



July 26, 2021

Riptide Construction, Inc.
ATTN: Sydney Droivold
300 West Robles Avenue, Suite D
Santa Rosa, CA 95407

Re: File No. CPN21-0002
 Site address: 6000 Highway 1, Bodega Bay, CA 94923
 APN: 101-110-005

Your Coastal Permit with no hearing for a new 612 square foot inground pool located on a 151.84 acre parcel, subject to a Non-Prime Land Conservation Contract, Ag. Preserve 2-258, has been approved subject to the enclosed Conditions of Approval.

A Notice of Pending Action was mailed to each property owner within 100 feet of the proposed project and any comments were required to be submitted to the County within 10 days as per Section 26C-344(b). Two letters with comments were received and the comments were taken in to consideration prior to approval of the Coastal Permit. A Notice of Final Action will be sent to the California Coastal Commission on August 5, 2021, upon expiration of the local appeal period.

The Coastal Permit approval is based on a determination by Permit Sonoma that the project, as described in the revised application and as conditioned, conforms with the plans, policies, requirements and standards of the Sonoma County Coastal Program and the California Coastal Act. In addition, it is the determination of the department that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15303 (e), because it provides for the new construction of accessory structures including swimming pools.

The Coastal Permit shall be issued for the use as described on the application form, the proposal statement, the site plan submitted to this department and as modified by the Conditions of Approval. Any modifications of the use, expansion or alteration shall be submitted for review and approval by the Permit and Resource Management Department, Project Review Division, in advance of the proposed change and may, at the discretion of the department, require a new Coastal Permit with or without a public hearing.

This decision may be appealed to in writing, along with an appeal fee, within 10 (ten) calendar days of the date of this letter to the Sonoma County Board of Zoning Adjustments per Section 26C-347 of the Sonoma County Zoning Ordinance.



If you have any questions, feel free to contact me at (707) 565-7387 or at Claudette.Diaz@sonoma-county.org. Please refer to your file number File No. CPN21-0002 and site address when making inquiries.

Sincerely,



Project Planner

Enclosure: Conditions of Approval dated July 26, 2021

c: File No. CPN21-0002

Conditions of Approval

Date:	July 26, 2021	File No.:	CPN21-0002
Applicant:	Riptide Construction, Inc.	APN:	101-110-005
Owner:	Phillip Ballard		
Address:	6000 Hwy 1 Bodega Bay CA 94923		

Project Description: Request for a Coastal Permit with No Hearing for a new 612 square foot inground pool located on a 151.84-acre parcel. Parcel subject to a Non-Prime Land Conservation Contract, Ag. Preserve 2-258.

Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.

BUILDING:

1. The applicant shall apply for and obtain building related permits from the Permit and Resource Management Department. The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.

PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

2. This Coastal Permit allows the applicant to g for a new 612 square foot inground pool located on a 151.84 acre parcel. Parcel subject to a Non-Prime Land Conservation Contract, Ag. Preserve 2-258. The use shall be operated in accordance with the proposal statement and site plan located in File No. CPN21-0002 unless otherwise modified by these conditions.
3. Any proposed modification, alteration, and/or expansion of the use as described by the application submitted on March 10, 2021, and as authorized by this Coastal Permit shall require the prior review and approval of the Permit and Resource Management Department or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Coastal Permit and additional environmental review.
4. All grading and building permits plans involving ground disturbing activities shall include the following notes:

"If paleontological resources or prehistoric, historic or tribal cultural resources are encountered during ground-disturbing work, all work in the immediate vicinity shall be halted and the operator must immediately notify the Permit and Resource Management Department (Permit Sonoma) – Project Review staff of the find. The operator shall be responsible for the cost to



have a qualified paleontologist, archaeologist or tribal cultural resource specialist under contract to evaluate the find and make recommendations to protect the resource in a report to Permit Sonoma. Paleontological resources include fossils of animals, plants or other organisms. Prehistoric resources include humanly modified stone, shell, or bones, hearths, firepits, obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), midden (culturally darkened soil containing heat-affected rock, artifacts, animal bone, or shellfish remains), stone milling equipment, such as mortars and pestles, and certain sites features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe. Historic resources include all by-products of human use greater than fifty (50) years of age including, backfilled privies, wells, and refuse pits; concrete, stone, or wood structural elements or foundations; and concentrations of metal, glass, and ceramic refuse.

If human remains are encountered, work in the immediate vicinity shall be halted and the operator shall notify Permit Sonoma and the Sonoma County Coroner immediately. At the same time, the operator shall be responsible for the cost to have a qualified archaeologist under contract to evaluate the discovery. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification so that a Most Likely Descendant can be designated and the appropriate measures implemented in compliance with the California Government Code and Public Resources Code.”

5. All building and/or grading permits shall have the following note printed on plan sheets:

"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 Permit Sonoma Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to Permit Sonoma. Permit Sonoma staff may consult and/or notify the appropriate tribal representative from tribes known to Permit Sonoma 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 Permit Sonoma 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. Permit Sonoma 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 Permit Sonoma - 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 Permit Sonoma 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: No permits for any construction activities shall be issued until the above note appears on the construction plans.

6. This permit shall be subject to revocation or modification by the Permit and Resource Management Department if: (a) the department finds that there has been non-compliance with any of the conditions or (b) the department finds that the use for which this permit is here by granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-335 and 26C-335.2 of the Coastal Zoning Ordinance.
7. In any case where a Coastal Permit has not been used within two (2) years after the date of granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect provided, however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26C-348 of the Coastal Zoning Ordinance.

Recommendations to prevent the take of CRF at the Project site, based on the USFWS guidance (U.S. Fish and Wildlife Service, 2005) are as follows:

8. A mandatory training on CRF will be presented to all people involved in the on-the ground Project activities. The training will cover the status, importance, and identifying features of CRF, as well as protocols if a CRF is found.
9. Within 48 hours prior to and throughout the course of initial ground disturbing activities and vegetation removal with heavy equipment, a survey should be conducted by a qualified biologist to verify that no CRF are present at the site. If frogs are found in the Project area, work will stop, CDFG and USFWS staff will be notified and the CRF will be removed from the site and relocated to a suitable pre-determined site outside of the project area.

In this case, it is recommended that CRF individuals be relocated to a nearby wetted reach of Scotty Creek with overhanging native vegetation and sufficient cover, as long as sufficient habitat exists in Scotty Creek at the time.

10. A designated Biological Monitor should be on site during initial mechanical vegetation and ground-disturbing activities. This monitor will be dedicated to assessing the disturbed site for organisms that need assistance escaping the activity and relocating them accordingly.





Sonoma County Permit and Resource Management Department
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900
www.PermitSonoma.org





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