners and carried out suicide attacks against targets in the United States. Two of the planes were intentionally flown into the twin towers of the World Trade Center in New York City killing everyone on board and thousands of those working in the buildings. Both towers collapsed within two hours, destroying nearby buildings and damaging others. The third plane was crashed into the Pentagon just outside Washington, D.C. The hijackers redirected the fourth plane toward Washington, D.C., but it was crashed in a field in Pennsylvania after passengers attempted to retake control of the airliner. Its ultimate target is believed to have been either the Capitol or the White House. There were no survivors from any of the flights.

The attacks resulted in extensive loss of life and property destruction with 2,996 deaths, including the 19 hijackers and 2,977 victims. A total of 411 emergency workers who responded to the Twin Towers died as they attempted to rescue people and fight fires. The New York City Fire Department (FDNY) lost 341 firefighters and 2 paramedics. The New York City Police Department lost 23 officers. The Port Authority Police Department lost 37 officers, and 8 additional emergency medical technicians (EMTs) and paramedics from private EMS units were killed.

The good news 11 years after 9/11 is that the world has and is changing, but in ways that contradict the narrative Osama bin Laden advanced before his death. Over the past decade, international cooperation and coordinated action have reduced the threat. It seems that terrorist attacks—originally planned to weaken society—can act as catalysts to develop strengths related to human relations, to improve social and community aspects, and even, philosophical or spiritual aspects.

The damage to the Pentagon was cleared and repaired within a year, and the Pentagon Memorial was built adjacent to

the building. Each of the 184 victims of the terrorist attack on the Pentagon were honored with a bench in a two-acre park.

The rebuilding of the World Trade Center site began in 2002 and remains an ongoing project. According to Wikipedia, at the time of its completion in 2013, One World Trade Center (1 WTC) will be the tallest building in the Western Hemisphere and the third-tallest building in the world by pinnacle height, with its spire reaching a symbolic 1,776 feet (541.3 m) in reference to the year of American independence. 1 WTC has been the tallest building in New York since April 30, 2012. The new World Trade Center complex will also feature three other high-rise office buildings, located along Greenwich Street, and the National September 11 Memorial & Museum, located just south of One World Trade Center, where the Twin Towers once stood. The construction is part of an effort to memorialize and rebuild following the destruction of the original World Trade Center complex during the attacks of September 11, 2001.

The heartbreaking losses of 9/11 continue to resonate with the American people. We remember the many souls who lost their lives on September 11, 2001, at the World Trade Center, the Pentagon, and on airline flights 11, 175, 77, and 93. The courage and sacrifice shown by the FDNY firefighters, the NYC Police, and other NYC EMS will never be forgotten. History will remember 9/11/2001.

**Prior Board Actions:**

Approval of 9/11 Gold Resolution on 9/13/11.

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

Community members are socially supported and the community is prepared to respond to emergencies.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

Gold Resolution

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

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution of the Board of Supervisors of the County of Sonoma, State of California, Commemoration of the Sacrifices and Heroic Actions on September 11, 2001.**

**Whereas**, the County of Sonoma will forever remember those 2,977 people who gave their lives on September 11, 2001.

**Whereas**, we remember the amazing courage of 343 members of the Fire Department of New York, 60 police officers of New York and the 8 private EMTs and paramedics who made the ultimate sacrifice in order to ensure the safety and protection of the citizens they serve.

**Whereas**, we remember the resolution of those on Flight 93 who refused to allow terrorists to continue their attacks even at the sacrifice of their own lives.

**Whereas**, we remember the 184 people killed at the Pentagon that day.

**Whereas**, we remember the firefighters, police, paramedics and volunteers who came from all over the country after that day to help recovery efforts and begin the difficult task of rebuilding.

**Whereas**, we will remember that “The attacks of September 11th were intended to break our spirit. Instead we have emerged stronger and more unified.”--Rudolph W. Giuliani

**Now, Therefore, Be It Resolved**, that the Sonoma County Board of Supervisors hereby commemorates the incredible sacrifices and heroic actions of September 11, 2001 and the incredible resilience of the American people.

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**



County of Sonoma  
Agenda Item  
Summary Report

**Agenda Item Number:** 2  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:**

**Board Agenda Date:** September 11, 2012      **Vote Requirement:** Majority

**Department or Agency Name(s):** BOS

**Staff Name and Phone Number:** David Rabbitt (707)565-2241  
**Supervisory District(s):** Second District

**Title:** Gold Resolution

**Recommended Actions:**  
Resolution recognizing Petaluma Education Foundation for 30 years of dedication to local education.

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment:** Not Applicable

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>



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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

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

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: September 11, 2012**

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California; Recognizing the Petaluma Education Foundation for 30 years of service to Petaluma Education.**

**Whereas,** the *Petaluma Educational Foundation (PEF)* this year celebrates 30 years of serving all thirty-six public, charter and not-for-profit K-12 schools in the Petaluma Area. Since PEF's inception in 1982, this privately funded, non-profit organization made up of teachers, business leaders and community activists has raised and distributed over \$4,000,000 to Petaluma's schools; from kindergarten through high school

**Whereas,** *Petaluma Educational Foundation* believes every child has a dream. Their mission is to create community partnerships to fulfill these dreams by funding programs to enhance and enrich the academic experience of all 13,000 Petaluma students. "We believe in them. We empower them. We invest in their future."

**Whereas,** *Petaluma Educational Foundation* receives no public funds and relies solely on the generous contributions of all who believe success in the future depends on educational excellence.

**Now, Therefore, Be It Resolved** that the, Board of Supervisors of Sonoma County, do hereby recognize the enormous contributions of the *Petaluma Educational Foundation* to Petaluma education and proudly thank them on thirty years of service to the youth, families and community of Petaluma and Sonoma County.

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 3  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Mike McGuire, 565-3758

Fourth

**Title:** Gold Resolution.

**Recommended Actions:**

Adopt a Resolution commending Lee Dysart for his three decades of dedicated, exemplary service to the citizens of Windsor through his work on the Shiloh Cemetery District Board of Trustees.

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment:** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

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

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopt A Resolution commending Lee Dysart for his three decades of dedicated, exemplary service to the citizens of Windsor through his work on the Shiloh Cemetery District Board of Trustees.**

**Whereas**, the Shiloh Cemetery District was authorized by voter approval in 1937 to serve the Citizens of Windsor, California, and the immediate surrounding area; and

**Whereas**, Lee Dysart was appointed by the Sonoma County Board of Supervisors to the Shiloh Cemetery District Board of Trustees on October 1984; and

**Whereas**, during his tenure on the Board of Trustees, Mr. Dysart was instrumental in the design, development and dedication of the Memorial Lawn and Oak Lawn Expansions;

**Whereas**, Mr. Dysart helped to successfully execute the procurement of additional property for the future expansion of the Shiloh Cemetery; and

**Whereas**, Mr. Dysart has actively served the Windsor community from the beginning of the Town's incorporation process, even being present at the groundbreaking for the first stop light in Windsor; and

**Whereas**, Mr. Dysart served on the original Windsor Municipal Advisory Council, the Municipal Advisory Council, Windsor Environs Citizens Committee, Citizens Advisory Committee to the Windsor Specific Plan and Past President of the Windsor Chamber of Commerce; and

**Whereas**, Lee Dysart has faithfully served the citizens of Windsor, and is now retired from the Shiloh District Board effective June 29, 2012.

**Now, Therefore, Be It Resolved** that the Board of Supervisors of the County of Sonoma does hereby commend and honor Lee Dysart for his three decades of dedicated, exemplary service to the citizens of Windsor through his work on the Shiloh Cemetery District Board of Trustees.

**Supervisors:**

Brown:                      Rabbitt:                      McGuire:                      Carrillo:                      Zane:

Ayes:                      Noes:                      Absent:                      Abstain:

**So Ordered.**



County of Sonoma  
Agenda Item  
Summary Report

**Agenda Item Number:** 4  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:**

**Board Agenda Date:** September 11, 2012      **Vote Requirement:** Majority

**Department or Agency Name(s):** BOS

**Staff Name and Phone Number:** David Rabbitt (707)565-2241      **Supervisory District(s):** Second District

**Title:** Gold Resolution

**Recommended Actions:**  
Resolution recognizing Petaluma National Little League on their record setting season.

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment:** Not Applicable

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

**Staffing Impacts**

<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A – I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

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

**Attachments:**

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

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: September 11, 2012**

**Resolution of the Board of Supervisors of the County Of Sonoma, State Of California, Recognizing Petaluma National Little League; West Division Champions and Third Highest Ranked Team in the World.**

**Whereas**, Little League Baseball, Incorporated is a non- profit organization whose mission is to “promote, develop, supervise and voluntarily assist in all lawful ways, the interest of those who will participate in Little League Baseball and Softball.”

**Whereas**, through proper guidance and exemplary leadership, the Little League programs assist children in developing superior citizen rather than superior athletes.

**Whereas**, Petaluma National Little League carries out the mission of National Little League Baseball organization with a strong community presence and with support from local business and individuals.

**Whereas**, The Petaluma National Little League team has exhibited exemplarity leadership, sportsmanship, hard work and perseverance in representing their community on the International Stage in Williamsport Pennsylvania.

**Now, Therefore, Be It Resolved** we urge our community to commend and congratulates Petaluma National Little League for participating with over 4,000 teams across the World and for their achieved ranking of Third in the World and Second in the United States and for achieving the official title of Little League West Champions

**Be It Further Resolved** that the Sonoma County Supervisors do hereby recognize and congratulate the Petaluma National Little League players: Kempton Brandis, Daniel Marzo, Porter Slate, Andrew White, Blake Buhner, Dylan Moore, Hance Smith, Logan Douglas, James O’Hanlon Bradley, Smith Quinton, Gago Austin Paretto, Cole Tomei and coaching leadership; Coach Trevor Tomei and Coach Mike Slate and Team Manager Eric Smith, for representing our community, honorable, international.

**Supervisors:**

Brown:                      Rabbitt:                      McGuire:                      Carrillo:                      Zane:

Ayes:                      Noes:                      Absent:                      Abstain:

**So Ordered.**





County of Sonoma  
Agenda Item  
Summary Report

**Agenda Item Number:** 5  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Supervisor Shirlee Zane

Third

**Title:** Gold Resolution

**Recommended Actions:**

Approve Gold Resolution honoring Laurie Parish for her service to the County and to the Volunteer Center of Sonoma County (Third District).

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment:** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

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

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 09/11/2012**

**Resolution of the Board of Supervisors of the County of Sonoma, State of California, honoring Laurie Parish for her service to the County and to the Volunteer Center of Sonoma County.**

**Whereas**, Laurie Parish has been a valued employee of the Volunteer Center since February, 2001; and

**Whereas**, through creative, diligent and professional services, Laurie Parish has built the Volunteer Center's RSVP (Retired Senior Volunteer Program) into one of the stellar programs in our State; and

**Whereas**, Laurie Parish has established relationships and supported numerous non-profits in our community through her own volunteer work and recruitment of other volunteers; and

**Whereas**, Laurie Parish's due diligence with the Federal bureaucracy and patience with the myriad reporting requirements has resulted in high marks for the RSVP program annually; and

**Whereas**, Laurie Parish, through her dedication and kindly interaction, has recruited and managed over 800 Senior volunteers each year who provide over 130,000 hours of volunteer service to county non-profits annually; and

**Whereas**, Laurie Parish, through her professionalism and networking, has made the Sonoma County RSVP program known and respected both regionally and nationally.

**Now, Therefore, Be It Resolved** that the Board of Supervisors of Sonoma County does hereby honor Laurie Parish for her service to her community and her excellent stewardship of RSVP in Sonoma County.

**Supervisors:**

Brown:                      Rabbitt:                      McGuire:                      Carrillo:                      Zane:

Ayes:                      Noes:                      Absent:                      Abstain:

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 6  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** BOS

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Mike McGuire, 565-3758

Fourth

**Title:** Gold Resolution.

**Recommended Actions:**

Adopt a Gold Resolution Celebrating the Grand Opening of the Osher Lifelong Learning Institute in Healdsburg, an adult education program that will benefit thousands of learners in Northern Sonoma County.

**Executive Summary:**

**Prior Board Actions:**

None.

**Strategic Plan Alignment:** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

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

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopt a Gold Resolution Celebrating the Grand Opening of the Osher Lifelong Learning Institute in Healdsburg, an adult education program that will benefit thousands of learners in Northern Sonoma County.**

**Whereas**, the Osher Lifelong Learning Institute (“OLLI”) was founded to provide high quality continuing education to adults; and

**Whereas**, in 2002 the OLLI program at Sonoma State University became the second OLLI program in the nation, and there are now over 100; and

**Whereas**, Adult education has proven to be a catalyst for community and for life enrichment and thousands of adults have enjoyed SSU/OLLI programs in the last 11 years; and

**Whereas**, OLLI is an experience more than a place: at Sonoma State University it is held in a large meeting room, in Oakmont it’s held in a community room; and

**Whereas**, beginning Fall 2012, OLLI is expanding to Healdsburg and Northern Sonoma County, offering three six-week courses at the Villa Chanticleer; and

**Whereas**, the opening of the Healdsburg OLLI was made possible by the support of the Sonoma State University Office of Extended Education and SSU President Ruben Arminana, as well as a dedicated group of volunteers led by Healdsburg resident Bob Santos; and

**Whereas**, with the opening of the Healdsburg OLLI, students of all ages from Northern Sonoma County will now have more immediate access to a number of diverse and interesting adult educational programs, on a variety of topic areas, thereby increasing knowledge and

**Now, Therefore, Be It Resolved** that the Sonoma County Board of Supervisors does hereby acknowledge and celebrate the opening of the Osher Lifelong Learning Institute (“OLLI”) in Healdsburg, California, bringing another level of educational excellence to our region.

**Supervisors:**

Brown:                      Rabbitt:                      McGuire:                      Carrillo:                      Zane:

Ayes:                      Noes:                      Absent:                      Abstain:

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 7  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Directors, SCAPOSD  
Board of Supervisors, Regional Parks

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sonoma County Agricultural Preservation and Open Space District  
Sonoma County Regional Parks

**Staff Name and Phone Number:**

**Supervisory District(s):**

Leslie Lew 565-7367/Mark Cleveland 565-3349

1st

**Title:** Montini Open Space Preserve -Trail Construction Contract Procurement and Administration Services

### Recommended Actions:

Authorize the General Manager of the Sonoma County Agricultural Preservation and Open Space District ("District") and the Director of the Regional Parks Department ("Regional Parks") to execute an agreement for an amount not to exceed \$39,296 pursuant to which Regional Parks will provide trail construction contract and oversight assistance to the District for the Montini Open Space Preserve ("Preserve") trail system from September 11, 2012 to December 30, 2013.

Authorize the General Manager of the District to execute a Right-of-Entry permit with California State Parks that grants the District access to State land adjacent to the Preserve for trail construction purposes from October 1, 2012 to October 31, 2013.

### Executive Summary:

#### SUMMARY

Since July 2005, the District has worked cooperatively with the City of Sonoma, California State Parks, and the Sonoma Overlook Trail Task Force, along with other partners and individuals to develop a trail plan to connect the District's Preserve with the City of Sonoma's Sonoma Overlook Trail, the Field of Dreams, and the Vallejo Home Site of Sonoma State Historic Park. This collaborative effort has resulted in the Montini Open Space Preserve trail project, a component of the Preserve Management Plan. CEQA documentation for this trail project was completed as part of the Management Plan and Initial Study/Mitigated Negative Declaration approved by the Board in October of 2009.

The subject trail project is the construction of a new 1.8-mile trail extending from trailheads that will be established at 1<sup>st</sup> Street West and 4<sup>th</sup> Street West in the City of Sonoma, into the Preserve, connecting to the existing Sonoma Overlook Trail. The trail will link over 100 acres across the scenic backdrop for the City of Sonoma. The proposed agreement between the District and Regional Parks will enable the District to solicit bids to construct the trail. The proposed Right-of-Entry from California State Parks is required to construct the trail.

## DISCUSSION

Under the proposed the agreement, Regional Parks will use its construction management expertise to (1) complete the construction documents to County standards, (2) prepare a construction bid packet , (3) obtain the necessary ministerial permits and approvals, (4) administer the public bidding process, which will culminate in the award of a contract to the lowest responsible bidder by the District's Board of Directors and (5) oversee all contractors during implementation of the trail construction plan. Regional Parks will also assist the District in monitoring compliance with all environmental permit conditions, CEQA mitigation measures, State Right-of-Entry requirements, and County ministerial permit conditions as approved by Permit and Resource Management Department (PRMD), if any.

Access to the Preserve from the 4<sup>th</sup> St. West trailhead will be provided through the Vallejo Home Site of Sonoma State Historic Park. The California Department of Parks and Recreation (DPR) requires that the District obtain a Right-of-Entry permit to allow the District and its contractors to access a portion of State property where a 0.1 mile section of the proposed trail will be constructed. Once the trail is constructed and opened to the public, the State will operate and maintain that segment of the trail, pursuant to a Memorandum of Understanding entered into between the District and DPR. The term of the Right-of-Entry is from October 1, 2012 to October 31, 2013 and will be provided to the District without charge.

## RECOMMENDATIONS

Staff recommends that the District Board of Directors and the County Board of Supervisors:

Authorize the District's General Manager and the Director of Regional Parks to execute an agreement for an amount not to exceed \$39,296 pursuant to which Regional Parks will provide trail construction contract and oversight assistance to the District for the Preserve trail system; and

Authorize the General Manager of the District to execute a Right-of-Entry permit with California State Parks that grants the District access to State land adjacent to District property for trail construction purposes.

If the Board approves the proposed actions, District staff will return to the Board of Directors for the award of the trail construction contract.

## **Prior Board Actions:**

- May 8, 2012 – the Board authorized an amendment to the existing Professional Services Agreement with the Bay Area Ridge Trail Council ("BARTC") for trail construction management expertise for the Project.
- December 6, 2011 – the Board approved a license agreement with the City of Sonoma and the Field of Dreams organization to construct a segment of the Montini Open Space Preserve trail system.
- February 9, 2010 – the Board approved an agreement with BARTC to provide technical assistance to the District for several projects, including the Montini Open Space Preserve.
- October 6, 2009 – the Board approved a management plan and mitigated negative declaration for the Montini Open Space Preserve.
- August 2, 2005 – the Board approved the acquisition of a conservation easement (53 acres) on and fee title interest (98 acres) in the 151-acre Montini property.



**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

The construction of the Preserve trail system will provide a trail over varied terrain with beautiful scenery and wildlife for people of all abilities to enjoy.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 39,296.00	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 39,296.00
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 39,296.00</b>	<b>Total Sources</b>	<b>\$ 39,296.00</b>

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

The District included this expense in its FY 12/13 budget for capital improvements (697029-8510). The funding source is sales tax revenue.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

**Attachments:**

1. Montini Open Space Preserve Trail Project Map
2. Agreement for Construction Contract Procurement and Administration Services




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

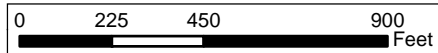
1. State Right-of-Entry permit



Photo Source: AirPhotoUSA 2004  
This map is for illustrative purposes only and is not intended to be a definitive property description.

### Montini Open Space Preserve Future Trail

-  Montini Open Space Preserve
-  Proposed Trail
-  Sonoma Overlook Trail and other Regional Trails



**AN AGREEMENT  
BETWEEN  
THE COUNTY OF SONOMA  
AND  
THE SONOMA COUNTY AGRICULTURAL PRESERVATION AND  
OPEN SPACE DISTRICT FOR  
CONSTRUCTION CONTRACT PROCUREMENT AND ADMINISTRATION SERVICES  
(Montini Open Space Preserve Trails)**

This Agreement is entered into on the date of the last signature below (“Effective Date”) by and between the County of Sonoma, a political subdivision of the State of California (“County”), and the Sonoma County Agricultural Preservation and Open Space District, a special district created pursuant to Public Resources Code sections 5500 et seq. (“District”).

**Recitals**

- A. The District owns a 98-acre property (“the Property”), a portion of which is located within the limits of the City of Sonoma and the remainder of which is located in the unincorporated area of Sonoma County, as more particularly described in Exhibit “A,” attached hereto and herein incorporated by reference;
- B. The District has approved a trail construction project on the Property (“Project”), as more particularly described in Montini Open Space Preserve Management Plan dated November 2008 (“the Management Plan”) and has adopted a Mitigated Negative Declaration for the Montini Open Space Preserve Management Plan, dated October 6, 2009, as amended by the Addendum to a Previously Adopted Mitigated Negative Declaration for the Montini Open Space Preserve dated October 28, 2010, attached hereto as Exhibit “B” and herein incorporated by reference, (“Environmental Documents”).
- C. The District has received a Right of Entry Permit from the State of California, by and through its Department of Parks and Recreation, authorizing the District and its contractors to access the Vallejo Home site of Sonoma State Historic Park for purposes of carrying out the Project (“State Right of Entry Permit”), a copy of which is attached hereto as Exhibit “C,” and incorporated herein by reference.
- D. The County is duly qualified and experienced in the areas of construction contract procurement, management and administration, particularly for construction of the improvements identified in the Management Plan.
- E. In the judgment of the Board of Directors of the District, it is necessary and desirable to employ the services of the County to procure and contract with experienced contractors for implementation of the Project.

## Agreement

1. *County's Obligations.* County will:

(a) Complete the services described in the Scope of Work, attached hereto as Exhibit "D," and incorporated herein by reference. To the extent the requirements set forth in the body of this Agreement are more stringent, detailed or comprehensive with respect to any particular task or duty required of County, the more stringent, detailed, or comprehensive requirements shall apply. Similarly, to the extent the requirements set forth in Exhibit "D" are more stringent, detailed or comprehensive with respect to any particular task or duty required of County, the more stringent, detailed, or comprehensive requirements shall apply.

(b) Comply with applicable laws regulating public works construction projects, including Public Resources Code section 5594; and

(c) Advise District regarding all requisite grading, building and encroachment permits and local agency approvals that may be required for all plans and specifications necessary for implementation of the Project and ensure construction contractor secures the same; and

(d) Procure and contract with experienced qualified contractors for the construction of the trail and related improvements identified in the Management Plan and Trail Log (as defined Section 2(b) below), including tasks identified in Exhibit "D," attached hereto and incorporated herein, in compliance with applicable California laws regulating public works construction projects and in compliance with the provisions of the Environmental Documents and the State Right of Entry Permit; County construction contract forms and bid processes will be used for the Project, provided, however, that the District shall be the contracting agency and shall therefore be identified as the Project Owner, which status will include identification as the insured and indemnified party; and

(e) Administer the bidding for the project so that construction is scheduled for completion by November 2013 and in conformance with the Management Plan and Trail Log, all regulatory permits, the Environmental Documents and the State Right of Entry Permit. County will be responsible for planning and scheduling all aspects of the Project and related development efforts. Construction shall not begin until requisite approvals are obtained from all necessary regulatory bodies; and

(f) Present a monthly progress report that shall keep the District informed of the procurement process and the progress of contract bidding, management and administration; and

(g) Present its claims for payment quarterly in arrears on the form attached hereto as Exhibit A; and

(h) Coordinate with District staff to integrate the Project design with environmental and regulatory permit compliance requirements. Make timely responses to and cooperate with the District in their oversight of implementation of the Project; and

2. *District's Obligations.* District will:

(a) Respond to County's requests for information in a timely manner; and

(b) Provide for inclusion in the project manual (1) a site map and (2) a Trail Log, consisting of a graphic showing the stationing of trail improvements and a table identifying trail prescriptions for each segment of trail ("Trail Log").

(c) Review and, to the extent warranted, allow the County's claims for payment in a timely manner in accordance with the Payment Terms attached hereto as Exhibit "E" and incorporated herein; provided however that total payment under this Agreement shall not exceed \$39,296.

(d) Provide design specifications to the County, which County shall use in the construction documents only after County has reviewed and determined the specifications to be consistent with the Management Plan, Environmental Documents, and the State Right of Entry Permit.

3. *Term.* The term of this Agreement shall be from the Effective Date to December 30, 2013, unless terminated earlier in accordance with the provisions of Article 7 below.

4. *Indemnification.* Each party shall indemnify, defend, protect, hold harmless, and release the other, its officers, agents, and employees, from and against any and all claims, loss, proceedings, damages, causes of action, liability, costs, or expense (including attorneys' fees and witness costs) arising from or in connection with, or caused by any act, omission, or negligence of such indemnifying party. Notwithstanding the foregoing, should District receive a claim from any third party arising out of or related to the Project or any work performed hereunder, including but not limited to any contractor procured hereunder and regardless of whether such contractor is a District or County contractor, County shall afford all reasonably necessary costs incurred by District in the defense of such claim, including, but not limited to, District's attorneys' fees. This indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages or compensation payable to or for the indemnifying party under workers' compensation acts, disability benefit acts, or other employee benefit acts.

5. *Insurance.* The District and the County mutually represent and acknowledge that they are self-insured or are insured through a pooled-risk joint powers authority, that they have exchanged documentation evidencing the other's self-insurance program and that the programs represent reasonable assurance of the ability of each to perform their respective obligations under this Agreement.

6. *Method and Place of Giving Notice, Submitting Bills and Making Payments.*

(a) Caryl Hart, Director  
County of Sonoma Regional Parks  
2300 County Center Drive Suite 120A  
Santa Rosa, California 95403

(b) William J. Keene, General Manager  
Sonoma County Agricultural Preservation and Open Space District  
747 Mendocino Avenue, Suite 100  
Santa Rosa, CA 95401

7. *Termination.*

(a) Termination Without Cause. Notwithstanding any other provision of this Agreement, at any time and without cause, either party shall have the right in its sole discretion, to terminate this Agreement by giving thirty (30) days written notice to the other.

(b) Termination for Cause. Notwithstanding any other provision of this Agreement, should either party fail to perform any of its obligations hereunder within the time and in the manner herein provided, or otherwise violate any of the terms of this Agreement, the other party may immediately terminate this Agreement by giving written notice of such termination, stating the reason for such termination.

(c) In the event of termination, County shall assign to District its rights under any contract entered into on behalf of the District pursuant to this Agreement.

8. *Miscellaneous Provisions*

(a) No Waiver of Breach. The waiver by the District of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Agreement.

(b) Construction. To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. The County and the District acknowledge that they have each contributed to the making of this Agreement and that, in the



IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

COUNTY: SONOMA COUNTY REGIONAL PARKS  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AS TO SUBSTANCE  
FOR COUNTY:  
By: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AS TO FORM FOR COUNTY:  
By: \_\_\_\_\_  
Deputy County Counsel  
Date: \_\_\_\_\_

DISTRICT: SONOMA COUNTY AGRICULTURAL  
PRESERVATION AND OPEN SPACE  
DISTRICT  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AS TO SUBSTANCE  
FOR DISTRICT:  
By: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AS TO FORM FOR DISTRICT:  
By: \_\_\_\_\_  
Deputy County Counsel  
Date: \_\_\_\_\_



**EXHIBIT A**

**PROPERTY DESCRIPTION**

**EXHIBIT B**

**ENVIRONMENTAL DOCUMENTS**

**EXHIBIT C**

**STATE RIGHT OF ENTRY PERMIT**

## EXHIBIT D

### SCOPE OF WORK

#### **Construction Bidding and Management by Regional Parks for the Construction of the Montini Open Space Preserve Capital Improvements Project**

##### **I. CONTRACT DEVELOPMENT AND BIDDING-RELATED WORK**

Staff of the Sonoma County Regional Parks Department – Planning Division will:

- Review all regulatory permits, the Management Plan, Environmental Documents, and the State Right of Entry Permit for incorporation of conditions and mitigations into the construction documents. County shall assign all appropriate staff, including a Senior Park Planner and Park Planning Technician to complete these tasks.
- Prepare prequalification packages, hold pre-qualification site meeting, and evaluate pre-qualification proposals in accordance with Public Contract Code section 20101, and create final list of contractors eligible for bidding
- Prepare bid documents, details and technical specifications, including finalizing trail log provided by District consultant and finalizing District-supplied map graphic showing stationing of trail improvements
- Provide bid package to District prior to initiating requests for bids, and release bid package only after approval by District
- Prior to bid advertisement, and as Project proceeds, work closely with District to ensure warranties required of labor and materials contractors are adequate in the opinion of District and that warranties actually supplied by such contractors comport with the technical specifications.
- Advertise for bids and administer the public bidding process, including answering questions from potential bidders, clarifying plans and specifications as necessary, and preparing addenda
- Schedule, prepare agenda, attend and facilitate pre-bid meeting
- Evaluate bids and review licensing, references and qualifications of bidders
- Provide District with names of contractor(s) proposed to be selected prior to final selection by Board of Directors
- Prepare Board reports for (i) awarding of construction contract and delegating to General Manager authority to approve change orders up to 10% of contract amount and issue of notice of completion and (ii) any change orders in excess of 10%.
- Prepare construction contract between the District and the selected general contractor, review and process bonds and insurance, ensuring that contracts comply with all terms of the State Right of Entry Permit
- Provide District with schedule of completion, listing date for each project component
- Provide District with detailed project budget, including labor and materials for each project component

## **II. CONTRACT ADMINISTRATION**

- Review submittals, including all requests for disbursement, provided by general contractor for submission to the District, to ensure their adequacy for District purposes and their compliance with the State Right of Entry Permit
- Coordinate with District's consultants and permitting agencies to ensure adequate management and monitoring of construction
- Manage and monitor construction, ensuring compliance with the Management Plan and Trail Log, regulatory permits, the Environmental Documents and the State Right of Entry Permit, performing bi-weekly site visits and, for each such visit, preparation of a construction observation report documenting coordination with District trail construction management consultant, progress of work, summary of trail construction costs to date, compliance with construction plans, details, specifications, and construction schedule, issues or clarifications to work scope, regulatory permit, environmental, and Right of Entry compliance if necessary. Reports shall include a summary of site visit observations, instructions to contractors, and other pertinent information.
- Implement Management Plan and Trail Log construction protocol
- Implement Environmental Documents mitigation monitoring plan
- Perform quarterly site visits to assess quality and quantity of work performed, corrections to work, revisions to construction schedule, and progress payment requests. Prepare quarterly reports (1) summarizing bi-weekly reports and (2) documenting current project status, including consistency of contractor's performance with plans and specifications, project schedule, and evaluation of progress payments submitted for approval.
- Perform final walk thru, prepare punch lists, prepare Notice of Completion for execution by General Manager

**EXHIBIT E**  
**PAYMENT TERMS**

1. *Labor.* District will reimburse County for all reasonable direct and indirect labor costs and administrative costs reasonably and necessarily incurred by County in the performance of its obligations under this Agreement, provided claims for such costs are calculated and supported as follows, and further provided that total payment to County for all labor, materials, supplies and contract labor required under this Agreement shall not exceed \$39,296.00.

A. *Direct Labor Costs.* The hourly rate for direct labor costs (inclusive of salary and benefits) shall be calculated using the applicable rate set forth in the County's Adopted Budget (as adjusted) for the applicable fiscal year and for the employee performing the work.

B. *Indirect Costs.* Should County have an approved indirect cost rate that can be applied to the direct labor costs or an approved billing rate that is inclusive of both direct and indirect costs, either of those rates is allowable to determine indirect costs to the program.

C. *Adjustment of Factors.* The foregoing factors may be adjusted, from time to time, by County if approved by District's General Manager.

2. *Materials, Supplies and Contract Labor.* District will reimburse County for all costs reasonably and necessarily incurred in purchasing materials, supplies and contract labor required by County to perform its obligations under this Agreement, provided claims for such costs are calculated and supported as follows, and further provided that total payment to County for all labor, materials, supplies and contract labor required under this Agreement shall not exceed \$39,296.

A. *Procurement.* County shall follow the procurement procedures required by laws applicable to a special district created by Public Resources Code section 5500 et seq. and shall, in any event, assure that costs do not exceed fair market value.

B. *Invoices.* Reimbursement shall be conditioned on County submitting written invoices to District's General Manager that reflect compliance with applicable procurement requirements and provide sufficient information so that District's General Manager can make an informed decision as to whether to allow, partially allow or disallow the amount claimed.

3. *Budgeting.* Annually and at the earliest convenient time, County's Director of Regional Parks shall inform District's General Manager of preliminary budget estimates of the cost of performing County's obligations under this Agreement.

4. *Invoice Frequency.* County shall invoice for all labor costs on a quarterly basis and for all material and supply costs as they are incurred. Invoices shall be submitted to District's General Manager in the following format:

<b>Quarterly Activity for Construction Administration Services for the Montini Open Space Preserve Trails</b>	
<b>Expense Type</b>	<b>County Incurred Costs/Invoice</b>
<b>Labor</b> (attach a detailed report that includes the employee's name, hourly rate, and date of work. The report total amount needs to agree with the amount reported on this line.)	
<b>Material</b> (attach a detailed report that includes the vendor name, the item purchased, and the amount, including all receipts therefor. The report total amount needs to agree with the amount reported on this line.)	
<b>Contracted Services</b> (list vendor name and amount on this report)	
<b>Other</b> (be specific to the expense type and attach a detailed report)	
<b>Total District Incurred Costs</b>	
<b>Total County Invoice for the Month</b>	<b>\$</b>

5. *Audits.* County agrees to make all of its records associated with its performance of this Agreement, saving and excepting those deemed confidential under the Public Records Act, available to District to determine compliance with this Agreement. County shall cooperate with the District's Fiscal Oversight Committee in its performance of its current fiscal oversight obligations as well as those imposed from and after April 1, 2011 by the Sonoma County Open Space, Clean Water and Farmland Protection Measure (Sonoma County Ordinance No. 5677R).



# County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 8  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Directors, Sonoma County Water Agency

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sonoma County Water Agency

**Staff Name and Phone Number:**

Cary Olin / 521-6211

**Supervisory District(s):**

All

**Title:** Water Education School Assembly Program

## **Recommended Actions:**

Authorize Chair to execute an agreement with Gwynne Cropsey dba ZunZun to provide water education school assemblies. (\$60,000; agreement terminates on June 30, 2014).

## **Executive Summary:**

### HISTORY OF ITEM

The Sonoma County Water Agency's (Water Agency) State Water Resource Control Board National Pollutant Discharge Elimination System permits impose educational and outreach requirements on the Water Agency. By contracting for a School Assembly Program, the Water Agency's Education Program (Education Program) is able to substantially increase the Water Agency's ability to promote and encourage water conservation, pollution prevention and stewardship of our local watersheds.

The Education Program is a comprehensive approach to helping educators teach students the value of water as an important natural resource. Water-use efficiency and stewardship of local watersheds are promoted throughout the Education Program. Students are encouraged to use water wisely and make environmentally sustainable choices to help secure a reliable source of freshwater now and in the future. The School Assembly Program is one component of the overall Education Program.

Since 2006, the Water Agency has hired a consultant to provide School Assembly Program services to engage students with performances focused on sustainability, water pollution, recycling, watershed ecology, storm drain run-off, sanitary sewer systems, recycled water, and water conservation. Students and teachers are active participants in the assemblies, and students learn how their actions impact the environment around them and what they can do to help preserve and protect their local watersheds.

The School Assembly Program meets State of California Science Standards and makes students aware of the geography of their watershed, their drinking water source, and their ability to positively impact the Russian River Watershed.



### SELECTION PROCESS

On July 29, 2012, Water Agency issued a Request for Proposals to the following five firms: Earth Capades, Pacifica, California; Rock Steady Juggling, El Granada, California; Gwynne Cropsey dba ZunZun, Santa Cruz, California; The Banana Slug String Band, Santa Cruz, California; and Shows That Teach, Woodland Hills, California.

Each of the five firms submitted a proposal. Water Agency staff used the following criteria to evaluate each firm: Letter of Transmittal, School Assembly Program approach, bilingual capability, degree of assembly audience participation, client list and references, and cost.

Gwynne Cropsey dba ZunZun (Consultant) was selected to perform the work because Consultant could provide Water Agency-specific program content meeting educational and outreach requirements under the Water Agency's National Pollutant Discharge Elimination System permit. Consultant has performed work for the Water Agency in the past and provides unique knowledge and relevant project experience not available from the other firms. Consultant's performances are also bi-lingual, an important component in addressing the cultural diversity of Sonoma County elementary school audiences.

### SERVICES TO BE PERFORMED

Under the proposed agreement, Consultant will conduct assemblies at 25 schools during the 2012/2013 and 2013/2014 school years, potentially reaching 10,000 elementary students through the School Assembly Program. The agreement cost is \$30,000 per year, for a total cost of \$60,000.

### TERMINATION

The Agreement includes provisions for the Water Agency's General Manager to terminate the Agreement, if necessary.

### INSURANCE

The standard insurance requirements for the Agreement were modified at Consultant's request, and the modifications were approved by Risk Management.

### **Prior Board Actions:**

9/13/2011 – Authorize Chair to Execute the Agreement for Musical Assemblies for Schools 2011/2012 between the Water Agency and Gwynne Cropsey dba ZunZun (\$30,000)

8/24/2010 – Authorize Chair to Execute the Agreement for Musical Assemblies for Schools 2010/2011 between the Water Agency and Gwynne Cropsey dba ZunZun (\$30,000)

9/29/2009 – Authorize Chair to Execute the Agreement for Musical Assemblies for Schools 2011/2012 between the Water Agency and Gwynne Cropsey dba ZunZun (\$35,000)

### **Strategic Plan Alignment:** Goal 2: Economic and Environmental Stewardship

The Education Program supports the County's goal of protecting watersheds and reducing water usage through public education and outreach.

### Water Agency Sanitation Goals and Strategies - Goal 3: Increase community outreach

The Education Program supports the Water Agency's strategic priority of improving public outreach and education within the community.

Fiscal Summary - FY 12-13			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 30,000	Water Agency Gen Fund	\$ 15,000
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 0
	\$	Flood Zone 1A, Zone 2A, Zone 3A- Fees/Other	\$ 15,000
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
<b>Total Expenditure</b>	<b>\$ 30,000</b>	<b>Total Sources</b>	<b>\$ 30,000</b>
<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
Funding for the 2013/2014 school year in the amount of \$30,000 has been budgeted in the FY 2013/2014 budget.			
<b>Staffing Impacts</b>			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
None.			
<b>Attachments:</b>			
Unsigned Agreement			
<b>Related Items "On File" with the Clerk of the Board:</b>			
Agreement (4 copies)			

**"Working Today for Water Tomorrow"**

*The Sonoma County Water Agency's Integrated Management Policy for ISO 9001 and 14001 states that we are committed to always improving, achieving customer satisfaction, total regulatory compliance, environmental stewardship, and resource management.*

**Agreement for  
Water Education School Assembly Program  
2012/2013 and 2013/2014**

This agreement ("Agreement") is by and between **Sonoma County Water Agency**, a body corporate and politic of the State of California ("Water Agency") and **Gwynne Cropsey dba ZunZun**, a sole proprietorship ("Consultant"). The Effective Date of this Agreement is the date the Agreement is last signed by the parties to the Agreement, unless otherwise specified in Article 5 (Term of Agreement).

**RECITALS**

- A. Consultant represents that it is a duly qualified performing arts group, experienced in performing at school assemblies for the purpose of water education.
- A. The Water Education School Assembly Program is one component of the Water Agency's Education Program and is designed to help educators teach their students the value of water as an important natural resource and to promote water conservation and stewardship.
- B. The Water Education School Assembly Program assists both the Water Agency and the County of Sonoma in meeting stormwater outreach co-permittee requirements.

In consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

**AGREEMENT**

**1. RECITALS**

- 1.1. The above recitals are true and correct.

**2. LIST OF EXHIBITS**

- 2.1. The following exhibits are attached hereto and incorporated herein:
  - a. Exhibit A: Scope of Work
  - b. Exhibit B: Insurance Requirements
  - c. Exhibit C: Waiver of Insurance Requirements

**3. SCOPE OF SERVICES**

- 3.1. *Consultant's Specified Services.* Consultant shall perform the services described in Exhibit A ("Scope of Work"), within the times or by the dates provided for in

Exhibit A and pursuant to Article 9 (Prosecution of Work). In the event of a conflict between the body of this Agreement and Exhibit A, the provisions in the body of this Agreement shall control.

- 3.2. *Cooperation with Water Agency.* Consultant shall cooperate with Water Agency in the performance of all work hereunder. Consultant shall coordinate the work with Water Agency's Project Manager. Contact information and mailing addresses:

<b>Water Agency</b>	<b>Consultant</b>
Project Manager: Cary Olin	Contact: Gwynne Cropsey
404 Aviation Boulevard	PO Box 2951
Santa Rosa, CA 95403-9019	Santa Cruz, CA 95063
Phone: 707-521-6211	Phone: 831-426-0684
Email: cbo@scwa.ca.gov	Email: zunzun@zunzuntunes.com
	<b>Remit payments to:</b>
	Attn: Accounts Receivable
	Same as above.

- 3.3. *Performance Standard and Standard of Care.* Consultant hereby agrees that all its work will be performed and that its operations shall be conducted in accordance with the requirements of applicable federal, state and local laws, it being understood that acceptance of Consultant's work by Water Agency shall not operate as a waiver or release. Water Agency has relied upon the professional ability and training of Consultant as a material inducement to enter into this Agreement. Consultant hereby agrees that its work will be performed and its operations conducted in accordance with the standards of a reasonable professional having specialized knowledge and expertise in the services provided under this Agreement. If Water Agency determines that any of Consultant's work is not in accordance with such level of competency and standard of care, Water Agency, in its sole discretion, shall have the right to do any or all of the following: (a) require Consultant to meet with Water Agency to review the quality of the work and resolve matters of concern; (b) require Consultant to repeat the work at no additional charge until it is satisfactory; (c) terminate this Agreement pursuant to the provisions of Article 6 (Termination); or (d) pursue any and all other remedies at law or in equity.

3.4. *Assigned Personnel.*

- a. Consultant shall assign only competent personnel to perform work hereunder. In the event that at any time Water Agency, in its sole discretion, desires the removal of any person or persons assigned by Consultant to perform work hereunder, Consultant shall remove such person or persons immediately upon receiving written notice from Water Agency.
- b. Any and all persons identified in this Agreement or any exhibit hereto as the project manager, project team, or other professional performing work

hereunder are deemed by Water Agency to be key personnel whose services were a material inducement to Water Agency to enter into this Agreement, and without whose services Water Agency would not have entered into this Agreement. Consultant shall not remove, replace, substitute, or otherwise change any key personnel without the prior written consent of Water Agency.

- c. In the event that any of Consultant's personnel assigned to perform services under this Agreement become unavailable due to resignation, sickness, or other factors outside of Consultant's control, Consultant shall be responsible for timely provision of adequately qualified replacements.

#### **4. PAYMENT**

- 4.1. *Total Costs:* Total costs under this Agreement shall not exceed \$60,000.
- 4.2. *Method of Payment:* For all services and incidental costs required hereunder, Consultant shall be paid in accordance with the following terms:
  - a. *Start-up Costs.* Upon execution of this Agreement and receipt of an invoice thereof, Consultant shall be paid \$8,000 for preparation, marketing, and program development costs.
  - b. *Per School Cost.* Consultant shall be paid \$850 per school, which includes all assemblies, materials, and other costs for said school.
  - c. *Payment for Cancelled Assemblies.* Should a school cancel a scheduled assembly within one week of the performance date and Consultant is unable to reschedule or replace the cancelled assembly with another school, Consultant will be paid for the originally scheduled assembly at the per school cost listed above.
  - d. *No Payment for Expenses.* Consultant shall not be entitled to reimbursement for expenses incurred in completion of the services.
- 4.3. *Invoices:* Consultant shall submit its bills based on work completed for the period in a form approved by Water Agency's Project Manager. The bills shall show or include:
  - a. Consultant name
  - b. Name of Agreement
  - c. Water Agency's Order Number(s) 3280A8, 3246B1, 3954A8, and 3954A9; and Account Number(s) 672105-6570, 673202-6570, 673301-6570, and 673400-6570
  - d. Task performed with an itemized description of services rendered by date
- 4.4. *Availability of Funding in Subsequent Fiscal Years:*
  - a. Water Agency's performance under this Agreement in subsequent years is contingent upon appropriation of funds by Water Agency's Board of Directors. Water Agency shall have no liability under this Agreement if

sufficient funds are not appropriated in subsequent fiscal years by Water Agency's Board of Directors for the purpose of this Agreement. Amount of funding planned for appropriation for this Agreement is as follows:

<i>Fiscal Year</i>	<i>Planned Appropriation</i>
2012/2013	\$30,000
2013/2014	\$30,000
Total for Two Years	\$60,000

- b. If funding for this Agreement for any fiscal year is reduced or eliminated by Water Agency's Board of Directors, Water Agency shall have the option to either terminate this Agreement in accordance with Article 6 (Termination) or offer an amendment to Consultant to reflect the reduced amount.

**5. TERM OF AGREEMENT**

- 5.1. This Agreement shall expire on June 30, 2014, unless terminated earlier in accordance with the provisions of Article 6 (Termination).

**6. TERMINATION**

- 6.1. *Termination Without Cause:* Notwithstanding any other provision of this Agreement, at any time and without cause, Water Agency shall have the right, in its sole discretion, to terminate this Agreement by giving 5 days written notice to Consultant.
- 6.2. *Termination for Cause:* Notwithstanding any other provision of this Agreement, should Consultant fail to perform any of its obligations hereunder, within the time and in the manner herein provided, or otherwise violate any of the terms of this Agreement, Water Agency may immediately terminate this Agreement by giving Consultant written notice of such termination, stating the reason for termination.
- 6.3. *Delivery of Work Product and Final Payment Upon Termination:* In the event of termination, Consultant, within 14 days following the date of termination, shall deliver to Water Agency all materials and work product subject to Paragraph 12.7 and shall submit to Water Agency an invoice showing the services performed, hours worked, and copies of receipts for reimbursable expenses up to the date of termination.
- 6.4. *Payment Upon Termination:* Upon termination of this Agreement by Water Agency, Consultant shall be entitled to receive as full payment for all services satisfactorily rendered and expenses incurred hereunder, an amount which bears the same ratio to the total payment specified in the Agreement as the services satisfactorily rendered hereunder by Consultant bear to the total services otherwise required to be performed for such total payment; provided, however, that if services are to be paid on a per-hour or per-day basis, then Consultant shall be entitled to receive as full payment an amount equal to the number of hours or days actually worked prior to termination times the

applicable hourly or daily rate; and further provided, however, that if Water Agency terminates the Agreement for cause pursuant to Paragraph 6.2, Water Agency shall deduct from such amounts the amount of damage, if any, sustained by Water Agency by virtue of the breach of the Agreement by Consultant.

- 6.5. *Authority to Terminate:* Water Agency's right to terminate may be exercised by Water Agency's General Manager.

## **7. INDEMNIFICATION**

- 7.1. Consultant agrees to accept all responsibility for loss or damage to any person or entity, including Water Agency, and to indemnify, hold harmless, and release Water Agency, its officers, agents, and employees, from and against any actions, claims, damages, liabilities, disabilities, or expenses, that may be asserted by any person or entity, including Consultant, that arise out of, pertain to, or relate to Consultant's performance or obligations under this Agreement. Consultant agrees to provide a complete defense for any claim or action brought against Water Agency based upon a claim relating to Consultant's performance or obligations under this Agreement. Consultant's obligations under this Paragraph 7 apply whether or not there is concurrent negligence on the part of Water Agency, but, to the extent required by law, excluding liability due to conduct of Water Agency. Water Agency shall have the right to select its legal counsel at Consultant's expense, subject to Consultant's approval, which shall not be unreasonably withheld. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Consultant or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts. This indemnity provision survives the Agreement.

## **8. INSURANCE**

- 8.1. With respect to performance of work under this Agreement, Consultant shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described in Exhibit B.

## **9. PROSECUTION OF WORK**

- 9.1. Performance of the services hereunder shall be completed within the time required herein, provided, however, that if the performance is delayed by earthquake, flood, high water, or other Act of God or by strike, lockout, or similar labor disturbances, the time for Consultant's performance of this Agreement shall be extended by a number of days equal to the number of days Consultant has been delayed.

## **10. EXTRA OR CHANGED WORK**

10.1. Extra or changed work or other changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties. Minor changes, which do not increase the amount paid under the Agreement, and which do not significantly change the scope of work or significantly lengthen time schedules may be executed by the Water Agency's General Manager in a form approved by County Counsel. The parties expressly recognize that Water Agency personnel are without authorization to order all other extra or changed work or waive Agreement requirements. Failure of Consultant to secure such written authorization for extra or changed work shall constitute a waiver of any and all right to adjustment in the Agreement price or Agreement time due to such unauthorized work and thereafter Consultant shall be entitled to no compensation whatsoever for the performance of such work. Consultant further expressly waives any and all right or remedy by way of restitution and quantum meruit for any and all extra work performed without such express and prior written authorization of Water Agency.

## **11. CONTENT ONLINE ACCESSIBILITY**

- 11.1. *Accessibility:* Water Agency policy requires that all documents that may be published to the Web meet accessibility standards to the greatest extent possible, and utilizing available existing technologies.
- 11.2. *Standards:* All consultants responsible for preparing content intended for use or publication on a Water Agency/County-managed or Water Agency/County-funded web site must comply with applicable federal accessibility standards established by 36 C.F.R. Section 1194, pursuant to Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794(d)), and Water Agency's Web Site Accessibility Policy located at [http://webstandards.sonoma\\_county.org](http://webstandards.sonoma_county.org).
- 11.3. *Certification:* With each final receivable intended for public distribution (report, presentations posted to the Internet, public outreach materials), Consultant shall include a descriptive summary describing how all deliverable documents were assessed for accessibility (e.g. Microsoft Word accessibility check; Adobe Acrobat accessibility check, or other commonly accepted compliance check).
- 11.4. *Alternate Format:* When it is strictly impossible due to the unavailability of technologies required to produce an accessible document, Consultant shall identify the anticipated accessibility deficiency prior to commencement of any work to produce such deliverables. Consultant agrees to cooperate with Water Agency staff in the development of alternate document formats to maximize the facilitative features of the impacted document(s); e.g., embedding the document with alt-tags that describe complex data/tables.
- 11.5. *Noncompliant Materials; Obligation to Cure:* Remediation of any materials that do not comply with Water Agency's Web Site Accessibility Policy shall be the



responsibility of Consultant. If Water Agency, in its sole and absolute discretion, determines that any deliverable intended for use or publication on any Water Agency/County-managed or Water Agency/County-funded Web site does not comply with Water Agency Accessibility Standards, Water Agency will promptly inform Consultant in writing. Upon such notice, Consultant shall, without charge to Water Agency, repair or replace the non-compliant materials within such period of time as specified by Water Agency in writing. If the required repair or replacement is not completed within the time specified, Water Agency shall have the right to do any or all of the following, without prejudice to Water Agency's right to pursue any and all other remedies at law or in equity:

- a. Cancel any delivery or task order
- b. Terminate this Agreement pursuant to the provisions of Article 6 (Termination); and/or
- c. In the case of custom EIT developed by Consultant for Water Agency, Water Agency may have any necessary changes or repairs performed by itself or by another contractor. In such event, Consultant shall be liable for all expenses incurred by Water Agency in connection with such changes or repairs.

11.6. *Water Agency's Rights Reserved:* Notwithstanding the foregoing, Water Agency may accept deliverables that are not strictly compliant with Water Agency Accessibility Standards if Water Agency, in its sole and absolute discretion, determines that acceptance of such products or services is in Water Agency's best interest.

## **12. REPRESENTATIONS OF CONSULTANT**

- 12.1. *Status of Consultant:* The parties intend that Consultant, in performing the services specified herein, shall act as an independent contractor and shall control the work and the manner in which it is performed. Consultant is not to be considered an agent or employee of Water Agency and is not entitled to participate in any pension plan, worker's compensation plan, insurance, bonus, or similar benefits Water Agency provides its employees. In the event Water Agency exercises its right to terminate this Agreement pursuant to Article 6 (Termination), Consultant expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.
- 12.2. *Taxes:* Consultant agrees to file federal and state tax returns and pay all applicable taxes on amounts paid pursuant to this Agreement and shall be solely liable and responsible to pay such taxes and other obligations, including, but not limited to, state and federal income and FICA taxes. Consultant agrees to indemnify and hold Water Agency harmless from any liability which it may incur to the United States or to the State of California or to any other public entity as a consequence of Consultant's failure to pay, when due, all such taxes and obligations. In case Water Agency is audited for compliance regarding any withholding or other applicable taxes, Consultant agrees to furnish Water Agency with proof of payment of taxes on these earnings.

- 12.3. **Records Maintenance:** Consultant shall keep and maintain full and complete documentation and accounting records concerning all services performed that are compensable under this Agreement and shall make such documents and records available to Water Agency for inspection at any reasonable time. Consultant shall maintain such records for a period of four (4) years following completion of work hereunder.
- 12.4. **Conflict of Interest:** Consultant covenants that it presently has no interest and that it will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of its services hereunder. Consultant further covenants that in the performance of this Agreement no person having any such interests shall be employed. In addition, if required by law or requested to do so by Water Agency, Consultant shall submit a completed Fair Political Practices Commission Statement of Economic Interests (Form 700) with Water Agency within 30 calendar days after the Effective Date of this Agreement and each year thereafter during the term of this Agreement, or as required by state law.
- 12.5. **Nondiscrimination:** Consultant shall comply with all applicable federal, state, and local laws, rules, and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, pregnancy, disability, sexual orientation or other prohibited basis. All nondiscrimination rules or regulations required by law to be included in this Agreement are incorporated herein by this reference.
- 12.6. **Assignment of Rights:** Consultant assigns to Water Agency all rights throughout the world in perpetuity in the nature of copyright, trademark, patent, right to ideas, in and to all versions of the plans and specifications, if any, now or later prepared by Consultant in connection with this Agreement. Consultant agrees to take such actions as are necessary to protect the rights assigned to Water Agency in this Agreement, and to refrain from taking any action which would impair those rights. Consultant's responsibilities under this provision include, but are not limited to, placing proper notice of copyright on all versions of the plans and specifications as Water Agency may direct, and refraining from disclosing any versions of the plans and specifications to any third party without first obtaining written permission of Water Agency. Consultant shall not use or permit another to use the plans and specifications in connection with this or any other project without first obtaining written permission of Water Agency.
- 12.7. **Ownership and Disclosure of Work Product:** All reports, original drawings, graphics, plans, studies, and other data or documents ("documents"), in whatever form or format, assembled or prepared by Consultant or Consultant's subcontractors, consultants, and other agents in connection with this Agreement shall be the property of Water Agency. Water Agency shall be entitled to immediate possession of such documents upon completion of the work pursuant

to this Agreement. Upon expiration or termination of this Agreement, Consultant shall promptly deliver to Water Agency all such documents, which have not already been provided to Water Agency in such form or format as Water Agency deems appropriate. Such documents shall be and will remain the property of Water Agency without restriction or limitation. Consultant may retain copies of the above described documents but agrees not to disclose or discuss any information gathered, discovered, or generated in any way through this Agreement without the express written permission of Water Agency.

**13. DEMAND FOR ASSURANCE**

- 13.1. Each party to this Agreement undertakes the obligation that the other's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise with respect to the performance of either party, the other may in writing demand adequate assurance of due performance and until such assurance is received may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of a party with respect to performance under this Agreement, but also conduct with respect to other agreements with parties to this Agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, but not exceeding thirty (30) days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this Agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance. Nothing in this Article 13 limits Water Agency's right to terminate this Agreement pursuant to Article 6 (Termination).

**14. ASSIGNMENT AND DELEGATION**

- 14.1. *Consent:* Neither party hereto shall assign, delegate, sublet, or transfer any interest in or duty under this Agreement without the prior written consent of the other, and no such transfer shall be of any force or effect whatsoever unless and until the other party shall have so consented.
- 14.2. *Subcontracts:* Notwithstanding the foregoing, Consultant may enter into subcontracts with the subconsultants specifically identified herein. If no subconsultants are listed, then no subconsultants will be utilized in the performance of the work specified in this Agreement.
- 14.3. *Change of Subcontractors or Subconsultants:* If, after execution of the Agreement, parties agree that subconsultants not listed in Paragraph 14.2 will be utilized, Consultant may enter into subcontracts with subconsultants to perform other specific duties pursuant to the provisions of this paragraph. The following provisions apply to any subcontract entered into by Consultant other than those listed in Paragraph 14.2 above:

- a. Prior to entering into any contract with subconsultant, Consultant shall obtain Water Agency approval of subconsultant. Water Agency's Board of Directors must approve the selection of any subconsultant if the amount payable to subconsultant under the agreement exceeds \$25,000. In connection with such approval, Consultant shall provide Water Agency with copies of the responses to Consultant's Request for Proposals (RFP) to subconsultants, the names of key personnel who will be performing work under the agreement, and an explanation of Consultant's reasons for choosing the recommended subconsultant based upon the criteria in the RFP.

**15. METHOD AND PLACE OF GIVING NOTICE, SUBMITTING BILLS, AND MAKING PAYMENTS**

- 15.1. *Method of Delivery:* All notices, bills, and payments shall be made in writing and shall be given by personal delivery or by U.S. Mail or courier service. Notices, bills, and payments shall be addressed as specified in Paragraph 3.2.
- 15.2. *Receipt:* When a notice, bill, or payment is given by a generally recognized overnight courier service, the notice, bill, or payment shall be deemed received on the next business day. When a copy of a notice, bill, or payment is sent by electronic means, the notice, bill, or payment shall be deemed received upon transmission as long as (1) the original copy of the notice, bill, or payment is deposited in the U.S. mail and postmarked on the date of the electronic transmission (for a payment, on or before the due date), (2) the sender has a written confirmation of the electronic transmission, and (3) the electronic transmission is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills, and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this Article.

**16. MISCELLANEOUS PROVISIONS**

- 16.1. *No Bottled Water:* In accordance with Water Agency Board of Directors Resolution No. 09-0920, dated September 29, 2009, no Water Agency funding shall be used to purchase single-serving, disposable water bottles for use in Water Agency facilities or at Water Agency-sponsored events. This restriction shall not apply when potable water is not available.
- 16.2. *No Waiver of Breach:* The waiver by Water Agency of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or promise or any subsequent breach of the same or any other term or promise contained in this Agreement.
- 16.3. *Construction:* To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and

agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. Consultant and Water Agency acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other. Consultant and Water Agency acknowledge that they have each had an adequate opportunity to consult with counsel in the negotiation and preparation of this Agreement.

- 16.4. *Consent:* Wherever in this Agreement the consent or approval of one party is required to an act of the other party, such consent or approval shall not be unreasonably withheld or delayed.
- 16.5. *No Third-Party Beneficiaries:* Except as provided in Article 7 (Indemnification), nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.
- 16.6. *Applicable Law and Forum:* This Agreement shall be construed and interpreted according to the substantive law of California, regardless of the law of conflicts to the contrary in any jurisdiction. Any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in Santa Rosa or in the forum nearest to the city of Santa Rosa, in the County of Sonoma.
- 16.7. *Captions:* The captions in this Agreement are solely for convenience of reference. They are not a part of this Agreement and shall have no effect on its construction or interpretation.
- 16.8. *Merger:* This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Code of Civil Procedure Section 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.
- 16.9. *Time of Essence:* Time is and shall be of the essence of this Agreement and every provision hereof.

/

/

/

/

/

/

/

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date last signed by the parties to the Agreement.

Reviewed as to substance:

By: \_\_\_\_\_  
Water Agency General Manager

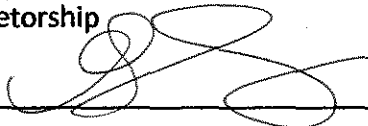
Reviewed as to funds:

By: \_\_\_\_\_  
Water Agency Division Manager -  
Administrative Services

Reviewed as to form:

By: \_\_\_\_\_  
County Counsel

**Gwynne Cropsey dba ZunZun, a sole proprietorship**

By:  \_\_\_\_\_

Gwynne Cropsey  
(Please print Owner's name here)

Title: Owner, ZunZun

Date: August 15, 2012

Insurance Documentation is on file with Water Agency

8/15/12 crt  
(Date)

**Sonoma County Water Agency**

By: \_\_\_\_\_  
Chair, Board of Directors

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Clerk of the Board

## Exhibit A

### Scope of Work

#### 1. **COMMENCEMENT OF WORK**

- 1.1. Consultant is authorized to proceed immediately with the performance of this Agreement upon the Effective Date of this Agreement.

#### 2. **TASKS**

Submit one electronic copy on CD and two hard copies of each final deliverable to Water Agency.

##### 2.1. Task 1: Performances

- a. Perform the program "The Musical Watershed" at 25 schools per fiscal year, in Sonoma County and northern Marin counties, within Water Agency's service area.
- b. Water Agency will provide prizes for game show portion of school-wide assemblies.

Deliverable	Due Date
2012/2013 performances	June 30, 2013
2013/2014 performances	June 30, 2014

##### 2.2. Task 2: Sustainability Component

- a. Develop and include a sustainability component into "The Musical Watershed" program, which includes, but is not limited to, a segment on climate change, a segment on water/energy, and a segment on the benefits of drinking tap water instead of soda or bottled water.
- b. Submit to Water Agency for review and comment at least one month prior to the first scheduled assembly.

Deliverable	Due Date
Sustainability Component	At least 30 calendar days prior to the first scheduled assembly

##### 2.3. Task 3: Pre-site Interactive Activity

- a. Develop a pre-site interactive activity for classroom teacher to facilitate before assembly.
- b. Water Agency will provide prizes (1 per classroom at each school site).
- c. Submit to Water Agency for review and comment at least one month prior to the first scheduled assembly.

Deliverable	Due Date
Draft Pre-site Interactive Activity	Submit to Water Agency at least 30 calendar days prior to each assembly
Final Pre-site Interactive Activity	Submit to school at least 10 calendar days prior to each assembly

**2.4. Task 4: Promotional Article**

- a. Write a promotional article on the "Musical Watershed Program" that can be included in school newsletters.
- b. Submit to Water Agency for review and comment at least one month prior to the first scheduled assembly.

Deliverable	Due Date
Draft Promotional Article	Submit to Water Agency at least 30 calendar days prior to each assembly
Final Promotional Article	Submit to school at least 10 calendar days prior to each assembly

**2.5. Task 5: Booking of Performances**

- a. Contact schools on Agency-provided list and book performances where time slots are available based on Water Agency geographic priorities. Send each school a confirmation letter

Deliverable	Due Date
Confirmation Letter	At least 20 calendar days prior to each assembly

**2.6. Task 6: Multi-school Assemblies**

- a. A minimum of 150 students must attend each performance. If a school has less than 150 students, schedule a multi-school assembly that will ensure the minimum student attendance requirement.
- b. Water Agency will provide venue, if necessary.

Deliverable	Due Date
N/A	N/A

**2.7. Task 7: Planning Meeting**

- a. Attend a planning meeting with Water Agency staff to develop performance segments

Deliverable	Due Date
Planning Meeting	At least 30 calendar days prior to first assembly



**2.8. Task 8: Monthly Summary**

- a. **Submit a monthly summary of performances to Water Agency. The summary shall include an update of scheduled schools and a summary of performances conducted within the previous month.**

<b>Deliverable</b>	<b>Due Date</b>
<b>Monthly Summary</b>	<b>The fifth of each month</b>

## **Exhibit B**

### **Insurance Requirements**

With respect to performance of work under this Agreement, Consultant shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain insurance as described below unless such insurance has been expressly waived by the attachment of a *Waiver of Insurance Requirements*. Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.

#### **1. INSURANCE**

##### **1.1. Workers' Compensation and Employers Liability Insurance**

- a. Required if Consultant has employees.
- b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
- c. Employers' Liability with limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
- d. Required Evidence of Coverage:
  - i. Certificate of Insurance
- e. If Consultant currently has no employees, Consultant agrees to obtain the above-specified Workers' Compensation and Employers' Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

##### **1.2. General Liability Insurance**

- a. Commercial General Liability Insurance on a standard occurrence form, no less broad than ISO form CG 00 01.
- b. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate.
- c. Consultant shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by Water Agency. Consultant is responsible for any deductible or self-insured retention.
- d. Sonoma County Water Agency, its officers, agents, and employees, shall be additional insured(s) for liability arising out of operations by or on behalf of the Consultant in the performance of this Agreement.
- e. The insurance provided to Water Agency *et al.* as additional insureds shall apply on a primary and non-contributory basis with respect to any insurance or self-insurance program maintained by them.
- f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed

operations hazard (broad form contractual liability coverage including the "f" definition of insured contract in ISO form CG 00 01, or equivalent).

- g. The policy shall cover inter-insured suits between Water Agency and Consultant and include a "separation of insureds" or "severability" clause which treats each insured separately.
- h. Required Evidence of Coverage:
  - i. Copy of the additional insured endorsement or policy language granting additional insured status, and
  - ii. Certificate of Insurance.

**1.3. Automobile Liability Insurance**

- a. Minimum Limits: \$1,000,000 combined single limit per accident.
- b. Coverage shall apply to all owned autos. If Consultant currently owns no autos, Consultant agrees to obtain such insurance should any autos be acquired during the term of this Agreement or any extensions of the term.
- c. Coverage shall apply to hired and non-owned autos.
- d. Required Evidence of Coverage:
  - i. Certificate of Insurance.

**1.4. Standards for Insurance Companies**

- a. Insurers shall have an A.M. Best's rating of at least A:VII.

**1.5. Documentation**

- a. The Certificate of Insurance must include the following reference: TW 11/12-166.
- b. All required Evidence of Coverage shall be submitted prior to the execution of this Agreement. Consultant agrees to maintain current Evidence of Coverage on file with Water Agency for the required period of insurance.
- c. The name and address for mailing Additional Insured endorsements and Certificates of Insurance is: Sonoma County Water Agency, its officers, agents, and employees, 404 Aviation Boulevard, Santa Rosa, CA 95403-9019
- d. Required Evidence of Coverage shall be submitted for any renewal or replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.
- e. Consultant shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
- f. Upon written request, certified copies of required insurance policies must be provided within thirty (30) days.

**1.6. Policy Obligations**

- a. Consultant's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

**1.7. Material Breach**

- a. If Consultant fails to maintain insurance coverage which is required pursuant to this Agreement, it shall be deemed a material breach of this Agreement. Water Agency, at its sole option, may terminate this Agreement and obtain damages from Consultant resulting from said breach. Alternatively, Water Agency may purchase the required insurance coverage, and without further notice to Consultant, Water Agency may deduct from sums due to Consultant any premium costs advanced by Water Agency for such insurance. These remedies shall be in addition to any other remedies available to Water Agency.

**Section II – Risk Management Waivers**

**Submit to Risk with Scope of Work Exhibit or detailed description of services or event.**

**General Liability Waivers**

- Waive requirement for coverage  
Reason: \_\_\_\_\_
- Waive requirement for additional insured endorsement  
Reason: \_\_\_\_\_
- Waive primary & non-contributory language (if evidence is required)  
Reason: \_\_\_\_\_

**Auto Liability Waivers**

- Accept lower limits  
Reason: \_\_\_\_\_
- Waive hired & non-owned auto liability  
Reason: Consultant is a sole proprietor and only has a personal auto policy without this coverage.

**Workers Compensation Waivers**

- Waive requirement for subrogation waiver endorsement if required  
Reason: \_\_\_\_\_

**Professional Liability Waivers**

- Waive requirement for coverage  
Reason: \_\_\_\_\_
- Accept lower limits  
Reason: \_\_\_\_\_

**Pollution Liability Waivers**

- Waive requirement for coverage  
Reason: \_\_\_\_\_
- Accept lower limits  
Reason: \_\_\_\_\_
- Waive requirement for additional insured endorsement  
Reason: \_\_\_\_\_

**Other Waivers**

- Describe: \_\_\_\_\_  
Reason: \_\_\_\_\_

Approved by Risk Management

Date

8/9/12

Send Email



Exhibit C Waiver of Insurance Requirements

This Exhibit modifies the insurance requirements as specified in Exhibit B

Department	<u>Water Agency</u>	Department Contact	<u>Christine Teaford</u>	Phone	<u>547-1940</u>
Contractor, Consultant, Vendor, Licensee, Tenant <u>Gwynne Cropsey dba ZunZun</u>					
Contact Person	<u>Gwynne Cropsey</u>	Phone	<u>831-426-0684</u>		
Contract Term	<u>June 30, 2014</u>	Contract Cost	<u>\$60,000</u>	Template #	<u>3</u>

- ◆ If only Section I waivers are required, submit to your Department Head or designee for signature. Do not submit to Risk.
- ◆ If only Section II waivers, or a combination of Section I and II waivers, are required, submit to Risk.

**Section I - Department Waivers**

**Requirement to be Waived and Reason**

- Workers Compensation: Waive Subrogation Waiver.
- General Liability: Waive General Aggregate per location or per project; General Aggregate is at least double the Occurrence Limit.
- General Liability: Waive requirement for Subrogation Waiver because insurer will not provide the coverage.
- General Liability (Suppliers of Products): Waive "Additional Insured - Vendors". County does not distribute the product to the public.
- General Liability (Special Events): Waive Products/Completed Operations Coverage. Licensee will not sell or distribute food or other tangible items at the event.
- General Liability (Instructors/Trainers): Waive General Liability. Training is conducted at County/Entity facility and does not involve the use of hazardous equipment or participation in physical activity.
- General Liability (Therapists, Counselors, Social workers and Psychologists): Waive General Liability. All services are provided in the consultant's office or on County premises and acceptable evidence of professional liability insurance has been provided.
- Auto Liability: Waive coverage and/or limits; Consultant or Contractor does no driving on behalf of the County or the driving is limited to attendance at meetings at County/Entity facilities.
- Auto Liability (Suppliers of Products): Waive coverage because vendor's goods are delivered by common carrier or contract carrier.
- Property Insurance (Long Term Tenants): Waive Property Insurance requirement. Tenant has not made improvements to the property or the current construction cost of the improvements is less than \$25,000.
- Mold Liability: Landlord cannot obtain the insurance.

Approved by Department Head, Department Designee or Risk Management

Date

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
08/14/12

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


<b>PRODUCER</b> PAUL SIRKIN INSURANCE 275 SHORELINE DRIVE, #130 REDWOOD CITY CA 94065 LIC#D6634818 sncd9@sirkins.com	<b>CONTACT NAME</b> SHARON M. NEDEL <b>PHONE</b> SAC No. 800-367-8484 FAX No. 800-367-3000 <b>ADDRESS</b> <b>PRODUCTION OFFICER(S)</b>
<b>INSURED</b> ZUNZUN (GWYNNE CROPSY DBA) 135 GLENVIEW STREET SANTA CRUZ, CA 95062	<b>INSURER A:</b> WESTERN HERITAGE INSURANCE COMPANY <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> STATE COMPENSATION INSURANCE FUND

**COVERAGES**      **CERTIFICATE NUMBER**      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURER	TYPE OF INSURANCE	ADDITIONAL COVERAGES	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		SCP0851050	10/08/2011	10/09/2012	EACH OCCURRENCE 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR MIN. AGGREGATE LIMIT APPLIES PER POLICY <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO. LIMIT <input type="checkbox"/> LOC.					DAMAGE TO RENTED BUSINESS (Per occurrence) 50,000 MED EXP (Any one person) 5,000 PERSONAL & ADV INJURY 1,000,000 GENERAL AGGREGATE 2,000,000 PRODUCTS-COMP/OP AGG 2,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Per accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> RENTED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					
	<input type="checkbox"/> UMBRELLA/LIA <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION					EACH OCCURRENCE AGGREGATE
E	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROFESSIONAL PARTS/RECURSIVE OFFICER/MEMBER EXCLUDED? Y/N N/A		1897906-11	08/04/2012	08/04/2019	<input checked="" type="checkbox"/> WORKERS COMP. LIMIT OR ER E.L. EACH ACCIDENT 1000000 E.L. DISEASE EA EMPLOYEE 1000000 E.L. DISEASE POLICY LIMIT 1000000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 901, Additional Remarks Schedule, if more space is required)**  
 Certificate holder is named additional insured per attached form CG 20 26 07 04

<b>CERTIFICATE HOLDER</b> Sonoma County Water Agency its officers, agents and employees 404 Aviation Blvd Santa Rosa, CA 95403	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

ACORD 25 (8/06/09)

1888-2000 ACORD CORPORATION, All rights reserved.

POLICY NUMBER: SCP0851050

COMMERCIAL GENERAL LIABILITY  
CG 20 26 07 04

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED - DESIGNATED  
PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
Sonoma County Water Agency Its officers agents and employees 404 Aviation Blvd Santa Rosa CA 95403
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented to you.





AAA Northern California,  
Nevada & Utah  
Insurance Exchange  
PO Box 22221, Oakland CA 94623-2221

# Automobile Policy Declarations

Please keep with your policy.  
See Important Notice on Reverse  
For questions or changes call 1-800-922-8228



NAME AND ADDRESS OF INSURED

SNYDER STEPHEN/GWYNNE CROPSEY  
135 GLENVIEW ST  
SANTA CRUZ CA 95062-3457

POLICY INFORMATION	DECLARATIONS TYPE	Renewal Certificate	PAGE	1 of 1
	POLICY TYPE	Member	PROCESS DATE	11-09-2011
	POLICY NUMBER	88-19-19-4	INSURED SINCE	1992
	Your Policy Period	FROM 12-14-2011 TO 12-14-2012	12:01 A.M. Standard Time at the address of the Named Insured, but not prior to the time applied for or, if this is a replacement declarations, not prior to the time coverage change was requested. 12:01 A.M. Standard Time at the address of the Named Insured	

ALTERNATE ADDRESS	OCCUPATION	ALTERNATE NUMBER	TELEPHONE NUMBER
		426-0684	429-5663

VEHICLE(S)	ITEM	MAKE	MODEL YR.	BODY TYPE	VEHICLE IDENTIFICATION NUMBER	DRIVER(S)	NAME
	05	VOLKS	1998	4D SED	3VWYB81H4WM134058		
	06	TOYOT	2008	VAN	5TDZK23C08S172816		GWYNNE

COVERAGES/PREMIUMS	COVERAGE	LIABILITY LIMITS		ITEM 05		ITEM 06		ITEM		ITEM	
		EACH PERSON	EACH OCCURRENCE	DEDUCT.	PREMIUM	DEDUCT.	PREMIUM	DEDUCT.	PREMIUM	DEDUCT.	PREMIUM
	Bodily Injury	500,000	1,000,000		\$111		\$140				
	Medical Payments	25,000			\$79		\$115				
	Uninsured Motorists	500,000	500,000		\$57		\$94				
	Property Damage		50,000		\$91		\$115				
	Comprehensive	Actual Cash Value Less Deductible		100	\$77	100	\$87				
	Collision	Actual Cash Value Less Deductible		250	\$181	250	\$289				
	All Risks	Actual Cash Value Less Deductible		No Coverage		No Coverage					
	TOTAL PREMIUM PER VEHICLE →				\$596		\$840				

Automobile Death Benefits	EXPLANATION OF LIMIT CODES	A=\$15,000 first named insured. B=\$15,000 each first named insured and spouse. C=\$15,000 each additional named insured shown on endorsement F29.	LIMIT CODE	B	PREMIUM	\$8
---------------------------	----------------------------	--	------------	---	---------	-----

Premium Summary  
THIS IS NOT A BILL  
CA Surcharge: \$0.00  
Annual Premium: \$1,444.00

SCHEDULE OF CHANGES	
---------------------	--

DISCOUNTS/MESSAGES	ITEM	RATED DRIVER	DSR	YDR	PROR ANN MILES	FUTURE ANN MILES	GARAGE ZIP	VEHICLE USAGE	GENDER	MARITAL	SEE REVERSE FOR EXPLANATION OF CODES.
	05	GWYNNE	0	24	5,000	5,000	95062	Principal	F	M	
	06	STEPHEN	0	32	21,000	21,000	95062	Principal	M	M	

Enhanced Transportation Expense Coverage: Item/s 05, 06.  
DISCOUNTS: Mat Drv: None MultiPolicy/H03 Homeowners: Item/s 05 06  
Multi Car: Item/s 05 06 Good Driver: Item/s 05 06

LOSS PAYER(S)	ITEM	TOYOTA MOTOR CREDIT	ITEM	Other Loss Payer
	06	PO BOX 3025 CORAPOLIS PA 15108		
	ITEM		ITEM	



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 9  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Directors, Sonoma County Water Agency

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sonoma County Water Agency

**Staff Name and Phone Number:**

Cary Olin / 521-6211

**Supervisory District(s):**

All

**Title:** Salmon Lifecycle Exhibit at Children's Museum

### Recommended Actions:

Authorize Chair to execute the Funding Agreement for Salmon Lifecycle Exhibit at Children's Museum of Sonoma County between the Sonoma County Water Agency and Children's Museum of Sonoma County. (\$25,000; agreement terminates on December 1, 2014).

### Executive Summary:

Under the proposed Agreement, the Children's Museum of Sonoma County (Museum) will use Sonoma County Water Agency (Water Agency) funds to design and create a Salmon Lifecycle Exhibit (Exhibit) as part of the Museum's planned water feature. PG&E (\$100,000) and other major donors are also sponsoring the interactive outdoor garden and water feature. The Water Agency's contribution will underwrite the Exhibit as described below, in furtherance of Water Agency education and public outreach goals.

The importance of water and examples of water use efficiency will be interpreted in an outdoor water feature and garden. The water feature includes a section representing the Russian River. The Exhibit is to be incorporated in this area of the exhibit. The water feature will begin in a "headwaters" area where children can drop small magnetic "salmon" and watch as they "swim" down the river, then use magnetic fishing poles to catch them downstream and take them back up to the headwaters to watch them swim down again.

The garden and water feature will represent Sonoma County ecosystems and be designed to inspire a sense of connection with the environment for Museum visitors. Interpretive signage will be located at various points alongside the headwaters and Russian River areas describing the Salmon Lifecycle and the importance of it to our local and global ecology.

The Museum will consult with the Water Agency on educational goals and technical aspects during development of Exhibit, and will acknowledge Water Agency contributions in various ways, including signage at the Museum and Exhibit, as well as in press releases and other announcements. This provides the Water Agency an opportunity to reach the community through participation in Museum development and programming, as well as the unique opportunity to introduce and engage community members in the Water Agency's conservation and ecology concepts in an interactive and memorable way.

### HISTORY OF ITEM

The Children’s Museum of Sonoma County is a regional non-profit museum, dedicated to interactive cultural and educational exploration opportunities for the children of Sonoma County.

The Water Agency’s Strategic Priorities include public outreach and improved public understanding of the Water Agency and its programs.

The target demographic of the Museum includes pre-K and K-2 children who are not directly served by other Water Agency education or outreach programs. Children in this age range usually come to the museum with their families, with visitors ranging in age from the youngest children, to parents and grandparents.

Sonoma County has more than 63,000 children age ten and under. This new museum is centrally located in Santa Rosa and will be the only year-round comprehensive venue centering on the needs of children. (The nearest children’s museum is 50 miles away.) The Museum expects 50,000 visitors by the end of 2014.

### SERVICES TO BE PERFORMED

Under the proposed Agreement, Museum will acknowledge Water Agency’s contribution to the Exhibit in various ways, including signage at the Exhibit and through website and social media.

### TERMINATION

The Agreement includes provisions for the Water Agency's General Manager to terminate the Agreement, if necessary.

### **Prior Board Actions:**

None.

**Strategic Plan Alignment:** Goal 2: Economic and Environmental Stewardship

This project supports the County of Sonoma’s Strategic Plan, Goal 2, by providing area residents an opportunity to learn about protecting and enhancing the county’s natural environment.

### Water Agency Sanitation Goals and Strategies - Goal 3: Increase community outreach

It supports the Water Agency’s strategic priority of increasing community outreach, improving public education and outreach and developing education curriculum.

### **Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 0	Water Agency Gen Fund	\$ 0
Add Appropriations Req'd.	\$ 25,000	State/Federal	\$ 0
	\$	Conservation Fund - Fees/Other	\$ 25,000
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
<b>Total Expenditure</b>	<b>\$ 25,000</b>	<b>Total Sources</b>	<b>\$ 25,000</b>

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

Additional appropriations are required to process this expense in Recycled Water and Local Supply Fund (675736-6570). With Board approval, appropriation will be made in the next quarterly consolidated budget adjustments. There are sufficient funds from the account to cover these expenses.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

None

**Attachments:**

Unsigned Agreement

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

Agreement (4 copies)

*"Working Today for Water Tomorrow"*

The Sonoma County Water Agency's Integrated Management Policy for ISO 9001 and 14001 states that we are committed to always improving, achieving customer satisfaction, total regulatory compliance, environmental stewardship, and resource management.

## **Funding Agreement for Salmon Lifecycle Exhibit at Children's Museum of Sonoma County**

This agreement ("Agreement") is by and between **Sonoma County Water Agency**, a body corporate and politic of the State of California ("Water Agency") and **Children's Museum of Sonoma County**, a California non-profit corporation ("Museum"). The Effective Date of this Agreement is the date the Agreement is last signed by the parties to the Agreement, unless otherwise specified in Article 6.3 (Termination).

### **RECITALS**

- A. Museum is a new regional non-profit children's museum, dedicated to interactive cultural and educational exploration opportunities for children.
- B. The Water Agency's Strategic Priorities include public outreach and improved public understanding of the Water Agency and its programs.
- C. The target demographic of the Museum includes K-2 and pre-K children; this age range is not directly served by Water Agency educational programs and usually come to the museum with their families, with visitors ranging in age from the youngest children to parents and grandparents.
- D. Sonoma County has more than 63,000 children ten and under. This new Museum is centrally located and will be the only year-round comprehensive venue centering on the needs of children. (The nearest children's museum is 50 miles away.) The Museum expects 50,000 visitors by the end of 2014.
- E. The Water Agency recognizes the chance to reach the community through participation in Museum development and programming, as well as the unique opportunity to introduce and engage community members in the Water Agency's conservation and ecology concepts in an interactive and memorable way.
- F. Under the proposed Agreement, Museum will use Water Agency funds to design and create a Salmon Lifecycle Exhibit as part of the Museum's planned water feature, in furtherance of Water Agency education and public outreach goals.

In consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

**A G R E E M E N T**

**1. RECITALS**

1. The above recitals are true and correct.

**2. LIST OF EXHIBITS**

- 1. The following exhibits are attached hereto and incorporated herein:
  - a. Exhibit A: Project Description
  - b. Exhibit B: Insurance Requirements

**3. COORDINATION**

1. Cooperation with Water Agency. Museum shall coordinate the work with Water Agency’s Project Manager. Contact information and mailing addresses:

<b>Water Agency</b>	<b>Museum</b>
Project Manager: Cary Olin	Contact: Collette Michaud, CEO
404 Aviation Boulevard	P.O. Box 12323
Santa Rosa, CA 95403-9019	Santa Rosa, CA 95406
Phone: 707-521-6211	Phone: 707-287-4809 or 707-546-4069
Email: Cary.Olin@scwa.ca.gov	Email: collette@cmosc.org

**4. MUSEUM’S RESPONSIBILITIES**

- 1. General. Museum agrees to perform all work in accordance with the requirements of applicable federal, state, and local laws.
- 2. Objective.
  - a. The primary objective of the project funding is to develop a “Salmon Lifecycle” exhibit in the “Russian River” section of the outdoor garden area of the Museum, intended to provide an educational element of the water feature related to the sustainability of Sonoma County’s ecosystem. Additional details are contained in Exhibit A of this Agreement.
- 3. Museum shall complete the following:
  - a. Acknowledge Water Agency with signage located at or very near the Salmon Lifecycle water exhibit for five years after grand opening of exhibit
  - b. Acknowledge Water Agency as a major donor in the lobby of the new Children’s Museum for five years after grand opening of exhibit
  - c. Prepare a formal press release approved by Water Agency
  - d. Acknowledge Water Agency on website Donor page
  - e. Announcement of Water Agency’s participation in quarterly newsletter
  - f. Announcement of Water Agency’s participation on Museum’s social media sites
  - g. Invite Water Agency representative to participate in all groundbreaking ceremonies

- h. Invite Water Agency representatives to attend as guest of honor at the Grand Opening celebration.
  - i. Extend membership privilege (for the Museum and various special events) to the families of Water Agency employees (5 transferrable "Family Memberships"), valid for period of at least 5 years after Grand Opening
  - j. Offer Water Agency first right of refusal on naming rights (upon expiration of this agreement) for upgrade or redesign of exhibit area
4. Indemnification. Museum agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to Water Agency, and to defend, indemnify, hold harmless, reimburse and release Water Agency from and against any and all actions, claims, damages, disabilities, liabilities and expense, including but not limited to attorneys' fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in an action by Water Agency to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by any person or entity, including Museum, arising out of or in connection with the performance of Museum hereunder, whether or not there is concurrent negligence on the part of Water Agency, but, to the extent required by law, excluding liability due to the sole or active negligence or due to the willful misconduct of Water Agency. If there is a possible obligation to indemnify, Museum's duty to defend exists regardless of whether it is ultimately determined that there is not a duty to indemnify. Water Agency shall have the right to select its own legal counsel at the expense of Museum, subject to Museum's approval and the approval of the provider of the Museum's insurance, which approval shall not be unreasonably withheld. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Museum or its agents under workers' compensation acts, disability benefit acts, or other employee benefit acts.
5. Insurance. With respect to performance of work under this Agreement, Museum shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described in Exhibit B.
6. Invoices. Museum shall invoice Water Agency upon execution of this Agreement with an invoice that is clearly marked with "Children's Museum of Sonoma County, Funding Agreement for Salmon Lifecycle Exhibit at Children's Museum of Sonoma County, order numbers 7189-A3, and account number 675744-6570."
7. Refund of Unused Funds. Following completion of work, Museum shall submit receipts and invoices to verify actual costs. If total of actual costs of authorized expenses, plus an allocation of Twenty Percent (20%) for administration and maintenance, is less than the total amount provided under this Agreement, Museum shall refund the difference to Water Agency within 30 calendar days of completion.

8. Refund Upon Cancellation. If Museum determines the planned Salmon Lifecycle Exhibit, as part of the Museum's water feature, will not occur, Museum shall immediately notify Water Agency in writing. In such case, Museum shall refund any funding provided under this Agreement by Water Agency within 30 calendar days of said determination.

5. WATER AGENCY'S RESPONSIBILITIES

1. Total. The total amount paid under this Agreement shall not exceed \$25,000.
2. Payments. Upon execution of agreement and receipt of an invoice thereof, Water Agency will provide funds directly to Museum in the amount of \$25,000, which is the total amount of the Agency's obligation under this Agreement.
3. Items to be provided: Water Agency will provide its logo or other identifying material, as requested by Museum.
4. Other Requirements/Responsibilities of Water Agency.
  - a. Provide educational expertise to work with Museum on the design and development of the programming related to the Salmon Lifecycle Exhibit area.
  - b. Provide professional expertise on water use efficiency techniques throughout the outdoor garden and water feature ("Mary's Garden").

6. ADDITIONAL REQUIREMENTS

1. No Bottled Water. In accordance with Sonoma County Water Agency Board of Directors Resolution No. 09-0920, dated September 29, 2009, no Water Agency funding shall be used to purchase single-serving, disposable water bottles for use in Water Agency facilities or at Water Agency-sponsored events. This restriction shall not apply when potable water is not available.
2. Term of Agreement: This Agreement shall remain in effect until **December 1, 2014**, unless terminated earlier in accordance with the terms herein.
3. Termination: Should Museum fail to perform any of its obligations hereunder, within the time and in the manner herein provided, or otherwise violate any of the terms of this Agreement, Water Agency may immediately terminate this Agreement by giving Museum written notice of such termination, stating the reason for termination. Museum will be given Thirty (30) days notice to cure such breach before termination becomes effective. In the event of such termination, Water Agency will pay Museum for services satisfactorily rendered to the date of termination. However, Water Agency will deduct from such amount the amount of damage, if any, sustained by Water Agency by virtue of the breach of the Agreement by Museum. Water Agency's right to terminate may be exercised by Water Agency's General Manager.



4. Authority to Amend Agreement: Changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties.
5. No Waiver of Breach: The waiver by Water Agency of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or promise or any subsequent breach of the same or any other term or promise contained in this Agreement.
6. Construction: To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. Museum and Water Agency acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other. Museum and Water Agency acknowledge that they have each had an adequate opportunity to consult with counsel in the negotiation and preparation of this Agreement.
7. No Third-Party Beneficiaries: Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.
8. Applicable Law and Forum: This Agreement shall be construed and interpreted according to the substantive law of California excluding the law of conflicts. Any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in the County of Sonoma.
9. Captions: The captions in this Agreement are solely for convenience of reference. They are not a part of this Agreement and shall have no effect on its construction or interpretation.
10. Merger: This writing is intended both as the final expression of the agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the agreement, pursuant to Code of Civil Procedure Section 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.
11. Time of Essence: Time is and shall be of the essence of this Agreement and every provision hereof.

/

/

/

/

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date last signed by the parties to the Agreement.

Reviewed as to substance:

By: \_\_\_\_\_  
Water Agency General Manager


Reviewed as to funds:

By: \_\_\_\_\_  
Water Agency Division Manager -  
Administrative Services

Reviewed as to form:

By: \_\_\_\_\_  
County Counsel

Children's Museum of Sonoma County, a  
California non-profit corporation

By:   
Collette MICHAUD  
(Please print name here)

Title: CEO

Date: 8/9/12

Sonoma County Water Agency

By: \_\_\_\_\_  
Chair, Board of Directors

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Clerk of the Board

## EXHIBIT A

### Project Description

#### BACKGROUND INFORMATION:

##### **From the Museum Mission Statement:**

"With schools facing more cuts to arts, music and sciences, it is vital for every child to have access to hands-on experiences that promote creativity and independent thinking. Our goal is to offer this opportunity to all children regardless of race, ethnicity, language, disability, cultural background, or socioeconomic status."

##### **Planned Outdoor Garden Area at Children's Museum:**

An outdoor garden and water feature for learning and enjoyment is shown in the attached drawing. A primary message for visitors to Mary's Garden is that our natural resources are both beautiful and connected to our lives. The water exhibits will build visitors' knowledge of sustainability, water management, and recycling and reuse. Children will have the opportunity to see how their actions can have an impact on the environment through play and experimentation.

The garden and water feature are representative of Sonoma County ecosystems and designed to develop a sense of connection in visitors to the environment. The garden area will also contain a "Russian River" water feature, which will include the Salmon Lifecycle Exhibit.

#### WATER FEATURE and WATER AGENCY SALMON EXHIBIT:

The Russian River water feature will begin a headwaters area consisting of a water source from underground.

The water flows from here down a slight hill into the 'Russian River'. This is an interactive water play area, with a shallow flow along a gravel and sand channel. Visitors can play in the shallow flowing water or sit on the embedded boulders.

The river will begin in a headwaters area where children can drop small magnetic salmon-shaped fish into a nearby pond and watch as they "swim" (float) down the river. At the end of the water channel there will be a small pond where the water collects and is recycled. While standing on a pier at his pond, children will be able to use fishing poles with magnets to catch the magnetic salmon, then carry them back up to the headwaters to watch them swim down the river again.

Interpretive signage will be located at various points alongside the headwaters and Russian River areas describing the Salmon Lifecycle and its importance to our local and global ecology. Signage will be visually pleasing and include photographs of Sonoma County's watershed and various rivers.

A salmon lifecycle exhibit integrated into the 'Russian River' water play area of Mary's Garden will add an exciting and important educational element related to the sustainability of Sonoma County's ecosystem.

#### ESTIMATED TIMELINE:

- Final design plans completed December 2012
- Construction completed by December 2013
- Grand Opening to the public by June 2014

**EXHIBIT B**  
**Insurance Requirements**

**SECTION I - INSURANCE TO BE MAINTAINED BY MUSEUM**

Museum shall maintain insurance as described below unless such insurance has been expressly waived by the attachment of a *Waiver of Insurance Requirements*. The insurance shall be maintained for two years after all funds have been disbursed.

**1. Workers' Compensation and Employers Liability Insurance**

- a. Required if Museum has employees.
- b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
- c. Employers' Liability with limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
- d. Required Evidence of Coverage:
  - (i) Certificate of Insurance

If Museum currently has no employees, Museum agrees to obtain the above-specified Workers' Compensation and Employers' Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

**2. General Liability Insurance**

- a. Commercial General Liability Insurance on a standard occurrence form, no less broad than ISO form CG 00 01.
- b. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate.
- c. Museum shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by Water Agency. Museum is responsible for any deductible or self-insured retention.
- d. Sonoma County Water Agency, its officers, agents, and employees, shall be additional insured for liability arising out of Museum's ongoing operations. (ISO endorsement CG 20 26 or equivalent).
- e. The insurance provided to Water Agency *et al.* as additional insured shall apply on a primary and non-contributory basis with respect to any insurance or self-insurance program maintained them.
- f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad form contractual liability coverage including the "f" definition of insured contract in ISO form CG 00 01, or equivalent).

- g. The policy shall cover inter-insured suits between Water Agency and Museum and include a "separation of insureds" or "severability" clause which treats each insured separately.
- h. Required Evidence of Coverage:
  - (i) Copy of the additional insured endorsement or policy language granting additional insured status; and
  - (ii) Certificate of Insurance.

**3. Automobile Liability Insurance**

- a. Minimum Limits: \$1,000,000 combined single limit per accident.
- b. Coverage shall apply to all owned vehicles if Museum owns vehicles.
- c. Coverage shall apply to hired and non-owned vehicles.
- d. Required Evidence of Coverage:
  - (i) Certificate of Insurance.

**4. Standards for Insurance Companies**

- a. Insurers shall have an A.M. Best's rating of at least A:VII.

**5. Documentation**

- a. The Certificate of Insurance must include the following reference: TW 11/12-143
- b. All required Evidence of Coverage shall be submitted prior to the execution of this Agreement. Museum agrees to maintain current Evidence of Coverage on file with Water Agency for the required period of insurance.
- c. The name and address for mailing Additional Insured endorsements and Certificates of Insurance is: Sonoma County Water Agency, its officers, agents, and employees, 404 Aviation Boulevard, Santa Rosa, CA 95403-9019.
- d. Required Evidence of Coverage shall be submitted for any renewal or replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.
- e. Museum shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
- f. Upon written request, certified copies of required insurance policies must be provided within thirty (30) days.

**6. Policy Obligations**

- a. Museum's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

**SECTION II - INSURANCE TO BE MAINTAINED BY MUSEUM'S CONTRACTORS AND/OR CONSULTANTS**

Museum shall require its Contractors and Consultants to maintain insurance as described below:

- 1. Workers Compensation and Employers Liability Insurance**
  - a. Required if Contractor/Consultant has employees.
  - b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
  - c. Employers' Liability with limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
  - d. *Required Evidence of Coverage:*
    - (i) Certificate of Insurance
  
- 2. General Liability Insurance**
  - a. Commercial General Liability Insurance on a standard occurrence form, no less broad than ISO form CG 00 01.
  - b. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate.
  - c. Contractor/Consultant shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by Water Agency. Contractor/Consultant is responsible for any deductible or self-insured retention.
  - d. *(Required for Contractors)* Coverage shall be continued for one (1) year after completion of the Work.
  - e. *(Required for Contractors)* Museum shall be endorsed as an additional insured for liability arising out of ongoing and completed operations by or on behalf of the Contractor in the performance of this agreement. Additional insured status for completed operations shall continue for (1) year after completion of the Work.
  - f. *(Required for Architects, Design Professionals and other Consultants)* Museum and Water Agency shall be endorsed as additional insureds for liability arising out of Consultant's ongoing operations.
  - g. The insurance provided to the additional insureds shall apply on a primary and non-contributory basis with respect to any insurance or self-insurance program maintained by them.
  - h. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed

operations hazard (broad form contractual liability coverage including the "f" definition of insured contract in ISO form CG 00 01, or equivalent).

- i. The policy shall cover inter-insured suits between Contractor/Consultant and Museum or Water Agency and include a "separation of insureds" or "severability" clause which treats each insured separately.
- j. *Required Evidence of Coverage:*
  - (i) Copy of the additional insured endorsement or policy language granting additional insured status, and
  - (ii) Certificate of Insurance.

### **3. Automobile Liability Insurance**

- a. Minimum Limits: \$1,000,000 combined single limit per accident.
- b. Coverage shall apply to all owned autos. If Contractor/Consultant currently owns no autos, Contractor/Consultant shall obtain such insurance should any autos be acquired.
- c. Coverage shall apply to hired and non-owned autos.
- d. *Required Evidence of Coverage:*
  - (i) Certificate of Insurance.

### **4. Professional Liability/Errors and Omissions Insurance** (*Required for Architects, Design Professionals and other Consultants*)

- a. Minimum Limit: \$1,000,000 per occurrence.
- b. Consultant shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by Museum. Consultant is responsible for any deductible or self-insured retention.
- c. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
- d. Coverage applicable to the work performed for the Museum shall be continued for two (2) years after completion of the work. Such continuation coverage may be provided by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work for the Museum.
- e. *Required Evidence of Coverage:*
  - (i) Certificate of Insurance

**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)  
8/9/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 0603247 George Petersen Insurance Agency, Inc. P.O. Box 3539 Santa Rosa, CA 95402	CONTACT NAME: PHONE (A/C, No, Ext): (707) 525-4150	FAX (A/C, No): (707) 525-4175
	E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE INSURER A : <b>Riverport Insurance</b>		NAIC #
INSURED  Children's Museum of Sonoma P.O. Box 12323 Santa Rosa, CA 95406		INSURER B : <b>State Compensation Ins. Fund</b>  INSURER C : INSURER D : INSURER E : INSURER F :

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATION MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	X		RIC0012109	1/5/2012	1/5/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			REL0012110	1/5/2012	1/5/2013	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	X 193741411	12/29/2011	12/29/2012	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Job TW 11/12-143

TW 11/12-143

Certificate holder, its officers, gents and employees are listed as an additional insured under the general liability as respects to the named insureds operations per the attached RPCG 7412 08/05 Endorsement attached. Includes Primary and non-contributor basis. Waiver of Subrogation applies under SS0008 04/05 endorsement attached. Separation of Insureds is included in the General Liability Coverage Form CG0001.

**CERTIFICATE HOLDER****CANCELLATION**

Sonoma County Water Agency  
 404 Aviation Boulevard  
 Santa Rosa CA 95403-9019

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.





## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 10

(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Directors, Sonoma County Water Agency  
Board of Directors, Sonoma Valley County Sanitation District

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sonoma County Water Agency and  
Sonoma Valley County Sanitation District

**Staff Name and Phone Number:**

Kevin Booker - 521-1865

**Supervisory District(s):**

First and Second

**Title:** North Bay Water Reuse Authority – Professional Service Agreements

### **Recommended Actions:**

- a) Authorize General Manager of Water Agency, acting as the Administrative Agency for North Bay Water Reuse Authority (Authority), to execute an agreement with Virginia Bryant dba Bryant & Associates to provide federal program development services for the amount of \$356,000, an agreement with Mark Millan dba Data Instincts to provide Public Outreach Services for the amount of \$130,500, an agreement with CDM Smith, Inc., to provide engineering assistance (Phase 1) for the amount of \$150,000, an agreement with CDM Smith, Inc., to provide federal and state appropriations/grant support and federal appropriations reporting for the amount of \$10,000, an agreement with The Ferguson Group to provide federal legislative advocacy services for the amount of \$120,000, an agreement with Environmental Science Associates to provide environmental services for the amount of \$40,000, and an agreement with Pilar Oñate dba The Oñate Group to provide state legislative advocacy services for the amount of \$55,000; agreements terminate on June 30, 2014;
- b) Authorize expenditure of Sonoma Valley County Sanitation District funds for District's portion of costs for the above professional service agreements with Authority-selected consultants (First and Second Districts).

### **Executive Summary:**

#### HISTORY OF NORTH BAY WATER REUSE AUTHORITY

Sonoma County Water Agency (Water Agency), as approved by its Board of Directors, entered into a Memorandum of Understanding Establishing the North Bay Water Reuse Authority (Authority) with Las Gallinas Valley Sanitary District, Napa Sanitation District, Novato Sanitary District, and Sonoma Valley County Sanitation District. As of August 24, 2005, all five entities had formally entered into the Memorandum of Understanding. North Marin Water District and County of Napa became signatories under the Second Amended Memorandum of Understanding, effective September 15, 2011.

The Second Amended Memorandum of Understanding was approved by Water Agency's and Sonoma Valley County Sanitation District's Boards on October 26, 2010. The Authority is not a legal entity and cannot enter

into agreements in its own name. Therefore, Section 12 of the Second Amended Memorandum of Understanding designates the Water Agency to act as the Administrative Agency for the Authority. As the Administrative Agency, the Water Agency enters into agreements and performs other administrative functions for the Authority, with prior approval of the Authority Board of Directors. The Authority is responsible for consultant selection. The Water Agency is reimbursed by the Authority for the costs it incurs while acting as Administrative Agency.

#### HISTORY OF NORTH BAY WATER REUSE PROGRAM

The Authority has undertaken the North Bay Water Reuse Program (Program) to investigate the feasibility of distributing recycled water for agricultural, urban, and environmental uses throughout the region. The partners are water and sanitation agencies who seek to optimize the value of recycled water both in their own communities and throughout the North San Pablo Bay region.

The North San Pablo Bay region has very limited surface and groundwater supplies. The majority of the region is not served by state or federal water projects, and some of the local groundwater basins have signs of overdraft and potential saltwater intrusion. Urban, agricultural, and environmental demands exceed the region's ability to provide a reliable, sustainable, and economical water supply. Water managers and elected officials recognize the contribution recycled water can make in helping to address water supply reliability and are continuing to investigate how recycled water could be put to its broadest and most beneficial use and implementing such recycled water projects as feasible and as funding becomes available.

The Program is authorized for two construction phases under the U.S. Bureau of Reclamation's (Reclamation) Title XVI Program. This authorization provides a 25% federal cost-share for each phase of the Program. The Authority completed feasibility and environmental studies for Phase 1 of the Program and in 2010 began construction on a series of recycled water projects valued at \$100 million. To date, the Program has received nearly \$13 million in federal funding and nearly \$2.9 million in state funding; the balance of funding will be provided by the state and local agencies. Additional studies have been initiated to determine the feasibility of initiating Phase 2 of the Program that could include new member agencies and additional projects in the Program area.

Potential uses and benefits of recycled water include reliable irrigation supply for both vineyards and pasture lands; environmental flows for restoration of wetland habitat in the Napa-Sonoma Salt Marsh or other areas and improved instream flows for riparian habitat and fisheries recovery; reduction in demand on both surface and groundwater supplies; regional urban, municipal, and industrial uses; and an environmentally responsible alternative to treated wastewater disposal.

By establishing a partnership of local, state, and federal agencies with similar mandates, the Authority desires to maximize the benefits of multiple funding sources to implement the Program.

The Program is a model for maximizing the benefits of limited water resources in the west. By partnering on the local level, agencies and elected officials are developing solutions to meet broad constituent needs under the umbrella of a comprehensive regional program. This approach also helps the federal and state agencies accomplish their resource management objectives and regulatory requirements.

Pursuant to the Second Amended Memorandum of Understanding, and as shown below, Authority members

divide the first 25% of costs equally and the remaining 75% of costs in proportion to the benefit to each member in the Authority through funds received under Phase 1. Percentages may be revised based on the addition of signatory members, revisions to the projects in Phase 1, or continuation beyond Phase 1.

Because Phase 2 is in its early stages, the Phase 2 costs are allocated equally among Authority members and will be structured similar to Phase 1 once projects and benefits have been defined. Cost allocations were developed and approved by the Authority's Technical Advisory Committee.

Phase 1 Cost Allocation

<b>Member</b>	<b>25% Split Equally</b>	<b>Percentage of Remaining 75%</b>	<b>Total of Percentages</b>
Las Gallinas Valley Sanitary District	3.57%	3.67%	7.24%
Novato Sanitary District	3.57%	5.04%	8.61%
North Marin Water District	3.57%	14.07%	17.64%
Sonoma Valley County Sanitation District	3.57%	23.90%	27.47%
Sonoma County Water Agency	3.57%	0.00%	3.57%
Napa Sanitation District	3.57%	28.32%	31.89%
Napa County	3.57%	---	3.57%
<b>TOTALS</b>	<b>25.00%</b>	<b>75.00%</b>	<b>100%</b>

Phase 2 Cost Allocation

<b>Member</b>	<b>Split Equally</b>
Las Gallinas Valley Sanitary District	14.29%
Novato Sanitary District	14.29%
North Marin Water District	14.29%
Sonoma Valley County Sanitation District	14.29%
Sonoma County Water Agency	14.28%
Napa Sanitation District	14.28%
Napa County	14.28%
<b>TOTALS</b>	<b>100.00%</b>

CONSULTANT AGREEMENTS

Upon Board approval Water Agency will enter into the seven below-described agreements, as the Administrative Agency for the Authority. Estimated total agreement amounts and Water Agency's and Sonoma Valley County Sanitation District's estimated share of costs are noted. Agreements expire on June 30, 2014.

The consultants were selected by the Authority, and the scopes of work and budgets for these agreements were approved by the Authority's Board of Directors on May 21, 2012. The hiring of these consultants causes no conflict of interest and is not based on any financial incentive provided to Sonoma County Water Agency, Sonoma Valley County Sanitation District, North Bay Water Reuse Authority, or their employees and representatives.

Agreements in Fiscal Year 2013/2014 recognize higher cost than shown in Fiscal Year 2012/2013, due to the

Authority's anticipation that the volume of work will increase (additional work related to scoping and feasibility studies) in Fiscal Year 2013/2014.

Agreements entered into by the Water Agency for the Authority contain a provision that makes each Authority member liable only for its respective share of the contract cost and provides that none of the members can be required to pay costs allocated to other members.

In 2011 and 2012 the Authority's Technical Advisory Committee conducted performance reviews of consultants under contract. The results of performance reviews were considered when renewing agreements or determining the need to implement a competitive selection process.

Attachment A includes a list of prior Authority agreements with each consultant.

#### Federal Program Development

Consultant: Virginia Bryant dba Bryant & Associates, Sacramento, California

Total agreement amount: Fiscal Year 2012/2013 at \$178,000 and Fiscal Year 2013/2014 at \$178,000 for a 2-year total of \$356,000

Water Agency share of costs: Fiscal Year 2012/2013 at \$14,833 and Fiscal Year 2013/2014 at \$14,833 for a 2-year total of \$29,666

Sonoma Valley County Sanitation District share of costs: Fiscal Year 2012/2013 at \$14,833 and Fiscal Year 2013/2014 at \$14,833 for a 2-year total of \$29,666

Under this agreement the consultant will perform the following tasks: Assist the Authority Board of Directors and Technical Advisory Committee as defined in the Second Amended Memorandum of Understanding, coordinate with consultants and track Program components, pursue federal funding with Reclamation, pursue other federal authorizing and funding sources, and mobilize and develop broad stakeholder support.

Authority Selection Process: Virginia Bryant dba Bryant & Associates was the only consultant contacted for this work. Ms. Bryant was selected by the Authority because she is familiar with the North Bay Water Reuse Program, has worked on the Napa-Sonoma Salt Marsh Restoration Project since 2002, has a proven successful track record of obtaining funding approvals from Reclamation and of gaining support from stakeholders and legislators, and has a great deal of experience in this type of work.

#### Public Outreach Services

Consultant: Mark Millan dba Data Instincts, Windsor, California

Total agreement amount: Fiscal Year 2012/2013 at \$50,000 and Fiscal Year 2013/2014 at \$80,500 for a 2-year total of \$130,500

Water Agency share of costs: Fiscal Year 2012/2013 at \$7,143 and Fiscal Year 2013/2014 at \$11,500 for a 2-year total of \$18,643

Sonoma Valley County Sanitation District share of costs: Fiscal Year 2012/2013 at \$7,143 and Fiscal Year 2013/2014 at \$11,500 for a 2-year total of \$18,643

Under this agreement the consultant will perform the following tasks: Support Program public outreach and communication needs, assist Authority staff and support Authority efforts, assist with stakeholder relations, provide as-needed federal and state appropriation and grant support, and assist in environmental review

process and feasibility studies.

Authority Selection Process: Mark Millan dba Data Instincts was selected through a Request for Qualifications process in September of 2011. Water Agency, on behalf of Authority sent a Request for Qualifications to the following firms: Data Instincts; Katz and Associates; Jungle Communications, Inc.; Kimbrell & Company; Working Images; Rauch Communications Consultants; AIM Consulting; Barcellona Communications, Inc.; J. Majors & Associates PR and Event Management, LLC; LucyCo Communications; and PRx, INC.

Data Instincts, Katz and Associates, Rauch Communications Consultants, and J. Majors & Associates PR and Event Management, LLC responded to the Request for Qualifications and submitted Statements of Qualifications. In addition, HDR Inc. and The Ferguson Group also responded to the Request for Qualifications and submitted Statements of Qualifications.

Data Instincts, Katz and Associates, and Rauch Communications Consultants were invited to present proposals to the Authority Technical Advisory Committee. At the conclusion of the presentations and deliberations between Authority Technical Advisory Committee members, Data Instincts was selected by the Authority to perform the work. Data Instincts was selected by the Authority because of its previous background working with municipalities and public agencies on recycled water projects, as well as familiarity and experience working on recycled water projects and issues locally and statewide. Additionally, Data Instincts has expertise in public/community relations, media relations, and website development.

#### Engineering Assistance, Phase 1

Consultant: CDM Smith, Inc., Walnut Creek, California

Total agreement amount: Fiscal Year 2012/2013 at \$75,000 and Fiscal Year 2013/2014 at \$75,000 for a 2-year total of \$150,000

Water Agency share of costs: Fiscal Year 2012/2013 at \$2,697 and Fiscal Year 2013/2014 at \$2,697 for 2-year total of \$5,394

Sonoma Valley County Sanitation District share of costs: Fiscal Year 2012/2013 at \$20,605 and Fiscal Year 2013/2014 at \$20,605 for a 2-year total of \$41,210

Under this agreement the consultant will provide Phase 1 Program support and coordination, provide as-needed support to address technical and process questions related to federal and state appropriations and grants, manage federal appropriations reporting, and provide additional services as requested by Water Agency.

Authority Selection Process: CDM Smith, Inc., was the only consultant contacted for this work. CDM Smith, Inc. has been working on the North Bay Water Reuse Project since its inception. Therefore, due to CDM Smith's substantial knowledge about the Program; previous track record of successful preparation of work products, including those required for grant funding; and demonstrated ability to coordinate with Authority members, Authority chose to continue CDM Smith's work on the project. The Authority would incur substantially increased costs in soliciting new proposals and start-up costs for another consultant. There would also be the likely loss of funding due to delays in project implementation if another consultant was hired.

#### Federal and State Appropriations/Grant Support and Federal Appropriations Reporting

Consultant: CDM Smith, Inc., Walnut Creek California

Total agreement amount: Fiscal Year 2012/2013 at \$5,000 and Fiscal Year 2013/2014 at \$5,000 for a 2-year total of \$10,000

Water Agency share of costs: Fiscal Year 2012/2013 at \$0 and Fiscal Year 2013/2014 at \$0

Sonoma Valley County Sanitation District share of costs: Fiscal Year 2012/2013 at \$1,000 and Fiscal Year 2013/2014 at \$2,000 for 2-year total of \$3,000

Under this agreement Consultant will provide as-needed support to address technical and process questions from Reclamation and/or potential state funding agencies, coordinate the appropriations reporting documentation for the Title XVI construction appropriations, review federal guidance documents on appropriations award and reporting requirements for applicability to the Program, and develop and distribute templates to the Authority member agencies for use in compiling reporting and reimbursement data.

Authority Selection Process: CDM Smith, Inc. was the only consultant contacted for this work. CDM Smith, Inc. has been working on the North Bay Water Reuse Project since its inception. Therefore, due to CDM Smith's substantial knowledge about the Program; previous track record of successful preparation of work products, including those required for grant funding; and demonstrated ability to coordinate with Authority members, Authority chose to continue CDM Smith's work on the project. The Authority would incur substantially increased costs in soliciting proposals for another consultant. There would also be the likely loss of funding due to delays in project implementation if a new consultant who is not familiar with Authority's Program was hired.

#### Federal Legislative Advocacy Services

Consultant: The Ferguson Group, LLC, Washington, DC

Total agreement amount: Fiscal Year 2012/2013 at \$60,000 and Fiscal Year 2013/2014 at \$60,000 for a 2-year total of \$120,000

Water Agency share of costs: Fiscal Year 2012/2013 at \$8,571 and Fiscal Year 2013/2014 at \$8,571 for a 2-year total of \$17,142

Sonoma Valley County Sanitation District share of costs: Fiscal Year 2012/2013 at \$8,571 and Fiscal Year 2013/2014 at \$8,571 for a 2-year total of \$17,142

Under this agreement the consultant will seek and make efforts to secure federal support from the U.S. Bureau of Reclamation and other federal agencies for Authority's priority projects and for federal authorization legislation and funding programs that support recycled water programs and projects.

Authority Selection Process: The Ferguson Group, LLC, was the only consultant contacted for this work. The Ferguson Group, LLC, was selected by the Authority because it is familiar with the Program, has been successful in obtaining legislative authorization for the Program and appropriations, and has a great deal of experience in this type of work.

#### Environmental Services

Consultant: Environmental Science Associates, Petaluma, California

Total agreement amount: Fiscal Year 2012/2013 at \$20,000 and Fiscal Year 2013/2014 at \$20,000 for a 2-year total of \$40,000

Water Agency share of costs: Fiscal Year 2012/2013 at \$714 and Fiscal Year 2013/2014 at \$5,495 for a 2-year total of \$6,209

Sonoma Valley County Sanitation District share of costs: Fiscal Year 2012/2013 at \$714 and Fiscal Year

2013/2014 at \$5,495 for a 2-year total of \$6,209

Under this agreement the consultant will coordinate mitigation compliance and reporting requirements and provide support to the Authority on environmental-related issues.

Authority Selection Process: Environmental Science Associates was selected by the Authority in 2006, through a Request for Proposal process, to prepare the California Environmental Quality Act/National Environmental Policy Act documentation of the North San Pablo Bay Restoration and Reuse Project. The California Environmental Quality Act/National Environmental Policy Act document was completed in 2011, with subsequent changes in 2012.

#### State Legislative Advocacy Services

Consultant: Pilar Oñate dba The Oñate Group, El Dorado Hills, California

Total agreement amount: Fiscal Year 2012/2013 at \$25,000 and Fiscal Year 2013/2014 at \$30,000 for a 2-year total of \$55,000

Water Agency share of costs: Fiscal Year 2012/2013 at \$3,572 and Fiscal Year 2013/2014 at \$4,286 for a 2-year total of \$7,858

Sonoma Valley County Sanitation District share of costs: Fiscal Year 2012/2013 at \$3,572 and Fiscal Year 2013/2014 at \$4,286 for a 2-year total of \$7,858

Under this agreement the selected consultant's scope may include, but not be limited to, advocating for recycled water funding and assist Authority in obtaining recycled water funding under existing and near-future administrative programs, policy and funding legislation related to the State's Integrated Regional Water Management Program and various water supply and water quality measures, and inclusion of the Authority's recycled water programs and projects in legislation that would support such recycled water programs and projects; assist Authority and/or Authority members with respect to state-level administrative or regulatory hurdles that may arise with respect to implementation of the Program and/or construction of Program projects; and participating in conference calls.

Authority Selection Process: Based upon recommendation from the Authority's Technical Advisory Committee, Pilar Oñate dba The Oñate Group was the only consultant contacted. Ms. Oñate was a subconsultant to Authority's previous state legislative advocacy consultant. The Authority would incur substantially increased costs in soliciting new proposals and start-up costs for another consultant that would not have the knowledge or experience working with stakeholders, state agencies, and legislators and their staff regarding the Program. There would also be the likely loss of funding due to delays in Program implementation if another consultant was hired. In addition, the typical cost of a consultant to provide these services is approximately \$5,000 per month. At this time, The Oñate Group has offered to provide these services for approximately 50 percent of the typical cost.

#### TERMINATION

The agreements include provisions for the Water Agency's General Manager to terminate, if necessary.

#### **Prior Board Actions:**

10/26/10 Concurrent action for approval of Second Amended North Bay Water Reuse Authority Memorandum of Understanding; 01/15/08 Concurrent action for approval of First Amended North Bay Water Reuse Authority

Memorandum of Understanding; 07/26/05 Concurrent action for approval of North Bay Water Reuse Authority Memorandum of Understanding as revised on June 13, 2005, or with minor changes, as approved by County Counsel; and 04/26/05 Concurrent Resolution No. 05-0369 for approval of North Bay Water Reuse Authority Memorandum of Understanding, allowing Water Agency to act as fiscal agent for the Authority, and payment of dues and allocated costs.

**Strategic Plan Alignment:** Goal 3: Invest in the Future

County Goal 3: Invest in the Future: Providing a reliable water supply for agricultural and urban needs in Sonoma County.

Water Agency Water Supply Goals and Strategies, Goal 2: Protect the Water Agency's existing water rights and our clean, high-quality water supply, and improve system resiliency by continuing to develop alternative supplies.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 93,971	Water Agency Gen Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 93,971
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 93,971</b>	<b>Total Sources</b>	<b>\$ 93,971</b>

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

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

None

**Attachments:**

Prior Agreements List (A-1)



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

None

RW\\FILESERVER\\DATA\\CL\\AGENDA\\MISC\\09-11-2012 WA NORTH BAY REUSE  
AUTHORITY\_SUMM.DOCX

CF/71-700-1 NORTH BAY WATER REUSE AUTHORITY - PHASE II PROJECT DEFINITION (ID 3321)

### List of Prior Authority Agreements with Each Consultant

#### Virginia Bryant dba Bryant & Associates, Sacramento, California

Prior Agreements with Authority for Program Development:

July 28, 2011, to June 30, 2012 (Phase 1)

Total agreement amount: \$60,000

Water Agency share of costs: \$2,143

Sonoma Valley County Sanitation District share of costs: \$16,484

July 28, 2011, to June 30, 2012 (Phase 2)

Total agreement amount: \$90,100

Water Agency share of costs: \$11,672

Sonoma Valley County Sanitation District share of costs: \$11,672

July 1, 2010, to June 30, 2011

Total agreement amount: \$174,000

Water Agency share of costs: \$18,111

Sonoma Valley County Sanitation District share of costs: \$30,778

July 1, 2009, to June 30, 2010

Total agreement amount: \$208,000

Water Agency share of costs: \$24,950

Sonoma Valley County Sanitation District share of costs: \$41,600

July 1, 2008, to June 30, 2009

July 1, 2007, to June 30, 2008

Total agreement amount: \$225,000

Water Agency share of costs: \$27,350

Sonoma Valley County Sanitation District share of costs: \$46,477

July 1, 2006, to June 30, 2007

Total agreement amount: \$210,000

Water Agency share of costs: \$25,664.97

Sonoma Valley County Sanitation District share of costs: \$49,934.27

April 1, 2005, to June 30, 2006

Total agreement amount: \$250,000

Water Agency share of costs: \$25,665

Sonoma Valley County Sanitation District share of costs: \$49,934

Prior Agreement with Authority for Membership Outreach Services:

August 6, 2010, to June 30, 2011

Total agreement amount: \$29,300

Water Agency share of costs: \$2,442

Sonoma Valley County Sanitation District share of costs: \$2,442

Mark Millan dba Data Instincts, Windsor, California

Prior Agreement with Authority for Public Outreach Services

January 8, 2012, to June 30, 2012

Total agreement amount: \$59,950

CDM Smith, Inc., Walnut Creek, California

Prior Agreements with Authority for Engineering Assistance

July 28, 2011, to December 31, 2012 (Phase 1)

Total agreement amount: \$85,000

Water Agency share of costs: \$3,035

Sonoma Valley County Sanitation District share of costs: \$23,353

July 28, 2011, to December 31, 2012 (Phase 2)

Total agreement amount: \$155,200

Water Agency share of costs: \$10,711

Sonoma Valley County Sanitation District share of costs: \$10,711

December 22, 2010, to August 31, 2011

Total agreement amount: \$92,000

Water Agency share of costs: 11,183

Sonoma Valley County Sanitation District share of costs: \$19,004

Prior Agreement with Authority for Outreach and Engineering Assistance

May 12, 2011, to June 30, 2011

Total agreement amount: \$29,800

Water Agency share of costs: \$2,484

Sonoma Valley County Sanitation District share of costs: \$2,484

The Ferguson Group, LLC, Washington, DC

Prior Agreements with Authority

July 1, 2011, to April 30, 2012

Total agreement amount: \$50,001

Water Agency share of costs: \$1,786

Sonoma Valley County Sanitation District share of costs: \$13,737

September 1, 2010, to June 30, 2011

Total agreement amount: \$50,000

Water Agency share of costs: \$6,078

Sonoma Valley County Sanitation District share of costs: \$10,328

Environmental Science Associates, Petaluma, California

Prior Agreements with Authority

August 29, 2011, to June 30, 2012

Total agreement amount: \$40,000

Water Agency share of costs: \$1,429

Sonoma Valley County Sanitation District share of costs: \$10,990

November 6, 2006, to completion of scope

Total agreement amount: \$34,970

Water Agency share of costs: \$2,129

Sonoma Valley County Sanitation District share of costs: \$3,413

Pilar Oñate dba The Oñate Group, El Dorado Hills, California

No prior agreements.



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 11  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Directors, Sonoma Valley County Sanitation District

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** 2/3 - SVCSD

**Department or Agency Name(s):** Sonoma Valley County Sanitation District

**Staff Name and Phone Number:**

Kevin Booker - 521-1865

**Supervisory District(s):**

First

**Title:** Sonoma Valley Salt and Nutrient Management Plan

### **Recommended Actions:**

Authorize Chair to execute an agreement with Marin Municipal Water District for the Sonoma Valley Salt and Nutrient Management Plan at no cost; agreement terminates on September 17, 2013.

### **Executive Summary:**

#### HISTORY OF ITEM

In recognition of the importance of recycled water projects and their growing significance in meeting state-wide water demands, the State of California recently adopted the Recycled Water Policy (Policy).

The Policy requires that salt and nutrient management plans (Plan) be developed to manage salts, nutrients, and other significant chemical compounds on a watershed- or basin-wide basis. Sonoma Valley County Sanitation District (District) has begun the processes to prepare a Plan for the Sonoma Valley Groundwater Sub-basin. The purpose of the Plan is to manage salts and nutrients from sources in a manner that ensures compliance with water quality objectives and protection of beneficial uses of the basin.

The Policy states the State Water Resources Control Board's (State Board) intent that Plans be developed in a collaborative effort among water and wastewater agencies and other salt and nutrient stakeholders; therefore, the Plan will be developed in coordination and collaboration with the existing stakeholder groups assembled for the Sonoma Valley Groundwater Management Program. When completed, the Plan will be incorporated into the Bay Area Integrated Regional Water Management Plan.

The intent of the Integrated Regional Water Management Program is to promote and practice integrated regional water management to ensure sustainable water uses, reliable water supplies, better water quality, environmental stewardship, efficient urban development, protection of agriculture, and a strong economy. Through the Integrated Regional Water Management process, agencies seek funding to complete their Plans. In the spring of 2010, as part of the Bay Area Integrated Regional Water Management process, District submitted a project (preparation of a Salt and Nutrient Management Plan) to be included in the Proposition 84

Integrated Regional Water Management Planning Grant from the State of California, Department of Water Resources (State) planning grant application. By participating in this process, District could be eligible to receive a 50/50 cost-share to prepare its Plan. Costs to be reimbursed would include consultant costs for preparation of the Plan and District staff time, up to \$205,000. In the summer of 2011, the Department of Water Resources announced its Integrated Regional Water Management Planning Grant awardees. The Bay Area Integrated Regional Water Management received its funding requests, which include funding for the preparation of District's Plan.

#### AGREEMENT WITH MARIN MUNICIPAL WATER DISTRICT

Marin Municipal Water District (Marin) on behalf of numerous local public agencies located in the San Francisco Bay Area (collectively referred to as "Participating Agencies") applied for a Proposition 84 Integrated Regional Water Management Planning Grant from the State, to help fund the implementation of various projects to be carried out by the Participating Agencies.

On December 7, 2011, Marin executed an agreement with State entitled "Grant Agreement between the State of California Department of Water Resources and Marin Municipal Water District, Agreement No. 4600009391 Integrated Regional Water Management Planning California Public Resources Code §75026 *et seq.*" (State Grant Agreement). Through the State Grant Agreement, the State of California has provided a grant from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to Marin for the purpose of developing or completing a new, or updating an existing Integrated Regional Water Management plan, or developing, completing, or modifying a component of an Integrated Regional Water Management plan so that the Integrated Regional Water Management plan meets the Integrated Regional Water Management plan standards set forth in the Integrated Regional Water Management Program Guidelines dated August 2010.

Each of the Participating Agencies will be recipients under the State Grant Agreement and will be responsible for the cost-matching required under the State Grant Agreement. The process by which the grant funds will be disbursed by State to Marin is set forth in and governed by the State Grant Agreement. Disbursement of the grant funds will operate on a reimbursement basis, in that each discrete project and eligible administration costs will be reimbursed by State after the cost has been incurred and a request for reimbursement has been prepared and submitted to State by Marin.

On April 17, 2012, the Board approved District's agreement with RMC Water and Environment to prepare District's Plan. Under the agreement with Marin, District will be reimbursed for RMC Water and Environment's costs for preparation of the Plan and District staff time, as outlined above.

#### **Prior Board Actions:**

04/17/2012 Authorized Agreement for Preparation of Sonoma Valley Salt and Nutrient Management Plan between the Sonoma Valley County Sanitation District and RMC Water and Environment

#### **Strategic Plan Alignment:** Goal 3: Invest in the Future

County Goal 3: Invest in the Future. The goal is met by sustainably managing the resources in Water Agency's care.

Water Agency Sanitation Goals and Strategies, Goal 1: Meet or exceed environmental regulations and public health standards

**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	Water Agency Gen Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**  
 MMWD will reimburse 50 percent of cost for RMC agreement, up to \$205,000. The remaining 50 percent is District's cost and is budgeted under the RMC agreement.

<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**  
 None

**Attachments:**

**Related Items "On File" with the Clerk of the Board:**  
 Agreement (4 Copies)



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 12  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Sonoma Valley County Sanitation District Board of Directors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** 2/3 - SVCSD

**Department or Agency Name(s):** Sonoma Valley County Sanitation District

**Staff Name and Phone Number:**

Kevin Booker 707-521-1865

**Supervisory District(s):**

First

**Title:** Proposition 84 Local Project Sponsor Agreement

### Recommended Actions:

Adopt resolution authorizing and directing the General Manager of the Sonoma Valley County Sanitation District (District), to execute Implementation Agreement No. 15 between Bay Area Clean Water Agencies and the District for the Sonoma Valley Recycled Water Project funded through the Proposition 84 grant from the State of California Department of Water Resources and to serve as the District's representative for the administration of the Implementation Agreement.

### Executive Summary:

In August 2003, the Board directed the Sonoma County Water Agency (Water Agency) to coordinate the preparation of an Integrated Regional Water Management Plan for the Bay Area and North Coast regions to position the Water Agency and the districts it manages to qualify for Proposition 50 funding. Proposition 50, approved by voters in 2002, includes \$380 million for grants to support the development and implementation of Integrated Regional Water Management Plan throughout California. Since the passage of Proposition 50, voters also approved Proposition 84 in November 2006, which provides an additional \$1 billion in Integrated Regional Water Management Plan grant funding, including \$138 million for the Bay Area Region, \$37 million for the North Coast Region, and more than \$400 million for projects that promote sustainable communities..

Implementation Agreement No. 15 (Implementation Agreement) is between the Bay Area Clean Water Agencies a Joint Powers Authority, and Sonoma Valley County Sanitation District (District). Bay Area Clean Water Agencies consists of various public agencies in the San Francisco Bay Area Region and has been awarded funding in the amount of approximately \$30.1 million for a Proposition 84 Grant from the Department of Water Resources, State of California. The grant will help fund the implementation and operation of various regional water conservation, water recycling, desalination, and groundwater projects associated with the San Francisco Integrated Regional Water Management. Other implementation agreements containing the same terms are being entered into between Bay Area Clean Water Agencies and other local entities (In the implementation agreements, these agencies are referred to as "Local Project Sponsor"). The Implementation agreements facilitate implementation of the State Grant Agreement entered into between Bay Area Clean Water Agencies



and the Department of Water Resources (State Agreement No. 4600009715 (the State Agreement)). The State Agreement is attached as Exhibit A to the Implementation Agreement. The grant period extends from August 16, 2011—the date Department of Water Resources and Bay Area Clean Water Agencies signed the agreement—until September 30, 2016.

Under the Implementation Agreement, the District will be entitled to \$650,000 of the approximately \$30.1 Department of Water Resources grant to implement the portions of the Sonoma Valley Recycled Water Project (Project). In August 2011, the District paid \$2,000 in upfront administrative costs to Bay Area Clean Water Agencies for grant administration. The District's share of future administrative costs for grant administration is not expected to exceed \$8,400. East Bay Municipal Utility District's Accounting Department will provide all of Bay Area Clean Water Agencies' financial accounting services. In addition, The District anticipates staffing cost will be about \$1,000 per year to update quarterly reports

In 2011 the District, as a part of the North Bay Water Reuse Program, completed the R5 Reservoir Project and 1-mile of 18-inch diameter pipeline using American Recovery and Reinvestment Act (Stimulus Funding) and District funding. Reimbursement from the Proposition 84 grant will be applied to the already completed projects (R5 Reservoir Project and 1-mile of 18-inch diameter pipeline).

District staff and County Counsel have reviewed the terms and conditions of the Agreements. Because the implementation Agreement implements the State Agreement which contains several strict provisions regarding disbursement and use of grant funds, several of the terms in the Agreements create risks to District which are summarized below. However, District believes the benefits of the Agreements outweigh the risks involved and therefore recommend that the Board authorize the General Manager to execute the Implementation Agreement. The benefits of entering into the Implementation Agreement include significant financial assistance in implementation of a water recycling project included in the San Francisco Integrated Regional Water Management which will result in environmentally beneficial use of recycled water and significant environmental improvement of marshland, and increased access to additional funding leading to continued Integrated Regional Water Management Plan implementation.

#### Other Significant Provisions in the Agreements

The Implementation Agreement is conditioned on appropriation of sufficient funds and states that Bay Area Clean Water Agencies may terminate the Implementation Agreement or offer reduced amounts if sufficient funds are not available in present or future fiscal years. What is not clear is whether the Local Project Sponsors might be required to return funds that have already been disbursed if they are unable to complete Projects because insufficient grant funds have been provided, or simply based on a demand by Department of Water Resources. It is unknown whether other Local Project Sponsors require the full Department of Water Resources grant funds in order to complete their projects. In certain cases, a Local Project Sponsor will need all of its grant funding in order to complete its project. This may impact the District because the Department of Water Resources has a clause that they will hold 10% of the reimbursement, until all projects are completed. Withholding of 10% of the grant funding happened under Proposition 50. The Department of Water Resources held 10% of the Proposition 50 grant funding from all agencies until an understanding between the delayed LPS and DWR was established. Once the two entities came to an understanding, Department of Water Resources reimburses the remaining 10% to those entities that had completed their projects. Since the District has

completed its projects (R5 Reservoir and 1-mile of pipeline), the Department of Water Resources could potentially withhold, under Section 54 Retention, \$65,000 of the \$650,000 being requested until all projects funded under Proposition 84 are completed.

**Prior Board Actions:**

12/13/06 Resolution No. 06-1093 adopting the Bay Area Integrated Regional Water Management Plan, determining that the Bay Area Integrated Regional Water Management will not have a significant adverse effect on the environment, and authorizing the General Manager/Chief Engineer to file a Notice of Exemption; 06/13/06 Resolution No. 06-0547 approving the project and authorizing the General Manager/Chief Engineer to pursue funding, design, and construction of a recycled water pipeline to the Napa River Salt Marsh Restoration Project, making certain findings and determinations in accordance with the California Environmental Quality Act, including adoption of a statement of overriding considerations; and directing the General Manager/Chief Engineer to file a notice of determination.

**Strategic Plan Alignment:** Goal 2: Economic and Environmental Stewardship

This agreement meets the County's Strategic Plan Goal No. 2 by preserving Agricultural Resources in the County

This agreement meets the Water Agency's Strategic Priority to address critical infrastructure needs for sanitation systems. Sanitation Goal: Recycled Water Expansion

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 9,500	Water Agency Gen Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 9,500
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 9,500</b>	<b>Total Sources</b>	<b>\$ 9,500</b>

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

The FY 12-13 District budget includes the \$9,500 in administrative costs associated with the Implementation Agreement. The \$650,000 reimbursement will be applied to projects completed in 2011 (R5 reservoir and the 1-mile of 18-inch diameter pipeline), and will be identified as revenue in the District budget when received.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

None

**Attachments:**

Resolution (R1)

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

Agreement #15 (1 copy)

RW\\FILESERVER\DATA\CL\AGENDA\MISC\09-11-2012 WA PROPOSITION 84 LOCAL  
PROJECT\_SUMM.DOCX

CF/47-712-21 BAY AREA CLEAN WATER AGENCY (IMPLEMENTATION AGREE NO. 15) TW NO (ID  
4470)

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution Of The Board Of Directors Of The Sonoma Valley County Sanitation District (District) , Authorizing And Directing The General Manager To Execute Implementation Agreement No. 15 Between Bay Area Clean Water Agencies And The District For The Sonoma Valley Recycled Water Project Funded Through The Proposition 84 Grant From The State Of California Department Of Water Resources; And To Serve As The District's Representative For The Administration Of The Implementation Agreement. (First District)**

**Whereas**, the State electorate has approved multiple statewide bond measures since 2000 to fund water and natural resource projects and programs, including \$3.44 billion Linder Proposition 50, of which \$500 million is directed to Integrated Regional Water Management; and

**Whereas**, the State electorate approved Proposition 84 on November 7, 2006, which contains a total of \$5.39 billion for water and natural resource projects and programs, including \$1 billion for Integrated Regional Water Management with \$138 million of that amount allocated to the San Francisco Bay Area; and

**Whereas**, in August 2011, pursuant to Bay Area Clean Water Agencies' request made on behalf of the Participating Agencies, Department of Water Resources awarded Bay Area Clean Water Agencies a grant for \$30,093,592.00 in State funding (the "State Grant") and over \$80,000,000.00 in matching funds; each of the Participating Agencies will be recipients of the State Grant, by and through Bay Area Clean Water Agencies, and will be responsible for the cost-matching required under the State Agreement (defined below); the grant period extends from August 16, 2011 (the date of the Letter of Conditional Award) until 2015-16, when the lengthiest projects will wind down and grant closeout activities are expected to be completed; and

**Whereas**, San Francisco Bay Area Region and has been awarded funding in the amount of approximately \$30.1M for a Proposition 84 Grant from the Department of Water Resources, State of California; and

**Whereas**, the grant will help fund the implementation and operation of various regional water conservation, water recycling, desalination and groundwater projects associated with the San Francisco Bay Area Integrated Regional Water Management Plan; and

**Whereas**, the benefits of entering into the Implementation Agreement include significant financial assistance in implementation of a water recycling project from the Integrated Regional Water Management Plan which will result in environmentally beneficial use of recycled water and environmental improvement; and

**Whereas**, the Implementation Agreement will increase access to additional funding leading to continued Integrated Regional Water Management Plan implementation and the result in environmental and community benefits; and

**Whereas**, the benefits of integrated planning for water management activities include increased efficiency or effectiveness, enhanced collaboration across agencies and stakeholders, and improved responsiveness to regional needs and priorities.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Sonoma Valley County Sanitation District hereby finds, determines, and declares as follows:

1. All of the above recitals are true and correct.
2. Entering into the Implementation Agreement provide significant financial assistance in implementation of a water recycling project in the Sonoma Valley.
3. The General Manager is hereby authorized to execute Implementation Agreement No. 15 between Bay Area Clean Water Agencies and the Sonoma Valley County Sanitation District for the Sonoma Valley Recycled Water Project; and to serve as the District's representative for the administration of the Implementation Agreement.

**Directors:**

Sanders:            Brown:            Zane:  
Ayes:                Noes:             Absent:            Abstain:

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 13  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** The Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Auditor-Controller-Treasurer-Tax Collector

**Staff Name and Phone Number:**

Ann Hargreaves (707) 565-8302  
Terina Tracy (707) 565-3234

**Supervisory District(s):**

**Title:** Agreed-Upon Procedures Report

### Recommended Actions:

Review and acceptance of the agreed upon procedures report of the Northern Sonoma County Air Pollution Control District for the fiscal years ended June 30, 2011, and 2010.

### Executive Summary:

According to Government Code section 26909, an agreed-upon procedure engagement is required for Northern Sonoma County Air Pollution Control District. The County's Comprehensive Annual Financial Report addressed the financial aspect of the code requirement. The compliance and internal control areas were met with a customized agreed-upon procedures report.

The areas to be reviewed were determined in conjunction with the entity's management. The Sonoma County Auditor-Controller-Treasurer-Tax Collector's Office conducted agreed-upon procedures for the Northern Sonoma County Air Pollution Control District for the fiscal year ended June 30, 2011 and 2010. Our engagement included a review of policies, procedures and transaction for cash receipts, accounts receivable, cash reimbursements and fixed assets.

There were no significant or material findings as a result of our procedures.

### Prior Board Actions:

The Board reviewed and approved the agreed-upon procedures report for the fiscal years ended June 30, 2009, and 2008.

**Strategic Plan Alignment:** Not Applicable

**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**  
None.

<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**  
None

**Related Items "On File" with the Clerk of the Board:**  
Agreed-Upon Procedures Report- Northern Sonoma County Air Pollution Control District 2011 and 2010.



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 14  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** BOS

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** BOS

**Staff Name and Phone Number:**

**Supervisory District(s):**

David Rabbitt (707)565-2241

Second

**Title:** Disbursement of 2012-2013 Discretionary Advertising Funds

### **Recommended Actions:**

Approve Advertising Program grant awards and authorize the County Administrator to execute contracts with the following entities:

American Legion Post 28, \$500.00

Sonoma County Farm Bureau, \$1,000.00

### **Executive Summary:**

Category E- Local Events and Organization of the Advertising & Promotions Program Policy provides

### **Prior Board Actions:**

3/27/12- The Board approved the Advertising & Promotions Policy update, including the district allocations for Category E funds for FY 12/13

**Strategic Plan Alignment:** Goal 2: Economic and Environmental Stewardship

Provide grant funds to non-profit partners which encourage tourism development and economic development



**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 1,500	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 1,500
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 1,500</b>	<b>Total Sources</b>	<b>\$ 1,500</b>

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

Funds were included in the FY 12/13 Advertising Programs budget. This action allocates funds available to the Second District within Category E of the Advertising Program.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

Not Applicable

**Attachments:**

Attachment A- DRAFT FY 12/13 Category E Grant Award Agreement Template

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

None.

AGREEMENT

THIS AGREEMENT made and entered into this \_\_\_ day of \_\_\_, 2012, by and between the COUNTY OF SONOMA, (hereinafter COUNTY) and the NAME, (hereinafter ADVERTISER).

WITNESSETH:

WHEREAS, ADVERTISER has represented that it is aware of and understands the provisions and requirements of Government Code Section 26100 and COUNTY'S "Advertising and Promotions Policy" for the expenditure of funds appropriated under Section 26100, and that any expenditure made by ADVERTISER will be in compliance with Section 26100, the Advertising and Promotions Policy, and this Agreement, and

WHEREAS, COUNTY'S Board of Supervisors has relied on those representations in authorizing the execution of this Agreement, and

WHEREAS, ADVERTISER is ready, willing and able to perform the services herein provided to be performed.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. During the fiscal year July 1, 2012 to June 30, 2013, COUNTY shall pay to ADVERTISER up to the total sum of \$xxx (hereinafter "Advertising Funds"), payable upon execution of this contract.
2. ADVERTISER must submit to the COUNTY receipts of activities performed utilized the Advertising Funds. Activities must take place between July 1, 2012 and June 30, 2013. Receipts must be remitted to the COUNTY by July 31, 2013. If receipts are not submitted by July 15, 2013, repayment will be required of grant dollars not supported by advertising expense receipts by August 15, 2013. Failure to submit required receipts may jeopardize ability to receive future grant awards.
3. In consideration whereof, ADVERTISER promises and agrees to render the following services to COUNTY during the fiscal year July 1, 2012 to June 30, 2013:

As set forth in the attached, Exhibit A. In the case of more than one event, Advertiser will not transfer funds between events without prior approval from the county's program coordinator.
3. ADVERTISER agrees to keep complete books and records, and to make available and submit to audit by COUNTY all of ADVERTISER'S books, records, and financial statements upon COUNTY'S request and without prior notice.
4. ADVERTISER warrants to COUNTY that any Advertising funds paid to ADVERTISER by COUNTY pursuant to this agreement shall be expended for only those purposes authorized by Section 26100 of the Government Code of the State of California and the COUNTY's Advertising and Promotions Policy.

5. Travel expenses, such as transportation and lodging, and/or meal costs, are not allowable advertising and promotions expenses. Advertising Funds may not be used to purchase or lease fixed assets.
6. ADVERTISER agrees to submit copies of all published materials to the County Administrator's Office.
7. Indemnification:
  - a. ADVERTISER agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to COUNTY, and to defend, indemnify, hold harmless, reimburse and release COUNTY, its officers, agents, and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense, including but not limited to attorneys' fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in an action by COUNTY to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by any person or entity, including ADVERTISER, arising out of or in connection with the performance of ADVERTISER hereunder, whether or not there is concurrent negligence on the part of COUNTY, but, to the extent required by law, excluding liability due to the sole or active negligence or due to the willful misconduct of COUNTY. If there is a possible obligation to indemnify, ADVERTISER's duty to defend exists regardless of whether it is ultimately determined that there is not a duty to indemnify. COUNTY shall have the right to select its own legal counsel at the expense of ADVERTISER, subject to ADVERTISER's approval, which approval shall not be unreasonably withheld. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for ADVERTISER or its agents under workers' compensation acts, disability benefits acts, or other employee benefits acts.
  - b. ADVERTISER shall be liable to COUNTY for any loss or damage to COUNTY property arising from or in connection with ADVERTISER's performance hereunder.
8. Non-Discrimination: ADVERTISER shall comply with all applicable federal, state and local laws, rules and regulations in regard to non-discrimination in employment because of race, ancestry, color, sex, age, national origin, religion, marital status, medical condition, or handicap, including the provisions of Article II of Chapter 19 of the Sonoma County Code, prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection.
9. Assignment/Delegation: ADVERTISER shall not assign, sublet, transfer or delegate any interest in or duty under this agreement without written consent of COUNTY, and no assignment shall be of any force or effect whatsoever unless and until so consented.
10. Merger: This writing is intended both as the final expression of the agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to C.C.P. Section 1856. No modification of this agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.
11. Termination: At any time, with or without cause, COUNTY shall have the right in its sole discretion, to terminate this Agreement by giving written notice to ADVERTISER. In the event of such termination, COUNTY shall pay ADVERTISER for services rendered satisfactorily and in good faith to such date in an amount which bears the same ratio to the total fees specified in the Agreement as the services satisfactorily rendered hereunder by ADVERTISER bear to the total services otherwise required to be performed for such total fee; provided, however, that there shall be deducted from such amount the amount of damage, if any, sustained by COUNTY by virtue of the breach of the Agreement by ADVERTISER.

12. Conflict of Interest: ADVERTISER covenants that it presently has no interest and shall not acquire any interest, direct, or indirect, which would conflict in any manner or degree with the performance of its services hereunder. ADVERTISER further covenants that in the performance of this contract no person having any such interest shall be employed.
  
13. Attorneys' Fees: In the event either party brings an action or proceeding for damages arising out of the other's performance under this Agreement or to establish the right or remedy of either party, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs as a part of such action or proceeding.
  
14. No Third Party Beneficiaries: Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.
  
15. Extra or Changed Work: Extra or changed work or other changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties. ADVERTISER expressly recognizes that, pursuant to Sonoma County Code Section 1-11, COUNTY personnel are without authorization to order extra or changed work or waive Agreement requirements. Failure of ADVERTISER to secure such written authorization for extra or changed work shall constitute a waiver of any and all right to adjustment in the Agreement price or Agreement time due to such unauthorized work and thereafter ADVERTISER shall be entitled to no compensation whatsoever for the performance of such work. ADVERTISER further expressly waives any and all right or remedy by way of restitution and quantum meruit for any and all extra work performed without such express and prior written authorization of the COUNTY.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

COUNTY OF SONOMA

DATE: \_\_\_\_\_

By \_\_\_\_\_  
 County Administrator, authorized by the  
 Chair, Board of Supervisors

ATTEST: \_\_\_\_\_  
 Clerk of the Board of Supervisors

NAME

DATE: \_\_\_\_\_

By \_\_\_\_\_  
 Name  
 \_\_\_\_\_  
 Advertiser Title



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 15  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Sonoma County Board of Supervisors.

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** County Clerk-Recorder-Assessor

**Staff Name and Phone Number:**

**Supervisory District(s):**

Janice Atkinson, 707-565-1877

**Title:** Consolidation of Presidential General Election.

### **Recommended Actions:**

Adopt the resolution authorizing consolidation of all jurisdictions that have submitted requests for consolidation, as required by Elections Code Section 10400, and have measures to be placed before the voters or sufficient nominees to require elections to be held on November 6, 2012.

### **Executive Summary:**

The regularly scheduled Presidential General Election is set to be held on November 6, 2012. Local agencies have called elections in their jurisdictions for the same date and have requested consolidation as authorized by state law.

Elections Code Section 10403 provides that elections called on the same day as a statewide election shall be consolidated so that matters being voted on in the same territory will appear on the same ballot. Elections Code Section 10402.5 requires the Board of Supervisors to approve such consolidations except in counties of the first class, in the event the capacity of the voting system is exceeded. Costs of the election are shared among the entities involved pursuant to Elections Code Section 10416.

Copies of resolutions received in this office from local agencies requesting consolidation with the Presidential General Election are on file with the clerk.

As of August 10, 2012, the consolidation deadline, the following jurisdictions have requested consolidation to place measures or offices on the November 6, 2012, election ballot:

**School Districts:** Sonoma County Board of Education, Cotati-Rohnert Park Unified, Shoreline Unified, City of Santa Rosa High, West Sonoma County Union High, Bellevue Union, Fort Ross, Gravenstein Union, Oak Grove

Union, Old Adobe Union, Roseland, Sebastopol Union, Wilmar Union.

**Cities:** Santa Rosa, Cloverdale, Cotati, Healdsburg, Petaluma, Sebastopol, Sonoma.

**Life Support District:** Coast.

**Fire Protection District:** Geyserville, Rancho Adobe.

**Health Care District:** Palm Drive.

**Prior Board Actions:**

None.

**Strategic Plan Alignment:** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 0</b>	<b>Total Sources</b>	<b>\$ 0</b>

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

There is no direct fiscal impact associated with the recommended action. The Registrar of Voters FY 12-13 budget is \$3.6 million, offset by \$1.2 million in revenue. The costs associated with the November 6, 2012, Consolidated Election are included in those appropriations.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

**Attachments:**

Resolution.

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

Copies of resolutions from local agencies.

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution of the Board of Supervisors of the County of Sonoma, State of California, Authorizing Consolidation of Any Election Which May Be Held on Tuesday, November 6, 2012, in the Same Territory or in Territory That is in Part the Same, With the Presidential General Election.**

**Whereas**, Tuesday, November 6, 2012, is the scheduled election date for the Presidential General Election; and

**Whereas**, Elections Code Sections 10402.5 and 10403 provide that when a local jurisdiction calls an election to be held on the same day as a statewide election, the election shall be consolidated upon the order of the Board of Supervisors;

**Now, Therefore, Be It Resolved** that the Board of Supervisors does hereby authorize the consolidation of any election held on Tuesday, November 6, 2012, with the Presidential General Election, provided that the local jurisdiction calling the election pay its direct and pro-rata share of the costs incurred throughout the conduct of said election.

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**





## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 16  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** 4/5

**Department or Agency Name(s):** General Services Department

**Staff Name and Phone Number:**

**Supervisory District(s):**

Mike Wagner 707-565-2463

District 1

**Title:** Exchange of Real Property at Los Guilicos with the Ledson Family Trust

### Recommended Actions:

1) Declare intent to acquire approximately 2.06 acres of real property commonly known as Assessor's Parcel Number 051-020-001, located north of the Juvenile Justice Center at Los Guilicos from Steven N. Ledson, Trustee of the Ledson 2006 Family Trust U.T.D. February 9, 2006 ("Ledson"); (2) declare intent to execute a lot line adjustment grant deed in favor of Ledson, for a portion of County real property commonly known as Assessor's Parcel Number 051-020-050, located west of the Juvenile Justice Center at Los Guilicos, comprising approximately 2.00 acres; (3) authorize the General Services Director to execute an Exchange Agreement and an Environmental Indemnity between Ledson and the County; and (4) authorize the General Services Director to execute any other agreements, instruments and documents reasonably required to effect the exchange of real property described above.

### Executive Summary:

**Purpose of Proposed Acquisition.** The purpose of the proposed real property exchange is to acquire property for the potential future expansion of the Sonoma County Juvenile Justice Center ("J.J.C.") The property proposed for acquisition is commonly known as Assessor's Parcel No. 051-020-001, comprised of 2.06 acres, and located northeast of the J.J.C. ("Ledson Property") as shown on the attached photo map. The Ledson Property is situated within and surrounded on all sides by County property known as Assessor's Parcel No. 051-020-050 ("County Property"). The Ledson Property is owned by Steven N. Ledson, Trustee of the Ledson 2006 Family Trust U.T.D. February 9, 2006 ("Ledson"), who purchased the Property on August 6, 2008 from the Grand Lodge, Knights of Pythias of the State of California.

There are several reasons for acquiring the Ledson Property at this time:

(1) costs to acquire the Ledson Property and prepare it for future, potential J.J.C. expansion are likely to

substantially increase in the future, especially if the Ledson Property is developed for residential use and/or acquisition by a private party;

(2) deferral of the acquisition may necessitate condemnation of the Ledson Property in the future;

(3) the seller is cooperative and willing to sell the Ledson Property;

(4) acquisition of the Ledson Property would eliminate the need for County to provide private access and/or easements through County Property near the security sensitive J.J.C.; and

(5) although a portion of the Ledson Property is a cemetery, it is of a size and configuration which would still allow expansion of the J.J.C. at a later date.

**Cemetery Portion.** A portion of the Ledson Property is a cemetery which contains the remains of those who died between 1927 and 1943 while residents of Pythian Home, operated by the Knights of Pythias, a fraternal order no longer in existence. A phase I environmental risk assessment prepared by Baseline Environmental Consulting, with offices in Petaluma, identified evidence of one recognized environmental condition (REC) associated with this cemetery. Hazardous materials may be present in the cemetery in the form of natural organic and inorganic compounds and embalming fluids related to the presence of human remains. However, Baseline did not recommend further investigation unless and until groundwater use in the vicinity of the cemetery is proposed. Staff does not foresee any such groundwater use in the future given the proximity of the JJC. Although potential contamination of the cemetery may present a future liability to the County, such liability can be minimized if the cemetery portion is not disturbed, which is staff's recommendation. Maintenance of the cemetery is expected to be minimal (e.g. occasional filling of grave depressions). Future burials are not anticipated. General Services will undertake any necessary maintenance as part of its overall maintenance program at Los Guilicos.

**Lot Line Adjustment in Favor of Ledson.** As stated above, the seller, Steven N. Ledson, is the owner of the Ledson Property which County seeks to acquire. Ledson is also the property owner of the Ledson Winery, located on Assessor's Parcel No. 030-110-042 ("Winery Property"), adjacent to and west of the J.J.C., as shown on the attached photo map. Ledson wishes to convey the Ledson Property to County, in exchange for a similarly-sized area of County-owned land. Staff has identified an area, of approximately 2 acres in size, immediately east of the Ledson Winery and currently unimproved, along the western boundary of the County Property. This property is of little use to the County because it is separated from J.J.C. by a drainage swale and historic rock wall. Ledson has requested that County execute lot line adjustment grant deeds in order to consummate the trade of the Ledson Property for the County Property. Ledson will pay all costs of the transfer and will execute documentation to merge the Winery Property with the County Property. Ledson has engaged the services of a licensed engineering and land survey firm, Cinquini & Passarino, Inc. ("Contractor") to survey both subject properties and to prepare new legal descriptions, once execution of the lot line adjustment grant deeds are approved by the Board.

**C.E.Q.A.** The project is exempt from the California Environmental Quality Act (C.E.Q.A.) as determined by the

City of Santa Rosa on July 9, 2009. The City of Santa Rosa has also found the project consistent with the City's General Plan, as required by Government Code Section 65402. Approval of any future J.J.C. expansion will be subject to County C.E.Q.A. compliance.

**Purchase Price/Closing Costs.** Staff has negotiated the trade of County property in exchange for the Ledson Property, the proposed terms of which are as follows:

Value: The market value of the two pieces of property are approximately equal, as supported by appraisal. Thus the parties will not exchange monetary consideration.

Closing Costs: Ledson is paying all documentary transfer tax costs and applicable fees to effect the execution of lot line adjustment grant deeds.

**Authority for Exchange.** Government Code Section 25365 states that the Board of Supervisors may, by a four-fifths vote, exchange real property with any person, firm, or corporation, for the purpose of removing defects in the title to real property owned by the county, or where the real property to be exchanged is not required for county use and the property to be acquired is required for county use.

**Prior Board Actions:**

None.

**Strategic Plan Alignment:** Goal 3: Invest in the Future

The proposed transaction will increase the useable land at Los Guilicos.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

No financial impact to County. No monetary consideration will be exchanged and Ledson pays all closing costs. The proposed transaction will help the County avoid land acquisition costs associated with future, potential J.J.C. expansion. The approximate value of the involved parcels is between \$100,000 and \$150,000 each.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

Public notice request, photo map

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

Exchange Agreement, Environmental Indemnity Agreement

**NOTICE OF INTENT OF  
COUNTY TO PURCHASE  
REAL PROPERTY**

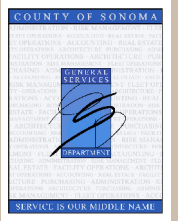
NOTICE IS GIVEN that the Sonoma County Board of Supervisors intends to acquire that certain real property, comprised of approximately 2.06 acres commonly known as Assessor's Parcel No. 051-020-001, located north of the County Juvenile Justice Center at Los Guilicos, in Santa Rosa, California, from Steven N. Ledson, Trustee of the Ledson 2006 Family Trust U.T.D. February 9, 2006 ("Seller"); and to execute a lot line adjustment grant deed ("Agreement") in favor of Seller for certain real property, comprised of approximately 2.00 acres commonly known as Assessor's Parcel No. 051-020-050 (portion). Additional information regarding the Agreement is available for public review at the Office of the Director of the Sonoma County General Services Department, 2300 County Center Drive, Suite A200, Santa Rosa, California 95403. The Board of Supervisors will meet on September 11, 2012 at 8:30 a.m. at the Sonoma County Administration Building, Room 102A, 575 Administration Drive, Santa Rosa, California to consummate the purchase agreement.





Clerk of the Board of Supervisors

*Public notice of the County's intention to purchase the property shall be published at least one week prior to the Board of Supervisors meeting date and time in accordance with Government Code Section 6061.*

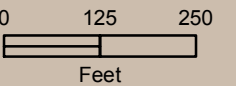
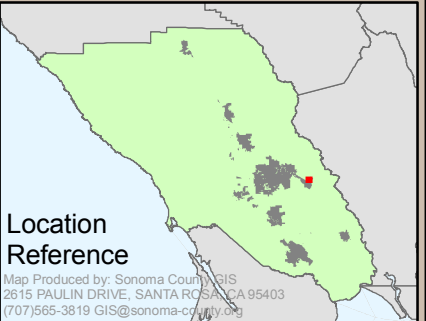


Ledson Property & County of Sonoma  
Los Guilicos Facility  
(Portion)  
Proposed LLA & Land Exchange



-  Ledson to County
-  County to Ledson
-  Parcel of Interest
-  GIS Parcel

Map Date: 08/08/2012  
Revision Date:



Author:  
County of Sonoma General Services Department

Projection and Coordinate System Tics:  
California State Plane Coordinate System, Zone II, NAD 83, US survey feet Lambert Conformal Conic. Some data have been re-projected from other coordinate systems and may not reflect actual ground positions.

Document Source and Date:  
\\sc-gis\sql\data\gis\projects\GeneralServices\Ledson\SiteMap.mxd

Source:  
Sonoma County GIS Central, Sonoma County Public Safety Consortium, City of Santa Rosa Orthophotography, March 2009, Cinguini and Passarino, Inc.

This map is provided as a visual display of County information. Reasonable effort has been made to ensure the accuracy of the map and data provided; nevertheless, some information may not be accurate. The positional accuracy of the data is approximate and not intended to represent map accuracy from a published record of survey.

THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make a business decision based on this data before validating your decision with the appropriate County agency or other government entity.



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 17  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** General Services

**Staff Name and Phone Number:**

**Supervisory District(s):**

Mike Wagner, 707-565-2463

2<sup>nd</sup> District

**Title:** Lease renewal for the Department of Health Services at 1360 N. McDowell Boulevard, Petaluma

### Recommended Actions:

Authorize the General Services Director, or his Deputy, to execute an amendment to a lease with 1360 McDowell LLC, in order to: 1) extend the term through November 5, 2016; 2) reduce the monthly rent payments; and 3) make minor tenant improvements at the landlord's sole cost and expense.

### Executive Summary:

**General.** The Department of Health Services ("D.H.S.") has occupied leased office space at 1360 N. McDowell Boulevard, Petaluma ("Petaluma Lease") from Petaluma Health Care District and its successor, known as 1360 McDowell LLC, since January, 1991. D.H.S. provides mental health outreach services to its South Sonoma County clients at this location.

Staff is recommending that the lease be amended and extended based on the continued need for space to provide Health Services programs. The proposed cost terms are predicated on an examination of comparable space availability and suitability in the area, client familiarity of the current location, and the costs and time associated with program relocation.

**Petaluma Lease Amendment.** The proposed lease amendment will achieve the following: 1) extend the term of the lease through November 5, 2016 with two options to extend, each for a two-year period; 2) reduce the rent from a monthly rate of \$7,303.43 to \$6,164.40, to become effective as of the commencement date for the amended lease term on November 1, 2011, with annual increases thereafter of 3%; and 3) effect repairs and minor improvements to the lease space at no cost to the County. The lease may be terminated upon 60 days' written notice for non-appropriation of funds or discontinuance of the program, without penalty.

**Recommendation.** Staff recommends that the Board authorize the General Services Director, or his Deputy, to execute an amendment to a lease with 1360 McDowell LLC, in order to: 1) extend the term through November 5, 2016; 2) reduce the monthly rent payments; and 3) make minor tenant

improvements at the landlord's sole cost and expense.

**Prior Board Actions:**

Please see attached summary of prior Board actions.

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

The lease amendment will promote continuity in the delivery of needed services for South Sonoma County that is convenient and familiar to the clientele, at reduced rent rates.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 78,048	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 78,048
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 78,048</b>	<b>Total Sources</b>	<b>\$ 78,048</b>

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

Rent costs for 1360 McDowell will reflect a monthly rate of \$6,164.40 from 7/1/12 through 10/31/12, with a 3% annual increase effective 11/1/12 for an adjusted rate of \$6,349.34 through 10/31/13. Total FY 12-13 cost will be \$75,452.32.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

None.

**Attachments:**

Attachment A - Summary of prior Board actions

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

Copy of proposed First Amendment to Lease for 1360 N. McDowell Boulevard, Petaluma, CA



**PRIOR BOARD ACTIONS**

**1360 N. McDowell Boulevard, Petaluma, CA**

- 08/21/12—Declared intent to enter into lease amendment to extend the term, reduce the monthly rent payments, and to make minor tenant improvements at the landlord's sole cost and expense
- 10/10/06--Authorized the General Services Director to execute lease amendment to expand the premises, extend the term, provide additional options and specify rent payments
- 09/12/05--Declared intent to enter into lease amendment with Petaluma Health Care District and published notice of intent
- 12/20/05--Approved County Community Services and Support 3-Year Program and Expenditures Plan (CSS Plan) and authorized the Director of Health Services to submit the CSS Plan to the California Department of Mental Health for review and approval
- 04/29/03--Authorized the Director of Health Services to initiate layoff proceedings for employees; adopted Resolution amending Departmental Allocation List; authorized DHS to take necessary actions to reduce program expenses to achieve savings identified in the report; directed the Real Estate Manager to terminate all leases and license for the Mental Health Outreach clinics effective 06/30/03
- 02/25/03--Board accepted the recommendations as outlined in the Proposed Plan and directed DHS and the County Administrator's Office to implement the required actions
- 10/29/02--Authorized the General Services Director to exercise option to extend the lease term
- 05/18/99--Authorized the General Services Director to exercise option to extend the lease term
- 01/07/97--Authorized the Chairman to execute second amendment to lease
- 09/24/96--Accepted informational report on consolidation of Mental Health Services for the Petaluma and Sonoma Outreach clinics
- 11/14/90--Board delegated its authority to the General Services Director to lease certain real property and to amend real property leases for improvements or alterations pursuant to Government Code Section 25350.51



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 18  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Health Services

**Staff Name and Phone Number:**

Rita Scardaci, 565-4700

**Supervisorial District(s):**

Countywide

**Title:** Delegated Contract Authority for State and Federal Revenue Agreements

### Recommended Actions:

Adopt a Resolution delegating authority to the Director of Health Services, or designee, to accept approximately \$53 million in funding allocations as listed in Attachment A to the Resolution for Sonoma County and execute revenue agreements as necessary to receive revenue from state and federal agencies during FY 12-13.

### Executive Summary:

Last year the Board delegated authority to the Director of Health Services to accept allocations and execute revenue agreements with state and federal agencies for the period July 1, 2011 to June 30, 2012. Each year the Department returns to the Board requesting delegated authority for state and federal allocations and agreements. This Board item requests authority for the Director of Health Services, or designee, to accept state and federal allocations and execute agreements received in FY 12-13. This action by the Board of Supervisors only applies to state and federal *revenue* contracts.

The Department's FY 12-13 adopted budget approved by the Board in June 2012 includes approximately \$96 million in federal and state revenue, which accounts for approximately 43% of the Department's total revenue. The difference between the \$96 million in the FY 12-13 budget and the \$53 million in state and federal revenue included in Attachment A to the Resolution is approximately \$43 million which consists of \$37 million in 1991 and 2011 state realignment and \$6 million in state and federal funds previously authorized by the Board. Approximately \$26 million of the estimated \$53 million is from Mental Health Services Act and Medi-Cal.

It is both practical and an efficient use of County resources to delegate signature authority to the Director of Health Services to accept allocations and sign revenue agreements with state and federal agencies. During the course of a year, the Department must accept state and federal allocations and execute agreements to facilitate the release of funding for programs. Most state and federal allocations and contracts are for funds that renew each year. Cost efficiencies associated with a reduced number of Board items will be experienced by departments involved in the Board item process, including Health Services, the County Administrators Office, Auditor's Office, County Counsel and Clerk of the Board. Other benefits include increased compliance with state timelines; more timely receipt of revenues and delivery of services to clients; and more accurate cost plan

reporting and expenditure reconciliation.

While through the budgetary process the Department attempts to accurately project the revenue associated with state and federal allocations and agreements, various factors may result in adjustments in the final revenue received from state and federal agencies, including increase funding; changes in state allocation formulas and/or funding amounts; programmatic changes; changes due to adoption of the State budget; and rollover of unspent prior year funds. Changes in state and federal revenue amounts will be brought to the Board through the consolidated budgetary process. In addition, in order to become more efficient in their own contracting process, state and federal governments are increasingly contracting with the Department on a multi-year basis. Some of the agreements received in FY 12-13 will be multi-year and therefore include additional revenue for outlying contract years.

This request is specific to state and federal revenue and does not include authority to approve service contracts with providers that are financed with state and federal allocations. The awarding of service contracts will follow standard procurement process and reviews. As noted above, Board delegation will be requested annually, thus approval will apply only to revenue agreements *received* in FY 12-13. As noted, in some cases revenue agreements may be for multiple years. The state and federal allocations of program funding are included each fiscal year in the budget approved by the Board of Supervisors.

Upon entering into a revenue agreement with the state or federal government, the County becomes obligated to provide the services specified in the agreement. Failure to meet the requirements of an agreement may result in forfeiture of continued funding during the current term and may result in decreased funding in future years. Any decrease in funding may result in community members experiencing difficulty in acquiring needed services.

**Prior Board Actions:**

8/9/2011 – Delegated Authority for State and Federal Revenue Agreements.

**Strategic Plan Alignment:**

Goal 1: Safe, Healthy, and Caring Community

Delegating authority to accept state and federal revenue agreements will allow for more efficient and timely delivery of program services to the community.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 53,240,408	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 53,240,408
	\$	Fees/Other	\$ 0
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
<b>Total Expenditure</b>	<b>\$ 53,240,408</b>	<b>Total Sources</b>	<b>\$ 53,240,408</b>

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

The Department's FY 12-13 adopted budget approved by the Board in June 2012 includes approximately \$96 million in federal and state revenue. The difference between the \$96 million in the FY 12-13 budget and the \$53 million in state and federal revenue is approximately \$43 million, which consists of \$37 million in 1991 and 2011 state realignment and \$6 million in state and federal funds previously authorized by the Board.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

None

**Attachments:**

Resolution; State and Federal Allocations and Agreements (Attachment A to the Resolution)

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

None.

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: September 11, 2012**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AUTHORIZING THE DIRECTOR OF HEALTH SERVICES, OR DESIGNEE, TO ACCEPT APPROXIMATELY \$53 MILLION IN FUNDING ALLOCATIONS FOR SONOMA COUNTY AND EXECUTE REVENUE AGREEMENTS AS NECESSARY TO RECEIVE REVENUE FROM STATE AND FEDERAL AGENCIES DURING FY 12-13.**

**WHEREAS**, the County of Sonoma Department of Health Services is eligible to receive certain state and federal funding for projects and services through various state and federal agencies during the year; and

**WHEREAS**, allocations must be accepted and standard agreements and other related documents must be executed in order to receive such funds; and

**WHEREAS**, the Board of Supervisors approves the annual budget which includes the anticipated funding; and

**WHEREAS**, the Department requests authority to accept approximately \$53 million in funding allocations and to execute state and federal revenue agreements received in FY 12-13 as set forth in Attachment A to this Resolution; and

**WHEREAS**, the Department believes it is practical and an efficient use of County resources to establish an exemption from County purchasing procedures delegating signature authority to the Director of Health Services to accept allocations and execute agreements as necessary to receive revenue from state and federal agencies during FY 12-13.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of Sonoma hereby delegates authority to the Director of Health Services, or designee, to accept allocations and execute agreements in the name of the County of Sonoma as necessary to receive revenue from state and federal agencies during FY 12-13.

**Supervisors:**

Brown:                      Rabbitt:                      McGuire:                      Carrillo:                      Zane:

Ayes:                      Noes:                      Absent:                      Abstain:

**So Ordered.**

<b>State Allocations/Agreements</b>	-	<b>Amount</b>
HIV Alternative Testing Sites	-	203,970.00
California Children's Services	-	1,943,469.00
Child Health and Disability Prevention	-	198,683.00
Prop 10 Tobacco Tax	-	3,869,177.00
AIDS Surveillance	-	86,940.00
Conditional Release Program	-	837,808.00
Safe Routes To School	-	412,301.00
Pandemic Influenza	-	76,521.00
Department of Education Food Program	-	27,092.00
Beach Monitoring	-	27,906.00
Early Periodic Screening, Diagnosis, & Treatment	-	4,185,253.00
STD Community Interventions Program	-	9,490.00
Managed Care	-	1,083,718.00
Bay Area Services Network	-	239,029.00
Mental Health Services Act	-	13,505,600.00
Healthy Families	-	167,530.00
California Tobacco Control Program	-	182,124.00
Tuberculosis Control	-	29,991.00
<b>State Subtotal =&gt;</b>		<b><u>27,086,602.00</u></b>

<b>Federal Allocations/Agreements</b>	-	<b>Amount</b>
Adolescent Family Life Program	-	392,000.00
California Children's Services	-	1,422,171.00
Targeted Case Management	-	1,157,471.00
Hospital Preparedness Program	-	310,989.00
Supplemental Nutrition Assistance Education	-	62,500.00
Driving Under the Influence Court	-	30,980.00
Beach Monitoring	-	25,000.00
Public Health Emergency Preparedness	-	682,724.00
Department of Rehabilitation - Cooperative	-	94,292.00
Chlamydia Screening Project	-	24,000.00
Child Health and Disability Prevention	-	463,517.00
MediCal Administrative Activities	-	1,653,832.00
Immunization Assistance Program	-	181,949.00
Maternal Child and Adolescent Health Program	-	348,982.00
Substance Abuse Prevention and Treatment Block	-	2,612,879.00
Substance Abuse and Mental Health Services Administration	-	245,349.00
Projects for Assistance in Transition from Homelessness	-	62,749.00
MediCal	-	12,271,766.00
Drug MediCal	-	1,143,121.00
Tuberculosis Control	-	20,000.00
Women, Infants, Children Nutrition Program	-	2,560,193.00
Medicare	-	2,050.00
Health Care & Other Facilities Equipment	-	201,833.00
Drug Free Communities	-	125,000.00
Dependency Drug Court	-	55,959.00
Food & Drug Administration	-	2,500.00
<b>Federal Total =&gt;</b>		<b><u>26,153,806.00</u></b>

**Total State & Federally Funded Programs => 53,240,408.00**

The difference between the \$78 million in state and federal allocations and state agreements in the FY 12-13 budget and \$53 million in this Attachment A is approximately \$25 million, consisting of \$19 million in state realignment and \$6 million in federal funds previously authorized by the Board.



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 19  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Health Services

**Staff Name and Phone Number:**

**Supervisory District(s):**

Rita Scardaci, 565-4778

Countywide

**Title:** HIV Mobile Services

### **Recommended Actions:**

Authorize the Director of Health Services to execute a contract with Santa Rosa Community Health Centers to provide HIV outreach, education, and testing services for the term September 1, 2012 through June 30, 2013 for a total of \$50,000.

Adopt a resolution finding it is in the best interest of the community to authorize the donation of D429 2005 Ford E350 HIV testing van to Santa Rosa Community Health Centers for use in providing HIV outreach, education, and testing services in the community.

### **Executive Summary:**

*Background.* According to the Centers for Disease Control (CDC), approximately 250,000 Americans are unaware that they are HIV positive. HIV testing is a critical first step in reducing infection rates and improving the long term health of those who are HIV positive. CDC recommendations include four primary strategies for HIV prevention including:

- Make HIV testing a part of routine medical care
- Make testing more available in non-medical community venues
- Work with HIV positive individuals and their partners to get tested and reduce transmission risk
- Reduce perinatal HIV transmission

In July 2009, with the Board's approval, the Department of Health Services (Department) implemented the Sonoma County HIV Prevention and Testing Initiative to align with CDC recommendations. Goals of the initiative are to reduce the risk of transmission, reduce the cost of care for HIV positive individuals entering care late, and improve the long term health outcomes of persons infected with HIV by linking them to ongoing primary care.

*Santa Rosa Community Health Centers Agreement.* In support of the HIV Prevention and Testing Initiative, in June 2012 the Department released a Request for Qualifications (RFQ) to agencies and clinics with HIV test counselors certified by the State Office of AIDS. Santa Rosa Community Health Centers (SRCHC), a community-based, non-profit corporation, provided the only response to the RFQ. A review committee evaluated and

approved SRCHC’s response based on demonstrated experience working with high-risk individuals, capacity to serve non-English speakers, established protocol for assuring linkage to primary care, and staff certification.

The Department requests Board authority to execute a contract with SRCHC for \$50,000 to provide mobile HIV outreach, education, and testing services from September 1, 2012 through June 30, 2013. In successfully providing the services under this agreement, Santa Rosa Community Health Centers will provide HIV education, testing, and counseling to at least 500 high-risk target population individuals. A further measure of Santa Rosa Community Health Centers’ performance under this agreement is their success in linking 100 percent of individuals who test positive to HIV care and support services.

*Donation of the Testing Van.* From 1996 to 2008, the Department’s HIV Prevention and Testing Initiative efforts included operating specialized vans which served as mobile HIV testing clinics. As a result of reduced state and federal funding, the vans were removed from service. The Department seeks Board approval to donate a testing van to SRCHC for use in providing HIV testing, counseling, and referrals for high-risk hard-to-reach individuals. The State Office of AIDS, which provided funding for the Department’s purchase, maintenance, and routine replacement of the testing vans, supports this use of the van.

Government Code Section 25372 authorizes the Board to donate surplus personal property to tax exempt organizations providing health services. The HIV testing van, with an estimated value of \$12,000, will be a donation of public property for which the County no longer has a use.

**Prior Board Actions:**

10/18/11 – Approved Endowment of HIV Testing Van and Contract for HIV Outreach, Education, and Testing Services with Drug Abuse Alternative Center.

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

This agreement with SRCHC will provide services which help to meet the health care needs of a high-risk, underserved population by helping to reduce infection rates and improve the long term health of those who are HIV positive.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 50,000	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 50,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 50,000</b>	<b>Total Sources</b>	<b>\$ 50,000</b>

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

The total contract amount of \$50,000 is included in FY 12-13 budget.



**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

None.

**Attachments:**

Resolution.

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

Santa Rosa Community Health Centers (SRCHC) Services Agreement.

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: September 11, 2012**

**Resolution of the Board of Supervisors of the County of Sonoma,  
State of California, Authorizing Donation of D429 2005 Ford E350 HIV  
Testing Van to Santa Rosa Community Health Centers for use in Providing  
HIV Outreach, Education, and Testing Services in the Community.**

**Whereas**, in addition to including routine testing in primary health care, reaching out to high-risk and hard-to-reach populations with testing and education is a cornerstone of successful HIV prevention; and

**Whereas**, from 1996 to 2008, two specialized mobile testing vans served as mobile HIV testing clinics, the primary means for testing and referral services for high-risk and hard-to-reach individuals. As a result of reduced funding over the last several years, the vans were removed from service; and

**Whereas**, it is in the best interest of the community to enable a community-based organization to put a mobile testing van into service to provide HIV testing, counseling, and referrals for hard-to-reach high-risk individuals; and

**Whereas**, this proposal is fully supported by the State Office of AIDS, which provided funding for the Department's purchase, maintenance, and routine replacement of testing vans; and

**Whereas**, Government Code Section 25372 authorizes the Board of Supervisors to donate personal property that the board declares to be surplus to any organization exempt from taxation pursuant to 26 U.S.C. Section 501(c)(3) that is organized to provide health services.

**Now, Therefore, Be It Resolved** that the Board of Supervisors of the County of Sonoma hereby donates D429 2005 Ford E350 HIV testing van to Santa Rosa Community Health Centers for use in providing HIV/HCV outreach, education, and testing services in the community.

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 20  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** 4/5

**Department or Agency Name(s):** Health Services

**Staff Name and Phone Number:**

**Supervisory District(s):**

Rita Scardaci, 565-4700

Countywide

**Title:** Spay/Neuter Pilot Program

### Recommended Actions:

Authorize the Director of Health Services to execute a grant agreement with Community Foundation Sonoma County to implement a mobile spay/neuter pilot program for the term August 15, 2012 through December 31, 2013 in the amount of \$104,000.

Adopt a resolution adjusting the FY 12-13 budget, increasing revenue and appropriations in the Department of Health Services by \$161,150 and increase use of fund balance in Animal Care and Control Public Education (spay/neuter) special revenue index by \$79,500 (4/5 vote required).

Adopt a resolution amending the Departmental Allocation List, Department of Health Services, adding 0.50 FTE positions effective September 11, 2012 (4/5 vote required).

### Executive Summary:

**Background.** The Department of Health Services, Animal Care and Control (ACC), serves unincorporated areas and several cities within Sonoma County. ACC coordinates animal care services with a network of local animal welfare agencies and partner organizations. ACC provides field services, sheltering, medical care and treatment, places homeless animals into appropriate homes, and works to reduce pet overpopulation through spay/neuter services. ACC is also responsible for rabies control countywide.

ACC operates an open-admission shelter that takes in nearly 6,000 animals annually, primarily dogs and cats. Every dog and cat is spayed or neutered before being adopted out by ACC. Despite the efforts of ACC and other local animal welfare organizations to reduce animal overpopulation in the County, a more comprehensive, accessible, and affordable spay/neuter services program is needed.

The BOS established the ACC Public Education fund to help pay for the Low Cost Spay/Neuter Voucher program. The current voucher program focuses on qualified low-income county residents, non-profit organizations, and caregivers of feral cats. Vouchers may be redeemed at participating veterinarian clinics that offer spay/neuter surgeries. The cost of the surgery includes a copay paid by owner which is \$20 for dogs and a \$10 co-pay for cats. The remainder is paid by the ACC voucher program, which is \$82 for dogs and \$45 (spay) or \$30 (neuter) for cats. During FY 11-12, the voucher program issued 385 vouchers for dogs and 195 vouchers for cats. Of

these, 84 percent of the dog vouchers and 66 percent of the cat vouchers were redeemed. Funds related to unclaimed vouchers remain in the Public Education Fund for ongoing program needs.

**Targeted Spay/Neuter Pilot Program.** To improve access to and utilization of spay/neuter services, ACC proposes changing the focus of the spay/neuter program to a more proactive and targeted approach, replacing the current voucher program with services that will focus on providing spay/neuter services in targeted communities. Existing ACC Public Education funds \$104,000 (FY 12-13 (\$79,500) and FY 13-14 (\$83,900)) will be matched by Community Foundation Sonoma County (Community Foundation) to launch the mobile spay/neuter pilot program. The current adopted FY 12-13 budget projects an end of the year Public Education fund balance of \$177,789. With implementation of the Targeted Spay Neuter Pilot program the Department projects a Public Education Fund balance will be \$98,289. The current spay/neuter voucher program will continue until the mobile spay/neuter pilot program is launched in early 2013.

The goal of the spay/neuter pilot program is to decrease pet overpopulation in Sonoma County by improving access to low-cost, high-quality spay/neuter surgeries in underserved populations and targeted geographic areas of the County through expanded use of the County’s Mobile Animal Center (MAC) van. The MAC is a fully-equipped mobile animal surgery and adoption center that was donated to ACC in 2003 by Sonoma County Animal Shelter volunteers for use in community outreach programs. The Community Foundation funds allow for more targeted use of the MAC. Cats and dogs will be spayed/neutered at the mobile clinics by appointment. The first year goal of the mobile spay/neuter pilot program is to provide approximately 2,400 spay/neuter surgeries by holding up to 3 clinics per week during 2013. ACC will work to meet that goal through aggressive advertising, marketing, education, and outreach efforts. For the mobile spay/neuter pilot program to be successful, it will need to provide enough surgeries to impact Sonoma County ACC’s intake rate of stray and surrendered animals.

**Targeted Spay/Neuter Pilot Program Funding.** To ensure ongoing operation and success of the program, ACC will work to develop a sustainable funding plan that may include grant funds, private donors, and other community partners. The pilot program may be reduced, expanded, or redirected based on an evaluation of the first year’s outcomes and opportunities for sustainable funding. The Community Foundation has indicated a desire to provide continued financial support (decreasing annually) to help sustain a program to reduce pet overpopulation into the future. In addition to the Community Foundation grant and ACC funds, private donations and mobile clinic fees paid by pet owners will be used to fund the pilot program. The Community Foundation grant is a 17-month grant that includes a five-month planning period and 12 months of mobile spay/neuter clinics (currently projected for January through December 2013). The tables below provide an overview of revenue and expenditures for the program.

<b>Spay Neuter Pilot Program Revenues</b>			
<b>Revenue</b>	<b>FY 12-13</b>	<b>FY 13-14</b>	<b>Total</b>
Community Foundation Grant	57,000	47,000	104,000
Fund Balance (Public Education Fund) <sup>1</sup>	79,500	83,900	163,400
Client Fees	24,650	24,650	49,300
<b>Total</b>	<b>161,150</b>	<b>155,550</b>	<b>316,700</b>

<sup>1</sup> The current adopted FY 12-13 budget projects an end of the year Public Education fund balance of \$177,789. With implementation of the Targeted Spay Neuter Pilot program the Department projects an end of the year FY 12-13 Public Education Fund balance of \$98,289.

<b>Spay Neuter Pilot Program Expenditures</b>			
<b>Expenditure</b>	<b>FY 12-13</b>	<b>FY 13-14</b>	<b>Total</b>
Animal Health Technician .50 FTE	26,900	26,900	53,800
Extra Help Employees	39,200	33,600	72,800
Maintenance of Equipment	2,000	2,000	4,000
Medical Supplies	16,800	16,800	33,600
Therapy Supplies	6,960	6,960	13,920
Miscellaneous	3,500	3,500	7,000
Office Supplies	550	550	1,100
Postage	6,000	6,000	12,000
Printing	3,750	3,750	7,500
Contract Veterinarian Services	38,250	38,250	76,500
Advertising	11,740	11,740	23,480
Small Tools	1,000	1,000	2,000
County Car	4,500	4,500	9,000
<b>Totals</b>	<b>161,150</b>	<b>155,550</b>	<b>316,700</b>

**Targeted Spay/Neuter Pilot Program Staffing.** Additional staffing is required to support the new off-site mobile spay/neuter pilot program. ACC will develop a Request for Proposals for contract veterinarian services totaling \$38,250 in both FY 12-13 and FY 13-14. ACC will also recruit extra help mobile clinic staff including an Animal Health Technician, Animal Care Assistant, Clinic Coordinator and an Administrative Aide. Extra help will staff the *pilot* program and permit meeting of program deadlines. Additionally, ACC will increase the capacity to perform targeted in-house spay/neuter surgeries at the shelter by allocating additional Public Education funds (\$26,900) to fund a 0.50 FTE Animal Health Technician. The Department requests budget and staffing adjustment outside the consolidated budget adjustment process to allow for the recruitment and training of extra help staff, contract staff, and the in-house Animal Health Technician in December 2012, prior to beginning clinic operations by the January 2, 2013 start date.

**Prior Board Actions:**

12/9/03 – Authorized acceptance of Mobile Animal Center spay/neuter van donated by Sonoma County Animal Shelter Volunteers for use in community outreach programs.

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

The goal of the mobile spay/neuter pilot program is to reduce the number of homeless animals by reducing pet overpopulation, thus improving the health and welfare of the County's animal population.

**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 161,150	State/Federal	\$ 0
	\$	Fees/Other	\$ 24,650
	\$	Use of Fund Balance	\$ 79,500
	\$	Contingencies	\$ 0
	\$	Comm. Foundation Grant	\$ 57,000
<b>Total Expenditure</b>	<b>\$ 161,150</b>	<b>Total Sources</b>	<b>\$ 161,150</b>

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

Of the total grant amount of \$104,000, the Department is appropriating available grant funds of \$57,000 for FY 12-13. The Department is also appropriating \$24,650 from Clinic fees and \$52,600 from the Special Public Education fund balance for use as provided in the approved grant proposal, and an additional \$26,900 from the Special Public Education fund balance to fund .50 FTE (Animal Health Technician) for a total of \$161,150.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
Animal Health Technician	A	0.5	

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

ACC will recruit extra help mobile clinic staff including an Animal Health Technician, Animal Care Assistant, Clinic Coordinator and an Administrative Aide. ACC proposes to hire a 0.5 FTE Animal Health Technician to increase spay/neuter capacity at the animal shelter.

**Attachments:**

Resolution authorizing budgetary adjustments; Resolution amending the departmental allocation list.

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

Community Foundation Sonoma County grant contract.

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: September 11, 2012**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY  
OF SONOMA, STATE OF CALIFORNIA, AUTHORIZING BUDGETARY  
ADJUSTMENTS TO THE 2012-13 FINAL BUDGET WITHIN THE  
SPECIAL REVENUE FUND-DEPARTMENT OF HEALTH SERVICES  
ANIMAL CARE AND CONTROL IN THE AMOUNT OF \$161,150 AND  
DEPARTMENT OF HEALTH OF SERVICES ANIMAL CARE AND  
CONTROL PUBLIC EDUCATION FUND IN THE AMOUNT OF \$79,500  
(4/5 VOTE REQUIRED)**

**WHEREAS**, the Board of Supervisors has adopted a Final Budget for the Department of Health Services, and

**WHEREAS**, the Government Code allows for adjustments to the Final Budget during the 2012-13 Fiscal Year.

**NOW, THEREFORE, BE IT RESOLVED** that the County Auditor-Controller is hereby authorized and directed to make the following budgetary adjustments:

**FINANCING USES  
SPECIAL REVENUE FUND: HEALTH SERVICES-  
ANIMAL CARE AND CONTROL**

203	164350-5100	Permanent Positions	\$ 26,900.00
203	164350-5110	Extra Help	39,200.00
203	164350-6140	Maintenance of Equip	2,000.00
203	164350-6261	Medical Supplies	16,800.00
203	164350-6264	Therapy Supplies	6,960.00
203	164350-6300	Miscellaneous Expense	3,500.00
203	164350-6400	Office Expense	550.00
203	164350-6410	Postage	6,000.00
203	164350-6430	Printing	3,750.00
203	164350-6540	Contract Services	38,250.00
203	164350-6785	Advertising	11,740.00
203	164350-6880	Small Tools	1,000.00
203	164350-7301	County Car	<u>4,500.00</u>
		Total Financing Uses	\$ 161,150.00

**FINANCING SOURCES  
SPECIAL REVENUE FUND: HEALTH SERVICES-  
ANIMAL CARE AND CONTROL**

002	164350-3600	Other Charges for Service	\$ 24,650.00
002	164350-4132	Private Agency Grant	57,000.00
203R	164350-8705	Reimbursement Service	<u>79,500.00</u>
		Total Financing Sources	\$ 161,150.00

**FINANCING USES  
SPECIAL REVENUE FUND: HEALTH SERVICES-  
ANIMAL CARE AND CONTROL-PUBLIC EDUCATION FUND**

203	068353-6521	County Services	\$ 26,900.00
203	068353-6540	Contract Services	38,250.00
203	068353-6261	Medical Supplies	<u>14,350.00</u>
		Total Financing Uses	\$ 79,500.00

**FINANCING SOURCES  
SPECIAL REVENUE FUND: HEALTH SERVICES-  
ANIMAL CARE AND CONTROL-PUBLIC EDUCATION FUND**

068353		Use of Fund Balance	<u>\$ 79,500.00</u>
		Total Financing Sources	\$ 79,500.00

**Supervisors:**

Brown:                      Rabbitt:                      McGuire:                      Carrillo:                      Zane:  
Ayes:                      Noes:                      Absent:                      Abstain:

**So Ordered.**



**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: September 11, 2012**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE DEPARTMENTAL ALLOCATION LIST, DEPARTMENT OF HEALTH SERVICES, ADDING 0.50 FTE POSITIONS EFFECTIVE SEPTEMBER 11, 2012 (4/5 VOTE REQUIRED)**

**WHEREAS**, The Department of Health Services, Animal Care and Control (ACC) serves unincorporated Sonoma County, the City of Santa Rosa, the Town of Windsor, and provides emergency services for the town of Healdsburg.

**WHEREAS**, ACC operates an open-admission shelter that takes in nearly 6,000 animals annually, primarily dogs and cats, but also horses, sheep, pigs, goats, rabbits, chickens, guinea pigs, hamsters and rats. Every cat, dog, and rabbit adopted from ACC is spayed or neutered before it is adopted out. ACC and other animal welfare organizations offer some programs that provide spay/neuter services for privately owned pets.

**WHEREAS**, ACC is requesting to add 0.50 FTE Animal Health Technician to the Mobile Spay/Neuter Pilot Program with the goal to decrease pet overpopulation by improving access to low-cost, high-quality spay/neuter surgeries in underserved populations and targeted geographic areas of Sonoma County.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the County of Sonoma that the Department Allocation List, Department of Health Services, be amended as follows:

Dept Div/ Index	Job Class No. & Title	Existing Allocation FTE	Change in Allocation	New Total Allocation FTE	Effective Date	Salary Range
6435	4303, Animal Health Technician	4.00	0.50	4.50	9/11/12	19.50
Total Position Changes			+0.50			

**SUPERVISORS:**

Brown:                      Rabbitt:                      McGuire:                      Carrillo:                      Zane:

Ayes:                      Noes:                      Absent:                      Abstain:

**So Ordered.**



250 D STREET, SUITE 205  
SANTA ROSA, CA 95404  
TEL: 707-579-4073  
FAX: 707-579-4801  
www.sonomacf.org

BOARD OF DIRECTORS

PETE GOLIS  
*Chair*

JAY ABBE

TANIA AMOCHAEV

HERB CASTILLO  
*Secretary*

OSCAR CHAVEZ

HARRIET DERWINGSON

DIANNE EDWARDS

THEODORE LELIOT, JR.

STEVEN GOLDBERG

WHITNEY HALL

LINDA KACHIU  
*Treasurer*

ANDREA LEARNED

STEVEN RABINOWITSH

WANDA TAPIA-THOMSEN

DAVID VOSS

CULLEN WILLIAMSON

JUDY L. WITHEE

JOAN WOODARD

MICHELLE ZYGIELBAUM

JEAN SCHULZ  
*Director Emeritus*

BARBARA A. HUGHES  
*President & CEO*

July 24, 2012

Ms. Amy Cooper  
County of Sonoma Animal Care & Control  
1247 Century Court  
Santa Rosa, CA 95403

Dear Ms. Cooper:

On behalf of our board of directors, I am pleased to inform you that Community Foundation Sonoma County has awarded the County of Sonoma Animal Care & Control a grant in the amount of \$104,000.00 to reduce the overpopulation of cats and dogs in Sonoma County through outreach to communities using a mobile van to provide spay/neuter services.

Enclosed are two copies of the Community Foundation's Grant Contract. **PLEASE SIGN AND RETURN THE ORIGINAL GRANT CONTRACT BY 7/31/2012** and retain this letter, along with the white photocopy of the Contract, for your files. Payment of your grant will begin upon receipt of the signed Grant Contract.

Your Grant Contract contains important conditions related to progress report due dates and about changing your program objectives or grant budget. Please be sure that others in your organization involved with this grant are aware of those conditions. Instructions and formats for progress reports will be emailed to you later in the year.

Please also note the grant number on your Grant Contract. We can better serve you when you refer to that number on progress reports and inquiries related to your grant.

If you have questions, please contact our Vice President for Programs, Robert Judd at 303-9615 or [rjudd@sonomacf.org](mailto:rjudd@sonomacf.org). Our best wishes to you in carrying out this important project.

Sincerely,

A handwritten signature in cursive script that reads "Barbara A. Hughes".

Barbara A. Hughes  
President & CEO

Enclosures



250 D STREET, SUITE 205 • SANTA ROSA, CA 95404-4773 • tel: 707-579-4073 • fax: 707-579-4801 • www.sonomacf.org

**GRANT CONTRACT**

In accepting your grant, you agree to abide by the conditions stated below. Please be sure that you understand these conditions before signing this Contract.

To receive your grant, **PLEASE SIGN THE ORIGINAL CONTRACT AND RETURN IT TO THE COMMUNITY FOUNDATION.**

**Grantee:** County of Sonoma Animal Care & Control

**Grant #** 20120296 **Amount of Grant:** \$104,000.00

**Grant Purpose:** to reduce the overpopulation of cats and dogs in Sonoma County through outreach to communities using a mobile van to provide spay/neuter services

**Grant Period Begins:** 8/15/2012 **Grant Period Ends:** 12/31/2013

Item Due	Due Date	Payment Date	Payment Amount
*Contract	8/13/2012	8/17/2012	\$10,000
Status Report	12/14/2012	12/21/2012	\$47,000
Status Report	4/30/2013	No Payment	
Status Report	7/31/2013	8/2/2013	\$47,000
Status Report	10/31/2013	No Payment	
Final Report	1/31/2014	No Payment	

\*It is understood that BOS review and approval process will take an unknown amount of time.

**Special Conditions of the Grant: None**

**I. Change in Management**

Grantee shall notify the Community Foundation immediately when there is a change in management or senior program staff involved in managing this grant.

**II. Expenditure of Funds**

- A. Grantee shall notify the Community Foundation immediately if they want to change the use of grant funds from what was originally proposed and approved in their grant application. The Community Foundation's **prior written approval is required** for any modification of your project or any change to your line-item budget in excess of ten percent. You may request a change to your workplan or budget by contacting Robert Judd at [rjudd@sonomacf.org](mailto:rjudd@sonomacf.org).
- B. The grantee shall return any unexpended funds to the Community Foundation at the end of the grant period.

- C. No funds provided by the Community Foundation may be used for any political campaign, or to support attempts to influence legislation by any governmental body, other than through making available the results of nonpartisan analysis, study and research.
- D. Unless specifically authorized by the Community Foundation, expenses charged against this grant may not be incurred prior to the effective date of the grant or subsequent to the termination date, and may be incurred only as necessary to carry out the purposes and activities of the approved program.
- E. The grantee organization is responsible for maintaining adequate supporting records consistent with generally accepted accounting practices.

### **III. Reports to the Community Foundation**

- A. Grantee organizations are expected to report to the Community Foundation on the progress of their program or project as stated on page one of this Contract or within 30 days after expending the grant funds. Instructions and formats for progress reports will be emailed to you later in the year.
- B. Grantees with multiple-payment grants will receive an initial payment at the beginning of the grant period. Receipt of subsequent payments is conditional upon submission of satisfactory progress reports or as stated on page one of this contract. Failure to submit progress reports may result in a default, causing a reduction to your grant or requiring repayment of grant funds received.
- C. The timeliness and quality of both the narrative and financial sections of progress reports will be factors in evaluating the grantee for future funding.

### **IV. Announcing Grants**

Grants approved by Community Foundation Sonoma County's board of directors are reported to the community through the Community Foundation's annual report, web site and periodic listing of grants. The Community Foundation may also issue press releases describing individual projects or programs.

We strongly encourage you to make public announcements on your own, especially when such notices might stimulate additional support or help to inform the community about important new projects.

Please include a copy of your publicity with your grant report.

### **V. Non-discrimination**

The Community Foundation has adopted the following policy on non-discrimination in its competitive grant programs. By signing below, the grantee certifies that its policies and practices are in accordance with all aspects of the Community Foundation's policy.

*The Board of Directors of Community Foundation Sonoma County affirms its respect for the humanity of all persons residing in this community and pledges that the principles of basic*

*fairness, equity and inclusiveness shall inform decision making with regard to the awarding of competitive grants.*

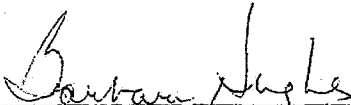
*The Community Foundation defines "discrimination" as the making of a distinction against a person based on the group, class or category to which that person belongs rather than on individual merit or need. In considering competitive grants, the Community Foundation will not support any organization that discriminates on the basis of race, color, national origin, ancestry, citizenship, religion, age, gender, sexual orientation, disability or any other characteristic protected by law.*

*The Community Foundation recognizes that charitable organizations may legitimately make some restrictions, such as for gender or age, in order to more effectively provide services.*

**VI. Limit of Commitment**

Unless otherwise stipulated in writing, this grant is made with the understanding that the Community Foundation has no obligation to provide other or additional support to the grantee. Grantees may apply for support in succeeding years. However, each year of funding requires a complete new application, including a letter of intent where that is a part of the application process.

**Community Foundation Sonoma County:**

  
\_\_\_\_\_  
Barbara A. Hughes, President & CEO

7/27/12  
\_\_\_\_\_  
Date

**Grantee accepts the conditions stated in this Agreement:**

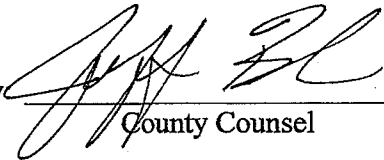
\_\_\_\_\_  
Signature of Authorized Representative

Rita Scardaci, Director - Dept. of Health Services  
\_\_\_\_\_  
Print name and title

\_\_\_\_\_  
Date

**Additional Signature Sheet  
Community Foundation's Grant Contract  
Grant Number 20120296  
Between Community Foundation Sonoma County and  
Sonoma County Animal Care & Control  
August 15, 2012-December 31, 2013**

Approved as to form:

By  \_\_\_\_\_  
County Counsel

Date: 8/6/12



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 21  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Human Services Department

**Staff Name and Phone Number:**

Tom Richardson 707-565-5820

**Supervisorial District(s):**

Countywide

**Title:** Agreements with U.C. Davis Extension

### **Recommended Actions:**

Authorize the Interim Director of Human Services to execute agreements with the University of California, Davis Extension to provide Eligibility, Child Welfare, and Adult Services training to Human Services Department staff for the period of July 1, 2012 through June 30, 2013 for a total net contract value of \$169,081. All costs for this program are fully reimbursed by the state resulting in a zero net cost to the department.

### **Executive Summary:**

The Human Services Department is requesting that the Interim Director be authorized to execute three agreements with the University of California, Davis Extension to provide in-service and professional training to Human Services Department staff, for the period of July 1, 2012 through June 30, 2013 for a total contract value of \$169,081.

Beginning in Fiscal Year 1984-1985, the State allocated annual Staff Development funds to counties for training Eligibility Workers. In 1991, Title IV-E funds became available to include training to Child Welfare Services Social Workers, and in 1996 additional funding became available to train Adult Services Social Workers. In fiscal year 2011-12, these contracts resulted in 49 individual classes averaging 21 employees per class. To receive these funds, counties must sign agreements with the University of California, Davis Extension, to provide the training. The State is continuing this funding for Human Services Department staff training for Fiscal Year 2012-2013 with \$169,081 being allocated to Sonoma County as follows:

1. \$106,590 for Eligibility Worker training.
2. \$37,620 for Child Welfare training.
3. \$24,871 for Adult Services training.

The total value of the three contracts is \$169,081. All costs are reimbursed to Sonoma County by the State,

resulting in no net cost to the County.

**Prior Board Actions:**

The Board has approved training agreements with U.C. Davis since Fiscal Year 1984-1985.

**Strategic Plan Alignment:** Goal 4: Civic Services and Engagement

The training provided by this program will contribute to the outcome of having a professionally managed organization through a workforce that implements established best professional practices.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 169,081	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 169,081
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 169,081</b>	<b>Total Sources</b>	<b>\$ 169,081</b>

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

The total value of the services provided through the contracts is \$169,081, which is net of an in-kind discount of \$35,739 from UC Davis. Funding for these agreements is included in the department's approved Fiscal Year 2012-2013 budget. All costs for this program are fully reimbursed by the state resulting in a zero net cost to the department.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

**Attachments:**

None

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

Agreements





## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 22  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

**Supervisory District(s):**

Traci Tesconi Extension # 1903

Fourth

**Title:** Lot Line Adjustment between two parcels under Williamson Act contract, File LLA11-0046

### **Recommended Actions:**

Consider and Approve Resolution and Conditions of Approval for a Lot Line Adjustment between two parcels owned by A. Rafanelli Winery and Vineyards LP and Douglas Rafanelli for property located at 4865 W. Dry Creek Road, Healdsburg, and Supervisorial District 4.

### **Executive Summary:**

#### Proposal:

This is a request for a Lot Line Adjustment between two parcels 35.45 acres (Lot A) and 41.9 acres (Lot B) resulting in two parcels 37.2 acres (Lot A) and 40.1 acres (Lot B) in size. Lot A is currently zoned LIA (Land Intensive Agriculture) 20 acre density, Z (Second Unit Exclusion), and overlay zoning designation include: SR (Scenic Resource) and VOH (Valley Oak Habitat). Lot B is currently zoned RRD (Resource and Rural Development) 40 acre density, and an overlay zoning designation of SR (Scenic Resource).

Both parcels are currently under separate Williamson Act contracts. Lot A (APN 090-120-028) was created as Lot 2 of Parcel Map 2998, recorded in Book 175, Page 34 on July 6, 1972. Lot A is under a prime (Type I) contract recorded in 1972 (1-291-72; 2607/580), along with an adjacent parcel that was Lot 1 of Parcel Map 2998. Lot A contains 33 acres of vineyard and 1.75 acres of olives. Lot B (APN 090-130-018) is under a non prime (Type II) contract recorded in 1972 (2-479-72; 2607/575).

Lot A contains an existing winery facility, a detached office, two residences, and an agricultural building. Lot B is undeveloped and contains a large grove of mixed woodlands and 3.5 acres of vineyard. Lot B does not contain any structures. The purpose of the Lot Line Adjustment is to satisfy a Court Settlement Agreement filed on December 12, 2011, where 1.80 acres of Lot B (Doug Rafanelli) is to be transferred to Lot A (A. Rafanelli

Winery).

Williamson Act:

To facilitate a Lot Line Adjustment, Gov. Code § 51257 permits the contracting parties to mutually agree to rescind the existing contract or contracts and to simultaneously enter into new contracts or contracts if the following findings can be made:

a. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.

Staff Comment: This finding can be made because the property owner has agreed to the requirement of the Conditions of Approval for the Lot Line Adjustment to rescind and replace the two existing contracts on Lot A and Lot B with two new separate contracts. Both contracts will restrict the adjusted boundaries of each parcel for not less than 10 years, renewing automatically every January 1st.

b. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a Lot Line Adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

Staff Comment: This finding can be made because the Lot Line Adjustment will not result in any decrease in the aggregate acreage of land under contract. Both parcels involved in the Lot Line Adjustment are currently under contract and will remain under contract after the Lot Line Adjustment has been recorded.

c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

Staff Comment: This finding can be made because the Lot Line Adjustment only transfers 1.80 acres from Lot B to Lot A. Therefore, over 90% of the former contract of Lot B will remain under the new contract. For Lot A, the entire parcel (100%) will remain under the new contract, plus the additional 1.80 acres. Overall, the all the land currently under contract will remain under contract.

d. After the Lot Line Adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

Staff Comment: This finding can be made because the Lot Line Adjustment is between two parcels that will continue meeting their respective contract-type minimum parcel size requirement. Lot A will be 37.2 acres

under a prime (Type I) contract that requires a minimum parcel size of 10 acres. Lot B will be 40.1 acres under a non-prime (Type II) contract which requires a minimum parcel size of 40 acres.

e. The Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.

Staff Comment:

This finding can be made because the Lot Line Adjustment does not result in a decrease in the amount of land under Williamson Act contract because Conditions of Approval require that the existing contracts on Lot A and Lot B are rescinded and replaced with new contracts. According to the Land Conservation Plans completed by the property owners, the resultant parcels will continue with the following agricultural and open space uses:

Lot A: The resultant parcel size is 37.20 acres with 32 acres of existing vineyard (several varieties) and 1.75 acres of olives. Gross income per acre from the vineyard ranges from \$4,000.00 – \$6,000.00 per acre. No income was reported for olives.

Lot B: The resultant parcel size is 40.1 acres with 3.50 acres of existing vineyard (another 5 acres of vineyard are planned to be planted in the future on the site). Approximately 35 acres of the site is in woodlands with a variety of trees such as: Oak, Madrone, Manzanita, and Pine. This parcel is proposed to be placed under a non-prime, open space contract where no income is required.

Under the newly adopted Agricultural Preserve Rules, the minimum gross income requirements are as follows:

Vineyard: Not less than \$1,000.00 per Planted Acre

Orchard: Not less than \$300.00 per Planted Acre

Open Space: No income requirement

Both parcels will conform to their respective contract type under the local Agricultural Preserve Rules and Regulations for minimum gross income requirements.

f. The Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use.

Staff Comment: As a result of the Lot Line Adjustment, both parcels will be restricted by Williamson Act contract. Adjacent land is not expected to be affected by the Lot Line Adjustment in any way.

g. The Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan.

Staff Comment: The Lot Line Adjustment does not result in a greater number of developable parcels. Under

the General Plan land use designations of LIA 20 and RRD 40 acres per dwelling unit, neither parcel is eligible for a subdivision before or after the Lot Line Adjustment.

Staff recommendation:

Staff recommends the Board find that all Government Code § 51257 findings are satisfied in connection with the proposed Lot Line Adjustment, and approve the proposed Lot Line Adjustment subject to the attached Conditions of Approval. Lot A will continue to be devoted to a qualifying agricultural use, and Lot B will be devoted to a qualifying open space use with a small vineyard. In addition, Lot A has compatible uses that occupying 5 acres or less of the overall parcel size, and Lot B is currently undeveloped with any structures.

Conditions of Approval require that prior to recording the Grant Deed for the Lot Line Adjustment, the applicants shall submit the appropriate applications and filing fees to rescind and replace the two existing contracts with a new prime (Type I) Williamson Act contract and a new non-prime (Type II) Williamson Act contract for Lot A and Lot B, respectively. Once the Lot Line Adjustment grant deed is recorded, then the County can proceed with preparation of the new contracts, and include the new legal descriptions for the two parcels. The Lot Line Adjustment creates split zoning on resultant Lot A to include LIA 20 and RRD 40 zoning designations. The Lot Line Adjustment can be approved if Conditions of Approval require the applicant to submit a General Plan Amendment and Zone Change application to eliminate the split zoning on the 1.80 acres adjusted from Lot B to Lot A as a result of the Lot Line Adjustment.

**Prior Board Actions:** None

**Strategic Plan Alignment:** Economic & Environmental Stewardship

The Board of Supervisors has endorsed the continuation of the County’s agricultural preserve program to preserve a maximum amount of the limited supply of agricultural, open space, scenic, and critical habitat lands within the county, to discourage premature and unnecessary conversion of such lands to urban land uses, to promote vitality in the agricultural economy, and to ensure an adequate, varied, and healthy supply of food and fiber for current and future generations. The rescission and replacement of Williamson Act contracts for the two subject parcels will help facilitate further agricultural investment and support agricultural viability and help preserve open space land in Sonoma County.

**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
<b>(Not Applicable)</b>	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

Both parcels are currently under Williamson Act contracts and will continue to remain under two new separate replacement contracts. There is not net loss or net gain of land under contract. There should be no new fiscal impacts as a result of this action.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

Conditions of Approval  
Resolution

**Related Items "On File" with the Clerk of the Board:** None

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**File LLA11-0046  
Traci Tesconi  
Date: 9/11/2012**

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Approving The Request By A. Rafanelli Winery And Vineyards LP And Douglas Rafanelli For A Lot Line Adjustment Between Two Parcels Of 35.45 Acres And 41.90 Acres In Size Resulting In Two Parcels Of 37.20 Acres And 40.10 Acres In Size, For Property Located At 4685 W. Dry Creek Road, Healdsburg; APN 090-120-028 And APN 090-130-018. Both Parcels Are Subject To Williamson Act Contracts.**

**Whereas**, the property owners A. Rafanelli Winery and Vineyards LP and Douglas Rafanelli, filed an application with the Sonoma County Permit and Resource Management Department for a minor Lot Line Adjustment between two parcels of 35.45 acres and 41.90 acres in size, resulting in two parcels of 37.20 acres and 40.10 acres in size with the two parcels under separate Williamson Act Contracts for property located at 3685 W. Dry Creek Road, Healdsburg, APN 090-120-028 and 090-130-018, Supervisorial District No. 4.

**Whereas**, the purpose of the Lot Line Adjustment is to satisfy a Court Settlement Agreement filed on December 12, 2011, which requires that 1.80 acres be transferred from Lot B (41.90 acres) to Lot A (35.45 acres). Lot A is under a prime (Type I) Williamson Act contract and Lot B is under a non-prime, open space (Type II) Williamson Act contract.

**Whereas**, Government Code Section 51257 requires that the Board of Supervisors make certain findings before an existing Williamson Act Contract may be rescinded and replaced to facilitate a Lot Line Adjustment.

**Now, Therefore**, Be It Resolved, that the Board of Supervisors makes the following findings consistent with Government Code Section 51257:

1. The replacement contract would enforce and restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract but for not less than 10 years.
2. There is no net decrease in the amount of the acreage restricted by a contract.
3. The Lot Line Adjustment results in 100 percent (100%) of the land under the original contracts to remain restricted under the new Prime (Type I) and new Non-Prime (Type II) replacement contracts required as a Condition of Approval for the Lot Line Adjustment.

4. After the Lot Line Adjustment, the resultant parcels (Lot A and Lot B) will remain large enough to sustain their agricultural use and open space use. Resultant Lot A will exceed the 10 acre minimum acreage requirement for a prime contract. Resultant Lot B will meet the 40 acre minimum acreage requirement for a non-prime contract. Resultant Lot A will exceed the minimum gross income requirement of \$1,000 per acre gross income for vineyard land for vineyard land. Resultant Lot B will be placed under a non-prime, open space Williamson Act Contract because more than 50% of the parcel is in woodlands with 3.5 acres of existing vineyard and another 5 acres of vineyard planned for the future.

5. The Lot Line Adjustment does not compromise the long-term agricultural productivity of the parcels (Lot A and Lot B) subject to contract. Lot A will remain large enough to continue with the commercial vineyard operations. Lot B will remain large enough to maintain the combination of open space and vineyard uses.

6. The Lot Line Adjustment does not and is not likely to result in the removal of adjacent land from agricultural use because the zoning will continue to be LIA (Land Intensive Agriculture) 20 acres per dwelling unit (Lot A) and RRD (Resource and Rural Development) 40 acres per dwelling unit (Lot B), whereas, neither parcel has subdivision potential before or after the Lot Line Adjustment.

7. The Lot Line Adjustment did not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan.

8. The Lot Line Adjustment creates split zoning on resultant Lot A of LIA 20 and RRD 40 zoning designations. In order to approve a Lot Line Adjustment that creates split zoning, Conditions of Approval require the applicant to submit a General Plan Amendment application and a Zone Change application to eliminate the split zoning on the 1.80 acres adjusted from Lot B to Lot A as a result of the Lot Line Adjustment.

**Be It Further Resolved** that the Board of Supervisors hereby finds that substantial evidence in the record before it supports the above findings, and further finds that the Lot Line Adjustment meets the requirements of the above findings.

**Be It Further Resolved** that the Board of Supervisors finds that the project described in this Resolution is exempt from the requirements of the California Environmental Quality Act by virtue of Section 15305 Class 5 of Title 14 of the California Code of Regulations (CEQA Guidelines) in that the project is a minor Lot Line Adjustment.

**Be It Further Resolved** that the Board of Supervisors hereby grants the requested Lot Line Adjustment subject to the Conditions of Approval in Exhibit "A", attached hereto which includes rescinding and replacing the existing prime (Type I) Williamson Act Contract on Lot A, and a new non-prime, open space (Type II) Williamson Act Contract on Lot B. The RRD zoning designation on Lot B is consistent with the County's Agricultural Preserve Rules for land under Williamson Act contracts. The Lot Line Adjustment does not result in any increase in overall subdivision potential.

Resolution #  
Date: 9/11/2012  
Page 3

**Be It Further Resolved** that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

**Supervisors:**

Brown:            Rabbitt:            McGuire:            Carrillo:            Zane:

Ayes:            Noes:            Absent:            Abstain:

**So Ordered.**



# SONOMA COUNTY BOARD OF SUPERVISORS

## Conditions of Approval

**Time:** 8:30 a.m. **Date:** September 11, 2012  
**Staff:** Traci Tesconi **File No.:** LLA11-0046  
**Owner 1:** A. Rafanelli Winery and Vineyards LP **APN:** 090-120-028 and 090-130-018  
**Owner 2:** Douglas Rafanelli  
**Address:** 4865 W. Dry Creek Road, Healdsburg

**Project Description:** Request for a minor Lot Line Adjustment between two parcels of 35.45 acres and 41.9 acres in size resulting in two parcels of 37.2 acres and 40.1 acres in size with both parcels being subject to Williamson Act contracts.

---

NOTE: Amendments and changes to approved Lot Line Adjustment conditions may be considered by the Board of Supervisors at a later date if additional information justifies the changes and does not increase the intensity of use approved by the original approval. The Director of the Permit and Resource Management Department will determine if a public hearing is necessary and if additional fees are required.

NOTE: These conditions must be met and the application validated within 24 months (September 11, 2014) unless a request for an extension of time is received before the expiration date.

### HEALTH

#### SEPTIC:

1. On the proposed Lot B, evidence of soils suitable for subsurface sewage disposal system for at least a one- bedroom system shall be provided to the Well and Septic Section. This will include, but not be limited to, soil profiles and percolation tests done in accordance with current standards of the Well and Septic Section of PRMD. The work must be certified by a State Registered Civil Engineer, Environmental Health Specialist or Geologist and refer to this Lot Line Adjustment number. This demonstration may be modified or waived by the District Specialist if the consultant can clearly demonstrate that adequate primary and reserve area is available.
2. Provide by means of a (topographic) Plot Plan drawn to a 1"=20' scale, that the existing Lot B contains sufficient area to accommodate a one-bedroom private sewage disposal system and a 200% unencumbered future reserve area. The plan shall include the location of any existing and potential domestic well site(s). Location of neighboring wells and septic systems within 150 feet of the proposed lots shall be shown, as well as existing and proposed driveways, grading cuts, and drainage ways. The plan is to be prepared by a registered Civil Engineer or Environmental Health Specialist. This demonstration may be modified or waived by the District Specialist if the consultant can clearly demonstrate that adequate primary and reserve area is available.
3. If the water well on Lot B drilled under permit number WEL98-0264 is being adjusted to Lot A, then a replacement water well or an easement and water covenant is required.

### PLANNING:

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

Exhibit A

4. Submit verification to Planning that taxes and/or assessments, which are a lien and termed as payable, are paid to the Treasurer-Tax Collector's Department on all parcels affected by the adjustment. The Treasurer-Tax Collector knows the amount of the tax due.
5. A draft description, prepared by a licensed land surveyor or civil engineer authorized to practice land surveying, showing the combination of lots or transfer of property shall be submitted to the County Surveyor for approval. The following note shall be placed on the deed or deeds. "The purpose of this deed is for a Lot Line Adjustment for the combination of a portion (1.80 acres) of the Lands of Douglas Rafanelli as described by deed recorded under Document No. 1993-0129160, Sonoma County Records, (APN 090-130-018) with the Lands of A. Rafanelli Winery and Vineyards as described by deed recorded under Document No. 2004-192587, Sonoma County Records, (APN 090-120-028) pursuant to LLA11-0046 on file in the office of the Sonoma County Permit and Resource Management Department. It is the express intent of the signators hereto that the recordation of this deed extinguishes any underlying parcels or portions of parcels." It is the responsibility of the surveyor/engineer preparing the deeds to insure that the information contained within the combination note is correct. Note: The County Surveyor may modify the above described note.
6. After approval by the County Surveyor, a grant deed or deeds shall be prepared and submitted to the Planning Division for approval prior to recording. An approval stamp will be placed on the face of the grant deed or deeds.
7. A site plan map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The site plan shall be subject to the review and approval of the County Surveyor. The following note shall be placed on said plan: "THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description."
8. After approval by Planning, the grant deed shall be recorded and a copy of the deed shall be submitted to the Permit and Resource Management Department.
9. The property owner(s) shall execute a Right-to-Farm Declaration on a form provided by PRMD to be submitted before the Lot Line Adjustment is cleared by PRMD for recordation. The Right-to-Farm Declaration shall be recorded concurrently with the PRMD approved lot line adjustment grant deed(s) to reflect the newly configured parcels.
10. Prior to PRMD stamping the grant deed(s) for the Lot Line Adjustment, the property owners shall submit two separate applications and applicable filing fees for Lot A and Lot B to rescind and replace the two existing Williamson Act contract with two, new Williamson Act contracts with Lot A under a prime-Type I contract, and Lot B under a non-prime, open space Type II contract, or similar contract. This is required in order for the contracts to reflect the new legal descriptions for Lot A and Lot B as a result of the Lot Line Adjustment.
11. Prior to PRMD stamping the grant deed(s) for the Lot Line Adjustment, the property owner of resultant Lot A shall submit a General Plan Amendment and Zone Change application with the applicable filing fees (i.e. Condition of Approval fees) in order to eliminate the split zoning designation on the parcel as a result of the Lot Line Adjustment. The 1.80 acre area transferred from Lot B to Lot A must be re-designated from RRD 40 to LIA 20 and rezoned from RRD B6 40 acre density, SR to LIA B6 20 acre density, Z, SR, VOH in order to eliminate the split zoning on resultant Lot A as a result of the Lot Line Adjustment.
12. A site plan map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The site plan shall be subject to the review and approval of the County Surveyor. The following note shall be placed on said plan: "THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description."



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 23  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Regional Parks

**Staff Name and Phone Number:**

**Supervisory District(s):**

Caryl Hart, Director (707) 565-2041

All Districts

**Title:** Sonoma County Parks & Recreation Advisory Commission's 2011 Annual Report and 2012 Work Plan

### **Recommended Actions:**

Accept and approve the Sonoma County Parks & Recreation Advisory Commission's report of accomplishments for 2011 and work plan for 2012

### **Executive Summary:**

#### Discussion

The Sonoma County Parks & Recreation Advisory Commission was established in 1991 to serve in an advisory capacity to the Board of Supervisors to promote, aid and encourage public recreation, including the development of recreation, park and open space facilities; and to act as an advisory body to the Sonoma County Regional Parks Director regarding the maintenance, development and operation of recreation areas and facilities serving the residents of Sonoma County.

Every year the Commission submits a summary of their accomplishments and a general work plan to the Board of Supervisors. Please see the attached 2011 Annual Report and 2012 Work Plan (Attachment A) for a comprehensive list of accomplishments and future projects for discussion.

#### Examples of 2011 Accomplishments

- Provided feedback on the new Park Membership Campaign and release of Parks Gift cards
- Approved formation of Parks & Recreation Commission Ad Hoc Sub-Committees to improve utilization of the Commission
- Recommended approval of grant applications for various park and trail acquisition and development projects
- Reviewed and commented on fee increases

#### Examples of Work Plan and Topics for 2012

These topics are generally brought forward to the Commission and can include, but are not limited to, some of the following:

- Review and comment on the Department's 5-year Capital Projects Plan

- Review and comment on operations and maintenance of Regional Park Facilities
- Review and comment on issues of concern brought to the Commission by stakeholders or concerned citizens
- Review priority plans for development of projects proposed by the Regional Parks Planning Division

Parks & Recreation Advisory Commission members

- Karen Collins, 1st District
- John Mills, 2<sup>nd</sup> District
- Pam Stafford, 3<sup>rd</sup> District
- Bill Trowbridge, 4<sup>th</sup> District
- Bill Wheeler, 5<sup>th</sup> District

Meeting schedule:

In February of 2011 the Commissioners agreed to meet on a bi-monthly basis. Please see the attached Schedule of Meetings/Topic Guideline (Attachment B) for a list the dates and times for regular scheduled Commission meetings. The topic guideline is used as a “general guideline” of the items and issues the Commission can be expected to hear in the upcoming year.

Ad-hoc Committees:

Ad-hoc committees will be assembled to meet on an as needed basis, typically during alternate months of the Commission. The ad-hoc committees would work with the Director of Regional Parks to discuss various topics for which they are formed, such as outreach and marketing efforts, park policy and procedures, outdoor activities, and new topics as they arise. Because the ad-hoc committees are held on a time-limited basis, they are exempt from posting requirements of the Brown Act. Public input on ad hoc committee activities would be provided when the committee’s report their ideas and advice to the full Commission.

**Prior Board Actions:**

On 3-27-90 the Board established the Sonoma County Parks & Recreation Advisory Commission. The Board has reviewed and adopted the Commission’s accomplishments and work plan in subsequent years.

**Strategic Plan Alignment:**

Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

No fiscal impact.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

None.

**Attachments:**

Attachment A - Sonoma County Parks & Recreation Advisory Commission 2011 Annual Report and 2012 Work Plan;  
Attachment B - 2012 Schedule of Meetings and Topic Guideline

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

Resolution No. 90-0534 dated March 27, 1990, establishing the Sonoma County Parks and Recreation Advisory Commission

## **Attachment A**

### **Sonoma County Parks & Recreation Advisory Commission 2011 Annual Report and 2012 Work Plan**

#### **Annual Report**

The Sonoma County Parks and Recreation Advisory Commission was established in January 1991 in order to study park issues and make recommendation to the Board of Supervisors and the Sonoma County Regional Parks Department.

#### **2011 Accomplishments**

Highlights of the Commission's 2011 accomplishments include:

- Approved an up-date of the Department's 5-year Capital Projects Plan
- Reviewed and provided feedback on the "Park Membership Campaign" and the transition from a Park Pass to a Park Membership - evaluated ways to increase revenue and utilization of the Regional Parks system, develop new services and increase visibility in the community
- Release of Parks Gift Card
- Reviewed and commented on the 2011 Parks Celebration Events which ran April 22<sup>nd</sup> – June 21<sup>st</sup>
- Approved new annual meeting schedule and formation of ad-hoc subcommittees to better utilize the Commission
- Reviewed Springhill Cemetery 2011 Work Plan
- Recommended approval of the following grant applications: Prop 84, California State Parks Statewide Park Program for funding for Taylor Mountain Regional Park and Open Space Preserve; River Parkways - California Natural Resources Agency, Habitat Conservation Fund - California State Parks, and Land and Water Conservation Fund - National Parks Service managed by California State Parks for funding Mark West Creek acquisition
- Reviewed and commented on proposed fee increases
- Received update on Taylor Mountain project
- Received updates from various Regional Park divisions
- Received and approved long-term succession plan for maintenance of oak trees at Maxwell Farms Tennis Courts

#### **2012 Work Plan**

The Commission will continue to meet and make recommendations regarding park issues. The following are key areas that the Commission will review in 2012. Other issues may replace or preclude some of the topics listed:

- Review and comment on issues of concern brought to the Commission by stakeholders or concerned citizens

- Review and recommend an up-date of the 5-year Capital Project Plan for development/acquisition of parks
- Ecotourism and Parks Partnership Initiative
- Veterans Hall Update
- Review and comment on 2012-2013 Budget
- Review priority projects proposed by the Planning Division:
  - Tolay Lake Master Plan Process
  - FEMA Project Update
  - Riverfront Phase 3 Update
  - Taylor Mountain Master Plan
  - Healdsburg Veterans Memorial Beach Update
  - Bodega Bay Coastal Prairie Trail
  - Mark West Creek Update
  - Riverfront Park – Phase 3 Improvements
  - Trails Updates - Bodega Bay, Laguna Trails, Central Sonoma Valley Trail, Sonoma Schellville Trail, Hood Mountain Ridge Trail, Timber Cove Coastal Trail
- Review and recommend grant applications including: Land and Water Conservation Fund, Habitat Conservation Fund and Recreational Trail Programs, Community Based Transportation Grant, Open Space District Matching Grant
- Review and accept the Springhill Cemetery Annual Work Plan
- Promote the work of the Regional Parks' Foundation
- Review and participate in Regional Parks sponsored events: Tolay Fall Festival, Healdsburg Water Carnival, Park Celebrations

**Attachment B**  
**Sonoma County Parks & Recreation Advisory Commission**  
 2012 Schedule of Meetings and Topic Guideline

<b>Date</b>	<b>Time</b>	<b>Location</b>	<b>Agenda Topics</b>
Monday, January 23	5 - 7 p.m.	Board Chambers 575 Administration Dr. 100A, Santa Rosa	<ul style="list-style-type: none"> <li>• Election of Officers, Meeting</li> <li>• Commission's 2011 Annual Report</li> <li>• Commission's 2012 Work Plan</li> <li>• Foundation Annual Update</li> <li>• CPRS District 1 Award Nominations</li> <li>• Open Space District Matching Grant Application</li> <li>• State Parks Update/Annadel</li> </ul>
Monday, March 19	5-7 p.m.		<ul style="list-style-type: none"> <li>• Update of Capital Projects Plan (5-yr CPP)</li> <li>• Volunteer Update w/Boy Scouts</li> <li>• Fee Package</li> <li>• Annual Program Plan</li> <li>• Community Based Transportation Grant for 1) Central Sonoma Valley Trail; 2) Petaluma Sebastopol Trail</li> <li>• Taylor Mountain Master Plan</li> <li>• Membership Drive</li> <li>• Springhill Cemetery Work Plan</li> <li>• Update on Ecotourism &amp; Parks Partnership Initiative</li> </ul>
Monday, May 21	5 - 7 p.m.		<ul style="list-style-type: none"> <li>• Mark West Creek Update</li> <li>• Taylor Mountain Master Plan</li> <li>• Summer/Park Operations Update</li> <li>• Maxwell BMX Track Proposal</li> <li>• Healdsburg Veterans Memorial Beach Dam Update</li> <li>• Budget Update</li> <li>• Tolay Master Plan Update</li> </ul>
Monday, July, 16	5 - 7 p.m.		<ul style="list-style-type: none"> <li>• Healdsburg Water Carnival Update</li> <li>• Laguna Trails Update</li> </ul>



			<ul style="list-style-type: none"> <li>• Bodega Bay Trail Update</li> <li>• Central Sonoma Valley Trail Update</li> <li>• Sonoma Schellville Trail Update</li>   <li>• Foundation Mid-Year Update</li> <li>• Hood Mountain Ridge Trail Update</li> <li>• Park Membership Update</li> <li>• Veterans Hall Update</li> </ul>
Monday, September 17	5 - 7 p.m.		<ul style="list-style-type: none"> <li>• Departmental Budget Update</li> <li>• Grants: Land and Water Conservation Fund, Habitat Conservation Fund and Recreational Trail Programs</li> <li>• Timber Cove Coastal Trail Update</li> </ul>
Monday, November 19	5 - 7 p.m.		<ul style="list-style-type: none"> <li>• Tolay Fall Festival Update</li> <li>• Aquatics Report</li> <li>• FEMA Project Update</li> <li>• Riverfront Phase 3 Update</li> <li>• Sonoma Land Trust Presentation</li> </ul>

The Commissioners can form ad-hoc committees to meet with the Director of Regional Parks (during alternate months of the regularly scheduled Parks & Recreation Advisory Commission meetings), on an “as needed” basis.



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 24  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Regional Parks

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Steve Ehret 565-1107

1<sup>st</sup>, 2<sup>nd</sup>

**Title:** Tolay Lake Master Plan Consultant Services

### **Recommended Actions:**

Authorize the Regional Parks Director to enter into a Professional Services Agreement with M.I.G. to develop the Tolay Lake Regional Park Master Plan and Environmental Document, for the period of September 11, 2012 through March 11, 2015, in an amount not to exceed \$677,357.

### **Executive Summary:**

The 1,769-acre Tolay Lake Ranch property was acquired by the Sonoma County Agricultural Preservation and Open Space District (District) and transferred to Regional Parks in 2005. An Initial Study for the Conceptual Master Plan & Water-Right Application was released by Regional Parks in September 2006. The Initial Study revealed numerous site complexities, a lengthy water-right process, and responding to community feedback required the completion of more in-depth studies and planning. In the meantime, an Interim Plan allowing limited education programs and public access by permit to Tolay Lake Regional Park was completed in 2009. Additionally, with funding assistance from the District, the Sonoma Land Trust acquired the adjacent 1,657-acre Tolay Creek Ranch property in 2007. The Master Plan will evaluate the combined 3,434 acres of Tolay Lake and Tolay Creek properties.

The Tolay Creek property will be transferred to Sonoma County Regional Parks at or before the completion of the Master Plan. These properties are in Supervisorial Districts 1 and 2.

The master planning process will determine the best way to develop the land into a well-designed, fully-accessible open space park that provides for a wide range of outdoor experiences while protecting the conservation values, cultural resources, and agricultural heritage of the land. Completing the Master Plan is the next step toward allowing full public access to the park.

The scope of the contract for the Master Plan includes: public outreach and participation, water and septic

feasibility, lake design, conceptual site plan, trail plan, resource management plan, operations, maintenance, and business plan, and Environmental Impact Report.

The Master Plan and environmental document will come before the Sonoma County Agricultural Preservation & Open Space District General Manager, the Parks and Recreation Advisory Commission, Planning Commission, and the Board of Supervisors for approval.

### Funding

On December 2, 2010, Regional Parks was awarded \$300,000 from the State Coastal Conservancy to complete analysis, planning, and preparation of the Tolay Lake Regional Park Master Plan. Of this amount, \$250,000 will be applied towards this service agreement. On August 9, 2011 Regional Parks entered into a Memorandum of Agreement with the Federated Indians of Graton Rancheria that established a cooperating agency relationship and provided \$500,000 towards the Master Plan and Environmental Document. Of this amount, \$427,357 will be applied towards this service agreement. \$150,000 will be paid to the County upon the execution of this consultant services agreement.

### R.F.P. Process and Cost

Regional Parks posted a request for proposals (R.F.P.) on our website and notified hundreds of consultants and individuals of the R.F.P. availability. A pre-proposal meeting was held on-site and was attended by over 22 prospective consultants. Five consultant teams submitted proposals ranging in cost from \$547,339 to \$995,811. All five consultant teams were interviewed by a committee comprised of representatives of the Regional Parks Department, the Sonoma Land Trust, and the Federated Indians of Graton Rancheria. M.I.G. is recommended based on their park master planning experience, integrated resource management approach, and cost effective approach. The proposed contract with M.I.G. is in the amount of \$677,357.

### Recommendation

The Regional Parks Director recommends that the Board authorize the Regional Parks Director to enter into a Professional Services Agreement with M.I.G. to develop a Tolay Lake Regional Park Master Plan and Environmental Document in an amount not to exceed \$677,357.

### **Prior Board Actions:**

May 15, 2012, Board approves County of Sonoma Capital Project Plan 2012 – 2017, including Tolay Lake Regional Park Master Plan. August 9, 2011 the Board approved a cooperating agency agreement between the County and the Graton Tribe and the grant of funds from the Federated Indians of Graton Rancheria (F.I.G.R.) for the Master Plan. March 1, 2011 the Board approved the grant of funds from the State Coastal Conservancy in the amount of \$300,000, and associated terms and conditions for the Tolay Lake Regional Park Master Plan. October 26, 2010, Board approved the M.O.A. with the F.I.G.R. for the Interim Plan. December 9, 2008 by Reso. 08-1026, the Board adopted mitigated negative declaration for the Tolay Lake Regional Park Interim Public

Access & Resource Management Plan and approved the project. November 6, 2007 by Reso. 07-0930, the District Board approved acquisition of a Conservation Easement with Sonoma Land Trust for Tolay Creek Ranch, supported as expanding Tolay Lake Regional Park. September 27, 2005 the District Board approved acquisition of Tolay Lake Ranch.

**Strategic Plan Alignment:** Goal 2: Economic and Environmental Stewardship

The approval of Tolay Lake Master Plan Consultant Services contract will allow the process of opening the park for public use to move forward. This project is consistent with Goal 2 because of the following reasons: invest in local jobs, protects open space, preserves agricultural resources and maintains link to County's heritage, promotes health and recreation, and supports biodiversity.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 677,357.00	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 250,000.00
	\$	Fees/Other	\$ 427,357.00
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 677,357.00</b>	<b>Total Sources</b>	<b>\$ 677,357.00</b>

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

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

None.

**Attachments:**

None.

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

Consultant Services Agreement with M.I.G. (5)

**Standard Professional Services Agreement (“PSA”)**  
**Revision F – April 2012**

AGREEMENT FOR PROFESSIONAL SERVICES

This agreement ("Agreement"), dated as of August\_\_\_, 2012 (“Effective Date”) is by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "County"), and Moore Iacofano Goltsman Inc., a California corporation (hereinafter "Consultant").

R E C I T A L S

WHEREAS, Consultant represents that it is a duly qualified park planner, experienced in the preparation of park master plans, park development, resource management plans, public outreach, natural and cultural resource planning issues, and related services; and

WHEREAS, in the judgment of the Sonoma County Board of Supervisors, it is necessary and desirable to employ the services of Consultant for the preparation of Tolay Lake Regional Park Master Plan.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

A G R E E M E N T

1. Scope of Services.

1.1 Consultant's Specified Services.

Consultant shall perform the services described in Exhibit “A,” attached hereto and incorporated herein by this reference (hereinafter "Scope of Work"), and within the times or by the dates provided for in Exhibit “A” and pursuant to Article 7, Prosecution of Work. In the event of a conflict between the body of this Agreement and Exhibit “A”, the provisions in the body of this Agreement shall control.

1.2 Cooperation With County. Consultant shall cooperate with County and County staff in the performance of all work hereunder.

1.3 Performance Standard. Consultant shall perform all work hereunder in a manner consistent with the level of competency and standard of care normally observed by a person practicing in Consultant's profession. County has relied upon the professional ability and training of Consultant as a material inducement to enter into this Agreement. Consultant hereby agrees to provide all services under this Agreement in accordance with generally

accepted professional practices and standards of care, as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of Contractor's work by County shall not operate as a waiver or release. If County determines that any of Consultant's work is not in accordance with such level of competency and standard of care, County, in its sole discretion, shall have the right to do any or all of the following: (a) require Consultant to meet with County to review the quality of the work and resolve matters of concern; (b) require Consultant to repeat the work at no additional charge until it is satisfactory; (c) terminate this Agreement pursuant to the provisions of Article 4; or (d) pursue any and all other remedies at law or in equity.

#### 1.4 Assigned Personnel.

- a. Consultant shall assign only competent personnel to perform work hereunder. In the event that at any time County, in its sole discretion, desires the removal of any person or persons assigned by Consultant to perform work hereunder, Consultant shall remove such person or persons immediately upon receiving written notice from County.
- b. Any and all persons identified in this Agreement or any exhibit hereto as the project manager, project team, or other professional performing work hereunder are deemed by County to be key personnel whose services were a material inducement to County to enter into this Agreement, and without whose services County would not have entered into this Agreement. Consultant shall not remove, replace, substitute, or otherwise change any key personnel without the prior written consent of County. With respect to performance under this Agreement, Consultant shall employ the following key personnel: Carolyn Verheyen, John Bass, Jose Leal, Joan Chaplick, Laurie Matthews, Paul Fragua, Robert Melnick, Lawrence Wright, Tim Gilbert, Ray Pendro, George Salvaggio, Geoff Smick, and Cathleen Malmstrom.
- c. In the event that any of Consultant's personnel assigned to perform services under this Agreement become unavailable due to resignation, sickness or other factors outside of Consultant's control, Consultant shall be responsible for timely provision of adequately qualified replacements.

#### 2. Payment.

For all services and incidental costs required hereunder, Consultant shall be paid in accordance with the following terms:

Consultant shall be paid on a time and material/expense basis in accordance with the budget set forth in Exhibit B, provided, however, that total payments to Consultant shall not exceed \$677,357.00, without the prior written approval of County. Consultant shall submit its bills in arrears on a monthly basis in a form approved by County's Auditor and the Head of the County Department receiving the services. The bills shall show or include: (i) the task(s) performed; (ii) the time in quarter hours devoted to the task(s); (iii) the hourly rate or rates of the persons

performing the task(s); and (iv) copies of receipts for reimbursable materials/expenses, if any. Expenses not expressly authorized by the Agreement shall not be reimbursed.

Unless otherwise noted in this agreement, payments shall be made within the normal course of county business after presentation of an invoice in a form approved by the County for services performed. Payments shall be made only upon the satisfactory completion of the services as determined by the County.

Pursuant to California Revenue and Taxation code (R&TC) Section 18662, the County shall withhold seven percent of the income paid to Consultant for services performed within the State of California under this agreement, for payment and reporting to the California Franchise Tax Board, if Consultant does not qualify as: (1) a corporation with its principal place of business in California, (2) an LLC or Partnership with a permanent place of business in California, (3) a corporation/LLC or Partnership qualified to do business in California by the Secretary of State, or (4) an individual with a permanent residence in the State of California.

If Consultant does not qualify, County requires that a completed and signed Form 587 be provided by the Consultant in order for payments to be made. If consultant is qualified, then the County requires a completed Form 590. Forms 587 and 590 remain valid for the duration of the Agreement provided there is no material change in facts. By signing either form, the contractor agrees to promptly notify the County of any changes in the facts. Forms should be sent to the County pursuant to Article 14. To reduce the amount withheld, Consultant has the option to provide County with either a full or partial waiver from the State of California.

3. Term of Agreement. The term of this Agreement shall be from the date it is signed by the County (“Effective Date”) for a 30 month period unless terminated earlier in accordance with the provisions of Article 4 below.

4. Termination.

4.1 Termination Without Cause. Notwithstanding any other provision of this Agreement, at any time and without cause, County shall have the right, in its sole discretion, to terminate this Agreement by giving 5 days written notice to Consultant.

4.2 Termination for Cause. Notwithstanding any other provision of this Agreement, should Consultant fail to perform any of its obligations hereunder, within the time and in the manner herein provided, or otherwise violate any of the terms of this Agreement, County may immediately terminate this Agreement by giving Consultant written notice of such termination, stating the reason for termination.

4.3 Delivery of Work Product and Final Payment Upon Termination.

In the event of termination, Consultant, within 14 days following the date of termination, shall deliver to County all materials and work product subject to Section 9.11 (Ownership and Disclosure of Work Product) and shall submit to County an invoice showing the services performed, hours worked, and copies of receipts for reimbursable expenses up to the date of termination.



4.4 Payment Upon Termination. Upon termination of this Agreement by County, Consultant shall be entitled to receive as full payment for all services satisfactorily rendered and expenses incurred hereunder, an amount which bears the same ratio to the total payment specified in the Agreement as the services satisfactorily rendered hereunder by Consultant bear to the total services otherwise required to be performed for such total payment; provided, however, that if services which have been satisfactorily rendered are to be paid on a per-hour or per-day basis, Consultant shall be entitled to receive as full payment an amount equal to the number of hours or days actually worked prior to the termination times the applicable hourly or daily rate; and further provided, however, that if County terminates the Agreement for cause pursuant to Section 4.2, County shall deduct from such amount the amount of damage, if any, sustained by County by virtue of the breach of the Agreement by Consultant.

4.5 Authority to Terminate. The Board of Supervisors has the authority to terminate this Agreement on behalf of the County. In addition, the Purchasing Agent or Regional Parks Department Head, in consultation with County Counsel, shall have the authority to terminate this Agreement on behalf of the County.

5. Indemnification. Consultant agrees to accept all responsibility for loss or damage to any person or entity, including County, and to indemnify, hold harmless, and release County, its officers, agents, and employees, from and against any actions, claims, damages, liabilities, disabilities, or expenses, that may be asserted by any person or entity, including Consultant, that arise out of, pertain to, or relate to Consultant's or its agents', employees', contractors', subcontractors', or invitees' performance or obligations under this Agreement. Consultant agrees to provide a complete defense for any claim or action brought against County based upon a claim relating to such Consultant's or its agents', employees', contractors', subcontractors', or invitees' performance or obligations under this Agreement. Consultant's obligations under this Section apply whether or not there is concurrent negligence on County's part, but to the extent required by law, excluding liability due to County's conduct. County shall have the right to select its legal counsel at Consultant's expense, subject to Consultant's approval, which shall not be unreasonably withheld. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Consultant or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts.

6. Insurance. With respect to performance of work under this Agreement, Consultant shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described in Exhibit C, which is attached hereto and incorporated herein by this reference

7. Prosecution of Work. The execution of this Agreement shall constitute Consultant's authority to proceed immediately with the performance of this Agreement. Performance of the services hereunder shall be completed within the time required herein, provided, however, that if the performance is delayed by earthquake, flood, high water, or other Act of God or by strike, lockout, or similar labor disturbances, the time for Consultant's performance of this Agreement shall be extended by a number of days equal to the number of days Consultant has been delayed.

8. Extra or Changed Work. Extra or changed work or other changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties. Minor changes, which do not increase the amount paid under the Agreement, and which do not significantly change the scope of work or significantly lengthen time schedules may be executed by the Department Head in a form approved by County Counsel. The Board of Supervisors/Purchasing Agent must authorize all other extra or changed work. The parties expressly recognize that, pursuant to Sonoma County Code Section 1-11, County personnel are without authorization to order extra or changed work or waive Agreement requirements. Failure of Consultant to secure such written authorization for extra or changed work shall constitute a waiver of any and all right to adjustment in the Agreement price or Agreement time due to such unauthorized work and thereafter Consultant shall be entitled to no compensation whatsoever for the performance of such work. Consultant further expressly waives any and all right or remedy by way of restitution and quantum meruit for any and all extra work performed without such express and prior written authorization of the County.

9. Representations of Consultant.

9.1 Standard of Care. County has relied upon the professional ability and training of Consultant as a material inducement to enter into this Agreement. Consultant hereby agrees that all its work will be performed and that its operations shall be conducted in accordance with generally accepted and applicable professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of Consultant's work by County shall not operate as a waiver or release.

9.2 Status of Consultant. The parties intend that Consultant, in performing the services specified herein, shall act as an independent contractor and shall control the work and the manner in which it is performed. Consultant is not to be considered an agent or employee of County and is not entitled to participate in any pension plan, worker's compensation plan, insurance, bonus, or similar benefits County provides its employees. In the event County exercises its right to terminate this Agreement pursuant to Article 4, above, Consultant expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

9.3 No Suspension or Debarment. Consultant warrants that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency. Consultant also warrants that it is not suspended or debarred from receiving federal funds as listed in the List of Parties Excluded from Federal Procurement or Non-procurement Programs issued by the General Services Administration. If the Consultant becomes debarred, consultant has the obligation to inform the County

9.4 Taxes. Consultant agrees to file federal and state tax returns and pay all applicable taxes on amounts paid pursuant to this Agreement and shall be solely liable and responsible to pay such taxes and other obligations, including, but not limited to, state and federal income and FICA taxes. Consultant agrees to indemnify and hold County harmless from any liability

which it may incur to the United States or to the State of California as a consequence of Consultant's failure to pay, when due, all such taxes and obligations. In case County is audited for compliance regarding any withholding or other applicable taxes, Consultant agrees to furnish County with proof of payment of taxes on these earnings.

9.5 Records Maintenance. Consultant shall keep and maintain full and complete documentation and accounting records concerning all services performed that are compensable under this Agreement and shall make such documents and records available to County for inspection at any reasonable time. Consultant shall maintain such records for a period of four (4) years following completion of work hereunder.

9.6 Conflict of Interest. Consultant covenants that it presently has no interest and that it will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of its services hereunder. Consultant further covenants that in the performance of this Agreement no person having any such interests shall be employed. In addition, if requested to do so by County, Consultant shall complete and file and shall require any other person doing work under this Agreement to complete and file a "Statement of Economic Interest" with County disclosing Consultant's or such other person's financial interests.

9.7 Statutory Compliance. Contractor agrees to comply with all applicable federal, state and local laws, regulations, statutes and policies applicable to the services provided under this Agreement as they exist now and as they are changed, amended or modified during the term of this Agreement.

9.8 Nondiscrimination. Without limiting any other provision hereunder, Consultant shall comply with all applicable federal, state, and local laws, rules, and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, pregnancy, disability, sexual orientation or other prohibited basis, including without limitation, the County's Non-Discrimination Policy. All nondiscrimination rules or regulations required by law to be included in this Agreement are incorporated herein by this reference.

9.9 AIDS Discrimination. Consultant agrees to comply with the provisions of Chapter 19, Article II, of the Sonoma County Code prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection during the term of this Agreement and any extensions of the term.

9.10 Assignment of Rights. Consultant assigns to County all rights throughout the world in perpetuity in the nature of copyright, trademark, patent, right to ideas, in and to all versions of the plans and specifications, if any, now or later prepared by Consultant in connection with this Agreement. Consultant agrees to take such actions as are necessary to protect the rights assigned to County in this Agreement, and to refrain from taking any action which would impair those rights. Consultant's responsibilities under this provision include, but are not limited to, placing proper notice of copyright on all versions of the plans and specifications as County may direct, and refraining from disclosing any versions of the plans

and specifications to any third party without first obtaining written permission of County. Consultant shall not use or permit another to use the plans and specifications in connection with this or any other project without first obtaining written permission of County.

9.11 Ownership and Disclosure of Work Product. All reports, original drawings, graphics, plans, studies, and other data or documents (“documents”), in whatever form or format, assembled or prepared by Consultant or Consultant’s subcontractors, consultants, and other agents in connection with this Agreement shall be the property of County. County shall be entitled to immediate possession of such documents upon completion of the work pursuant to this Agreement. Upon expiration or termination of this Agreement, Consultant shall promptly deliver to County all such documents, which have not already been provided to County in such form or format, as County deems appropriate. Such documents shall be and will remain the property of County without restriction or limitation. Consultant may retain copies of the above- described documents but agrees not to disclose or discuss any information gathered, discovered, or generated in any way through this Agreement without the express written permission of County.

9.12 Authority. The undersigned hereby represents and warrants that he or she has authority to execute and deliver this Agreement on behalf of Consultant.

10. Content Online Accessibility. County policy requires that all documents that may be published to the Web meet accessibility standards to the greatest extent possible, and utilizing available existing technologies.

10.1 Standards. All consultants responsible for preparing content intended for use or publication on a County-managed or County-funded web site must comply with applicable Federal accessibility standards established by 36 C.F.R. Section 1194, pursuant to Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794(d)), and the County’s Web Site Accessibility Policy located at <http://webstandards.sonoma-county.org>.

10.2 Certification: Consultants must complete the Document Accessibility Certification Form attached hereto as Exhibit D which shall describe how all deliverable documents were assessed for accessibility (e.g. Microsoft Word accessibility check; Adobe Acrobat accessibility check, or other commonly accepted compliance check.)

10.3 Alternate Format: When it is strictly impossible due to the unavailability of technologies required to produce an accessible document, Consultant shall identify the anticipated accessibility deficiency prior to commencement of any work to produce such deliverables. Consultant agrees to cooperate with County staff in the development of alternate document formats to maximize the facilitative features of the impacted document(s), e.g. embedding the document with alt-tags that describe complex data/tables.

10.4 Noncompliant Materials; Obligation to Cure. Remediation of any materials that do not comply with County’s Web Site Accessibility Policy shall be the responsibility of Consultant. If County, in its sole and absolute discretion, determines that any deliverable intended for use or publication on any County-managed or County-funded Web site does not

comply with County Accessibility Standards, County will promptly inform Consultant in writing. Upon such notice, Consultant shall, without charge to County, repair or replace the non-compliant materials within such period of time as specified by County in writing. If the required repair or replacement is not completed within the time specified, County shall have the right to do any or all of the following, without prejudice to County's right to pursue any and all other remedies at law or in equity:

- a. Cancel any delivery or task order;
- b. Terminate this Agreement pursuant to the provisions of Article 4; and/or
- c. In the case of custom EIT developed by Consultant for County, County may have any necessary changes or repairs performed by itself or by another contractor. In such event, contractor shall be liable for all expenses incurred by County in connection with such changes or repairs.

10.5 County's Rights Reserved. Notwithstanding the foregoing, County may accept deliverables that are not strictly compliant with County Accessibility Standards if County, in its sole and absolute discretion, determines that acceptance of such products or services is in County's best interest.

## 11. Prevailing Wages

11.1 General. Consultant shall pay to persons performing geotechnical field work hereunder an amount equal to or more than the general prevailing rate of per diem wages for (1) work of a similar character in the locality in which the work is performed and (2) legal holiday and overtime work in said locality. The per diem wages shall be an amount equal to or more than the stipulated rates contained in a schedule that has been ascertained and determined by the Director of the State Department of Industrial Relations and County to be the general prevailing rate of per diem wages for each craft or type of workman or mechanic needed to execute this Agreement. Consultant shall also cause a copy of this determination of the prevailing rate of per diem wages to be posted at each site work is being performed. Copies of the prevailing wage rate of per diem wages are on file at the State and will be made available to any person upon request.

11.2 Subcontracts. Consultant shall insert in every subcontract or other arrangement which Consultant may make for performance of such work or labor on work provided for in the Agreement, provision that Subcontractor shall pay persons performing labor or rendering service under subcontract or other arrangement not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed in the Labor Code. Pursuant to Labor Code Section 1775(b)(1), Consultant shall provide to each Subcontractor a copy of Sections 1771, 1775, 1776, 1777.5, 1813 and 1815 of the Labor Code.

11.3 Compliance With Law. Consultant stipulates that it shall comply with all applicable wage and hour laws, including without limitation Labor Code Sections 1775, 1776, 1777.5 1813 and 1815 and California Code of Regulations, Title 8, Section 16000, et seq.

12. Demand for Assurance. Each party to this Agreement undertakes the obligation that the other's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise with respect to the performance of either party, the other may in writing demand adequate assurance of due performance and until such assurance is received may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of a party with respect to performance under this Agreement, but also conduct with respect to other agreements with parties to this Agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, but not exceeding thirty (30) days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this Agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance. Nothing in this Article limits County's right to terminate this Agreement pursuant to Article 4.

13. Assignment and Delegation. Neither party hereto shall assign, delegate, sublet, or transfer any interest in or duty under this Agreement without the prior written consent of the other, and no such transfer shall be of any force or effect whatsoever unless and until the other party shall have so consented.

14. Method and Place of Giving Notice, Submitting Bills and Making Payments. All notices, bills, and payments shall be made in writing and shall be given by personal delivery or by U.S. Mail or courier service. Notices, bills, and payments shall be addressed as follows:

TO: COUNTY:	Sonoma County Regional Parks 2300 County Center Drive, Suite 120A Santa Rosa, CA 95403 Tel: (707) 565-2041 Fax: (707) 579-8247
-------------	--

TO: CONSULTANT:	Moore, Iacofano, Goltsman, Inc. 100 Adobe Canyon Road Kenwood, CA 95452 Tel: (707) 282-9008 Fax: (510) 845-8750
-----------------	---

When a notice, bill or payment is given by a generally recognized overnight courier service, the notice, bill or payment shall be deemed received on the next business day. When a copy of a notice, bill or payment is sent by facsimile or email, the notice, bill or payment shall be deemed

received upon transmission as long as (1) the original copy of the notice, bill or payment is promptly deposited in the U.S. mail and postmarked on the date of the facsimile or email (for a payment, on or before the due date), (2) the sender has a written confirmation of the facsimile transmission or email, and (3) the facsimile or email is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this paragraph.

15. Miscellaneous Provisions.

15.1 No Waiver of Breach. The waiver by County of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Agreement.

15.2 Construction. To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. Consultant and County acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other. Consultant and County acknowledge that they have each had an adequate opportunity to consult with counsel in the negotiation and preparation of this Agreement.

15.3 Consent. Wherever in this Agreement the consent or approval of one party is required to an act of the other party, such consent or approval shall not be unreasonably withheld or delayed.

15.4 No Third Party Beneficiaries. Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.

15.5 Applicable Law and Forum. This Agreement shall be construed and interpreted according to the substantive law of California, regardless of the law of conflicts to the contrary in any jurisdiction. Any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in Santa Rosa or the forum nearest to the city of Santa Rosa, in the County of Sonoma.

15.6 Captions. The captions in this Agreement are solely for convenience of reference. They are not a part of this Agreement and shall have no effect on its construction or interpretation.

15.7 Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Code of Civil Procedure Section 1856.

No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

15.8 Survival of Terms. All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.

15.9 Time of Essence. Time is and shall be of the essence of this Agreement and every provision hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.



CONSULTANT: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

COUNTY: COUNTY OF SONOMA

CERTIFICATES OF INSURANCE ON  
FILE WITH AND APPROVED AS TO  
SUBSTANCE FOR COUNTY:

By: \_\_\_\_\_  
Department Head

Date: \_\_\_\_\_

APPROVED AS TO FORM FOR  
COUNTY:

By: \_\_\_\_\_  
County Counsel

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Chair  
Board of Supervisors

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of the Board of  
Supervisors

**EXHIBIT A  
SCOPE OF SERVICES  
TOLAY LAKE REGIONAL PARK  
MASTER PLAN**

**Scope of Work**

**Task 1. SITE AND SITE ASSESSMENT MATERIALS**

**1.1 Assimilate Site and Site Assessment Information** Within two weeks of contract award, Consultant shall hold a kickoff meeting with key personnel (including Consultant and Sub-consultant staff). At that meeting communication protocols will be established, the project purpose and objectives will be verified, and the schedule for all tasks and deliverables will be confirmed. Immediately following the meeting Consultant will visit Tolay Park to orient team members to site conditions and constraints.

**1.2 Additional Field Studies** Consultant shall identify necessary additional field studies if any to address deficiencies in the existing data set due to regulations.

**Task 2. HISTORIC STRUCTURE REPORT**

**2.1 Structural Integrity Assessment** The Sub-consultant shall review all of the available information for the 20-acre Cardoza Ranch archeological site and the approximately 15 structures, including the previous condition assessments, cultural resource evaluations, environmental reports, construction history, and other historical or archival information. Sub-consultant shall visit the site to document the historical character and conditions of the structures and other contributing features. Sub-consultant's team shall use an integrated approach with architects, a historian, and a conservator in concert with the landscape architects and other cultural resource specialists on the Master Plan team. The evaluation shall include: an assessment of historical character, a list of character-defining features, integrity evaluation, statement of significance, material conditions, building systems, accessibility, and fire and life safety issues, and the context of each building as part of the historic Cardoza Ranch. During the initial assessment Sub-consultant shall identify areas or materials that should be further investigated or tested. Data gathered during the site visit shall be synthesized into a conceptual scope of work for needed repairs, upgrades, and improvements and submitted to a cost estimator. The cost estimator shall provide an itemized estimate for construction costs related to the work identified in the Sub-consultant's survey.

Sub-consultant shall take field measurements and photographs of each of the historic structures to record both their significant features and condition. After analyzing the information gathered in the initial site inspection, Sub-consultant shall organize a second site visit for any additional work, if necessary to understand the condition of the structures.

Based on field notes and photographs, Sub-consultant shall develop a draft existing conditions report. Concurrently, buildings and surrounding site will be evaluated for compliance with the Americans with Disabilities Act and with pertinent codes, including the State Historic Building Code. Sub-consultant shall produce CAD drawings – plans, elevations and relevant sections and details – of the structures and contributing features. Sub-consultant shall meet with Regional Parks to review the draft report and any recommendations.

Using the historical research and the information from the fieldwork, Sub-consultant shall assess the Cardoza Ranch site, the historical integrity of the structures and site features, which building elements are contributing to the historical significance, and the status of past repairs. This information shall be summarized in a draft report. Sub-consultant shall use the *Tolay Lake Regional Park Historical Resources Evaluation Report* by LSA Associates and the *Determination of Eligibility* from the California State Historic Preservation Office.

Following the architectural assessment, an assessment of the structural condition of all the existing buildings, will be undertaken, as outlined below:

- a. Provide structural site review(s) of the existing buildings.
- b. Partial structural documentation of the exposed structural conditions. Access may be required by others to expose concealed areas for structural documentation.
- c. Provide a general evaluation of all buildings for structural stability for both vertical and lateral load carrying capacity in conformance with either the 2010 California Building Code or the State Historical Building Code.
- d. Provide recommendations for necessary structural modifications that are required for the proposed use.
- e. Provide preliminary structural repair solutions for approximately 6 buildings as selected by the architectural historical work.
- f. Review preliminary cost estimate with Architect and Cost estimator.

The Historic Structures Report shall contain three parts: Part One is the historical background, historical evaluation and physical description; Part Two is the conditions assessment; and Part Three presents the treatment recommendations. Sub-consultant shall prepare a draft HSR in this format and as provided by Regional Parks.

Parts One and Two will be developed from the work as described above. In Part Three, Sub-consultant shall look at each structure and contributing feature individually and at the site as a whole and make recommendations as to the best approach and best uses for each per the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, which defines four basic treatments: Preservation, Restoration, Rehabilitation and Reconstruction. For each building, structural, accessibility, and code-related recommendations will be included. Removal of non-historic or severely deteriorated structures and new construction on the Ranch site to satisfy program requirements may also be recommended.

Sub-consultant shall prepare recommendations for immediate, medium and long-term projects that may include emergency stabilization, ongoing maintenance and use- or program-driven changes. Sub-consultant shall work closely with Regional Parks to prioritize the recommendations and, as appropriate, the phasing of the work. Conceptual level costs will be included for individual projects and phases. This information will be submitted as a draft Historic Structures Report. If necessary, Sub-consultant shall meet with Regional Parks to review the draft report.

**2.2 Final Report** Sub-consultant shall revise and refine the draft report based on a single set of consolidated comments provided by Regional Parks. Sub-consultant shall craft the final report to be a practical, working document that will serve as a reference tool for management of the Cardoza Ranch site for the foreseeable future. The final report will be submitted to Regional Parks in both unbound hard copy and electronic format, as PDF and Word 2007 files. The measured drawings, in AutoCAD, and important historical documents will be included as appendices to the HSR.

### **Task 3. DETERMINE GROUNDWATER AVAILABILITY**

The Properties are located within a Marginal Water Availability Area, as defined by the County planning department. The property contains no wells and has limited domestic water from springs. The springs may not be sufficient to support park development and are impractical to use as a source of a public drinking water. The availability of groundwater is critical in understanding park development options.

The following aspects will be a part of this task:

- a. Produce a Hydrogeologic Study for the park including:
  1. Description of geology and hydrogeologic conditions in the project area.
  2. Field exploration, possibly including drilling test well(s), well logs, and any associated required permitting.
  3. Conclusions and recommendations of: groundwater availability; recharge rate and storage capacity during drought conditions; effects of drawdown on surrounding water availability; and specific locations and approach for developing groundwater.
- b. The following approach will be used to accomplish this task:

Sub-consultant shall evaluate the feasibility to develop a domestic, potable water supply from groundwater on the Properties that is capable of supplying the Park's needs after implementation of the Master Plan.

**3.1 Compile Local Geological and Groundwater Data and Conduct a Site Geological Reconnaissance** Sub-consultant shall analyze data and review the well with respect to park operations, logistics, waste disposal needs, and other pertinent factors to find a suitable well location. Sub-consultant shall review well logs from the California Department of Water Resources for all wells within two miles of the park boundary to evaluate production capacity and typical well construction for wells in this area. The geologists will walk the site to evaluate the extent of the alluvium, and analyze the fracture characteristics of the geologic formations in outcrop. Based on this reconnaissance and a geologic assessment of existing data, an evaluation will be undertaken of the extent of the alluvium and of fracture trends. Areas with higher fracture density may indicate areas of higher density where groundwater wells have a higher production rate.

**3.2 Install Test Well in the Fractured Aquifer** One 5-inch diameter, approximately 300-foot deep test well will be drilled. The most likely target formation will be the Sonoma Volcanics, which well logs in the area show as the most productive. The test well will be cased with schedule 80 PVC casing. Drilling fluids will be trucked offsite and most of the clean drilling cuttings will be placed on-site in an approved location. The well will be chemically sampled and analyzed for the requirements for a transient, non-community water system as defined by the California Department of Public Health. This well will provide a method to directly test the groundwater production capabilities of a suitable location on the site. The well will be installed, developed, and sampled, and a specific capacity test would be run. Regional Parks will be responsible for coordinating a Tribal Monitor if necessary for the ground disturbing related activities. Consultants shall complete the necessary permits for drilling.

**3.3 Conduct Hydrogeologic Evaluation** The Hydrogeologic Evaluation shall be based on the site specific data collected in Tasks 3.1 and 3.2 and additional research. This task includes an assessment of the geology and groundwater characteristics of the site. A water budget will be developed to assess the recharge potential of the area including its susceptibility to droughts.

Based on evaluation, a recommendation on the sustainability of groundwater as a water supply for the Park from a well completed in the fractured aquifer will be made.

**3.4 Provide Technical Memorandum** Sub-consultant shall produce a technical memorandum that summarizes the results of the hydrogeological assessment, documenting the field work, data collection and analysis. Based on this evaluation, recommendations will be provided on the sustainability of using groundwater as the water supply for the future planned park development.

#### **Task 4. DETERMINE WASTE DISPOSAL OPTIONS**

The property is located within an area dominated by clay soils. The existing septic systems on site are unsuitable for expanded public use. The method and physical requirements for waste disposal may significantly influence the size and location of park development options and the locations of proposed features. Understanding the waste disposal options early in the process will better inform the park improvement possibilities.

##### **4.1 Fieldwork**

- a. Sub-consultant shall review existing information related to the onsite wastewater systems, soil and groundwater conditions, and critical resource issues. Sub-consultant shall also conduct a site visit to evaluate site conditions.
- b. Sub-consultant shall conduct a limited site evaluation to characterize soil conditions in the area of the proposed redevelopment and improvements needing onsite wastewater facilities. Sub-consultant shall install several (3 to 6) hand borings in the areas of the proposed leach fields. The hand borings will be completed with a 2" diameter hand auger to a depth of 5 to 10 feet to characterize the soils. Regional Parks shall coordinate Tribal Monitors and archeologists if necessary to monitor the ground disturbance. Sub-consultant shall prepare soil logs from the borings describing the type and condition of soils encountered.

##### **4.2 Draft Waste Disposal Option Report**

- a. Sub-consultant shall prepare a Wastewater Options Report that will summarize the site evaluation, including a map showing the location of the soil borings. The report will also identify and describe any potential natural and cultural resource or other site constraints (poor soil conditions). The report will present conclusions and recommendations for alternative wastewater approaches and capacities and locations of new wastewater facilities for the property. Sub-consultant shall prepare preliminary engineering cost estimates for the proposed improvements.
  1. Description of natural resource, cultural resource, visual resource, or other constraints.
  2. Documentation of any new soil exploration and/or tests.
  3. Conclusions and recommendations for approaches, capacities, and locations of waste disposal options. At a minimum, considerations will include biological resources, cultural resources, soil and groundwater, visitor experience, and any factor related to the performance of waste disposal systems.
  4. Range of costs associated with different options.
  5. Map(s) corresponding to research, findings, exploration, and recommendations.

#### **4.3 Prepare Preliminary Waste Disposal Improvement Plan**

- a. Sub-consultant shall **prepare a Preliminary Waste Disposal Improvement Plan** to be included in the overall Master Plan for the property. The wastewater improvement plan will show the footprint and conceptual layout of the new wastewater system(s) recommended to support the proposed developments at the Park.
- b. In addition to the kickoff meeting described in Task 1, Sub-consultant shall attend two meetings with Regional Parks.

#### **Task 5. DEVELOP AND IMPLEMENT PUBLIC OUTREACH AND PARTICIPATION PROCESS**

Regional Parks and its Partners (Federated Indians of Graton Rancheria (FIGR), Sonoma Land Trust) desire to build a consensus with the public and other partners on the vision and goals for the development and management of Tolay Lake Regional Park utilizing a variety of outreach methods and tools to engage the community.

The Consultant shall work with Regional Parks and its partners to develop a final public outreach strategy and participation program, including goals, objectives, and methods. The outreach strategy shall emphasize Sonoma County communities, including Petaluma and Sonoma. In addition, the outreach strategy shall include other communities within an approximate 30-45 minute driving radius in adjacent counties.

The Consultant shall be responsible for scheduling, coordinating, and facilitating meetings with both the partnering agencies, stakeholder groups and the general public, including preparation of outreach and public workshop materials, such as public notifications, background materials, presentations, agendas, and meeting summaries. This may include mailers, posters, maps, and other graphics necessary to support the workshop process.

Outreach and workshop materials will be translated into Spanish. Printed materials and presentations shall also be provided in alternate or accessible formats to accommodate disabled individuals as requested.

Outreach and workshop documents, background materials, presentations, agendas, and meeting summaries will be posted on the Regional Parks web page for the project and will be provided in an accessible format. Consultant shall ensure that all deliverables provided and required under this agreement for web page publication and public review and use adhere to Section 508 Standards for Electronic and Information Technology Accessibility, 36 C.F.R. §1194, issued under Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794(d)) (the "Section 508 Standards").

Stakeholders will be reached through the following subtasks:

**5.1 Develop Outreach and Engagement Plan.** The Outreach and Engagement Plan will describe the outreach goals, objectives, tasks and schedule for the activities. Consultant shall develop one draft and one final Plan for use throughout the project.

**5.2 Conduct Stakeholder Interviews.** Consultant shall design and conduct up to 10 in-person

interviews (or conduct them by phone if it is more convenient for interviewee). Consultant will develop an interview protocol with a common set of discussion questions and tailored questions for each interviewee. Consultant will create a brief aggregate summary of major findings.

**5.3 Develop Project Outreach Templates.** The Consultant shall provide a memorandum that describes the basic font treatment, color palette, and imagery that will be used to create a template for outreach materials, including: flyers, posters, postcards, e-newsletters and e-mail communications, fact sheets, and document covers. Outreach templates will be pre-tested to ensure they meet Section 508 standards when posted on the Regional Parks website. The templates will also address inclusion of agency and partner logos in materials. This task is not intended to create the park logo, but rather to serve as a cost-effective way to consistently present a wide array of accessible outreach materials.

**5.4 Develop Bi-lingual and ADA Accessible outreach materials.** Outreach materials will be translated into Spanish, and bi-lingual Consultant staff will be available to ensure the active participation of Spanish speakers. All outreach materials will be posted on the web and designed so they are ADA accessible.

**5.5 Conduct Partner Meetings and Focus Groups.** Consultant shall facilitate and/or attend up to 6 Partners meetings to help build agreement on the vision and emerging master plan concepts and elements. Consultant shall also design and conduct 3 focus groups, with up to 8 participants from these identified interest groups: ecological interests; recreation/trail interests; and agricultural interests. Consultant shall design the sessions, facilitate the discussions and summarize key findings for each group. The initial joint meeting of the Partners will result in a Vision document.

**5.6 Conduct Community Workshops.** Consultant shall design and conduct 3 workshops. Conditions permitting, these might be held in the barn where seating and AV equipment are already available. Consultant will facilitate and graphically record the results of each meeting. A short questionnaire/comment card will be distributed to solicit input and collect participant information. Since workshop attendance is difficult to predict, meetings will be scalable. The topics for the three meetings are:

Meeting 1: Introduce planning process and provide overview of park resources and opportunities and constraints. Develop initial vision, goals and guiding principles. Solicit information to develop concept alternatives.

Meeting 2: Present three alternative conceptual plans. Solicit feedback to help shape and differentiate the three concepts. Conduct exercise to evaluate how well each alternative achieves the vision, goals and guiding principles. Identify any gaps or concerns.

Meeting 3: Present final conceptual master plan. This meeting may be an open house format, or it may be combined with a CEQA scoping meeting depending on how much progress has been made on the final conceptual master plan.

**5.7 Provide Outreach Support and Materials.** Consultant shall provide project materials for use by Regional Parks at the Fall Festival. Consultant will also support Regional Park's social media efforts to promote outreach activities and project milestones using Regional Park's Facebook page and Twitter account. The Consultant will work to maximize current Regional Park's communication tools and recommend cost-effective ways to publicize activities.

**Deliverables:** Outreach plan addressing the strategy, timeline, process, and outreach materials (postcards, letters, communication materials etc); Vision document; Aggregate Interview Summary; Focus Group Summary; Workshop plans addressing materials, agendas, meeting summaries and related documentation, including bilingual and alternate accessible formats ready for publishing to the web.

## **Task 6. PREPARE CONCEPTUAL SITE PLANS**

This following approach will be used to complete this task:

**6.1 Conduct Opportunities and Constraints Analysis.** Opportunities will be considered any straightforward actions to improve access, develop new recreational infrastructure, preserve or rehabilitate historic structures and landscape features, restore habitat, protect any other known prehistoric or historic resources. Constraints will be considered any limitations imposed on developing opportunities. Analysis at this stage of the planning process will focus on identifying clear opportunities and “fatal flaw” type constraints. The product of this exercise will be a base map noting major opportunities and constraints that can be used for subsequent development of conceptual site plans. The Consultant shall divide the properties into planning units, develop features within each planning unit, and then review all the maps in total to see if the “pieces” fit together well. Individual site plan drawings will be developed to feature major themes such as transportation elements, water supply, lake restoration opportunities, and ranch property adaptive reuse. As part of developing the Project Description under CEQA, it will be critical to identify all the Master Plan elements early and include them in the conceptual site plans. To facilitate an early, “worst case” analysis of environmental impacts under CEQA, the first conceptual site plan will be the most aggressive in terms of build-out and level of public access.

Site plan drawings shall include the following:

- a. Base map features (roads, buildings, boundaries, hydrography, topography)
- b. Surface water features
- c. Location of groundwater, depth to groundwater
- d. Major vegetation types
- e. Special use areas and locations of residential sites
- f. Land use overview for both prehistoric and historic resources and current human influence over the landscape
- g. Areas of agricultural activities, grazing areas, haying areas, row crops
- h. Areas of passive or unique recreation activities
- i. Trail networks, viewpoints, and day use facilities
- j. Habitat restoration areas
- k. Points of access, traffic circulation, and parking areas

## **6.2 Develop and Refine Alternative Conceptual Plan**

- a. Following the completion of all subtasks, Consultant shall prepare three conceptual site plans. For each plan there may be up to several detailed drawings depicting elements such as traffic and circulation improvements, lake cross sections, visitor center, and



historic structure improvements. A narrative section will be prepared that describes the major elements for each plan. The conceptual plan may include specific design details such as simple schematic plan enlargements, sections and elevations as necessary to convey the design intent. This task shall require three internal working meetings to discuss site plan development and review interim work products. Consultant shall prepare 3 draft conceptual site plan alternatives for the purpose of facilitating community input on a range of master plan alternatives. The three draft conceptual site plans shall be presented at a community workshop (see Task 5).

1. Critical considerations should include:
  - i. Resource protection and management, including the consideration of the opportunities and constraints contained within the numerous conservation easements and pertinent regulation setting.
  - ii. Cultural and natural resource interpretation and programming capacity that utilizes innovative approaches towards connecting visitors with the unique prehistoric, historic, and natural resources.
  - iii. Access points, traffic loading, and the interconnection between proposed on-site facilities and required off-site improvements. Sub-consultants shall provide assistance on developing this element of the conceptual site plans, and assistance by conducting a transportation study and preparing travel demand forecasts based on each conceptual site plan alternative.
  - iv. Recreational opportunities at a highly sensitive site.
  - v. Sensitivity to the concerns of the parks neighbors.
  - vi. Site and program accessibility for people of all ages, abilities, and backgrounds.
  - vii. Business approach that addresses the cost and ease of operation and maintenance, revenue generation, and long term financial sustainability.
2. The Consultant shall prepare an administrative draft preferred conceptual plan based on Regional Parks and the community's response from the presentation of three alternative site plans. This draft conceptual site plan shall describe the proposed improvements in enough detail to enable the preparation of a preliminary cost estimate, which the Consultant shall also provide. The conceptual plan may include specific design details such as simple schematic plan enlargements, sections and elevations as necessary to convey the design intent.
3. After review of the administrative draft by Regional Parks, the Consultant shall prepare a draft conceptual site plan for public review.
4. The Consultant shall prepare a final site plan that includes a detailed summary and description of the elements of the plan. It will also identify potential phases of development and preliminary cost estimates for design and construction of each phase. Deliverables include: Lake restoration memorandum, Administrative draft, draft and final Conceptual Master Plan, including interpretive plan, site plan, details and related written project description. Consultant shall provide six (6) hard copies, plus one (1) unbound copy and an electronic file of all versions. Final deliverable will include digital files of all text, graphics and maps (digital copy on compact disc compatible with Microsoft Word 2007, and ARC-GIS shape file format compatible with ARC-GIS 9.3 and AutoCAD 2009 or earlier).

b. Integrating Cultural Resources.

1. Consultant and Sub-consultant team members with backgrounds in cultural landscapes, prehistoric, and historic resources shall work together closely to develop a comprehensive perspective on cultural resources. These team members will

determine how to integrate cultural resources into design and planning of the Properties' physical features and interpretive programs. This integrated approach will encompass:

- i. scientific data such as archaeological investigations that seek to explain site functions, periods of occupation, and settlement and subsistence patterns of the indigenous population (i.e., Coast Miwok/Southern Pomo).
  - ii. understanding of the cultural landscape as a whole and how each piece contributed to the overall picture, and the use of the Tolay Creek Ranch property.
  - iii. historical documentation and physical remnants of historic use to explain how the land has changed through time from prehistoric times to changes in stream channel alignments, plant and animal communities, and land use practices.
  - iv. technical assistance regarding identifying locations and process for reburial of human remains previously removed and/or disturbed at the site.
2. Using this approach to understand both the prehistoric and historic resources present, the Consultant and Sub-consultants will develop plans for archaeological resource management and protection, educational opportunities, and public access and interpretive plans. All planning will be conducted in close communication and consultation with the members of FIGR. Each step would be a collaborative effort to learn from the tribal members and most effectively communicate Native perspectives to the public, and to ensure that the archaeological resources are given the highest level of consideration based on their existing condition, potential for adverse effects, and the level of sensitivity concerning the presence of human remains and relationship to the tribe and their beliefs of sacred areas.
3. The Consultant and Sub-consultants will utilize research, documentation and analysis of historic resources completed as part of the Historic Structures and Cultural Landscape Report (HSR/CLR) to develop alternatives that take advantage of opportunities and constraints associated with the resources. Specifically, the significance and integrity analysis of the HSR/CLR will identify character-defining features as it identifies buildings, structures and landscape features that do not contribute to the historic character of the ranch.
4. The condition assessment will allow the team the ability to develop alternatives that accurately reflect the opportunities afforded by the current resources. Finally, the preservation treatment approach developed through the HSR/CLR will provide the Consultant Team guidance grounded in the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. Integrating the findings from this report will ensure that the alternatives balance the protection of the site's historic resources with the need to integrate visitor services and interpretive functions into this setting.
5. Consultant and its Sub-consultants shall identify what is possible through the opportunities and constraints analysis. This information will be integrated with information on what the public and stakeholder desires. Finally, the Consultant will evaluate different park features in terms of what is realistic in terms of permitting requirements and limited budgets. During this process, constraints will also be identified in terms of regulatory requirements, such as compliance with the National Historic Preservation Act.

- c. **Transportation Study:** A transportation study shall be conducted to assist the Master Plan team in developing up to three draft conceptual site access and circulation plans for the overall Park Master Plan during this task.
1. **Field Observations:** Sub-consultant shall visit the park site and proposed entrances to observe traffic conditions and circulation patterns at the site and nearby roadways (Cannon Lane, Lakeville Road, Highway 116/Stage Gulch Road, and Highway 121). Sub-consultant shall observe vehicle, pedestrian, bicycle, and parking conditions approaching the site. Field observations will include sight lines at the two proposed entrances and intersections that are determined to need upgrading. Sub-consultant shall collect a seven day vehicle traffic count and speed survey at the two proposed entrances to the site (on Lakeville Road and Highway 121) if current Caltrans data is not already available to use to evaluate and validate the recommendations.
  2. **Trip Generation:** Sub-consultant shall provide initial guidance for offsite traffic improvements by bracketing the level of development early in the conceptual design process. Sub-consultant shall provide empirical vehicle trip generation and parking demand characteristics for three conceptual site plans based on the proposed amenities. Thresholds that trigger significant off-site development (i.e., new traffic signals, lane widening, etc.) will be identified during the iterative process to allow the Master Plan team to refine the plan such that it becomes self-mitigating in terms of number of trips being generated. The scope includes two iterations of the projected trip generation estimates under this task – one using an initial schedule of preferred on-site uses, and a second after the team has been able to review and refine the plan. The trip generation rates developed in this task will be used in the environmental impact report. For programmed uses, trip generation estimates will be based on forecasts of the proposed schedule and use intensity (i.e., number of participants or site users). Special event trip generation will use data collected from previous events. For passive uses, we will explore a variety of methods to determine the most appropriate trip estimating approach. Trip generation and parking demand forecasts will be prepared for both daily conditions and peak hours. Depending upon the Master Plan alternative, Sub-consultant shall estimate the percent of park attendees that use different modes of travel. For park attendees that drive, Sub-consultant shall use average vehicle occupancy (AVO) similar to the reported AVO in the Nation Household Transportation Survey for recreational trips. In addition, local data will be used to supplement available national standards. Institute of Traffic Engineers trip generation rates will also be considered
  3. **Site Circulation Review:** Sub-consultant will assist the project team in developing and refining the proposed site access alternatives to ensure that the preferred design options can accommodate the anticipated users and required emergency response. Sub-consultant will use our review of existing conditions during field reconnaissance, the new traffic and speed counts, the forecasted trip generation, a capacity assessment, County Fire Safe Road Standards, and engineering best practice. Sub-consultant will review the conceptual access plans to ensure appropriate access geometrics and traffic control, that appropriate sight distance is provided along the access roads to the park, that parking areas have sufficient area for vehicle maneuvers, and that pedestrian and bicycle access is maintained where appropriate. Sub-consultant shall review the intersections of Cannon Lane/Lakeville Road and the Highway 121 entrance to determine appropriate geometrics to accommodate the expected traffic at the intersection when the park is in full operation. Sub-consultant shall also briefly document the limitations of the non-public operations and

- maintenance access points into the Park, including easements from Highway 121, Highway 116/Stage Gulch Road, and a second easement from Lakeville Road. Sub-consultant shall consider proposed changes to the surrounding roadway network in the circulation analysis, including proposed roadway widening and new bicycle facilities documented in the County's General Plan or Bicycle Master Plan.
4. Sub-consultant will prepare a brief memorandum summarizing thresholds for major new offsite road improvements, review of the three conceptual plans for proposed access points, vehicle trip generation and parking demand forecasts, and on-site circulation. Sub-consultant shall make recommendations that the Consultant can incorporate into the design of each of the three conceptual plans presented to the community. Sub-consultant shall document existing conditions, including pedestrian and vehicle volumes and speeds, and a summary of field observations.
  5. Based on Consultant's work with the project team, Consultant will produce up to two conceptual intersection designs for the significant off-site impacts to support the Park access, depicted graphically on existing plan view documents and photographs in order for the environmental. The graphics will include a visual illustration and brief text descriptions of recommended treatments and enhancements.
- d. Tolay Lake Restoration Element: Consultant shall use existing work to date as the starting point for the development and evaluation of restoration alternatives.
1. Supplement Inventory of Existing Water Control Facilities: Sub-consultant shall review existing information regarding the current drainage system (creeks, ditches, and berms). If necessary, and with prior approval by Regional Parks, Sub-consultant shall supplement this information with a small amount of additional field data potentially including key invert elevations and other design parameters that are not addressed in the existing data sets. This information will be used in developing restoration alternatives.
  2. Develop Goals for the Lake Restoration: Sub-consultant shall work with Regional Parks and its partners to develop goals for the restoration of the lake. The goals will include a range of factors such as: protection of cultural resources, types and amounts of habitat, target species, recreation and integration of public access, education, impacts on adjacent properties, and regional water rights. As part of this task Sub-consultant will produce a memorandum that will include site opportunities and constraints, technical information about the existing and potential restoration system components, and lake restoration goals to serve as a foundation for conceptual design. The finalized goals will serve as the basis for the evaluation of alternative restoration designs as part of the CEQA process.
  3. Develop Conceptual Design Alternatives for the Lake Restoration: Sub-consultant shall develop conceptual designs for a preferred project and up to 2 project alternatives for the restoration of the lake. The conceptual design shall include schematic grading plans and illustrative cross sections that will depict key features of the restoration. The conceptual design will be developed with sufficient detail to describe the project and project alternatives, identify potential impacts, and develop preliminary cost estimates. As part of this task Sub-consultant shall develop conceptual designs for any necessary water control structures including berms, inlet/outlet controls, underground drainage pipes, and surface drainage channels. As part of this task Sub-consultant shall prepare descriptive text that outlines the

program elements, facilities, and operational requirements for each alternative. This task includes time for up to 3 meetings with Regional Parks and its Partners to review the restoration alternatives.

- e. Prepare Interpretive Plan: The Sub-consultant shall develop a detailed Interpretive Plan, inclusive of an overarching interpretive theme, with direct tie-in to project's overall vision statement, which addresses the relationship and balance between cultural resources, agriculture, and natural resources. This interpretive framework will provide a coherent educational and recreational experience for the park visitor. This unified vision will also integrate FIGR's Native American cultural goals for the Tolay Lake Regional Park Master Plan with the public process, as well as existing goals and recommendations from conservation easements, grant deed restrictions, and other legal constraints. The Interpretive Plan shall include:
  1. Overarching interpretive theme (i.e., primary message)
  2. Supporting interpretive themes for interpretation throughout the project area
  3. Context for selection of themes
  4. Recommendations for specific media types for educational exhibits
  5. Recommendations for style / tone of exhibits, as well as interpretive approach and goals
  6. Identification of interpretive areas or "story zones" within the project area
  7. In addition, other topics to be addressed in the Interpretive Plan include:
    - i. Tolay Lake Restoration that addresses historic and contemporary Native American use, public use, and balanced with ecological goals.
    - ii. Programmatic design for a Visitor Center with an emphasis on natural and cultural resources and providing continuity from prehistoric times to the future. The Visitor Center may include elements such as: cultural curation facilities, display areas, indoor and outdoor gathering and demonstration areas, food preparation, teaching, and related food service areas, and meeting spaces.
    - iii. Siting and programmatic design for educational and ceremonial structures, such as roundhouses.
    - iv. Identifying where and how native cultivated and wild plants for basket weaving, medicine, food, and other purposes can be grown, accessed, interpreted, and harvested consistent with conservation goals. Demonstration areas may range from garden scale to landscape scale.

## **Task 7. RESOURCE MANAGEMENT PLAN**

An extensive amount of studies for the Properties relating to resource management have been completed to date. Limited additional analysis is needed to integrate and update the resource management recommendations for the two properties into one Resource Management Plan (RMP). In addition, this task includes creating an applied resource management plan that can be easily implemented by park maintenance staff. The timing of preparing the RMP will likely overlap with development of the site plan and other tasks, as each component will inform the other.

The following approach will be used to complete this task:

**7.1. Assimilate Available Materials:** Several biological resources studies, property management studies, and related documents have been prepared by various consultants. Sub-consultant shall review these studies and incorporate and expand on them for development of the master plan, resource management plan, and preparation of the environmental document. Sub-consultant shall identify any deficiencies or additional studies that may be needed to support the project.

**7.2. Field Survey:** Sub-consultant will rely primarily on the several existing biological field surveys that have been conducted in the last five years. However, new limited surveys may be needed depending upon changes to the proposed park development vision, proposed restoration, and regulatory environment. This scope of work includes optional labor for 4 person days of field surveys that will address the following:

- a. Conduct and document necessary field surveys to address any regulatory requirements or support project goals.
- b. Provide the level of information sufficient to site park improvements, restoration, and mitigation to support analysis pursuant to the California Environmental Quality Act. Field surveys sufficient for permitting construction projects are not included.
- c. Biologists will briefly visit restoration, weed control, and agricultural sites to assess existing conditions.

**7.3. Update Biological Resources Report:** Sub-consultant shall prepare a revised Biological Resource Report that combines the two existing studies for each of the properties into one document. This will document the results of any additional research, analysis, and field surveys as it pertains to changes in regulatory issues and sensitive habitats in proximity to proposed development and restoration areas. It will include:

- a. Integration of biological and conservation resources goals, objectives, and analysis from both Tolay Lake Regional Park and Tolay Creek Ranch into a unified whole. Consultant shall facilitate one meeting with Regional Parks, the Land Trust, and the FIGR to reach agreement on biological resource and conservation goals and objectives. This meeting is included as part of the level of effort described in Task 6.
- b. Update the biological resource plan with additional analysis, addressing:
  1. Management changes in the last five years, including effects of modification to grazing patterns, lake-bed tilling, and hay farming practices; oak and riparian restoration sites; observations from invasive species management practices. Brief visits will be made to several of these areas in the field to verify interview findings.
  2. Analysis regarding the opportunities and approach for native grassland restoration, including any potential role of fire.
  3. Incorporation of cultural plants and cultural landscape within restoration planning.
- c. Address the regional ecological context and how it influences site restoration planning and design. The combined properties provide a rare connection between tidal habitats in San Pablo Bay and upland habitats in the southern Sonoma Mountains. A general overview of the following items will be addressed to discuss the important regional context of the Park:
  1. Briefly discuss the ecological role and habitat connectivity to surrounding areas including the Sonoma Mountains, Sonoma Baylands, and adjacent areas.

2. The regional context of the California Red Legged Frog will be discussed, and will consider available information from occurrence information and corridors on nearby properties, such as the Sears Point Restoration Project and Infineon Raceway. Sub-consultant shall supplement the available analysis to further enlighten restoration opportunities and provide for a more informed context for project permitting.
  3. Discuss the potential role of the properties to support adaptation to climate change. This discussion will focus on carbon sequestration opportunities associated with habitat restoration.
- d. Update the impacts discussion to reflect the Master Plan. Address the requirements of the California Environmental Quality Act (CEQA) associated with the analysis of Biological Resources, including but not limited to Appendix G of the State CEQA Guidelines. The Consultant shall provide the Master Plan preferred alternative in a GIS or AutoCAD format for the impact analysis exercise.
  - e. Update the mitigation section to reflect actions associated with the master plan.
    1. Quantify impacts to vegetation, wildlife, special-status species, and wetlands that could result from planned park improvements identified in the conceptual master plan.
    2. Include possible mitigation measures that could be incorporated to avoid and/or minimize identified impacts to biological resources.
    3. Discuss the opportunities and limitations of a “self-mitigating” project within the Federal and State regulatory environment. Restoration opportunities that may fully mitigate project impacts shall be discussed.
  - f. Update the Regulatory Setting to include any changes to the applicable federal, state, and local regulations and identify permits that may be required for proposed park improvements or restoration projects. This section will become part of the EIR section on biological resources.
  - g. Update the Management Guidelines and Restoration Recommendations to account for the proposed:
    - h. Activities and guidelines to manage the biological resources that currently exist within the property.
    - i. Areas that could benefit from restoration techniques, particularly in the areas of restoring moist grassland, seasonal and perennial wetlands, oak woodlands, and riparian woodlands. Reparation of erosional areas shall also be discussed.

**7.4. Resource Management Plan:** Consultant and Sub-consultant shall prepare a resource management plan (RMP) for the park that will be used to guide the conservation of the resource values of the land during development, as well as for the long term operation and management of the property. The RMP will be based on the conceptual site plan, Biological Resources Plan Update, conservation easements, other available resource studies, and interviews with park staff. A critical objective will be to condense the numerous complex resource management issues into a practical and simple adaptive management approach that field staff will be able to effectively utilize. In addition to the Biological Resources Report Update, the RMP shall contain:

- a. Management Goals, Objectives and Strategies: recommendations for the protection and enhancement of water resources, habitat quality, pathogen control, wildlife (including shelter, food and migration), vegetation (including invasive species management), and significant natural and cultural features. The format of the Taylor Mountain RMP will be

used as a template for this project. Consultant shall develop a single set of goals, objectives, and strategies, and Regional Parks and its partners shall request a single set of revisions before this RMP section is considered completed. Sub-consultant shall also develop detailed recommendations related to grazing, fire suppression, human use, environmental stewardship, and habitat enhancement opportunities and strategies.

- b. Operations and Maintenance: a detailed strategy, timeline and specifications for operations and maintenance during the construction period and post-construction that addresses the protection of sensitive habitats, species, and cultural resources. This portion of the RMP will be used by O&M staff to implement day-to-day resource management actions.
- c. Resource Monitoring: a monitoring plan that outlines methods for monitoring the status of resources, including native habitats, sensitive species, invasive plant populations, significant natural features and cultural resources. Include an adaptive management strategy for responding to impacts to resources. Based on the review of LSA reports such information is readily available in these documents as well as reports produced for the Taylor Mountain RMP.
- d. Prepare maps showing the combined properties for inclusion in the written report, updating the existing GIS data as necessary. It is assumed that existing GIS shape files will be provided. Maps shall include:
  - o Vegetation/plant communities
  - o Special-status species and sensitive habitats
  - o Wetlands (differentiating between Waters of the State and Waters of the U.S)
  - o Management guidelines and restoration recommendation areas
  - o Data used to develop maps in a format compatible with Arc-GIS 9.3
- e. Administrative Draft Report: Submit the Administrative Draft Report, one bound copy and one electronic file copy, for comment by Regional Parks. Regional Parks staff will review the document and return for revision, within two to three weeks of receipt.
- f. Final Report: Revise Administrative Draft Report based on comments received from Regional Parks. Consultant assumes Regional Parks will provide a single, consolidated set of comments from their staff as well as partner organizations. Final Report shall be completed within three weeks of receiving comments from the Regional Parks on the Administrative Draft. Submit one Final Report in hard-copy format, unbound, and on compact disc compatible with Microsoft Word 2007, and Arc-GIS shape file format compatible with Arc-GIS 9.3 and/or AutoCAD 2009.

## **Task 8. PREPARE MASTER PLAN**

**8.1 Prepare Master Plan.** The Master Plan will incorporate all the work done to date and should include at a minimum the following sections:

- a. Introduction, with brief history of the property and project
- b. Purpose, goals, and objectives of the Master Plan
- c. Public participation process summary for pertinent components of the project
- d. Regulatory setting and policy framework that affect the property
- e. Conceptual site plan and 2 alternative plans



- f. Resource management plan
- g. Education and Interpretive Elements
- h. Trails plan
- i. Business, operations, and maintenance plan
- j. Cost estimate
- k. Implementation and phasing strategy, considering the impact of limitations on the amount of funding available for implementation.
- l. Appendices as needed.

**8.2 Prepare Business, Operations, and Maintenance Plan.** Prepare a Business, Operations and Maintenance Plan that identifies staffing, operations and maintenance activities and costs associated with the facilities, programming, and use level. Costs will be broken out into capital costs, operations, and maintenance costs. Revenue strategies appropriate for each facility and programming element will be identified.

**Deliverables:** Administrative draft, draft and final Master Plan. Consultant shall provide six (6) bound hard copies, one (1) unbound copy and an electronic file of all versions. Final deliverable will include digital files of all text, graphics and maps (digital copy on compact disc compatible with Microsoft Word 2007, and ARC-GIS shape file format compatible with ARC-GIS 9.3 and AutoCAD 2009 or earlier).

## **Task 9. PREPARE ENVIRONMENTAL DOCUMENT**

The Consultant shall perform and complete environmental compliance in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The scope of work included below assumes that an EIR is the appropriate CEQA document.

**9.1 Notice of Preparation & Project Description.** Consultant shall prepare the Notice of Preparation and finalize the Project Description, as described below.

- a. Attend a site tour and meeting conducted by the County at which time additional background information related to the proposed project will be provided.
- b. Initiate additional discussions with the appropriate Responsible or Trustee Agencies.
- c. Conduct other field reviews and develop data gathering programs at the project site, as necessary.
- d. Consult with County staff as appropriate.
- e. Attend public meetings and prepare written summary of Public Hearing comments.
- f. Prepare project description based on Master Plan.
- g. Prepare, publish, and mail a Notice of Preparation (NOP) in a format provided by Regional Parks. County shall provide a mailing list. Since the determination has been made by the County Environmental Review Committee that an EIR is necessary to meet CEQA requirements, an Initial Study will not be completed for this task.

**9.2 Public Scoping Meeting.** Consultant shall conduct a public Scoping Meeting as determined by Regional Parks. In consultation with County, Consultant will prepare presentation materials for public meetings during the CEQA process.

**9.3 Prepare Administrative Draft EIR.** The Consultant shall prepare an Administrative Draft (ADEIR) that complies with State CEQA Guidelines and local CEQA procedures including Sonoma County Code Chapter 23A – Environmental Quality Act of 1970 Implementation. The Consultant must analyze the project objectively and address all significant environmental issues in the EIR. The EIR shall specifically address environmental concerns identified by the Responsible and Trustee agencies, County, and the public. The Consultant shall prepare all additional studies that may be needed in support of the CEQA document, including a traffic and hydrological study.

a. **Traffic Study:** Sub-consultant shall prepare a stand-alone transportation impact study based on County of Sonoma Guidelines For Traffic Studies and any requirement Caltrans may have for EIR as described below:

1. **Refine Trip Estimates and Finalize Scope of Work:** Sub-consultant shall refine the initial project trip estimates developed in previous tasks to reflect any change in project scope. The directions trips use to approach and depart from the site will be estimated based on existing travel patterns and relative locations of complementary land uses. The project-generated traffic will be assigned to the roadway system based on the directions of approach and departure discussed above and the anticipated locations of vehicular site access. The trip generation, trip distribution pattern and trip assignments will be submitted to County staff in an initial assumptions memo for review and approval. Refinements to these initial assumptions will be made based on County staff and Caltrans comments, and the list of study intersections may be modified based on these refinements.
2. **Data Collection:** Sub-consultant shall collect available data for use in the analysis of existing and cumulative conditions. Data requirements for the study area are listed below.
  - i. Existing and planned roadway geometrics and traffic controls
  - ii. Existing PM peak and weekend mid-day peak traffic counts and daily roadway segment counts at identified locations
  - iii. Location of existing and planned bicycle, pedestrian, and equestrian facilities
  - iv. Project description including final preferred plan and proposed discretionary approvals
3. **Existing Conditions:** For the existing conditions analysis, Sub-consultant shall analyze up to three intersections and three roadway segments as identified below. Upon study initiation, Sub-consultant shall consult with County staff to finalize the list of study locations.
  - i. **Intersections:**
    - a. Lakeville Road/Cannon Lane
    - b. Lakeville Road/SR 37
    - c. Highway 116/Stage Gulch Road
    - d. Highway 121/37 or 121/116
  - ii. **Roadway Segments:**
    - a. Lakeville Road north of Cannon Lane
    - b. Lakeville Road south of Cannon Lane
    - c. Cannon Lane

d. Highway 121

4. Sub-consultant shall use the analysis procedures contained in the County of Sonoma Guidelines for Traffic Studies, Sonoma County General Plan Circulation Element, Caltrans' Guide for the Preparation of Traffic Impact Studies, and the Highway Capacity Manual (HCM) (Transportation Research Board, 2000) for analyzing the study intersections. The analysis results will contain PM peak hour and weekend mid-day peak hour levels of service. Additionally, Sub-consultant shall qualitatively discuss seasonal variation in operating conditions and how they may relate to the calculated intersection and roadway analysis.
5. Sub-consultant shall evaluate the daily traffic volume on the applicable roadway segments. Sub-consultant shall use daily roadway capacity standards based on the County's roadway level of service standards in the adopted General Plan.
6. In addition to traffic operations, Sub-consultant shall identify the existing conditions of facilities and services related to transit, bicycling activity, pedestrian activity, and equestrian activity in the study area. Gaps in each system will be noted and will focus on connections to the project site.
7. Transportation Impact Analysis: The transportation impact analysis will include the following scenarios and address potential impacts to traffic operations, transit service, bicycle activity, and pedestrian activity.
  - i. Scenario 1: Existing Conditions - Existing volumes obtained from counts.
  - ii. Scenario 2: Project Conditions – Existing traffic volumes plus traffic generated by full use of the park as envisioned in the preferred Master Plan.
  - iii. Scenario 3: Cumulative No Project Conditions – Existing traffic volumes plus a growth factor, to account for future increases in “non-project” background traffic, would be used to estimate Cumulative peak hour volumes. The cumulative analysis method will be finalized in consultation with County staff.
  - iv. Scenario 4: Cumulative Plus Project Conditions - Cumulative No Project volumes plus traffic generated by the proposed project.
8. For the four analysis scenarios identified above, Sub-consultant shall analyze traffic operations for the study locations identified in Task 3. The analysis results will contain PM peak hour and weekend mid-day peak hour levels of service for intersections. Roadway segment operations will be based on projected daily traffic volumes and applicable County and Caltrans standards. In addition, Sub-consultant shall provide a discussion of the trip generation, distribution, and assignment assumptions used in the analysis. Impacts will be identified by comparing the analysis results to the significance criteria provided in the County General Plan or in other traffic studies. Where significant impacts are identified, we will propose mitigation measures to reduce impacts to a less-than-significant level where feasible. Each mitigation measure will identify the specific action necessary, responsibility for implementation, and expected level of significance after mitigation.
9. The potential impacts to transit, bicycling, pedestrians, and equestrians in the study area will be addressed by identifying how the potential project could impact existing or future facilities/conditions related to these travel modes. Sub-consultant shall also review the primary park access points to determine if appropriate queuing storage and sight distance would be provided based on adopted County and national standards. An alternatives analysis will also be conducted for up to two project

alternatives. This analysis will compare the alternatives and conclude whether the alternatives are likely to have impacts that would be worse than, similar to, or better than the proposed project.

10. Documentation: Sub-consultant shall prepare a stand-alone transportation impact analysis (TIA) report, which will include text, graphics, and tables to describe the potential impacts of the proposed project and corresponding mitigation measures. The purpose of the stand-alone TIA is to include all transportation issues, some of which are not appropriate for inclusion in the environmental document. This task includes an optional 16 staff hours to respond to comments on the draft TIA and up to 16 staff hours to respond to comments on the environmental document. Any comments requiring additional technical analysis or additional staff time beyond the number of hours budgeted will be considered additional services.
  11. Meetings: Sub-consultant shall attend one meeting with the project team plus one public hearing. Additional meetings or hearings will be attended on a time and materials basis, if requested.
- b. **Hydrologic Study:** Sub-consultant shall prepare a Hydrological Study to address lake restoration and water rights issues for the EIR as described here. Sub-consultant shall evaluate lake restoration alternatives using a water budget model appropriate for lake restoration and acceptable for state water rights to make predictions regarding the following important factors that will affect the design, and identify and determine the significance of adverse impact as required by CEQA: determine average and variations in water depths, which will determine the type of wetland habitat that can be created including open water areas; determine the footprint of the wetland(s); determine the probability and extent of flooding of the adjacent properties; determine the effects on water rights held by upstream and downstream neighbors; determine the range of volume of discharge from the wetlands, which will be used to evaluate potential adverse effects on the downstream channel. The following tasks are proposed in order to assist Regional Parks and its partners with identifying the best hydrologic design approach to meeting the design goals while analyzing and avoiding and/or mitigating any potential impacts that would prevent lake restoration, securing the necessary water rights, and ultimately project approval:
1. Identification of Conceptual Hydrologic Design to Meet Project Goals and Avoid Flooding and Habitat Impacts: Review existing project information and water rights application to understand project goals (restoration, recreation, fire protection, etc.), existing conditions and current proposed lake and creek diversion designs. The water budget will be used to understand the current proposed design and gauge whether it can avoid or mitigate adequately for potential impacts. If the current proposed design results in potentially immitigable impacts or it doesn't adequately meet all Project goals, this task allows for Consultant to make changes to the current design and/or provide other design options that may better avoid potential impacts and reduce maintenance requirements.
  2. Analyze Hydrologic Impacts: Determine the direct and cumulative hydrologic impacts to the Tolay Creek watershed and associated habitats for up to three conceptual designs.
  3. Determine existing volumes and rates of flows through site (using hydrologic, topographic, climate and soils data), and how these values would change as a result

of proposed diversions. Sub-consultant will assess proposed hydrologic designs, more specifically bypass flows and reservoir releases on channel forming flow and low flows, on select species of interest (including steelhead) and downstream riparian habitat.

4. Assess restoration alternatives in the context of SWRCB's Policy for Maintaining Instream Flows in Northern California Coastal Streams, including water availability calculations and channel maintenance flow calculations.
5. Assess potential flooding to adjacent property and ways to prevent or mitigate for those occurrences, if any.
6. Assess wildlife habitat benefit or detriment to changes in water surface height or extent in current wetland footprint.
7. Assess direct and cumulative effects on upstream and downstream water rights.
8. Analysis of adequate pipe, detention and/or diversion designs to determine whether there is sufficient capacity, freeboard and/or adequate outlet/discharge protection.

**c. Mitigation Monitoring Plan**

1. Impacts and mitigation measures must be clearly identified. Any proposed mitigation measures shall be drafted in the form of permit conditions that can be inserted into the County's standard "Conditions of Approval."
2. A Mitigation Monitoring Program shall also be included. This will consist of a separate list of all proposed mitigation measures. Each measure shall have a brief discussion of the monitoring required, listing the parties responsible for implementation and the time at which the measure must be implemented.
3. Consultant shall provide fifteen copies of the ADEIR and Mitigation Monitoring Plan. One copy shall be unbound and suitable for photocopying.

**9.4 Prepare Revised Draft EIR** Consultant shall prepare a revised Draft EIR as described below.

- a. County staff will provide one set of comments on the ADEIR and Mitigation Monitoring Plan. The Consultant shall revise the administrative draft as necessary and provide a copy for County staff to conduct a final administrative review. Once the final review has been completed and comments provided to the consultant, one screen check copy of the Draft EIR will be submitted for the County's review. Upon approval of the screen copy of the Draft EIR, the consultant shall print copies for distribution, as described below.
- b. Consultant will provide a .pdf version of the EIR, NOI, and all appendices for posting on the Regional Parks website. Consultant shall ensure that all deliverables provided and required under this agreement for web page publication and public use adhere to Section 508 Standards for Electronic and Information Technology Accessibility, 36 C.F.R. §1194, issued under Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794(d)) (the "Section 508 Standards").

**9.5 Public Hearings on Draft EIR** Consultant shall attend hearings on Draft EIR

- a. The Planning Commission will hold a public hearing on the Draft EIR. The Consultant shall make key staff available at this hearing to present key parts of the environmental analysis and answer questions posed by the Commission. The County will provide an audio tape of the hearing proceedings, but will not provide a written transcript. At the close of the public review period, the Consultant will prepare a written summary of the relevant oral and written comments on the Draft EIR. County staff will receive all written comments and provide the Consultant with a copy of each. Once the Consultant's summary of the comments has been received by County staff, a meeting will be held to discuss the incorporation of comments and responses into the Final EIR.
- b. One unbound draft summary of hearing comments on the Draft EIR. One unbound final summary of hearing comments.

**9.6 Prepare Admin Draft EIR and Response to Comments** Respond to Comments and Prepare Administrative Final EIR

- a. The Consultant shall prepare written responses to all written comments on the Draft EIR and all verbal comments on the Draft EIR made at the public hearing. All comments received, either oral or written, must be responded to in the Final EIR. The Consultant shall prepare an administrative draft of the Final EIR, which shall consist of the written corrections to the Draft EIR, a summary of verbal comments received at hearings on the Draft EIR, responses to all the comments as required by the State CEQA Guidelines, and any appropriate revisions to the text of the Draft EIR. All written comments shall be numbered and all changes to the text of the Draft EIR and/or Mitigation Monitoring Plan shall be highlighted, and responses keyed to the appropriate comment numbers. Consultant shall respond to up to 100 unique comments submitted on the DEIR.
- b. Fifteen copies of the Administrative Final EIR and Mitigation Monitoring Plan. One copy shall be unbound and suitable for photocopying.

**9.7 Prepare Final EIR** Consultant shall prepare and distribute the Final EIR as described below.

- a. Regional Parks shall provide one set of comments on the Administrative Final EIR. The Consultant shall revise the administrative draft as necessary and prepare a Final EIR for distribution. The Consultant shall distribute the copies of the Final EIR.
- b. Consultant shall provide:
  1. One screen check copy of the Final EIR.
  2. Fifty copies of the Final EIR plus attachments, fifteen of which the Consultant shall deliver to the State Clearinghouse
  3. One unbound copy suitable for photocopying and
  4. 10 CDs in Adobe Acrobat .pdf formatting containing the Final EIR in MS Word 2007 for Windows format. pdf version of the EIR, NOI, and all appendices for posting on the Regional Parks website. Consultant shall ensure that all deliverables provided and required under this agreement for web page publication and public use adhere to Section 508 Standards for Electronic and Information Technology Accessibility, 36 C.F.R. §1194, issued under Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794(d)) (the "Section 508 Standards").

**9.8 Public Hearings on Final EIR** Consultant shall attend the Public Hearings on the Final EIR and prepare documents as described below.

- a. The Planning Commission will hold one (1) hearing on the Final EIR and on the project. Following the Planning Commission hearing, the Board of Supervisors will hold a hearing to certify the EIR and make a decision on the project. The Consultant must provide key technical staff to attend the Planning Commission and Board of Supervisors hearing and respond to questions posed by the hearing body.
- b. Prepare a first draft, with County staff, of Planning Commission Resolution Findings Exhibits A, B and D.
- c. The Consultant shall prepare a draft of the Resolution findings prior to the Planning Commission hearing on the Final EIR and will be finalized following receipt of guidance from the Planning Commission. The selected consultant is expected to prepare the first draft of the following exhibits:
  1. Exhibit "A" Significant Impacts That Can Be Mitigated to a Less-Than-Significant-Level
  2. Exhibit "B" Significant Impacts That Cannot Be Fully Mitigated
  3. Exhibit "D" Alternatives

## **Task 10. PROJECT MANAGEMENT**

**10.1 Sub-consultant Project Management** Sub-consultant shall coordinate with other team members, maintain quality control procedures, track task spending and budget, and maintain complete project documentation.

**10.2 Project Management and Quality Control of Sub-Consultants** Consultant shall coordinate with other team members, maintain quality control procedures, track spending and budget, and maintain complete project documentation. Consultant is responsible for project schedule, work plan, communications, team meetings, budget tracking of sub-consultants, status reports, document accuracy, and overall project coordination.

**EXHIBIT B - BUDGET**

		MIG, Inc.											Subconsultants																									
		C. Verheyen Principal-in Charge	J. Baas Project Manager	J. Chaplick Outreach Task Leader	P. Fragua Cultural Specialist	L. Matthews Cultural Res. Planner	R. Melnick Hist. Landscape	R. Pendro Sr. Env. Planner	L. Wight Sr. Landscape Architect	MIG staff Bilingual Outreach	GIS and Graphics Project	MIG Totals		ARG	WRA	Kennedy Jenks	Fall Creek	BKF	Fehr & Peers	Loki Interpretive	Garcia & Assoc.	Sub Totals	Direct Costs	Professional Fees Totals														
		Hrs@	\$200	Hrs@	\$175	Hrs@	\$150	Hrs@	\$125	Hrs@	\$110	Hrs@	\$130	Hrs@	\$150	Hrs@	\$130	Hrs@	\$90	Hrs@	\$85																	
<b>Task 1: Site and Site Assessment Materials</b>																																						
1.1	Assimilate site and site assessment information	4	\$800	8	\$1,400	\$0				\$0	16	\$1,760	\$0		8	\$1,200	12	\$1,560	\$0		12	\$1,020	60	\$7,740	\$1,474		\$2,850	\$1,200			\$1,200			\$6,724	\$200	\$14,664		
1.2	Identify additional field studies		\$0	8	\$1,400	\$0				\$0		\$0				\$0		\$0			\$0	8	\$1,400								\$0		\$0	\$0		\$1,400		
<b>Subtotal</b>		4	\$800	16	\$2,800	0	\$0	0	\$0	16	\$1,760	0	\$0	8	\$1,200	12	\$1,560	0	\$0	12	\$1,020	68	\$9,140	\$1,474		\$2,850	\$1,200	\$0	\$0	\$1,200	\$0	\$0	\$6,724	\$200	\$16,064			
<b>Task 2: Historic Structure Report</b>																																						
2.1	Structural Integrity Assessment		\$0	4	\$700	\$0			\$0	32	\$3,520	\$0		\$0		\$0		\$0		\$0	24	\$2,040	60	\$6,260	\$67,000								\$67,000		\$73,260			
2.2	Final Report		\$0	8	\$1,400	\$0			\$0		\$0			\$0		\$0		\$0		\$0	8	\$1,400									\$0		\$0	\$0		\$1,400		
<b>Subtotal</b>		0	\$0	12	\$2,100	0	\$0	0	\$0	32	\$3,520	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	24	\$2,040	68	\$7,660	\$67,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$67,000	\$0	\$74,660		
<b>Task 3: Groundwater Availability</b>																																						
3.1	Compile data and site reconnaissance		\$0	4	\$700	\$0			\$0		\$0			\$0		\$0		\$0		\$0	4	\$700						\$5,120					\$5,120		\$5,820			
3.2	Install 1 shallow well (max depth 175 ft)		\$0		\$0	\$0			\$0		\$0			\$0		\$0		\$0		\$0	0	\$0										\$0		\$0				
3.2	Install test well in fractured aquifer		\$0		\$0	\$0			\$0		\$0			\$0		\$0		\$0		\$0	0	\$0						\$17,700					\$17,700		\$17,700			
3.3	Conduct hydrogeologic evaluation		\$0	4	\$700	\$0			\$0		\$0			\$0		\$0		\$0		\$0	4	\$700						\$34,180					\$34,180		\$34,880			
3.4	Provide technical memorandum		\$0	4	\$700	\$0			\$0		\$0			\$0		\$0		\$0		\$0	4	\$700										\$0		\$0		\$700		
<b>Subtotal</b>		0	\$0	12	\$2,100	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	12	\$2,100	\$0		\$0	\$57,000	\$0	\$0	\$0	\$0	\$0	\$0	\$57,000	\$0	\$59,100		
<b>Task 4: Cultural Resource Work</b>																																						
4.1	Complete primary record documentation		\$0	0	\$0	\$0	0	\$0	0	\$0	0	\$0		\$0		\$0		\$0		\$0	0	\$0										\$0	\$0		\$0			
4.2	Review and update primary record for CA-SON-383		\$0		\$0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0	0	\$0										\$0	\$0		\$0			
<b>Subtotal</b>		0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	\$0									\$0	\$0		\$0		
<b>Task 4: Waste Disposal Options</b>																																						
4.1	Fieldwork		\$0	2	\$350	\$0			\$0		\$0			\$0		\$0		\$0		\$0	2	\$350											\$6,880		\$6,880		\$7,230	
4.2	Prepare waste option report		\$0	6	\$1,050	\$0			\$0		\$0			\$0		\$0		\$0		\$0	6	\$1,050											\$7,480		\$7,480		\$8,530	
4.3	Prepare Preliminary Waste Disposal Plan		\$0	4	\$700	\$0			\$0		\$0			\$0		\$0		\$0		\$0	4	\$700										\$6,260		\$6,260		\$6,960		
<b>Subtotal</b>		0	\$0	12	\$2,100	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	0	\$0	12	\$2,100	\$0		\$0	\$0	\$20,620	\$0	\$0	\$0	\$0	\$0	\$0	\$20,620	\$0	\$22,720	
<b>Task 5: Public Outreach and Participation Process</b>																																						
5.1	Develop Outreach and Engagement Plan	2	\$400	2	\$350	6	\$900	2	\$250		\$0			\$0		\$0		\$0		\$0	12	\$1,900											\$0		\$1,900		\$8,540	
5.2	Conduct stakeholder interviews (10)	16	\$3,200	8	\$1,400	8	\$1,200	4	\$500		\$0			\$0		\$0		\$0		\$0	24	\$2,040	60	\$8,340								\$0	\$200	\$8,540		\$3,160		
5.3	Develop project outreach templates	0	\$0	2	\$350	8	\$1,200	2	\$250		\$0			\$0		\$0		\$0		\$0	16	\$1,360	28	\$3,160								\$0	\$0	\$3,160		\$2,310		
5.4	Develop bi-lingual and ADA outreach materials	0	\$0	2	\$350	2	\$300		\$0		\$0			\$0		\$0		\$0		\$0	16	\$1,360	20	\$2,010								\$0	\$300	\$2,310		\$10,000		
5.5	Conduct partner meetings (6) and focus groups (3)	18	\$3,600	16	\$2,800	12	\$1,800	8	\$1,000		\$0			\$0		\$0		\$0		\$0	54	\$9,200										\$0	\$800	\$10,000		\$10,585		
5.6	Conduct community workshops (3)	9	\$1,800	9	\$1,575	16	\$2,400	6	\$750		\$0			\$0	6	\$780	12	\$1,080		\$0	58	\$8,385					\$1,200					\$1,200	\$1,000	\$10,585		\$5,380		
5.7	Convene web based meetings (eliminated)		\$0	0	\$0	\$0		\$0		\$0				\$0		\$0		\$0		\$0	0	\$0										\$0	\$0		\$0			
5.7	Provide outreach support and materials	0	\$0	4	\$700	16	\$2,400	8	\$1,000		\$0			\$0		\$0	0	\$0	8	\$680	36	\$4,780										\$0	\$600	\$5,380		\$0		
5.8	Convey messages through social media	0	\$0	0	\$0	\$0		\$0		\$0				\$0		\$0		\$0		\$0	0	\$0										\$0	\$0		\$0			
5.10	Leverage existing outreach activities		\$0	0	\$0	\$0		\$0		\$0				\$0		\$0		\$0		\$0	0	\$0										\$0	\$0		\$0			
<b>Subtotal</b>		45	\$9,000	43	\$7,525	68	\$10,200	30	\$3,750	0	\$0	0	\$0	0	\$0	6	\$780	12	\$1,080	64	\$5,440	268	\$37,775	\$0		\$1,200	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,200	\$2,900	\$41,875		\$185,262
<b>Task 6: Conceptual Site Plans</b>																																						
6.1	Conduct opportunities and constraints analysis	4	\$800	24	\$4,200	16	\$2,400	24	\$3,000	24	\$2,640			\$0	60	\$7,800		\$0	50	\$4,250	202	\$25,090										\$4,600		\$5,000		\$9,600		
6.2	Integrating cultural resources		\$0		\$0	\$0		\$0		\$0				\$0		\$0		\$0		\$0	0	\$0											\$0	\$0		\$0		
6.3	Iterative process for alternatives development		\$0		\$0	\$0		\$0		\$0				\$0		\$0		\$0		\$0	0	\$0											\$0	\$0		\$0		
6.2	Develop and Refine Alternative Conceptual Plan Alternatives		\$0	52	\$9,100	\$0		\$0		\$0				\$0	56	\$7,280		\$0		\$0	108	\$16,380										\$105,642	\$14,000	\$6,550	\$8,000	\$134,192		\$150,572
<b>Subtotal</b>		4	\$800	76	\$13,300	16	\$2,400	24	\$3,000	24	\$2,640	0	\$0	0	\$0	116	\$15,080	0	\$0	50	\$4,250	310	\$41,470	\$0		\$105,642	\$0	\$0	\$18,600	\$6,550	\$13,000	\$0	\$143,792	\$0	\$185,262			
<b>Task 7: Resource Management Plan</b>																																						
7.1	Assimilate available materials		\$0	20	\$3,500	\$0		\$0	16	\$1,760				\$0		\$0		\$0		\$0	36	\$5,260											\$0		\$5,260		\$13,400	
7.2	Conduct field surveys		\$0	16	\$2,800	\$0		\$0		\$0				\$0		\$0		\$0		\$0	16	\$2,800										\$10,200		\$10,200	\$400	\$8,900		
7.3	Update biological resources report		\$0	8	\$1,400	\$0		\$0		\$0				\$0		\$0		\$0		\$0	8	\$1,400										\$7,500		\$7,500		\$26,820		
7.4	Prepare Resource Management Plan document		\$0	60	\$10,500	\$0	8	\$1,000	24	\$2,640	16	\$2,080		\$0		\$0		\$0		\$0	108	\$16,220										\$10,400	\$200	\$10,600		\$54,380		
<b>Subtotal</b>		0	\$0	104	\$18,200	0	\$0	8	\$1,000	40	\$4,400	16	\$2,080	0	\$0	0	\$0	0	\$0	0	\$0	168	\$25,680	\$0		\$28,100	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$28,100	\$600	\$54,380		
<b>Task 8: Master Plan</b>																																						
8.1	Prepare Master Plan	4	\$800	76	\$13,300	16	\$2,400	16	\$2,000	32	\$3,520	12	\$1,560	12	\$1,800	40	\$5,200		\$0	96	\$8,160	304	\$38,740										\$6,622		\$6,622	\$400	\$45,762	
8.2	Education and Interpretation elements		\$0		\$0	\$0		\$0		\$0				\$0		\$0		\$0		\$0	0	\$0										\$0	\$0		\$0			
8.3	Trails plan		\$0		\$0	\$0		\$0		\$0				\$0		\$0		\$0		\$0	0	\$0										\$0	\$0		\$0			



**Exhibit C****Template #5**

With respect to performance of work under this Agreement, Consultant shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain insurance as described below unless such insurance has been expressly waived by the attachment of a *Waiver of Insurance Requirements*. Any requirement for insurance to be maintained after completion of the work shall survive this agreement.

**1. Workers Compensation and Employers Liability Insurance**

- a. Required if Consultant has employees.
- b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
- c. Employers' Liability with limits of 1,000,000 per Accident; 1,000,000 Disease per employee; 1,000,000 Disease per policy.
- d. *Required Evidence of Coverage*:
  - i. Certificate of Insurance

If Consultant currently has no employees, Consultant agrees to obtain the above-specified Workers' Compensation and Employers' Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

**2. General Liability Insurance**

- a. Commercial General Liability Insurance on a standard occurrence form, no less broad than ISO form CG 00 01.
- b. Minimum Limits: 1,000,000 per Occurrence; 2,000,000 General Aggregate; 2,000,000 Products/Completed Operations Aggregate.
- c. Consultant shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by County. Consultant is responsible for any deductible or self-insured retention.
- d. County of Sonoma, its Officers, Agents and Employees and The State of California, its officers, agents and employees shall be additional insureds for liability arising out of operations by or on behalf of the Consultant in the performance of this agreement.
- e. The insurance provided to County, et al. additional insureds shall apply on a primary and non-contributory basis with respect to any insurance or self-insurance program maintained by them.
- f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad form contractual liability coverage including the "f" definition of insured contract in ISO form CG 00 01, or equivalent).
- g. The policy shall cover inter-insured suits between County and Consultant and include a "separation of insureds" or "severability" clause which treats each insured separately.

- h. *Required Evidence of Coverage:***
  - i.** Copy of the additional insured endorsement or policy language granting additional insured status, and
  - ii.** Certificate of Insurance.

**3. Automobile Liability Insurance**

- a.** Minimum Limits: \$1,000,000 combined single limit per accident.
- b.** Coverage shall apply to all owned autos. If Consultant currently owns no autos, Consultant agrees to obtain such insurance should any autos be acquired during the term of this Agreement or any extensions of the term.
- c.** Coverage shall apply to hired and non-owned autos.
- d. Required Evidence of Coverage:**
  - i.** Certificate of Insurance.

**4. Professional Liability Insurance**

- a.** Minimum Limit: \$1,000,000.
- b.** Consultant shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by County. Consultant is responsible for any deductible or self-insured retention.
- c.** If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
- d.** Coverage applicable to the work performed under this Agreement shall be continued for two (2) years after completion of the work. Such continuation coverage may be provided by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.
- e. Required Evidence of Coverage:**
  - i.** Certificate of Insurance.

**5. Standards for Insurance Companies**

Insurers shall have an A.M. Best's rating of at least A:VII.

**6. Documentation**

- a.** The Certificate of Insurance must include the following reference: Tolay Lake Regional Park Master Plan.
- b.** All required Evidence of Coverage shall be submitted prior to the execution of this Agreement. Consultant agrees to maintain current Evidence of Coverage on file with County for the required period of insurance.
- c.** The name and address for Additional Insured endorsements and Certificates of Insurance is: County of Sonoma, Regional Parks Department, 2300 County Center Drive, Suite 120A, Santa Rosa, CA 95403.
- d.** Required Evidence of Coverage shall be submitted for any renewal or

- replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.
- e. Consultant shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
  - f. Upon written request, certified copies of required insurance policies must be provided within thirty (30) days.

#### **7. Policy Obligations**

Consultant's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

#### **8. Material Breach**

If Consultant fails to maintain insurance coverage which is required pursuant to this Agreement, it shall be deemed a material breach of this Agreement. County, at its sole option, may terminate this Agreement and obtain damages from Consultant resulting from said breach. Alternatively, County may purchase the required insurance coverage, and without further notice to Consultant, County may deduct from sums due to Consultant any premium costs advanced by County for such insurance. These remedies shall be in addition to any other remedies available to County



## County of Sonoma Web Content Accessibility Questionnaire

County policy requires that all County websites and web-based applications must be accessible to staff members and members of the public with disabilities. For more information regarding the details of this policy, please see Web Accessibility Policy, published in the County of Sonoma’s Web Standards site (<http://webstandards.sonoma-county.org/content.aspx?sid=1014&id=1300>).

Standard	Source(s)	Response
<p><b>1. Rate the overall level of accessibility compliance of your website:</b></p> <ul style="list-style-type: none"> <li>a. Fully compliant – All pages and functionality meet or exceed the criteria delineated in Section 508 and WCAG 2.0 Level AA.</li> <li>b. Partially compliant – Some pages or functionality meet or exceed the criteria delineated in Section 508 and WCAG 2.0 Level AA while other areas of the site are only compliant to Section 508 and WCAG 2.0 Level A.</li> <li>c. Partially compliant – All pages and functionality are fully compliant with Section 508 and WCAG 2.0 Level A.</li> <li>d. Partially compliant – All pages and functionality are fully compliant with Section 508.</li> <li>e. Not compliant.</li> </ul> <p>Fully Compliant Response(s): a</p>	<p><b>Section 508</b> <b>WCAG 2.0</b></p>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>2. Does each non-text element on the page have a text equivalent via "alt" (alternative text attribute) or does the page otherwise include a meaningful description of the non-text element in the text accompanying the non-text element?</b></p> <ul style="list-style-type: none"> <li>a. Yes.</li> <li>b. Yes and no. Some non-text elements have meaningful text equivalents while others do not.</li> <li>c. No, none of the non-text elements have text equivalents.</li> <li>d. N/A. There are no non-text elements on the page.</li> </ul> <p>Fully Compliant Response(s): a, d</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (a)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.1</li> </ul>	<p style="text-align: center;"><b>a</b></p>
<p><b>3. For any multimedia content, is text captioning provided for all audible output and audible output provided for all important visual information?</b></p> <ul style="list-style-type: none"> <li>a. Yes.</li> <li>b. Yes and no. Text captioning is not provided for audible output, but audio descriptions are provided for all important visual information.</li> <li>c. Yes and no. Audio descriptions are not provided for all important visual information, but text captioning is provided for audible output.</li> <li>d. No, neither is provided.</li> <li>e. N/A. There is no multimedia content on the page.</li> </ul> <p>Fully Compliant Response(s): a, e</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (b)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.1</li> <li>• Guideline 1.2</li> </ul>	<p style="text-align: center;"><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>4. Are all audio descriptions and text captions synchronized with their associated dynamic content?</b></p> <ul style="list-style-type: none"><li>a. Yes, text captioning for audible output and audible output for visual information is completely synchronized with changes in the dynamic content of the page.</li><li>b. Yes and no. Text captioning is not completely synchronized with audible output as the dynamic content of the page changes or is not provided, but the audio descriptions are synchronized to the important visual information they describe.</li><li>c. Yes and no. Audio descriptions are not synchronized to the important visual information they describe or they are not provided, but text captioning is synchronized with the audible output as the dynamic content of the page changes.</li><li>d. No. Both are provided but neither is synchronized.</li><li>e. N/A. There is no multimedia content on this page.</li></ul> <p>Fully Compliant Response(s): a, e</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"><li>• § 1194.22 (b)</li></ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"><li>• Guideline 1.2</li></ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>5. If any audio plays automatically for more than 3 seconds, is there a mechanism available to pause or stop the audio, or to control volume independently from the overall system volume?</b></p> <ul style="list-style-type: none"><li>a. Yes, there is audio that automatically plays for more than 3 seconds and there is a mechanism available to control the volume of the audio without affecting the overall system volume.</li><li>b. Yes, there is audio that automatically plays for more than 3 seconds and there is a mechanism available to pause or stop the audio.</li><li>c. No. There is audio that automatically plays for more than 3 seconds but there is no mechanism to stop, pause or alter the volume without affecting the system volume.</li><li>d. N/A. There is no automatic audio or the automatic audio plays for less than 3 seconds.</li></ul> <p>Fully Compliant Response(s): a,b,d</p>	<p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"><li>• Guideline 1.4</li></ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>6. Is every page capable of being understood and navigated even if users do not have the ability to identify specific colors or differentiate between colors?</b></p> <ul style="list-style-type: none"> <li>a. Yes, any use of color as to imply meaning or information is easily understood without color and sufficient contrast has been applied to assist those that have difficulty differentiating or identifying individual colors.</li> <li>b. Yes, sufficient contrast has been applied to assist those that have difficulty differentiating or identifying individual colors.</li> <li>c. Yes, any use of color as to imply meaning or information is easily understood without color.</li> <li>d. No, the page does not use color appropriately.</li> </ul> <p>Fully Compliant Response(s): a</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (c)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.4</li> </ul>	<p><b>a</b></p>
<p><b>7. If any page uses cascading style sheets (CSS)<sup>1</sup>, is it viewable without style sheets (style sheets turned off, not supported by the browser, etc.)?</b></p> <ul style="list-style-type: none"> <li>a. Yes.</li> <li>b. No.</li> <li>c. N/A. The page does not use cascading style sheets (CSS).</li> </ul> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (d)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.3</li> </ul>	<p><b>a</b></p>

<sup>1</sup> Cascading Style Sheets (CSS) can be associated a webpage in multiple ways: declared within the webpage, embedded via a separate file, or added dynamically via JavaScript.



**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>8. If any page uses cascading style sheets (CSS)<sup>1</sup>, is it designed so that it does not interfere with style sheets set by the browser?</b></p> <ul style="list-style-type: none"><li>a. Yes, it works without interfering with style sheets set by the browser.</li><li>b. No, it interferes with any style sheets that have been set by the browser.</li><li>c. N/A. The page does not use cascading style sheets (CSS).</li></ul> <p>Fully Compliant Response(s): a,c</p>	<p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"><li>• Guideline 1.3</li></ul>	<p><b>a</b></p>
<p><b>9. If any page includes server-side image maps, are duplicate text links provided for all links within the server-side image maps?</b></p> <ul style="list-style-type: none"><li>a. Yes, each link in the server-side image maps is duplicated by a separate text link.</li><li>b. Yes and no. Some of the links from the server-side image maps are duplicated in separate text links while others are not.</li><li>c. No, redundant text links are not provided for any link from the server-side image maps.</li><li>d. N/A. The page does not include any server-side image maps.</li></ul> <p>Fully Compliant Response(s): a,d</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"><li>• § 1194.22 (e)</li></ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>10. If any page includes one or more client-side image maps, does each map region have a text equivalent via "alt" (alternative text attribute) or does the page otherwise include a meaningful description of the non-text element in the text accompanying it?</b></p> <ul style="list-style-type: none"> <li>a. Yes.</li> <li>b. Yes and no. Some of the non-text elements associated with the image map(s) have text equivalents or a meaningful text description, while others do not.</li> <li>c. No. None of the non-text elements associated with the image map(s) have text equivalents or meaningful text descriptions.</li> <li>d. N/A. The page does not include any client-side image maps.</li> </ul> <p>Fully Compliant Response(s): a,d</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (a)</li> </ul>	<p><b>a</b></p>
<p><b>11. If any page includes a simple table (single level of row/column headers), are the row/column headers identified?</b></p> <ul style="list-style-type: none"> <li>a. Yes, all simple <b>data tables</b> have row/column headers identified and all <b>non-data tables</b> do not identify row/column headers.</li> <li>b. Yes and no. Some simple <b>data tables</b> exist but either the row or column header is not identified or some simple <b>non-data tables</b> exist but either the row or column header is identified.</li> <li>c. N/A. The page does not include simple tables.</li> </ul> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (g)</li> </ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>12. If any page includes a complex data table (2 or more logical levels of row or column headers), does each cell provide association with row and column headers?</b></p> <ul style="list-style-type: none"> <li>a. Yes, complex tables exist and each cell within the table includes identification of its row and column headers.</li> <li>b. No, complex tables exist, but some cells within the table fail to identify row and column headers.</li> <li>c. N/A. The page does not include complex data tables.</li> </ul> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (h)</li> </ul>	<p><b>a</b></p>
<p><b>13. If the page uses frames, does each frame have a title that meaningfully describes it?</b></p> <ul style="list-style-type: none"> <li>a. Yes.</li> <li>b. No.</li> <li>c. N/A. The page does not use frames.</li> </ul> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (i)</li> </ul>	<p><b>a</b></p>
<p><b>14. Does any page include content (such as applets or content requiring plug-ins) that may cause the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz?</b></p> <ul style="list-style-type: none"> <li>a. Yes.</li> <li>b. No.</li> </ul> <p>Fully Compliant Response(s): b</p>	<p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 2.3</li> </ul>	<p><b>b</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>15. If the page uses scripts, such as JavaScript or scripts in Macromedia Flash content, and if the scripts affect any content displayed to the user, is there equivalent text provided by the page or the script that is accessible to a screen reader?</b></p> <p>a. Yes. The page contains JavaScript or Macromedia Flash content that affects the content displayed to the user, but the page or script contains equivalent text that is accessible to a screen reader.</p> <p>b. No. While the page contains JavaScript or Macromedia Flash content that affects the content displayed to the user, neither the page nor the script contains equivalent text that is accessible to a screen reader.</p> <p>c. N/A. The page does not use JavaScript or Macromedia Flash content.</p> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (a)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.1</li> <li>• Guideline 1.2</li> </ul>	<p><b>a</b></p>
<p><b>16. If the web page uses applets, such as downloadable Java applets, does it also contain the same information and functionality in an accessible format?</b></p> <p>a. Yes, while the page uses applets, it contains the same information and functionality in an accessible format.</p> <p>b. No, although the page uses applets, it does not contain the same information and functionality in an accessible format.</p> <p>c. N/A. The page does not use any applets.</p> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (a)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.1</li> <li>• Guideline 1.2</li> </ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>17. Is every web page capable of full functionality via only the keyboard?</b></p> <p>a. Yes, all functionality of the content is operable through a keyboard interface and if focus can be shifted to a component via the keyboard, then keyboard interface can also be used to shift focus away from that component.</p> <p>b. No, some functionality is not operable via a keyboard interface alone.</p> <p>Fully Compliant Response(s): a</p>	<p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"><li>• Guideline 2.1</li></ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>18. Is every web page designed for maximum compatibility with the current and future user agents, including assistive technologies?</b></p> <p>a. Yes, content implemented using markup languages, elements have complete start and end tags, elements are nested according to their specifications, elements do not contain duplicate attributes, and any IDs are unique, except where the specifications allow these features. For all user interface components (including but not limited to: form elements, links and components generated by scripts), the name and role can be programmatically determined; states, properties, and values that can be set by the user can be programmatically set; and notification of changes to these items is available to user agents, including assistive technologies.</p> <p>b. Yes and no, content implemented using markup languages, elements have complete start and end tags, elements are nested according to their specifications, elements do not contain duplicate attributes, and any IDs are unique, except where the specifications allow these features.</p> <p>c. Yes and no, for all user interface components (including but not limited to: form elements, links and components generated by scripts), the name and role can be programmatically determined; states, properties, and values that can be set by the user can be programmatically set; and notification of changes to these items is available to user agents, including assistive technologies.</p> <p>d. No, some content or interface components do not comply with this guideline in at least one area.</p> <p>Fully Compliant Response(s): a</p>	<p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>Guideline 4.1</li> </ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>19. If the page uses other programmatic objects (such as Flash, Shockwave, RealAudio, or RealVideo content), or otherwise requires the use of plug-ins or programmatic support for the browser, does the page include a link to the plug-in or programmatic item required for accessing the content of the page and is that plug-in or programmatic item itself accessible to people with disabilities?</b></p> <p>a. Yes, the page uses such programmatic objects and includes a link to the plug-ins or other items required for accessing the content of the page and those plug-ins or programmatic items are accessible to people with disabilities.</p> <p>b. Yes and no. While the page uses such programmatic objects and includes a link to the plug-ins or other items required for accessing the content of the page, those plug-ins or programmatic items are not accessible to people with disabilities.</p> <p>c. No, while the page uses such programmatic objects, it does not include a link to the plug-ins or other items required for accessing the content of the page.</p> <p>d. N/A. The page does not use such programmatic objects.</p> <p>Fully Compliant Response(s): a,d</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (m)</li> </ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>20. If the page includes links to .pdf (Adobe Acrobat's portable document format) files, were those .pdf files created in a way that is likely to maximize their accessibility for people with disabilities?</b></p> <p>a. Yes. While the page includes links to .pdf files, the files were converted from Microsoft Word or by scanning something into .pdf and then running them through an optical character recognition (OCR) process. The structure and tags of each document has been verified as accessible.</p> <p>b. No, the page includes links to .pdf files that were created by scanning files into .pdf and were not put through an OCR process.</p> <p>c. N/A. The page does not include any links to .pdf files.</p> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (a)</li> <li>• § 1194.22 (c)</li> <li>• § 1194.22 (g)</li> <li>• § 1194.22 (h)</li> <li>• § 1194.22 (n)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.1</li> <li>• Guideline 1.2</li> </ul>	<p><b>a</b></p>



Standard	Source(s)	Response
<p><b>21. If the page includes one or more electronic forms that is designed for completion online, does each form permit users of assistive technology to access the information, field elements, and functionality required for completion and submission of the form including all directions and cues?</b></p> <p>a. Yes, the page contains one or more forms designed to be completed online. Each such form complies with all of the accessibility requirements that are the subject of this questionnaire and has been tested for usability by persons using assistive technologies.</p> <p>b. Yes, but... The page contains one or more forms designed to be completed online. While each such form complies with all of the accessibility requirements that are the subject of this questionnaire, one or more of them has not been tested for usability by persons using assistive technologies.</p> <p>c. Yes, but... The page contains one or more forms designed to be completed online. We have tested each of the forms using assistive technology, but we are not sure that each such form complies with all of the accessibility requirements that are the subject of this questionnaire.</p> <p>d. No. The page contains one or more forms designed to be completed online, but at least one of these forms is inaccessible to people with disabilities, at least in one respect.</p> <p>e. N/A. The page does not contain any forms designed to be completed online.</p> <p>Fully Compliant Response(s): a,e</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (n)</li> </ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>22. If any page contains one or more forms that is designed to be completed online but that is inaccessible to people with disabilities in some respect, does the page include an alternate accessible form or a link to an alternate accessible form?</b></p> <p>a. Yes. While the page contains one or more forms that is designed to be completed online but that is inaccessible to people with disabilities in some respect, the page includes an alternate accessible form or a link to an alternate accessible form.</p> <p>b. No. The page contains one or more forms designed to be completed online but that is inaccessible to people with disabilities in some respect and the page does not contain an alternate accessible form or a link to an alternate accessible form.</p> <p>c. N/A. The page does not include one or more forms that are designed to be completed online or it does include such forms, but they are accessible to people with disabilities in all respects.</p> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (a)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.1</li> </ul>	<p><b>a</b></p>
<p><b>23. Are labels and instructions provided for all forms? If data validation occurs, are the errors identified and described in text?</b></p> <p>a. Yes.</p> <p>b. No.</p> <p>c. N/A. The page does not contain any forms designed to be completed online.</p> <p>Fully Compliant Response(s): a,c</p>	<p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 3.3</li> </ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>24. If any page includes navigational links to other web pages within the same website, is there a link allowing users of screen readers to skip over those links?</b></p> <p>a. Yes.</p> <p>b. No.</p> <p>c. N/A. The page does not contain any navigational links to other web pages within the same website.</p> <p>Fully Compliant Response(s): a,c</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"><li>• § 1194.22 (o)</li></ul>	<p><b>a</b></p>
<p><b>25. Is the navigation designed to assist users in finding content and determine where they are (e.g. breadcrumbs)?</b></p> <p>a. Yes.</p> <p>b. No.</p> <p>Fully Compliant Response(s): a</p>	<p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"><li>• 2.4</li></ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>26. If any page requires users to respond within a fixed amount of time before the user is "timed out," is the user alerted that he or she will be timed out and given sufficient time to indicate that more time is required before actually being timed out?</b></p> <p>a. Yes.</p> <p>b. Yes and no. While the page warns users that they are about to be timed out, it does not give them an option to extend the length of time that the page will be kept open.</p> <p>c. No. The page will time out users but does not provide prior warning or the ability to extend the length of time it will be kept open.</p> <p>d. N/A. The page does not "time out" users, no matter how long a page is kept open.</p> <p>Fully Compliant Response(s): a,d</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"><li>• § 1194.22 (p)</li></ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"><li>• Guideline 1.2</li><li>• Guideline 2.2</li></ul>	<p><b>a</b></p>

**EXHIBIT D**

<b>Standard</b>	<b>Source(s)</b>	<b>Response</b>
<p><b>27. Taking into consideration your responses to the previous questions, if the reviewed page(s) likely contains barriers to access for people with disabilities, do you have an alternative text-only page that contains the same information and is updated as often as the reviewed page?</b></p> <p>a. Yes.</p> <p>b. Yes and no. While the page appears to contain barriers to access for people with disabilities and we have established a text-only alternate page, the text-only alternate page does not include the same information or is not updated as often as the reviewed page.</p> <p>c. No. While the page appears to contain barriers to access for people with disabilities, we do not have an alternate text-only page.</p> <p>d. N/A. The page does not appear to contain any barriers for people with disabilities, so we do not have an alternate text-only page.</p> <p>e. N/A. Even though the page does not appear to contain any barriers to access for people with disabilities, we still maintain an alternate text-only page that contains the same information and is updated as often as the reviewed page.</p> <p>Fully Compliant Response(s): a,d,e</p>	<p><b>Section 508</b></p> <ul style="list-style-type: none"> <li>• § 1194.22 (a)</li> </ul> <p><b>WCAG 2.0</b></p> <ul style="list-style-type: none"> <li>• Guideline 1.1</li> </ul>	<p><b>a</b></p>

**28. Test your page(s) for accessibility to persons with disabilities using assistive technology**

- a. Describe the testing method and tools used.

**Please see attached.**

- b. Describe the results of this test.

**NA (no site developed yet)**

**29. Describe the accessibility successes and challenges you identified during your evaluation and any plans you have for addressing any problems on these and similar pages within your website:**

**NA (no site developed yet)**

Responses reviewed and approved by:

---

(Signature of department representative / Date)

## References

1. Section 508 Standards (<http://www.section508.gov/index.cfm?fuseAction=stdsdoc#Web>)
2. WCAG Guidelines (<http://www.w3.org/TR/WCAG/#guidelines>)
3. County of Sonoma
  - a. Web Standards (<http://webstandards.sonoma-county.org>)
  - b. Accessibility Assistance (<http://webstandards.sonoma-county.org/content.aspx?sid=1014&id=1113>)



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 25  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** The Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sheriff-Coroner

**Staff Name and Phone Number:**

Connie Newton (707)565-8884

**Supervisory District(s):**

**Title:** Detention Food Service Contract Amendment

### **Recommended Actions:**

Authorize the Sheriff to execute Amendment No. 3 to the Agreement for Food Service Management Services with ARAMARK Correctional Services, LLC, extending the existing Agreement for one year from July 1, 2013 through June 30, 2014, for an estimated cost of \$1,910,764 per year.

### **Executive Summary:**

The County has been under contract with ARAMARK Correctional Services for food service management in the adult detention facilities since February 1, 1990. The current Agreement began on July 1, 2006. The Agreement is for a term of five years with two additional one-year options to extend (until June 30, 2013). Both of these options have now been utilized and a new Amendment is being proposed to extend the term for an additional year and to incorporate menu revisions as described below.

The Agreement provided annual cost-of-living increases equivalent to the annual increase shown in the Food Away from Home schedule of the Consumer Price Index (CPI), All Urban Consumers, San Francisco/Oakland area, published by the Department of Labor. In accordance with the contract, CPI increases were added to the meal pricing for the first four years. In the fifth year (FY 10-11), the County made a request to vendors to reduce contract expenses by 10% to assist the County during an unprecedented economic down-turn. In response, ARAMARK agreed to waive the annual CPI increase for the last year of the contract. In addition, ARAMARK waived the CPI increase for both of the one-year options to extend for an estimated three year savings of \$94,000 (based on the assumption of a CPI increase of 2.5% for each of the three years).

The cost of the Original Agreement was approximately \$1,500 per inmate, per year. The cost of the current agreement is approximately \$1,675 per inmate per year. This increase equates to 12%, or 3% per year increase for each of the four years a CPI increase was applied to the contract.



During this same time period, as a result of budget reductions, the number of County food service employees was reduced from 18 to 14. These reductions have placed additional workload demands on the remaining kitchen staff and required several operational changes. The latest change, scheduled to be implemented early in FY 12-13, will be a menu revision from two hot and one cold meal each day, to two colds and one hot meal per day. This change will require purchasing larger serving trays since the amount of hot food served will exceed the capacity of the current trays. ARAMARK has agreed to purchase these trays at no cost to the county (estimated savings of \$32,000) and agreed to waive a CPI increase for FY 13-14. The cost of inmate meals for FY 13-14 will remain at the FY 12-13 level which is estimated at \$1,910,764 and will provide nearly 1,250,000 inmate meals and snacks.

Based on these factors, and because The Sheriff's Office has been extremely satisfied with all aspects of the current Agreement with ARAMARK, it is recommended that the current agreement be extended for one year (July 1, 2013 to June 30, 2014). , the Sheriff's Office is preparing to release a Request for Proposal for inmate food services in early FY 13-14.

**Prior Board Actions:**

6/27/06: Agreement for Food Services Management with ARAMARK-5 years with two (1) year options (seven years total).

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 1,910,764	County General Fund	\$ 1,910,764
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 1,910,764</b>	<b>Total Sources</b>	<b>\$ 1,910,764</b>

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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

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

Original Agreement and Amendments #1-3 to Agreement for Food Service Management Services with ARAMARK Correctional Services, Inc.)



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 26  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sheriff's Office

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Monique Chapman – 565-2872

1<sup>st</sup> District

**Title:** Agreement for a Sonoma Valley School Resource Officer Program

### **Recommended Actions:**

Authorize the Sheriff to execute the Agreement with the Sonoma Valley Unified School District for a School Resource Officer Program at Sonoma Valley High School from July 1, 2012, to June 30, 2016.

### **Executive Summary:**

The Sheriff's Office has negotiated an agreement with Sonoma Valley Unified School District (SVUSD) to provide a School Resource Officer (SRO) program, and requests authorization to execute the agreement for the term of July 1, 2012 to June 30, 2016.

Since 2004, the Sheriff's Office has worked with SVUSD to provide a SRO program on Sonoma valley school campuses. The program provides for a deputy to be located on the Sonoma Valley High School campus, working with the student body and staff. The SRO also participates in the School Attendance Review Board, when necessary. The goals of this partnership are to provide proactive law enforcement services to the community and Sonoma Valley schools, prevent violence and criminal acts on campus, provide hands-on prevention and awareness programs for the students, conduct classroom activities to educate students about the dangers of alcohol and other drug abuse, and provide a liaison between the Sheriff's Office and school administrators. These resources assist in reducing school violence, alleviating community fears of violence, and providing a bridge for stronger partnership between community and law enforcement.

The Sheriff's Office has identified the SRO program as a priority, and is committed to continuing the program in collaboration with SVUSD. Given that the District realizes the benefits of the SRO Program, they have agreed to provide a portion of offsetting funding to this program each year. Due to the District's uncertain funding availability, the Agreement does not include a minimum annual contribution from the District. In lieu of a stated contribution, The Agreement provides that the District shall pay the County lump sum annual payments

in amounts agreed upon in separate writings for each fiscal year. In FY 2011-12, the District contributed 27% of the anticipated salaries and benefits, or \$44,042. It is anticipated that if the District continues their contribution at that level, they would provide \$45,575 for FY 2012-13. In the event either party is unable to contribute funding to the SRO program, the Agreement contains a 30-day termination clause for non-appropriation of funds.

**Prior Board Actions:**

The Board approved and authorized the Sheriff to sign Agreements with Sonoma Valley Unified School District for a School Resources Officer Program on 9/20/2005 and 6/10/2008.

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 168,795	County General Fund	\$ 123,220
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 45,575
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 168,795</b>	<b>Total Sources</b>	<b>\$ 168,795</b>

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

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

**Attachments:**

Agreement with Sonoma Valley Unified School District for a School Resource Officer Program

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

--

**AGREEMENT BETWEEN THE COUNTY AND SONOMA VALLEY UNIFIED SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER PROGRAM**

This agreement ("Agreement"), dated as of September 11, 2012 ("Effective Date") is by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "County"), and the Sonoma Valley Unified School District, (hereinafter "District").

R E C I T A L S

WHEREAS, County has previously provided the services of a School Resource Officer (a Sonoma County Sheriff’s Deputy) to District under written contract, due to expire June 30, 2012; and

WHEREAS, County and District mutually desire to have the Sonoma County Sheriff’s Office continue to provide law enforcement and related services to District; and

WHEREAS, in the judgment of the Board of Supervisors, it is necessary and desirable to provide a School Resource Officer Program to the District for this purpose.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

A G R E E M E N T

1. Scope of Services.

1.1 County’s Specified Services.

County shall maintain statistical records on incidents of juvenile crime and shall designate one regularly-employed Sheriff’s Deputy to act as the full time School Resource Officer (SRO) for District (referred to herein as the “SRO Program”). The SRO shall be empowered to function as a law enforcement officer on District property and off. The following terms and conditions shall apply to this position:

- a. Employment Status of the SRO: The SRO shall remain an employee of the Sonoma County Sheriff’s Office and shall not be an employee of the District. The District and County acknowledge that the SRO shall remain responsive to the chain of command of the Sheriff’s Office.
- b. Duties and Responsibilities of the SRO: The duties and responsibilities of the SRO include, but shall not be limited to, the following:

- 1) Provide and coordinate law enforcement services on the SVHS campus, and if the SRO is available, to other District school campuses as well;
- 2) Engage other District school sites as they relate to the specific services being provided at SVHS under this Agreement;
- 3) Collaborate with District personnel to establish effective policies and practices to ensure a safe and secure campus;
- 4) Conduct classroom activities to educate students about the dangers of alcohol and drug abuse;
- 5) Work with students and their families to promote healthy lifestyles and appropriate choices in behavior;
- 6) Provide a police presence on campus in an effort to deter criminal behavior;
- 7) Serve as liaison to the community regarding student safety issues on SVHS campus;
- 8) Participate in the School Attendance Review Board (SARB), which includes testifying to the Board when necessary.

c. SRO schedule: The SRO shall provide services to District under the following terms and conditions:

- 1) The SRO shall be assigned to the school on a full-time basis, to be present during school hours. During his/her daily tour of duty, the SRO may be off campus performing such tasks as may be required by his/her assignment. In addition, the SRO may be temporarily reassigned by the Sheriff or his designee during school holidays and vacations, and/or during a period of law enforcement emergency.
- 2) Regular working hours may be adjusted on a situational basis with the consent of the SRO's supervisor. Any changes to regular working hours shall be adjusted only after prior approval, and should be for the purpose of covering scheduled school-related activities.
- 3) The SRO may be required to be off campus for training. Proper advance notice will be provided to school administrators for such absences. County shall make every effort to schedule trainings when school is not in session.

4) Overtime hours for the SRO must be authorized and approved by the SRO's supervisor and shall be paid by the County in accordance with County's established procedures.

d. Appointment of the SRO: The Sheriff or his designee shall appoint the SRO assigned to the District under this Agreement. SRO applicants must meet the following requirements:

1) The applicant must have a minimum of two years' experience in law enforcement.

2) The applicant should be off employee probationary status at the time of appointment unless mutual agreements are made between the County and the District regarding the applicant's employment probation status.

3) Additional criteria for consideration are job knowledge, experience, training, education, appearance, attitude, communication skills, and command presence.

e. Dismissal of the SRO:

1) In the event that the District believes the SRO is not effectively performing his or her duties and responsibilities, the Superintendent shall so notify the Sheriff or his designee in writing. The Sheriff or his designee shall use good faith efforts to resolve the issues raised. If the matter is not resolved to the District's satisfaction, the Sheriff shall appoint a replacement SRO.

2) The SRO may be dismissed or reassigned in accordance with standard Sheriff's Office procedures.

3) In the event of a long-term absence, resignation, or dismissal, the Sheriff or his designee shall provide a temporary replacement SRO within thirty (30) school days and a replacement shall be made as soon as is practical.

f. Supervision:

1) The responsibility for assignment of personnel, supervision of law enforcement services, establishing standards of performance, determining and effecting discipline, determining equipment required, and other matters relating to the performance of services and control of the SRO, shall remain with County. County is bound to abide by bargaining agreements covering County employees performing services hereunder.

2) In recognition of the Sheriff's professional expertise in the area of law enforcement, it is agreed that in the event of a dispute between the parties as



to the manner of performance of required services, the determination by the Sheriff, or his designee, shall be final and conclusive.

1.2 District's Specified Services. District shall provide to the SRO the following materials and facilities which are deemed necessary to the performance of the SRO's duties:

- a. Access to office space in all campuses, which shall contain a phone, and may be used for general business purposes.
- b. A location for files and records on one campus which can be properly locked and secured.
- c. A location for a desk, chair, computer, filing cabinet and office supplies on one campus.
- d. In addition, District shall maintain statistical records regarding all suspensions and expulsions for a period of five (5) years.

2. Payment. For all services performed by County under this Agreement, District shall pay County annual lump sum payments in amounts to be agreed upon in separate writings for each fiscal year during the term of this Agreement; such writings shall be incorporated into this Agreement by this reference. County shall invoice District for the applicable amount after the beginning of each school year, and District shall pay such amounts in one annual sum within 30 days of receipt of the invoice.

3. Term of Agreement. The term of this Agreement shall be from July 1, 2012 to June 30, 2016, unless terminated earlier in accordance with the provisions of Article 4 below.

4. Termination.

4.1 Termination Without Cause. Either party may terminate this Agreement by giving thirty (30) calendar days written notice to the other. In the event District elects to terminate the Agreement without cause, it shall pay County for services rendered to such date based on a pro rata allocation.

4.2 Termination for Cause. If County fails to perform any of its obligations hereunder within the time and in the manner required, or otherwise violates any of the terms of this Agreement, then District may immediately terminate this Agreement by giving written notice of such termination and stating the reason for such termination. In such event, County shall be entitled to receive payment for all services satisfactorily rendered to such date, less the amount of any damages sustained by District resulting from County's breach of the Agreement, if any.

4.3 Authority to Terminate. The Board of Supervisors has the authority to terminate this Agreement on behalf of the County. In addition, the Sheriff-Coroner, in consultation with

County Council, shall have the authority to terminate this Agreement on behalf of the County.

#### 4.4 Termination for Non-Appropriation.

Either party may terminate this Agreement at any time, upon giving the other party thirty (30) days written notice, for any of the following reasons:

- a. Either party has exhausted all funds legally available for payments to become due under this Agreement;
- b. Funds, which have been appropriated for purposes of this Agreement are withheld and are not, made available to either party;
- c. No appropriation of funds for payments has been made for purposes of this Agreement in the budget for the next fiscal year; or
- d. An appropriation of funds for the next fiscal years has been made for purposes of this Agreement, but prior to actual release, such appropriation has been withdrawn.

5. Indemnification. County and District each agree to accept all responsibility for loss or damage to any person or entity, and to defend, indemnify, hold harmless, and release each other (including their respective supervisors, officers, agents, and employees) from and against any actions, claims, damages, liabilities, disabilities, or expenses, that may be asserted by any person or entity, including themselves, resulting from County or District's own respective negligence or willful misconduct arising out of, pertaining to, or relating to the performance or obligations under this Agreement. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for the parties hereto or their agents under workers' compensation acts, disability benefits acts, or other employee benefit acts.

6. Insurance. Each party shall maintain a self-funded insurance program and/or have in force insurance as described in "Exhibit A," which is attached hereto and incorporated herein by this reference.

7. Prosecution of Work. The execution of this Agreement shall constitute the parties' authority to proceed immediately with the performance of this Agreement. Performance of the services hereunder shall be completed within the time required herein, provided, however, that if the performance is delayed by earthquake, flood, high water, or other Act of God or by strike, lockout, or similar labor disturbances, the time for each parties' performance of this Agreement shall be extended by a number of days equal to the number of days each party has been delayed.

8. Extra or Changed Work. Only the Sheriff or Board of Supervisors may authorize extra (and/or changed) work. The parties expressly recognize that County personnel are without authorization to either order extra (and/or changed) work or waive contract requirements.

9. Representations of Parties.

9.1 Standard of Care. County has relied upon the professional ability and training of other party as a material inducement to enter into this Agreement. The County hereby agrees that all its work will be performed and that its operations shall be conducted in accordance with generally accepted and applicable professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of County's work by the District shall not operate as a waiver or release.

9.2 Status of County. The parties intend that County, in performing the services specified herein, shall act as an independent contractor and shall control the work and the manner in which it is performed. County is not to be considered an agent or employee of District and is not entitled to participate in any pension plan, worker's compensation plan, insurance, bonus, or similar benefits District provides its employees. In the event District exercises its right to terminate this Agreement pursuant to Article 4, above, County expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

9.3 Records Maintenance. Each party shall keep and maintain full and complete documentation and accounting records concerning all services performed that are compensable under this Agreement and shall make such documents and records available to the other party for inspection at any reasonable time. Each party shall maintain such records for a period of four (4) years following completion of work hereunder.

9.4 Conflict of Interest. District covenants that it presently has no interest and that it will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of its services hereunder. District further covenants that in the performance of this Agreement no person having any such interests shall be employed. In addition, if requested to do so by County, District shall complete and file and shall require any other person doing work under this Agreement to complete and file a "Statement of Economic Interest" with County disclosing District's or such other person's financial interests.

9.5 Statutory Compliance. County agrees to comply with all applicable federal, state and local laws, regulations, statutes and policies applicable to the services provided under this Agreement as they exist now and as they are changed, amended or modified during the term of this Agreement.

9.6 Nondiscrimination. Without limiting any other provision hereunder, District shall comply with all applicable federal, state, and local laws, rules, and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, pregnancy, disability, sexual orientation or other prohibited basis, including without limitation, the County's Non-Discrimination Policy. All nondiscrimination rules or regulations required by law to be included in this Agreement are incorporated herein by this reference.

9.7 AIDS Discrimination. District agrees to comply with the provisions of Chapter 19, Article II, of the Sonoma County Code prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection during the term of this Agreement and any extensions of the term.

9.8 Authority. The undersigned hereby represents and warrants that he or she has authority to execute and deliver this Agreement on behalf of District.

10. Demand for Assurance. Each party to this Agreement undertakes the obligation that the other's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise with respect to the performance of either party, the other may in writing demand adequate assurance of due performance and until such assurance is received may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of a party with respect to performance under this Agreement, but also conduct with respect to other agreements with parties to this Agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, but not exceeding thirty (30) days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this Agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance. Nothing in this Article limits County's right to terminate this Agreement pursuant to Article 4.

11. Assignment and Delegation. Neither party hereto shall assign, delegate, sublet, or transfer any interest in or duty under this Agreement without the prior written consent of the other, and no such transfer shall be of any force or effect whatsoever unless and until the other party shall have so consented.

12. Method and Place of Giving Notice, Submitting Bills and Making Payments. All notices, bills, and payments shall be made in writing and shall be given by personal delivery or by U.S. Mail or courier service. Notices, bills, and payments shall be addressed as follows:

TO: COUNTY:

Attention: Sheriff's Administration  
Sonoma County Sheriff's Office  
2796 Ventura Avenue  
Santa Rosa, CA 95403  
Tel: (707) 565-2781  
Fax: (707) 565-6018

TO: DISTRICT:

Sonoma Valley Unified School District  
Diana Lawrence, Student Welfare Specialist  
17850 Railroad Ave  
Sonoma, CA 95476  
Tel: (707) 935-6087  
Fax: (707) 939-2236  
[DLawrenc@sonomavly.k12.ca.us](mailto:DLawrenc@sonomavly.k12.ca.us)

When a notice, bill or payment is given by a generally recognized overnight courier service, the notice, bill or payment shall be deemed received on the next business day. When a copy of a notice, bill or payment is sent by facsimile or email, the notice, bill or payment shall be deemed received upon transmission as long as (1) the original copy of the notice, bill or payment is promptly deposited in the U.S. mail and postmarked on the date of the facsimile or email (for a payment, on or before the due date), (2) the sender has a written confirmation of the facsimile transmission or email, and (3) the facsimile or email is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this paragraph.

### 13. Miscellaneous Provisions.

13.1 No Waiver of Breach. The waiver by County of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Agreement.

13.2 Construction. To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. County and District acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other. County and District acknowledge that they have each had an adequate opportunity to consult with counsel in the negotiation and preparation of this Agreement.

13.3 Consent. Wherever in this Agreement the consent or approval of one party is required to an act of the other party, such consent or approval shall not be unreasonably withheld or delayed.

13.4 No Third Party Beneficiaries. Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.

13.5 Applicable Law and Forum. This Agreement shall be construed and interpreted according to the substantive law of California, regardless of the law of conflicts to the contrary in any jurisdiction. Any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in Santa Rosa or the forum nearest to the city of Santa Rosa, in the County of Sonoma.

13.6 Captions. The captions in this Agreement are solely for convenience of reference. They are not a part of this Agreement and shall have no effect on its construction or interpretation.

13.7 Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Code of Civil Procedure Section 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

13.8. Survival of Terms. All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.

13.9 Time of Essence. Time is and shall be of the essence of this Agreement and every provision hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

**SONOMA VALLEY UNIFIED  
SCHOOL DISTRICT**

By: \_\_\_\_\_

Name: Louann Carlamagno

Title: Superintendent

Date: \_\_\_\_\_

COUNTY: COUNTY OF SONOMA

CERTIFICATES OF INSURANCE ON  
FILE WITH AND APPROVED AS TO  
SUBSTANCE FOR COUNTY:

By: \_\_\_\_\_  
Sheriff-Coroner

Date: \_\_\_\_\_

APPROVED AS TO FORM FOR  
COUNTY:

By: \_\_\_\_\_  
Deputy County Counsel

Date: \_\_\_\_\_

## **Exhibit A Insurance Requirements**

Each party shall maintain a self-funded insurance program and/or have in force the insurance described below.

### **1. Workers Compensation and Employers Liability Insurance**

- a.** Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
- b.** Employers' Liability with limits of 1,000,000 per Accident; 1,000,000 Disease per employee; 1,000,000 Disease per policy.

### **2. General Liability Insurance**

- a.** Commercial General Liability Insurance on a standard occurrence form, no less broad than ISO form CG 00 01.
- b.** Minimum Limits: 1,000,000 per Occurrence; 2,000,000 General Aggregate; 2,000,000 Products/Completed Operations Aggregate.
- c.** Each policy or program of self-insurance shall include an endorsement providing additional insured status for the other party, its officers, agents and employees

### **3. Automobile Liability Insurance**

- a.** Minimum Limits: \$1,000,000 combined single limit per accident.
- b.** Coverage shall apply to all owned, hired and non-owned autos.

### **4. Documentation**

- a.** Each party shall provide the other with a Certificate of Insurance documenting the required insurance.
- b.** The Certificate of Insurance shall be submitted prior to the execution of this Agreement.
- c.** A Certificate of Insurance shall be submitted for any renewal or replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.

### **5. Material Breach**

If the parties, for any reason, fail to maintain insurance coverage that is required pursuant to this Agreement, the same shall be deemed a material breach of contract. The non-breaching party, at its sole option, may terminate this Agreement and obtain damages from the breaching party resulting from said breach. Alternatively, the non-breaching party may purchase such required insurance coverage, and without further notice, the non-breaching party may deduct from sums due that party any premium costs advanced by the breaching party for such insurance. These remedies shall be in addition to any other remedies available to the parties.





## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 27  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Transportation and Public Works

**Staff Name and Phone Number:**

**Supervisory District(s):**

Thomas F. O'Kane, Jr. , (707) 565-3585

First

**Title:** Arnold Drive at Agua Caliente Road Roundabout Project

### Recommended Actions:

Resolution adopting mitigated negative declaration, approving environmental documents, and approving the project to construct a roundabout at the intersection of Arnold Drive and Agua Caliente Road.

### Executive Summary:

In accordance with the Measure M Strategic Plan, the staff of the Department of Transportation and Public Works (DTPW) has prepared the design of traffic improvements at the intersection of Arnold Drive and Agua Caliente Road at the Hanna Boys Center (HBC) driveway, located west of Highway 12 and northwest of the City of Sonoma.

An Initial Study was prepared for the project and presented to the Environmental Review Committee. The Environmental Review Committee reviewed the study and recommended a Mitigated Negative Declaration. The document, including the proposed mitigation measures, was circulated for public and agency review and no comments were received.

The attached resolution adopts the on file with the Clerk Mitigated Negative Declaration and Mitigation Monitoring Program; approves the project; and directs the Permit and Resource Management Department to file a Notice of Determination with the County Clerk.

The roundabout is designed to adequately accommodate truck-turning movements by including rounded, or "traversable", curbs on the edge of the center island and truck apron. Native vegetation would be included in the center island, roadside trees would be retained where feasible, and trees to be removed will be replaced with native oak trees and shrubs within the public right-of-way where space allows.

The existing road shoulder of Arnold Drive and Agua Caliente will connect to the roundabout with a new 10-ft. wide paved bike/pedestrian pathway. The new bike/pedestrian pathway is separated from the vehicular travel lanes that form the roundabout with 6-inch high curbs. The area between the curb and path will be surfaced with cobblestone or stamped concrete, offering a visual textural separation for bikes or pedestrians. These rough surface textures are purposely designed to alert pedestrians and cyclists of adjacent vehicular travel lanes. Within the project limits, but beyond the shared sidewalk and bike path, Class II bike lanes will be constructed consistent with the Bikeways Plan. Splitter islands

(separators) proposed in the middle of each vehicle travel lane would also be textured and include 6 inch high curbs. These areas will not only separate the travel direction of vehicles, but also offer “refuges” for pedestrians crossing the roads, so that they only have to cross one direction of travel at a time.

This project is budgeted in the FY 12-13 Road Improvements Program with funding coming from a combination of Proposition 1B, Measure M, and Sonoma Valley Traffic Mitigation funds.

**Prior Board Actions:**

6/14/11: Board Action #22 approved Arnold Dr. Round-About Design- Hanna Boys Center Agreement

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

Improvement of the intersection of Arnold Drive and Agua Caliente with inclusion of pedestrian and bike facilities will improve safety and mobility for the public.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 2,100,000	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 1,250,000
	\$	Fees/Other	\$ 850,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

Current year appropriations including costs for right-of-way, engineering, and construction. Current year budget has \$1.2M in Proposition 1B, \$650K in Measure M and \$200K in Sonoma Valley Traffic Mitigation.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

**Attachments:**

Vicinity Map, Layout Plan, Resolution

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

Mitigated Negative Declaration/Initial Study/Mitigation Monitoring Program

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Resolution Of The Board Of Supervisors Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program and Approving a Project To Construct A Roundabout At The Intersection Of Arnold Drive And Agua Caliente Road.**

**Whereas**, the Department of Transportation and Public Works has submitted to this Board a proposed project to construct a roundabout at the intersection of Arnold Drive and Agua Caliente Road; and

**Whereas**, an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring Program have been prepared for this project in accordance with CEQA and State and County CEQA guidelines, and submitted to this Board; and

**Whereas**, notice of public review of the Mitigated Negative Declaration and Initial Study were provide in accordance with CEQA and State and County CEQA guidelines; and

**Whereas**, this Board has reviewed the Initial Study and Mitigated Negative Declaration and comments received thereon.

**Now, Therefore, Be It Resolved** that based on the record of these proceedings, this Board makes the following findings:

1. The Mitigated Negative Declaration has been prepared for this project and circulated for public review pursuant to the requirements of CEQA, and reflects this Board's independent judgment and analysis.

2. There is no substantial evidence before the Board that the proposed project, as mitigated by the mitigation measures in the Mitigated Negative Declaration, may have a significant effect on the environment and therefore, adoption of the Mitigated Negative Declaration is appropriate under CEQA and State and County CEQA guidelines.

**Be It Further Resolved** this Board hereby adopts the Mitigated Negative Declaration and directs that the mitigation measures described in the Initial Study be incorporated into the proposed project and adopts the Mitigation Monitoring Program.

**Be It Further Resolved** that this Board approves the proposed project, and directs the Director of Transportation and Public Works to take such action as may be necessary to carry out the proposed project.

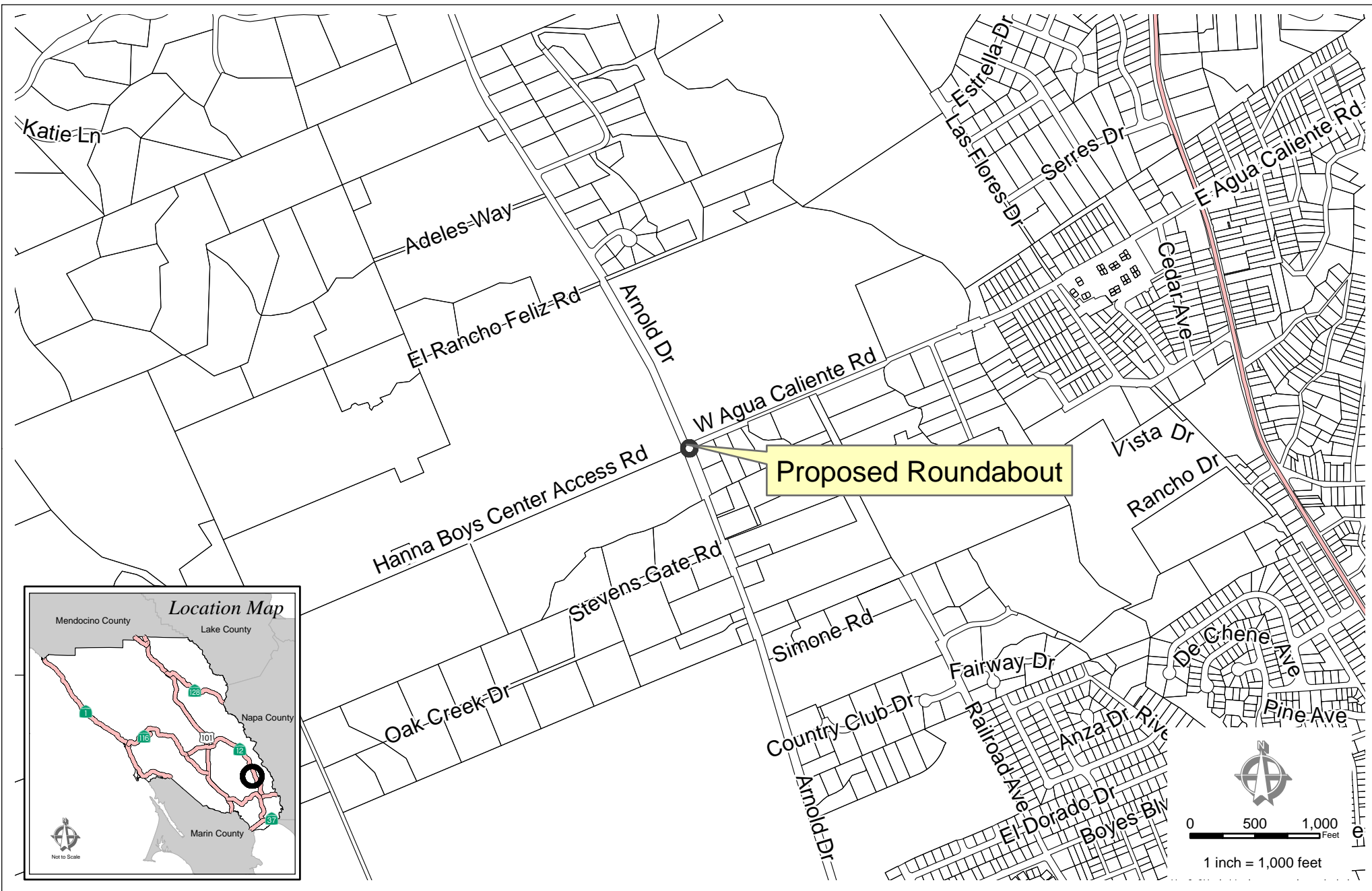
**Be It Further Resolved** that this board directs staff of the Permit and Resource Management Department to file a Notice of Determination with the County Clerk.

**Be It Further Resolved** that the Clerk of the Board is designated as the custodian of documents and other materials that constitute the record of the proceedings upon which the Board's decision is herein based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100A, Santa Rosa, California, 95403.

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**




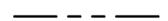
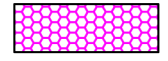
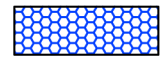
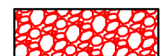
Map Scale and Reproduction methods limit precision in physical features displayed. This map is for illustrative purposes only, and is not suitable for parcel-specific decision making. The parcels contained herein are not intended to represent surveyed data. Site-specific studies are required to draw parcel-specific conclusions. Assessor's parcel data are current as of March 31, 2011. No part of this map may be copied, reproduced, or transmitted in any form or by any means without written permission from the Permit and Resource Management Department (PRMD), County of Sonoma, California.

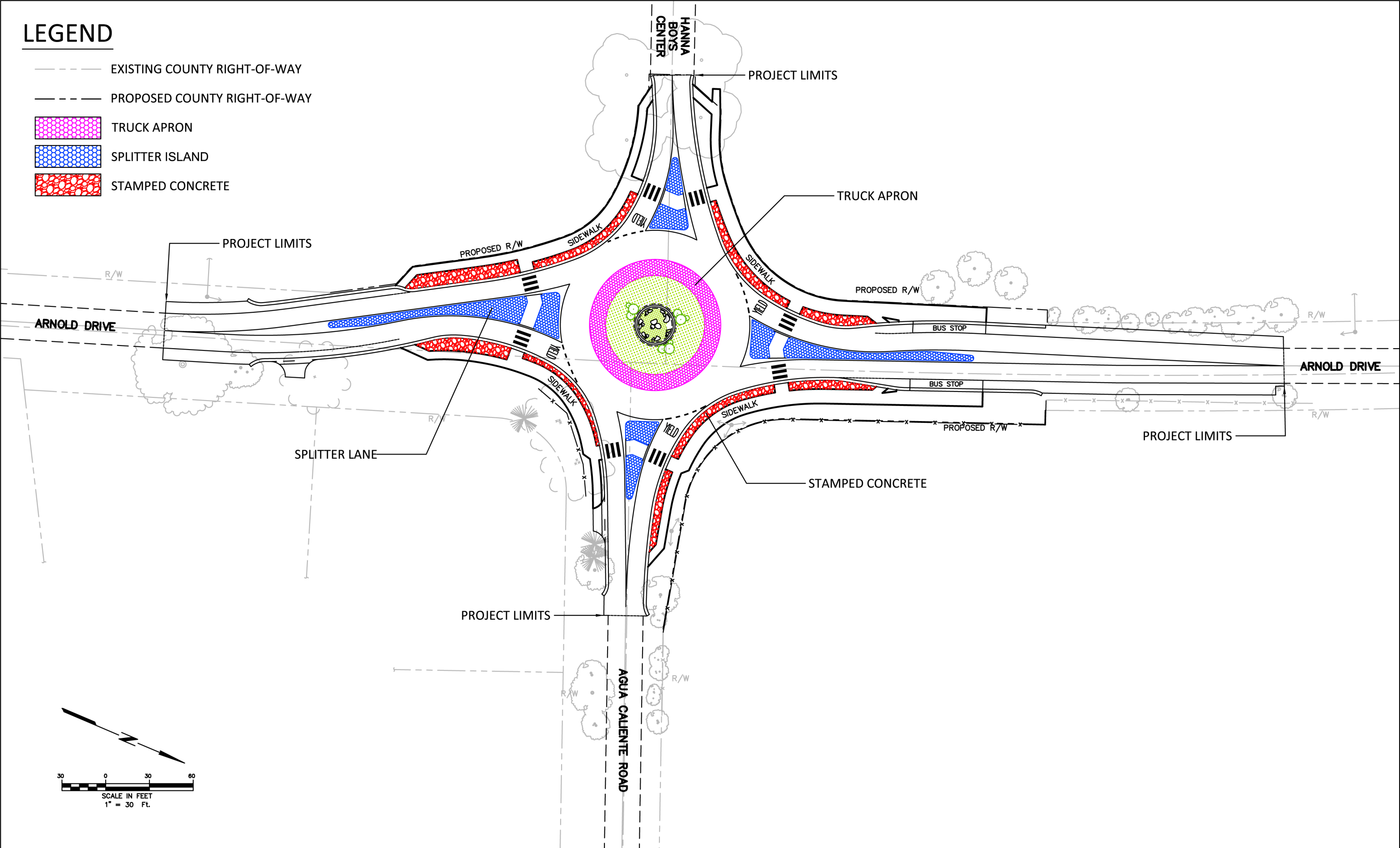
# Vicinity Map

## Arnold Drive at Agua Caliente Road Roundabout Intersection Project

Figure 1

# LEGEND

-  EXISTING COUNTY RIGHT-OF-WAY
-  PROPOSED COUNTY RIGHT-OF-WAY
-  TRUCK APRON
-  SPLITTER ISLAND
-  STAMPED CONCRETE



**Proposed Layout  
Arnold Drive at Agua Caliente Road  
Roundabout Intersection Project**

**Figure 2**



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 28  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Transportation and Public Works

**Staff Name and Phone Number:**

**Supervisory District(s):**

Thomas F. O'Kane, Jr., (707) 565-3585

Fifth

**Title:** Salmon Creek Water District System Improvements (CSA #41).

### Recommended Actions:

Approve resolution accepting a USDA \$513,000 grant and \$792,000 loan for a total amount of \$1,305,000 eligible for the implementation of the improvements to the Salmon Creek Water District System – County Services Area 41, subject to the Proposition 218 process; and authorize the Transportation & Public Works Director to execute all necessary and appropriate documents. (Fifth Supervisory District.)

### Executive Summary:

The purpose of this Board Resolution is to replace Resolution No. 10-0701 wherein the Board on September 28, 2010 approved the acceptance of a loan/grant package from the U.S.D.A. Federal Economic Stimulus Program for rural water systems for a not-to-exceed amount of \$760,000 and directed staff to proceed with submitting a final application to the U.S.D.A. Subsequent to that action the department continued project development work which resulted in final environmental, right of way, and engineering work being completed. The result of that work was a revised project estimate of \$1,305,000 that reflects project modifications related to the conditions of the various environmental and cultural permits associated with the treatment plant improvements, such as coastal, land use conformance, and zoning permits.

A final application was submitted to the U.S.D.A. on May 18, 2012 for the revised amount of \$1,305,000 (\$792,000 loan and \$513,000 grant). The U.S.D.A. issued a Letter of Conditions, requiring the immediate submission by the County of a Letter of Intent to complete the loan application process, and a Request for Obligation of Funds based on the new project estimate. According to the terms of the agreement, the full amount of the loan portion must be spent on the project before the grant funds can be used.

Once the Board accepts the grant/loan, the Salmon Creek community will be asked through a Proposition 218 assessment vote to approve the 39 year loan repayment of the U.S.D.A. loan/grant package. Proposition 218 requires defined advertising and noticing requirements that staff will bring before the Board at the appropriate time. The requested action precedes the loan/grant acceptance to take advantage of record low annual interest



rate of 2.5%. However, if 218 vote does not result in increase rates the loan/grant will be cancelled without penalty.

For many years, the customers of Salmon Creek Water District (District) have endured a system that has delivered marginal quality water at various times of the year, lacks sufficient storage capacity, and offers very limited fire protection. There have been numerous attempts to remedy the conditions, including an aborted attempt to interconnect with the water system at Bodega Bay. Although a series of alternative options have been explored, the current plan is the only viable and feasible option at this time. Without the Board's endorsement of the resolution of acceptance of a United States Department of Agriculture ("U.S.D.A") grant/loan, the Salmon Creek Water District will miss the opportunity for Federal funds for the majority of the project. In addition, the long-term viability of the current operation is questionable at best. The state Health Department has indicated that this system does not meet the standards of the Clean Water Act without the changes proposed with the design that is currently underway.

The proposed system improvements consists of a new raw water storage tank, installation of a new microfiltration treatment unit in the water treatment building, an upgrade of the water treatment building to accommodate the microfiltration treatment unit and other equipment, construction of a new backwash storage tank, and installation of additional piping in the underground spring water collection system to enhance the volume of available water to the system.

This has been an extremely long and complicated process for the residents and customers of the Salmon Creek community as well as County staff. The site location is in a very sensitive area of the County and due to this, there was a myriad of processes and formal permits that were required. The residents should be complimented for their perseverance, particularly the ad hoc committee that has provided valuable input and advice throughout this process. Their frequent and accurate communications to the community are the primary reason that there has been such strong support. Final design plans, and approvals by the USDA and state Health Department will result in project construction beginning the Fall of 2013.

The USDA loan portion of this project extends out 39 years – the system improvements are long term – not only will the treatment of the water meet Clean Water Act standards as defined by the state Health Department, but also, the intake volume of raw water will be enhanced - the storage potential will almost be doubled for fire protection & to cover peak usage periods – there are other system upgrades related to the piping & standby power that make this a comprehensive project for the residents & visitors of Salmon Creek.

**Prior Board Actions:**

2/21/12: Board held a public hearing to consider a use permit and coastal permit for the Salmon Creek Water Collection and Treatment System Improvement Project ("Project") and approved a resolution adopting the mitigated negative declaration and approving the use permit and coastal permit for the Project. 1/25/11: Board conducted a Proposition 218 public hearing regarding the rates charged for delivering water to the Sonoma Creek Water District customers and approved Ordinance No. 5953, approved a bridge loan from the Special Projects Water Fund in the amount of \$250,000, and authorized the acquisition of land for a necessary easement. 9/28/10: Board approved a resolution accepting a U.S.D.A. grant and/or loan not-to-exceed \$760,000 eligible for the implementation of improvements to the Salmon Creek Water District system, subject to the Proposition 218 process. 5/18/10: Board approved a resolution authorizing a budgetary adjustment of \$20,000 from the Salmon Creek Water District operations index to the construction index for the

professional services agreement to submit the USDA pre-application.

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

This project will provide reliable and safe water services to the community of Salmon Creek.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 760,000	County General Fund	\$
Add Appropriations Req'd.	\$ 545,000	State/Federal	\$ 1,305,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 1,305,000</b>	<b>Total Sources</b>	<b>\$ 1,305,000</b>

**Narrative Explanation of Fiscal Impacts (If Required):** \$792,000 39-year loan and \$513,000 grant

Once an award letter has been received from the USDA and an agreement has been executed a budget adjustment will be prepared to appropriate funds in the amount of the grant/loan package to complete the needed system improvements.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

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

None.

**Attachments:**

Location Map; Resolution

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

None.

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF A USDA GRANT AND/OR LOAN IN THE AMOUNT NOT-TO-EXCEED \$1,305,000 ELIGIBLE FOR THE IMPLEMENTATION OF THE IMPROVEMENTS TO THE SALMON CREEK WATER DISTRICT SYSTEM, SUBJECT TO THE PROPOSITION 218 PROCESS, AND DIRECTING THE TRANSPORTATION AND PUBLIC WORKS DEPARTMENT DIRECTOR TO EXECUTE ALL NECESSARY AND APPROPRIATE DOCUMENTS.**

**Whereas**, the United States Department of Agriculture (“USDA”) notified the public that a new funding availability through the Federal economic stimulus program for rural water systems; and

**Whereas**, a pre-application was submitted to the USDA on behalf of the Salmon Creek Water District, and the USDA has invited the County to submit an application; and

**Whereas**, Resolution No. 10-0701 authorized the acceptance of a USDA grant and/or loan in the amount not-to-exceed \$760,000 eligible for the implementation of the improvements to the Salmon Creek Water District System, subject to the Proposition 218 process, and directing the Transportation and Public Works Director to execute all necessary and appropriate documents was approved by the Board of Supervisors on September 28, 2010; and

**Whereas**, the final application was submitted to the USDA on behalf of the Salmon Creek Water District in the amount of \$1,305,000 on May 18, 2012.

**Now, Therefore**, Be It Resolved, that the County Board of Supervisors hereby finds, determines, declares and orders as follows:

1. *Recitals.* All of the above recitals are true and correct.
2. *Approval of Documents.* The form, terms and provisions of the grant and/or loan agreement and all other schedules and exhibits attached thereto are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by County Counsel, the execution of such documents being conclusive evidence of such approval; and the persons holding the titles listed below are hereby authorized and directed to execute, acknowledge, countersign and deliver the grant and/or loan agreement and all exhibits attached thereto, and the Clerk of the Board is hereby authorized to attest to the foregoing and affix the seal of the County to such documents.
3. *Other Actions Authorized.* The Transportation and Public Works Director shall take all action necessary or reasonably required by the parties to the grant and/or loan agreement to carry out, give effect to and consummate the transactions contemplated

Resolution #

Date:

Page 2

thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the grant and/or loan agreement.

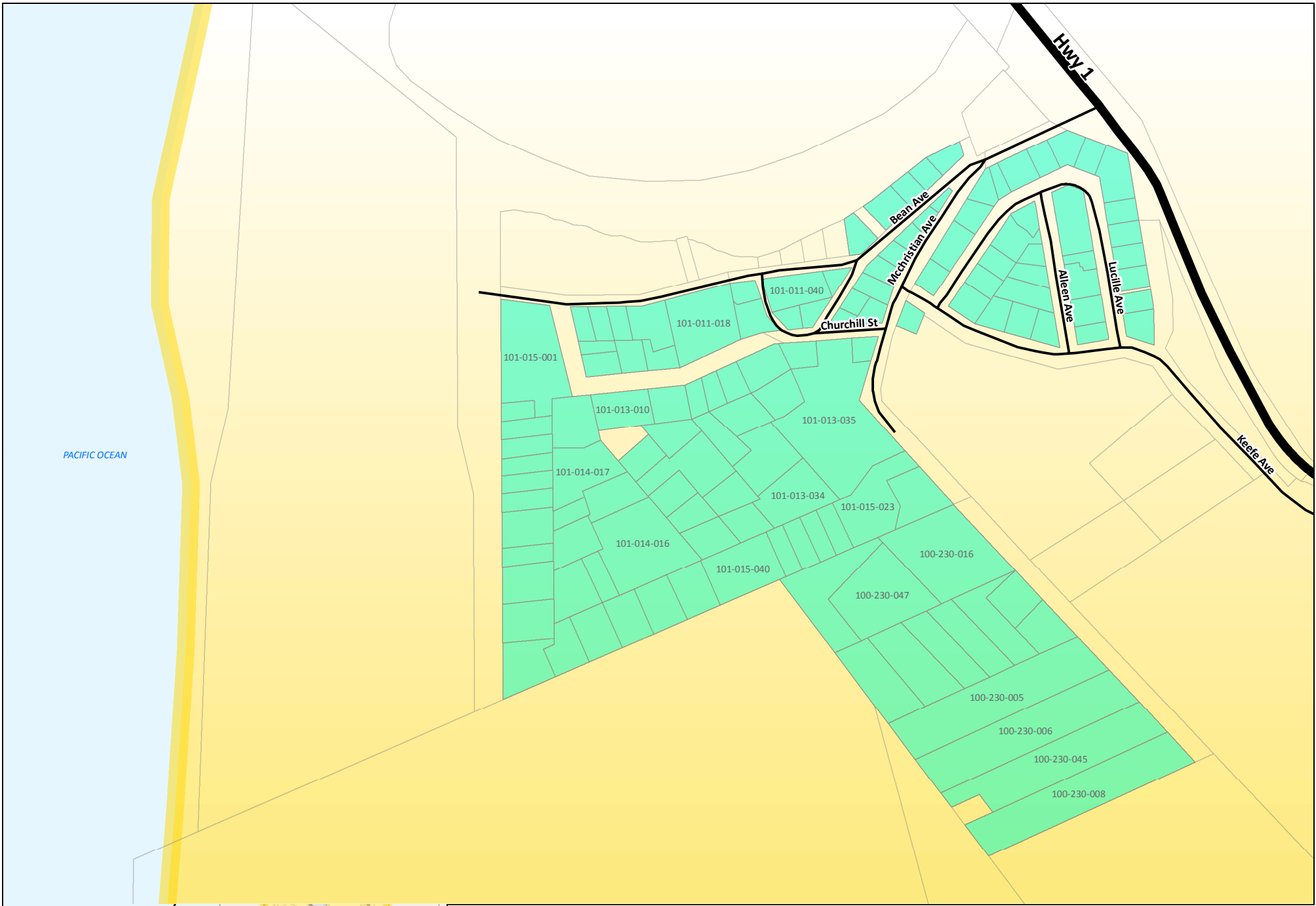
4. *No General Liability.* Nothing contained in this Resolution, the grant and/or loan agreement, or any other instrument shall be construed with respect to the County as incurring a pecuniary liability or charge upon the general credit of the County or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the grant and/or loan agreement, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the County or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the grant and/or loan agreement are special limited obligations of the County as provided in the grant and/or loan agreement.

5. *Government Use.* The acquisition of the grant and/or loan agreement, under the terms and conditions provided for in the grant and/or loan agreement, is necessary, convenient, and in furtherance of, and will at all times be used in connection with the County's governmental and proprietary purposes and functions and is in the best interest of the County and the Salmon Creek Water District, and no portion of the grant and/or loan agreement will be used directly or indirectly in any trade or business carried on by any person other than a governmental unit of the County.

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**



PACIFIC OCEAN

Hwy 1

Churchill St

Bear Ave

McChristian Ave

Alleen Ave

Lucille Ave

Keele Ave

101-015-001

101-011-018

101-011-040

101-013-010

101-013-035

101-014-017

101-013-034

101-015-023

101-014-016

101-015-040

100-230-016

100-230-047

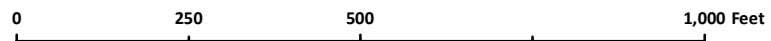
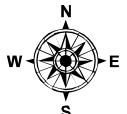
100-230-005

100-230-006

100-230-045

100-230-008

Salmon Creek



This map is for illustrative purposes only, and is not suitable for parcel-specific decision making. Site-specific studies are required to draw parcel-specific conclusions.

- Assessed Property
- State Highway
- County Road



## County of Sonoma Agenda Item Summary Report

Agenda Item No: 29  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Department of Transportation and Public Works – Airport

**Staff Name and Phone Number:**

**Supervisory District(s):**

Susan Klassen (707) 565-2440

Fourth

**Title:** Approve Non-Federal Reimbursable Agreement with the Federal Aviation Administration

### Recommended Actions:

Authorize the Chair to execute the Non-Federal Reimbursable Agreement between the Department of Transportation Federal Aviation Administration (FAA) and Sonoma County, Charles M. Schulz – Sonoma County Airport, providing for the relocation of various navigational aids at the Sonoma County Airport. Estimated reimbursable costs to the FAA for the project are \$900,022.

### Executive Summary:

Transportation and Public Works is requesting the County enter into a reimbursable agreement with the Federal Aviation Administration (FAA) in order to facilitate one of the many project elements relating to the Charles M. Schulz – Sonoma County Airport's Runway Safety Area Improvement and Runway Extension Project. The FAA includes many branches that oversee different operations. Under the Agreement the Western Service Center and Navigational Aids Engineering Center – Los Angeles will perform the work necessary to move and upgrade FAA owned equipment affected by the Project. The FAA requires these types of agreements to cover the costs relating to the impacts on FAA equipment and to move equipment affected by an airport project. The FAA estimates the costs associated with relocating and upgrading the equipment affected by the Runway Safety Project to be \$900,022. The costs for this Agreement will be covered through project-related grants the Airport anticipates receiving in FY 12-13. Grants will cover 90.66%, \$815,960, and the Airport will be responsible for paying the remaining 9.34%, \$84,062, using Airport Enterprise funds, such as Passenger Facilities Charges.

The scope of work for this Agreement is to provide for the relocation of existing FAA owned equipment including the runway 32 Localizer and the runway 14 Visual Approach Slope Indicator, and to provide funding for FAA services relating to labor, travel and expenses required to perform preliminary engineering for the project. The proposed Agreement is broken down into two areas of responsibility consisting of the FAA requirements and local requirements.

The FAA will be responsible for the following activities:

- Review the Airport's design plans for the project which impact the FAA facilities
- Perform engineering design work, siting and layout necessary for the relocation of the impacted equipment
- De-energize FAA facilities and re-energize upon completion of the relocation
- Relocate the localizer facility and associated equipment and conduit
- Provide construction oversight, inspections and approval for the relocation of the equipment
- Perform the electronic installation work, systems checks, flight checks and complete all documentation for facility publication

The Airport will be responsible for the following activities:

- Provide a full set of plans and project schedule
- Provide coordinates and elevations of the existing and future runway/taxiway configuration with existing and future dimensions for the runway safety area
- Provide survey data
- Allow airfield access to the FAA
- Provide grading and connections as required
- Insure that the localizer critical area is clear and protected
- Provide vehicular site access to the new localizer location
- Provide a dedicated power service
- Remove any equipment that is no longer needed by the FAA
- Provide a legal description and plot definition for the new facilities and to amend the existing lease with the FAA for the new site. The lease amendment will come to the Board at a later date.

The costs associated with the items in the Airport's area of responsibility are included in the scope of the already existing and underway Airport's Runway Safety Area Improvement and Runway Extension Project .

The estimated FAA costs associated with this project are as follows:

<b>Description of Reimbursable Item</b>	<b>Estimated Cost</b>
Engineering Labor	128,475
Technician Labor	22,448

Drafting Labor	16,632
Construction Materials. Goods and Services	489,997
Travel Costs	53,928
Subtotal	711,480
Overhead @ 26.5%	188,542
<b>Total Estimated Cost</b>	<b>900,022</b>

A condition of this Agreement requires that the Airport prepay the estimated costs upon execution. Those funds will be held by the FAA in a non-interest bearing deposit specifically for this project. Any amount due on the final bill will be netted against the advance payment and, as appropriate, a refund or final bill will be sent to the Airport. The Airport will be using \$900,022 of the California State Loan that was received in FY 11-12 for the Airport's Runway Safety Area Improvement and Runway Extension Project to fund the upfront cost.

The cost estimates contained in the Agreement are expected to be the maximum cost associated with the project based on the current information regarding the project. If the costs are expected to exceed the estimated costs, the FAA will provide a modification to this Agreement for approval by the County.

Once the airport runway enhancement project is completed, the airport will receive sufficient grant funds to restore the state loan proceeds used for the required upfront cost of the navigation equipment installation to be performed by the Department of Transportation Federal Aviation Administration (FAA) Western Service Center and Navigational Aids Engineering Center.

**Prior Board Actions:**

3/27/12: Reso #12-0146 the Board approved applying for a five-million dollar loan from the California Department of Transportation Aeronautics Division. 1/24/2012: No. 46 the Board provided direction regarding a Health Impact Assessment for the Airport, certified the Environmental Impact Report (EIR), and took final action on the proposed revised Airport Master Plan for the Charles M. Schulz – Sonoma County Airport and related General Plan Amendments and amendment of the text of the Public Facilities (PF) zoning district as recommended by the Planning Commission

**Strategic Plan Alignment:** Goal 2: Economic and Environmental Stewardship

This agreement with the FAA supports the County's Strategic Plan focus area of Economic and Environmental Stewardship as part of the larger runway safety enhancement project which will provide infrastructure that permits a larger variety of aircraft. The ability to serve more diverse aircraft will allow the airlines to provide additional destinations. This will have positive financial impacts on local businesses and tourism.



**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 900,022	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 815,960
	\$	Fees/Other	\$ 84,062
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 900,022</b>	<b>Total Sources</b>	<b>\$ 900,022</b>

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

Appropriations for this project are included in the FY 12-13 Airfield Improvements budget index 291708-8510. The initial costs will be covered through a loan that was received by the Airport from the California Department of Transportation Aeronautics Division and will be included in the grants associated with the runway safety area improvement project and will be reimbursed at 90.66%.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

No Staffing Impacts

**Attachments:**

None

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

Reimbursable Agreement



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 30  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Board of Supervisors – (707) 565-2241

**Title:** Minutes

### Recommended Actions:

Approval of Minutes – (1) Approve the Minutes of the Meeting of August 14, 2012 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District; Sonoma County Water Agency, and Board of Supervisors; and (2) Approve the Minutes of the Meeting of August 21, 2012 for the following: Agricultural Preservation and Open Space District, Sonoma County Water Agency, and Board of Supervisors. (3) Approve the Minutes of the Meeting of August 21, 2012 for the Sonoma Valley County Sanitation District.

### Executive Summary:

### Prior Board Actions:

**Strategic Plan Alignment:** Not Applicable

**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

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

**ACTION SUMMARY**  
**BOARD OF SUPERVISORS**  
**SONOMA COUNTY**  
**575 ADMINISTRATION DRIVE, ROOM 102A**  
**SANTA ROSA, CA 95403**

**TUESDAY**

**AUGUST 14, 2012**

**8:30 A.M.**

Valerie Brown	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, and as the governing board of all special districts having business on the agenda to be heard this date.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

**AGENDAS AND MATERIALS:** Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

**SUPPLEMENTAL MATERIALS:** Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

**DISABLED ACCOMMODATION:** If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

**Public Transit Access to the County Administration Center:**

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or <http://www.sctransit.com/>.

***APPROVAL OF THE CONSENT CALENDAR***

The Consent Calendar includes routine financial and administrative actions, are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

***PUBLIC COMMENT***

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. Closed session items may be added prior to the Board adjourning to closed session. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

## 8:31 A.M. CALL TO ORDER

8:31 A.M. Chairwoman Zane called the meeting to order.

Supervisors Present: Brown, Supervisor, Rabbitt, Zane, McGuire, and Carrillo.  
(All Supervisors Were Present)

Absent: Supervisor McGuire, Supervisor Carrillo

8:31 A.M. Chairwoman Zane called the meeting to order.

8:32 A.M. Supervisor McGuire and Supervisor Carrillo joined the meeting.

## PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA (Items may be added or withdrawn from the agenda consistent with State law)

## II. BOARD MEMBER ANNOUNCEMENTS

Supervisor Brown announced she met with Karen Ross, Secretary of the California Department of Food and Agriculture, in Sonoma Valley and visited with dairy and farm workers and the Farmers Market. She expressed her desire for the Board take a position on the regulation of stock ponds and asked that the County Administrator further investigate.

Supervisor McGuire reported on the Library Joint Powers Agreement (JPA) with County and the two partner cities. He asked the Board to direct the County Administrator to work with City Managers to develop a process for formal review of the JPA and return to the Board in October for consideration. He also acknowledged those who made the Second Annual Fulton Founders Day a success.

Supervisor Rabbitt announced he attended the Sonoma County Employee Retirement Association Disability Commission; attended the Golden Gate Bridge Highway Transportation District meeting; attended the Association Bay Area Governments Co-location Committee meeting; and attended the awards night for the 4-H FFA at the Sonoma County Fair. He provided an update regarding the advancement of the Petaluma Little League Team in the Little League World Series.

Supervisor Carrillo conveyed his appreciation and the success of the Sonoma County Fair. Chairwoman Zane announced she attended the Pedestrian and Bicycle Safety Task Force meeting; attended the First 5 Commission meeting; had the opportunity visit the Finely Center Senior Center Wing with Congressman Mike Thompson, Supervisor Carrillo and the Mayor of Santa Rosa. She shared a transformation, brought forth from a member of the public, of Spring Lake Regional Park. She asked the Board to adjourn in memory of Roy Winfield Achor.

BOARD MEMBER ANNOUNCEMENTS (Continued)

Chairwoman Zane announced that Regular Item #39 - Public Hearing to Consider Amendment to the County's Alcohol Ordinance, File No. PLP04-0056, scheduled for 2:10 p.m., would be continued off calendar.

III. CONSENT CALENDAR (Items 1 through 23)

PRESENTATIONS/GOLD RESOLUTIONS (Item 1 through 2)

PRESENTATIONS AT BOARD MEETING

1. Adopt a Gold Resolution recognizing the Sonoma Land Trust for its lasting contributions to Sonoma County. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0389

2. Adopt a Gold Resolution proclaiming August as Child Support Awareness Month. (Child Support Services)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0390

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

(Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

3. Approve addendum to initial study and Mitigated Negative Declaration for the North Slope Sonoma Mountain Ridge Trail Project. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

SONOMA COUNTY WATER AGENCY

(Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

4. Authorize the Chair to execute an agreement with Conservation Corps North Bay to provide creek maintenance services. (\$150,000; agreement terminates on June 30, 2013.)

Board Action: Approved as Recommended

UNANIMOUS VOTE

AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

5. Adopt a Resolution replacing the annual audit with a biennial audit for the Rains Creek Water District. (UNANIMOUS vote required) (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0391

CONSENT CALENDAR (Continued)

6. Review and approve the quarterly Treasury Financial Report April 1, 2012 through June 30, 2012.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

BOARD OF SUPERVISORS

7. Disbursement of 2012-2013 Discretionary Advertising Funds (Third District) - Approve Advertising Program grant awards to the following entities and authorize the County Administrator to execute contracts with the following entities: 6th Street Playhouse: \$1,500, Santa Rosa International Film Festival: \$1,500, Rohnert Park Historical Society: \$1,500.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

BOARD OF SUPERVISORS

AND

COMMUNITY DEVELOPMENT COMMISSION

SONOMA COUNTY WATER AGENCY

(Commissioners/Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

8. Adopt a Resolution approving all Fiscal Year 2011-2012 year end closing budget adjustments. (4/5 vote required)

Board Action: Approved as Recommended  
UNANIMOUS VOTE

Approved by Resolution No. 12-0392

FIRE AND EMERGENCY SERVICES

9. Authorize the execution of the Fiscal Year 2011 Urban Areas Security Initiative (UASI) Memorandum of Understanding with the City and County of San Francisco for the distribution of Urban Areas Security Initiative regional funds.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

10. Adopt a Resolution approving the 2012 update to the Sonoma County Operational Area Hazardous Materials Incident Response Plan.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

Approved by Resolution No. 12-0393

GENERAL SERVICES

11. Authorize the General Services Director to: (1) execute a property purchase agreement with the Sonoma Marin Area Rail Transit District ("SMART") for an approximately 11,304 square foot portion of 1247 Century Court, Santa Rosa, for a purchase price of \$124,344

CONSENT CALENDAR (Continued)

Item #11 Continued

(portion of A.P.N. 059-240-060); and (2) execute other instruments and documents and take actions reasonably necessary to accomplish sale of the property, including execution of a Right-of-Entry Permit for parking purposes.

Board Action: Approved as Recommended

UNANIMOUS VOTE

HUMAN RESOURCES

12. Direct Human Resources to invite four candidates for County Clerk-Recorder-Assessor to the August 21, 2012, Board meeting in which the Board may appoint an individual to the position, and approve the recommended appointment process for the meeting.

Board Action: Approved as Recommended

UNANIMOUS VOTE

HUMAN SERVICES / PERMIT AND RESOURCE MANAGEMENT

13. Authorize the Human Services Department Interim Director to sign and execute agreements with Committee on the Shelterless, California Parenting Institute, the Department of Health Services, and Petaluma People Services Center for a total amount of \$140,000 in Child Abuse Prevention, Intervention and Treatment (CAPIT) funds and \$153,000 in Children's Trust Fund (CTF) funds per fiscal year for two fiscal years (August 14, 2012 - June 30, 2014).

Board Action: Approved as Recommended

UNANIMOUS VOTE

14. Adopt a Resolution issuing an Ordinance No. 3836R roiling permit and necessary permit extensions to the Gold Ridge Resource Conservation District for in stream work to complete the "Save Our Salmon" (SOS) Salmon Creek In Stream Habitat Enhancement Program in Salmon Creek, near the town of Occidental. (4/5 vote required) (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0394

15. Adopt a Resolution correcting Board of Supervisor's Resolution No. 11-0213 previously approving the rescission and replacement of Type 1 Williamson Act Contract for property located at 3883 Highway 128, Geyserville; APN 131-060-025 (File No. PLP09-0051). (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0395



CONSENT CALENDAR (Continued)

16. Adopt Resolution approving a Minor Lot Line Adjustment between two parcels located at 16600 and 16500 Gehricke Road, Sonoma; APN 127-011-034, -033, and -045 (LLA12-0014). (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0396

REGIONAL PARKS

17. Authorize the Chair of the Board to execute a contract with Moffatt & Nichol for design and engineering services for the Westside and Doran Park Boat Launch Improvement project in an amount not to exceed \$340,644 from August 14, 2012 to December 30, 2014. (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

SHERIFF'S OFFICE

18. Authorize the Sheriff to execute the \$65,656 supplemental law enforcement services agreement with Speedway Sonoma, LLC, for the 2012 Indy Racing League (IRL) races from August 24, 2012, through August 26, 2012.

Board Action: Approved as Recommended

UNANIMOUS VOTE

19. Authorize the Chairperson of the Board of Supervisors to execute a Federal Equitable Sharing Agreement and Certification with the U.S. Department of Justice and the U.S. Treasury.

Board Action: Approved as Recommended

UNANIMOUS VOTE

TRANSPORTATION AND PUBLIC WORKS

20. Adopt an Ordinance restricting parking on Chileno Valley Road adjacent to Helen Putnam Regional Park. (Second Reading - Ready for Adoption) (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Ordinance No. 6003

21. Adopt an Ordinance restricting parking on Martinelli Road. (Second Reading- Ready for Adoption) (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Ordinance No. 6004

CONSENT CALENDAR (Continued)

22. Approve and authorize the Chair to execute the ninth amendment to agreement for operations of household hazardous waste programs between the County of Sonoma, the Sonoma County Waste Management Agency, and Clean Harbors Environmental Services, Inc., extending the term of the agreement for a six month period until June 30, 2013. (All Districts)

Board Action: Approved as Recommended

UNANIMOUS VOTE

MISCELLANEOUS

23. Approval of Minutes - (1) Approve the Minutes of the Meeting of July 31, 2012 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Russian River County Sanitation District, Sonoma County Water Agency, and Board of Supervisors. (2) Approve the Minutes of the Meeting of July 31, 2012 for the Sonoma Valley County Sanitation District.

Board Action: Approved as Recommended

UNANIMOUS VOTE

IV. REGULAR CALENDAR (Items 24 through 30)

CLERK-RECORDER-ASSESSOR

24. Presentation of the 2012-2013 Assessment Roll.

9:23 A.M.

Present: Janice Atkinson, Clerk-Recorder-Assessor; and Bill Rousseau, Chief Deputy Assessor

Information Only.

TRANSPORTATION AND PUBLIC WORKS

25. Adopt a Resolution introducing, reading the title of, and waiving further reading of a proposed Ordinance establishing parking restrictions on Sonoma Mountain Road (#66060). (First Reading) (First District)

9:42 A.M.

Present: Tom O’Kane, Deputy Director Engineering & Maintenance, Transportation and Public Works

9:42 A.M. Supervisor Carrillo left the meeting

Board Action: Approved as Recommended

AYES: Supervisor Valerie Brown, Supervisor David Rabbitt, Supervisor Shirlee Zane, and Supervisor Mike McGuire.

ABSENT: Supervisor Efren Carrillo.

Approved by Resolution No. 12-0397

9:45 A.M. Board recessed

9:57 A.M. Board reconvened

9:57 A.M. Supervisor Carrillo rejoined the meeting

HUMAN RESOURCES

AND

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

COMMUNITY DEVELOPMENT COMMISSION

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

SONOMA COUNTY WATER AGENCY

(Directors/Commissioners: Brown, Rabbitt, Zane, McGuire, Carrillo)

26. Adopt a Resolution of Intent outlining changes in pensionable compensation and benefits provided under Salary Resolution No. 95-0926 and by ordinance to the Board of Supervisors.

REGULAR CALENDAR (Continued)

Item #26 Continued

9:57 A.M.

Present: Chris Thomas, Deputy County Administrator, and Wendy Macy, Director of Human Resources

Speakers:

Kelly Windsor

Ken Churchill

RG (Bob) Williamson

Ed Clites

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0398

SUCCESSOR AGENCY FOR THE SONOMA COUNTY COMMUNITY REDEVELOPMENT AGENCY

27. Adopt a Resolution of the Board of Supervisors, solely in its capacity as governing Board for the Successor Agency for the Sonoma County Community Redevelopment Agency, approving the Recognized Obligations Payment Schedule for the period ending June 30, 2013. (First and Fifth Districts)

11:05 A.M.

Present: Kathleen Kane, Executive Director of the Community Development Commission, and Steve Shupe, County Counsel

Kathleen Kane announced that revisions had been made to the Recognized Obligations Payment Schedule, and provided the revised version to Board members and the Clerk for the record.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0399

BOARD OF SUPERVISORS

28. Adopt a Resolution to establish the Dry Creek Valley Citizens Advisory Council and Referral Area Boundary. (Fourth District)

REGULAR CALENDAR (Continued)

Item #28 Continued

11:23 A.M.

Present: Supervisor McGuire and Jennifer Barrett, Deputy Director Planning, Permit and Resource Management Department

Speaker: Pete Parkinson, Director, Permit and Resource Management Department

The Board recommended the following amendments to the Blue Book:

1. Eliminate preliminary review of the meeting agenda by Fourth Supervisorial District staff
2. Clarify that "Necessary reports" should refer to meeting minutes only
3. Establish a regular schedule of monthly meetings
4. Require mandatory appearance by the applicant to meetings to present the project
5. Clarify that the Council shall not have the authority to keep a project from moving forward to the Board of Zoning Adjustments or the Planning Commission

Board Action: Take a straw vote and continue the item for final approval, with the Board's recommended changes, to August 21, 2012 on the Consent Calendar.

Straw Vote

UNANIMOUS VOTE

29. Approve a fee waiver in the amount of \$1,695 for the Petaluma Education Foundation, special event on September 8, 2012 at the Clo Barn. (Second District)

12:15 P.M.

Board Action: Approved as Recommended

UNANIMOUS VOTE

30. Approve a fee waiver in the amount of \$8,435 for the Redwood Empire Food Bank use of the Santa Rosa Veterans Memorial Hall. (Third District)

12:15 P.M.

Board Action: Approved as Recommended

UNANIMOUS VOTE

12:16 P.M. Board recessed to closed session.

## V. CLOSED SESSION CALENDAR (Items 31 through 33)

31. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Title: Director, Child Support Services Department (Govt. Code Section 54957).

Direction was given to Staff.

32. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Title: Executive Director, Economic Development Board (Govt. Code Section 54957).

Direction was given to Staff.

33. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiator: Wendy Macy/Carol Allen/William Kay, Burke & Associates and Carol Stevens, Burke & Associates. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

Direction was given to Labor Negotiators.

## VI. REGULAR AFTERNOON CALENDAR (Items 34 through 39)

2:14 P.M. - RECONVENE FROM CLOSED SESSION

34. Report on Closed Session.

County Counsel reported out on closed session. (See Items 31 through 33 above.)

Chairwoman Zane announced that Item #39 was continued off calendar.

35. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA (Comments are restricted to matters within the Board jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting.)

2:15 P.M. Public Comment opened

Donald Zieglar  
RG (Bob) Williamson  
Deborah Taveras  
Lou Taveras

2:24 P.M. Public Comment closed

36. Permit and Resource Management Department: Review and possible action on the following:

- a) Acts and Determinations of Planning Commission/Board of Zoning Adjustments
- b) Acts and Determinations of Project Review and Advisory Committee
- c) Acts and Determinations of Design Review Committee
- d) Administrative Determinations of the Director of Permit and Resource Management

No acts and determinations were reviewed or acted upon.

### PERMIT AND RESOURCE MANAGEMENT

37. 2:24 P.M. - Petition for Vacation of Public Easement/Public Right-of-Way - Conduct public hearing and adopt a Resolution to approve the petition to vacate a portion of Carriger Road as shown as the Public Right-Of-Way on "Subdivision 'A' of the Lewis Tract," book 25 of maps, page 7, Sonoma County records and more specifically described in Exhibit A. (First District) (UNCONTESTED HEARING)

Present: Nathan Quarles, Engineering Division Manager, Permit and Resource Management Department; Laurel Putnam, Engineering Technician III, Permit and Resource Management Department

2:25 P.M. Public Hearing opened

2:25 P.M. Public Hearing closed

REGULAR AFTERNOON CALENDAR (Continued)

Item #37 Continued

Board Action: Approved as Recommended

AYES: Supervisor David Rabbitt, Supervisor Shirlee Zane, Supervisor Mike McGuire,  
and Supervisor Efren Carrillo.

ABSENT: Supervisor Valerie Brown.

Approved by Resolution No. 12-0400

38. 2:25 P.M. - Petition for Vacation of Public Easement/Public Right-of-Way - Conduct public hearing and adopt a Resolution to approve the petition to vacate a portion of Boyes Avenue (also known as Monterey Avenue) as shown on the map of Subdivision No. 2 of Sonoma Highlands and more specifically described in Exhibit A. (First District) (REGULAR HEARING)

Present: Nathan Quarles, Engineering Division Manager, Permit and Resource Management Department; Laurel Putnam, Engineering Technician III, Permit and Resource Management Department

2:32 P.M. Public Hearing opened

Jennifer Warton

2:35 P.M. Public Hearing closed

Board Action: Approved as Recommended

AYES: Supervisor David Rabbitt, Supervisor Shirlee Zane, Supervisor Mike McGuire,  
and Supervisor Efren Carrillo.

ABSENT: Supervisor Valerie Brown.

Approved by Resolution No. 12-0401

PERMIT AND RESOURCE MANAGEMENT / HEALTH SERVICES

39. 2:10 P.M. - PLP04-0056 - (ALL DISTRICTS)

a) APPLICANT: N/A

b) LOCATION: County-wide

c) ASSESSOR'S PARCEL NO.: Various

d) ENVIRONMENTAL DOCUMENT: Categorical Exemption

e) REQUEST: Conduct a public hearing and consider adoption of an Ordinance to amend Chapter 26 of the Zoning Ordinance to establish Use Permit requirements and standards for all the businesses that sell or serve alcohol for on-site consumption in bars and restaurants within the County, and, applying the existing standards to retail stores of 10,000 square feet or more in size. (REGULAR HEARING)

Item #39 was continued off calendar.



REGULAR AFTERNOON CALENDAR (Continued)

2:38 P.M. The Board adjourned the meeting in memory of Roy Winfield Achor. The meeting was adjourned to August 21, 2012 at 8:30 a.m.

Respectfully submitted,

Michelle Arellano, Chief Deputy Clerk

**ACTION SUMMARY**  
**BOARD OF SUPERVISORS**  
**SONOMA COUNTY**  
**575 ADMINISTRATION DRIVE, ROOM 102A**  
**SANTA ROSA, CA 95403**

**TUESDAY**

**AUGUST 21, 2012**

**8:30 A.M.**

Valerie Brown	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, and as the governing board of all special districts having business on the agenda to be heard this date.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

**AGENDAS AND MATERIALS:** Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

**SUPPLEMENTAL MATERIALS:** Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

**DISABLED ACCOMMODATION:** If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

**Public Transit Access to the County Administration Center:**

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or <http://www.sctransit.com/>.

***APPROVAL OF THE CONSENT CALENDAR***

The Consent Calendar includes routine financial and administrative actions, are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

***PUBLIC COMMENT***

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. Closed session items may be added prior to the Board adjourning to closed session. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

## 8:32 A.M. CALL TO ORDER

8:32 A.M. Chairwoman Zane called the meeting to order.

The Board of Supervisors of the County of Sonoma met this date in adjourned session at 8:32 A.M. with the following members present:

Supervisors: Brown, Rabbitt, Zane, McGuire and Carrillo

Chairwoman Zane presiding

Present: Bruce Goldstein, County Counsel, and Veronica A. Ferguson, County Administrator

## PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA (Items may be added or withdrawn from the agenda consistent with State law)

## II. BOARD MEMBER ANNOUNCEMENTS

Supervisor Brown thanked Cordell Stillman of the Sonoma County Water Agency and Steve Shupe from County Counsel, for making a Sonoma Clean Power presentation to the City of Sonoma.

Supervisor McGuire announced an upcoming Town Hall meeting in Healdsburg on August 30, 2012 and announced he attended the Economic Development Ad-hoc Committee meeting with Supervisor Carrillo.

Supervisor Rabbitt reported he attended the Sonoma County Employee Retirement Association Investment Committee and Board meetings; attended the Solid Waste Advisory Group meeting; attended the North Bay Water Reuse Authority meeting with Supervisor Brown; and provided a Petaluma team National Little League update. He also shared that he visited the Coast Guard Training Center Petaluma.

Supervisor Carrillo announced he attended the Fish Net 4Cs meeting and asked the Board to adjourn in memory of Matt Sokol.

Chairwoman Zane announced she attended the Sonoma Marin Area Rail Transportation Board of Directors meeting with Supervisor Brown, and participated on an interview panel for the Family Justice Center Executive Director position. She asked the Board to adjourn in memory of Carol Martin.

### III. CONSENT CALENDAR (Items 1 through 29)

#### PRESENTATIONS/GOLD RESOLUTIONS (Items 1 through 4)

##### PRESENTATIONS AT BOARD MEETING

1. Adopt a Gold Resolution proclaiming August 26th as Women's Equality Day in the County of Sonoma. (Countywide)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0402

2. Adopt a Gold Resolution recognizing Henry Trione for his exceptional contributions to Annadel State Park and Sonoma County Regional Parks and bestowing upon him the title of Honorary Regional Parks Ranger. (Regional Parks)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0403

##### PRESENTATIONS AT DIFFERENT DATE

3. Adopt a Gold Resolution proclaiming September 2012 as Childhood Cancer Awareness Month in Sonoma County (Countywide)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0404

4. Adopt a Gold Resolution declaring the third week of August, 2012 as the Pacific Coast Air Museum "Wings Over Wine Country Air Show" Week. (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0405

##### AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

(Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

5. Ratify three change orders to a contract with Weeks Drilling and Pumping Company for the installation of a new well at the Haroutunian North Property that were executed by the General Manager to extend the time to reach substantial and final completion; to increase the contract amount by \$12,487 to substitute low carbon steel casing and screen for PVC blank casing and perforated casing; and to reduce the scale and duration of final pumping tests. (4/5 vote required)

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

SONOMA COUNTY WATER AGENCY  
(Directors: Brown, Rabbitt, Zane, McGuire, Carrillo)

6. Authorize Chair to execute the agreement for water rate study services for restructured water supply agreement with HF&H Consultants, LLC (\$79,145); agreement terminates on December 31, 2013.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

7. Review and accept the Audit report of the Sonoma County Health Plan - Internal Service Fund for the Fiscal Years ended June 30, 2011 and June 30, 2010, with no significant findings.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

8. Adopt a Resolution authorizing the Auditor-Controller Treasurer-Tax Collector to establish a temporary fund transfer for Gold Ridge Resource Conservation District in an amount up to \$750,000.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

Approved by Resolution No. 12-0406

9. Adopt a Resolution authorizing the Auditor-Controller Treasurer-Tax Collector to establish a temporary fund transfer for Sotoyome Resource Conservation District in an amount up to \$500,000.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

Approved by Resolution No. 12-0407

10. Adopt a Resolution authorizing the \$12.4 million annual financing used to advance delinquent taxes to taxing jurisdictions in Fiscal Year 2011-12 and the renewal of prior delinquent tax anticipation notes as authorized by the Alternative Method of Property Tax Allocation.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

Approved by Resolution No. 12-0408

BOARD OF SUPERVISORS

11. Disbursement of 2012-2013 Discretionary Advertising Funds (Fifth District) - Approve Advertising Program grant awards and authorize the County Administrator to execute contracts with the following entities: Bodega Bay Chamber of Commerce \$2,500; California Human Development/Camp Geneva \$500; Monte Rio Chamber of Commerce \$800; Occidental Center for the Arts \$3,000; Occidental Community Choir \$1,000;

CONSENT CALENDAR (Continued)

Item #11 Continued

Redwood Cultural Arts Center \$2,000; Russian River Chamber of Commerce \$5,400; Russian River Rodeo \$2,000; Russian River Rotary Foundation Music Series \$2,000; Sebastopol Area Chamber of Commerce \$3,400; Sebastopol Center for the Arts \$2,000; Sonoma County Farm Bureau \$1,000; Stewards of the Coast and Redwoods \$3,000; Western Sonoma County Historical Society \$800.

Board Action: Approved as Recommended

UNANIMOUS VOTE

12. Adopt a Resolution opposing California Department of Parks and Recreation imposing use fees for Coastal State Parks and transmit the Resolution, if approved, to the Governor, Secretary Laird and the Sonoma County Legislative delegation.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0409

13. Adopt a Resolution to establish the Dry Creek Valley Citizens Advisory Council and Referral Area Boundary. (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0410

GENERAL SERVICES

14. Authorize the Chair to execute amendment #2 to the Professional Services Agreement with G Squared Consulting, Inc., expanding the scope of services pertaining to the County's radio communications network by \$40,000, for a total agreement cost not to exceed \$64,000, and extending the term of the agreement to June 30, 2013.

Board Action: Approved as Recommended

UNANIMOUS VOTE

GENERAL SERVICES / HEALTH SERVICES

15. Authorize the General Services Director to (1) issue a Notice of Intent to execute an amendment to a lease with 1360 McDowell LLC for offices located at 1360 N. McDowell Boulevard, Petaluma, and (2) execute an amendment to a lease with Gary L. Klauenburch and Donna A. Klauenburch, et al., for offices located at 16350 Third Street, Guerneville, and in each case, in order to: (1) extend the respective terms through November 5, 2016 and November 30, 2016; (2) reduce the monthly rent payments; and (3) make minor tenant improvements at the landlord's sole cost and expense.

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

HUMAN RESOURCES

16. Authorize the Chair of the Board to execute Amendment No. 1 to the administrative services agreement with Anthem Blue Cross (BC) for third party claims administration and provider network access for the County of Sonoma Health Plans, which includes a 4% increase in the rate to \$46.27 per enrollee per month, with an estimated annual cost of \$1,021,642 for the term June 1, 2012 to May 31, 2013.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

INFORMATION SYSTEMS

17. Authorize the Director of Information Systems to approve the second amendment to an agreement with Neko Industries, Inc., for the electronic document management system, increasing the contract amount by \$123,922; and authorize the Director to execute future amendments to add additional department implementations to the scope of work, with approval of the County Administrator, for an amount not to exceed a contract total of \$1.25 million through July 2016.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

PERMIT AND RESOURCE MANAGEMENT

18. Adopt a Resolution and Conditions of Approval for a Lot Line Adjustment, for lands under Williamson Act contracts, between two parcels for Home Ranch Vineyards, LLC - Lee and Carolyn Martinelli, for property located at 30205 Bohan Dillon Road, Fort Ross (APN 109-300-15) and 1 Sproule Creek Road (APN 109-300-009) (PRMD File LLA12-0016). (Fifth District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE  
Approved by Resolution No. 12-0411

REGIONAL PARKS

19. Adopt a Resolution authorizing the Director of Regional Parks to apply for \$200,000 in Grant Funds for rehabilitation of Hudeman Slough Boat Launch and public access improvements.

Board Action: Approved as Recommended  
UNANIMOUS VOTE  
Approved by Resolution No. 12-0412

CONSENT CALENDAR (Continued)

TRANSPORTATION AND PUBLIC WORKS

20. Adopt an Ordinance, restricting parking on Sonoma Mountain Road (#66060). (Second Reading - Ready for Adoption) (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Ordinance No. 6005

21. Bus Stop Janitorial Services - Authorize the Purchasing Agent to issue a purchase order to Township Building Services for a three-year period commencing September 1, 2012, with options to renew for as many as two one-year periods. The purchase order shall permit the inclusion of new shelter cleanings and trash removal services at Township Building Services' proposed rate of \$5.55 per shelter and \$1.32 per trash removal. Estimated annual cost is \$44,557.

Board Action: Approved as Recommended

UNANIMOUS VOTE

22. Sonoma County Transit - Bus Parking Lot Rehabilitation Project - (1) Approve plans, specifications, estimate and contract for Federal Project CA-04-0194 - Bus Parking Lot Rehabilitation Project for Sonoma County Transit, County Project No. W07113. (2) Grant bid relief to Ghilotti Construction per Public Contracts Code 5103. (3) Award contract for construction to the second low bidder, Team Ghilotti, in the amount of \$614,200.60 and authorize the Chair to execute construction contract.

Board Action: Approved as Recommended

UNANIMOUS VOTE

23. Central Transfer Station Floor and Wall Repair Project - Construction Contract Award - (1) Approve plans and specifications for Central Transfer Station Floor and Wall Repair Project; (2) Award and authorize the Chair to execute a contract for construction of the Central Transfer Station Floor and Wall Repair (W07914) to the lowest responsible bidder, Murray Building, Inc., in the amount of \$276,000. (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

24. Approve and authorize the list of On-Call Right of Way Consultants to be in effect through August 15, 2015.

Board Action: Approved as Recommended

UNANIMOUS VOTE

MISCELLANEOUS

25. Approval of Minutes - Approve the Minutes of the Meeting of August 7, 2012 for the following: Agricultural Preservation and Open Space District, and Board of Supervisors.

Board Action: Approved as Recommended

UNANIMOUS VOTE



CONSENT CALENDAR (Continued)

APPOINTMENTS/REAPPOINTMENTS  
(Items 26 through 29)

26. Appoint Donna Bassett and Stacey Stirling to the Maternal, Child and Adolescent Health Advisory Board for a term of two years. (Health Services)

Board Action: Approved as Recommended

UNANIMOUS VOTE

27. Appoint Judy Corum to the Shiloh Cemetery District Board to serve out departing Board Member Lee Dysart's 4-year term, effective August 21, 2012 through July 31, 2015. (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

28. Appoint Fred Corson and Cameron Mauritsen, for staggered terms ending December 31, 2013, and appoint Tom Rued and Charlee Schanzer for terms ending December 31, 2014 to the Dry Creek Valley Citizens Advisory Council ("DCVCAC"). (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

29. Reappoint Kathleen Shaffer to the Commission on Human Rights from August 25, 2012 through August 25, 2014. (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

IV. REGULAR CALENDAR (Items 30 through 36)

TRANSPORTATION AND PUBLIC WORKS

30. Sonoma County Waste Management Agency - Carryout Bag Ordinance - Support the regional/countywide carryout bag ordinance as the preferred option.

8:52 A.M.

Present: Susan Klassen, Deputy Director Transportation & Operations; Patrick Carter, Waste Management Specialist; and Tom Nguyen, Transportation and Public Works

8:54 A.M. Chairwoman Zane announced she would be stopping the presentation to allow the Board to make a Gold Resolution presentation.

9:05 A.M. Presentation of item #30 resumed.

The Board directed staff to work with the Agency and obtain consensus for which entity would be responsible of enforcement of the ordinance.

Speaker: Ken Wells

Board Action: Approved as Recommended  
UNANIMOUS VOTE

SONOMA VALLEY COUNTY SANITATION DISTRICT

(Directors: Brown, Zane, Sanders)

31. North San Pablo Bay Restoration and Reuse Project and Napa Salt Marsh Restoration Pipeline Project

A. Adopt a Resolution approving the Phase 1 Implementation Plan identified in the North San Pablo Bay Restoration and Reuse Project (North Bay Water Recycling Program) Final Environmental Impact Report/Environmental Impact Statement, and specifically approving those elements of the plan within its jurisdiction; adopting mitigation measures and a Mitigation Monitoring Plan; adopting a Statement of Overriding Considerations; making certain related findings; and authorizing the filing of a Notice of Determination. (2/3 vote required)

10:53 A.M.

Director Joanne Sanders joined the Board for item #31A and #31B

Present: Renee Webber, Sonoma County Water Agency; Kevin Booker, Sonoma County Water Agency; Marc Bautista, Sonoma County Water Agency

REGULAR CALENDAR (Continued)

Item #31 Continued

Sonoma Valley County Sanitation District  
Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0413

B. Napa Salt Marsh Restoration Pipeline - Resolution of Necessity - Conduct a public hearing and Adopt a Resolution to:

- (1) Determine that the acquisition of real property for the Sonoma Valley County Sanitation District Napa Salt Marsh Restoration Pipeline Project are necessary for public purposes that the Sonoma Valley County Sanitation District (District) serves.
- (2) Authorize acquisition of real property rights as required for the project, encumbering real property situated in the County of Napa, California identified as follows: Beckstoffer Vineyards (APN 047-320-013, 047-320-005, and 047-320-006); Bouchaine Vineyards Inc., (APN 047-320-031); Buchli Station Vineyards LLC (APN 047-320-027); Diageo Chateau & Estates Wine Company (APN 047-320-003), Joseph F. Cabral Sr. and Deanna K. Cabral Trust (APN 047-320-022); Koerner Rombauer et al (APN 047-320-030); Midnight Sun Inc. III UBS AgriVest LLC (APN 047-330-052); and Napa County Resource Conservation District (APN 047-320-024) for public purposes for construction of the Sonoma Valley County Sanitation District Napa Salt Marsh Restoration Pipeline Project.
- (3) Authorize and Direct County Counsel and the General Manager to take all necessary steps necessary to obtain said real property rights in connection with the construction, maintenance, and continued operation of the Project, including such steps which may be required to acquire the real property interests required for the project through the exercise of eminent domain if necessary. (2/3 vote required)

11:09 A.M.

Present: Kevin Campbell, Sonoma County Water Agency; Renee Webber, Sonoma County Water Agency; and Bill Adams, County Counsel

Speaker: Supervisor Keith Caldwell, Napa County

11:20 A.M. Public Hearing opened

11:20 A.M. Public Hearing Closed

Sonoma Valley County Sanitation District  
Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0414

CONSENT CALENDAR (Continued)

Chairwoman Zane announced that the Board would make the presentation for Gold Resolution #1.

TRANSPORTATION AND PUBLIC WORKS-AIRPORT

32. Resolution of Necessity, Sonoma County Airport Improvement Project - Conduct a public hearing and

- A. (1) Determine that the acquisition of real property for the Sonoma County Airport Improvement Project ("Project") is necessary for public purposes.
- (2) Adopt a Resolution authorizing acquisition of real property rights as required for the Project, encumbering real property situated in the County of Sonoma, California identified as follows: Lands of Hallenbarter, Assessor's Parcel Numbers 164-170-010 and 164-170-011, for public purposes for the improvement of the Sonoma County Airport. (4/5 vote required)
- (3) Authorize and direct County Counsel and the Airport Manager to take all necessary steps necessary to obtain said real property rights in connection with the construction, maintenance, and continued operation of the Project, including such steps which may be required to acquire the real property interests required for the project through the exercise of eminent domain if necessary.

11:33 A.M. Present: Jon Stout, Airport Manager, and Bill Adams, County Counsel

11:39 A.M. Public Hearing opened

11:39 A.M. Public Hearing closed

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0415

- B. (1) Determine that the acquisition of real property for the Sonoma County Airport Improvement Project ("Project") is necessary for public purposes.
- (2) Adopt a Resolution authorizing acquisition of real property rights as required for the Project, encumbering real property situated in the County of Sonoma, California identified as follows: Lands of Ravani, Assessor's Parcel Numbers 164-170-004, for public purposes for the improvement of the Sonoma County Airport. (4/5 vote required)
- (3) Authorize and direct County Counsel and the Airport Manager to take all necessary steps necessary to obtain said real property rights in connection with the construction, maintenance, and continued operation of the Project, including such steps which may be required to acquire the real property interests required for the project through the exercise of eminent domain if necessary.

Edwin Williams, the property owner's attorney, made a presentation

11:59 A.M. Public hearing opened

11:59 A.M. Public hearing closed

REGULAR CALENDAR (Continued)

Item #32 Continued

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 12-0416

HEALTH SERVICES

33. Receive a report from the Department of Health Services titled Sonoma County Animal Care and Control Services - Governance Model Review and Best Practices; and adopt recommendations as set forth in the report.

9:37 A.M.

Present: Amy Cooper, Animal Care and Control Director; Peter Rumble, Director of Health Policy Planning & Evaluation; and Ellen Bauer, Public Health Division Director

Speakers:

Jane Eagle

RJ Kamprath

Vickie Brown

Board Action:

1. Reaffirm the transfer of Sonoma County Animal Care and Control (ACC) to the Department of Health Services.
2. Direct the Department of Health Services to work with cities, partners, and other interested organizations to develop a local governance model that could include a Joint Powers Authority, a public/non-profit partnership, or other model recommended in the Report that delivers high-quality, cost-efficient animal care and control services for Sonoma County.
3. Direct the Department to implement best practices to the extent they support improvement of Sonoma County Animal Care and Control services and outcomes, are programmatically sustainable, and are adequately funded.
4. Authorize the Department to work with County Counsel and the County Administrator's Office to identify financial resources to develop a proposed governance model as described in Recommendation #2 and direct the Department of Health Services to identify financial and other resources needed to implement best practices that address current system deficiencies and/or improve ACC outcomes.

Board Action: Approved as Recommended

UNANIMOUS VOTE

10:38 A.M. Board recessed

10:53 A.M. Board reconvened

REGULAR CALENDAR (Continued)

TRANSPORTATION AND PUBLIC WORKS

34. Negotiation of Master Operations Agreement for Solid Waste Facilities - Accept a report on the status of negotiations to-date with existing County solid waste service contractors and provide direction to staff to proceed with preparation of a draft Master Operations Agreement for long-term development, operation and maintenance of County Solid Waste Facilities including the Central Landfill and County Transfer Stations located in Annapolis, Guerneville, Healdsburg, Sonoma and at the Central site.

12:00 P.M.

Present: Phil Demery, Director of Transportation and Public Works,; Susan Klassen, Deputy Director Transportation & Operations; and Tom Nguyen, Transportation and Public Works

Speakers:  
Ken Wells  
Ann Hancock

---

The Board directed staff to move forward with preparing the draft Master Operations Agreement within 60 days, and initiate presentations to City Councils to obtain input and commitment during the same time frame if possible.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

BOARD OF SUPERVISORS

35. Approve fee waiver in the amount of \$2,930 for the Blood Centers of the Pacific use of the Sonoma Veterans Memorial Hall. (First District)

1:21 P.M.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

36. Approve fee waiver in the amount of \$4,180.49 for the Sea Ranch Volunteer Fire Department's Fire Station building permit fees. (Fifth District)

1:21 P.M.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

1:22 P.M. The Board recessed to Closed Session. Chairwoman Zane announced that the Board would reconvene at 2:15 P.M.

## V. CLOSED SESSION CALENDAR (Items 37 through 42)

37. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Anticipated Litigation - Name of Case: 2010 ARRA Cost Savings Overlay Project (Govt. Code Section 54956.9 (b)).

Withdrawn

38. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: Argonaut Constructors v. County of Sonoma (Arbitration), regarding the Sonoma Mountain Road Slide Repair Project (Govt. Code Section 54956.9 (a)).

Withdrawn

39. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: Citizens Advocating for Roblar Rural Quality v. County of Sonoma et al., Sonoma County Superior Court, SCV 248943 (Govt. Code Section 54956.9 (a)).

Board Action: Authorized County Counsel to join the project applicants, John and Andrea Barella's appeal of the August 2, 2012 Superior Court Decision.

Ayes: Brown, Rabbitt, McGuire, Carrillo

Noes: Zane

40. The Board of Supervisors will consider the following in closed session: Conference with Real Property Negotiator - Property: 27+/- acre site located at the Central Disposal Site at 500 Mecham Road, Petaluma, CA. Negotiators - For Owner: County of Sonoma, Phillip Demery, Director of Transportation and Public Works Department; For Licensee: Sonoma County Waste Management Agency (SCWMA), Henry Mikus, Executive Director. Under Negotiation: Terms and conditions of potential license of County property to SCWMA for purposes of composting operations (Govt. Code Section 54956.8).

Continued to September 18, 2012.

41. The Board of Supervisors will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiator: Fran Buchanan; Jerry Dunn - Director, Sonoma County Human Services Department; Diane Kaljian - Director, Adult & Aging Division. Employee organization: SEIU-UHW (Govt. Code Section 54957.6 (b)).

Continued to September 18, 2012.

42. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiator: Wendy Macy/Carol Allen/William Kay, Burke & Associates and Carol Stevens, Burke & Associates. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

Direction was given to Labor Negotiator.

## VI. REGULAR AFTERNOON CALENDAR (Items 43 through 46)

2:29 P.M. - RECONVENE FROM CLOSED SESSION

Vice Chair Rabbitt reconvened the meeting.

Absent: Chairwoman Zane and Supervisor McGuire

43. 2:29 P.M. Report on Closed Session.

County Counsel announced that Closed Session would be continued after the Regular Afternoon Calendar and the report would be given after Closed Session was complete.

See items 37 through 42 above.

44. 2:30 P.M. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA  
(Comments are restricted to matters within the Board jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting.)

2:30 P.M. Public Comment opened

Colleen Fernald  
Bob Williamson

2:36 P.M. Public Comment closed

2:31 P.M. Chairwoman Zane and Supervisor McGuire entered chambers.

45. 2:36 P.M. Permit and Resource Management Department: Review and possible action on the following:  
a) Acts and Determinations of Planning Commission/Board of Zoning Adjustments  
b) Acts and Determinations of Project Review and Advisory Committee  
c) Acts and Determinations of Design Review Committee  
d) Administrative Determinations of the Director of Permit and Resource Management

No Acts or Determinations were reviewed or acted upon.

### HUMAN RESOURCES

46. 2:36 P.M. - County Clerk-Recorder-Assessor Appointment - Appoint County Clerk-Recorder-Assessor with an effective date of December 11, 2012, contingent upon the individual meeting all statutory requirements for the position.

Present: Wendy Macy, Director of Human Resources

Chairwoman Zane made opening comments.



## REGULAR AFTERNOON CALENDAR (Continued)

### Item #46 Continued

Ms. Macy oriented the Board on how the facilitation of the interview process would be facilitated. Ms. Macy explained that the candidates had been invited to Human Resources 90 minutes prior to work on their performance exercise. Ms. Macy explained that the Board would select four interview questions or more from the list in Attachment A with any modifications or changes the Board desired. She explained that each interview was scheduled for up to 30 minutes. Chairwoman Zane directed to the Board to select the interview questions.

The Board selected the following six interview questions:

#### Introductory Question

1. Take no more than five minutes to first tell us about yourself, emphasizing how your professional background and experiences have prepared you for this position, and then please explain why you are interested in this position.

#### Leadership/Management/Interpersonal

2. First, with what you know of the office, what do you believe are its strengths and weaknesses? And second, how would you conduct an assessment of your department and staff to further identify strengths and weaknesses, and go about developing a transition plan based on your findings during your first six months in the position?

#### Technical Knowledge

3. What do you think would be the key issues that you would face as Clerk-Recorder-Assessor for Sonoma County? How would you proactively address these issues?
4. Modernization efforts are critical strategic plan initiatives. To what extent do you have experience developing, implementing or contributing to modernization efforts, particularly in the functional areas of this department – Clerk, Recorder, Assessor, Registrar of Voters. Do you have any ideas on modernization efforts that you would research and potentially implement if given the opportunity?

#### Closing Questions

- 5.A. The Board has taken action recently to reduce total compensation and benefits with an anticipated effective date of March 2013 and may take future action regarding this position's total compensation at the beginning of the next elected term. Does this impact your interest in this position?
5. B. In order to remain in the position, you will have to run for election in 2014. Are you committed to that effort?

REGULAR AFTERNOON CALENDAR (Continued)  
Item 46 Continued

Conclusion

6. In no more than one minute, why do you consider yourself an ideal candidate for this position?

2:43 P.M. Diana Lackey began her presentation.

2: 52 P.M. Diana Lackey concluded her presentation.

2:52 P.M. The Board initiated interview of Diana Lackey.

3:10 P.M. Supervisor Brown added a follow up question on possessory interest.

3:12 P.M. The Board concluded interview of Diana Lackey.

3:13 P.M. Raymond Leonard began his presentation.

3:22 P.M. Raymond Leonard concluded his presentation.

3:22 P.M. The Board initiated interview of Raymond Leonard.

3:42 P.M. The Board concluded interview of Raymond Leonard.

3:43 P.M. Marvin Hackett began his presentation.

3:49 P.M. Marvin Hackett concluded his presentation.

3:49 P.M. The Board initiated interview of Marvin Hackett

4:07 P.M. The Board concluded interview of Marvin Hackett.

4:08 P.M. William Rousseau began his presentation.

4:17 P.M. William Rousseau concluded his presentation.

4:17 P.M. The Board initiated interview of William Rousseau.

4:36 P.M. The Board concluded interview of William Rousseau.

REGULAR AFTERNOON CALENDAR (Continued)

Item #46 Continued

4:37 P.M. The Board recessed

4:48 P.M. The Board reconvened

4:49 P.M. Public Comment opened

Greg Walsh

Ramona Turner

Mike Truesdell

4:56 P.M. Public Comment closed

Board Action: Appoint William Rousseau as County Clerk-Recorder-Assessor with an effective date of December 11, 2012, contingent upon the individual meeting all statutory requirements for the position.

UNANIMOUS VOTE

5:39 P.M. The Board recessed to Continued Closed Session.

6:10 P.M. The Board reconvened from Continued Closed Session.

6:10 P.M. County Counsel reported out on Closed Session.

6:11 P.M. The Board adjourned in memory of Matt Sokol and Carol Martin. The meeting was adjourned to September 11, 2012 at 8:30 A.M.

Respectfully submitted,

Michelle Arellano, Chief Deputy Clerk



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 31  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** County Clerk-Recorder-Assessor

**Staff Name and Phone Number:**

Janice Atkinson, 707-565-1877

**Supervisorial District(s):**

**Title:** General District Election Appointments.

### **Recommended Actions:**

Adopt resolution appointing nominees to the office of director of their respective districts.

### **Executive Summary:**

An election was scheduled for November 6, 2012, to elect directors to numerous special districts. In those districts where the number of nominees is equal to or less than the number of offices to be filled, the law provides for appointment of the nominees by the Board of Supervisors, rather than requiring an election.

Elections Code Section 10515 requires appointment to be made prior to December 3, 2012, by the Board of Supervisors, as the supervising authority. Each person so appointed shall qualify, take office and serve exactly as if elected at a general district election for such office.

The attached resolution includes the names of the candidates who have qualified for appointment to their respective districts under the above provisions of state law. There are 19 special districts which fall into that provision for this election.

For those offices for which no nominations were made, the Board shall appoint any person who was qualified as of November 6, 2012, to fill the vacancies. Such appointments are required to be made no later than December 3, 2012. Separate memos to the Clerk of the Board and County Supervisors outline those positions and the necessary qualifications for appointment.

### **Prior Board Actions:**

None.

**Strategic Plan Alignment:** Not Applicable

**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 0</b>	<b>Total Sources</b>	<b>\$ 0</b>

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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

Resolution.

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

None.

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution of the Board of Supervisors of the County of Sonoma, State of California, Appointing Nominees to the Office of Director of Their Respective Districts.**

**Whereas**, the November 6, 2012, Consolidated Presidential General Election was the regularly scheduled election for directors of the following districts; and

**Whereas**, each of the following districts has a number of nominees equal to or less than the number of offices to be filled in each respective district; and

**Whereas**, Elections Code Section 10515 provides that in such cases the supervising authority shall appoint such nominees as directors to serve exactly as if elected; and

**Whereas**, the following named persons are the nominees for the office of Director for each of the following districts as set forth below:

**Cloverdale Fire Protection District**: Term, 4 years: Melanee M. Southard, Carol E. Giovanatto, Pamela Johnson.

**Forestville Fire Protection District**: Term, 4 years: Denise Wood, Erne Ballinger.

**Gold Ridge Fire Protection District**: Term, 4 years: Alfred Fiori, Charlie Lachman, Ronald L. Balzer.

**Graton Fire Protection District**: Term, 4 years: Carol Giovannini, James Garman, Mary Jane Pedersen.

**Graton Fire Protection District**: Term, 2 years: Mario Cesaretti.

**Kenwood Fire Protection District**: Term, 4 years: John Cooper, James Kempers.

**Monte Rio Fire Protection District**: Term, 2 years: Dan Fein.

**Rancho Adobe Fire Protection District**: Term, 4 years: Mark Hemmendinger, Robert J. Dunne, Harold R. Griffith, Brian Proteau.

**Rincon Valley Fire Protection District**: Term, 4 years: John Hamann, Darrel J. Mead, Michael Prickett.

**Roseland Fire Protection District:** Term, 4 years: Sandra Bassignani, Alice Dee Petty-Hannum.

**Russian River Fire Protection District:** Term, 4 years: Nancy Jo Wood, Frank Lambert, Jr.

**Timber Cove Fire Protection District:** Term, 4 years: Jack Frost.

**Valley of the Moon Fire Protection District:** Term, 4 years: Charlene Virts, Ray Brunton, William S. Norton.

**Windsor Fire Protection District:** Term, 4 years: Adam Joseph Brolan, Victor Pozzi, John D. Nelson.

**Windsor Fire Protection District:** Term, 2 years: Michael Ahlin.

**Cloverdale Health Care District:** Term, 4 years: Mary Jo Winter, Vickie A. Vogler.

**North Sonoma County Health Care District:** Term, 4 years: Gary L. Anderson, William E. Hawn, Kurt Hahn.

**Petaluma Health Care District:** Term, 4 years: Fran Adams, Robert Ostroff, Elece Hempel.

**Sonoma Valley Health Care District:** Term, 4 years: Jane Hirsch, Bill Boerum, Sharon Nevins.

**Sonoma Valley Health Care District:** Term, 2 years: Peter Hohorst.

**Sweetwater Springs Water District:** Term, 4 years: Victoria Wikle.

**Sweetwater Springs Water District:** Term, 2 years: Richard Holmer.

**Valley of the Moon Water District:** Term, 4 years: Ed Kenny, Mark Bramfitt, Ronald F. Prushko.

**Valley of the Moon Water District:** Term, 2 years: Mark Heneveld.

**Now, Therefore, Be It Resolved** that, pursuant to Elections Code Section 10515, the Board of Supervisors of the County of Sonoma does hereby appoint the herein named nominees, who shall take office and serve exactly as if elected at the November 6, 2012, Consolidated Presidential General Election for the term prescribed by law.

Resolution #  
Date: 9/11/2012  
Page 3

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**





County of Sonoma  
Agenda Item  
Summary Report

**Agenda Item Number:** 32  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012      **Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

<b>Staff Name and Phone Number:</b>	<b>Supervisory District(s):</b>
David Rabbitt (707)565-2241	Second

**Title:** Appointment

**Recommended Actions:**  
Appoint Jeffrey Edmonds to the Sonoma County Regional Parks Foundation Board of Directors for a term of two years.

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment:** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

**Staffing Impacts**

<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A – I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

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

**Attachments:**

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



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 33 10:00 A.M.  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Transportation and Public Works

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Thomas F. O’Kane, Jr., (707) 565-3585

Fourth

**Title:** Fitch Mountain Water District Financing – First Read

### Recommended Actions:

Adopt a resolution introducing, reading the title of, and waiving further reading of a proposed Ordinance amending Ordinance No. 4023, of the Board of Supervisors, for the Fitch Mountain Water District for annual inflation rate increases approved by the Board of Supervisors on August 9, 2011 that are needed to fund the additional system improvement expenses of the District and water system for provision of water service.

### Executive Summary:

In CSA No. 41 Fitch Mountain Water District (“District”) water service is billed to each property owner or tenant (334 customers) monthly and consists of two components: the fixed rate component for the water meter and a water usage component. Given the approved ordinance only document FY 11-12 rate increases, staff recommends adoption of the amendment to Ordinance No. 4023 of the Board of Supervisors for the District to reflect FY 12-13 and FY 13-14 rates approved by the Board on August 9, 2011. The approved rates consist of adjustments to the water service charges for operations and maintenance of the water system. The approved rates included a three-year tiered rate schedule to provide sufficient revenue to cover expenses for operation and maintenance of the District system and to collect sufficient reserves to handle unanticipated minor repairs that may be needed for the aging system water distribution system.

Rates were approved by the Board of Supervisors according to the provisions and requirements of Proposition 218 (Constitution of California, Article XIII D, Section 6 (2)), which included mailing a “Notice to All Property Owners of the CSA #41 Fitch Mountain Water District” on May 24, 2011, with the details of the public hearing that was held on July 12, 2011, that proposed increases to both components of the water rates. In response to this notice, the Department received four written protests before the 5: July 11, 2011, deadline, which did not comprise a majority protest. At the conclusion of the July 12, 2011 public hearing, the Board found that no majority protest existed and introduced Ordinance No. 5943 amending Ordinance No. 4023 to implement the

first tier of changes.

The FY 12-13 rates approved by the Board on August 9, 2011, have been modified to include an annual inflationary increase of 2.3% authorized under the existing ordinance based on the change in the Consumer Price Index (CUUR0000SA0) April 2012, from the Bureau of Labor Statistics.

FY 12-13 meter service charges currently are:

<u>Meter Size</u>	<u>Rate</u>
5/8"x 3/4" Meter	= \$45.19/Month
1" Meter	= \$47.46/Month
1 1/2" Meter	= \$49.65/Month
2" Meter	= \$51.90/Month

FY 12-13 water usage charges currently are:

\$7.61 per 1,000 gallons for the first 15,000 gallons per ESD  
\$10.20 per 1,000 gallons for 15,001 to 20,000 gallons per ESD  
\$16.98 per 1,000 gallons for consumption over 20,000 gallons per ESD

For the fiscal year starting July 1, 2013, the approved meter service charges, until CPI data is available, currently are:

5/8"x 3/4" Meter	= \$46.08/Month
1" Meter	= \$48.39/Month
1 1/2" Meter	= \$50.63/Month
2" Meter	= \$52.91/Month

The approved water usage charges for FY 13-14 until CPI data is available, currently are:

\$7.76 per 1,000 gallons for the first 15,000 gallons per ESD  
\$10.40 per 1,000 gallons for 15,001 to 20,000 gallons per ESD  
\$17.32 per 1,000 gallons for consumption over 20,000 gallons per ESD

Once data is available from the Bureau of Labor Statistics for FY 13-14, Annual inflationary adjustments will be made without additional board action, if there are changes to the CPI index.

County Counsel has reviewed the amended Ordinance.

**Prior Board Actions:**

8/9/2011: Board adopted Ordinance No. 5943, amending Ordinance No. 4023 to increase rates for the Fitch Mountain Water District and approving a three-year rate structure. 7/12/2011: Board conducted a public hearing pursuant to Proposition 218 majority protest procedures, and finding no majority protest existed,

introduced and considered an amendment to Ordinance No. 4023, as amended, for rate increases. 6/10/08: Board approved ordinances amending water fee schedules for CSA No. 41 Zones of Benefit – Fitch Mountain, Salmon Creek, Freestone, and Jenner.

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

The proposed rates will ensure that there are sufficient funds available to maintain the Fitch Mountain Water System in a safe and reliable manner for the customers.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 307,670	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 307,670
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 307,670</b>	<b>Total Sources</b>	<b>\$ 307,670</b>

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

The \$307,670 amount listed above is the budgeted revenue from sale of water for FY 12-13. The approved budget for FY 12-13 for the Fitch Mountain Water District includes the fee increases approved on August 9, 2011 through the Proposition 218 majority protest procedures.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
N/A			

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

**Attachments:**

Map of the Fitch Mountain Water District, Ordinance, Resolution

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

Summary Publication

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Introducing, Reading The Title Of, And Waiving Further Reading Of An Ordinance Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Acting As The Governing Board Of County Service Area No. 41, Amending The CSA No. 41 Fitch Mountain Zone Of Benefit (formerly Known As CSA #24) Water System Ordinance No. 4023.**

**Whereas**, a proposed ordinance amending the CSA No. 41 Fitch Mountain Zone of Benefit (formerly known as CSA #24) water system Ordinance No. 4023 has been introduced and the title read;

**Now, Therefore, Be It Resolved** that further reading of the ordinance is waived.

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE**  
**COUNTY OF SONOMA, STATE OF CALIFORNIA, ACTING AS THE**  
**GOVERNING BOARD OF COUNTY SERVICE AREA NO. 41 AMENDING**  
**THE CSA NO. 41 FITCH MOUNTAIN ZONE OF BENEFIT (FORMERLY**  
**KNOWN AS CSA #24) WATER SYSTEM ORDINANCE NO. 4023**

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

*SECTION I.* Article II, 20, 22 of Ordinance No. 4023, as amended by Ordinance Nos. 4219, 4371, 4541, 4676, 4714, 4747, 4787, 4865, 4943, 5156, 5413, 5477, 5555, 5659, 5785, and 5943 are amended to read as follows:

20. Charges

A. Loan Repayment Charges

An annual loan repayment charge of Three Hundred and Twenty-three Dollars and No Cents (\$323.00) per ESD is hereby prescribed and established effective July 1, 2008.

B. Meter Service Charges

For the fiscal year starting July 1, 2012, the meter service charges, which include the annual inflationary increase, shall be as follows:

5/8"x 3/4" Meter	=	\$45.19/Month
1" Meter	=	\$47.46/Month
1 1/2" Meter	=	\$49.65/Month
2" Meter	=	\$51.90/Month

For the fiscal year starting July 1, 2013, the meter service charges shall be as follows plus the annual inflationary increase, if any, as described below in Section C -- Water Usage Charges:

5/8"x 3/4" Meter	=	\$46.08/Month
1" Meter	=	\$48.39/Month
1 1/2" Meter	=	\$50.63/Month
2" Meter	=	\$52.91/Month

When water is disconnected due to nonpayment, the monthly service charge will continue to accrue until all payments are made.

### C. Water Usage Charges

The following water usage charge shall be added to the meter service charge each month. The monthly service charge, in effect, consists of the meter service charge and the water usage charge.

For the fiscal year starting July 1, 2012, the water usage charges, which include the annual inflationary increase, shall be as follows:

\$7.61 per 1,000 gallons for the first 15,000 gallons per ESD  
\$10.20 per 1,000 gallons for 15,001 to 20,000 gallons per ESD  
\$16.98 per 1,000 gallons for consumption over 20,000 gallons per ESD

For the fiscal year starting July 1, 2013, the water usage charges shall be as follows plus the annual inflationary increase, if any, as described below in Section C -- Water Usage Charges:

\$7.76 per 1,000 gallons for the first 15,000 gallons per ESD  
\$10.40 per 1,000 gallons for 15,001 to 20,000 gallons per ESD  
\$17.32 per 1,000 gallons for consumption over 20,000 gallons per ESD

If a meter fails to register due to any cause except the nonuse of water, the charge for water will be made on the basis of the average charge per month. The average will be computed using either a twelve (12)-month period or the period of service, whichever is shorter. In so doing, it will first be ascertained whether the meter functioned properly during such period and whether normal conditions prevailed in regard to use of water at the premises supplied. In the preparation of such averaged bills, due consideration will be given to any interruption to the service known to have occurred. Although adjustments may be made when it has been determined that a meter has not been functioning properly, such adjustments shall only be to the cost per 1,000 gallons of water usage. In all cases, the actual volume of water usage shall not be adjusted, and customers shall remain responsible for paying for the total volume of water usage.

#### Annual Inflationary Increases

Effective July 1 of each year, for a period of five (5) years from the adoption of this ordinance, the proposed water rates shall be increased by an amount equal to the percentage increase, if any, in the Bureau of Labor Statistics consumer price index for all urban consumers (CPI-U), Series CUUR0000SA0, between April of the then-current year and April of the then-previous year. In no event shall the increase in any particular year exceed five percent.

### D. Tenant Billing for Service Charges

Upon approval of the Engineer, property owners may have their tenants billed directly for water service charges (water usage and meter service charges). It will be necessary for property owners to fill out a request to do so. The requests are available from the Sonoma County Auditor-Controller water billing personnel and shall include the following:



- a. The property owner will be responsible for any unpaid water charges on the account and agrees to pay the approved reconnection fee, tampering fees, and repair costs, should service be discontinued due to non-payment;
- b. The name and address of the tenant responsible for payment; and
- c. Prior to the tenant's moving, property owner agrees to contact the County to ascertain whether or not there is an outstanding balance on the account.

#### E. Proration of Charges

Users issued permits shall have the Loan Repayment Charge and the Availability Charge prorated from the first day of the month in which the permit is issued to the last day of the following June. Said charges shall be paid prior to issuance of the permit. The Meter Service Charges shall be prorated from the day the permit was issued to the next monthly billing date. Users, upon connection to the water system, are responsible for all the back years' bond repayment.

#### F. Connection Fees

Except as herein otherwise provided, water system connection fees shall be paid by all users and shall be paid prior to issuance of a permit to connect.

All users shall pay a connection fee of \$3,767.71 for each ESD.

Users who connect a building to the water system and then later expand their use shall pay an additional connection fee to cover the increased ESD rating and shall pay said fee prior to the approval of the Building Permit Application by the Sonoma County Department of Transportation and Public Works.

Users who wish to connect a structure which is a replacement of a previously connected like structure destroyed through no fault of user, upon presentation to the Engineer of a valid fire marshal's report or insurance report may have the connection fee waived.

The above Connection Fees are based on average development. Those connections which demand a disproportionately large share of the water supply may be required to pay additional Connection Fees. Said Connection Fees shall be calculated by the Engineer and shall consider actual and/or anticipated demand made by the user as compared to previous capital contributions made by the user in the form of Connection Fees, assessments, service charges, etc.

For subdivisions of land exceeding four (4) lots, or improvements to a single parcel exceeding 10 ESD's, advance Connection Fees shall be required at the time of filing the final map/obtaining the Use Permit. At the time the connections are actually made, said advance Connection Fees shall be credited towards the Connection Fees due at that time.

In addition to the above-listed connection fee, a meter installation charge corresponding to the schedule listed below, shall be collected for each new meter installed.

<u>Meter Installation Charge</u>	
5/8" x 3/4"	Inch Meter= \$100
1	Inch Meter= \$170
1½	Inch Meter= \$330
2	Inch Meter= \$470

Once a property owner has paid a Connection Fee and a meter has been installed, it shall be the responsibility of the Fitch Mountain Water District to maintain the system up to and including the water meter. All property owners shall be responsible for all maintenance of the water delivery system from the water meter to the structure and shall be responsible for all water charges incurred at the then current rates except in an instance where an improperly operating water meter has been identified and an adjustment may be made, as described in Section C above and as determined by the Engineer.

When water service is disconnected due to the request of the property owner, the current reconnection fee must be paid prior to reconnection. If not paid within 30 days of property being sold, the account will be turned over to Sonoma County Central Collections.

**SECTION II.** The Board hereby finds that the California Environmental Quality Act does not apply to the establishment of charges pursuant to this ordinance; as such fees are for the purpose of meeting operations expenses, meeting financial reserve needs and requirements, and setting aside funds for capital projects necessary to maintain service within the existing district (15273 CCR, 21080 PRC).

**SECTION III.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTION IV.** This Ordinance shall be, and the same is hereby declared to be in full force and effect from and after thirty (30) days after its passage, and shall be published as follows: either (1) once in its entirety before the expiration of fifteen (15) days after said passage, or (2) a summary shall be published once at least five (5) days before proposed date of passage and a summary published once within fifteen (15) days after the date of passage. All publications shall include the names of the Board of Supervisors voting for or against the same, and shall be in a newspaper of general circulation, published in the County of Sonoma, State of California, and the Clerk of the Board of Supervisors shall post in the office of the Clerk, a certified copy of the full text of this ordinance along with the names of those Supervisors voting for or against the Ordinance.

In regular session of the Board of Supervisors of the County of Sonoma introduced and considered at a public hearing on the 11<sup>th</sup> day of September, 2012, and passed and adopted after hearing this 18<sup>th</sup> day of September, 2012, on a regular roll call of the members of said Board by the following vote:

**SUPERVISORS:**

Brown \_\_\_\_\_ Rabbit \_\_\_\_\_ McGuire \_\_\_\_\_ Carillo \_\_\_\_\_ Zane \_\_\_\_\_

Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

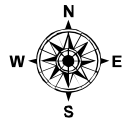
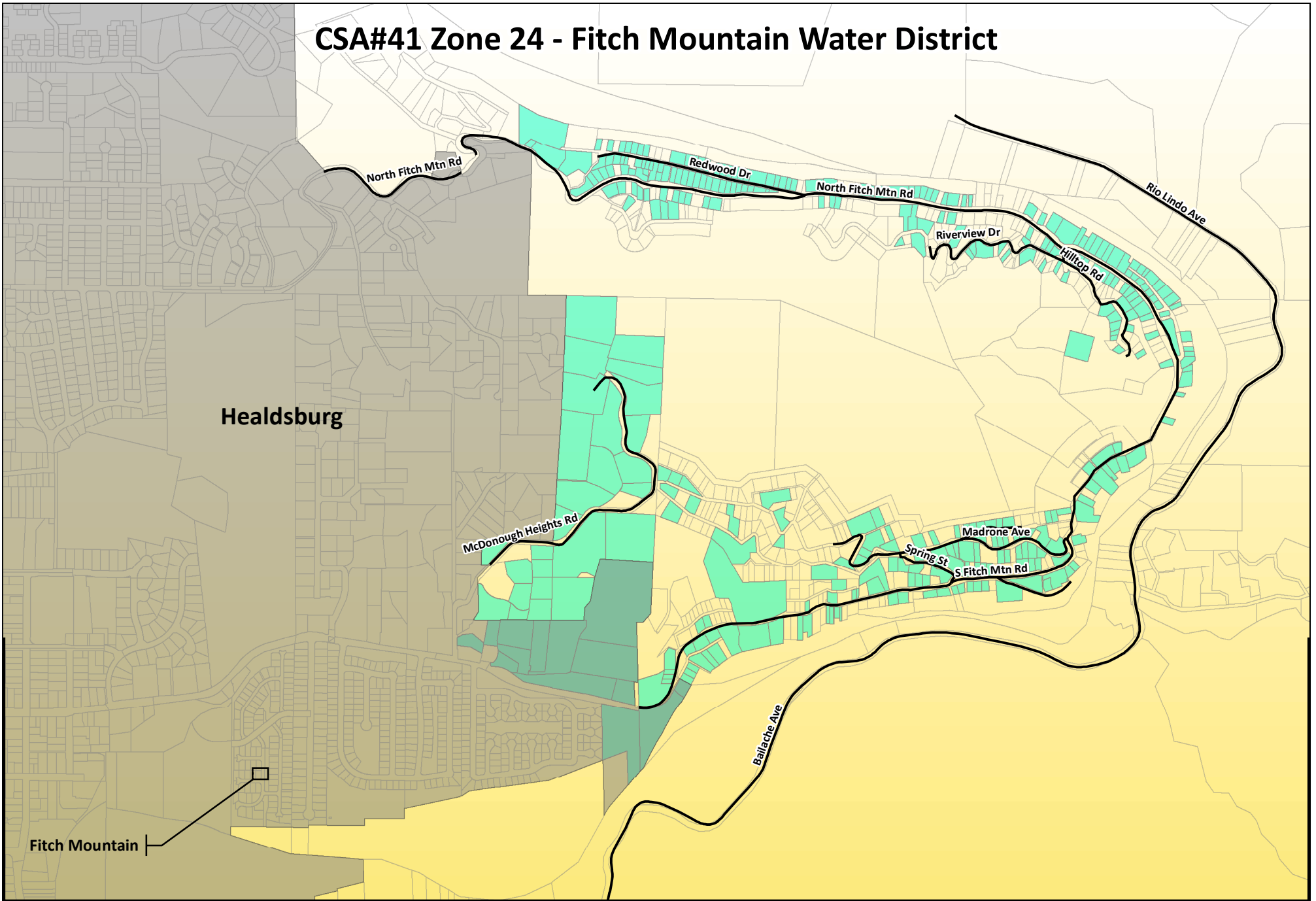
**SO ORDERED.**

By: \_\_\_\_\_  
Chair, Board of Supervisors  
County of Sonoma, State of California

ATTEST:

By: \_\_\_\_\_  
Clerk of the Board of Supervisors of said County

# CSA#41 Zone 24 - Fitch Mountain Water District



0 750 1,500 3,000 Feet

This map is for illustrative purposes only, and is not suitable for parcel-specific decision making. Site-specific studies are required to draw parcel-specific conclusions.

- County Road
- Assessed Property
- City Limit



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 34  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Economic Development

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Ben Stone - (707) 565-7170

**Title:** Sonoma County Restaurant Week

### **Recommended Actions:**

Receive report on the 2012 Sonoma County Restaurant Week.

### **Executive Summary:**

The first ever Sonoma County Restaurant Week was held in 2010 with the goal to jump-start the local economic recovery by providing an economic stimulus for the local food and wine, farming and hospitality sectors. This event has continued on an annual basis and the third Sonoma County Restaurant Week was held February 27th - March 4<sup>th</sup>, 2012. It was a collaborative effort involving the Economic Development Board, the Sonoma County Tourism Bureau, the Press Democrat, the Sonoma County Visitors Centers/Chambers, Maverick Media, the North Bay Bohemian and Redwood Empire Stereocasters. Since its inception, the event has become very successful, with its total economic impact increasing every year.

Restaurant Week incentivizes people to dine out in Sonoma County through a comprehensive marketing and public relations effort that promotes specifically priced, three-course menus offered at participating restaurants. The objectives of Restaurant Week are twofold: 1) increase customer traffic, revenue, and new clientele for restaurants during what is typically a slow month for dining out, and 2) stimulate business for local wineries and farmers by encouraging restaurants to promote locally sourced ingredients and beverages for the week.

The following are highlights from the 2012 Sonoma County Restaurant Week Report by the EDB:

1. Revenue
  - a. 81% of participating restaurants saw an increase in revenue compared to 2011 Restaurant Week
  - b. Average restaurant revenue increased 25% compared to 2011 Restaurant Week
2. Impact
  - a. Estimated sales tax revenue from Restaurant Week : \$99,185, a 15% increase over 2011 Restaurant Week revenues
  - b. Total value of local ingredients purchased for Restaurant Week: \$168,050, a 28% increase over 2011 Restaurant Week

c. Total Economic Impact: \$1.54 million, a 19% increase over 2011 Restaurant Week

3. Customer Traffic

- a. 87% of participating restaurants saw an increase in customer traffic compared to 2011 Restaurant Week
- b. Average restaurant traffic increased 13% compared to 2011 Restaurant Week
- c. 17,000 customers dined out because of Restaurant Week incentives

The third annual Sonoma County Restaurant Week was successful in achieving its goals. A post Restaurant Week survey found that 95% of restaurants were satisfied with their participation and 99% of restaurants indicated that they will participate in Restaurant Week again. All organizations involved in this event recognized the value of the agriculture and food and wine sectors to our local economy. Due to its great success, the fourth annual Restaurant Week is scheduled for March 18-24, 2013.

Restaurant Week relies annually on in-kind donations by its sponsors The Press Democrat, Maverick Media, The Northbay Bohemian and Redwood Empire Stereocasters in the effort to market the event in the weeks leading up to it. Additionally, this year’s event featured an improved website and further use of social media platforms to advertise the event. Web traffic increased significantly due to the more user-friendly site, and a restaurant gift card giveaway promotion on Facebook and Twitter allowed us to increase our engagement with users. The use of social media will be further implemented in order to expand the publicity of next year’s Restaurant Week.

**Prior Board Actions:**

On January 12<sup>th</sup>, 2009 your board authorized the Economic Development Department to conduct the first annual Restaurant Week. On February 21, 2012 your board adopted a resolution declaring February 27 – March 4, 2012 as Sonoma County Restaurant Week.

**Strategic Plan Alignment:** Goal 2: Economic and Environmental Stewardship

The Economic Development Board Foundation strives to enhance the value of local, domestic, and international demand for Sonoma County produced goods and services through the creation and development of economic research, analysis, and programs. Restaurant Week encourages economic activity and provides benefit to the local businesses and community.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 11,000	County General Fund	\$
Add Appropriations Req'd.	\$ 0	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$ 11,000
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 11,000</b>	<b>Total Sources</b>	<b>\$ 11,000</b>

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

The EDB expended approximately \$11,000 in associated printing, website development, and advertising costs for the 2012 Sonoma County Restaurant Week. In addition, the EDB received in-kind advertising contributions of approximately \$64,000 from other local media outlets.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

None.

**Attachments:**

2012 Sonoma County Restaurant Week Report.

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

None.



# Sonoma County Restaurant Week Report

**2012**  
SONOMA  
COUNTY





# Table of Contents

---

## **Sonoma County Restaurant Week Report**

---

- 1** Executive Summary
- 2** Restaurant Experience
- 3** Customer Feedback
- 4** Economic Impact
- 5** Marketing, Sponsorship & Web Presence
- 6** Comments & Methodology

# Sonoma County Restaurant Week Report

---

## June 2012

The Sonoma County Economic Development Board (EDB), in partnership with Sonoma County Tourism Bureau, is pleased to bring you the 2012 Sonoma County Restaurant Week Report.

This report summarizes the results from our annual event, Sonoma County Restaurant Week. The seven-day celebration of the county's farm fresh food and premier wine featured Sonoma County's top restaurants offering special three-course meals at \$19, \$29 or \$39.

In its third year, the event has also made a significant impact on the restaurant industry by encouraging locals and tourists to dine out during a typically slow time of the year:

- The total impact of the event was \$1.54 million. Almost \$100,000 in sales tax was generated and more than \$165,000 was purchased in local products for use in Restaurant Week menus.
- More than 17,000 meals were served directly from the prix-fixe menu, and more than 32,000 meals were served over the week at participating restaurants.
- The event was popular with diners and restaurants alike. Almost all diners rated their restaurant week experience as good or excellent. More than 95% of participating restaurants indicated that they were satisfied with their involvement.
- Diners came from all over the County to enjoy Sonoma County Restaurant Week. More than 15% of total diners were from outside of Sonoma County.

Because of it's success, the event will return for its fourth round in March of 2013.

Thank you for your interest in the Economic Development Board's research. For additional information, questions, comments, or suggestions please contact us at (707) 565-7170 or visit [www.sonomaedb.org](http://www.sonomaedb.org).

Sincerely,

Ben Stone  
Executive Director



---

©2012 Sonoma County Economic Development Board. The Economic Development Board (EDB) believes all data contained within this report to be accurate and the most current available, but does not guarantee its accuracy or completeness. Use of data from an outside source does not represent an endorsement of any product or service by the EDB, its members or affiliates. This publication can be made available in alternative formats such as Braille, large print, audiotape, or computer disk. Please direct requests to (707) 565-7170 and allow 72 hours for your request to be processed. This report was prepared by Lauren M. Ward.

# Sonoma County Restaurant Week Report

## Restaurant Week Experience

The inaugural Sonoma County Restaurant Week was held in 2010 and was well received; 85 restaurants participated, 15,000 meals were served, and the event had a total economic impact of almost \$900,000 to the local economy. In 2011, 109 restaurants participated, 24,000 meals were served and the event had an economic impact of \$1.29 million to the local economy. The third annual Sonoma County Restaurant Week event was held in February and March of 2012. The event built on its highly successful first two years; 97 restaurants participated and more than 30,000 meals were served.

### Total Economic Impact of Restaurant Week

The total economic impact of the 2012 Sonoma County Restaurant Week is valued at \$1.54 million. This includes restaurant revenue, taxes and the value of local ingredients purchased for Sonoma County Restaurant Week prix-fixe menus. This is a 19 percent increase over 2011.

### Meals Served

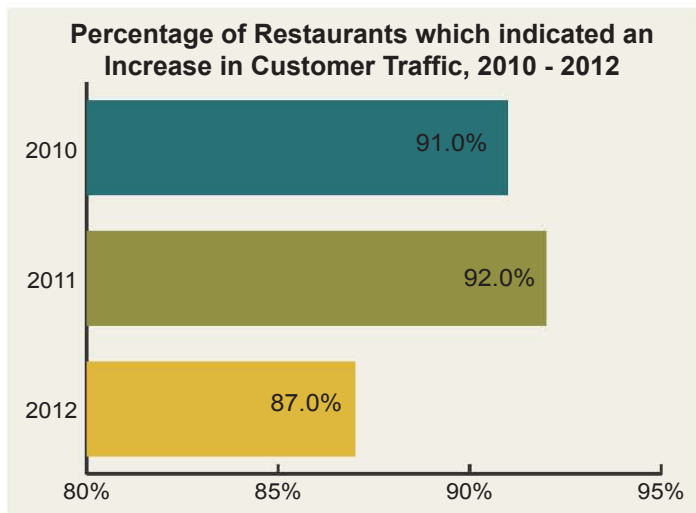
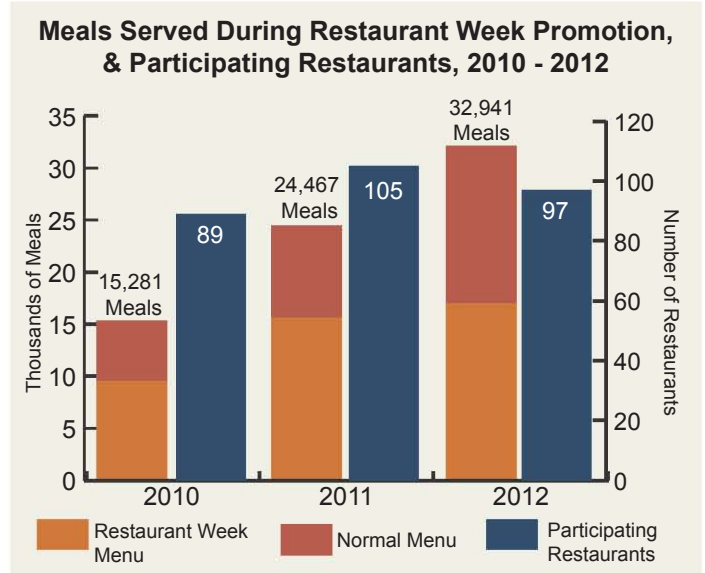
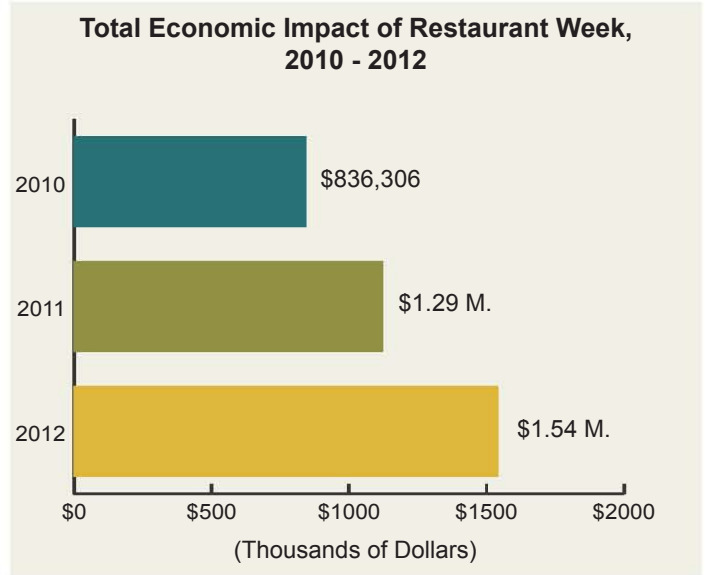
More than 32,000 meals were served during the 2012 Sonoma County Restaurant Week; over 17,000 meals were ordered off of the prix-fixe Restaurant Week menu. This is a 35 percent year-over increase in the number of meals served off of the Restaurant Week menu, and a 13 percent increase in the overall number of meals served during Restaurant Week.

### Restaurant Satisfaction

Restaurants continued to be satisfied with the program for the third year. In 2012, 95 percent were satisfied with their participation in the event, 93 percent were satisfied with the price points, and 99 percent of participants indicated that they would like to participate again.

### Customer Traffic and Restaurant Revenue

Almost 90 percent of restaurants indicated that their customer traffic had increased as a result of Restaurant Week indicating that the event was succeeding in helping restaurants generate business.



# Sonoma County Restaurant Week Report

## Customer Feedback

Participating Restaurants are asked to pass out customer comment cards during Sonoma County Restaurant Week. Comment Cards are given to all diners during the week as a way to measure the effects of the event. Diners are asked a variety of questions including where they are from, whether or not they had eaten at the restaurant before, whether the promotion encouraged them to dine out and if they ordered from the special menu. In 2012, over 4,000 comment cards were received. Some of the results are summarized below.

### Restaurant Week Encouraged Customer to Dine Out

Two thirds of Sonoma County Restaurant Week survey respondents indicated that they had chosen to go out because it was Restaurant Week. Only one third indicated that they had not been encouraged by the event. This suggests that the event successfully motivates people to dine out.

### Ordered Off Special Menu

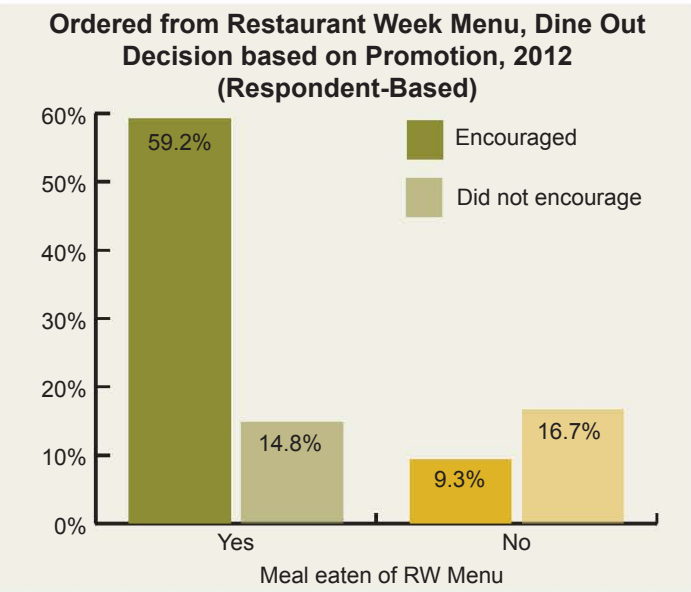
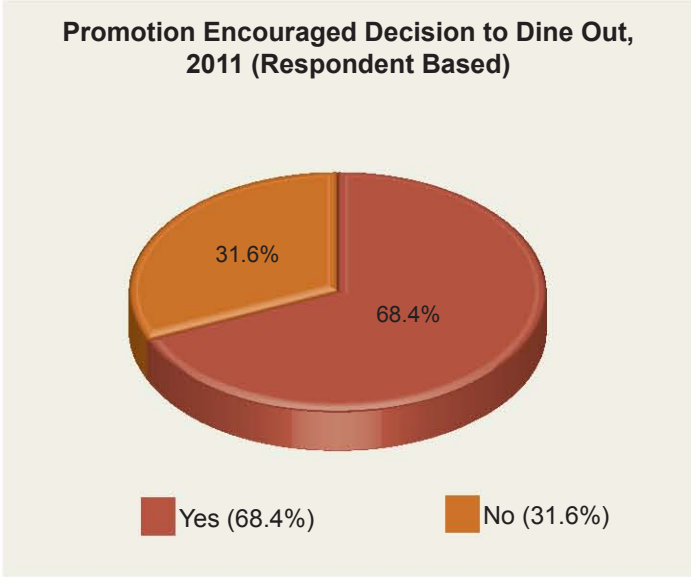
Of the 74% of respondents who ate off of the Restaurant Week menu, almost 60% were encouraged to dine out because of the Sonoma County Restaurant Week event. Of the 26% of diners who did not order from the special menu, 9% were encouraged to dine out because it was Restaurant Week.

### New Patron to Restaurant

More than half of respondents indicated that they had not been to the restaurant before Restaurant Week. Along with the data indicating that customers were eating out specifically because of the promotion, this suggests that Sonoma County Restaurant Week succeeds in helping restaurants get new customers and generate revenue during a typically slow time of year.

### Point of Origin

Customers originated from all over the county and outside of it. The most diners were from Santa Rosa (42.0%), and the most Santa Rosa restaurants participated (39.2%). Almost 15% of diners were from outside Sonoma County. This includes customers from the rest of California and diners from 43 states and 3 countries. Many restaurants located in Sebastopol, unincorporated county and Sonoma also participated in 2012.



**Point of Origin, 2012 (Respondent-Based)**

Area	Diners	Restaurants
Santa Rosa	42.0%	39.2%
Out of County	13.5%	-
Sebastopol	9.6%	9.3%
Unincorporated	8.9%	18.6%
Sonoma	7.2%	14.4%
Petaluma	5.0%	7.2%
Windsor	4.7%	4.1%
Rohnert Park	3.3%	1.0%
Healdsburg	3.2%	5.2%
Cloverdale	1.2%	1.0%
Cotati	1.0%	-

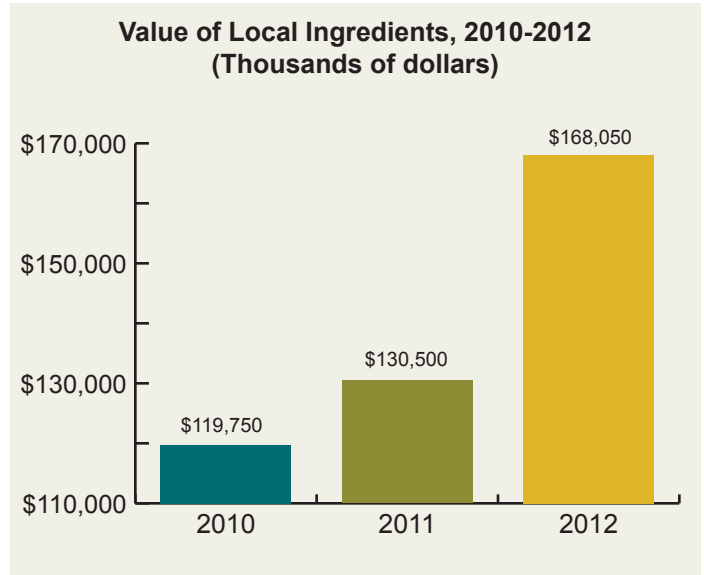
# Sonoma County Restaurant Week Report

## Economic Impact

Sonoma County Restaurant Week has a significant economic impact; these figures are discussed below.

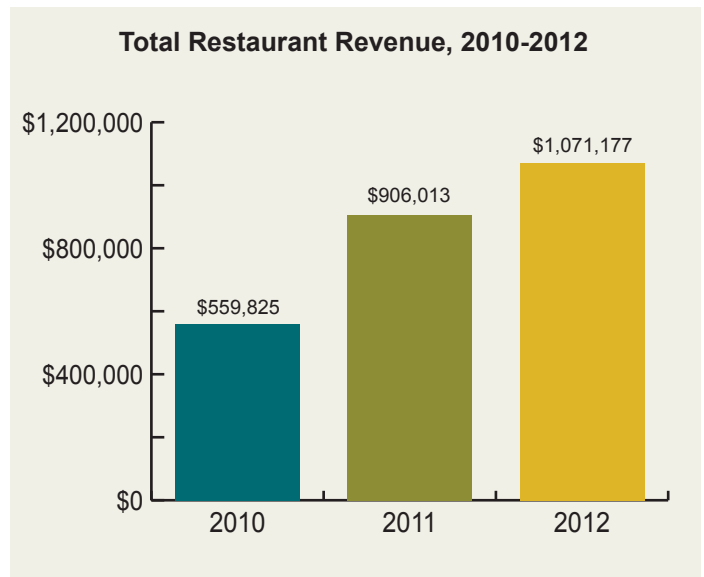
### Value of Local Ingredients

As Sonoma County has so many great local food producers, more and more restaurants are turning to local ingredients for use in their menus. We asked participating restaurants to indicate what the value was of local ingredients purchased specifically for their special restaurant week menu. More than \$168,000 worth of local food products were used for Restaurant Week. This is a 28 percent increase in the value of locally purchased goods to be used in the special Sonoma County Restaurant Week prix-fixe menus in 2012. This amount does not include restaurants who declined to indicate the value of local products used in their Restaurant Week menu.



### Total Restaurant Revenue

Total customer expenditure because of Restaurant Week is valued at \$1,071,177. This number is reported by restaurants directly through surveying.

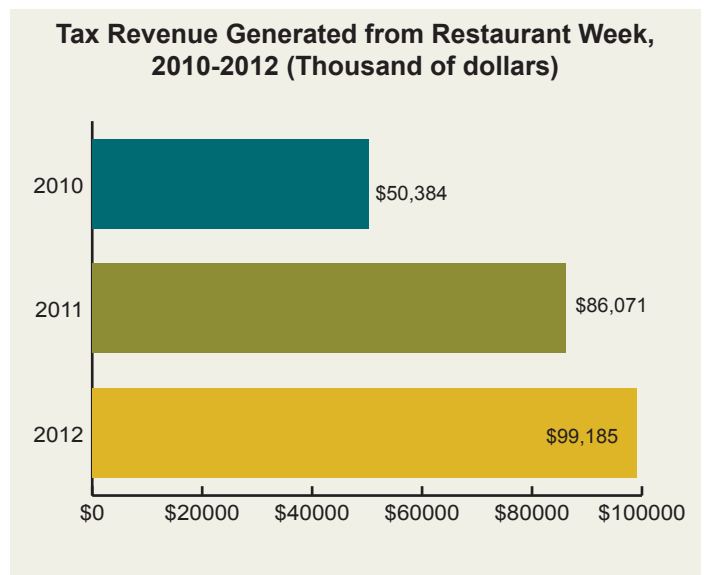
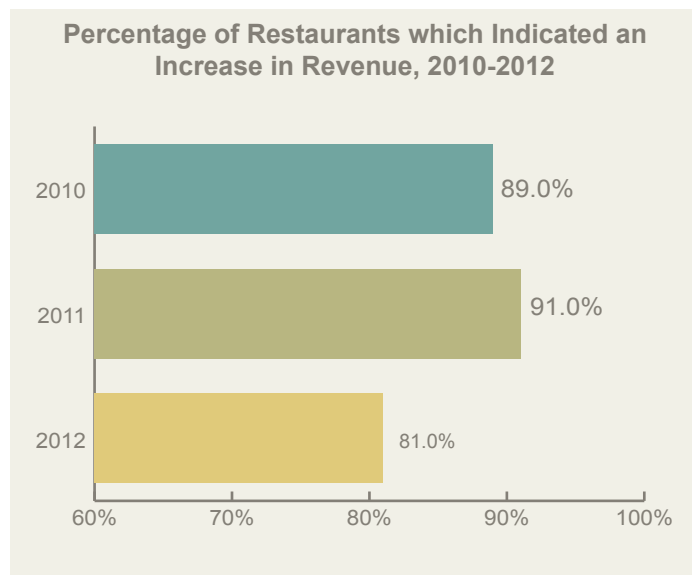


### Tax Revenue Generate from Restaurant Week

The sales tax revenue from the event was \$99,185 in 2012. This is a 15% increase over 2011 revenues.

### Restaurants Indicated an Increase in Revenue

A smaller percentage of restaurants indicated that they experienced an increase in restaurant revenue in 2012. However, the average reported revenue increase was higher - 25% in 2012.



# Sonoma County Restaurant Week Report

## Sponsors and Online Marketing

Restaurant Week was successful largely because of our sponsors. These include The Press Democrat, Maverick Media, The Northbay Bohemian, Redwood Empire Stereocasters, local Visitor Centers and Chambers, and OpenTable. We also improved on our website to make it more user friendly, utilized Google Adwords, and used social media platforms to promote the event.

### Sonoma County Restaurant Week Sponsors

With the help of our sponsors we were able to publicize the event and give the public access to many of our online resources. Maverick Media created specific Restaurant Week pages on each of their stations sites, and featured the event on their Facebook accounts. Redwood Empire Stereocasters The Press Democrat was instrumental in our print ad campaign by featuring advertisements for several weeks. The Northbay Bohemian featured print and online ads which drove people to our site. OpenTable also hosted a designated Restaurant Week page so diners could make reservations at their favorite participating restaurants.

### SonomaCountyRestaurantWeek.org

We improved on our website in 2012 by building a more streamlined and user-friendly site. The site featured more information than the prior year about specific restaurants. News search functions were added so that diners could look at restaurants in certain locations at certain price points. This was in addition to photographs, addresses, phone numbers, hours of operation, Google maps, restaurant websites and OpenTable links where applicable for our participating restaurants. We also addressed load time issues that came up last year. Overall, our web traffic increased significantly and visitors viewed more pages and stayed on the site longer.

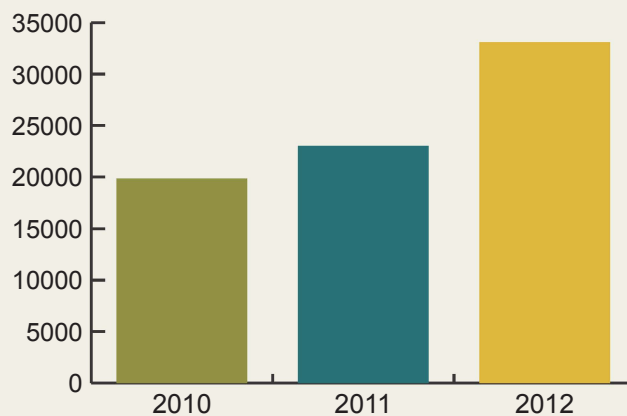
### Sonoma County Restaurant Week on Facebook

The Restaurant Week campaign grew on Facebook in 2012. There was significant traffic to the site, which included comments and likes by unique visitors. During the week of Restaurant Week, our facebook posts reached 15,000 users and each post had an average reach of 800 people. Overall, we had 2,780 likes in 2012. We also ran an giveaway on our Facebook page, which allowed us to increase our engagement with users and also increase the number of photos we had on our facebook profile.

### @SoCoRestWeek

Twitter was utilized as an active part of the Sonoma County Restaurant Week promotional campaign. Followers were driven to both Facebook and the official website. The number of people following SoCoRestWeek increased to 852 in 2012.

Website Traffic from the week prior through Restaurant Week, 2010 - 2012



### Website, Facebook and Twitter, 2012

#### Website

21,291 Unique Visitors

9.65 Pages per Visit

7 min 18 sec Average length of visit

#### Facebook

2,780 people like Sonoma County Restaurant Week on Facebook

15,000 the total unique "reaches" during Restaurant Week

800 the average "reach" of each post during Restaurant Week

#### Twitter

852 the number of SoCoRestWeek followers

419 the number of SoCoRestWeek tweets

### Sonoma County Restaurant Week Sponsors



# Sonoma County Restaurant Week Report

## Comments from Participating Restaurants

In addition to asking participating restaurants about their business figures for Restaurant Week, we ask them to provide us with feedback about the event. This way we can determine what we are doing well in and how we can improve. Here are some of the comments we received from this year's participating restaurants:

Restaurant Week is a great event. It fills seats at a time of the year that can be quite challenging.

**-Sue Kade, Owner**  
**La Vera Pizza**

Great Job! Nicely marketed and well organized.

**-Brandon Guenther, Owner**  
**Rocker Oysterfeller's Kitchen + Saloon**

Best week we ever had in our four years open. We noticed that most customers were first timers and came just to try out the Restaurant Week (menu). We had more advanced reservations this year than last.

**-Brian Anderson, Chef/ Owner**  
**Bistro 29**

We introduced the restaurant to a lot of people who we hope will return multiple times during the coming year

**-Michel Augsburg, Co-Owner**  
**Bistro Des Copains**

Restaurant week has become increasingly popular every year. We have definitely seen an increase in restaurant week traffic year after year. Thank you for all your hard work putting this together every year!

**-Aaron Alchin, Manager**  
**Cafe Citti**

The concept of restaurant week especially helps out our bottom line. I.E. brings in new customers, and keeps the overall revenue for the latter weeks of February and early weeks of March above margin. We love participating, and our business does as well. Thank you so much for this wonderful opportunity, Le Bistro.

**-Erin Walker, Manager**  
**Le Bistro**

Drove up traffic during the week and exposed new customers to Cafe 522

**-Todd Har Bron, Co-owner**  
**Cafe 522**

We were absolutely thrilled with Restaurant Week this year! We had more than double the amount of customers than we would have had on a typical February or March week. Thank you!

**-Debbie Espinosa, General Manager**  
**French Garden Restaurant**

We were very excited to be a part of Restaurant week this year. As a new business, it really helped encourage new customers to try our establishment. We were concerned that February was going to be the slowest month of the year. Thanks to Restaurant Week, our sales for the month was equivalent to some of our busier time of year.

**-Lina Hoshino, Co-owner**  
**Petaluma Pie Company**

## Methodology

This report outlines the event and the results from the last three years. This includes restaurant experience and event outcomes, customer feedback, economic impact data and the Sonoma County Restaurant Week web presence.

Data for this report is collected directly from diners and participating restaurants during the event, and with follow-up surveys given immediately after the week of the event. More than 4,000 diners filled out our comment cards, and 90% of participating restaurants filled out ex-post surveys. Their feedback allows us to track the success of the event.

### Notes on Calculations:

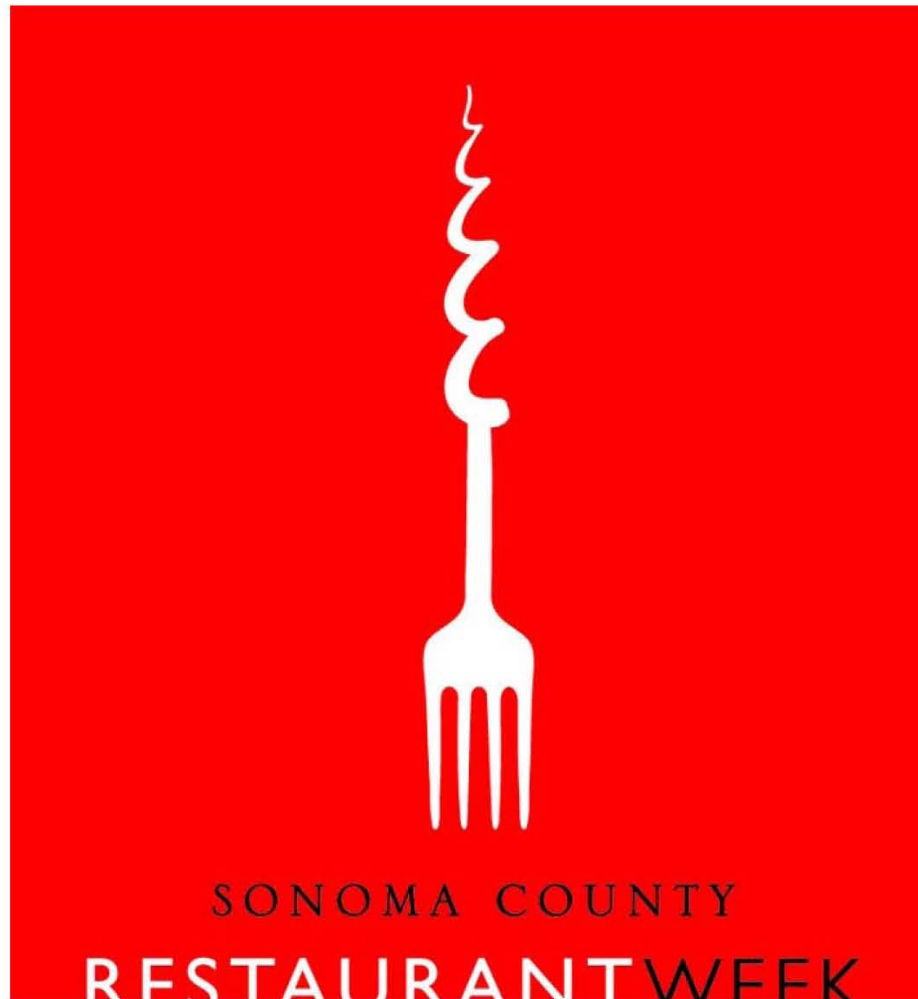
Economic Impact Data: we use a multiplier of 1.19 to determine the overall economic impact of spending at eating & drinking establishments per National Restaurant Association. Economic impact figures from 2010-2012 have been adjusted to reflect this multiplier and explains any discrepancies in previously reported figures.

Because some restaurants did not report, we believe the economic impact, the value of local ingredients and overall restaurant revenue figures to be understating the effects of Sonoma County Restaurant Week in 2012. However, we have chosen not to project the value of these figures in order to have an accurate and conservative figure.



Economic Development Board  
401 College Avenue, Suite D  
Santa Rosa, CA 95401  
(707) 565-7170  
[www.sonoma\*\*edb\*\*.org](http://www.sonomaedb.org)





# Mission of Restaurant Week

- Provide economic boost by stimulating local spending
- Increase Sonoma County's reputation as a premier culinary destination
- Attract visitors to Sonoma County

# Restaurant Industry Challenges

- Recession
- Historically slow winter months

## Goals

- 50 or more participating restaurants
  - **Result: 97 participating restaurants**
- Sonoma County as a premier dining destination
  - **Result: Customers from 43 states, 3 countries and all Bay area counties**
- Increase customer traffic
  - **Result: Customer traffic increased by 13%**

## Event Details

- Restaurants offer special fixed-price menu
- Emphasis on local ingredients and wineries
- Introduces locals and tourists to new restaurants
- Active marketing & public relations campaign

# Sponsors

- Sponsorship Value: approximately \$64,000
  - *Press Democrat/Bite Club Eats*
  - Maverick Media Radio Stations
  - Sonoma County Tourism Bureau
  - Redwood Empire Stereocasters
  - *North Bay Bohemian*
  - Open Table
  - Sonoma County Visitor Centers and Chambers

# Media Coverage

- Newspapers
- Radio
- Blogs
- Social Media

# Track Results

- Customer survey cards
  - 4,000 diner responses
- Survey of restaurateurs
  - 90% response rate



# Customer Traffic/Revenue

- 17,000 customers dined out due to Restaurant Week
- 87% of restaurants saw a year-over increase in customer traffic
- 81% of restaurants saw a year-over increase in revenue
  - Average restaurant revenue increased 25%

# Overall Satisfaction

- 95% of restaurants were satisfied with their participation in Restaurant Week
- 93% of restaurants were satisfied with their participation in the event
- 99% of restaurants will participate in the next Restaurant Week

# Customer Profile

- 56% of surveyed diners were first-time customers to a participating restaurant
- 68% of surveyed diners indicated they had chosen to go out because of Restaurant Week
- 15% of customers came from outside of Sonoma County
- 43 states and 3 countries represented

# Impact

- \$168,050 of local ingredients purchased by restaurants used for Restaurant Week menus
- Total Customer Expenditure: \$1,071,177
- Sales Tax Revenue: \$99,185
- **Total Economic Impact: \$1.54 Million**

# Feedback

- “Restaurant Week has become increasingly popular every year. We have definitely seen an increase in restaurant week traffic year after year. Thank you for all of your hard work putting this together every year!”
- “We were absolutely thrilled with Restaurant Week this year! We had more than double the amount of customers than we would have had on a typical February or March week. Thank you!”  
- *French Garden Restaurant*



## Feedback (Cont'd.)

- “Best week we ever had in our four years open. We noticed that most customers were first timers and came just to try out the Restaurant Week (menu). We had more advanced reservations this year than last. “
- “Restaurant Week is a great event. It fills seats at a time of the year that can be quite challenging. “  
- *La Vera Pizza*





SONOMA COUNTY  
**RESTAURANTWEEK**  
march 18 - march 24, 2013



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 35  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Sonoma County Board of Supervisors, Sonoma County Water Agency Board of Directors, Sonoma County Community Development Commission Board of Directors, Sonoma County Agriculture and Open Space District Board of Directors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** County Administrators Office

**Staff Name and Phone Number:**

Lori Norton, (707) 565-3345

**Supervisory District(s):**

Countywide

**Title:** Brown Act Compliance Affirmation

### Recommended Actions:

Affirm commitment to fully comply with the Brown Act, whether sitting as the Board of Supervisors or as the governing board of any other District, Commission, Authority or Board.

### Executive Summary:

The Sonoma County Board of Supervisors has an abiding commitment to serving the public through transparency and openness in county operations and government. Since its passage in 1953, the Board has adhered to the Ralph M. Brown Act ("Brown Act"), the basic premise of which is to insure the right of access to information concerning the conduct of the people's business and to insure that all meetings of the Board are open and public, and that all persons are permitted to attend.

On June 27, 2012, the State legislature passed AB 1464, a budget trailer bill, which contains a list of state mandates that are suspended during the FY2012-13 budget year. A number of provisions of the Brown Act are among the suspended mandates. SB 1006, which was also enacted on June 27, extended the suspensions through FY 2014-15, for a total of three years. Suspended provisions of the Brown Act include:

- Preparation and posting at least 72 hours before a regular meeting of an agenda that contains a brief general description of each item of business to be transacted or discussed at the meeting. (See Gov. Code § 54954.2(a).)
- Inclusion on the agenda of a brief general description of all items to be discussed in closed session. (See Gov. Code § 54954.2(a).)
- Disclosure of each item to be discussed in closed session in an open meeting, prior to any closed session. (See Gov. Code § 54957.7 (a).)
- Report in open session prior to adjournment on the actions and votes taken in closed session regarding certain subject matters. (See Gov. Code §§ 54957.1(a)(1)-(4), (6); 54957.7 (b).)



- Provide copies to the public of certain closed session documents. (See Gov. Code § 54957.1 (b)-(c).)

Under state rules, California is required to reimburse the County for the cost of complying with mandated requirements, including the Brown Act. The State has not reimbursed local governments for open meetings costs since 2005, accumulating a debt estimated at \$96 million. By suspending the open meetings provision in the Brown Act, the State expects to avoid paying open meetings costs for the next three years, as well as eliminate the current debt owed to local governments. This is not the first time the State has suspended the Brown Act. In 1990 the State also suspended the Brown Act as a way to reduce State expenditures.

To ensure continued transparency and openness, both of which are vital to public trust, staff recommends the Board of Supervisors affirm their commitment to fully comply with the Brown Act. This commitment extends to all appointed bodies, of the Board of Supervisors, Board of Directors, etc., with the very limited exceptions (i.e. Ad Hoc Committees) contained within the Brown Act.

**Prior Board Actions:**

In 1990 the State suspended the Brown Act as a cost saving measure. The Board of Supervisors continued to comply with the requirements of the Act regardless of the suspension of the mandate.

**Strategic Plan Alignment:** Civic Services and Engagement

Compliance with the Brown Act facilitates open and transparent government, which is essential to an engaged and informed citizenry.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

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

The State has suspended and deferred payment of numerous mandates, including the Brown Act, since 2005. Suspension of the mandate relieves the State of its obligation to pay the County for the cost of posting agendas, providing copies of certain documents to the public, etc. The last claim submitted by the County for reimbursement for Brown Act expenses was for FY 10-11. The amount of the claim submitted was \$132,258. Funding for the expense of preparing agendas is included in the County Administrator/Clerk of the Board budget and sans reimbursement from the State, will be borne by the County General Fund. The annual cost to

fund this expense for FY 12-13 is estimated to be \$140,000. The major component of this cost is the staff time required to prepare, duplicate and post agendas and related materials for meetings of the Board.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

None

**Attachments:**

None

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

None



County of Sonoma  
Agenda Item  
Summary Report

**Agenda Item Number:** 36  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Supervisor Shirlee Zane

Third

**Title:** Fee Waiver

**Recommended Actions:**

Approve a Fee Waiver in the amount of \$186.00 by Neighbors Organized Against Hunger (NOAH) for a two year Retail Food Facility permit from Environmental Health (\$93 per year).

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 186.00	County General Fund	\$ 186.00
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 186.00</b>	<b>Total Sources</b>	<b>\$ 186.00</b>

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

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

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

**Attachments:**

Cover letter, fee waiver request form, fee waiver policy.

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

This letter is a request for the Board of Supervisors to waive the Retail Food Facility permit fee associated with Neighbors Organized Against Hunger (NOAH) move into our new location at 5443 Synder Lane in Rohnert Park.

NOAH operates a food pantry. Each week, families receive food to help stretch their food budget for the week. For example, we provide food to individuals living out of their cars which they don't need to refrigerate or cook. NOAH provided food to individuals 40,000 times in 2011! We serve households in need that live in Rohnert Park, Cotati and Penngrove. We partner with and purchase much of our food from the Redwood Empire Food Bank. We also receive food from local grocery stores food drives, school food drives, and individuals. NOAH is one of the largest Food Pantries in Sonoma County. On the back of this letter is our 2011 statistics.

NOAH does all its work on a budget of less than \$30,000 dollars per year! Most all of our income is received from individuals and non-profit groups. NOAH enjoys broad community support from service clubs such as Rotary, local churches, local government and professionals willing to donate their expertise. We invite you to be a part of this crucial service. Please waive all county fees associated with this move-in and our operations.

If you have questions please feel to contact Arianne Eskew at 529-3411 or send an email to [rpcfoodpantry@gmail.com](mailto:rpcfoodpantry@gmail.com). Thanks for your consideration.

SUBMIT TO:  
Board of Supervisors  
575 Administration Dr. 100A  
Santa Rosa, CA 95403

COUNTY OF SONOMA

Fee Waiver Request Form

For Board of Supervisors Use Only

1. Contact information for individual requesting fee waiver:

Name: Arienne Eskew  
First Middle Last

Mailing Address: PO Box 7253 Cotati 94931  
Number Street City State/ZIP

Phone: 707-529-3411 Email: aria@sonic.net  
Area Code/Number

2. Name of organization or entity for which fee waiver is requested:

Name: Neighbors Organized Against Hunger (NOAH)

Mailing Address: PO Box 2955 Robert Park 94927-2955  
Number Street City State/ZIP

Phone: 707-795-7853 Email: rpcfoodpantry@gmail.com  
V-mail only

3. Please indicate by check mark the supervisory district in which the organization or entity submitting this request is located, where the project/activity/event will be held, and the district office to whom you would like to submit this request:

Board Member and District	Valerie Brown District 1	David Rabbitt District 2	Shirlee Zane District 3	Mike McGuire District 4	Efren Carrillo District 5
Entity or organization location (select all that apply)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Project/activity/event location (select all that apply)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District office to receive request (select only one)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Type of organization or entity for which the fee waiver is requested:

- City
- School
- Special District
- Non-profit or CBO
- Other Local Government
- Individual

Other Fees (please specify): \_\_\_\_\_

5. Please provide a description of the project/activity/event for which a fee waiver is being requested on a separate sheet of paper. Please include the type of project/activity/event, the number of individuals who will participate or be served, etc.

6. Please indicate if this is a one-time or annual event:  One Time  Annual

Reset

7. Type and amount of fee waiver(s) requested. Please list all County fees you are requesting be waived in conjunction with this project/activity/event:

Department Assessing Fee	Type of Fee	Amount of Fee
ENVIRONMENTAL HEALTH		\$93

8. If your entity or organization has received a fee waiver(s) for a similar project/activity/event in the past, please list fee waivers below:

Date of Fee Waiver	Department Assessing Fee	Type of Fee	Amount of Fee
N.A.			

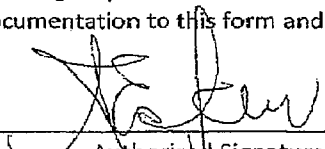
9. Does the organization or entity for which the fee waiver is requested receive funding from any of the following sources? If so, please specify:

- Property Tax                       Sales Tax                       Special Assessment  
 User Fees

Other Fees (please specify): NONE

10. If the organization or entity receives tax funding or has the ability to assess fees, please provide an explanation and supporting documentation regarding the complete inability of the organization or entity to pay the fees which you are requesting be waived. Please attach information/documentation to this form and submit with your request for a fee waiver. N.A.

11. Will the organization or entity be charging an entry fee or be requesting a donation for the project/activity/event for which you are requesting a fee waiver? If so, please provide an explanation and supporting documentation detailing why the fees to be waived cannot be recovered through the entry fee. Please attach information/documentation to this form and submit with your request for a fee waiver. NO.

  
 \_\_\_\_\_  
 Authorized Signature  
 8/13/12  
 \_\_\_\_\_  
 Date

Board member  
 \_\_\_\_\_  
 Title

## NOAH SERVICE STATISTICS 2011

	<u>Service Weeks in Month</u>	<u>Weight of Food Purchased, Pounds</u>	<u>Cost of Food, \$</u>	<u>Families/ Households Served</u>	<u>People in Families/ Household</u>	<u>People Under 18 in Household</u>	<u>People Over 60 in Household</u>
<b>2011</b>							
January	4	14,300	\$1,052	830	2,910	1,100	315
February	4	17,015	\$1,560	842	2,868	979	331
March	5	23,232	\$2,020	993	3,325	1,112	402
April	4	21,086	\$1,785	1,017	3,518	1,357	287
May	4	17,328	\$1,781	841	2,842	1,009	319
June	5	24,806	\$2,624	1,000	3,405	1,277	392
July	4	19,653	\$2,106	932	3,062	1,144	329
August	5	27,056	\$2,221	1,189	4,012	1,526	475
September	4	26,338	\$1,602	948	3,139	1,125	400
October	4	24,914	\$1,089	923	3,015	1,098	410
November	5	25,132	\$2,347	1,187	3,965	1,458	467
December	4	14,758	\$657	867	3,001	1,015	388
<b><u>Annual Totals</u></b>	<b><u>52</u></b>	<b><u>255,618</u></b>	<b><u>\$20,844</u></b>	<b><u>11,569</u></b>	<b><u>39,062</u></b>	<b><u>14,200</u></b>	<b><u>4,515</u></b>
<b><u>Weekly Avgs</u></b>		<b><u>4916 lbs</u></b>	<b><u>\$401</u></b>	<b><u>222</u></b>	<b><u>751</u></b>	<b><u>273</u></b>	<b><u>87</u></b>





# County of Sonoma Fee Waiver Policy

Authority: Board of Supervisors  
Approval Date: June 2, 2009  
Effective Date: July 1, 2009

## 1. Purpose

The purpose of this policy is to establish guidelines to be used to evaluate requests for fee waivers and to implement a structure and process through which consistent information for fee waiver requests will be collected and evaluated.

## 2. Background

Sonoma County is facing unprecedented fiscal challenges. As a result of the economic downturn, job and income losses, declining home values, and reduced consumption, the County's major sources of revenue property tax and sales tax have declined substantially. The situation is exacerbated by an increase in demand for county services. In light of this new fiscal reality, the county is reviewing all resource allocation decisions. Fee waivers, are an expense to the County General Fund. Fees are established to pay for the cost of a service provided by a county department. When a fee waiver is granted, the County General Fund pays the department in an amount equal to the fee waived.

## 3. Policy

The Board of Supervisors may, at their sole discretion, approve or disapprove fee waiver requests. Effective July 1, 2009, the following general guidelines will be used to assist in the determination of whether a requested fee waiver is eligible or ineligible.

<b>Eligible for fee waivers</b>	<b>Ineligible for fee waivers</b>
Community based organizations (CBO) or non-profits providing a direct service that is similar to or complimentary to a key county policy goal or direct service that the county is typically responsible for providing; e.g. emergency or economic assistance or basic sustenance needs (emergency food, shelter, etc.)	Flood elevation program fees
	Other county department fees
	Other governmental agencies – unless they can demonstrate an inability to pay the county fee
Governmental agencies that do not receive tax funding and can demonstrate an inability to pay the county fee	Fund raising events - where attendees pay a fee for admission to the event or in the case of festivals where vendors pay to participate in the event

## 4. Phased in Reduction for CBOs and Non-Profits

CBOs and non-profits that have received a fee waiver in the 12 months prior to the effective date of this policy, for an activity/event that may no longer be eligible under this policy, will be considered for a phased reduction in fees as follows:

- Year 1 – Up to two-thirds of the fee amount previously waived, may be waived
- Year 2 – Up to one-third of the fee amount previously waived, may be waived
- Year 3 – Fee waiver ineligible

The phased-in reduction does not apply to CBOs and non-profits who received fee waivers for a fund raising activity/event, where the CBO or non-profit has the ability to set entry or participation fees at a level necessary to cover costs, including the cost of any associated fees.

#### **5. Fee Waiver Request Form**

Fee waiver requests submitted on or after June 2, 2009, must be accompanied by a Fee Waiver Request Form (Attachment A). Copies of this form may be obtained from the County of Sonoma, Clerk of the Board of Supervisors, located at 575 Administration Drive, Room 100A, Santa Rosa, CA, 95403, or at the following website: <http://www.sonoma-county.org/board/index.htm>.

Fee Waiver Request Forms must be complete, signed, and accompanied by supporting documentation to demonstrate eligibility for the requested fee waiver. Demonstrated eligibility does not assure approval of a fee waiver request.

Completed Fee Waiver Request Forms shall be submitted to the Clerk of the Board of Supervisors at the address above. The Clerk will forward requests to the Board Member specified by the applicant.



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 47 2:10 P.M.  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Melinda Grosch 565-2397

**Supervisory District(s):**

Second District

**Title:** Minor Subdivision of lands under a Williamson Act Contract; Tom Bachman; MNS11-0009.

### Recommended Actions:

Adopt a Resolution to adopt the Mitigated Negative Declaration and approve a Minor Subdivision of 166 +/- acres into two lots of 99.61 +/- and 63.4 +/- acres under a Williamson Act contract located at 6525 Lakeville Highway, Petaluma; APNs 068-110-026, -044, and -045; Second District.

### Executive Summary:

Normally a Minor Subdivision is approved after a hearing before the Project Review and Advisory Committee. However, when land is under a Williamson Act contract the decision must be made by the Board of Supervisors. The Board is requested to conduct a public hearing on the proposed two lot Minor Subdivision and consider the Mitigated Negative Declaration and the Project Review and Advisory Committee's recommendation. At the conclusion of the hearing your Board may adopt the Mitigated Negative Declaration and approve the Minor Subdivision with mitigation measures and conditions as recommended by staff and the Project Review and Advisory Committee.

The proposed subdivision is consistent with the General Plan and zoning and meets all state law requirements for subdividing land under a Williamson Act Contract. Staff recommends approval. See attached memo for additional detail.

### Prior Board Actions:

None

**Strategic Plan Alignment:** Economic & Environmental Stewardship

**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**  
 Not Applicable

<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**  
 Not Applicable

**Attachments:**  
 Draft Board of Supervisors Resolution  
 EXHIBIT A: Draft Conditions of Approval  
 EXHIBIT B: Vicinity Map  
 EXHIBIT C: Tentative Map  
 EXHIBIT D: Mitigated Negative Declaration

**Related Items "On File" with the Clerk of the Board:**  
 None.



# COUNTY OF SONOMA

## PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

---

**DATE:** September 11, 2012 at 2:10 p.m.  
**TO:** Board of Supervisors  
**FROM:** Melinda Grosch, Project Planner  
**SUBJECT:** Hearing to consider a Minor Subdivision; MNS11-0009, Tom Bachman; Supervisorial District No. 2.

### **Action Requested of the Board of Supervisors:**

Normally a Minor Subdivision is approved after a hearing before the Project Review and Advisory Committee. However, when land is under a Williamson Act contract the decision must be made by the Board of Supervisors. The Board is requested to conduct a public hearing on the proposed Minor Subdivision and consider the Mitigated Negative Declaration and the Project Review Advisory and Committee's recommendation. At the conclusion of the hearing your Board may adopt the Mitigated Negative Declaration and approve the Minor Subdivision with mitigation measures and conditions as recommended by staff and the Project Review and Advisory Committee.

### **Prior Actions:**

On July 19, 2010, the Project Review Advisory Committee, with a 6-0-1 vote, recommended that the Board of Supervisors approve the request by Tom Bachman for a Minor Subdivision of a 166 +/- acre parcel into two parcels of 99.61 +/- and 63.36 +/- acres with a dedication of 4.58 +/- acres to the County of Sonoma for Lakeville Highway.

### **Location, Zoning and Project Description:**

The subject property is located at 6525 Lakeville Highway, Petaluma; APN's 068-110-044, -026, and -045; Supervisorial District No. 2. The base zoning district is LEA (Land Extensive Agriculture), B6-60 acre density, with the Z (Second Dwelling Unit Exclusion), SR (Scenic Resource), VOH (Valley Oak Habitat), BR (Biotic Resource), and F2 (Floodplain) Combining Districts.

The proposed project is a request for: a Minor Subdivision of a 166 +/- acre parcel into two parcels of 99.61 +/- acres (Lot 1) and 63.36 +/- acres (Lot 2) with a dedication of 4.58 +/- acres to the County of Sonoma for Lakeville Highway. Each parcel will have vineyards and a horse breeding operation. Lot 1 is currently developed with a house, horse stables, and other agricultural outbuildings. Lot 2 currently has an agricultural storage building and an irrigation pond. It may be developed with a residence and additional agricultural buildings such as the 10-stall horse barn proposed by the current owner for his horse breeding operation to be conducted on Lot 2 after the subdivision is complete.

### **ISSUES**

#### **Issue #1:** General Plan and Zoning Consistency

The property's General Plan designation is Land Extensive Agriculture 60-acre density. The subdivision creates two lots of 99.61 +/- and 63.36 +/- acres which is consistent with the General Plan land use designation. The subdivision is consistent with General Plan goals, policies and objectives,

specifically General Plan policy AR-8c which requires the lots to meet minimum parcel size requirements as noted below.

The subdivision is consistent with the minimum parcel size requirement of the LEA (Land Extensive Agriculture) B6-60 acres/dwelling unit zoning district. The site also has the SR (Scenic Resources) combining designation. The SR designation requires the establishment of building envelopes to minimize visual impacts. The building envelopes are shown on the Tentative Map and have been reviewed by staff. The building envelope on Lot 1 is approximately 3-acres, while the two envelopes designated on Lot 2 total approximately 5-acres, the maximum allowed under the Williamson Act contract.

**Issue #2:** Williamson Act Consistency

The property is under a Type II Williamson Act contract. The 166 +/- parcel is used for grazing and vineyards. The parcel will be divided into two parcels of 99.61 +/- and 63.36 +/- acres with the 99.61 +/- acre parcel, Lot 1, currently supporting a horse breeding operation and 25 acres of vineyard. The 63.36 +/- acre parcel, Lot 2, is planted with 30 acres of vineyard, and the remainder of this lot contains wetlands associated with the Petaluma River, as well as a large detention pond for irrigation water and runoff control. Under the proposed subdivision, Lot 1's agricultural uses will remain unchanged, and Lot 2's uses will be enlarged to include a 10 stall horse barn for the horse breeding operation and 10 additional acres of vineyards.

The Subdivision Map Act and the County's Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules) require that certain findings be made in order to create new parcels when the parent parcel is under a Williamson Act Contract. Those findings are as follows:

1. Consistency with the General Plan: The subdivision creates two lots of 99.61 +/- and 63.36 +/- acres which is consistent with the General Plan land use designation of Land Extensive Agriculture 60-acre density. The subdivision is consistent with General Plan goals, policies and objectives, specifically General Plan policy AR-8c which requires the lots to meet minimum parcel size requirements as noted below.
2. Consistency with the Zoning: The subdivision is consistent with the LEA B6-60 acres/dwelling unit, SR zoning designation and minimum parcel size requirement of the zoning district.
3. The subdivision complies with County-adopted Uniform Rules because it has been demonstrated that after the subdivision:

*Agricultural Use:* Each parcel will be devoted to a qualifying agricultural use, Lot 1 with 25 acres of vineyard and a horse breeding operation over the balance of the parcel. Lot 2 currently has 30 acres of vineyards planted. A horse breeding operation will be established, and 10 additional acres of vines will be planted, on this parcel after the subdivision is complete. Both horse breeding operations will meet the requirement of a minimum of 15 mares;

*Compatible Uses:* All uses, other than qualifying agricultural uses, for each parcel will conform to the requirements of Uniform Rule 8 governing compatible uses. No more than 15% or 5 acres of each parcel, whichever is less, excluding public roads, private access roads, and driveways, will be used for compatible uses. Compatible uses for Lot 1 include: a current 2,952 square foot residence located within an approximately 3-acre building envelope, and; and for Lot 2 include: a

future potential residence located within an approximately 3-acre building envelope and a new 10-stall horse barn located in an approximately 2-acre building envelope. Currently approximately 12-acres of the site is irrigation pond and runoff detention area the applicant has been making revisions to the ponds to eliminate brackish water in the runoff containment pond. An additional 10 acres of Lot 2 may be planted in vineyards. Approximately 13-acres of the site are encumbered by wetlands associated with the Petaluma River. Planting and grazing are prohibited in this area due to their rich biotic resources.

*Minimum Parcel Size:* Each parcel will meet the minimum parcel size of 40 acres as required for a Non-prime contract. The proposed parcel sizes range from 63.36 +/- to 99.61 +/- acres. Parcels that are 40 or more acres are presumed to be large enough to sustain their agricultural use;

*Minimum Income:* Each parcel will individually meet the minimum income requirement for a Non-prime Williamson Act contract, which is \$2.50 per acre, or \$2,000.00 per farm operation for a Non-prime Williamson Act contract;

*Agricultural Preserve & Contract Restriction:* Each parcel is located in a designated Agricultural Preserve (Number 2-404, 1974), will remain under a Williamson Act contract, with an automatically renewing term of at least 10 years, and will comply with the restrictions to agricultural and compatible uses.

*No loss of land:* The County of Sonoma had previously asked the property owner for a dedication of a right-of-way easement for Lakeville Highway. The property owner has agreed and is offering it as a dedication as a part of the proposed subdivision. This dedication is along both sides of Lakeville Highway taking land from both proposed lots so that the right-of-way is 43-feet along each side of the centerline. The dedication is approximately 4.58 acres relative to a right-of-way width of 86-feet by 2,055.89 feet in length. The land that will go to the roadway is not currently under active cultivation, rather it is part of the pasture lands. This would be an insignificant amount of land relative to the overall use of the site. The dedication would have been required at some point in the future regardless of the requested subdivision. Because the dedication is in the form of an easement the land will continue to be available for agriculture in the future if the roadway is not widened as currently envisioned in the Sonoma County General Plan.

4. The subdivision complies with Section 66474.4 of the Subdivision Map Act pertaining to land under an existing California Land Conservation contract, referred to as a Williamson Act contract, because (1) the resulting parcels would be over 40 acres, which is large enough to sustain continued agricultural use, (2) each parcel meets or exceeds the minimum lot size, (3) each parcel meets or exceeds the minimum income requirements for a commercial agricultural operation, and (4) the subdivision will result in two new farming enterprises each of which would be allowed one single family dwelling for the owner/operator, therefore, it will result in residential development that is incidental to the agricultural operation.
5. Based upon the information contained in this Initial Study, it has been demonstrated that there will be no significant environmental effect resulting from this project, provided that mitigation measures are incorporated into the project.
6. The subdivision complies with the Subdivision Map Act (Government Code Sections 66410 through 66499.58). Specifically, the tentative map complies with Section 66474 of the Subdivision Map Act because (1) the subdivision design is consistent with the applicable objectives, goals, and policies

of the General Plan, (2) the site is physically suitable for the development, (3) the subdivision will not cause substantial environmental damage or injure fish or wildlife or their habitat, (4) the subdivision is not likely to cause serious public health problems, and (5) the design of the subdivision will not conflict with public easements.

The owner will be required to rescind the existing contract and replace it with two individual contracts that are specific to each parcel as a condition of the subdivision approval.

**List of Attachments:**

Draft Board of Supervisors Resolution  
EXHIBIT A: Draft Conditions of Approval  
EXHIBIT B: Vicinity Map  
EXHIBIT C: Tentative Map  
EXHIBIT D: Mitigated Negative Declaration



**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012**

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopting A Mitigated Negative Declaration And Approving The Request For A Minor Subdivision Of The Lands Of Bachman, For Property Located At 6525 Lakeville Highway, Petaluma; APN's 068-110-026, -044, and -045.**

**Whereas**, the applicant, Tom Bachman, filed an application with the Sonoma County Permit and Resource Management Department to subdivide 166 +/- acres into two parcels of 99.61 +/- acres (Lot 1) and 63.36 +/- acres (Lot 2) in size with a 3.2 +/- acre dedication of right-of-way to Sonoma County for Lakeville Highway for property located at 6525 Lakeville Highway, Petaluma; APN's 068-110-026, -044, and -045; Supervisorial District No. 2; and

**Whereas**, a Mitigated Negative Declaration has been prepared and the applicant has agreed to the Mitigation Measures; and

**Whereas**, the subdivision complies with the Subdivision Map Act (Government Code Sections 66410 through 66499.58). Specifically, the tentative map complies with Section 66474 of the Subdivision Map Act because (1) the subdivision design is consistent with the applicable objectives, goals, and policies of the General Plan, (2) the site is physically suitable for the development, (3) the subdivision will not cause substantial environmental damage or injure fish or wildlife or their habitat, (4) the subdivision is not likely to cause serious public health problems, and (5) the design of the subdivision will not conflict with public easements; and

**Whereas**, the Lands of Bachman are subject to a Williamson Act contract which requires that certain findings be made to find the proposal in compliance with the contract;

**Whereas**, the subdivision complies with Section 66474.4 of the Subdivision Map Act pertaining to land under an existing California Land Conservation contract, referred to as a Williamson Act contract, because (1) the resulting parcels would be large enough to sustain continued agricultural use, (2) each parcel meets or exceeds the minimum lot size, (3) each parcel meets or exceeds the minimum income requirements for a commercial agricultural operation, and (4) the subdivision would not result in residential development that is not incidental to the agricultural operation;

**Whereas**, the subdivision complies with County-adopted County's Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules) because it has been demonstrated that:

Each parcel will be devoted to a qualifying agricultural use Lot 1 with 25 acres of vineyard and a horse breeding operation over the balance of the parcel. Lot 2 currently

Resolution #

Date: 9/11/2012

Page 2

has 30 acres of vineyards planted. A horse breeding operation will be established, and 10 additional acres of vines will be planted on this parcel after the subdivision is complete. Both horse breeding operations will meet the requirement of a minimum of 15 mares;

All uses, other than qualifying agricultural uses, for each parcel will conform to the requirements governing compatible uses under the County's Uniform Rules;

Each parcel will meet the minimum parcel size of 40 acres as required for a Non-prime contract. The proposed parcel sizes range from 63.36 +/- to 99.61 +/- acres;

Each parcel will individually meet the minimum income requirement for a Non-prime Williamson Act contract, which is \$2.50 per acre, or \$2,000.00 per farm operation for a Non-prime Williamson Act contract;

Each parcel will be located in designated Agricultural Preserve (Number 2-404 1979), will remain under a Williamson Act contract with an automatically renewing ten (10) year term, and complies with the restrictions to agricultural and compatible uses.

The 4.58-acres that will be dedicated as an easement to Lakeville Highway for future widening is not currently under active cultivation, rather it is part of the pasture lands. This would be an insignificant amount of land relative to the overall use of the site.

**Whereas**, in accordance with the provisions of law, the Board of Supervisors held a public hearing on September 11, 2012, at which time all interested persons were given an opportunity to be heard; and

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby finds that the above recitals are true and correct, that substantial evidence in the record before it supports the above findings, and that the Minor Subdivision meets the requirements of the Subdivision Map Act and the Williamson Act and Uniform Rules; and

**Be It Further Resolved** that the Board of Supervisors grants the request for the Minor Subdivision subject to conditions as shown in Exhibit "A" for property located at 6525 Lakeville Highway, Petaluma; APN 068-110-026, -044, and -045; and

**Be It Further Resolved** that the Board of Supervisors has considered the Mitigated Negative Declaration, all comments and the whole record before it, and hereby adopts the Mitigated Negative Declaration prepared for the project described in this resolution in accordance with the requirements of the California Environmental Quality Act by virtue of Section 15070 et seq. and that a public review period of not less than 20 days has been provided.

**Be It Further Resolved** that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Resolution #  
Date: 9/11/2012  
Page 3

**Supervisors:**

Brown:            Rabbitt:            McGuire:            Carrillo:            Zane:

Ayes:            Noes:            Absent:            Abstain:

**So Ordered.**

# SONOMA COUNTY BOARD OF SUPERVISORS

## Draft Conditions of Approval

<b>Time:</b>	9:05 a.m.	<b>Date:</b>	September 11, 2012
<b>Staff:</b>	Melinda Grosch	<b>File No.:</b>	MNS11-0009
<b>Applicant:</b>	Tom Bachman	<b>APN:</b>	068-110-026,-045, and -046
<b>Owner:</b>	Same		
<b>Address:</b>	6525 Lakeville Highway, Petaluma		

**Project Description:** Minor Subdivision of 166 acres into two parcels of 99.61 acres and 63.36 acres in size with a dedication of 3.2 acres of Lakeville Highway to the County of Sonoma.

---

### GENERAL:

1. Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50.00 (or latest fee in effect at time of payment) for County Clerk processing, and \$2,101.50 (or latest fee in effect at time of payment) because a Mitigated Negative Declaration was prepared, for a total of \$2,151.50 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.
2. PRAC will make a recommendation to the Board of Supervisor which will be heard at a later date.
3. These conditions must be met and the application validated within 24 months from Board Approval date unless a request for an extension of time is received before the expiration date.

### SURVEYOR:

4. A Parcel Map, as defined in the State Subdivision Map Act and prepared by a licensed surveyor or civil engineer, showing all easements and parcels shall be filed with the Sonoma County Surveyor. Upon recording of the map, the Subdivision is valid.
5. The subdivider shall either complete all required private and public construction or enter into an improvement agreement and post security with the County of Sonoma, prior to the filing of the subdivision map, agreeing to complete the required construction within 24 months after the preparation of the agreement. If the required construction is completed prior to the filing of the subdivision map, the subdivider shall enter into an improvement maintenance agreement and post security with the County of Sonoma, to guarantee the improvements for a period of one year.

### BUILDING:

6. A grading permit shall be obtained from PRMD prior to the start of any earthwork, unless exempted under the most recent California Building Code (CBC). The grading plan, prepared by a civil engineer who is registered by the State, shall be submitted for review and approval by PRMD prior to grading permit issuance. Any structures to be constructed as part of the required grading, such as retaining or sound walls, shall require separate building applications and permits.

**TRANSPORTATION AND PUBLIC WORKS:**

7. The Developer shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width as necessary to create public right-of-way a total of 43 feet wide on the Developer's side of the road, as measured from the Engineer's centerline, for the full length of the property's frontage on Lakeville Road. Right-of-Way shall be dedicated for public use on the face of the Parcel Map. This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) described above.
8. NOTE ON MAP: "To allow for the smooth and safe movement of passenger vehicles entering and exiting the public roads that provide access to the property, entry to Lakeville Road shall conform to AASHTO recommendations. More specifically, the Developer shall construct a driveway with a throat width of 12 feet and entrance curves having a minimum pavement radius of 25 feet. 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. The minimum sight distance for vehicles entering and exiting the driveway shall be in accordance with AASHTO requirements for the speed traveled on Lakeville Road. The Developer shall surface the entry with asphaltic concrete pavement a minimum distance of 25 feet from the edge of pavement. Refer to County of Sonoma Department of Transportation and Public Works Construction Standard Drawing 814, latest revision, for private road and driveway intersection details. The improvements shall be in place prior to Lot 2 dwelling occupancy. Note: Entrance curve radii may be reduced with the approval of the Sonoma County Fire and Emergency Services Department."
9. NOTE ON MAP: "Prior to constructing any new private driveway intersection with the public road, or improving an existing intersection, the Developer shall obtain an encroachment permit from the Permit and Resource Management Department. The intersection improvements shall be constructed in accordance with the Department of Transportation and Public Works standards and the adopted conditions of approval."
10. NOTE ON MAP: "New construction on the parcels associated with this approval is subject to payment of a development fee (Traffic Mitigation Fee) to the County of Sonoma before issuance of any building permits, as required by Section 26, Article 98 of the Sonoma County Code."

**FIRE:**

11. On each parcel, fire service features for buildings, structures and premises shall comply with Chapter 5 of the 2010 California Fire Code as adopted and amended by Sonoma County Code. Including but not limited to: fire apparatus access roads; access to building openings and roofs; premises identification; gate access & key boxes; and fire protection water supplies.
  - a. Applicant shall provide evidence that the fire service features for buildings, structures and premises comply with Chapter 5 of the 2010 California Fire Code as adopted and amended by Sonoma County Code.
    - i. The above condition may be met by providing Sonoma County Fire and Emergency Services a scale plan-view drawing that graphically illustrates that the fire apparatus access roads; access to building openings and roofs; premises identification; gate access & key boxes; and fire protection water supplies are in compliance with Sonoma County Code.
12. On each parcel, signing and building numbering shall be in compliance with Sonoma County Code Chapter 13; Article V; Division C.
  - a. Applicant shall provide evidence that on each parcel, signing and building numbering are in compliance with Sonoma County Code Chapter 13; Article V; Division C.

- i. The above condition may be met by providing Sonoma County Fire and Emergency Services a scale plan-view drawing that graphically illustrates that the signing and building numbering are in compliance with Sonoma County Code.

**HEALTH:**

Septic:

13. To insure compliance with current State and Federal regulations at the time of recording the map, additional requirements may be imposed by PRMD to supplement sewage disposal conditions listed below as required by Government Code section 66498.6 (b). Note that Well and Septic fees are separate from planning fees, and Well and Septic charges per parcel fees for each individual step (pre-perc, percolation testing, wet weather groundwater, plan check, operating permit, etc.).
14. Prior to recording the map, on Lot 2, the applicant shall provide evidence of soils suitable for subsurface sewage disposal to the PRMD Well and Septic Section. This will include, but not be limited to, soil profiles and percolation tests done in accordance with current standards of the Well and Septic Section. The work must be certified by a State Registered Civil Engineer, Environmental Health Specialist or Geologist, refer to this subdivision number, and shall be submitted to the District Specialist.
15. Prior to recording the map, the applicant shall demonstrate that all portions of the proposed sewage disposal system and reserve area on Lot 2 will maintain a 100 foot setback from the 10-year flood elevation of as determined by the Grading and Storm Water Section of PRMD.
16. Prior to recording the map, the applicant shall provide by means of a (topographic) Plot Plan drawn to a 1"=20' scale, that Lot 2 contains sufficient area to accommodate a three-bedroom private sewage disposal system and a 200% unencumbered future reserve area. The plan shall include the location of any existing and potential domestic well site(s). Location of neighboring wells and septic systems within 150 feet of the proposed lots shall be shown, as well as existing and proposed driveways, grading cuts, and drainage ways. The plan is to be prepared by a registered Civil Engineer or Environmental Health Specialist and submitted to the District Specialist. This condition may be modified or waived by the District Specialist if the consultant can clearly demonstrate that adequate primary and reserve area is available.
17. NOTE ON MAP: "All future sewage disposal system repairs involving the sewage disposal area (not the septic tank, risers, sump, solid transmission lines or distribution boxes) shall be completed in the Designated Reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated with the approval of PRMD Well and Septic staff and without a Certificate of Modification, 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."
18. NOTE ON MAP: "The area tested for sewage disposal and shown on this map shall be reserved for the construction of future on-site wastewater disposal systems and shall not be encumbered by buildings, roads, soil borrow pits, ponds, parking lots, water wells, easements, or any use incompatible with use as an on-site wastewater disposal system, unless an alternative sewage disposal location on the parcel of similar capability has been tested and accepted by the County as suitable to provide wastewater disposal for a new dwelling, or unless the parcel has been connected to public sewer service."
19. Prior to recording the map, the area tested for sewage disposal shall be shown on the map and shall be free of all encumbrances (building envelopes, roads, easements, etc).

20. A check print of the map shall be submitted to the County Surveyor who will forward it to the Project Review Health Specialist for review and approval of the Health map notes prior to recording the map.
21. Prior to recording the map, the location, type and proper function of the septic system on Lot 1 shall be verified by a registered Civil Engineer, registered Environmental Health Specialist or C-42 contractor. The septic system repairs must meet a minimum of the new system standards in effect at the time of the existing septic system permit and be within the Designated Reserve areas. All repairs shall be done under permit of this department. The septic system must be located upon the same lot as the house being served by that septic system. The septic system may not serve additional dwelling units on other lots.
22. Prior to recording the map, demonstrate 200% future reserve area in accordance with current septic system standards (including percolation tests) on Lot 1. The applicant shall provide by means of a (topographic) Plot Plan drawn to a 1"= 20' scale, that sufficient area to accommodate a 200% unencumbered future reserve area is present. The reserve area shall be sized for a three-bedroom private sewage disposal system, or the number of existing bedrooms, whichever is greater. If the parcel is not served by public water, the plan shall include the location of any existing and potential domestic well site(s). Location of neighboring wells and septic systems within 150 feet of the proposed lots must be shown, as well as existing and proposed roadways, driveways, grading cuts, and drainage ways (including roadside/driveway ditches). The plan is to be prepared by a registered Civil Engineer or Environmental Health Specialist and submitted to the District Specialist. This condition may be modified or waived by the District Specialist if the consultant can clearly demonstrate that adequate reserve area is available.
23. If Subdivision Improvement Plans are submitted, prior to recording the map, one additional copy of Subdivision Improvement Plans shall be submitted to the Survey and Land Development Section for Well and Septic Section review (fees apply). Subdivision Improvement Plans shall show the outline of all existing and proposed septic tanks, sumps, wastewater disposal areas, reserve wastewater disposal areas and water wells within 100 feet of the proposed on-site and off-site improvements. Any subdivision improvement requiring a cut three feet or deeper within 100 feet of a septic system component shall dimension that distance on the Improvement Plans. All setbacks to existing and proposed septic systems (including septic system reserve areas) shall be met prior to recording the map.
24. NOTE ON MAP: "All private sewage disposal systems shall be designed by a registered Civil Engineer or registered Environmental Health Specialist" shall be shown on the lots of the map where test results indicate that a system requires such a design.
25. Prior to recording the map, for a mound, pressure distribution, pretreatment units, at-grade, filled land, or shallow sloping sewage system, the applicant shall submit to the Project Review Health Specialist an approved form of Declaration of Restrictions with either a Grant Deed/Straw Transfer or Owner's Statement on the map. Approval by the Project Review Health Specialist of the Draft Declaration of Restrictions form shall be obtained prior to signature and notarization.

Water:

26. Prior to recording the map, proof of adequate water yield shall be demonstrated on Lot 2 in accordance with Chapter 25, Sonoma County Code. At least one gallon per minute for each dwelling unit shall be demonstrated.
27. The Water supply easement for the Windmill well in favor of Lot 2 shall be shown on the map as an exclusive easement, and shall be conveyed at the time of property sale.
28. A deed restriction acceptable to PRMD Project Review and County Counsel shall prohibit the use

of the Windmill well for irrigating commercial crops on Lot 2, and the deed restriction shall record with the map.

29. Prior to recording the map, a bacteriological samples from the proposed water sources shall be analyzed for total coliform and E. coli by a California State certified laboratory. If the analysis does not meet less than 1 MPN/100 ml, then the applicant will be required to disinfect the well per County requirements and re-test the well. A copy of the analysis shall be submitted to the Project Review Health Specialist.

#### **GRADING AND STORM WATER:**

30. NOTE ON MAP: "Prior to issuance of a grading or building permit, the property owner shall submit any and all required grading/site plans and drainage reports for proposed work to the Permit and Resource Management Department (PRMD) for review. Grading/site plans shall clearly indicate the nature and extent of the proposed work and include erosion prevention/sediment control measures, details, notes, and specifications to prevent damages and to minimize adverse impacts to the environment. Drainage improvements shall be designed in accordance with the Sonoma County Water Agency Flood Control Design Criteria, to maintain off-site natural drainage patterns, and to limit post-development storm water levels and pollutant discharges in compliance with PRMD's best management practices guide. Grading and drainage improvements shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations."

Mitigation Monitoring: The Engineering section shall ensure that the note appears correctly on the map.

31. NOTE ON MAP: "All or portions of the lots shown here on are located within a Special Flood Hazard Area (SFHA) and are affected by flooding from the Petaluma River. The base flood elevations (BFE's) vary, are unknown throughout the site, or may need to be determined. The lowest floor elevation of any habitable structure must be at least 1 foot higher than the adjacent BFE. No fill shall be placed within the SFHA, unless an engineering analysis demonstrates that no reduction in the flood storage capacity within the SFHA will result from the fill placement and related improvements. Any fill placed within the SFHA also requires a grading permit with plans and specifications prepared by a civil engineer. All elevations shall be based on the North American Vertical Datum of 1988 (NVGD 88)."
32. NOTE ON MAP: "Property owners shall be responsible for obtaining information, permits, or waivers from local, state or federal agencies that regulate work in or near waterways."
33. Any land subject to inundation by a Special Flood Hazard Area shall be delineated and shown on the subdivision map as "SUBJECT TO INUNDATION" in one-inch lettering.
34. Grading and/or building permits require review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
35. Should improvements be required by the subdivision, the applicant shall provide improvement plans, prepared by a civil engineer currently registered in the State of California, which clearly indicate the nature and extent of the work proposed and include all existing and proposed land features, elevations, roads, driveways, buildings, limits of grading, adequate grading cross sections and drainage facilities such as swales, channels, closed conduits, or drainage structures.
36. As part of the improvement plans, the applicant shall include an erosion prevention/sediment control plan 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.

37. Should improvements be required by the subdivision or related development, a drainage report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, be submitted with the grading and/or building permit application or with the aforementioned improvement plans, and be subject to review and approval by the Grading & Storm Water Section of the Permit and Resource Management Department. The drainage report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all existing and proposed drainage facilities. The drainage report shall abide by and contain all applicable items in the Drainage Report Required Contents (DRN-006) handout.
38. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans or the aforementioned improvement plans and be submitted to the Grading & Storm Water Section of the Permit and Resource Management Department (PRMD) for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water levels and pollutant discharges in compliance with PRMD's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Drainage improvements shall not adversely affect adjacent properties or drainage systems.
39. Existing drainage patterns shall be maintained in such a manner that does not adversely affect surrounding properties.
40. NOTE ON MAP: "All or portions of the proposed project are located within a Special Flood Hazard Area (SFHA) and are affected by flooding from the Petaluma River. No fill shall be placed within a SFHA, unless an engineering analysis demonstrates that no reduction in the flood storage capacity within the SFHA will result from the fill placement and related improvements. Any land subject to inundation by a SFHA shall be delineated and shown on any required grading or improvement plans as "SUBJECT TO INUNDATION" in one-inch lettering. The base flood elevations (BFE's) vary, are unknown throughout the site, or may need to be determined. The lowest floor elevation of any habitable structure must be at least 1 foot higher than the adjacent BFE. The grading plans shall show all elevations based upon the North American Vertical Datum of 1988 (NVGD 88)."

Mitigation Monitoring: The Engineering section of PRMD will review the map to ensure that the note appears correctly.

41. Ensure that Best Management Practices are adopted in order to minimize the amount of sediment and other pollutants leaving the site during construction activities. An erosion and sediment control plan should be implemented with the project.

Mitigation Monitoring: Prior to issuance of grading permits the PRMD Engineering and Water Resources Section shall review the proposed work and ensure that all Best Management Practices are incorporated in the plans.

**PLANNING:**

42. NOTE ON MAP: "New residential construction on these parcels is subject to payment of parkland fees in accordance with Section 25-58 et. seq. of the Sonoma County Subdivision Ordinance.

Evidence that fees are paid shall be provided to the Regional Parks Department prior to the issuance of building permits.”

43. NOTE ON MAP: “Development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn-around at the building sites), addressing, water storage for fire fighting and fire break maintenance around all structures. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.”
44. If it is determined by survey prior to recordation of the Parcel Map that adequate land is not available to meet General Plan and Zoning densities, then the number of lots must be reduced in order to comply with required densities.
45. Prior to building permit issuance or prior to exercising this approval, whichever comes first, the property owners shall execute and record a Right-to-Farm declaration on a form provided by PRMD.
46. This “At Cost” entitlement is not vested until all permit processing costs are paid in full. Additionally, no grading or building permits shall be issued until all permit processing costs are paid in full.
47. Prior to submitting the subdivision check print maps to the County Surveyor, the applicant shall submit, to PRMD - Project Review Division, a Condition Compliance Review Fee deposit (amount to be determined consistent with the ordinance in effect at that time). This “At Cost” fee is a minimum deposit and condition compliance is charged on an actual cost basis. Should the actual costs exceed the amount of the fee, the applicant will be billed for additional costs. In addition, the applicant shall also pay any application processing fees that have exceeded the initial deposit fee to process the subdivision application.
48. All building and/or grading permits shall have the following note printed on plan sheets:

NOTE ON MAP: “In the event that the archaeological resources such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work should be halted in the vicinity of the find and County PRMD - Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to PRMD. PRMD staff may consult and/or notify the appropriate tribal representative from the tribes known to PRMD to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than fifty (50) years of age including trash pits older than fifty (50) years of age. When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. PRMD may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by PRMD - Project Review staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant’s sole expense.

“If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified

immediately so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code will be followed."

Mitigation Monitoring: The project planner shall ensure that the note is on the map prior to recordation.

49. NOTE ON MAP: "All new structures on these lots are subject to Design Review through the Permit and Resource Management Department. Prior to building permit issuance, the grading plan, development plan, landscaping plan, elevations, and colors and materials shall receive review and approval by the Sonoma County Permit and Resource Management Department through the Administrative Design Review process. This review shall ensure that buildings are screened from view from public roads by any combination of existing land forms, vegetation, colors, or materials. If landscaping is required to provide screening of buildings or to reduce visual impacts of fire clearing a landscaping plan shall be submitted as part of the Administrative Design Review application. Landscaping shall provide screening from Lakeville Highway 12 and possibly from Highway 101 (for areas on the higher portion of Lot 1) within 5 years."

Mitigation Monitoring: The project planner shall ensure that the note is on the map prior to recordation.

50. Building envelopes shall be shown on the map as established through the site review of June 15, 2012. The envelopes shall be dimensioned and have ties to the parcel boundaries so that they can be established in the field.

Mitigation Monitoring: The project planner shall ensure that the building envelopes are shown on the Final Map with dimensions that will allow them to be established in the field from the map.

51. NOTE ON MAP: "No building construction shall occur outside the envelopes. Modification of the building envelopes can only be accomplished through a Certificate of Modification which addresses visual, biotic, and archeological resources."

Mitigation Monitoring: The project planner shall ensure that the note appears on the map prior to signing off for recordation.

52. All utilities shall be underground with service lines located in the entrance drives.

Mitigation Monitoring: The project planner and the plan checker shall review the Improvement Plans to ensure that utilities are placed underground and within the driveways.

53. NOTE ON MAP: "Prior to issuance of the Building Permit, an exterior lighting plan shall be submitted to the Design Review Committee for review and approval. Exterior lighting is required to be fully shielded, and directed downward to prevent "wash out" onto adjacent properties. Generally fixtures should accept sodium vapor lamps and not be located at the periphery of the property. Flood lights are not allowed. The lighting shall be installed in accordance with the approved lighting plan during the construction phase. The Permit and Resource Management Department shall not issue the Building Permit until an exterior night lighting plan has been submitted that is consistent with the approved plans and County standards. The Permit and Resource Management Department shall not sign off final occupancy on the Building Permit until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke the permit."

Mitigation Monitoring: The Project Review Planner will ensure that the note is shown correctly on

the map.

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

Mitigation Monitoring: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order.

55. NOTE ON MAP: "All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code) and erosion control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code and Building Ordinance (Chapter 7, Sonoma County Code).

All construction activities shall meet the California Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.). Construction plans shall be subject to review and approval of PRMD prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy."

Mitigation Monitoring: The project planner shall ensure that the note is on the map prior to recordation. The applicant shall be responsible for notifying construction contractors about code requirements.

56. NOTE ON MAP: "Project construction must avoid any impact to seasonal wetlands on the property. Construction fencing and Environmentally Sensitive Area (ESA) signage must be installed at the top of bank from seasonal wetlands/ Salt Marsh adjacent to project activities and to ensure that there is no storage of equipment or fill placed within the seasonal wetlands on the property."

Mitigation Monitoring: Prior to the start of construction all fencing and signage must be installed. Installation shall be verified by the Project Review Planner.

57. The seasonal wetlands or Salt Marsh must be avoided and provided with a 50-foot buffer from the edge of the seasonal wetlands to the proposed building envelope. Drainage from impervious surfaces added to the property must enter into a bioswale before entering into the seasonal wetland / Salt Marsh on the property.

Mitigation Monitoring: The Project Review Planner shall ensure that the building envelope is at

least 50-feet from the edge of the seasonal wetlands. The 50-foot buffer will apply to all activities on the parcel. The Engineering and Water Resources Section will review the drainage features and ensure that adequate filtration and settling are provided by the drainage infrastructure.

58. NOTE ON MAP: "Any impact to "Seasonal Wetlands or Salt Marsh" will require consultation and permits from the Army Corps of Engineers (ACOE), Department of Fish and Game (DFG), and Regional Water Quality Control Board (RWQCB). Prior to any vineyard development or other soil disturbing activities outside the building envelope the applicant shall provide documentation that all agency permits that may be required have been obtained."

Mitigation Monitoring: The Project Review planner will ensure that the note appears correctly on the map.

59. NOTE ON MAP: Any impact to "Waters of the State" will require consultation and permits from the Army Corps of Engineers (ACOE), Department of Fish and Game (DFG), and Regional Water Quality Control Boards (RWQCB). Prior to any vineyard development or other soil disturbing activities outside the building envelope the applicant shall provide documentation that all agency permits have that may be required have been obtained.

Mitigation Monitoring: The Project Review planner will ensure that the note appears correctly on the map.

60. All project construction must be limited to the project footprint as shown on the tentative map. Building envelopes will be shown on the map with dimensions and distances from the property boundary so that they can be accurately located in the field.

NOTE ON MAP: All construction must be within the designated building envelopes.

Mitigation Monitoring: The Project Review planner shall ensure that the building envelopes are shown on the map correctly.

61. NOTE ON MAP: "All grading and development on site shall be done in compliance with the County Tree Protection Ordinance, including protection of trees during construction with a chain link fence at the dripline, and replacement of damaged or removed trees. The projects grading and landscape plans shall detail all tree protection implementation measures."

Mitigation Monitoring: PRMD shall not sign off the grading or building permit for issuance until the project grading and landscape construction documents clearly show all tree protection measures (as required in the County Tree Protection Ordinance). PRMD Project Review staff shall not sign off the grading or building permit for occupancy until a site inspection has been conducted, and the applicant has provided written verification from the project's landscape architect or contractor, that the tree protection measures were complied with.

62. NOTE ON MAP: "All new buildings shall be constructed in conformance with CalGreen at the Tier 1 level of compliance. These standards apply to both new residential and non-residential construction excepting remodels and additions, and result in buildings that are more energy efficient and reduce GHG emissions. Building permits will not be approved without compliance with this ordinance."

Mitigation Monitoring: The project planner shall ensure that the note appears on the map correctly.

63. The project's landscaping shall comply with the Sonoma County Water Efficient Landscape Ordinance <http://library.municode.com/HTML/16331/level1/CH7D3WAEFLA.html>

64. NOTE ON MAP: "During construction, hazardous materials shall be stored away from drainage

or environmentally sensitive areas, on non-porous surfaces. Storage of flammable liquids shall be in accordance with Sonoma County Fire Code.

A concrete washout area, such as a temporary pit, shall be designated to clean concrete trucks and tools. At no time shall concrete waste be allowed to enter waterways, including creeks and storm drains.

Vehicle storage, fueling and maintenance areas shall be designated and maintained to prevent the discharge of pollutants to the environment. Spill cleanup materials shall be kept on site at all times during construction, and spills shall be cleaned up immediately. In the event of a spill of hazardous materials, the applicant will call 911 to report the spill and take appropriate action to contain and clean up the spill.

Portable toilets shall be located and maintained to prevent the discharge of pollutants to the environment.”

Mitigation Monitoring: The project planner shall ensure that the note appears correctly on the map. The applicant shall be responsible for notifying construction contractors about the requirement for responsible storage and spill cleanup of hazardous materials.

65. NOTE ON MAP: “Affordable housing requirements apply to each residential lot pursuant to Section 26-89-040 F of the Sonoma County Code. Each nonexempt residential unit shall pay an in-lieu affordable housing fee at the time of issuance of the building permit, unless a building permit for a qualifying affordable unit is approved prior to or concurrent with the building permit for the nonexempt residential unit.”
66. NOTE ON MAP: “Agricultural uses occur in this area and pesticide applications, dust, odor and other nuisances associated with agricultural activities may occur.”
67. Prior to recordation of the map the owner shall make an application to rescind the existing Williamson Act Contract and replace it with individual contracts on each of the lots.
68. 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 applicant must submit a written request to PRMD demonstrating that the conditions 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. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved Tentative Map. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or 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 PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.

The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

---

**PRAC ACTION TAKEN ON JULY 19, 2012:** Cynthia Demidovich moved to recommend Findings and modified Conditions of Approval for the proposed Minor Subdivision to the Board of Supervisors. Seconded by Jon Tracy and passed with a 6-0-1 vote.



Petaluma

SONOMA

4.3

2.4

6.6

7.4

1.9

STAGE  
GU.

OLD LAKEVILLE  
RD. NO. 1

CANNON  
LN.

OLD LAKEVILLE  
RD. NO. 2

LAKEVILLE

OLD LAKEVILLE RD. NO. 3

7

RD.

MTNS.

SEARS PT.  
RACEWAY

NEILS  
ISLAND

GNOSS FIELD  
(MARIN CO.  
AIRPORT)

MEADOW LARK  
RD. FARM

WAGNER  
RD.

LN.  
TURKEY  
RD.

CO.

Tolay

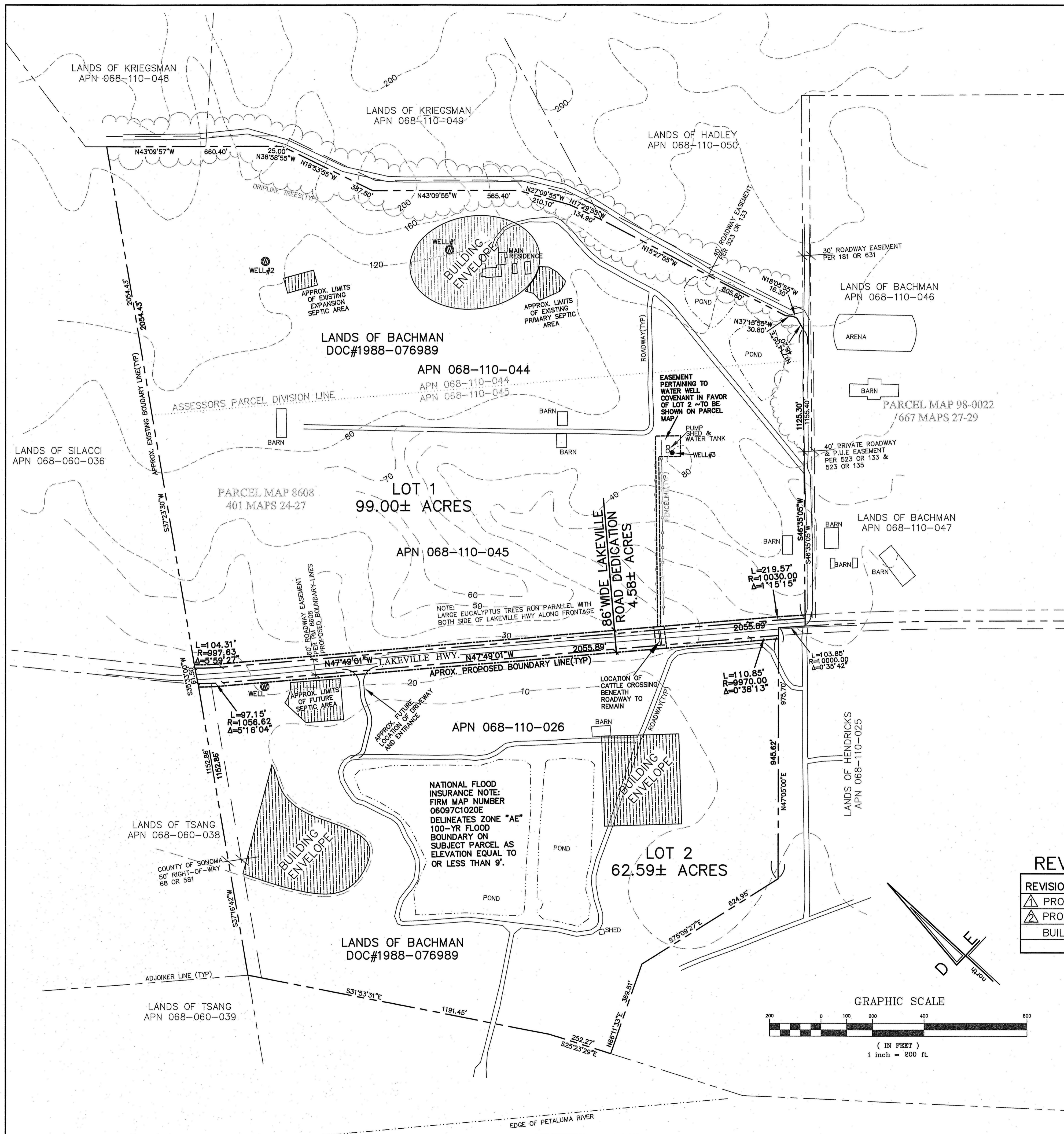
Cr.

RD.

hultz

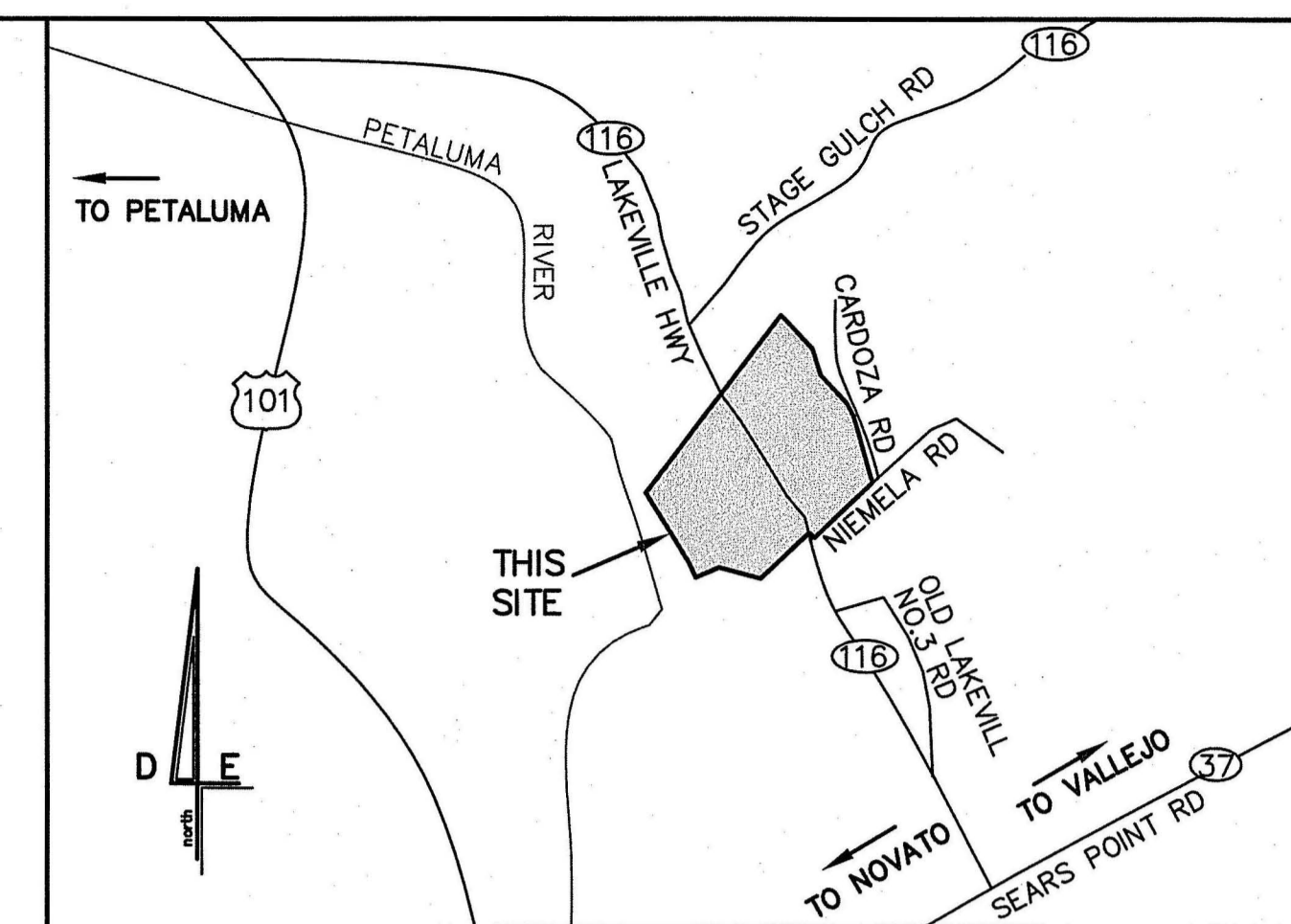
r.

ATION



**PROPERTY OWNERS:**

A.P.NO. 068-110-026,  
 A.P.NO. 068-110-044,  
 & A.P.NO. 068-110-045  
 6525 LAKEVILLE HWY.  
 PETALUMA, CA 94954  
 DOC# 1988-076989  
 THOMAS & CATHERINE BACHMAN  
 6525 LAKEVILLE HWY  
 PETALUMA, CA 94954  
 TEL: (707) 321-0068



**LOCATION MAP**  
 N.T.S.

**DATUM NOTE**

ELEVATIONS AND CONTOURS ARE BASED ON USGS 1"=500' PLAT, LOCATED ON SHEET 38D, PETALUMA RIVER QUAD MAP, SONOMA COUNTY RECORDS.

**VEGETATION NOTE**

VEGETATION UPON PARCEL CONSIST MAINLY NATIVE GRASSLAND, MARSH LANDS ENCOMPASSED BY PETALUMA RIVER WATERSHED AND MARGINAL TREE COVER.

**BOUNDARY NOTE**

PROPERTY LINES SHOWN ARE BASED UPON PARCEL MAP NO.8608 RECORDED IN BOOK 401, PAGES 24-27, & PARCEL MAP NO.98-0022 RECORDED IN BOOK 667, PAGES 27-29, SONOMA COUNTY RECORDS

**FIRE SAFE, VEGETATION MANAGEMENT & FLOOD CONTROL:**

THE SUBJECT PROPERTY HAS GRADUALLY SLOPING TOPOGRAPHY DIRECTED SOUTHWESTERLY THROUGHOUT THE 166± ACRES. THE LOT CONSISTS OF NATIVE TREES AND GRASSES ALONG WITH ONE RESIDENTIAL HOME AND OUT STRUCTURES. THE MAJORITY OF THE LOTS HAVE BEEN CLEARED AND MINIMAL VEGETATION IS MAINTAINED. EXISTING STRUCTURES HAVE SUFFICIENT DEFENSIBLE SPACE AND FUTURE DEVELOPMENT SHALL MAINTAIN THESE STANDARDS.

FIRST RESPONDING FIRE PROTECTION SERVICES ARE PROVIDED BY LAKEVILLE VOLUNTEER FIRE DEPARTMENT LOCATED IN CLOSE PROXIMITY TO THE SITE. ACCESS TO THE PROPERTIES ARE DIRECTLY OFF OF LAKEVILLE HIGHWAY. THERE ARE NO SPECIAL FIRE HAZARDS ON THE SITE.

ADDITIONAL WATER STORAGE REQUIREMENTS, FOR FIRE PROTECTION, WILL BE MET AT THE TIME OF RESIDENCE DEVELOPMENT. TYPICAL STORAGE REQUIREMENT FOR A 3-BEDROOM HOME IS 2500 GAL (MIN.) TANK CAPACITY. SHOULD LARGER TANKS BE REQUIRED THEY WILL BE SPECIFIED PRIOR TO CONSTRUCTION.

THERE IS PETALUMA RIVER FLOOD INFLUENCE WITHIN THE SOUTHWESTERLY PORTION OF THE SITE. FLOOD INSURANCE RATE MAP NUMBER 06097C1020E DELINEATES ZONE "AE" FLOOD BOUNDARY ON SUBJECT PARCEL AS ELEVATION EQUAL TO OR LESS THAN 9'. STRUCTURE DEVELOPMENT WILL TAKE INTO ACCOUNT FLOOD ELEVATION BOUNDARIES AND RESTRICTIONS.

**EXISTING PARCEL SIZES:**

TOTAL AREA = 166.17± ACRES

**PROPOSED PARCEL SIZES:**

LOT 1 = 99.00± ACRES  
 LOT 2 = 62.59± ACRES  
 RD. DEDICATION = 4.58± ACRES  
 TOTAL AREA = 166.17± ACRES

**EXISTING ZONING**

068-110-026 = LEA B6 60 Z & BR F2 SR VOH  
 068-110-044 = LEA B6 60 Z  
 068-110-045 = LEA B6 60 Z

**EXISTING WATER SUPPLY**

LOT 1 = EXIST. WELLS  
 LOT 2 = EXIST. WELL#3 TO SUPPLY

**EXISTING SEWAGE DISPOSAL**

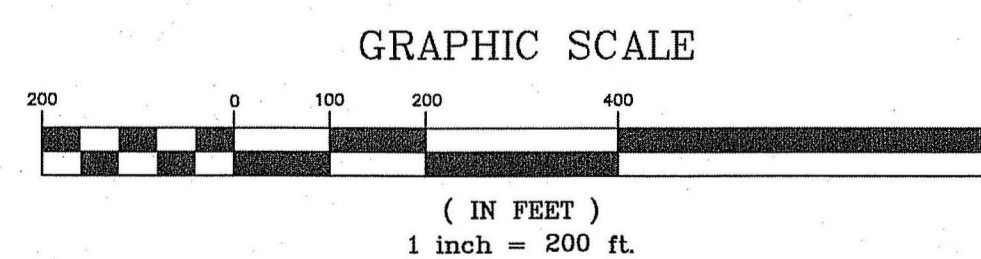
LOT 1 = EXIST SEPTIC  
 LOT 2 = PROPOSED SEPTIC TO BE DETERMINED

**MINOR SUBDIVISION TENTATIVE MAP**

FOR  
**TOM BACHMAN**  
 AT  
 6525 LAKEVILLE HWY.  
 PETALUMA, CALIFORNIA  
 APN 068-110-026, 068-110-044,  
 & 068-110-045

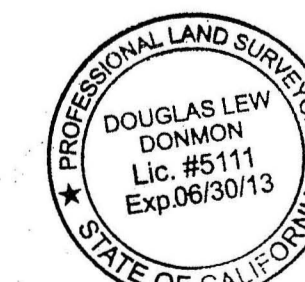
**REVISIONS**

REVISION	DATE	BY
▲ PROPOSED SEPTIC AREA & DRIVEWAY	2/29/12	MFG
▲ PROPOSED WATER WELL EASEMENT, BUILDING ENVELOPES, ACREAGE, RD. DED.	8/27/12	MFG



APPROVED:

*[Signature]*  
 DOUG DONNON, L.S. 5111 8/27/12  
 DATE



ANALYSIS • PLANNING • SURVEYING • ENGINEERING  
 2852 MENDOCINO AVENUE, SANTA ROSA CA. 95403 (707) 578-3433





# *Mitigated Negative Declaration*

**Sonoma County Permit and Resource Management Department**

2550 Ventura Avenue, Santa Rosa, CA 95403

(707) 565-1900 FAX (707) 565-1103

---

Pursuant to Section 15071 of the State CEQA Guidelines, this summary of findings and the attached Initial Study and mitigations constitute the Mitigated Negative Declaration as proposed for or adopted by the County of Sonoma for the project described below:

**Project Title:** MNS11-0009 – Lands of Bachman  
**Project Location Address:** 6525 Lakeville Highway, Petaluma  
**Lead Agency:** Sonoma County Permit & Resource Management Department  
**Decision Making Body:** Project Review and Advisory Committee  
**Project Applicant:** Tom Bachman  
**Project Description:** Minor subdivision of 166 acres into two parcels.

## **Environmental Finding:**

Basis on the attached Initial Study, the project described above will not have a substantial adverse impact on the environment, provided that the mitigation measures identified in the Initial Study are included in the project.

There will not be a potential impact on biotic habitat of concern to Fish & Game.

**Initial Study:** See attached. For more information call Melinda Grosch at 565-2397.

**Mitigation Measures:** Included in attached Initial Study. The project applicant has agreed to implement all mitigation measures.

## **Introduction:**

The Applicant, Tom Bachman, proposes to subdivide a 162.97 +/- acre parcel into two lots of 99.61 +/- and 63.36 +/- acres. A referral letter was sent to the appropriate local, state and federal agencies and interest groups who may wish to comment on the project.

This report is the Initial Study required by the California Environmental Quality Act (CEQA). The report was prepared by Melinda Grosch, Project Review Planner with the Sonoma County Permit and Resource Management Department, Project Review Division. Information on the project was provided by the applicant. Additional information was provided by various consultants as identified in this Initial Study. Technical studies referred to in this document are available for review at the Permit and Resource Management Department.

Please contact Melinda Grosch, Planner III at (707) 565-2397, for more information.

## **PROJECT DESCRIPTION**

The project site is comprised of three APN's totaling 162.97 +/- acres lying on both sides of Lakeville Highway approximately 4.5 miles north of its intersection with Highway 37.

The applicant proposes dividing the subject parcels into two lots. Lot 1 is the 99.61 +/- acres located entirely on the northeasterly side of Lakeville Highway. It is developed with a single family dwelling and horse barns and pastures. It is also planted with 22 +/- acres of vineyards. Lot 2 is the 63.36 +/- acres located entirely southwesterly of Lakeville Highway. It is planted with approximately 33 acres of vineyards and has a large agricultural pond but is undeveloped with structures. The Petaluma River forms the westerly boundary of this parcel.

## **SETTING**

The property is located along the Petaluma River in southern Sonoma County. The portion of the property on the easterly side of Lakeville Highway is partially located within historic Petaluma River marshlands and some areas are subject to flooding. The portion of the parcel on the westerly side of Lakeville Highway is in land that is quickly sloping up as it is in the southern portions of the Sonoma Mountains. Elevations range from sea level to 200 feet above sea level.

The Petaluma River is affected by tides and salt intrusion from the ocean at this point. Groundwater can also be affected by salt intrusion at the lower elevations. The well for the existing single family dwelling is located near the 80 feet above sea level contour. Another well is located at roughly the 20 foot contour near Lakeville Highway.

## **ISSUES RAISED BY THE PUBLIC OR AGENCIES**

A referral packet was drafted and circulated to inform and solicit comments from selected relevant local, state and federal agencies; and to special interest groups that were anticipated to take interest in the project.

Conditions have been provided by the Grading and Storm Water Section, Project Review Health Specialist, Transportation & Public Works, Fire Services, and the Northwest Information Center (Sonoma State University).

## **OTHER RELATED PROJECTS**

There are no known private or public projects in the area that may affect the proposed project, especially any that could have cumulative impacts.

## **RESPONSIBLE AND TRUSTEE AGENCIES**

Grading and building permits - Sonoma County Permit and Resource Management Department (PRMD) Sonoma County requires that grading and building permits be obtained for all new construction. The applicant will submit grading and drainage plans and obtain the permits prior to construction of the project.

## INITIAL STUDY CHECKLIST

This checklist is taken from Appendix G of the State CEQA Guidelines. For each item, one of four responses is given:

**No Impact: The project would not have the impact described.** The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.

**Less Than Significant Impact:** The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

**Potentially Significant Unless Mitigated:** The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.

**Potentially Significant Impact:** The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

Each question on the checklist was answered by evaluating the project as proposed, that is, without considering the effect of any added mitigation measures. The checklist includes a discussion of the impacts and mitigation measures that have been identified. Sources used in this Initial Study are numbered and listed on page 45. [Following the discussion of each checklist item one or more sources used are noted in parentheses.](#)

The project applicant has agreed to accept all mitigation measures listed in this checklist as conditions of approval of the proposed project and to obtain all necessary permits.

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Agricultural & Forest Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Geology/Soils
<input checked="" type="checkbox"/> Greenhouse Gas Emission	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input checked="" type="checkbox"/> Land Use and Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Service Systems	
<input type="checkbox"/> Mandatory Findings of Significance		

### Incorporated Source Documents

In preparation of the Initial Study checklist, the following documents were referenced/developed, and are hereby incorporated as part of the Initial Study. All documents are available in the project file or for reference at the Permit and Resource Management Department.

<input checked="" type="checkbox"/>	Project Application and Description
<input checked="" type="checkbox"/>	Initial Data Sheet
<input checked="" type="checkbox"/>	County Planning Department's Sources and Criteria Manual
<input checked="" type="checkbox"/>	Sonoma County General Plan and Associated EIR
<input checked="" type="checkbox"/>	Specific or Area Plan <u>Sonoma Mountain Area Plan</u>

Environmental Checklist

Page 4

File# MNS11-0009

- Sonoma County Zoning Ordinance
- Sonoma County Rare Plant Site Identification Study
- Project Referrals from Responsible Agencies
- State and Local Environmental Quality Acts (CEQA)
- Full record of previous hearings on project in File
- Correspondence received on project.
- Other technical reports:

*A Cultural Resources Evaluation of the Lands of Bachman, APN 068-110-026, -044, and -045, Lakeville, Sonoma County, California; by William Roop, Archaeological Resource Service, March 13, 2012.*

*Biological Assessment, 6525 Lakeville Hwy., Minor Subdivision Lands of Bachman, APN# 068-110-026, -044, & -045; by Kjeldsen Biological Consulting, March 2012.*

*Ground Water Resource Availability and Saltwater Intrusion Evaluation for 6525 Lakeville Highway, Petaluma, Ca, 94954. Prepared by Marc W. Seeley, PG of Environmental Geology Services; April 2012.*

**1. AESTHETICS *Would the project:***

<p>a) Have a substantial adverse effect on a scenic vista?</p>	<p>Potentially Significant Impact</p>	<p>Less than Significant with Mitigation Incorporation</p>	<p>Less than Significant Impact</p>	<p>No impact</p>
			<p>X</p>	
<p><b>Comment:</b> The site is within a Scenic Landscape area and Lakeville Highway is designated as a Scenic Corridor. However, the site does not afford a vista.</p>				
<p><b>Mitigation:</b> No mitigation measures Required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
<p>b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?</p>	<p>Potentially Significant Impact</p>	<p>Less than Significant with Mitigation Incorporation</p>	<p>Less than Significant Impact</p>	<p>No impact</p>
				<p>X</p>
<p><b>Comment:</b> The subdivision will not result in damage to scenic resources as no new roads or other substantial grading will be necessary. The parcel is not located on a site visible from a state scenic highway.</p>				
<p><b>Mitigation:</b> No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
<p>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</p>	<p>Potentially Significant Impact</p>	<p>Less than Significant with Mitigation Incorporation</p>	<p>Less than Significant Impact</p>	<p>No impact</p>
		<p>X</p>		
<p><b>Comment:</b> The General Plan Open Space Element includes extensive Goals, Objectives, and Policies to preserve the visual character of Sonoma County. The rural nature and natural scenic beauty of the county are considered valuable assets for both local residents and for the tourist industry. Three Scenic Resources designations have been developed to help preserve the County's visual resources. These are: Scenic Corridors, Scenic Landscape Units, and Community Separators.  Lakeville Highway is a County designated Scenic Corridor. The General Plan has the following Goal for Scenic Corridors:  <b>GOAL OSRC-3:</b></p>				

*Identify and preserve roadside landscapes that have a high visual quality as they contribute to the living environment of local residents and to the County's tourism economy.*

The goal is implemented by the following policy:

***Policy OSRC-3c:*** *Establish a rural Scenic Corridor setback of 30 percent of the depth of the lot to a maximum of 200 feet from the centerline of the road unless a different setback is provided in the Land Use Policies for the Planning Areas. Prohibit development within the setback with the following exceptions:*

1. *New barns and similar agricultural support structures added to existing farm complexes on parcels in the Diverse Agriculture, Land Extensive Agriculture, Land Intensive Agriculture, and Resources and Rural Development land use categories, and on parcels in the Rural Residential land use category with Agriculture and Residential (AR) Zoning, provided that such structures proposed within a State Scenic Highway or where local design review exists by community choice in an adopted specific or area plan are subject to administrative design review.*
2. *New barns and similar agricultural support structures that do not require a use permit in the Development Code on parcels in the Diverse Agriculture, Land Extensive Agriculture, Land Intensive Agriculture, and Resources and Rural Development land use categories, and on parcels in the Rural Residential land use category with Agriculture and Residential (AR) Zoning, provided that such structures proposed within a State Scenic Highway or where local design review exists by community choice in an adopted specific or area plan are subject to administrative design review.*
3. *etc.*

In addition to Lakeville Highway's designation as a Scenic Corridor, the northerly part of the property is within a Scenic Landscape Unit.

The Sonoma County Zoning Code has the following criteria for new development in a Scenic Landscape Unit.

*Sec. 26-64-020. - Community separators and scenic landscape units.*

- a) *All structures, except certain telecommunications facilities as provided for in Section 26-64-040, located within community separators and scenic landscape units illustrated on Figures OS-5a through OS-5i, inclusive, of the general plan open space element and included within the SR district shall be subject to the following criteria:*
  - 1) *Structures shall be sited below exposed ridgelines;*
  - 2) *Structures shall use natural landforms and existing vegetation to screen them from view from public roads. On exposed sites, screening with native, fire resistant plants may be required;*
  - 3) *Cuts and fills are discouraged, and where practical, driveways are screened from public view;*
  - 4) *Utilities are placed underground where economically practical;*

*The above criteria shall not apply to agricultural accessory structures which do not require a use permit in the district with which this district is combined.*

*In the event that compliance with these standards would make a parcel unbuildable, structures shall be sited where minimum visual impacts would result.*

- b) *In addition to the criteria listed in subsection (a) of this section, the following standards shall apply to subdivisions within community separators and scenic landscape units and included within the SR district unless otherwise provided herein:*
- 1) *Building envelopes shall be established for structures. Use of height limitations should be considered, if necessary to further mitigate visual impacts;*
  - 2) *Clustering shall be used to reduce visual impact where consistent with the applicable base district;*
  - 3) *Building sites and roadways shall be located to preserve trees and tree stands as provided in Section 26-88-040(m) of this chapter;*
  - 4) *To the extent allowed by law, dedication of a permanent scenic or agricultural easement shall be required at the time of subdivision for projects in community separators. Consider requiring such easements in critical scenic landscape units pursuant to general plan Policy OS-2g.*
- c) *Where development occurs on parcels located both within scenic landscape units and adjacent to scenic corridors, the more restrictive provisions set forth in this article shall apply.*
- d) *Additional or varied development may be allowed in designated community separators and scenic landscape units in accordance with general plan Policies OS-1c, and OS-2c, respectively.*
- e) *Minor timberland conversions shall be allowed within community separators and scenic landscape units, subject to compliance with the requirements of this article and Section 2-88-140.*
- f) *Certain single-family dwelling units and appurtenant structures within the area covered by the Taylor Mountain/Sonoma Mountain development guidelines shall be subject to Section 26-90-050, as specified therein. Where the provisions of this section conflict with the provisions of Section 26-90-050, the general plan, or any applicable area plan, the more restrictive provisions shall apply.*

The site is within the Sonoma Mountain Area Plan and those guidelines apply. The policies for this area have been incorporated into the General Plan policies for Scenic Resources.

The General Plan includes policies to implement the Goals and Objectives of the Scenic Resources designated lands. The objectives for Scenic Landscape Units are:

*OSRC-2.1: Retain a rural, scenic character in Scenic Landscape Units with very low intensities of development. Avoid their inclusion within spheres of influence for public service providers.*

*Objective OSRC-2.2: Protect the ridges and crests of prominent hills in Scenic Landscape Units from the silhouetting of structures against the skyline.*

*Objective OSRC-2.3: Protect hills and ridges in Scenic Landscape Units from cuts and fills.*

These are mirrored in the policies for the SR combining district in the Zoning Code discussed above. In addition all development on parcels with the SR designation is required to go through Design Review with the Permit and Resource Management Department.

**Mitigation 1.c.1.:**

NOTE ON MAP: "All new structures on these lots are subject to Design Review through the

Permit and Resource Management Department. Prior to building permit issuance, the grading plan, development plan, landscaping plan, elevations, and colors and materials shall receive review and approval by the Sonoma County Permit and Resource Management Department through the Administrative Design Review process. This review shall ensure that buildings are screened from view from public roads by any combination of existing land forms, vegetation, colors, or materials.

If landscaping is required to provide screening of buildings or to reduce visual impacts of fire clearing a landscaping plan shall be submitted as part of the Administrative Design Review application. Landscaping shall provide screening from Lakeville Highway 12 and possibly from Highway 101 (for areas on the higher portion of Lot 1) within 5 years.”

**Mitigation Monitoring:**

The project planner shall ensure that the note is on the map prior to recordation.

**Mitigation 1.c.2.:**

Building envelopes shall be shown on the map as established through the site review of June 8, 2012. The envelopes shall be dimensioned and have ties to the parcel boundaries so they can be established in the field.

**Mitigation Monitoring:**

The project planner shall ensure that the building envelopes are shown on the Final Map with dimensions that will allow them to be established in the field from the map.

**Mitigation 1.c.3.:** The following note will be placed on the map to ensure that all building shall occur within the envelopes.

NOTE ON MAP: “No building construction shall occur outside the envelopes. Modification of the building envelopes can only be accomplished through a Certificate of Modification which addresses visual, biotic, and archeological resources.”

**Mitigation Monitoring:** The project planner shall ensure that the note appears on the map prior to signing off for recordation.

**Mitigation 1.c.4.:** All utilities shall be underground with service lines located in the entrance drives.

**Mitigation Monitoring:** The project planner and the plan checker shall review the Improvement Plans to ensure that utilities are placed underground and within the driveways.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime view in the area?

Potentially Significant Impact

Less than Significant with Mitigation Incorporation

Less than Significant Impact

No impact

X

**Comment:**

The subdivision will result in new parcels that will be able to be developed with new residential uses which will include lighting and could potentially result in nighttime glare. The design review process should eliminate impacts from light and glare. The following mitigation measure will ensure that potential impacts from lighting are reduced to less than significant.

**Mitigation 1.d.:**

NOTE ON MAP: “Prior to issuance of the Building Permit, an exterior lighting plan shall be submitted to the Design Review Committee for review and approval. Exterior lighting is required to be fully shielded, and directed downward to prevent "wash out" onto adjacent properties.



Generally fixtures should accept sodium vapor lamps and not be located at the periphery of the property. Flood lights are not allowed. The lighting shall be installed in accordance with the approved lighting plan during the construction phase. The Permit and Resource Management Department shall not issue the Building Permit until an exterior night lighting plan has been submitted that is consistent with the approved plans and County standards. The Permit and Resource Management Department shall not sign off final occupancy on the Building Permit until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or initiate procedures to revoke the permit."

**Mitigation Monitoring:**

The Project Review Planner will ensure that the note is shown correctly on the map.

## 2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

*Would the project:*

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	

**Comment:**

According to the Sonoma County Important Farmlands Map, the project site has 17.4 +/- acres of Prime Farmland, approximately 69.1 +/- acres of Farmland of Local Importance, and 37.6 +/- acres of Farmland of Statewide Importance on the site. It is estimated that approximately 2 acres of Prime Farmlands may be converted to develop a single family dwelling on Lot 2 which would not be considered a significant loss of land devoted to agricultural production. The primary use of the site would remain agricultural production. The project would not convert a significant amount of important farmland to non-agricultural use and therefore potential impacts are less than significant.

**Mitigation:**

No mitigation measures are required.

**Mitigation Monitoring:**

b) Conflict with existing zoning for agricultural use, or Williamson Act Contract?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
--	--------------------------------	---	------------------------------	-----------

				X
<p><b>Comment:</b>  The property is zoned for agricultural uses with the LEA (Land Extensive Agriculture) designation. The property is under a Type II Williamson Act contract. The 166 +/- parcel is used for grazing and vineyards. The parcel will be divided into two parcels of 99.61 +/- and 63.36 +/- acres with the 99.61 +/- acre parcel, Lot 1, currently supports a horse breeding operation and 25 acres of vineyard. The 63.36 +/- acre parcel, Lot 2, is planted with 30 acres of vineyard, the remainder of this lot is wetlands associated with the Petaluma River and large detention pond for irrigation water and runoff control.</p> <p>Under the proposed subdivision Lot 1's agricultural uses will remain unchanged while on Lot 2 a 10 stall horse barn and 10 additional acres of vineyards will be added.</p> <p>The Subdivision Map Act requires that certain findings be made in order to create new parcels when the parent parcel is under a Williamson Act Contract. Those findings are as follows:</p> <ol style="list-style-type: none"> <li>1. The subdivision creates two lots of 99.61 +/- and 63.36 +/- acres which is consistent with the General Plan land use designation of Land Extensive Agriculture 60 acre density. The subdivision is consistent with General Plan goals, policies and objectives, specifically General Plan policy AR-8c which requires the lots to meet minimum parcel size requirements as noted in #4 below.</li> <li>2. The subdivision is consistent with the LEA B6-60 acres/dwelling unit, SR zoning designation and minimum parcel size requirement of the zoning district.</li> <li>3. The subdivision complies with County-adopted Rules and Regulations for Administration of Agricultural Preserves because it has been demonstrated that: <p>Each parcel will be devoted to a qualifying agricultural use Lot 1 with 25 acres of vineyard and a horse breeding operation and Lot 2 with 30 acres of vineyard and a horse operation;</p> <p>Each parcel will meet the minimum parcel size of 40 acres as required for a Type II contract. The proposed parcel sizes range from 63.36 +/- to 99.61 +/- acres;</p> <p>Each parcel will individually meet the minimum income requirement for a Type II Williamson Act contract, which is \$2.50 per acre, or \$2,000.00 per farm operation for a Type II Williamson Act contract;</p> <p>Each parcel will remain under a Williamson Act contract and complies with the restrictions to agricultural and compatible uses.</p> <p>No land would be removed from the Williamson Act program.</p> </li> <li>4. The subdivision complies with Section 66474.4 of the Subdivision Map Act pertaining to land under an existing California Land Conservation contract, referred to as a Williamson Act contract, because (1) the resulting parcels would be large enough to sustain continued agricultural use, (2) each parcel meets or exceeds the minimum lot size, (3) each parcel meets or exceeds the minimum income requirements for a commercial agricultural operation, and (4) the subdivision would not result in residential development that is not incidental to the agricultural operation.</li> <li>5. Based upon the information contained in this Initial Study, it has been demonstrated that there will be no significant environmental effect resulting from this project, provided that mitigation measures are incorporated into the project.</li> <li>6. The subdivision complies with the Subdivision Map Act (Government Code Sections</li> </ol>				

<p>66410 through 66499.58). Specifically, the tentative map complies with Section 66474 of the Subdivision Map Act because (1) the subdivision design is consistent with the applicable objectives, goals, and policies of the General Plan, (2) the site is physically suitable for the development, (3) the subdivision will not cause substantial environmental damage or injure fish or wildlife or their habitat, (4) the subdivision is not likely to cause serious public health problems, and (5) the design of the subdivision will not conflict with public easements.</p> <p>The owner will be required to rescind the existing contract and replace it with two individual contracts that are specific to each parcel as a condition of the subdivision approval.</p>				
<p><b>Mitigation:</b> No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b> The property is not defined as forestland, timberland or Timberland Production as defined by the California Code. The land is on the valley floor and would be open rolling grasslands and oak savanna in its natural state. The most westerly portion is wetlands associated with the Petaluma River.</p>				
<p><b>Mitigation:</b> No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b> See 2.c. above.</p>				
<p><b>Mitigation:</b> No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion to Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

<p><b>Comment:</b> The project does not involve other changes in the environment that could result in conversion of farmland to non-agricultural use or forest land to non-forest use.</p>
<p><b>Mitigation:</b> No mitigation measures are required.</p>
<p><b>Mitigation Monitoring:</b></p>

### 3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

*Would the project:*

a) Conflict with or obstruct implementation of the applicable air quality plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

**Comment:**  
The project is within the jurisdiction of the Bay Area Air Quality Management District. The District does not meet the Federal or State standards for ozone, and has adopted an ozone Attainment Plan and a Clean Air Plan in compliance with Federal and State Clean Air Acts. These plans include measures to achieve compliance with both ozone standards. The plans deal primarily with emissions of ozone precursors (nitrogen oxides and volatile organic compounds). The project will not conflict with the District's air quality plan because the proposed use will not emit significant quantities of ozone precursors or involve construction of transportation facilities that are not addressed in the adopted transportation plan.

**Mitigation:**  
No mitigation measures are required.

**Mitigation Monitoring:**

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

**Comment:**  
State and federal standards have been established for "criteria pollutants:" ozone precursors, carbon monoxide, sulfur dioxide and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). The pollutants NO<sub>x</sub> (nitrogen oxides) and hydrocarbons form ozone in the atmosphere in the presence of sunlight. Significance thresholds for ozone precursors, carbon monoxide and particulates have been established by BAAQMD. The principal source of ozone precursors is vehicle emissions, although stationary internal combustion engines must also be considered. BAAQMD generally does not recommend detailed NO<sub>x</sub> and hydrocarbon air quality analysis for projects generating

less than 2,000 vehicle trips per day. Given the low traffic generation of the project relative to the screening criteria, ozone precursor emissions would be less than significant.

Detailed air quality analysis for carbon monoxide is generally not recommended unless a project would generate 10,000 or more vehicle trips a day, or contribute more than 100 vehicles per hour to intersections operating at LOS D, E or F with project traffic. Given the low traffic generation of the project relative to the screening criteria, carbon monoxide emissions would be less than significant.

Wood smoke from fireplaces and wood stoves are sources of pollutants receiving increasing scrutiny and generating numerous complaints to the BAAQMD. Although constituting a very small percentage of the total PM<sub>10</sub> emissions on an annual basis, wood smoke is a major contributor to reduced visibility and reduced air quality on winter evenings in both urban and rural areas. Sonoma County building regulations restrict fireplaces to natural gas fireplaces, pellet stoves and EPA-Certified wood burning fireplaces or stoves. With the restriction on fireplace design, this would be a less than significant impact.

**Mitigation:**

No mitigation measures are required.

**Mitigation Monitoring:**

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

**Comment:**

The BAAQMD is a non-attainment area for ozone precursors and PM<sub>10</sub> (fine particulate matter). See 3.b. for a discussion of ozone emissions. The project will not have a significant long-term effect on PM<sub>10</sub>, because the use of the site for vineyards and a horse breeding operation are existing uses and there will not be a change as a result of the subdivision.

However, there could be a significant short-term emission of dust (which would include PM<sub>10</sub>) during construction of a new house and barn on Lot 2. These emissions could be significant at the project level, and would also contribute to a cumulative impact.

The impact could be reduced to less than significant by including dust control as described in the following mitigation measure:

**Mitigation Measure 3.c. :**

The following dust control measures will be included in the project:

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

dust.				
<p><b>Mitigation Monitoring:</b>                  Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order.</p>				
d) Expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b>                  Sensitive receptors are facilities or locations where people may be particularly sensitive to air pollutants such as children, the elderly, or people with illnesses. These uses include schools, playgrounds, hospitals, convalescent facilities, and residential areas. There are no sensitive uses adjacent to or near this site. There will be no significant, long term increase in emissions.</p>				
<p><b>Mitigation:</b>                  No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
e) Create objectionable odors affecting a substantial number of people?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b>                  There are no proposed activities that will generate objectionable odors. The site is also located a long distance from other development.</p>				
<p><b>Mitigation:</b>                  No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				

**4. BIOLOGICAL RESOURCES *Would the project:***

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

or U.S. Fish and Wildlife Service?				
------------------------------------	--	--	--	--

**Comment:**

The site has the potential for a long list of candidate, sensitive, or special status species due to its location adjacent to the Petaluma River and the salt marshes associated with the river in this area. A study for potential species that might be on sight was requested and in March 2012 the report, Biological Assessment, 6525 Lakeville Hwy, Minor Subdivision Lands of Bachman, APN# 068-110-026, -044, & -045, was provided to staff. The report was prepared by Kjeldsen Biological Consulting. Kjeldsen surveyed the site for both plant and animal species. The study focused on proposed Lot 2 as it is currently undeveloped. However it is planted with vineyards and has an agricultural pond. The report notes that the westerly most side of the site is within the marsh area but that the area proposed for development with new buildings is within the disturbed area of the vineyard or an agricultural staging area. These areas are approximately 500 feet from the marsh. However, a pocket of seasonal wetlands/salt marsh extends up into the property to very near the area where the new dwelling is proposed. Kjeldsen notes that "Direct or indirect impacts to drainages has the potential to result in significant negative impacts to special-status species known or expected to occur in the Petaluma River and its wetland habitat."

After the site survey Kjeldsen concluded that the project will not have a "substantial adverse affect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service." Kjeldsen provides the following mitigations to ensure that potential impacts are reduced to less than significant.

**Mitigation:**

See 4.b. below.

**Mitigation Monitoring:**

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

**Comment:**

The site is located in southern Sonoma County along the Petaluma River. The Petaluma River is a designated riparian corridor and wildlife corridor in the Sonoma County General Plan. The western portion of the property is comprised of seasonal wetlands and/or Petaluma River Salt Marshes. The Salt Marshes provide habitat for numerous species (see the long list in the Biological Assessment).

Kjeldsen concluded that construction activities (i.e., grading, filing, equipment staging) have the potential to impact aquatic species and their habitat on the property.

Kjeldsen recommends the following mitigation measures to ensure that there are no or less than significant impacts to biotic resources present in the marsh area.

**Mitigation Measure 4.b.1:**

Project construction must avoid any impact to seasonal wetlands on the property. Construction

fencing and Environmentally Sensitive Area (ESA) signage must be installed at the top of bank from seasonal wetlands/ Salt Marsh adjacent to project activities and to ensure that there is no storage of equipment or fill placed within the seasonal wetlands on the property.

**Mitigation Monitoring:**

Prior to the start of construction all fencing and signage must be installed. Installation shall be verified by the Project Review Planner.

**Mitigation Measure 4.b.2 :**

Ensure that Best Management Practices are adopted in order to minimize the amount of sediment and other pollutants leaving the site during construction activities. An erosion and sediment control plan should be implemented with the project.

**Mitigation Monitoring:**

Prior to issuance of grading permits the PRMD Engineering and Water Resources Section shall review the proposed work and ensure that all Best Management Practices are incorporated in the plans.

**Mitigation Measure 4.b. 3:**

The seasonal wetlands or Salt Marsh must be avoided and provided with a 50-foot buffer from the edge of the seasonal wetlands to the proposed building envelope. Drainage from impervious surfaces added to the property must enter into a bioswale before entering into the seasonal wetland / Salt Marsh on the property.

**Mitigation Monitoring:**

The Project Review Planner shall ensure that the building envelope is at least 50-feet from the edge of the seasonal wetlands. The 50-foot buffer will apply to all activities on the parcel. The Engineering and Water Resources Section will review the drainage features and ensure that adequate filtration and settling are provided by the drainage infrastructure.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Potentially Significant Impact

Less than Significant with Mitigation Incorporation

Less than Significant Impact

No impact

X

**Comment:**

No wetlands or vernal pools are present within the proposed project footprint, although outside of the footprint there is the potential to impact the seasonal wetlands on the property. It is not anticipated that there will be any direct removal or fill of the wetlands.

**Mitigation Measure 4.c.1.:**

NOTE ON MAP: "Any impact to "Seasonal Wetlands or Salt Marsh" will require consultation and permits from the Army Corps of Engineers (ACOE), Department of Fish and Game (DFG), and Regional Water Quality Control Board (RWQCB). Prior to any vineyard development or other soil disturbing activities outside the building envelope the applicant shall provide documentation that all agency permits that may be required have been obtained."

**Mitigation Monitoring:**

The Project Review planner will ensure that the note appears correctly on the map.

**Mitigation Measure 4.c.2.:**

NOTE ON MAP: Any impact to "Waters of the State" will require consultation and permits from the Army Corps of Engineers (ACOE), Department of Fish and Game (DFG), and Regional Water Quality Control Boards (RWQCB). Prior to any vineyard development or other soil disturbing



activities outside the building envelope the applicant shall provide documentation that all agency permits have that may be required have been obtained.				
<b>Mitigation Monitoring:</b> The Project Review planner will ensure that the note appears correctly on the map.				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		
<p><b>Comment:</b> The Kjeldsen report contains the following statement on wildlife corridors and use of the site:</p> <p>“The Petaluma River is by all standards a wildlife corridor. The project is more than 500 feet from this resource. The proposed project has avoided significant portions of the property, which will remain and continue to provide habitat for wildlife in the area. Habitat on the property will continue to function and provide habitat for wildlife in the area. The proposed project will not impact resources associated with the Petaluma River or adjacent salt marshes.” To ensure that the project does not impact habitat the consultant recommends the following mitigation measure.</p>				
<p><b>Mitigation 4.d.:</b> All project construction must be limited to the project footprint as shown on the tentative map. Building envelopes will be shown on the map with dimensions and distances from the property boundary so that they can be accurately located in the field.</p>				
<b>Mitigation Monitoring:</b> The Project Review planner shall ensure that the building envelopes are shown on the map correctly.				
e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		
<p><b>Comment:</b> The site is designated as Valley Oak Habitat and has a Biotic Resources designation associated with the seasonal wetlands/salt marsh area. The proposed building areas are outside the area designated Biotic Resources and there are no Valley Oaks anywhere on the site. Mitigation measures above will ensure that there are no impacts on Valley Oaks or seasonal wetlands.</p>				
<p><b>Mitigation:</b> See 4.a. through 4.d. above.</p>				
<b>Mitigation Monitoring:</b>				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

<p><b>Comment:</b>  There are very few Habitat Conservation Plans in Sonoma County one is in the lower Petaluma River/Sonoma Creek watershed (for salt marsh harvest mouse/black rail/clapper rail). The subject property is not actually within the riparian area. Only the southernmost edge of the parcel is potentially within the area affected by the river and tidal action. No construction or planting activities are anticipated in this area.</p>
<p><b>Mitigation:</b>  See 4.d. above.</p>
<p><b>Mitigation Monitoring:</b>  See 4.d. above.</p>

**5. CULTURAL RESOURCES *Would the project:***

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

<p><b>Comment:</b>  The site is located in an area with a high potential for historical resources, therefore a survey was requested. The report, "A cultural Resources Evaluation of the Lands of Bachman, APN 068-110-026, -044, and -045, Lakeville, Sonoma County, California," prepared by William Roop for Archaeological Resource Service, was submitted April 12, 2012. The report reviews other surveys that have been performed in the area and the resources that have been discovered as a result. The project site has been the subject of several other studies in the past which did not result in the discovery of any cultural resources. The study performed for this project did not reveal any cultural resources.</p> <p>The standard mitigation measure requiring that during excavation care should be taken to note whether there are potential artifacts being uncovered will ensure that there are no significant impacts on historic resources.</p>
---

<p><b>Mitigation 5.a.:</b>  All building and/or grading permits shall have the following note printed on plan sheets:</p> <p>NOTE ON MAP: "In the event that archaeological resources such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the vicinity of the find and County PRMD Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to PRMD. PRMD staff may consult and/or notify the appropriate tribal representative from tribes known to PRMD to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic resources include hearths, firepits, or house floor depressions whereas typical mortuary resources are represented by human skeletal remains. Historic artifacts potentially include all by products of human land use greater than 50 years of age including trash pits older than fifty years of age. When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. PRMD may refer the mitigation/protection plan to designated tribal representatives for</p>
---

review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by PRMD Project Review staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant's sole expense.

If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and PRMD staff, County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and the appropriate provisions of the California Government Code and California Public Resources Code will be followed."

**Mitigation Monitoring:**

Building/grading permits shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Potentially Significant Impact

Less than Significant with Mitigation Incorporation

Less than Significant Impact

No impact

X

**Comment:**

See item 5.a. above. There are no known archaeological resources on the site, but the project could uncover such materials during construction. The following measure will reduce the impact to less than significant.

**Mitigation Measure:**

See 5.a. above.

**Mitigation Monitoring:**

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact

Less than Significant with Mitigation Incorporation

Less than Significant Impact

No impact

X

**Comment:**

The geology of the site and the nature of the project make it extremely unlikely that paleontological resources would be destroyed.

**Mitigation:**

None.

**Mitigation Monitoring:**

d) Disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Impact

Less than Significant with Mitigation Incorporation

Less than Significant Impact

No impact

X

<p><b>Comment:</b>  No burial sites are known in the vicinity of the project, and most of the project site has already been disturbed by past construction and/or vineyard planting. In the event that human remains are unearthed during construction, state law requires that the County Coroner be notified to investigate the nature and circumstances of the discovery. At the time of discovery, work in the immediate vicinity would cease until the Coroner permitted work to proceed. If the remains were determined to be prehistoric, the find would be treated as an archaeological site and the mitigation measure described in item 5.a. above would apply.</p>
<p><b>Mitigation:</b>  See 5.a. above.</p>
<p><b>Mitigation Monitoring:</b></p>

**6. GEOLOGY AND SOILS: *Would the project:***

<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<p><b>Comment:</b>  The project site is not within a fault hazard zone as defined by the Alquist-Priolo fault maps. The Healdsburg- Rogers Creek Fault is approximately 3 miles east of the project site.</p>				
<p><b>Mitigation:</b>  No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
<p>ii. Strong seismic ground shaking?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		
<p><b>Comment:</b>  All of Sonoma County is subject to seismic shaking that would result from earthquakes along the San Andreas, Healdsburg-Rodgers Creek, and other faults. Predicting seismic events is not possible, nor is providing mitigation that can entirely reduce the potential for injury and damage that can occur during a seismic event. However, using accepted geotechnical evaluation techniques and appropriate engineering practices, potential injury and damage can be diminished, thereby exposing fewer people and less property to the effects of a major damaging earthquake. The design and construction of future dwellings on new parcels are subject to load</p>				

and strength standards of the California Building Code (CBC), which take seismic shaking into account. Project conditions of approval require that building permits be obtained for all construction and that the project meet all standard seismic and soil test/compaction requirements. The project would therefore not expose people to substantial risk of injury from seismic shaking. The following mitigation measures will ensure that potential impacts are reduced to less than significant levels.

**Mitigation 6.a.ii.:**

NOTE ON MAP: All earthwork, grading, trenching, backfilling and compaction operations shall be conducted in accordance with the County Subdivision Ordinance (Chapter 25, Sonoma County Code) and erosion control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code and Building Ordinance (Chapter 7, Sonoma County Code).

All construction activities shall meet the California Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.). Construction plans shall be subject to review and approval of PRMD prior to the issuance of a building permit. All work shall be subject to inspection by PRMD and must conform to all applicable code requirements and approved improvement plans prior to the issuance of a certificate of occupancy.

**Mitigation Monitoring:**

The project planner shall ensure that the note is on the map prior to recordation. The applicant shall be responsible for notifying construction contractors about code requirement.

iii. Seismic-related ground failure, including liquefaction?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	

**Comment:**

The project site is located within an area subject to liquefaction as shown on the Sonoma County Relative Hazard from Seismic Shaking map. Strong ground shaking during an earthquake can result in ground failure and/or settlement such as that associated with soil liquefaction, and can also cause deformation of slopes, particularly fill slopes. Therefore the property has the potential to experience liquefaction and settlement during a seismic event. All structures will be required to meet building permit requirements, including seismic safety standards and soil test/compaction requirements. Based on standard permitting requirements, the project will have no significant risk of loss, injury or death from seismic ground failure or liquefaction. Also see mitigation measures included in 6.a.ii above.

**Mitigation:**

See 6.a.ii. above.

**Mitigation Monitoring:**

iv. Landslides?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	

<b>Comment:</b> Lot 1 on the east side of Lakeville Highway is subject to landslides. This site is already developed. Lot 2 on the west side is not prone to landslides.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
b) Result in substantial soil erosion or the loss of topsoil?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		
<p><b>Comment:</b> The development of the site may include grading, cuts, and fills which require the issuance of a grading permit. Unregulated grading, both during and post construction, has the potential to increase the volume of runoff from a site which could have adverse downstream flooding and further erosional impacts, and increase soil erosion on and off site which could adversely impact downstream water quality.</p> <p>However, in regard to potential soil erosion, County grading ordinance and adopted best management practices require grading applications and issued permits to depict and install adequate erosion prevention and sediment control best management practices. Required inspection by County inspectors insures that all work is constructed according to the approved plans. These ordinance requirements and adopted best management practices are specifically designed to maintain potential project water quantity impacts at a less than significant level during and post construction.</p> <p>The proposed project has been designed and/or conditioned to prevent and/or minimize the discharge of pollutants or waste from the project site during construction. There are numerous storm water best management practices that can be utilized to accomplish this goal. These include measures such as silt fencing, straw wattles, and construction entrances to control soil discharges. Storm water best management practices also include primary and secondary containment for petroleum products, paints, lime and other materials of concern.</p> <p>The applicant has submitted a preliminary report and conceptual plan to specify the location, type and approximate size of storm water best management practices necessary for the proposed project. The location of the storm water best management practices are site specific and predicated by the development. The type and approximate size of the selected storm water best management practices shall be in accordance with the adopted Sonoma County Best Management Practice Guide. The preliminary report and conceptual plan has been reviewed and approved by the Grading &amp; Storm Water Section of the Permit and Resource Management Department, with conditions added as needed.</p> <p>The listed storm water best management practices, pollutants and materials of concern are examples and do not represent a comprehensive listing of all available storm water best management practices.</p>				
<p><b>Mitigation Measure 6.b.:</b> NOTE ON MAP: "Prior to issuance of a grading or building permit, the property owner shall submit any and all required grading/site plans and drainage reports for proposed work to the Permit and Resource Management Department (PRMD) for review. Grading/site plans shall</p>				

<p>clearly indicate the nature and extent of the proposed work and include erosion prevention/sediment control measures, details, notes, and specifications to prevent damages and to minimize adverse impacts to the environment. Drainage improvements shall be designed in accordance with the Sonoma County Water Agency Flood Control Design Criteria, to maintain off-site natural drainage patterns, and to limit post-development storm water levels and pollutant discharges in compliance with PRMD's best management practices guide. Grading and drainage improvements shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations."</p>				
<p><b>Mitigation Monitoring:</b> The Engineering section shall ensure that the note appears correctly on the map.</p>				
<p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<p><b>Comment:</b> The project site is subject to seismic shaking as described in item 6.a.ii. above. No further mitigation is required.</p>				
<p><b>Mitigation:</b> No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
<p>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<p><b>Comment:</b> Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. For the proposed project, soils at the site have not been tested for their expansive characteristics. No substantial risks to life or property would be created from soil expansion at the proposed project, even if it were to be affected by expansive soils.</p>				
<p><b>Mitigation:</b> No mitigation measures are required.</p>				
<p><b>Mitigation Measures:</b></p>				
<p>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</p>	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b></p>				

The project site is not in an area served by public sewer. Preliminary documentation provided by the applicant and reviewed by the PRMD Project Review Health Specialist indicates that the soils on site would support a septic system and the required expansion area.

**Mitigation:**

No mitigation measures are required.

**Mitigation Monitoring:**

**7. GREENHOUSE GAS EMISSIONS *Would the project:***

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

**Comment:** Greenhouse Gas Emissions (GHG) - Greenhouse gases trap heat in the atmosphere. Increases in greenhouse gases due to human activity are associated with Global Climate Change (aka "Global Warming"), that is, the change in the average weather on earth, as measured by wind patterns, storms, precipitation and temperature. The primary greenhouse gases are CO<sub>2</sub>, methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), perfluorocarbons (PFCs), hydrofluorocarbons (HFCs), and water vapor (H<sub>2</sub>O). Considered the most important greenhouse gas, CO<sub>2</sub> is the reference gas for climate change and emissions of greenhouse gases in general are often reported as CO<sub>2</sub> equivalents (CO<sub>2</sub>e).

The California Air Resources Board ("CARB") is required by the Global Warming Solutions Act of 2006 to design and implement emissions limits, regulations, and other statewide measures to reduce statewide greenhouse gas emissions to 1990 levels by 2020. The Act does not indicate what role local land use planning should play in the statewide strategy or how environmental review under CEQA is implicated. In October, 2007, CARB published the Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California Recommended for Board Consideration. None of the early action measures address how local agencies should address greenhouse gas emissions associated with land use applications.

By July 1, 2009 the State Office of Planning and Research is required to provide thresholds of significance for GHGs and transmit them to the Resources Agency for adoption no later than January 1, 2010. As indicated by the Governor's letter to the Senate on signing the Act, the development of CEQA significance thresholds should be guided by the appropriate responsible agencies to achieve a standardized approach consistent with the state law. This is critical given the complexity of global climate change and the State's role in directing Californians' response to this environmental issue. Therefore it is speculative at this time to generate a local threshold of significance before such levels are determined on a statewide basis.

Regarding local efforts on GHG reductions, the Sonoma County Board of Supervisors recently adopted the Sonoma County Climate Protection Campaign which sets a target to reduce GHG emissions to 25% below 1990 levels by the year 2015. The County has completed the first two of five steps in the campaign. The next step is to complete the Community Climate Action Plan (the blueprint to help Sonoma County achieve this emissions target) and then implement the actions in the Plan and develop an on-going monitoring process to ensure that the County meets its reduction target.



For purposes of the Mitigated Negative Declaration, the project would be considered to have a significant impact on greenhouse gases if it would conflict with the state goal of reducing greenhouse gas emissions in California to 1990 levels by 2020, as set forth by the California Global Warming Solutions Act of 2006. There is currently no indication that the project would conflict with the Act's timeline. In addition, the County's Climate Protection Campaign has yet to establish emissions targets to reduce GHG in Sonoma County. However, the Climate Protection Campaign has provided a list of projects that are effective and under local control that will reduce Greenhouse Gases if they are implemented. The Plan's solutions involve four major categories: 1. Improve efficiency in energy and water use; 2. Shift transportation from fossil fuel vehicles to transit, walking, bicycling, etc.; 3. Invest in local renewable energy sources; 4. Protect forests and farmlands, sequester carbon, and convert waste into energy. The inclusion of these types of activities in this project will ensure that there is not a cumulative contribution to Greenhouse Gas emissions as a result of this project.

On November 4, 2008 the Sonoma County Board of Supervisors adopted a resolution selecting the Build it Green (BIG) New Home Construction, Home Remodeling and Multifamily Green Building Guidelines for Residential Construction, and Leadership in Energy and Environmental Design (LEED®) Commercial Green Building System for Commercial Construction guidelines, along with their respective Green Points Checklists, set compliance thresholds, and directed staff to develop a green building ordinance based on these guidelines.

On November 2, 2010, the Board of Supervisors approved all state mandated model codes including the new California Green Building Standards Code (CalGreen). Sonoma County's existing green building ordinance and energy efficiency ordinance were modified to accommodate the new CalGreen code, and to replace the existing green point rated systems, Build-It-Green and LEED®, for both new residential and non-residential construction respectively. The ordinances became effective January 1, 2011. Compliance with this ordinance meets the aforementioned state regulations. The following mitigation measures reflect the provisions of this ordinance.

**Mitigation 7.a.:**

NOTE ON MAP: "All new buildings shall be constructed in conformance with CalGreen at the Tier 1 level of compliance. These standards apply to both new residential and non residential construction excepting remodels and additions, and result in buildings that are more energy efficient and reduce GHG emissions. Building permits will not be approved without compliance with this ordinance."

**Mitigation Monitoring:**

The project planner shall ensure that the note appears on the map correctly.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

**Comment:**

See discussion in 7.a. above.

**Mitigation:**

No mitigation measures are required.

**Mitigation Monitoring:**

**8. HAZARDS AND HAZARDOUS MATERIALS *Would the project:***

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

**Comment:**  
Construction will require use of fuels and other hazardous materials. Improper storage or handling of these materials could result in spills. The impact can be reduced to less than significant by requiring standard approved construction methods for handling hazardous materials.

**Mitigation 8.a.:**  
NOTE ON MAP: During construction, hazardous materials shall be stored away from drainage or environmentally sensitive areas, on non-porous surfaces. Storage of flammable liquids shall be in accordance with Sonoma County Fire Code.

A concrete washout area, such as a temporary pit, shall be designated to clean concrete trucks and tools. At no time shall concrete waste be allowed to enter waterways, including creeks and storm drains.

Vehicle storage, fueling and maintenance areas shall be designated and maintained to prevent the discharge of pollutants to the environment. Spill cleanup materials shall be kept on site at all times during construction, and spills shall be cleaned up immediately. In the event of a spill of hazardous materials, the applicant will call 911 to report the spill and take appropriate action to contain and clean up the spill.

Portable toilets shall be located and maintained to prevent the discharge of pollutants to the environment.

**Mitigation Monitoring:**  
The project planner shall ensure that the note appears correctly on the map. The applicant shall be responsible for notifying construction contractors about the requirement for responsible storage and spill cleanup of hazardous materials.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

**Comment:**  
During construction there could be spills of hazardous materials. See Item 8.a. above.

**Mitigation:**  
See 8.a. above.

**Mitigation Monitoring:**

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials,	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No impact
---	--------------------------------	---------------------------------------	------------------------------	-----------

substances, or waste within one-quarter mile of an existing or proposed school?		Incorporation		X
<b>Comment:</b> There are no existing or proposed schools within 0.25 miles of the project site.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact  X
<b>Comment:</b> The project site was not identified on, or in the vicinity of, any parcels on lists compiled by the California Environmental Protection Agency, Regional Water Quality Control Board, California Department of Toxic Substances, and the California Integrated Waste management Board.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact  X
<b>Comment:</b> The project site is not located within an airport land use plan. The Marin County Airport – Gross Field is located approximately 3 miles east of the subject property. The Petaluma Airport is approximately 6.5 miles north of the subject property.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact  X

<b>Comment:</b> There are no known private airstrips within the vicinity of the proposed project.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The project would not impair implementation of, or physically interfere with the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. In any case, the project would not change existing circulation patterns significantly, and would have no effect outside the area. See Item 16.e. for discussion of emergency access.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas of where residences are intermixed with wildlands?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The project is not located in an area with high or very high potential for large wildland fires. All project construction will be required to conform to Fire Safe Standards related to fire sprinklers, emergency vehicle access, and water supply.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				

**9. HYDROLOGY AND WATER QUALITY *Would the project:***

a) Violate any water quality standards or waste discharge requirements?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

**Comment:**

As discussed in the *Environmental Impact Report for Dutra Haystack Landing Asphalt and Recycling Facility* prepared by Christopher A. Joseph and Associates. The site is located along the eastern shore of the Petaluma River. The Petaluma River has been identified as an "impaired waterway" by the State Water Resources Control Board in compliance with Section 303 of the Federal Clean Water Act. This designation indicates that the water quality within a waterway has been adversely affected by one or more pollutants. Listed waterways do not meet water quality objectives, even after point (individual) sources of pollution have installed the minimum required levels of pollution control. The Petaluma River has been listed for diazinon, nutrients, sedimentation/siltation, and nickel. The identified potential sources of these pollutants include urban runoff, agricultural operations, construction and land development, and atmospheric fallout. The RWQCB is responsible for defining regulatory thresholds, or "total maximum daily loads" (TMDLs), for the listed pollutants. The TMDLs for the Petaluma River are under development.

Proper grading and drainage improvements will prevent any additional impacts to the Petaluma River through the installation of sediment control measures and long term improvements that provide for filtration and retention so that runoff and storm water do not directly enter the Petaluma River with a full contaminant load. The following note on the map will ensure that impacts from grading and drainage are less than significant.

**Mitigation:**

See 6.b. above.

**Mitigation Monitoring:**

See 6.b. above.

<p>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>	<p>Potentially Significant Impact</p>	<p>Less than Significant with Mitigation Incorporation</p>	<p>Less than Significant Impact</p>	<p>No impact</p>
				<p>X</p>

**Comment:**

The site is not in a groundwater recharge area. A "Ground Water Resource Availability and Saltwater Intrusion Evaluation for 6525 Lakeville Highway, Petaluma, Ca, 94954" was prepared for the site by Marc W. Seeley, PG of Environmental Geology Services in April 2012. He determined that there would be no significant impact on the groundwater from the subdivision and that the location of the well in the higher part of Lot 1 would not increase the potential for saltwater intrusion.

**Mitigation:**

No mitigation measures are required.

**Mitigation Monitoring:**

<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a</p>	<p>Potentially Significant Impact</p>	<p>Less than Significant with Mitigation Incorporation</p>	<p>Less than Significant Impact</p>	<p>No impact</p>
--	---------------------------------------	--	-------------------------------------	------------------

stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		X		
<p><b>Comment:</b> See 6.b above. The project was reviewed by the Sonoma County PRMD Storm Water and Grading Section and a condition of approval requires that grading and drainage improvement plans be reviewed and approved by PRMD prior to the issuance of any development permits. Erosion and sediment control measures are required to be included in the plans.</p>				
<p><b>Mitigation:</b> See 6.b. above.</p>				
<p><b>Mitigation Monitoring:</b></p>				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		
<p><b>Comment:</b> See 6.b above. The project was reviewed by the Sonoma County PRMD Storm Water and Grading Section and a condition of approval requires that grading and drainage improvement plans be reviewed and approved by PRMD prior to the issuance of any development permits. No increase in flooding on or off site will result from this project.</p>				
<p><b>Mitigation:</b> See 6.b. above.</p>				
<p><b>Mitigation Monitoring:</b></p>				
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<p><b>Comment:</b> The creation of two lots as a result of this subdivision will result in very little change in the runoff from the site. Both parcels are already developed with agricultural uses.</p>				
<p><b>Mitigation:</b> No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
f) Otherwise substantially degrade water quality?	Potentially Significant Impact	Less than Significant with	Less than Significant Impact	No impact

		Mitigation Incorporation		
		X		
<p><b>Comment:</b>                  The County has adopted setbacks from riparian corridors, creeks, wetlands, lake and ponds for grading, structures, vineyards and other developments. The distances for these setbacks vary based on several factors including the type of riparian corridor, stream type, stream depth, soil type, natural slope of the site, and the type of wetland.</p> <p>Setbacks are specified in County Code Chapters 11 and 26, in the Sonoma County General Plan and in the Sonoma County Water Agency Flood Control Design Criteria. The setback with the largest distance or the most stringent setback applies to the project. Each project shall be analyzed to determine which setback is the controlling or most stringent setback.</p> <p>The applicant has proposed a building envelope for Lot 2 that places all development well out of the Petaluma River corridor and outside of the setback for the two irrigation ponds on the property.</p>				
<p><b>Mitigation:</b>                  See 1.c. above.</p>				
<p><b>Mitigation Monitoring:</b></p>				
g) Place housing within a 100-year hazard area as mapped on a federal Flood hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		
<p><b>Comment:</b>                  The project site is located in a flood hazard area. The following note will be placed on the map as a further restriction on developable areas on portions of Lot 2 thus preventing impacts associated with the flood hazard area.</p>				
<p><b>Mitigation9.g.:</b>                  NOTE ON MAP: "All or portions of the lots shown here on are located within a Special Flood Hazard Area (SFHA) and are affected by flooding from the Petaluma River. The base flood elevations (BFE's) vary, are unknown throughout the site, or may need to be determined. The lowest floor elevation of any habitable structure must be at least 1 foot higher than the adjacent BFE. No fill shall be placed within the SFHA, unless an engineering analysis demonstrates that no reduction in the flood storage capacity within the SFHA will result from the fill placement and related improvements. Any fill placed within the SFHA also requires a grading permit with plans and specifications prepared by a civil engineer. All elevations shall be based on the North American Vertical Datum of 1988 (NVGD 88)."</p>				
<p><b>Mitigation Monitoring:</b>                  The Engineering section of PRMD will review the map to ensure that the note appears correctly.</p>				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		

<b>Comment:</b> See 9.d. above.				
<b>Mitigation:</b> See 9.d. above.				
<b>Mitigation Monitoring:</b>				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		
<b>Comment:</b> See 9.d. above.				
<b>Mitigation:</b> See 9.d. above.				
<b>Mitigation Monitoring:</b>				
j) Inundation by seiche, tsunami, or mudflow?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The project site is not located in an area subject to seiche , tsunami, or mudflow.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring;</b>				

**10. LAND USE AND PLANNING** *Would the project*

a) Physically divide an established community?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The project would not divide a community.				
<b>Mitigation:</b> No mitigation measures are required.				



<b>Mitigation Monitoring:</b>				
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The property has both a General Plan and Zoning Designation of Land Extensive Agriculture. The density is 60 acres per dwelling unit and a subdivision 162.97 +/- acres into two parcels of 99.61 +/- acres and 60 +/- acres in size does not conflict with the designation.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
		X		
<b>Comment:</b> See 4.f. above. Habitat conservation plans and natural community conservation plans are site-specific plans to address effects on sensitive species of plants and animals. The project site is located near the Lower Petaluma Habitat Conservation Plan area.				
<b>Mitigation:</b> See 4.f. above.				
<b>Mitigation Monitoring:</b>				

**11. MINERAL RESOURCES** *Would the project:*

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> There is no known mineral resource on the project site.				
<b>Mitigation:</b> No mitigation measures are required.				

<b>Mitigation Monitoring:</b>				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The project site is not a mineral resource recovery site.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				

**12. NOISE** *Would the project:*

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<b>Comment:</b> The Noise Element of the Sonoma County General Plan establishes goals, objectives and policies including performance standards to regulate noise affecting residential and other sensitive receptors. The general plan sets separate standards for transportation noise and for noise from non-transportation land uses. The creation of one new agricultural parcel will not result in additional noise being generated.  However, construction activities for the development of one new dwelling or agricultural structures could result in some excessive noise. Given the distances to the nearest dwellings on adjoining parcels it is unlikely to exceed the noise standards of the General Plan.				
<b>Mitigation 12.a.:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<b>Comment:</b> The project may result in construction activities that may generate ground borne vibration and noise. These levels would not be significant because they would be short-term and temporary, and would be limited to daytime hours. There are no other activities or uses associated with the				

project that would expose persons to or generate excessive ground borne vibration or ground borne noise levels.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> There will not be a permanent increase in ambient noise levels.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<b>Comment:</b> There will be potentially significant noise impacts from the construction activities. This impact will cease when construction is finished.				
<b>Mitigation Measure:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> See 8.e above.				
<b>Mitigation:</b>				
<b>Mitigation Monitoring:</b>				

a) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> See 8.f. above.				
<b>Mitigation:</b>				
<b>Mitigation Monitoring:</b>				

**13. POPULATION AND HOUSING** *Would the project:*

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The project would not include construction of a substantial amount of homes, businesses or infrastructure and therefore would not induce substantial population growth.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
b) Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> No housing will be displaced by the project.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Measures:</b>				
c) Displace substantial numbers of people, necessitating the construction of	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No impact

replacement housing elsewhere?		Incorporation		
				X
<b>Comment:</b> No people will be displaced by the project.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				

**14. PUBLIC SERVICES *Would the project:***

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
i. Fire protection?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The County Fire Marshal reviewed the project description and requires that the subdivision comply with Fire Safe Standards, including fire protection methods such as sprinklers in buildings, alarm systems, extinguishers, vegetation management, hazardous materials management, and management of flammable or combustible liquids and gases.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
ii. Police?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The Sonoma County Sheriff will continue to serve this area. There will be no increased need for police protection resulting from the creation of one new large agricultural lot that can be developed with a single family dwelling, agricultural accessory buildings, and potentially an				

Agricultural Employee unit.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
iii. Schools, parks, or other public facilities?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> Development fees to offset potential impacts to public services include school mitigation fees.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
iv. Parks?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> Development fees to offset potential impacts to public services include park mitigation fees.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
v. Other public facilities?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> Development fees to offset potential impacts to critical public services such as traffic, school, and park mitigation fees have been established for the County of Sonoma and are assessed at the time of development.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				

--

**15. RECREATION** *Would the project:*

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

**Comment:**

The proposed project would not involve activities that would cause or accelerate substantial physical deterioration of parks or recreational facilities.

**Mitigation:**

No mitigation measures are required.

**Mitigation Monitoring:**

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

**Comment:**

See item 15.a. above.

**16. TRANSPORTATION / TRAFFIC** *Would the project:*

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

**Comment:**

The proposed project involves subdivision of 166 +/- acres into two parcels, one of which is already developed with a single family dwelling and agricultural structures. The development of one additional lot will result in approximately 10 additional trips per day. Using the screening criteria established by the County of Sonoma Guidelines for traffic studies, S:\PROJ REVIEW\TRAFFIC STUDIES\Traffic Guidelines Revised 11-22-04.wpd, the project would not cause a significant traffic impact based on traffic contributed to the street system by the project.

**Mitigation Measure:**

No mitigation measures are required.

<b>Mitigation Monitoring:</b>				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b>                  The project would not exceed the level of service (LOS) standard established by the county congestion management agency for any designated road or highway. Sonoma County General Plan Circulation and Transit Objective CT-2.1 is to maintain a LOS C or better on arterial and collector roadways. See 15.a. above for a discussion of traffic resulting from project construction and operation.</p>				
<p><b>Mitigation:</b>                  No mitigation measures are required.</p>				
<b>Mitigation Monitoring:</b>				
c) Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b>                  The project would have no effect on air traffic patterns.</p>				
<p><b>Mitigation:</b>                  No mitigation measures are required.</p>				
<b>Mitigation Monitoring:</b>				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b>                  The project would not include any hazardous design features or uses that would obstruct roadways or compromise sight distances.</p>				
<p><b>Mitigation Measure 16.d.:</b>                  No mitigation measures are required.</p>				
<b>Mitigation Monitoring:</b>				



e) Result in inadequate emergency access?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<p><b>Comment:</b>  The project will be required to comply with all emergency access requirements of the Sonoma County Fire and Life Safety Code, including emergency vehicle access requirements. Project development plans are routinely reviewed by a Department of Emergency services Fire Inspector during the building permit process to ensure compliance with emergency access issues.</p>				
<p><b>Mitigation Measure:</b>  No mitigation measures are required.</p>				
<p><b>Mitigation Monitoring:</b></p>				
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b>  Lakeville Highway is proposed as a Class II Bikeway in the 2010 Sonoma County Bicycle and Pedestrian Plan. The parcels that will be created by the subdivision are accessed by existing driveways with good visibility in both directions. The applicant has also offered 30 feet of right-of-way along the frontage of the property. This will allow ample room for the installation of bike lanes at some point in the future.</p>				
<p><b>Mitigation:</b>  No mitigation measures are required.</p>				
<p>Mitigation Monitoring:</p>				

**17. UTILITIES AND SERVICE SYSTEMS *Would the project:***

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<p><b>Comment:</b>  The site is served by private septic. There will be no effect on wastewater treatment facilities.</p>				
<p><b>Mitigation:</b>  No mitigation measures are required.</p>				

<b>Mitigation Monitoring:</b>				
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The site is served by private wells and septic systems. There will be no impact from treatment facility expansion or construction of new facilities.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> Grading and paving of the site will alter the natural topography and may alter the drainage pattern and increase storm water runoff. However, these activities will not result in significant runoff and most will be captured in the onsite irrigation pond. See Sections 6 and 9 above for analysis of construction of storm drainage facilities. Impacts of storm water drainage facilities construction are addressed throughout the Initial Study with other impacts of ground disturbance such as biology, cultural resources, geology, hazards, hydrology, etc.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
			X	
<b>Comment:</b> Based on recharge and usage calculations presented in a "Ground Water Resource Availability and Saltwater Intrusion Evaluation for 6525 Lakeville Highway, Petaluma, Ca, 94954" by Marc W. Seeley, PG of Environmental Geology Services in April 2012, recharge exceeds withdrawals and there should be no drawdown of the groundwater table as a result of the project. All agricultural irrigation is through surface water capturing irrigation ponds already located on the property. Landscaping will be required to meet the Water Efficiency Landscaping Ordinance requirements.				
<b>Mitigation:</b> No mitigation measures are required.				

<b>Mitigation Monitoring:</b>				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> The site is served by individual, private septic systems.				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
<b>Comment:</b> Sonoma County has a solid waste management program in place that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the waste that will result from the proposed project. (1)				
<b>Mitigation:</b> No mitigation measures are required.				
<b>Mitigation Monitoring:</b>				

## 18. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No impact
				X

## Sources

1. PRMD staff evaluation based on review of the project site and project description.
2. Biological Assessment, 6525 Lakeville Hwy, Minor Subdivision Lands of Bachman, APN# 068-110-026, -044, & -045. Prepared by Kjeldsen Biological Consulting; March 2012.
3. A Cultural Resources Evaluation of the Lands of Bachman, APN 068-110-026, -044, and -045, Lakeville, Sonoma County, California. Prepared by William Roop, Archaeological Resource Service, March 13, 2012.
4. Ground Water Resource Availability and Saltwater Intrusion Evaluation for 6525 Lakeville Highway, Petaluma, Ca, 94954. Prepared by Marc W. Seeley, PG of Environmental Geology Services; April 2012.
5. Sonoma County Important Farmland Map 1996. California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program.
6. Assessor's Parcel Maps
7. BAAQMD CEQA Guidelines; Bay Area Air Quality Management District; June 2010; <http://www.baaqmd.gov/>
8. California Air Resources Board (CARB) <http://www.arb.ca.gov/>
9. California Natural Diversity Database, California Department of Fish & Game.
10. Sonoma County General Plan (as amended), Sonoma County Board of Supervisors, September 2008
11. California Environmental Protection Agency –  
<http://www.calepa.ca.gov/SiteCleanup/corteseList/default.htm>  
<http://www.envirostor.dtsc.ca.gov/public/> (Cortese List)  
<http://www.calrecycle.ca.gov/SWFacilities/Directory/search.aspx> (SWIS)
12. Alquist-Priolo Special Studies Zones; State of California; 1983.
13. Flood Insurance Rate Maps, Federal Emergency Management Agency.
14. Special Report 120, California Division of Mines and Geology; 1980.
15. General Plan Consistency Determination, (65402 Review), Sonoma County Permit & Resource Management Department.
16. Standard Specifications, State of California Department of Transportation, available online: [http://www.dot.ca.gov/hq/esc/oe/specs\\_html](http://www.dot.ca.gov/hq/esc/oe/specs_html)
17. Tree Protection and Replacement Ordinance (Ordinance No. 4014); Sonoma County.
18. Valley Oak Protection Ordinance (Ordinance No. 4991); Sonoma County, December 1996.
19. Heritage or Landmark Tree Ordinance (Ordinance No. 3651); Sonoma County.
20. Manual of Standards for Erosion and Sediment Control Measures, Association of Bay Area Governments; May, 1995.
21. Soil Survey of Sonoma County, California, Sonoma County, U.S. Department of Agriculture; 1972.

22. Evaluation of Groundwater Resources, California Department of Water Resources; 1975.
23. Sonoma County Congestion Management Program, Sonoma County Transportation Authority; December 18, 1995.
24. Sonoma County Aggregate Resources Management Plan and Program EIR, 1994.
25. 2010 Sonoma County Bicycle and Pedestrian Plan, Sonoma County Permit and Resource Management Department; August 2010. <http://www.sonoma-county.org/prmd/docs/misc/bikeplandraft.pdf>

# **BIOLOGICAL ASSESSMENT**

**6525 Lakeville Hwy**

**Minor Subdivision Lands of Bachman**

**APN# 068-110-026, -044, & -045**



**Prepared  
By  
Kjeldsen Biological Consulting**

**For  
Tom Bachman  
6525 Lakeville Hwy  
Petaluma, CA 94954**

March 2012

# **BIOLOGICAL ASSESSMENT**

**6525 Lakeville Hwy  
Minor Subdivision Lands of Bachman  
APN# 068-110-026, -044, & -045  
Sonoma County**

**PROJECT NAME:**

6525 Lakeville Hwy  
Minor Subdivision Lands of Bachman  
APN# 068-110-026, -044, & -045  
Sonoma County

**APPLICANT:**

Tom & Catherine Bachman  
6525 Lakeville Highway  
Petaluma, CA 94954

**PROJECT COORDINATOR:**

Dimensions 4 Engineering  
2952 MENDOCINO AVE.  
SANTA ROSA, CA 95403

**REPORT PREPARED BY:**

Kjeldsen Biological Consulting  
923 St. Helena Ave.  
Santa Rosa, CA 95404  
(707) 544-3091  
Fax (707) 575-8030  
kjeldsen@sonic.net

**PERIOD OF SURVEY:**

February 2012



# BIOLOGICAL ASSESSMENT

6525 Lakeville Hwy

Minor Subdivision Lands of Bachman

APN# 068-110-026, -044, & -045

Sonoma County

## TABLE OF CONTENTS

### EXECUTIVE SUMMARY

<b>A.</b>	<b>PROJECT DESCRIPTION.....</b>	<b>1</b>
	A.1 Introduction	
	A.2 Purpose	
	A.3 Definitions	
<b>B.</b>	<b>SURVEY METHODOLOGY.....</b>	<b>3</b>
	B.1 Project Scoping	
	B.2 Field Survey Methodology	
<b>C.</b>	<b>BIOLOGICAL SETTING.....</b>	<b>6</b>
	C.1 Site Description and Biological Setting	
	C.2 Surrounding Biological Resources	
<b>D.</b>	<b>RESULTS AND FINDINGS.....</b>	<b>9</b>
	D.1 Special-Status Species	
	D.2 Sensitive Biotic Communities	
	D.3 Biological Recourses	
	D.4 Wildlife Habitat and Wildlife Corridors	
	D.5 Raptor Nests, Bird Rookeries, Bat Roosts, Wildlife Dens or Burrows	
	D.6 Unique Species that are Endemic, Rare or Atypical for the Area	
	D.7 Habitat Fragmentation	
	D.8 Cumulative Biological Effects	
	D.9 State and Federal Permit Needs	
<b>E.</b>	<b>IMPACTS AND MITIGATION.....</b>	<b>18</b>
	E.1 Significance Criteria	
	E.2 Potential Impacts and Recommendations	
	1 Special-status Species	
	2 Sensitive Biotic Communities	

- 3 Biological Resources
- 4 Wildlife Habitat and Wildlife Corridors
- 5 Raptor Nests, Bird Rookeries, Bat Roosts, Wildlife Dens or Burrows
- 6 Unique Species that are Endemic, Rare or Atypical for the Area
- 7 Habitat Fragmentation
- 8 Cumulative Biological Effects
- 9 State and Federal Permit Mitigation Considerations

**F. SUMMARY.....21**

**G. REFERENCES.....22**

- F.1 Literature and References
- F.2 Names and Qualifications of Field Investigators

**PHOTOGRAPHS                      Figures                      1 to 5**

<b>PLATES</b>	<b>Plate I</b>	<b>Site Map / Location</b>
	<b>Plate II</b>	<b>Fish &amp; Game CNDDDB Rare Find 3 Map</b>
	<b>Plate III</b>	<b>Aerial Photo</b>
	<b>Plate IV</b>	<b>Project Site Plan</b>

**APPENDIX A.                      Flora and Fauna Observed**

**APPENDIX B.                      Definitions used in Report and Regulatory Requirements**

**APPENDIX C.                      CNPS Special Status-species Listed for the Project Quadrangle and Surrounding Quadrangles**

**DFG CNDDDB Special-status Species Listed for the Quadrangle and Surrounding Quadrangles**

# BIOLOGICAL ASSESSMENT

6525 Lakeville Hwy  
Minor Subdivision Lands of Bachman  
APN# 068-110-026, -044, & -045  
Sonoma County

## EXECUTIVE SUMMARY

This study was conducted at the request of Dimensions 4 Engineering, Inc, on behalf of the owner, as background information for the application for permits from the Sonoma County Permit and Resource Management Department. The project proposes a Minor Subdivision of the lands of Bachman into two lots: Lot #1 (99.61-Acres) on the east side of Lakeville Highway with a residence and agricultural infrastructure and Lot # 2 (63.36-Acres) on the west side of Lakeville Highway with vineyard, agricultural roads, reservoir and proposed house site, leach field and expansion area, new entrance road, and barn pad. The parcels are within the Petaluma River Quadrangle.

The purpose of this report is to identify biological resources that may be affected by the proposed project. The fieldwork studied the proposed project building envelope for the house, barn, leach field, access road and surrounding environment. The findings presented below are the results of fieldwork conducted in February 2012 by Kjeldsen Biological Consulting:

### Findings:

- The project footprint is within a developed landscape (vineyards or existing agricultural access roads;
- We found no evidence that would indicate that the proposed project would negatively impact any of the special-status species known for the region. No special-status species known for the Quadrangle, surrounding Quadrangles or the region were identified on the project site nor did the project sites contain vegetation associates, habitat or edaphic conditions which would support special-status species;
- There are several special status species that have potential for presence along the west edge of the property adjacent to the Petaluma River with in seasonal wetlands and reservoir on the property. We found no evidence for presence of these species associated with the project footprint.
- There are no sensitive plant communities, habitat, or sensitive biotic communities listed by DFG or Napa County associated with the project site;

- Biological resources on the property have been avoided by the proposed project specifically the seasonal wetlands, reservoir, and the wetlands associated with Petaluma River; and
- With the implementation of standard Best Management Practices no potential significant impacts will result from the proposed project. Any impacts to local wildlife will be undetectable on a regional scale.

It is concluded that further seasonal biological studies are unwarranted based on the project footprint will not impact any undisturbed ground.

The flora and fauna observed on the study site and property included as an appendix.

### **Recommendations**

All project construction activities must be limited to the project footprint. Best Management Practices including silt and erosion control measures must be implemented to protect off-site movement of sediment and dust during and post construction. Best Management Practices must be implemented throughout the construction period such as retaining ground cover litter, monitoring for invasive species, providing mulch for bare ground and standard erosion and dust control.

The seasonal wetlands or Salt March must be avoided and provided with a 50-foot buffer from the upland edge to the proposed building envelope to protect this resource during development.

Construction fencing and signage (Environmentally Sensitive Area) must be installed adjacent to seasonal wetlands salt march along the proposed access road and building envelop to ensure that no construction equipment, fill, staging or storage occurs during the developmental phase of development.

# **BIOLOGICAL ASSESSMENT**

**6525 Lakeville Hwy, Sonoma County  
Minor Subdivision Lands of Bachman  
APN# 068-110-026, -044, & -045**

## **A PROJECT DESCRIPTION**

### **A.1 Introduction**

This study was conducted at the request of Dimensions 4 Engineering, Inc, on behalf of the owner, as background information for the application for permits from the Sonoma County Permit and Resource Management Department.

The project proposes a Minor Subdivision of the lands of Bachman into two lots: Lot #1 (99.61-Acres) on the east side of Lakeville Highway with a residence and agricultural infrastructure. There are no new proposed improvements on this lot. Lot # 2 (63.36-Acres) is on the west side of Lakeville Highway and contains vineyard and associated agricultural barns, agricultural roads, seasonal wetlands and a reservoir. Lot # 2 has a proposed house site, septic tank, leach field and expansion area within existing vineyards. It also includes a new barn site and entrance road for the residence that will use portions of existing agricultural roads and extend through a vineyard for access to Lakeville Highway. The parcels are within the Petaluma River Quadrangle. Plate I provides a Site and Location Map of the project and Plate III is an aerial photograph of the property.

### **A.2 Purpose**

The purpose of this report is to identify biological resources that may be affected by the proposed project as listed below:

- To determine the presence of potential habitat for special-status species which would be impacted by the proposed project, including habitat types which may have the potential for supporting special-status species (target species that are known for the region, the Quadrangle and surrounding Quadrangles);
- To identify the presence of special-status plant species and assess the potential impact of the project on sensitive plants or sensitive plant habitat.
- To identify if the project will have a substantial adverse effect on Sensitive Habitats or Communities regulated by the California Department of Fish and Game;
- To identify and assess potential impacts to Federal or State protected wetlands as defined by Section 404 of the Clean Water Act; and
- To determine if the project will substantially interfere with native wildlife species, wildlife corridors, and or native wildlife nursery sites.

### **A.3 Definitions**

Definitions related to or used in this report are attached in Appendix B.

## **B SURVEY METHODOLOGY**

### **B.1 Project Scoping**

The scoping for the project considered location, type of habitat and vegetation types present on the property or associated with potential special-status plant species known for the Quadrangles, surrounding Quadrangles the County or the region. Our scoping considered records in the most recent version of the Department of Fish and Game California Natural Diversity Data Base (DFG CNDDDB Rare Find-3) and the California Native Plant Society (CNPS) Electronic Inventory of Rare or Endangered Plants. "Target" special-status species are those listed by the State, the Federal Government or the California Native Plant Society or considered threatened in the region. Our scoping is also a function of our familiarity with the local flora and fauna as well as previous projects on other properties in the area.

Section 15380 of the California Environmental Quality Act [CEQA (September, 1983)] has a discussion regarding non-listed (State) taxa. This section states that a plant (or animal) must be treated as rare even if it is not officially listed as such. If a person (or organization) provides information showing that a taxa meets the State's definitions and criteria, then the taxa should be treated as such.

Tables I and II present target special-status species (see also Appendix C).

### **B.2 Field Survey Methodology**

Our study was made by walking through and around the project site. Our fieldwork focused on locating target organisms or suitable habitat for target organisms, or indications that such habitat exists on the site. Our fieldwork was conducted on February 15, 2012.

**Plants** Field survey was conducted on foot recording and identifying all species on the site and in the near proximity. The fieldwork was an Intuitive Controlled approach which calls for the qualified surveyor to conduct a survey of the area by walking through it and around its perimeters, and closely examining portions where target species are especially likely to occur. The open nature of the site, historic and on going agricultural practices, and small size of the proposed development footprint facilitated our field studies.

The fieldwork for identifying special-status plant species is based on our knowledge and many years of experience in conducting special-status plant species surveys in the region. Plants were identified in the field or reference material was collected, when necessary, for verification using laboratory examination with a binocular microscope and reference materials. Herbarium specimens from plants collected on the project site were made when relevant. Voucher material for selected individuals is in the possession of the authors. All plants observed (living and/or remains from last season's growth) were recorded in field notes.

Typically, blooming examples are required for identification however; it is not the only method for identifying the presence of or excluding the possibility of rare plants. Vegetative morphology and dried flower or fruit morphology, which may persist long after the blooming period, may also be used.

Skeletal remains from previous season's growth can also be used for identification. Some species do not flower each year or only flower at maturity and therefore must be identified from vegetative characteristics. Algae, fungi, mosses, lichens, ferns, Lycophyta and Sphenophyta have no flowers and there are representatives from these groups that are now considered to be special-status species, which require non-blooming identification. For some plants unique features such as the aromatic oils present are key indicator. For some trees and shrubs with unique vegetative characteristics flowering is not needed for proper identification. The vegetative evaluation as a function of field experience can be used to identify species outside of the blooming period to verify or exclude the possibility of special-status plants in a study area.

Habitat is also a key characteristic for consideration of special-status species in a study area. Many special-status species are rare in nature because of their specific and often very narrow habitat or environmental requirements. Their presence is limited by specific environmental conditions such as: hydrology, microclimate, soils, nutrients, interspecific and intraspecific competition, and aspect or exposure. In some situations special-status species particularly annuals may not be present each year and in this case one has to rely on skeletal material from previous years. A site evaluation based on habitat or environmental conditions is therefore a reliable method for including or excluding the possibility of special-status species in an area.

**Animals.** Our field techniques consisted of surveying the area with binoculars and walking the perimeter of the project site. Existing site conditions were used to identify habitat, which could potentially support special status species. Animals were identified in the field by their sight, sign, or call. All animal life was recorded and is presented in Appendix A.

Trees were surveyed to determine whether occupied raptor nests were present within the proximity of the project site (i.e., within a minimum 500 feet of the areas to be disturbed). Surveys consisted of scanning the trees on the property with binoculars searching for nest or bird activity. Our search was conducted from the property and by walking under existing trees looking for droppings or nest scatter from nests that may be present that were not observable by binoculars. Potential bat breeding habitat was surveyed for within 200 feet of the proposed project, by looking for roosting habitat rock outcrops, crevasses, and evidence of roosting.

Aerial photos were reviewed to look at the habitat surrounding the site and the potential for wildlife movement, or wildlife corridors from adjoining properties onto or through the site.

**Wetlands** The project site was reviewed to determine from existing environmental conditions with a combination of vegetation, soils, and hydrologic information if seasonal wetlands were present. Wetlands were evaluated using the ACOE's three-parameter approach: Vegetation, Hydrology, and Soils.

**Tributaries to Waters of the US** are determined by the evaluation of continuity and "ordinary high water mark." The ordinary high water mark is determined based on the top of scour marks and high flow impacts on vegetation.

## **C BIOLOGICAL SETTING**

---

Our results and findings are based on our fieldwork, literature search, and the background material available for the project.

### **C.1 Site Description Biological Setting**

The site is located in the North Coast Range Mountains, a geographic subdivision of the larger California Floristic Province (Hickman, 1993), which is strongly influenced by the Pacific Ocean. The region is in a climate Zone “Ocean influenced Northern and Central California” characterized as an area with ocean or cold air influence. The climate of the region is characterized by hot, dry summers and cool, wet winters, with precipitation that varies regionally from less than 30 to more than 60 inches per year. This climate regime is referred to as a “Mediterranean Climate”. The average annual temperature ranges from 45 to 90 degrees Fahrenheit. The variations of abiotic conditions including geology results in a high level of biological diversity per unit area.

The photographs (Figures 1 to 5) below illustrate the study site.



**Figure 1.** Location of proposed entrance road from Lakeville Highway.





**Figure 2.** Proposed barn site.



**Figure 3.** Proposed House site.



**Figure 4.** Proposed entrance road from the house site. The access will utilize the existing ranch road and extend up through the vineyard to Lakeville Highway.



**Figure 5.** Proposed septic site location and entrance road off of Lakeville Highway.

The vegetation of California has been considered to be a mosaic, with major changes present from one area to another, often with distinct changes within short distances. The variation in vegetation is a function of topography, geology, climate and biotic factors. It is generally convenient to refer to the vegetation associates on a site as a plant community or alliance. Biologists use habitat types or biotic communities for the plant and animals that are associated with a particular vegetation type in a region. Typically plant communities are identified or characterized by the dominant vegetation form or plant species present. There have been numerous community classification schemes proposed by different authors using different systems for the classification of vegetation. A basic premise for the designation of plant communities or associations is that in nature there are distinct plant populations occupying a site that are stable at any one time (climax community is a biotic association, that in the absence of disturbance maintains a stable assemblage over long periods of time). There is also evidence that vegetation on the site is part of a continuum without well-defined boundaries.

For practical purposes and site descriptions plant communities/associations/alliances or habitat types are used. The 2009 Manual of California Vegetation is the preferred system at present but much of the literature i.e. California Native Plant Society and CNDDB use different systems.

The proposed building envelope, barn site, septic leach field and new access road are all within agriculturally developed landscape (vineyards). No Native Habitat is associated with the proposed development for Lot # 2.

Habitat types on the property outside of the project footprint are the following:

- Producing developed vineyard,
- Agricultural infrastructure including irrigation buildings and roads,
- Open water of reservoir,
- Ruderal vegetation along the edges of the developed landscape, and
- Salt march.

**Salt Marsh** The salt marshes of San Pablo Bay extend up the Petaluma River. In general the species diversity is low. There are, however, several animals that are considered special-status species associated with this habitat. Botanically there are fewer endemics present within the salt marsh flora. Common plants of the Petaluma marsh are alkali heath (*Frankenia salina*), prairie bulrush (*Scirpus maritimus*), marsh grindelia (*Grindelia hirsutula*), jaumia (*Jaumia carinosa*) and pickleweed (*Salicornia pacifica*= *S. virginica*). Salt grass flats (*Distichlis spicata*) surround or integrate with the marsh. Sawyer et al, 2009 classifies the salt marsh based on dominant plant species as *Distichlis spicata* Herbaceous Alliance-Salt Grass Flats and *Salicornia pacifica* =(Sarcornia pacifica) Herbaceous Alliance-Pickleweed mats. These are described below.

***Distichlis spicata* Herbaceous Alliance-Salt Grass Flats.** *Distichlis spicata* is dominant or co-dominant in the herbaous layer with *Agrostis viridis*, *Ambrosia chamissonis*, *Atriplex prostrata*, *Bromus didandrus*, *Cotula cornopifolia*, *Frankenia salina*, *Hordium brachyantherum*, *Hordium murinum*, *Jaumea carnosa*, *Juncus* ssp., *Lepidum latifolium*, *Limonium californicum*, *Leymus triticoides*, *Limonium californicum*, *Poa secunda*, *Salicornia pacifica* and *Triglochin maritima*, *Xanthium strumarium*. Membership rules *Distichlis spicata* >50% relative cover in the herbaceous layer; *Distichlis spicata* has highe cover than any other single grass species.

***Salicornia pacifica* = (*Sarcornia pacifica*) Herbaceous Alliance-Pickleweed mats.** *Salicornia pacifica* is dominant or co-dominant in the subshrub and herbaous layers with *Atriplex triangularis*, *Bolboschoenus maritimus*, *Cotula cornopifolia*, *Crypsis shoenoides*, *Cuscuta salina*, *Distichlis spicata*, *Echinochloa crus-galli*, *Frankenia salina*, *Grindelia stricta*, *Jaumea carnosa*, *Juncus* ssp., *Lepidum latifolium*, *Limonium californicum*, *Persicaria lapathifolia* (*Polygonum*), *Spartina foliosa*, *Suaeda californica*, *Triglochin maritima*, *Xanthium strumarium* and algae. Membership rules *Salicornia pacifica* >10% absolute cover. If *Distichlis spicata* > or less than 50% relative cover stands are in the *Distichlis spicata* Alliance. Younger marshes tend to have lower species diversity and *Salicornia pacifica* dominates; older marshes contain complex mosaics of *Salicornia pacifica* with other plants.

## **C.2 Surrounding Biological Resources**

The aerial photograph Plate III, illustrates the site and the surrounding environment. The proposed lot split follows Lakeville Highway, which bisects the property. The environmental setting of the property site consists of:

- On the north side of the project – Rural residential, Agricultural Pasture lands and open water of flooded hunting lands:
- On the east side of the project – Upland grasslands and agricultural lands;
- On the south side of the project – Rural residential, Vineyards; and
- On the west side of the project – Seasonal wetlands / Salt Marsh and the Petaluma River.

## **C.3 Special-Status Species**

The flora and fauna observed during our study are presented in Appendix A. The DFG CNDDDB does not show any records of special-status species of plants or animals for the project study site. There are, however, a number of species associated with the salt marshes and waters of Petaluma River as shown on Plate II.

Tables I and II below list the “target” special status plants and animals known from the near vicinity of the project site. The tables provide the habitat associated with the taxon, seasonality of plant species and justification for concluding absence on the project site. Several species are associated with habitat present on portions of the site as noted in the table.

## D RESULTS AND FINDINGS

The results and findings discussed below are based on our on-site field review and background materials available for the project.

### D.1 Special-Status Species

A map from the DFG CNDDDB for the records of special-status species known for proximity of the project is shown on Plate II. These taxa listed as well as those listed in Appendix C constitute "Target Species" or Organisms that are part of the scoping for the project site and property. Species listed in Appendix C are those that are within the Quadrangle and surrounding Quadrangles. Reference sites were reviewed as part of our scoping for some of the "Target" Organisms.

Tables I and II below provide a list of potential "target" species that are known to occur (DFG CNDDDB-5 mile search) and the results of our field studies. The table includes an analysis / justification for concluding absence as supported by our fieldwork.

**Table I.** Analysis of "target" special-status plant species. Columns are arranged alphabetically by scientific name. The table is based on taxa known in the DFG CNDDDB five-mile search.

Scientific Name Common Name	Habitat Type or Plant Alliance	Flower Period	Habitat Present On Project Site	Species Observed	Justification for Concluding Absence on Project Site
<i>Amorpha californica</i> var. <i>napensis</i> Napa False Indigo	Cismontane Woodland	April- July	No	No	Requisite micro-habitat and vegetation associates absent on the site or in the immediate vicinity.
<i>Arctostaphylos montana</i> ssp. <i>montana</i> Mount Tamalpais Manzanita	Chaparral, Serpentine	Feb- April	No	No	Requisite habitat, edaphic conditions and vegetation associates precludes presence.
<i>Blennosperma bakeri</i> Sonoma Sunshine	Valley and Foothill Grassland, Vernal Pools	March- May	No	No	Absence of requisite mesic habitat.
<i>Chloropyron (Cordylanthus) maritimum</i> ssp. <i>maritimum</i> Point Reyes Birds- beak	Coastal Salt Marsh	May- Oct.	No Habitat present on Property	No	Absence of requisite habitat on project site. Known for Salt Marshes west of project.

Scientific Name Common Name	Habitat Type or Plant Alliance	Flower Period	Habitat Present On Site	Species Observ ed	Justification for Concluding Absence on Project Site
<i>Chloropyron</i> ( <i>Cordylanthus</i> ) <i>molle</i> ssp. <i>molle</i> Soft birds-beak	Marshes Swamps (Coastal Salt)	May- Aug.	No. Habitat present on Property	No	Absence of requisite habitat on project site.
<i>Fritillaria liliacea</i> Fragrant Fritillary	Cismontane Woodland, Valley and Foothill Grassland/ Serpentine	Feb.- April	No	No	Requisite edaphic habitat absent on the site or in the immediate vicinity and historical use of site precludes presence.
<i>Hesperolinon</i> <i>congestum</i> Marin Western Flax	Grassland/ Serpentine	April- Aug.	No	No	Requisite edaphic habitat and vegetation associates preclude presence.
<i>Lasthenia conjugens</i> Contra Costa Goldfields	Vernal Pools	March- June	No	No	Requisite aquatic habitat absent on the site or in the immediate vicinity.
<i>Limnanthes</i> <i>vinculans</i> Sebastopol Meadowfoam	Meadows and Seeps, Valley and Foothill Grassland, Vernal Pools.	April- May	No	No	Requisite mesic habitat absent on the site or in the immediate vicinity.
<i>Navarretia</i> <i>leucocephala</i> ssp. <i>bakeri</i> Baker's Navarretia	Cismontane Woodland, Valley and Foothill Grassland, Vernal Pools	May- June	No	No	Absence of requisite mesic habitat or substrate on project site precludes presence.
<i>Polygonum</i> <i>marinensis</i> Marin Knotweed	Marshes and Swamps/ brackish	April- Oct.	No	No	Absence of mesic habitat associated within the project footprint.

Based on habitat present, historic use and ongoing operations on the property, and vegetation observed on or near the project footprint we conclude that it is unlikely that any of the species shown in the table above, or known for the region, would be present.

The proposed project will not have a substantial impact to special-status plant species, either directly or through habitat modifications based on the lack of habitat required for their presence and the historical use of the project site.

## Animals

**Table II.** Analysis of “target” special-status animal species. Columns are arranged alphabetically by scientific name. The taxa listed are those known to occur within five miles of the project as listed by DFG CNDD

Scientific Name Common Name	Species Habitat	Habitat Present On the Project site	Obs. on or Near Project Site	Justification for Concluding Absence on Project Site
<i>Adela oplerella</i> Opler's Longhorn Moth	Grasslands with Cream Cups as Host Plant	No	No	Property does not support the host species.
<i>Agelaius tricolor</i> Tricolored Blackbird	Tule Marshes	No	No	Lack of habitat on project site. Potential on property in Salt Marsh.
<i>Andrena blennospermatis</i> Blennosperma Vernal Pool Andrenid Bee	Vernal pools with Blennosperma	No	No	Lack of requisite habitat and associated plants.
<i>Antrozous pallidus</i> Pallid Bat	Roosts in Caves, buildings, woodlands, arid regions.	Yes	No	No rock outcrops, bridges, trees, or riparian vegetation removed by project.
<i>Athene cucularia</i> Burrowing Owl	Low lying grasslands,	No	No	Lack of habitat.
<i>Calicina diminua</i> Marin Blind Harvestman	Serpentine Rock Hillside Grasslands	No	No	Lack of habitat.
<i>Corynorhinus townsendii</i> Townsend's Big-eared Bat	Caves, also in Buildings	May fly over	No	No roosting habitat on site.
<i>Elanus leucurus</i> White-tailed Kite	Nests in tall trees near water	No	No	No nesting habitat will be removed by the proposed project.
<i>Emys marmorata</i> Western Pond Turtle	Slow moving water or ponds	No	No	The reservoir on the property contains potential habitat. No turtles were observed.
<i>Geothlypis trichas sinuosa</i> Saltmarsh Common Yellowthroat	Salt Marsh Tule Habitat	No	No	Lack of habitat on project site. Potential on property in Salt Marsh.
<i>Laterllus jamaicensis coturniculus</i> Califronia Black Rail	Tule Marshes	No	No	Lack of suitable habitat. Potential on property in Salt Marsh.

Scientific Name Common Name	Species Habitat	Habitat Present On the Project site	Obs. on or Near Project Site	Justification for Concluding Absence on Project Site
<i>Melospiza melodia samueliss</i> San Pablo Sparrow	Salt Marshes	No	No	Requisite habitat absent on project site. Potential on property in Salt Marsh.
<i>Oncorhynchus mykiss irideus</i> Steelhead-central California Coast	Aquatic	No	No	Not recorded for presence within five miles of the property.
<i>Rallus longirostris obsoletus</i> California Clapper Rail	Salt Marshes	No	No	Lack of habitat on project site. Potential on property in Salt Marsh.
<i>Rana boylei</i> Foothill Yellow-legged Frog	Streams with pools	No	No	Lack of habitat precludes presence.
<i>Rana draytonii</i> California Red-legged Frog	Aquatic. Streams with Pools and overhanging vegetation.	No	No	Requisite habitat absent. No potential breeding habitat associated with the project site. Nearest known location 2.6 miles to south.
<i>Reithrodontomys raviventis</i> Salt-marsh Harvest Mouse	Pickleweed Salt Marsh	No	No	Lack of habitat on project site. Potential on property in Salt Marsh.
<i>Speyeria zerene myrtleae</i> Myrtle's Silverspot	Coastal Dunes	No	No	Requisite habitat required for presence lacking.
<i>Talanites ubicki</i> Ubick's Gnaphosid Spider	Serpentine Rock Grasslands Associated with Seaps.	No	No	Requisite habitat required for presence lacking.
<i>Taxidea taxus</i> American Badger	Grasslands with food source of ground squirrels.	No	No	Absence of food sources required for presence. No burrows observed.
<i>Tryonia imitator</i> Mimic Tryonia (= California Brackishwater Snail)	Coastal Lagoons Salt Marshes, Estuaries with Permanent Water	No	No	Lack of habitat on project site. Potential on property in Salt Marsh.

Species with potential presence on the property are addressed below.

**California Clapper Rail** (*Rallus longirostris obsoletus*) lives in coastal salt and brackish marshes and tidal sloughs. They mainly stay in the upper to lower zones of coastal salt marshes dominated by pickleweed and cordgrass some of the birds live in coastal brackish marshes. Historically found in



tidal salt marshes and brackish marshes from Humboldt Bay in Humboldt County to Morro Bay in San Luis Obispo County. Widespread urbanization and diking of wetlands led to destruction of marsh habitat. The project area lacks biological resources to attract wildlife or provide any suitable nesting habitat, and it will have no impact on local marsh habitats.

**California Red-legged Frog (*Rana draytonii*)** The California red-legged frog inhabits permanent or nearly permanent water sources (quiet streams, marshes, and reservoirs). They are highly aquatic and prefer shorelines with extensive vegetation. The nearest known locations that are nearly 2.29 miles north the property. The project site does not contain habitat which would support this species. The known occurrence in the CNDDDB is in another watershed. No aquatic habitat for this species will be impacted by the proposed project.

**California Black Rail (*Laterallus jamaicensis coturniculus*)** in California is listed as threatened. Black rails nest in a well-defined bowl, with a canopy of dead or living vegetation. Nests are primarily made of southern cattail or spikerush, and are elevated above the mud substrate in clumps of vegetation. Black rails have also been known to nest on top of a mat of dead vegetation from the previous years' growth. Prime black rail habitat is that thin ribbon of salt marsh vegetation that occurs between the high tideline (mean higher high water) and the upland shore. The project will have no impact on local marsh habitats.

**Mimic Tryonia (= California Brackishwater Snail)** is a brackish water snail associated with salt marshes. This species does not have state or federal listing. The project will have no impact on local marsh habitats.

**San Pablo Sparrow (*Melospiza melodia samuelis*)** Use salt-water marshes subject to tidal action, marked by extensive net works of sloughs and channels, and characterized by salt-tolerant plants such as pickleweed and gumplant. Dense vegetation is required for nesting sites, for song perches, and as cover from predators where vegetation is too short and sparse, Song Sparrow nests are more likely to be exposed to predators or flooding during high tides. The project area lacks biological resources to attract wildlife or provide any suitable nesting habitat, and it will have no impact on local marsh habitats.

The project will have no impact on local marsh habitats.

**Salt-marsh Harvest Mouse (*Reithrodontomys raviventis*)** inhabits saline or brackish marshes. It requires dense ground cover and prefers stands of pickleweed as long as it has non-submerged, salt-tolerant vegetation for escape during high tides. Harvest mice move into higher grasslands during the highest winter tides. Studies indicate that the salt marsh harvest mouse can adapt to a variety of locations and plant diversity. It inhabited wetlands that ring the San Pablo-Suisun-San Francisco Bay region. Marshes extend north from San Pablo Bay along the Petaluma River and connect to the large Petaluma Marsh (in Sonoma County), which supports a sizable population. The Napa River marshes for the most part are too narrow to support harvest mice. The project will have no impact on local marsh habitats.

**Saltmarsh Common Yellowthroat (*Geothlypis trichas sinuosa*)** requires dense marsh and riparian vegetation. San Francisco Bay area as a whole, about 60% of yellowthroats occupy brackish marsh, 20% riparian woodland/swamp, 10% freshwater marsh, 5% salt marsh, and 5% upland (Hobson et al.

1986, Shuford 1993, Terrill 2000). This yellowthroat occupies the ecotone between moist and upland situations, thus the proximity of various habitat types appears to enhance overall habitat suitability. Still, yellowthroats also use small and relatively isolated patches of habitat, including swales and seeps, where groundwater is close to the surface, but also occasionally nest in drier environments. The project area lacks biological resources to attract yellowthroats or provide any suitable nesting habitat, and it will have no impact on local marsh habitats.

**Tricolored Blackbird** (*Agelaius tricolor*) nests on a variety of substrates, although most of these are either flooded or armored. Historically, most colonies were established in freshwater marshes dominated by cattails (*Typha spp.*) and bulrushes (*Scirpus* or *Schoenoplectus spp.*), with willows (*Salix spp.*) and nettles (*Urtica spp.*) also common (Neff 1937). The introduced mustards (*Brassica spp.*), blackberries (*Rubus spp.*), thistles (*Cirsium spp.*), and mallows (*Malva spp.*) have been commonly used for several decades. The project area lacks biological resources to attract blackbirds or provide any suitable nesting habitat, and it will have no impact on local marsh habitats.

**Western Pond Turtle** (*Emys marmorata*). The western pond turtle is found throughout California and is listed by the State as a Species of Concern. It does not have Federal status. Suitable habitat consists of any permanent or nearly permanent body of water or slow moving stream with suitable refuge, basking sites and nesting sites. Refuge sites include partially submerged logs or rocks or mats of floating vegetation. Basking sites can be partially submerged rocks or logs, as well as shallow-sloping banks with little or no cover. Nesting occurs in sandy banks or in soils up to 100 meters away from aquatic habitat.

The reservoir on Lot # 2 has potential for this species. We did not observe any individuals. It seems unlikely that if turtles were present that they would be impacted by the lot split and the proposed future development of the site.

The proposed lot split does not proposed any impacts to aquatic resources on the property or potential habitat for this species found adjacent to Petaluma River.

Based on habitat present associated with the project site we conclude that it is unlikely that any of the species shown in the table above, or others known for the region, would occur on the site given history of disturbance, and lack of proper hydrology/topography. It is unlikely that the project would negatively impact special-status animals or have any significant habitat loss for Special-status animal species.

## **D.2 Biological Resources**

Distinct biological resources that are limited in nature include, wetlands, Waters of the US, riparian corridors or riparian vegetation, tree and vegetation layers, vegetation diversity, drainages, creeks, springs or seeps provide seasonal water that will support wildlife as well as distinct assemblages of plants that require high moisture.

The project footprint is within a previously developed landscape. The significant biological resources on the property are associated with the area adjoining the Petaluma River.

**Seasonal Wetland** generally denotes areas where the soil is seasonally saturated and/or inundated by fresh water for a significant portion of the wet season, and then seasonally dry during the dry season. To be classified as "Wetland," the duration of saturation and/or inundation must be long enough to cause the soils and vegetation to become altered and adapted to the wetland conditions. Varying degrees of pooling or ponding, and saturation will produce different edaphic and vegetative responses. These soil and vegetative clues, as well as hydrological features, are used to define the wetland type. Seasonal wetlands typically take the form of shallow depressions and swales that may be intermixed with a variety of upland habitat types. Seasonal wetlands fall under the jurisdiction of the U.S. Army Corps of Engineers.

A seasonal wetland swale is present on the north side of the existing agricultural road that will be used for access to the proposed building envelope. The proposed access road will utilize an existing crossing. No new construction will be associated with this crossing.

Salt Marsh's are considered seasonal wetlands. Seasonal Wetlands / Salt Marsh exist west and south of the proposed project site. There are no impacts proposed to these resources as part of the project.

The proposed project will not impact the vegetation, hydrology, and soils of the adjacent seasonal wetland swale or Salt Marsh. The proposed project will not reduce or increase runoff into seasonal wetlands. The proposed project will not negatively impact this resource. There are no seasonal wetlands associated with the project footprint.

**"Waters of the State"** include drainages which are characterized by the presence of definable bed and bank that meet ACOE, and RWQCB definitions and or jurisdiction. Any discharge of storm water into "Waters of the State." will require ACOE, DFG, and RWQCB permits. The project will not impact "Waters of the State".

**Riparian Vegetation** is by all standards considered sensitive. Riparian Vegetation functions to control water temperature, regulate nutrient supply (biofilters), bank stabilization, rate of runoff, wildlife habitat (shelter and food), release of allochthonous material, release of woody debris which functions as habitat and slow nutrient release, and protection for aquatic organisms. Riparian vegetation is also a moderator of water temperature has a cascade effect in that it relates to oxygen availability. As part of the setback encroachment a revegetation plan is proposed for Hardman Creek. The revegetation planting plan for the creek setback zone has been prepared by CBH Design that includes native species that will function to stabilize the banks, provide layering, improve water quality, improve wildlife habitat and aquatic habitat. The bridge widening will not change the local hydrograph and will not increase the rate and volume of surface runoff after rainfall events. The project will not impact any riparian vegetation.

**Trees** – No native trees are proposed to be removed by the proposed project.

### **D.3 Wildlife Habitat and Wildlife Corridors**

Natural areas interspersed with developed areas are important for animal movement, increasing genetic variation in plant and animal populations, reduction of population fluctuations, and retention of predators of agricultural pests and for movement of wildlife and plant populations. Wildlife corridors

have been demonstrated to not only increase the range of vertebrates including avifauna between patches of habitat but also facilitate two key plant-animal interactions: pollination and seed dispersal. Corridors also preserve watershed connectivity. Corridor users can be grouped into two types: passage species and corridor dwellers. The data from various studies indicate that corridors should be at least 100 feet wide to provide adequate movement for passage species and corridor dwellers in the landscape.

Petaluma River and associated wetlands are a corridor for wildlife and aquatic movement. The project is removed from this resource and there is no reason to expect any impacts.

The project as proposed will not negatively impact any migratory corridors or migratory fish on or off site provided standard erosion control measures are implemented.

#### **D.4 Raptor Nests, Bird Rookeries, Bat Roosts, Wildlife Dens or Burrows**

We found no indications of nesting raptors on the property or in the near vicinity of the project sites. We did not observe any nests, whitewash or nest droppings, perching associated with the project site. No bird rookeries were present on the property or within the project footprint. No raptor nests or whitewash from nests was observed.

The site does not contain any natural roosting habitat for bat species (i.e. mines, caves, riparian woodlands). No evidence of bat roosting was observed. No mature trees are proposed to be removed.

Very few burrows were observed, but small mammals and songbirds likely utilize habitats on the project site for foraging and cover. No significant wildlife dens or burrows were observed.

#### **D.5 Unique Species that are Endemic, Rare or Atypical for the Area**

The flora and fauna present are typical for fallow pasturelands and woodlands of region. We found no evidence that would indicate the proposed project footprint would impact any unique species or local endemic populations. There were no unique species, endemic populations of plants or animals or species that are rare or atypical for the area present on the project site.

#### **D.6 Habitat Fragmentation**

The proposed project is located within a developed landscape. The project will not result in habitat fragmentation.

#### **D.7 Cumulative Biological Effects**

Cumulative biological effects are the result of incremental losses of biological resources within a region. The site location, historic development and use of the area within the footprint of the project negate the potential for cumulative biological resource effects. The project development is proposed

for an area of the property that is developed. There is no evidence that any negative cumulative biological effects will result from the proposed project

### **D.8 State and Federal Permits Needed**

Any filling or ripping of wetlands on the property will require permit authorization from the ACOE and the SWRCB and necessitate appropriate habitat mitigation for the loss of wetland acreage.

## **E. IMPACTS AND MITIGATION**

---

### **E.1 Significance**

The significance of potential impacts is a function of the scope and scale of the proposed project within the existing Federal, State and Local regulations and management practices. The determination of significance of impacts to biological resources consists of an understanding of the project as proposed and an evaluation of the context in which the impact may occur. The extent and degree of any impact on-site or off-site must be evaluated consistent with known or expected site conditions. Therefore, the significance of potential impacts is assessed relevant to a site-specific scale and the larger regional context.

The project's effect to onsite or on regional biological resources is considered to be significant if the project results in:

- Alteration of unique characteristics of the area, such as sensitive plant communities and habitats (i.e. serpentine habitats, wetlands, riparian habitats);
- Adverse impacts to special-status plant and animal species;
- Adverse impacts to important or vulnerable resources as determined by scientific opinion or resource agency concerns (i.e. sensitive biotic communities, special status habitats; e.g. wetlands);
- Loss of critical breeding, feeding or roosting habitat; and
- Interference with migratory routes or habitat connectivity.

### **E.2 Potential Impacts and Recommended Mitigation**

In the sections below impacts or potential impacts based on the project and findings identified are presented as well as mitigation considerations where impacts are of potential significance.

#### **1. Special-Status Species**

Construction activities such as grading, filing and staging of equipment has the potential to impact aquatic species and their habitat on the property.

*Mitigation 1.1. Project construction must avoid any impact to seasonal wetlands on the property. Construction fencing and Environmentally Sensitive Area (ESA) signage must be installed at the top of bank from seasonal wetlands/ Salt Marsh adjacent to project activities and to ensure that there is no storage of equipment or fill placed with in the seasonal wetlands on the property.*

Direct or indirect impacts to drainages has the potential to result in significant negative impacts to special-status species known or expected to occur in the Petaluma River and its wetland habitat.

*Mitigation 1.2. Ensure that Best Management Practices are adopted in order to minimize the amount of sediment and other pollutants leaving the site during construction activities. An erosion and sediment control plan should be implemented with the project.*

## **2. Sensitive Biotic Communities**

No sensitive biotic communities were identified associated with the proposed project. No mitigation is necessary for the proposed project.

## **3. Biological Resources**

Project construction has the potential to impact biological resources without appropriate avoidance and protection measures. Biological resources present include seasonal wetlands and the habitat associated with the Petaluma River.

**Seasonal Wetlands** No wetlands or vernal pools are present on the proposed project footprint, although outside of the footprint there is the potential to impact the seasonal wetland on the property.

*Mitigation 3.1 The seasonal wetlands or Salt Marsh must be avoided and provided with a 50-foot buffer from the edge of the seasonal wetlands to the proposed building envelope. Drainage from impervious surfaces added to the property must enter into a bioswale before entering into the seasonal wetland / Salt Marsh on the property.*

*Mitigation 3.2 Any impact to "Seasonal Wetlands or Salt Marsh" will require consultation and permits from the Army Corps of Engineers (ACOE), Department of Fish and Game (DFG), and Regional Water Quality Control Board (RWQCB).*

**Tributaries to Waters of the U. S.** The project has been designed to avoid impacts to drainages on the property, however if there is a change to the project or accidental discharge into tributaries to waters of the U.S. it may constitute impacts to these resources on the property.

*Mitigation 3.3 Any impact to "Waters of the State" will require consultation and permits from the Army Corps of Engineers (ACOE), Department of Fish and Game (DFG), and Regional Water Quality Control Boards (RWQCB).*

**Riparian Habitat** The proposed project will not impact any riparian vegetation and therefore no mitigation is required.

**Native Grassland** The project will not impact any native grasslands. No mitigation is considered to be necessary by the proposed project.

**Tree Removal** No trees are proposed to be removed by the project. No mitigation is necessary for the proposed project.

#### **4. Wildlife Habitat and Wildlife Corridors**

The Petaluma River is by all standards a wildlife corridor. The project is more than 500 feet from this resource. The proposed project has avoided significant portions of the property, which will remain and continue to provide habitat for wildlife in the area. Habitat on the property will continue to function and provide habitat for wildlife in the area. The proposed project will not impact resources associated with the Petaluma River or adjacent salt marshes.

#### **5. Raptor Nests, Bird Rookeries, Bat Roosts, Wildlife Dens or Burrows**

The proposed project will not have any significant potential impacts to Rookeries Wildlife Dens or Burrows.

No raptor nests were observed. The eucalyptus trees along Lakeville Highway have potential for support of raptors. The project as proposed will not impact any of these trees. No mitigation is necessary for the proposed project.

#### **6. Unique Species that are Endemic, Rare or Atypical for the Area**

No unique species that are endemic, rare or atypical for the area are associated with the proposed project site. No mitigation is necessary by the proposed project.

#### **7 Habitat Fragmentation**

The proposed change in land use will result in less than significant changes in avifauna and wildlife utilization of the property. The change in land use will incrementally contribute to habitat fragmentation. No mitigation is necessary by the proposed project.

#### **8 Cumulative Biological Effects**

No cumulative impacts to wildlife populations are expected by the proposed project. The loss of habitat is less than significant. The surrounding habitat and the topography is such that there are extensive areas of similar habitat as that which will be impacted.

*Mitigation 8.1. All project construction activities must be limited to the project footprint. Best Management Practices including silt and erosion control measures must be implemented to protect off-site movement of sediment and dust during and post construction. Best Management Practices must be implemented throughout the construction period such as retaining ground cover litter, monitoring for invasive species, providing mulch for bare ground and standard erosion and dust control.*



## **F. SUMMARY**

---

We find that the proposed project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Site history reasonably precludes presence of any special-status species on the project site. The project footprint is within a previously developed landscape.

We find that the proposed project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

We find that the proposed project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

We conclude that the proposed project with the implementation of stated mitigation measures and Best management Practices will not result in any potentially significant adverse biological impacts to the environment.

The project site has previously been disturbed and does not contain any known listed plant or animal species. The project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal species.

## **G LITERATURE CITED / REFERENCES**

### **G.1 Literature Cited / References**

- Arora, David, 1986. Mushrooms Demystified. Ten Speed Press.
- Bailey, L. H., 1951. Manual of Cultivated Plants. The MacMillan Company New York.
- Baldwin, B.G., D.H. Goldman, D.J.Keil, R.Patterson, T.J.Rosati, and D.H.Wilkens, editors, 2012. The Jepson Manual Vascular Plants of California. U.C. Berkley Press
- Barbe, G. D. 1991. Noxious Weeds of California. Department of Food and Agriculture, Sacramento, CA.
- Beidleman, L. H and E. N. Kozloff, 2003. Plants of the San Francisco Bay Region. University of California Press, Berkeley.
- Best, Catherine, et al. 1996. A Flora of Sonoma County, California Native Plant Society.
- Brodo, Irwin M., Sylvia Duran Sharnoff and Stephen Sharnoff, 2001. Lichens of North America. Yale University Press. 795 pp.
- California Department of Fish and Game (DFG), Revised May 8, 2000. Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities.
- California Department of Fish and Game Natural Diversity Data Base Rare Find 3. August 2011.
- California Native Plant Society 2001. Inventory of Rare and Endangered Plants of California. Special Publication No 1, Sixth Edition.
- California Native Plant Society Electronic Inventory of Rare and Endangered Vascular Plants of California, Current Online.
- California Native Plant Society (CNPS), Botanical Survey Guidelines (Revised June 2, 2001).
- Crain, Caitlin Mullan and Mark D. Bertness, 2006. Ecosystem Engineering Across Environmental Gradients: Implications for Conservation and Management. BioScience March Vol. 56 No.3, pp. 211 to 218.
- DiTomaso, Joseph M. and Evelyn A. Healy, 2007. Weeds of California and Other Western States Vol. 1 and 2. University of California Agriculture and Natural Resources Publication 3488.
- Federal Interagency Committee for Wetland Delineation. 1989. Federal Manual for Identifying and Delineating Jurisdictional Wetlands. U. S. Army, Corps of Engineers, U. S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and U. S. D. A. Soil Conservation Service, Washington, D. C. Cooperative technical publication. 76 pp. plus appendices.
- Grinnell, Joseph, Joseph Dixon, and Jean M. Linsdale. 1937. Fur-bearing Mammals of California. University of California Press.
- Hale, Mason Jr. and M. Cole, 1988. Lichens of California. U of California Press, Berkeley
- Hemphill, Don, Gilbert Muth, Joe Callizo, et al. 1985. Napa County Flora. Gilbert Muth Pacific Union College, Angwin, California 94508.
- Hickman, James C. ed. 1993. The Jepson Manual Higher Plants of California. U. C. Berkeley Press.
- Hitchcock, A. S. 1950 Manual of the Grasses of the United States. U. S. Government Printing Office, Washington D. C.
- Holland, Robert. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. California Department of Fish and Game, Sacramento, CA.
- Ingles, Lloyd C., 1985. Mammals of the Pacific States. Stanford Press.
- Jameson, E. W. and H. J. Peeters, 2004. Mammals of California. Revised Edition. U.C. Press.

- Kruckeberg, Arthur R. 1984. California Serpentes: Flora, Vegetation, Geology, Soils and Management Problems. University of California Publications in Botany, Volume 78. University of California Press, LTD.
- Lawton, E., 1971. Moss Flora of the Pacific Northwest, Hattori Botanical Laboratory Nichinan, Miyazaki, Japan, pp. 1 to 362 plates 1 to 195.
- Lyons, R. and J. Ruygt. 1996 100 Napa County roadside wildflowers. Stonecrest Press, Napa, California.
- Matthews, Mary Ann, 1997. An Illustrated Field Key to the Flowering Plants of Monterey County. California Native Plant Society.
- Malcolm, Bill and Nancy, Jim Shevock and Dan Norris, 2009 California Mosses, Micro Optics Press, Nelson New Zealand, pp. 1 to 430.
- Malcolm, Bill and Nancy, 2000 Mosses and Other Bryophytes An Illustrated Glossary. Micro Optics Press, Nelson New Zealand, pp 1 to 220.
- Mason, Herbert L. 1957. A Flora of the Marshes of California. UC California Press.
- Moyle, Peter B. 1976. Inland Fishes of California. University of California Press.
- Napa County Conservation, Development and Planning Department, November 30, 2005. Napa County Baseline Data Report.
- Naiman R J, Decamps H, Pollock M. 1993. The role of riparian corridors in maintaining regional biodiversity. *Ecological Application* 3: 209-212.
- Norris, Daniel H. and James R. Shevock, 2004. Contributions Toward a Bryoflora of California: I. A specimen-Based Catalogue of Mosses. *Madrono* Volume 51, Number 1, pp. 1 to 131.
- Norris, Daniel H. and James R. Shevock, 2004. Contributions Toward a Bryoflora of California: II. A Key to the Mosses. *Madrono* Volume 51, Number 2, pp. 1 to 133.
- Peterson, Roger T. 1961, 1990. A Field Guide to Western Birds. Houghton Mifflin Co., Boston, MA.
- Peters, Hans and Pam Peters, 2005. Raptors of California California Natural History Guides. University of California Press, Berkeley and Los Angeles.
- Sawyer, J. O., T. Keeler-wolf and Julie M. Evans 2009. A Manual of California Vegetation Second Edition California Native Plant Society, Sacramento, California.
- Schoenherr, Allan A. 1992. A Natural History of California. California Natural History Guides: 56. University of California Press, Berkeley.
- Schofield, W. B. 1969. Some Common Mosses of British Columbia. British Columbia Provincial Museum, Victoria, Canada.
- Schofield, W. B. 2002. Field Guide to Liverwort Genera of Pacific North America. University of Washington Press.
- Stebbins, Robert C., 1966. A Field Guide to Western Reptiles and Amphibians. Houghton Mifflin.
- Stewart, John D and John O. Sawyer, 2001 Trees and Shrubs of California. University of California Press.
- Wetland Training Institute, Inc. 1991 Field Guide for Wetland Delineation: Corps of Engineers Manual. WTI 91-2 133pp.
- Wilson, Barbara L., et al., 2008. Field Guide to the Sedges of the Pacific Northwest. Oregon State University Press, Corvallis Oregon.

## **G.2 Names and Qualifications of Field Investigators.**

**Chris K. Kjeldsen, Ph.D., Botany**, Oregon State University, Corvallis, Oregon. He has over forty years of professional experience in the study of California flora. He was a member of the Sonoma County Planning Commission and Board of Zoning (1972 to 1976). He has over thirty years of experience in managing and conducting environmental projects involving impact assessment and preparation of compliance documents, Biological Assessments, DFG Habitat Assessments, DFG Mitigation projects, ACOE Mitigation projects and State Parks and Recreation Biological Resource Studies. Experience includes conducting special-status species surveys, jurisdictional wetland delineations, general biological surveys, 404 and 1600 permitting, and consulting on various projects. He taught Plant Taxonomy at Oregon State University and numerous botanical science and aquatic botany courses at Sonoma State University including sections on wetlands and wetland delineation techniques. He has supervised numerous graduate theses, NSF, DOE and local agency grants and served as a university administrator. He has a valid DFG collecting permit.

**Daniel T. Kjeldsen, B. S., Natural Resource Management**, California Polytechnic State University, San Luis Obispo, California. He spent two years in the Peace Corps managing natural resources in Honduras, Central America. His work for the Peace Corps in Central America focused on watershed inventory, mapping and the development and implementation of a protection plan. He has over fifteen years of experience in conducting Biological Assessments, DFG Habitat Assessments, ACOE wetland delineations, wetland rehabilitation, and development of and implementation of mitigation projects and mitigation monitoring. He has received 3.2 continuing education units MCLE 27 hours in Determining Federal Wetlands Jurisdiction from the University of California Berkeley Extension. A full resume is available upon request.

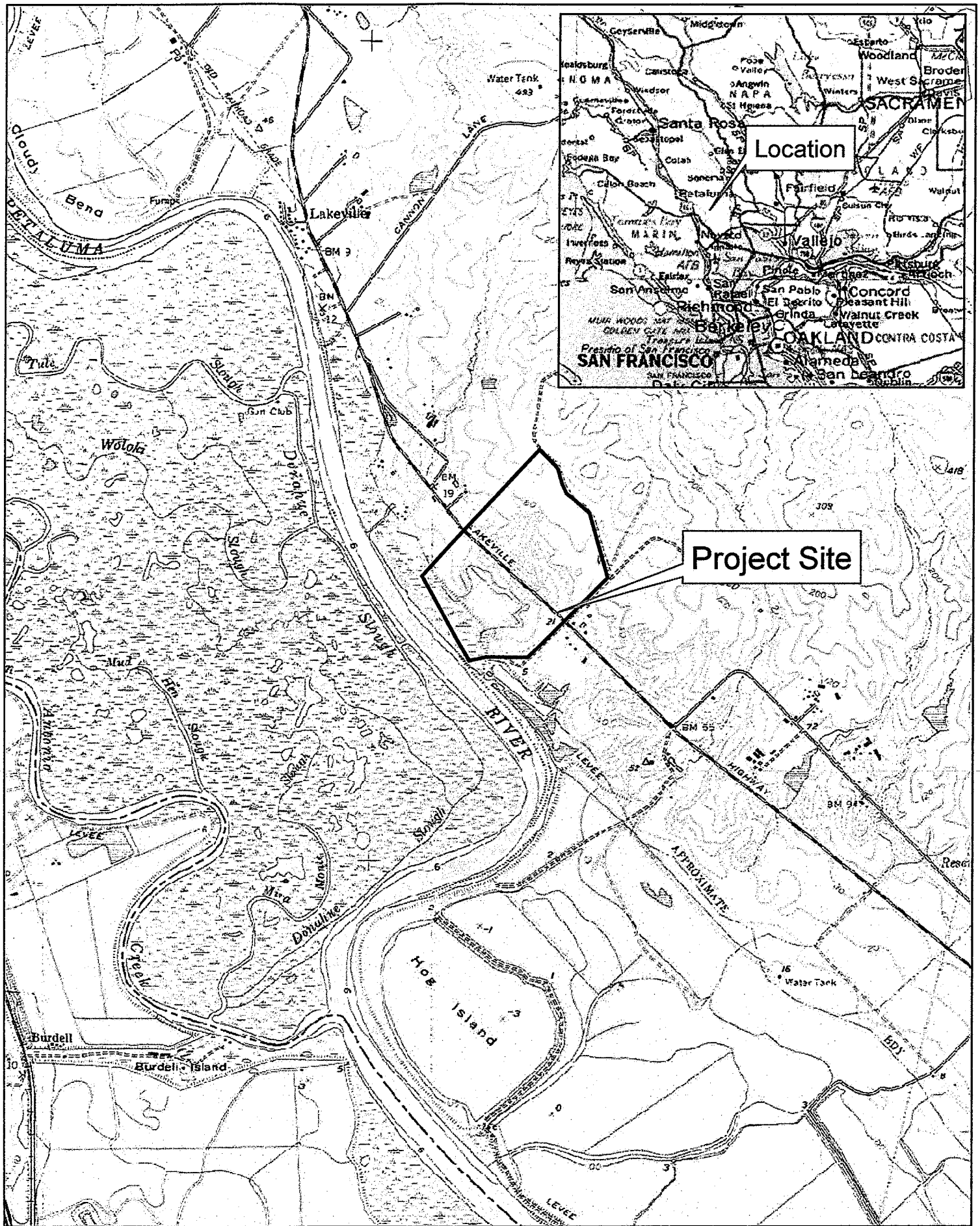
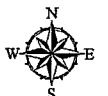
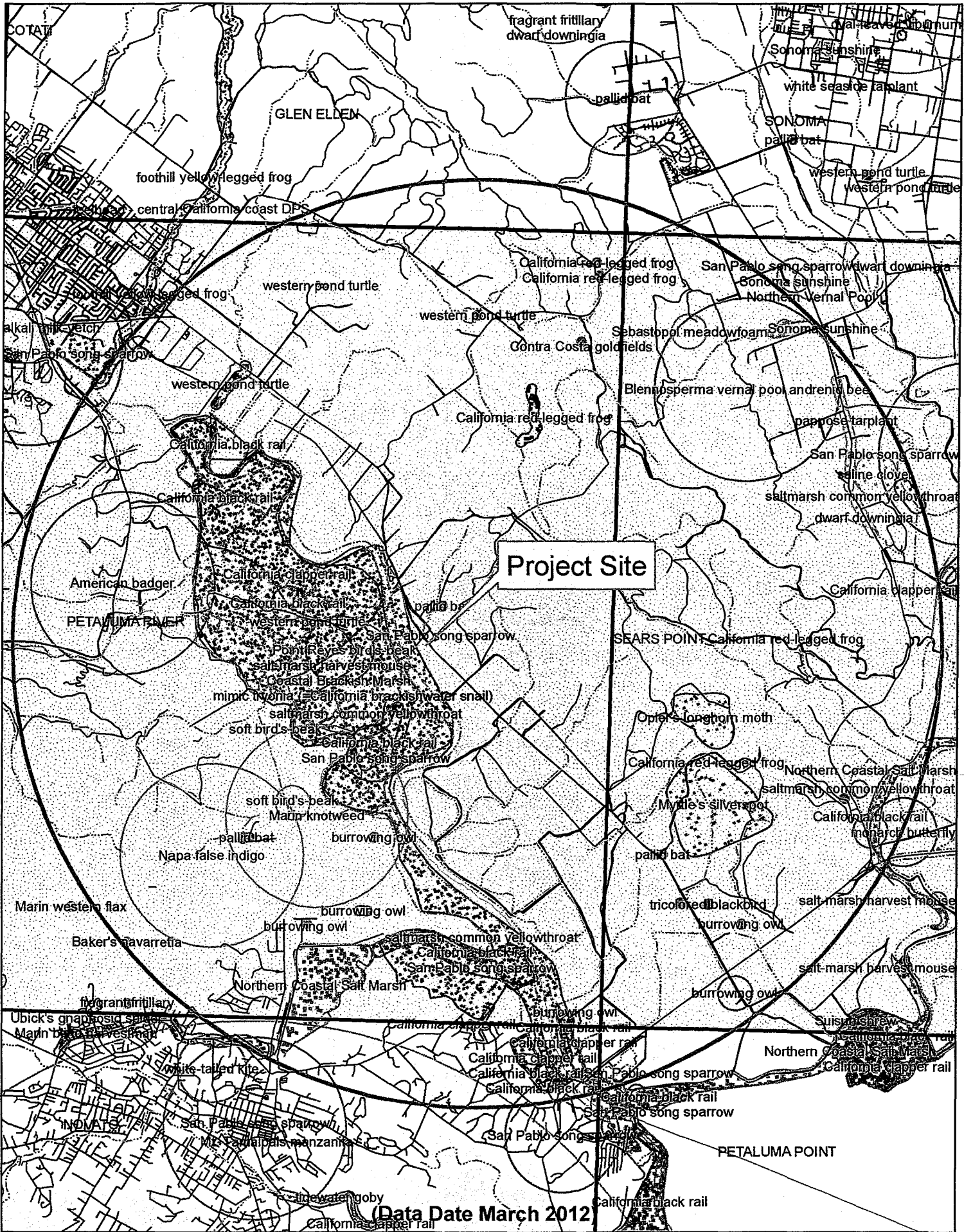


Plate I. Site / Location Map

(Petaluma River Quadrangle)

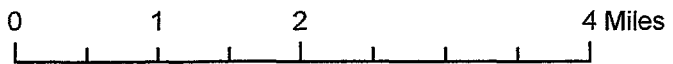




Project Site

(Data Date March 2012)

Plate II DFG CNDDDB 5-Mile Search



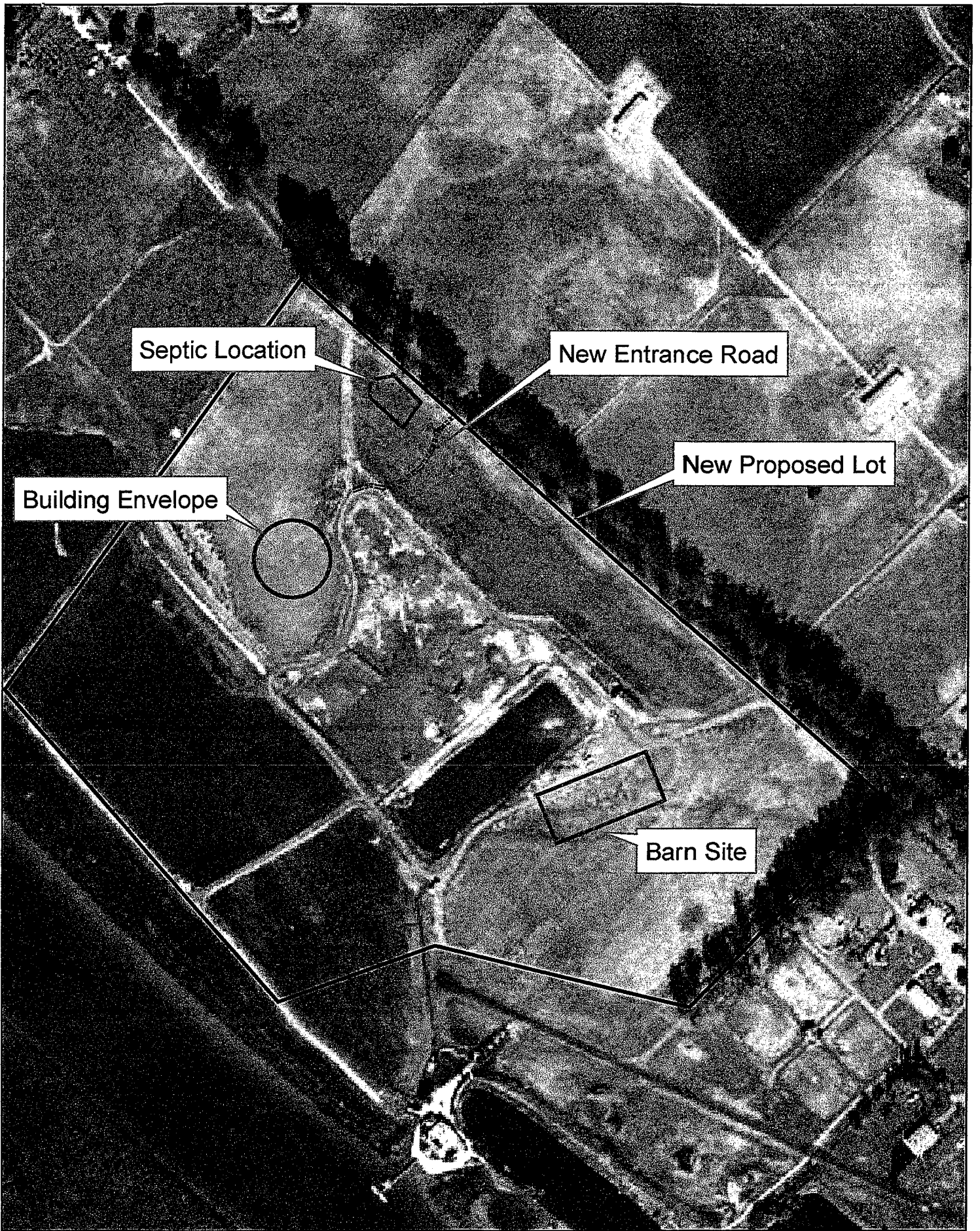


Plate III. Aerial Photo / Project



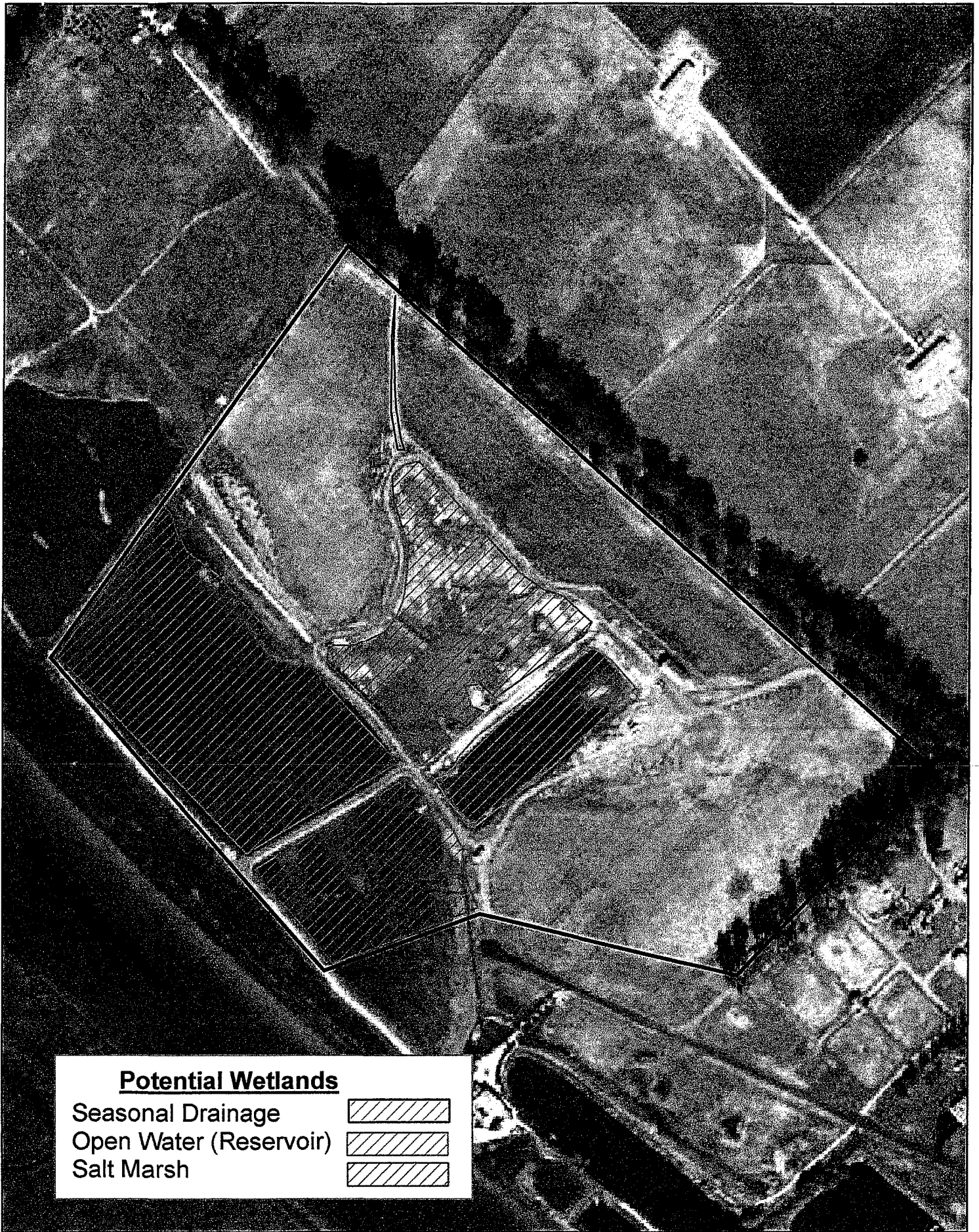
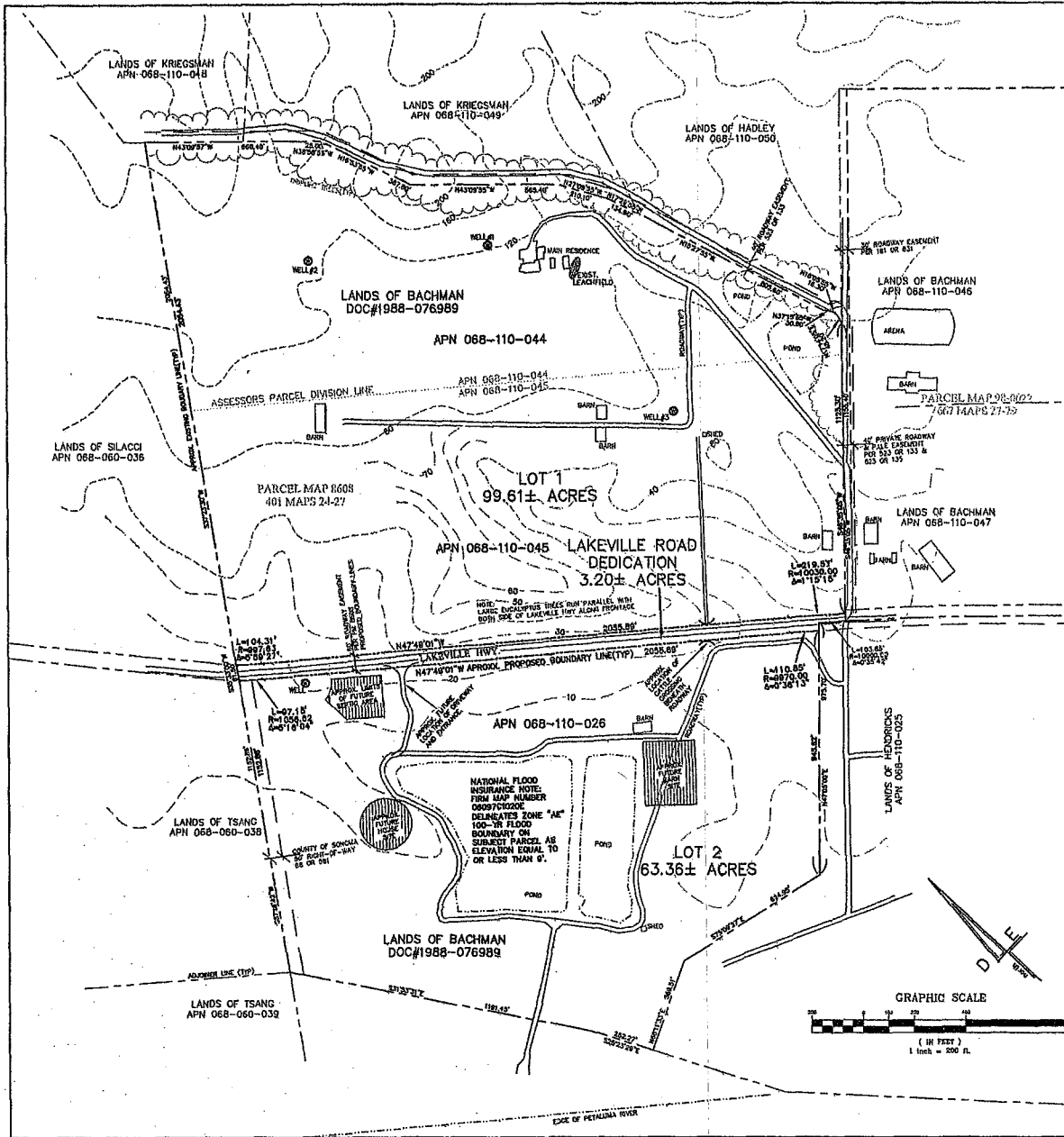


Plate IV. Biological Resources

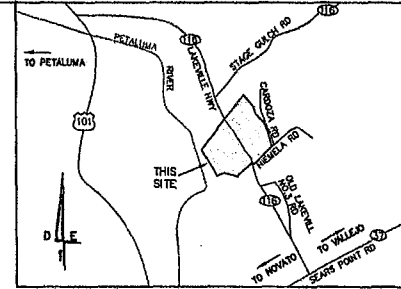








**PROPERTY OWNERS:**  
 A.P.N.O. 068-110-026,  
 A.P.N.O. 068-110-044,  
 & A.P.N.O. 068-110-045  
 6525 LAKEVILLE HWY.  
 PETALUMA, CA 94954  
 DOC# 1988-076989  
 THOMAS & CATHERINE BACHMAN



**DATUM NOTE**  
 ELEVATIONS AND CONTOURS ARE BASED ON USGS 1"=500' PLAT, LOCATED ON SHEET 38D, PETALUMA RIVER QUAD MAP, SONOMA COUNTY RECORDS.

**VEGETATION NOTE**  
 VEGETATION UPON PARCEL CONSIST MAINLY NATIVE GRASSLAND, MARSH LANDS ENCOMPASSED BY PETALUMA RIVER WATERSHED AND NATURAL TREE COVER.

**BOUNDARY NOTE**  
 PROPERTY LINES SHOWN ARE BASED UPON PARCEL MAP NO.8608 RECORDED IN BOOK 401, PAGES 24-27, & PARCEL MAP NO.88-0022 RECORDED IN BOOK 687, PAGES 27-28, SONOMA COUNTY RECORDS

**FIRE SAFE, VEGETATION MANAGEMENT & FLOOD CONTROL:**  
 THE SUBJECT PROPERTY HAS GRADUALLY SLOPING TOPOGRAPHY DIRECTED SOUTHWESTWARD THROUGHOUT THE 168± ACRES. THE LOT CORNERS OF NATIVE TREES AND GRASSES ALONG WITH ONE RESIDENTIAL HOME AND OUT STRUCTURES. THE MAJORITY OF THE LOTS HAVE BEEN CLEARED AND MINIMAL VEGETATION IS MAINTAINED. EXISTING STRUCTURES HAVE SUFFICIENT DEFENDABLE SPACE AND FUTURE DEVELOPMENT SHALL MAINTAIN THESE STANDARDS.  
 FIRST RESPONDING FIRE PROTECTION SERVICES ARE PROVIDED BY LAKEVILLE VOLUNTEER FIRE DEPARTMENT LOCATED IN CLOSE PROXIMITY TO THE SITE. ACCESS TO THE PROPERTIES ARE DIRECTLY OFF OF LAKEVILLE HIGHWAY. THERE ARE NO SPECIAL FIRE HAZARDS ON THE SITE.  
 ADDITIONAL WATER STORAGE REQUIREMENTS FOR FIRE PROTECTION, WILL BE MET AT THE TIME OF RESIDENTIAL DEVELOPMENT. TYPICAL STORAGE REQUIREMENT FOR A 3-BEDROOM HOME IS 2500 GAL (MIN.) TANK CAPACITY. SHOULD LARGER TANKS BE REQUIRED THEY WILL BE SPECIFIED PRIOR TO CONSTRUCTION.  
 THERE IS PETALUMA RIVER FLOOD INFLUENCE WITHIN THE SOUTHWESTERLY PORTION OF THE SITE. FLOOD INSURANCE RATE MAP NUMBER D60701020E DELINEATES ZONE "AE" FLOOD BOUNDARY ON SUBJECT PARCEL AS ELEVATION EQUAL TO OR LESS THAN 6'. STRUCTURE DEVELOPMENT WILL TAKE INTO ACCOUNT FLOOD ELEVATION BOUNDARIES AND RESTRICTIONS.

**LOCATION MAP**  
 N.T.S.

**EXISTING PARCEL SIZES:**  
 TOTAL AREA = 168.17± ACRES

**PROPOSED PARCEL SIZES:**  
 LOT 1 = 99.61± ACRES  
 LOT 2 = 63.36± ACRES  
 RD. DEDICATION = 3.20± ACRES  
 TOTAL AREA = 166.17± ACRES

**EXISTING ZONING**  
 068-110-026 = LEA B6 60 Z & BR F2 SR VOH  
 068-110-044 = LEA B6 60 Z  
 068-110-045 = LEA B6 80 Z

**EXISTING WATER SUPPLY**  
 LOT 1 = EXIST. WELLS  
 LOT 2 = EXIST. WELL#3 TO SUPPLY

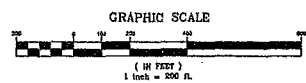
**EXISTING SEWAGE DISPOSAL**  
 LOT 1 = EXIST SEPTIC  
 LOT 2 = PROPOSED SEPTIC TO BE DETERMINED

**MINOR SUBDIVISION TENTATIVE MAP**

FOR  
**TOM BACHMAN**  
 AT  
 6525 LAKEVILLE HWY.  
 PETALUMA, CALIFORNIA  
 APN 068-110-026, 068-110-044  
 & 068-110-045



APPROVED:  
 PROPOSED SEPTIC AREA & DRIVEWAY  
 REVISED 2-29-12-MFG  
 DOUG DONNOM, L.S. 5111 DATE



**APPENDIX A**

**FLORA AND FAUNA**

## Plant Species Observed in the Vicinity of the Project Site

(Landscape plantings are not included unless they appear to have become naturalized and regenerating on site)

The nomenclature for the list of plants found on the project study areas and the immediate vicinity follows: Brodo, Irwin M., Sylvia Duran Sharnoff and Stephen Sharnoff, 2001, for the lichens; Smith - 1956, for the algae; Arora -1985, for the fungi; S Norris and Shevrock - 2004, for the mosses; Doyle and Stotler - 2006 for liverworts and hornworts and Baldwin, B.G., D.H. Goldman, D.J.Keil, R.Patterson, T.J.Rosati, and D.H.Wilkens, editors, 2012 - for the vascular plants.

**Habitat type** indicates the general associated occurrence of the taxon on the project site or in nature. **Abundance** refers to the relative number of individuals on the project site or in the region.

<b>MAJOR PLANT GROUP</b>		
<b>Family</b>		
<b>Genus</b>	<b>Habitat Type</b>	<b>Abundance</b>
<b>Common Name</b>		

NCN = No Common Name, \* = Non-native, @= Voucher Specimen

### FUNGI

#### **Basidiomycota- Club Fungi**

#### LYCOPERDIALES

<i>Lycoperdon perlatum</i>	Woodlands	Occasional
Common Puffball		

### LICHENS

#### FOLIOSE

<i>Xanthoria polycarpa</i> (Hoffm.) Rieber	On Fence Boards	Common
NCN		

### VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS

#### CLASS--DICOTYLEDONAE- TREES

#### EUDICOTS

#### MYRTACEAE Myrtle family

* <i>Eucalyptus globulus</i> Labill	Along Road	Occasional
Blüë Güm		

### VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS

#### CLASS--DICOTYLEDONAE-SHRUBS AND WOODY VINES

#### EUDICOTS

#### ROSACEAE Rose Family

* <i>Rubus armeniacus</i> Focke	Ruderal	Common
Himalayan Blackberry		

**MAJOR PLANT GROUP****Family**

<b>Genus</b>	<b>Habitat Type</b>	<b>Abundance</b>
<b>Common Name</b>		

NCN = No Common Name, \* = Non-native, @ = Voucher Specimen

## VITACEAE Grape Family

<i>Vitis californica</i> Benth	Riparian Woodlands	Occasional
California Wild Grape		

**VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS****CLASS--DICOTYLEDONAE-HERBS****EUDICOTS**

## AMARANTHACEAE Amaranth Family

* <i>Amaranthus</i> spp.	Ruderal	Occasional
Tumbleweed		

## ASTERACEAE (Compositae) Sunflower Family

* <i>Calendula arvensis</i> L.	Ruderal	Occasional
Field Marigold		

* <i>Cirsium vulgare</i> (Savi) Ten.	Grasslands, Ruderal	Common
Bull Thistle		

<i>Grindelia stricta</i> DC.	Marsh	Occasional
Gum Plant		

* <i>Helminthotheca echioides</i> (L.) Holub	Ruderal	Common
Ox-tongue (= <i>Picris echioides</i> )		

<i>Iva axillaris</i> ssp. <i>robustior</i> Pursh.	Ruderal, Edge of Salt Marsh	Common
Poverty Weed		

<i>Jaumea carnosa</i> (Less.) A. Grey	Salt Marsh	Common
Jaumea		

* <i>Lactuca serriola</i> L.	Ruderal	Occasional
Prickly Lettuce		

* <i>Senecio vulgaris</i> L.	Ruderal	Occasional
NCN		

* <i>Silybum marianum</i> (L.) Gaertn.	Ruderal	Common
Milk Thistle		

* <i>Sonchus asper</i> (L.) Hill var. <i>asper</i>	Ruderal	Common
Prickly Sow Thistle		

* <i>Sonchus oleraceus</i> L.	Ruderal	Common
Common Sow Thistle		

* <i>Xanthium spinosum</i> L.	Ruderal	Occasional
Spiny Cocklebur		

## BRASSICACEAE Mustard Family

* <i>Brassica nigra</i> (L.) Koch	Ruderal	Common
Black Mustard		

* <i>Raphanus sativus</i> L.	Ruderal	Common
Wild Radish		

**MAJOR PLANT GROUP****Family**

<b>Genus</b>	<b>Habitat Type</b>	<b>Abundance</b>
<b>Common Name</b>		

NCN = No Common Name, \* = Non-native, @= Voucher Specimen

* <i>Sisymbrium officinalis</i> L. Hedge Mustard	Ruderal	Common
CARYOPHYLLACEAE Pink Family		
<i>Spergularia villosa</i> (Pers.) Sand-spurry	Chambess Ruderal, Sandy or Hardpacked Soil	Occasional
CHENOPODIACEAE Goosfoot Family		
<i>Atriplex prostrata</i> DC. Spearscale, Fat Hen (= <i>A. triangularis</i> )	Wet Places, Marshes	Common
<i>Salicornia pacifica</i> Sandl. Pickleweed (≡ <i>Salicornia virginica</i> )	Salt Marsh	Common
CRASSULACEAE Stoncrop Family		
<i>Crassula aquatica</i> (L.) Schonl. Pygmy Water Weed	Wetlands, Moist Areas	Common
FABACEAE (Leguminosae) Legum Family		
<i>Acmispon americanus</i> (Nutt.) Rydb. var. <i>americanus</i> Spanish Clover (= <i>Lotus purshianus</i> )	Grasslands, Ruderal	Common
* <i>Vicia sativa</i> L. subsp. <i>nigra</i> Narrow Leaved-vetch	Grasslands, Ruderal	Common
GERANIACEAE Geranium Family		
* <i>Erodium botrys</i> (Cav.) Bertol. Broadleaf Filaree, Long-beaked Filaree	Grasslands	Common
MALVACEAE Mallow Family		
* <i>Malva parviflora</i> L. Cheeseweed, Mallow Sand Verbena	Ruderal	Common
POLYGONACEAE Buckwheat Family		
* <i>Polygonum aviculare</i> L. subsp. <i>depressum</i> Common Prostrate Knotweed (= <i>P. arenastrum</i> )	Ruderal	Common
* <i>Rumex pulcher</i> L. Fiddle Dock	Ruderal, Moist or Dry Habitats	Common
* <i>Rumex salicifolius</i> Weinm. Willow Dock	Moist Areas	Occasional

**VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS****CLASS--MONOCOTYLEDONAE-GRASSES**

## POACEAE Grass Family

* <i>Avena sativa</i> L. Cultivated Oat	Grasslands, Ruderal	Common
<i>Distichlis spicata</i> (L.) Greene Salt Grass	Salt marsh	Common

**MAJOR PLANT GROUP****Family**

<b>Genus</b>	<b>Habitat Type</b>	<b>Abundance</b>
<b>Common Name</b>		

NCN = No Common Name, \* = Non-native, @ = Voucher Specimen

* <i>Festuca bromoides</i> L. Six-weeks Fescue (= <i>Vulpia bromoides</i> )	Ruderal, Moist Flats become Dry	Common
* <i>Festuca myuros</i> L. Rattail Fescue, Zorro Annual Fescue (= <i>Vulpia myuros</i> )	Grasslands	Common
<i>Hordeum depressum</i> (Scribn. & Sm.) Rydb Low Barley	Grasslands	Occasional
* <i>Phalaris aquatica</i> L. Harding Grass	Grasslands	Common
* <i>Poa annua</i> L. Annual Bluegrass	Grasslands	Common
* <i>Polygonum monspeliensis</i> (L.) Desf. Rabbitfoot Grass, Annual Beard Grass	Wetlands	Common

**VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS****CLASS--MONOCOTYLEDONAE-SEDGES AND RUSHES****CYPERACEAE Sedge Family**

<i>Cyperus eragrostis</i> Lam. Nut-grass	Moist Areas	Common
<i>Schoenoplectus acutus</i> (Bigelow) Love & Love var. <i>occidentalis</i> Common Tule ( <i>Scirpus acutus</i> )	Palustrine	Occasional

**VASCULAR PLANTS DIVISION ANTHOPHYTA --ANGIOSPERMS****CLASS--MONOCOTYLEDONAE-HERBS****ALISMATACEAE Water-plantain Family**

<i>Alisma triviale</i> Pursh Water Plantain (= <i>Alisma plantago-aquatica</i> )	Aquatic	Common
---	---------	--------

**TYPHACEAE Cat-tail Family**

<i>Typha angustifolium</i> L. Narrow-leaved Cattail	Palustrine	Common
--	------------	--------

## Fauna Species Observed in the Vicinity of the Project Site

The nomenclature for the animals found on the project site and in the immediate vicinity follows: Udvardy and Farrand – 1998, for the birds; and Jameson and Peeters -1988 for the mammals.

### AVES

#### ORDER

Common Name	Genus	Observed
-------------	-------	----------

### AVES

American Coot	<i>Fulica americana</i>	X
Avocet	<i>Recurvirostra americana</i>	X
Brewer's Blackbird	<i>Euphagus cyanocephalus</i>	X
Bufflehead	<i>Bucephala albeola</i>	X
Canada Goose	<i>Branta canadensis</i>	X
Great Egret	<i>Casmerodius albus</i>	X
Killdeer	<i>Charadrius vociferus</i>	X
Mallard	<i>Anas platyrhynchos</i>	X
Red-tailed Hawk	<i>Cathartes aura</i>	X
Swan	<i>Cygnus ??</i>	X
Turkey Vulture	<i>Cathartes aura</i>	X

### MAMMALS

#### ORDER

Common Name	Genus	Observed
-------------	-------	----------

### LAGOMORPHA

Black-tailed Jackrabbit	<i>Lepus californicus</i>	Scatt
-------------------------	---------------------------	-------

### RODENTIA

Pocket Gopher	<i>Thomomys bottae</i>	Workings
---------------	------------------------	----------



# APPENDIX B

## Definitions used in Report and Regulatory Requirements

### Definitions (Not all are relevant to this project)

**Absolute Cover.** The percentage of ground covered by the vertical projection of the plant crowns of a species or defined set of plants as viewed from above. The absolute cover of herbaceous plants includes any standing (attached to a living plant, and not lying on the ground) plant parts, whether alive or dead; this definition excludes litter and other separated plant material. The cover may include mosses, lichens and recognizable cryptogamic crusts.

**Alliance.** A classification unit of vegetation containing one or more associations and defined by one or more diagnostic species, often of high cover, in the uppermost layer or the layer with the highest canopy cover. Alliances reflect regional to subregional climates, substrates, hydrology and disturbance regimes.

**Association.** A vegetation classification unit defined by a diagnostic species, a characteristic range of species composition, physiognomy, and distinctive habitat conditions. Associations reflect local topo-edaphic climates, substrates, hydrology, and disturbance regimes.

**Best Management Practices.** Best management practices represent the construction or agricultural practices that are consistent with regulatory laws or industry standards which are prudent and consistent with site conditions.

**Confidence Interval.** The California Department of Fish and Game (DFG) California Natural Diversity Data Base (CNDDB) uses map polygon projections for indicating potential for occurrence of special-status plant populations around a recorded occurrence.

**Critical Habitat.** Critical habitat is by definition a designated by U.S. Fish and Wildlife Service as essential for the existence of a particular population of species. The U.S. Fish and Wildlife Service designates critical habitat for special-status species as an area or region within which a species may be found. "Critical habitat" is defined as areas essential for the "conservation" of the species in question.

**Dominance.** The extent to which a species or growth form has a strong influence in a stand because of its size, abundance or cover.

**Habitat Fragmentation.** The issue of habitat fragmentation is of concern locally, nationally, and globally. The term habitat fragmentation refers to the loss of connections within the biosphere such that the movement, genetic exchange, and dispersal of native populations is restricted or prevented. Anthropogenic habitat fragmentation can be the result of a road construction, logging, agriculture, or urban growth. The practice of retaining or planning for "Corridors" is an attempt to address this

issue. Corridors that allow movement of wildlife through and around a site include stream and riparian areas and also areas that connect two or more sites of critical wildlife habitat.

**Habitat Types.** Habitat types are used by DFG to categorize elements of nature associated with the physical and biological conditions in an area. These are of particular importance for the wildlife they support, and they are important as indicators of the potential for special-status species.

**Relative Cover.** A measure of the cover of a species in relation to that of other species within a set area or sample of vegetation. This is usually calculated for species that occur in the same layer (stratum) of vegetation, and this measure can be calculated across a group of samples.

**Riparian Corridor.** Riparian corridors can be defined as the stream channel between the low-water and high-water marks plus the terrestrial landscape above the high water-mark (where vegetation may be influenced by elevated water tables or extreme flooding and by the ability of the soils to hold water; Naiman, et. al. 1993).

**Riparian Corridor or Riparian Ecosystem.** Riparian ecosystems occupy the ecotone between upland and lotic aquatic realms. Riparian corridors can be defined as the stream channel between the low- and high-water marks plus the terrestrial landscape above the high water-mark (where vegetation may be influenced by elevated water tables or extreme flooding and by the ability of the soils to hold water; Naiman, et. al. 1993).

**Ruderal Habitat.** Ruderal habitat is characterized by disturbance and the establishment and dominance of non-native introduced weed species. Ruderal plant communities are a function of or result of agricultural or logging practices. This habitat is typically found along graded roads, erosional surfaces or sites influenced by agricultural animal populations.

**Sensitive Habitat.** DFG Natural Diversity Data Base uses environmentally sensitive plant communities for plant populations that are rare or threatened in nature. Sensitive habitat is defined as any area in which plant or animal life or their habitats are either rare or especially valuable and any area which meets one of the following criteria: (1) habitats containing or supporting "rare and endangered" species as defined by the State Fish and Game Commission, (2) all perennial and intermittent streams and their tributaries, (3) coastal tide lands and marshes, (4) coastal and offshore areas containing breeding or nesting sites and coastal areas used by migratory and resident water-associated birds for resting areas and feeding, (5) areas used for scientific study and research concerning fish and wildlife, (6) lakes and ponds and adjacent shore habitat, (7) existing game and wildlife refuges and reserves, and (8) sand dunes. Sensitive Habitat also includes wetlands and tributaries to "Waters of the US" as defined by the Corps of Engineers (ACOE) and DFG seasonal streams DFG.

**Serpentinite.** Serpentinite or serpentine consists of ultramafic rock outcrops that due to the unique mineral composition support a unique flora often of endemics. Kruckeberg, 1984, indicates that the taxonomy and evolutionary responses to serpentines include "1) taxa endemic to serpentine, 2) local or regional indicator taxa, largely confined to serpentine in parts of their ranges, 3) indifferent or "bodenvag" taxa that range on and off serpentine, and 4) taxa that are excluded from serpentine." Serpentine outcrops or serpentinites support numerous special-status plant taxa.

**Special-status Species.** Special-status organisms are plants or animals that have been designated by Federal or State agencies as rare, endangered, or threatened. We have also included plant species listed by the CNPS as "target organisms." The target species for the Quadrangle are discussed below. Section 15380 of the California Environmental Quality Act [CEQA (September, 1983)] has a discussion regarding non-listed (State) taxa. This section states that a plant (or animal) must be treated as Rare or Endangered even if it is not officially listed as such. If a person (or organization provides information showing that a taxa meets the State's definitions and criteria, then the taxa should be treated as such.

**Standard Agricultural Practices.** Standard agricultural practices are best management practices which are prudent as applied in the agricultural industry such as the use of regulated pesticides, methods of and timing of weed control, appropriate fertilizer application, irrigation management, frost protection, erosion control and soil conservation and management, and dust control among other practices.

**Streams.** The DFG definition of stream is a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports wildlife, fish, or other aquatic life. This includes watercourses having a surface or subsurface flow that support or have supported riparian vegetation. DFG's jurisdiction within altered or artificial waterways is based on the value of those waterways to fish and wildlife.

**Target organisms.** Special-status species that are listed by: the California Department of Fish and recorded in the Natural Diversity Data Base for the Quadrangle and surrounding Quadrangles of the project site; the California Native Plant Society for the habitat present on the project site Quadrangle and surrounding Quadrangles; Federal Endangered and Threatened Species that Occur in the U.S.G.S. 7 1/2 Minute Quadrangle; our experience with the local flora and fauna; any species identified by local individuals that are considered to be rare in the region; and DFG Five Mile radius CNDDDB Rarefind 3 search.

**Wetlands.** Wetlands are defined as those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Many surface waters and wetlands in California meet the criteria for waters of the United States, including intermittent streams and seasonal lakes and wetlands.

**Waters of the U.S.** The term "Waters of the United States" refers to all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; all interstate waters, including interstate wetlands; all other waters such as interstate lakes, rivers, streams (including intermittent streams), mud flats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds; the use degradation or destruction of which could affect interstate or foreign commerce including any such waters [among which include], all impediments of waters otherwise defined as waters of the United States under this definition.

**Waters of the State.** The term "Waters of the State" Section 13050 (e) of the California Water Code defines "waters of the State as " any surface water or groundwater, including saline waters, within the boundaries of the state."

**Vernal Pools.** Vernal pools are a type of seasonal wetland distinct for California and the western US. Typically they are associated with seasonal rainfall or "Mediterranean climate" and have a distinct flora and fauna, an impermeable or slowly permeable substrate and contain standing water for a portion of the year. They are characterized by a variable aquatic and dry regime with standing water during the spring plant growth regime. They have a high degree of endemism of flora and fauna.

## **Regulatory Permits**

### **Federal Regulations**

**Federal Endangered Species Act** Pursuant to the federal Endangered Species Act (ESA), the U.S. Fish and Wildlife Service (FWS) and the National Oceanic and Atmospheric Administration (NOAA), have authority over projects that may affect the continued existence of a species that is federally listed as threatened or endangered. Section 9 of ESA prohibits the take of a federally listed species; take is defined, in part, as killing, harming, or harassment and includes habitat modification or degradation where it actually results in death or injury to wildlife by significantly impairing essential behavioral patterns including breeding, feeding, or sheltering.

**Section 404 of the Clean Water Act** Section 404 of the Clean Water Act establishes a requirement to obtain a permit before any activity that involves any discharge of dredged or fill material into "waters of the United States," including wetlands. Waters of the United States include navigable waters of the United States, interstate waters, all other waters where the use or degradation or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries.

Army Corps of Engineers (ACOE) regulates and issues 404 permits for activities that involve the discharge of dredged or fill materials into waters of the United States. A Water Quality Certification 401 permit must also be obtained from the appropriate state agency stating that the fill is consistent with the state's water quality standards and criteria. In California, the authority to grant water quality certification is delegated by the State Water Board to the nine Regional Water Quality Control Boards (RWQCB).

### **State Regulations**

**California Endangered Species Act** Pursuant to the California Endangered Species Act (CESA) and Section 2081 of the Fish and Game Code, a permit from Department of Fish and Game (DFG) is required for projects that could result in the take of a state listed threatened or endangered species. Under CESA, "take" is defined as an activity that would directly or indirectly kill an individual of a species, but the definition does not include "harm" or "harass," as the ESA does. As a result, the threshold for a take under CESA is higher than that under the ESA.

**California Fish and Game Code Section 1600** – Lake and Streambed Alteration Permit. All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California that supports wildlife resources are subject to regulation by DFG pursuant to Section 1600 of the California Fish and Game Code. Section 1600 states that it is unlawful for any person, government agency, state, local, or any public utility to substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake or deposit or dispose of waste, debris, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake without first notifying DFG of such activity.

**Porter-Cologne Water Quality Control Act** Under the Porter-Cologne Water Quality Control Act, “waters of the state” fall under the jurisdiction of the RWQCB. Under the act, the RWQCB must prepare and periodically update water quality control basin plans. Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control non-point and point sources of pollution to achieve and maintain these standards. Projects that affect wetlands or waters of the state must meet waste discharge requirements of the RWQCB, which may be issued in addition to a water quality certification or waiver under Section 401 of the Clean Water Act.

# **APPENDIX C.**

**California Native Plant Society Inventory of Special-Status Plants for the  
Quadrangle and Surrounding Quadrangles**

**DF&G CNDDDB Rare Find / 3 for the Project Quadrangle and Surrounding  
Quadrangles**

California Department of Fish and Game  
 Natural Diversity Database  
 Selected Elements by Scientific Name - For Project Quadrangle and Surrounding Quadrangles

Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
1 <i>Adela oplerella</i> Opler's longhorn moth	IILEE0G040			G2G3	S2S3	
2 <i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020			G2G3	S2	SC
3 <i>Allium peninsulare var. franciscanum</i> Franciscan onion	PMLIL021R1			G5T2	S2.2	1B.2
4 <i>Alopecurus aequalis var. sonomensis</i> Sonoma alopecurus	PMPOA07012	Endangered		G5T1Q	S1	1B.1
5 <i>Ambystoma californiense</i> California tiger salamander	AAAAA01180	Threatened	Threatened	G2G3	S2S3	SC
6 <i>Amorpha californica var. napensis</i> Napa false indigo	PDFAB08012			G4T2	S2.2	1B.2
7 <i>Amsinckia lunaris</i> bent-flowered fiddleneck	PDBOR01070			G2?	S2	1B.2
8 <i>Andrena blennospermatis</i> Blennosperma vernal pool andrenid bee	IIHYM35030			G2	S2	
9 <i>Antrozous pallidus</i> pallid bat	AMACC10010			G5	S3	SC
10 <i>Aplodontia rufa phaea</i> Point Reyes mountain beaver	AMAF01012			G5T2	S2	SC
11 <i>Arctostaphylos canescens ssp. sonomensis</i> Sonoma canescent manzanita	PDERI04066			G3G4T2	S2.1	1B.2
12 <i>Arctostaphylos montana ssp. montana</i> Mt. Tamalpais manzanita	PDERI040J5			G3T2	S2.2	1B.3
13 <i>Arctostaphylos virgata</i> Marin manzanita	PDERI041K0			G2	S2.2	1B.2
14 <i>Ardea herodias</i> great blue heron	ABNGA04010			G5	S4	
15 <i>Astragalus tener var. tener</i> alkali milk-vetch	PDFAB0F8R1			G2T2	S2	1B.2
16 <i>Athene cunicularia</i> burrowing owl	ABNSB10010			G4	S2	SC
17 <i>Blennosperma bakeri</i> Sonoma sunshine	PDAST1A010	Endangered	Endangered	G1	S1	1B.1
18 <i>Brodiaea californica var. leptandra</i> narrow-anthered California brodiaea	PMLIL0C022			G4?T2T3	S2S3.2	1B.2
19 <i>Caecidotea tomalensis</i> Tomales isopod	ICMAL01220			G2	S2	
20 <i>Calicina diminua</i> Marin blind harvestman	ILARAU8040			G1	S1	
21 <i>California macrophylla</i> round-leaved filaree	PDGER01070			G2	S2	1B.1
22 <i>Callophrys mossii marinensis</i> Marin elfin butterfly	IILEPE2207			G4T1	S1	
23 <i>Castilleja affinis ssp. neglecta</i> Tiburon paintbrush	PDSCR0D013	Endangered	Threatened	G4G5T1	S1	1B.2

California Department of Fish and Game  
 Natural Diversity Database  
 Selected Elements by Scientific Name - For Project Quadrangle and Surrounding Quadrangles

Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
24 <i>Ceanothus sonomensis</i> Sonoma ceanothus	PDRHA04420			G2	S2.2	1B.2
25 <i>Centromadia parryi ssp. parryi</i> pappose tarplant	PDAST4R0P2			G4T1	S1	1B.2
26 <i>Chloropyron maritimum ssp. palustre</i> Point Reyes bird's-beak	PDSCR0J0C3			G4?T2	S2.2	1B.2
27 <i>Chloropyron molle ssp. molle</i> soft bird's-beak	PDSCR0J0D2	Endangered	Rare	G2T1	S1	1B.2
28 <i>Chorizanthe valida</i> Sonoma spineflower	PDPGN040V0	Endangered	Endangered	G1	S1	1B.1
29 <i>Cirsium hydrophilum var. vaseyi</i> Mt. Tamalpais thistle	PDAST2E1G2			G1T1	S1.2	1B.2
30 <i>Coastal Brackish Marsh</i>	CTT52200CA			G2	S2.1	
31 <i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	ABNRB02022	Candidate	Endangered	G5T3Q	S1	
32 <i>Corynorhinus townsendii</i> Townsend's big-eared bat	AMACC08010			G4	S2S3	SC
33 <i>Cypseloides niger</i> black swift	ABNUA01010			G4	S2	SC
34 <i>Danaus plexippus</i> monarch butterfly	IILEPP2010			G5	S3	
35 <i>Delphinium luteum</i> golden larkspur	PDRAN0B0Z0	Endangered	Rare	G1	S1	1B.1
36 <i>Dirca occidentalis</i> western leatherwood	PDTHY03010			G2G3	S2S3	1B.2
37 <i>Downingia pusilla</i> dwarf downingia	PDCAM060C0			G2	S2	2.2
38 <i>Elanus leucurus</i> white-tailed kite	ABNKC06010			G5	S3	
39 <i>Emys marmorata</i> western pond turtle	ARAAD02030			G3G4	S3	SC
40 <i>Entosthodon kochii</i> Koch's cord moss	NBMUS2P050			G1	S1	1B.3
41 <i>Eriogonum luteolum var. caninum</i> Tiburon buckwheat	PDPGN083S1			G5T2	S2	1B.2
42 <i>Eucyclogobius newberryi</i> tidewater goby	AFCQN04010	Endangered		G3	S2S3	SC
43 <i>Fritillaria lanceolata var. tristulis</i> Marin checker lily	PMLIL0V0P1			G5T1	S1.1	1B.1
44 <i>Fritillaria liliacea</i> fragrant fritillary	PMLIL0V0C0			G2	S2	1B.2
45 <i>Geothlypis trichas sinuosa</i> saltmarsh common yellowthroat	ABPBX1201A			G5T2	S2	SC
46 <i>Hemizonia congesta ssp. congesta</i> white seaside tarplant	PDAST4R065			G5T2T3	S2S3	1B.2
47 <i>Hesperolinon congestum</i> Marin western flax	PDLIN01060	Threatened	Threatened	G2	S2.1	1B.1



California Department of Fish and Game  
 Natural Diversity Database  
 Selected Elements by Scientific Name - For Project Quadrangle and Surrounding Quadrangles











Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
48 <i>Horkelia tenuiloba</i> thin-lobed horkelia	PDROS0W0E0			G2	S2.2	1B.2
49 <i>Hydrochara rickseckeri</i> Ricksecker's water scavenger beetle	IICOL5V010			G1G2	S1S2	
50 <i>Lasiurus cinereus</i> hoary bat	AMACC05030			G5	S4?	
51 <i>Lasthenia burkei</i> Burke's goldfields	PDAST5L010	Endangered	Endangered	G1	S1	1B.1
52 <i>Lasthenia conjugens</i> Contra Costa goldfields	PDAST5L040	Endangered		G1	S1	1B.1
53 <i>Laterallus jamaicensis coturniculus</i> California black rail	ABNME03041		Threatened	G4T1	S1	
54 <i>Lavinia symmetricus ssp. 2</i> Tomales roach	AFCJB19022			G5T2T3	S2S3	SC
55 <i>Legenere limosa</i> legenere	PDCAM0C010			G2	S2.2	1B.1
56 <i>Leptosiphon jepsonii</i> Jepson's leptosiphon	PDPLM09140			G2	S2	1B.2
57 <i>Limnanthes vinculans</i> Sebastopol meadowfoam	PDLIM02090	Endangered	Endangered	G1	S1	1B.1
58 <i>Lupinus sericatus</i> Cobb Mountain lupine	PDFAB2B3J0			G2	S2.2	1B.2
59 <i>Melospiza melodia samuelis</i> San Pablo song sparrow	ABPBXA301W			G5T2?	S2?	SC
60 <i>Microseris paludosa</i> marsh microseris	PDAST6E0D0			G2	S2.2	1B.2
61 <i>Navarretia leucocephala ssp. bakeri</i> Baker's navarretia	PDPLM0C0E1			G4T2	S2	1B.1
62 <i>Navarretia rosulata</i> Marin County navarretia	PDPLM0C0Z0			G2?	S2?	1B.2
63 <i>Northern Coastal Salt Marsh</i>	CTT52110CA			G3	S3.2	
64 <i>Northern Vernal Pool</i>	CTT44100CA			G2	S2.1	
65 <i>Oncorhynchus kisutch</i> coho salmon - central California coast ESU	AFCHA02034	Endangered	Endangered	G4	S2?	
66 <i>Oncorhynchus mykiss irideus</i> steelhead - central California coast DPS	AFCHA0209G	Threatened		G5T2Q	S2	
67 <i>Plagiobothrys mollis var. vestitus</i> Petaluma popcorn-flower	PDBOR0V0Q2			G4?TX	SX	1A
68 <i>Pleuropogon hooverianus</i> North Coast semaphore grass	PMPOA4Y070		Threatened	G1	S1.1	1B.1
69 <i>Pogonichthys macrolepidotus</i> Sacramento splittail	AFCJB34020			G2	S2	SC
70 <i>Polygonum marinense</i> Marin knotweed	PDPGN0L1C0			G1Q	S1.1	3.1
71 <i>Quercus parvula var. tamalpaisensis</i> Tamalpais oak	PDFAG051Q3			G4T1	S1.3	1B.3

California Department of Fish and Game  
 Natural Diversity Database  
 Selected Elements by Scientific Name - For Project Quadrangle and Surrounding Quadrangles

Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS
72 <i>Rallus longirostris obsoletus</i> California clapper rail	ABNME05016	Endangered	Endangered	G5T1	S1	
73 <i>Rana boylei</i> foothill yellow-legged frog	AAABH01050			G3	S2S3	SC
74 <i>Rana draytonii</i> California red-legged frog	AAABH01022	Threatened		G4T2T3	S2S3	SC
75 <i>Reithrodontomys raviventris</i> salt-marsh harvest mouse	AMAFF02040	Endangered	Endangered	G1G2	S1S2	
76 <i>Sidalcea calycosa ssp. rhizomata</i> Point Reyes checkerbloom	PDMAL11012			G5T2	S2.2	1B.2
77 <i>Sidalcea hickmanii ssp. viridis</i> Marin checkerbloom	PDMAL110A4			G3T2	S2.2?	1B.3
78 <i>Sorex ornatus sinuosus</i> Suisun shrew	AMABA01103			G5T1	S1	SC
79 <i>Speyeria zerene myrtleae</i> Myrtle's silverspot	IILEPJ6089	Endangered		G5T1	S1	
80 <i>Streptanthus glandulosus ssp. pulchellus</i> Mount Tamalpais bristly jewel-flower	PDBRA2G0J2			G4T1	S1.2	1B.2
81 <i>Syncaris pacifica</i> California freshwater shrimp	ICMAL27010	Endangered	Endangered	G1	S1	
82 <i>Talanites ubicki</i> Ubick's gnaphosid spider	ILARA98030			G1	S1	
83 <i>Taxidea taxus</i> American badger	AMAJF04010			G5	S4	SC
84 <i>Trifolium amoenum</i> showy rancheria clover	PDFAB40040	Endangered		G1	S1	1B.1
85 <i>Trifolium hydrophilum</i> saline clover	PDFAB400R5			G2	S2	1B.2
86 <i>Tryonia imitator</i> mimic tryonia (=California brackishwater snail)	IMGASJ7040			G2G3	S2S3	
87 <i>Vespericola marinensis</i> Marin hesperian	IMGASA4140			G2G3	S2S3	
88 <i>Viburnum ellipticum</i> oval-leaved viburnum	PDCPR07080			G5	S2.3	2.3








Status: search results - Thu, Mar 29, 2012 14:40 c

**Your Quad Selection:** Petaluma River (484A) 3812225, Cotati (501C) 3812236, Glen Ellen (501D) 3812235, Sears Point (483B) 3812224, Petaluma Point (483C) 3812214, Sonoma (500C) 3812234, Petaluma (484B) 3812226, San Geronimo (484C) 3812216, Novato (484D) 3812215

scientific	common	family	CNPS
<u>Allium peninsulare</u> var. <u>franciscanum</u> 	Franciscan onion	Alliaceae	List 1B.2
<u>Amorpha californica</u> var. <u>napensis</u> 	Napa false indigo	Fabaceae	List 1B.2
<u>Amsinckia lunaris</u> 	bent-flowered fiddleneck	Boraginaceae	List 1B.2
<u>Arctostaphylos bakeri</u> ssp. <u>bakeri</u> 	Baker's manzanita	Ericaceae	List 1B.1
<u>Arctostaphylos canescens</u> ssp. <u>sonomensis</u> 	Sonoma canescent manzanita	Ericaceae	List 1B.2
<u>Arctostaphylos montana</u> ssp. <u>montana</u>	Mt. Tamalpais manzanita	Ericaceae	List 1B.3
<u>Arctostaphylos virgata</u> 	Marin manzanita	Ericaceae	List 1B.2
<u>Astragalus tener</u> var. <u>tener</u> 	alkali milk-vetch	Fabaceae	List 1B.2
<u>Blennosperma bakeri</u> 	Sonoma sunshine	Asteraceae	List 1B.1
<u>Brodiaea californica</u> var. <u>leptandra</u> 	narrow-anthered California brodiaea	Themidaceae	List 1B.2
<u>California macrophylla</u> 	round-leaved filaree	Geraniaceae	List 1B.1

<u>Castilleja affinis</u> ssp. <u>neglecta</u> 🌿	Tiburon paintbrush	Orobanchaceae	List 1B.2
<u>Ceanothus sonomensis</u> 🌿	Sonoma ceanothus	Rhamnaceae	List 1B.2
<u>Centromadia parryi</u> ssp. <u>parryi</u> 🌿	pappose tarplant	Asteraceae	List 1B.2
<u>Chloropyron maritimum</u> ssp. <u>palustre</u>	Point Reyes bird's-beak	Orobanchaceae	List 1B.2
<u>Chloropyron molle</u> ssp. <u>molle</u>	soft bird's-beak	Orobanchaceae	List 1B.2
<u>Chorizanthe valida</u> 🌿	Sonoma spineflower	Polygonaceae	List 1B.1
<u>Cirsium hydrophilum</u> var. <u>vaseyi</u> 🌿	Mt. Tamalpais thistle	Asteraceae	List 1B.2
<u>Delphinium bakeri</u> 🌿	Baker's larkspur	Ranunculaceae	List 1B.1
<u>Delphinium luteum</u> 🌿	golden larkspur	Ranunculaceae	List 1B.1
<u>Dirca occidentalis</u> 🌿	western leatherwood	Thymelaeaceae	List 1B.2
<u>Downingia pusilla</u> 🌿	dwarf downingia	Campanulaceae	List 2.2
<u>Entosthodon kochii</u>	Koch's cord moss	Funariaceae	List 1B.3
<u>Erigeron biolettii</u> 🌿	streamside daisy	Asteraceae	List 3
<u>Eriogonum luteolum</u> var. <u>caninum</u> 🌿	Tiburon buckwheat	Polygonaceae	List 1B.2
<u>Fritillaria lanceolata</u> var. <u>tristulis</u> 🌿	Marin checker lily	Liliaceae	List 1B.1
<u>Fritillaria liliacea</u> 🌿	fragrant fritillary	Liliaceae	List 1B.2

<b><u>Grindelia hirsutula</u> var. <u>maritima</u></b> 🌿	San Francisco gumplant	Asteraceae	List 3.2
<b><u>Hemizonia congesta</u> ssp. <u>congesta</u></b> 🌿	white seaside tarplant	Asteraceae	List 1B.2
<b><u>Hesperolinon congestum</u></b> 🌿	Marin western flax	Linaceae	List 1B.1
<b><u>Horkelia tenuiloba</u></b> 🌿	thin-lobed horkelia	Rosaceae	List 1B.2
<b><u>Lasthenia burkei</u></b> 🌿	Burke's goldfields	Asteraceae	List 1B.1
<b><u>Lasthenia conjugens</u></b> 🌿	Contra Costa goldfields	Asteraceae	List 1B.1
<b><u>Legenere limosa</u></b> 🌿	legenere	Campanulaceae	List 1B.1
<b><u>Leptosiphon jepsonii</u></b> 🌿	Jepson's leptosiphon	Polemoniaceae	List 1B.2
<b><u>Lessingia hololeuca</u></b> 🌿	woolly-headed lessingia	Asteraceae	List 3
<b><u>Lessingia micradenia</u> var. <u>micradenia</u></b> 🌿	Tamalpais lessingia	Asteraceae	List 1B.2
<b><u>Limnanthes vinculans</u></b> 🌿	Sebastopol meadowfoam	Limnanthaceae	List 1B.1
<b><u>Lupinus sericatus</u></b> 🌿	Cobb Mountain lupine	Fabaceae	List 1B.2
<b><u>Micropus amphibolus</u></b> 🌿	Mt. Diablo cottonweed	Asteraceae	List 3.2
<b><u>Microseris paludosa</u></b> 🌿	marsh microseris	Asteraceae	List 1B.2
<b><u>Navarretia leucocephala</u> ssp. <u>bakeri</u></b> 🌿	Baker's navarretia	Polemoniaceae	List 1B.1
<b><u>Navarretia rosulata</u></b> 🌿	Marin County navarretia	Polemoniaceae	List 1B.2

<b><u>Plagiobothrys mollis</u> var. <u>vestitus</u></b>	Petaluma popcorn-flower	Boraginaceae	List 1A
<b><u>Pleuropogon hooverianus</u></b> 	North Coast semaphore grass	Poaceae	List 1B.1
<b><u>Polygonum marinense</u></b> 	Marin knotweed	Polygonaceae	List 3.1
<b><u>Rhynchospora globularis</u></b>	round-headed beaked-rush	Cyperaceae	List 2.1
<b><u>Sidalcea calycosa</u> ssp. <u>rhizomata</u></b> 	Point Reyes checkerbloom	Malvaceae	List 1B.2
<b><u>Streptanthus batrachopus</u></b> 	Tamalpais jewel-flower	Brassicaceae	List 1B.3
<b><u>Streptanthus glandulosus</u> ssp. <u>pulchellus</u></b> 	Mount Tamalpais bristly jewel-flower	Brassicaceae	List 1B.2
<b><u>Trifolium amoenum</u></b> 	two-fork clover	Fabaceae	List 1B.1
<b><u>Trifolium hydrophilum</u></b>	saline clover	Fabaceae	List 1B.2
<b><u>Viburnum ellipticum</u></b> 	oval-leaved viburnum	Adoxaceae	List 2.3



**ENVIRONMENTAL  
GEOLOGY  
SERVICES**  
CONSULTING and PROJECT MANAGEMENT

1695 Willowside Road, Santa Rosa, CA 95401

April 2, 2012  
Project 465.0312

Mr. Tom Bachman  
6525 Lakeville Highway  
Petaluma, CA, 94954

Dear Mr. Bachman:

Regarding: **Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

The attached report was prepared in accordance with our Professional Services Agreement (PSA) dated March 8, 2012 in response to your request for services to provide a groundwater resource availability and saltwater intrusion evaluation as part of the County of Sonoma PRMD's requirements for land subdivision. The evaluation was required to address water availability in accordance with Sonoma County General Plan requirement (Policy WR-2e, formerly RC-3h) as part of the approval process for the proposed land subdivision requirements. In addition, the report addresses PRMD questions regarding seawater intrusion potential.

Thank you for the opportunity to be of service. If you have any questions regarding our procedures or findings, please call.

Sincerely,

**ENVIRONMENTAL GEOLOGY SERVICES**

Marc W. Seeley, PG  
Principal Geologist

Enclosure: REPORT, Ground Water Resource Availability and Saltwater Intrusion Evaluation for 6525 Lakeville Highway, Petaluma, CA, 94954, Sonoma County File No. MNS11-0009, APN 068-110-026, 044 & 045

Distribution: Jon Tracy, R.E.H.S., Project Review Section, Sonoma County PRMD,  
2550 Ventura Avenue, Santa Rosa, CA 95403

Tom Bachman, Client / Owner



**ENVIRONMENTAL  
GEOLOGY  
SERVICES**  
CONSULTING and PROJECT MANAGEMENT

1695 Willowside Road, Santa Rosa, CA 95401

**REPORT**

**Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

Prepared for:

Mr. Tom Bachman  
6525 Lakeville Highway  
Petaluma, CA, 94954

Prepared by:

**Environmental Geology Services  
1695 Willowside Road  
Santa Rosa, CA 95401**

David L. Bush  
Project Geologist

Marc W. Seeley, PG  
Principal Geologist

**April 2, 2012**  
Project 465.0312





**TABLE OF CONTENTS**

	<u>Page</u>
<b>EXECUTIVE SUMMARY</b> .....	-1-
<b>1.0 BACKGROUND</b> .....	-1-
1.1 Scope of Work .....	-3-
1.2 Existing and Proposed Development .....	-5-
1.3 Local Hydrogeology .....	-7-
1.4 Local Climate .....	-9-
<b>2.0 RESEARCH</b> .....	-10-
2.1 Site Reconnaissance .....	-10-
2.2 Water Well Drillers Reports & County Records .....	-11-
2.3 Assessor's Parcel Maps .....	-11-
2.4 Interviews .....	-12-
2.5 Zoning Information .....	-15-
2.6 Other WR-2e Reports .....	-15-
2.7 Documentation of Expended Effort .....	-16-
<b>3.0 GROUNDWATER AVAILABILITY ANALYSIS</b> .....	-16-
3.1 Pump Tests .....	-16-
3.1.1 Water Sampling and Analysis .....	-17-
3.1.2 Pump Test Assumptions .....	-18-
3.2 Cumulative Impact Area and Total Recharge Area .....	-19-
3.3 Existing and Projected Water Use .....	-22-
3.3.1 Domestic Water Use .....	-23-
3.3.2 Special Event Water Use .....	-23-
3.3.3 Swimming Pool and Irrigation Water Use .....	-23-
3.3.4 Total Estimated Current and Projected On Site Water Use .....	-24-

	<u>Page</u>
3.3.5 Existing On Site Water Use. . . . .	-24-
3.3.6 Proposed On Site Water Use. . . . .	-24-
3.3.7 Summary of Total Existing and Proposed On Site Water Use. . . . .	-25-
3.4 Off Site Existing and Proposed Water Use. . . . .	-26-
3.4.1 Existing Domestic Off Site Water Use. . . . .	-26-
3.4.2 Additional Off Site Domestic Water Use at Build Out. . . . .	-27-
3.4.3 Existing Off Site Landscape Water Use. . . . .	-27-
3.4.4 Additional Off Site Landscape Water Use at Build Out. . . . .	-27-
3.4.5 Existing Off Site Estimated Livestock Water Use. . . . .	-28-
3.4.6 Additional Off Site Estimated Livestock Water Use at Build Out. . . . .	-28-
3.4.7 Summary of Total Estimated Current and Proposed Off Site Water Use. . . . .	-29-
3.5 Total Cumulative Impact Area Existing and Proposed Water Use. . . . .	-29-
3.6 Water Supply Capabilities. . . . .	-30-
3.6.1 Groundwater Yield. . . . .	-30-
3.6.2 Aquifer Transmissivity. . . . .	-30-
3.6.3 Groundwater Storage Capacity. . . . .	-31-
3.6.4 Water Balance. . . . .	-32-
3.7 Off-Site Well / Spring Interference. . . . .	-34-
3.8 Surface Water / Aquatic Habitat. . . . .	-35-
<b>4.0 Seawater Intrusion. . . . .</b>	<b>-35-</b>
<b>5.0 CONCLUSIONS. . . . .</b>	<b>-37-</b>
<b>6.0 LIMITATIONS. . . . .</b>	<b>-38-</b>
<b>7.0 CLOSING. . . . .</b>	<b>-39-</b>
<b>8.0 REFERENCES. . . . .</b>	<b>-39-</b>

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

-iii-

## **LIST OF PLATES**

Plate 1 - Site Location Map

Plate 2 - Site Aerial Map

Plate 3 - Geologic Map

Plate 3A - Geologic Map Legend

Plate 4 - Geologic Cross Section A-A'

Plate 5 - Cumulative Impact Area

Plate 6 - Groundwater Recharge Area Map

Plate 7 - Chloride v Chloride - Bromide Ratio

Plate 8 - Chloride v Chloride - Iodide Ratio

Plate 9 - Chloride v Chloride - Barium Ratio

Plate 10 - Chloride v Chloride - Boron Ratio

## **APPENDICES**

Appendix A - Well Log Summary and Parcel Ownership Tables

Appendix B - Laboratory Analytical Report, Analytical Sciences, March 28, 2012

## **EXECUTIVE SUMMARY**

In accordance with the Sonoma County Procedures for Implementing General Plan Policy WR-2e requirements for sites located in water scarce areas, Environmental Geology Services (EGS) conducted an evaluation of groundwater availability for the subject property (Plate 1 - Site Location Map) as part of the County of Sonoma's requirements for land subdivision. Our scope of work included a site and geologic reconnaissance, research and data collection, water sampling and analysis, review of driller's short and long term pump test, review of confidential DWR well records, interviews with drilling contractors with experience developing wells on the subject and adjacent properties, interviews with available nearby water well owners, data analysis, and preparation of this report.

Based on our scope of work and the results of our analysis, it is our opinion that the proposed groundwater uses under the minor land subdivision permit application for Proposed Lot 2, will not have a significant impact on the current and future groundwater availability within the Cumulative Impact Area or the Recharge Area. We determined that the groundwater supply capability of Well #1 is sufficient to support proposed uses resulting from the planned development of Lot 2. We determined that the groundwater recharge characteristics are such that the water supply requirement for Lot 2, plus off site uses in the Cumulative Impact Area and in the Recharge Area, result in a positive water balance. We also found that the required analytical testing for arsenic and nitrate concentrations resulted in no detections of arsenic, but a detection of nitrate at a concentration of 9.4 mg/L, which is slightly less than the US EPA Maximum Contaminant Level (MCL) of 10 ppm. Additionally, water quality analysis resulted in no detection of E. Coli, but did result in a detection of Total Coliform at a concentration of 6.0 MPN/100 mL which exceeds the CalEPA MCL of 2.2 MPN/100 mL for public water wells. However, since this is a private well and there is no published MCLs for Total Coliform the water quality is deemed acceptable.

To address the question of seawater intrusion potential we evaluated the area of influence due to pumping of Well #1 and evaluated trace ion ratios including Chloride, Nitrate, Bromide, and Iodide. Based on this limited evaluation we determined that the potential for seawater intrusion to impact the well is minimal.

### **1.0 BACKGROUND**

The Sonoma County Assessor's Parcels APN 068-110-026, 044 & 045 comprise +/-166 acres. The project proposes to subdivide the property into two parcels of +/-99.61 acres (Proposed Lot 1, up slope of the highway) and +/-63.36 acres ( Lot 2, downslope of the highway) in size, with a +/-3.2 acre strip along Lakeville Highway dedicated to Sonoma County (Refer to Plate 2). Proposed Lot 1 and Proposed Lot 2 will herein be referred to as Lot 1 and Lot 2, respectively.

The current 166 acre property is presently zoned as LEA 60 and is developed with a +/-5000 square foot (sf) residence with 4 bedrooms, a +/-750 sf pool cabana, and a pool and spa (total 220 sf). The landscaped area around the main house, pool, and cabana consists of lawn bordered by shrubs and trees. The well supplying this developed part of the property, the "House

Well," (Well #2) is 165 ft deep with a reported 15 gallons per minute (gpm) capacity. Another well on the property, referred to as the "old well" (Well #3) is 185 ft deep and has a reported 4.1 gpm capacity. An additional well, referred to as the "Wind Mill Well" is 256 ft deep and has a reported capacity of 25 gpm. In this report we refer to the "Wind Mill Well" as Well #1 since this well is proposed to supply future development on Lot 2, and is the subject of our evaluation. Refer to Plate 5 for the location of Wells #1, 2, and 3.

The subject property, known as Pegasus Ranch, is currently a horse ranch and vineyard with +/- 51 acres planted. The facility is located in the southwestern slopes of the Sonoma Mountains extending from the lower flanks of the range at an elevation of approximately 114 feet above mean sea level (MSL) in the northeast part of the property, to approximately 10 feet above MSL in the southwest area. Lot 2, which is downslope and to the southwest of Lakeville Highway, ranges in elevation from about approximately 26 feet above MSL to approximately 10 feet above MSL. The entire property is located in Zone 3 (marginal water availability area) of Sonoma County's water availability map (Sonoma County, 2004). Refer to the attached Plates 1 through 6 for reference of the site and surrounding area during the review of this report.

The proposed subdivision includes the proposal to develop Lot 2 (APN 068-110-026) with a residence consisting of 2 bedrooms. The subdivision includes no proposed development or changes in use to the Lot 1 (APNs 068-110-044 & 045). The issue of concern is the availability of sufficient groundwater and the possible impacts to nearby groundwater supply wells in accordance with Sonoma County PRMD Draft Health Conditions - Subdivision letter dated January 20, 2012. The Ground Water Resource and Impact Evaluation is required by the Sonoma County Permit and Resource Management Department (PRMD) for development in water scarce areas (Zones 3 and 4).

The issues addressed in this report, and the guidelines for addressing PRMD requirements, are presented in PRMD's referenced Draft Health Use Permit Conditions, their letter to the owner dated January 20, 2012, County Procedures for Implementing General Plan Policy WR-2e, and the Sonoma County Groundwater Studies Checklist (December, 2003).

To prepare the scope of work for this evaluation, we met and consulted with Jon Tracy (PRMD), briefly reviewed information on file at the PRMD offices, reviewed site topographic maps, air photos, zoning maps and available maps and reports in our files, and reviewed the PRMD letter dated January 20, 2012 outlining the current required report guidelines. We also reviewed similar studies EGS and others have conducted for water scarce areas in Sonoma County. The scope of work implemented for this evaluation is presented in the following section.

Before continuing with the approval process for the proposed Minor Subdivision requirements and preparing a Negative Declaration, a number of specific requirements related to water need to be addressed as enumerated in the PRMD Subdivision Conditions letter dated January 20, 2012 and in verbal communications.

These specific requirements are as follows:

**Item 25, Water Yield** - Proof of adequate water yield shall be demonstrated on Lot 2 in accordance with Chapter 25, Sonoma County Code. At least one gallon per minute for each dwelling unit shall be demonstrated.

**Item 29, Well Construction / Easement** - In accordance with the Note on the minor subdivision tentative map, Lot 2 shall be provided with a separate water supply well meeting all current standards for annular seal and setbacks. Alternatively, conditions can be met through a legal covenant and easement agreement acceptable to PRMD in accordance with conditions "a" through "d" of Item 29. It is our understanding that this approach will be used and the existing "Wind Mill Well" (Well # 1) on Lot 1 will be used to supply Lot 2.

**Item 35, Water Quality** - To verify an acceptable water source that meets California State and Federal standards, the water well shall be sampled using standard environmental protocols. Samples are to be submitted to a California State Certified laboratory and analyzed for arsenic, nitrates, total coliform and E. Coli.

**Saltwater Intrusion** - As noted in the PRMD Subdivision Conditions letter dated January 20, 2012, Lot 2 contains saltwater marshland. Jonathan Tracy of PRMD has verbally requested that an evaluation of saltwater intrusion be included as part of the groundwater resource evaluation. After additional discussions with Jon Tracy, it is our understanding that an abbreviated evaluation of this PRMD concern would be appropriate since the well that will provide water to Lot 2 is located on Lot 1, in an upland area a significant distance from the marshland adjacent to the Petaluma River (Plate 5).

Prior to processing the minor subdivision application and the negative declaration, it must be demonstrated that there is a sufficient water resource for the proposed site use (development of Lot 2 with a residence) and that use of the groundwater resource will not adversely impact water supply wells in the Cumulative Impact Area. In addition, PRMD has requested that this evaluation include a limited assessment of the potential for saltwater intrusion to impact the water supply well for Lot 2. The issues to be addressed and the guidelines for addressing PRMD requirements were presented verbally by Jonathan Tracy of PRMD and in PRMD's letter dated January 20, 2012, County Procedures for Implementing General Plan Policy WR-2e, and Sonoma County Groundwater Studies Checklist (December 2003).

### 1.1 Scope of Work

The scope of work we conducted for this evaluation consisted of the following tasks.

**Task 1 - Project Management** - This task consisted of preliminary data review to prepare the scope of work, preliminary consultations with project engineers, planners and PRMD

staff, an initial site visit, and development of costs. This task also included project set up and administration during the course of the work.

**Task 2 - Site Reconnaissance & Well Canvas** - This task consisted of a site reconnaissance and canvas of existing production wells in the Cumulative Impact Area, conducting interviews with owners of wells within the Cumulative Impact Area and nearby, submitting a "Well Completion Report Release Agreement - Agency" request to obtain confidential DWR well records, review of available well records, driller's logs, pump tests, and production records. This task includes consultation with well drilling contractors who have drilled and serviced wells on the property and in the area, including observing site geologic and hydrogeologic conditions.

**Task 3 - Data Collection and Review** - This task consisted of reviewing published and unpublished geology, groundwater, seawater intrusion, rainfall data, and related data on the site and area. In this task we defined the "Cumulative Impact Area", identified the project's planned water requirements and estimated the theoretical water demand for existing conditions and anticipated build out.

**Task 4 - Groundwater Sampling and Laboratory Analysis** - In this task we purged Well # 1, collected field water quality parameters and collected groundwater samples for analysis of a number of basic water quality parameters required by PRMD. The samples were transported to our subcontract State Certified laboratory for analysis.

**Task 5 - Seawater Intrusion Evaluation** - For this part of the evaluation we estimated the potential radius of influence of Well #1 and looked at groundwater quality for evidence of seawater intrusion. We also reviewed USGS Water Resource Investigations Report 02-4259, and other report, and evaluated chloride and selected trace element concentration ratios relative to a native formation groundwater / seawater mixing graphic plot to conduct this evaluation.

**Task 6 - Data Analysis, Calculations and Modeling** - In this task we used the collected data such as site and area geology and stratigraphy, drillers logs and driller's pump tests, surface hydrology, meteorological data, evapo-transpiration estimates, run-off rates, infiltration estimates, well data to evaluate the groundwater supply and estimated impact of Well #1 on groundwater supply. To the extent the data allowed, a model of the hydrologic characteristics of the sediments and /or bedrock groundwater sources beneath the property was developed, and we evaluated off-site well / spring interference as a result of pumping Well #1. We also assessed potential impacts to surface waters and aquatic habitats in the local area, and documented assumptions and calculations.

**Task 7 - Report Preparation** - Lastly we reviewed the results of the data collected, analyzed the data, formulated conclusions, and prepared this report.

## 1.2 Existing and Proposed Development

The subject property consists of three contiguous parcels, Sonoma County APN 068-110-026, 044 and 045, occupying +/-166 acres (Plate 5) purchased by the Bachman's in 1988. The facility known as Pegasus Ranch is an operating horse breeding ranch and vineyard (a total of +/-51 acres in Pino Noir, Syrah and Chardonnay). It is proposed to split the property into two parcels of 99.61 acres (Lot 1) and 63.36 acres (Lot 2), with the remaining 3.2 acres along Lakeville Highway to be dedicated to the County of Sonoma. Lot 1 is located up slope and to the north of Lakeville Highway and Lot 2 is located down slope south of the Highway and adjacent to the Petaluma River (Plate 5).

The property is developed as follows:

### Lot 1 - Existing development on Lot 1 consists of:

One +/-5000 sf residence with 4 bedrooms,

One +/-750 sf pool cabana,

One pool and spa (total 220 sf),

Landscaped area around the house, pool, and cabana consists of lawn bordered by shrubs and trees totaling about with approximately 0.3 acres of lawn,

One vineyard block of +/-21½ acres,

Two irrigation ponds supplied by runoff, one with a surface area of +/-0.5 acres (estimated capacity 1,552,900 gallons or 4.76 acre feet or AF), one with a surface area of +/-0.78 acres (estimated capacity 4,353,000 gallons or 14.55 AF),

Water storage tank (+/-20,000 gallons) adjacent to house and near Well #2,

Small pump house near south end of the 14.55 AF pond and just north of Well #3.

There are three wells on Lot 1:

- A well with a small well house and storage tank referred to as the "Wind Mill Well" (Well #1) is 256 ft deep and has a reported capacity of 25 gpm. This well is proposed to supply future development on Lot 2 and is the subject of our evaluation.
- A well, small well house and storage tank supplying the main house pool / spa and cabana, referred to as the "House Well" (or Well #2) is 165 ft deep with a reported capacity of 15 gpm.



- A well and small well house referred to as the "old well" (Well #3) is 185 ft deep and has a reported capacity of 4.1 gpm.

Two 3,600 sf, and one 2,600 sf barns,

Four horse pastures (+/-18.25, +/-11.6, +/-15.8, and +/-10.1 acres).

**Lot 2 - Existing development on Lot 2 consists of:**

Three vineyard blocks of +/-9.25, +/-8.5, and +/-13.75 acres

One irrigation pond supplied by runoff with a surface area of +/-2.5 acres (estimated capacity 5,600,000 gal or 20 AF),

One shallow brackish / saltwater pond with a surface area of 4 acres (estimated capacity 4,000,000 gal or 12 AF),

Water storage tank (+/-15,000 gal). There are no wells on the Lot 2,

A +/-350 sf pump house adjacent to the water storage tank,

One 3,000 sf combination barn and vineyard equipment storage building,

One 3,000 sf barn (currently under construction).

**Proposed development on Lot 2:**

Reconfigured (under permit) ponds to combine a portion of the brackish / salt water pond to a freshwater pond estimated at 2.5 acres and 20 AF, that would join existing 20 AF irrigation pond,

One 2 bedroom residence, estimated +/-2500 sf,

Undetermined landscaped area around the proposed house, estimated to be minimal and would be irrigated from pond, not well water,

Reconfigure (under permit) northern side of existing brackish / salt water pond to a horse pasture / paddock area of approximately +/-4.25 acres,

Construct a 9 stall horse barn,

Remove the 8.5 acre vineyard and convert area to seasonal horse pasture, proposed to typically house 12 to 15 horses, with a maximum capacity of 20.

Our understanding is that there is no proposed change in use and no proposed new development of Lot 1. However, the owners have listed the property for sale. New owners would need to conform to current zoning LEA 60.

### **1.3 Local Hydrogeology**

The generalized geologic map of the Santa Rosa Quadrangle (California Division of Mines and Geology or CDMG, 1963) indicates the subject property and area are underlain by Pleistocene age Petaluma Formation (Pp), consisting of primarily non-marine deposits of siltstone, mudstone and claystone. More detailed mapping of Sonoma County compiled by the CDMG (Huffman and Armstrong, 1980) shows the property and area is underlain by Plio - Pleistocene Petaluma formation rocks (Tps) consisting of interbedded claystone, siltstone, mudstone and tuff with cross beds of sandstone and conglomerate. This mapping shows the lower, more gently sloping parts of the property (including Lot 2) to be overlain by Quaternary age alluvium consisting of sand, gravel, silt, and clay.

The most recent, and most detailed mapping of the area, is by the California Geological Survey (Wagner, et al., 2002) of the Petaluma River 7.5' Quadrangle which shows the property to be underlain by the Upper Petaluma Formation (Tpu, Refer to Plates 3 and 3A). Geologic mapping and hydrogeologic descriptions compiled by the CWDR (1975) report that the upper part of the Petaluma Formation is correlative with the Merced Formation, and that the Merced Formation is described as an abundant producer of good quality groundwater and a principal producer west of Highway 101. The more site specific mapping and description by Wagner, et al. (2002) shows the underlying units consist of massive, well sorted sandstone, siltstone, and conglomerate. The conglomerate section of the sequence is rich in laminated siliceous shale (from the Monterey Formation) fragments and Tertiary volcanics, with Franciscan clasts. This recent mapping show the Robler Tuff (Trt), dated at 6.26 Ma (million years age) is interbedded with the Upper Petaluma Formation.

Descriptions of the groundwater geology of the Petaluma Formation by the CDWR (Bulletin No. 118, 1982) indicate that a section of the formation measured by Weaver (1949) near Lakeville found the section to be 1,059 feet thick with 30% of this section being sandstone and conglomerate. Recent mapping (Wagner, et al., 2002) shows that Lot 2, is overlain by recent unconsolidated sediments consisting of Holocene alluvial fan deposits (Qhf) that are described as sand, gravel, silt, and clay deposited by streams emanating from canyons onto alluvial valley floors. These sediments are poorly to moderately sorted and bedded. In addition there are Holocene (<11,000 years) bay mud (Qhbm) deposits of silt, clay, peat, and fine sand that were deposited at or near sea level in lower central part of Lot 2. The eastern boundary of Lot 2 (Lakeville Highway) is approximately 1 mile south west of the Lakeville fault. Well # 1 (Wind Mill Well) that is proposed to supply Lot 2 is drilled within the Upper Petaluma formation (Tpu).

Our geologic reconnaissance of the project area and our review of Water Well Driller Reports (WWDRs or Well Completion Reports or WCRs) identified the local geology as being comprised of the Upper Petaluma Formation consisting of interbedded claystone, siltstone, mudstone,

sandstone and conglomerate with underlying greenstone. Plate 3 is a geologic map of the area, geologic units are on Plate 3A, and geologic cross section A-A' is on Plate 4.

Groundwater yields in wells completed in the groundwater basins in California are described in CDWR Bulletin No. 118 (1975 and 1982) and CDWR Bulletin No. 118 Update (2003). These publications also describe hydrologic properties in the Petaluma Valley Basin and the variations within the basin, with descriptions of well yields in the formations in the hydrologic basin.

According to CDWR Bulletin No. 118 (1975) the Petaluma Formation is described as being noted for having a generally low to moderate, but highly variable well yields. However this description applies to the formation as a whole, and does not describe yields associated with the currently recognized Upper, Middle and Lower subdivisions of the Petaluma Formation. CDWR (1975) also reports yields from bailer tests ranging from 5 gpm to 300 gpm with significant draw downs. CDWR (1975) reports a **transmissivity<sup>1</sup> of 3,754 gpd/ft (0.038 AF/day)** for the Petaluma Formation. CDWR Bulletin No. 118 (2003) reports maximum well yields in the Petaluma Formation of 100 gpm.

In CDWR Bulletin No. 118 (1982), the Petaluma Formation is considered to have a apparent specific yields of from 3% to 7%, depending on what part of the formation is being evaluated. However, CDWR (1982) reports that the upper part of the formation and the overlying Merced Formation have higher yields, ranging from 10% to 20%. The Petaluma Formation can yield moderate amounts of water when a well penetrates an appreciable thickness of sand and gravel. However, because of the large amounts of clay that characterize the unit, it has been assigned a low overall specific yield from 3% to 7%. Where wells penetrate thicker sand and gravel units specific yield in the range of 10% to 20% could be expected. Based on this evaluation a **specific yield of 12%** for the Upper Petaluma Formation (Tpu) would be a reasonable estimate.

The literature (as well as drillers' experience) indicates the Upper Petaluma Formation (Tpu) has significantly better aquifer characteristics than the Middle and Lower Petaluma Formation (Tpm and Tpl). However, because of the variable water-yielding characteristics and the thicker sequences of finer deposits that are typical of the Petaluma Formation as a whole, all areas underlain by this formation are included in the Sonoma County's Zone 3 (marginal water availability) of the County's water availability map. The DWR has calculated storage capacity for the Petaluma Formation to be 1.7 million AF as of 1980. CDWR (1982) also reports that variations in groundwater chemistry of samples from the Petaluma Formation indicates aquifer discontinuity due to faulting, and that the groundwater is generally confined to semi-confined, and quality is impacted by nitrates in the northwestern part of the basin and sea water intrusion in the southern portion of the basin thus reducing storage capacity suitable for use to about 1.3 million AF.

1

*Transmissivity is a measure of the aquifer's ability to transmit groundwater through its entire saturated thickness and relates closely to the potential yield of a well. Transmissivity = hydraulic conductivity x saturated thickness. Thus a high conductivity in a thin saturated zone would result in a low yield.*

Our consultations with local drilling contractors who have drilled wells in the Lakeville Highway area indicate that they have had good success in developing productive wells with good to very good yields<sup>2</sup>. This was verified by our review of Well Completion Reports of wells drilled within a ½ mile radius of the site, provided by DWR for this evaluation (Section 2.2).

The property (proposed minor subdivision) is located on the east side of what is referred to as the Petaluma Valley Water Basin. The Petaluma Valley Water Basin (Basin No. 2-1) is a 41 square mile (46,100 acre) basin drained by the Petaluma River and its tributary creeks (CDWR Bulletin No. 118, 1975). The total storage capacity of the basin has been estimated to be 2.1 million acre-feet (AF). Water bearing zones in this basin are as deep as 900 feet and wells are reported (CDWR, 1975) to have an **average yield of 40 gallons per minute (gpm)**. In areas of the basin near or adjacent to San Pablo Bay there is a recognized potential for sea water intrusion into wells. Within the property there are four artificial irrigation ponds; two on the up slope property (Lot 1) and two on the down slope property (Lot 2).

#### 1.4 Local Climate

Sonoma County, along the coastal area of California, has highly variable climatic conditions (microclimates). Factors such as proximity to the ocean, elevation, and the presence and elevation of hills or mountains to the east and west determine local climatic conditions (e.g., rainfall, evapotranspiration, etc.). Most of the prevailing weather systems (rain storms) and wind come from the Pacific Ocean, blowing in from the west and southwest. Locations closer to the ocean and on the windward side of higher elevations receive more rain from autumn through spring and more wind and fog in the summer.

Local weather conditions are also influenced by high and low pressure systems in the Central Valley to the east where high summer temperatures result in low pressures, that pull moist air from the Pacific, cooling into damp cool breezes and fog over the cold coastal water. Sites such as the subject property (elevation +/- 10 ft to 114 ft above MSL) at lower elevations that lie close to San Pablo Bay, tend to receive somewhat less rain in the winter, and more fog in the summer as compared to higher elevation sites, and sites closer to the coast.

The County Wide Rainfall Map (Sonoma County Water Agency, 2005) indicates the average rainfall in the vicinity of subject property is **25 inches per year**. Although there are annual variations and longer term variations, we used the value of 25 inches per year in this evaluation.

The mean annual evapotranspiration for the area is estimated to be 43.9 inches per year based on the Reference Evapotranspiration Map (California Irrigation Management Information System or CIMIS, 1999) which has typically been used as a reference for estimating water loss through evapotranspiration.

---

<sup>2</sup>

*Based on consultations with Weeks Pump and Well, Jerry & Don's Yeager Pump and Well Service and Fisch Brothers Drilling (see Section 2.4).*

However, as discussed in USGS Scientific Investigations Report 2006-5092 (Farrar, et al, 2006) evapotranspiration estimates using CIMIS maps and tables are not representative of actual water loss in areas of native vegetation since the CIMIS values were developed for irrigated non-native species. Farrar, et al, (2006) demonstrate that CIMIS values should be corrected by approximately 0.339 to achieve a weighted mean value for evapotranspiration for areas vegetated with non irrigated, predominantly native species. Therefore, we estimated the mean annual evapotranspiration for the area to be **14.8 inches per year** in this evaluation.

## 2.0 RESEARCH

The following sections, in addition to references cited in previous sections, describe the research we conducted for this evaluation to comply with requirements of the County's Policy WR-2e guidelines. In each section, following the scope of work, are the corresponding findings relevant to this hydrogeologic assessment.

### 2.1 Site Reconnaissance

A site reconnaissance was conducted by our Senior Geologist during our initial site visit on February 1, 2012, with additional reconnaissance conducted in conjunction with sampling Well #1 on March 15, 2012. At these times our Senior Geologist made an overall reconnaissance of the subject property and adjacent properties that were accessible by road. Project area and site features such as topography, drainages, ponds, wells, on site irrigated areas, general native vegetation, structures, soil types, and geologic out crops were observed.

The subject site is located on the southwestern slopes of the Sonoma Mountains approximately one mile southwest of the Lakeville Fault, 7 miles southeast of downtown Petaluma, and 6 ½ miles northwest of San Pablo Bay. The Petaluma River and associated wetlands bound the property on the southwest. The property is transected by Lakeville Highway and accessed by private roads off of Lakeville Highway, one to the east and one to the west. The site topography slopes downward from northeast to the southwest at an elevation of approximately 114 feet above MSL to approximately 10 feet above MSL. The upland part of the property (Lot 1), which includes the location of Well #1, is moderately sloping, becoming somewhat steeper to the northeast, and is characterized by gently rolling terrain. The lower part of the property (Lot 2, which lies southwest of Lakeville Highway) is generally flat lying with a very gentle slope toward the Petaluma River.

As noted previously, there are four artificial ponds on the property, three of which are supplied by runoff (Plate 5). They are as follows: two on Lot 1 - one pond at +/-0.5 acres (estimated capacity 4.76 AF), and one pond at +/-0.78 acres (estimated capacity 14.55 AF), and two on Lot 2 - one irrigation pond supplied by runoff at +/-2.5 acres (estimated capacity 20 AF), and one shallow brackish/saltwater pond at +/-4 acres (estimated capacity 12 AF) that receives water from the Petaluma River via a breach in the levee. The other nearby body of water is Tolay Creek, 1.75 miles northeast of the property. Tolay Creek is separated from the watershed of the subject property by a low NW-SE trending ridge.

We observed relatively silty clay (CH) soils developed throughout most of the gently sloping areas of the property and adjoining areas. In some road cuts and incised locations there are exposures of sandy clay loam soils. The soils are described by the Natural Resource Conservation Service (1972) as belonging to the Clearlake Series (CcB).

Vegetation consists of grasses, shrubs along drainage margins, and clusters of trees (primarily eucalyptus) along Lakeville Highway, and along Cardoza Road which bounds the eastern side of Lot 1. A small area of the property on Lot 1 surrounding the existing house is occupied by irrigated lawns and landscaped areas. Based on our observations we estimate approximately 0.3 acres out of a total 166 acres comprising the total property (both Lots) is irrigated, or about 0.02% of the property. Section 1.2 describes the existing and proposed development.

## **2.2 Water Well Drillers Reports and County Records**

Driller's logs for water wells drilled in California are confidential under California law and cannot be reproduced, but can be reviewed by qualified people with authorization from an appropriate regulatory agency. For this evaluation we completed DWR "*Well Completion Report Release Agreement - Agency*" and submitted it to the Sonoma County PRMD for authorization to obtain confidential DWR well records as available within a ½ mile radius of the site

Fifty-three (53) Well Completion Reports were received and reviewed, with a number of these being beyond the area of concern for this investigation. Table A1 in Appendix A summarizes the relevant information obtained from reviewing these reports for properties with a 1/4 mile radius of Well #1. Review of some of the logs for wells beyond that radius are also included because they provide information on well performance and geology of the Upper Petaluma Formation.

The lithologic descriptions provided on the WCRs are representative of the Upper Petaluma Formation (interbedded claystone, siltstone, mudstone, sandstone and conglomerate). Our review of the data from wells within a 1/2 mile radius of Well #1 on the subject site show that productive wells ranged in depth from 160 feet to 516 feet deep with an average depth of 340 feet. Some of these wells were constructed with long screen intervals, generally from near the bottom of the well to near the base of the surface seal, whereas others were screened at selective intervals where gravel or sandy zones were encountered. Wells in this area have generally good production based on development tests at the time of construction that ranged from 1.5 hours to 7 hours in length. Reported yields based on driller's initial tests ranged from 3 gpm to over 30 gpm, with an average production of 20 gpm. The distances in Table A1 (Appendix A) from Well #1 are approximated only, and are based on a Google Map search of addresses field observations and air photo interpretations. For large parcels the actual locations could vary by a few to several hundred feet.

## **2.3 Assessor's Parcel Maps**

Sonoma County Assessor parcel maps (APNs) were reviewed at the County Assessors Office and ownership and parcel addresses were researched and compiled. This task identified recorded

parcels within a 1/2 mile radius of the site well (Well #1 on Lot 1) and within the recharge area. Plate 5 presents boundaries of parcels in the Cumulative Impact Area (see Section 3.2), delineates the 1/4 mile radius, and shows the subject site and nearby well locations within the 1/4 mile radius, as determined from our well canvas, a review of aerial photography, consultation with the Client, and review of WCRs. Information from the County Assessors records were used in our well canvas and in developing well owner information for interviews described in Section 2.4. A summary of the information about the wells on those properties is presented in Table A1, Appendix A. The properties and ownership information developed from the County Assessors records review (excluding parcels with no ownership or address listed) are compiled in Table A2, included in Appendix A.

Based on our review of the parcel ownership and address information listed above, and on the DWR Well Completion Reports we identified properties with documented wells located within 1/2 mile of the subject site. We attempted to find contact information for each of the property owners to research relevant information about their wells. We also contacted drilling contractors who are known to have drilled wells in the area and results of contacts are summarized in Section 2.4.

## **2.4 Interviews**

Our interviews included residents within a 1/2 mile radius of the site and local well drilling contractors who have had experience with drilling/developing wells in the local area. We attempted to find phone numbers for the owners listed in Table A2, Appendix A, and identified fourteen (14) nearby property owners with phone numbers. Only those property owners that we were successful in interviewing are listed. Comments regarding well performance from those we were able to contact are listed as follows:

### **Drilling Contractors**

Weeks Drilling & Pump, Inc., 707-542-3272, Brandon: Water quantity is variable in the area southeast of Lakeville Highway. Their experience (10 wells in the area recently) is that to the east of the Tolay Fault (also referred to as the Lakeville Fault) it is difficult to get a productive well, however to the west of the fault productive wells are more common. Recent experience drilling in the Tolay Creek area (east of Tolay-Lakeville Fault) has been disappointing with a number of dry holes. However, they recently drilled a 280 ft deep well about a mile southwest of the subject property (west of Tolay-Lakeville Fault) and produced over 100 gpm. Typical well depths are 130 to 300 ft bgs. Of the productive wells they have drilled in area to west of the Tolay-Lakeville Fault the average production is 20 gpm.

Fisch Brothers Drilling, Inc., 707-823-3891, Ed Fisch: They have drilled numerous wells in the area of the subject property and on the subject property. Some of the drilling has been done under contract to Jerry & Don's Yager Pump & Well Service. In the Lakeville Highway area their experience has been constructing wells with generally good yields. Ed Fisch reports water quality is variable in this area with some wells having brackish water, some with higher sodium. Some of Mr. Fisch's specific experience in the local area is as follows:

\* Four test wells on the subject property (specific locations not defined) - depths from 158 ft to 430 ft with yields based on 3 to 4 hr air lift development tests ranging from 3 gpm (in the 158 ft well) to 35 gpm to 60 gpm in the other wells (258 ft to 430 ft deep).

\* A well located at 5531 Lakeville Highway, approximately 1.7 miles NW of Well #1 on subject property, drilled to 410 ft and produced 20 gpm during a 4 hr development test.

\* A well located at 6545 Lakeville Highway (Alan Marcucci Ranch, approximately 0.25 miles south of Well #1 on subject property, drilled to 465 ft and produced 12 gpm during a sustained development test (greater than 4 hours).

\* A well located at 7715 Lakeville Highway, approximately 3.75 miles southeast of Well #1 on subject property, drilled to 535 ft and produced 150 gpm during a sustained development test and had substantial drawdown.

\* A well located at 6780 Lakeville Highway, approximately 0.5 miles southeast of Well #1 on subject property, drilled to 350 ft and produced 40 gpm during a 3 to 4 hour development test and had sodium but was adequate for livestock.

\* A well located at 7600 Lakeville Highway, approximately 2.7 miles southeast of Well #1 on subject property, drilled to 378 ft and produced 150 gpm during a 3 to 4 hour development test for equestrian facility. Ed Fisch reports this to be one of the most productive wells in the area.

\* A well located at 6545 Lakeville Highway, Copernicus Stables adjacent property to southwest, south of the arena and approximately 1000 ft southeast of Well #1 on subject property, drilled to 430 ft and produced 12 gpm during a sustained development test.

Jerry & Don's Yager Pump & Well Service, 707-823-7861, Jim Mickelson: They have tested a number of wells in the area and on the existing and former Bachman properties. Mr. Mickelson noted that wells down slope of the ridge west of Tolay Creek generally produce good to high yields. He also reports the following specific experience in the local area:

\* A well located on Sid Hendrix property (adjoins Lot 2) this well was approximately 180 ft deep and produces about 10 gpm.

\* As part of an earlier land split / sale for Tom Bachman, Mr. Mickelson tested the Wind Mill Well (Well # 1 on Lot 1) with an 8 hour pump test and recorded a consistent 25 gpm. His report documented in an e-mail response to our telephone interview is as follows: "On October 28th, 2008 we performed an 8 hour test on the well DWR730679 "Windmill Well". At that time the well produced 25 gallons per



*minute with a pumping water level of 74'. The well is 256' deep, 8" PVC casing with a static water level of 50'ft."*

\* He tested the Old Well (Well #3) on the Bachman property also for this transaction, and it produced about 3 gpm based on a long term test recently conducted.

\* In addition, Mr. Mickelson tested an existing well that is on the current Nieman property that is east of the Old Well (Well #3 on the Bachman property) as part of the sale of that parcel. The Nieman well is north of the arena, is about 180 ft deep, and based on an 8+ hr pump test produces 50 gpm. That well, which was operated by Tom Bachman while he owned that property, is reported to have always been a good producer.

\* Another nearby well is on the property owned by Tom Crane about 0.8 miles southeast of Well #1 (SE of the intersection of Dustman Rd and Lakeville Highway). This well is about 350 ft deep and produces 50 gpm based on a 4 hr development test.

Les Peterson Drilling & Pump, Inc., 707-545-0246, Matt Peterson: EGS left multiple messages but was not able to interview personnel on their company's drilling experience in the area.

#### **Local Residents / Property Owners**

- Tom Bachman, 6525 Lakeville Highway, 707-321-0068 - Reports that the Wind Mill well (Well # 1) has always been productive, on the order of 25 gallons per minute, the "house well" (Well # 2) has produced 20 gpm (for approximately the past 24 years) and the "old well" (Well # 3) has produced at least 3 gpm (for approximately the past 24 years). He reports no notable problems with well productivity over 24 years of residence there. He reported one incident when the neighbor to the south (6855 Lakeville Highway) over pumped his well (Well A, Plate 5) when trying to saturate the new outdoor arena. This abnormal pumping event resulted in a short term impact to Well #1 and Well #3. Once Well A was returned to normal operation, Well #1 and Well #3 recovered and have had no further impacts. His wells are used for domestic use, livestock and a small amount of landscape irrigation around the existing house on parcel 068-110-044.
- Tom Crane, 6788 Lakeville Highway, 707-795-3246, purchased property 40 years ago - He believes his well to be about 400 ft deep, plus he has a hand dug well (20 ft ) to use for sheep. He typically has about 600 to 700 sheep and they consume 0.75 to 1 gpd (he also dry farms hay). The deep well is used for domestic (two houses) and livestock purposes. The only well issues have been a gradual water table decline related to long term drought conditions experienced by many well

owners. Original pump was set at about 240 feet deep, but due to drought he as had the pump lowered to the bottom of the main well, now about 400 ft.

- Cliff Gentry, 6855 Lakeville Highway, 707-732-3372. - Mr. Gentry and his wife manage the property for the Colters (owners). They owned, and he has managed, property for 7 years. Groundwater for domestic use is for two residences (caretakers cottage on east side and managers house on south side), and irrigation uses for landscape. They have had no production problems with exception of a one time incident where stable manager over watered arena, subsequently no issues with wells. Three wells on site - main well up slope of upper barn (near SW corner of vineyard) is about 125 ft deep, second well is about 445 ft deep near SE corner of vineyard, and third well is about 400 ft deep and located near the managers house on the south side of the property. They have 3 horses on site now with a maximum of about 20 for any length of time. Facility includes two 20 stall barns, one 4 stall barn and a 10 stall barn. They also have on average 65 sheep. Mr Gentry noted that the water table has dropped over past three years due to below normal rainfall and they are making efforts to conserve water.

## **2.5 Zoning Information**

The subject property consists of three contiguous parcels, Sonoma County APN 068-110-026, 068-110-044 and 068-110-045. Zoning designation records on the Sonoma County PRMD web site were reviewed for the subject property, and all parcels are zoned LEA 60. This designation means the property is zoned Land Extensive Agricultural District, density normal (60), indicates that residential density shall be sixty (60) acres per dwelling unit as shown in the general plan land use element or permitted by a "B combining district", whichever is more restrictive. The three contiguous parcels total approximately 166 acres.

Currently the property is an operating horse ranch and vineyard. The details of the existing and proposed development are described in Section 1.2, Existing and Proposed Development. Based on the current zoning designations, the parcel size and the current level of development, a significant change in the current and future property use is considered unlikely. Proposed development of Lot 2 appears to be consistent with current zoning.

## **2.6 Other WR-2e Reports**

The Sonoma County PRMD provided a listing of all groundwater studies conducted to comply with WR-2e in the county beginning in 2009. No adjacent or near by properties were found to have WR-2e reports on file based on our review of this list and map search of addresses. Furthermore we identified no projects in the general vicinity of the subject property that had completed WR-2e reports on file.

## 2.7 Documentation of Expended Effort

In the course of our site reconnaissance, data collection and analysis, and report writing, we have expended approximately 80 hours. These efforts include researching files at PRMD, locating parcels and addresses of nearby parcels at the County Assessor's Office, researching owner contact information, compiling and reviewing WCR's from DWR, conducting telephone interviews of drilling contractors and well owners near the subject property, data analysis, calculations, drafting, and report writing.

## 3.0 GROUNDWATER AVAILABILITY ANALYSIS

### 3.1 Pump Tests

In our scope of work and service agreement for this evaluation dated March 8, 2012 we eliminated the pump test, in part because of the Owner's request to reduce costs. This was a reasonable request because it is our understanding that there are no expected third party challenges to this project, and because the minor subdivision will result in ongoing historic use with no significant changes in use proposed. The proposed development of Lot 2 would not result in a significant increase in the use of groundwater over the present use. Furthermore, there was a significant amount of information regarding the on site and nearby wells, and preliminary information indicated most wells in the area (specifically those in the Upper Petaluma Formation) have had good productivity.

Prior to elimination of pump test from the scope of work we consulted with Jon Tracy at PRMD and provided additional information to PRMD regarding the site conditions, development proposal (for Lot 2), well history and the location of Well #1. Mr. Tracy concurred that a lesser scope would be appropriate and a pump test need not be conducted at this time. However, as discussed, Mr. Tracy noted in his e-mail dated March 6, 2012, that *"pump test length is specified in the Building Code and is typically a condition of approval, that is, they must do it before the map records."* However, it was also stated that *"the pump test in the groundwater study is at the discretion of the geologist"*.

On this basis, we eliminated a pump test from this scope of work and have relied on the driller's short term development tests, and the 8 hour pump test on Well # 1 conducted on October 28, 2008, and other data regarding the performance of Well #1 and aquifer conditions. Since the results of this evaluation are favorable, it is possible that PRMD could approve the minor subdivision without further well testing. However, we cannot guarantee that PRMD will not require a pump test on Well #1 in addition to the 8 hour pump test conducted by the driller in 2008.

In order to evaluate Well #1 without a long term (8 hr+) pump test wherein we measure draw down and recovery rates, we have made estimates of the well's performance based on a short term well development test, the 8 hour test conducted in 2008, well performance history, and of aquifer properties to develop our conclusions. These estimates and their basis are discussed in Section 3.1.2, below. Given what is known about the site and its history, the geologic setting, and

the results of our interviews with nearby well owners, the known facts and assumptions made about the site well's performance, and the aquifer properties, we believe this limited well assessment to be adequate to address County PRMD requirements and concerns at this time. Based on our findings it is our opinion that an additional pump test is not required.

If there are third party challenges to the project's groundwater impacts, or other changed conditions, more sophisticated data collection through a longer term pump test that incorporates measurement of draw down and recovery depth versus time measurements might be justified.

### 3.1.1 Water Sampling and Analysis

In this task we purged Well #1 by discharging water from the 2-inch gate valve at the top of the well (discharge point nearest the pump) for approximately 1 hr at maximum discharge rate. During this time we measured water quality parameters until they were generally stable using a Horiba U-50 multi-parameter meter (Table 1). When water quality measurements became generally stable we reduced the flow and collected groundwater samples for analysis of the following water quality parameters: Total Coliform, E. Coli, Arsenic (As), Nitrate and selected ions.

In addition, we collected groundwater samples for the limited seawater intrusion evaluation. Samples for this part of the evaluation were collected for analysis of Bromide, Iodide, Barium, Boron and Chloride. All water samples were collected directly from the well discharge point into laboratory supplied containers appropriate for the specific analysis. Analytical results are summarized in Table 2, and the complete laboratory report is included in an Appendix B of this report. Also, we measured the discharge rate at the start of, during, and at the conclusion of purging. These discharge rates were all approximately 26 gpm.

Time	1:30	1:34	1:50	2:00	2:10	2:20	2:30	2:40
Gallons, (approx)	1	100	500	750	1000	1250	1500	1750
Temp, C°	18.4	18.5	18.1	18.6	18.5	18.7	18.7	18.7
pH	4.7	4.7	4.1	4.2	4.8	4.4	5.4	6.2
ORP, mv	373	373	427	401	367	342	351	349
Sp Cond ms/cm	0.799	0.957	0.772	0.726	0.719	0.715	0.721	0.719
Turb NTU	19.8	17.2	14.5	14.7	18.9	19.9	18.2	12.7
TDS	0.683	0.509	0.613	0.494	0.465	0.460	0.457	0.461

Samples were collected in laboratory supplied containers, appropriate of the specific analysis. Sample containers were logged on a Chain of Custody form, placed in an ice chest with frozen "blue ice", and delivered to our State certified subcontract laboratory in Petaluma, on the same day as the samples were collected. Analytical results are summarized in Table 2 and the complete laboratory report is included in Appendix B of this report.

Table 2 - Summary of Water Quality Analytical Results				
Compound Name	Result	RDL	MCL	Units
Total Coliform <1 QT 1	6	1.0	Caution	MPN/100 mL
E. Coli	<1 QT	1.0	<1 QT	MPN/100 mL
Arsenic (As)	ND	0.002	0.05	mg/L
Nitrate	9.4	0.5	10	mg/L
Bromide	0.18	0.010	NL	mg/L
Iodide	0.0078	5.0	NL	mg/L
Barium	0.130	50	1.0	mg/L
Boron	0.160	0.050	NL	mg/L
Chloride*	66	2.0	250	mg/L

**Table Notes:** ND = not detected, QT = quantitative test. A result of less than 1 (<1) indicates bacteria are "absent" in 100 milliliters of sample water. RDL = Reporting Detection Limit. RPD = Relative Percent Difference. MCL = Maximum Concentration Levels per Title 22 CCR, 64431(a) October 11, 2007. Caution - The detection of Total Coliform in a public water supply well requires repeat sampling with 24 hrs and analysis for E. Coli, per Title 22 CCR §64423, MCL not established for private wells such as Well #1. NL = no listed MCL in Title 22 CCR. \*Chloride has no specific MCL but Title 22 CCR §64449 states a Recommended MCL of 250 mg/L and a maximum value of 500 mg/L.

Although there are no Title 22 CCR maximum contaminant levels listed for Total Coliform for private wells such as Well #1, its presence above detection limits suggests there a surface contamination pathway. Since this is not a public water supply there is no requirement for further testing. However, as a precaution we suggest the well cover and pump connection via the wind mill should be inspected further for possible surface contamination pathways, and improvements made as deemed necessary by the owner. As a further precaution the owner may want to collect periodic water samples to test for E. Coli. Other than this finding the ground water sampling and analysis are favorable.

### 3.1.2 Pump Test Assumptions

As noted in a preceding section, we did not conduct a pump test for this scope of work. Instead we used information from the driller's WCR (log and well construction) for Well #1, information collected on well performance of wells in the area, historic performance of Well #1 (including the initial driller's development test, and an 8 hour pump test on Well #1 conducted on October 28, 2008), and an assessment of aquifer characteristics from published and unpublished literature.

The 8 hour pump test was conducted by Jerry and Don's Yager Pump and Well (JDYPW) for Tom Bachman on October 28, 2008. Mr. Jim Mickelson of JDYPW reported as follows "we performed an 8 hour test on the well DWR730679 "Windmill Well". At that time the well produced 25 gallons per minute with a pumping water level of 74'. The well is 256' deep, 8" PVC casing with a static water level of 50 feet."

The driller's WCR 730679 (log and well construction) for Well #1 indicates the following:

Depth of well:	258 feet
Screened interval:	98 to 158 feet and 198 to 218 feet (total 80 feet of screen)
Filter pack material and interval:	coarse sand from 23 to 258 feet (total 235 feet)
Productive formation:	gravel from 125 to 140 feet, cemented gravel from 210 to 216 feet, greenstone 225 to 258 ft.
Thickness of productive formation:	(54 feet assuming greenstone is fractured)
Estimated transmissivity:	gravel@ 1000 to 100 ft/day <sup>3</sup> , Fractured greenstone @ 100 ft/day
Yield during 8 hr well development test:	25 gallons per minute
Range of well yields, similar wells in area:	Average of 4 wells within 1/4 mile radius, including Well #1 is 17 gpm. These yields based on tests ranging from 1.5 to 8 hrs in duration.
Range of well draw downs during pump tests, similar wells in area:	Average of 4 wells within 1/4 mile radius, including Well #1 is 100 feet. Draw down measurements are based on pump tests ranging from 1.5 to 8 hrs in duration.

### 3.2 Cumulative Impact Area and Total Recharge Area

The definition of "Cumulative Impact Area" as it relates to groundwater resources, is the combined incremental effects of changes in land use (and resulting groundwater use) in an area. Cumulative impacts result from uses, when added to other closely related past, present and reasonably foreseeable future projects, impact or effect significant or notable changes in the groundwater supply. Based on this understanding, we estimated the Cumulative Impact Area for

<sup>3</sup>

*These are conservative values estimated from Bear (1972) and assume the gravels are cemented and fractured and the greenstone is fractured.*

Well #1 considering the existing and potential future development of the site and zoning designations for surrounding properties.

Typically the Cumulative Impact Area is limited to properties within 1/4 mile of the pumping source (Well #1) on the subject site. This is because only very large pumping rates (e.g. large scale agricultural wells, municipal wells and industrial wells) have the potential to impact areas beyond this distance. As discussed in Section 3.3 Existing and Projected Water Use, the groundwater pumping at the site is *not expected to change* significantly from current rates and past rates while the property operates under current zoning. Existing site use information, pump test results, and site and area history indicate the above estimate of a **1/4 mile radius** (an area of **125.6 acres**<sup>4</sup>) of influence for evaluation of the cumulative impact is reasonable and conservative. In order to evaluate this further we also reviewed WCRs for properties underlain by the Upper Petaluma Formation at a distance of up to 1 mile. We also conducted interviews with well owners within the Cumulative Impact Area (Section 2.4) and researched WCRs (Section 2.2, also see Table A1 in Appendix A).

The Cumulative Impact Area can be further evaluated by considering local hydrogeologic characteristics. As can be seen on Plate 3 (Geologic Map) and Plate 4 (Geologic Cross Section), the site well (Well #1) is completed predominantly within the Upper Petaluma Formation (Tpu) consisting of inter-layered-interbedded claystone, siltstone, mudstone, sandstone and conglomerate with dips in the range of 25 to 30 degrees to the southwest locally. Structurally the site lies approximately one mile to the southwest of the Tolay-Lakeville Fault, and appears to be underlain by a series of northwest trending folds (antiforms and synforms) including the nearby Adobe Creek Anticline system. Faulting and folding in the local area has undoubtedly resulted in substantial fracturing of the bedrock units underlying the property, as well as the rocks underlying the Cumulative Impact Area and also the recharge area drainage basin.

This geology indicates a vertically heterogeneous stratigraphy with mudstone and siltstone layers having lower conductivity (especially in the shallower zones where weathering has resulted in development of clay), and underlying fractured fresh siltstone, sandstone and conglomerate having progressively higher conductivity. Driller logs (WCRs) and the depositional environment indicate the presence of fluvial sand, gravelly sand and gravel deposits as well as indurated but fractured conglomerate. Some of the driller's descriptions (including that of Well #1) in the very deep wells indicate Franciscan Complex, which is mapped as underlying the Upper Petaluma Formation in this area (CDWR, 1975, Wagner, et al., 2002, and refer to Plate 4).

Our review of available WCRs for the area, review of the geologic setting, and our interviews with local well owners and well drilling contractors indicates the gravelly and sandy water bearing zones within the Upper Petaluma Formation in this region are common and more productive than units in the Middle and Lower Petaluma Formation. Productive wells to the east of the Tolay-

---

<sup>4</sup>  $1/4 \text{ mile radius } (5,471,136 \text{ sf} = 125.6 \text{ acres}) \quad 1/4 \text{ mile} = 5280 \text{ ft} / 4 = 1320 \text{ ft}, A = 3.14 \times (1320 \times 1320) = 3.14 \times (1,742,400) = 5,471,136 \text{ sf}$

Lakeville Fault are not common, whereas to the west of the fault (in the project area and in the Total Recharge Area) good to highly productive wells are more typical. The Tolay-Lakeville Fault to the east, likely forms a hydraulic boundary, and the more coarse grained lithology and fracturing of the Upper Petaluma Formation results in relatively good well productivity in this area. Based on this understanding of the hydrogeology, and reports of moderate to high productivity of on-site and nearby wells, we believe that a 1/4 radius Cumulative Impact Area is reasonable and conservative.

In addition to the three parcels comprising the existing property (APN 068-110-026, 044 and 045) there are five properties (APNs 068-110-025, 046, 047, 049 and 050) within the Cumulative Impact Area (Plate 5). The existing and projected off site water use within the Cumulative Impact Area is discussed in Section 3.3.5.

Recharge is the process by which groundwater is replenished and a "Recharge Area" is considered to be the area where water from precipitation is transmitted downward to an aquifer. The amount of groundwater recharge from an area will depend on vegetation cover, slope, soil composition, depth to the water table, the presence or absence of confining beds (overlying the aquifer[s]) and other factors. Recharge is promoted by natural vegetation cover and flat topography (which slows down runoff), permeable soils, a deep water table and the absence of confining beds. Confined aquifers are recharged by sources other than direct infiltration over the area, and such source can be distant from the surface recharge area.

Our review of WCR's for the area indicate the upper material consisting of silty clays, sandy clay, gravelly clay units, with the significant water bearing zones at 50 feet or deeper. A review of the WCR's also shows that the piezometric surface (static water level) is typically above the depth of the aquifer (especially the deeper zones), indicating confined to semi-confined aquifers underlying the area. Thus it is reasonable to conclude that the aquifers underlying the Cumulative Impact Area and the Total Recharge Area (and essentially all of the Upper Petaluma Formation) receive recharge from sources in addition to precipitation over the Total Recharge Area that is transmitted downward to the aquifers. However, to simplify assumptions used in our water balance estimates we will assume that recharge to the underlying aquifer in the Cumulative Impact Area is from precipitation over the Total Recharge Area. The Total Recharge Area is shown on Plate 6 and includes the drainage sub-basin up slope from Well # 1, as well as the area within the Cumulative Impact Area 1/4 mile radius. Using the Google Planimeter tool the Recharge Drainage Basin area is calculated to be 79.27 acres, and the area of the Cumulative Impact Area is 125.6 acres, and there is an approximate 19 acres area of overlap between the two areas. Therefore, the **Total Recharge Area is 185.87 acres** (79.27 + 125.6 - 19).



### 3.3 On Site Existing and Projected Water Use Estimates

Existing water use on the site consists of water needed to operate the existing facility (on Lot 1) as it is currently configured. For purposes of this groundwater evaluation we are excluding vineyard irrigation water use because the vineyards are irrigated from ponds fed by seasonal creeks, not by groundwater pumped from wells. Thus the existing and projected site uses include landscape irrigation uses (including pool maintenance), domestic household uses, and livestock uses on Lot 1 (the existing on site facility), and domestic household uses, and livestock uses and minor landscape uses on Lot 2 after development.

A detailed description of existing and proposed development is presented in Section 1.2. In summary the subject +/-166 acre property consists of three contiguous parcels (APN 068-110-026, 044 and 045). The existing facility is an operating horse ranch and vineyard. After the proposed minor subdivision the property will consist of two parcels: up slope Lot 1 of 99.61 acres, and down slope Lot 2 of 63.36 acres. Groundwater resources on the subject property are accessed by three wells, all of which are on the Lot 1, the up slope lot.

The "Wind Mill Well" (Well # 1, Plate 5), a 260 ft deep well that has a reported capacity of 25 gpm based on an 8 hour pump test (see Appendix A and Section 3.1.2). This well is proposed to supply future development (a two bedroom residence and a small horse operation) on Lot 2 and is the subject of this evaluation.

The existing development on the subject property (Lot 1) consists of a four bedroom residence, a pool cabana, a swimming pool and spa, and landscaped areas around the house. Domestic and landscape irrigation water is supplied by Well # 2 just to the northeast of the house (Plate 5). This well has provided domestic and irrigation water to the residence since its construction shortly after 1988. Well #2, referred to as the "House Well" is 180 ft deep with a reported 20 gpm capacity. Based on assumptions discussed in following sections we estimate the current domestic water use for the existing residence is **0.75 AF/Yr**. There have been no reported water quantity or quality problems with this well by the owner. There are no plans to change the use of this well.

The third well on Lot 1, referred to as the "old well" (Well #3, Plate 5) is 160 ft deep and has a reported 3 gpm capacity based on the driller's original development test. However, the owner reports a 4.1 gpm capacity based on long term use. This well is used for livestock.

Lot 2 development would use groundwater produced from Well #1. The proposed development will consist of a two bedroom residence with minor landscaping, and a small horse operation. The proposed horse operation will typically have 12 to 15 horses, with a maximum capacity of 20.

Projected groundwater use on Lot 2 will be for household domestic use, minor landscaping, and livestock. *This use will be the only additional demand on the local groundwater resource resulting from the proposed minor subdivision.*

The following sections present our evaluation of current water use, and anticipated water use under conditions of the Draft Health Conditions - Minor Subdivision letter of January 20, 2012.

### 3.3.1 Existing Domestic Water Use

To evaluate domestic water use for the existing 4 bedroom residence, that will remain as it currently exists after the proposed minor subdivision, we will adjust commonly accepted water consumption value for a typical 3 bedroom home, which is about 0.24 MG/yr (~0.75 acre-feet/year [AF/yr]). For purposes of this evaluation we will assume that the existing 4 bedroom house (Lot 1) will use **1.0 AF/yr**, which is a conservative value.

### 3.3.2 Proposed Domestic Water Use

To evaluate domestic water use for the proposed development resulting from the minor subdivision, we will use a commonly accepted water consumption value for a typical 3 bedroom home, which is about 0.24 MG/yr (~0.75 acre-feet/year [AF/yr]). For purposes of this evaluation we will assume that the proposed two bedroom house (Lot 2) will use **0.75 AF/yr**, which is a conservative value.

### 3.3.3 Existing Livestock Water Use

Current livestock population on Lot 1 (the existing horse facility) has been estimated based on the following generally accepted standards<sup>5</sup> - one horse per acre on fair to good pasture, and three per acre on very good to excellent pasture, one horse per small paddock (0.03 acre or 1,300 sf). On this basis, and assuming fair to good pasture, we reviewed existing horse facilities at Parcels 068-110-044 and 045, interviewed the property owner, and estimated "current horse population"<sup>6</sup> as follows:

Parcel 044: 14 Ac pasture = 7 horses, Total 7

Parcel 045: 39 Ac pasture= 20 horses, Paddocks 13 horses, Total 33

**Total Current Estimated Livestock Population: 40 Horses**

---

<sup>5</sup> [http://wiki.answers.com/Q/How\\_many\\_horses\\_per\\_acre\\_in\\_california](http://wiki.answers.com/Q/How_many_horses_per_acre_in_california)

<sup>6</sup> *Other livestock could be substituted for horses and the number of horses could vary substantially based on the kind of operations. However, to conduct the water budget analysis some assumptions need to be made. These assumed livestock populations are based on observations of existing facilities, interviews with owners and general livestock practices for the area.*

For horses in this region water consumption is 5 gpd or 0.006 AF/yr/horse, resulting in a current estimated groundwater use for livestock of:

- 40 Horses x 0.006 AF/yr/horse = **0.24 AF/yr Current Estimated Groundwater Use for Livestock** on the subject property (Lot 1 - existing facility).

### 3.3.4 Proposed Livestock Water Use

The Lot 2 horse operation will typically stable 12 to 15 horses, with occasionally up to 5 more horses on a short term basis. The generally accepted water use for horses is five to ten gallons per day depending on a number of factors, especially climate, type of feed and activity<sup>7</sup>. Based on the kind of operations planned and owners experience, actual water consumption for this site will be 5 gallons per day per horse (gpd/horse). Thus the typical use will be:

- 15 Horses x 0.006 AF/yr/horse = **0.09 AF/yr Proposed Estimated Groundwater Use for Livestock** on the subject property (Lot 2 - planned facility).

### 3.3.5 Existing On Site Irrigation Water Use

The landscape area of the existing house on Lot 1 is 0.6 acres or 26,400 square feet (sf), and of this area approximately 0.3 acres or 13,000 sf is irrigated lawn. Our observations are that the landscaping that is not in lawn is primarily established shrubs and trees that use minimal irrigation. On this basis we will assume that irrigation requirements are for 0.3 acres of lawn. In Sonoma County, a 500 square foot lawn needs about 2800 gallons of water each month<sup>8</sup>. Therefore, the estimated irrigation requirements for existing landscape on Lot 1 would be about 13,000 sf / 500 sf x 2,800 gal/month = 72,800 gal/month. We will assume no irrigation during the wet season of (typically) October 15 through April 15<sup>9</sup>, so there will be seven months of irrigation. This results in an estimated conservative existing Lot 1 irrigation requirement of:

- 72,800 gal/month x 7 months = **509,600 G/yr or 1.6 AF/yr**

### 3.3.6 Proposed On Site Irrigation Water Use

The size of the landscaped area around the Lot 2, two bedroom residence is not determined. However the owner indicates the landscaping will be minimal and emphasize native plants and water conservation. For this evaluation we are making the conservative estimate that a lawn and the landscaped area of the proposed development will be 0.05 acres or 2,178 sf. Of this area we assume 500 sf of irrigated lawn and the remaining 1,678 sf will be shrubs, trees and ground cover.

---

<sup>7</sup> <http://americashorsedaily.com/horses-water-needs/>

<sup>8</sup> [http://ucanr.org/sites/scmg/Sonoma\\_Gardener\\_Articles/Water-Wise\\_Lawn\\_Alternatives](http://ucanr.org/sites/scmg/Sonoma_Gardener_Articles/Water-Wise_Lawn_Alternatives)

<sup>9</sup> <http://www.sonoma-county.org/prmd/sw/sw-bmps.htm>

To simplify our water budget calculations, and to be conservative, we will assume that all proposed landscape areas use the same amount of water, and we will use the water consumption for irrigated lawn for this region. So for water budget estimating purposes we assume there is 0.05 acres (2,178 sf) of irrigated lawn. In Sonoma County, a 500 square foot lawn needs about 2800 gallons of water each month<sup>10</sup>. Therefore, the estimated irrigation requirements for proposed landscape development on Lot 2 would be about  $4.36 \times 2800 \text{ gal/month} = 12,208 \text{ gal/month}$ . We will assume no irrigation during the wet season of (typically) October 15 through April 15<sup>11</sup>, so there will be seven months of irrigation. This results in an estimated anticipated conservative irrigation requirement of:

- $12,208 \text{ gal/month} \times 7 \text{ months} = 85,456 \text{ G/yr}$  or **0.26 AF/yr**

We calculated the use of groundwater for irrigation of Lot 2 development, the owner indicates irrigation will be from the pond, not from the well. However, we included this proposed additional groundwater use to be conservative in our water budget analysis.

### 3.3.7 Summary of Total Estimated Current and Projected On Site Water Use

Lot 2 does not use groundwater at this time, and has no well. Its current use is vineyards irrigated with pond water (from seasonal stream runoff). The proposed facility uses will change from the existing uses (no groundwater use) under the Draft Health Conditions -Minor Subdivision because of construction of a two bedroom residence and development of a small horse breeding operation.

The total current estimated water use for the subject property (APN 068-110- 044 and 045) which will become Lot 1 is:

Existing Domestic Water Use =	1.0 AF/yr
Existing Livestock Water Use =	0.24 AF/yr
Existing Irrigation Water Use =	1.6 AF/yr
<b>Total Existing On Site Water Use =</b>	<b>2.84 AF/yr</b> or about 2,500 gpd

The total estimated additional water use for the subject property (APN 068-110-026) which will become Lot 2 will be:

Proposed Domestic Water Use =	0.75 AF/yr
Proposed Livestock Water Use =	0.09 AF/yr
Proposed Irrigation Water Use =	0.26 AF/yr
<b>Total Proposed On Site Water Use =</b>	<b>1.1 AF/yr</b> or about 980 gpd

---

<sup>10</sup> [http://ucanr.org/sites/scmg/Sonoma\\_Gardener\\_Articles/Water-Wise\\_Lawn\\_Alternatives](http://ucanr.org/sites/scmg/Sonoma_Gardener_Articles/Water-Wise_Lawn_Alternatives)

<sup>11</sup> <http://www.sonoma-county.org/prmd/sw/sw-bmps.htm>

Based on the number of conservative assumptions in the preceding calculations, we believe these volume estimates for existing and proposed water use are higher than will actually be used on average, and likely approximates peak demand during periods of peak horse occupancy and summer irrigation under the assumed land uses.

### **3.4 Off Site Existing and Projected Water Use**

Based on our site observations during the well canvas, during the geologic reconnaissance, and on our review of aerial photos of the properties within the Cumulative Impact Area (and Total Recharge Area), we determined the land uses as they relate to groundwater use. For each off site parcel within the Cumulative Impact Area (1/4 mile radius), development is summarized as follows:

Parcel 068-110-025, 6614 Lakeville Highway: Single family residence, estimated 3 bedrooms, guest house estimated 2 bedrooms, caretakers house estimated 2 bedrooms, +/-2 acre vineyard (pond irrigation), Horse facility estimated average 10 horse capacity.

Parcel 068-110-049, 6529 Lakeville Highway: Currently undeveloped land. Extends from eastern boundary of Lot 1 over the ridge (watershed boundary) to an unnamed creek.

Parcel 068-110-050, 6531 Lakeville Highway: Large single family residence (+/- 6700 sf), estimated 5 bedrooms, some landscaping (estimate 12,000 sf), large barn or shop building, remainder of land in undeveloped pasture, no livestock evident.

Parcel 068-110-046 and 047, 6855 Lakeville Highway: +/-30,000 sf indoor horse arena, +/-10,000 sf barn, 46,000 sf all weather outdoor arena, +/-24,000 sf sand arena, +/-3,600 sf circular hot walker, +/-6,000 sf paddock with small barn, +/-5,400 sf barn, +/-2,500 sf single family residence (site manager), estimated 2 bedrooms, three +/-4,000 sf barns, +/-2,000 sf single family residence (caretaker), estimated 3 bedrooms, landscaping (estimate 2 acres), two additional buildings (maintenance or barns) of +/-4000 sf and +/-5000 sf, a 5.4 acre vineyard, 89 acres of horse pasture un-irrigated, five horse paddocks of 0.1 acre each, five horse paddocks of 0.03 acre each. Based on paddocks and pasture size, and interview of site manager, it is estimated that the facility has an average capacity of 20 horses and 65 sheep. At the present time there are only 4 horses on the facility.

Parcel 068-110-017, 6535 Lakeville Highway: Currently undeveloped land. Extends from eastern boundary of Parcel 068-110-046 over the ridge (watershed boundary) to an unnamed creek and then up slope to the northeast.

In addition, all or part of the above parcels are also within the Total Recharge Area. Parcel 068-110-017 is outside the Cumulative Impact Area, but in the Total Recharge Area drainage basin.

#### **3.4.1 Existing Domestic Off Site Water Use**

Within the Cumulative Impact Area (in addition to the three subject parcels that will become Lot 1 and Lot 2), there are four developed properties with a total of six houses (average size is

estimated to be three bedrooms per house). To estimate domestic water use, we assume 0.75 AF/yr for current household use per existing house in the cumulative impact and recharge areas.

- **6 houses x 0.75 AF/yr/house = 4.5 AF/yr of existing off site domestic use** within the cumulative impact and recharge areas as now developed.

### 3.4.2 Additional Off Site Domestic Water Use at Build Out

To estimate domestic water use at build out we assume the undeveloped parcels (2) within the cumulative impact and recharge areas will support an additional three houses with and assumed three bedrooms each. Thus there would be an additional domestic groundwater use of:

- **3 houses x 0.75 AF/yr/house = 2.3 AF/yr Future Domestic Use at Build Out**

### 3.4.3 Existing Off Site Landscape Water Use

Landscape water uses for the existing off site developed properties was estimated by observing the kind of landscaping present from air photo interpretation, and measuring areas using Google Planimeter. The results areas follows:

Parcel 068-110-025, 6614 Lakeville Highway: landscape estimated at 0.5 Ac,  
Parcel 068-110-050, 6531 Lakeville Highway: landscape estimated at 0.27 Ac,  
Parcel 068-110-046 & 047, 6855 Lakeville Highway: landscape estimated at 2 Ac.

Total Estimated Existing Landscaped Off Site Area = 2.77 Ac or 120,700 sf

To estimate off site current irrigation water use for off site landscaping, we assume, based on air photo interpretation and measurement of landscaped areas, that 40% of this area is irrigated lawn and 60% is minimally irrigated shrub, ground cover and tree cover. Using the values in Section 3.3.5 for irrigation of lawn in Sonoma County (500 square foot lawn needs about 2800 gallons of water each month) we calculate the estimated off site current irrigation groundwater use as follows:  $120,700 \text{ sf} \times 0.4 = 48,280 \text{ sf}$ , then  $48,280 \text{ sf}/500 \text{ sf} \times 2,800 \text{ gal/month} = 270,400 \text{ gal/month} =$  and  $270,400 \text{ gal/month} \times 7 \text{ Month}^{12}/\text{Year} = 1.9 \text{ MG/yr}$  so:

- **5.8 AF/yr is the Existing Off Site Landscape Water Use** within the cumulative impact and recharge areas

### 3.4.4 Additional Off Site Landscape Water Use at Build Out

There are two undeveloped off site parcels in the combined cumulative impact and recharge areas. We will assume that they will be developed in a manner similar to near by developed

parcels. Further, we will use the landscape on the existing residential development on Lot 1 as an expected model. That landscape has an estimated irrigation requirement of 1.6 AF/yr. Therefore, if we assume both currently undeveloped parcels are developed and landscaped in a similar way to Lot 1 there would be an additional irrigation groundwater use of:

- 2 houses x 1.6 AF/yr/house = **3.2 AF/yr Future Landscape Water Use at Build Out** within the cumulative impact and recharge areas

### 3.4.5 Existing Off Site Estimated Livestock Water Use

Current livestock population per property has been estimated based on the following generally accepted standards<sup>13</sup> - one horse per acre on fair to good pasture, and three per acre on very good to excellent pasture, one horse per small paddock (0.03 acre or 1,300 sf). On this basis, and assuming fair to good pasture, we reviewed existing horse facilities at Parcels 068-110-044, 045, 046, 047 and 025, interviewed property owners in the area, and estimated "current horse population"<sup>14</sup> as follows:

Parcel 046: 43 acre pasture & Paddocks = 20 horses, Total 20  
Parcel 047: 46 acre pasture = 65 sheep<sup>15</sup> x 0.4 sheep/ horse = 26, Total 26  
Parcel 025: pasture & paddocks, Total 12

Total Current Estimated Livestock Population = 58 Horse Equivalentents

As noted in a previous section water consumption is 0.006 AF/yr/horse, resulting in a current estimated off site groundwater use for livestock of:

- 58 Horses x 0.006 AF/yr/horse = **0.35 AF/yr Current Estimated Groundwater Use for Livestock** within the cumulative impact and recharge areas.

### 3.4.6 Additional Off Site Estimated Livestock Water Use at Build Out

To estimate livestock population and resulting water use at build out we will assume the undeveloped parcels (2) within the cumulative impact and recharge areas will be developed as

---

<sup>13</sup> [http://wiki.answers.com/Q/How\\_many\\_horses\\_per\\_acre\\_in\\_california](http://wiki.answers.com/Q/How_many_horses_per_acre_in_california)

<sup>14</sup> *Other livestock could be substituted for horses and the number of horses could vary substantially based on the kind of operations. However, to conduct the water budget analysis some assumptions need to be made. The assumed livestock populations are based on observations of existing facilities, owner interviews and general practices for the area.*

<sup>15</sup> <http://www.ag.ndsu.edu/pubs/ansci/sheep/as989-2.htm#Water>. Manager interview indicates average of 65 sheep on property. Sheep use on the average 1 to 3 gallons of water per day. For this estimate we will assume 2 gallons per day so each head of sheep equates to 0.4 horse in terms of water consumption.

horse ranches with an estimated average equine (or horse equivalent) population of 12 horses each. Thus there would be an additional livestock groundwater use at build out of:

- 24 Horses x 0.006 AF/yr/horse = **0.15 AF/yr Livestock Water Use Estimated at Build Out** within the cumulative impact and recharge areas.

### 3.4.7 Summary of Total Estimated Current and Projected Off Site Water Use

Total current estimated water use for the off site parcels (APN 068-110- 050, 046, 047, and 025) which are in either the Cumulative Impact Area, the Total Recharge Area, or both is as follows:

Existing Off Site Domestic Water Use =	<b>4.5 AF/yr</b>
Existing Off Site Landscape Water Use =	<b>5.8 AF/Yr</b>
Existing Off Site Livestock Water Use =	<b>0.35 AF/yr</b>

**Total Existing Off Site Water Use = 10.65 AF/yr or about 9500 gpd**

The total estimated additional water use for the currently undeveloped parcels (APN 068-110-049 and 017) at build out is:

Build Out Estimate Domestic Water Use =	<b>2.3 AF/yr</b>
Build Out Estimate Landscape Water Use =	<b>3.2 AF/yr</b>
Build Out Estimate Livestock Water Use =	<b>0.15 AF/yr</b>

**Total Build Out Off Site Water Use = 5.65 AF/yr or about 5000 gpd**

Based on the number of conservative assumptions in the preceding calculations, we believe these volume estimates for off site existing and estimated build out water use are higher than will actually be used on average, and likely approximates peak demand during periods of peak livestock occupancy and summer irrigation.

### 3.5 Total Cumulative Impact Area Existing and Projected Water Use

Combining estimated current and projected water use for the subject property (on site) with estimated existing and estimated off site water uses at build out, within the cumulative impact and recharge areas, results in the following:

Total Existing On Site Water Use =	2.84 AF/yr or about 6,3000 gpd
Total Proposed On Site Water Use =	1.1 AF/yr or about 2,800 gpd
Total Existing Off Site Water Use =	10.65 AF/yr or about 15,000 gpd
<u>Total Build Out Off Site Water Use =</u>	<u>5.65 AF/yr or about 7,300 gpd</u>

**Total Cumulative Impact Area**

**Projected Water Use = 20.25 AF/yr or about 18,000 gpd**



The proposed additional water use is an increase of 5.7% of the current and projected build out water use for the Total Cumulative Impact and recharge areas.

### 3.6 Water Supply Capabilities

The following subsections address the water supply capabilities related to Well #1. The following evaluation assumes that essentially all of the groundwater pumped from the well is from the underlying fractured Upper Petaluma Formation, fractured rock, cemented and un-cemented gravels and sandstone, as well as from fractured greenstone penetrated by the lower portion of Well #1, with minimal contribution from shallower but un-weathered siltstone and claystone.

#### 3.6.1 Groundwater Yield

As discussed in previous sections no formal long term (8 hr +) pump test was conducted as part of this scope of work. In order to evaluate groundwater yield for this evaluation we used known facts about Well #1 and assumptions about aquifer characteristics noted in Section 3.1.2 to estimate a groundwater yield for this well.

The known performance characteristics of Well #1, known well construction details, aquifer characteristics of the screened interval, and thickness of the productive formation suggests that Well #1 is capable of a conservative sustainable pumping rate of at least:

- 8 gpm or **11,500 gal/day**

This is significantly more than sufficient for the Lot 2 projected site use of **1.1 AF/yr**, about 980 gpd (Section 3.3.7).

#### 3.6.2 Aquifer Transmissivity

Determination of aquifer transmissivity for modeling purposes was estimated using published sources describing typical transmissivity values for the kinds of formations encountered by Well #1, based on WCR descriptions. As noted in a preceding Section 3.1.2 we documented 20 feet of gravels loose or fractured, with estimated transmissivity of 1000 ft<sup>2</sup>/day and 33 ft fractured greenstone with an estimated transmissivity of 100 ft<sup>2</sup>/day<sup>2</sup> and an average specific yield of approximately 24% [Johnson, 1967]). Using only the thicknesses of the more highly productive section of the formation encountered, we have a weighted average transmissivity of this section as follows:

Total highly productive formation thickness:	53 feet
Percentage of formation greenstone:	62%
Percentage of formation gravels:	38%

Therefore,  $0.38 \times 1000 \text{ ft}^3/\text{day} + 0.62 \times 100 \text{ ft}^3/\text{day} = 442 \text{ ft}^3/\text{day}$  as a weighted average estimate of the more highly productive section.

In addition, at the location of Well #1 there is 200 more feet of Upper Petaluma Formation section consisting of inter-layered interbedded claystone, siltstone, mudstone, sandstone and within this section there are likely additional gravel zones not reported on WCR because of the crude sampling and logging techniques used in water well drilling.

For purposes of evaluating the transmissivity and determining a valid estimate for our calculations we reviewed additional published transmissivity values. Bear (1972) reports transmissivity values in the range of 100 to 10,000 ft<sup>2</sup>/day for highly fractured bedrock (this would include fractured greenstone and fractured cemented conglomerate). Driscoll (1987) reports values of 0.1 to 500 ft<sup>2</sup>/day for fractured metamorphic rock, and values in the range of 1,000 to 1,000,000 ft<sup>2</sup>/day gravels and sands. CDWR (1975) reports a transmissivity<sup>16</sup> of 3,754 gpd/ft (0.038 AF/day) for the Petaluma Formation. Also CDWR Bulletin No. 118 (2003) reports maximum well yields in the Petaluma Formation of 100 gpm.

Given our interpretation of the geology underlying the area (Section 1.3), a transmissivity value of 500 to 600 ft<sup>2</sup>/day would be a reasonable and conservative estimate. Sections of the well screen and gravel pack intercepting zones of siltstone and claystone would have lower transmissivity, and sections intercepting interspersed gravel or fractures cemented gravels beds would skew the transmissivity higher. Thus, it is our opinion that a **transmissivity value in the range of 500 to 600 ft<sup>2</sup>/day** determined using this procedure is rational and consistent with our observations.

### 3.6.3 Groundwater Storage Capacity

The storage capacity for the Total Recharge Area (185.87 acres or about 8,100,000 sf) was estimated by multiplying the volume of the aquifer by its specific yield. Based on geologic mapping by Wagner, et al (2002) and our interpretive cross section, the thickness of the Upper Petaluma Formation in the project area varies from approximately 200 to 600 feet, and is underlain by Franciscan Complex rocks including fractured greenstone. For this analysis we have used an aquifer consisting of a 400 ft thick section of the Upper Petaluma Formation underlying Total Recharge Area. We used an estimated depth to water of 75 feet bgs (based on WCR #730679 completed on April 4, 2000 for Well #1) which results in a 325 ft section below the groundwater surface. Of that section, based on our review of the Log of Well #1 and numerous other logs in the area (Appendix A) we estimate a section thickness of 80 feet that is highly productive with the remaining thickness of lesser productivity. Therefore, for a conservative approach and one that addresses site specific conditions (Well #1), we have used an aquifer thickness of 80 feet in our storage capacity calculations.

---

16

*Transmissivity is a measure of the aquifer's ability to transmit groundwater through its entire saturated thickness and relates closely to the potential yield of a well. Transmissivity = hydraulic conductivity x saturated thickness. Thus a high conductivity in a thin saturate zone would result in a low yield.*

Based on the above value for thickness, static groundwater depth at the site multiplied by the size of the Total Recharge Area (8,100,000 ft<sup>2</sup> x 80 ft) results in an estimated 650,000,000 ft<sup>3</sup> of Upper Petaluma Formation and some underlying fractured greenstone available to store water beneath the Cumulative Impact Area. The yield of wells completed in the Upper Petaluma Formation generally range from 10 to 100 gpm, but are highly variable from place to place. The best yields are reported from wells completed in beds of gravels, cemented gravels (likely fractured), sandstone and highly fractured harder greenstone. Specific yields in the Upper Petaluma Formation are variable, and generally range from 0 to 15%<sup>17</sup>. For this evaluation we used a value of 12% (see Section 1.3), which based on our review of WCR's, published literature, and interviews is deemed a reasonable value for the Upper Petaluma Formation. Thus the groundwater storage capacity within the Total Recharge Area (650,000,000 ft<sup>3</sup>) is:

- $650,000,000 \text{ ft}^3 \times 0.00002296 \text{ AF/ft}^3 \times 0.12 = 1790 \text{ Acre Feet (AF)}$  or 583 million gallons

This conservative estimate of available water in the underlying aquifer is substantially greater than the estimated projected water use for the Total Cumulative Impact Area of **20.25 AF/yr** (Section 3.5).

### 3.6.4 Water Balance

An estimate of the water balance for the site and Cumulative Impact Area was determined by comparing the groundwater recharge characteristics to the existing and projected site groundwater requirements. The Total Recharge Area estimate for the Cumulative Impact Area was calculated using the assumption that precipitation falling on the Total Recharge Area (Cumulative Impact Area as well as the recharge drainage basin) represents the primary source of potential inflow to the underlying aquifer. The estimated Total Recharge Area from precipitation is presented on Plate 6. We assumed an up slope recharge drainage basin that originates at Well #1 and extends eastward to the local drainage sub-basin boundary plus the Cumulative Impact Area since recharge is from precipitation on the area from which water is pumped, as discussed below.

Therefore for purposes of water balance calculation we added the recharge drainage basin (79.27 acres, Plate 6) to the Cumulative Impact Area (125.6 acres, Plate 6) less the area of overlap (19 acres). Thus the area gaining recharge through precipitation and infiltration for purposes of our calculation is:

- **Total Recharge Area = 185.87 Acres** (79.27 Ac + 125.6 Ac - 19 Ac)

We also assumed that runoff and evapotranspiration represent the main outflow (exclusive of pumping on site and within the Cumulative Impact Area). Sources of inflow such as groundwater from up or cross gradient areas, flows from outside the area along fracture zones or buried fluvial

---

17

[http://www.water.ca.gov/pubs/groundwater/bulletin\\_118](http://www.water.ca.gov/pubs/groundwater/bulletin_118)

deposit zones, recharge from losing streams or rivers may be significant because of the confined nature of the aquifer. Other secondary sources of inflow include seepage inflows from leaky ponds and reservoirs, inflow from irrigation, etc. Secondary losses may include outflow from down gradient boundaries, gaining streams, springs, etc. These all likely contribute to the overall groundwater balance of the area. These secondary sources of gain and loss to the aquifer are generally assumed to be essentially equal, resulting in no net gain or loss, to simplify the evaluation.

Using these assumptions we used the following equation to calculate the potential groundwater recharge.

$$\text{Groundwater Recharge} = P - (R + ET_a)$$

"P" is the precipitation in acre - feet per year (AF/yr). The total volume of precipitation that falls within the Total Recharge Area was calculated by multiplying the annual precipitation rate by the area of the Total Recharge Area as follows:

Precipitation 25 inches per year (Section 1.4, Sonoma County Water Agency, 2005)

The Total Recharge Area is approximately 185.87 acres (Plate 6)

- **P = 387 AF/yr** (25 in/yr / 12 in/ft x 185.87 acres)

"R" is the runoff in AF/yr, and is the percentage of the precipitation that flows off the Total Recharge Area without seeping into the aquifer. This was estimated from published tables<sup>18</sup> that were developed by comparing the average ground slope across the Total Recharge Area to a type curve for vegetated surfaces to determine the runoff coefficient.

- **R = 116 AF/yr** (30% or 0.30 x 387 AF/yr)

The mean annual evapotranspiration for the area is 14.8 inches per year (see Section 1.4) :

- **ET<sub>a</sub> = 229 AF/yr** (14.8 in/yr / 12 ft/yr x 185.87 acres)

Therefore using the groundwater balance equation, Groundwater Recharge = P - (R+ET<sub>a</sub>) and inserting the appropriate values, groundwater recharge for the area is:

- Groundwater Recharge = P - (R+ET<sub>a</sub>)  
Groundwater Recharge = 387 AF/yr - (116 AF/yr + 229 AF/yr)  
**Groundwater Recharge = 42 AF/yr**

<sup>18</sup>

Sonoma County Water Agency, 1983 and  
<http://www.shodor.org/master/environmental/water/runoff/RunoffApplication.html>

This recharge quantity of 42 AF/yr compares favorably with the combined on site plus off site use (existing and projected at area build out) within the Total Cumulative Impact Area of **20.25 AF/yr** (Section 3.5). The **42 AF/yr** recharge estimate includes a reduction in recharge due to estimates of water uses on properties within the Total Recharge Area and within the Cumulative Impact Area. The combined Cumulative Impact Area groundwater existing and projected use is approximately **48%** of the annual groundwater recharge estimate.

### **3.7 Off-Site Well / Spring Interference**

This section addresses the potential for pumping of Well #1 to interfere with off site water supply wells. Other than municipal, industrial or agricultural, wells with relatively low pumping rates and shorter term pumping durations (4 hours or less), typically do not result in interference with wells over a 500 feet distant. Hence a 500 foot "buffer" distance is typically recommended (California Department of Water Resources, 1991) for well spacing in fractured, hard rock formations and granular (sand and gravel) aquifers. This lithology (predominantly fractured conglomerate, gravels, sands and fractured greenstone) is generally consistent with the aquifer properties beneath the site, in the Cumulative Impact Area and in the Total Recharge Area.

Based on the estimated water use for proposed development of Lot 2 of approximately 1.1 AF/yr or about 980 gpd, and a pumping rate (as measured and reported) of 25 gpm in Well #1, the well would be pumped on the average of approximately 40 minutes per day to meet this demand. Since water will be pumped into storage tanks on Lot 2, continuous pumping for this period of time would not be typical. During the 8 hour pump test performed by Jerry and Don's Yeager Pump and Well Service on October 28th, 2008 they reported 24 feet of draw down at a pumping rate of 25 gpm. Based on our interpretation of the response of Well #1 during this test and on interviews with the property owner, nearby well owners, and drillers (Section 2.4), we believe the potential for well interference from operations of Well #1 will be very low under proposed development conditions. Well #1 appeared to exhibit relatively low draw down during the 8 hour test, and exhibited a consistent discharge rate, indicating the aquifer(s) intercepted by Well #1 was not under significant stress and it appears to have a good storage capacity relative to the anticipated demand.

The preceding assessment is based on the assumption that aquifer properties are generally uniform (laterally) throughout the Cumulative Impact Area and the Total Recharge Area and storage is primarily related to fractures in the deeper greenstone rock, overlying gravels and cemented fractured gravels.

The owner reported no notable problems with productivity of Well #1 in over 24 years of use. He reported one incident when the neighbor to the south (6855 Lakeville Highway) over pumped his well (Well A) when trying to saturate the new outdoor arena. This abnormal (negligent) pumping event resulted in a short term impact to Well #1 and Well #3. Once Well A was returned to normal operation, Well #1 and Well #3 recovered and have had no further impacts.

The various independent sources of evidence outlined above indicate that under present and proposed operating conditions of Well #1, the potential for aquifer draw down to adversely impact nearby domestic wells is unlikely. Based on our findings, the existing site groundwater use and additional use expected under the permit application, would not be expected to result in off site well interference.

### **3.8 Surface Water / Aquatic Habitat**

Sonoma County Policy WR-2e requires the scope of the groundwater assessment to address potential impacts to surface waters and aquatic habitats. As noted in Section 1.2, Local Hydrogeology, the project site is located on the east side of the Petaluma Valley Water Basin, a 41 square mile (46,100 acre) basin drained by the Petaluma River and its tributary creeks. Within the property there are four artificial irrigation ponds; two on the up slope property (Lot 1) and two on the down slope property (Lot 2) one of which contains brackish water that enters the pond through a breach in the Petaluma River levee. The southwestern boundary of parcel 068-110-026 (Lot 2) extends to the Petaluma River levee and the approximately 1/3 southwestern portion of the parcel is marshland (Plate 5).

The two irrigation ponds on Lot 1 are within the Cumulative Impact Area as follows: one pond at +/-0.5 acres (estimated capacity 4.76 AF), one at +/-0.78 acres (estimated capacity 14.55 AF). On Lot 2 there is one irrigation pond, supplied by runoff (that originates up slope of Lot 2) at +/-2.5 acres (estimated capacity 20 AF) that impinges on the western margin of the Cumulative Impact Area. The shallow brackish / saltwater pond on Lot 2, at +/-4 acres (estimated capacity 12 AF) that receives water from the Petaluma River via a breach in the levee is outside the Cumulative Impact Area. In addition to the adjacent Petaluma River, the other nearby body of water is Tolay Creek, 1.75 miles northeast of the property. Tolay Creek is separated from the watershed of the subject property by a low NW-SE trending ridge. All of the artificial ponds (except the brackish pond) are fed by runoff from the up slope drainage area (Plate 6, Recharge Area). Pumping of Well #1 will have no impact on these ponds or on the streams within the up slope recharge area drainage basin, nor on the marsh or the Petaluma River.

To further address potential impacts to surface waters and aquatic habitats we reviewed the California Biogeographic Information and Observation System<sup>19</sup> database to determine if these ponds and their streams were in areas of concern for steelhead, coho or amphibian habitat. Our review indicated there were no surface water or aquatic habitats of concern within subject parcels, the Cumulative Impact Area, or the Total Recharge Area.

### **4.0 Seawater Intrusion**

PRMD initially requested that the Ground Water Resource Availability Evaluation include a assessment of seawater intrusion based in part on the assumption that the well that was to provide water for Lot 2 was located on that parcel, adjacent to the Petaluma River and marshland.

---

<sup>19</sup> <http://imaps.dfg.ca.gov/viewers/biospublic/app.asp>

When PRMD learned that the water supply well proposed for Lot 2 use (Well #1) was actually located a substantial distance up gradient from the Petaluma River and marshland, and at an elevation of approximately 35 ft above MSL, they revised the requirement for the seawater intrusion analysis to allow a more limited evaluation of this possible condition.

As described in Section 3.1.1 we collected groundwater samples for limited seawater intrusion evaluation. These samples were collected for analysis of Bromide, Iodide, Barium, Boron and Chloride and the results are summarized in Table 2, and the complete laboratory report is included in an Appendix B of this report. Table 3 below summarizes only the anion results.

<b>Table 3- Summary of Analytical Results for Anions</b>			
<b>Compound Name</b>	<b>Result, mg/L</b>	<b>Result, mm/L</b>	<b>RDL, mg/L</b>
Bromide	0.18	0.0023	0.010
Iodide	0.0078	0.000061	5.0
Barium	0.130	0.00094	50
Boron	0.160	0.015	0.050
Chloride*	66	1.86	2.0

**Table Notes:** mg/L = milligrams / liter, mm /L = millimoles / liter or milli-equivalents / liter, RDL = Reporting Detection Limit.

For this limited evaluation, in addition to the groundwater analysis, we reviewed information collected from local well users and driller interviews, and also conducted a limited review of a studies by the USGS conducted in the Sonoma Valley (Kunkel and Upson, 1960 and Farrar, 2006), and reviewed a similar study conducted by EBA Engineering<sup>20</sup> and compared analytical results to assist on formulating preliminary findings relative to seawater intrusion for this site.

Interviews with well drillers Weeks Drilling & Pump, Inc., Fisch Brothers Drilling, Inc., Jerry & Don's Yager Pump & Well Service, and local long time property owner and rancher Tom Crane (6788 Lakeville Highway) indicated that wells in the local area to the west of Lakeville Highway not uncommonly encounter brackish water. A number of test borings have been drilled between the Petaluma River and Lakeville Highway (including on Lot 2) and were abandon due to brackish water. Tom Crane reports his shallow hand dug well (+/-20 ft deep) west of Lakeville Highway, although generally productive, is brackish, but of sufficient quality for his sheep. Our interview process did not result in reports of water quality issues (brackish water) in established wells east of Lakeville Highway.

Through our review of the USGS and consultant reports on seawater intrusion studies we found that the process for determining if groundwater is impacted by seawater intrusion is accomplished

<sup>20</sup> EBA Engineering, March 30, 2010, Geologic Report General Plan Policy WR-2e, 2475  
 Fremont Drive, Sonoma, CA (PLP09-0062)

by comparing concentration ratios of chloride and selected trace element ions to that of known or established native (i.e. non-impacted) groundwater. The process results in a graphic plot representing the mixture of native formation water and seawater based on chloride to trace element concentration ratios. The plotted line is referred to the "mixing line". The referenced, and other studies, have found that anion concentrations and ratios (using units of millimole/liter) of groundwater that is impacted by seawater should plot along the "mixing line" and plots above or below the line are indications of alternative sources affecting the occurrence of trace ions in the groundwater.

For this limited analysis we used the mixing line plots from the referenced sources and plotted the ratios of Chloride - Bromide (808.7), Chloride - Iodide (30,000), Chloride - Barium (1,980) and Chloride - Boron (124). These plots are presented on Plates 7 through 10. The plots of anion ratios (in millimole/L) verses chloride concentration all either above or below the native water / seawater mixing line indicating concentrations that do not correspond to seawater mixing.

## 5.0 CONCLUSIONS

Based on the preceding analysis, and within the limitations of the evaluation (Section 6.0), we have developed the following conclusions and opinions:

- The current groundwater use, and proposed uses under the permit application, will not have a significant impact on the current and future groundwater availability within the Cumulative Impact Area.
- The groundwater supply capability of Well #1 is sufficient to support existing uses, as well as the uses under the permit application. The potential for such groundwater uses under the permit application to result in interference with water supply wells on nearby properties is expected to be nil under anticipated uses.
- The groundwater recharge characteristics are such that the water supply requirement for Lot 2 and Lot 1, plus off site uses in the entire Total Cumulative Impact Area, result in a positive water balance. The amount of recharge exceeds the amount of groundwater extracted under present and anticipated conditions by about 52% based on information provided to us and on groundwater use assumptions presented herein.
- The required analytical testing for arsenic concentrations resulted in no detections, the nitrate concentration was high but below the MCL, the E. Coli quantitative test results were non detect. The Total Coliform detection is acceptable for a private well but indicates possible surface pathways into the well. Although this finding is not of immediate concern, we recommend periodic testing for nitrate and Total Coliform and E. Coli to monitor water quality. We also recommend inspection of the well pad and well head of Well #1 to verify its integrity.



- Since Well #1 is on Lot 1 the easement granted to Lot 2 should provide sufficient access to the well and sufficient space around the well for anticipated maintenance by well service trucks and well drilling rigs and support vehicles.
- The seawater intrusion evaluation indicates that water encountered by Well #1 is not impacted by seawater intrusion. Because of the relatively short duration of pumping expected at Well # 1 (less than one hour per day) during a typical day the cone of depression around this well will be very limited and unlikely to induce seawater intrusion.

## **6.0 LIMITATIONS**

The services performed by Environmental Geology Services have been conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession practicing in the same locality under similar conditions, at the time these services were provided. No other representation, expressed or implied, and no warranty or guarantee is included or intended in this report or in any opinion, documented or otherwise.

Our work consisted of reviewing information provided by the Client, Client's engineer and/or other planning professionals, and available published information, conducting a site geologic reconnaissance, conducting interviews, and analyzing such data in general conformance with current standards of practice for evaluating groundwater availability in marginal and water scarce areas in Sonoma County. No pump test was conducted for this evaluation and reliance was made on limited well performance information from an 8 hour pump test provided by others. The work conducted was thus of a limited nature. Although we believe the information presented herein to be reliable and representative of actual conditions, subsurface exploration, and pump tests with an observation well would be needed to verify the reported information and assumptions made.

The opinions expressed herein do not constitute a guarantee that groundwater will be present in sufficient quantity at all times and under all conditions. Groundwater quantity and availability as well as quality, can be expected to vary over time. Many factors such as short and long term precipitation, off site well pumping and over pumping, surface water diversions, impoundments, well construction and condition, well screen clogging, earthquakes, and other factors influence groundwater availability.

Furthermore, the scope of work for groundwater sampling and laboratory testing was limited to the specific compounds of concern (COCs) to the Sonoma County PRMD for site use permitting. Therefore we make no representation as to the quality of any groundwater, other than for the COCs tested, and quality limited to the time of testing. The Client / Owner is further advised that groundwater quality can change over time due to various conditions or events, on and off site, and this report makes no representation or predication regarding future groundwater quality.

Lastly, the maps, plates and tables included in this report contain various locations including distances, parcel lines, wells, roads, and other features. All locations and mentions of distances

are approximate and are provided for general, relative location purposes only, and are not represented to be precise locations. Distances from one location to another in the report text, tables and on plates and maps are approximate only. Locations, boundaries and other features on maps and plates are not based on surveys. Where precise locations of any feature is required, the Client and his representatives are advised to retain the services of a Civil Engineer or Licensed Land Surveyor, since these services are beyond the scope of work presented herein.

## **7.0 CLOSING**

Environmental Geology Services appreciates the opportunity to provide consulting services to you. If you have any questions, please feel free to contact us at 707-528-0810.

## **8.0 REFERENCES**

Bear, J., 1972, Dynamics of Fluids in Porous Media, American Elsevier Publishing Company, Inc., New York, ISBN 0-486-65675-6, 757 p.

California Department of Water Resources, 1975, Evaluation of Ground Water Resources: Sonoma County; Volume 1: Geologic and Hydrologic Data, Bulletin No. 118-4.

California Department of Water Resources, 1982, In cooperation with the County of Sonoma, Bulletin 118-4, Evaluation of Ground Water Resources: Sonoma County, Volume 4: Sonoma Valley, February 1982.

California Department of Water Resources, 1991, Ground water in fractured hard rock, Published by State of California, the Resources Agency, Dept. of Water Resources, April 1991, 4 p., ill., map;

California Department of Water Resources, 2003, California's Groundwater Resources, Bulletin 118-4 Update 2003, October 2003.

California Division of Mines and Geology (CDMG), 1963, Geologic Map of California, Santa Rosa Sheet, Scale 1:250,000.

California Irrigation Management Information System, 1999, Reference Evapotranspiration Map (<http://www.cimis.water.ca.gov/cimis/cimiSatEtoZones.jsp>).

County of Sonoma, Permit and Resource Management Department, 2011, Draft Health Conditions - Minor Subdivision, for Tom Bachman, 6525 Lakeville Highway, Petaluma, file number MNS 11-0009, January 20, 2012.

Driscoll, F. G., 1987, Groundwater and Wells, 2<sup>nd</sup> Ed., Johnson Division, St. Paul, MN, ISBN 0-9616456-0-1, 1089 p.

Farrar, C. D., Metzger, L. F., Nishikawa, T., Koczot, K. M., and Reichard, E. G., 2006, Geohydrological Characterization, Water-Chemistry and Ground-Water Flow Simulation Model of the Sonoma Valley Area, Sonoma County, California, United States Geological Survey Scientific Investigations Report 2006-5092, 167 pp.

Huffman, M. E. and Armstrong, C. F., 1980, Geology for Planning in Sonoma County, California Division of Mines and Geology, Special Report 120, prepare in corporation with the Sonoma County Planning Department.

Johnson, A.I. 1967. Specific yield - Compilation of specific yields for various materials. U.S. Geological Survey Water Supply Paper 1662-D. 74 p.

Kunkel, F. And Upson, J. E., 1960, Geology and Ground Water in the Napa and Sonoma Valleys, Napa and Sonoma Counties, California, U.S. Geological Survey Water Supply Paper 1495, 252p

Natural Resource Conservation Service, 1972, Soil Survey of Sonoma County, <http://websoilsurvey.nrcs.usda.gov/app>

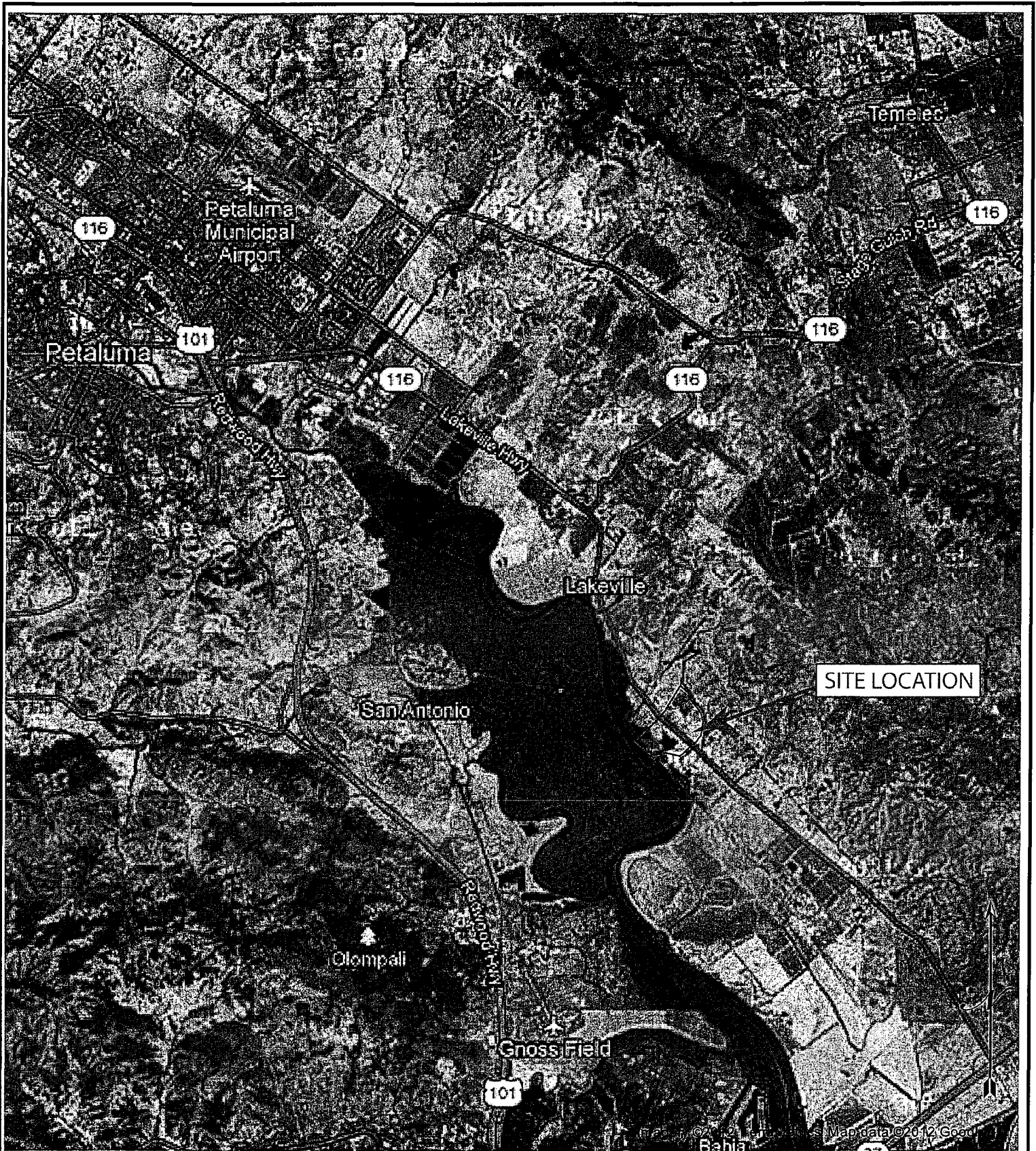
Sonoma County Water Agency, 1983, Flood Control design Criteria Manual for Waterways, Channels and Closed Conduits, Plate B-1.

Sonoma County, Groundwater Availability Map, 2004, Permit and Resource Management, [http://www.sonoma-county.org/prmd/gisdata/pdfs/grndwater\\_avail\\_b\\_size.pdf](http://www.sonoma-county.org/prmd/gisdata/pdfs/grndwater_avail_b_size.pdf)

Sonoma County Water Agency, 2005, County Wide Rainfall Map, County of Sonoma, California, based on 1983 information, revised January 10, 2005.

Wagner, D. L., Rice, S. R., et al, 2002, Geologic Map of the Petaluma River 7.5' Quadrangle Marin and Sonoma Counties, California, California Geological Survey, Scale 1:24 000.

**PLATES**



**Environmental  
Geology  
Services**

707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman

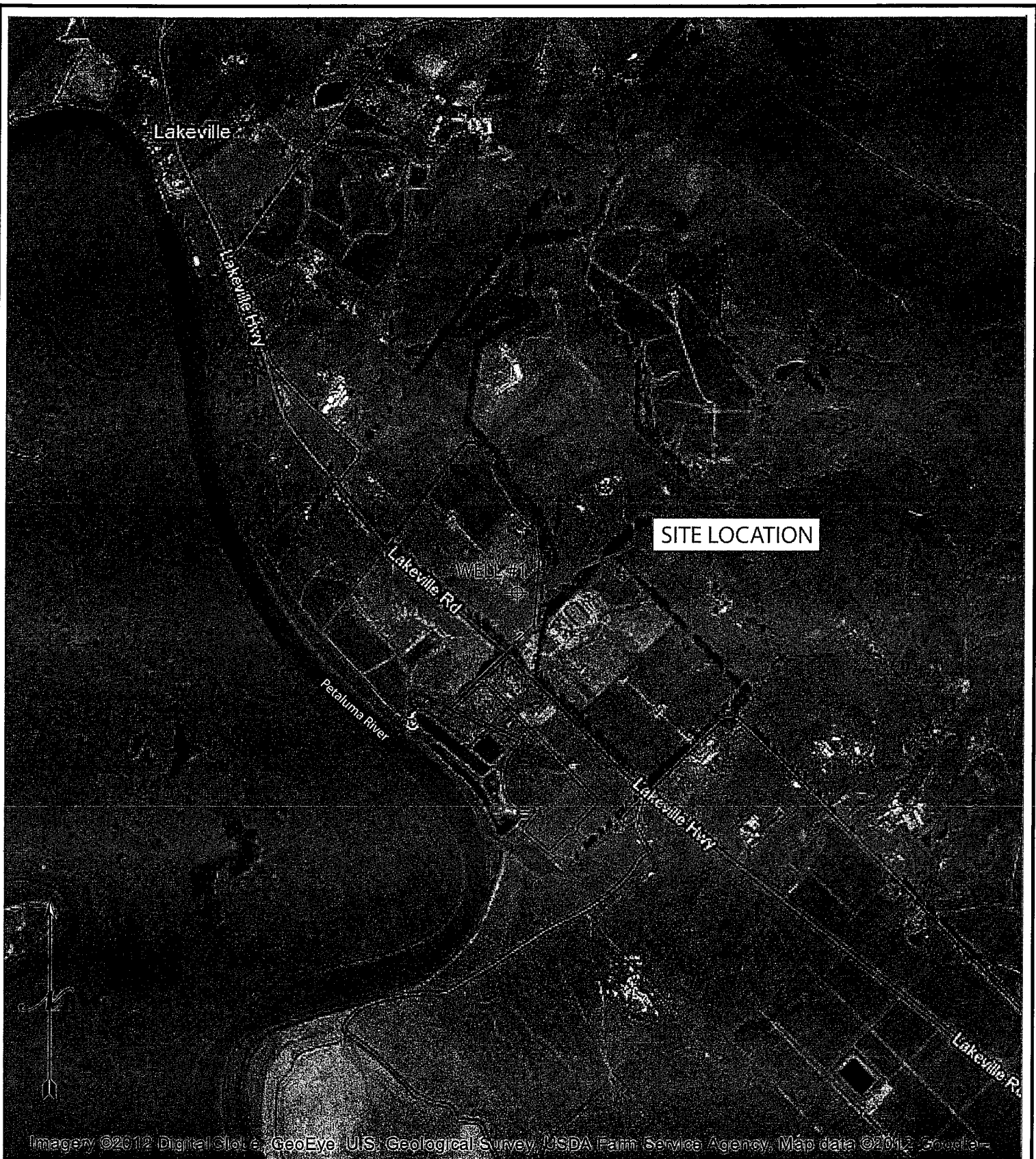
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**SITE LOCATION MAP**

*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE

1



Imagery ©2012 DigitalGlobe, GeoEye, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2012 Google



**Environmental  
Geology  
Services**

707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman

PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**SITE AERIAL MAP**

*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE

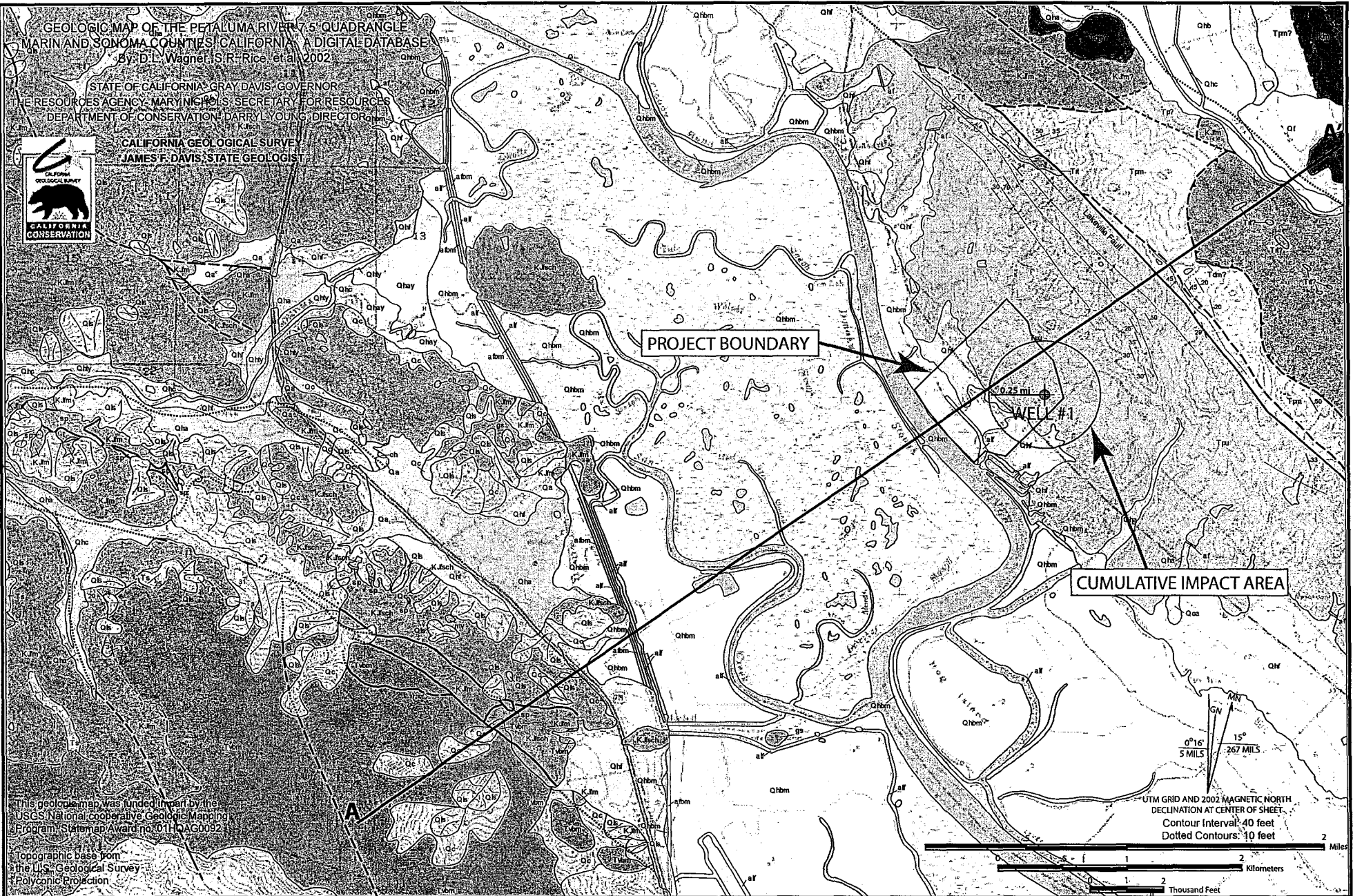
2

**GEOLOGIC MAP OF THE PETALUMA RIVER 7.5' QUADRANGLE  
MARIN AND SONOMA COUNTIES, CALIFORNIA: A DIGITAL DATABASE**

By: D.L. Wagner, S.R. Rice, et al., 2002

STATE OF CALIFORNIA: GRAY DAVIS, GOVERNOR  
 THE RESOURCES AGENCY: MARY NICHOLS, SECRETARY FOR RESOURCES  
 DEPARTMENT OF CONSERVATION: DARRYL YOUNG, DIRECTOR

CALIFORNIA GEOLOGICAL SURVEY  
 JAMES F. DAVIS, STATE GEOLOGIST



PROJECT BOUNDARY

WELL #1

CUMULATIVE IMPACT AREA

This geologic map was funded in part by the  
 USGS National Cooperative Geologic Mapping  
 Program, State Map Award no. 01HACG0092  
 Topographic base from  
 the US Geological Survey  
 Polyconic Projection

UTM GRID AND 2002 MAGNETIC NORTH  
 DECLINATION AT CENTER OF SHEET:  
 Contour Interval: 40 feet  
 Dotted Contours: 10 feet



**Environmental  
 Geology  
 Services**  
 707-528-0810  
 www.EGSConsultants.com

CLIENT:  
 Bachman  
 PROJECT:  
 465.0312  
 DRAFTED BY:  
 DLB  
 DATE:  
 MAR 2012

**GEOLOGIC MAP**  
*Groundwater Resource Availability and  
 Saltwater Intrusion Evaluation*  
 6525 Lakeville Highway, Petaluma, California  
 Sonoma County File No. MNS 11-0009  
 APN 068-110-026, 044 & 045

PLATE  
 3

# GEOLOGIC MAP OF THE PETALUMA RIVER 7.5' QUADRANGLE MARIN AND SONOMA COUNTIES, CALIFORNIA: A DIGITAL DATABASE

VERSION 1.0

By  
David L. Wagner<sup>1</sup>, Salem R. Rice<sup>1</sup>, Stephen Bezore<sup>1</sup>, Carolyn E. Randolph-Loar<sup>2</sup>, James Allen<sup>1</sup>, and  
Robert C. Witter<sup>2</sup>

Digital Database  
by  
Jason D. Little<sup>1</sup>, Victoria D. Walker<sup>1</sup>, and Sarah E. Wettkins<sup>1</sup>  
2002  
1. California Geological Survey, 801 K St. MS 12-31, Sacramento, CA 95814  
2. William Lettis & Associates, Inc., 1777 Botello Drive, Suite 282 Walnut Creek, CA 94598



Copyright © 2002 by the California Department of Conservation  
California Geological Survey. All rights reserved. No part of  
this publication may be reproduced without written consent of the  
California Geological Survey.  
The Department of Conservation makes no warranties as to the  
suitability of this product for any given purpose.

### Unit Explanation

(See Knudsen and others, 2000, for more information on Quaternary units).

- af** Artificial fill
- afbm** Artificial fill placed over bay mud.
- alf** Artificial levee fill
- ac** Artificial stream channel
- Qhc** Late Holocene to modern (<150 years) stream channel deposits in active, natural stream channels. Consists of loose alluvial sand, gravel, and silt.
- Qhty** Latest Holocene stream terrace deposits. Stream terraces are deposited as point bar and overbank deposits.
- Qhay** Latest Holocene alluvial deposits. Fluvial sediment deposited on the modern flood plain.
- Qhbm** Holocene (<10,000 years) bay mud. Silt, clay, peat, and fine sand deposited at or near sea level in San Pablo Bay.
- Qhf** Holocene alluvial fan deposits. Sand, gravel, silt, and clay deposited by streams emanating from canyons onto alluvial valley floors. Sediment is poorly to moderately sorted and bedded.
- Qht** Holocene stream terrace deposits. Sediment deposited in point-bar and overbank settings. Includes sand, gravel, silt, and minor clay. Moderately to well-sorted and bedded.
- Qha** Holocene alluvium, undivided. Alluvium deposited on fans, terraces, or in basins. Sand, gravel, and silt that are poorly sorted.
- Qhb** Holocene basin deposits. Fine-grained alluvium with horizontal stratification. May have interbedded peat.
- Qf** Latest Pleistocene (<~30,000 years) to Holocene alluvial fan deposits. Sand, gravel, silt and clay mapped on gently sloping, fan-shaped, relatively undisectioned alluvial surfaces.
- Qa** Latest Pleistocene to Holocene alluvium, undivided. Flat, relatively undisectioned fan, terrace, and basin deposits.
- Qpf** Latest Pleistocene fan deposits. Sand, gravel, silt, and clay that is moderately to poorly sorted and bedded. Mapped on alluvial fans where greater dissection indicates latest Pleistocene age.
- Qc** Colluvium. Unconsolidated and unsorted weathered rock fragments accumulated on or at the base of slopes.
- Qls** Landslides. Includes debris flow and block slump landslides. Arrows indicate direction of movement.
- Qoa** Early to late Pleistocene alluvial deposits, undivided. Alluvial fan, stream terrace, basin, and channel deposits. Topography is gently rolling with little or no original alluvial surfaces preserved; moderately to deeply dissected.
- QOTu** Gravel, sand, reworked tuff and clay of unknown age. Sediments derived mostly from Sonoma Volcanics.

**Petaluma Formation.** A predominantly lacustrine and fluvial deposit with estuarine and transitional marine horizons consisting of siltstone, sandstone, shale, conglomerate, with minor silicified tuff, chert, lignite, and limestone. Divided into three subunits:

**Tpu- Upper Petaluma Fm.** Massive, well sorted sandstone, siltstone, and conglomerate. Conglomerate is rich in laminated siliceous shale (Monterey Fm.) fragments and Tertiary volcanics, with Franciscan clasts. The Robber Tuff (Tr), dated at 6.26 Ma (Robert Fleck, written communication) is interbedded with the Upper Petaluma.

**Tpm- Middle Petaluma Fm.** Siltstone and sandstone with interbedded conglomerate. Clasts in conglomerate are mostly pebbles derived from the Franciscan, but clasts of Cretaceous and Tertiary sandstone as well as Tertiary volcanics are present. Minor siliceous shale fragments from the Monterey Formation are also present.

**Tpl- Lower Petaluma Fm.** Dominantly bluish to green clayey siltstone and shale with interbeds of silicified tuff, siliceous limestone, lignite, and rare bituminous chert. Laminated siltstone near the base in places. Localities near Toley Creek and elsewhere have yielded transitional marine and estuarine horizons in a predominantly lacustrine and fluvial deposit.

**Sonoma Volcanics.** Mafic lava flows, breccias, agglomerate tuff, tuff breccia with interbedded tuffaceous sediments; also includes dacitic to rhyolitic lava flows, debris flows, tuff, and tuffaceous sediment. The age range for the Sonoma Volcanics on this quadrangle is 8.65 to 3.80 Ma (Fox and others, 1985; Youngman, 1989). The Sonoma Volcanics are divided into the following subunits.

**Tevm- Mafic flows and breccias.** Andesite and basaltic andesite. Age range is 7.28 to 3.80 Ma (Youngman, 1989).

**Tevt- Siliceous tuff and interbedded tuffaceous sediments.** Interbedded sand and gravel is similar to the Middle Petaluma Formation.

**Tevr- Rhyolitic to dacitic flows, breccias, and sediments.** Pink, white, gray, brown flow banded rhyolite in flows, debris flows and breccia. Interbeds of sand, gravel, and tuff. Dates (Ar/Ar) range from 7.36 to 8.11 Ma (Youngman, 1989).

**Donnell Ranch Volcanics of Youngman (1989).** Basalt and basaltic andesite flows, breccia, and scoria. Cream colored tuff is interbedded with the mafic volcanics. The age range for the Donnell Ranch Volcanics is 10.64 Ma to possibly as young as 8.52 Ma (Youngman, 1989). Part of the Toley Volcanics of Morse and Bailey (1935).

**Tertiary volcanic rocks - Mafic volcanic rocks, mostly basaltic andesite, similar to and probably part of Burdell Mt. Volcanics.** Whole rock K/Ar dates of 12.26 +/- 0.38 and 12.47 +/- 0.74 were reported by Fox and others (1985) at quarry near Mc Neers in the northeast part of the quadrangle.

**TVbm** Volcanic rocks of Burdell Mountain. Andesite, basalt, rhyolite, and dacite.

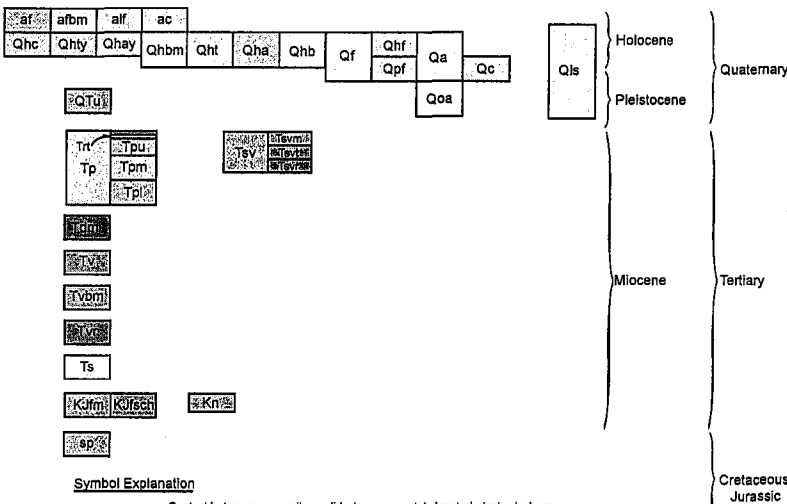
**TVr** Rhyolite on the south slope of Burdell Mountain.

**Ts** Tuffaceous, fossiliferous sandstone underlying the volcanics of Burdell Mountain.

**KN** Novato Conglomerate. Massive, well-cemented, coarse conglomerate, composed of rounded pebbles and cobbles, of chert, rhyolite, granite and quartzite, in a coarse sandy matrix. (Part of the Great Valley Sequence).

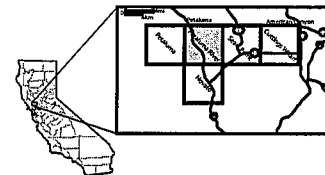
- FR** Franciscan complex melange. Tectonic mixture of masses of resistant rock including sandstone, altered mafic volcanics (greenstone), chert, gabbro, exotic metamorphic rocks imbedded in a sheared shaly matrix. Blocks with melange large enough to be shown at this scale are denoted as:  
ss - sandstone  
mv - metavolcanic rock  
ch - chert  
gs - greenstone (altered mafic volcanic rocks).  
◆ - Blueschist block
- KUSch** Franciscan Complex schist, phyllite, and semischist.
- SP** Serpentinized ultramafic rocks.

### Unit Correlation



### Symbol Explanation

- Contact between map units - solid where accurately located, dashed where approximately located; short dash where inferred; dotted where concealed.
- |27- Fault - solid where accurately located, dashed where approximately located; short dash where inferred; dotted where concealed. U = upthrown block, D = downthrown block. Arrow and number indicates direction and angle of dip of fault plane.
- Thrust Fault - solid where accurately located; dashed where approximately located; short dash where inferred; dotted where concealed. Barb located on upthrown block.
- Overturned Anticline - Dashed where approximately located.
- Anticline - Dashed where approximately located.
- Syncline - Dashed where approximately located.
- Strike and dip of sedimentary beds:  
25° Inclined  
95° Overturned  
⊕ Horizontal
- Landslide - arrows indicate principal direction of movement. Queried where questionable.



### References

- Wells, J.E., Jr., Chappin, R.W., and Jones D.L., 2000. Geologic map and database of parts of Marin, San Francisco, Alameda, Contra Costa, and Sonoma counties, California: U.S. Geological Survey Miscellaneous Field Studies MF-2517, version 1.6, scale 1:50,000.
- Holmes, H.E., and Armstrong, G.F., 1980. Geology for planning in Sonoma County, California: California Division of Mines and Geology Special Report 130, 71 p., plate 2A, scale 1:25,000.
- Fox, C.E., Jr., 1985. Recent unroofing of Late Miocene, Pliocene and Pleistocene rocks in part of the Coast Range north of San Francisco, California: U.S. Geological Survey Professional Paper 1236, 62 p.
- Fox, C.E., Jr., Pank, R.J., Barton, J.A., and Hering, J.J., 1979. Preliminary geologic map of eastern Sonoma County and western Marin County, California: U.S. Geological Survey Miscellaneous Field Studies MF-107-80, scale 1:50,000.
- Fox, C.E., Pank, R.J., Davis, D.B., and Hering, J.J., 1986. Potassium-Argon and Rubidium-Strontium ages of the Sonoma Volcanics in an area north of San Pablo Bay, California: U.S. Geological Survey Miscellaneous Field Studies MF-1183, scale 1:50,000.
- Knudsen, K.L., Swanson, J.J., Weber, R.C., Wainwright, C.M., Hading, E.J., 2000. Preliminary geologic maps of the Quaternary deposits and Pleistocene volcanics, University of San Francisco Bay Region, California: A Digital Database: U.S. Geological Survey Open File Report 00-44, ver. 1.6, scale 1:50,000.
- Morse, R.A., and Bailey, T.L., 1935. Geological observations in the Petaluma District, California: Bulletin of the Geological Society of America, vol. 46, p. 1453-1484.
- Rosenfeld, L.W., G.C., 2002. Geology of the northern Rodgers Creek Fault, Sonoma County, California: San Francisco State University M.S. Thesis, 54 p.
- Youngman, H.L., 1989. Geology of the Coast Range immediately north of the San Francisco Bay Region, California: Geological Society of America Bulletin 100, 29, p. 1491-1504.
- Youngman, H.L., 1985. Silt and "sp" in Greenstone, greenstone, and structural interpretation of the southern Sonoma Volcanic Field, Sonoma County, California: University of California M.S. Thesis, 42 p.



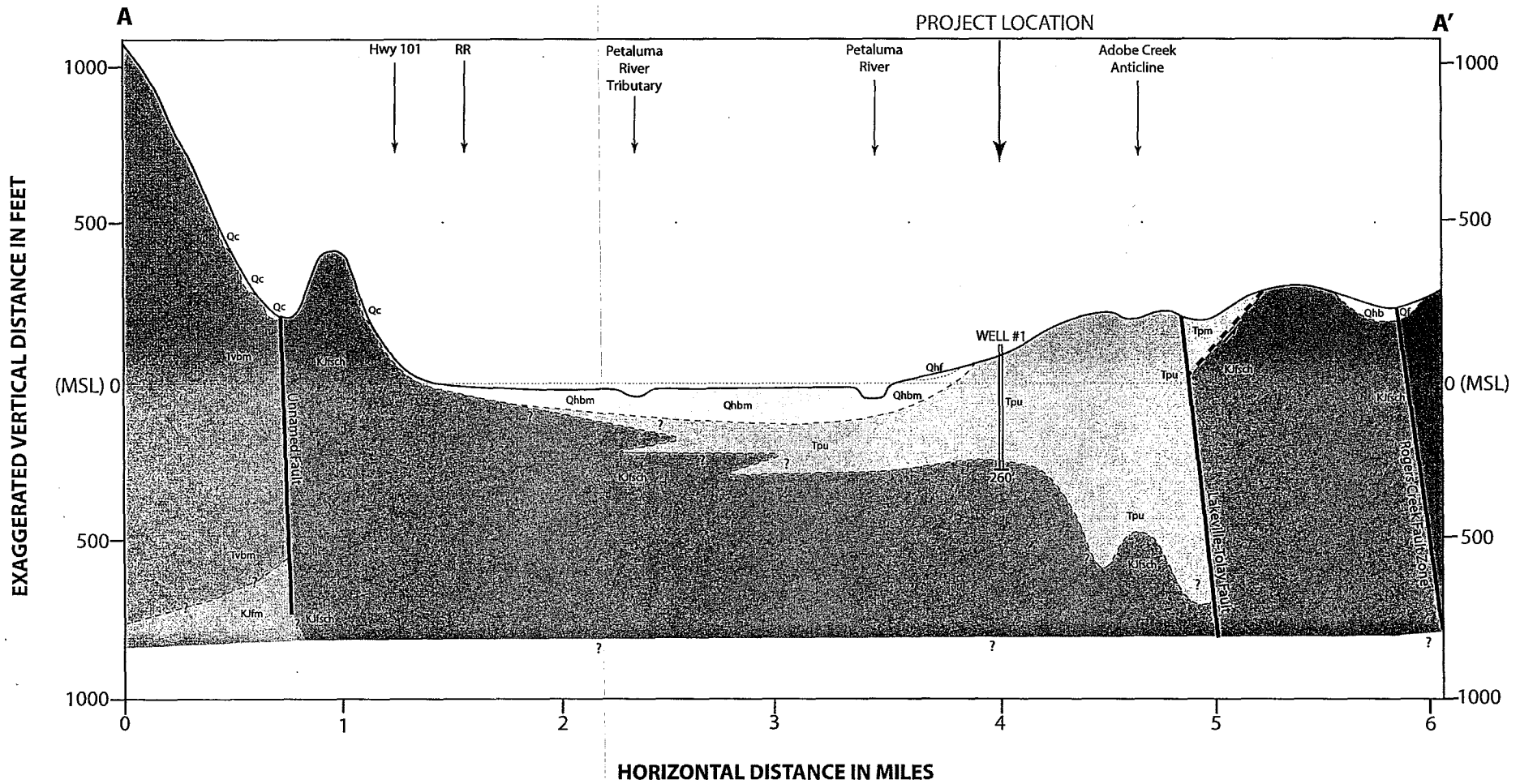
**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**GEOLOGIC MAP LEGEND**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
3A





NOTE: Well #1 location projected. Actual location approximately 1,000 feet south of cross section A-A' line.  
 Based on our review of the surrounding well logs, the Upper Petaluma Formation thickens to the north and south of Well #1.

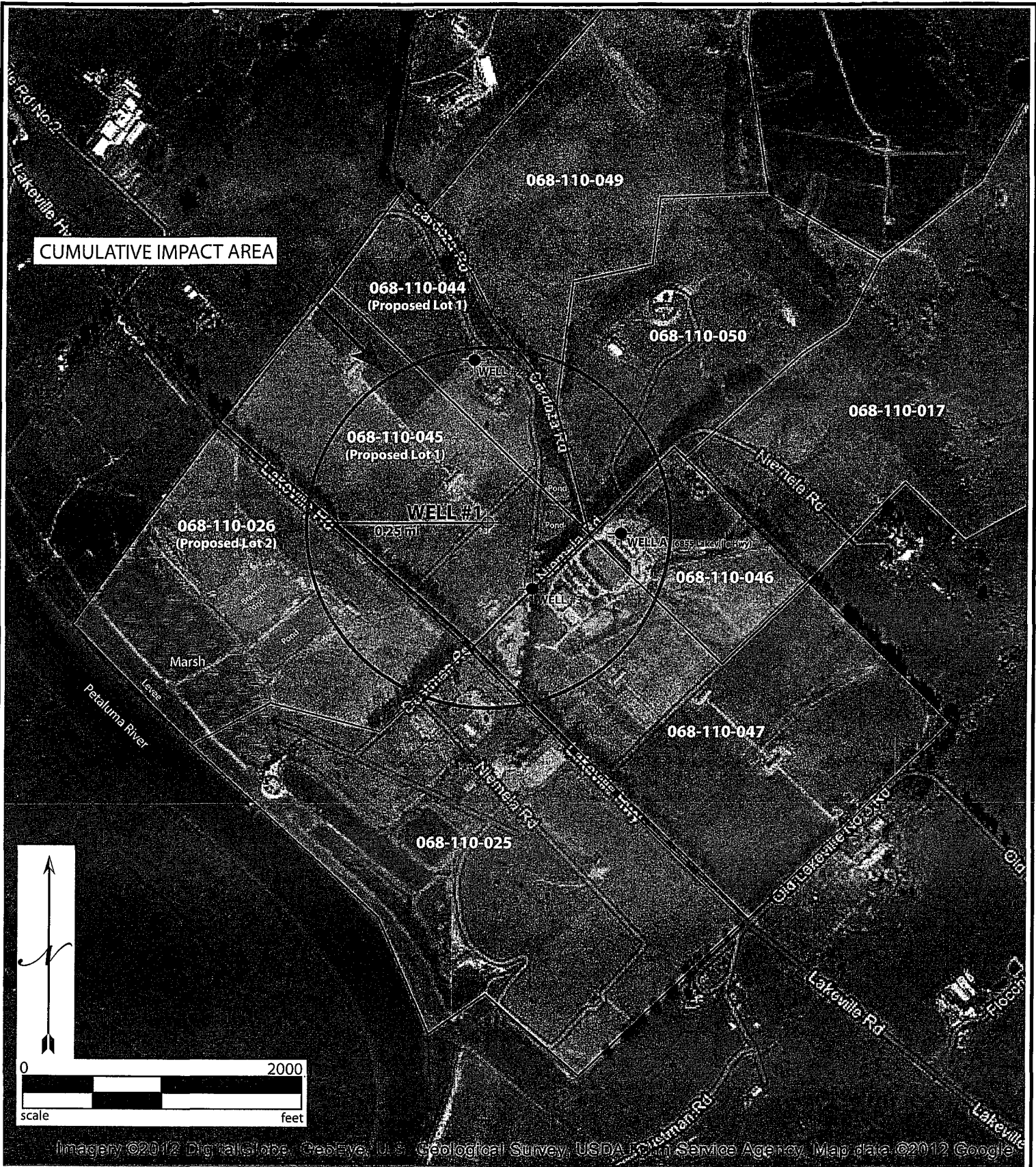



**Environmental  
 Geology  
 Services**  
 707-528-0810  
 www.EGSConsultants.com

CLIENT:  
 Bachman  
 PROJECT:  
 465.0312  
 DRAFTED BY:  
 DLB  
 DATE:  
 MAR 2012

**GEOLOGIC CROSS SECTION A-A'**  
*Groundwater Resource Availability and  
 Saltwater Intrusion Evaluation*  
 6525 Lakeville Highway, Petaluma, California  
 Sonoma County File No. MNS 11-0009  
 APN 068-110-026, 044 & 045

PLATE  
 4

**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman

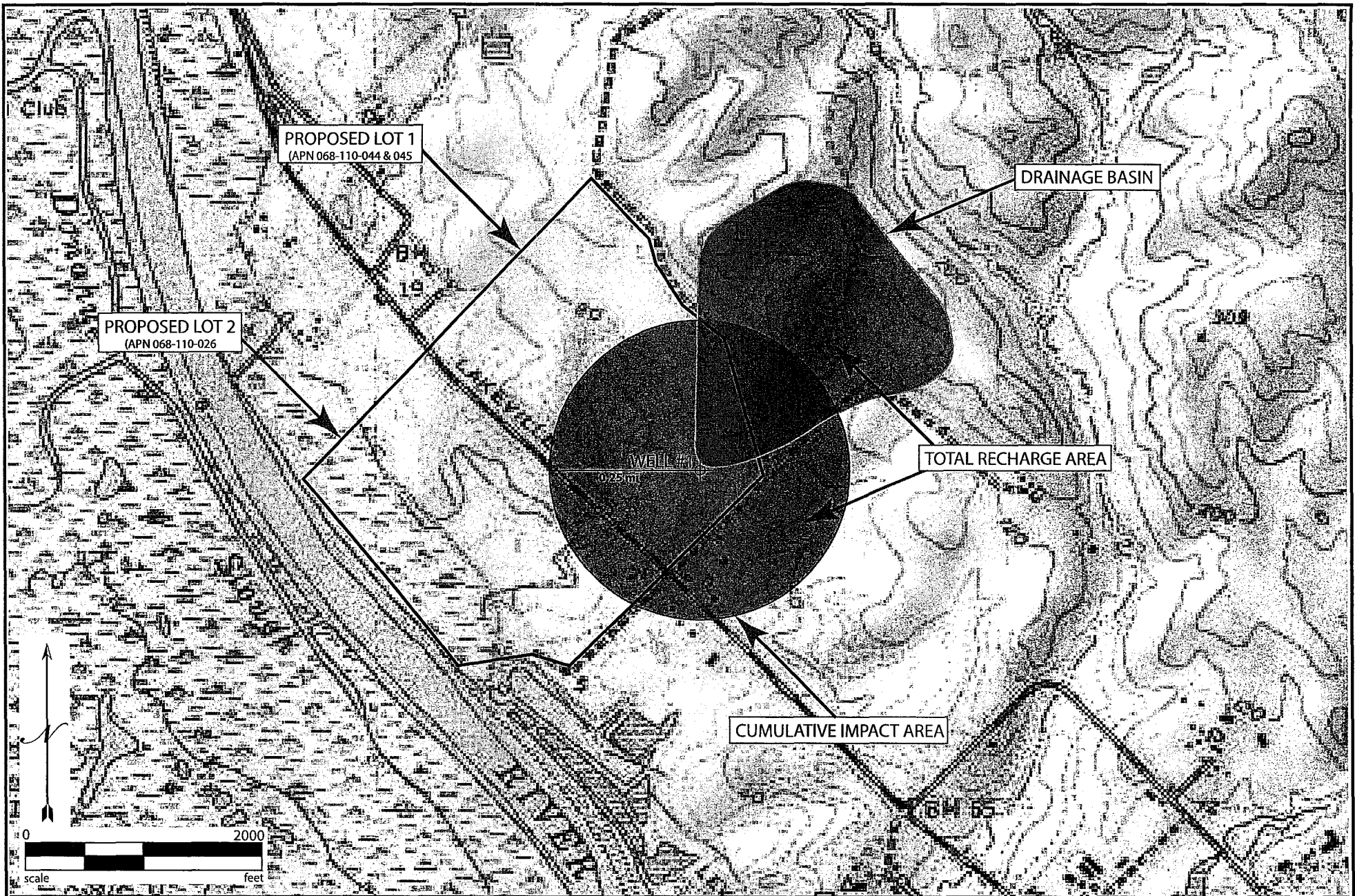
PROJECT:  
465.0312

DRAFTED BY:  
DLB

DATE:  
MAR 2012

**CUMULATIVE IMPACT AREA**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
5



**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman

PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

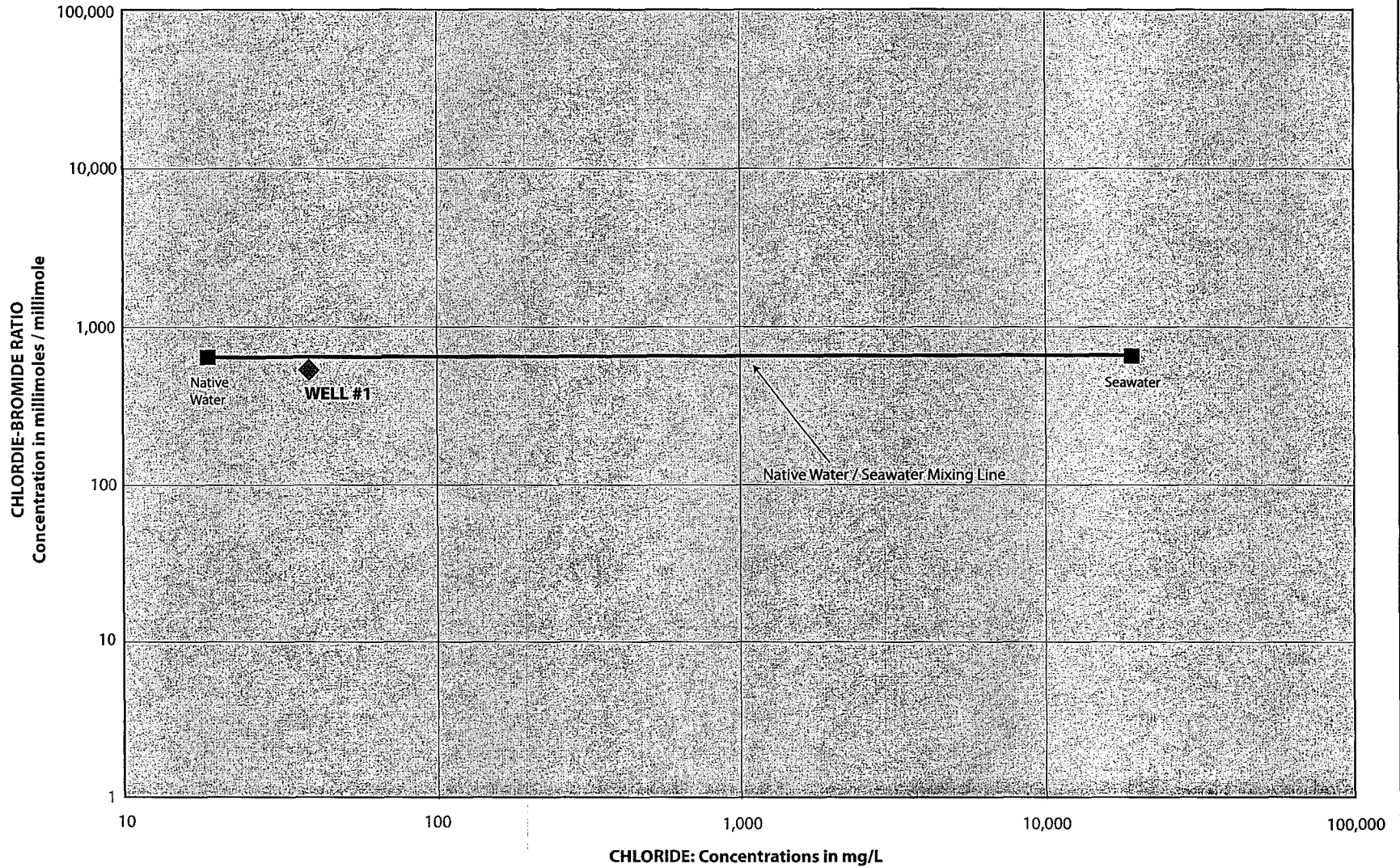
**GROUNDWATER RECHARGE AREA MAP**

*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE

6

## CHLORIDE - BROMIDE RATIO



**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman

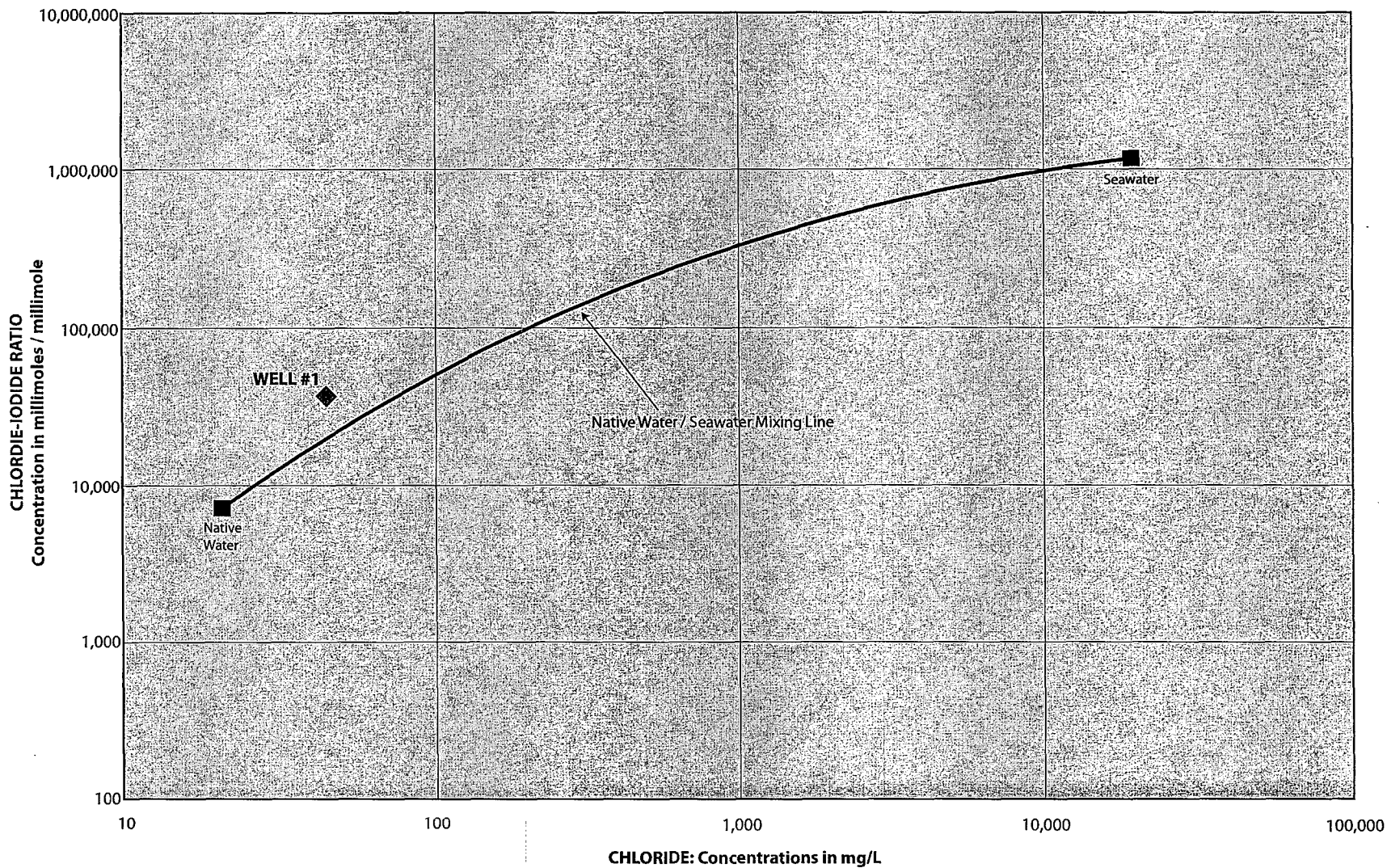
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**CHLORIDE-BROMIDE RATIO**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE

7

### CHLORIDE - IODIDE RATIO



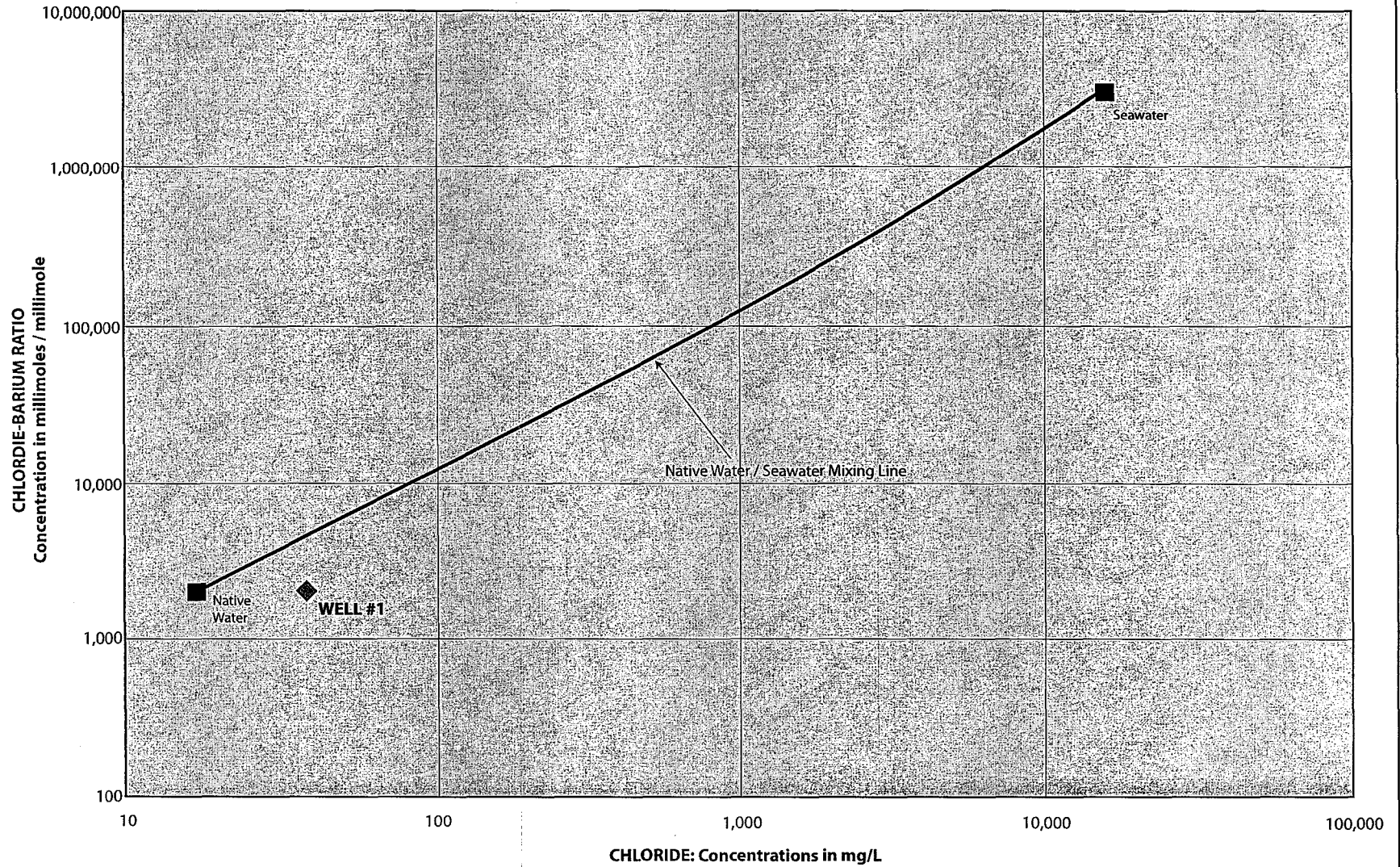
**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**CHLORIDE-IODIDE RATIO**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
8

### CHLORIDE - BARIUM RATIO



**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman

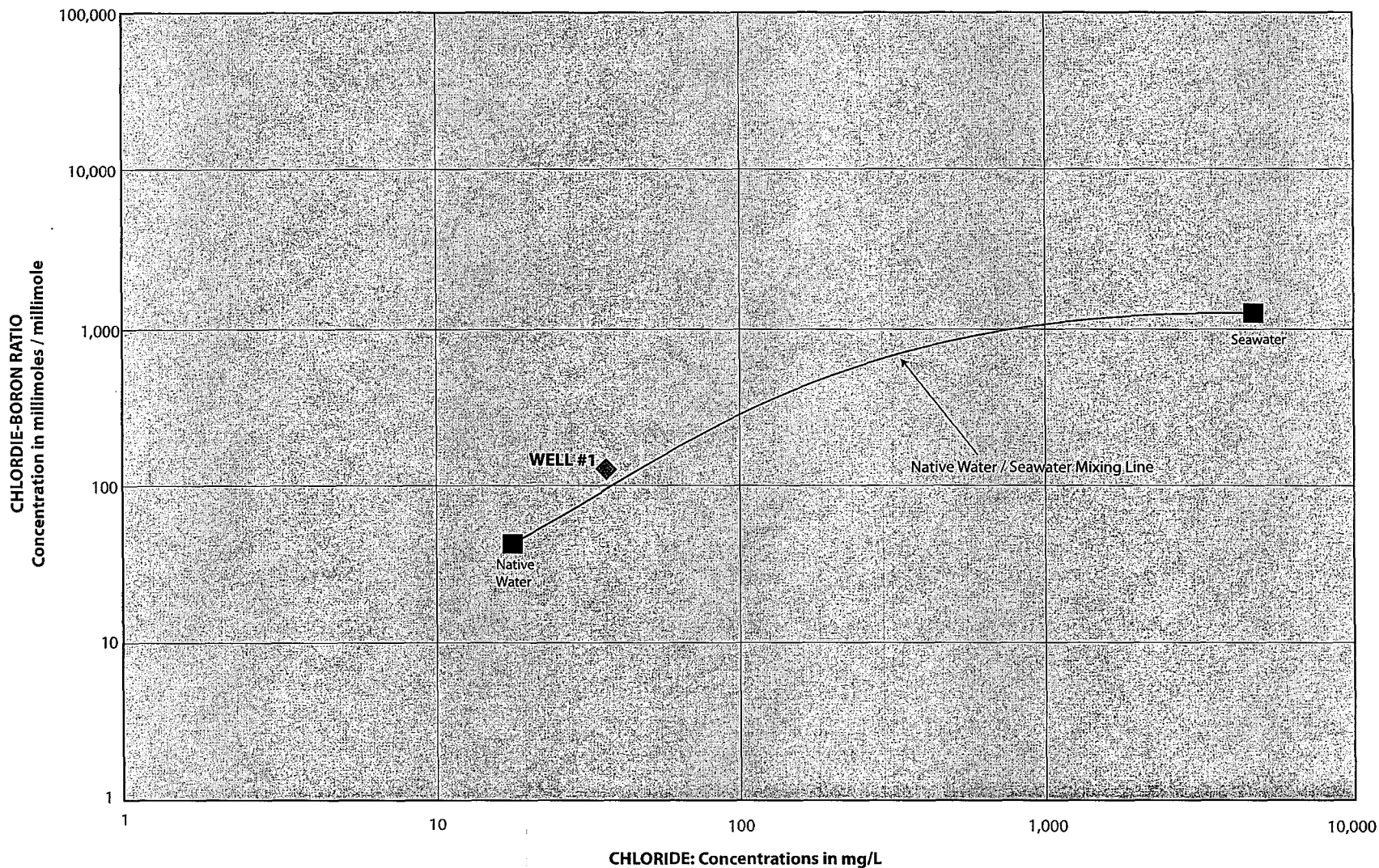
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**CHLORIDE-BARIUM RATIO**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE

9

### CHLORIDE - BORON RATIO



**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**CHLORIDE-BORON RATIO**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
10

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

A - 1

## **Appendix A**

### **Tables**



**Table -A1: Summary of Data From DWR Well Completion Reports**

Location	Approx. Distance from Well #1 (ft)	Depth (ft)	Screen Interval (ft)	Screen Interval Lithology <sup>21</sup>	Static Water Depth	Hrs Pump Test	Estimated Yield GPM and Drawdown
6525 Lakeville Highway <sup>22</sup>	0 Well #1 ("wind mill well") on Proposed Lot #2	256	98-158 198-218	"brown & white clay, cemented gravels, gravels"	75	2 hr air lift and	30 / 400
					50	8 hr Pump Test	25 / 74
6525 Lakeville Highway	1165 N Well # 2 ("house well") on Proposed Lot #2	180	55-115 135-175	"clayey sand, cemented gravel, sand, gravel, sandy gravel, hard brown rock w/ quartz"	33	1.5 hr bail test	20 / 125
6525 Lakeville Highway	1200 SW Well # 3 ("old well") on Proposed Lot # 2	160	30-90 110-150	"cemented gravels and clay"	40	2 hr air lift	3 / 150
6535 Lakeville Highway	1350 S	259	40-259	"clay & gravel, cemented gravel"	50	6 hr air lift	20+ / 78
<b>Above Wells Are Within 1/4 mile Radius of Site Well (Well #1) / Wells Below are between 1/4 and 1/2 Mile Radius</b>							
6545 Lakeville Highway	1500 SE	260	62-102 122-182 202-242	"sand & gravels, clay w/ gravel, sand w/ fine gravel"	85	3 hr air lift	12 / 120
6529 Lakeville Highway	1650 S	280	80-280	"cemented & loose gravel, tan clay, sand & gravels, blue clay"	110	7 hr air lift	5 / not reported
6529 Lakeville Highway	1700 S	340	140 - 300	"siltstone, gravels, sandstone"	45	not done	not known
6531 Lakeville Highway	1740 NE	420	140-225	"sandy clay, sand gravel, clean sand"	130	6 hr air lift	12 / not reported

<sup>21</sup> Lithologic descriptions are from driller's logs and may not represent actual geology encountered.

<sup>22</sup> Based on Well Completion Reports provided by DWR this log appears to be associated with Well # 1 and for this report we assume this is the log for that well.

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

Location	Approx. Distance from Well #1 (ft)	Depth (ft)	Screen Interval (ft)	Screen Interval Lithology <sup>23</sup>	Static Water Depth	Hrs Pump Test	Estimated Yield GPM and Drawdown
6890 Lakeville Highway	2560 SE	453	140-450	"clay w/ embedded gravel, cemented gravel, loose gravel, clay"	32	2 hr bailer test	25 / 170
6890 Lakeville Highway	2570 SE	455	325-455	"clay w/ embedded gravel, loose gravel, cemented gravel, stiff clay"	107	7 hr pump test	17.5 / 300
6545 Lakeville Highway	2600 SE	400	200-220 240-280 300-400	"gravel & cemented gravel w/ brown clay, multi colored volcanic rock,"	160	2 hr air lift	25 / 400
6614 Lakeville Highway	2600 S	410	195-405	"clay w/ cemented gravel, cemented gravel, volcanic rock"	65	4 hr air lift	20 / 280
6614 Lakeville Highway	2640 S	516	380-480	"clay w/ embedded rock, blue rock, w/ streaked clay"	36	1 hr air lift	25 / 230
<b>Above Wells Are Within 1/2 mile Radius of Site Well (Well #1) / Wells Below are between 1/2 and 1 Mile Radius</b>							
6810 Lakeville Highway	2850 NW	220	80-220	"sand & gravel, fractured Franciscan rock, soft shale"	20	10 hr development	12+ / not reported
6210 Lakeville Highway	2900 SE	230	300-400	"volcanic rock"	70	2 hr air lift	20/280
6801 Lakeville Highway	3100 NW	300	40-276	"brown to blue sandy clay, hard serpentine-type rock, fractured conglomerate"	88	4 hr air lift	10 / not reported
6525 Lakeville Highway (former address)	3200 SE	307	62-122	"brown & gray clay, cemented gravel, sand & gravel"	18	0.75 hr air lift	70 / 110

<sup>23</sup>

*Lithologic descriptions are from driller's logs and may not represent actual geology encountered.*

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

A - 4

Location	Approx. Distance from Well #1, ft	Depth ft	Screen Interval ft	Screen Interval Lithology <sup>24</sup>	Static Water Depth	Hrs Pump Test	Estimated Yield GPM and Drawdown
6614 Lakeville Highway	3400 SE	220	40-200	"brown clay w/ gravel layers, gravel, sandy clay"	8	5 hr pump	1.25 / 40
6155 Lakeville Highway	4100 NW	199	38 - 199	"hard rock, blue rock, very hard blue rock"	no report	bailer test hrs ?	800/180
6155 Lakeville Highway	4100 NW	448	22-42 48-60 88-109 128-148	"brown clay rock, yellow clay rock, blue rock"	10	bailer test 4 hrs	20/200
6788 Lakeville Highway	4200 SE	360	130-190 250-330	"Cemented gravel and clay, volcanic rock"	120	2 hr air lift	40 / 340
5911 Lakeville Highway	5100 NW	234	54-136 174-234	"sand & gravel,, clay & gravel, brown rock"	8	Air lift test 4 hrs	40/120 50/220
5911 Lakeville Highway	5100 NW	298	78-178 218-298	"gravel, brown cemented gravel, loose gravel, sandy clay, blue rock"	45	Air lift test 4 hrs	20/120 25/280
5911 Lakeville Highway	5100 NW	240	40-230	"sand and gravel, blue clay, fractured rock & river run"	42	Air lift test 6 hrs	75/230
5875 Lakeville Highway	5300 NW	500	180-220 300-320 360-440	"brown clay w/ gravel, sticky brown clay"	100	Air lift test 4 hrs	42/400
5845 Lakeville Highway	6500 NW	180	80-150 160-180	"gravel, clay w/ gravel"	10	Air lift test 2 hrs	100+/180

24

*Lithologic descriptions are from driller's logs and may not represent actual geology encountered.*

<b>Table A2 - Parcels and Ownership Identified within ½ Mile radius of Site Well</b>			
<b>Parcel #</b>	<b>Site Address</b>	<b>Owner / Phone</b>	<b>Address</b>
068-110--026 068-110--044 068-110--045	6525 Lakeville Highway	Tom Bachman	6525 Lakeville Hwy, Petaluma
068-110--025	6614 Lakeville Highway	Sydney Hendricks	6614 Lakeville Highway, Petaluma
068-110--047	6855 Old Lakeville Road	J P Interests II, LLC	301 Commerce St., #3300, Ft Worth, TX
068-110--046	6855 Old Lakeville Road	J P Interests II, LLC	301 Commerce St., #3300, Ft Worth, TX
068-110--017	6535 Lakeville Highway	Allan & Gloria Marcucci	6535 Lakeville Highway, Petaluma
068-110--050	6531 Lakeville Highway	Larry Hadley Trust	P. O. Box 1352 Auburn, CA 94920
068-110--048	6529 Lakeville Highway	James & Sandy Kriegsman	6529 Lakeville Highway, Petaluma
068-110--049	6529 Lakeville Highway	James & Sandy Kriegsman	6529 Lakeville Highway, Petaluma
068-600--003	6535 Lakeville Highway	Allan & Gloria Marcucci	6535 Lakeville Highway, Petaluma
068-600--034	6155 Lakeville Highway	Donald & Virginia Marcucci	6535 Lakeville Highway, Petaluma
068-600--035	6155 Lakeville Highway	Donald & Virginia Marcucci	6535 Lakeville Highway, Petaluma
068-600--036	6235 Lakeville Highway	Ron, Chas & Judith Silacci	3 Timberhill Dr, Gladstone, NJ 07934
068-600--037	6803 Lakeville Highway	Ron, Chas & Judith Silacci	3 Timberhill Dr, Gladstone, NJ 07934
068-600--039	6300 Lakeville Highway	Frank Chung & Judy Ming - Ming Tsang	2635 Chestnut St, San Francisco, 94123
068-600--041	6210 Lakeville Highway	Allan & Gloria Marcucci	6535 Lakeville Highway, Petaluma
119-037-001	no address	Ca Dpt of Fish & Game	1461 9 <sup>th</sup> St, Rm 1206-12, Sacramento, CA
119-037-002	no address	Ca Dpt of Fish & Game	1461 9 <sup>th</sup> St, Rm 1206-12, Sacramento, CA
<p><b>Table A2 Note:</b> <i>There were some parcels on the AP maps in the County Assessor's data base for which there were no recorded addresses and or owners. Parcels for which there were no recorded owners or addresses were not included in this table. Some parcels may have more than one well, and some parcels such as those of the California Department of Fish &amp; Game have no wells.</i></p>			

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

**B- 1**

## **Appendix B**

### **Laboratory Analytical Report**



## Analytical Sciences

---

March 28, 2012

Marc Seeley  
Environmental Geology Services  
1695 Willowside Road  
Santa Rosa, CA 95401

Dear Marc,

Enclosed you will find Analytical Sciences' final report 2031509 for your 6525 Lakeville Hwy. project. An invoice for this work is enclosed.

Should you or your client have any questions regarding this report please contact me at your convenience. We appreciate you selecting Analytical Sciences for this work and look forward to serving your analytical chemistry needs on projects in the future.

Sincerely,

Analytical Sciences

Mark A. Valentini, Ph.D.

Laboratory Director



**Analytical Sciences**

Report Date: March 28, 2012

## Laboratory Report

Marc Seeley  
Environmental Geology Services  
1695 Willowside Road  
Santa Rosa, CA 95401

Project Name:       **6525 Lakeville Hwy.**                               **465.0312**

Lab Project:       **2031509**

This 10 page report of analytical data has been reviewed and approved for release.

---

Mark A. Valentini, Ph.D.

Laboratory Director



### Total Coliform & E. Coli

Lab#	Sample ID	Compound Name	Result (MPN/100 mL)	RDL (MPN/100 mL)
2031509-01	Well #1 (Windmill)	Total Coliform	6	1
		E. Coli	<1 QT	1

Date Sampled:	03/15/12	Date Analyzed:	03/16/12	QC Batch:	B010424
Date Received:	03/15/12	Method:	SM 9223 B		

### Graphite Furnace Metals

Lab#	Sample ID	Compound Name	Result (µg/L)	RDL (µg/L)
2031509-01	Well #1 (Windmill)	Arsenic (As)	ND	2.0

Date Sampled:	03/15/12	Date Analyzed:	03/16/12	QC Batch:	B010412
Date Received:	03/15/12	Method:	EPA 200.9		

### Metals (ug/L)

Lab#	Sample ID	Compound Name	Result (µg/L)	RDL (µg/L)
2031509-01	Well #1 (Windmill)	Barium (Ba)	130	50

Date Sampled:	03/15/12	Date Analyzed:	03/21/12	QC Batch:	B010415
Date Received:	03/15/12	Method:	EPA 200.7		

### Metals (mg/L)

Lab#	Sample ID	Compound Name	Result (mg/L)	RDL (mg/L)
2031509-01	Well #1 (Windmill)	Boron (B)	0.16	0.050

Date Sampled:	03/15/12	Date Analyzed:	03/16/12	QC Batch:	B010415
Date Received:	03/15/12	Method:	EPA 200.7		





### Anions

Lab#	Sample ID	Compound Name	Result (mg/L)	RDL (mg/L)
2031509-01	Well #1 (Windmill)	Chloride	66	2.0
		Nitrate	9.4	0.50

Date Sampled:	03/15/12	Date Analyzed:	03/16/12	QC Batch:	B010410
Date Received:	03/15/12	Method:	EPA 300.0		

### Bromide

Lab#	Sample ID	Compound Name	Result (mg/L)	RDL (mg/L)
2031509-01	Well #1 (Windmill)	Bromide	0.18	0.010

Date Sampled:	03/15/12	Date Analyzed:	03/21/12	QC Batch:	B010457
Date Received:	03/15/12	Method:	EPA 300.1		

### Iodide

Lab#	Sample ID	Compound Name	Result (µg/L)	RDL (µg/L)
2031509-01	Well #1 (Windmill)	Iodide	7.8	5.0

Date Sampled:	03/15/12	Date Analyzed:	03/26/12	QC Batch:	B010485
Date Received:	03/15/12	Method:	EPA 314.0		



## Quality Assurance Report

### Graphite Furnace Metals

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

#### Batch B010412 - EPA 200.9

##### Blank (B010412-BLK1)

Prepared & Analyzed: 03/14/12

Arsenic (As) ND 2.0 µg/L

##### LCS (B010412-BS1)

Prepared & Analyzed: 03/14/12

Arsenic (As) 9.0 2.0 µg/L 10.0 90 85-115

##### LCS Dup (B010412-BSD1)

Prepared & Analyzed: 03/14/12

Arsenic (As) 9.3 2.0 µg/L 10.0 93 85-115 4 20



**Metals (ug/L)**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010415 - EPA 3010A</b>										
<b>Blank (B010415-BLK1)</b> Prepared: 03/14/12 Analyzed: 03/21/12										
Barium (Ba)	ND	50	µg/L							
<b>LCS (B010415-BS1)</b> Prepared: 03/14/12 Analyzed: 03/21/12										
Barium (Ba)	514	50	µg/L	500		103	70-130			
<b>LCS Dup (B010415-BSD1)</b> Prepared: 03/14/12 Analyzed: 03/21/12										
Barium (Ba)	513	50	µg/L	500		103	70-130	0.2	20	



---

**Metals (mg/L)**

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010415 - EPA 3010A</b>										
<b>Blank (B010415-BLK1)</b> Prepared: 03/14/12 Analyzed: 03/16/12										
Boron (B)	ND	0.050	mg/L							
<b>LCS (B010415-BS1)</b> Prepared: 03/14/12 Analyzed: 03/16/12										
Boron (B)	0.518	0.050	mg/L	0.500		104	70-130			
<b>LCS Dup (B010415-BSD1)</b> Prepared: 03/14/12 Analyzed: 03/16/12										
Boron (B)	0.523	0.050	mg/L	0.500		105	70-130	1	20	



### Anions

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

**Batch B010410 - NO PREP**

**Blank (B010410-BLK1)**

Prepared: 03/13/12 Analyzed: 03/14/12

Chloride	ND	0.20	mg/L
Nitrate	ND	0.50	mg/L

**Matrix Spike (B010410-MS1)**

Source: 2031324-04

Prepared: 03/13/12 Analyzed: 03/15/12

Chloride	15.4	0.20	mg/L	2.00	12.2	160	75-125
Nitrate	5.45	0.50	mg/L	4.00	1.48	99	75-125

**Matrix Spike Dup (B010410-MSD1)**

Source: 2031324-04

Prepared: 03/13/12 Analyzed: 03/15/12

Chloride	15.3	0.20	mg/L	2.00	12.2	154	75-125	0.7	20
Nitrate	5.21	0.50	mg/L	4.00	1.48	93	75-125	5	20



### Bromide

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010457 - NO PREP</b>										
<b>Blank (B010457-BLK1)</b> Prepared & Analyzed: 03/21/12										
Bromide	ND	0.010	mg/L							
<b>LCS (B010457-BS1)</b> Prepared & Analyzed: 03/21/12										
Bromide	0.047	0.005	mg/L	0.0500		95	85-115			
<b>Matrix Spike (B010457-MS1)</b> Source: 2031509-01 Prepared & Analyzed: 03/21/12										
Bromide	0.284	0.010	mg/L	0.100	0.177	106	75-125			
<b>Matrix Spike (B010457-MS2)</b> Source: 2032009-02 Prepared & Analyzed: 03/21/12										
Bromide	0.116	0.010	mg/L	0.100	0.022	94	75-125			



### Iodide

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010485 - NO PREP</b>										
<b>Blank (B010485-BLK1)</b>										
Prepared & Analyzed: 03/26/12										
Iodide	ND	5.0	µg/L							
<b>LCS (B010485-BS1)</b>										
Prepared & Analyzed: 03/26/12										
Iodide	10.2	5.0	µg/L	10.0		102	80-120			
<b>Matrix Spike (B010485-MS1)</b>										
Source: 2031509-01										
Prepared & Analyzed: 03/26/12										
Iodide	17.7	5.0	µg/L	10.0	7.83	99	70-130			



## Notes and Definitions

---

- QT      The bacterial test utilized is a quantitative test. A result of less than 1 (<1) is indicating bacteria are "absent" in 100 milliliters of sample water.
- RDL     Reporting Detection Limit
- ND      Analyte NOT DETECTED at or above the reporting detection limit (RDL)
- RPD     Relative Percent Difference
- NR      Not Reported



P.O. Box 750336  
 Petaluma, CA 94975-0336  
 Telephone: (707) 769-3128



**Analytical Sciences**  
 P.O. Box 750336, Petaluma, CA 94975-0336  
 110 Liberty Street, Petaluma, CA 94952  
 (707) 769-3128  
 Fax (707) 769-8093

# CHAIN OF CUSTODY

Lab Project Number: 2031509  
 Client's Project Name: 6525 LAKEVILLE HWY  
 Client's Project Number: 465,0312

CLIENT INFORMATION	
Company Name:	Environmental Geology Services
Address:	1695 Willowside Road Santa Rosa, CA 95401
Contact:	Marc Saeley
Phone #:	707-528-0810
Fax #:	707-528-1956
E-mail:	marc@egsconsultants.com/david@egsconsultants.com

GeoTracker Required:  
 GeoTracker Number:

TURNAROUND TIME (check one)	
Same Day	<input type="checkbox"/>
48 Hours	<input type="checkbox"/>
24 Hours	<input type="checkbox"/>
5 Days	<input checked="" type="checkbox"/> Normal

Page 1 of 1

ANALYSIS														Comments	Lab Sample #	
Item	Client Sample ID	Date Sampled	Time	Matrix	# Cont.	Presv. Y/N	TOTAL Coliform	E. Coli	Arsenic	Nitrate	Bromide	Iron	Barium			Boron
1	Well #1 (windmill)	3/15	2:45	W	5	1-VG A-MV	X	X	X	X	X	X	X	X	X	2031509-01
2																
3																
4																
5																
6																
7																
8																
9																
10																

SIGNATURES					
Relinquished By:	Signature	Sampled By:	Signature	Received By:	Signature
		Date	Time	Date	Time
		3/15/12	3:45	3/15/12	15:45

110 Liberty Street  
 Petaluma, CA 94952



April 2, 2012  
Project 465.0312

Mr. Tom Bachman  
6525 Lakeville Highway  
Petaluma, CA, 94954

Dear Mr. Bachman:

Regarding: **Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

The attached report was prepared in accordance with our Professional Services Agreement (PSA) dated March 8, 2012 in response to your request for services to provide a groundwater resource availability and saltwater intrusion evaluation as part of the County of Sonoma PRMD's requirements for land subdivision. The evaluation was required to address water availability in accordance with Sonoma County General Plan requirement (Policy WR-2e, formerly RC-3h) as part of the approval process for the proposed land subdivision requirements. In addition, the report addresses PRMD questions regarding seawater intrusion potential.

Thank you for the opportunity to be of service. If you have any questions regarding our procedures or findings, please call.

Sincerely,

**ENVIRONMENTAL GEOLOGY SERVICES**

Marc W. Seeley, PG  
Principal Geologist

Enclosure: REPORT, Ground Water Resource Availability and Saltwater Intrusion Evaluation for 6525 Lakeville Highway, Petaluma, CA, 94954, Sonoma County File No. MNS11-0009, APN 068-110-026, 044 & 045

Distribution: Jon Tracy, R.E.H.S., Project Review Section, Sonoma County PRMD,  
2550 Ventura Avenue, Santa Rosa, CA 95403

Tom Bachman, Client / Owner

**REPORT**  
**Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

Prepared for:

Mr. Tom Bachman  
6525 Lakeville Highway  
Petaluma, CA, 94954

Prepared by:

**Environmental Geology Services  
1695 Willowside Road  
Santa Rosa, CA 95401**

---

David L. Bush  
Project Geologist



Marc W. Seeley, PG  
Principal Geologist



**April 2, 2012**  
Project 465.0312

**TABLE OF CONTENTS**

Page

**EXECUTIVE SUMMARY.** . . . . . -1-

**1.0 BACKGROUND.** . . . . . -1-

1.1 Scope of Work. . . . . -3-

1.2 Existing and Proposed Development. . . . . -5-

1.3 Local Hydrogeology. . . . . -7-

1.4 Local Climate. . . . . -9-

**2.0 RESEARCH.** . . . . -10-

2.1 Site Reconnaissance. . . . . -10-

2.2 Water Well Drillers Reports & County Records. . . . . -11-

2.3 Assessor’s Parcel Maps. . . . . -11-

2.4 Interviews. . . . . -12-

2.5 Zoning Information. . . . . -15-

2.6 Other WR-2e Reports. . . . . -15-

2.7 Documentation of Expended Effort. . . . . -16-

**3.0 GROUNDWATER AVAILABILITY ANALYSIS.** . . . . -16-

3.1 Pump Tests. . . . . -16-

3.1.1 Water Sampling and Analysis. . . . . -17-

3.1.2 Pump Test Assumptions. . . . . -18-

3.2 Cumulative Impact Area and Total Recharge Area. . . . . -19-

3.3 Existing and Projected Water Use. . . . . -22-

3.3.1 Domestic Water Use. . . . . -23-

3.3.2 Special Event Water Use. . . . . -23-

3.3.3 Swimming Pool and Irrigation Water Use. . . . . -23-

3.3.4 Total Estimated Current and Projected On Site Water Use. . . . . -24-

Page

3.3.5 Existing On Site Water Use. . . . . -24-

3.3.6 Proposed On Site Water Use. . . . . -24-

3.3.7 Summary of Total Existing and Proposed On Site Water Use. . . . . -25-

3.4 Off Site Existing and Proposed Water Use. . . . . -26-

3.4.1 Existing Domestic Off Site Water Use. . . . . -26-

3.4.2 Additional Off Site Domestic Water Use at Build Out. . . . . -27-

3.4.3 Existing Off Site Landscape Water Use. . . . . -27-

3.4.4 Additional Off Site Landscape Water Use at Build Out. . . . . -27-

3.4.5 Existing Off Site Estimated Livestock Water Use. . . . . -28-

3.4.6 Additional Off Site Estimated Livestock Water Use at Build Out. . . . . -28

3.4.7 Summary of Total Estimated Current and Proposed Off Site Water Use. . . . . -29

3.5 Total Cumulative Impact Area Existing and Proposed Water Use. . . . . -29

3.6 Water Supply Capabilities. . . . . -30

3.6.1 Groundwater Yield. . . . . -30

3.6.2 Aquifer Transmissivity. . . . . -30

3.6.3 Groundwater Storage Capacity. . . . . -31

3.6.4 Water Balance. . . . . -32-

3.7 Off-Site Well / Spring Interference. . . . . -34-

3.8 Surface Water / Aquatic Habitat. . . . . -35-

**4.0 Seawater Intrusion. . . . . -35-**

**5.0 CONCLUSIONS. . . . . -37-**

**6.0 LIMITATIONS. . . . . -38-**

**7.0 CLOSING. . . . . -39-**

**8.0 REFERENCES. . . . . -39-**

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

## **LIST OF PLATES**

Plate 1 - Site Location Map

Plate 2 - Site Aerial Map

Plate 3 - Geologic Map

Plate 3A - Geologic Map Legend

Plate 4 - Geologic Cross Section A-A'

Plate 5 - Cumulative Impact Area

Plate 6 - Groundwater Recharge Area Map

Plate 7 - Chloride v Chloride - Bromide Ratio

Plate 8 - Chloride v Chloride - Iodide Ratio

Plate 9 - Chloride v Chloride - Barium Ratio

Plate 10 - Chloride v Chloride - Boron Ratio

## **APPENDICES**

Appendix A - Well Log Summary and Parcel Ownership Tables

Appendix B - Laboratory Analytical Report, Analytical Sciences, March 28, 2012

## **EXECUTIVE SUMMARY**

In accordance with the Sonoma County Procedures for Implementing General Plan Policy WR-2e requirements for sites located in water scarce areas, Environmental Geology Services (EGS) conducted an evaluation of groundwater availability for the subject property (Plate 1 - Site Location Map) as part of the County of Sonoma's requirements for land subdivision. Our scope of work included a site and geologic reconnaissance, research and data collection, water sampling and analysis, review of driller's short and long term pump test, review of confidential DWR well records, interviews with drilling contractors with experience developing wells on the subject and adjacent properties, interviews with available nearby water well owners, data analysis, and preparation of this report.

Based on our scope of work and the results of our analysis, it is our opinion that the proposed groundwater uses under the minor land subdivision permit application for Proposed Lot 2, will not have a significant impact on the current and future groundwater availability within the Cumulative Impact Area or the Recharge Area. We determined that the groundwater supply capability of Well #1 is sufficient to support proposed uses resulting from the planned development of Lot 2. We determined that the groundwater recharge characteristics are such that the water supply requirement for Lot 2, plus off site uses in the Cumulative Impact Area and in the Recharge Area, result in a positive water balance. We also found that the required analytical testing for arsenic and nitrate concentrations resulted in no detections of arsenic, but a detection of nitrate at a concentration of 9.4 mg/L, which is slightly less than the US EPA Maximum Contaminant Level (MCL) of 10 ppm. Additionally, water quality analysis resulted in no detection of E. Coli, but did result in a detection of Total Coliform at a concentration of 6.0 MPN/100 mL which exceeds the CalEPA MCL of 2.2 MPN/100 mL for public water wells. However, since this is a private well and there is no published MCLs for Total Coliform the water quality is deemed acceptable.

To address the question of seawater intrusion potential we evaluated the area of influence due to pumping of Well #1 and evaluated trace ion ratios including Chloride, Nitrate, Bromide, and Iodide. Based on this limited evaluation we determined that the potential for seawater intrusion to impact the well is minimal.

## **1.0 BACKGROUND**

The Sonoma County Assessor's Parcels APN 068-110-026, 044 & 045 comprise +/-166 acres. The project proposes to subdivide the property into two parcels of +/-99.61 acres (Proposed Lot 1, up slope of the highway) and +/-63.36 acres ( Lot 2, downslope of the highway) in size, with a +/-3.2 acre strip along Lakeville Highway dedicated to Sonoma County (Refer to Plate 2). Proposed Lot 1 and Proposed Lot 2 will herein be referred to as Lot 1 and Lot 2, respectively.

The current 166 acre property is presently zoned as LEA 60 and is developed with a +/-5000 square foot (sf) residence with 4 bedrooms, a +/-750 sf pool cabana, and a pool and spa (total 220 sf). The landscaped area around the main house, pool, and cabana consists of lawn bordered by shrubs and trees. The well supplying this developed part of the property, the "House

Well,” (Well #2) is 165 ft deep with a reported 15 gallons per minute (gpm) capacity. Another well on the property, referred to as the “old well” (Well #3) is 185 ft deep and has a reported 4.1 gpm capacity. An additional well, referred to as the “Wind Mill Well” is 256 ft deep and has a reported capacity of 25 gpm. In this report we refer to the “Wind Mill Well” as Well #1 since this well is proposed to supply future development on Lot 2, and is the subject of our evaluation. Refer to Plate 5 for the location of Wells #1, 2, and 3.

The subject property, known as Pegasus Ranch, is currently a horse ranch and vineyard with +/- 51 acres planted. The facility is located in the southwestern slopes of the Sonoma Mountains extending from the lower flanks of the range at an elevation of approximately 114 feet above mean sea level (MSL) in the northeast part of the property, to approximately 10 feet above MSL in the southwest area. Lot 2, which is downslope and to the southwest of Lakeville Highway, ranges in elevation from about approximately 26 feet above MSL to approximately 10 feet above MSL. The entire property is located in Zone 3 (marginal water availability area) of Sonoma County’s water availability map (Sonoma County, 2004). Refer to the attached Plates 1 through 6 for reference of the site and surrounding area during the review of this report.

The proposed subdivision includes the proposal to develop Lot 2 (APN 068-110-026) with a residence consisting of 2 bedrooms. The subdivision includes no proposed development or changes in use to the Lot 1 (APNs 068-110-044 & 045). The issue of concern is the availability of sufficient groundwater and the possible impacts to nearby groundwater supply wells in accordance with Sonoma County PRMD Draft Health Conditions - Subdivision letter dated January 20, 2012. The Ground Water Resource and Impact Evaluation is required by the Sonoma County Permit and Resource Management Department (PRMD) for development in water scarce areas (Zones 3 and 4).

The issues addressed in this report, and the guidelines for addressing PRMD requirements, are presented in PRMD’s referenced Draft Health Use Permit Conditions, their letter to the owner dated January 20, 2012, County Procedures for Implementing General Plan Policy WR-2e, and the Sonoma County Groundwater Studies Checklist (December, 2003).

To prepare the scope of work for this evaluation, we met and consulted with Jon Tracy (PRMD), briefly reviewed information on file at the PRMD offices, reviewed site topographic maps, air photos, zoning maps and available maps and reports in our files, and reviewed the PRMD letter dated January 20, 2012 outlining the current required report guidelines. We also reviewed similar studies EGS and others have conducted for water scarce areas in Sonoma County. The scope of work implemented for this evaluation is presented in the following section.

Before continuing with the approval process for the proposed Minor Subdivision requirements and preparing a Negative Declaration, a number of specific requirements related to water need to be addressed as enumerated in the PRMD Subdivision Conditions letter dated January 20, 2012 and in verbal communications.



These specific requirements are as follows:

**Item 25, Water Yield** - Proof of adequate water yield shall be demonstrated on Lot 2 in accordance with Chapter 25, Sonoma County Code. At least one gallon per minute for each dwelling unit shall be demonstrated.

**Item 29, Well Construction / Easement** - In accordance with the Note on the minor subdivision tentative map, Lot 2 shall be provided with a separate water supply well meeting all current standards for annular seal and setbacks. Alternatively, conditions can be met through a legal covenant and easement agreement acceptable to PRMD in accordance with conditions "a" through "d" of Item 29. It is our understanding that this approach will be used and the existing "Wind Mill Well" (Well # 1) on Lot 1 will be used to supply Lot 2.

**Item 35, Water Quality** - To verify an acceptable water source that meets California State and Federal standards, the water well shall be sampled using standard environmental protocols. Samples are to be submitted to a California State Certified laboratory and analyzed for arsenic, nitrates, total coliform and E. Coli.

**Saltwater Intrusion** - As noted in the PRMD Subdivision Conditions letter dated January 20, 2012, Lot 2 contains saltwater marshland. Jonathan Tracy of PRMD has verbally requested that an evaluation of saltwater intrusion be included as part of the groundwater resource evaluation. After additional discussions with Jon Tracy, it is our understanding that an abbreviated evaluation of this PRMD concern would be appropriate since the well that will provide water to Lot 2 is located on Lot 1, in an upland area a significant distance from the marshland adjacent to the Petaluma River (Plate 5).

Prior to processing the minor subdivision application and the negative declaration, it must be demonstrated that there is a sufficient water resource for the proposed site use (development of Lot 2 with a residence) and that use of the groundwater resource will not adversely impact water supply wells in the Cumulative Impact Area. In addition, PRMD has requested that this evaluation include a limited assessment of the potential for saltwater intrusion to impact the water supply well for Lot 2. The issues to be addressed and the guidelines for addressing PRMD requirements were presented verbally by Jonathan Tracy of PRMD and in PRMD's letter dated January 20, 2012, County Procedures for Implementing General Plan Policy WR-2e, and Sonoma County Groundwater Studies Checklist (December 2003).

## 1.1 Scope of Work

The scope of work we conducted for this evaluation consisted of the following tasks.

**Task 1 - Project Management** - This task consisted of preliminary data review to prepare the scope of work, preliminary consultations with project engineers, planners and PRMD

staff, an initial site visit, and development of costs. This task also included project set up and administration during the course of the work.

**Task 2 - Site Reconnaissance & Well Canvas** - This task consisted of a site reconnaissance and canvas of existing production wells in the Cumulative Impact Area, conducting interviews with owners of wells within the Cumulative Impact Area and nearby, submitting a "Well Completion Report Release Agreement - Agency" request to obtain confidential DWR well records, review of available well records, driller's logs, pump tests, and production records. This task includes consultation with well drilling contractors who have drilled and serviced wells on the property and in the area, including observing site geologic and hydrogeologic conditions.

**Task 3 - Data Collection and Review** - This task consisted of reviewing published and unpublished geology, groundwater, seawater intrusion, rainfall data, and related data on the site and area. In this task we defined the "Cumulative Impact Area", identified the project's planned water requirements and estimated the theoretical water demand for existing conditions and anticipated build out.

**Task 4 - Groundwater Sampling and Laboratory Analysis** - In this task we purged Well # 1, collected field water quality parameters and collected groundwater samples for analysis of a number of basic water quality parameters required by PRMD. The samples were transported to our subcontract State Certified laboratory for analysis.

---

**Task 5 - Seawater Intrusion Evaluation** - For this part of the evaluation we estimated the potential radius of influence of Well #1 and looked at groundwater quality for evidence of seawater intrusion. We also reviewed USGS Water Resource Investigations Report 02-4259, and other report, and evaluated chloride and selected trace element concentration ratios relative to a native formation groundwater / seawater mixing graphic plot to conduct this evaluation.

**Task 6 - Data Analysis, Calculations and Modeling** - In this task we used the collected data such as site and area geology and stratigraphy, drillers logs and driller's pump tests, surface hydrology, meteorological data, evapo-transpiration estimates, run-off rates, infiltration estimates, well data to evaluate the groundwater supply and estimated impact of Well #1 on groundwater supply. To the extent the data allowed, a model of the hydrologic characteristics of the sediments and /or bedrock groundwater sources beneath the property was developed, and we evaluated off-site well / spring interference as a result of pumping Well #1. We also assessed potential impacts to surface waters and aquatic habitats in the local area, and documented assumptions and calculations.

---

**Task 7 - Report Preparation** - Lastly we reviewed the results of the data collected, analyzed the data, formulated conclusions, and prepared this report.

## 1.2 Existing and Proposed Development

The subject property consists of three contiguous parcels, Sonoma County APN 068-110-026, 044 and 045, occupying +/-166 acres (Plate 5) purchased by the Bachman's in 1988. The facility known as Pegasus Ranch is an operating horse breeding ranch and vineyard (a total of +/-51 acres in Pino Noir, Syrah and Chardonnay). It is proposed to split the property into two parcels of 99.61 acres (Lot 1) and 63.36 acres (Lot 2), with the remaining 3.2 acres along Lakeville Highway to be dedicated to the County of Sonoma. Lot 1 is located up slope and to the north of Lakeville Highway and Lot 2 is located down slope south of the Highway and adjacent to the Petaluma River (Plate 5).

The property is developed as follows:

### **Lot 1 - Existing development on Lot 1 consists of:**

One +/-5000 sf residence with 4 bedrooms,

One +/-750 sf pool cabana,

One pool and spa (total 220 sf),

Landscaped area around the house, pool, and cabana consists of lawn bordered by shrubs and trees totaling about with approximately 0.3 acres of lawn,

One vineyard block of +/-21½ acres,

Two irrigation ponds supplied by runoff, one with a surface area of +/-0.5 acres (estimated capacity 1,552,900 gallons or 4.76 acre feet or AF), one with a surface area of +/-0.78 acres (estimated capacity 4,353,000 gallons or 14.55 AF),

Water storage tank (+/-20,000 gallons) adjacent to house and near Well #2,

Small pump house near south end of the 14.55 AF pond and just north of Well #3.

There are three wells on Lot 1:

- A well with a small well house and storage tank referred to as the "Wind Mill Well" (Well #1) is 256 ft deep and has a reported capacity of 25 gpm. This well is proposed to supply future development on Lot 2 and is the subject of our evaluation.
- A well, small well house and storage tank supplying the main house pool / spa and cabana, referred to as the "House Well" (or Well #2) is 165 ft deep with a reported capacity of 15 gpm.

- A well and small well house referred to as the “old well” (Well #3) is 185 ft deep and has a reported capacity of 4.1 gpm.

Two 3,600 sf, and one 2,600 sf barns,

Four horse pastures (+/-18.25, +/-11.6, +/-15.8, and +/-10.1 acres).

**Lot 2 - Existing development on Lot 2 consists of:**

Three vineyard blocks of +/-9.25, +/-8.5, and +/-13.75 acres

One irrigation pond supplied by runoff with a surface area of +/-2.5 acres (estimated capacity 5,600,000 gal or 20 AF),

One shallow brackish / saltwater pond with a surface area of 4 acres (estimated capacity 4,000,000 gal or 12 AF),

Water storage tank (+/-15,000 gal). There are no wells on the Lot 2,

A +/-350 sf pump house adjacent to the water storage tank,

One 3,000 sf combination barn and vineyard equipment storage building,

One 3,000 sf barn (currently under construction).

**Proposed development on Lot 2:**

Reconfigured (under permit) ponds to combine a portion of the brackish / salt water pond to a freshwater pond estimated at 2.5 acres and 20 AF, that would join existing 20 AF irrigation pond,

One 2 bedroom residence, estimated +/-2500 sf,

Undetermined landscaped area around the proposed house, estimated to be minimal and would be irrigated from pond, not well water,

Reconfigure (under permit) northern side of existing brackish / salt water pond to a horse pasture / paddock area of approximately +/-4.25 acres,

Construct a 9 stall horse barn,

Remove the 8.5 acre vineyard and convert area to seasonal horse pasture, proposed to typically house 12 to 15 horses, with a maximum capacity of 20.

Our understanding is that there is no proposed change in use and no proposed new development of Lot 1. However, the owners have listed the property for sale. New owners would need to conform to current zoning LEA 60.

### **1.3 Local Hydrogeology**

The generalized geologic map of the Santa Rosa Quadrangle (California Division of Mines and Geology or CDMG, 1963) indicates the subject property and area are underlain by Pleistocene age Petaluma Formation (Pp), consisting of primarily non-marine deposits of siltstone, mudstone and claystone. More detailed mapping of Sonoma County compiled by the CDMG (Huffman and Armstrong, 1980) shows the property and area is underlain by Plio - Pleistocene Petaluma formation rocks (Tps) consisting of interbedded claystone, siltstone, mudstone and tuff with cross beds of sandstone and conglomerate. This mapping shows the lower, more gently sloping parts of the property (including Lot 2) to be overlain by Quaternary age alluvium consisting of sand, gravel, silt, and clay.

The most recent, and most detailed mapping of the area, is by the California Geological Survey (Wagner, et al., 2002) of the Petaluma River 7.5' Quadrangle which shows the property to be underlain by the Upper Petaluma Formation (Tpu, Refer to Plates 3 and 3A). Geologic mapping and hydrogeologic descriptions compiled by the CWDR (1975) report that the upper part of the Petaluma Formation is correlative with the Merced Formation, and that the Merced Formation is described as an abundant producer of good quality groundwater and a principal producer west of Highway 101. The more site specific mapping and description by Wagner, et al. (2002) shows the underlying units consist of massive, well sorted sandstone, siltstone, and conglomerate. The conglomerate section of the sequence is rich in laminated siliceous shale (from the Monterey Formation) fragments and Tertiary volcanics, with Franciscan clasts. This recent mapping show the Robler Tuff (Trt), dated at 6.26 Ma (million years age) is interbedded with the Upper Petaluma Formation.

Descriptions of the groundwater geology of the Petaluma Formation by the CDWR (Bulletin No. 118, 1982) indicate that a section of the formation measured by Weaver (1949) near Lakeville found the section to be 1,059 feet thick with 30% of this section being sandstone and conglomerate. Recent mapping (Wagner, et al., 2002) shows that Lot 2, is overlain by recent unconsolidated sediments consisting of Holocene alluvial fan deposits (Qhf) that are described as sand, gravel, silt, and clay deposited by streams emanating from canyons onto alluvial valley floors. These sediments are poorly to moderately sorted and bedded. In addition there are Holocene (<11,000 years) bay mud (Qhbm) deposits of silt, clay, peat, and fine sand that were deposited at or near sea level in lower central part of Lot 2. The eastern boundary of Lot 2 (Lakeville Highway) is approximately 1 mile south west of the Lakeville fault. Well # 1 (Wind Mill Well) that is proposed to supply Lot 2 is drilled within the Upper Petaluma formation (Tpu).

Our geologic reconnaissance of the project area and our review of Water Well Driller Reports (WWDRs or Well Completion Reports or WCRs) identified the local geology as being comprised of the Upper Petaluma Formation consisting of interbedded claystone, siltstone, mudstone,

sandstone and conglomerate with underlying greenstone. Plate 3 is a geologic map of the area, geologic units are on Plate 3A, and geologic cross section A-A' is on Plate 4.

Groundwater yields in wells completed in the groundwater basins in California are described in CDWR Bulletin No. 118 (1975 and 1982) and CDWR Bulletin No. 118 Update (2003). These publications also describe hydrologic properties in the Petaluma Valley Basin and the variations within the basin, with descriptions of well yields in the formations in the hydrologic basin.

According to CDWR Bulletin No. 118 (1975) the Petaluma Formation is described as being noted for having a generally low to moderate, but highly variable well yields. However this description applies to the formation as a whole, and does not describe yields associated with the currently recognized Upper, Middle and Lower subdivisions of the Petaluma Formation. CDWR (1975) also reports yields from bailer tests ranging from 5 gpm to 300 gpm with significant draw downs. CDWR (1975) reports a **transmissivity<sup>1</sup> of 3,754 gpd/ft (0.038 AF/day)** for the Petaluma Formation. CDWR Bulletin No. 118 (2003) reports maximum well yields in the Petaluma Formation of 100 gpm.

In CDWR Bulletin No. 118 (1982), the Petaluma Formation is considered to have a apparent specific yields of from 3% to 7%, depending on what part of the formation is being evaluated. However, CDWR (1982) reports that the upper part of the formation and the overlying Merced Formation have higher yields, ranging from 10% to 20%. The Petaluma Formation can yield moderate amounts of water when a well penetrates an appreciable thickness of sand and gravel. However, because of the large amounts of clay that characterize the unit, it has been assigned a low overall specific yield from 3% to 7%. Where wells penetrate thicker sand and gravel units specific yield in the range of 10% to 20% could be expected. Based on this evaluation a **specific yield of 12%** for the Upper Petaluma Formation (Tpu) would be a reasonable estimate.

The literature (as well as drillers' experience) indicates the Upper Petaluma Formation (Tpu) has significantly better aquifer characteristics than the Middle and Lower Petaluma Formation (Tpm and Tpl). However, because of the variable water-yielding characteristics and the thicker sequences of finer deposits that are typical of the Petaluma Formation as a whole, all areas underlain by this formation are included in the Sonoma County's Zone 3 (marginal water availability) of the County's water availability map. The DWR has calculated storage capacity for the Petaluma Formation to be 1.7 million AF as of 1980. CDWR (1982) also reports that variations in groundwater chemistry of samples from the Petaluma Formation indicates aquifer discontinuity due to faulting, and that the groundwater is generally confined to semi-confined, and quality is impacted by nitrates in the northwestern part of the basin and sea water intrusion in the southern portion of the basin thus reducing storage capacity suitable for use to about 1.3 million AF.

---

1

*Transmissivity is a measure of the aquifer's ability to transmit groundwater through its entire saturated thickness and relates closely to the potential yield of a well. Transmissivity = hydraulic conductivity x saturated thickness. Thus a high conductivity in a thin saturated zone would result in a low yield.*

Our consultations with local drilling contractors who have drilled wells in the Lakeville Highway area indicate that they have had good success in developing productive wells with good to very good yields<sup>2</sup>. This was verified by our review of Well Completion Reports of wells drilled within a ½ mile radius of the site, provided by DWR for this evaluation (Section 2.2).

The property (proposed minor subdivision) is located on the east side of what is referred to as the Petaluma Valley Water Basin. The Petaluma Valley Water Basin (Basin No. 2-1) is a 41 square mile (46,100 acre) basin drained by the Petaluma River and its tributary creeks (CDWR Bulletin No. 118, 1975). The total storage capacity of the basin has been estimated to be 2.1 million acre-feet (AF). Water bearing zones in this basin are as deep as 900 feet and wells are reported (CDWR, 1975) to have an **average yield of 40 gallons per minute (gpm)**. In areas of the basin near or adjacent to San Pablo Bay there is a recognized potential for sea water intrusion into wells. Within the property there are four artificial irrigation ponds; two on the up slope property (Lot 1) and two on the down slope property (Lot 2).

#### **1.4 Local Climate**

Sonoma County, along the coastal area of California, has highly variable climatic conditions (microclimates). Factors such as proximity to the ocean, elevation, and the presence and elevation of hills or mountains to the east and west determine local climatic conditions (e.g., rainfall, evapotranspiration, etc.). Most of the prevailing weather systems (rain storms) and wind come from the Pacific Ocean, blowing in from the west and southwest. Locations closer to the ocean and on the windward side of higher elevations receive more rain from autumn through spring and more wind and fog in the summer.

Local weather conditions are also influenced by high and low pressure systems in the Central Valley to the east where high summer temperatures result in low pressures, that pull moist air from the Pacific, cooling into damp cool breezes and fog over the cold coastal water. Sites such as the subject property (elevation +/-10 ft to 114 ft above MSL) at lower elevations that lie close to San Pablo Bay, tend to receive somewhat less rain in the winter, and more fog in the summer as compared to higher elevation sites, and sites closer to the coast.

The County Wide Rainfall Map (Sonoma County Water Agency, 2005) indicates the average rainfall in the vicinity of subject property is **25 inches per year**. Although there are annual variations and longer term variations, we used the value of 25 inches per year in this evaluation.

The mean annual evapotranspiration for the area is estimated to be 43.9 inches per year based on the Reference Evapotranspiration Map (California Irrigation Management Information System or CIMIS, 1999) which has typically been used as a reference for estimating water loss through evapotranspiration.

---

<sup>2</sup>

*Based on consultations with Weeks Pump and Well, Jerry & Don's Yeager Pump and Well Service and Fisch Brothers Drilling (see Section 2.4).*

However, as discussed in USGS Scientific Investigations Report 2006-5092 (Farrar, et al, 2006) evapotranspiration estimates using CIMIS maps and tables are not representative of actual water loss in areas of native vegetation since the CIMIS values were developed for irrigated non-native species. Farrar, et al, (2006) demonstrate that CIMIS values should be corrected by approximately 0.339 to achieve a weighted mean value for evapotranspiration for areas vegetated with non irrigated, predominantly native species. Therefore, we estimated the mean annual evapotranspiration for the area to be **14.8 inches per year** in this evaluation.

## 2.0 RESEARCH

The following sections, in addition to references cited in previous sections, describe the research we conducted for this evaluation to comply with requirements of the County's Policy WR-2e guidelines. In each section, following the scope of work, are the corresponding findings relevant to this hydrogeologic assessment.

### 2.1 Site Reconnaissance

A site reconnaissance was conducted by our Senior Geologist during our initial site visit on February 1, 2012, with additional reconnaissance conducted in conjunction with sampling Well #1 on March 15, 2012. At these times our Senior Geologist made an overall reconnaissance of the subject property and adjacent properties that were accessible by road. Project area and site features such as topography, drainages, ponds, wells, on site irrigated areas, general native vegetation, structures, soil types, and geologic out crops were observed.

The subject site is located on the southwestern slopes of the Sonoma Mountains approximately one mile southwest of the Lakeville Fault, 7 miles southeast of downtown Petaluma, and 6 ½ miles northwest of San Pablo Bay. The Petaluma River and associated wetlands bound the property on the southwest. The property is transected by Lakeville Highway and accessed by private roads off of Lakeville Highway, one to the east and one to the west. The site topography slopes downward from northeast to the southwest at an elevation of approximately 114 feet above MSL to approximately 10 feet above MSL. The upland part of the property (Lot 1), which includes the location of Well #1, is moderately sloping, becoming somewhat steeper to the northeast, and is characterized by gently rolling terrain. The lower part of the property (Lot 2, which lies southwest of Lakeville Highway) is generally flat lying with a very gentle slope toward the Petaluma River.

As noted previously, there are four artificial ponds on the property, three of which are supplied by runoff (Plate 5). They are as follows: two on Lot 1 - one pond at +/-0.5 acres (estimated capacity 4.76 AF), and one pond at +/-0.78 acres (estimated capacity 14.55 AF), and two on Lot 2 - one irrigation pond supplied by runoff at +/-2.5 acres (estimated capacity 20 AF), and one shallow brackish/saltwater pond at +/-4 acres (estimated capacity 12 AF) that receives water from the Petaluma River via a breach in the levee. The other nearby body of water is Tolay Creek, 1.75 miles northeast of the property. Tolay Creek is separated from the watershed of the subject property by a low NW-SE trending ridge.



We observed relatively silty clay (CH) soils developed throughout most of the gently sloping areas of the property and adjoining areas. In some road cuts and incised locations there are exposures of sandy clay loam soils. The soils are described by the Natural Resource Conservation Service (1972) as belonging to the Clearlake Series (CcB).

Vegetation consists of grasses, shrubs along drainage margins, and clusters of trees (primarily eucalyptus) along Lakeville Highway, and along Cardoza Road which bounds the eastern side of Lot 1. A small area of the property on Lot 1 surrounding the existing house is occupied by irrigated lawns and landscaped areas. Based on our observations we estimate approximately 0.3 acres out of a total 166 acres comprising the total property (both Lots) is irrigated, or about 0.02% of the property. Section 1.2 describes the existing and proposed development.

## **2.2 Water Well Drillers Reports and County Records**

Driller's logs for water wells drilled in California are confidential under California law and cannot be reproduced, but can be reviewed by qualified people with authorization from an appropriate regulatory agency. For this evaluation we completed DWR "*Well Completion Report Release Agreement - Agency*" and submitted it to the Sonoma County PRMD for authorization to obtain confidential DWR well records as available within a ½ mile radius of the site

Fifty-three (53) Well Completion Reports were received and reviewed, with a number of these being beyond the area of concern for this investigation. Table A1 in Appendix A summarizes the relevant information obtained from reviewing these reports for properties with a 1/4 mile radius of Well #1. Review of some of the logs for wells beyond that radius are also included because they provide information on well performance and geology of the Upper Petaluma Formation.

The lithologic descriptions provided on the WCRs are representative of the Upper Petaluma Formation (interbedded claystone, siltstone, mudstone, sandstone and conglomerate). Our review of the data from wells within a 1/2 mile radius of Well #1 on the subject site show that productive wells ranged in depth from 160 feet to 516 feet deep with an average depth of 340 feet. Some of these wells were constructed with long screen intervals, generally from near the bottom of the well to near the base of the surface seal, whereas others were screened at selective intervals where gravel or sandy zones were encountered. Wells in this area have generally good production based on development tests at the time of construction that ranged from 1.5 hours to 7 hours in length. Reported yields based on driller's initial tests ranged from 3 gpm to over 30 gpm, with an average production of 20 gpm. The distances in Table A1 (Appendix A) from Well #1 are approximated only, and are based on a Google Map search of addresses field observations and air photo interpretations. For large parcels the actual locations could vary by a few to several hundred feet.

## **2.3 Assessor's Parcel Maps**

Sonoma County Assessor parcel maps (APNs) were reviewed at the County Assessors Office and ownership and parcel addresses were researched and compiled. This task identified recorded

parcels within a ½ mile radius of the site well (Well #1 on Lot 1) and within the recharge area. Plate 5 presents boundaries of parcels in the Cumulative Impact Area (see Section 3.2), delineates the 1/4 mile radius, and shows the subject site and nearby well locations within the 1/4 mile radius, as determined from our well canvas, a review of aerial photography, consultation with the Client, and review of WCRs. Information from the County Assessors records were used in our well canvas and in developing well owner information for interviews described in Section 2.4. A summary of the information about the wells on those properties is presented in Table A1, Appendix A. The properties and ownership information developed from the County Assessors records review (excluding parcels with no ownership or address listed) are compiled in Table A2, included in Appendix A.

Based on our review of the parcel ownership and address information listed above, and on the DWR Well Completion Reports we identified properties with documented wells located within ½ mile of the subject site. We attempted to find contact information for each of the property owners to research relevant information about their wells. We also contacted drilling contractors who are known to have drilled wells in the area and results of contacts are summarized in Section 2.4.

## **2.4 Interviews**

Our interviews included residents within a ½ mile radius of the site and local well drilling contractors who have had experience with drilling/developing wells in the local area. We attempted to find phone numbers for the owners listed in Table A2, Appendix A, and identified fourteen (14) nearby property owners with phone numbers. Only those property owners that we were successful in interviewing are listed. Comments regarding well performance from those we were able to contact are listed as follows:

### **Drilling Contractors**

Weeks Drilling & Pump, Inc., 707-542-3272, Brandon: Water quantity is variable in the area southeast of Lakeville Highway. Their experience (10 wells in the area recently) is that to the east of the Tolay Fault (also referred to as the Lakeville Fault) it is difficult to get a productive well, however to the west of the fault productive wells are more common. Recent experience drilling in the Tolay Creek area (east of Tolay-Lakeville Fault) has been disappointing with a number of dry holes. However, they recently drilled a 280 ft deep well about a mile southwest of the subject property (west of Tolay-Lakeville Fault) and produced over 100 gpm. Typical well depths are 130 to 300 ft bgs. Of the productive wells they have drilled in area to west of the Tolay-Lakeville Fault the average production is 20 gpm.

Fisch Brothers Drilling, Inc., 707-823-3891, Ed Fisch: They have drilled numerous wells in the area of the subject property and on the subject property. Some of the drilling has been done under contract to Jerry & Don's Yager Pump & Well Service. In the Lakeville Highway area their experience has been constructing wells with generally good yields. Ed Fisch reports water quality is variable in this area with some wells having brackish water, some with higher sodium. Some of Mr. Fisch's specific experience in the local area is as follows:

\* Four test wells on the subject property (specific locations not defined) - depths from 158 ft to 430 ft with yields based on 3 to 4 hr air lift development tests ranging from 3 gpm (in the 158 ft well) to 35 gpm to 60 gpm in the other wells (258 ft to 430 ft deep).

\* A well located at 5531 Lakeville Highway, approximately 1.7 miles NW of Well #1 on subject property, drilled to 410 ft and produced 20 gpm during a 4 hr development test.

\* A well located at 6545 Lakeville Highway (Alan Marcucci Ranch, approximately 0.25 miles south of Well #1 on subject property, drilled to 465 ft and produced 12 gpm during a sustained development test (greater than 4 hours).

\* A well located at 7715 Lakeville Highway, approximately 3.75 miles southeast of Well #1 on subject property, drilled to 535 ft and produced 150 gpm during a sustained development test and had substantial drawdown.

\* A well located at 6780 Lakeville Highway, approximately 0.5 miles southeast of Well #1 on subject property, drilled to 350 ft and produced 40 gpm during a 3 to 4 hour development test and had sodium but was adequate for livestock.

\* A well located at 7600 Lakeville Highway, approximately 2.7 miles southeast of Well #1 on subject property, drilled to 378 ft and produced 150 gpm during a 3 to 4 hour development test for equestrian facility. Ed Fisch reports this to be one of the most productive wells in the area.

\* A well located at 6545 Lakeville Highway, Copernicus Stables adjacent property to southwest, south of the arena and approximately 1000 ft southeast of Well #1 on subject property, drilled to 430 ft and produced 12 gpm during a sustained development test.

Jerry & Don's Yager Pump & Well Service, 707-823-7861, Jim Mickelson: They have tested a number of wells in the area and on the existing and former Bachman properties. Mr. Mickelson noted that wells down slope of the ridge west of Tolay Creek generally produce good to high yields. He also reports the following specific experience in the local area:

\* A well located on Sid Hendrix property (adjoins Lot 2) this well was approximately 180 ft deep and produces about 10 gpm.

\* As part of an earlier land split / sale for Tom Bachman, Mr. Mickelson tested the Wind Mill Well (Well # 1 on Lot 1) with an 8 hour pump test and recorded a consistent 25 gpm. His report documented in an e-mail response to our telephone interview is as follows: "On October 28th, 2008 we performed an 8 hour test on the well DWR730679 "Windmill Well". At that time the well produced 25 gallons per

*minute with a pumping water level of 74'. The well is 256' deep, 8" PVC casing with a static water level of 50'ft."*

\* He tested the Old Well (Well #3) on the Bachman property also for this transaction, and it produced about 3 gpm based on a long term test recently conducted.

\* In addition, Mr. Mickelson tested an existing well that is on the current Nieman property that is east of the Old Well (Well #3 on the Bachman property) as part of the sale of that parcel. The Nieman well is north of the arena, is about 180 ft deep, and based on an 8+ hr pump test produces 50 gpm. That well, which was operated by Tom Bachman while he owned that property, is reported to have always been a good producer.

\* Another nearby well is on the property owned by Tom Crane about 0.8 miles southeast of Well #1 (SE of the intersection of Dustman Rd and Lakeville Highway). This well is about 350 ft deep and produces 50 gpm based on a 4 hr development test.

Les Peterson Drilling & Pump, Inc., 707-545-0246, Matt Peterson: EGS left multiple messages but was not able to interview personnel on their company's drilling experience in the area.

### **Local Residents / Property Owners**

- Tom Bachman, 6525 Lakeville Highway, 707-321-0068 - Reports that the Wind Mill well (Well # 1) has always been productive, on the order of 25 gallons per minute, the "house well" (Well # 2) has produced 20 gpm (for approximately the past 24 years) and the "old well" (Well # 3) has produced at least 3 gpm (for approximately the past 24 years). He reports no notable problems with well productivity over 24 years of residence there. He reported one incident when the neighbor to the south (6855 Lakeville Highway) over pumped his well (Well A, Plate 5) when trying to saturate the new outdoor arena. This abnormal pumping event resulted in a short term impact to Well #1 and Well #3. Once Well A was returned to normal operation, Well #1 and Well #3 recovered and have had no further impacts. His wells are used for domestic use, livestock and a small amount of landscape irrigation around the existing house on parcel 068-110-044.
- Tom Crane, 6788 Lakeville Highway, 707-795-3246, purchased property 40 years ago - He believes his well to be about 400 ft deep, plus he has a hand dug well (20 ft ) to use for sheep. He typically has about 600 to 700 sheep and they consume 0.75 to 1 gpd (he also dry farms hay). The deep well is used for domestic (two houses) and livestock purposes. The only well issues have been a gradual water table decline related to long term drought conditions experienced by many well

owners. Original pump was set at about 240 feet deep, but due to drought he as had the pump lowered to the bottom of the main well, now about 400 ft.

- Cliff Gentry, 6855 Lakeville Highway, 707-732-3372. - Mr. Gentry and his wife manage the property for the Colters (owners). They owned, and he has managed, property for 7 years. Groundwater for domestic use is for two residences (caretakers cottage on east side and managers house on south side), and irrigation uses for landscape. They have had no production problems with exception of a one time incident where stable manager over watered arena, subsequently no issues with wells. Three wells on site - main well up slope of upper barn (near SW corner of vineyard) is about 125 ft deep, second well is about 445 ft deep near SE corner of vineyard, and third well is about 400 ft deep and located near the managers house on the south side of the property. They have 3 horses on site now with a maximum of about 20 for any length of time. Facility includes two 20 stall barns, one 4 stall barn and a 10 stall barn. They also have on average 65 sheep. Mr Gentry noted that the water table has dropped over past three years due to below normal rainfall and they are making efforts to conserve water.

## **2.5 Zoning Information**

The subject property consists of three contiguous parcels, Sonoma County APN 068-110-026, 068-110-044 and 068-110-045. Zoning designation records on the Sonoma County PRMD web site were reviewed for the subject property, and all parcels are zoned LEA 60. This designation means the property is zoned Land Extensive Agricultural District, density normal (60), indicates that residential density shall be sixty (60) acres per dwelling unit as shown in the general plan land use element or permitted by a "B combining district", whichever is more restrictive. The three contiguous parcels total approximately 166 acres.

Currently the property is an operating horse ranch and vineyard. The details of the existing and proposed development are described in Section 1.2, Existing and Proposed Development. Based on the current zoning designations, the parcel size and the current level of development, a significant change in the current and future property use is considered unlikely. Proposed development of Lot 2 appears to be consistent with current zoning.

## **2.6 Other WR-2e Reports**

The Sonoma County PRMD provided a listing of all groundwater studies conducted to comply with WR-2e in the county beginning in 2009. No adjacent or near by properties were found to have WR-2e reports on file based on our review of this list and map search of addresses. Furthermore we identified no projects in the general vicinity of the subject property that had completed WR-2e reports on file.

## 2.7 Documentation of Expended Effort

In the course of our site reconnaissance, data collection and analysis, and report writing, we have expended approximately 80 hours. These efforts include researching files at PRMD, locating parcels and addresses of nearby parcels at the County Assessor's Office, researching owner contact information, compiling and reviewing WCR's from DWR, conducting telephone interviews of drilling contractors and well owners near the subject property, data analysis, calculations, drafting, and report writing.

## 3.0 GROUNDWATER AVAILABILITY ANALYSIS

### 3.1 Pump Tests

In our scope of work and service agreement for this evaluation dated March 8, 2012 we eliminated the pump test, in part because of the Owner's request to reduce costs. This was a reasonable request because it is our understanding that there are no expected third party challenges to this project, and because the minor subdivision will result in ongoing historic use with no significant changes in use proposed. The proposed development of Lot 2 would not result in a significant increase in the use of groundwater over the present use. Furthermore, there was a significant amount of information regarding the on site and nearby wells, and preliminary information indicated most wells in the area (specifically those in the Upper Petaluma Formation) have had good productivity.

Prior to elimination of pump test from the scope of work we consulted with Jon Tracy at PRMD and provided additional information to PRMD regarding the site conditions, development proposal (for Lot 2), well history and the location of Well #1. Mr. Tracy concurred that a lesser scope would be appropriate and a pump test need not be conducted at this time. However, as discussed, Mr. Tracy noted in his e-mail dated March 6, 2012, that *"pump test length is specified in the Building Code and is typically a condition of approval, that is, they must do it before the map records."* However, it was also stated that *"the pump test in the groundwater study is at the discretion of the geologist"*.

On this basis, we eliminated a pump test from this scope of work and have relied on the driller's short term development tests, and the 8 hour pump test on Well # 1 conducted on October 28, 2008, and other data regarding the performance of Well #1 and aquifer conditions. Since the results of this evaluation are favorable, it is possible that PRMD could approve the minor subdivision without further well testing. However, we cannot guarantee that PRMD will not require a pump test on Well #1 in addition to the 8 hour pump test conducted by the driller in 2008.

In order to evaluate Well #1 without a long term (8 hr+) pump test wherein we measure draw down and recovery rates, we have made estimates of the well's performance based on a short term well development test, the 8 hour test conducted in 2008, well performance history, and of aquifer properties to develop our conclusions. These estimates and their basis are discussed in Section 3.1.2, below. Given what is known about the site and its history, the geologic setting, and

the results of our interviews with nearby well owners, the known facts and assumptions made about the site well’s performance, and the aquifer properties, we believe this limited well assessment to be adequate to address County PRMD requirements and concerns at this time. Based on our findings it is our opinion that an additional pump test is not required.

If there are third party challenges to the project’s groundwater impacts, or other changed conditions, more sophisticated data collection through a longer term pump test that incorporates measurement of draw down and recovery depth versus time measurements might be justified.

### 3.1.1 Water Sampling and Analysis

In this task we purged Well #1 by discharging water from the 2-inch gate valve at the top of the well(discharge point nearest the pump) for approximately 1 hr at maximum discharge rate. During this time we measured water quality parameters until they were generally stable using a Horiba U-50 multi-parameter meter (Table 1). When water quality measurements became generally stable we reduced the flow and collected groundwater samples for analysis of the following water quality parameters: Total Coliform, E. Coli, Arsenic (As), Nitrate and selected ions.

In addition, we collected groundwater samples for the limited seawater intrusion evaluation. Samples for this part of the evaluation were collected for analysis of Bromide, Iodide, Barium, Boron and Chloride. All water samples were collected directly from the well discharge point into laboratory supplied containers appropriate for the specific analysis. Analytical results are summarized in Table 2, and the complete laboratory report is included in an Appendix B of this report. Also, we measured the discharge rate at the start of, during, and at the conclusion of purging. These discharge rates were all approximately 26 gpm.

<b>Table 1 - Water Quality Parameter Field Measurements</b>								
Time	1:30	1:34	1:50	2:00	2:10	2:20	2:30	2:40
Gallons, (approx)	1	100	500	750	1000	1250	1500	1750
Temp, C°	18.4	18.5	18.1	18.6	18.5	18.7	18.7	18.7
pH	4.7	4.7	4.1	4.2	4.8	4.4	5.4	6.2
ORP, mv	373	373	427	401	367	342	351	349
Sp Cond ms/cm	0.799	0.957	0.772	0.726	0.719	0.715	0.721	0.719
Turb NTU	19.8	17.2	14.5	14.7	18.9	19.9	18.2	12.7
TDS	0.683	0.509	0.613	0.494	0.465	0.460	0.457	0.461

Samples were collected in laboratory supplied containers, appropriate of the specific analysis. Sample containers were logged on a Chain of Custody form, placed in an ice chest with frozen “blue ice”, and delivered to our State certified subcontract laboratory in Petaluma, on the same day as the samples were collected. Analytical results are summarized in Table 2 and the complete laboratory report is included in Appendix B of this report.

Table 2 - Summary of Water Quality Analytical Results				
Compound Name	Result	RDL	MCL	Units
Total Coliform <1 QT 1	6	1.0	Caution	MPN/100 mL
E. Coli	<1 QT	1.0	<1 QT	MPN/100 mL
Arsenic (As)	ND	0.002	0.05	mg/L
Nitrate	9.4	0.5	10	mg/L
Bromide	0.18	0.010	NL	mg/L
Iodide	0.0078	5.0	NL	mg/L
Barium	0.130	50	1.0	mg/L
Boron	0.160	0.050	NL	mg/L
Chloride*	66	2.0	250	mg/L

**Table Notes:** ND = not detected, QT = quantitative test. A result of less than 1 (<1) indicates bacteria are "absent" in 100 milliliters of sample water. RDL = Reporting Detection Limit. RPD = Relative Percent Difference. MCL = Maximum Concentration Levels per Title 22 CCR, 64431(a) October 11, 2007. Caution - The detection of Total Coliform in a public water supply well requires repeat sampling with 24 hrs and analysis for E. Coli, per Title 22 CCR §64423, MCL not established for private wells such as Well #1. NL = no listed MCL in Title 22 CCR. \*Chloride has no specific MCL but Title 22 CCR §64449 states a Recommended MCL of 250 mg/L and a maximum value of 500 mg/L.

Although there are no Title 22 CCR maximum contaminant levels listed for Total Coliform for private wells such as Well #1, its presence above detection limits suggests there a surface contamination pathway. Since this is not a public water supply there is no requirement for further testing. However, as a precaution we suggest the well cover and pump connection via the wind mill should be inspected further for possible surface contamination pathways, and improvements made as deemed necessary by the owner. As a further precaution the owner may want to collect periodic water samples to test for E. Coli. Other than this finding the ground water sampling and analysis are favorable.

### 3.1.2 Pump Test Assumptions

As noted in a preceding section, we did not conduct a pump test for this scope of work. Instead we used information from the driller's WCR (log and well construction) for Well #1, information collected on well performance of wells in the area, historic performance of Well #1 (including the initial driller's development test, and an 8 hour pump test on Well #1 conducted on October 28, 2008), and an assessment of aquifer characteristics from published and unpublished literature.

The 8 hour pump test was conducted by Jerry and Don's Yager Pump and Well (JDYPW) for Tom Bachman on October 28, 2008. Mr. Jim Mickelson of JDYPW reported as follows "we performed an 8 hour test on the well DWR730679 "Windmill Well". At that time the well produced 25 gallons per minute with a pumping water level of 74'. The well is 256' deep, 8" PVC casing with a static water level of 50 feet".



The driller's WCR 730679 (log and well construction) for Well #1 indicates the following:

Depth of well:	258 feet
Screened interval:	98 to 158 feet and 198 to 218 feet (total 80 feet of screen)
Filter pack material and interval:	coarse sand from 23 to 258 feet (total 235 feet)
Productive formation:	gravel from 125 to 140 feet, cemented gravel from 210 to 216 feet, greenstone 225 to 258 ft.
Thickness of productive formation:	(54 feet assuming greenstone is fractured)
Estimated transmissivity:	gravel@ 1000 to 100 ft/day <sup>3</sup> , Fractured greenstone @ 100 ft/day
Yield during 8 hr well development test:	25 gallons per minute
Range of well yields, similar wells in area:	Average of 4 wells within 1/4 mile radius, including Well #1 is 17 gpm. These yields based on tests ranging from 1.5 to 8 hrs in duration.
Range of well draw downs during pump tests, similar wells in area:	Average of 4 wells within 1/4 mile radius, including Well #1 is 100 feet. Draw down measurements are based on pump tests ranging from 1.5 to 8 hrs in duration.

### 3.2 Cumulative Impact Area and Total Recharge Area

The definition of "Cumulative Impact Area" as it relates to groundwater resources, is the combined incremental effects of changes in land use (and resulting groundwater use) in an area. Cumulative impacts result from uses, when added to other closely related past, present and reasonably foreseeable future projects, impact or effect significant or notable changes in the groundwater supply. Based on this understanding, we estimated the Cumulative Impact Area for

---

<sup>3</sup> *These are conservative values estimated from Bear (1972) and assume the gravels are cemented and fractured and the greenstone is fractured.*

Well #1 considering the existing and potential future development of the site and zoning designations for surrounding properties.

Typically the Cumulative Impact Area is limited to properties within 1/4 mile of the pumping source (Well #1) on the subject site. This is because only very large pumping rates (e.g. large scale agricultural wells, municipal wells and industrial wells) have the potential to impact areas beyond this distance. As discussed in Section 3.3 Existing and Projected Water Use, the groundwater pumping at the site is *not expected to change* significantly from current rates and past rates while the property operates under current zoning. Existing site use information, pump test results, and site and area history indicate the above estimate of a **1/4 mile radius** (an area of **125.6 acres**<sup>4</sup>) of influence for evaluation of the cumulative impact is reasonable and conservative. In order to evaluate this further we also reviewed WCRs for properties underlain by the Upper Petaluma Formation at a distance of up to 1 mile. We also conducted interviews with well owners within the Cumulative Impact Area (Section 2.4) and researched WCRs (Section 2.2, also see Table A1 in Appendix A).

The Cumulative Impact Area can be further evaluated by considering local hydrogeologic characteristics. As can be seen on Plate 3 (Geologic Map) and Plate 4 (Geologic Cross Section), the site well (Well #1) is completed predominantly within the Upper Petaluma Formation (Tpu) consisting of inter-layered-interbedded claystone, siltstone, mudstone, sandstone and conglomerate with dips in the range of 25 to 30 degrees to the southwest locally. Structurally the site lies approximately one mile to the southwest of the Tolay-Lakeville Fault, and appears to be underlain by a series of northwest trending folds (antiforms and synforms) including the nearby Adobe Creek Anticline system. Faulting and folding in the local area has undoubtedly resulted in substantial fracturing of the bedrock units underlying the property, as well as the rocks underlying the Cumulative Impact Area and also the recharge area drainage basin.

This geology indicates a vertically heterogeneous stratigraphy with mudstone and siltstone layers having lower conductivity (especially in the shallower zones where weathering has resulted in development of clay), and underlying fractured fresh siltstone, sandstone and conglomerate having progressively higher conductivity. Driller logs (WCRs) and the depositional environment indicate the presence of fluvial sand, gravelly sand and gravel deposits as well as indurated but fractured conglomerate. Some of the driller's descriptions (including that of Well #1) in the very deep wells indicate Franciscan Complex, which is mapped as underlying the Upper Petaluma Formation in this area (CDWR, 1975, Wagner, et al., 2002, and refer to Plate 4).

Our review of available WCRs for the area, review of the geologic setting, and our interviews with local well owners and well drilling contractors indicates the gravelly and sandy water bearing zones within the Upper Petaluma Formation in this region are common and more productive than units in the Middle and Lower Petaluma Formation. Productive wells to the east of the Tolay-

---

<sup>4</sup>  $1/4 \text{ mile radius } (5,471,136 \text{ sf} = \mathbf{125.6 \text{ acres}}) \ 1/4 \text{ mile} = 5280 \text{ ft} / 4 = 1320 \text{ ft}, A = 3.14 \times (1320 \times 1320) = 3.14 \times (1,742,400) = 5,471,136 \text{ sf}$

Lakeville Fault are not common, whereas to the west of the fault (in the project area and in the Total Recharge Area) good to highly productive wells are more typical. The Tolay-Lakeville Fault to the east, likely forms a hydraulic boundary, and the more coarse grained lithology and fracturing of the Upper Petaluma Formation results in relatively good well productivity in this area. Based on this understanding of the hydrogeology, and reports of moderate to high productivity of on-site and nearby wells, we believe that a 1/4 radius Cumulative Impact Area is reasonable and conservative.

In addition to the three parcels comprising the existing property (APN 068-110-026, 044 and 045) there are five properties (APNs 068-110-025, 046, 047, 049 and 050) within the Cumulative Impact Area (Plate 5). The existing and projected off site water use within the Cumulative Impact Area is discussed in Section 3.3.5.

Recharge is the process by which groundwater is replenished and a "Recharge Area" is considered to be the area where water from precipitation is transmitted downward to an aquifer. The amount of groundwater recharge from an area will depend on vegetation cover, slope, soil composition, depth to the water table, the presence or absence of confining beds (overlying the aquifer[s]) and other factors. Recharge is promoted by natural vegetation cover and flat topography (which slows down runoff), permeable soils, a deep water table and the absence of confining beds. Confined aquifers are recharged by sources other than direct infiltration over the area, and such source can be distant from the surface recharge area.

Our review of WCR's for the area indicate the upper material consisting of silty clays, sandy clay, gravelly clay units, with the significant water bearing zones at 50 feet or deeper. A review of the WCR's also shows that the piezometric surface (static water level) is typically above the depth of the aquifer (especially the deeper zones), indicating confined to semi-confined aquifers underlying the area. Thus it is reasonable to conclude that the aquifers underlying the Cumulative Impact Area and the Total Recharge Area (and essentially all of the Upper Petaluma Formation) receive recharge from sources in addition to precipitation over the Total Recharge Area that is transmitted downward to the aquifers. However, to simplify assumptions used in our water balance estimates we will assume that recharge to the underlying aquifer in the Cumulative Impact Area is from precipitation over the Total Recharge Area. The Total Recharge Area is shown on Plate 6 and includes the drainage sub-basin up slope from Well # 1, as well as the area within the Cumulative Impact Area 1/4 mile radius. Using the Google Planimeter tool the Recharge Drainage Basin area is calculated to be 79.27 acres, and the area of the Cumulative Impact Area is 125.6 acres, and there is an approximate 19 acres area of overlap between the two areas. Therefore, the **Total Recharge Area is 185.87 acres** ( $79.27 + 125.6 - 19$ ).

### 3.3 On Site Existing and Projected Water Use Estimates

Existing water use on the site consists of water needed to operate the existing facility (on Lot 1) as it is currently configured. For purposes of this groundwater evaluation we are excluding vineyard irrigation water use because the vineyards are irrigated from ponds fed by seasonal creeks, not by groundwater pumped from wells. Thus the existing and projected site uses include landscape irrigation uses (including pool maintenance), domestic household uses, and livestock uses on Lot 1 (the existing on site facility), and domestic household uses, and livestock uses and minor landscape uses on Lot 2 after development.

A detailed description of existing and proposed development is presented in Section 1.2. In summary the subject +/-166 acre property consists of three contiguous parcels (APN 068-110-026, 044 and 045). The existing facility is an operating horse ranch and vineyard. After the proposed minor subdivision the property will consist of two parcels: up slope Lot 1 of 99.61 acres, and down slope Lot 2 of 63.36 acres. Groundwater resources on the subject property are accessed by three wells, all of which are on the Lot 1, the up slope lot.

The "Wind Mill Well" (Well # 1, Plate 5), a 260 ft deep well that has a reported capacity of 25 gpm based on an 8 hour pump test (see Appendix A and Section 3.1.2). This well is proposed to supply future development (a two bedroom residence and a small horse operation) on Lot 2 and is the subject of this evaluation.

The existing development on the subject property (Lot 1) consists of a four bedroom residence, a pool cabana, a swimming pool and spa, and landscaped areas around the house. Domestic and landscape irrigation water is supplied by Well # 2 just to the northeast of the house (Plate 5). This well has provided domestic and irrigation water to the residence since its construction shortly after 1988. Well #2, referred to as the "House Well" is 180 ft deep with a reported 20 gpm capacity. Based on assumptions discussed in following sections we estimate the current domestic water use for the existing residence is **0.75 AF/Yr**. There have been no reported water quantity or quality problems with this well by the owner. There are no plans to change the use of this well.

The third well on Lot 1, referred to as the "old well" (Well #3, Plate 5) is 160 ft deep and has a reported 3 gpm capacity based on the driller's original development test. However, the owner reports a 4.1 gpm capacity based on long term use. This well is used for livestock.

Lot 2 development would use groundwater produced from Well #1. The proposed development will consist of a two bedroom residence with minor landscaping, and a small horse operation. The proposed horse operation will typically have 12 to 15 horses, with a maximum capacity of 20.

Projected groundwater use on Lot 2 will be for household domestic use, minor landscaping, and livestock. *This use will be the only additional demand on the local groundwater resource resulting from the proposed minor subdivision.*

The following sections present our evaluation of current water use, and anticipated water use under conditions of the Draft Health Conditions - Minor Subdivision letter of January 20, 2012.

### 3.3.1 Existing Domestic Water Use

To evaluate domestic water use for the existing 4 bedroom residence, that will remain as it currently exists after the proposed minor subdivision, we will adjust commonly accepted water consumption value for a typical 3 bedroom home, which is about 0.24 MG/yr (~0.75 acre-feet/year [AF/yr]). For purposes of this evaluation we will assume that the existing 4 bedroom house (Lot 1) will use **1.0 AF/yr**, which is a conservative value.

### 3.3.2 Proposed Domestic Water Use

To evaluate domestic water use for the proposed development resulting from the minor subdivision, we will use a commonly accepted water consumption value for a typical 3 bedroom home, which is about 0.24 MG/yr (~0.75 acre-feet/year [AF/yr]). For purposes of this evaluation we will assume that the proposed two bedroom house (Lot 2) will use **0.75 AF/yr**, which is a conservative value.

### 3.3.3 Existing Livestock Water Use

Current livestock population on Lot 1 (the existing horse facility) has been estimated based on the following generally accepted standards<sup>5</sup> - one horse per acre on fair to good pasture, and three per acre on very good to excellent pasture, one horse per small paddock (0.03 acre or 1,300 sf). On this basis, and assuming fair to good pasture, we reviewed existing horse facilities at Parcels 068-110-044 and 045, interviewed the property owner, and estimated "current horse population"<sup>6</sup> as follows:

Parcel 044: 14 Ac pasture = 7 horses, Total 7

Parcel 045: 39 Ac pasture= 20 horses, Paddocks 13 horses, Total 33

**Total Current Estimated Livestock Population: 40 Horses**

---

<sup>5</sup> [http://wiki.answers.com/Q/How\\_many\\_horses\\_per\\_acre\\_in\\_california](http://wiki.answers.com/Q/How_many_horses_per_acre_in_california)

<sup>6</sup> *Other livestock could be substituted for horses and the number of horses could vary substantially based on the kind of operations. However, to conduct the water budget analysis some assumptions need to be made. These assumed livestock populations are based on observations of existing facilities, interviews with owners and general livestock practices for the area.*

For horses in this region water consumption is 5 gpd or 0.006 AF/yr/horse, resulting in a current estimated groundwater use for livestock of:

- 40 Horses x 0.006 AF/yr/horse = **0.24 AF/yr Current Estimated Groundwater Use for Livestock** on the subject property (Lot 1 - existing facility).

### 3.3.4 Proposed Livestock Water Use

The Lot 2 horse operation will typically stable 12 to 15 horses, with occasionally up to 5 more horses on a short term basis. The generally accepted water use for horses is five to ten gallons per day depending on a number of factors, especially climate, type of feed and activity<sup>7</sup>. Based on the kind of operations planned and owners experience, actual water consumption for this site will be 5 gallons per day per horse (gpd/horse). Thus the typical use will be:

- 15 Horses x 0.006 AF/yr/horse = **0.09 AF/yr Proposed Estimated Groundwater Use for Livestock** on the subject property (Lot 2 - planned facility).

### 3.3.5 Existing On Site Irrigation Water Use

The landscape area of the existing house on Lot 1 is 0.6 acres or 26,400 square feet (sf), and of this area approximately 0.3 acres or 13,000 sf is irrigated lawn. Our observations are that the landscaping that is not in lawn is primarily established shrubs and trees that use minimal irrigation. On this basis we will assume that irrigation requirements are for 0.3 acres of lawn. In Sonoma County, a 500 square foot lawn needs about 2800 gallons of water each month<sup>8</sup>. Therefore, the estimated irrigation requirements for existing landscape on Lot 1 would be about 13,000 sf / 500 sf x 2,800 gal/month = 72,800 gal/month. We will assume no irrigation during the wet season of (typically) October 15 through April 15<sup>9</sup>, so there will be seven months of irrigation. This results in an estimated conservative existing Lot 1 irrigation requirement of:

- 72,800 gal/month x 7 months = **509,600 G/yr or 1.6 AF/yr**

### 3.3.6 Proposed On Site Irrigation Water Use

The size of the landscaped area around the Lot 2, two bedroom residence is not determined. However the owner indicates the landscaping will be minimal and emphasize native plants and water conservation. For this evaluation we are making the conservative estimate that a lawn and the landscaped area of the proposed development will be 0.05 acres or 2,178 sf. Of this area we assume 500 sf of irrigated lawn and the remaining 1,678 sf will be shrubs, trees and ground cover.

---

<sup>7</sup> <http://americashorsedaily.com/horses-water-needs/>

<sup>8</sup> [http://ucanr.org/sites/scmg/Sonoma\\_Gardener\\_Articles/Water-Wise\\_Lawn\\_Alternatives](http://ucanr.org/sites/scmg/Sonoma_Gardener_Articles/Water-Wise_Lawn_Alternatives)

<sup>9</sup> <http://www.sonoma-county.org/prmd/sw/sw-bmps.htm>

To simplify our water budget calculations, and to be conservative, we will assume that all proposed landscape areas use the same amount of water, and we will use the water consumption for irrigated lawn for this region. So for water budget estimating purposes we assume there is 0.05 acres (2,178 sf) of irrigated lawn. In Sonoma County, a 500 square foot lawn needs about 2800 gallons of water each month<sup>10</sup>. Therefore, the estimated irrigation requirements for proposed landscape development on Lot 2 would be about 4.36 x 2800 gal/ month = 12,208 gal/month. We will assume no irrigation during the wet season of (typically) October 15 through April 15<sup>11</sup>, so there will be seven months of irrigation. This results in an estimated anticipated conservative irrigation requirement of:

- 12,208 gal/month x 7 months = **85,456 G/yr or 0.26 AF/yr**

We calculated the use of groundwater for irrigation of Lot 2 development, the owner indicates irrigation will be from the pond, not from the well. However, we included this proposed additional groundwater use to be conservative in our water budget analysis.

### 3.3.7 Summary of Total Estimated Current and Projected On Site Water Use

Lot 2 does not use groundwater at this time, and has no well. Its current use is vineyards irrigated with pond water (from seasonal stream runoff). The proposed facility uses will change from the existing uses (no groundwater use) under the Draft Health Conditions -Minor Subdivision because of construction of a two bedroom residence and development of a small horse breeding operation.

The total current estimated water use for the subject property (APN 068-110- 044 and 045) which will become Lot 1 is:

Existing Domestic Water Use =	1.0 AF/yr
Existing Livestock Water Use =	0.24 AF/yr
Existing Irrigation Water Use =	1.6 AF/yr
<b>Total Existing On Site Water Use =</b>	<b>2.84 AF/yr</b> or about 2,500 gpd

The total estimated additional water use for the subject property (APN 068-110-026) which will become Lot 2 will be:

Proposed Domestic Water Use =	0.75 AF/yr
Proposed Livestock Water Use =	0.09 AF/yr
Proposed Irrigation Water Use =	0.26 AF/yr
<b>Total Proposed On Site Water Use =</b>	<b>1.1 AF/yr</b> or about 980 gpd

---

<sup>10</sup> [http://ucanr.org/sites/scmg/Sonoma\\_Gardener\\_Articles/Water-Wise\\_Lawn\\_Alternatives](http://ucanr.org/sites/scmg/Sonoma_Gardener_Articles/Water-Wise_Lawn_Alternatives)

<sup>11</sup> <http://www.sonoma-county.org/prmd/sw/sw-bmps.htm>

Based on the number of conservative assumptions in the preceding calculations, we believe these volume estimates for existing and proposed water use are higher than will actually be used on average, and likely approximates peak demand during periods of peak horse occupancy and summer irrigation under the assumed land uses.

### **3.4 Off Site Existing and Projected Water Use**

Based on our site observations during the well canvas, during the geologic reconnaissance, and on our review of aerial photos of the properties within the Cumulative Impact Area (and Total Recharge Area), we determined the land uses as they relate to groundwater use. For each off site parcel within the Cumulative Impact Area (1/4 mile radius), development is summarized as follows:

Parcel 068-110-025, 6614 Lakeville Highway: Single family residence, estimated 3 bedrooms, guest house estimated 2 bedrooms, caretakers house estimated 2 bedrooms, +/-2 acre vineyard (pond irrigation), Horse facility estimated average 10 horse capacity.

Parcel 068-110-049, 6529 Lakeville Highway: Currently undeveloped land. Extends from eastern boundary of Lot 1 over the ridge (watershed boundary) to an unnamed creek.

Parcel 068-110-050, 6531 Lakeville Highway: Large single family residence (+/- 6700 sf), estimated 5 bedrooms, some landscaping (estimate 12,000 sf), large barn or shop building, remainder of land in undeveloped pasture, no livestock evident.

Parcel 068-110-046 and 047, 6855 Lakeville Highway: +/-30,000 sf indoor horse arena, +/-10,000 sf barn, 46,000 sf all weather outdoor arena, +/-24,000 sf sand arena, +/-3,600 sf circular hot walker, +/-6,000 sf paddock with small barn, +/-5,400 sf barn, +/-2,500 sf single family residence (site manager), estimated 2 bedrooms, three +/-4,000 sf barns, +/-2,000 sf single family residence (caretaker), estimated 3 bedrooms, landscaping (estimate 2 acres), two additional buildings (maintenance or barns) of +/-4000 sf and +/-5000 sf, a 5.4 acre vineyard, 89 acres of horse pasture un-irrigated, five horse paddocks of 0.1 acre each, five horse paddocks of 0.03 acre each. Based on paddocks and pasture size, and interview of site manager, it is estimated that the facility has an average capacity of 20 horses and 65 sheep. At the present time there are only 4 horses on the facility.

Parcel 068-110-017, 6535 Lakeville Highway: Currently undeveloped land. Extends from eastern boundary of Parcel 068-110-046 over the ridge (watershed boundary) to an unnamed creek and then up slope to the northeast.

In addition, all or part of the above parcels are also within the Total Recharge Area. Parcel 068-110-017 is outside the Cumulative Impact Area, but in the Total Recharge Area drainage basin.

#### **3.4.1 Existing Domestic Off Site Water Use**

Within the Cumulative Impact Area (in addition to the three subject parcels that will become Lot 1 and Lot 2), there are four developed properties with a total of six houses (average size is



estimated to be three bedrooms per house). To estimate domestic water use, we assume 0.75 AF/yr for current household use per existing house in the cumulative impact and recharge areas.

- **6 houses x 0.75 AF/yr/house = 4.5 AF/yr of existing off site domestic use** within the cumulative impact and recharge areas as now developed.

### 3.4.2 Additional Off Site Domestic Water Use at Build Out

To estimate domestic water use at build out we assume the undeveloped parcels (2) within the cumulative impact and recharge areas will support an additional three houses with and assumed three bedrooms each. Thus there would be an additional domestic groundwater use of:

- **3 houses x 0.75 AF/yr/house = 2.3 AF/yr Future Domestic Use at Build Out**

### 3.4.3 Existing Off Site Landscape Water Use

Landscape water uses for the existing off site developed properties was estimated by observing the kind of landscaping present from air photo interpretation, and measuring areas using Google Planimeter. The results areas follows:

Parcel 068-110-025, 6614 Lakeville Highway: landscape estimated at 0.5 Ac,  
Parcel 068-110-050, 6531 Lakeville Highway: landscape estimated at 0.27 Ac,  
Parcel 068-110-046 & 047, 6855 Lakeville Highway: landscape estimated at 2 Ac.

Total Estimated Existing Landscaped Off Site Area = 2.77 Ac or 120,700 sf

To estimate off site current irrigation water use for off site landscaping, we assume, based on air photo interpretation and measurement of landscaped areas, that 40% of this area is irrigated lawn and 60% is minimally irrigated shrub, ground cover and tree cover. Using the values in Section 3.3.5 for irrigation of lawn in Sonoma County (500 square foot lawn needs about 2800 gallons of water each month) we calculate the estimated off site current irrigation groundwater use as follows:  $120,700 \text{ sf} \times 0.4 = 48,280 \text{ sf}$ , then  $48,280 \text{ sf} / 500 \text{ sf} \times 2,800 \text{ gal/month} = 270,400 \text{ gal/month} =$  and  $270,400 \text{ gal/month} \times 7 \text{ Month}^{12}/\text{Year} = 1.9 \text{ MG/yr}$  so:

- **5.8 AF/yr is the Existing Off Site Landscape Water Use** within the cumulative impact and recharge areas

### 3.4.4 Additional Off Site Landscape Water Use at Build Out

There are two undeveloped off site parcels in the combined cumulative impact and recharge areas. We will assume that they will be developed in a manner similar to near by developed

---

<sup>12</sup>

*As in Section 3.3.3 we assume a 7 month irrigation season*

parcels. Further, we will use the landscape on the existing residential development on Lot 1 as an expected model. That landscape has an estimated irrigation requirement of 1.6 AF/yr. Therefore, if we assume both currently undeveloped parcels are developed and landscaped in a similar way to Lot 1 there would be an additional irrigation groundwater use of:

- 2 houses x 1.6 AF/yr/house = **3.2 AF/yr Future Landscape Water Use at Build Out** within the cumulative impact and recharge areas

### 3.4.5 Existing Off Site Estimated Livestock Water Use

Current livestock population per property has been estimated based on the following generally accepted standards<sup>13</sup> - one horse per acre on fair to good pasture, and three per acre on very good to excellent pasture, one horse per small paddock (0.03 acre or 1,300 sf). On this basis, and assuming fair to good pasture, we reviewed existing horse facilities at Parcels 068-110-044, 045, 046, 047 and 025, interviewed property owners in the area, and estimated "current horse population"<sup>14</sup> as follows:

Parcel 046: 43 acre pasture & Paddocks = 20 horses, Total 20  
Parcel 047: 46 acre pasture = 65 sheep<sup>15</sup> x 0.4 sheep/ horse = 26, Total 26  
Parcel 025: pasture & paddocks, Total 12

Total Current Estimated Livestock Population = 58 Horse Equivalents

As noted in a previous section water consumption is 0.006 AF/yr/horse, resulting in a current estimated off site groundwater use for livestock of:

- 58 Horses x 0.006 AF/yr/horse = **0.35 AF/yr Current Estimated Groundwater Use for Livestock** within the cumulative impact and recharge areas.

### 3.4.6 Additional Off Site Estimated Livestock Water Use at Build Out

To estimate livestock population and resulting water use at build out we will assume the undeveloped parcels (2) within the cumulative impact and recharge areas will be developed as

---

<sup>13</sup> [http://wiki.answers.com/Q/How\\_many\\_horses\\_per\\_acre\\_in\\_california](http://wiki.answers.com/Q/How_many_horses_per_acre_in_california)

<sup>14</sup> *Other livestock could be substituted for horses and the number of horses could vary substantially based on the kind of operations. However, to conduct the water budget analysis some assumptions need to be made. The assumed livestock populations are based on observations of existing facilities, owner interviews and general practices for the area.*

<sup>15</sup> <http://www.ag.ndsu.edu/pubs/ansci/sheep/as989-2.htm#Water>. Manager interview indicates average of 65 sheep on property. Sheep use on the average 1 to 3 gallons of water per day. For this estimate we will assume 2 gallons per day so each head of sheep equates to 0.4 horse in terms of water consumption.

horse ranches with an estimated average equine (or horse equivalent) population of 12 horses each. Thus there would be an additional livestock groundwater use at build out of:

- 24 Horses x 0.006 AF/yr/horse = **0.15 AF/yr Livestock Water Use Estimated at Build Out** within the cumulative impact and recharge areas.

### 3.4.7 Summary of Total Estimated Current and Projected Off Site Water Use

Total current estimated water use for the off site parcels (APN 068-110- 050, 046, 047, and 025) which are in either the Cumulative Impact Area, the Total Recharge Area, or both is as follows:

Existing Off Site Domestic Water Use =	<b>4.5 AF/yr</b>
Existing Off Site Landscape Water Use =	<b>5.8 AF/Yr</b>
Existing Off Site Livestock Water Use =	<b>0.35 AF/yr</b>

**Total Existing Off Site Water Use = 10.65 AF/yr** or about 9500 gpd

The total estimated additional water use for the currently undeveloped parcels (APN 068-110- 049 and 017) at build out is:

Build Out Estimate Domestic Water Use =	<b>2.3 AF/yr</b>
Build Out Estimate Landscape Water Use =	<b>3.2 AF/yr</b>
Build Out Estimate Livestock Water Use =	<b>0.15 AF/yr</b>

**Total Build Out Off Site Water Use = 5.65 AF/yr** or about 5000 gpd

Based on the number of conservative assumptions in the preceding calculations, we believe these volume estimates for off site existing and estimated build out water use are higher than will actually be used on average, and likely approximates peak demand during periods of peak livestock occupancy and summer irrigation.

### 3.5 Total Cumulative Impact Area Existing and Projected Water Use

Combining estimated current and projected water use for the subject property (on site) with estimated existing and estimated off site water uses at build out, within the cumulative impact and recharge areas, results in the following:

Total Existing On Site Water Use =	2.84 AF/yr or about 6,3000 gpd
Total Proposed On Site Water Use =	1.1 AF/yr or about 2,800 gpd
Total Existing Off Site Water Use =	10.65 AF/yr or about 15,000 gpd
Total Build Out Off Site Water Use =	5.65 AF/yr or about 7,300 gpd
<b>Total Cumulative Impact Area Projected Water Use</b>	<b>20.25 AF/yr</b> or about 18,000 gpd

The proposed additional water use is an increase of 5.7% of the current and projected build out water use for the Total Cumulative Impact and recharge areas.

### 3.6 Water Supply Capabilities

The following subsections address the water supply capabilities related to Well #1. The following evaluation assumes that essentially all of the groundwater pumped from the well is from the underlying fractured Upper Petaluma Formation, fractured rock, cemented and un-cemented gravels and sandstone, as well as from fractured greenstone penetrated by the lower portion of Well #1, with minimal contribution from shallower but un-weathered siltstone and claystone.

#### 3.6.1 Groundwater Yield

As discussed in previous sections no formal long term (8 hr +) pump test was conducted as part of this scope of work. In order to evaluate groundwater yield for this evaluation we used known facts about Well #1 and assumptions about aquifer characteristics noted in Section 3.1.2 to estimate a groundwater yield for this well.

The known performance characteristics of Well #1, known well construction details, aquifer characteristics of the screened interval, and thickness of the productive formation suggests that Well #1 is capable of a conservative sustainable pumping rate of at least:

- 8 gpm or **11,500 gal/day**

This is significantly more than sufficient for the Lot 2 projected site use of **1.1 AF/yr**, about 980 gpd (Section 3.3.7).

#### 3.6.2 Aquifer Transmissivity

Determination of aquifer transmissivity for modeling purposes was estimated using published sources describing typical transmissivity values for the kinds of formations encountered by Well #1, based on WCR descriptions. As noted in a preceding Section 3.1.2 we documented 20 feet of gravels loose or fractured, with estimated transmissivity of 1000 ft<sup>2</sup>/day and 33 ft fractured greenstone with an estimated transmissivity of 100 ft/day<sup>2</sup> and an average specific yield of approximately 24% [Johnson, 1967]). Using only the thicknesses of the more highly productive section of the formation encountered, we have a weighted average transmissivity of this section as follows:

Total highly productive formation thickness:	53 feet
Percentage of formation greenstone:	62%
Percentage of formation gravels:	38%

Therefore,  $0.38 \times 1000 \text{ ft}^3/\text{day} + 0.62 \times 100 \text{ ft}^3/\text{day} = 442 \text{ ft}^2/\text{day}$  as a weighted average estimate of the more highly productive section.

In addition, at the location of Well #1 there is 200 more feet of Upper Petaluma Formation section consisting of inter-layered interbedded claystone, siltstone, mudstone, sandstone and within this section there are likely additional gravel zones not reported on WCR because of the crude sampling and logging techniques used in water well drilling.

For purposes of evaluating the transmissivity and determining a valid estimate for our calculations we reviewed additional published transmissivity values. Bear (1972) reports transmissivity values in the range of 100 to 10,000 ft<sup>2</sup>/day for highly fractured bedrock (this would include fractured greenstone and fractured cemented conglomerate). Driscoll (1987) reports values of 0.1 to 500 ft<sup>2</sup>/day for fractured metamorphic rock, and values in the range of 1,000 to 1,000,000 ft<sup>2</sup>/day gravels and sands. CDWR (1975) reports a transmissivity<sup>16</sup> of 3,754 gpd/ft (0.038 AF/day) for the Petaluma Formation. Also CDWR Bulletin No. 118 (2003) reports maximum well yields in the Petaluma Formation of 100 gpm.

Given our interpretation of the geology underlying the area (Section 1.3), a transmissivity value of 500 to 600 ft<sup>2</sup>/day would be a reasonable and conservative estimate. Sections of the well screen and gravel pack intercepting zones of siltstone and claystone would have lower transmissivity, and sections intercepting interspersed gravel or fractures cemented gravels beds would skew the transmissivity higher. Thus, it is our opinion that a **transmissivity value in the range of 500 to 600 ft<sup>2</sup>/day** determined using this procedure is rational and consistent with our observations.

### 3.6.3 Groundwater Storage Capacity

The storage capacity for the Total Recharge Area (185.87 acres or about 8,100,000 sf) was estimated by multiplying the volume of the aquifer by its specific yield. Based on geologic mapping by Wagner, et al (2002) and our interpretive cross section, the thickness of the Upper Petaluma Formation in the project area varies from approximately 200 to 600 feet, and is underlain by Franciscan Complex rocks including fractured greenstone. For this analysis we have used an aquifer consisting of a 400 ft thick section of the Upper Petaluma Formation underlying Total Recharge Area. We used an estimated depth to water of 75 feet bgs (based on WCR #730679 completed on April 4, 2000 for Well #1) which results in a 325 ft section below the groundwater surface. Of that section, based on our review of the Log of Well #1 and numerous other logs in the area (Appendix A) we estimate a section thickness of 80 feet that is highly productive with the remaining thickness of lesser productivity. Therefore, for a conservative approach and one that addresses site specific conditions (Well #1), we have used an aquifer thickness of 80 feet in our storage capacity calculations.

---

16

*Transmissivity is a measure of the aquifer's ability to transmit groundwater through its entire saturated thickness and relates closely to the potential yield of a well. Transmissivity = hydraulic conductivity x saturated thickness. Thus a high conductivity in a thin saturate zone would result in a low yield.*

Based on the above value for thickness, static groundwater depth at the site multiplied by the size of the Total Recharge Area (8,100,000 ft<sup>2</sup> x 80 ft) results in an estimated 650,000,000 ft<sup>3</sup> of Upper Petaluma Formation and some underlying fractured greenstone available to store water beneath the Cumulative Impact Area. The yield of wells completed in the Upper Petaluma Formation generally range from 10 to 100 gpm, but are highly variable from place to place. The best yields are reported from wells completed in beds of gravels, cemented gravels (likely fractured), sandstone and highly fractured harder greenstone. Specific yields in the Upper Petaluma Formation are variable, and generally range from 0 to 15%<sup>17</sup>. For this evaluation we used a value of 12% (see Section 1.3), which based on our review of WCR's, published literature, and interviews is deemed a reasonable value for the Upper Petaluma Formation. Thus the groundwater storage capacity within the Total Recharge Area (650,000,000 ft<sup>3</sup>) is:

- $650,000,000 \text{ ft}^3 \times 0.00002296 \text{ AF/ft}^3 \times 0.12 = \mathbf{1790 \text{ Acre Feet (AF)}}$  or 583 million gallons

This conservative estimate of available water in the underlying aquifer is substantially greater than the estimated projected water use for the Total Cumulative Impact Area of **20.25 AF/yr** (Section 3.5).

### 3.6.4 Water Balance

An estimate of the water balance for the site and Cumulative Impact Area was determined by comparing the groundwater recharge characteristics to the existing and projected site groundwater requirements. The Total Recharge Area estimate for the Cumulative Impact Area was calculated using the assumption that precipitation falling on the Total Recharge Area (Cumulative Impact Area as well as the recharge drainage basin) represents the primary source of potential inflow to the underlying aquifer. The estimated Total Recharge Area from precipitation is presented on Plate 6. We assumed an up slope recharge drainage basin that originates at Well #1 and extends eastward to the local drainage sub-basin boundary plus the Cumulative Impact Area since recharge is from precipitation on the area from which water is pumped, as discussed below.

Therefore for purposes of water balance calculation we added the recharge drainage basin (79.27 acres, Plate 6) to the Cumulative Impact Area (125.6 acres, Plate 6) less the area of overlap (19 acres). Thus the area gaining recharge through precipitation and infiltration for purposes of our calculation is:

- **Total Recharge Area = 185.87 Acres** (79.27 Ac + 125.6 Ac - 19 Ac)

We also assumed that runoff and evapotranspiration represent the main outflow (exclusive of pumping on site and within the Cumulative Impact Area). Sources of inflow such as groundwater from up or cross gradient areas, flows from outside the area along fracture zones or buried fluvial

---

17

[http://www.water.ca.gov/pubs/groundwater/bulletin\\_118](http://www.water.ca.gov/pubs/groundwater/bulletin_118)

deposit zones, recharge from losing streams or rivers may be significant because of the confined nature of the aquifer. Other secondary sources of inflow include seepage inflows from leaky ponds and reservoirs, inflow from irrigation, etc. Secondary losses may include outflow from down gradient boundaries, gaining streams, springs, etc. These all likely contribute to the overall groundwater balance of the area. These secondary sources of gain and loss to the aquifer are generally assumed to be essentially equal, resulting in no net gain or loss, to simplify the evaluation.

Using these assumptions we used the following equation to calculate the potential groundwater recharge.

$$\text{Groundwater Recharge} = P - (R + ET_a)$$

“P” is the precipitation in acre - feet per year (AF/yr). The total volume of precipitation that falls within the Total Recharge Area was calculated by multiplying the annual precipitation rate by the area of the Total Recharge Area as follows:

Precipitation 25 inches per year (Section 1.4, Sonoma County Water Agency, 2005)

The Total Recharge Area is approximately 185.87 acres (Plate 6)

- **P = 387 AF/yr** (25 in/yr / 12 in/ft x 185.87 acres)

“R” is the runoff in AF/yr, and is the percentage of the precipitation that flows off the Total Recharge Area without seeping into the aquifer. This was estimated from published tables<sup>18</sup> that were developed by comparing the average ground slope across the Total Recharge Area to a type curve for vegetated surfaces to determine the runoff coefficient.

- **R = 116 AF/yr** (30% or 0.30 x 387 AF/yr)

The mean annual evapotranspiration for the area is 14.8 inches per year (see Section 1.4) :

- **ET<sub>a</sub> = 229 AF/yr** (14.8 in/yr / 12 ft/yr x 185.87 acres)

Therefore using the groundwater balance equation,  $\text{Groundwater Recharge} = P - (R + ET_a)$  and inserting the appropriate values, groundwater recharge for the area is:

$$\text{Groundwater Recharge} = P - (R + ET_a)$$

$$\text{Groundwater Recharge} = 387 \text{ AF/yr} - (116 \text{ AF/yr} + 229 \text{ AF/yr})$$

- **Groundwater Recharge = 42 AF/yr**

---

18

Sonoma County Water Agency, 1983 and  
<http://www.shodor.org/master/environmental/water/runoff/RunoffApplication.html>

This recharge quantity of 42 AF/yr compares favorably with the combined on site plus off site use (existing and projected at area build out) within the Total Cumulative Impact Area of **20.25 AF/yr** (Section 3.5). The **42 AF/yr** recharge estimate includes a reduction in recharge due to estimates of water uses on properties within the Total Recharge Area and within the Cumulative Impact Area. The combined Cumulative Impact Area groundwater existing and projected use is approximately **48%** of the annual groundwater recharge estimate.

### **3.7 Off-Site Well / Spring Interference**

This section addresses the potential for pumping of Well #1 to interfere with off site water supply wells. Other than municipal, industrial or agricultural, wells with relatively low pumping rates and shorter term pumping durations (4 hours or less), typically do not result in interference with wells over a 500 feet distant. Hence a 500 foot "buffer" distance is typically recommended (California Department of Water Resources, 1991) for well spacing in fractured, hard rock formations and granular (sand and gravel) aquifers. This lithology (predominantly fractured conglomerate, gravels, sands and fractured greenstone) is generally consistent with the aquifer properties beneath the site, in the Cumulative Impact Area and in the Total Recharge Area.

Based on the estimated water use for proposed development of Lot 2 of approximately 1.1 AF/yr or about 980 gpd, and a pumping rate (as measured and reported) of 25 gpm in Well #1, the well would be pumped on the average of approximately 40 minutes per day to meet this demand. Since water will be pumped into storage tanks on Lot 2, continuous pumping for this period of time would not be typical. During the 8 hour pump test performed by Jerry and Don's Yeager Pump and Well Service on October 28th, 2008 they reported 24 feet of draw down at a pumping rate of 25 gpm. Based on our interpretation of the response of Well #1 during this test and on interviews with the property owner, nearby well owners, and drillers (Section 2.4), we believe the potential for well interference from operations of Well #1 will be very low under proposed development conditions. Well #1 appeared to exhibit relatively low draw down during the 8 hour test, and exhibited a consistent discharge rate, indicating the aquifer(s) intercepted by Well #1 was not under significant stress and it appears to have a good storage capacity relative to the anticipated demand.

The preceding assessment is based on the assumption that aquifer properties are generally uniform (laterally) throughout the Cumulative Impact Area and the Total Recharge Area and storage is primarily related to fractures in the deeper greenstone rock, overlying gravels and cemented fractured gravels.

The owner reported no notable problems with productivity of Well #1 in over 24 years of use. He reported one incident when the neighbor to the south (6855 Lakeville Highway) over pumped his well (Well A) when trying to saturate the new outdoor arena. This abnormal (negligent) pumping event resulted in a short term impact to Well #1 and Well #3. Once Well A was returned to normal operation, Well #1 and Well #3 recovered and have had no further impacts.



The various independent sources of evidence outlined above indicate that under present and proposed operating conditions of Well #1, the potential for aquifer draw down to adversely impact nearby domestic wells is unlikely. Based on our findings, the existing site groundwater use and additional use expected under the permit application, would not be expected to result in off site well interference.

### **3.8 Surface Water / Aquatic Habitat**

Sonoma County Policy WR-2e requires the scope of the groundwater assessment to address potential impacts to surface waters and aquatic habitats. As noted in Section 1.2, Local Hydrogeology, the project site is located on the east side of the Petaluma Valley Water Basin, a 41 square mile (46,100 acre) basin drained by the Petaluma River and its tributary creeks. Within the property there are four artificial irrigation ponds; two on the up slope property (Lot 1) and two on the down slope property (Lot 2) one of which contains brackish water that enters the pond through a breach in the Petaluma River levee. The southwestern boundary of parcel 068-110-026 (Lot 2) extends to the Petaluma River levee and the approximately 1/3 southwestern portion of the parcel is marshland (Plate 5).

The two irrigation ponds on Lot 1 are within the Cumulative Impact Area as follows: one pond at +/-0.5 acres (estimated capacity 4.76 AF), one at +/-0.78 acres (estimated capacity 14.55 AF). On Lot 2 there is one irrigation pond, supplied by runoff (that originates up slope of Lot 2) at +/-2.5 acres (estimated capacity 20 AF) that impinges on the western margin of the Cumulative Impact Area. The shallow brackish / saltwater pond on Lot 2, at +/-4 acres (estimated capacity 12 AF) that receives water from the Petaluma River via a breach in the levee is outside the Cumulative Impact Area. In addition to the adjacent Petaluma River, the other nearby body of water is Tolay Creek, 1.75 miles northeast of the property. Tolay Creek is separated from the watershed of the subject property by a low NW-SE trending ridge. All of the artificial ponds (except the brackish pond) are fed by runoff from the up slope drainage area (Plate 6, Recharge Area). Pumping of Well #1 will have no impact on these ponds or on the streams within the up slope recharge area drainage basin, nor on the marsh or the Petaluma River.

To further address potential impacts to surface waters and aquatic habitats we reviewed the California Biogeographic Information and Observation System<sup>19</sup> database to determine if these ponds and their streams were in areas of concern for steelhead, coho or amphibian habitat. Our review indicated there were no surface water or aquatic habitats of concern within subject parcels, the Cumulative Impact Area, or the Total Recharge Area.

### **4.0 Seawater Intrusion**

PRMD initially requested that the Ground Water Resource Availability Evaluation include a assessment of seawater intrusion based in part on the assumption that the well that was to provide water for Lot 2 was located on that parcel, adjacent to the Petaluma River and marshland.

---

<sup>19</sup>

<http://imaps.dfg.ca.gov/viewers/biospublic/app.asp>

When PRMD learned that the water supply well proposed for Lot 2 use (Well #1) was actually located a substantial distance up gradient from the Petaluma River and marshland, and at an elevation of approximately 35 ft above MSL, they revised the requirement for the seawater intrusion analysis to allow a more limited evaluation of this possible condition.

As described in Section 3.1.1 we collected groundwater samples for limited seawater intrusion evaluation. These samples were collected for analysis of Bromide, Iodide, Barium, Boron and Chloride and the results are summarized in Table 2, and the complete laboratory report is included in an Appendix B of this report. Table 3 below summarizes only the anion results.

<b>Table 3- Summary of Analytical Results for Anions</b>			
<b>Compound Name</b>	<b>Result, mg/L</b>	<b>Result, mm/L</b>	<b>RDL, mg/L</b>
Bromide	0.18	0.0023	0.010
Iodide	0.0078	0.000061	5.0
Barium	0.130	0.00094	50
Boron	0.160	0.015	0.050
Chloride <sup>e</sup>	66	1.86	2.0

**Table Notes:** mg/L = milligrams / liter, mm /L = millimoles / liter or milli-equivalents / liter, RDL = Reporting Detection Limit.

For this limited evaluation, in addition to the groundwater analysis, we reviewed information collected from local well users and driller interviews, and also conducted a limited review of a studies by the USGS conducted in the Sonoma Valley (Kunkel and Upson, 1960 and Farrar, 2006), and reviewed a similar study conducted by EBA Engineering<sup>20</sup> and compared analytical results to assist on formulating preliminary findings relative to seawater intrusion for this site.

Interviews with well drillers Weeks Drilling & Pump, Inc., Fisch Brothers Drilling, Inc., Jerry & Don's Yager Pump & Well Service, and local long time property owner and rancher Tom Crane (6788 Lakeville Highway) indicated that wells in the local area to the west of Lakeville Highway not uncommonly encounter brackish water. A number of test borings have been drilled between the Petaluma River and Lakeville Highway (including on Lot 2) and were abandon due to brackish water. Tom Crane reports his shallow hand dug well (+/-20 ft deep) west of Lakeville Highway, although generally productive, is brackish, but of sufficient quality for his sheep. Our interview process did not result in reports of water quality issues (brackish water) in established wells east of Lakeville Highway.

Through our review of the USGS and consultant reports on seawater intrusion studies we found that the process for determining if groundwater is impacted by seawater intrusion is accomplished

<sup>20</sup>

EBA Engineering, March 30, 2010, Geologic Report General Plan Policy WR-2e, 2475 Fremont Drive, Sonoma, CA (PLP09-0062)

by comparing concentration ratios of chloride and selected trace element ions to that of known or established native (i.e. non-impacted) groundwater. The process results in a graphic plot representing the mixture of native formation water and seawater based on chloride to trace element concentration ratios. The plotted line is referred to the "mixing line". The referenced, and other studies, have found that anion concentrations and ratios (using units of millimole/liter) of groundwater that is impacted by seawater should plot along the "mixing line" and plots above or below the line are indications of alternative sources affecting the occurrence of trace ions in the groundwater.

For this limited analysis we used the mixing line plots from the referenced sources and plotted the ratios of Chloride - Bromide (808.7), Chloride - Iodide (30,000), Chloride - Barium (1,980) and Chloride - Boron (124). These plots are presented on Plates 7 through 10. The plots of anion ratios (in millimole/L) verses chloride concentration all either above or below the native water / seawater mixing line indicating concentrations that do not correspond to seawater mixing.

## **5.0 CONCLUSIONS**

Based on the preceding analysis, and within the limitations of the evaluation (Section 6.0), we have developed the following conclusions and opinions:

- The current groundwater use, and proposed uses under the permit application, will not have a significant impact on the current and future groundwater availability within the Cumulative Impact Area.
- The groundwater supply capability of Well #1 is sufficient to support existing uses, as well as the uses under the permit application. The potential for such groundwater uses under the permit application to result in interference with water supply wells on nearby properties is expected to be nil under anticipated uses.
- The groundwater recharge characteristics are such that the water supply requirement for Lot 2 and Lot 1, plus off site uses in the entire Total Cumulative Impact Area, result in a positive water balance. The amount of recharge exceeds the amount of groundwater extracted under present and anticipated conditions by about 52% based on information provided to us and on groundwater use assumptions presented herein.
- The required analytical testing for arsenic concentrations resulted in no detections, the nitrate concentration was high but below the MCL, the E. Coli quantitative test results were non detect. The Total Coliform detection is acceptable for a private well but indicates possible surface pathways into the well. Although this finding is not of immediate concern, we recommend periodic testing for nitrate and Total Coliform and E. Coli to monitor water quality. We also recommend inspection of the well pad and well head of Well #1 to verify its integrity.

- Since Well #1 is on Lot 1 the easement granted to Lot 2 should provide sufficient access to the well and sufficient space around the well for anticipated maintenance by well service trucks and well drilling rigs and support vehicles.
- The seawater intrusion evaluation indicates that water encountered by Well #1 is not impacted by seawater intrusion. Because of the relatively short duration of pumping expected at Well # 1 (less than one hour per day) during a typical day the cone of depression around this well will be very limited and unlikely to induce seawater intrusion.

## **6.0 LIMITATIONS**

The services performed by Environmental Geology Services have been conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession practicing in the same locality under similar conditions, at the time these services were provided. No other representation, expressed or implied, and no warranty or guarantee is included or intended in this report or in any opinion, documented or otherwise.

Our work consisted of reviewing information provided by the Client, Client's engineer and/or other planning professionals, and available published information, conducting a site geologic reconnaissance, conducting interviews, and analyzing such data in general conformance with current standards of practice for evaluating groundwater availability in marginal and water scarce areas in Sonoma County. No pump test was conducted for this evaluation and reliance was made on limited well performance information from an 8 hour pump test provided by others. The work conducted was thus of a limited nature. Although we believe the information presented herein to be reliable and representative of actual conditions, subsurface exploration, and pump tests with an observation well would be needed to verify the reported information and assumptions made.

The opinions expressed herein do not constitute a guarantee that groundwater will be present in sufficient quantity at all times and under all conditions. Groundwater quantity and availability as well as quality, can be expected to vary over time. Many factors such as short and long term precipitation, off site well pumping and over pumping, surface water diversions, impoundments, well construction and condition, well screen clogging, earthquakes, and other factors influence groundwater availability.

Furthermore, the scope of work for groundwater sampling and laboratory testing was limited to the specific compounds of concern (COCs) to the Sonoma County PRMD for site use permitting. Therefore we make no representation as to the quality of any groundwater, other than for the COCs tested, and quality limited to the time of testing. The Client / Owner is further advised that groundwater quality can change over time due to various conditions or events, on and off site, and this report makes no representation or predication regarding future groundwater quality.

Lastly, the maps, plates and tables included in this report contain various locations including distances, parcel lines, wells, roads, and other features. All locations and mentions of distances

are approximate and are provided for general, relative location purposes only, and are not represented to be precise locations. Distances from one location to another in the report text, tables and on plates and maps are approximate only. Locations, boundaries and other features on maps and plates are not based on surveys. Where precise locations of any feature is required, the Client and his representatives are advised to retain the services of a Civil Engineer or Licensed Land Surveyor, since these services are beyond the scope of work presented herein.

## **7.0 CLOSING**

Environmental Geology Services appreciates the opportunity to provide consulting services to you. If you have any questions, please feel free to contact us at 707-528-0810.

## **8.0 REFERENCES**

Bear, J., 1972, Dynamics of Fluids in Porous Media, American Elsevier Publishing Company, Inc., New York, ISBN 0-486-65675-6, 757 p.

California Department of Water Resources, 1975, Evaluation of Ground Water Resources: Sonoma County; Volume 1: Geologic and Hydrologic Data, Bulletin No. 118-4.

California Department of Water Resources, 1982, In cooperation with the County of Sonoma, Bulletin 118-4, Evaluation of Ground Water Resources: Sonoma County, Volume 4: Sonoma Valley, February 1982.

California Department of Water Resources, 1991, Ground water in fractured hard rock, Published by State of California, the Resources Agency, Dept. of Water Resources, April 1991, 4 p., ill., map;

California Department of Water Resources, 2003, California's Groundwater Resources, Bulletin 118-4 Update 2003, October 2003.

California Division of Mines and Geology (CDMG), 1963, Geologic Map of California, Santa Rosa Sheet, Scale 1:250,000.

California Irrigation Management Information System, 1999, Reference Evapotranspiration Map (<http://www.cimis.water.ca.gov/cimis/cimiSatEtoZones.jsp>).

County of Sonoma, Permit and Resource Management Department, 2011, Draft Health Conditions - Minor Subdivision, for Tom Bachman, 6525 Lakeville Highway, Petaluma, file number MNS 11-0009, January 20, 2012.

Driscoll, F. G., 1987, Groundwater and Wells, 2<sup>nd</sup> Ed., Johnson Division, St. Paul, MN, ISBN 0-9616456-0-1, 1089 p.

Farrar, C. D., Metzger, L. F., Nishikawa, T., Koczot, K. M., and Reichard, E. G., 2006, Geohydrological Characterization, Water-Chemistry and Ground-Water Flow Simulation Model of the Sonoma Valley Area, Sonoma County, California, United States Geological Survey Scientific Investigations Report 2006-5092, 167 pp.

Huffman, M. E. and Armstrong, C. F., 1980, Geology for Planning in Sonoma County, California Division of Mines and Geology, Special Report 120, prepare in corporation with the Sonoma County Planning Department.

Johnson, A.I. 1967. Specific yield - Compilation of specific yields for various materials. U.S. Geological Survey Water Supply Paper 1662-D. 74 p.

Kunkel, F. And Upson, J. E., 1960, Geology and Ground Water in the Napa and Sonoma Valleys, Napa and Sonoma Counties, California, U.S. Geological Survey Water Supply Paper 1495, 252p

Natural Resource Conservation Service, 1972, Soil Survey of Sonoma County, <http://websoilsurvey.nrcs.usda.gov/app>

Sonoma County Water Agency, 1983, Flood Control design Criteria Manual for Waterways, Channels and Closed Conduits, Plate B-1.

Sonoma County, Groundwater Availability Map, 2004, Permit and Resource Management, [http://www.sonoma-county.org/prmd/gisdata/pdfs/grndwater\\_avail\\_b\\_size.pdf](http://www.sonoma-county.org/prmd/gisdata/pdfs/grndwater_avail_b_size.pdf)

Sonoma County Water Agency, 2005, County Wide Rainfall Map, County of Sonoma, California, based on 1983 information, revised January 10, 2005.

Wagner, D. L., Rice, S. R., et al, 2002, Geologic Map of the Petaluma River 7.5' Quadrangle Marin and Sonoma Counties, California, California Geological Survey, Scale 1:24 000.

## **PLATES**



Imagery ©2012 TerraMetrics Map data ©2012 Google



**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**SITE LOCATION MAP**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
1





Imagery ©2012 i talaGlobe GeoEye

lo ical Survey USDA Farm Ser vice Agency Map data ©2012 Googl



**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**SITE AERIAL MAP**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

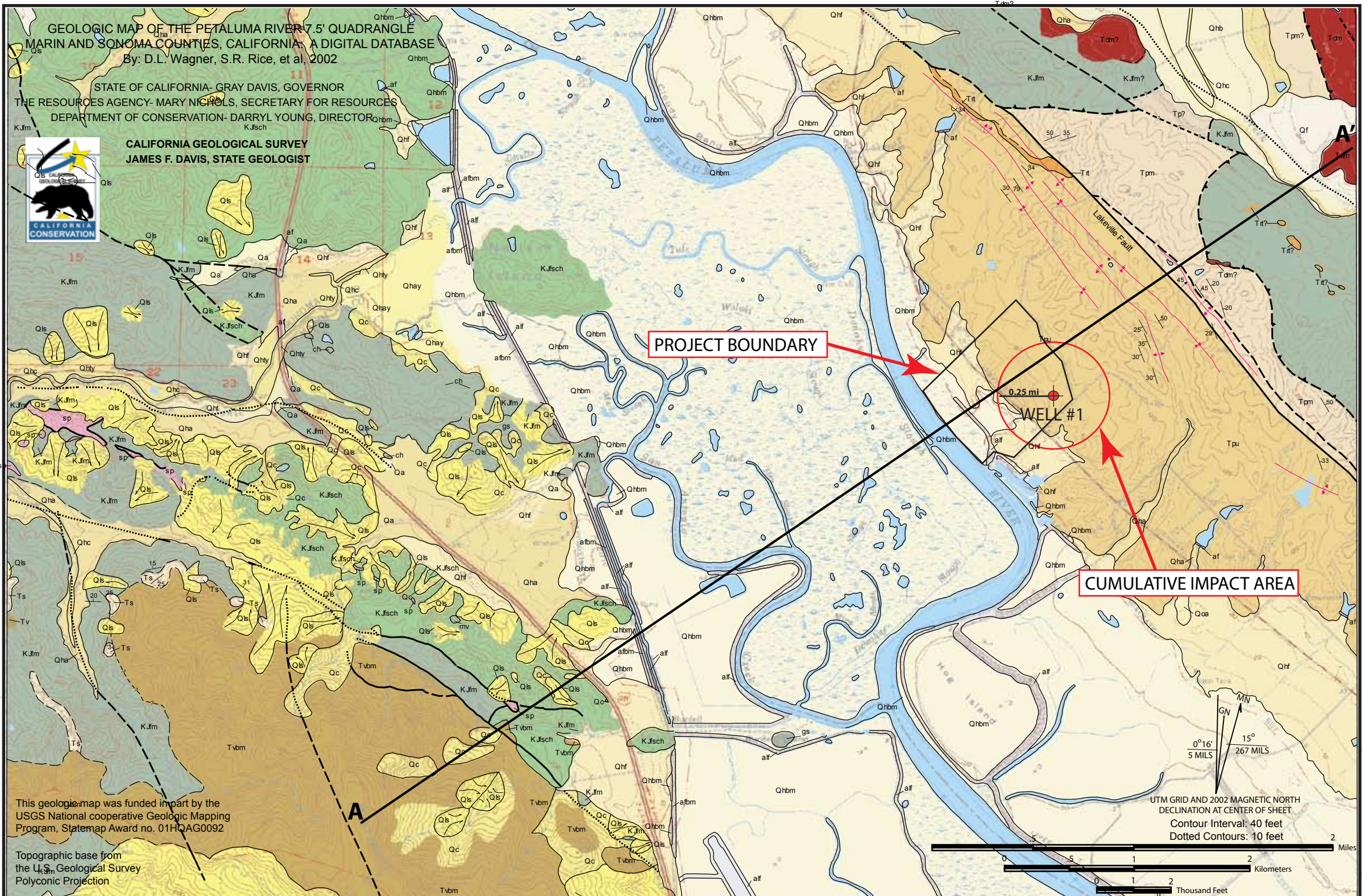
PLATE  
2

**GEOLOGIC MAP OF THE PETALUMA RIVER 7.5' QUADRANGLE  
MARIN AND SONOMA COUNTIES, CALIFORNIA: A DIGITAL DATABASE**  
By: D.L. Wagner, S.R. Rice, et al. 2002

STATE OF CALIFORNIA- GRAY DAVIS, GOVERNOR  
THE RESOURCES AGENCY- MARY NICHOLS, SECRETARY FOR RESOURCES  
DEPARTMENT OF CONSERVATION- DARRYL YOUNG, DIRECTOR



**CALIFORNIA GEOLOGICAL SURVEY**  
JAMES F. DAVIS, STATE GEOLOGIST



**PROJECT BOUNDARY**

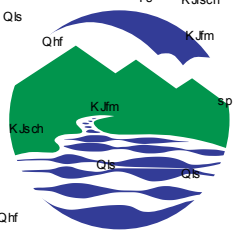
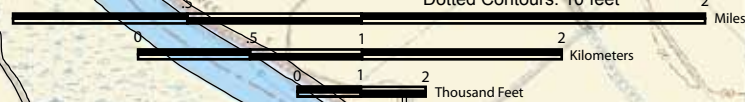
0.25 mi  
**WELL #1**

**CUMULATIVE IMPACT AREA**

This geologic map was funded in part by the  
USGS National cooperative Geologic Mapping  
Program, State map Award no. 01HQAG0092

Topographic base from  
the U.S. Geological Survey  
Polyconic Projection

UTM GRID AND 2002 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET  
Contour Interval: 40 feet  
Dotted Contours: 10 feet



**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**GEOLOGIC MAP**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
**3**

# GEOLOGIC MAP OF THE PETALUMA RIVER 7.5' QUADRANGLE MARIN AND SONOMA COUNTIES, CALIFORNIA: A DIGITAL DATABASE

VERSION 1.0

By  
David L. Wagner<sup>1</sup>, Salem R. Rice<sup>1</sup>, Stephen Bezore<sup>1</sup>, Carolyn E. Randolph-Loar<sup>2</sup>, James Allen<sup>1</sup>, and  
Robert C. Witter<sup>2</sup>

Digital Database  
by  
Jason D. Little<sup>1</sup>, Victoria D. Walker<sup>1</sup>, and Sarah E. Watkins<sup>1</sup>  
2002

1. California Geological Survey, 801 K st. MS 12-31, Sacramento, CA 95814  
2. William Lettis & Associates, Inc., 1777 Botello Drive, Suite 262 Walnut Creek, CA 94596



Copyright © 2002 by the California Department of Conservation  
California Geological Survey. All rights reserved. No part of  
this publication may be reproduced without written consent of the  
California Geological Survey.  
The Department of Conservation makes no warranties as to the  
suitability of this product for any given purpose.

### Unit Explanation

(See Knudsen and others, 2000, for more information on Quaternary units).

- af** Artificial fill
- afbm** Artificial fill placed over bay mud.
- alf** Artificial levee fill
- ac** Artificial stream channel
- Qhc** Late Holocene to modern (<150 years) stream channel deposits in active, natural stream channels. Consists of loose alluvial sand, gravel, and silt.
- Qhty** Latest Holocene stream terrace deposits. Stream terraces are deposited as point bar and overbank deposits.
- Qhay** Latest Holocene alluvial deposits. Fluvial sediment deposited on the modern flood plain.
- Qhbm** Holocene (<10,000 years) bay mud. Silt, clay, peat, and fine sand deposited at or near sea level in San Pablo Bay.
- Qhf** Holocene alluvial fan deposits. Sand, gravel, silt, and clay deposited by streams emanating from canyons onto alluvial valley floors. Sediment is poorly to moderately sorted and bedded.
- Qht** Holocene stream terrace deposits. Sediment deposited in point-bar and overbank settings. Includes sand, gravel, silt, and minor clay. Moderately to well-sorted and bedded.
- Qha** Holocene alluvium, undivided. Alluvium deposited on fans, terraces, or in basins. Sand, gravel, and silt that are poorly sorted.
- Qhb** Holocene basin deposits. Fine-grained alluvium with horizontal stratification. May have interbedded peat.
- Qf** Latest Pleistocene (<~30,000 years) to Holocene alluvial fan deposits. Sand, gravel, silt and clay mapped on gently sloping, fan-shaped, relatively undisturbed alluvial surfaces.
- Qa** Latest Pleistocene to Holocene alluvium, undivided. Flat, relatively undisturbed fan, terrace, and basin deposits.
- Qpf** Latest Pleistocene fan deposits. Sand, gravel, silt, and clay that is moderately to poorly sorted and bedded. Mapped on alluvial fans where greater dissection indicates latest Pleistocene age.
- Qc** Colluvium. Unconsolidated and unsorted weathered rock fragments accumulated on or at the base of slopes.
- Qls** Landslides. Includes debris flow and block slump landslides. Arrows indicate direction of movement.
- Qoa** Early to late Pleistocene alluvial deposits, undivided. Alluvial fan, stream terrace, basin, and channel deposits. Topography is gently rolling with little or no original alluvial surfaces preserved; moderately to deeply dissected.
- QTu** Gravel, sand, reworked tuff and clay of unknown age. Sediments derived mostly from Sonoma Volcanics.

**Petaluma Formation.** A predominantly lacustrine and fluvial deposit with estuarine and transitional marine horizons consisting of siltstone, sandstone, shale, conglomerate, with minor silicified tuff, chert, lignite, and limestone. Divided into three subunits:

**Tpu - Upper Petaluma Fm.** Massive, well sorted sandstone, siltstone, and conglomerate. Conglomerate is rich in laminated siliceous shale (Monterey Fm.) fragments and Tertiary volcanics, with Franciscan clasts. The Robler Tuff (Trt), dated at 6.26 Ma (Robert Fleck, written communication) is interbedded with the Upper Petaluma.

**Tpm - Middle Petaluma Fm.** Siltstone and sandstone with interbedded conglomerate. Clasts in conglomerate are mostly pebbles derived from the Franciscan, but clasts of Cretaceous and Tertiary sandstone as well as Tertiary volcanics are present. Minor siliceous shale fragments from the Monterey Formation are also present.

**Tpl - Lower Petaluma Fm.** Dominantly bluish to green clayey siltstone and shale with interbeds of silicified tuff, siliceous limestone, lignite, and rare bituminous chert. Laminated siltstone near the base in places. Localities near Toly Creek and elsewhere have yielded transitional marine and estuarine horizons in a predominantly lacustrine and fluvial deposit

**Sonoma Volcanics -** Mafic lava flows, breccias, agglomerate tuff, tuff breccia with interbedded tuffaceous sediments; also includes dacitic to rhyolitic lava flows, debris flows, tuff, and tuffaceous sediment. The age range for the Sonoma Volcanics on this quadrangle is 3.65 to 3.80 Ma (Fox and others, 1985; Youngman, 1989). The Sonoma Volcanics are divided into the following subunits.

**Tsvm -** Mafic flows and breccias. Andesite and basaltic andesite. Age range is 7.28 to 3.80 Ma (Youngman, 1989).

**Tsvt -** Silicic tuff and interbedded tuffaceous sediments. Interbedded sand and gravel is similar to the Middle Petaluma Formation.

**Tsvr -** Rhyolitic to dacitic flows, breccias, and sediments. Pink, white, gray, brown flow banded rhyolite in flows, debris flows and breccia. Interbeds of sand, gravel, and tuff. Dates (Ar/Ar) range from 7.36 to 8.11 Ma (Youngman, 1989).

**Donnell Ranch Volcanics of Youngman (1989).** Basalt and basaltic andesite flows, breccia, and scoria. Cream colored tuff is interbedded with the mafic volcanics. The age range for the Donnell Ranch Volcanics is 10.64 Ma to possibly as young as 8.52 Ma (Youngman, 1989). Part of the Toly Volcanics of Morse and Bailey (1935).

**Tertiary volcanic rocks -** Mafic volcanic rocks, mostly basaltic andesite, similar to and probably part of Burdell Mt. Volcanics. Whole rock K/Ar dates of 12.26 +/- 0.38 and 12.47 +/- 0.74 were reported by Fox and others (1985) at quarry near Mc Nears in the northeast part of the quadrangle.

**Volcanic rocks of Burdell Mountain.** Andesite, basalt, rhyolite, and dacite.

**Rhyolite on the south slope of Burdell Mountain.**

**Tuffaceous, fossiliferous sandstone underlying the volcanics of Burdell Mountain.**

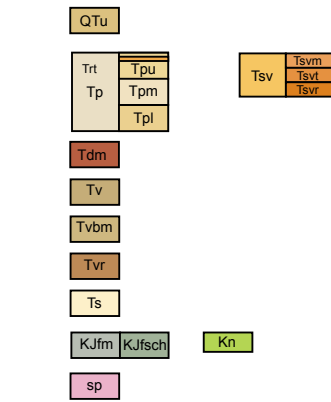
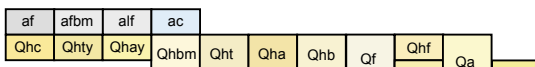
**Novato Conglomerate.** Massive, well-cemented, coarse conglomerate, composed of rounded pebbles and cobbles, of chert, rhyolite, granite and quartzite, in a coarse sandy matrix. (Part of the Great Valley Sequence).

**KJfm** Franciscan complex melange. Tectonic mixture of masses of resistant rock including sandstone, altered mafic volcanics (greenstone), chert, gabbro, exotic metamorphic rocks imbedded in a sheared shaly matrix. Blocks with melange large enough to be shown at this scale are denoted as:  
ss - sandstone  
mv - metavolcanic rock  
ch - chert  
gs - greenstone (altered mafic volcanic rocks).  
◆ - Blueschist block

**KJsch** Franciscan Complex schist, phyllite, and semischist.

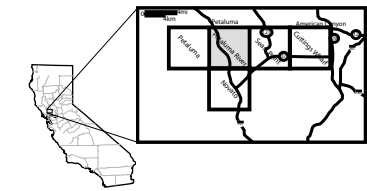
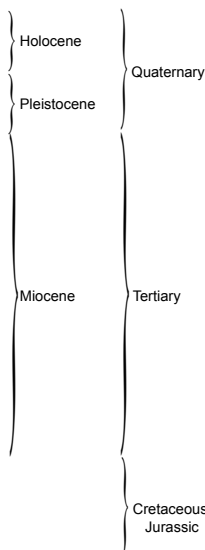
**sp** Serpentinized ultramafic rocks.

### Unit Correlation



### Symbol Explanation

- Contact between map units - solid where accurately located, dashed where approximately located; short dash where inferred; dotted where concealed.
- Fault - solid where accurately located, dashed where approximately located; short dash where inferred; dotted where concealed. U = upthrown block, D = downthrown block. Arrow and number indicate direction and angle of dip of fault plane.
- Thrust Fault - solid where accurately located; dashed where approximately located; short dash where inferred; dotted where concealed. Barb located on upthrown block.
- Overturned Anticline - Dashed where approximately located.
- Anticline - Dashed where approximately located.
- Syncline - Dashed where approximately located.
- Strike and dip of sedimentary beds:  
25 / Inclined  
65 / Overturned  
⊕ / Horizontal
- Landslide - arrows indicate principal direction of movement. Queried where questionable.



### References

- Blake, M.C., J. Grammer, R.W., and Jones D.L., 2000. Geologic map and database of parts of Marin, San Francisco, Alameda, Contra Costa, and Sonoma counties, California. U.S. Geological Survey Miscellaneous Field Studies MF-2337, version 1.0, scale 1:62,500.
- Huffman, M.E., and Armstrong, C.F., 1986. Geology for planning in Sonoma County, California. California Division of Mines and Geology Special Report 120, 31 p., plate 3A, scale 1:62,500.
- Fox, K.F. Jr., 1983. Tectonic setting of Late Miocene, Pliocene and Pleistocene rocks in part of the Coast Range North of San Francisco, California. U.S. Geological Survey Professional Paper 1239, 92 p.
- Fox, K.F. Jr., Fleck, R.J., Barber, J.A., and Halsey, E.J., 1973. Preliminary geologic map of eastern Sonoma County and western Napa County, California. U.S. Geological Survey Miscellaneous Field Studies Map MF-483, scale 1:62,500.
- Fox, K.F. Jr., Fleck, R.J., Curtis, C.H., and Meyer, C.M., 1985. Potassium-Argon and fission track ages of the Sonoma Volcanics in an area north of San Pablo Bay, California. U.S. Geological Survey Miscellaneous Field Studies Map MF 173, scale 1:250,000.
- Knudsen, K.L., Stevens, J.M., Witter, R.C., Wintersworth, C.M., Halsey, E.J., 2000. Preliminary geologic map of the Quaternary deposits and tuffaceous susceptibility, nine-county San Francisco Bay Region, California. A digital database. U.S. Geological Survey Open-File Report 00-44, ver. 1.0, scale 1:52,500.
- Morse, R.R., and Bailey, T.L., 1935. Geological observations in the Petaluma District, California. Bulletin of the Geological Society of America, vol. 46, p. 1437-1498.
- Randolph-Loar, C.E., 2002. Neotectonics of the southern Rodgers Creek Fault, Sonoma County, California. San Francisco State University, M.S. Thesis, 54 p.
- Witter, C.E., 1949. Geology of the Coast Range immediately north of the San Francisco Bay Region, California. Geological Society of America Memoir 58, 262 p., plates 6, 7, scale 1:52,500.
- Youngman, M.R., 1989. K-Ar and <sup>40</sup>Ar/<sup>39</sup>Ar Geochronology, geochemistry and structural reinterpretation of the southern Sonoma Volcanic Field, Sonoma County, California. University of California M.S. Thesis, 92 p.

**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman

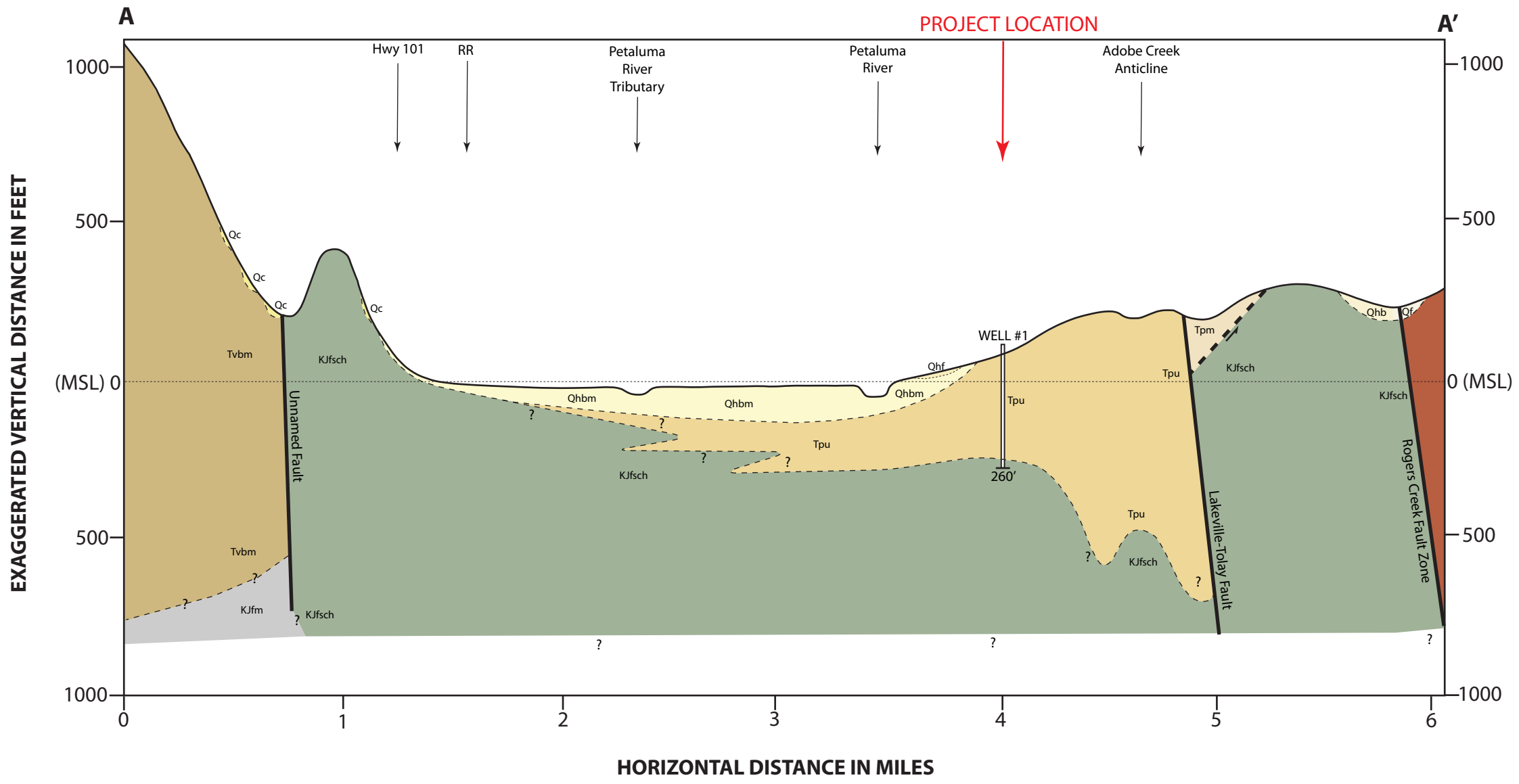
PROJECT:  
465.0312

DRAFTED BY:  
DLB

DATE:  
MAR 2012

**GEOLOGIC MAP LEGEND**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
**3A**



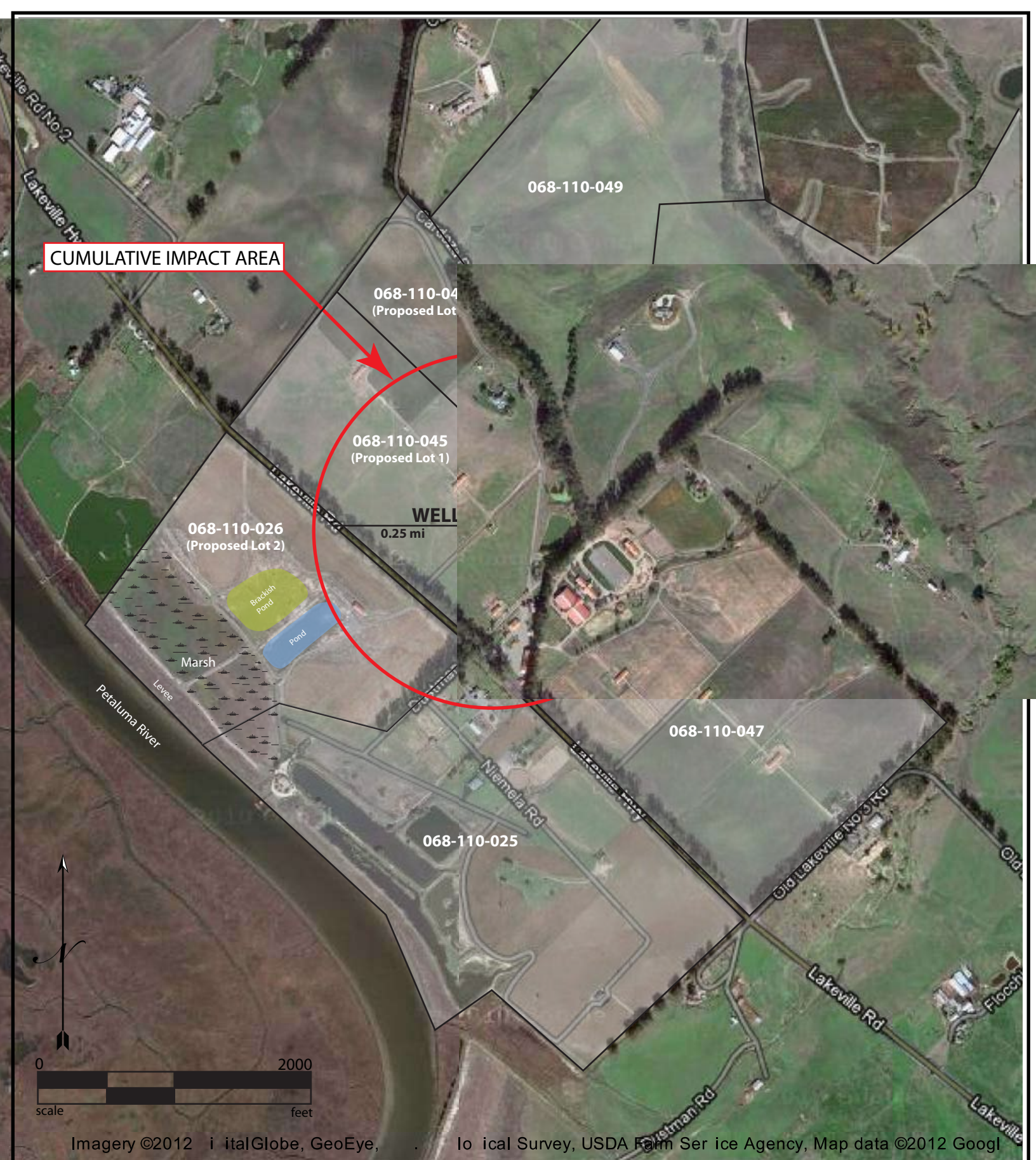
**NOTE:** Well #1 location projected. Actual location approximately 1,000 feet south of cross section A-A' line. Based on our review of the surrounding well logs, the Upper Petaluma Formation thickens to the north and south of Well #1.



CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**GEOLOGIC CROSS SECTION A-A'**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
4



**Environmental  
Geology  
Services**

707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman

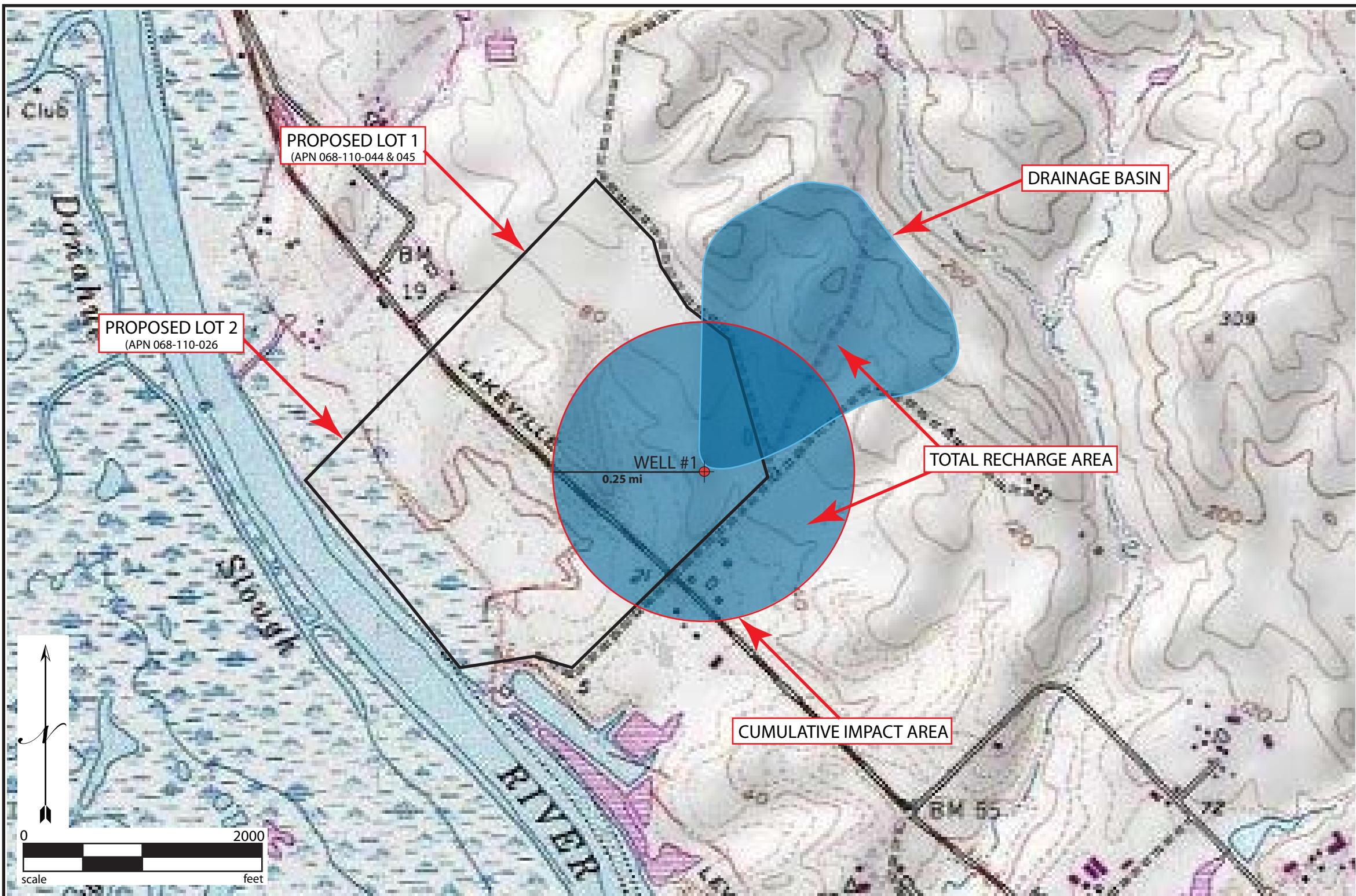
PROJECT:  
465.0312

DRAFTED BY:  
DLB

DATE:  
MAR 2012

**CUMULATIVE IMPACT AREA**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
5



CLIENT:  
Bachman

PROJECT:  
465.0312

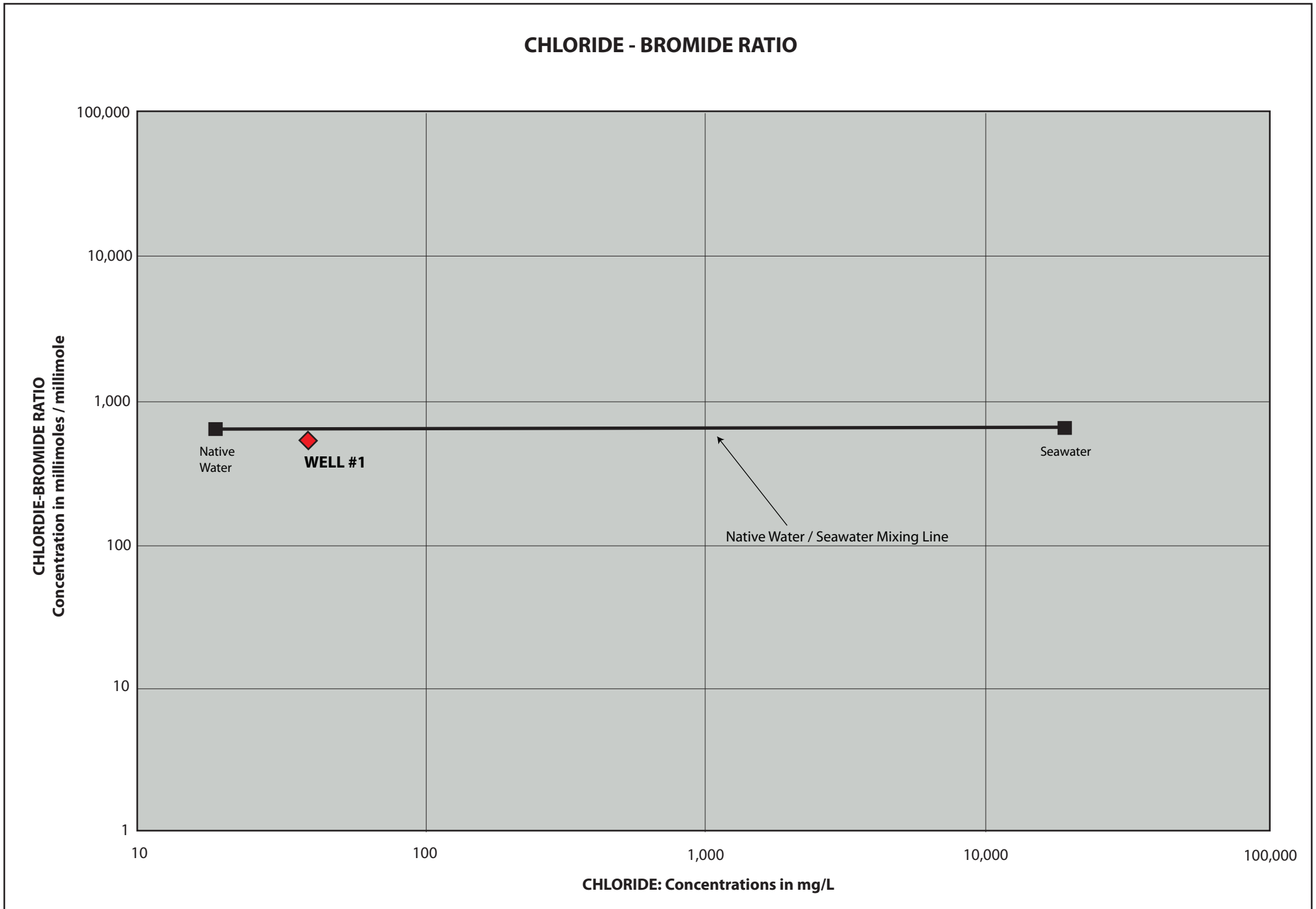
DRAFTED BY:  
DLB

DATE:  
MAR 2012

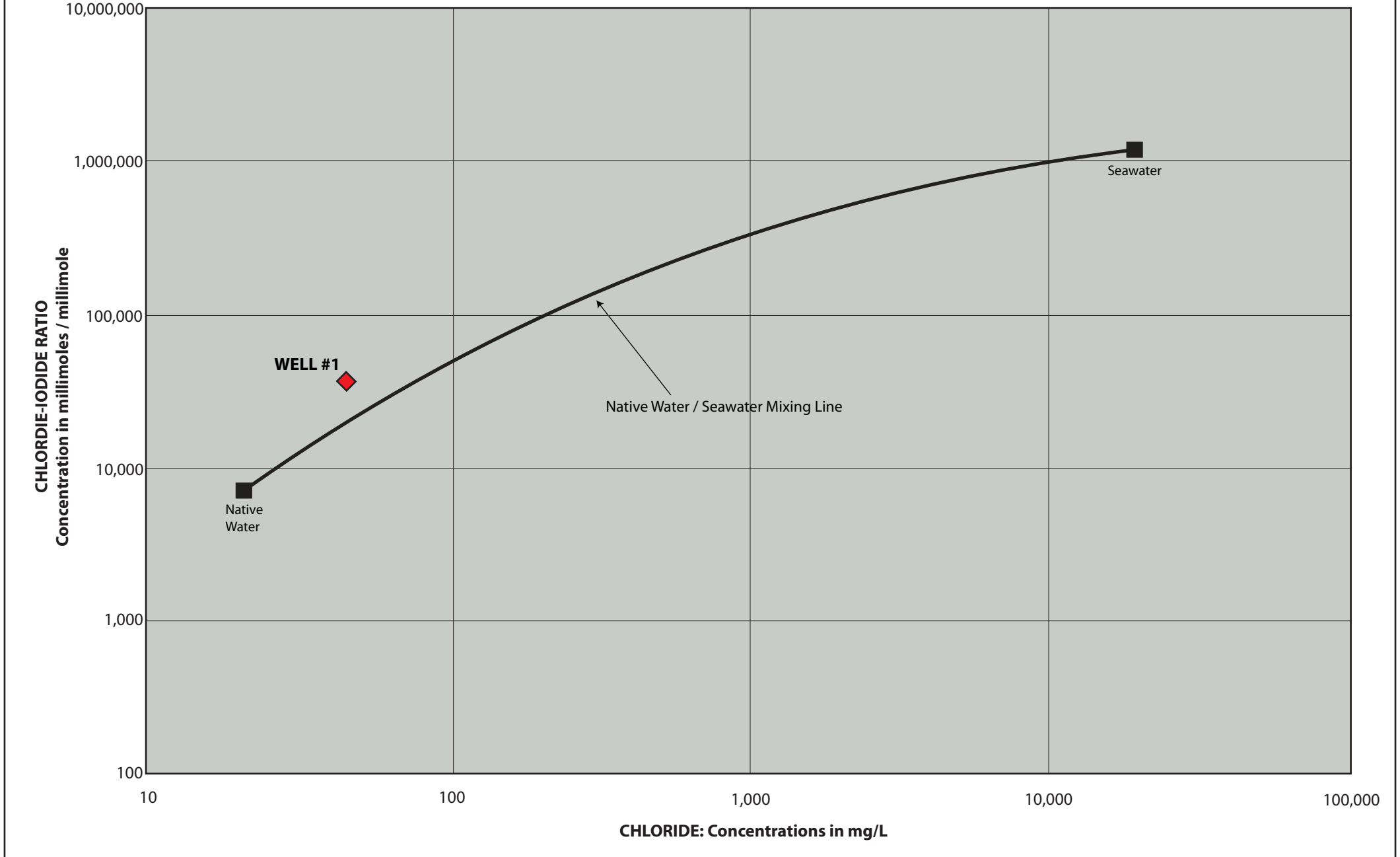
**GROUNDWATER RECHARGE AREA MAP**  
*Groundwater Resource Availability and  
 Saltwater Intrusion Evaluation*  
 6525 Lakeville Highway, Petaluma, California  
 Sonoma County File No. MNS 11-0009  
 APN 068-110-026, 044 & 045

PLATE  
6

### CHLORIDE - BROMIDE RATIO



### CHLORIDE - IODIDE RATIO



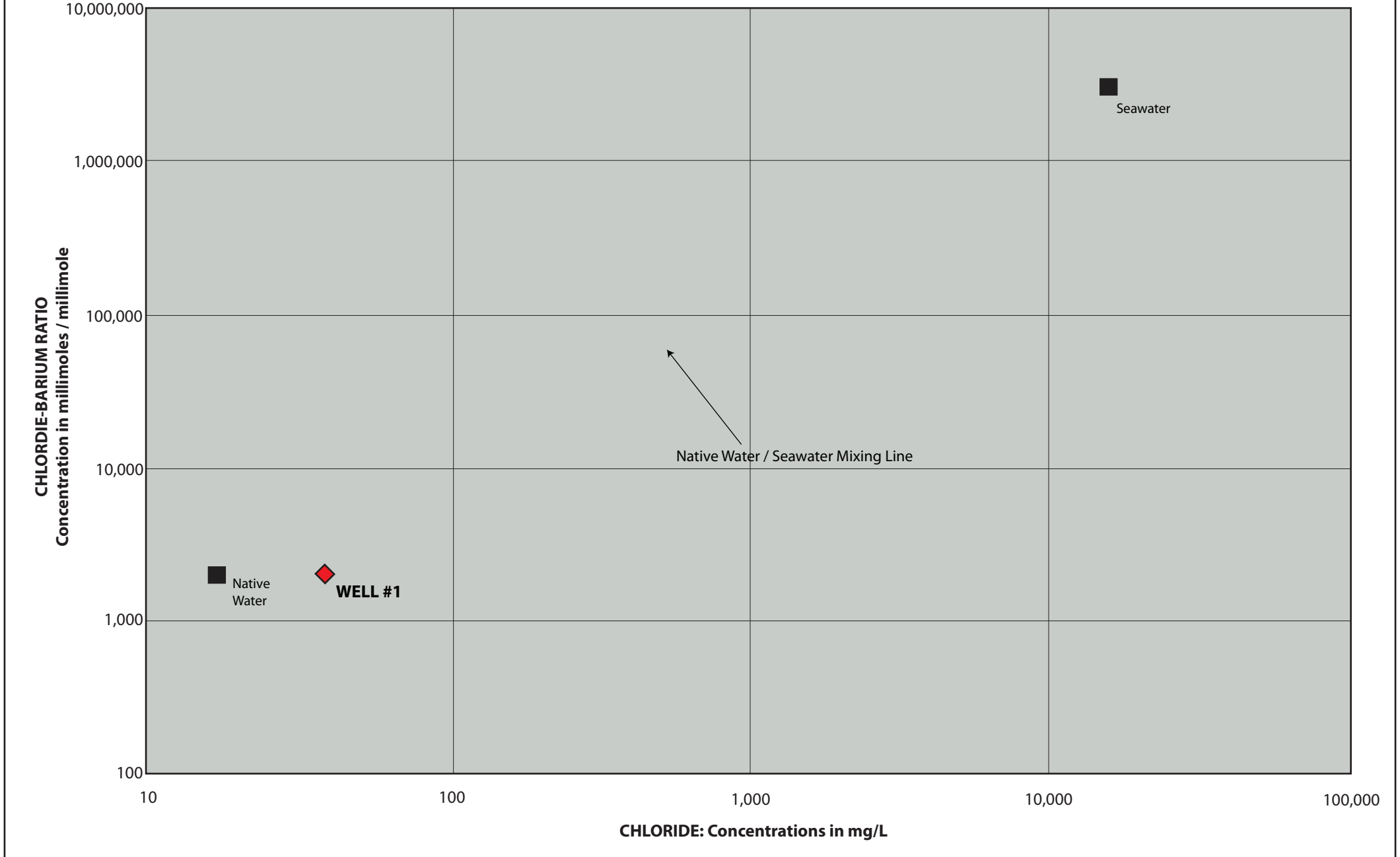
**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**CHLORIDE-IODIDE RATIO**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045



### CHLORIDE - BARIUM RATIO

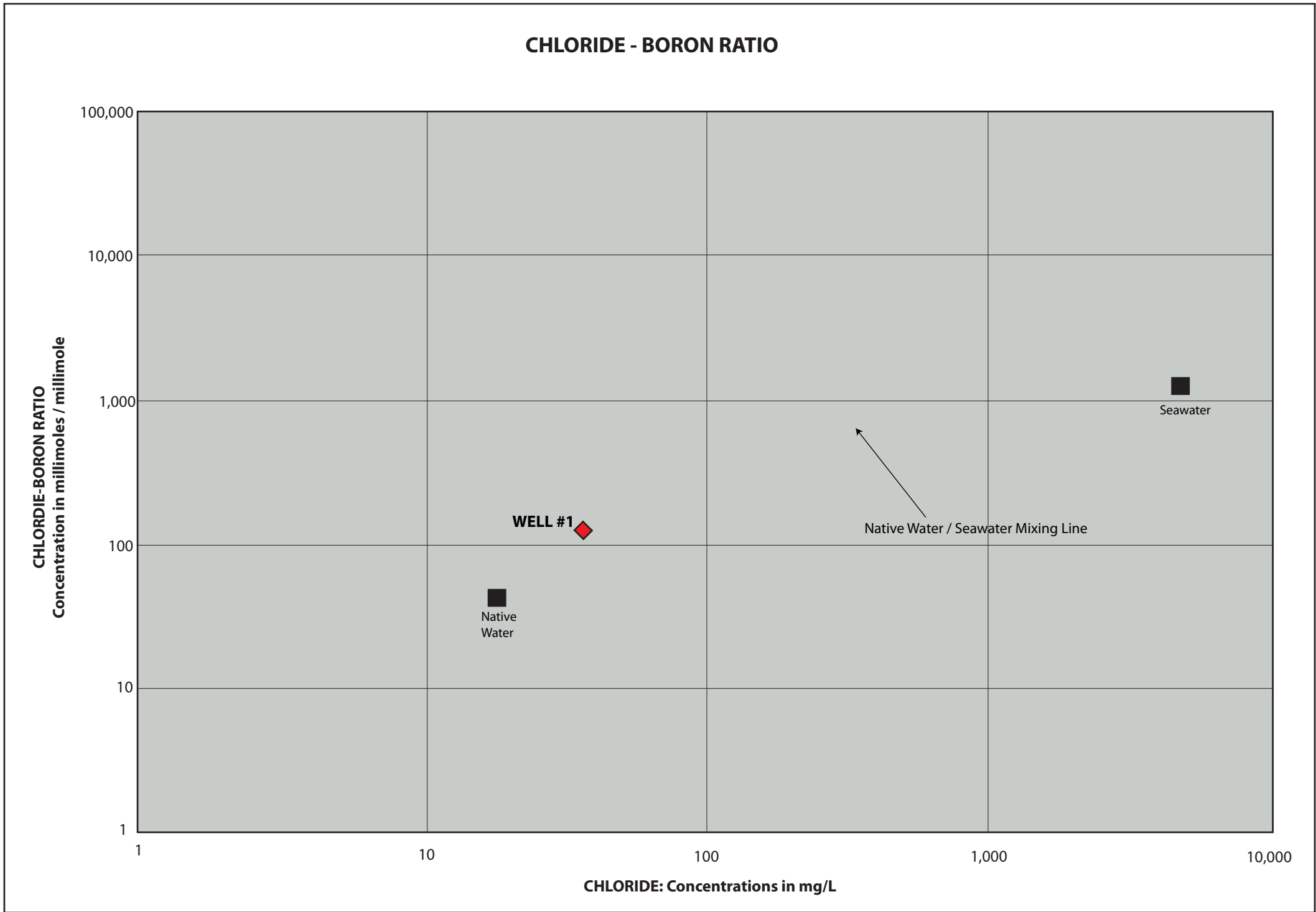


**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**CHLORIDE-BARIUM RATIO**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

### CHLORIDE - BORON RATIO



**Environmental  
Geology  
Services**  
707-528-0810  
www.EGSConsultants.com

CLIENT:  
Bachman  
  
PROJECT:  
465.0312  
DRAFTED BY:  
DLB  
DATE:  
MAR 2012

**CHLORIDE-BORON RATIO**  
*Groundwater Resource Availability and  
Saltwater Intrusion Evaluation*  
6525 Lakeville Highway, Petaluma, California  
Sonoma County File No. MNS 11-0009  
APN 068-110-026, 044 & 045

PLATE  
10

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

**A - 1**

## **Appendix A**

### **Tables**

**Table -A1: Summary of Data From DWR Well Completion Reports**

Location	Approx. Distance from Well #1 (ft)	Depth (ft)	Screen Interval (ft)	Screen Interval Lithology <sup>21</sup>	Static Water Depth	Hrs Pump Test	Estimated Yield GPM and Drawdown
6525 Lakeville Highway <sup>22</sup>	0 Well #1 ("wind mill well") on Proposed Lot #2	256	98-158 198-218	"brown & white clay, cemented gravels, gravels"	75  50	2 hr air lift and  8 hr Pump Test	30 / 400  25 / 74
6525 Lakeville Highway	1165 N Well # 2 ("house well") on Proposed Lot #2	180	55-115 135-175	"clayey sand, cemented gravel, sand, gravel, sandy gravel, hard brown rock w/ quartz"	33	1.5 hr bail test	20 / 125
6525 Lakeville Highway	1200 SW Well # 3 ("old well") on Proposed Lot # 2	160	30-90 110-150	"cemented gravels and clay"	40	2 hr air lift	3 / 150
6535 Lakeville Highway	1350 S	259	40-259	"clay & gravel, cemented gravel"	50	6 hr air lift	20+ / 78
<b>Above Wells Are Within 1/4 mile Radius of Site Well (Well #1) / Wells Below are between 1/4 and 1/2 Mile Radius</b>							
6545 Lakeville Highway	1500 SE	260	62-102 122-182 202-242	"sand & gravels, clay w/ gravel, sand w/ fine gravel"	85	3 hr air lift	12 / 120
6529 Lakeville Highway	1650 S	280	80-280	"cemented & loose gravel, tan clay, sand & gravels, blue clay"	110	7 hr air lift	5 / not reported
6529 Lakeville Highway	1700 S	340	140 - 300	"siltstone, gravels, sandstone"	45	not done	not known
6531 Lakeville Highway	1740 NE	420	140-225	"sandy clay, sand gravel, clean sand"	130	6 hr air lift	12 / not reported

<sup>21</sup> Lithologic descriptions are from driller's logs and may not represent actual geology encountered.

<sup>22</sup> Based on Well Completion Reports provided by DWR this log appears to be associated with Well # 1 and for this report we assume this is the log for that well.

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

Location	Approx. Distance from Well #1 (ft)	Depth (ft)	Screen Interval (ft)	Screen Interval Lithology <sup>23</sup>	Static Water Depth	Hrs Pump Test	Estimated Yield GPM and Drawdown
6890 Lakeville Highway	2560 SE	453	140-450	"clay w/ embedded gravel, cemented gravel, loose gravel, clay"	32	2 hr bailer test	25 / 170
6890 Lakeville Highway	2570 SE	455	325-455	"clay w/ embedded gravel, loose gravel, cemented gravel, stiff clay"	107	7 hr pump test	17.5 / 300
6545 Lakeville Highway	2600 SE	400	200-220 240-280 300-400	"gravel & cemented gravel w/ brown clay, multi colored volcanic rock,"	160	2 hr air lift	25 / 400
6614 Lakeville Highway	2600 S	410	195-405	"clay w/ cemented gravel, cemented gravel, volcanic rock"	65	4 hr air lift	20 / 280
6614 Lakeville Highway	2640 S	516	380-480	"clay w/ embedded rock, blue rock, w/ streaked clay"	36	1 hr air lift	25 / 230
<b>Above Wells Are Within 1/2 mile Radius of Site Well (Well #1) / Wells Below are between 1/2 and 1 Mile Radius</b>							
6810 Lakeville Highway	2850 NW	220	80-220	"sand & gravel, fractured Franciscan rock, soft shale"	20	10 hr development	12+ / not reported
6210 Lakeville Highway	2900 SE	230	300-400	"volcanic rock"	70	2 hr air lift	20/280
6801 Lakeville Highway	3100 NW	300	40-276	"brown to blue sandy clay, hard serpentine-type rock, fractured conglomerate"	88	4 hr air lift	10 / not reported
6525 Lakeville Highway (former address)	3200 SE	307	62-122	"brown & gray clay, cemented gravel, sand & gravel"	18	0.75 hr air lift	70 / 110

<sup>23</sup>

*Lithologic descriptions are from driller's logs and may not represent actual geology encountered.*

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

Location	Approx. Distance from Well #1, ft	Depth ft	Screen Interval ft	Screen Interval Lithology <sup>24</sup>	Static Water Depth	Hrs Pump Test	Estimated Yield GPM and Drawdown
6614 Lakeville Highway	3400 SE	220	40-200	"brown clay w/ gravel layers, gravel, sandy clay"	8	5 hr pump	1.25 / 40
6155 Lakeville Highway	4100 NW	199	38 - 199	"hard rock, blue rock, very hard blue rock"	no report	bailer test hrs ?	800/180
6155 Lakeville Highway	4100 NW	448	22-42 48-60 88-109 128-148	"brown clay rock, yellow clay rock, blue rock"	10	bailer test 4 hrs	20/200
6788 Lakeville Highway	4200 SE	360	130-190 250-330	"Cemented gravel and clay, volcanic rock"	120	2 hr air lift	40 / 340
5911 Lakeville Highway	5100 NW	234	54-136 174-234	"sand & gravel,, clay & gravel, brown rock"	8	Air lift test 4 hrs	40/120 50/220
5911 Lakeville Highway	5100 NW	298	78-178 218-298	"gravel, brown cemented gravel, loose gravel, sandy clay, blue rock"	45	Air lift test 4 hrs	20/120 25/280
5911 Lakeville Highway	5100 NW	240	40-230	"sand and gravel, blue clay, fractured rock & river run"	42	Air lift test 6 hrs	75/230
5875 Lakeville Highway	5300 NW	500	180-220 300-320 360-440	"brown clay w/ gravel, sticky brown clay"	100	Air lift test 4 hrs	42/400
5845 Lakeville Highway	6500 NW	180	80-150 160-180	"gravel, clay w/ gravel"	10	Air lift test 2 hrs	100+/180

<sup>24</sup>

*Lithologic descriptions are from driller's logs and may not represent actual geology encountered.*

**Table A2 - Parcels and Ownership Identified within ½ Mile radius of Site Well**

Parcel #	Site Address	Owner / Phone	Address
068-110--026 068-110--044 068-110--045	6525 Lakeville Highway	Tom Bachman	6525 Lakeville Hwy, Petaluma
068-110--025	6614 Lakeville Highway	Sydney Hendricks	6614 Lakeville Highway, Petaluma
068-110--047	6855 Old Lakeville Road	J P Interests II, LLC	301 Commerce St., #3300, Ft Worth, TX
068-110--046	6855 Old Lakeville Road	J P Interests II, LLC	301 Commerce St., #3300, Ft Worth, TX
068-110--017	6535 Lakeville Highway	Allan & Gloria Marcucci	6535 Lakeville Highway, Petaluma
068-110--050	6531 Lakeville Highway	Larry Hadley Trust	P. O. Box 1352 Auburn, CA 94920
068-110--048	6529 Lakeville Highway	James & Sandy Kriegsman	6529 Lakeville Highway, Petaluma
068-110--049	6529 Lakeville Highway	James & Sandy Kriegsman	6529 Lakeville Highway, Petaluma
068-600--003	6535 Lakeville Highway	Allan & Gloria Marcucci	6535 Lakeville Highway, Petaluma
068-600--034	6155 Lakeville Highway	Donald & Virginia Marcucci	6535 Lakeville Highway, Petaluma
068-600--035	6155 Lakeville Highway	Donald & Virginia Marcucci	6535 Lakeville Highway, Petaluma
068-600--036	6235 Lakeville Highway	Ron, Chas & Judith Silacci	3 Timberhill Dr, Gladstone, NJ 07934
068-600--037	6803 Lakeville Highway	Ron, Chas & Judith Silacci	3 Timberhill Dr, Gladstone, NJ 07934
068-600--039	6300 Lakeville Highway	Frank Chung & Judy Ming - Ming Tsang	2635 Chestnut St, San Francisco, 94123
068-600--041	6210 Lakeville Highway	Allan & Gloria Marcucci	6535 Lakeville Highway, Petaluma
119-037-001	no address	Ca Dpt of Fish & Game	1461 9 <sup>th</sup> St, Rm 1206-12, Sacramento, CA
119-037-002	no address	Ca Dpt of Fish & Game	1461 9 <sup>th</sup> St, Rm 1206-12, Sacramento, CA

**Table A2 Note:** *There were some parcels on the AP maps in the County Assessor's data base for which there were no recorded addresses and or owners. Parcels for which there were no recorded owners or addresses were not included in this table. Some parcels may have more than one well, and some parcels such as those of the California Department of Fish & Game have no wells.*

**REPORT: Ground Water Resource Availability and  
Saltwater Intrusion Evaluation for  
6525 Lakeville Highway, Petaluma, CA, 94954  
Sonoma County File No. MNS11-0009  
APN 068-110-026, 044 & 045**

**B- 1**

## **Appendix B**

### **Laboratory Analytical Report**





## Analytical Sciences

---

March 28, 2012

Marc Seeley  
Environmental Geology Services  
1695 Willowside Road  
Santa Rosa, CA 95401

Dear Marc,

Enclosed you will find Analytical Sciences' final report 2031509 for your 6525 Lakeville Hwy. project. An invoice for this work is enclosed.

Should you or your client have any questions regarding this report please contact me at your convenience. We appreciate you selecting Analytical Sciences for this work and look forward to serving your analytical chemistry needs on projects in the future.

Sincerely,

Analytical Sciences

---

Mark A. Valentini, Ph.D.

Laboratory Director



Report Date: March 28, 2012

## Laboratory Report

Marc Seeley  
Environmental Geology Services  
1695 Willowside Road  
Santa Rosa, CA 95401

Project Name:       **6525 Lakeville Hwy.**                               **465.0312**  
Lab Project:       **2031509**

This 10 page report of analytical data has been reviewed and approved for release.

---

Mark A. Valentini, Ph.D.  
Laboratory Director



### Total Coliform & E. Coli

Lab#	Sample ID	Compound Name	Result (MPN/100 mL)	RDL (MPN/100 mL)
2031509-01	<b>Well #1 (Windmill)</b>	Total Coliform	6	1
		E. Coli	<1 QT	1

Date Sampled:	03/15/12	Date Analyzed:	03/16/12	QC Batch:	B010424
Date Received:	03/15/12	Method:	SM 9223 B		

### Graphite Furnace Metals

Lab#	Sample ID	Compound Name	Result (µg/L)	RDL (µg/L)
2031509-01	<b>Well #1 (Windmill)</b>	Arsenic (As)	ND	2.0

Date Sampled:	03/15/12	Date Analyzed:	03/16/12	QC Batch:	B010412
Date Received:	03/15/12	Method:	EPA 200.9		

### Metals (ug/L)

Lab#	Sample ID	Compound Name	Result (µg/L)	RDL (µg/L)
2031509-01	<b>Well #1 (Windmill)</b>	Barium (Ba)	130	50

Date Sampled:	03/15/12	Date Analyzed:	03/21/12	QC Batch:	B010415
Date Received:	03/15/12	Method:	EPA 200.7		

### Metals (mg/L)

Lab#	Sample ID	Compound Name	Result (mg/L)	RDL (mg/L)
2031509-01	<b>Well #1 (Windmill)</b>	Boron (B)	0.16	0.050

Date Sampled:	03/15/12	Date Analyzed:	03/16/12	QC Batch:	B010415
Date Received:	03/15/12	Method:	EPA 200.7		



### Anions

Lab#	Sample ID	Compound Name	Result (mg/L)	RDL (mg/L)
2031509-01	<b>Well #1 (Windmill)</b>	Chloride	66	2.0
		Nitrate	9.4	0.50

Date Sampled:	03/15/12	Date Analyzed:	03/16/12	QC Batch:	B010410
Date Received:	03/15/12	Method:	EPA 300.0		

### Bromide

Lab#	Sample ID	Compound Name	Result (mg/L)	RDL (mg/L)
2031509-01	<b>Well #1 (Windmill)</b>	Bromide	0.18	0.010

Date Sampled:	03/15/12	Date Analyzed:	03/21/12	QC Batch:	B010457
Date Received:	03/15/12	Method:	EPA 300.1		

### Iodide

Lab#	Sample ID	Compound Name	Result (µg/L)	RDL (µg/L)
2031509-01	<b>Well #1 (Windmill)</b>	Iodide	7.8	5.0

Date Sampled:	03/15/12	Date Analyzed:	03/26/12	QC Batch:	B010485
Date Received:	03/15/12	Method:	EPA 314.0		



## Quality Assurance Report

### Graphite Furnace Metals

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010412 - EPA 200.9</b>										
<b>Blank (B010412-BLK1)</b>				Prepared & Analyzed: 03/14/12						
Arsenic (As)	ND	2.0	µg/L							
<b>LCS (B010412-BS1)</b>				Prepared & Analyzed: 03/14/12						
Arsenic (As)	9.0	2.0	µg/L	10.0		90	85-115			
<b>LCS Dup (B010412-BSD1)</b>				Prepared & Analyzed: 03/14/12						
Arsenic (As)	9.3	2.0	µg/L	10.0		93	85-115	4	20	



### Metals (ug/L)

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010415 - EPA 3010A</b>										
<b>Blank (B010415-BLK1)</b>				Prepared: 03/14/12 Analyzed: 03/21/12						
Barium (Ba)	ND	50	µg/L							
<b>LCS (B010415-BS1)</b>				Prepared: 03/14/12 Analyzed: 03/21/12						
Barium (Ba)	514	50	µg/L	500		103	70-130			
<b>LCS Dup (B010415-BSD1)</b>				Prepared: 03/14/12 Analyzed: 03/21/12						
Barium (Ba)	513	50	µg/L	500		103	70-130	0.2	20	



### Metals (mg/L)

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010415 - EPA 3010A</b>										
<b>Blank (B010415-BLK1)</b>				Prepared: 03/14/12 Analyzed: 03/16/12						
Boron (B)	ND	0.050	mg/L							
<b>LCS (B010415-BS1)</b>				Prepared: 03/14/12 Analyzed: 03/16/12						
Boron (B)	0.518	0.050	mg/L	0.500		104	70-130			
<b>LCS Dup (B010415-BSD1)</b>				Prepared: 03/14/12 Analyzed: 03/16/12						
Boron (B)	0.523	0.050	mg/L	0.500		105	70-130	1	20	



## Anions

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010410 - NO PREP</b>										
<b>Blank (B010410-BLK1)</b>				Prepared: 03/13/12 Analyzed: 03/14/12						
Chloride	ND	0.20	mg/L							
Nitrate	ND	0.50	mg/L							
<b>Matrix Spike (B010410-MS1)</b>				Source: 2031324-04		Prepared: 03/13/12 Analyzed: 03/15/12				
Chloride	15.4	0.20	mg/L	2.00	12.2	160	75-125			
Nitrate	5.45	0.50	mg/L	4.00	1.48	99	75-125			
<b>Matrix Spike Dup (B010410-MSD1)</b>				Source: 2031324-04		Prepared: 03/13/12 Analyzed: 03/15/12				
Chloride	15.3	0.20	mg/L	2.00	12.2	154	75-125	0.7	20	
Nitrate	5.21	0.50	mg/L	4.00	1.48	93	75-125	5	20	





## Bromide

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010457 - NO PREP</b>										
<b>Blank (B010457-BLK1)</b>				Prepared & Analyzed: 03/21/12						
Bromide	ND	0.010	mg/L							
<b>LCS (B010457-BS1)</b>				Prepared & Analyzed: 03/21/12						
Bromide	0.047	0.005	mg/L	0.0500		95	85-115			
<b>Matrix Spike (B010457-MS1)</b>				Source: 2031509-01		Prepared & Analyzed: 03/21/12				
Bromide	0.284	0.010	mg/L	0.100	0.177	106	75-125			
<b>Matrix Spike (B010457-MS2)</b>				Source: 2032009-02		Prepared & Analyzed: 03/21/12				
Bromide	0.116	0.010	mg/L	0.100	0.022	94	75-125			



## Iodide

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch B010485 - NO PREP</b>										
<b>Blank (B010485-BLK1)</b>				Prepared & Analyzed: 03/26/12						
Iodide	ND	5.0	µg/L							
<b>LCS (B010485-BS1)</b>				Prepared & Analyzed: 03/26/12						
Iodide	10.2	5.0	µg/L	10.0		102	80-120			
<b>Matrix Spike (B010485-MS1)</b>		<b>Source: 2031509-01</b>		Prepared & Analyzed: 03/26/12						
Iodide	17.7	5.0	µg/L	10.0	7.83	99	70-130			



## Notes and Definitions

---

QT	The bacterial test utilized is a quantitative test. A result of less than 1 (<1) is indicating bacteria are "absent" in 100 milliliters of sample water.
RDL	Reporting Detection Limit
ND	Analyte NOT DETECTED at or above the reporting detection limit (RDL)
RPD	Relative Percent Difference
NR	Not Reported



**Analytical Sciences**  
 P.O. Box 750336, Petaluma, CA 94975-0336  
 110 Liberty Street, Petaluma, CA 94952  
 (707) 769-3128  
 Fax (707) 769-8093

# CHAIN OF CUSTODY

Lab Project Number: 2031509  
 Client's Project Name: 6525 LAKEVILLE HWY  
 Client's Project Number: 445-0312

**CLIENT INFORMATION**

Company Name: Environmental Geology Services  
 Address: 1095 Willowside Road  
Santa Rosa, CA 95401  
 Contact: Marc Seeley  
 Phone #: 707-528-0810  
 Fax #: 707-528-1956  
 E-mail: marc@egsconsultants.com/david@egsconsultants.com

GeoTracker Required: \_\_\_\_\_  
 GeoTracker Number: \_\_\_\_\_

**TURNAROUND TIME (check one)**

Same Day \_\_\_\_\_  
 48 Hours \_\_\_\_\_ 24 Hours \_\_\_\_\_  
 5 Days \_\_\_\_\_ Normal

Page 1 of 1

## ANALYSIS

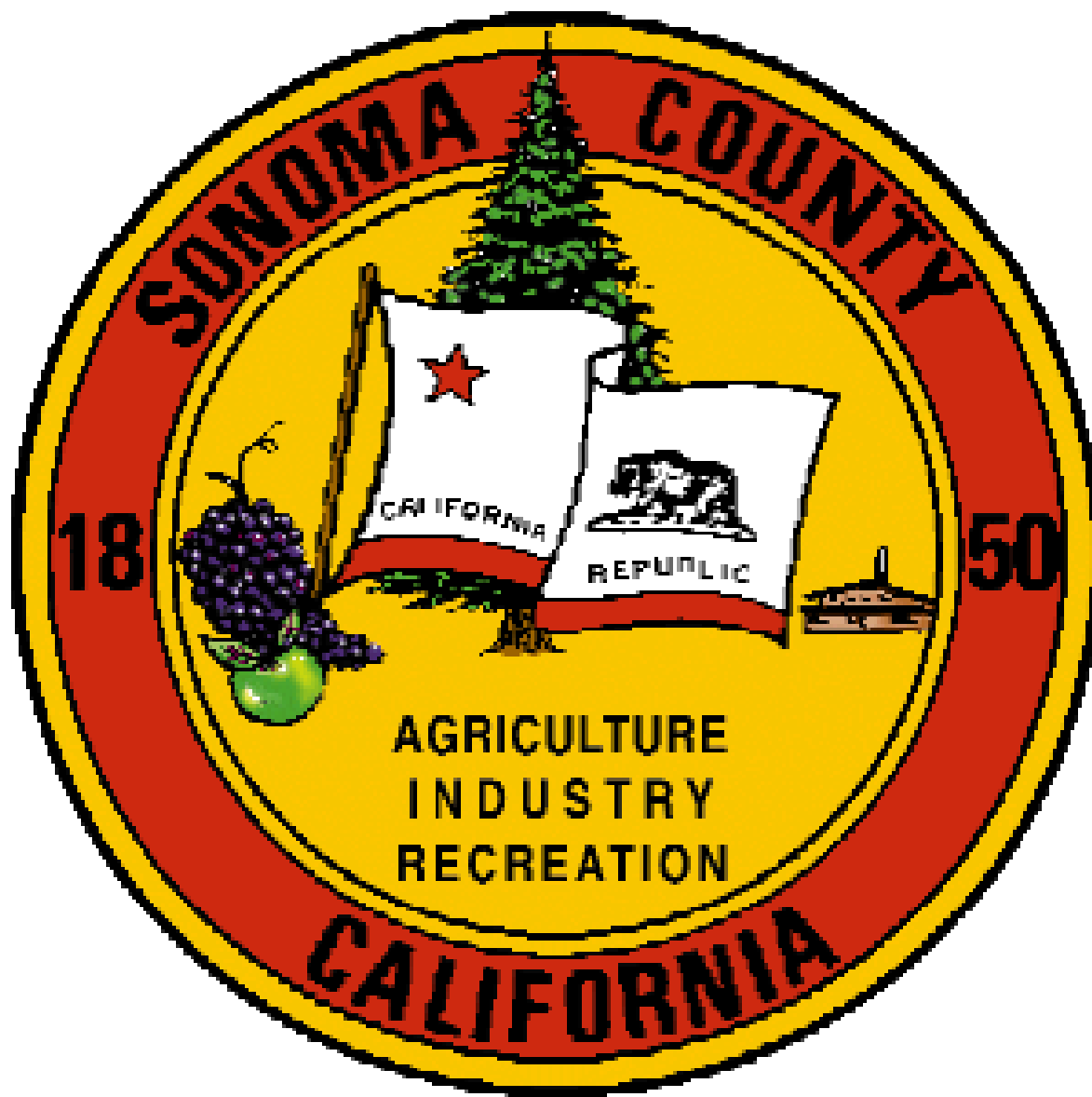
Item	Client Sample ID	Date Sampled	Time	Matrix	# Cont.	Presv. Y/N	TOTAL coliform	ARSENIC	NITRATE	BROMIDE	IODIDE	BARIUM	BORON	Chloride	Comments	Lab Sample #
1	Well #1 (windmill)	3/15	2:45	W	5	1-100 4-100	X	X	X	X	X	X	X	X	2031509-01	
2																
3																
4																
5																
6																
7																
8																
9																
10																

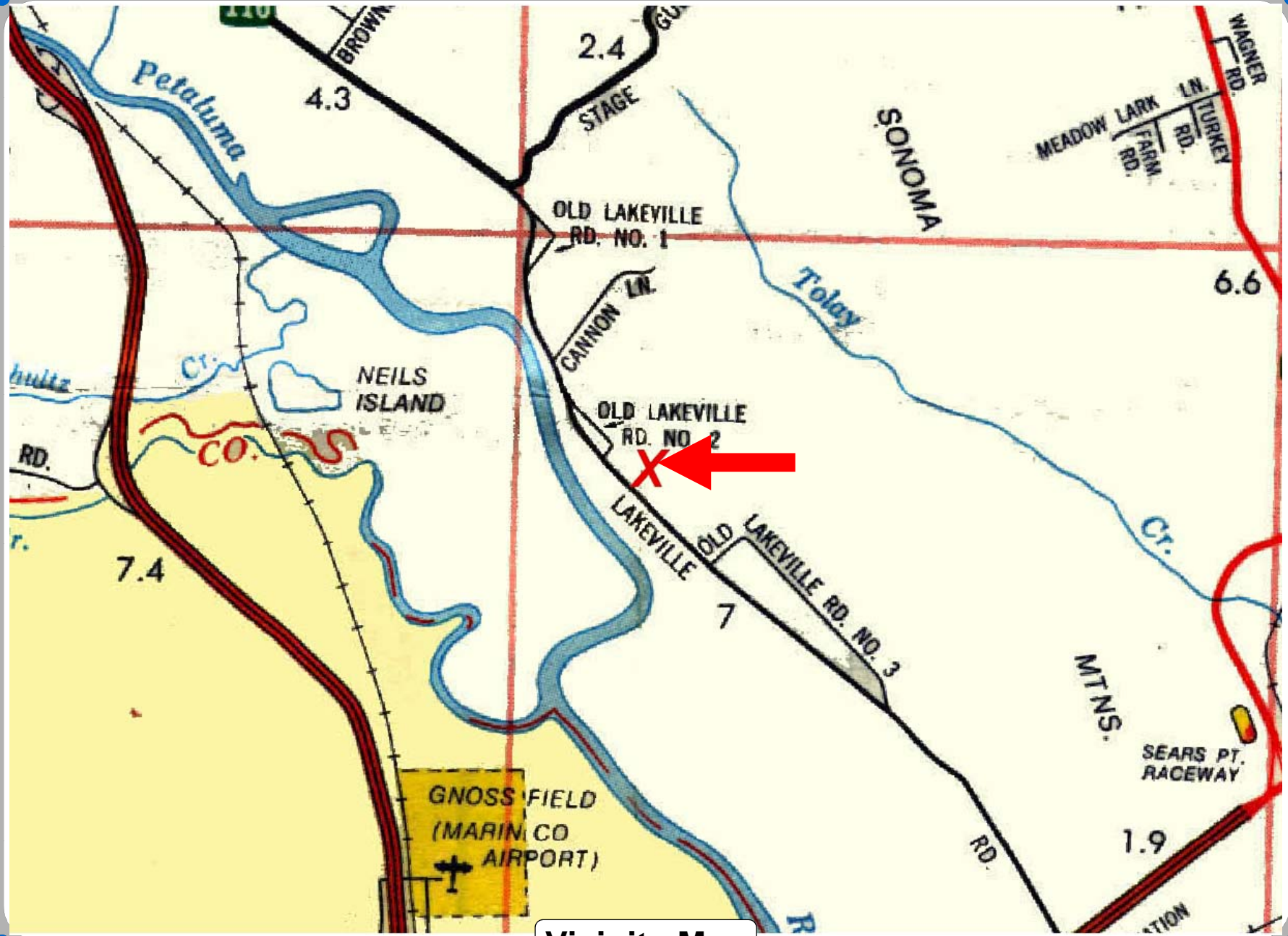
## SIGNATURES

Relinquished By: [Signature] Date: 3/16/12 Time: 3:45

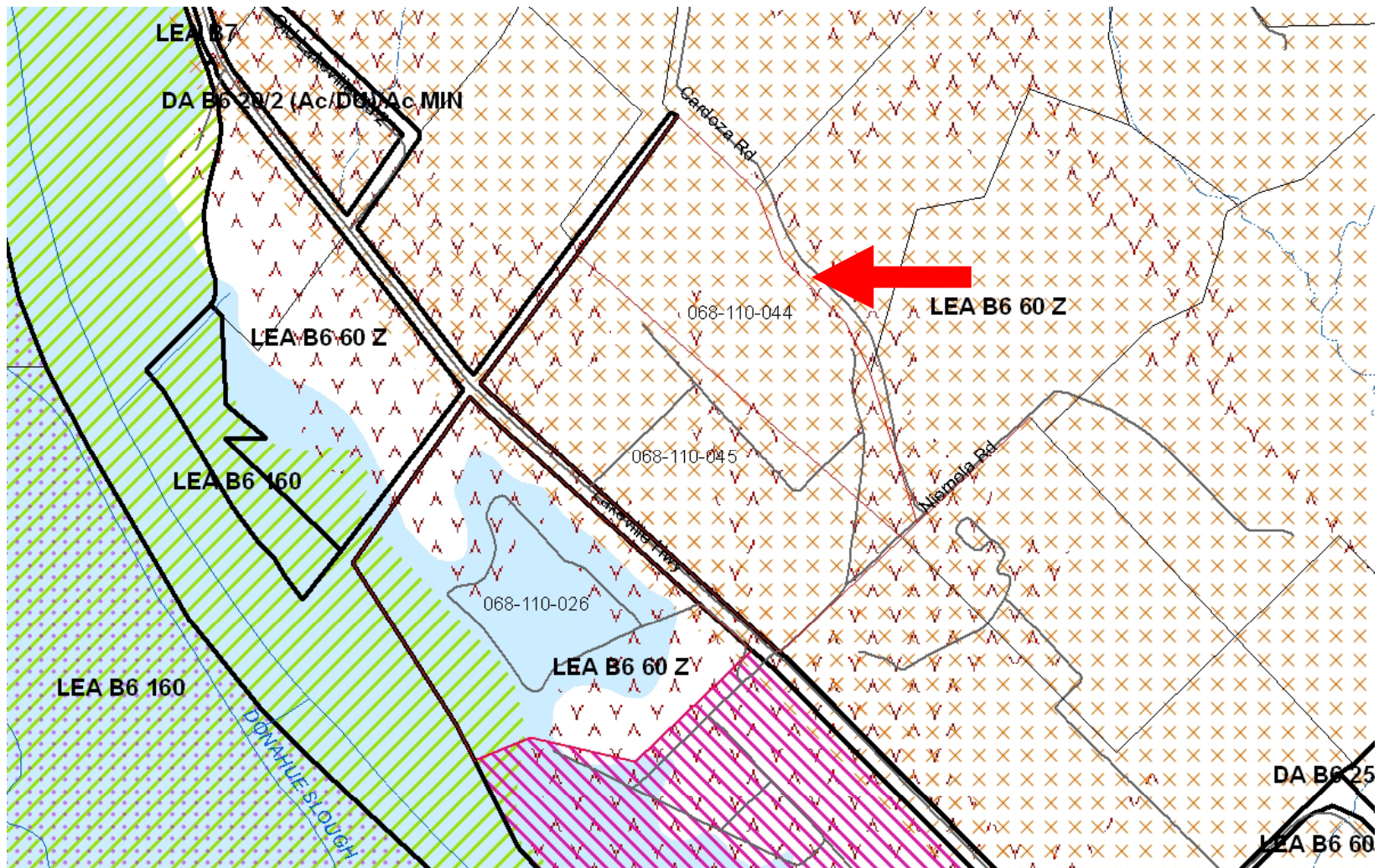
Sampled By: [Signature] Date: 3/16/12 Time: 3:45

Received By: [Signature] Date: 3/16/12 Time: 1545

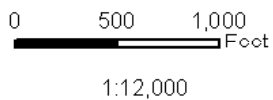




Vicinity Map



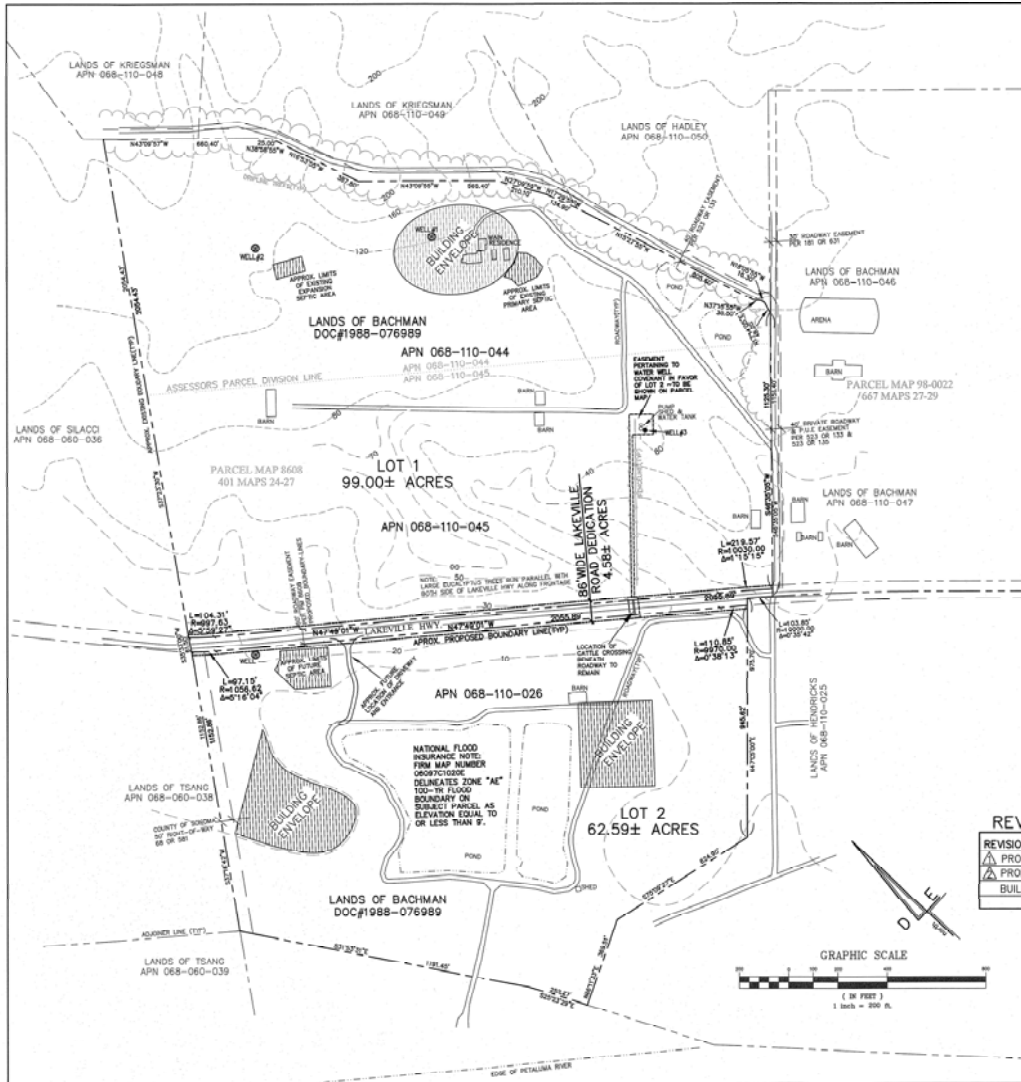
### Zoning and Combining Districts



City Limit	SD Scenic Design	MR Mineral Resource
AH Affordable Housing	SR Scenic Resource	G Geologic Hazard
LU Policy	VOH Valley Oak Habitat	F1 Floodway
HD Historic District	BR Biotic Resource	F2 Floodplain

## Zoning Map

MNS11-0009



**PROPERTY OWNERS:**

A.P. NO. 068-110-026,  
A.P. NO. 068-110-044,  
& A.P. NO. 068-110-045  
6525 LAKEVILLE HWY.  
PETALUMA, CA 94954  
9004 & 1900-076989  
THOMAS & CATHERINE BACHMAN  
6525 LAKEVILLE HWY  
PETALUMA, CA 94954  
TEL: (707) 321-0068



**LOCATION MAP**

N.T.S.

**DATUM NOTE**

ELEVATIONS AND CONTOURS ARE BASED ON USGS 1"=500' PLAT, LOCATED ON SHEET 300, PETALUMA RIVER QUAD MAP, SONOMA COUNTY RECORDS.

**VEGETATION NOTE**

VEGETATION UPON PARCEL CONSIST MAINLY NATIVE GRASSLAND, MARSH LANDS ENCOMPASSED BY PETALUMA RIVER WATERSHED AND MARSHAL TREE COVER.

**BOUNDARY NOTE**

PROPERTY LINES SHOWN ARE BASED UPON PARCEL MAP NO.8608 RECORDED IN BOOK 403, PAGES 24-27, & PARCEL MAP NO.98-0022 RECORDED IN BOOK 667, PAGES 27-29, SONOMA COUNTY RECORDS

**FIRE SAFE, VEGETATION MANAGEMENT & FLOOD CONTROL:**

THE SUBJECT PROPERTY HAS GRADUALLY SLOPING TOPOGRAPHY DIRECTED SOUTHWESTERLY THROUGHOUT THE 164± ACRES. THE LOT CONSISTS OF NATIVE TREES AND GRASSES ALONG WITH ONE RESIDENTIAL HOME AND OUT STRUCTURES. THE MAJORITY OF THE LOTS HAVE BEEN CLEARED AND MINIMAL VEGETATION IS MAINTAINED. EXISTING STRUCTURES HAVE SUFFICIENT OPEN SPACE AND FUTURE DEVELOPMENT SHALL MAINTAIN THESE STANDARDS.

FIRST RESPONDING FIRE PROTECTION SERVICES ARE PROVIDED BY LAKEVILLE VOLUNTEER FIRE DEPARTMENT LOCATED IN CLOSE PROXIMITY TO THE SITE. ACCESS TO THE PROPERTIES ARE DIRECTLY OFF OF LAKEVILLE HIGHWAY. THERE ARE NO SPECIAL FIRE HAZARDS ON THE SITE.

ADDITIONAL WATER STORAGE REQUIREMENTS, FOR FIRE PROTECTION, WILL BE MET AT THE TIME OF RESIDENCE DEVELOPMENT. TYPICAL STORAGE REQUIREMENT FOR A 2-BEDROOM HOME IS 2000 GAL (RAIN) TANK CAPACITY. SHOULD LARGER TANKS BE REQUIRED THEY WILL BE SPECIFIED PRIOR TO CONSTRUCTION.

THERE IS PETALUMA RIVER FLOOD INFLUENCE WITHIN THE SOUTHWESTERLY PORTION OF THE SITE. FLOOD INSURANCE RATE MAP NUMBER 06070306E DELINEATES ZONE "AE" FLOOD BOUNDARY ON SUBJECT PARCEL AS ELEVATION EQUAL TO OR LESS THAN 9'. STRUCTURE DEVELOPMENT WILL TAKE INTO ACCOUNT FLOOD ELEVATION BOUNDARIES AND RESTRICTIONS.

**EXISTING PARCEL SIZES:**

TOTAL AREA = 166.17± ACRES

**PROPOSED PARCEL SIZES:**

LOT 1 = 99.00± ACRES  
LOT 2 = 62.59± ACRES  
RD. DEDICATION = 4.58± ACRES  
TOTAL AREA = 166.17± ACRES

**EXISTING ZONING**

068-110-026 = LEA B6 60 Z & BR F2 SR VOR  
068-110-044 = LEA B6 60 Z  
068-110-045 = LEA B6 60 Z

**EXISTING WATER SUPPLY**

LOT 1 = EXIST. WELLS  
LOT 2 = EXIST. WELL#3 TO SUPPLY

**EXISTING SEWAGE DISPOSAL**

LOT 1 = EXIST SEPTIC  
LOT 2 = PROPOSED SEPTIC TO BE DETERMINED

**MINOR SUBDIVISION TENTATIVE MAP**

FOR  
TOM BACHMAN  
AT  
6525 LAKEVILLE HWY.  
PETALUMA, CALIFORNIA  
APN 068-110-026, 068-110-044,  
& 068-110-045

**REVISIONS**

REVISION	DATE	BY
▲ PROPOSED SEPTIC AREA & DRIVEWAY	2/29/12	MFG
▲ PROPOSED WATER WELL EASEMENT, BUILDING ENVELOPES, ACREAGE, RD. DED.	8/27/12	MFG

APPROVED:

DOUG DONNOM, L.S. 5111 DATE 8/27/12

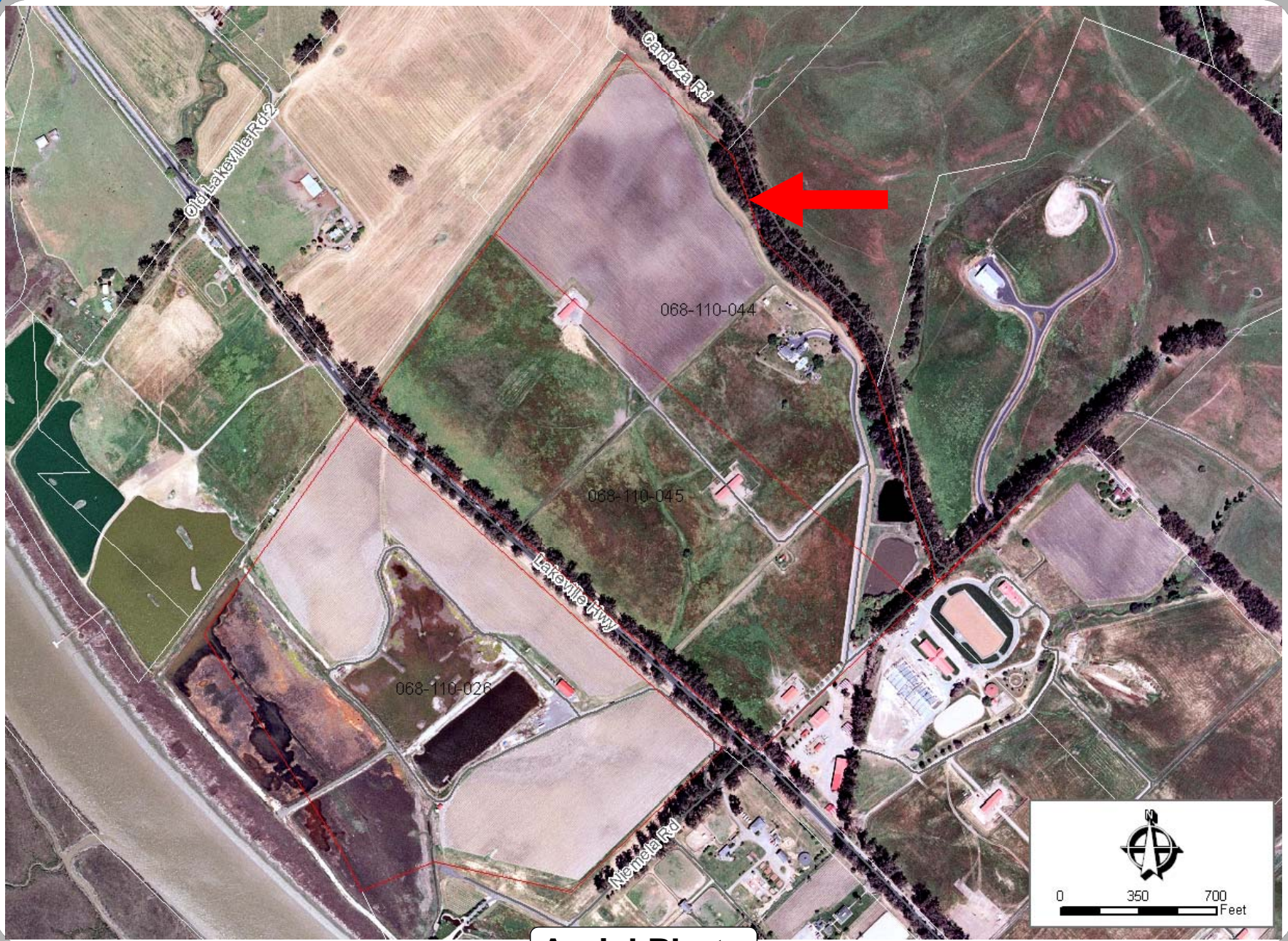


ANALYSIS • PLANNING • SURVEYING • ENGINEERING  
2802 WINDING HARBOR, SANTA ROSA, CA 95403 (707) 538-3433  
NOVEMBER 2011 11-6983 SHEET 1 OF 1

**Tentative Map**

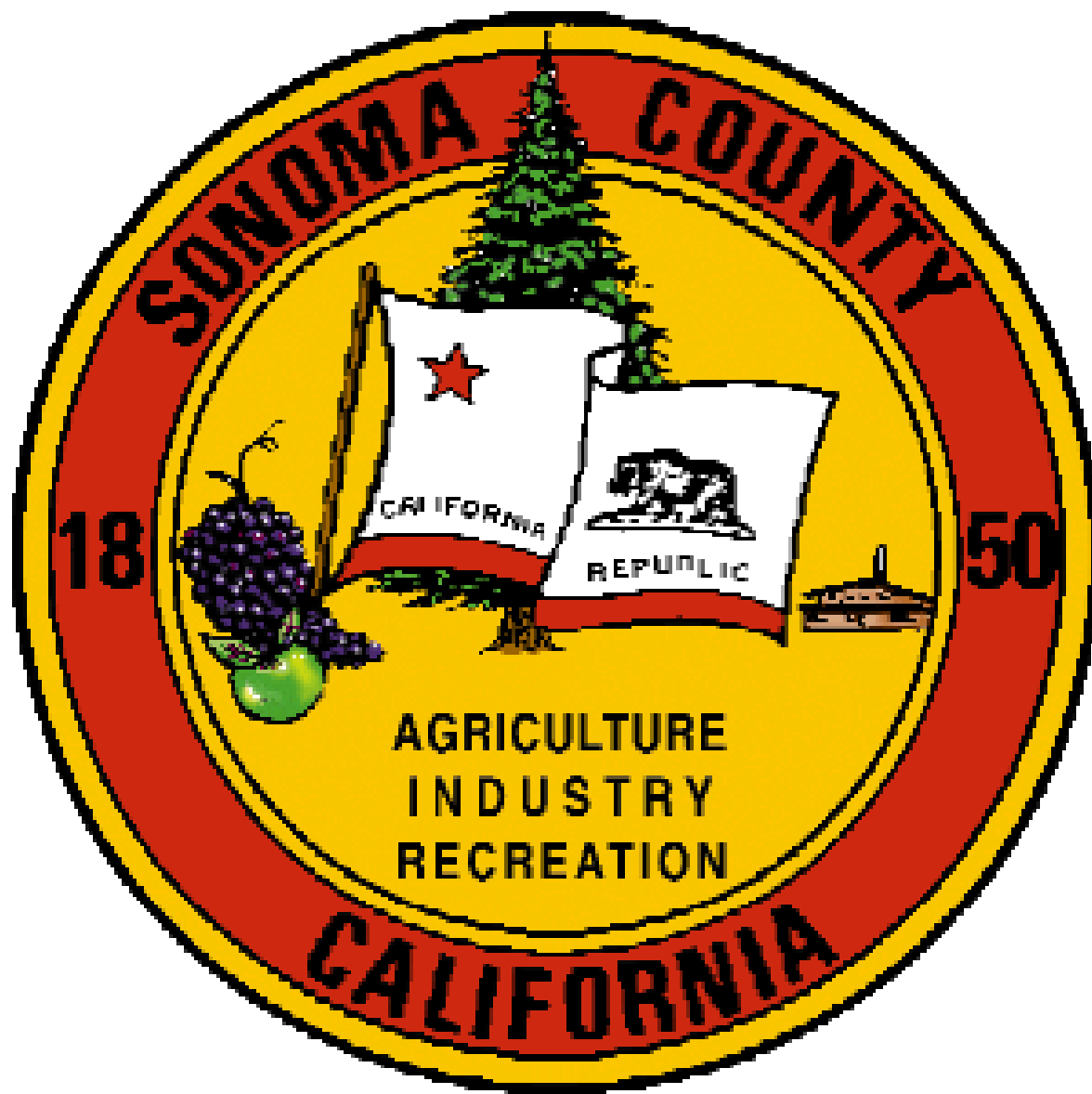
**MNS11-0009**





Aerial Photo

MNS11-0009





## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 48 2:10 P.M.  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Amy Lyle (707) 565-7389

**Supervisory District(s):**

All Districts

**Title:** Amend Chapter 26 of the Sonoma County Code to repeal the Mobilehome Park and Parking Combining Zones, and rezone five properties to remove the P Zone; ZCE11-0024.

### Recommended Actions:

Adopt an Ordinance amending Chapter 26 of the Sonoma County code to repeal the Mobilehome Park Combining and Parking (P) Combining Zones, and rezone five properties to remove the P Zone.

### Executive Summary:

This project is a request to repeal two sections of the Sonoma County Code (Chapter 26). The Zoning Code sections proposed to be repealed are the Parking (P) and Mobilehome Park Combining Zones. Repealing these zoning sections will reduce redundancy and increase the clarity of land use regulations for both the public and staff.

#### Parking (P) Zone:

The P Zone was adopted in 1975 and amended in 1993. Its intent was to designate properties for development of public parking within certain commercial districts in critical need of parking. Within the P Zone public parking is the only allowed use, effectively limiting any other use of these sites. At its inception, the P Zone affected a total of 18 parcels located in Glen Ellen, Kenwood, and Agua Caliente. No public parking has ever been developed on any of these sites. Currently only five parcels are zoned with the P; four located in Glen Ellen, and one in Agua Caliente.

Since the P Zone's inception, planning strategies have changed relative to automobile parking. Glen Ellen has since been developed with alternative transportation infrastructure including Sonoma County Transit (bus) stops, bicycle lanes, and sidewalks providing more alternative and sustainable choices to transportation over the traditional automobile. Retaining these vacant parcels for development of parking is no longer the focus of the County's transportation/land use policies. The P Zone is no longer necessary and is recommended for

repeal. The proposal includes rezoning the five remaining properties to remove the P Zoning, allowing them to develop in accordance with their base zone.

**Mobilehome Park Zone:**

The Mobilehome Park Zoning was adopted in 1994 with the intent to provide an additional layer of flexibility for the preservation and expansion of mobilehome parks. The 2005 General Plan Housing Element included similar policy language resulting in a new section of zoning code providing the same flexibility as originally envisioned by the Mobilehome Park Zone. No properties were ever zoned with the Mobilehome Park Zone. It is recommended that the Mobilehome Park Zone be eliminated to reduce redundancy.

**Planning Commission Action:**

On July 12, 2012 the Planning Commission reviewed the proposal and held a public hearing. One member of the public spoke in support of the proposal. The Planning Commission adopted a Resolution recommending approval of the request to repeal the P and Mobilehome Park Zones.

**CEQA:**

The proposed amendments to repeal the P and Mobilehome Park Combining Zones, and rezoning five properties to remove the P Zone, are exempt from the California Environmental Quality Act under Title 14 of the California Code of Regulations, Section 15061(b)(3), as they do not have the potential to cause a significant effect on the environment. Any future development projects proposed on affected properties will be reviewed in accordance with the requirements of CEQA and necessary mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

**Prior Board Actions:**

**Strategic Plan Alignment:**

Goal 2: Economic and Environmental Stewardship

**Fiscal Summary - FY 12-13**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**  
 Not Applicable.

<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**  
 Not Applicable.

**Attachments:**  
 Draft Ordinance  
 Exhibit A: PC Resolution  
 Exhibit B: PC Staff Report  
 Exhibit C: PC Minutes

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

## **ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 26 OF THE SONOMA COUNTY CODE TO REPEAL THE PARKING AND MOBILEHOME PARK COMBINING DISTRICTS, AND AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE, BY RECLASSIFYING CERTAIN REAL PROPERTY TO REMOVE THE PARKING DISTRICT COMBINING DISTRICT (ZCE11-0024).

The Sonoma County Board of Supervisors, State of California, ordains as follows:

**SECTION I Zoning Code Text Repeal:** Article 74 (Parking Combining District) and Article 81 (Mobilehome Park Combining District) of Chapter 26 of the Sonoma County Code are repealed. The repealed text is shown in Exhibit "A," attached hereto and incorporated herein by this reference.

**SECTION II Rezoning:** The Official Zoning Database (OZD) of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, is amended by reclassifying the five parcels listed in Exhibit "B," attached hereto and incorporated herein by this reference, to remove the Parking Combining District. The Director of the Permit and Resource Management Department is directed to reflect this amendment to the OZD of the County.

**SECTION III: Environmental Determination:** The repeal of the zoning code text in Section I of this ordinance, and the rezoning of the certain real property in Section II of this ordinance, are exempt from the California Environmental Quality Act (CEQA) under Title 14 of the California Code of Regulations, Section 15061(b)(3), as they do not have the potential to cause a significant effect on the environment. Specific development proposals will be reviewed in accordance with the requirements of CEQA and necessary mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

**SECTIONIV: Severability:** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTIONV. Effective Date:** This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after said passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in the Sonoma County Herald-Recorder, a newspaper of general circulation, published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this 11th day of September, 2012, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Brown:          Rabbitt:          McGuire:          Carrillo:          Zane:

Ayes:                  Noes:                  Absent:                  Abstain:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED

---

Chair, Board of Supervisors  
County of Sonoma

ATTEST: \_\_\_\_\_  
Veronica A. Ferguson  
Clerk of the Board of Supervisors

Proposed Removal of the P Parking Combining Zone (5 Parcels)

APN	ZONING	PROPOSED ZONING	SUPERVISOR DIST	LOCAL AREA DESIGN GUIDELINE	AREA/SPECIFIC PLAN	ADDRESS
050-162-045	LC, LC P, SD SR	LC, SR	District 1	Not Applicable	North Sonoma Valley Specific Plan	8860 HWY 12
054-330-015	LC P, SR	LC, SR	District 1	Glen Ellen Development and Design Guideline Subarea I	North Sonoma Valley Specific Plan	1123 LONDON RANCH RD
054-330-046	LC P, NONE	LC, NONE	District 1	Glen Ellen Development and Design Guideline Subarea I	North Sonoma Valley Specific Plan	1125 LONDON RANCH RD
056-620-034	R2 B6 8 DU P, SR	R2 B6 8 DU, SR	District 1	Not Applicable	South Sonoma Valley Area I Specific Plan	18401 SIERRA DR
127-343-002	LC TS P, SR	LC TS, SR	District 1	Highway 12 Development Guideline	South Sonoma Valley Area I Specific Plan	NONE



**Article 74. -- P Parking District Regulations.**

~~Sec. 26-74-005. -- Purpose.~~

~~Sec. 26-74-010. -- Permitted uses.~~

~~Sec. 26-74-020. -- Design review approval.~~

~~Sec. 26-74-005. -- Purpose.~~

~~Purpose: to designate areas which are critically needed for public parking within established commercial districts. Its uses supercede those allowed in the applicable base district. (Ord. No. 4643, 1993.)~~

~~Sec. 26-74-010. -- Permitted uses.~~

~~Permitted uses include the following:~~

~~(a) Open air parking of transient automobiles, except trucks over one thousand five hundred (1,500) pounds capacity. Where such parking area abuts property classified for residential uses, it shall be separated therefrom by a solid masonry or similar wall six feet (6') in height; provided such wall, measured from the front property line to a depth equal to the required front yard on the abutting residentially zoned property, shall be three feet (3') in height. (Ord. No. 4643, 1993.)~~

~~Sec. 26-74-020. -- Design review approval.~~

~~Design review approval in a P district shall be required in the manner provided in Article 86 for uses permitted in Section 26-74-010(a). (Ord. No. 4643, 1993.)~~

**Article 81. -- MHP Mobilehome Park Combining District.**

~~Sec. 26-81-005. -- Purpose.~~

~~Sec. 26-81-010. -- Permitted uses.~~

~~Sec. 26-81-020. -- Uses permitted with a use permit.~~

~~Sec. 26-81-030. -- Permitted residential density and development criteria.~~

~~Sec. 26-81-040. -- Procedures for closure, cessation of use or conversion of a mobilehome park.~~

~~Sec. 26-81-005. -- Purpose.~~

~~Purpose: to implement land use element Section 2.2.1 and Housing Element Policies HE-2k and HE-4o of the general plan to encourage the development of new mobilehome parks and the complete evaluation of requests to convert existing mobilehome parks. The uses allowed in Sections 26-81-010 and 26-81-020 shall supersede the uses allowed by the applicable base district. This district shall be applied only to parcels located within urban service areas mapped in the general plan, and, where such a parcel is developed with an existing mobilehome park, this district shall not be applied if such mobilehome park contains fewer than ten (10) mobilehome lots. (Ord. No. 4774 § 1(B), 1994.)~~

~~Sec. 26-81-010. -- Permitted uses.~~

~~(a) One (1) dwelling unit on a permanent foundation, per lot of record;~~

- ~~(b) Accessory buildings and uses appurtenant to the dwelling unit permitted under subsection (a) of this section;~~
- ~~(c) Infill and expansion of existing mobilehome parks by adding new mobilehome lots in existing mobilehome parks where the number of new mobilehome lots does not exceed more than ten percent (10%) of the total number of mobilehome lots existing at the time of the application, to a maximum of twenty (20) units;~~
- ~~(d) Maintenance, repair or modification of existing recreational, infrastructure and accessory facilities of a mobilehome park, where such mobilehome park has been previously approved under a use permit, or as provided for in subsection (c) of this section.~~
- ~~(e) Occasional cultural events, provided that a written notice is given pursuant to Section 26-92-050 stating "The Sonoma County Planning Department will issue a zoning permit for a cultural event (and describing the nature and duration of the event) on this property if a written appeal is not received within ten (10) days prior to the issuance of a zoning permit, and no appeal pursuant to Sonoma County Code Section 26-92-040 has been received from any interested person, and provided that approval is secured from the following departments: sheriff, public health, fire services, building inspection and public works." In the event of an appeal, a hearing on the project shall be held pursuant to Section 26-92-040~~
- ~~(f) The outdoor growing and harvesting of shrubs, plants, flowers, vines, fruits, vegetables, hay, grain and similar food and fiber crops;~~
- ~~(g) Mobilehome park stock cooperatives and condominiums. (Ord. No. 4774 § 1(B), 1994.)~~

~~Sec. 26-81-020. — Uses permitted with a use permit.~~

- ~~(a) Mobilehome parks, including appurtenant structures serving the recreational, social and service needs of the mobilehome park residents, and recreational vehicle parks, only as an accessory use to a proposed or existing mobilehome park;~~
  - ~~(b) Closure, or cessation of use of a mobilehome park, provided that the criteria set forth in Sections 26-81-040 and 26-92-090 and applicable state law, are met;~~
  - ~~(c) Minor public utility buildings and public service or utility uses, which:
    - ~~(1) Meet the criteria set forth in general plan Policy PF-2s;~~
    - ~~(2) Will not adversely effect the existing or potential use of the property as a mobilehome park;~~
    - ~~(3) Are not otherwise exempt by state law.~~~~
- ~~Such uses include but are not limited to, reservoirs, storage tanks, pumping stations, telephone exchanges, small power and transformer stations, fire and police stations and training centers, service yards and parking lots;~~
- ~~(d) Mobilehome sales, recreational vehicle parks; provided, that such uses shall only be permitted where the parcel under consideration is contiguous on at least two (2) sides, to parcels located in a general commercial or a general industrial general plan land use category. (Ord. No. 4774 § 1(B), 1994.)~~

~~Sec. 26-81-030. — Permitted residential density and development criteria.~~

Maximum building height, minimum lot area and lot width, yard requirements and maximum percentage of lot coverage shall comply with the requirements for the district with which the MHP district is combined, unless otherwise provided herein.

(a) Residential Density. The maximum residential density is one (1) dwelling unit on a lot of record, provided, however, that for a mobilehome park the residential density shall not exceed the density requirements shown in the general plan land use element or that permitted by a "B" combining district, whichever is more restrictive.

(b) Minimum Lot Size. Four (4) acres.

(c) Minimum Lot Width. The minimum average lot width required within each lot is two hundred forty five (245) feet.

(d) Lot Coverage.

(1) Where the use of the property is one dwelling (1) unit and accessory structures, all structures shall be clustered in an area not to exceed a total of six thousand (6,000) square feet.

(2) Where the use of the property is a mobilehome park, the permitted lot coverage is subject to compliance with the development standards set forth below in this section.

(e) Parking Requirements:

(1) All uses listed in Sections 26-81-010 and 26-81-020 shall provide off-street parking in accordance with the standards set forth in Article 86

(2) In addition to the requirements of subsection (f)(1) of this section, mobilehome parks shall provide parking as required by subsection (g)(9) of this section.

(f) Where the provisions of this subsection conflict with any other section of this chapter, the provisions of this subsection shall control. In addition to compliance with all of the requirements of subsection (a) through (e) of this section, mobilehome parks shall comply with all of the following development standards:

(1) Compliance with Standards Generally. All mobilehome parks shall be developed in conformance with minimum design and improvement standards set forth in this subsection.

(2) All mobilehome parks shall be subject to design review by the planning director in accordance with Article 82 and shall meet all provisions of this section; provided, that when a change in design of any existing mobilehome park is determined by the planning director to be necessary and such change in design would not allow for full compliance with a provision of this section, the planning director shall have the authority to make such a determination as necessary for the administration of this section.

(3) Mobilehome park lot lines shall not be created, moved, shifted or altered except as provided for in Section 26-88-100(c), provided, however, that where infill and expansion of existing mobilehome parks by adding new mobilehome lots in existing mobilehome parks is proposed pursuant to Section 26-81-010(d), such infill or expansion shall not be approved if the project requires the relocation of any existing mobilehome or mobilehome lot lines.

(4) Development plans shall be submitted pursuant to Section 26-88-100(d).

(5) Development may be in stages so long as each stage meets the minimum standards of Section 26-88-100(e).

(6) Layout. The planning director shall approve the layout of each mobilehome park based on the following criteria:

(i) All of the requirements set forth in Section 26-88-100(f);

~~(ii)The maximum permitted residential density set out in subsection (a) of this section;~~  
~~(iii)The minimum distance for the separation of a mobilehome from a permanent building, excluding storage cabinets, shall comply with the requirements of Part 21, commencing with Section 18200 of the Health and Safety Code or its successors and any administrative regulation adopted pursuant thereto.~~  
~~(7)Setbacks for all structures and mobilehomes shall be provided in accordance with the requirements set forth in Section 26-88-100(h).~~  
~~(8)Parking shall be provided in accordance with the requirements set forth in Section 26-88-100(i).~~  
~~(9)Each mobilehome park that accommodates twenty-five (25) or more mobilehomes shall contain a minimum of one hundred (100) square feet of recreation space per mobilehome site; except, that when children are allowed, an additional three hundred (300) square feet per site shall be added, but in no case shall the total recreation space be less than five thousand (5,000) square feet in area nor less than two thousand five hundred (2,500) square feet for any one (1) recreation area. Recreation space design and location shall be approved by the planning director.~~  
~~(10)All utility distribution facilities shall comply with the requirements set forth in Section 26-88-100(k).~~  
~~(11)Storage Facilities, Garbage Collection. The total floor area of storage cabinets shall not exceed the maximum permitted by Part 21, commencing with Section 18200 of the Health and Safety Code or its successors and any administrative regulation adopted pursuant thereto. Adequate trash enclosures and garbage collection shall be provided. All refuse collection areas shall comply with the requirements set forth in Section 26-88-100(l).~~  
~~(12)Accessory uses shall comply with the requirements set forth in Section 26-88-100(m).~~  
~~(13)The use of travel trailers for permanent occupancy in a mobilehome park, for storage by permanent occupants, or for overnight use of spaces is subject to compliance with the requirements set forth in Section 26-88-100(n).~~  
~~(14)Walls, fences, etc., are subject to compliance with the requirements set forth in Section 26-88-100(o).~~  
~~(15)Landscaping shall be provided in accordance with the requirements set forth in Section 26-88-100(p).~~  
~~(16)Signage shall comply with the requirements set forth in Section 26-88-100(q).~~  
~~(17)All streets shall be located and improved pursuant to the standards set forth in Part 21, commencing with Section 18200 of the Health and Safety Code or its successors and any administrative regulation adopted pursuant thereto.~~  
~~(18)All mobilehome park developments shall comply with the circulation requirements set forth in Section 26-88-100(s).~~  
~~(19)All pertinent state and county regulations concerning the development and operation of mobilehome parks shall be observed. Nothing contained in this section shall be construed to abrogate, void or minimize such other pertinent regulations.~~  
~~(h)Design review approval shall be required in the manner provided in Article 82, for all mobilehome park developments, including expansions and modifications of existing mobilehome parks. (Ord. No. 4774 § 1(B), 1994.)~~

~~Sec. 26-81-040. — Procedures for closure, cessation of use or conversion of a mobilehome park.~~

~~Closure, cessation of use of a parcel or parcels as a mobilehome park, or conversion of a mobilehome park to an alternative land use, shall require approval of a use permit, as provided for in Section 26-81-020(b). (Ord. No. 4774 § 1(B), 1994.)~~

Resolution Number # 12-017

County of Sonoma  
Santa Rosa, California

July 12, 2012  
ZCE11-0024 Amy Lyle

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE REZONING CERTAIN REAL PROPERTY TO REMOVE THE PARKING DISTRICT REGULATIONS (P) COMBINING DISTRICT, AND AMENDING CHAPTER 26 OF THE SONOMA COUNTY CODE TO REPEAL THE P, AND MOBILEHOME PARK (MHP) COMBINING DISTRICTS.

WHEREAS, the Parking District Regulations (P) Combining District was established in 1975 to designate areas which are critically needed for public parking within established commercial districts; and

WHEREAS, due to an increase in the availability of alternative transportation and reduced reliance on automobile parking in commercial areas, the P Combining District is no longer necessary; and

WHEREAS, the Mobilehome Park (MHP) Combining District was adopted in 1994 to provide regulatory flexibility for the preservation and expansion of mobile home parks; and

WHEREAS, no property has ever been zoned with the MHP Combining District; and

WHEREAS, the Housing Element of the Sonoma County General Plan and new sections of the Sonoma County Code provide sufficient policy direction and regulatory flexibility for new and existing mobile home parks consistent with the original intent of the MHP Combining District; and

WHEREAS, the repeal of the zoning code text and the rezoning of certain real properties are exempt from the California Environmental Quality Act (CEQA) under Title 14 of the California Code of Regulations, Section 15061(b)(3), as they do not have the potential to cause a significant effect on the environment. Any future development projects proposed on affected properties will be reviewed in accordance with the requirements of CEQA and necessary mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

WHEREAS, in accordance with the provisions of law, the Planning Commission held a public hearing on July 12, 2012, at which time all interested persons were given an opportunity to be heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission makes the following findings:

1. The P Combining District is no longer necessary for the preservation and creation of automobile parking in commercial areas due to new General Plan policies promoting an increased reliance on alternative transportation.

EXHIBIT A

2. The MHP Combining District is no longer necessary to promote and preserve mobile home parks due to new General Plan policy. As a result of this new policy, Chapter 26 of the Sonoma County Code has been amended to create the regulatory flexibility originally envisioned by the MHP Combining District, causing the MHP Combining District to become obsolete.
3. The repeal of the P and MPH Combining Districts from Chapter 26 of the Sonoma County Code is consistent with the Sonoma County General Plan and all pertinent Area and Specific Plans.
4. The proposed amendments to repeal the P and MPH Combining Districts are exempt from the California Environmental Quality Act under Title 14 of the California Code of Regulations, Section 15061(b)(3), as they do not have the potential to cause a significant effect on the environment. Any future development projects proposed on affected properties will be reviewed in accordance with the requirements of CEQA and necessary mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the Board of Supervisors adopt an Ordinance amending The Official Zoning Database (OZD) of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, by reclassifying the real property designated in Exhibit "A" attached hereto and incorporated herein by this reference, to remove the Parking (P) Combining District, in conjunction with the corresponding repeal of the P and Mobilhome Park (MHP) Combining Districts (Exhibit "B"), from Chapter 26 of the Sonoma County Code.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Fogg, who moved its adoption, seconded by Commissioner Davis, and adopted on roll call by the following vote:

Commissioner	Fogg
Commissioner	Bennett
Commissioner	Shahhosseini
Commissioner	Liles
Commissioner	Davis

Ayes: 5    Noes: 0    Absent: 0    Abstain: 0

WHEREUPON, the Chair declared the above and foregoing resolution duly adopted; and

SO ORDERED.



# Sonoma County Planning Commission **STAFF REPORT**

## Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

**FILE:** ZCE11-0024  
**DATE:** July 12, 2012  
**TIME:** 1:05 pm  
**STAFF:** Amy Lyle, Project Planner

**Board of Supervisors hearing will be held at a late date and will be noticed at that time.**

### SUMMARY

**Applicant:** County of Sonoma

**Location:** Countywide  
Supervisory Districts: All

**Subject:** General Plan Implementation

**PROPOSAL:** Countywide Removal of the P (Parking) and MHP (Mobilehome) Combining Districts

**Environmental Determination:** CEQA Guidelines Categorical Exemption Section 15061(b)(3)

**General Plan:** Various

**Specific/Area Plan:** Various  
**Land Use:**

**Ord. Reference:** Chapter 26 of the Sonoma County Code, Article 74 (P Combining District) and Article 81 (MHP Mobilehome Park Combining District)

**Zoning:** P and MHP Combining Districts

**RECOMMENDATION:** Staff recommends that the Planning Commission adopt the Resolution recommending that the Board of Supervisors adopt an Ordinance to repeal the P and MHP Combining Districts and rezone properties to remove the P Combining District (5 parcels), consistent with Sonoma County General Plan.



## **ANALYSIS**

**Project Description:** This project is a request to repeal two sections of the Sonoma County Code (Chapter 26). This is being done in advance of the Development Code, which is expected to be reviewed by the Planning Commission later this year. The Zoning Code sections proposed to be repealed are the Parking and Mobilehome Park Combining Districts. Repealing these sections will reduce redundancy and increase the clarity of land use regulations for both the public and staff. Five properties are proposed to be rezoned to remove the P Combining District. There are no properties currently zoned with the MHP Combining District. The proposals are described in more detail below.

### **Issue #1 Parking District Regulations Combining District**

The Parking District Regulations Combining District (P District) was originally adopted in 1975 and amended in 1993 to conform to the newly adopted 1989 General Plan. The stated purpose of the P District is: "to designate areas which are critically needed for public parking within established commercial districts. Its uses supersede those allowed in the applicable base district."

At its inception, the P District affected a total of 18 parcels located mainly in Glen Ellen, as well as a few within Kenwood and east Santa Rosa. On November 8, 2005 the Board of Supervisors approved a request to remove the P District designation from three parcels in Glen Ellen. At the hearing the Board directed staff to process a zone change to consider removing the P Combining District from all remaining parcels within the unincorporated areas of the County. Currently, only five parcels contain the designation, four located in Glen Ellen and one in Agua Caliente (See Exhibit C).

Since the P District's inception in 1975, planning strategies have changed relative to automobile parking. Glen Ellen has since been developed with alternative transportation infrastructure including Sonoma County Transit (bus) stops, bicycle lanes, and sidewalks providing more alternative and sustainable choices to transportation over the traditional automobile. Retaining these vacant parcels for development of parking is no longer the focus of the County's transportation/land use policies.

In addition, a component of the upcoming proposed Energy Code Amendments includes a staff recommendation to reduce the required number of parking spots in the "Parking Regulations" (Sec 26-86-010). This effort will reduce the amount of new impervious surfaces and will incentivize projects to rely more on alternative transportation infrastructure and modes.

### **General Plan/Area Plan Consistency**

The P District is not specifically addressed in the Sonoma County General Plan. The North Sonoma Valley Specific Plan (1980) includes the Glen Ellen community, and also does not discuss the P District, although it was already in effect when the Specific Plan was adopted.

The Circulation Section of the Glen Ellen Development and Design Guidelines states there is insufficient parking in Glen Ellen and contains a policy that the need for on-street parking be minimized through project design and circulation. One design guideline states that development should provide on-site parking according to existing County standards.

The removal of the P District would not be in conflict with the General Plan or any adopted Area Plan. The removal will not cause any impacts to existing development. These sites could still be developed for public parking without the P Combining District.

### **Issue #2 Mobilehome Park Combining District**

The Mobilehome Park (MHP) Combining District, adopted in 1994, was originally envisioned to provide an additional layer of flexibility for the preservation and expansion of Mobile Home Parks. No property was rezoned to add the MHP Combining District, and no properties currently have this zoning designation.

The stated purpose of the Mobilehome Park (MHP) Combining District is: *"to implement land use element Section 2.2.1 and the Housing Element Policies HE-2k and HE-4o of the general plan to encourage the development of new mobilehome parks and the complete evaluation of requests to convert existing mobilehome parks. The use allowed in Sections 26-81-010 and 26-81-020 shall supersede the uses allowed by the applicable base district. This district shall be applied only to parcel located within urban service areas mapped in the general plan, and where such a parcel is developed with an existing mobilehome park, this district shall not be applied if such mobilehome park contains fewer than ten (10) mobilehome lots."*

### **General Plan/Area Plan Consistency**

The MHP Combining District was superseded in 2005 with the adoption of a new Housing Element (2001), including a policy allowing density bonuses at 125% of the base density for residential properties. This policy was implemented in 2005 when it was codified in the Sonoma County Code. This allowed expansions of existing Mobile Home Parks and reduced the minimum parcel size necessary for establishing new Mobile Home Parks.

It is proposed that the MHP Combining District be eliminated to simplify the regulations. No properties are currently zoned with the MHP Combining District.

### **California Environmental Quality Act**

The proposed amendments to repeal the P and MPH Combining Districts are exempt from the California Environmental Quality Act under Title 14 of the California Code of Regulations, Section 15061(b)(3), as they do not have the potential to cause a significant effect on the environment. Any future development projects proposed on affected properties will be reviewed in accordance with the requirements of CEQA and necessary mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

### **STAFF RECOMMENDATION**

That the Planning Commission adopt the Resolution recommending that the Board of Supervisors adopt an Ordinance to repeal the P and MHP Combining Districts and rezone properties to remove the P Combining District (5 parcels), consistent with Sonoma County General Plan.

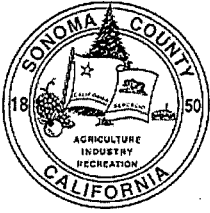
### **FINDINGS FOR RECOMMENDED ACTION**

1. The P Combining District is no longer necessary for the preservation and creation of automobile parking in commercial areas due to new General Plan policies promoting an increased reliance on alternative transportation.
2. The MHP Combining District is no longer necessary to promote and preserve mobile home parks due to new General Plan policy. As a result of this new policy, Chapter 26 of the Sonoma County Code has been amended to create the regulatory flexibility originally envisioned by the MHP Combining District, causing the MHP Combining District to become obsolete.
3. The repeal of the P and MPH Combining Districts from Chapter 26 of the Sonoma County Code is consistent with the Sonoma County General Plan and all pertinent Area and Specific Plans.
4. The proposed amendments to repeal the P and MPH Combining Districts are exempt from the California Environmental Quality Act under Title 14 of the California Code of Regulations, Section 15061(b)(3), as they do not have the potential to cause a significant effect on the environment. Any future development projects proposed on affected properties will be reviewed in accordance

with the requirements of CEQA and necessary mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

**LIST OF ATTACHMENTS**

- EXHIBIT A: Draft Resolution with Exhibits
- EXHIBIT B: Draft Ordinance with Exhibits
- EXHIBIT C: Sectional District Maps (4)



*Sonoma County Combined Planning Commission  
and Board of Zoning Adjustments*  
**MINUTES**

Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

Date: July 12, 2012  
Meeting No.: 12-006

**ROLL CALL**

**Commissioners**

Dick Fogg  
Don Bennett  
Komron Shahhosseini  
Jason Liles, Chair  
Pam Davis

**Staff Members**

Jennifer Barrett  
Amy Lyle  
Lisa Posternak  
Sue Dahl  
David Hurst, Chief Deputy County Counsel

**1:00 PM** Call to order and Pledge of Allegiance

**Minutes Approved** – May 3, 2012 Planning Commission

**Correspondence**

**Board of Supervisors Actions**

**Commissioner Announcements/Disclosures**

**Public Appearances**

**PLANNING COMMISSION REGULAR CALENDAR**

Item No.1 Time: 1:05 p.m. File: ZCE11-0024  
Applicant: Sonoma County PRMD Staff: Amy Lyle  
Env. Doc: Categorical Exemption  
Proposal: Proposed repeal of the P and MHP Combining Districts from Chapter 26 of the Sonoma County Code and corresponding rezoning of real property to remove the combining districts.  
Location: Countywide  
APN: Supervisorial District: All

**Amy Lyle** summarized the staff report, which is incorporated herein by reference.

**Public Hearing Opened: 1:30**

**Speakers:** **Mark Perry** owns parcels in downtown Glen Ellen with P zoning. He wants to be able to clean up and develop the property and supports removing the P designation. Mr. Perry added that the zoning is a violation of 5<sup>th</sup> amendment right, and constitutes taking property for public use without compensation.

EXHIBIT C

---

**Commissioner Fogg** commented that precedent was set for this when the Chauvet Hotel was remodeled and the P zoning was removed. .

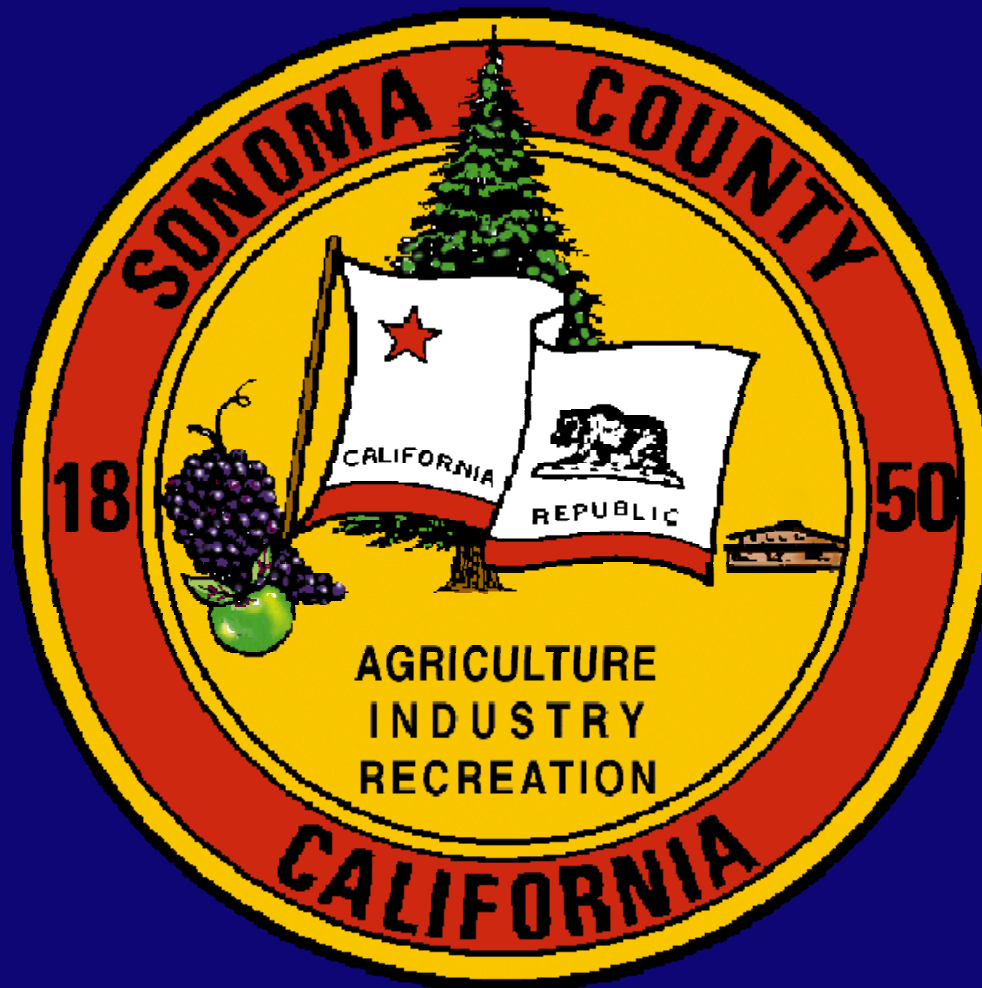
**Public Hearing closed at 1:05 p.m.**

**Commissioner Fogg** moved to recommend approval to the Board of Supervisors. Seconded by **Commissioner Davis** and passed with a 5-0 vote.

Action: **Commissioner Fogg** moved to recommend approval to the Board of Supervisors. Seconded by **Commissioner Davis** and passed with a 5-0 vote  
Appeal Deadline: N/A  
Resolution No.: 12-017

Fogg: Aye	Bennett: Aye	Shahhosseini: Aye	Liles: Aye	Davis: Aye
Ayes: 5	Noes: 0	Absent: 0	Abstain: 0	

---



PRMD

ZCE11-0024 P and MHP

# MHP Combining District

## ❖ Mobilehome Park Combining District

- ❖ Adopted in 1994
- ❖ No properties were ever rezoned
- ❖ Staff recommends repeal

# P Combining District

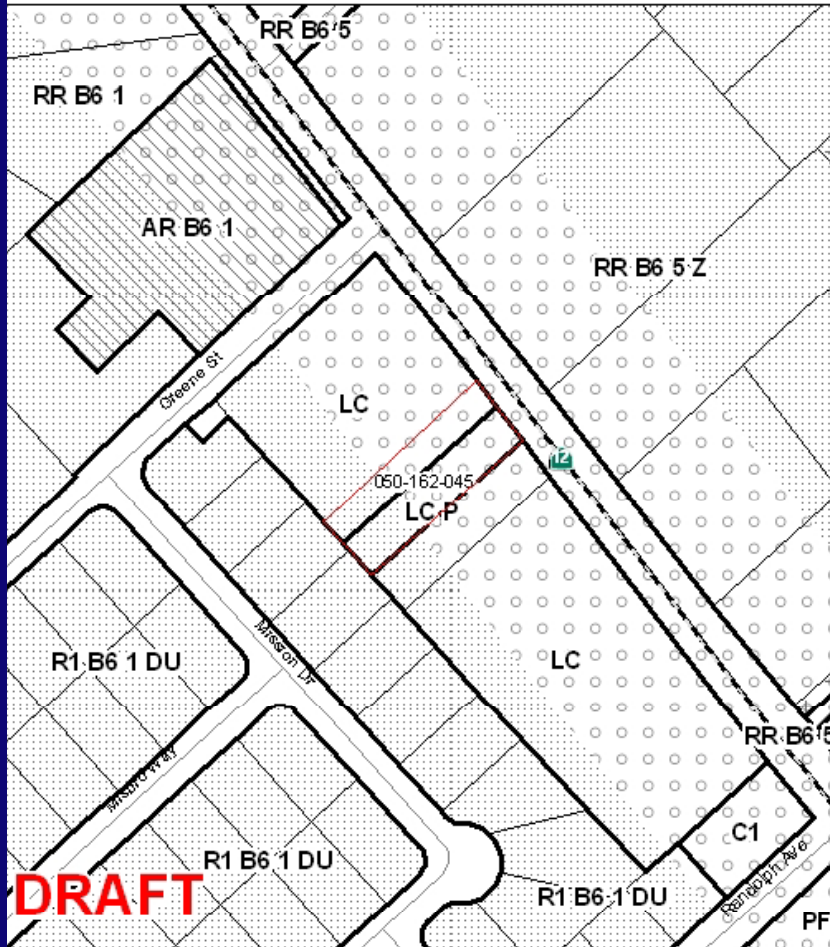
## ❖ Parking District

- ❖ Adopted in 1975, amended 1993
- ❖ In 2005 BOS directed staff to prepare for repeal
- ❖ Five properties zoned “P”

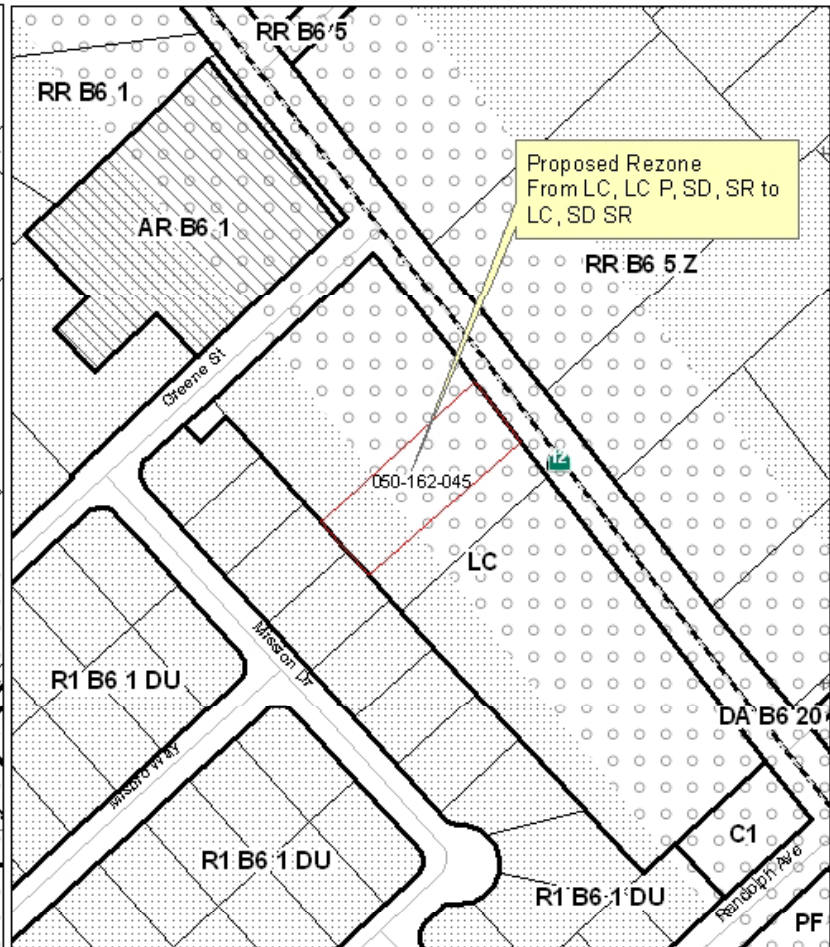




## Existing Zoning



## Proposed Zoning



**DRAFT**

### Base Map Data

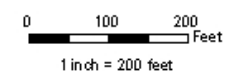
- Basezoning by Area
- Urban Service Areas
- Highways
- Intermittent Stream
- Perennial Stream

### Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F1 Floodway
- F2 Floodplain

File No.: ZCE 11-0024  
APN 050-162-045 (portion)

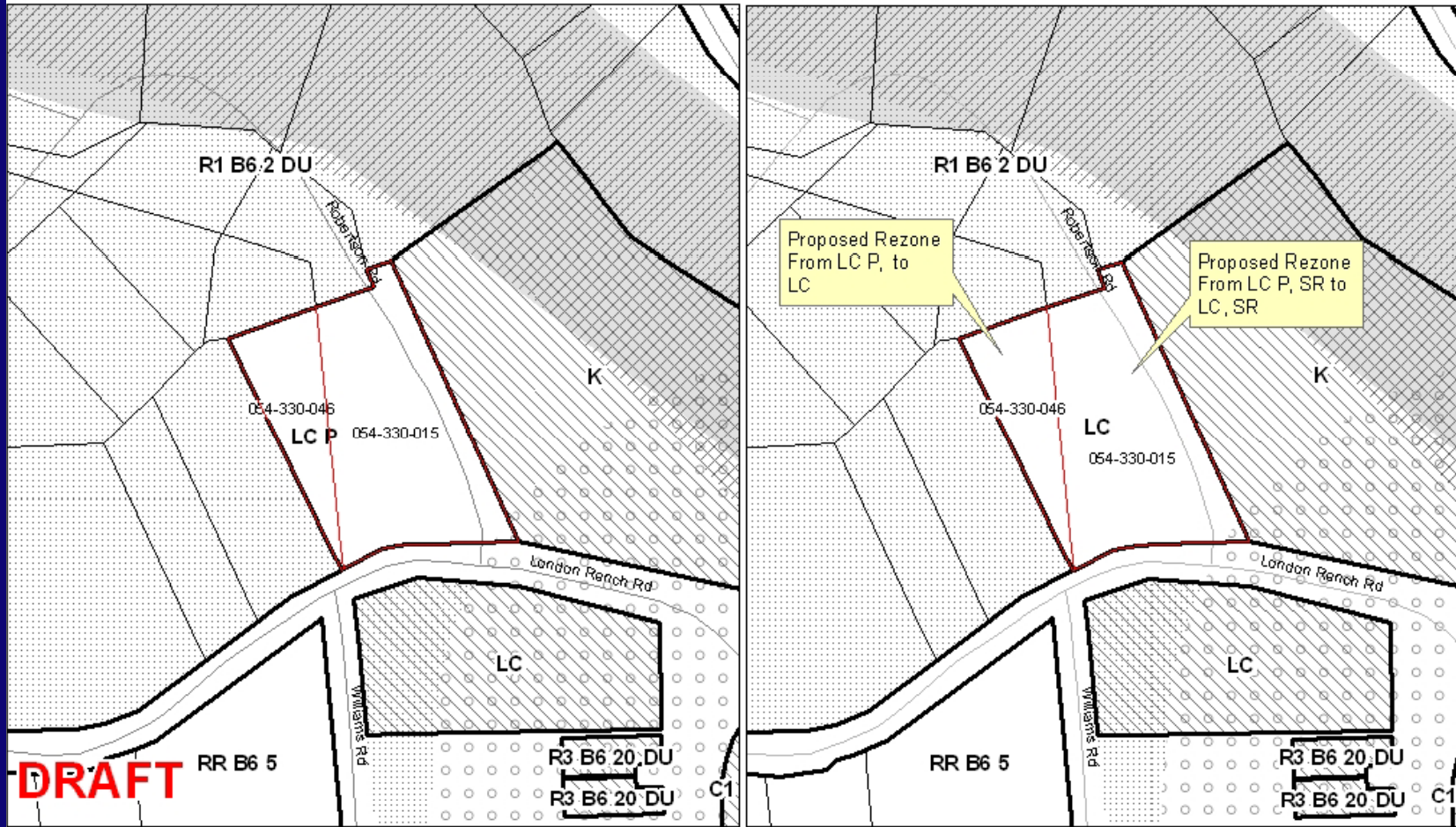


Permit and Resource Management Department  
Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1965 Fax (707) 565-1103

## Existing Zoning

## Proposed Zoning



**DRAFT**

### Base Map Data

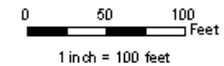
- Basezoning by Area
- Urban Service Areas
- Highways
- Intermittent Stream
- Perennial Stream

### Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource

- G Geologic Hazard
- F1 Floodway
- F2 Floodplain

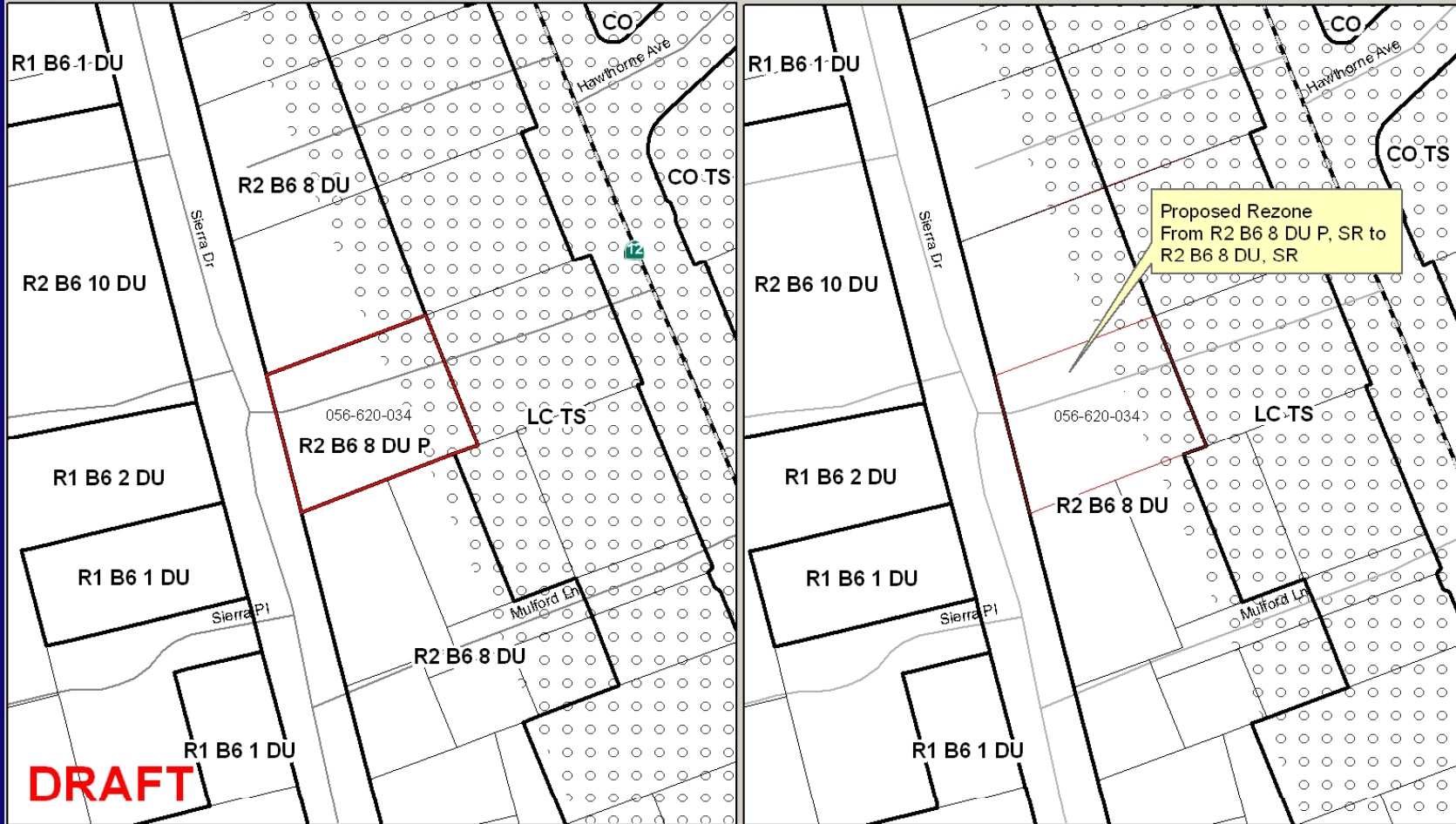
File No.: ZCE 11-0024 (2 of 4)  
APN 054-330-015, 046



Permit and Resource Management Department  
Project Review Section  
2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1965 Fax (707) 565-1103

## Existing Zoning

## Proposed Zoning



### Base Map Data

- Basezoning by Area
- Urban Service Areas
- Highways
- Intermittent Stream
- Perennial Stream

### Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource
- G Geologic Hazard
- F1 Floodway
- F2 Floodplain

File No.: ZCE 11-0024 (3 of 4)  
APN 056-620-034



0 50 100 Feet  
1 inch = 100 feet

Permit and Resource Management Department  
Project Review Section

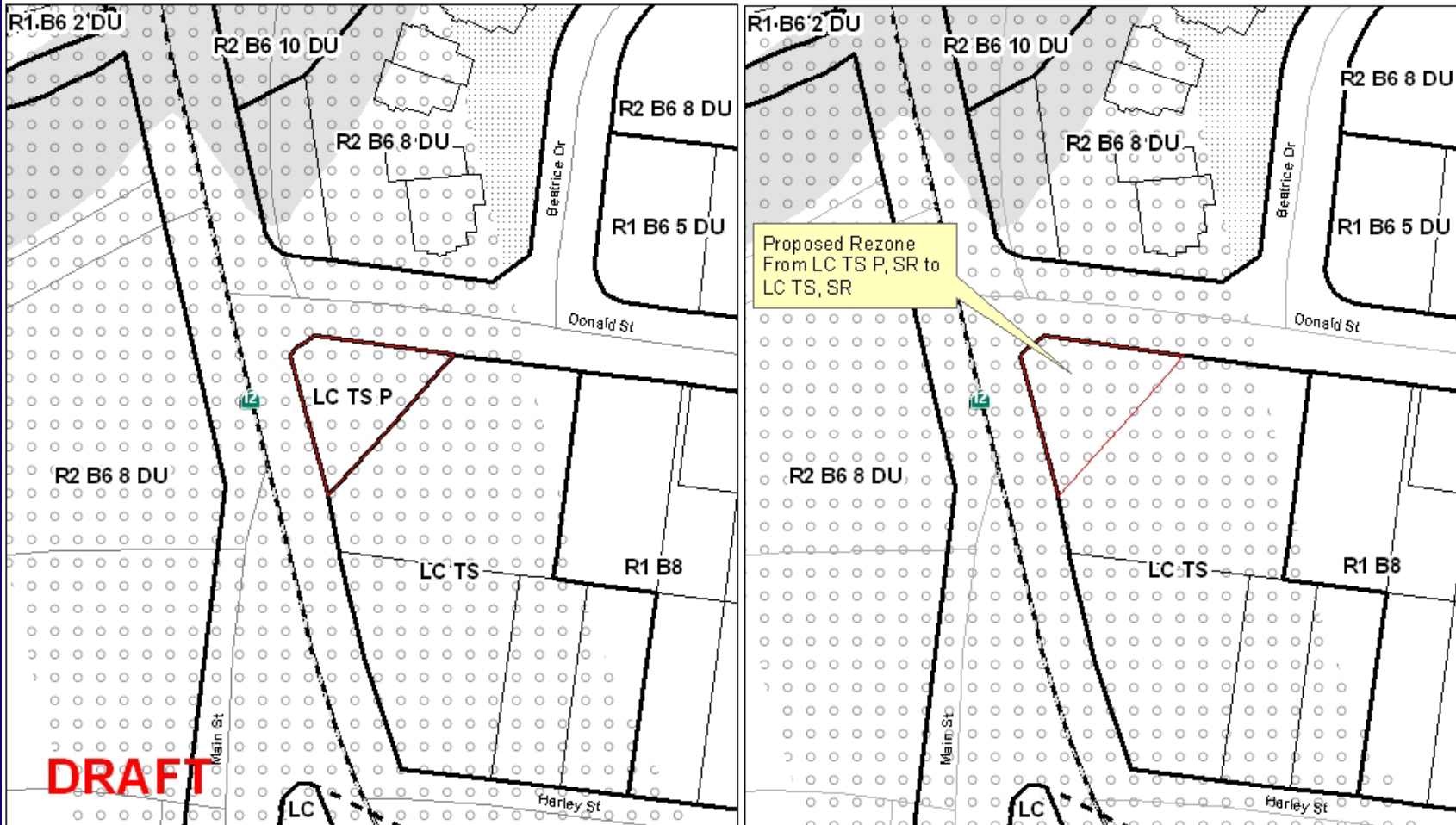


2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1965 Fax (707) 565-1103



## Existing Zoning

## Proposed Zoning



**DRAFT**

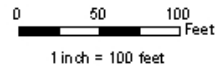
### Base Map Data

- Basezoning by Area
- Urban Service Areas
- Highways
- Intermittent Stream
- Perennial Stream

### Zoning Combining Districts

- LU Policy
- AH Affordable Housing
- HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource
- G Geologic Hazard
- F1 Floodway
- F2 Floodplain

File No.: ZCE 11-0024 (4 of 4)  
APN 127-343-002



Permit and Resource Management Department  
Project Review Section

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1965 Fax (707) 565-1103



PRMD

ZCE11-0024 P and MHP



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number:** 49 2:10 P.M.  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 11, 2012

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

**Supervisory District(s):**

Jane Riley, 565-7388

First District

**Title:** Appeal of a Board of Zoning Adjustments approval of a Use Permit; UPE11-0093.

### Recommended Actions:

Adopt a resolution denying the appeal of the Board of Zoning Adjustments approval of a Use Permit for a Second Dwelling Unit and a Reasonable Accommodation for persons with disabilities under Article 93 of the Sonoma County Code, to allow expansion of an existing transitional housing facility. Interfaith Shelter Network Inc., owner; Ron Jayne, appellant; located at 14148 Arnold Drive, Glen Ellen; APN 054-070-040.

### Executive Summary:

This is a public hearing to consider an appeal of the Board of Zoning Adjustments approval, with a 5-0 vote, of a Use Permit for a Second Dwelling Unit, including a request for Reasonable Accommodations for persons with disabilities under the Fair Housing Acts (Article 93 of the Sonoma County Code). These approvals will facilitate expansion of an existing transitional housing facility owned by Interfaith Shelter Network. As discussed in the attached memo, the transitional housing is a permitted use in this residential zone. At the conclusion of the hearing your Board may find the project exempt from CEQA and approve the Use Permit and Reasonable Accommodations as recommended by staff and the Board of Zoning Adjustments.

**Location, Zoning and Project Description:** The subject property is located at 14148 Arnold Drive in Glen Ellen. The base zoning is RR (Rural Residential), 5 acre density.

The project includes a request for a Use Permit to allow a Second Dwelling Unit to be located closer than the 60 feet from the property lines (unit is located 35' from the front and 52' from the east side property lines), and a request for Reasonable Accommodations under Article 93 to allow the Second Dwelling Unit to be expanded beyond the 1,000 square feet normally be allowed for an affordable Second Dwelling Unit and to allow the Second Dwelling Unit to be attached to an existing Guest House. Further issues regarding the project and issues related to the appeal are provided in the attached staff report.

**Prior Board Actions:**

**Strategic Plan Alignment:** Goal 1: Safe, Healthy, and Caring Community  
 Adoption of the Resolution denying the appeal and upholding the Board of Zoning Adjustment’s approval supports the Strategic Plan Goals of sheltering and socially supporting all members of the community.

**Fiscal Summary - FY 12-13**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**  
 The original application is “At-Cost” and processing costs, including ongoing costs associated with the appeal, are paid by the applicant (IFSN). A single fixed appeal fee (\$1,052) is paid by the appellant.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

**Narrative Explanation of Staffing Impacts (If Required):**  
 None.

**Attachments:**  
 Draft Board of Supervisors Resolution  
 EXHIBIT A: Draft Conditions of Approval  
 EXHIBIT B: Revised Site and Floor Plans responsive to BZA Conditions  
 EXHIBIT C: Board of Zoning Adjustments Staff Report and Attachments from April 19, 2012 Meeting  
 EXHIBIT D: Minutes from April 19, 2011 Board of Zoning Adjustments Meeting

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

Additional correspondence received since BZA Hearing





# COUNTY OF SONOMA

## PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

---

**DATE:** September 11, 2012 at 2:10 p.m.

**TO:** Board of Supervisors

**FROM:** Jane Riley, Project Planner

**SUBJECT:** Appeal of a Board of Zoning Adjustments approval of a Use Permit; UPE11-0093

### **Action Requested of the Board of Supervisors:**

This is a public hearing to consider an appeal of the Board of Zoning Adjustments (BZA) approval, with a 5-0 vote, of a Use Permit for a Second Dwelling Unit, including a request for Reasonable Accommodations for persons with disabilities under the Fair Housing Acts (Article 93 of the Sonoma County Code). These approvals will facilitate expansion of an existing transitional housing facility owned by Interfaith Shelter Network. As discussed in the attached memo, the transitional housing is a permitted use in this residential zone. At the conclusion of the hearing your Board may find the project exempt from CEQA and approve the Use Permit and Reasonable Accommodations as recommended by staff and the BZA.

### **Prior Actions:**

On April 19, 2012, the Board of Zoning Adjustments, with a 5-0 vote, found the proposed project exempt from CEQA and approved the request.

On April 27, 2012, an appeal of the decision was filed with the Board of Supervisors by Ron Jayne. Mr. Jayne requested that processing of the appeal be delayed while meetings were held with County staff and with the applicants. Staff informed the appellant in mid-July that the appeal request had been delayed for 90 days and would not be further delayed, and that the hearing would be scheduled for September 11, 2012.

### **Location, Zoning and Project Description:**

The subject property is located at 14148 Arnold Drive, Glen Ellen; APN 054-070-040. The base zoning district is RR (Rural Residential), 5 acre density. Zoning and General Plan consistency are discussed in the BZA Staff Report. The project is consistent with the General Plan and consistent with the Zoning Code with approval of the Use Permit.

The subject project included a request for a Use Permit to allow a Second Dwelling Unit to be located closer than the 60 feet from the property lines (the subject unit is located 35 feet from the front property line, and 52 feet from the side (east) property line); a request for Reasonable Accommodations under Article 93 to allow the Second Dwelling Unit to be expanded to 300 square feet greater than the 1,000 square feet that would normally be allowed for an affordable unit. A Reasonable Accommodation was also granted to allow the Second Dwelling Unit to be attached to the existing Guest House (with exterior access only). Reasonable Accommodations are discussed briefly below and more extensively in the

BZA Staff Report. Reasonable Accommodations are available to this project because Interfaith Shelter Network (IFSN) provides housing to persons with disabilities.

The subject property has been used as a transitional housing facility since 2009, and was used as a state-licensed group home for the eight years before that. The project will allow the facility to expand its program from serving 11 men to serving up to 20 total clients, including women and children. However, under state law (Government Code 65583 (a) (5)), a transitional housing facility must be treated like any other residential land use. The County cannot impose a discretionary permit requirement or add permit conditions that exceed what would be required for a typical residential use in this zone. The need for a Use Permit for this project arises not from the transitional housing use, but from the reduced property line setbacks for the Second Dwelling Unit. Likewise, the "Reasonable Accommodations" requested for this projects relate to accommodating the needs of persons with disabilities, not from the transitional housing use, per se.

As originally proposed, the project included the legalization of an existing 616 square foot Second Dwelling Unit located above a 1,344 square foot garage, and conversion of the entirety of that garage space into additional program area, to include three bedrooms and a shared kitchen/eating area and living area. The result would have been a legalized and enlarged two-story dwelling, totaling 1,960 square feet, with five bedrooms and one single, shared kitchen on the lower floor. This proposal was not approved.

As approved by the BZA, the revised project includes the following:

- a. Returning the 616 square foot upstairs unit to its approved and permitted guest house status by removing the existing kitchen;
- b. Allowing the conversion of a portion of the existing downstairs garage area into an affordable Second Dwelling Unit with three bedrooms;
- c. Approval of a Use Permit to allow the Second Dwelling Unit to be located closer than 60' to the front and side (east) property lines;
- d. Approval of a Reasonable Accommodation to allow the Second Dwelling Unit to be 300 square feet larger than would otherwise be allowed (1,300 square feet total); and,
- e. Approval of a Reasonable Accommodation to allow the Second Dwelling Unit to be attached to the Guest House, but through an outside stairway only (no interior connection allowed).

The other existing home (with kitchen) on the site will remain as it is; no changes are proposed. No site plan changes will be made as a result of this approval, and no new structures would be built. The project consists of the conversion of existing interior building space only.

The main issue for this project is neighborhood compatibility. Other issues include the limitations on conditions that can be imposed on a Transitional Housing Facility under state law. These issues are summarized below. Additional background on the project, site, and issues can be found in the April 19, 2012 BZA Staff Report.

## **ISSUES DISCUSSED AT THE PUBLIC HEARING**

### **Issue #1:**     Neighborhood Compatibility

A number of factors relevant to this project fall under a general heading of “neighborhood compatibility.” At the BZA hearing, neighbors complained of residents from this transitional housing facility engaging in behaviors that they felt were incompatible with the neighborhood, including smoking, walking down the street and the shared access driveway, yelling or talking loudly both onsite and while passing neighbors’ homes, and occasionally “acting out” when cars attempted to pass them walking in the middle of the road (see minutes, attached). Neighbors speaking at the meeting felt strongly that this is a commercial land use that should not be allowed within their quiet rural residential neighborhood.

### **Resolution**

State law requires that the County consider Transitional Housing Facilities as residential land uses. While conditions were imposed on the approval to address neighbor concerns related to the placement of the unit on the property (because the Second Dwelling Unit is located closer to the property line than would otherwise be allowed), conditions related to the use of the property as a transitional housing facility are not allowed and were not imposed (see Issue #2, below). Many of the issues expressed by neighbors during the BZA hearing were therefore unresolved. The BZA commissioners expressed concern about the lack of communication on the part of both the applicants and the neighbors, and requested that the parties communicate. A condition was added to require ongoing communication, including a compliance review after one year (see the attached BZA Resolution approving the project).

The applicants and the neighbors have since held a series of meetings and discussed the issues. While the more open communication has improved the working relationship between the parties, the appellant states that no agreement between the parties has been reached. Staff notes that even if agreement were to be reached between the parties on all issues, such a private agreement would not be enforceable by the County. Some project conditions that might be agreeable to the appellant (for example, limiting the number of residents within a home, or providing a separate road for the residents to walk on) cannot legally be imposed by the County and would not be enforced (see below).

### **Issue #2:**     Limitations on Conditions

As noted above and within the BZA Staff Report, state law requires the Transitional Housing use to be treated like any other residential land use, without regard to its transitional nature. The County may only require a Use Permit for the Second Dwelling Unit because it would require one for any other second unit on this site due to the unit’s location less than 60 feet from the front and east side property lines. No standards may apply here that are not related to this Use Permit, except as may be imposed in conjunction with approval of the Reasonable Accommodation request (see following discussion under Issue #3).

### **Resolution**

The BZA did not approve the project as requested by the applicant, but instead approved a modified request as recommended by staff. Conditions were imposed on the project that relate to the placement of the Second Dwelling Unit relative to the property lines, such as a condition limiting smoking to the

interior of the site. No conditions were applied to the residents of the facility, consistent with the limitations under state law.

**Issue #3:** Reasonable Accommodations.

The County adopted Article 93 of the Zoning Code (Reasonable Accommodations) in 2003 in order to provide persons with disabilities equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act. Applicant Interfaith Shelter Network is a provider of housing for persons who are considered disabled under the Acts. Until April 2012, all requests for Reasonable Accommodations had been processed administratively, and most were granted. An extensive discussion is provided within the BZA Staff Report.

**Resolution**

The BZA agreed that the requested accommodations (allowing an additional 300 square feet in the Second Dwelling Unit, and allowing the Second Unit to be attached to the existing Guest House through an exterior stairway) were necessary in order to broaden the existing men-only program to include the provision of services for women and children. The accommodations were granted in part because the guest house is located above a flight of stairs so development of the lower level of the garage structure is necessary to allow accessible program space. Additionally, an increase of 300 square feet in allowable floor area was approved in order to provide a large enough space to accommodate adequate personal space for sensitive individuals while still providing the common living area necessary for effective group support.

**List of Attachments:**

Draft Board of Supervisors Resolution

EXHIBIT A: Draft Conditions of Approval

EXHIBIT B: Revised Site and Floor Plans responsive to BZA Conditions

EXHIBIT C: Board of Zoning Adjustments Staff Report and Attachments dated from April 19, 2012

EXHIBIT D: Board of Zoning Adjustments Meeting Minutes dated April 19, 2011

---

**On File with the Clerk:** Additional correspondence received since BZA Hearing

**Resolution No.**

**County of Sonoma  
Santa Rosa, CA 95403**

**Date: 9/11/2012  
UPE11-0093 Jane Riley**

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Denying The Appeal Thereby Granting A Use Permit And Reasonable Accommodations To David Brigode, For Interfaith Shelter Network, For Property Located At 14148 Arnold Drive, Glen Ellen; APN 054-070-040.**

**Whereas**, the applicant, David Brigode, for owners Interfaith Shelter Network, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for a second dwelling unit to be located closer than 60 feet to property lines and a request for Reasonable Accommodations under Article 93 to allow the Second Dwelling Unit to be expanded to greater than 1000 square feet, and to be attached through an exterior staircase only to the existing guest house, for property located at 14148 Arnold Drive, Glen Ellen; APN 054-070-040; Zoned RR (Rural Residential, B6-5 acre density; Supervisorial District No 1; and

**Whereas**, this project has been found to be categorically exempt under the CEQA Guidelines.

**Whereas**, at its regularly scheduled meeting on April 19, 2012, the Board of Zoning Adjustments conducted a duly noticed public hearing on the project, and at the hearing all interested persons were given the opportunity to hear and be heard, and all relevant oral and written testimony and evidence presented or filed was received and considered by the Board of Zoning Adjustments; and

**Whereas**, after the close of the public hearing, the Board of Zoning Adjustments considered the merits of the project and, on a 5-0 vote, found the project categorically exempt from CEQA and approved the project, as amended, subject to specified Conditions of Approval; and

**Whereas**, on April 27, 2012, an appeal of the approval was filed by Ron Jayne within the time and in the manner prescribed by law; and

**Whereas**, at its regularly scheduled meeting on September 11, 2012, the Board of Supervisors conducted a duly noticed public hearing on the appeal, and at the hearing all interested persons were given the opportunity to hear and be heard, and all relevant oral and written testimony and evidence presented or filed was received and considered by the Board of Supervisors.

**Now, Therefore, Be It Resolved** that the Board of Supervisors makes the following findings:

1. Project is exempt from further review under CEQA pursuant to Section 15303, Conversion of Small Structures, including Second Dwelling Units on residential parcels.

2. The establishment, maintenance or operation of the use and improvements for which application is made will not, under the circumstances of this particular case and as conditioned, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area, as described and conditioned herein.

3. The Board of Supervisors hereby deems the attached conditions of approval are reasonable and necessary to ensure that the placement of the second unit within 60 feet of the front and east side property lines and the granting of the Reasonable Accommodations are not detrimental to the public health and safety. As such, these conditions are related to the granting of the Use Permit and Reasonable Accommodations, and not to the use of the site as a transitional housing facility.

4. The housing which is the subject of the Reasonable Accommodations approval will be used by an individual or a group of individuals considered disabled under the Fair Housing Acts, and the accommodation granted herein is necessary to make specific housing available to the individual or group of individuals with (a) disability(ies) under the Acts.

5. There are no alternative reasonable accommodations available that would provide an equivalent level of benefit and that would be suitable based on the circumstances of this particular case;

6. The reasonable accommodation granted herein does not impose an undue financial or administrative burden on the county.

7. The reasonable accommodation, as modified and conditioned herein, is consistent with the general plan land use designation of the property, and with the general purpose and intent in the applicable zoning district.

8. The reasonable accommodation granted herein does not substantially affect the physical attributes of the property.

**Be It Further Resolved** that the Board of Supervisors hereby denies the appeal, thereby granting the Use Permit request, and Reasonable Accommodations, subject to the Conditions of Approval in Exhibit "A", attached hereto.

**Be It Further Resolved** that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Resolution #  
Date: 9/11/2012  
Page 3

**Supervisors:**

Brown:	Rabbitt:	McGuire:	Carrillo:	Zane:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

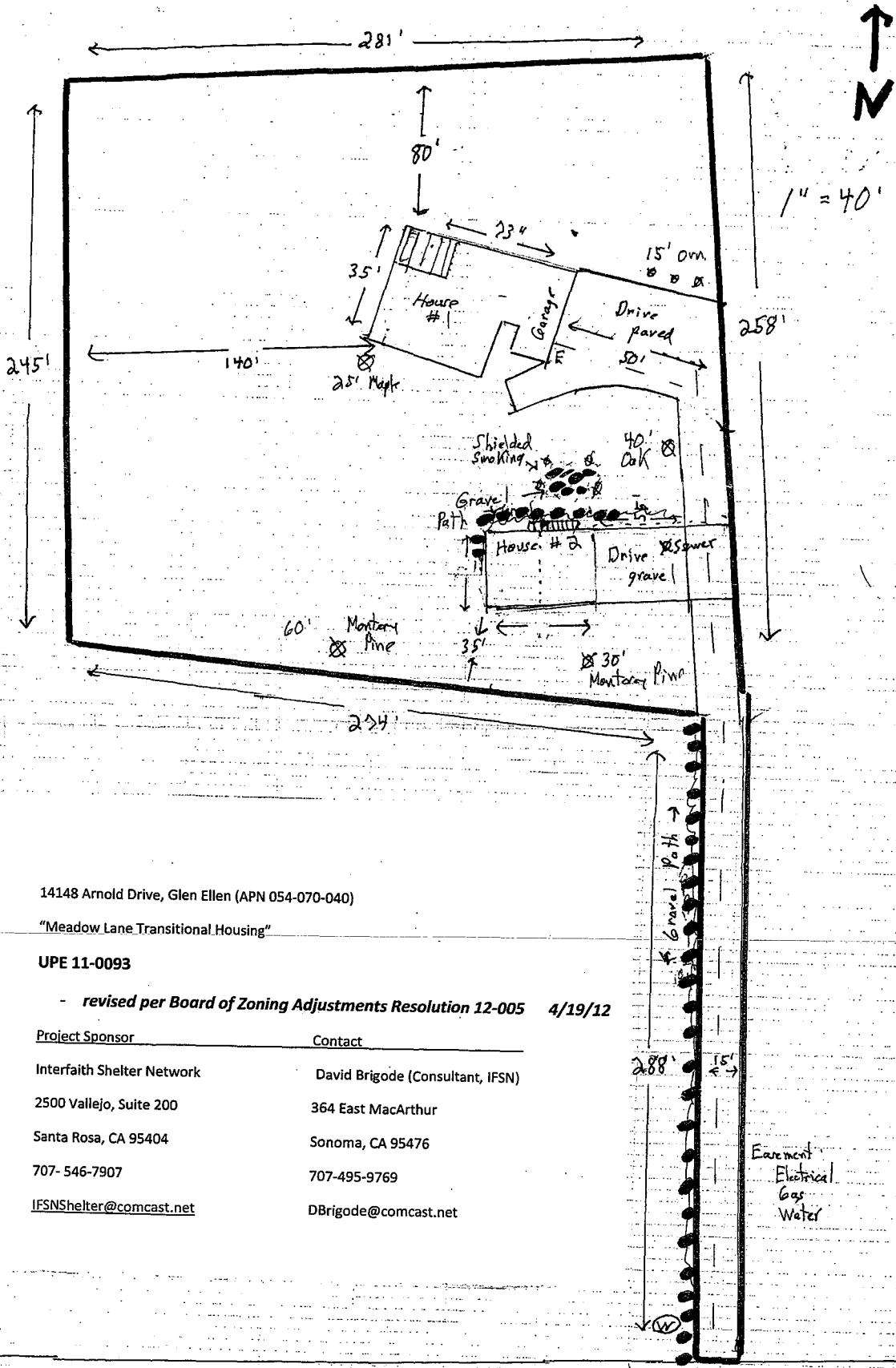




7. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of this Use Permit, and shall be grounds for its revocation.
8. The applicant shall pay all applicable development and processing fees prior to issuance of building permits.
9. The Use Permit shall expire upon sale or transfer of the property to a party other than the applicant or another qualified provider of housing for persons qualifying for the Reasonable Accommodation approved herein. Additionally, if the Use Permit is abandoned for a period of six months or longer it shall automatically expire, and shall become null and void with no further action required on the part of the County.
10. Smoking shall be permitted, if at all, only within a designated smoking area on the interior of the property, subject to approval by PRMD staff. Smoking shall not be allowed along the access easement, nor within 100' of any property boundary.
11. Prior to commencement of the use, applicant shall provide documentation that a long-term affordability agreement has been entered into with the State HCD, or with the Community Development Commission, whichever is applicable.
12. Screening landscaping consisting of trees and shrubs shall be provided along the southerly property line to better screen the Second Dwelling Unit within 60 days following final project approval. Suggested plant materials are photinia, pittosporum, cedar and cypress. Other evergreen plant materials may be used, as approved by staff. All landscaping shall be irrigated and maintained in proper condition.
13. Low-flow showerheads and faucet aerators shall be installed in all project dwelling units (Low water use toilets are currently required by State Law).
14. The project shall comply with all provisions of the County Low Water Use Landscaping Ordinance.
15. The applicant shall maintain a minimum of four uncovered parking spaces on-site to serve the approved land uses. Parking lot surfaces, lighting and exterior landscaping shall be maintained in good condition in compliance with the approved plans and conditions herein.
16. All exterior fixtures shall be limited to lamps (light bulbs not exceeding 100 watts) and shall be downward casting and fully shielded to prevent glare.
17. No more than 7 persons shall be housed within the second dwelling unit, including women and their children, and the resident manager, in order to maintain the adequate program space per resident for which a reasonable accommodation is requested and granted. This limitation does not include the guest house.
18. Applicant shall take measures to improve and maintain public access along the road easement to the subject property in order to ensure safety for residents and vehicles, subject to staff approval. Weeds along the easement shall be kept mowed.
19. Applicants shall hold periodic neighborhood meetings, and shall provide 24-hour contact information to neighbors.
20. Use Permit shall be subject to Condition Compliance Review after one year of commencement of use of the new construction or Building Permit final, whichever occurs first. Prior to expiration of the one-year term, the applicant shall provide a written request for Condition Compliance Review and shall pay the Condition Compliance Review fee to PRMD. Notification and an opportunity for input shall be provided to neighbors by PRMD staff.

21. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and environmental review.
22. 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 applicant must submit a written request to PRMD demonstrating that the conditions 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. 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 PRMD are limited to those items that are not adopted standards or 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 PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.
23. The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal laws and regulations.
24. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if:  
(a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

# Site Plan



14148 Arnold Drive, Glen Ellen (APN 054-070-040)

"Meadow Lane Transitional Housing"

UPE 11-0093

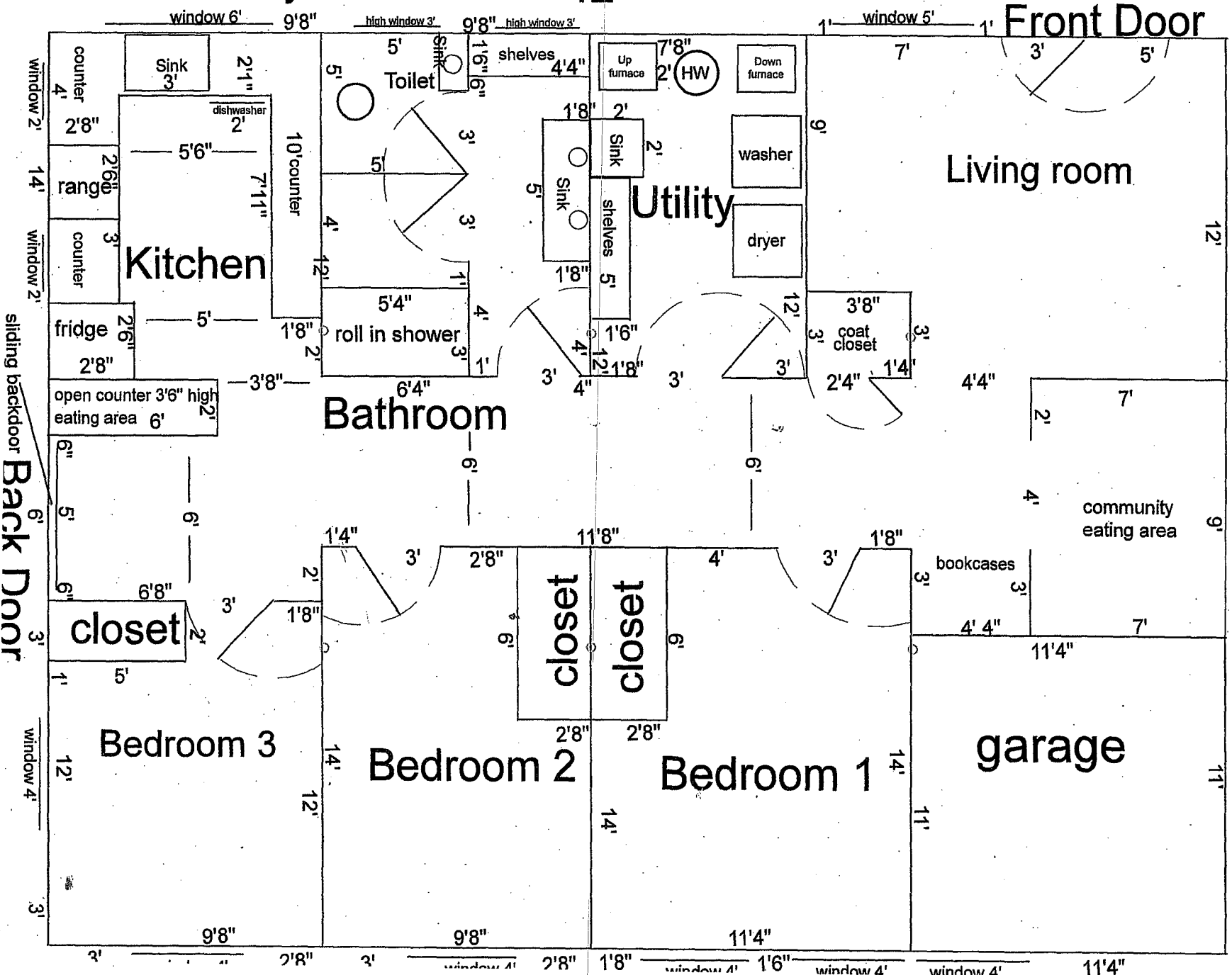
- revised per Board of Zoning Adjustments Resolution 12-005 4/19/12

Project Sponsor	Contact
Interfaith Shelter Network	David Brigode (Consultant, IFSN)
2500 Vallejo, Suite 200	364 East MacArthur
Santa Rosa, CA 95404	Sonoma, CA 95476
707-546-7907	707-495-9769
<a href="mailto:IFSNShelter@comcast.net">IFSNShelter@comcast.net</a>	<a href="mailto:DBrigode@comcast.net">DBrigode@comcast.net</a>

Meadow Lane private road

# 1st Story - New

42'



IFSN  
2500 Vallejo  
Suite 200  
Santa Rosa, CA  
95404  
707-546-7907



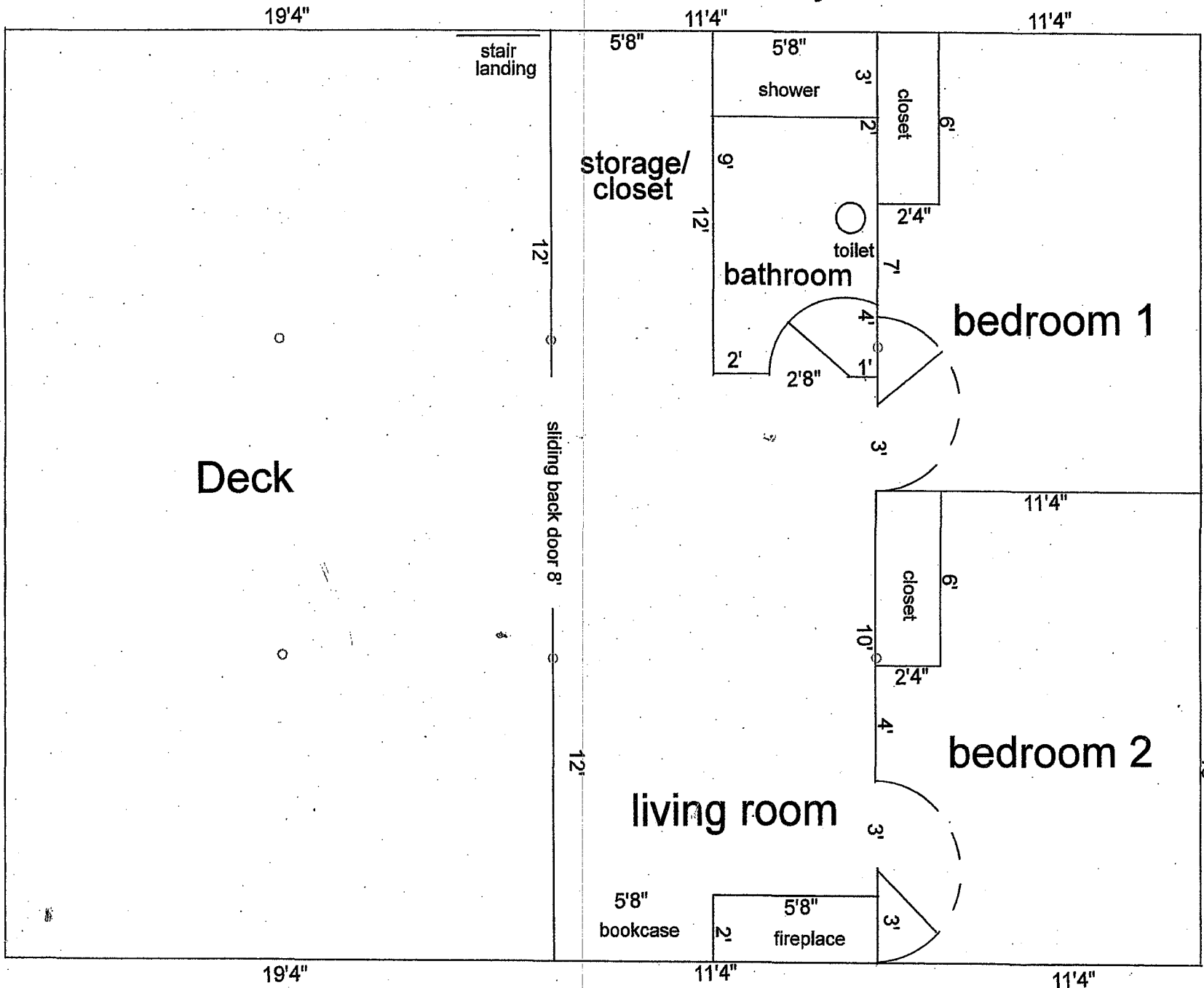
32'

garage door

1"=4.8'

# 42' 2nd story

IFSN  
2500 Vallejo  
Suite 200  
Santa Rosa, CA  
95404  
707-546-7907



N

1"=4.8'

32'

32'

## HOUSE AND PROGRAM RULES & CLIENT POLICIES & PROCEDURES

1. **VIOLENCE and SUBSTANCE ABUSE:** ALL drugs, alcohol, non-prescribed and some prescription medications are prohibited on and off of the property (*consult staff for list of acceptable prescription medication*). Physical violence, threats of violence, verbal abuse and confrontational behavior—*screaming, yelling, swearing, and slamming doors*—is prohibited; it will not be tolerated. *If you engage in this type of behavior, you WILL be dismissed immediately!*
2. Refusing to leave the property will result in IFSN staff contacting law enforcement:
 

<b>Sonoma County Sheriff</b> <b>2796 Ventura Ave</b> <b>Santa Rosa, CA 95403</b> <b>565-2511</b>	<b>Santa Rosa Police Department</b> <b>965 Sonoma Ave.</b> <b>Santa Rosa, CA 95404</b> <b>543-3600</b>
---	---
3. Destruction of anyone's property is prohibited; if you break it, you will be financially responsible for damages incurred.
4. Possession of weapons of any kind is prohibited anywhere on or near the property.
5. Lending money or personal property among residents or between residents and staff is prohibited.
6. Curfew is 10 PM Sunday thru Thursday and 11:30 PM Friday and Saturday; houses must be quiet after 11:30 PM from Sunday thru Thursday; 12:30 Fri and Sat. (Radio/TV off).
7. Visiting hours are Sunday 9:00 AM to 9:00 PM ONLY (*with the exceptions of 1) Meadow Lane: visiting hours are both Saturday and Sunday 9 to 9; and 2) Elsa: no visitors permitted due to lack of parking.* \*NOTE: ALL visitors must adhere to all rules or they will be asked to leave the property. Children must not be left unattended or in the supervision of other residents or anyone other than parents. Children are not allowed on the property except on visiting days (*except Elsa*)! Overnight guests are prohibited.
8. Sign-out Sheet utilization is mandatory when leaving and returning to the facility; under no circumstances should clients *sign each other* in and/or out.
9. Overnight passes must be requested in writing in advance and given to the Case Manager at your weekly house meeting (NO passes for the first 30 days).
10. Smoking, candles and incense are not permitted in the house or on the front porch of any house at any time (*except Acacia*). Smoking is allowed only in designated areas.
11. The telephone is provided for use by residents ONLY. Personal calls must be limited to 10 minutes—15 minutes for sponsors and business calls.
12. Television viewing is limited to between 4 PM and lights out nightly.
13. The mail is to be retrieved and distributed by the Site Supervisor or House Monitor ONLY.
14. Food consumption or storage is prohibited in any room except the kitchen/dining room; all food must be properly wrapped and stored.
15. Only legally licensed and registered vehicles (owned by and registered to residents) may be parked at any IFSN property. (*Due to very limited parking space at Elsa, no resident may park a vehicle at or within ¼ mile of the Elsa premises.* Motorcycles, and two-wheeled motorized vehicles are not allowed on any IFSN property.
16. The maximum consecutive number of days of occupancy for all clients in any IFSN facility is 730.
17. Please refer to attached page for disability-related issues, including reasonable accommodation, and procedures for filing a disability-related grievance.
18. Refer to attached page for termination, program denial policies and client appeal process.

**IN ADDITION TO THE ABOVE RULES: each and every client must adhere to the following requirements to maintain housing and remain in compliance:**

1. Meet with Case Manager within 48 hours of intake. Attend House Meetings, weekly one-on-one meetings with Case Manager, 3 initial evaluation therapy/counseling sessions as assigned, and a minimum of one self-actualization, self-help, living-skills class or other groups each week (behavior modification, continuing education, rehabilitation, relapse prevention, parenting, employment prep, housing prep, etc.).

2. Begin working on Individual Client Plan (ICP) outlining personal goals and objectives during the first week of occupancy; regularly review ICP and report progress, challenges and accomplishments to the Case Manager weekly or bi-weekly (*if acceptable to case manager—after 6 months successful participation in the program*).
3. Attend *and participate* actively and honestly in weekly house meetings (verifiable employment, school, or serious illness are the only excuses acceptable for non-attendance).
4. Complete household duties as scheduled and have chores completed by 9 AM (or the night before—if employed and arrange for scheduled chore to be done by another client if going on a pass).
5. Obey ALL house rules. Remember—you signed a contract! Rule violation OR non-compliance *breaks the contract*, and is cause for immediate dismissal from the program.
6. Submit to drug/alcohol testing whenever requested. Refusal and/or positive tests are cause for immediate dismissal.
7. If receiving General Assistance (GA) from Sonoma County Human Services, you must report completed GA weekly work assignments to your Case Manager promptly; failure to do GA work hours will result in dismissal (unless you are “incap”). REMEMBER: *GA pays for 90 days of housing. During the 90 days it is your responsibility to find a job and secure employment as soon as possible. If you do not, you will be dismissed at the end of the 90 day period.*
8. Program fees (for clients who are not on GA) must be paid by the 5<sup>th</sup> of the month. Fees paid after the 5<sup>th</sup> will be assessed a 10% late fee; refusal to pay program fees will result in immediate dismissal; you are responsible for providing monthly proof of income to your Case Manager and communicating *any changes in income immediately*.
9. After six months, all clients with income from SSI/SDI/Vet's or employment must enroll in and complete Rent-Up (CAP) or Rent-Right (COTS).
10. All clients with income must initiate a savings account, save 10% of their income, and provide documented proof to the Case Manager on a monthly basis.
11. Clients should give a minimum of one weeks' notice before leaving the program. Personal *belongings left behind will be disposed of—if not claimed within one week of exit.* Clients must complete an Exit Interview with the Case Manager before exiting (*ask for your “reward” after completion of the Exit Interview*).

*I have read the above rules and policies, and have received a copy of the following Disability, Grievance and Client Procedure pages.*

*I acknowledge—by signing below—that I understand the rules and policies.*

*I understand that violation of the rules and policies may be subject to disciplinary action [up to and] including immediate discharge from the program.*

Resident Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Resident PRINTED NAME: \_\_\_\_\_

**IFSN PROPOSAL to ADDRESS CONCERNS  
FOR MEADOW LANE NEIGHBORS  
AUGUST 20, 2012**

**1. NUMBER OF RESIDENTS AT 14148 ARNOLD DRIVE:**

The "Meadow Lane" property has three residential structures:

The "main" house is an 8 bedroom/5 bath wheelchair accessible facility with the capacity to comfortably house 16 clients; however it is *not* utilized to maximum capacity. One of the bedrooms is reserved for live-in staff, and one of the bedrooms is used as a counseling office; therefore, the main house is normally utilized to accommodate 12 clients plus 1 staff person=13.

The two-story unit—which includes the "second dwelling unit" (ground floor) and "guest house" (second floor) will have 5 bedrooms total. One bedroom will be reserved for staff. The remaining 4 bedrooms will house either 2 adult clients each (for a total of 8, plus 1 staff=9) or 4 mothers and their children. Hypothetically, if mothers have 2 or infants or small children, the maximum housed in the two-story unit (including children) could *conceivably* be 13 (a total of \*7 maximum downstairs, 6 upstairs), which could bring the total number of people accommodated on the property to 26 (\**this issue is addressed in #17. in Conditions of Approval - UPE11-0093*).

**The hypothetical scenario above—26 adults and children—is highly unlikely, because:**

- A) First and foremost, **IFSN avoids overcrowding at all costs**; *it is our mission and our policy to treat our clients with dignity, respect and kindness—overcrowding does not honor either our mission or our policies (Client placement is done carefully and thoughtfully by an educated professional staff.);*
- B) IFSN avoids mixing target populations; therefore, we usually do not house adult individuals and families together; and we *never* house single adult males and families in the same facility;
- C) IFSN currently operates **family-specific** programs with the capacity to accommodate more than 17 parents and 40 children in 3 facilities in Santa Rosa; these programs are our—and our client's—first housing choices because of their close proximity to needed services (child-care, medical services, educational facilities, employment opportunities, transportation, etc.);
- D) An internal stairway from the ground floor to the second floor was not permitted. This makes food preparation very difficult for mothers with small children, or anyone else. Particularly, in the winter! So, it is inconceivable that IFSN would put human beings (especially young children) in such an inconvenient, uncomfortable living environment, nor would we jeopardize their health and well-being (*this issue is addressed in #6. in Conditions of Approval - UPE11-0093*).

The following illustrates our utilization plan—the customary number of people we now accommodate (and plan to accommodate after the rehab is completed)—and shows the maximum capacity for each dwelling:

	Planned Utilization	Maximum Capacity
Main house:	13	16 (possibly including children)
Guest house:	4	6 (including children)
Second dwelling unit:	5	7 (including children)
<b>TOTAL</b>	<b>22</b>	<b>29</b>

**IFSN operates 13 facilities. NONE operate at maximum capacity** because (once again) it is unsafe, uncomfortable and against program policy to operate over-crowded facilities. Currently, Meadow Lane is housing 16 individuals; half are Veterans, half are disabled. At times, Meadow Lane has accommodated up to 21 adults and children successfully.



Finally, when we apply for State and Federal funding, we are required to state the number of people we will serve; we were awarded two (Proposition 46) EHAP Capital Development Grants for the property located at 14148 Arnold Drive (Acquisition—May 2006, and Rehabilitation—March 2012). The following chart—taken directly from our most recent application to the State of California, submitted in 2010 and awarded 2012—indicates the number of beds we promised to provide:

4. Type of Assistance Requested					
	EHAPCD Emergency Shelter	EHAPCD Transitional Housing	EHAPCD Safe Haven	Beds funded from other sources	Total
New Beds		6			6
Preserved Beds		16			16
<b>Total Bed Count to Be Provided</b>		22			22

Therefore, unfortunately, the above compliance issue prevents us from agreeing or adhering to an *absolute* “cap of 20 clients” as requested in Ron Jayne’s Memo. This issue is beyond our control; however, in an extraordinary effort to assuage concerns, we offer the previous thorough explanation. It is our most sincere intention to be mindful of neighborhood concerns and limit occupancy to the planned utilization outlined in #1 of this proposal (*this issue is addressed in #17. in Conditions of Approval – UPE11-0093*).

- PEDESTRIANS ON MEADOW LANE:** Pedestrian traffic on the Meadow Lane easement is unavoidable because the majority of our clients are without cars, so they utilize Sonoma County Transit and walk down the driveway to catch the bus; however, IFSN’s clients have been instructed to give right-of-way to vehicles and step off of the driveway until vehicles pass (*not abiding by this rule can result in a client’s dismissal from the program*).

IFSN is *willing*, but *not able* to absorb the *entire* cost of installing a pathway of blue shale along the easement as requested by the neighbors. This is cost prohibitive for our agency at this time; however, upon consideration of the statement in Mr. Jayne’s Memo—“*As a side note, this “path” would also make it possible for cars to pass each other without driving out into the mud – a very important resolution to an ongoing problem that occurs each winter...*”—IFSN could possibly share the cost with the car owners as a fair and equitable solution to both the pedestrian challenge and our neighbor’s passing cars driving in the mud.

*NOTE: Ron Jayne’s Memo requests that we impose the following rule if a path is installed: “NO clients or visitors are permitted to walk on the asphalt road called Meadow Lane...” This would be illegal and impossible to enforce with or without a blue shale pathway, and it could subject both the agency and the neighbors to litigation.*

- LOITERING or TRESPASSING:** Loitering or trespassing is strictly forbidden for all Meadow Lane residents. IFSN clients may walk to and from Arnold Drive to get to the bus or the store, but walking around the neighborhood for any other reason will NOT be tolerated and is cause for immediate dismissal from the program.
- EXCESSIVE NOISE:** IFSN is committed to reducing noise and maintaining a quiet neighborhood to the greatest extent possible. Noise barriers (appropriate foliage—trees and bushes) will be included in the landscaping to reduce noise (*this issue is addressed in #12. in Conditions of Approval – UPE11-0093*)

In addition, “**NO SMOKING-QUIET ZONE**” signs will be installed on the deck of the two-story structure, on the patio of the main house, and in the back yards during the rehabilitation process. Yelling—between clients walking back and forth to Arnold Drive, and clients standing in the yard or on the patio—is strictly forbidden. Clients will be reminded of these “excessive noise” rules at every weekly house meeting and these rules will be included in those posted inside the residence. Repetitive infractions may result in a client’s dismissal from the program. (*Children will not be allowed to play on the deck of the two-story residence, both for their own safety and to prevent excessive noise.*)

5. **MEADOW LANE DRIVEWAY MAINTENANCE:** IFSN will consider sharing cost with neighbors and paying a percentage of the annual cost of driveway maintenance from Arnold Drive to the turn at the bottom of the easement that leads up to the facility; however, because the majority of Meadow Lane residents do not own cars, it will be necessary to do additional research to determine a fair and equitable share. Research includes accurate driveway measurement to each property from Arnold Drive, and a traffic study to determine how many cars use the driveway on a monthly and/or annual basis; therefore IFSN cannot propose specific conditions for this issue at this time.
6. **CLIENTS SMOKING:** Smoking by Meadow Lane clients is allowed in **designated areas only** and on IFSN’s property **only**. Smoking is forbidden on the “access easement” and the entire driveway down to Arnold Drive (*this issue is addressed in #10. in Conditions of Approval – UPE11-0093*).
7. **WEEDS, TRASH and MAINTENANCE:** IFSN will be responsible for weed/trash and litter removal and maintenance for the easement leading up to the Meadow Lane facilities (*this issue is addressed in #18. in Conditions of Approval – UPE11-0093*).
8. **PERIODIC NEIGHBORHOOD MEETINGS:** IFSN will host quarterly or semi-annual meetings with neighbors of the Meadow Lane facility beginning October 6, 2012 at 9:00 a.m. at the ARThouse Gallery (frequency and dates to be determined at the first meeting by consensus). IFSN’s House and Program Rules are posted in every IFSN facility. A copy of IFSN’s House and Program Rules is included with this proposal (before revisions). A revised copy of IFSN’s House and Program Rules will be provided before (and at) the first neighborhood meeting via e-mail to Ron Jayne.
9. **MODIFICATION OF THE USE PERMIT CONDITIONS:** IFSN will inform neighborhood representative Ron Jayne of any anticipated modification of the UPE11-0093 if such modification is requested. (*We do not agree with the request for an annual Condition Compliance Reviews after the first year because of the additional, unnecessary expense to our agency.*)
10. **HOUSE MONITORS and ASSISTANTS:** IFSN’s on-site staff at each of our 13 facilities—including Meadow Lane—consists *mostly* of former clients, clients who have successfully completed the program and graduated. Some House Monitors and Assistants are not clients, but are hired from the public sector and work in exchange for room, board, employment preparation, training and experience to put on a resume. These dedicated individuals are considered IFSN staff; they are screened, qualified and well-trained, and they participate in staff meetings and regular, on-going training. In addition, other staff members—Case Managers, Counselors, a Clinician and a Housing Coordinator—are on-site each week. This staffing system has worked successfully since implementation of the Transitional Housing Program (nearly 14 years ago) and we do not intend to change it.
11. **FOOD FOR THOUGHT:** Since 1989, IFSN has been providing shelter, housing, and comprehensive supportive services for human beings who need assistance and time to get back on their feet; this represents a total of 23 years of “hands on” experience. One important lesson that we have learned is that “homeless” people are people just like you and me, no more, no less. None *chose* to have fractured

lives. Each person we assist has a unique story, their own challenges and skills, and each has value as a human being. "Homeless" is not an all-encompassing label; and, it should not be a stigma! "Homeless" encapsulates a plethora of professional, educated, talented people from ALL walks of life and millions of Americans are currently a paycheck away from becoming homeless (particularly in this economy)! IFSN strives to empower each individual that we serve, like it clearly states in our mission statement:

*IFSN's mission is to provide housing and a hand up to homeless men, women and children in Sonoma County, in an atmosphere of dignity, respect and kindness, towards an outcome of empowerment, self-sufficiency and independence.*

**Annually, an average of 80% of our clients successfully complete the program, secure income and graduate to permanent housing!**

IFSN Contact Numbers:

Randy Riddle, House Monitor	996-8700
Tony Crain, Case Manager	546-7907 X13
Charmaine Rable, Program Manager	546-7907 X14
Pamela Wallace, Executive Director	546-7907 X12
<i>Pamela Wallace Emergency/Crisis number only</i>	<i>322-6775</i>



# Sonoma County Board of Zoning Adjustments STAFF REPORT

Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

**FILE:** UPE11-0093  
**DATE:** April 19, 2012  
**TIME:** 1:05 p.m.  
**STAFF:** Jane Riley, Project Planner

Appeal Period: 10 calendar days

## SUMMARY

**Applicant:** David Brigode

**Owner:** Interfaith Shelter Network

**Location:** 14148 Arnold Drive, Glen Ellen  
APN: 054-070-040 Supervisorial District No.: 1

**Subject:** Minor Use Permit and Reasonable Accommodation

**PROPOSAL:** Request for a Minor Use Permit to legalize an existing Second Dwelling Unit located closer than 60 feet to property lines and a request for a Reasonable Accommodation under Article 93 to allow the Second Dwelling Unit to be expanded to greater than 1,000 square feet on a 2.04 acre parcel.

**Environmental Determination:** Class 3 exemption (Conversion of Small Structures)

**General Plan:** Rural Residential, 5 acres/unit

**Ord. Reference:** Article 18 (Rural Residential), Article 88 (Second Dwelling Units), Article 93 (Reasonable Accommodations)

**Zoning:** RR (Rural Residential), B6-5 acre density

**Application Complete for Processing:** December 6, 2011

**RECOMMENDATION:** Determination to be made

## ANALYSIS

### Background:

Until the passage of State law Senate Bill 2 (SB 2), transitional housing facilities were required, under the County Zoning Ordinance, to obtain a Use Permit to operate within the RR (Rural Residential) Zone

EXHIBIT C

District. SB 2 was signed into law in 2007, and required, among other things, that local jurisdictions consider transitional housing and permanent supportive housing as residential land uses. Sonoma County met the requirements of SB 2 by making Ordinance modifications to allow transitional and supportive housing without need for a Use Permit in all residential zoning districts, subject only to density limitations generally applicable to all residential uses.

The Interfaith Shelter Network's Meadow Lane facility is a "transitional housing" facility, defined under both State law and under the County Code as follows:

*"Transitional housing means supportive housing for persons or families in transition from homelessness to permanent housing. A homeless person or family may live in a transitional unit for a period of from six (6) months to two (2) years while receiving supportive services that enable independent living, after which time the assisted unit shall recirculate to another eligible recipient."*

The Meadow Lane transitional housing facility for men has been operating under a 1986 Use Permit for a group care facility allowing 11 adults. In 2008, the applicant approached the County PRMD to determine the permitting required for an expansion of the subject facility from 11 persons to 20 persons. The applicant was advised that, pursuant to the new State law (SB 2), no additional land use entitlements or zoning text amendments were needed. Based on this representation, the applicant applied for a State grant to expand the existing facility, creating new and separate program space so that services could also be provided for women and children (20 persons total). The grant was awarded.

The Zoning Code amendments to allow transitional housing as a use by-right within all residential zoning districts, subject to density limitations, were adopted in 2010. Presently, the list of uses permitted within the RR (Rural Residential) Zone District thus includes:

*"(x) transitional housing, subject to density limitations."*

In September of 2011, the applicant contacted PRMD for a Building Permit to make the improvements to the property under the State grant. The applicant's program currently operates within two structures, a five-bedroom single family residence and a 616 square foot Second Dwelling Unit above a 1,344 square foot garage. The Second Dwelling Unit was originally approved as a guest house with a wet bar, and has been re-purposed (including expansion of the wet bar into a small kitchen) for use as program space. The applicant proposes to legalize the Second Dwelling Unit, and expand it into the 1,344 square feet of garage space underneath, so as to include three new bedrooms and a new kitchen. (The current illegal upstairs kitchen would be removed.) The end result would be the presence of what are essentially two full-sized dwelling units on this property, which is zoned for only one primary unit (a Second Dwelling Unit and a guest house are also permitted).

The applicant was informed that the project could not be carried out without a General Plan Amendment and Rezone because the density allowance for the site only allows one unit based on the current five acre density designation. However, since SB 2 requires that the County apply the same rules to transitional housing facilities that apply to any other residential property in the same zone, the applicant could legalize the existing Second Dwelling Unit and continue to use that area as program space. Because the existing Second Dwelling Unit on the property is located less than 60 feet from the front and side (east) property lines, under 26-88-060(5)(ii) a Use Permit is required to legalize the unit.

On November 28, 2011, a Use Permit application was accepted for legalization of the Second Dwelling Unit, in addition to a request for a Reasonable Accommodation under the Fair Housing Acts (Article 93 of Chapter 26 of the Sonoma County Code) to allow expansion of the existing 616 square foot second unit into the 1,344 square foot downstairs garage space. The Use Permit request was posted for a hearing waiver on December 9, 2011. The hearing waiver notice specified that the Use Permit would be approved by the PRMD unless a written objection was received. A written objection was received within the specified time limit, and a public hearing must now be held.

**Project Description:**

The proposal includes the legalization of an existing 616 square foot Second Dwelling Unit located above a 1,344 square foot garage, and conversion of the garage space into an additional program area, to include three bedrooms and a shared kitchen/eating area and living area. The existing “wet bar” kitchen in the upstairs portion of the second unit would be removed. The result would be a legalized and enlarged two-storied dwelling, totaling 1,960 square feet, with five total bedrooms and one single, shared kitchen on the lower floor (see attached plans). The other existing home (with kitchen) on the site would remain as it is; no changes are proposed. No site plan changes would be made and no new structures would be built; the project consists of the conversion of existing building space only.

While the project being undertaken by the applicant would allow a program expansion from 11 men to up to 20 persons including women and children, the use of the site as a transitional housing facility no longer requires a Use Permit, and the expansion of this permitted use likewise does not require a Use Permit but must be consistent with allowable densities and zoning standards.

The requirement for the Use Permit is limited to the location of the Second Dwelling Unit, and any conditions applied to the Use Permit are limited to those which minimize potential neighborhood compatibility impacts related to the location of the Second Dwelling Unit closer to the property lines than would otherwise be allowed. Pursuant to SB 2 and the Zoning Ordinance, the County can only impose requirements and restrictions on this Use Permit that it would on any other single-family residential use in this zoning district.

The proposal also includes a request for a Reasonable Accommodation under Article 93 to allow the Second Dwelling Unit to be larger than 1,000 square feet (size limit generally applicable to affordable second units under a long-term deed restriction). This Section of the Code provides a procedure to request a reasonable accommodation in the application of zoning laws and other land use regulations, policies and procedures for persons with disabilities seeking equal access to housing under the Federal and State Fair Housing Acts, including the providers of housing for persons with disabilities (see discussion under Issue #3, below).

**Site Characteristics:**

The 2.04 acre parcel is located approximately 400 feet west of Arnold Drive off of a paved private access road approximately 12 feet wide (“Meadow Lane”) which serves eight residences. The parcel is roughly square in shape with a “handle” that contains the driveway access that serves the subject property, and provides an access easement to two others (see Exhibit C). Hill Road is located approximately 375 feet north of the subject property. It is located within the Sonoma Valley Sewer District and Urban Service Area and has sewer services, but is just outside of (and adjacent to) the Urban Residential (UR2) General Plan Land Use Designation and Zoning areas.

**Surrounding Land Use and Zoning:**

Adjoining land uses are rural residential in nature. Surrounding General Plan Land Use Designations are Urban Residential to the north and east, and Rural Residential to the south and west. Surrounding zoning designations are as follows:

North: Low Density Residential (R1) 2 units per acre  
East: Low Density Residential (R1) 2 units per acre  
South: Rural Residential (RR) 5 acres per unit  
West: Rural Residential (RR) 5 acres per unit

## DISCUSSION OF ISSUES

### Issue #1: General Plan Consistency

Land Use Element. The project site is located within the Sonoma Urban Service Area Boundary. While the site is served by public sewer and water, it carries a General Plan Land Use designation of Rural Residential 5 acres per unit (RR5), rather than Urban Residential 2 units per acre (UR2) like the adjacent parcels to the north and east. This project will be consistent with the General Plan land use designation (5 acres per unit) only if the Use Permit for a Second Dwelling Unit is approved (Second Dwelling Units are not included in density calculations pursuant to state law). Under the Zoning Ordinance, however, second units cannot be larger than 1,000 square feet when there is an affordability agreement. As proposed, the 1,960 total square foot size of the Second Dwelling Unit is thus not allowed unless the requested Reasonable Accommodations is approved under Article 93 (see discussion below).

A more appropriate way to achieve General Plan consistency for this project to be approved as proposed may be for the applicant to apply for and be granted a General Plan Amendment to Urban Residential 2 units per acre and a Rezone to R1 Single Family Residential, similar to the adjacent properties to the north and east. The property appears to meet the designation criteria for Urban Residential parcels set forth within the General Plan. An option to direct the applicant to apply for the General Plan Amendment and Rezone is included at the end of this staff report, as is an additional option to allow a modified proposal unless and until a General Plan Amendment and Rezone are adopted.

Housing Element. The General Plan Housing Element contains several policies and programs relevant to this application, including the following:

***Policy HE-5g: Permit transitional and permanent supportive housing in all residential land use categories. The construction of new dwellings for such purposes shall conform to the General Plan densities and to all other applicable provisions of the Sonoma County Code. No standards shall be applied to transitional or supportive housing that do not also apply to other dwelling units within the same zoning district.***

***Housing Element Program 42: Transitional, Supportive Housing By-right***

***Program Description: The County would amend its Zoning Code to allow transitional and permanent supportive housing in all residential land use categories. The construction and occupancy of dwellings for such purposes shall conform to the General Plan densities and to all other applicable provisions of the Sonoma County Code. No standards shall be applied to transitional or supportive housing that do not also apply to other dwelling units within the same zoning district. (Policy reference: HE-5g)***

***Policy HE-5i: Continue to provide reasonable accommodation through implementation of Article 93 (Reasonable Accommodations).***

***Housing Element Program 44: Reasonable Accommodations***

***Program Description: The County has adopted a Reasonable Accommodations Ordinance ("Article 93"). The County would continue to provide reasonable accommodations through implementation of this ordinance, and would continue to provide training to County staff. (Policy reference: HE-5i)***

As noted above, the proposed project must be treated like any other residential land use, without regard to its transitional nature. This is State law (SB2). The County may only require a Use Permit for the Second Dwelling Unit because it would require one for any other second unit on this site due to the unit's location less than 60 feet from the front and side property lines. No standards may apply here that are not related to this Use Permit, except as may be imposed in conjunction with approval of the Reasonable Accommodation request (see discussion under Issue #3, following).

**Issue #2:** Zoning Consistency

The Zoning Code contains standards applicable to this project in three areas, including Article 18 (Rural Residential); Article 88 (Second Dwelling Units); and Article 93 (Reasonable Accommodations). A discussion of Article 93 provisions is provided under Issue #3 below.

Section 26.88.060, the Second Dwelling Unit Ordinance, sets forth in subsection 5),

*(ii) In the case of a second dwelling unit in a rural zone district that is located more than one hundred feet (100') from the primary dwelling, the second dwelling unit shall maintain minimum front, rear and side setbacks of sixty feet (60'), unless otherwise provided through Use Permit.*

The existing building proposed as a Second Dwelling Unit is located more than 100' from the primary dwelling and less than 60 feet from property lines. It is approximately 109 feet from the primary unit, 35' from the front property line, and 52' from the side (east) property line; thus, a Use Permit is required. Other provisions of the Second Dwelling Unit Ordinance include the provision of at least 1 uncovered parking space (2 are provided), and a size limitation of 840 square feet (or 1,000 square feet if an affordability agreement is recorded, as in this case). The main home on the site requires 1 covered parking space under the zoning code; a 2-car garage is provided for that home along with uncovered parking for 4 additional cars.

The zoning criteria for Rural Residential properties include a height limit of 35 feet; a lot coverage limitation of 35%; and minimum yards of 20 feet in the front and rear, and 5 feet on the sides. Existing lot coverage is below 25%, all required yards are provided and the height of the 2 storied structure is 27 feet. The proposed project meets the zoning criteria set forth for Rural Residential properties, but will not meet the zoning criteria set forth for Second Dwelling Units unless the following can be determined:

- That a Use Permit to allow the Second Dwelling Unit to be located 35' from the front property line and 52' from the side (east) property line, rather than the 60' otherwise required, is appropriate given the circumstances of this particular case; and,
- That a Reasonable Accommodation to allow the increased size of the Second Dwelling Unit to serve the needs of residents with disabilities is necessary and appropriate (see Issue #3 below).

The intent of the Second Dwelling Unit provision requiring its location within 100' of the main residence (or otherwise to provide an increased setback of 60' all around) was to better ensure privacy and neighborhood compatibility. In this case, the placement of the existing Second Dwelling Unit on the property still maintains a setback of approximately 100' to the nearest neighboring home (east), and approximately 235' to the nearest home to the south. In order to approve the Use Permit for the Second Dwelling Unit to be located closer than 60' from the front and east property lines, the Board of Zoning Adjustments must determine that the location of the Second Dwelling Unit maintains a suitable level of privacy and neighborhood compatibility. In making this determination, the Board may apply such conditions as appropriate. Recommended conditions include the provision and maintenance of screening landscape, and a limitation on the area(s) on the property that could be used for smoking.

**Issue #3:** Reasonable Accommodation under Article 93

*"A request for reasonable accommodation may be made by any person with a disability, or by an entity acting on behalf of a person or persons with disabilities to provide or secure equal access to housing, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities; anyone who is regarded as having such impairment; or anyone who has a record of such*



*impairment. This section is intended to apply to those persons who are defined as disabled under the Acts.*

*A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability with equal opportunity to housing of their choice.”*

The County adopted the above language in 2003 in order to provide persons with disabilities equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act. The Reasonable Accommodations Ordinance (Article 93) provides for relief for qualified individuals and housing providers in the application of zoning laws and other land use regulations, policies and procedures. To date, all requests for Reasonable Accommodations have been processed administratively, and most have been granted. However, the Reasonable Accommodations ordinance specifies that:

*“Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application. The applicable review authority shall make a written determination and either grant, grant with modifications or deny a request for reasonable accommodation.”*

The subject request is the first one to accompany a discretionary land use entitlement, and as such is the first to come before the Board of Zoning Adjustments. The full text of Article 93 is provided as an attachment to this Staff Report, with an excerpt and analysis provided below:

- (a) *Findings. The written decision to grant, grant with modifications or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following:*
- (1) *Whether the housing which is the subject of the request will be used by an individual or a group of individuals considered disabled under the Acts, and that the accommodation requested is necessary to make specific housing available to the individual or group of individuals with (a) disability(ies) under the Acts;*

**Staff Analysis:** The housing is currently used, and is likely to continue to be used, by individuals or a group of individuals considered disabled under the Acts. Under the Acts, a “ person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities; anyone who is regarded as having such impairment; or anyone who has a record of such impairment.” Interfaith Shelter Network is a provider of housing for persons who are considered disabled under the Acts.

The requested accommodation may be considered to be necessary in order to broaden the existing men-only program to include the provision of services for women and children (separate units for single men and women with children are desirable) while continuing to meet program requirements. Because the existing second unit is located above a flight of stairs, there is no way to provide accessibility to mobility-limited residents who may need to participate in the program. Development of the lower level of the garage structure would allow accessible program space. Additionally, an increase in allowable floor area is sought in order to provide a large enough space to accommodate a sufficient number of residents to allow for effective group support. Finally, additional square footage beyond the 1,000 square feet allowed by Code is needed in order to provide sleeping and private space for live-in staff. This space is permissible under the Reasonable Accommodations provisions because several residents may have disabilities that require live-in assistance with daily needs.

(2) *Whether there are alternative reasonable accommodations available that would provide an equivalent level of benefit, or if alternative accommodations would be suitable based on the circumstances of this particular case;*

**Staff Analysis:** There may be other accommodations available that would provide a similar benefit, in that the program might be able to serve a more limited number of residents with a smaller facility. Whether or not this would be considered to be an “equivalent level of benefit” is a policy determination for the BZA.

One solution that may offer an equivalent level of benefit might be to consider an alternative proposal for a smaller Second Dwelling Unit and continued use of the guest house. Under this scenario, the applicant would remove the “kitchen” in the existing guest house by removing the cooking facilities, allowing it to remain as originally permitted with the outside stairway. The Second Dwelling Unit would then be permitted as an approximately 1,224 square foot conversion within the existing 1,344 square foot garage area, with the remaining area remaining in garage use. This scenario would not permit an interior stairway between the Second Dwelling Unit and the guest house unless and until as a General Plan Amendment and rezone is approved allowing higher density. In order to reduce the square footage to 1,224 square feet, one of the 120 square foot “bedrooms” in the downstairs, and most of the area containing the future interior stairway, would need to continue to be provided as garage area, with an appropriate garage door. In this case, the Reasonable Accommodation would be to allow a 1,224 square foot Second Dwelling Unit (rather than the 1,960 square foot unit proposed by the applicant); and, to allow the Second Dwelling Unit to be attached to the Guest House (otherwise not allowed under Section 26-88-060). While not optimal, accessibility and increased program space to meet the needs of disabled residents would be provided.

(3) *Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the county;*

**Staff Analysis:** No financial burden would be imposed on the County.

(4) *Whether the requested reasonable accommodation would be consistent with the general plan land use designation of the property which is the subject of the reasonable accommodation request, and with the general purpose and intent in the applicable zoning district;*

**Staff Analysis:** The proposed accommodation could be determined to be consistent with the land use designation, and with the purposes and intent of the zoning district, which include the provision of transitional and supportive housing within the community, if a Condition of Approval is included that would require that the lower portion of the structure be returned to a non-conditioned (garage) use when it is no longer used for the purposes of transitional or supportive housing, for which the reasonable accommodation is granted.

As noted above, an alternative that might provide closer consistency with the General Plan may be for the applicant to remove the kitchen in the existing guest house, allowing it to remain as permitted with the outside stair, and consider allowing a smaller (approximately 1,224 square foot) Second Dwelling Unit to be constructed within the existing 1,344 square foot garage area below (with no interior stairway), as outline above. In this case, the Reasonable Accommodation would be granted to allow an increase of about 200 square feet that would otherwise be allowed; and, to allow the Second Dwelling Unit to be attached to the Guest House (again, otherwise not allowed under Section 26-88-060).

(5) *Whether the requested reasonable accommodation substantially affects the physical attributes of the property.*

**Staff Analysis:** The proposal does not affect the physical attributes of the property.

*(b) Conditions of Approval. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required in Subsection (a) of this section.*

**Staff Analysis:** As noted above, a Condition of Approval could be included to return the downstairs 1,344 square foot portion of the structure to a non-conditioned (garage) use when it is no longer used for the purposes of transitional or supportive housing, for which the reasonable accommodation is granted. Alternately, conditions could be added to require the applicant to apply for a General Plan Amendment and Rezone (see Option 4 below), or to approve and condition a modified project.

#### ALTERNATIVES FOR ACTION

1. Approve the proposal as requested, with the condition that the downstairs portion of the Second Dwelling Unit be returned to non-conditioned (garage) space when it is no longer used for the purposes for which the Reasonable Accommodation was granted.
2. Approve a modified proposal, to include the following:
  - a. Retention of the existing, permitted 616 square foot guest house, with no kitchen, accessed by the existing outside stairway;
  - b. A separate 1,224 square foot Second Dwelling Unit below it through conversion of the existing garage space (interior stairway not allowed); and
  - c. Granting of Reasonable Accommodations under Article 93 to allow the increased size of the Second Dwelling Unit by 244 square feet; and, to allow the Second Dwelling Unit to be connected (exterior only) to a guest house.
3. Deny the project.
4. Deny the project without prejudice, allowing the applicant to apply for a General Plan Amendment and Rezone in order to allow an additional full-sized unit with no restrictions on future uses.
5. Approve a modified project as set forth in #2 above, directing the applicant to apply for a General Plan Amendment and Rezone if the construction is to be carried forth as originally submitted. Approval of this alternative would allow the project to proceed with a 1,224 square foot accessible Second Dwelling Unit attached to a 616 square foot guest house, subject to the Conditions of Approval attached hereto.

#### STAFF RECOMMENDATION

**Staff Recommends: For the determination of the BZA.** If the Board of Zoning Adjustment is inclined to deny the project, staff recommends that it be denied without prejudice (Option 4) to allow the applicant to return with an application for a General Plan Amendment and rezone in the near future. If the Board of Zoning Adjustment is inclined to approve the project, staff recommends Option 5. Approval of this option would allow all portions of the work covered by the grant to be carried out, except development of the interior staircase and single car garage area, which would need to remain as garage space unless and until a General Plan Amendment and Rezone are applied for and approved. Conditions of Approval are recommended as attached.

Should they approve the project, the Board of Zoning Adjustments may wish to add additional conditions to those recommended in order to address the location of the Second Dwelling Unit relative to the property lines, as necessary to address compatibility issues. Conditions may also be added upon granting of the Reasonable Accommodation request, as necessary to ensure that the Accommodation

complies with the findings set forth in Article 93. However, any additional conditions imposed on the project should be limited to those that would be applied to any other residential use, and not specific to the use of this site as a transitional housing facility.

#### **FINDINGS FOR RECOMMENDED ACTION**

1. Project is exempt from further review under CEQA pursuant to Section 15303, Conversion of Small Structures, including Second Dwelling Units on residential parcels.
2. The establishment, maintenance or operation of the use and improvements for which application is made will not, under the circumstances of this particular case and as conditioned, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area, as described and conditioned herein.
3. The Board of Zoning Adjustments hereby deems the attached conditions of approval reasonable and necessary to ensure that the placement of the second unit within 60 feet of the front and east side property lines and the granting of the Reasonable Accommodations are not detrimental to the public health and safety, and as such are related to the granting of the Use Permit and Reasonable Accommodations and not to the use of the site as a transitional housing facility.
4. The housing which is the subject of the Reasonable Accommodations approval will be used by an individual or a group of individuals considered disabled under the Acts, and the accommodation granted herein is necessary to make specific housing available to the individual or group of individuals with (a) disability(ies) under the Acts.
5. There are no alternative reasonable accommodations available that would provide an equivalent level of benefit and that would be suitable based on the circumstances of this particular case;
6. The reasonable accommodation granted herein does not impose an undue financial or administrative burden on the county.
7. The reasonable accommodation, as modified and conditioned herein, is consistent with the general plan land use designation of the property, and with the general purpose and intent in the applicable zoning district.
8. The reasonable accommodation granted herein does not substantially affect the physical attributes of the property.

#### **LIST OF ATTACHMENTS**

EXHIBIT A:	Draft Conditions of Approval
EXHIBIT B:	Project Application Materials
EXHIBIT C:	General Plan Land Use Map
EXHIBIT D:	Vicinity Map
EXHIBIT E:	Zoning Map
EXHIBIT F:	Approved Floor Plan
EXHIBIT G:	Site Plan
EXHIBIT H:	Existing Lower Level
EXHIBIT I:	Proposed First Floor Plan
EXHIBIT J:	Proposed Second Floor Plan
EXHIBIT K:	Text of Article 93
EXHIBIT L:	Comment Letters
EXHIBIT M:	Draft Resolution

---



8. The applicant shall pay all applicable development and processing fees prior to issuance of building permits.
9. The Use Permit shall expire upon sale or transfer of the property to a party other than the applicant or another qualified provider of housing for persons qualifying for the Reasonable Accommodation approved herein. Additionally, if the Use Permit is abandoned for a period of six months or longer it shall automatically expire, and shall become null and void with no further action required on the part of the County.
10. Smoking shall be permitted, if at all, only within the interior of the property. Smoking shall not be allowed along the access easement, nor within 100' of any property boundary.
11. Prior to commencement of the use, applicant shall provide documentation that a long-term affordability agreement has been entered into with the State HCD, or with the Community Development Commission, whichever is applicable.
12. Screening landscaping consisting of trees and shrubs shall be provided along the southerly property line to better screen the Second Dwelling Unit. Suggested plant materials are photinia, pittosporum, cedar and cypress. Other evergreen plant materials may be used, as approved by staff. All landscaping shall be irrigated and maintained in proper condition.
13. Low-flow showerheads and faucet aerators shall be installed in all project dwelling units (Low water use toilets are currently required by State Law).
14. The project shall comply with all provisions of the County Low Water Use Landscaping Ordinance.
15. The applicant shall maintain a minimum of four parking spaces on-site to serve the approved land uses. Parking lot surfaces, lighting and exterior landscaping shall be maintained in good condition in compliance with the approved plans and conditions herein.
16. All exterior fixtures shall be limited to lamps (light bulbs not exceeding 100 watts) and shall be downward casting and fully shielded to prevent glare.
17. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and environmental review.
18. 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 applicant must submit a written request to PRMD demonstrating that the conditions 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. 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 PRMD are limited to those items that are not adopted standards or 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 PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.
19. The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal laws and regulations.
20. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if:  
(a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

14148 Arnold Drive, Glen Ellen/ APN 054-070-040

InterFaith Shelter Network- Meadow Lane Transitional Housing

## PROPOSAL STATEMENT

*Use Permit*  
*D.B.* ~~GENERAL PLAN AMENDMENT APPLICATION~~ *Narrative*

InterFaith Shelter Network (IFSN), an experienced operator of transitional housing for homeless individuals in Sonoma County, is seeking to expand their existing facility in Glen Ellen.

The Glen Ellen site, referred to by the sponsor as "Meadow Lane" after the private road access, has been in operation for 9 years as a transitional facility; prior to that it was a Board and Care home

Currently, there are two structures on the site:

- 1) Existing 2336 sq foot 6 bedroom single family home, housing 11 people
- 2) Existing two story house, with a 700 sq ft second floor residential unit over a 1400 sq ft unimproved garage

IFSN has obtained funding from the State of California Dept. of Housing and Community Development to convert the empty garage space into a residential unit, combining the upstairs and downstairs into a 2100 sq ft, 5 bedroom single family home with a single kitchen and two full bathrooms. (9 residents)

Upon consultation with County Planning staff, our proposed usage does not comply with the existing Rural Residential Designation. Therefore, we seek a General Plan Amendment to a rezoning to Urban Residential, which will allow two full residential units of the proposed square footage on this 2 acre site *Use Permit*

Our rezoning request is in compliance with those portions of the General Plan which seek to encourage the creation of affordable housing opportunities, at affordable rents (30% of income).

The IFSN project creates supportive housing for the homeless in Sonoma Valley, a portion of the County which is underserved (compared to Santa Rosa or Petaluma)

- The exterior configurations of the existing structures and landscaping will remain unchanged. There will no changes to the envelope of the building other than new windows and an exterior paint job; all renovation involves the existing structure only.

The structure is already served on both levels by water, sewer, gas, electric and phone. There will be relatively minor increases in parked cars (most residents do not own vehicles)

- IFSN has obtained all the funding it needs for this project exclusive of any contribution from the County
- The requested zoning status is already in effect for the lots immediately to the North and the East; our land use would be contiguous with those neighbors
- IFSN's history of operations at this site have been compatible with the neighbors and non-controversial; we will perform prior educational outreach to all owners within the 300 foot notification

**NOTE:** This Use Permit is submitted concurrently with a Request for Reasonable Accommodation, allowing a second kitchen in the unit proposed to be renovated



General Plan Amendment/Re-Zoning Application

14148 Arnold Dr. (Meadow Lane)-Transitional Housing for the Homeless

InterFaith Shelter Network

16.

**Affordable Housing Project**

InterFaith Shelter Network (IFSN) has been an experienced provider of homeless housing and services in Sonoma County since 1989. IFSN is a member of the Sonoma County Homeless Continuum of Care, receives funding under a variety of homeless grant sources such as the Federal Emergency Shelter Grant and the McKinney homeless services program and is in compliance with all County Community Development Commission requirements for affordable housing provision

IFSN is a CA 501-C-3 non-profit corporation

Residents of the IFSN Transitional Housing program must be 1) previously homeless, under the HUFDD definition, 2) low, very low, or moderate income, 3) and clean and sober. They are expected to follow house rules and participate in a case management program for any issues which led to or perpetuate homelessness.

Rents are sliding scale, based on 30% of income, with a maximum of \$450 per month. Maximum stay is two years

There are two structures on the above site.

House #1 has 6 bedrooms and 11 residents; clients share kitchen, bathrooms, and common areas

House #2 is currently a two bedroom unit with two residents above a large unfinished 3-car garage. The proposed interior remodeling (which triggers this re-zoning request), will add a 3 bedroom unit in the garage, with kitchen and bath, joined by an interior stairway to the upper unit, resulting in space for 9 people post-construction

Funding for this project is derived from a State of CA, Department of Housing and Community Development EHAP-CD grant. As a condition of funding, HCD requires a 15 year Affordable Housing Regulatory Agreement to be placed on title

**DAVID BRIGODE**  
*CONSULTANT*  
**AFFORDABLE HOUSING DEVELOPMENT AND PROGRAMS**

364 East MacArthur Sonoma, Ca 95476  
(707) 495-9769      [DBrigode@Comcast.net](mailto:DBrigode@Comcast.net)

**REQUEST FOR REASONABLE ACCOMODATION**

Re: Meadow Lane Transitional Housing

14148 Arnold Dr., Glen Ellen      APN-054-070-040

**BACKGROUND:**

InterFaith Shelter Network (IFSN) is an established provider of transitional housing with supportive services to homeless individuals in Sonoma County, with 14 transitional homes and approximately 100 residents. IFSN is a member of the Sonoma County Continuum of Care; is networked with the full spectrum of housing and services within the Continuum; and receives funding for emergency services controlled through that source.

The Meadow Lane transitional program' located at the above address, consists of a single family home with 9 formerly homeless residents who pay rent and share common areas, including kitchen, bathrooms, and living areas. There is an additional structure on the site, consisting of a large three car garage on the first floor and a two bedroom "auxiliary unit" on the second floor, which currently lacks a formal kitchen, in accordance with the existing RR zoning.

The project sponsor has obtained funding from the State Dept. of Housing and community development to convert the existing two story unit over garage into a combined 5 bedroom unit, with kitchen and two bathrooms

**REQUEST FOR REASONABLE ACCOMODATION:** IFSN is requesting a Use Permit which allows two full units on the site, with a kitchen in that second unit. We do so based on the usefulness of "normal" living arrangements in our supportive housing program for our client population.

Many homeless individuals suffer from disabling forms of mental illness. Some are undiagnosed, but previously lived on the streets before coming to IFSN. Others are currently receiving services through County Mental Health. Most, if not all, are experiencing a form of PTSD, due to long term homelessness and the stress of living out in the elements with no fixed place of residence.

Often homeless individuals present physical disabilities as well. Prolonged homelessness aggravates existing conditions such as mobility issues; asthma; skin disease; poor nutrition; allergies; and chronic pain.

IFSN offers "independent living". Meals are not catered or produced by in-house staff. As part of their supportive program, residents are encouraged to eat in a healthy manner; to shop and budget for food on their own; and to prepare regular nutritional meals either on their own or in conjunction with other residents, pooling their resources and cooking skills. Provision of a full kitchen facility at the second Meadow Lane unit is a Reasonable Accommodation for our residents working through their disabilities.

While we cannot offer specific instances of homeless individuals and their issue, since we have not yet chosen the resident population (and it would be illegal to disclose their medical history), we are convinced that they will offer the same set of issues as all other homeless living in existing IFSN transitional housing. Also, transitional housing opportunities for the homeless are extremely limited in Sonoma County and Sonoma Valley in particular

In conjunction with a concurrent application for a Use Permit for this site, we make this Request under Chapter 26 of the Sonoma County Zoning Regulations, Article 93 – Requests for Reasonable Accommodations under the Fair Housing Acts

Section 26-93-020 – "... A Request for Reasonable Accommodation may include a modification or exception to the rules, standards and practices for siting, development, and use of housing or housing related facilities that would eliminate barriers and provide a person with a disability with equal opportunity to housing of their choice."

The pertinent housing opportunities will: 1) be utilized by people with disabilities; 2) are not available in an alternative manner; 3) will no impose an undue burden on the County; 4).is consistent with the general purpose of the district; and 5) will not affect the physical attributes of the property, as there will no change in the envelope of the existing structure

Thank You for your attention to this matter

 11/28/11

David Brigode-consultant

364 East MacArthur Sonoma, CA 95476

707-495-9769 [DBrigode@comcast.net](mailto:DBrigode@comcast.net)

*On behalf of-*

InterFaith Shelter Network

2500 Vallejo, Suite 200 Santa Rosa, CA 95404

707-5476-7907 [IFSNshelter@comcast.net](mailto:IFSNshelter@comcast.net)



## Transitional Housing Program



### About InterFaith Shelter Network

#### Birth of a Non-Profit

InterFaith Shelter Network (IFSAN) is a public benefit 501(c)(3) born in 1989 in the hearts of philanthropic men and women who recognized a growing need for homeless shelter and services in Sonoma County, and formed an interdenominational, faith-based coalition to proactively identify and address those needs:

- Operating the cold-weather emergency shelter at the Santa Rosa Armory for 15 years (until 2004) under a multi-party contract with the State of California, Santa Rosa National Guard, City of Santa Rosa, and Sonoma County
- Serving up to 190 people each night and 500 unduplicated men and women each year
- Providing hot meals, showers, hygiene supplies and other comforts
- Developing supportive services, intake and assessment, advocacy and outreach
- Providing medical and mental health care, rehabilitation, employment services and linkage to mainstream and community resources.

Experience compelled us to do more...and steered IFSAN's course specifically towards the development and of the Transitional Housing Program (THP). The plan was implemented in April of 1999 with the opening of "Wesley House"—the first of ten planned Transitional Housing Program facilities!



From our grass-roots beginning through today—each program and service provided has been strategically developed to meet the needs of the homeless. IFSAN's comprehensive case management, mental health care, and long-standing collaborations with our fellow community and mainstream service providers insure successful transitions. From homelessness to self-sufficiency and independence, our agency guides homeless men and women through a process of steps which promote physical, mental, emotional and fiscal stabilization, rehabilitation, education, employment, parent/child/family reunification, successful transition to the mainstream and permanent housing!

heet



**INFORMATION & APPLICATION INSTRUCTIONS  
PLEASE READ CAREFULLY**

InterFaith Shelter Network (IFSN) is a 501(c)(3) non-profit organization **providing housing**, supportive services and mainstream resource linkage **for homeless men, women and children** in Sonoma County. IFSN operated the Emergency Shelter (armory) for fifteen years from 1989 until 2004. The Transitional Housing Program was implemented in 1999 to help men and women stabilize physically, mentally, emotionally and fiscally, so that they may become responsible, accountable, productive members of our community, and our society! Our mission: to provide housing and "a hand up" to men, women and children in Sonoma County, in an atmosphere of dignity, respect and kindness, towards an outcome of empowerment, self-sufficiency and independence! IFSN operates multiple facilities in Sonoma County. Most are located in Santa Rosa, and one is located in the Northern Sonoma Valley in Glen Ellen. Services include: on-site facility management, comprehensive case management, one-on-one—and group—counseling, therapy, skill-building and self-actualization training, plus, linkage to mainstream and community resources. Services have been strategically developed to enhance independent living, communication and problem solving skills. Basic necessities—such as telephone, laundry facilities and toiletries, some staple food products, cleaning supplies, bedding, linen and towels, and bus passes are provided. **Last year (FY 06-07) 68% of our clients graduated to permanent housing!**

If you are homeless and need clean and sober housing, please read the following information thoroughly. This will help you determine whether or not you are eligible, and whether or not our program is right for you and will suit your needs at this time.

**THE NUMBER ONE REQUIREMENT:**

YOU MUST HAVE A SINCERE DESIRE TO CHANGE AND IMPROVE YOUR LIFE, AND  
YOU MUST MAKE A PERSONAL COMMITMENT TO DO WHATEVER IS NECESSARY  
TO ACCOMPLISH YOUR GOALS!!!

**ACCURATELY COMPLETING and SUBMITTING your application is the FIRST, CRUCIAL STEP towards intake!**

**IMPORTANT facts about the program that you NEED TO KNOW:**

- ATTENDANCE AT HOUSE MEETINGS, MEETING WITH YOUR CASE MANAGER, AND PARTICIPATING IN A MINIMUM OF THREE COUNSELING SESSIONS ARE MANDATORY.
- PERSONAL belongings are limited—**TWO suitcases ONLY**—STORAGE SPACE is NOT AVAILABLE and NOT INCLUDED.
- YOU MUST BE CLEAN AND SOBER!!! (Random urine TESTING is done frequently!)
- YOU WILL BE EXPECTED TO BE OUT OF BED and DRESSED by 9AM Monday thru Friday and THERE IS A CURFEW (unless employment prevents it).
- PROGRAM FEE is based on a sliding scale (maximum \$450 a month) OR YOU MUST QUALIFY for SONOMA COUNTY GENERAL ASSISTANCE (GA\*—see below).
- SMOKING is permitted outside of the facilities—in designated areas ONLY! This is NOT NEGOTIABLE!
- PETS are not allowed! (Sorry...we cannot accommodate them at this time).

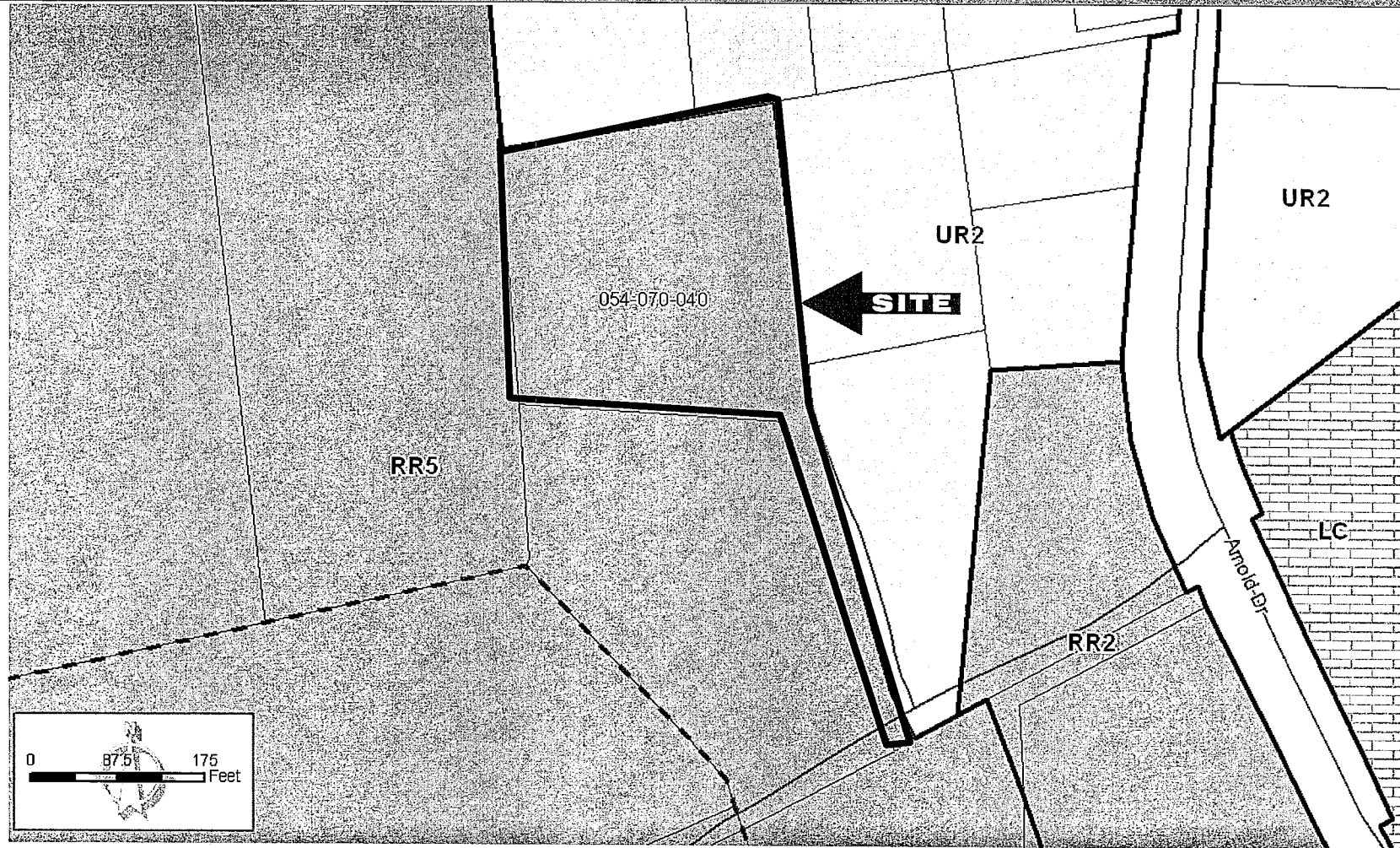
*To apply, fill out attached application and fax or mail to 2500 Vallejo St., Suite 200, Santa Rosa, 95405—then call 546-7907 for an intake and assessment interview. We place people in housing on a first-come, first-served basis, and maintain a waiting list. Please be sure to include a reliable contact or message number so we can reach you when space becomes available.*

**PLEASE—DO NOT show up at our office if you do not have an appointment scheduled.**

**PLEASE DO NOT FAX THIS INSTRUCTION PAGE BACK TO US—A COVER SHEET IS NOT NECESSARY**

**FAX APPLICATION TO 546-1544.**

*\*A number of beds in each house are dedicated to Sonoma County General Assistance (GA) clients. If you do not have a source of income, you may qualify for GA, but it must be understood that if you are a GA client, we will expect you to secure employment/or a source of income before your GA is terminated (usually 90 days—unless a disability exists), and you will be required to work for GA for a certain number of hours each month.*



**General Plan Land Use**

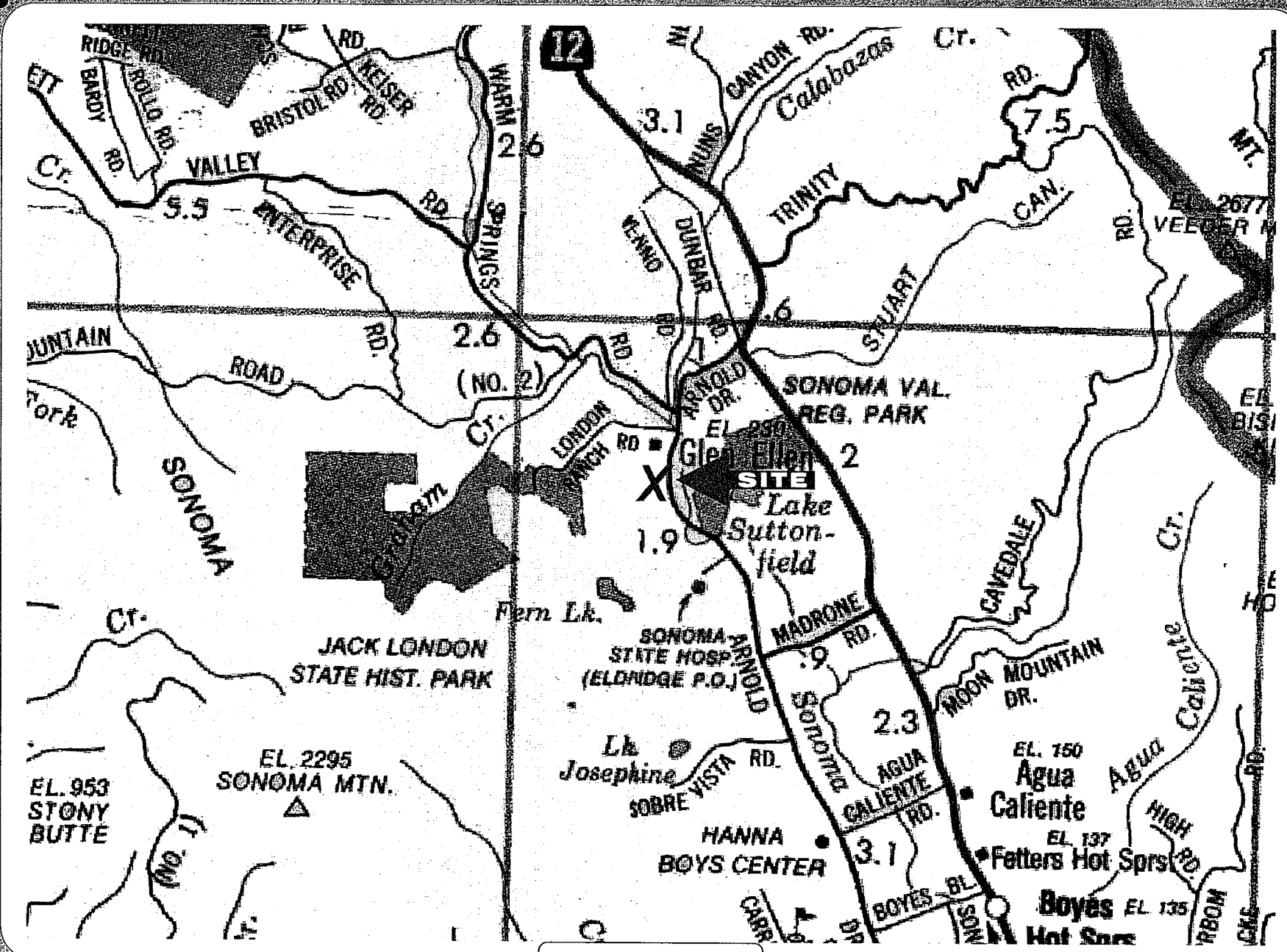
- |   |                                      |
|---|--------------------------------------|
| Diverse Agriculture                     | General Commercial                   |
| Land Extensive Agriculture              | Limited Commercial                   |
| Land Intensive Agriculture              | Limited Commercial Traffic Sensitive |
| Resources & Rural Development           | General Industrial                   |
| Rural Residential                       | Limited Industrial                   |
| Urban Residential                       | Public / Quasi-Public                |
| Recreation / Visitor-Serving Commercial |                                      |

**Base Map Data**

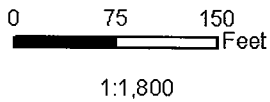
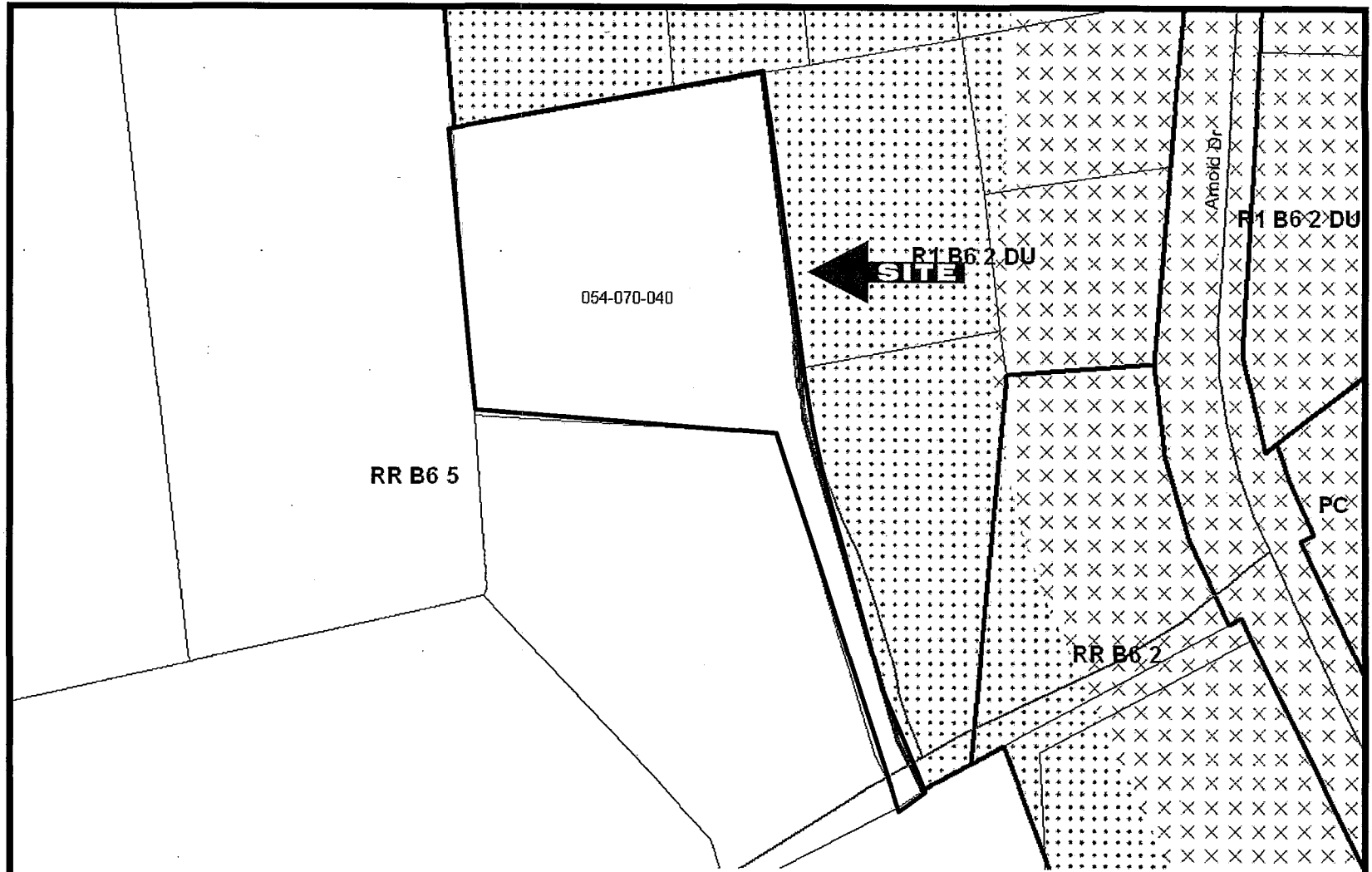
- |                      |                             |
|----------------------|-----------------------------|
| Planning Area Policy | Coastal Commission Boundary |
| Affordable Housing   | Urban Service Area Boundary |
| City                 | Highways                    |
|                      | Perennial Streams           |
|                      | Intermittent Streams        |

Numbers on map indicate maximum density in Acres/Unit, except Urban Residential where numbers indicate Units/Acres.

**General Plan**



Vicinity Map

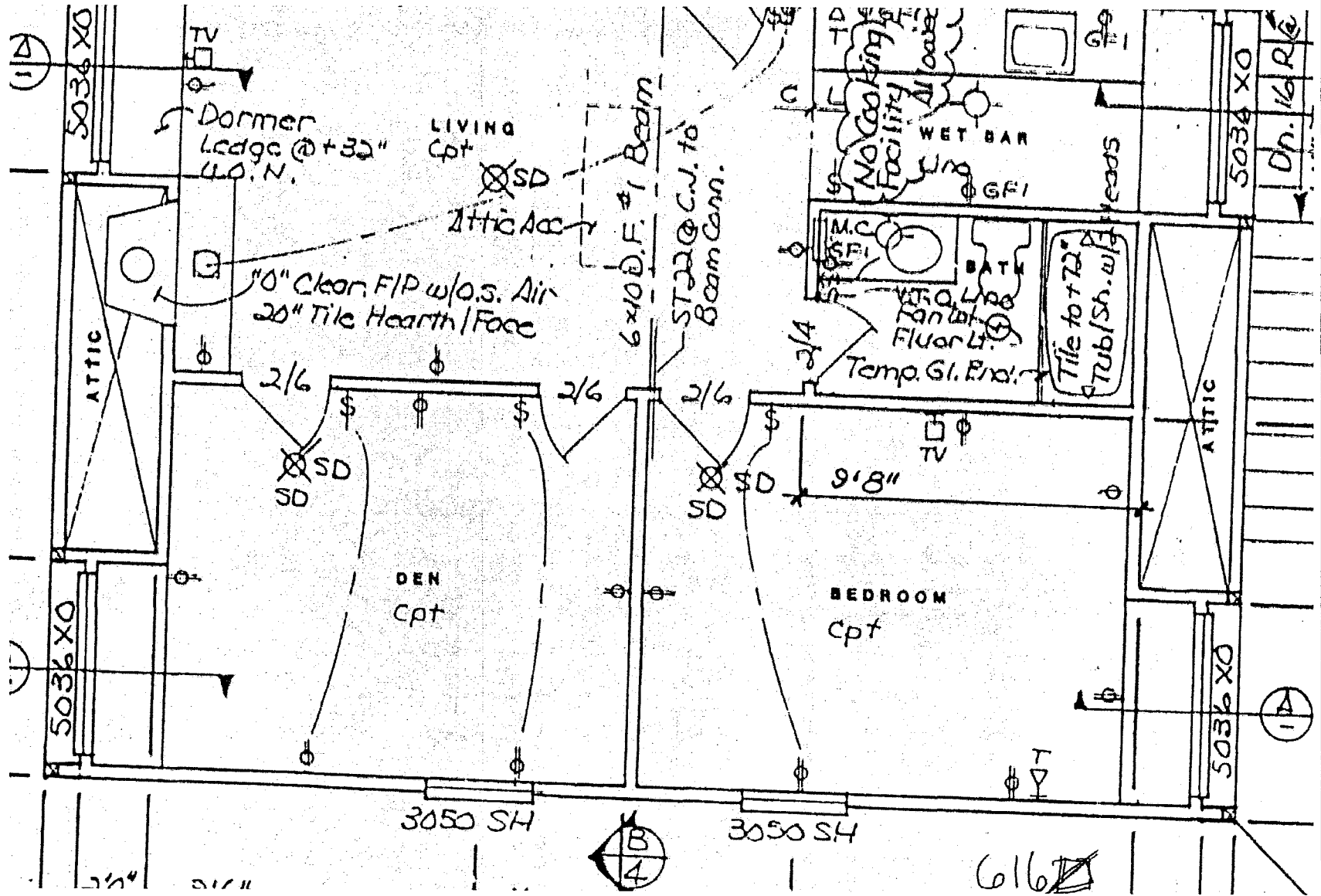


**Zoning and Combining Districts**

- |                       |                        |                     |
|-----------------------|------------------------|---------------------|
| City Limit            | SR Scenic Resource     | MR Mineral Resource |
| AH Affordable Housing | VOH Valley Oak Habitat | G Geologic Hazard   |
| LU Policy             | Resource               | F1 Floodway         |
| HD Historical         |                        | F2 Floodplain       |

**Zoning Map**



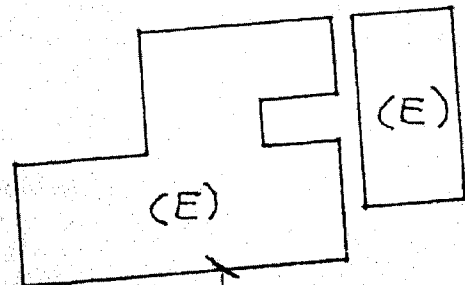


Approved Floor Plan

UPE11-0093

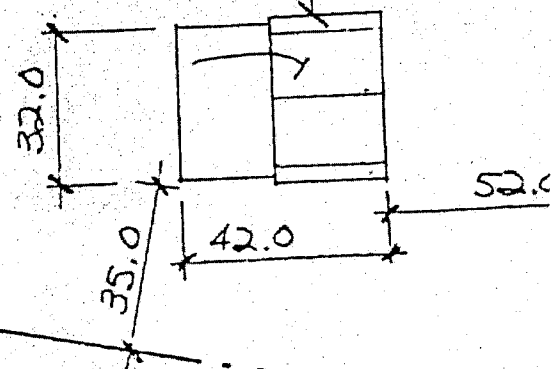
281.55

UPE11-0093



Glen Ellen 95442  
 14148 Arnold Drive  
 APN 054-070-040

REQUIRE "AIRC CERTIFICATE"  
 FOR ALL GLUED-LAMINATED  
 ELEMENTS PRIOR TO ERECTIO  
 SPECIFIC GLU-LAM REQUIREME  
 JOB.



- WOODSTOVES -  
 ALL BE INSTALLED PER ICBO  
 O MANUFACTURER'S REQUIREMENTS  
 H. PROPER CLEARANCES. VERIFY  
 BUILDING DEPARTMENT

Plot Plan 1" = 40'

Site Plan

Existing Lower Level

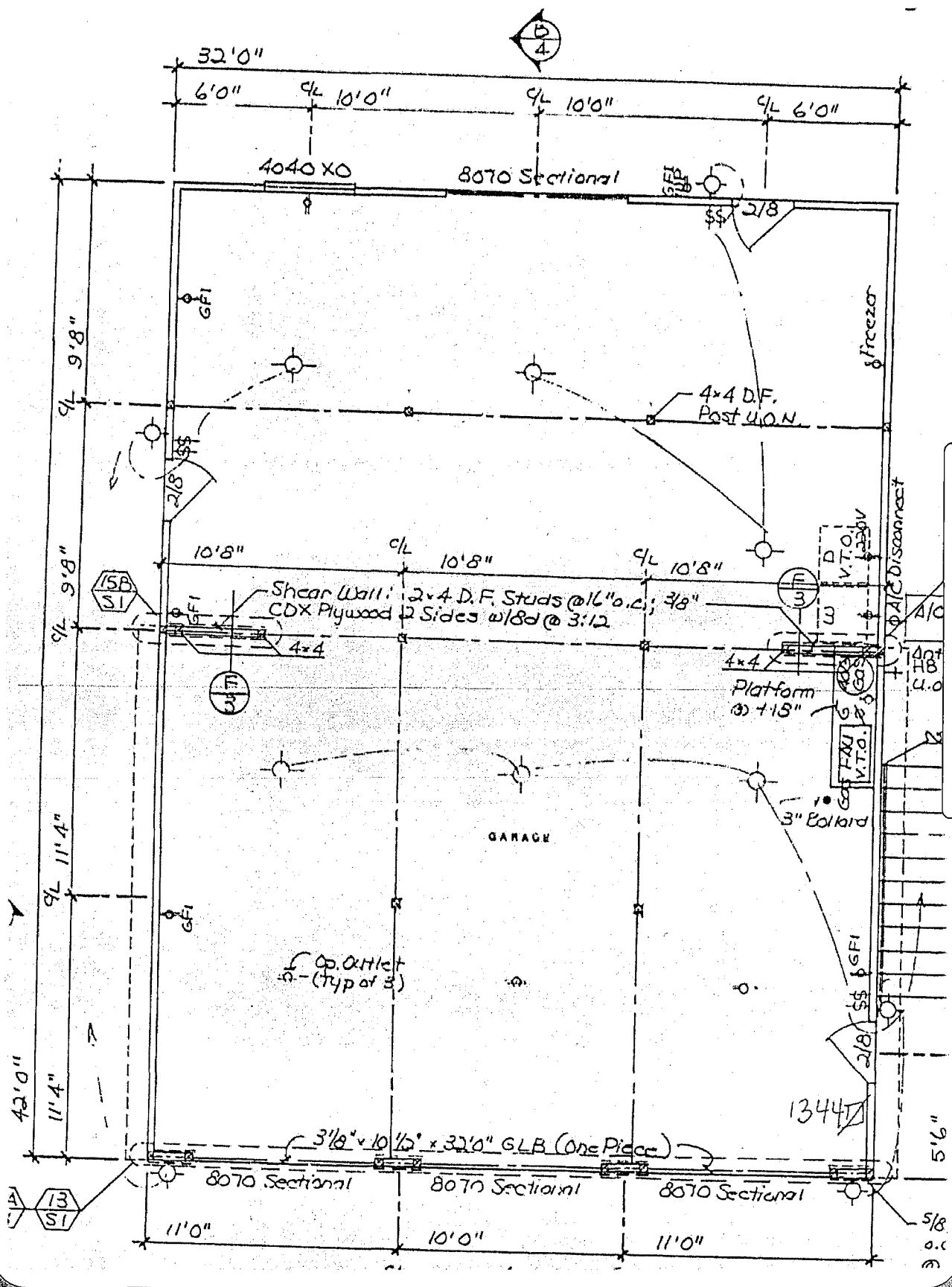
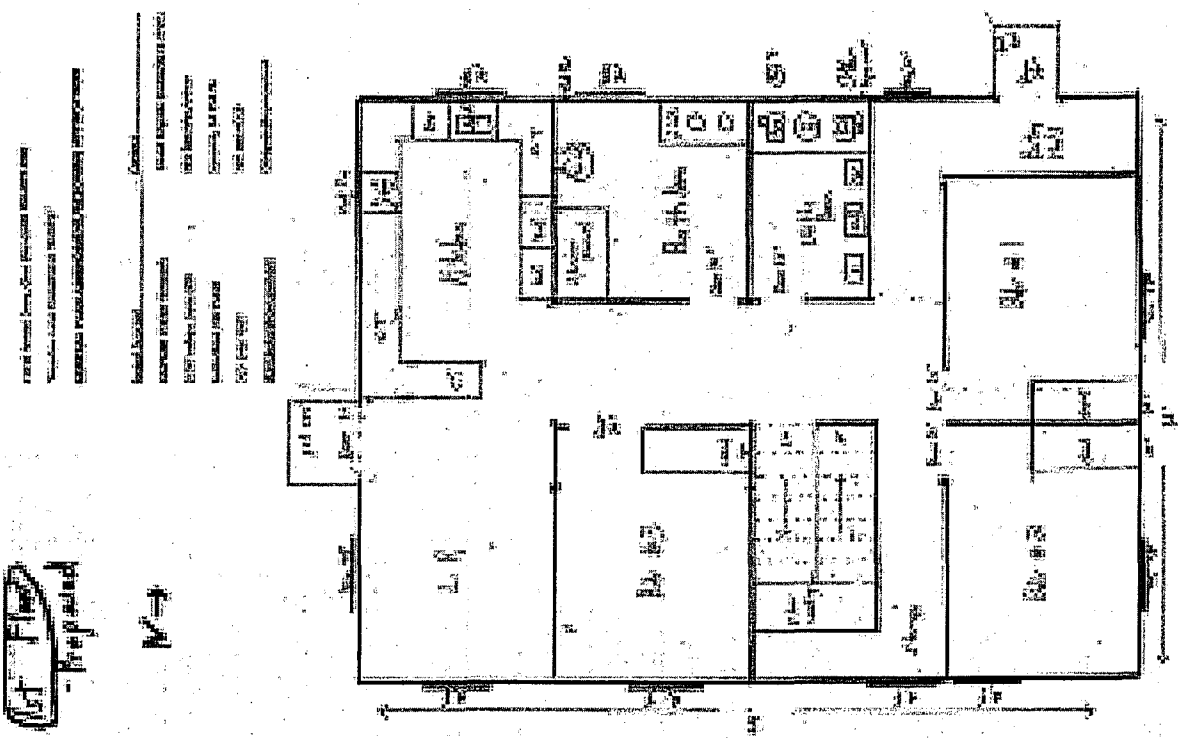
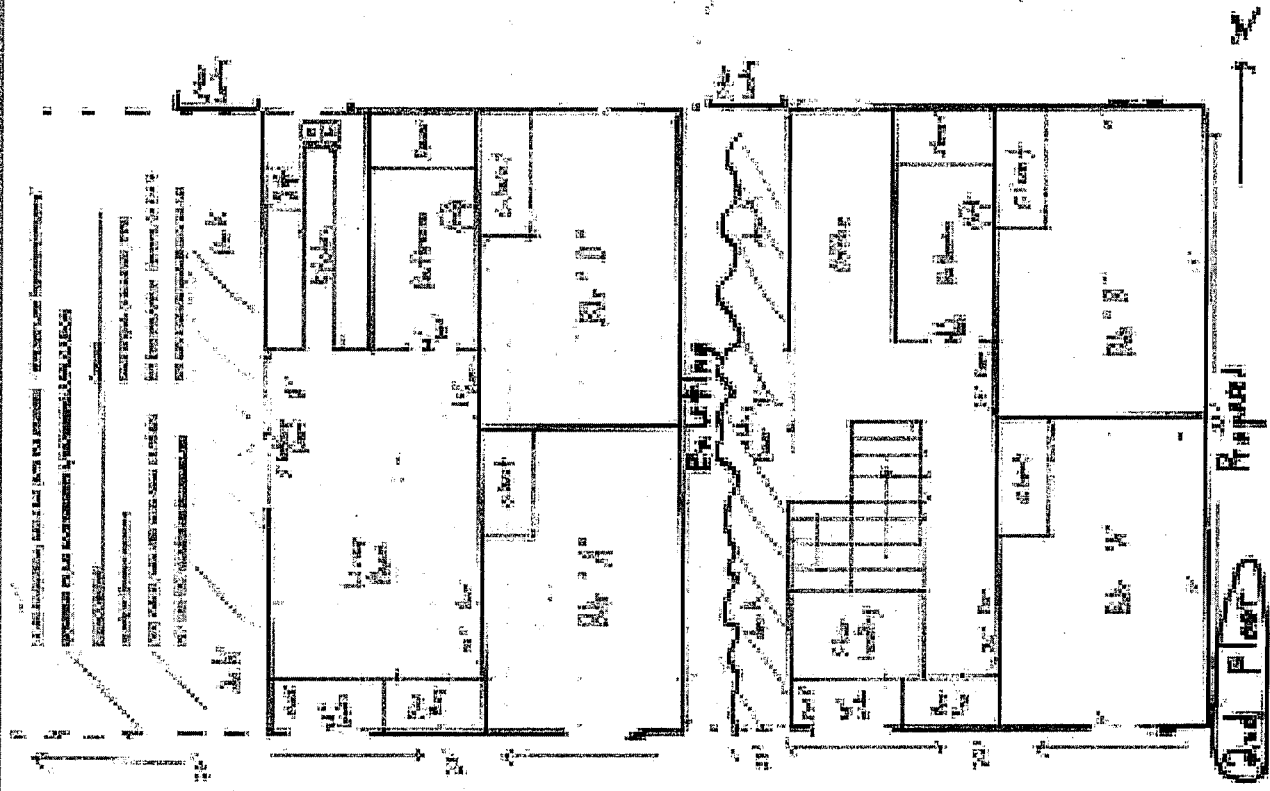


EXHIBIT H



Proposed First Floor

Proposed Second Floor



Article 93

Sec. 26-93-010. - Purpose.

This section provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of zoning laws and other land use regulations, policies and procedures.

Sec. 26-93-020. - Applicability.

A request for reasonable accommodation may be made by any person with a disability, or by an entity acting on behalf of a person or persons with disabilities to provide or secure equal access to housing, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities; anyone who is regarded as having such impairment; or anyone who has a record of such impairment. This section is intended to apply to those persons who are defined as disabled under the Acts.

A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability with equal opportunity to housing of their choice. Requests for reasonable accommodation shall be made in the manner prescribed by Section 26-93-030.

Sec. 26-93-030. - Application requirements.

- (a) Application. Requests for reasonable accommodation shall be submitted on an application form provided by the planning department, or in the form of a letter to the deputy director of planning, and shall contain the following information:
  - (1) The applicant's name, address and telephone number;
  - (2) The street address and assessor's parcel number of the property for which the request is being made;
  - (3) The current actual use of the property;
  - (4) The basis for the claim that the individual (or group of individuals, if application is made by an entity acting on behalf of a person or persons with disabilities) is considered disabled under the Acts;
  - (5) The zoning law, provision, regulation or policy from which reasonable accommodation is being requested;

- (6) Why the requested accommodation is necessary to make the specific property accessible to the individual or group of individuals.
- (b) Concurrent Review. If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval, then the applicant may file the request concurrently with the application for discretionary approval.

Sec. 26-93-040. - Review authority and procedure.

- (a) Director. Requests for reasonable accommodation shall be reviewed by the planning director, or his/her designee, if no approval is sought other than the reasonable accommodation request. The director or his/her designee shall make a written determination within forty-five (45) days and either grant, grant with modifications or deny a request for reasonable accommodation in accordance with Section 26-93-050
- (b) Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application. The applicable review authority shall make a written determination and either grant, grant with modifications or deny a request for reasonable accommodation in accordance with Section 26-93-050

26-93-050. - Findings and decision.

- (a) Findings. The written decision to grant, grant with modifications or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following:
  - (1) Whether the housing which is the subject of the request will be used by an individual or a group of individuals considered disabled under the Acts, and that the accommodation requested is necessary to make specific housing available to the individual or group of individuals with (a) disability(ies) under the Acts;
  - (2) Whether there are alternative reasonable accommodations available that would provide an equivalent level of benefit, or if alternative accommodations would be suitable based on the circumstances of this particular case;
  - (3) Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the county;
  - (4) Whether the requested reasonable accommodation would be consistent with the general plan land use designation of the property which is the subject of the reasonable accommodation request, and with the general purpose and intent in the applicable zoning district;

- (5) Whether the requested reasonable accommodation substantially affects the physical attributes of the property.
- (b) Conditions of Approval. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required in Subsection (a) of this section.

Sec. 26-93-060. - Appeal of determination.

A determination by the reviewing authority to grant, grant with modifications, or deny a request for reasonable accommodation may be appealed pursuant to Section 26-92-040 of this code.



## Jane Riley

---

**From:** William Grimm [bertg07@att.net]  
**Sent:** Tuesday, April 10, 2012 4:59 PM  
**To:** Jane Riley  
**Subject:** Application UPE11-0093 Expansion

The Sonoma County Permit and  
Resource Management Department.

April 10, 2012

Application UPE11-0093  
Submitted by David Brigode

To Hearing Board Members,

I am an immediate resident and neighboring property to this absurd request.

My wife and I have lived here for 35 years. The use of this property and its activities has ruined the tranquil private environment of this neighborhood. Throughout the day there is continual foot traffic, vehicle traffic and delivery activities that did not exist before this property was permitted for a rehabilitation / re-entry recovery house.

When the rehabilitation house started I looked into the allowable uses for the land. Unfortunately for all the neighboring properties it is inside the scope of land use. Even though at the times there was no use permit for rehabilitation house or re-entering society house. I wonder Why?

This rehabilitation house resides in the rural residential area consisting of several 2 to 5 acre parcels, most were valued near a million dollars. If any one of you thinks having recovering alcoholics and drug addicts walking through your neighborhood would not raise your concerns, you are mistaking. I would love to open this institution next to your home and never look back, like you have done to us.

On a daily bases, several recovering persons walk to the bus stop on Arnold Drive at the end of our road. This is a major means of travel for them to start their re-entering the working world. However, once you have seen and heard them walking the road angry and swearing a couple of times, I did not say all the time, it has changed the way we live. You have to consider better means of protection should one of these persons lose total control and harm someone. These few displays never existed until this facility started.

I have also driven down my road and had to wait or even honk to have a person from the house move off the roadway. Some of the times they are wearing headsets and other times there are just adrift. But it does startle them and is just something I never had to deal with or worry about before their came.

One more thing to remember these inhabitants have NO investment in this neighborhood!

So my questions to you are;

Since the rehabilitation house has been permitted, does it have the right or need to become larger in this low density neighborhood?

The house already has a three times living population of any one the local residences.

The rehabilitation house is here. Is this expansion required to financial stay in business or to just become more profitable for the owner?

Either way the impact to the neighbors will be even more impacting and undesirable.

What is the county's liability to the neighborhood when something goes bad?

I hold the County liable for any misfortunes this institution puts forth on my family and I. When that happens, I will pursue every avenue of legal action possible that will out-weight any increased revenue the county will ever receive from this application, by a hundred fold!

We would also like to know why the county allows this rehabilitation house to operate with the public when the access to this property for foot traffic is so dangerous. The driveway is steep and full of pot holes; the lower roadway has no sidewalks and not enough room for two vehicles to pass, let alone pedestrians. The county some years back refuses to incorporate this private road because it was not even close to public standards. Sideways, curbs, gutters, flood control and lights all missing. But it is OK to let recovering persons risk their lives and bodies? That makes sense.

Shouldn't these upgrades be imposed before approving this expansion?

It is more than just legal justification for approval. Consider the applications expansion and its impact on the single family dwellings in the neighborhood. The inhabitant's access risks entering and leaving their living quarters.

If Mr. Brigode wants more inhabitants move to a new location or forget about the expansion and stay there and be content.

Eight residences should not be burden or punished by what one person wants, whatever his reasons are for expansion.

Sincerely

William and Suzan Grimm

P.S. The Notice of Public Hearing is a political con. It states nothing about the use of this expansion. This is one of the reason I do not respect anything counties or cities try to pull off. You allow the fact that the expansion is of a building not of its use. Where in this case the Use Permit is the problem, not the building. The two go hand-in-hand but the stupid laws divide them. You know that, as well as I do. So before approval of the expansion why not put a NO inhabitant growth to the Use Permit and any future Use Permit? I wonder if Mr. Brigode would still do his development?

## Jane Riley

---

**From:** Ronald Jayne [itl@att.net]  
**Sent:** Saturday, January 14, 2012 5:56 AM  
**To:** Jane Riley  
**Subject:** Re: File: UPE 11-0093 Application for Use Permit - REQUEST TO DENY APPLICATION

Thank you!

Sent from Ron's iPhone

On Jan 13, 2012, at 5:53 PM, Jane Riley <Jane.Riley@sonoma-county.org> wrote:

> Hi Ron, the hearing has not been scheduled yet but it will probably be in early March. I will let you know.  
>  
> Jane Riley, AICP  
> Planner III  
> Sonoma County PRMD  
>  
> \_\_\_\_\_  
> From: Ron Jayne [itl@att.net]  
> Sent: Friday, January 13, 2012 4:20 PM  
> To: Jane Riley  
> Subject: Fwd: File: UPE 11-0093 Application for Use Permit - REQUEST TO DENY APPLICATION  
>  
> From: Ron Jayne <itl@att.net<mailto:itl@att.net>>  
> Date: January 13, 2012 4:20:05 PM PST  
> To: Jane.riley@sonoma-county.org<mailto:Jane.riley@sonoma-county.org>  
> Subject: File: UPE 11-0093 Application for Use Permit - REQUEST TO DENY APPLICATION  
>  
> January 13, 2011  
>  
> Dear Ms. Riley,  
>  
> We just learned that a home/facility in our neighborhood is trying to expand their facility by applying for a use permit, hence this email.  
>  
> My name is Ron Jayne. My wife and I live directly across from the property that has applied for this Use permit. Their address is 14148 Arnold Drive, Glen Ellen, CA. Our address is 14205 Arnold Drive. The back porch of their property (of the building they want to expand) directly faces the front yard of our property. There is one property between us but that property is lower making their back porch and our front yard within speaking distance of each other although about 40 yards separate our two buildings. I bring this up because of noise and arguments that frequent that home and the disruption it brings to our lives will be explained later in this email.  
>  
> We (and all of the neighbors we have talked to about this use permit request) are adamantly opposed to any expansion of use or change in the building structures on that property. There are several reasons why: safety, noise, change requested is in direct conflict with current regulations regarding size and use of 2nd homes on the same parcel, interference with traffic on the private road, etc. I will try to address each of these as thoroughly as possible but I'm sure I will not be able to cover everything in an email so I would like to reserve the right to modify and or add additional information later.  
>  
> To begin, this property originally was a convalescent home when we bought our property 32 years ago. Somehow, without any of us in the neighborhood knowing about it, the home changed

ownership and for some time now it apparently has been used as a drug/alcohol/homeless "transition" home. This has brought literally hundreds of undesirables into our neighborhood of numerous children and grandchildren who no longer feel it safe to play in our own neighborhood.

>

> Many of the people who frequent that property come here on bus. They must cross Arnold Drive in an area next to a curve that is unsafe. They then must walk up a private road (not a county road) to get to the property. There is no sidewalk so they walk in the middle of the one lane paved road. At night it is very hard to see them and many times we have almost hit someone because they walk on the road, not out in the dirt/mud. They interfere with traffic and many times we have had very unfriendly and difficult (and brief) conversations with the various people asking them not to walk on the road because it is unsafe. They tell us (repeatedly) that they will not do as we request because they would have to walk in the mud (during the winter time). Since this is a private road, the company that runs that facility should have been required by the County to put in sidewalks for these folks before the County approved the initial use permit in the first place but unfortunately that was not done. It remains a safety issue and no expansion of that facility should ever be provided until and unless sidewalks are put in to address this profound and very dangerous issue. When there is fog (and there is often a lot of it in this area), the safety issue becomes exponential. Someday, someone is going to be hit by a car and the County should not be a party to creating or exacerbating a problem that already exists.

>

> I mentioned it is a private road. This business also increases traffic on this road and as you know, additional traffic does impact the life cycle of a paved road. Since it is the neighbors that have to pay to keep the road paved and maintained, we object to this business being in this area in the first place because they have never done anything to help maintain the road and secondly any additional traffic that would be caused by an expansion of that facility will undoubtedly have an impact on our road and create more maintenance issues/problems. At a minimum there should be an environmental impact study required before any modification of the use permit is allowed so the county can fully see the impact the change would bring to this neighborhood.

>

> We also have a problem with the fact that some of the people who frequent that home also find their way around the neighborhood, trespassing at will. We eventually had to invest many thousands of dollars to fence our entire property and install a gate because of the transients that have come and gone to the property at 14148 Arnold Drive. At times the gate has been left open. Several times we have found people from that home wandering around our property (or the property next door) uninvited and contrary to the claims that facility makes to us and to the county.

>

> Many of these people smoke and we have found them at the bottom of our gate, sitting in the field, smoking cigarettes. We have only had one fire in the neighborhood caused by cigarettes but it burned over two acres of my next door neighbor. The very day before the fire, I personally had to tell the smokers to leave the area and go back to their "home" up the hill. The next day I was at work and we had the fire. The fire department could only tell us it was started by a cigarette. There were no witnesses so nothing else could be done.

>

> On the back deck of the 2nd building (the one they want to expand), they often have "group" discussions outside....some become very verbal. On several occasions I have had to go over and ask them to keep it down. Noise carries in this valley, very easily. I cannot imagine the level of noise if they were allowed to expand their facility.

>

> I mentioned earlier we have children and grand children that frequent this neighborhood. Because there are so many transients that come and go to that facility, and they must walk on our private road to get there, our young ones are needlessly exposed to less than desirable situations. This world is dangerous enough without creating more dangers and unsafe

conditions for small children. Who know what type of people they are now bringing into our neighborhood or who they will bring into it in the future - especially if the facility is expanded.

>

> If you won't block this use permit for any other reason, do it for the children. Their future safety could most certainly be in your hands.

>

> Please let us know if there is anything we can do to help block this use permit request. We wish the county would close the facility down but at a minimum, please do not let it expand. Please let me know of any meetings that I may attend to pursue our goals. Thank you.

>

> Respectfully submitted,

>

> Ron Jayne

> Charlotte Jayne

> P.O. Box 325

> 14205 Arnold Drive

> Glen Ellen CA 95442

>

>



©2011 Google

©2011 Google

## Jane Riley

---

**From:** Victoria Cressman [victoria.cressman@gmail.com]  
**Sent:** Monday, December 12, 2011 4:36 PM  
**To:** Jane Riley  
**Subject:** UPE11-0093 Arnold Drive

Hi Jane -

I am responding to the card you sent in the mail regarding our neighbors.

Can you please shed some light on what our neighbors are planning to do?

As it stands now, they are not maintaining their land and the grass has grown to be 3 to 4 feet tall. In addition, their trees are leaning over our fence and causing tremendous damage to our fencing, landscape, etc. It is a hazard. If I am not mistaken, I believe there are fire laws regarding the grass, setbacks, etc. I am hoping this information will be a condition.

Lastly, we do not favor expansion.

Thank you Jane

Warm regards -

Victoria Cressman



Resolution Number

County of Sonoma  
Santa Rosa, California

April 19, 2012  
UPE11-0093 Jane Riley

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,  
COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING A  
USE PERMIT AND REASONABLE ACCOMMODATIONS TO  
DAVID BRIGODE, FOR INTERFAITH SHELTER NETWORK,  
FOR PROPERTY LOCATED AT 14148 ARNOLD DRIVE, GLEN  
ELLEN; APN 054-070-040.

WHEREAS, the applicant, David Brigode, for owners Interfaith Shelter Network, filed a Use Permit application with the Sonoma County Permit and Resource Management Department to legalize an existing second dwelling unit located closer than 60 feet to property lines and a request for a Reasonable Accommodation under Article 93 to allow the Second Dwelling Unit to be expanded to greater than 1000 square feet, and to be attached through an exterior staircase only to the guest house, for property located at 14148 Arnold Drive, Glen Ellen; APN 054-070-040; Zoned RR (Rural Residential, B6-5 acres density; Supervisorial District No 1; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on April 19, 2012, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, this project has been found to be categorically exempt under the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Board of Zoning Adjustments makes the following findings:

1. Project is exempt from further review under CEQA pursuant to Section 15303, Conversion of Small Structures, including Second Dwelling Units on residential parcels.
2. The establishment, maintenance or operation of the use and improvements for which application is made will not, under the circumstances of this particular case and as conditioned, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area, as described and conditioned herein.
3. The Board of Zoning Adjustments hereby deems the attached conditions of approval reasonable and necessary to ensure that the placement of the second unit within 60 feet of the front and east side property lines and the granting of the Reasonable Accommodations are not detrimental to the public health and safety, and as such are related to the granting of the Use Permit and Reasonable Accommodations, and not to the use of the site as a transitional housing facility.
4. The housing which is the subject of the Reasonable Accommodations approval will be used by an individual or a group of individuals considered disabled under the Acts, and the accommodation granted herein is necessary to make specific housing available to the individual or group of individuals with (a) disability(ies) under the Acts.
5. There are no alternative reasonable accommodations available that would provide an equivalent level of benefit and that would be suitable based on the circumstances of this particular case;

6. The reasonable accommodation granted herein does not impose an undue financial or administrative burden on the county.
7. The reasonable accommodation, as modified and conditioned herein, is consistent with the general plan land use designation of the property, and with the general purpose and intent in the applicable zoning district.
8. The reasonable accommodation granted herein does not substantially affect the physical attributes of the property.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby grants a modified Use Permit request, and Reasonable Accommodations, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments' action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

THE FOREGOING RESOLUTION was introduced by Commissioner \_\_\_\_\_, who moved its adoption, seconded by Commissioner \_\_\_\_\_, and adopted on roll call by the following vote:

Commissioner  
Commissioner  
Commissioner  
Commissioner  
Commissioner

Ayes:      Noes:      Absent:      Abstain:

WHEREUPON, the Chair declared the above and foregoing resolution duly adopted; and

SO ORDERED.



# Sonoma County Board of Zoning Adjustments **MINUTES**

Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

Date: April 19, 2012  
Meeting No.: 12-004

## **Commissioners**

Dick Fogg  
Don Bennett  
Paula Cook  
Jason Liles  
Tom Lynch

## **Staff Members**

Jennifer Barrett  
Blake Hillegas  
Jane Riley  
Sigrid Swedenborg  
Cynthia Demidovich  
Sue Dahl  
Sue Gallagher, Deputy County Counsel

**1:00 PM** Call to order and Pledge of Allegiance

**Minutes Approved** March 15, 2012 – Board of Zoning Adjustments  
April 5, 2012 Board of Zoning Adjustments

## **Correspondence**

## **Board of Supervisors Actions**

**Commissioner Announcements/Disclosures:** Commissioner Cook visited the Item 2 site and spoke to the applicant. Commissioner Lynch visited the Porto Bodega site. Commissioner Fogg visited the Item 2 site.

## **Public Appearances**

**Items scheduled on the agenda**

## **REGULAR CALENDAR**

Item No.2 Time: 1:05 p.m. File: UPE11-0093  
Applicant: David Brigode Staff: Jane Riley  
Env. Doc: Categorical Exemption  
Proposal: Request for a Use Permit to allow legalization of an existing Second Dwelling Unit located less than 60 feet from the property line; request for a reasonable accommodation under the Fair Housing Acts (Article 93) to allow the limitation on size of a Second Dwelling Unit to be

EXHIBIT D

---

exceeded (26-88-060i(3)). No site changes proposed. The project includes interior modifications of existing space only.

Location: 14148 Arnold Drive, Glen Ellen  
APN: 054-070-040                      Supervisorial District: 1  
Zoning: RR (Rural Residential)

**Jane Riley** summarized the staff report, which is incorporated herein by reference.

**Questions from commissioners:** **Commissioner Fogg** asked for clarification of the Alternative 4. Staff Riley said that one option was to deny the project without prejudice, which would allow the applicant to apply for a General Plan Amendment and rezone within one year. This delay could cause the applicant to lose their grant funding.

**Commissioner Cook** asked if there was a way to move the stairway inside, and Staff Riley said that it could if a finding could be made. **Commissioner Cook** asked if this could be related to reasonable accommodation. **Deputy Director Barrett** said that the applicant is asking for a larger second unit that has stairs, and it would be difficult to make a finding that this was needed because of disability.

**Commissioner Lynch** asked if SB2 limits the number of people allowed for transitional housing. **Staff Riley** said that the limitations must be the same as for any other residential land use. The issue is that the second unit falls within the required setbacks, which is the reason for the hearing. Transitional housing is allowed as a permitted use under state and local law.

**Public Hearing Opened. 1:40**

**Speakers:** **David Brigode**, applicant, stated that the staff report did a good job of describing "reasonable accommodation." The second unit was on the property when he purchased it, and there are no plans to expand the building envelope. Interfaith helps homeless people, vets, post-traumatic stress sufferers, and people with mental health disabilities, and at this site they are focusing on helping women. There is no transitional housing in Sonoma Valley or District 1, except for a men's unit at his property. Brigode said the District was prejudicial towards the homeless problem. While recognizing the validity of neighbor complaints, Brigode said that he has not found any major problems. The residents at his property should have the same right to use the property as other people do.

Brigode supported an internal stairway and said to put it outside would cause residents to lose the ability to share common spaces. The idea of having to give away residential space for a garage did not make sense. He was able to obtain State funding for a certain number of people and has to deal with this issue in a certain time frame.

**Commissioner Fogg** asked for clarification of the overnight shelters available in Sonoma. Brigode stated that the SoS is the only emergency shelter in Sonoma Valley. They serve residents for 3-4 months at a time and then the need to go to transitional housing. Brigode's proposal will help SoS to continue to move people out of the shelter. The second unit will house 5-7 women, including children.

**Charlotte Jayne, neighbor**, said that she and neighbors have lived there more than 30 years, have a strong neighborhood and want to keep it that way. The project is non profit, but earns money and is a business that is not appropriate for a rural residential neighborhood. Jayne learned of the change in use when strangers came into the area and walked on their street. They won't move off the road so that vehicles can pass on the narrow road. The neighbors were not informed when the convalescent hospital use ended and the property was taken over by Interfaith. Jayne doesn't want twenty strangers with no vested interest in the neighborhood living next door to her.

**Susan Grimm**, neighbor, said she did not feel threatened when the convalescent home was there, but it is different having drug addicts and problem people around. She worries about her grandkids and hears people yelling and screaming at the property.

**Ellen Perry**, neighbor, lives at the bottom of road and everyone crosses her property going to the site. She has had her vehicles and horse trailer broken into. She is home alone much of the time, and expressed concern about some of the people walking up the road. It makes her nervous to have drug addicts around, and she opposed further expansion. Perry maintains the road and is worried about lawsuits if someone is injured.

**Ron Jayne, neighbor**, said that the noise and talking from the site affects his ability to enjoy his property. Jayne opposed expansion of the site, recalling many minor incidents that police refused to take reports for and including a fire. Jayne expressed concern about people walking up the road from Arnold Drive as it can be very dangerous. There are neighborhood compatibility issues by bringing a homeless shelter into an established neighborhood, and none of the neighbors want it. The project conflicts with the General Plan. The Interfaith website shows that the clientele are drug addicts. These people don't sound disabled to him.

**Commissioner Fogg** asked why there is a conflict with the General Plan, and Jayne said that the neighborhood was designated for single family dwellings, and not for a business to stick 20 people into a small area.

**William Grimm**, neighbor directly below the site, said all the neighbors oppose the expansion, and that the commissioners would not want that type of clientele in their neighborhoods. The development of the second unit will have a huge impact on the neighborhood. Neighbors have tried to hook up to sewer and can't, but 20 people will get to use the sewer on this one parcel. Programs of this type should be developed in areas zoned for multi-family residential. The project will destroy the neighborhood. Grimm resented it being stuck under his nose.

**Bob Dueborough**, Assistant Executive Director for Interfaith, commented that the website that Mr. Jayne referred to was for a San Diego based company and has nothing to do with them. Interfaith Santa Rosa operates 13 homes and they take safety and screening seriously. Clients are looking for a hand up, not a hand out, and are carefully interviewed and screened. Violent persons are excluded and sobriety is monitored with random screening. There is case management for every client, and clients meet with case managers twice a week and their therapist once a week. There are house supervisors and assistants on site, and the facilities are monitored around the clock. The Executive Director lives in Glen Ellen. Sheriff phone numbers are posted. Dueborough understands concern expressed, and said they can ameliorate noise levels and work with people about staying on the right side of the road. Staff and clientele have regular meetings.

**Commissioner Cook** asked about the grant, noting that state funds are not going to be available for these projects much longer. Dueborough said that the grant is time sensitive and that pushing back the project will kill it.

**Elizabeth Kemp**, Board chair for Sonoma Overnight Support Emergency Shelter, said that they maintain drug free, sober housing for emergency shelter but clients can only stay four months. There is no transitional housing for women in Sonoma Valley. Many of the kids have to be sent to other areas after four months which is hard on the kids. There is desperate need for transitional housing in Sonoma Valley.

**Commissioner Cook** said that she heard there are 6,000 homeless people in Sonoma County. Ms. Kemp said she knows of 186 counted homeless in the Valley, but there are many more women and children.

**Pamela Wallace**, Executive Director of Interfaith Network, said that much misconception and misinformation had been expressed. She lives near the site, and is available day and night. There has been transitional housing on the site for over ten years. No one complained until they tried to expand. Before the current owner, ambulances used to disrupt the neighborhood. Wallace stated that they had no intention of maximizing occupancy at the site. They want to spread out so it is more comfortable for women with children. There are never more than 18 people at the property at the same time. The project will allow men and women to have separate facilities. Interfaith currently runs 13 homes in the County with a total of 99 residents. They want to help disabled people. There is not enough of this type of housing in the community. Wallace asked for support of the project.

**Commissioner Liles** commented that there seemed to be a lack of communication amongst the applicant and neighbors, adding that when people live in rural areas they see everything going on, and while people generally don't want to complain, little things start to pick away at them. Mr. Liles asked what outreach has been done to try to resolve issues. Mr. Wallace state that nothing formal had occurred, but the neighbors have the number of the

site supervisor. She had spoken with the Perry's and the closest neighbor **Commissioner Liles** said that the applicant should shoulder the communication burden and not wait for the neighbors to come to them.

**Commissioner Lynch** said it would seem to be less threatening to have an all women's shelter, but Ms. Wallace commented that women can be noisier than men.

**Deputy Director Barrett** interceded to state that the record needs to show that there is a tie between the disability of the population being served and the need for additional space. The issue is not about people but the need for a reasonable accommodation to address disability. Since the upstairs does not have ADA access, the downstairs portion will be needed for people in wheelchairs with access to the kitchen. Additionally there is concern about precedent because the applicant proposes to exceed allowable square footage for the second unit.

**Commissioner Cook** said it felt stigmatic to make people use an outside staircase to get to the kitchen.

**Carmen Bonnan**, Executive Assistant for Interfaith, is a former homeless client. She works on the front lines, knows of the desperation out there and the need for transitional housing for families with kids. The house monitor makes sure that people follow the rules and there are weekly group meetings that could also address noise or other issues as they come up.

**Stephen Harper**, volunteer for 15 years and Board president for ten years, said Interfaith is allowed to have 13 homes because they run a good operation with good communication. They are willing to have meetings with the neighbors, and he is aware that the population of transitional housing can be scary.

**David Brigode**, on rebuttal, said that Interfaith is founded by many faith based organizations. They want to add seven people and the operation is a clean and sober facility.

**Public Hearing Closed: 2:45**

**Commission discussion: Commissioner Fogg** asked if SB2 authorizes the use by right regardless of the location, and Staff Riley verified this to be true in all residential zones. Transitional housing has to be treated like any other residential use. **Deputy Director Barrett** added that in this case there is the additional layer of "reasonable accommodation" for an increase in size of the second dwelling unit. The crux of the issue is to determine what is reasonable, without consideration as to the transitional nature of the housing.

**Commissioner Fogg** noted that the property line was the Use Permit issue, and said he could not recall dealing with a reasonable accommodation determination in the past. **Deputy Director Barrett** said that this reasonable accommodation request is a precedent setting issue. Administrative approvals of reasonable accommodation have been approved in the past that involved ramps within setbacks, wider hallways, minor size increases, and had a direct connection with the reasonable accommodation being sought. That connection needs to be made here.

**Commissioner Fogg** expressed concern about neighborhood compatibility, and asked Counsel if conditions could limit the number of beds or people. Counsel Gallagher said the County has no jurisdiction to the number of beds or people, but the BZA could control the size of the second unit, especially if the reasonable accommodation was to give more space per person.

**Commissioner Liles** said that he admired Interfaith, but was having a hard time not seeing the second unit as an expansion.

**Commissioner Lynch** said that the applicant could have put in a manufactured home and keep the existing one as a garage. Commissioner Cook did not think that funding was given to manufactured homes.

**Commissioner Bennett** did not support denial of the project, was troubled by the opposition, and agreed with Commissioner Liles that better communication is needed. There was no meeting of the minds, and many problems could have been resolved. Commissioner Bennett did not share the attitude that those living in the

country are privileged and don't have to share in society's problems. The BZA is obligated to trying to solve housing problems, and the state backs transitional housing.

At this point, there was a disruption in the audience. **Deputy Director Barrett** reviewed the protocol for Roberts Rules of Order and the BZA's procedure, which are very structured, and announced that the same process exists at the Board level, where persons speaking out of turn will be removed by a Deputy.

**Commissioner Cook** stated that she works with service providers and some are in residential neighborhoods. They involve meetings to get to know people and develop relationships with management.

**Commissioner Cook** expressed concern about precedent and favored reduction in square footage. Mr. Brigode commented that they wanted the same rights given to the general population and what he was asking for was not extravagant. **Deputy Director Barrett** said that precedent might be set by allowing two full size residences on a land zoned for one single family residence and a small second unit.

**Commissioner Fogg** said that he could support Option 5 with a reduction in floor space to 1,300 square feet. The applicant reluctantly agreed. Plans for habitable space around the interior stairs were to be turned back into storage space.

**Changes to draft conditions:**

The applicant shall host periodic neighborhood meetings and provide 24-hour contact information to neighbors..

Limit number of occupants in second unit to seven, including women, children and the on site manager in the second dwelling unit, not including the guest house.

Improve road and mow weeds to allow sufficient width for pedestrians and vehicles to pass, subject to review by staff.

Use Permit review after one year. Applicant to pay condition compliance fee and subject to use permit review for compliance with conditions of approval after one year.

#15 – specify uncovered parking spaces that are required.

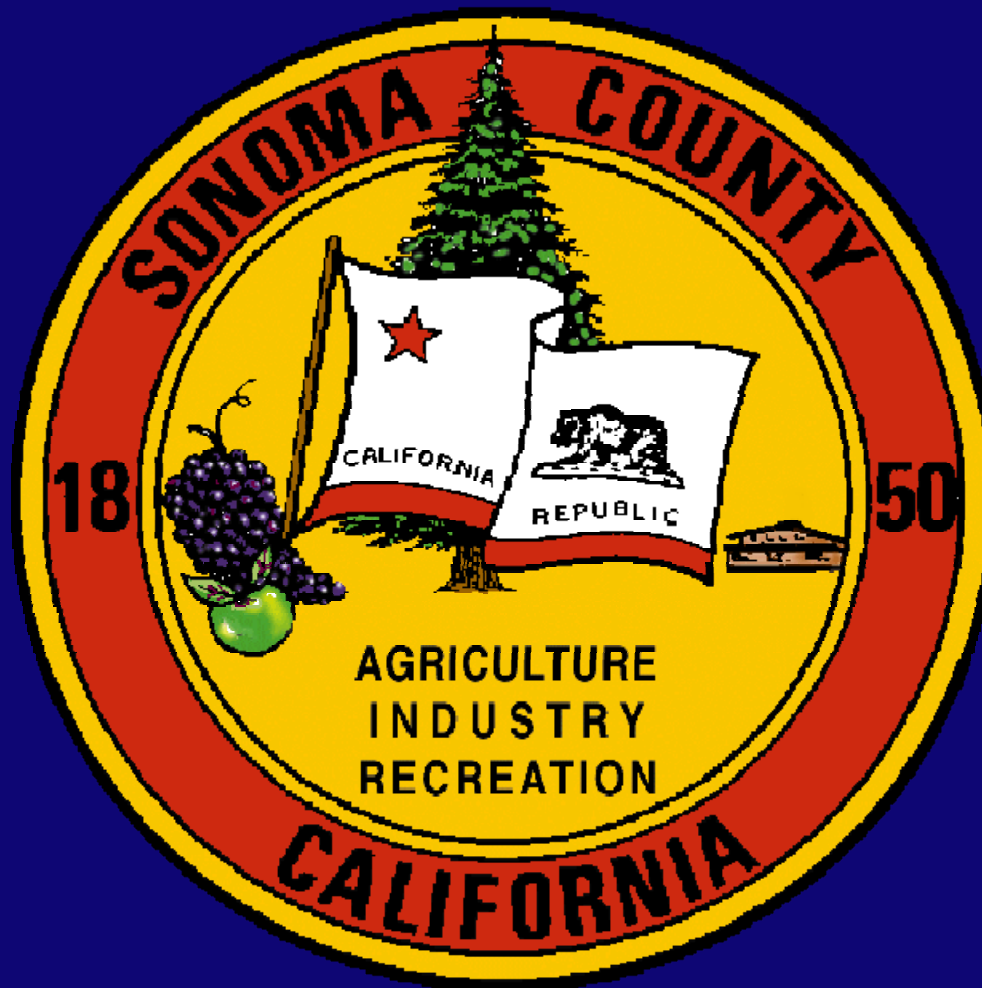
#10 - Smoking shall only take place in designated smoking areas and is subject to approval by staff

The Use Permit allows the applicant to provide a second dwelling unit up to maximum of in 1,300 square feet within the existing first floor garage space, located closer than 60 feet to the property line. Reasonable accommodations are granted under article 93 to allow the second dwelling unit to exceed 1,000 square feet and to allow it to be attached to a 616 square feet guest house exterior access. Development of the interior stairway and remaining storage area as a part of the second dwelling unit is expressly prohibited unless and until a General Plan Amendment and rezone are approved and set forth herein. The storage space shall remain unconditioned space until that time.

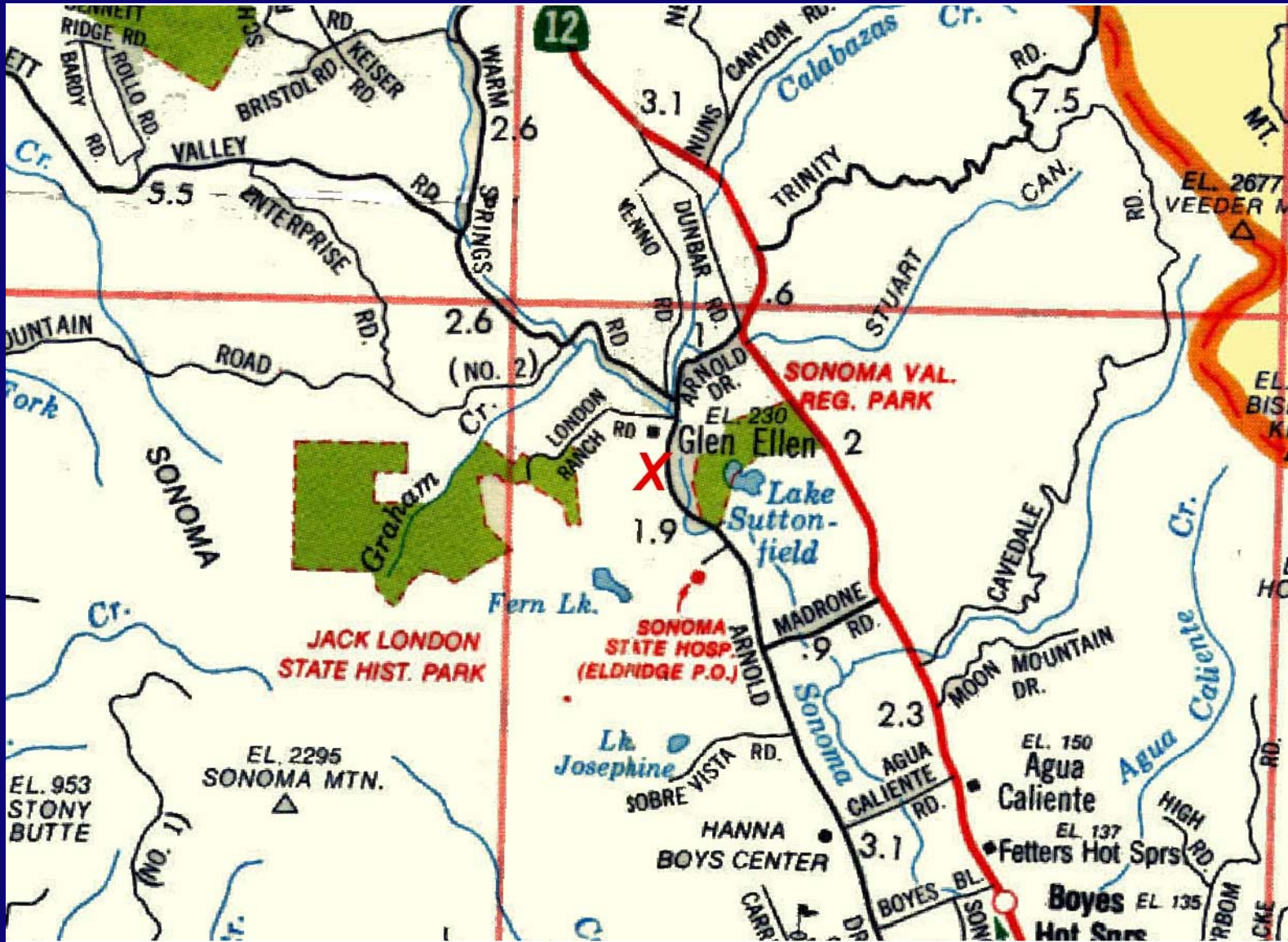
Action: **Commissioner Fogg** moved to approve Option 5, subject to modified conditions. Seconded by **Commissioner Liles** and passed with a 5-0 vote.

Appeal Deadline: ten days  
Resolution No.: 12-005

Fogg: Aye	Bennett: Aye	Cook: Aye	Liles: Aye	Lynch: Aye
	Ayes: 5	Noes: 0	Absent: 0	Abstain: 0





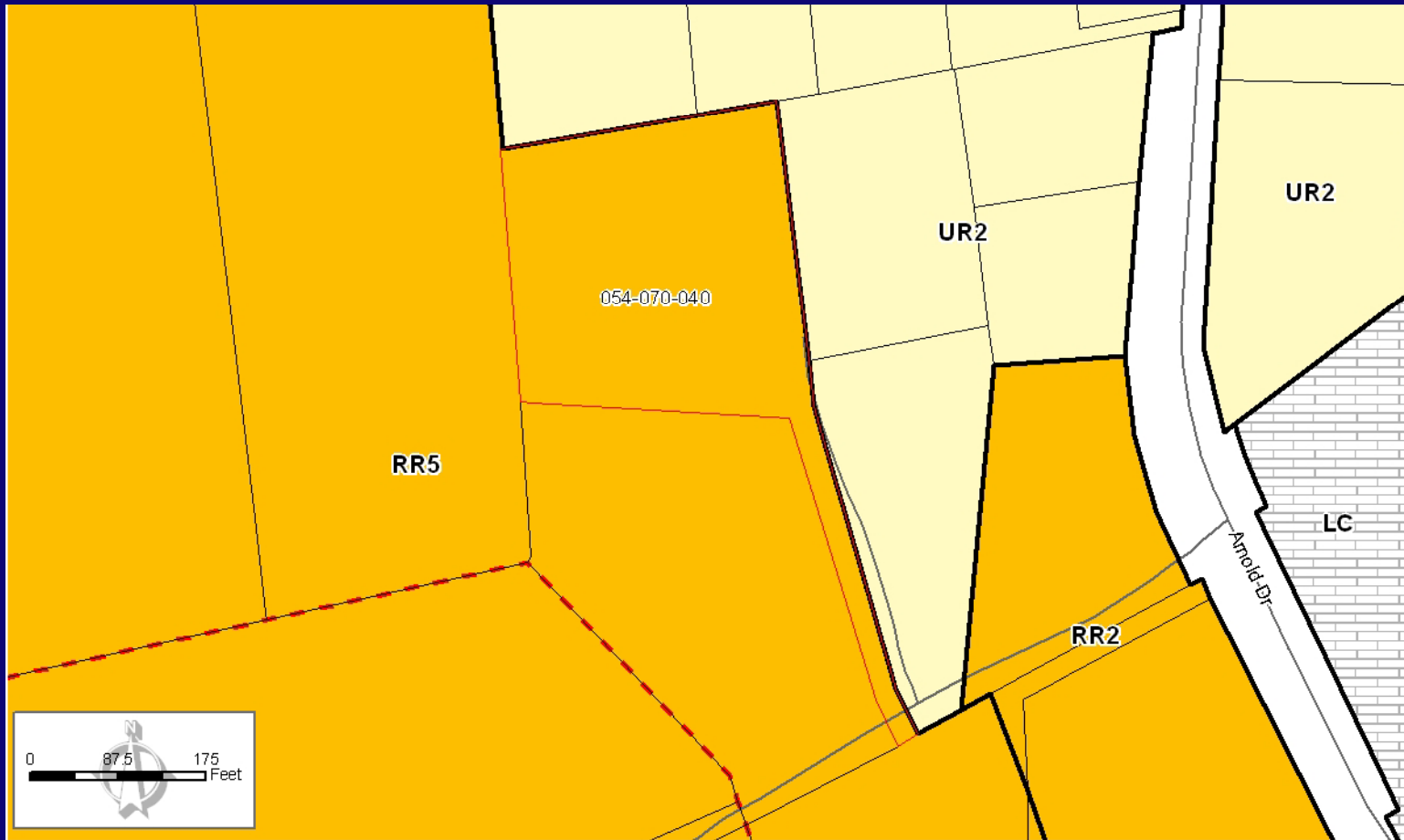




PRMD

Aerial

UPE11-0093



**General Plan Land Use**

- Diverse Agriculture
- Land Extensive Agriculture
- Land Intensive Agriculture
- Resources & Rural Development
- Rural Residential
- Urban Residential
- Recreation / Visitor-Serving Commercial

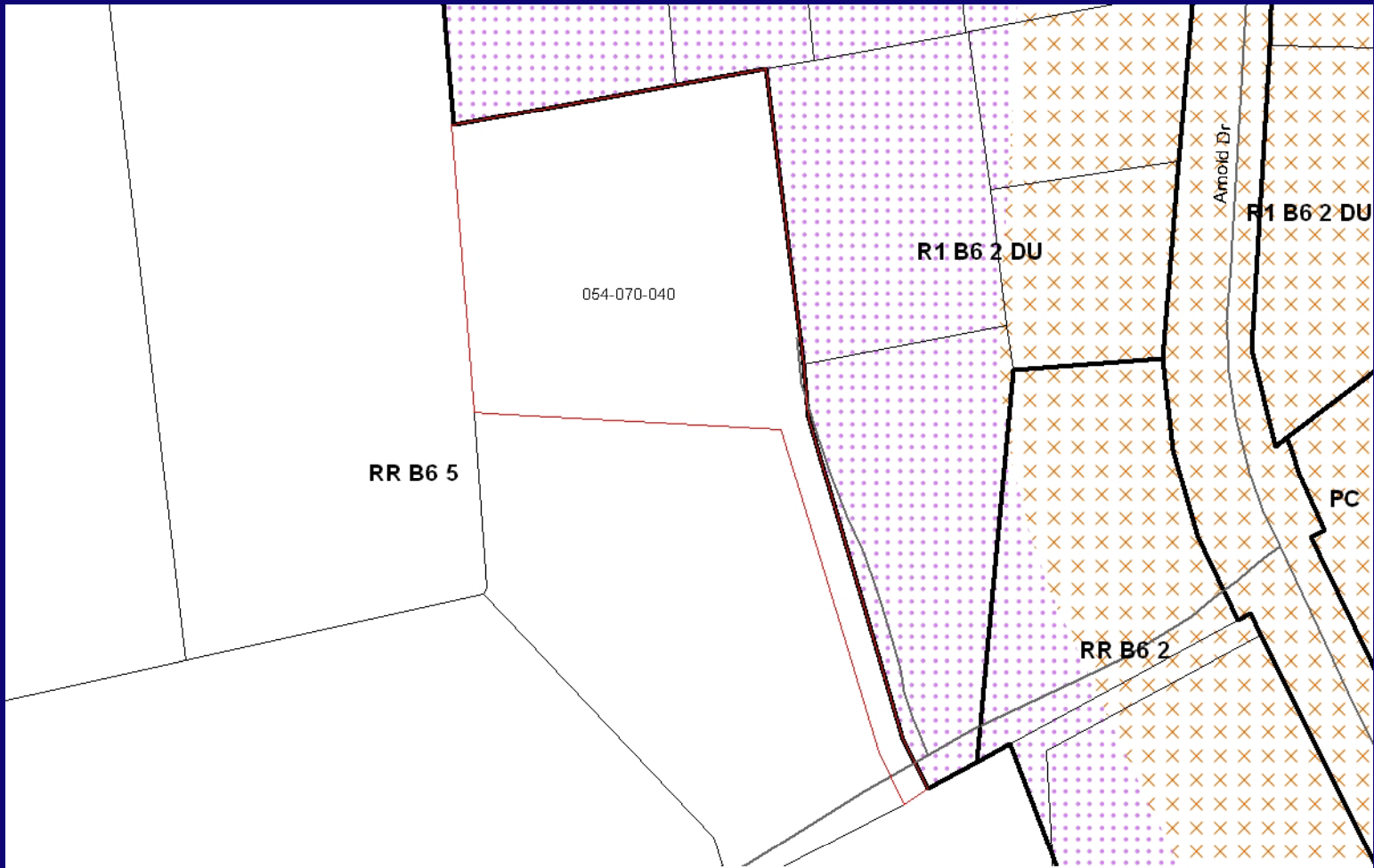
- General Commercial
- Limited Commercial
- Limited Commercial Traffic Sensitive
- General Industrial
- Limited Industrial
- Public / Quasi-Public

- Planning Area Policy
- Affordable Housing
- City

**Base Map Data**

- Coastal Commission Boundary
- Urban Service Area Boundary
- Highways
- Perennial Streams
- Intermittent Streams

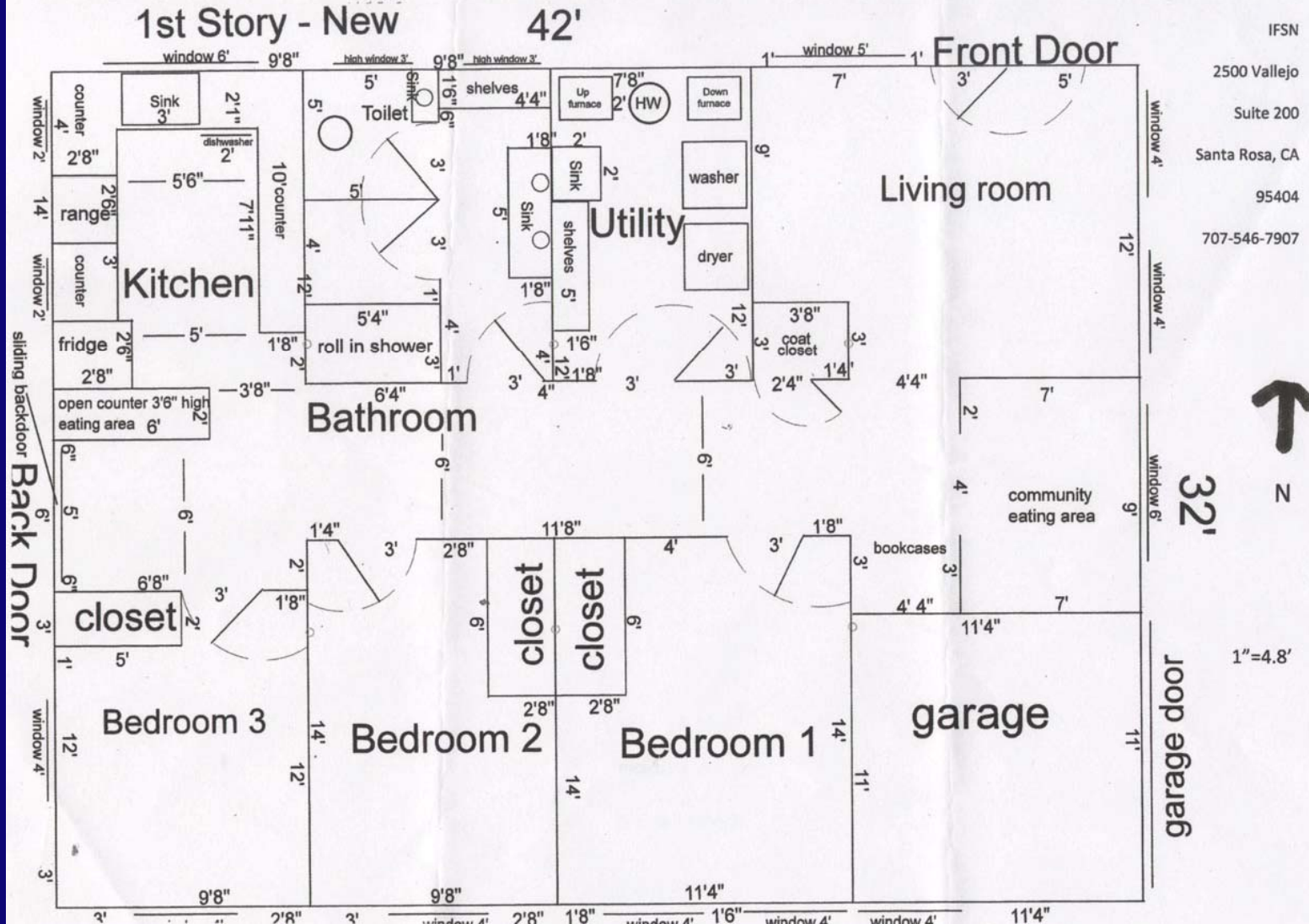
Numbers on map indicate maximum density in Acres/Unit, except Urban Residential where numbers indicate Units/Acres.



**Zoning and Combining Districts**

- |                       |                        |                     |
|-----------------------|------------------------|---------------------|
| City Limit            | SD Scenic Design       | MR Mineral Resource |
| AH Affordable Housing | SR Scenic Resource     | G Geologic Hazard   |
| LU Policy             | VOH Valley Oak Habitat | F1 Floodway         |
| HD Historic District  | BR Biotic Resource     | F2 Floodplain       |

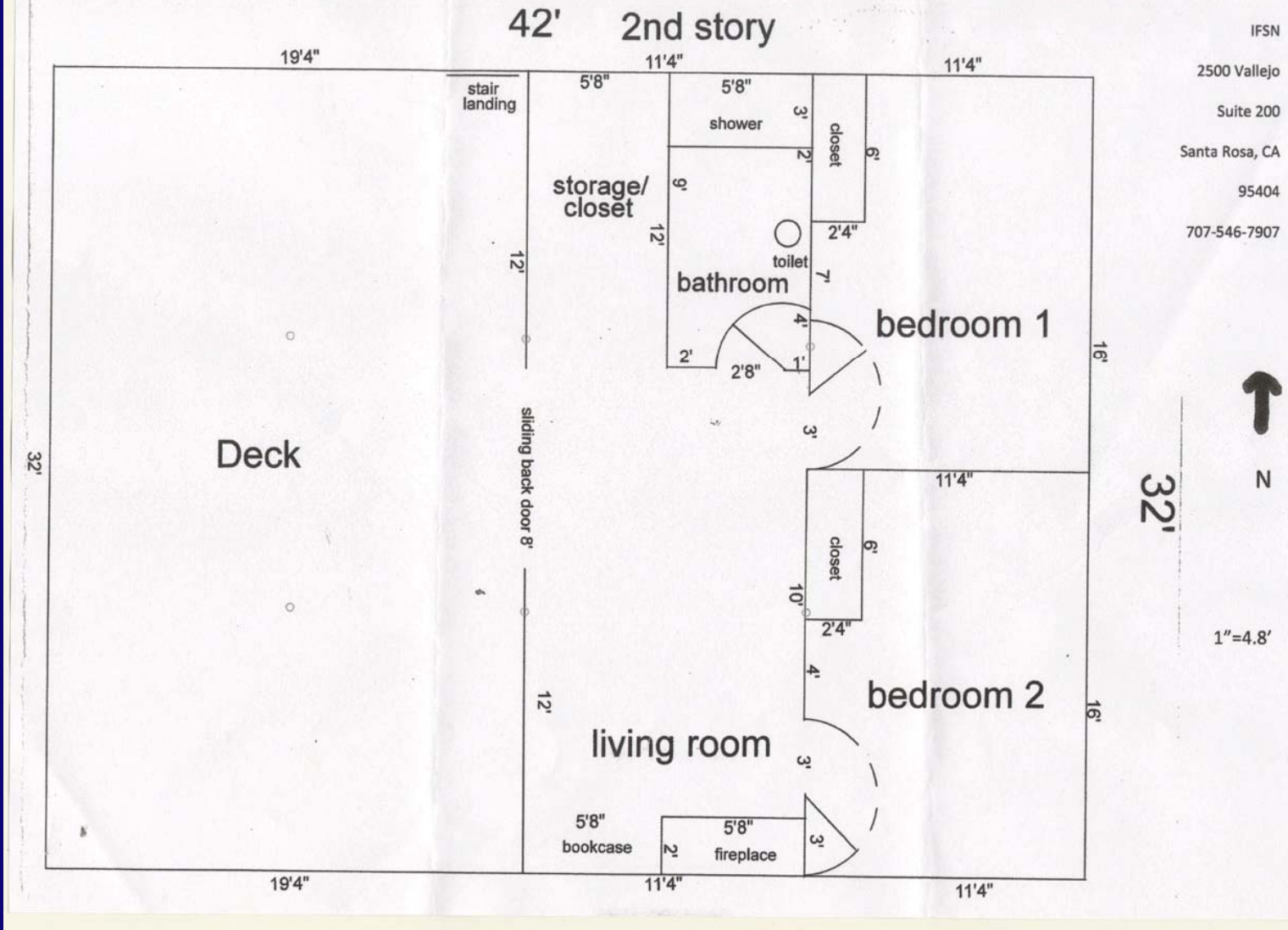
14148 Meadow Lane, Glen Ellen (APN 054-070-040) UPE 11-0093-revised per BZA # 12-005



IFSN  
2500 Vallejo  
Suite 200  
Santa Rosa, CA  
95404  
707-546-7907



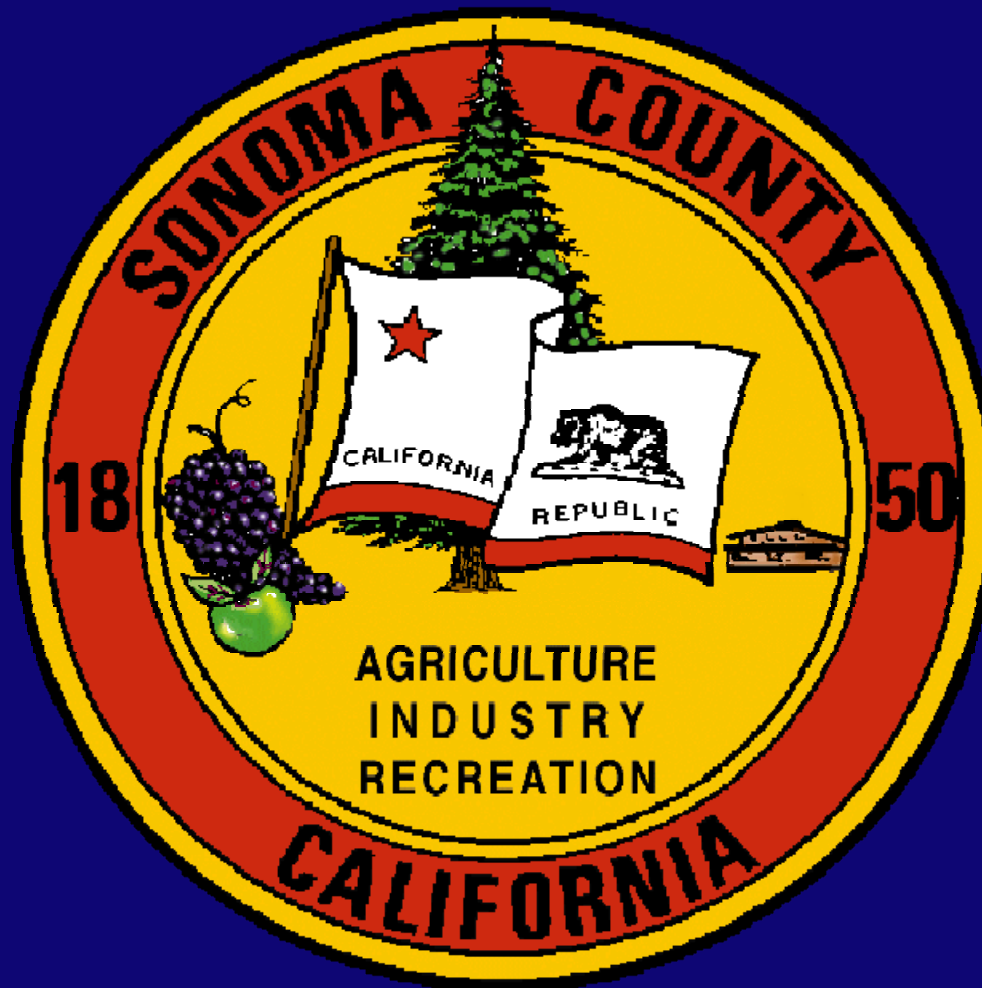
14148 Meadow Lane, Glen Ellen (APN 054-070-040) UPE 11-0093-revised per BZA # 12-005

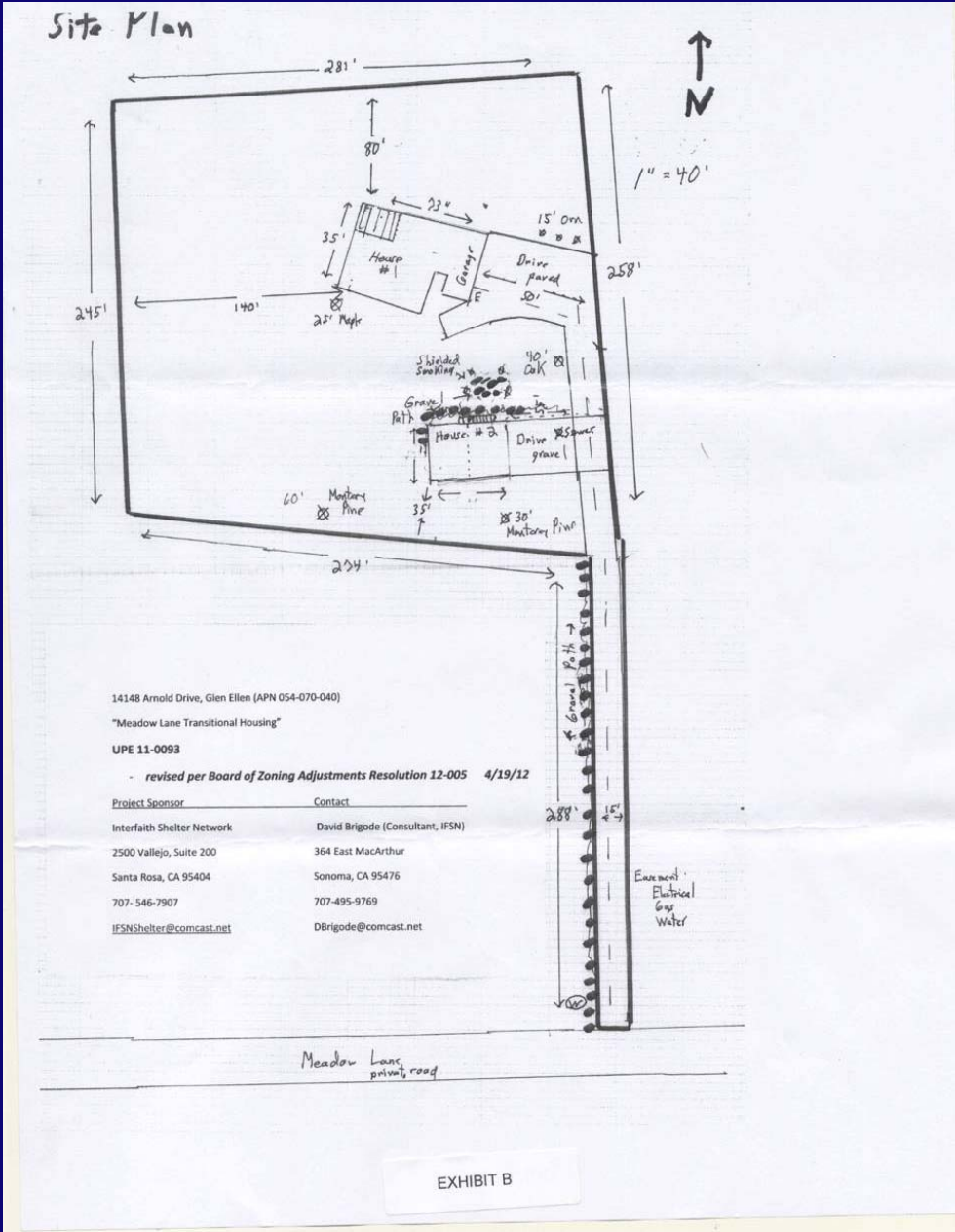


PRMD

Existing Guest House (Kitchen Removed)

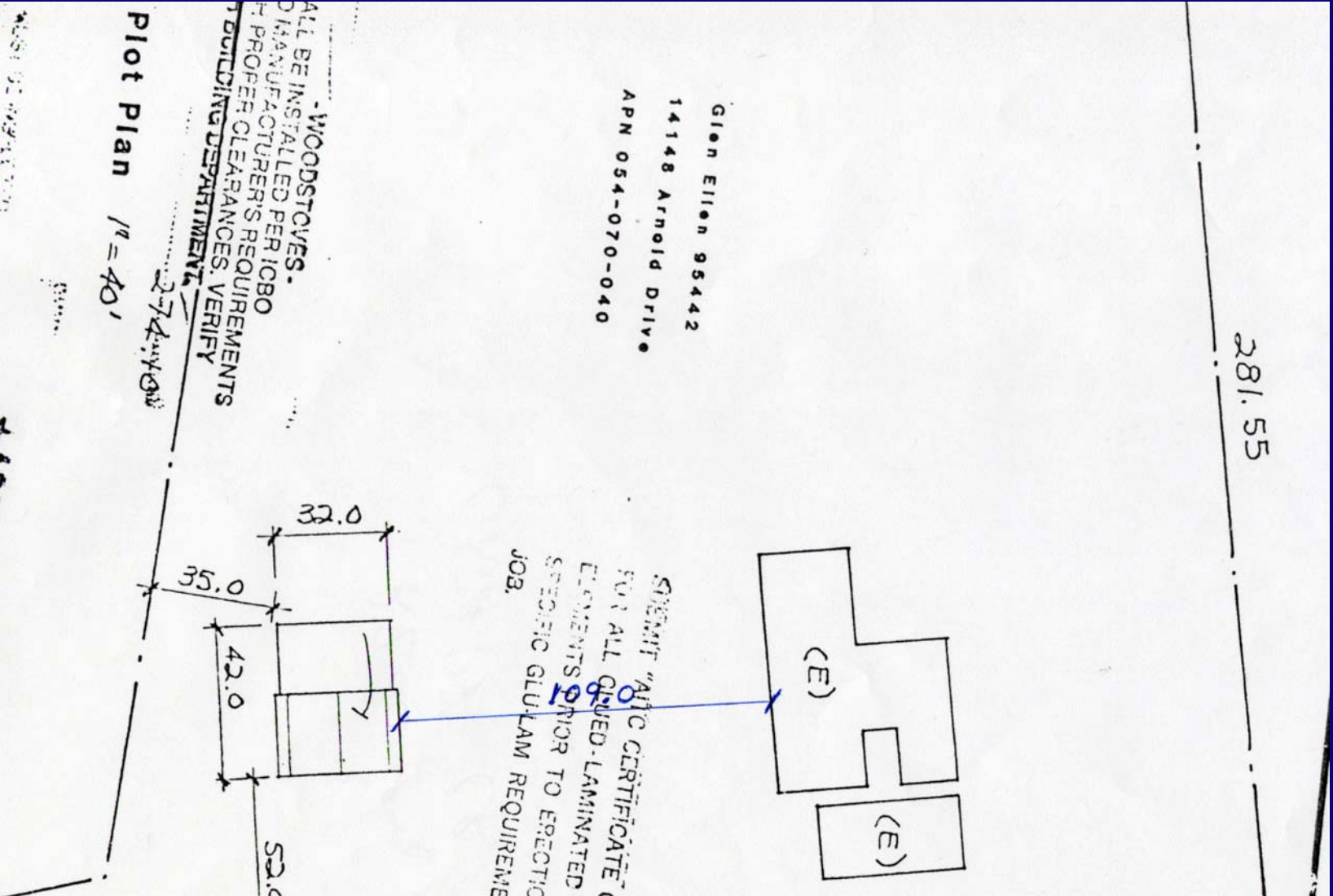
UPE11-0093











PRMD

Distance from Main Home

UPE11-0093