

Permit No.: GP16-002  
Area: San Rafael  
Date: October 13, 2017  
1<sup>st</sup> extension 10/11/19

**COUNTY OF MARIN  
DEPARTMENT OF PUBLIC WORKS**

**EXCAVATING, GRADING OR FILLING PERMIT**

**TO: Mr. Len Nibbi, San Rafael Airport, LLC**  
400 Smith Ranch Road  
San Rafael, California 94903

**RE: Grading Permit GP 16-002**  
**San Rafael Airport LLC Gallinas Creek Levee Restoration**  
400 Smith Ranch Road, San Rafael  
APNs 155-230-14 & -15

In compliance with your request received May 10, 2016, **and your extension requested dated 9/23/2019** and subject to all of the terms, conditions, and restrictions specified or printed on this form and on all referenced attachments,

**PERMISSION IS HEREBY GRANTED TO:**

**Fill approximately 21,000 cubic yards of earth to restore the top to elevation of 3,400 linear feet of existing earthen levee to elevation 12.0 feet NAVD 1988.** Work to be completed in accordance with plans entitled "The San Rafael Airport Gallinas Creek Levee Restoration", prepared by Oberkamper & Associates Civil Engineers, Inc., dated June 2016, revised through August 11, 2017 (9 pages, sheets 1-8, plus BMP sheet); the attached Special Conditions for GP 16-002, dated October 9, 2017; and the attached General Provisions.

- a. **Prior to start of any work on Area Granted in Trust to County of Marin**
  - i. **Applicant must obtain right of entry from County for work on Area Granted in Trust to County of Marin**
  - ii. **Memorandum of Understanding between County and San Rafael Airport LLC shall be signed by both parties and approved by the Marin County Board of Supervisors.**

**This permit is to be strictly construed and no other work than that specifically mentioned above is authorized hereby.**

**Applicant is responsible for coordination with all local, state and federal agencies for any additional permitting.**

**DWP shall be notified at least 48 hours prior to the start of work and for a final inspection.** Contact Cara E. Zichelli at (415) 473-7053, or the DPW, general administration line at (415) 473-6530.

**This permit shall be void if work has not commenced before SIX MONTHS AFTER DATE OF ISSUANCE, 2017, and is not completed by OCTOBER 13, 2020.**

COUNTY OF MARIN  
DEPARTMENT OF PUBLIC WORKS

  
Principal Civil Engineer

Marin County Department of Public Works, P.O. Box 4186, San Rafael, CA 94913-4186  
Civic Center, Room 304 Phone (415) 473-6530 Fax (415) 473-3799

**SPECIAL CONDITIONS FOR GP 16-002**  
**October 13, 2017 - 1<sup>st</sup> Extension granted October 11, 2019**  
**400 Smith Ranch Road, San Rafael - APN 155-230-14 & -15**  
**The San Rafael Airport Gallinas Creek Levee Restoration**

1. **NOTIFICATION:** The Department of Public Works shall be notified at least 48 hours prior to start of work and/or inspection by calling (415) 473-6530 or Cara Zichelli at (415) 473-7053.
  - a. A pre-construction meeting with the County inspector shall be held prior to start of grading or filling activity.
  
2. **PRIOR TO THE START OF ANY FILLING OR GRADING ACTIVITIES,** the applicant must have the following items provided to DPW and/or the following inspections completed by DPW:
  - a. Construction Management Plan (plan, not just written narrative) provided to this office (see Special Condition #4)
  - b. Copy of SWPPP and WDID provided to this office
  - c. Erosion & Sediment Control Measures installed, inspected and accepted by DPW (see special condition #5)
  - d. Staking of stationing and property boundaries inspected by DPW (see Special Condition #6)
  - e. **Prior to start of any work on Area Granted in Trust to County of Marin**
    - i. **Applicant must obtain right of entry from County for work on Area Granted in Trust to County of Marin**
    - ii. **Memorandum of Understanding between County and San Rafael Airport LLC shall be signed by both parties and approved by the Marin County Board of Supervisors.**
  
3. **HOURS** of site preparation and actual trucking and filling activities shall be limited to 7:00 am to 6:00 pm, Monday through Friday, and 9:00 am to 5:00 pm on Saturday (MCC 6.70.030(5) and 6.70.040). No site preparation or construction shall be permitted on Sundays and Federal Holidays.
  
4. **CONSTRUCTION MANAGEMENT PLANS:** Construction management plans shall be provided to this office prior to start of work. Plans shall include haul route, material staging and storage, equipment staging, etc. Plans shall show property boundaries. **San Rafael Airport cannot stage beyond their property boundary until right of entry has been granted by the County for Areas Granted in Trust to the County of Marin.**
  
5. **EROSION AND SEDIMENT CONTROL:** Erosion and sediment control measures shall be installed prior to the start of any earth movement and shall be maintained throughout the life of the project in accordance with MCC 24.04.625. Additionally, refer to the Stormwater Pollution Prevention Plan provided to the State with applicant's Notice of Intent.
  - a. Finished slopes should be track walked perpendicular to the slope face with a bulldozer after compaction. The slopes should be hydro seeded. For County trust lands vegetation should be limited to grasses or other vegetation that can be mowed or disked and will allow easy visible inspection of the levee. Trees, bushes and brush are not allowed within the footprint of the subject levee.
  
6. **STAKING PROPERTY BOUNDARIES & STATIONING:** Applicant shall provide staking at the property boundary between the Airport's parcels and the Area Granted in Trust to the County of Marin. Applicant shall have a survey stake the stationing, as provided in the approved project plan set, along the center of the proposed levee top at 100 foot intervals.



7. **DESIGN CIVIL ENGINEER:** In addition to field inspection and related tasks performed by County personnel, construction operations shall be directly overseen by the project Design Civil Engineer or his representative(s) to assure that construction of all improvements is in compliance with the Design Civil Engineer design and that any and all field modifications are deemed appropriate. Upon completion of construction of all improvements, the Design Civil Engineer shall certify in writing to the County that all improvements were constructed in accordance with his plans, specifications, and field direction and are within accepted engineering standards.
  - a. County recommends at least 60 percent passing the Number 200 sieve or that the soils are classified as CL or ML.
  - b. The fill shall be benched into the existing landside levee slope to allow compaction of the existing soil slope. The bench width into the existing slope should not exceed 5 feet.
  - c. On the existing levee crest and ramps, the upper 6 inches of subgrade shall be compacted to at least 95 percent relative compaction and rolled to provide a smooth, non-yielding surface.
  
8. **GEOTECHINCAL ENGINEER:** The Geotechnical Engineer, or their field representative, shall oversee excavation activities to assure that work is in compliance with the plans and that any and all field modifications are deemed appropriate. Upon completion of all excavation, the Geotechnical Engineer shall certify in writing to the County that all work was completed in accordance with their plans, specifications and field directions, and are within the accepted geotechnical engineering standards and provide a final report that includes:
  - a. Attenberg Limits
  - b. Sieve Analysis
  - c. Field Inspections Report
  - d. Compaction Test Results
  
9. **MONITORING:** The success for the planting and stability of the bank shall be monitored by the Geotechnical Engineer and Design Civil Engineer.
  
10. **CHANGES TO APPROVED PLANS:** Any changes from the approved plans shall be approved by the County Engineer prior to implementation. These changes shall be described and justified in writing by the Permittee's Design Engineer
  
11. **AS-BUILTS:** Upon completion of all improvements permitted hereby, As-Built plans shall be prepared by the Permittee's engineer(s) and submitted to the County prior to final inspection. As-built shall depict final elevation and width of restored levee.
  
12. **CONTROL OF SITE:** All construction materials and equipment shall be stored or placed onsite in such a manner as to permit the safe passage of vehicular traffic at all times on adjacent public roadways. The project site shall be kept as clean and free of construction debris as is reasonably possible during all phases of construction.
  
13. **ARCHAEOLOGICAL RESOURCES:** Grading and earthwork activities shall be halted in the vicinity if any archaeological, paleontological, historical, or other such resources are

discovered. A qualified archaeologist shall be retained to evaluate the resources and determine an appropriate program for relocation, curation, or project modification. A registered archaeologist, chosen by the County and paid for by the applicant, shall assess the site and shall submit a written report to the Community Development Agency Director advancing appropriate mitigations to protect the resources discovered. No work at the site may recommence without approval of the Community Development Agency Director. All future development of the site must be consistent with findings and recommendations of the archaeological report as approved by the Community Development Agency Director. If the report identifies significant resources, amendment of the permit may be required to implement mitigations to protect resources.

14. **NATIVE VEGETATION:** Native vegetation shall be undisturbed and maintained between the project and the adjacent properties for the duration of the project.
15. **NOISE CONTROL:** All noise-generating construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. No construction activities shall be permitted on Sundays or holidays. All powered construction equipment shall be maintained in good operating condition and internal combustion engines shall be equipped with intake and exhaust mufflers. Equipment shall be turned off when not in use.
16. **DUST CONTROL:** The contractor shall water the jobsite, roadways and access ways, and/or take any necessary measures to control dust to the satisfaction of the County. If dust control measures are not deemed satisfactory, the County will shut down the job site until the contractor can demonstrate to the County's satisfaction that effective dust control can be achieved.
17. **TIME LIMIT ON PERMIT:** Should the Permittee fail to construct the improvements within the time limits established by this permit, the Permittee shall discontinue all work and implement erosion and sediment control measures unless an extension is obtained from County or alternative measures are approved by the County (refer to MCC 23.08.110).
18. **APPLICANT'S RESPONSIBILITY TO OTHER APPROVALS, ENTITLEMENTS AND PERMITS:** Applicant is responsible for coordinating and complying with all other conditions and requirements of other agencies, including but not limited to:
  - a. **California State Construction General Permit**
  - b. **United States Army Corps of Engineers**
  - c. **California Department of Fish and Wildlife**
  - d. **California State Water Resources Control Board**
  - e. **City of San Rafael**
19. **APPEAL PERIOD:** No grading shall be performed during the 5-day appeal period, beginning on the issue date of the grading permit, or prior to resolution of any appeal issue unless otherwise directed by the Department of Public Works. Notification of issuance of permit shall be posted in public view at the site by the applicant, and shall indicate that the approved plans and specifications are available for review at the Department of Public Works.

END



**GENERAL PROVISIONS**  
**EXCAVATING, GRADING OR FILLING PERMIT**

1. This permit is issued pursuant to Marin County Code Section 23.08.
2. **ACCEPTANCE OF PROVISIONS:** It is understood and agreed by the Permittee that the doing of any work under this permit shall constitute an acceptance of the provisions.
3. **NO PRECEDENT ESTABLISHED:** This permit is granted with the understanding that this action is not to be considered as establishing any precedent on the question of the expediency of permitting this type of work or any other excavating, grading or filling.
4. **KEEP PERMIT ON THE WORK:** This permit shall be kept at the site of the work and must be shown to any representative of the Department of Public Works or any law enforcement officer on demand.
5. **OTHER PERMITS:** The Permittee shall, whenever the same is required by any law, secure an encroachment permit, use permit or any other permit required by any public board having jurisdiction, and this permit shall not be considered in operation unless and until such permit is obtained.
6. **NOTIFICATION:** The Permittee shall notify the Marin County Department of Public Works 24 hours in advance of any site work to be done under the excavation permit. Call the Marin County DPW general administration line at (415) 473-6530.
7. **FILLS:** Fill areas shall be stripped and keyed to receive fill. Fill slopes shall be a maximum of 2:1 unless otherwise specified.
8. **CUTS:** Cut slopes shall be a maximum of 2:1 unless otherwise specified.
9. **EROSION and SEDIMENT CONTROL:** In accordance with Marin County Code Section 24.04.625, all disturbed surfaces, including, but not limited to, cut and fill slopes, building pads, driveways and areas cleared of vegetation, shall be protected against erosion and sediment discharges by measures that the agency determines to be appropriate to the site, phase of construction and time of year.
10. **FILL MATERIAL:** Fill material may consist of soil, rock, concrete, masonry or pavement. No trash, brush, garbage, logs, stumps, metal or other deleterious material shall be used as fill.
11. **COMPACTION:** Fills shall be compacted to a minimum of 90% relative compaction except as otherwise specified.
12. **FINAL GRADING:** The finished grading shall be such that no water or erodible material is diverted onto private or public property causing a nuisance or damage.

If the work herein contemplated shall interfere with the established drainage, ample provision shall be made by the Permittee to provide for it as may be directed by the Department of Public Works.

Upon completion of the work, area shall be left clean and orderly condition.

13. **RAIN:** During the periods of rain, grading operations shall be so conducted as to keep a minimum of disturbed area open at any time; check dams, diversion ditches, flumes, energy dissipaters or other devices shall be constructed and maintained as necessary and required by the Department of Public Works.
14. **CLEANUP:** The Permittee agrees to promptly clean and maintain the pavement if excavated material is dropped or deposited on any roads or other areas.
15. **DUST CONTROL:** The Permittee shall employ such measures to keep the dust nuisance to a minimum and at the request of the Department of Public Works he will water the working area to reduce the amount of dust when it is excessive.
16. **OTHER PLANS:** By approving the work allowed by this permit the County of Marin Department of Public Works does not imply approval of any improvement plans, grading plans, drainage plans, or engineered fill to be undertaken unless specifically stated herein.
17. **CANCELLATION:** Failure to comply with all the aforementioned provisions and conditions of approval will be cause for the cancellation of this excavation permit.
18. **LIABILITY FOR DAMAGES:** The Permittee is responsible for all liability for personal injury or property damage which may arise out of work herein permitted, or which may arise out of failure on the Permittee's part to perform his obligations under this permit in respect to maintenance. In the event any claim of such liability is made against the County of Marin or any department officer or employee thereof, Permittee shall defend, indemnify and hold them harmless from such claim.
19. **PRIVATE PROPERTY:** If the Permittee is not the owner of the property on which the work is to be performed it is assumed by the Department of Public Works that the Permittee has received permission and consent from said property owner to do said work.
20. **CHANGES:** The Department of Public Works reserves the right to amend, change or remove said conditions of permit as issued during the life of said permit due to unforeseen or overlooked conditions, said amended conditions to have the same force and effect as the original conditions.

END