



**COUNTY OF SONOMA**  
**PERMIT AND RESOURCE MANAGEMENT DEPARTMENT**

2550 Ventura Avenue, Santa Rosa, CA 95403-2829  
(707) 565-1900 FAX (707) 565-1103

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**TO: Sonoma County Board of Supervisors**

**FROM: Permit and Resource Management Department, Agricultural  
Commissioner's Office, and County Counsel**

**DATE: October 21, 2008**

**SUBJECT: Staff Report for the Public Hearing on County Code Amendments to  
Address Grading, Drainage and Vineyard and Orchard Development  
Regulations**

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**I. Introduction**

Starting in 2001, the Board held several workshops regarding the Endangered Species Act (ESA) 4(d) rule for steelhead trout.<sup>1</sup> One outcome of those workshops was Board direction to pursue countywide grading regulations. In 2002, the Grading Ordinance Working Group (GOWG) was appointed by the County Administrator to assist in this endeavor. In 2004, staff presented the Board with a compilation of staff and GOWG recommendations relative to countywide grading regulations. The Board provided direction for staff to draft countywide grading regulations based on the recommendations contained in the 2004 staff report. The goal was to create a comprehensive, user-friendly approach to grading, erosion and sediment control, and drainage regulations. Staff completed this task and released a public review draft of a proposed ordinance in August 2008. The public review draft generally follows the Board's 2004 direction; however, there are a few deviations and additions. These are discussed below in section IV.

**II. Background**

At the November 2001 ESA workshop, County departments and the Water Agency identified grading as one of the specific County and Agency activities that might give rise to a prohibited "take" of threatened species. The Board then directed staff to present a workshop regarding the development of possible countywide grading regulations. At this June 2002 workshop, the Board directed the County Administrator to solicit input from various interested community groups on recommendations set forth in the staff report. Subsequently, the County Administrator appointed the GOWG comprised of ten volunteers, including three civil engineers, three representatives from the agricultural community, three representatives from the environmental community and

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<sup>1</sup> An ESA 4(d) rule allows NOAA Fisheries or the Fish and Wildlife Service to certify a regulatory program (like a grading ordinance) as avoiding "take" of endangered species. Individual projects in conformance with the certified program would not require separate ESA approval or permitting.

one representative from the building industry. County staff representing PRMD, the Agricultural Commissioner, the County Administrator and County Counsel provided assistance to the GOWG. Representatives from several federal, state and county agencies participated as resources to the GOWG. The County Administrator contracted with the Results Group to facilitate GOWG meetings.

The GOWG met approximately 30 times. An engineering technical subcommittee met an additional 15 times. Utilizing the June 2002 staff report, the GOWG discussed how to revise existing grading, erosion and sediment control, and drainage regulations for agricultural and construction activities. The GOWG developed specific recommendations for thresholds for permit requirements for construction and agricultural grading and erosion and sediment control, but left development of drainage permit thresholds and detailed grading, erosion and sediment control, and drainage standards to the ordinance-drafting stage. A summary of the recommendations put forward by the GOWG and staff were presented to the Board in March 2004. In cases where the staff's recommendation diverged from the GOWG recommendation, staff comments were provided. A copy of this staff report is on file with the Clerk.

At the March 2004 workshop, the Board directed staff to draft regulations based on the recommendations contained in the March 2004 staff report as modified by the Board. Staff prepared the draft ordinance, which was released for public review in August 2008. The proposed ordinance complies with nearly all of the recommendations; however, there are a few instances where the proposed ordinance deviates from the recommendations (see section IV below). A cross reference between the 2004 staff report/GOWG recommendations and the proposed ordinance was developed and distributed to various stakeholders. These documents are attached as Exhibits A, B, and C.

### **III. Overview of Proposed Ordinance**

#### General Structure of the Proposed Ordinance

Current regulations that affect grading, erosion and sediment control, and drainage are not well-organized or "user friendly," with various provisions included in the California Building Code (CBC) and various chapters of the County Code, including building regulations (Chapter 7), drainage regulations (Chapter 11), zoning regulations (Chapter 26), and the Vineyard Erosion and Sediment Control Ordinance (VESCO, Chapter 30). This organization is confusing and has given the misperception that the County does not have grading regulations.

The proposed ordinance seeks to consolidate all grading, drainage and vineyard and orchard development related code provisions into one comprehensive and user friendly chapter (Chapter 11) of the Sonoma County Code (SCC). Many of these provisions are new, and carry out the recommendations of the GOWG and direction of the Board of Supervisors. The heart of the proposed ordinance is Section VII, which sets forth the standards and permit requirements for grading, drainage, and vineyard and orchard development activities.

Aside from the substantive provisions in Section VII, most of the remaining proposed ordinance consists of the "housekeeping" necessary to conform the rest of the SCC to the new Chapter 11.

The proposed ordinance must show deletions indicating the relocation of existing code provisions from their current locations into the proposed chapter, essentially moving the provisions without changing their substance. There are other instances in which outdated provisions are proposed for modification or deletion.

In addition, in December 2007 your Board amended the SCC in response to changes in the California Building Code (CBC). The proposed ordinance is an opportunity to revise some SCC provisions to more accurately reflect the CBC changes. Nearly all of the CBC edits are technical and non-substantive. A section by section summary is provided as Exhibit D.

### Regulatory Approach

Grading and drainage permits and vineyard approvals are currently ministerial actions, meaning that they are exempt from having to comply with CEQA. In 2004 the GOWG recommended, and the Board concurred, that these approvals should remain ministerial except where deviation from the applicable standards is requested. The proposed ordinance follows this direction by providing that grading, drainage and vineyard and orchard development permits are ministerial unless relief from the standards is requested (see Section 11.10.020.E, page 75 of the proposed ordinance). Any project requesting to deviate from these standards would be discretionary and therefore subject to CEQA.

The proposed ordinance also includes a single set of permit requirements and standards for agricultural and construction grading. The GOWG had recommended separate provisions for agricultural and construction grading, primarily to address the unique needs of agricultural projects. However, as staff began drafting the ordinance we realized that the ordinance could be simplified with a single set of requirements that spelled out different requirements for agricultural projects where necessary, such as with compaction and terracing. Staff feels this is consistent with the intent of the GOWG recommendation.

### Site Development Categories

In an effort to create a user-friendly approach, the proposed ordinance is organized into three categories of site development: 1) grading, 2) drainage and 3) vineyard and orchard site development. Each category is then divided into two subcategories: regular and engineered (applicable to grading and drainage) and Level I and Level II (applicable to vineyard and orchard site development). The proposed ordinance establishes thresholds that sort projects into the respective subcategories. The thresholds and designations are detailed in Tables 11-1, 11-2 and 11-3 for grading, drainage, and vineyard and orchard site development, respectively (see pages 65, 69 and 72, respectively, of the proposed ordinance).

### Exemptions

The proposed ordinance continues to provide exemptions from permit requirements for certain activities. Each exemption is unique as they are established by project type, project sponsor, project size or other physical parameters. The exemptions are established by category and are listed within their respective sections. The exemptions eliminate the requirement to obtain a permit. However, the standards and other provisions of the ordinance still apply to the exempted

projects. This mirrors the long-standing practice under the building code whereby projects that are exempt from permit requirements must still meet the substantive code requirements. The list of permit exemptions includes those carried forward from the building code and current County Code sections as well as new exemptions for activities like private road and drainage maintenance and construction of backcountry trails.

It is important to note that "routine agricultural cultivation activities" are specifically excluded from the definition of grading contained in the proposed ordinance. Since these activities are not considered grading, they are not required to obtain permits, nor are they subject to the standards in Article 16 of the proposed ordinance.

### Standards

As proposed by the GOWG and directed by the Board, the ordinance establishes comprehensive grading, drainage, and vineyard and orchard site development standards that apply whether or not a permit is required. Many of the standards come from existing code and these were brought over with minor, editorial changes without changing the intent. Other standards were developed for this ordinance as there was no existing code to address the particular issue. A few examples are creek setbacks for grading, treatment of storm water runoff and "no net fill" in floodplains. These new standards and others are discussed later in this staff report.

### Endangered Species

One of the main motivations for starting the workshops in 2001 was to deal with the ESA. The approach, as put forward in the proposed ordinance, is to minimize the potential impacts to endangered species from the various developments through the use of standards and best management practices (BMPs). While compliance with the new ordinance will not confer "take authorization" under the ESA, staff believes that many of the provisions, such as the stream and wetland setbacks, will help avoid ESA conflicts for projects consistent with the ordinance. In addition, these provisions will be helpful if the County seeks coverage for the proposed ordinance under the ESA 4(d) rule.

## **IV. 2004 Staff Report Recommendations, Board Direction and Deviations**

As noted above, there are a few instances where the proposed ordinance deviates from the recommendations and Board direction provided at the 2004 GOWG workshop. The primary reason is that, since the 2004 workshop, either new information became available, field experience was gained, or a more effective manner of regulation became apparent. This section presents the main points where the proposed ordinance does not conform to the Board's 2004 direction. A point by point cross reference between the 2004 staff report/GOWG recommendations and the proposed ordinance was developed is attached to this staff report as Exhibits A, B, and C.

### **A. Separate Ordinance for Coastal Zone**

The 2004 staff report recommended creating a separate ordinance for projects within the

coastal zone to address the sometimes unique conditions that are found along the coast. Since the proposed ordinance does not amend any portion of the County's certified Local Coastal Program (the Local Coastal Plan, the Coastal Zoning Ordinance and the Administrative Manual), staff recommends applying the ordinance Countywide rather than developing a separate ordinance for the Coastal Zone. All current coastal development permit requirements will continue to apply.

#### **B. Level I and Level II Thresholds for Vineyard and Orchard Developments**

As recommended by the GOWG, the proposed ordinance extends the VESCO erosion and sediment control provisions applicable to vineyard site development to orchard site development. In doing so, the ordinance makes some changes to the VESCO terminology (e.g., referring to "vineyard and orchard site development" rather than "planting and replanting").

The GOWG also recommended a 3-level system for these approvals, based on solely on slope, regardless of soil erodibility. Under the GOWG recommendation, Level 1 projects would need approval but no erosion and sediment control plan, Level 2 projects would require a non-engineered plan and Level 3 would require an engineered plan. Staff recommends a simpler 2-level system that is similar to the current VESCO and that relies on both slope and soil erodibility to determine the type of plan required. In the proposed ordinance, Level 1 includes most projects that would have been covered under Levels 1 and 2 in the GOWG recommendation and requires simple plans and specifications prepared by the property owner or their agent. A more significant change is for projects on highly erodible soils and slopes between 10 and 15 percent. Under the GOWG recommendation these projects could proceed with a non-engineered plan. However, staff's experience with these projects on moderate slopes in highly erodible areas has shown that engineering expertise is important to ensure that erosion is minimized.

The soil erodibility criterion (which is part of the current VESCO) was not contained in the GOWG recommendations due to concerns about the accuracy of the soil survey maps and advice from the technical subcommittee that slope is a more relevant factor. However, based on the past several years' experience, staff recommends retaining soil erodibility as one factor in determining when an engineered plan is required because it has proven to be a good predictor of soil loss and, when used in conjunction with the slope criterion, can effectively prevent and/or minimize soil loss.

Finally, the GOWG also recommended that an engineered plan be required for planting on slopes between 10 and 15 percent if crop row orientation changed by more than 20 percent. Staff feels this requirement is no longer necessary if soil erodibility is retained as a criterion for requiring an engineered plan in this slope category.

#### **C. Setbacks from Streams and Wetlands not Designated by the General Plan**

The GOWG recommended that setbacks be required only from streams and wetlands designated in the General Plan and/or Zoning Code. The proposed ordinance includes these setbacks but would also require a minimum setback from streams (25 feet) and

wetlands (50 feet unless a wetlands biologist recommends a lesser setback) not designated in the General Plan (see Sections 11.16.120 and 11.16.140, pages 94 and 96, respectively, of the proposed ordinance). Staff recommends these setbacks for two reasons. First, even streams and wetlands not designated in the General Plan can be adversely impacted by and transport pollutants resulting from grading or vineyard and orchard development operations. In recognition of this, staff in the Agricultural Commissioner's Office and PRMD have generally been achieving these setbacks by working with project applicants during the permitting process. Second, staff believes that such setbacks will be needed to obtain a general waiver of ESA requirements under the "4(d) rule" process, although neither NOAA Fisheries nor the Fish & Wildlife Service have made any commitments in this regard.

## **V. Significant Highlights**

As the proposed ordinance was being created, it became clear that many of the details on how to effectively implement Board direction or GOWG recommendations, or how to comply with the ESA, still needed to be developed. This section of the staff report highlights the most significant issues. They are presented here to convey the intent of the proposed ordinance and facilitate discussion.

### **A. New Thresholds for Engineered Grading**

As discussed above there are two categories of grading: regular and engineered. Current regulations use volume of soil as the only threshold to determine whether an engineer must be involved. If the volume is over 5000 cubic yard the project is considered to be engineered grading, if less it is considered regular grading.

Consistent with the GOWG recommendation, the proposed ordinance maintains this threshold and adds five new thresholds: cuts, fills, natural slope, location (flood plains and flood hazard area) and geologic hazards. These thresholds and associated grading designations are presented in section 11.04.010.B and Table 11-1 (pages 65 and 66 of the proposed ordinance).

If a project is at or below a given threshold, the project is considered regular grading. If a project exceeds a given threshold, the project is considered engineered grading and a licensed civil engineer must prepare the grading plans. Practically speaking, these new thresholds will not substantially increase engineering requirements since the vast majority (estimated to be 85-90%) of the grading, drainage and vineyard development plans submitted today are already prepared by a licensed professional, typically a civil engineer.

### **B. Thresholds for Engineered Drainage**

As with grading, there are two proposed categories for drainage developments: regular drainage and engineered drainage. The proposed ordinance creates one threshold for drainage systems: cross sectional flow area. The drainage threshold is presented in

section 11.06.010.B and Table 11-2 (pages 69 and 70 of the proposed ordinance).

These are new categories that apply only to drainage improvements. The drainage permit was created to assist clients that propose drainage developments but do not trigger the need for another type of permit, such as a grading permit. Conversely, if the client is already obtaining a grading, building, septic or encroachment permit, the proposed ordinance does not require a separate drainage permit and staff will review proposed drainage improvements under these other permits.

### **C. Stream Setbacks: structures, grading and biotic resource**

The current code regarding structure and/or grading setbacks is lacking. It is unclear what type of projects the current setback applies to and there is no definition of stream. This lack of clarity has the potential to create inconsistent interpretation and/or implementation of the current code. The proposed ordinance clarifies the various setbacks (structure, grading, biotic resource) which should lead to consistent interpretation and implementation as well as protection of the resource.

Currently staff enforces the creek setback contained in the Sonoma County Water Agency Flood Control Design Criteria for structures. This setback is 2 ½ to 1 times the creek bank height plus 30 feet, as a horizontal distance measured from the toe of the creek bank, or 30 feet from the top of bank, whichever is greater. As this setback is primarily for structures, the proposed ordinance adds this provision to Chapter 7, which contains building code provisions.

The proposed ordinance establishes stream setbacks for both construction and agricultural grading and for vineyard and orchard development. The proposed grading setback is based on stream type, soil type and natural slope and varies between 50 and 25 feet depending on these criteria (see Section 11.16.120 and Table 11-5, pages 94 and 95, respectively, of the proposed ordinance).

In addition, the general plan establishes and the zoning code implements a Biotic Resource (BR) zone along designated streams that is protected with a setback that ranges from 25 feet to 200 feet. The proposed ordinance requires compliance with the BR zone setback where it is greater than the 25 to 50 foot grading setback mentioned above.

The issue of setbacks from streams not designated in the General Plan is discussed above in Section IV of this report.

Finally, staff also notes that the proposed ordinance also provides that a vegetated filter strip may be constructed within the designated stream setback and grassy avenues and equipment turnarounds, commonly used in vineyard and orchard projects, may be located within these vegetated filter strips (see Section 11.16.120, pages 94 and 95 of the proposed ordinance). This provision helps to implement policy in the newly adopted General Plan that allows equipment turnaround and access roads associated with agricultural cultivation within streamside conservation areas as long as a vegetated filter strip is provided (Policy OSRC-8d(9)).

#### **D. Wetland Setbacks**

The proposed ordinance also establishes a 100-foot setback from designated wetlands. Designated wetlands are those wetlands that are designated in the general plan and/or zoning code. Setbacks are also recommended for undesignated wetlands as discussed above in Section IV of this report. Undesignated wetlands would be identified through staff field review. As with stream setbacks, a vegetated filter strip may be constructed within the setback and grassy avenues and turnarounds may be located within these vegetated filter strips. A wetland biologist would typically be called upon to delineate the edge of designated wetlands for setback purposes.

#### **E. Storm Water Treatment**

Storm water runoff carries pollutants from developments and transports these pollutants to local waterways. The pollutants range from soil particles to petroleum hydrocarbons (oils, diesel, gasoline, etc.) to paint during construction and from fertilizers to pet waste to changes in runoff patterns after construction is complete.

The proposed ordinance requires that soil and other pollutant discharges be held to pre-development levels through the use of BMPs. This requirement applies during construction and to the post-development conditions alike. The design process is to evaluate or model pollutant discharges both before development occurs and for the post development phase. The second design step is to select BMPs that will hold the pollutant discharges during construction and from the post-development phase to the pre-project level. Typically, these BMPs are thought of as temporary (during construction) and permanent (post development) BMPs. These best management requirements are already in place for discretionary projects within the boundaries of the County's municipal stormwater (NPDES) permits. The proposed ordinance would expand these requirements to all grading and drainage projects.

Staff's experience has shown that there are efficiencies in the various BMPs such that at a certain point there are minimal gains in water quality treatment relative to the amount of money expended. The BMP manuals referenced in the proposed ordinance have established BMP sizing criteria based on this principle and have established the 85<sup>th</sup> percentile storm event as the design storm frequency.

#### **F. Hydrograph Modification**

Having too much runoff leaving a site can also cause impacts, regardless of the runoff water quality. The concern here is the so-called "channel forming discharge," which is approximately associated with a 2-year storm event. Creating more channel forming discharges accelerates the natural erosion processes of the stream channel and leads to impacts such as stream bank instability, bank erosion, filling in of the stream, a shallower watercourse, loss of aquatic habitat, loss of riparian habitat, widening of the channel, and increase in stream temperatures.

Development can increase the frequency of these channel forming discharges by allowing more runoff than occurred prior to the development. For example, the impervious surfaces associated with a parking lots, commercial development or a residential subdivision all result in increased runoff when rainfall is not allowed to soak into the ground and runs off at a higher rate than prior to the development, often increasing the frequency of channel forming discharges.

To address this issue, the proposed ordinance requires that runoff patterns be held to pre-development levels through the use of BMPs. The referenced BMP manuals have established sizing criteria using the 2 year storm event as the design storm frequency. As with the Stormwater Treatment BMPs discussed above, these runoff-related requirements are already in place for discretionary projects within the boundaries of the County's municipal stormwater (NPDES) permits. The proposed ordinance would expand these requirements to all grading and drainage projects.

### **G. Best Management Practices**

The proposed ordinance establishes various standards for a host of concerns. For example, 90% of relative dry density as the compaction standard for fills intended to support structures and surcharges, fill placed shall not exceed 8 inches in any one lift, and so on. These are quantifiable standards and are easily measured.

There are other performance areas where quantifiable standards do not address the concern: erosion prevention, pollutant control and hydrograph modification, for example. To address these concerns, BMPs have been developed over time based on real-world experience with project development.

The proposed ordinance includes standards that make reference to the Permit Authority BMP Guide. This guide is a list of BMP manuals that contain the specifics on how to implement, install or design the BMP that deals with the particular issue. By using this approach, the BMPs can evolve, through the respective publications, and the proposed ordinance would not need to be modified or amended.

This approach also serves to maintain a ministerial process. The Permit Authority avoids discretion by merely ensuring the BMPs chosen by the applicant are designed, installed or implemented pursuant to the published BMP reference.

### **H. Fill in Flood Prone Urban Area**

Current regulation requires a drainage analysis when fill greater than or equal to six inches in depth or more than 50 cubic yards is placed in the flood prone urban area. The flood prone urban area is defined in code and is generally the Santa Rosa flood plain. The proposed ordinance removes the 6 inch depth and volume thresholds and requires a drainage analysis for any fill placed in the flood prone urban area. Our experience has shown that even shallow fills placed in this area have the potential to adversely affect

drainage. The proposed ordinance does not prohibit the placement of fill in this area, but does require a drainage analysis and a permit.

### **I. No Net Fill in FEMA Floodplains**

Currently, there is only one FEMA mapped floodplain that requires an engineering analysis to demonstrate the proposed grading will not decrease in the flood carrying capacity of that floodplain. This regulation is commonly referred to as the "no net fill" requirement and currently only applies in the Laguna de Santa Rosa floodplain.

Section 11.16.010.C.9 (page 85 of the proposed ordinance) requires the no net fill approach in all special flood hazard areas. A special flood hazard area is defined as any area designated by FEMA as subject to the 100-year flood (defined as having a one percent chance of flooding in any given year).

Fill material placed in a floodplain has an effect on the flood event, regardless of the volume. The flood waters cannot occupy the same space as the fill material resulting in displacement of an equal volume of flood waters either vertically, horizontally or both. These displaced flood waters can adversely affect neighboring parcels and result in even greater cumulative impacts.

The proposed ordinance does not prohibit development or grading in the floodplains, but it does require that there be no increase in the flood carrying capacity of the floodplain. This can be accomplished by exporting an equal volume of soil that is being brought into the floodplain. This provision is consistent with policy in the newly adopted General Plan.

### **VI. Administration of Agricultural Grading and Drainage Permits**

The proposed ordinance follows the GOWG recommendation to designate the Agricultural Commissioner as the Permit Authority for agricultural grading and drainage permits. However, since the Agricultural Commissioner's Office does not have the engineering expertise needed to process these permits, they will contract with PRMD to provide these services. The primary permit processing concerns of the agricultural community are timeliness (often related to seasonal and weather constraints) and ensuring that staff understands agricultural projects and how they differ from construction grading. PRMD's Engineering Division has been working to address these issues for some time and has developed a streamlined process for agricultural projects. This includes designating one staff person as the single point of contact for applicants and making turnaround time commitments that meet the needs of agricultural operators. PRMD staff have also established a close working relationship with the VESCO coordinator in the Agricultural Commissioner's Office, which will continue as the two departments' staff coordinate review of agricultural grading and drainage projects. These improvements have been well received by both individuals working on agricultural projects and the Agricultural Commissioner.

## **VII. CEQA Exemption for Proposed Ordinance**

Staff recommends that the proposed ordinance be found exempt from CEQA under the Categorical Exemptions for actions taken to “assure the maintenance, restoration, enhancement, and protection of natural resources and the environment,” and pursuant to the general CEQA exemption for actions where “it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment.” The basis for this determination is that this ordinance does not in itself approve any construction activities, but instead establishes standards, permit requirements, and other measures that regulate grading, drainage, and vineyard and orchard site development more stringently than existing codes. These standards, permit requirements, and other measures will not result in any direct physical change to the environment on their own, and will instead assure the maintenance, restoration, enhancement, and protection of natural resources and the environment by strengthening existing environmental standards and establishing new limitations. The Notice of Exemption is attached as Exhibit F.

## **VIII. Pipeline Provisions**

As with most significant regulatory changes, staff anticipates your Board will want to include a pipeline provision to avoid changing the game for projects that have already completed engineering design and submitted for approval. Staff recommends that the ordinance apply to applications for grading, drainage or vineyard and orchard development permits filed after the effective date of the ordinance (30 days after adoption unless your Board selects a later effective date). This is the same provision that is applied when new building codes are adopted.

One partial exception to this pipeline provision relates to providing an expiration date for vineyard projects already approved under VESCO. The current VESCO does not contain an expiration provision, so the Agricultural Commissioner’s Office has numerous open files on projects that may never be implemented. If your Board is agreeable, staff recommends that the final ordinance include a 5-year expiration (from the date the ordinance is effective) for any active vineyard approval that has not been finalled as of the ordinance effective date.

## **IX. Summary of Outreach Efforts**

Outreach efforts started in 2001 and continued until 2004 with the presentation of recommendations to the Board of Supervisors. As discussed above, the Board provided direction at the March 2004 workshop.

Once the proposed ordinance was released in August 2008, staff held three stakeholder workshops: one for GOWG members and agriculture representatives, one for the various agencies, and the last one for developers and designers. The proposed ordinance and supporting documents were also distributed to the interested party list that was developed in 2004. The

intent was to take comment, verbal and written, to assist in developing a “user friendly” ordinance.

Overall, the stakeholder workshops were not well attended. In response, staff communicated directly with various groups including North Bay Realtors Association, American Society of Civil Engineers, the North Coast Regional Water Quality Control Board, National Marine Fisheries Services and the California Department of Fish and Game.

In the end, approximately 130 individual comments were received, reviewed and considered. The proposed ordinance was edited in response to these comments, which has made for a better document.

## **X. Recommendation and Next Steps**

Staff recommends that the Board receive the staff report and take public testimony at today’s hearing. Staff further recommends that the matter be continued to November 4 for Board discussion and direction.

### **Attachments:**

- Exhibit A: Cross Reference for GOWG Recommendations for Agricultural Grading
- Exhibit B: Cross Reference for GOWG Recommendations for Construction Grading
- Exhibit C: Cross Reference for GOWG Recommendations for Agricultural Land Preparation Work for Vineyard or Orchard Planting and Replanting
- Exhibit D: Walkthrough – Ordinance Overview
- Exhibit E: Agency Notification Letter
- Exhibit F: Notice of CEQA Exemption