Attachment C

This page intentionally left blank.

ATTACHMENT C
RESOLUTION

Before the Board of Supervisors in and for the County of Monterey, State of California

Resolution No.

Resolution by the Monterey County Board of Supervisors to:

a. Approve the Use Permit with a 34 year duration to allow the construction of a 280 Megawatt solar generating facility on an approximately 3,000 acre site including: photovoltaic (PV) solar modules, two substations (approximately 6 acres each), a switching station (approximately 6 acres), a 4,000 square foot operations and maintenance building, an approximately 155 acre utility corridor, other infrastructure needed to serve the proposed project and grading of approximately 880,000 cubic yards of cut and 880,000 cubic yards of fill; and
b. Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

[PLN120294, California Flats Solar LLC (Hearst Corporation), Southeastern corner of Monterey County, approximately 7 miles southeast of Parkfield and 25 miles northeast of Paso Robles, east of Turkey Flats Road and north of State Highway 46 near the borders of Monterey, San Luis Obispo, Kings and Fresno counties. The proposed project is located on all or a portion of 31 parcels as is noted APN: 143-011-001-000, 143-011-002-000, 143-011-003-000, 143-011-004-000, 143-011-007-000, 143-011-008-000, 143-011-012-000, 143-011-023-000, 143-011-024-000, 143-011-025-000, 423-191-037-000, 423-191-038-000, 423-191-039-000, 424-181-012-000, 424-181-013-000, 424-181-014-000, 424-181-015-000, 424-181-016-000, 424-081-018-000, 424-081-036-000, 424-181-038-000, 424-191-015-000, 424-191-016-000, 424-201-007-000, 424-201-009-000, 424-201-010-000, 424-201-011-000, 424-211-001-000, 424-211-004-000, 424-211-024-000, and 424-211-025-000.]

The California Flats Solar LLC (Hearst Corporation, owner) application (PLN120294) came on for public hearing before the Monterey County Board of Supervisors on February 3 and 10, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

1. **FINDING:** **PROJECT DESCRIPTION** – The proposed project is a Use Permit with a 34 year duration to allow the construction of a 280 Megawatt solar generating facility on an approximately 3,000 acre site including: photovoltaic (PV) solar modules, pad-mounted inverters and transformers, two substations (approximately 6 acres each), a switching station (approximately 6 acres), a 4,000 square foot operations and maintenance building, an approximately 155 acre utility corridor, other infrastructure needed to serve the proposed project and grading of approximately 880,000 cubic yards of cut and 880,000 cubic yards of fill (the "project"). The applicant is also requesting to enter into a Development Agreement with the County under Monterey County Code Chapter 18.62. The Board is separately considering an ordinance to approve the Development Agreement.

EVIDENCE:

a) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN120294.

b) The applicant, California Flats Solar, LLC, has an option for a 34- year lease on the property, which is owned by the Hearst Corporation; the Use Permit is valid from the date of Board of Supervisors' approval to 34 years after that date.

2. **FINDING:** **CONSISTENCY**– The project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE:

a) **APPLICABLE PLAN AND APPLICABLE ZONING ORDINANCES**

During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 2010 Monterey County General Plan;
- South County Area Plan
- Monterey County Zoning Ordinance (Title 21);

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

b) The property is located approximately 7 miles southeast of Parkfield and 25 miles northeast of Paso Robles, east of Turkey Flats Road and north of State Highway 46 near the borders of Monterey, San Luis Obispo, Kings and Fresno counties. The proposed project is located on all or a portion of 24 parcels as is noted APN: 143-011-001-000, 143-011-002-000, 143-011-003-000, 423-191-037-000, 423-191-038-000, 423-191-039-000, 424-181-012-000, 424-181-013-000, 424-181-014-000, 424-181-015-000, 424-181-016-000, 424-081-018-000, 424-081-036-000, 424-181-038-000, 424-191-015-000, 424-191-016-000, 424-201-007-000, 424-201-009-000, 424-201-010-000, 424-201-011-000, 424-211-001-000, and 424-211-004-000)]

c) The parcels have a land use zoning designation of "Farmland" or

Permanent Grazing." These zoning districts allow "*Commercial and noncommercial wind energy conservation system*" and "*Other uses of a similar character, density and intensity to those uses listed in this section"*. The Board of Supervisors finds that solar energy collection is similar to wind energy. Thus the Solar power generating facility can be approved subject to a Use Permit.

d) Government Code Section 66412(l) of the Subdivision Map Act exempts "the leasing of, or granting of an easement to, a parcel of land, or any portion or portions thereof, in conjunction with the financing, erection, and sale or lease of a solar electrical generation device on the land if the project is subject to review under local agency ordinances, regulating design and improvement or if the project is subject to other discretionary action by the advisory agency or legislative body." Based upon this provision it is appropriate to approve this solar electrical generating facility without requiring that a Tentative Subdivision map be required for the lease area. The project is subject to the Board's review and discretionary action because it requires a Use Permit.

3. FINDING: SITE SUITABILITY

The site is physically suitable for the use proposed. The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, CALFIRE, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended by responsible departments have been incorporated.

EVIDENCE: a) The project was reviewed by the South County Land Use Advisory Committee (LUAC) on September 19, 2012 and then again on November 19, 2014. The LUAC considered the comments made by the public and recommended approval of the project with a vote of 4-0-1 (1 Abstain.)

b) The location of the site will not require development on slopes in excess of 25%, or require the removal of any trees. Grading will be minimized by varying the height of the panel mounting structures thus preserving the natural landforms to the extent feasible.

c) The proposed solar development area is bisected by a 230 KV transmission line, which will allow power produced by this facility to be transmitted by this existing facility, without the need to construct new infrastructure.

d) The primary access to the site will be from an existing ranch road connecting to Highway 41. This road will be improved to accommodate the vehicle use through the construction and operation periods. This will include a new bridge over Cottonwood Creek and intersection improvements at Highway 41. Emergency Access and a small number of trips will access the site from Turkey Flats Road to the north. Turkey Flats Road is a public County road until it reaches the end of pavement at the Hearst Ranch Gate. Access from the Hearst Ranch to the public

portion of Turkey Flat Road is across an adjoining parcel, using an easement. A condition of approval limits use of Turkey Flat Road to emergency access and a small number of daily passenger-type vehicle and Pickup trips. The small number of passenger vehicle trips will replace the current ranch traffic using this gate and the ranch trips will be redirected to the improved access from Highway 41. Due to the condition of the public portion of Turkey Flat Road, use of the road by the project is limited to passenger vehicles, pickup trucks, and emergency vehicles.

e) A neighbor to the project has disputed the project's right to use the private portion of Turkey Flats Road to access the project. In 1998, the County Board of Supervisors abandoned Turkey Flat Road from the Hearst Gate south across the adjoining property and onto the Hearst Ranch, reserving "easements for ingress and egress" to all adjoining property owners. (Board of Supervisors' Resolution No. 98-146.) The Board finds, pursuant to section 21.64.320 of the Monterey County Code, that the applicant has right of access to the project via this private portion of Turkey Flat Road. Section 21.64.320 was adopted in 2014, after the project application was deemed complete and in process, so its provisions regarding notice following submittal of the project application are not applicable. However, the regulations do provide guidance for resolving the issues raised by the owner of the property on which the abandoned right of way lies. The neighbor challenges whether the owner has a right of access. Pursuant to section 21.64.320, the Board finds that the project qualifies as a "Tier 3" project because it is subject to a Private Road Agreement but not a Private Road Maintenance Agreement. The Board finds that Resolution No. 98-146 abandoning the subject portion of Turkey Flat Road right- of- way and reserving easements for ingress and egress is a "Private Road Agreement" within the meaning of section 21.64.320.C.8. "Private Road Agreement" is broadly defined to encompass a document such as a Board resolution that by its plain language reserves an easement to adjoining property owners to use the abandoned right of way for ingress and egress to their property. Accordingly, by the plain language of the Board resolution, the Hearst Corporation, which is an adjoining property owner and by extension its project applicant as lessee, has a right to use the abandoned portion of the road for access to the project site. In regard to maintenance, because one of the two adjoining property owners has objected, the Board is requiring a maintenance condition as a condition of project approval. In this case, the applicant has agreed to assume full maintenance responsibility for the segment of private road that applicant proposes to use, and the condition of approval has been added to require applicant to assume full maintenance. The Board finds that applicant assuming 100 percent of the maintenance costs resolves the substantive dispute as to maintenance in these unique circumstances where the easement is not between private parties but rather is an easement reserved by the County for the benefit of adjoining owners. .

f) The application, project plans, and related support materials submitted

by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN120294.

g) Staff conducted various site visits during the review of the project to verify that the site is suitable for this the proposed use.

4. **FINDING:** **LONG-TERM SUSTAINABLE WATER SUPPLY AND ADEQUATE WATER SUPPLY SYSTEM:** The project has an adequate water supply system to serve the development. The project is not required to provide proof of a Long-Term Sustainable Water Supply under General Plan Policy PS-3.1.

EVIDENCE: a) The proposed project is new development consisting of a 280 Megawatt solar generating facility on an approximately 3,000 acre site.

b) The proposed project is not required to provide proof of a Long-Term Sustainable Water Supply under General Plan Policy PS-3.1 because it falls within an exemption (PS-3.1(b)) for specified development designed to provide public or private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water. This project fits within the exemption because it is a 280 Megawatt solar generating facility designed to provide electricity to the public without burning fossil fuels and will have a minor or insubstantial net use of water (664 Acre Feet over a 34 year period in a basin that has 35,478 AFY excess water).

c) The water source for the proposed new development is a series of on-site wells.

5. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: a) The site is in an isolated location, so that very few people will be aware of the project outside of those who work at the facility and two residences on an adjacent property.

b) The photo voltaic solar panels do not pose a health hazard to people.

c) The project was reviewed by the RMA - Planning, Monterey County Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

d) Necessary public facilities will be provided. Water will be provided by two on-site wells with provision for creation of a third well should it be deemed necessary in the future.

e) Existing and/or proposed septic systems will provide sewer service.

f) The traffic mitigations measures contained in the Traffic/Transportation section of the EIR require construction of road improvements that will

ensure traffic safety on site and for traffic around the site. Safety measures include: improvements to State Route 41 at the project entrance including installation of acceleration, deceleration lanes, and flag men, which will direct vehicles in certain directions to avoid conflicts with traffic. The applicant will also be running a shuttle system to minimize the number of trips entering into and exiting the site.

g) Construction activities could generate dust and expose sensitive receptors to potential health hazards associated with the Coccidioides fungus (Valley Fever). Mitigation measures have been included which will minimize the risk of exposure for construction personnel and off-site receptors.

h) Preceding findings and supporting evidence for PLN120294. See also CEQA findings for project approval in the resolution certifying the EIR for the project.

6. **FINDING:** **NO VIOLATIONS -** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

EVIDENCE:

a) Staff reviewed Monterey County RMA - Planning and Building Services Department records and is not aware of any violations existing on subject property.

b) Staff conducted various site visits during the review of the project to verify that the site is suitable for this the proposed use.

c) There are no known violations on the subject parcel.

d) Preceding findings and supporting evidence for PLN120294

7. **FINDING:** **PROCEDURAL BACKGROUND –** The project has been processed in compliance with state law and County regulations.

EVIDENCE:

a) On August 3, 2012 an application was filed by California Flats Solar LLC, a subsidiary of Element Power, for a Combined Development Permit Permit consisting of: 1) a Use Permit to allow the construction and operation of a 280 megawatt solar energy facility, involving the assembly of photovoltaic solar panels clustered in a series of blocks distributed over approximately 1,900 acres of the approximately 2,675-acre site, an internal electrical collector system, pad-mounted inverters and transformers, two substations, an operations and maintenance building, security fencing, lighting, internal access roads, Caltrans right of way improvements at Highway 41 in San Luis Obispo County, and other infrastructure improvements; and 2) a Use Permit for the removal of 25 protected oak trees; and grading (approximately 470,000 cubic yards of cut and 470,000 cubic yards of fill) and approval of a Development Agreement.

b) The application was deemed complete on December 12, 2012.

c) The limited liability partnership (California Flats Solar LLC) undertaking the project was purchased by First Solar. California Flats Solar continues to be the applicant under the umbrella of First Solar.

The application (PLN120294) was modified to eliminate the removal of native oak trees and grading on slopes in excess of 25%. The Project Description is: Use Permit to allow the construction of a 280 Megawatt solar generating facility on an approximately 3,000 acre site including: photovoltaic (PV) solar modules, pad-mounted inverters and transformers, two substations (approximately 6 acres each), a switching station (approximately 6 acres), a 4,000 square foot operations and maintenance building, an approximately 155 acre utility corridor, other infrastructure needed to serve the proposed project and grading of approximately 880,000 cubic yards of cut and 880,000 cubic yards of fill. The applicant is also requesting to enter into a Development Agreement with the County under Monterey County Code Chapter 18.62. which is being considered separately by ordinance.

d) The Draft Environmental Impact Report ("DEIR") for the Cal Flats Application was prepared in accordance with CEQA and circulated for public review from August 6, 2014 through September 22, 2014 (SCH#: 2013041031). The County of Monterey received 24 letters in response to the DEIR and prepared responses to those letters. The responses and revisions to the DEIR text to clarify and amplify the content of the DEIR were incorporated into a Final EIR Document which was made available to the Public on or about January 2, 2015.

e) The Planning Commission considered the FEIR in their deliberation of the Project at a duly noticed public hearing on January 14, 2015. With an 8-0 vote, the Planning Commission recommended that the Board of Supervisors certify the EIR and approve the Use Permit and Development Agreement (see resolutions of the Planning Commission, attachment I to the February 10, 2015 staff report to the Board of Supervisors).

f) A public hearing on the EIR, project, and Development Agreement was noticed for the February 3, 2015 meeting of the Board of Supervisors. The public hearing was noticed by publishing notice in the *Monterey County Weekly*, by mailing of notices to interested persons and property owners within 300 feet, and by posting of the site. On February 3, 2010, the Board of Supervisors continued the hearing to February 10, 2015. At the hearing on February 10, 2015, staff presented the project and all persons had an opportunity to appear and be heard. Following public testimony and prior to adopting this resolution approving the Use Permit, the Board considered the FEIR and, by separated resolution, certified the EIR, adopted CEQA findings for project approval, and adopted a statement of overriding considerations. All feasible mitigation measures have been incorporated into the project or made conditions of approval, as described more fully in the resolution adopting CEQA findings, and the Board is adopting a Mitigation Monitoring and Reporting Program in conjunction with approval of the Use Permit.

g) Information contained in the associated file labeled PLN120294.

DECISION

NOW, THEREFORE, BE IT RESOLVED, based on the above findings and evidence, the Monterey County Board of Supervisors does hereby:

a. Approve the Use Permit with a 34 year duration to allow the construction of a 280 Megawatt solar generating facility on an approximately 3,000 acre site including: photovoltaic (PV) solar modules, two substations (approximately 6 acres each), a switching station (approximately 6 acres), a 4,000 square foot operations and maintenance building, an approximately 155 acre utility corridor, other infrastructure needed to serve the proposed project and grading of approximately 880,000 cubic yards of cut and 880,000 cubic yards of fill, subject to the conditions of approval which are attached hereto and incorporated herein by reference; and
b. Adopt the Condition Compliance and Mitigation Monitoring and Reporting Plan, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED on this 10th day of February, 2015, by the following vote, to-wit:

AYES:
NOES:
ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book___ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN120294

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Use Permit to allow the construction of a 280 Megawatt solar generating facility on an approximately 3,000 acre site including: photovoltaic (PV) solar modules, pad mounted inverters and transformers, two substations (approximately 6 acres each), a switching station (approximately 6 acres), a 4,000 square foot operations and maintenance building, an approximately 155 acre utility corridor, other infrastructure needed to serve the proposed project and grading of approximately 880,000 cubic yards of cut and 880,000 cubic yards of fill; and a the request to enter into a Development Agreement in accordance with Monterey County Code section 18.62 was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. California Flats Solar, LLC and its successor and is the "owner" and "applicant" for purposes of these conditions unless otherwise specified. Owner/applicant shall obtain permission from the landowner to record on the subject property any documents that the conditions of approval require. The property is located in the southeastern corner of Monterey County, southeast of Parkfield, east of Turkey Flats Road and north of State Highway 46 (Assessor's Parcel Numbers 143-011-001-000, 143-011-002-000, 143-011-003-000, 143-011-004-000, 143-011-007-000, 143-011-008-000, 143-011-012-000, 143-011-023-000, 143-011-024-000, 143-011-025-000, 423-191-037-000, 423-191-038-000, 423-191-039-000, 424-181-012-000, 424-181-013-000, 424-181-014-000, 424-181-015-000, 424-181-016-000, 424-081-018-000, 424-081-036-000, 424-181-038-000, 424-191-015-000, 424-191-016-000, 424-201-007-000, 424-201-009-000, 424-201-010-000, 424-201-011-000, 424-211-001-000, 424-211-004-000, 424-211-024-000, and 424-211-025-000), South County Area Plan. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number 15-_____) was approved by Board of Supervisors for Assessor's Parcel Numbers 143-011-001-000 through 143-011-003-000, 423-191-037-000 through 423-191-039-000, 424-181-013-000 through 424-181-016-000, 424-181-018-000, 424-181-035-000 through 424-181-038-000, 424-191-015-000, 424-191-016-000, 424-201-007-000, 424-201-009-000 through 424-201-011-000, 424-211-001-000, 424-211-004-000 and 424-211-024-000 on February 10, 2015. The permit was granted subject to 96 conditions of approval, including 85 mitigation measures, which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."
Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The owner/applicant agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The owner/applicant will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the owner/applicant of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

4. EHSP01 - DECLARATION FOR A NON-PUBLIC WATER SYSTEM (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The proposed project does not meet the current definition of a public water system pursuant to California Health and Safety Code, section 116275(h). The applicant shall submit a completed 'Declaration for a Non-Public Water System'; form available from the Environmental Health Bureau, for review and approval by the Environmental Health Bureau and County Counsel. Once approved, sign before a Notary Public and have the document recorded with the County of Monterey Recorder's Office. (Environmental Health)

Compliance or Monitoring Action to be Performed: If and when the number of individuals with access to the water from the FJ West well (well permit # e 024859) reaches 25 then a public water system permit shall be required from the Environmental Health Bureau.

Prior to commencement of operations:
- Obtain draft declaration from EHB.
- Submit completed declaration to EHB and County Counsel for review and approval.
- Record notarized Declaration for a Non-Public Water System deed notification.
- Submit evidence of recordation to EHB.

5. EHSP02 - ENGINEERED ONSITE WASTEWATER TREATMENT SYSTEM (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Environmental Health has determined that adequate area exists for onsite wastewater disposal for the proposed development. Submit an engineered onsite wastewater treatment system plans indicating the location, design layout and size specifications that meet standards found in Monterey County Code Chapter 15.20, Onsite wastewater treatment Ordinance, and the Central Coast Basin Plan, RWQCB. (Environmental Health)

Compliance or Monitoring Action to be Performed: Prior to the issuance of a building permit the owner/applicant shall submit onsite wastewater treatment system plans designed and wet-stamped by a CA Registered Engineer for review and approval by Environmental Health Bureau. Applicant shall obtain a permit to install the onsite wastewater treatment system from Environmental Health.

6. NON STNANDARD CONDITION - SECURITY AND SIGNAGE

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRESP02 - NON-STANDARD CONDITION SECURITY AND SIGNAGE
Signage shall be provided indicating hazards to include but not limited to high voltage and NFPA 704 hazard classifications and areas contaning hazards shall be adequately protected with fences or similar structures. (Cal-Fire South County)

Compliance or Monitoring Action to be Performed: Prior to requesting final building inspection applicant shall comply with this conditions and obtain fire final inspection approval.

7. NON-STANDARD CONDITION - FIRE SPRINKLER SYSTEM

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: FIRESP01 - NON-STANDARD CONDITION FIRE SPRINKLER SYSTEMS
Any building having a total floor area greater than 500 square feet shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four(4) sets of plans for fire sprinkler systems must be submitted to the fire district by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and approved prior to requesting a framing inspection. (Cal-Fire South County)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, the Applicant shall print the text of this condition as "Fire Department Notes" on the construction plans.

Prior to requesting a framing inspection, the Applicant shall obtain fire department approval of the rough fire sprinkler inspection.

Prior to requesting a final building inspection, the Applicant shall obtain fire department approval the final fire sprinkler inspection.

8. WR036 - STREAM SETBACK

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The proposed development shall be set back at least 50 feet from the "top of bank", as defined in Chapter 16.16 of Monterey County Code. The top of bank shall be defined by a professional engineer or licensed land surveyor and shown on the site plan.

If the setback requirement cannot be met, the applicant shall prove to the satisfaction of the Water Resources Agency that the proposed development will be safe from flow-related erosion hazards and will not significantly reduce the capacity of the existing watercourse. The applicant shall submit a report, prepared by a registered civil engineer or licensed geologist, certifying the proposed development is compliant with Monterey County Code Chapter 16.16. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit cross-sections, a site plan, and applicable reports, to the Water Resources Agency for review and approval.

9. MITIGATION MEASURE #1 - AES-1 TEMPORARY FENCING AT SR 41 STAGING AREAS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall install opaque temporary fencing at construction staging areas within 0.5 miles of SR 41. The placement and design of temporary fencing shall be sufficient to obstruct views of any construction activities from the perspective of motorists on SR 41. Fencing shall be erected for the duration of construction activities at staging areas within 0.5 mile of SR 41.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the Owner/Applicant shall install and maintain opaque temporary fencing in conformance with the standards set forth in the condition.

10. MITIGATION MEASURE #2 - AES-3 MINIMIZE CONSTRUCTION LIGHTING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of construction permits, the applicant shall prepare a Construction Lighting Plan showing night lighting for construction and parking areas on construction plans and submit to the RMA – Planning Department for review and approval. Night lighting of construction and parking areas shall be minimized in both brightness and extent to the maximum extent possible, consistent with the safety needs of the facility. All lighting shall be shielded, with all direct lighting limited to within the parking or construction area, and with no upwardly directed lighting. Security lighting for construction storage areas shall also be hooded and directed down and into the site, with no off-site light trespass. This requirement shall be specified in contracts with contractors and subcontractors that may require nighttime construction lighting. The Plan shall include the location, type, and wattage of all external light fixtures and include catalog sheets of each fixture. The approved Construction Lighting Plan shall be incorporated into the construction plans submitted to RMA – Building Services for the project.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits, the applicant shall prepare a Construction Lighting Plan showing night lighting for construction and parking areas on construction plans and submit to the RMA – Planning Department for review and approval.

On an ongoing basis, the construction lighting shall be maintained in conformance with the standards set forth in the condition.

11. MITIGATION MEASURE #3 AQ-2(A) DUST CONTROL MEASURES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The project applicant and/or contractor shall be responsible for implementing the following mitigation measures throughout the duration of construction. Prior to the issuance of any grading permit, the project applicant and/or contractor shall submit construction drawings to the Monterey County RMA – Planning Department and RMA – Building Services for review and approval that include the following measures on all plans and specifications:

• The grading plan design shall minimize the amount of disturbed area to the extent feasible;

• Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;

• In order to avoid long distances and associated travel time between source wells and the work area, the project applicant shall employ the use of on-site temporary pipelines, stand tanks or other measures to reduce water truck travel on unstable, disturbed surfaces;

• To best address fugitive dust proximal to workers, the project applicant shall establish clear boundaries for the assignment of dust control as between the principal EPC contractor and subcontractors. The subcontractors shall be required to maintain dust control in their work area. Maps showing each contractor's area of responsibility for dust control shall be distributed as work areas change. These maps shall be given to each water truck driver in an effort to reduce duplication of efforts while assuring full coverage. Water trucks will be assigned to specific crews or areas. In addition, each water truck driver shall be equipped with a radio to respond to any area that is experiencing dust or equipment operations that require additional dust suppression measures;

• The project applicant shall maintain a 15 mph speed limit on roads where water application is the sole form of dust control, and shall post signs to remind workers throughout the work areas. The project applicant shall monitor to ensure compliance with the speed limit. As an additional measure, all of the cart operators shall be required to complete a cart training course prior to operation of carts on site;

• Water truck operations shall adjust their spraying methods according to the conditions. For example, during windy conditions trucks should point the water spray downward. In silty soils, trucks should use light front spray followed by the heavier back spray. In clay soils, a heavy spray is applied well before traffic is expected in the area. This set of techniques shall be conveyed to new water truck operators when they arrive to the work site;

• Where access by water trucks is limited by structures or conditions, hand-operated water tanks (i.e. water buffalos) shall be used to provide dust control. Hand-operated water tanks can be used to apply water directly to the work area by crew members;

• Heavy construction equipment traveling on unstabilized roads on the project site shall be preceded by a water truck to dampen roadways and reduce dust from transportation along such roads;

• All dirt stock pile areas shall be sprayed daily as needed;

• Permanent dust control measures identified in the proposed Habitat Restoration and Revegetation Plan [refer to Biology Mitigation Measure B-2(b)] shall be implemented as soon as possible following completion of any soil disturbing activities;

• Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

• All roads shall be stabilized using gravel, non-toxic chemical soil binders (e.g., latex acrylic copolymer), jute netting, or other methods approved in advance by the Monterey County RMA – Planning Department. If necessary, the Monterey County RMA – Planning Department may refer to the list of approved dust control suppressants in the SLOAPCD CEQA Air Quality Handbook Technical Appendix 4.3. For all structure pads and other areas to be paved, seeding or soil binders shall be used if construction or paving will not occur within 10 days of grading;

• Install track-out control devices where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

• Sweep paved/unpaved roadways boundaries (e.g. project entrance roadways) at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;

• All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

• The contractor or builder shall designate a site dust manager and up to four persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. As necessary, the monitor shall have the authority to require additional dust control measures be implemented. The monitor shall file monthly reports to the Monterey County RMA – Planning Department, including a daily log documenting monitoring activities, exceedances, and measures taken to reduce dust emissions. Their duties shall include weekdays, holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Monterey County RMA – Planning Department and the APCD Compliance Division prior to the start of any grading, earthwork or demolition. In addition, the log of monitoring activities shall be provided to APCD for confirmation that dust control measures are meeting the requirements of Rule 402.

COMPLIANCE OR MONITORING ACTION:

Prior to the issuance of any grading permit, the project applicant and/or contractor shall submit construction drawings to the Monterey County RMA – Planning Department and RMA – Building Services for review and approval that include the measures specified in this condition on all plans and specifications.

12. MITIGATION MEASURE #4 - AQ(B) EMISSION-RESUCTION MEASURES FOR CONSTRUCTION EQUIPMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: AQ-2(b) Emission-Reduction Measures for Construction Equipment. The Project Applicant and/or Contractor shall be responsible for implementing the following mitigation measures throughout the duration of construction. Prior to the issuance of any grading permit, the Project Applicant and/or Contractor shall submit construction drawings to the Monterey County RMA – Planning Department and RMA – Building Services for review and approval that include the following measures on all plans and specifications:

• Idling Restrictions Near Sensitive Receptors for Both On and off-Road Equipment (applicable to northernmost edge of the project site only), including:

o Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;

o Diesel idling within 1,000 feet of sensitive receptors is not permitted; and,

o Signs that specify the no idling requirements must be posted and enforced at the construction site.

• Operational NOX and Diesel PM Emissions Reduction Measures for Construction Equipment

o All construction equipment shall be maintained in proper tune according to manufacturer's specifications;

o All off-road and portable diesel powered equipment shall be fueled with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

o Use of on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines;

o On- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;

o Use of electrically-powered equipment when feasible;

o Gasoline-powered equipment shall be substituted in place of diesel-powered equipment, where feasible; and

o If available, use of alternatively fueled construction equipment on-site, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any grading permit, the Project Applicant and/or Contractor shall submit construction drawings to the Monterey County RMA – Planning Department and RMA – Building Services for review and approval that include the measures specified in this condition on all plans and specifications.

On an ongoing basis throughout construction, the Project Applicant and/or Contractor shall implement the measures in conformance with the standards set forth in the condition.

13. MITIGATION MEASURE #5 AQ-2(C) TIER 3 CONSTRUCTION EQUIPMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All off-road construction diesel engines not registered under the California Air Resources Board's Statewide Portable Equipment Registration Program, which have a rating of 50 horsepower (hp) or more, shall meet, at a minimum, the Tier 3 California Emissions Standards for Off-Road Compression-Ignition Engines as specified in California Code of Regulations, Title 13, section 2423(b)(1) unless such engine is not available for a particular item of equipment.

Construction or trucking companies with fleets that that do not have engines in their fleet that meet the Tier 3 standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance. If a Tier 3 (or equivalent alternative compliance) engine is not available for any off-road engine larger than 50 hp, that engine will have tailpipe retrofit controls that reduce exhaust emissions of NOX and PM to no more than Tier 2 emission levels. Tier 1 engines will be allowed on a case-by-case basis only when the project applicant has documented that no Tier 2 equipment or emissions equivalent retrofit equipment is available for a particular equipment type that must be used to complete project construction. This shall be documented with signed written correspondence by the appropriate construction contractor along with documented correspondence with at least two construction equipment rental firms. A list of the construction equipment used on-site and the associated EPA Tier shall be submitted to the County of Monterey RMA-Planning Department quarterly to verify implementation of measure.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the Owner/Applicant shall submit to RMA-Planning for review and approval signed written correspondence and a list of the construction equipment used on-site and the associated EPA Tier from the construction contractor that demonstrates that the off road construction equipment meets the standards set forth in the condition.

On a quarterly basis throughout construction, the Owner/Applicant shall submit to RMA-Planning for review and approval a list of the construction equipment used on-site and the associated EPA Tier that demonstrates that the off road construction equipment meets the standards set forth in the condition.

14. MITIGATION MEASURE #6 - AQ-6(A) VALLEY FEVER MANAGEMENT PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The project applicant shall identify and retain a licensed occupational medicine physician (M.D.) specializing in pulmonary epidemiology, subject to approval by the the Monterey County Health Department (Health Officer), to assist with the development and implementation of a Valley Fever Management Plan (VFMP). The VFMP shall include a job hazard analysis [in compliance with California Occupational Safety and Health Administration (Cal/OSHA) regulations] for any worker that will be exposed to dust. The VFMP shall further include specific measures to reduce the potential for exposure to Valley Fever. The project applicant and the Monterey County Health Department may consult with MBUAPCD and the Cal/OSHA Compliance Program as needed in identifying a specialist M.D. and in developing the VFMP.

Prior to issuance of grading permits, the applicant shall submit the VFMP to the Monterey County Health Department for review and approval. The VFMP shall identify appropriate dust management and safety procedures that shall be implemented, as needed, to minimize worker and public exposure to dust potentially containing the Coccidioides spore. Measures in the VFMP may include the following:

• Provide HEP-filtered air-conditioned enclosed cabs on heavy equipment. Train workers on proper use of cabs, such as turning on air conditioning prior to using the equipment.

• Provide communication methods, such as two-way radios, for use in enclosed cabs.

• Require National Institute for Occupational Safety and Health (NIOSH)-approved half-face respirators equipped with N-100 or P-100 filters to be used during any worker collocation with surface disturbance activities if determined to be needed based upon the applicable job hazard analysis.

• Workers that are required to use respirators as determined by a job hazard analysis shall be medically evaluated, fit-tested, and properly trained on the use of the respirators, and a respiratory protection program shall be implemented in accordance with the applicable Cal/OSHA Respiratory Protection Standard (8 CCR 5144).

• Provide separate, clean eating areas with hand-washing facilities.

• Thoroughly clean construction tools, equipment, and vehicles with water before they are moved offsite to other work locations.

• Equipment inspection and washing stations shall be established and manned at each construction equipment access/egress point. Spot examination of construction equipment for water washing via portable equipment in accordance with SWPPP BMPs shall be performed in order to prevent track-out of transport of material potentially carrying the Coccidioides spore.

• Suitable coveralls and change facilities shall be made available to all on-site workers. Workers performin work in areas where fresh ground disturbance presents a risk of exposure to the Coccicioides spore shall be required to change clothes after work every day before leaving the work site, to prevent distribution of Coccidioides to non-endemic areas, as determined to be needed based upon the applicable job hazard analysis.

• Establish sub-contract language clearly indicating that all subcontractors are obligated to comply fully with the meaning and intent of Title 8 California Code of Regulations Sections 5141 and 5144, subject to audit and contract enforcement by the applicant.

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

• Establish and execute auditing protocols to ensure subcontractor compliance with all provisions of the VFMP and provide monthly audit summary data, potential deviations noted and corrective actions implemented to the Monterey County Department of Health and County of Monterey RMA-Planning Department.
• Each primary employer of contracted workers shall be required by the terms and conditions of their contract for services to retain and consult with an Occupational Medicine Professional, licensed by either the Medical Board of California or the Osteopathic Board of California to develop a protocol to medically evaluate employees who develop symptoms of Valley Fever. Reporting of symptoms of Valley Fever and diagnosed cases of Valley Fever must occur consistent with County and State requirements.

COMPLIANCE OR MONITORING ACTION:

Prior to issuance of grading permits, the applicant shall submit the VFMP, in conformance with the standards set forth in the condition, to the Monterey County Health Department for review and approval.

15. MITIGATION MEASURE #7 - AQ-6(B) ADDITIONAL VALLEY FEVER DUST SUPPRESSION MEASURES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If peak daily wind speeds exceed 15 mph or peak daily temperatures exceed 95 degrees Fahrenheit for three consecutive days, additional dust suppression measures (such as additional water or the application of additional soil stabilizer) shall be implemented prior to and immediately following ground disturbing activities. The additional dust suppression shall continue until winds are 10 mph or lower and outdoor air temperatures are below a peak daily temperature of 90 degrees for at least two consecutive days. The additional dust suppression measures shall be incorporated into the Final Construction Management Plan. The Final Construction Management Plan shall be submitted to the County of Monterey RMA-Planning Department for review and approval prior to commencing ground disturbing activities (e.g., grading, filling, trenching).

Compliance or Monitoring Action to be Performed: Prior to commencing ground disturbing activities (e.g., grading, filling, trenching), the Final Construction Management Plan, in conformance with the standards set forth in the condition, shall be submitted to the County of Monterey RMA-Planning Department for review and approval.

On an ongoing basis throughout construction, the applicant/construction contractor shall implement the standards set forth in the Final Construction Management Plan.

16. MITIGATION MEASURE #8 MONTEREY COUNTY HEALTH DEPARTMENT NOTIFICATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The project applicant shall notify the Monterey County Health Department (Health Officer) and the Monterey County RMA–Planning Department not more than 60 nor less than 30 days before construction activities commence to allow the Health Officer opportunity to provide educational outreach to community members and medical providers, as well as enhanced disease surveillance in the area both during and after construction activities involving grading.

Compliance or Monitoring Action to be Performed: Not more than 60 nor less than 30 days before construction activities commence, the project applicant shall notify the Monterey County Health Department (Health Officer) and the Monterey County RMA–Planning Department of pending construction activities to allow the Health Officer opportunity to provide educational outreach to community members and medical providers, as well as enhanced disease surveillance in the area both during and after construction activities involving grading.

17. MITIGATION MEASURE #9 - AQ-6(D) VALLEY FEVER WORKER TRAINING PROGRAM AND SAFETY MEASURES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to any project grading activity, the primary project construction contractor shall prepare and implement a worker training program that describes potential health hazards associated with Valley Fever, common symptoms, proper safety procedures to minimize health hazards, and notification procedures if suspected work-related symptoms are identified during construction, including the fact that certain ethnic groups and immune-compromised persons are at greater risk of becoming ill with Valley Fever. The objective of the training shall be to ensure the workers are aware of the danger associated with Valley Fever. The worker training program shall be included in the standard in-person training for project workers, and shall identify safety measures to be implemented by construction contractors during construction, including all safety measures included in the Valley Fever Management Plan prepared pursuant to Mitigation Measure AQ-6(a). Prior to initiating any grading, the project applicant shall provide the Monterey County RMA – Planning Department and the Monterey County Health Department with copies of all educational training material for review and approval. No later than 30 days after any new employee or employees begin work, the project applicant shall submit evidence to the Monterey County RMA – Planning Department that each employee has acknowledged receipt of the training (e.g., sign-in sheets with a statement verifying receipt and understanding of the training).

Compliance or Monitoring Action to be Performed: Prior to any project grading activity, the primary project construction contractor shall prepare and implement a worker training program in conformance with the standards set forth in the condition.

Prior to initiating any grading, the project applicant shall provide the Monterey County RMA – Planning Department and the Monterey County Health Department with copies of all educational training material for review and approval.

On an ongoing basis throughout construction, and no later than 30 days after any new employee or employees begin work, the project applicant shall submit evidence to the Monterey County RMA – Planning Department that each employee has acknowledged receipt of the training in conformance with the standards set forth in the condition.

18. MITIGATION MEASURE #10 - AQ-6(E) VALLEY FEVER INFORMATION HANDOUT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall work with a medical professional, in consultation with the Monterey County Health Department, to develop an educational handout for on-site workers and surrounding residents within three miles of the project site, and include the following information on Valley Fever: what are the potential sources/ causes, what are the common symptoms, what are the options or remedies available should someone be experiencing these symptoms, and where testing for infection is available. Prior to construction permit issuance, this handout shall have been created by the applicant and reviewed by the County. No less than 30 days prior to any surface disturbance (e.g., grading, filling, trenching) work commencing, this handout shall be mailed to all existing residences within three miles of the project boundaries.

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the applicant shall create a handout, in conformance with the standards set forth in the condition, and submit it to the Monterey County Health Department for review and approval.

No less than 30 days prior to any surface disturbance (e.g., grading, filling, trenching) work commencing, the approved handout shall be mailed to all existing residences within three miles of the project boundaries.

19. MITIGATION MEASURE #11 - AQ-9 CONSTRUCTION MANAGEMENT PLAN REQUIREMENTS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Final Construction Management Plan (CMP) proposed as Applicant Proposed Measure 2 (APM-2) shall include the following construction emissions reduction measures, recommended by SLOAPCD:

• Best Available Control Technology for Construction equipment (BACT) measures to reduce construction emissions, which can include:

o Repowering equipment with the cleanest engines available;

o Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm

• Schedule activities to minimize the amount of large construction equipment operating simultaneously during any given time period; and

• Scheduling of construction truck trips during non-peak hours to reduce peak hour emissions;

The CMP shall be submitted to the County of Monterey RMA-Planning Department for review and approval.

Compliance or Monitoring Action to be Performed: Prior to commencing ground disturbing activities (e.g., grading, filling, trenching), the Final Construction Management Plan, in conformance with the standards set forth in the condition, shall be submitted to the County of Monterey RMA-Planning Department for review and approval.

On an ongoing basis throughout construction, the applicant/construction contractor shall implement the standards set forth in the Final Construction Management Plan.

20. MITIGATION MEASURE #12 - B-1(A) NESTED COMPENSATORY MITIGATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall provide conservation easements or funds for acquisition of conservation easements as compensatory mitigation to offset impacts to vegetative communities and listed or special status plants and wildlife. The compensatory mitigation shall incorporate the conditions specified in incidental take permits that could be issued by CDFW and USFWS for this project, but shall meet the minimum standards specified in this measure. Compensatory mitigation shall be provided at a ratio of not less than those specified in mitigation measures B-1(e), B-1(j), B-1(n), B-1(v), B-1(z), and B-1(cc). Compensatory mitigation for multiple species may be combined to mitigate for impacts to multiple species simultaneously (i.e. nested compensatory mitigation). Areas proposed for preservation and serving as compensatory mitigation for special status plant species impacts must contain verified extant populations of the special status plant species that would be impacted by the project. Areas proposed for preservation and serving as compensatory mitigation for special status wildlife species impacts must contain habitat value and function consistent with the conditions necessary to support viable populations of the special status species for which impacts are being mitigated (i.e. suitable vegetation communities, suitable breeding and nesting habitat and microhabitat conditions, including appropriate aquatic habitat for impacts to aquatic species or disturbances to aquatic habitat). Preservation lands must also be within known species ranges and known occurrences of local populations of the species for which impacts are being mitigated. Compensatory mitigation areas shall have a restrictive covenant prohibiting future development/disturbance and shall be managed in perpetuity to encourage persistence and enhancement of the preserved target species. Compensatory mitigation lands cannot be located on land that is currently held publicly for resource protection. The compensatory mitigation areas shall be managed by a conservation lands management entity or other qualified easement holder.

The applicant shall either provide conservation easements or provide funds for the acquisition of such easements to a qualified easement holder as defined below. The CDFW and organizations approved by CDFW that meet the criteria below may be considered qualified easement holders for those species for which the CDFW has regulatory authority. To qualify as a “qualified easement holder” a private land trust must at a minimum have:

1. Substantial experience managing conservation easements that are created to meet mitigation requirements for impacts to special-status species;
2. Adopted the Land Trust Alliance’s Standards and Practices; and
3. A stewardship endowment fund to pay for its perpetual stewardship obligations.

Other specific conditions for qualified easement holders may be outlined in incidental take permits that could be issued by CDFW and USFWS for this project.

The County shall determine whether a proposed easement holder meets these requirements. The applicant shall also be responsible for donating to the conservation easement holder fees sufficient to cover administrative costs incurred in the creation of the conservation easement (appraisal, documenting baseline conditions, etc.) and funds in the form of a non-wasting endowment to cover the cost of monitoring and enforcing the terms of the conservation easement in perpetuity. The amount of these administrative and stewardship fees shall be determined by the conservation easement holder in consultation with the County.

The primary purpose of the conservation easement(s) shall be conservation of impacted species and habitats, but the conservation easement(s) shall also allow livestock grazing when and where it is deemed beneficial for the habitat needs of impacted species.

Compliance or Monitoring Action to be Performed:

CONDITION TEXT CONTINUED IN NEXT CONDITION 21

21. MITIGATION MEASURE #12 - B-1(A) NESTED COMPENSATORY MITIGATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: CONDITION TEXT CONTINUED:
Conservation easement(s) shall be held in perpetuity by a qualified easement holder (as defined above), be subject to the management requirements outlined in the HMMP (see measure B-1[b]), and be subject to a legally binding agreement that shall: (1) Be recorded with the County Recorder(s); and (2) Contain a succession clause for a qualified easement holder if the original holder is dissolved.

-- Land Acquisition Requirements. The following factors shall be considered in assessing the quality of potential mitigation habitat: (1) current land use, (2) location (e.g., habitat corridor, part of a large block of existing habitat, adjacency to source populations, proximity to potential sources of disturbance), (3) vegetation composition and structure, (4) slope, (5) soil composition and drainage, and (6) level of occupancy or use by all relevant species.
To meet the requirement that the mitigation habitat is of value equal to, or greater than, the habitat impacted on the project site, the mitigation habitat must be either "suitable habitat" or "enhanced habitat":

-- Suitable Habitat. To meet the requirements for suitable habitat that provides equal or greater habitat value for special status animal species than the impacted habitat, the habitat must:
1. provide habitat for special status animal species, such that special status animal species populations can regenerate naturally when disturbances are removed;
2. not be characterized by (or adjacent to areas characterized by) high densities of invasive species, such as yellow star-thistle, or species that might jeopardize habitat recovery and restoration;
3. not contain hazardous wastes that cannot be removed to the extent that the site could not provide suitable habitat; and
4. not be located on land that is currently publicly held for resource protection.

-- Enhanced Habitat. If suitable habitat is unavailable, or in lieu of acquiring already suitable special status animal species habitat, the applicant may enhance potential habitat that:
1. is within an area with potential to contribute to habitat connectivity and build linkages between known San Joaquin kit fox populations;
2. consists of actively farmed land or other land containing degraded habitat that will support enhancement;
3. supports suitable soils, slope, and drainage patterns consistent with special status animal species requirements;
4. cannot be located on land that is currently held publicly for resource protection; and
5. does not contain hazardous wastes or structures that cannot be removed to the extent that the site could not provide suitable habitat.

-- Enhanced Habitat Standards. For enhanced habitat conditions to equal or exceed habitat conditions on the project site, the enhanced habitat shall meet the following habitat criteria. After five years, these sites must consist of annual grasslands, other grassland vegetation, suitable aquatic habitat, suitable foraging habitat (e.g. habitat is within 10 miles of known nesting golden eagles) or other habitat characteristics (e.g. suitable burrows for burrowing owls, small mammal burrows in upland habitat for CTS, etc.) that are consistent with the known ecology of the special status animal species to which compensatory mitigation is being applied.

Compliance or Monitoring Action to be Performed:

Mitigation Timing: The applicant shall calculate the total acreages required to meet all compensatory mitigation obligations and submit these totals to the County prior to the issuance of grading permits. The applicant shall then obtain County approval of the location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands. Documentation of recorded easement(s) shall be submitted to and approved by the County prior to the first of the project's final inspections, or within 18 months after issuance of grading permits, whichever comes first. Verification of having met habitat mitigation requirements shall be reviewed and approved prior to final inspection.

Monitoring: The County shall review documentation of compensatory mitigation land acquisition and associated restrictive covenant for consistency with conditions outlined in the measure. These lands may be identified through independent consultation with CDFW and/or USFWS.

22. MITIGATION MEASURE #13 - B-1(B) HABITAT MITIGATION AND MONITORING PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To ensure the success of compensatory mitigation sites required for compensation of permanent impacts to vegetative communities and listed or special status plants and wildlife, the applicant shall retain a qualified biologist to prepare a Habitat Mitigation and Monitoring Plan (HMMP). The HMMP shall be submitted to the County within 12 months after the issuance of the grading permit. The HMMP shall include, at a minimum, the following information:

1. a summary of habitat and species impacts and the proposed mitigation for each element;
2. a description of the location and boundaries of the mitigation site(s) and description of existing site conditions;
3. a description of any measures to be undertaken to enhance (e.g., through focused management) the mitigation site for special status species;
4. identification of an adequate funding mechanism for long-term management and identification of a conservation lands management entity to manage the conservation easement lands;
5. a description of management and maintenance measures intended to maintain and enhance habitat for the target species (e.g., weed control, fencing maintenance);
6. in areas subject to grazing management, compilation of a dedicated, site-specific managed grazing plan, prepared by a Certified Rangeland Manager, for grassland habitats within the mitigation site(s), employing Residual Dry Matter (RDM) monitoring, and a description of the adaptive management scheme for this plan;
7. a description of habitat and species monitoring measures on the mitigation site, including specific, objective performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.; monitoring shall document compliance with each element requiring habitat compensation or management;
8. a contingency plan for mitigation elements that do not meet performance or final success criteria within described periods; the plan shall include specific triggers for remediation if performance criteria are not met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur; this contingency plan shall identify associated follow-up monitoring needs beyond the initial three years post-construction if remedial actions are required;
9. a requirement that the applicant shall be responsible for monitoring, as specified in the HMMP, for at least three years post-construction or until success of the compensatory lands (especially enhanced habitats) as described in the HMMP can be shown; during this period, regular reporting shall be provided to the County;
10. reporting shall include:

a) an annual monitoring report to be submitted to the County; and

b) for any species listed under the FESA or CESA, demonstration that the compensatory mitigation and management (1) will fully mitigate for any take of a CESA-listed species as defined by CESA, (2) minimize and mitigate any take of an FESA-listed species to the maximum extent practicable as defined by FESA, and (3) ensure that impacts from the project are not likely to jeopardize the listed species continued existence as defined by FESA.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The HMMP shall be submitted by the applicant to the County, and be approved by the County prior to the first of the project's final inspections, or within 12 months after issuance of grading permits, whichever comes first.

Monitoring: The County shall ensure that all components of the HMMP are fully implemented by the applicant.

23. MITIGATION MEASURE #14 - B-1(C) PRE-CONSTRUCTION SPECIAL STATUS PLANT SURVEYS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to initial ground disturbance, all temporary and permanent disturbance areas within the Utility Corridor (i.e. areas not surveyed in 2013) shall be surveyed for special status plant species. The surveys shall be conducted in accordance with accepted protocols established by the USFWS, CDFW, and CNPS. The surveys shall be floristic in nature and shall be timed to coincide with the bloom period for the target species identified in the Rare Plant Survey report (see Appendix E.6). All special status plant species observed shall be fully described and mapped on a site-specific aerial image. All special status plant species observation information shall be submitted to the CNDDB.

In addition, if there is a lapse in time of greater than two years between the completed protocol surveys in 2013 and the initiation of ground disturbance, all temporary and permanent disturbance areas shall be resurveyed to confirm the populations of special status plant species previously documented on-site, to provide updated and current information on rare plant occurrences necessary to the Habitat Mitigation Plan (see below). The largest extent of special status plant species documented shall be used to determine the mitigation requirements, regardless of which year the survey was conducted.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall contract for seasonally-timed pre-construction special status plant species to be conducted within the Utility Corridor prior to construction of the project. The applicant shall submit documentation to the County documenting the result so the preconstruction surveys.

Monitoring: The County shall ensure that the surveys are completed by the applicant prior to issuing grading permits.

24. MITIGATION MEASURE #15 - B-1(D) SPECIAL STATUS PLANT SPECIES AVOIDANCE AND MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Federally- and state-listed plant species were not identified during 2013 protocol survey; however, if they are identified during future survey efforts within the project site, as conducted under B-1(a), complete avoidance shall be required. The project Proponent shall, in consultation with a qualified plant ecologist, design, construct, and operate the project to completely avoid impacts to all populations of California jewelflower and San Joaquin woollythreads within the project impact area or within 50 feet of the project impact area. Impacts to all other (CRPR 1B and 4) special status plant species shall be avoided or minimized to the greatest extent feasible.

All known special status plant populations present within the limits of disturbance, or within 100 feet of the limits of disturbance shall be clearly depicted on Project plan sets. Prior to ground disturbance or vegetation removal in areas where special-status plant populations are to be avoided, the limits of work shall be visibly delineated with highly visible orange construction fencing or flagging. Visible delineation markers shall be required where special status plants to be avoided occur within 50 feet of general Project construction access areas and array installation, or within 100 feet of grading. The avoidance buffers shall be designated Environmentally Sensitive Areas (ESAs) and shall also be shown on Project plan sets. No equipment, vehicles, or personnel are permitted within ESAs without clear permission from a qualified biologist. All ESA fencing shall be maintained intact and in good condition throughout the duration of construction.

Compliance or Monitoring Action to be Performed: Mitigation Timing: project site plans shall be amended by the applicant to show ESAs prior to issuance of grading permits. ESA fencing shall be installed by the applicant prior to initiation of all other construction activities, including ground disturbance and staging.

Monitoring: The County shall ensure that the project site plans show ESAs and that ESA fencing is properly installed. The County shall ensure that ESA fencing is maintained throughout the duration of construction.

25. MITIGATION MEASURE #16 - B-1(E) COMPENSATORY MITIGATION FOR SPECIAL STATUS PLANT SPECIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Where direct impacts to special status plants cannot be avoided through redesign of project elements, to compensate for significant impacts on special status plant species, offsite habitat occupied by the affected species shall be preserved and managed in perpetuity at a minimum 1:1 mitigation ratio (at least one plant preserved for each plant affected, and also at least one occupied acres preserved for each occupied acres affected) up to the significance threshold, that is more than 10% of the BSA population for CRPR 1B species, or more than 30% of the BSA population for CRPR 4 species. For example, for a CRP-ranked 1B species where 15% of the known BSA population is impacted, mitigation must be provided at 1:1 equivalent of 5% of that BSA population; for CRPR 4 species, all impacts beyond 30 percent of the known BSA population must be mitigated at a 1:1 ratio). Areas proposed for preservation and serving as compensatory mitigation for special status plant impacts must contain verified extant populations of the special status plant species, of similar size and quality, and equal or greater density to the populations that would be impacted by the project, and should be consistent with the USFWS Recovery Plan for Upland Species of the San Joaquin Valley (USFWS 1998) if possible.

Preservation of offsite local populations within 5 miles of the project site would ensure that although the project could impact many individuals of CRPR 1B and 4 species, the project would not result in extirpation of these species from the region, and conserved populations would benefit long-term survival of these species statewide.

Locations of suitable mitigation sites must be identified within 5 miles of the BSA, and a technical report must be submitted demonstrating that the same species, approximate number of individuals, and same acreage of suitable habitat as would be impacted would be preserved. Suitable sites must have similar associate species, soils, and lack extensive populations of noxious weeds. Because populations of annual plants can fluctuate from year to year and are difficult to census over large areas, estimated population of the target species at mitigation sites may vary by up to 10 percent from impacted population estimates, provided calculations are based on population estimates conducted following 2009 CDFW-approved botanical survey protocol. The technical report must identify a species-by-species accounting of individuals and acreage impacted; locations, acreages, and individuals at each proposed mitigation site; botanical survey dates, personnel, mapping and population estimation techniques used to demonstrate site suitability as mitigation for special status plant impacts.

If possible, compensatory mitigation areas shall be located as close to the project site as feasible, but must also be protected from Project-related ground disturbance by a species- and impact-specific buffer developed by a qualified plant ecologist familiar with the project actions and with the habitats and plant species present on the project site. This buffer must take into account the following potential indirect impacts that could occur to the preserved populations:

1. potential shading, or alteration of existing light regimes, by nearby infrastructure;
2. potential for alteration of drainage patterns that could affect the hydrology of habitat occupied by the preserved population;
3. potential for overspray of herbicides used during site vegetation management; and,
4. potential for ongoing dust deposition on the preserved population, sufficient to coat foliage or reproductive structures and substantially interfere with photosynthesis or pollination.

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

Compensatory mitigation areas for special status plants can be combined with mitigation for multiple species as outlined in measure B-1(a) for nesting mitigation. Compensatory mitigation for special status plants shall be consistent with the conditions outlined in the above measure B-1(a), and be managed and monitored under the HMMP as outlined in the above measure B-1(b).

If sufficient acreage of suitable quality as previously discussed cannot be protected to conserve CRPR 1B species at a minimum one to one ratio for individuals and acreage impacted, and to conserve CRPR 4 species impacted beyond the 30% threshold, the deficit between available suitable mitigation sites and required mitigation numbers and acreage shall be made up through active restoration. A special status plant mitigation restoration plan will be prepared, if needed, to identify suitable locations, methods, and success criteria for special status plant mitigation through direct seeding and restoration of suitable unoccupied habitat. The plan must at a minimum require replacement through collection of seed and topsoil from impact sites, a monitoring and management component that outlines weed management and monitoring techniques, and success criteria that require successful establishment of the target species over the acreage and numbers impacted plants within five years.

If compensatory mitigation for special status plants will involve restoration, then the applicant shall scrape and collect topsoil and/or duff from impact areas that support rare plants, to be used in compensatory mitigation site restoration. Seed may also be collected from impact areas. Before project-related activities commence and once on-site special status plants go to seed, areas of proposed site grading where special status plants have been recorded shall be scraped to collect the seeds and topsoil/duff for redistribution on compensatory lands. A qualified botanist shall determine the most suitable locations for the topsoil/duff to be distributed on the compensatory lands, which may include but not be limited to creation of "wetland" depressions for those plants associated with wetlands, seeps, vernal pools or other mesic sites with clay soils, and determining correct soil types or topographic aspect to support each plant species. Scraping will not be conducted for soils in vernal pools that could contain federally listed invertebrates unless permitted to do so by the United States Fish and Wildlife Service (USFWS).

Sites used for restoration can be located on suitable habitat as outlined in measure B-1(a) for nested mitigation. Compensatory mitigation for special status plants shall be consistent with the conditions outlined in the above measure B-1(a), and be managed and monitored under the HMMP as outlined in the above measure B-1(b).

Mitigation Timing: A technical report as described above that identifies the total number of plants and acreage impacted and required for mitigation, sites identified for mitigation through conservation, and the special status plant restoration plan, if applicable, must be submitted to the County prior to the issuance of grading permits or prior to the issuance of the grading permit for each phase of the project, should the project be phased. The applicant shall then obtain County approval of the restoration plan, if applicable, and the location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands. All other timing shall be consistent with measure B-1(a).

26. MITIGATION MEASURE #17 - B-1(F) PRECONSTRUCTION SURVEY FOR AMERICAN BADGER

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: No more than 30 days before the start of construction activities, a qualified biologist shall conduct pre-construction surveys for American badgers within suitable habitat on the project site and in the access road/Hwy 41 improvement areas. If a potentially active den is found in a construction area, the den openings may be monitored with tracking medium or an infrared-beam camera for three consecutive nights to determine current use. Potential (inactive) dens within the limits of disturbance shall be blocked with a one-way door or excavated to prevent use during construction. Blocking with one-way doors is preferable to excavation where feasible; potential dens blocked with doors will be made available to badgers after construction. If American badgers or active dens are detected during these surveys, the project Proponent shall implement measure B-1(g).

Compliance or Monitoring Action to be Performed: No more than 30 days before the start of construction activities, a qualified biologist shall conduct pre-construction surveys for American badgers in conformance with the standards set forth in the condition.

27. MITIGATION MEASURE #18 - B-1(G) AMERICAN BADGER AVOIDANCE AND MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If suitable American badger dens are identified within the disturbance footprint, the den openings shall be monitored with tracking medium or an infrared-beam camera for three consecutive nights to determine current use. If the den is not in use, it shall be excavated and collapsed to ensure that no animals are present in the den.
If the den is occupied during the non-maternity period and avoidance is not feasible, badgers shall be relocated by first incrementally blocking the den over a three-day period, followed by slowly excavating the den (either by hand or with mechanized equipment under the direct supervision of a qualified biologist, removing no more than 4 inches at a time) before or after the rearing season (15 February through 30 June). Any passive relocation of American badgers shall occur only under the direction of a qualified biologist.

American badger dens determined to be occupied during the breeding season (15 February through 30 June) shall be flagged, and ground-disturbing activities avoided, within 100 feet to protect adults and nursing young. Buffers may be modified by the qualified biologist, provided the badgers are protected, and shall not be removed until the qualified biologist has determined that the den is no longer in use.

If a potential den is located outside of the disturbance footprint but within 500 feet of ground disturbing activities (including staging areas), the dens shall be avoided by installation of highly visible orange construction fencing a minimum of 100 feet around the den, designating the area an ESA. If the den is to be completely enclosed by fencing the fencing must be installed in a manner that allows badger to move through the fencing at-will. No equipment, vehicles, or personnel are permitted within ESAs without clear permission from a qualified biologist. The fencing shall be maintained in good condition and shall remain in place until all construction activities are completed within 500 feet of the den.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation that either no occupied American badger dens were recorded on the project site, or that appropriate avoidance measures have been implemented to ensure avoidance of active breeding dens prior to issuance of grading permits.

Monitoring: The County shall ensure that the applicant is in compliance with American badger impact avoidance and minimization measures.

28. MITIGATION MEASURE #19 - B-1(H) PRECONSTRUCTION SURVEYS FOR SNA JOAQUIN KIT FOX

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: No more than 30 days before the start of construction activities, the project Proponent shall retain a qualified biologist to conduct pre-construction surveys. All areas within the active limits of work, plus a 500-foot buffer (where the project Proponent has access), shall be surveyed, and all known and potential San Joaquin kit fox dens (i.e., suitably sized dens occurring within suitable habitat) shall be mapped. The entire project site will not be disturbed simultaneously; therefore, pre-construction surveys shall be staggered and occur only in areas scheduled for construction, at most 30 days prior to disturbance in those areas. If present, active San Joaquin kit fox dens shall be flagged, and ground-disturbing activities shall be avoided as described in measure B-1(i), below.

Compliance or Monitoring Action to be Performed: No more than 30 days before the start of construction activities, the project Proponent shall retain a qualified biologist to conduct pre-construction surveys in conformance with the standards set forth in the condition.

29. MITIGATION MEASURE #20 - B-1(I) SAN JOAQUIN KIT FOX DEN AVOIDANCE AND MINIMIZATION MEASURES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: When a suitable subterranean hole (den or burrow) is discovered within the project site, a qualified biologist will determine if the hole is occupied by a kit fox. Den entrances at least 4 inches in diameter, but not greater than 20 inches, qualify as suitable for kit fox use. The biologist will check to see if the den continues to extend underground at a 6-inch diameter. If the opening narrows quickly to 2-3 inches, then the hole will be considered unusable by kit foxes (it is likely being used by a California ground squirrel and would require extensive modification to be usable by a kit fox). If the den(s) can be immediately identified as recently used by kit fox based on qualifying signs such as kit fox tracks, scat, and a fresh soil apron extending 4-6 feet from the den entrance, then no further investigation will be conducted and the hole will be considered an occupied den.

Dens with proper dimensions but no obvious sign will require further investigation. A remote motion-sensing camera will be deployed for at least five (5) days to document whether the hole is being used by kit fox. If, after 5 days, no kit foxes are detected and the hole has remained unchanged (no new tracks or excavations are observed), the den will be deemed unoccupied. The den will be considered occupied if a kit fox is photographed using the den frequently or if recent sign is found.

Per the USFWS Standard Recommendations (2011), the following definitions will apply:
1. "Known den" - Any existing natural den or manmade structure that is used or has been used at any time in the past by a San Joaquin kit fox. Evidence of use may include historical records, past or current radio telemetry or spotlighting data, kit fox sign such as tracks, scat, and/or prey remains, or other reasonable proof that a given den is being or has been used by a kit fox.
2. "Potential Den" - Any subterranean hole within the species' range that has entrances of appropriate dimensions for which available evidence is insufficient to conclude that it is being used or has been used by a kit fox. Potential dens shall include the following: (1) any suitable subterranean hole; or (2) any den or burrow of another species (e.g., coyote, badger, red fox, or ground squirrel) that otherwise has appropriate characteristics for kit fox use.
3. "Natal or Pupping Den" - Any den used by kit foxes to whelp and/or rear their pups. Natal/pupping dens may be larger with more numerous entrances than dens occupied exclusively by adults. These dens typically have more kit fox tracks, scat, and prey remains in the vicinity of the den, and may have a broader apron of matted dirt and/or vegetation at one or more entrances. A natal den, defined as a den in which kit fox pups are actually whelped but not necessarily reared, is a more restrictive version of the pupping den.
4. "Atypical Den" - Any manmade structure which has been or is being occupied by a San Joaquin kit fox. Atypical dens may include pipes, culverts, and diggings beneath concrete slabs and buildings.

The applicant shall establish buffers around occupied dens within the project site under the following conditions for the construction and operation phases of the project:
Construction Phase
1. Occupied dens detected during pre-construction surveys or during construction monitoring will be fenced or flagged at the appropriate buffer distance (described below), to prevent access to the occupied den by construction equipment or non-biologist personnel.

2. Upon completion of construction activities in proximity to a den, all fencing/flagging will be removed to avoid attracting subsequent attention to the dens.
3. All onsite flagging and buffer delineations will be well maintained for the duration of activity in proximity to the den or until the den is determined to be unoccupied, whichever comes first.

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

4. The following radii will be the San Joaquin kit fox buffer distances in effect within the project site during project construction:
a. Occupied den – 100 feet
b. Occupied natal/pupping den – 500 feet
c. Occupied atypical den – 50 feet
5. Within the buffers, only essential vehicle and foot traffic will be permitted.
6. Otherwise, all construction, vehicle operation, material storage, and any other type of surface-disturbing activity will be prohibited within the buffers.
7. All reductions to established restrictive buffer areas (i.e. changes in total area by reducing the radii of the buffer or modifying the circular shape of the buffer) or allowance of additional activities within the restrictive buffers based on specific circumstances (i.e. vegetation, topography, acclimation to existing conditions, or frequency, intensity, or duration of anthropogenic activities) must be authorized by an agency-approved kit fox biologist. Agency approval of the kit biologist must be provided in writing by the agencies after review of the biologist's resume. All authorized reductions to restrictive buffer areas must be reported in writing to the USFWS and CDFW per the requirements of the federal and/or state take authorizations if specified, or within 24 hours of implementing the change if not specified in the take authorization(s).

Operations Phase / Routine Activities
1. Because routine O&M activities are minimally disruptive and any San Joaquin kit fox that may occur on the site will have habituated to similar levels of activity, restricted kit fox buffer zone entry for normal O&M activities is generally allowable following specific guidelines (see below).
2. Routine O&M activities include (but are not limited to) system maintenance/repair, testing and visual inspections, monitoring of overall system operational status, meter reading, security surveys and actions, and supervision of these activities and plant operation.
3. For normal O&M activities, buffer zones within the project site will have restricted entry as follows:
a) Potential or unoccupied dens (50-ft buffer):
i. No restrictions on entry except that the activity may not cause the destruction of the den.
b) Occupied dens (100-ft buffer) and occupied atypical dens (50-ft buffer):
i. No activity that would destroy the den may occur, until it is determined to be unoccupied.
ii. No activity that may harm a San Joaquin kit fox will proceed until the San Joaquin kit fox is out of harm's way without harassment.
iii. No vehicle parking/refueling will occur within the buffer.
iv. Through-vehicle access allowed on established routes for normal O&M activities.
v. Access may be allowed on foot or with light-duty vehicles/equipment only (e.g. panel washing equipment) for normal O&M activities if San Joaquin kit foxes are not observed above ground.
vi. Any activity that would cause strong ground vibrations may not occur within the buffer zone until the den is no longer occupied.
vii. In emergencies or urgent operational necessity, project personnel conducting normal O&M activities may slowly and carefully approach the work area near the den with a San Joaquin kit fox above ground, unless continuation of the activity would harm the San Joaquin kit fox or den.
c) Natal den without pups (200-ft buffer):
i. No restrictions apply to entries into buffer area around an unoccupied natal den unless the activity would cause the destruction of the den.

ii. Same restrictions apply as for occupied dens with 100-ft buffers, as per above.

CONDITION TEXT CONTINUED IN CONDITION 30

30. MITIGATION MEASURE #20 - B-1(I) SAN JOAQUIN KIT FOX DEN AVOIDANCE AND MINIMIZATION MEASURES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

d) Natal den with pups (500-ft buffer):
I. No activity that would destroy the den may occur until the den is determined to be unoccupied.
ii. No activity that may harm a San Joaquin kit fox will proceed until the den is unoccupied and the San Joaquin kit foxes are out of harm's way without harassment.
iii. No vehicle parking/stopping/refueling will occur within the buffer.
iv. Through-vehicle access allowed on established routes for normal O&M activities.
v. No work will occur within 100 ft of natal dens except in emergencies or urgent operational necessity. In emergencies or urgent operational necessity, project personnel may slowly and carefully approach the work area near the den, unless continuation of the activity may harm a San Joaquin kit fox or den.
vi. No equipment operation will occur within 200 ft of a natal den; however, access may be allowed with light-duty vehicles/equipment (e.g. panel washing equipment) for normal O&M activities up to 200 ft from a natal den if no San Joaquin kit foxes are above ground.
vii. Access may be allowed on foot up to 100 ft from a natal den for normal O&M activities if no San Joaquin kit fox are above ground.
viii. The fewest number of personnel and only equipment or vehicles essential to the work to be done may approach a den (within the constraints listed above); work must be completed, and personnel leave the area, as quickly as possible.
ix. Any activity that would cause strong ground vibrations may not occur within a buffer zone until the den or burrow is no longer occupied.
-- Operations Phase/Extended Activities
1. Specific den disturbance avoidance procedures for ground-disturbing, mowing, and extended maintenance activities will be developed, in consultation with a Designated Biologist(s)
2. Per the USFWS Standard Recommendations (2011), a Designated Biologist means any person who has completed at least four years of university training in wildlife biology or a related science and/or has demonstrated field experience in the identification and life history of the San Joaquin kit fox. In addition, the biologist(s) must be able to identify coyote, red fox, gray fox, and kit fox tracks, and to have seen a kit fox in the wild, at a zoo, or as a museum mount. Resumes of biologists will be submitted to the Service for review and approval prior to any survey or monitoring work occurring.
3. At a minimum, the following procedures will be followed on the project site:
a) No work will be allowed to occur within 200 ft of currently occupied natal dens except in emergencies or urgent operational necessity.
b) Work that would cause strong ground vibrations may not occur within a buffer zone until such time as the den is no longer occupied.
c) After consultation with the Designated Biologist(s) for specific den disturbance avoidance procedures, ground-disturbing, mowing, or extended maintenance activities may be allowed within less than 100 ft of a non-natal San Joaquin kit fox den or 50 ft of an atypical kit fox den when the Designated Biologist(s) has determined it is not occupied (may be temporarily unoccupied).
d) After consultation with the Designated Biologist(s) for specific den disturbance avoidance procedures, ground-disturbing, mowing, or extended maintenance activities may be allowed within less than 200 ft of a San Joaquin kit fox natal den when the Designated Biologist(s) has determined it is not occupied.
e) The fewest number of personnel and only equipment or vehicles essential to the work to be done will approach a den. Work will be completed, and personnel will leave

the area, as quickly as possible.
The applicant shall minimize impacts on known dens through the following procedures:
1. Protect in place if construction would not directly affect the known den on the project site as follows:
a) Protect in place will occur immediately after a three-day period of camera monitoring indicating the den is unoccupied, as described above.

CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

b) A one-way SJKF door or an alternative approved exclusionary device will be installed on the currently unoccupied den, and the tracking medium or infrared camera will be left in place for two more days to monitor potential activity at the den.
c) If SJKF activity is observed at the den during this monitoring period, the exclusionary device will be removed and the den will be monitored for at least five additional consecutive days, starting from the time of the observation.
d) Use of the den can be discouraged during this period by partially plugging its entrance(s) with soil in such a manner that any resident animal can escape easily.
e) When the den is determined to be unoccupied it will be protected in place under the direction of a qualified biologist. If an animal is still attempting to access the den after five or more consecutive days of plugging and monitoring, the den may have to be excavated (procedure described below).
2. Excavate dens when construction at the known den site is unavoidable as follows:
a) If necessary, destruction of the den will occur immediately after the three-day monitoring period, when the den is temporarily vacant (for example, during the animal's normal foraging activities), to preclude subsequent use.
b) Destruction of the den will be accomplished by careful excavation until the den is fully excavated.
c) Hand excavation of dens is encouraged; however, soil conditions may necessitate the use of excavating equipment.
d) Extreme caution will be exercised during any den excavation activities and will only be conducted under the direct supervision of a qualified biologist.
e) The fully excavated den will be filled with dirt and compacted to ensure that kit foxes cannot re-enter or use the den during the construction period.
f) If, at any point during excavation, a SJKF is discovered inside the den, the excavation activity will cease immediately, and monitoring of the den as described above will resume.
g) Destruction of the den may be completed when, in the judgment of a qualified biologist, the animal has escaped from the partially destroyed den.
h) The camera monitoring and/or burrow-probing procedures employed to determine occupancy prior to excavation will also be used to verify that there is not a second fox inside the den.
3. Postpone work near, and impacts to, natal/pupping dens on the project site as follows:
a) Natal or pupping dens (dens in which young are reared) that are occupied will not be destroyed or protected in place until the pups and adults have vacated.
b) Project activities within the restricted-activity buffer zones will be modified or postponed if necessary to avoid disturbance, as determined by a qualified biologist. As described above, the following buffer zones apply only for natal dens:
i. Construction Phase – 500 Ft
ii. Operations Phase / Normal Activity - No equipment operation will occur within 200 ft of a natal den; however, access may be allowed with light-duty vehicles/equipment (e.g. panel washing equipment) for normal O&M activities up to 200 ft from a natal den if no SJKFs are above ground.
c) After the pups have vacated the den, the procedure for excavation or protection in place (outlined above for known dens) will be implemented.
Mitigation Timing: The applicant shall submit documentation to the County that either no occupied SJKF dens were recorded on the project site, or that appropriate avoidance measures have been implemented to ensure avoidance of occupied or active breeding dens prior to issuance of grading permits. If occupied dens cannot be avoided the applicant will provide documentation that an Incidental Take Permit has been issued by CDFW (CESA/CFGC Sections 2081(b) and 2081(c)) and a Biological Opinion has been issued by the USFWS (FESA Section 7)

Monitoring: The County shall ensure that the applicant is in compliance with all SJKF impact avoidance and minimization measures.

31. MITIGATION MEASURE #21 B-1 (J) COMPENSATORY HABITAT MITIGATION FOR SAN JOAQUIN KIT FOX

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To mitigate for the loss of San Joaquin kit fox habitat from the installation of all new facilities, except the SDAs, the applicant shall provide compensatory mitigation acreage, adjusted to reflect the final Project footprint in consultation with CDFW, but at a minimum of 3:1 ratio (preserved habitat: affected habitat). The compensatory mitigation must provide equal or greater habitat value than the project site.

To mitigate for the impacts to San Joaquin kit fox habitat within the SDAs, the project Proponent shall provide compensatory mitigation acreage, adjusted to reflect the final footprint of the SDAs in consultation with CDFW, but at a minimum of 2:1 ratio. All compensatory mitigation must comprise habitat of value equal to, or greater than, the project site.

Compensatory mitigation areas for San Joaquin kit fox can be combined with mitigation for multiple species as outlined in measure B-1(a) for nesting mitigation. Compensatory mitigation for San Joaquin kit fox shall be consistent with the conditions outlined in the above measure B-1(a), and managed and monitored under the HMMP as outlined in the above measure B-1(b).

Compliance or Monitoring Action to be Performed: Mitigation Timing: Identification of the total acreage for mitigation of San Joaquin kit fox must be submitted to the county prior to the issuance of grading permits or prior to the issuance of the grading permit for each phase of the project, should the project be phased. All other timing shall be consistent with measure B-1(a).

32. MITIGATION MEASURE #22 - B-1(K) REMOVE WILD ANIMALS AND LIVESTOCK CARCASSES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To minimize potential for attracting predators of San Joaquin kit fox, Project personnel shall monitor the project site for animal carcasses, including wild animals and livestock. Monitoring shall be conducted by the project Proponent on a weekly basis during construction and operation. During construction, any road kill within the project site shall be reported to designated onsite personnel. Any animal carcasses detected on the project site shall be removed and disposed of as quickly as possible to avoid attracting predators. The removal and disposal shall be conducted by an individual in possession of appropriate federal and state permits, if any are required, including but not necessarily limited to a state scientific collection permit pursuant to Fish and game Code Section 2081.

Compliance or Monitoring Action to be Performed: On weekly basis throughout construction and operation, Project personnel shall monitor the project site for animal carcasses, including wild animals and livestock in conformance with the standards set forth in the condition.

On an ongoing basis throughout construction, any road kill within the project site shall be reported to designated onsite personnel in conformance with the standards set forth in the condition.

33. MITIGATION MEASURE #23 - B-1(L) PRECONSTRUCTION SURVEYS FOR BURROWING OWL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: No more than 14 days before the start of initial ground disturbing activities, a qualified ornithologist(s) shall conduct focused, pre-construction, take-avoidance surveys for burrowing owls within all areas proposed for ground disturbance that contain suitable owl habitat (CDFG 2012). Preconstruction surveys shall be consistent with CDFW-recommended methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012; Appendix B), and be conducted on foot such that 100% of the survey area is visible, and shall cover the entire limits of disturbances plus a 500-foot buffer. If the project is developed in phases, the preconstruction surveys shall be timed to coincide with the start of each phase, rather than the entire site being surveyed at one time. All observations of burrowing owl and sign of burrowing owl (including suitable burrows, pellets, whitewash) shall be mapped on a site-specific aerial image. A report of the survey finds shall be submitted to the County prior to initiation of construction activities.

If suitable burrows for burrowing owls are identified during preconstruction surveys, mitigation measure B-1(m) shall be implemented.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant will contract for preconstruction burrowing owl surveys to be conducted prior to construction of the project and shall submit documentation to the County that surveys have been completed prior to the start of initial ground-disturbing activities.

Monitoring: The County shall ensure that applicant is in compliance with all burrowing owl impact avoidance and minimization measures.

34. MITIGATION MEASURE #24 - b-1(M) BURROWING OWL AVOIDANCE AND MINIMIZATION MEASURES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If suitable burrows for burrowing owls are found during preconstruction surveys on the project site; burrowing owl occupancy shall be determined through up to three additional focused surveys on potential burrows during the morning and/or evening survey windows as defined in the Staff Report on Burrowing Owl Mitigation (CDFG 2012; Appendix B). If the burrows are determined to be unoccupied, they shall be hand excavated by a qualified biologist in the same manner as described under B-1(g).

If the presence of burrowing owls is confirmed, the following avoidance measures shall be implemented.

1. Occupied burrows shall not be disturbed during the nesting season (1 February through 31 August) unless a qualified biologist verifies, through noninvasive methods, that either (1) the burrow is not being used for breeding, (2) a previously active nest has failed and the burrow is no longer active, or (3) all juveniles from the occupied burrow are foraging independently and capable of independent survival and the burrow is no longer an active nest burrow. Owls present after 1 February shall be assumed to be nesting unless evidence indicates otherwise. Nest-protection buffers described below shall remain in effect until 31 August or, based upon monitoring evidence, until the nest has failed or all juvenile owls are foraging independently as determined by a qualified biologist.

2. Site-specific, no-disturbance buffer zones shall be established and maintained between Project activities and occupied burrows, using the distances recommended in the CDFW guidelines (CDFG 2012; Appendix B):

The appropriateness of using reduced buffer distances or burrow-specific buffer distances shall be established on a case-by-case basis by a qualified ornithologist in consultation with CDFW, and shall depend on existing conditions (e.g., vegetation/topographic screening and current disturbance regimes). If necessary, buffer distances shall be carefully reassessed and relaxed or modified, based on future development plans (e.g., increased or intensified construction activities), by a qualified biologist who may consult with CDFW. The buffer zones shall be clearly delineated by highly visible orange construction fencing, which shall be maintained in good condition through construction of project or until construction activities are no longer occurring in the vicinity of the burrow.

3.During the nonbreeding season (generally 1 September–31 January), a qualified biologist may passively relocate burrowing owls found within construction areas. Prior to passively relocating burrowing owls, a Burrowing Owl Exclusion Plan shall be prepared by a qualified biologist in accordance with Appendix E of the Staff Report on Burrowing Owl Mitigation (CDFW, 2012). The Burrowing Owl Exclusion Plan shall be submitted for review and approval to the CDFW and County prior to implementation.

The biologist shall accomplish such relocations using one-way burrow doors installed and left in place for at least two nights; owls exiting their burrows will not be able to re-enter. Then, immediately before the start of construction activities, the biologists shall remove all doors and excavate the burrows to ensure that no animals are present the burrow. The excavated burrows shall then be backfilled. To prevent evicted owls from occupying other burrows in the impact area, the biologist shall, before eviction occurs, (1) install one-way doors and backfill all potentially suitable burrows within the impact area, and (2) install one-way doors in all suitable burrows located within approximately 50 feet of the active burrow, then remove them once the displaced owls have settled elsewhere. When temporary or permanent

burrow-exclusion methods are implemented, the following steps shall be taken:

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

a) Prior to excavation, a qualified biologist shall verify that evicted owls have access to multiple, unoccupied, alternative burrows, located nearby (within 250 feet) and outside of the projected disturbance zone. If no suitable alternative natural burrows are available for the owls, then, for each owl that is evicted, at least two artificial burrows shall be installed in suitable nearby habitat areas. Installation of any required artificial burrows preferably shall occur at least two to three weeks before the relevant evictions occur, to give the owls time to become familiar with the new burrow locations before being evicted. The artificial burrow design and installation shall be as described in the Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans per Appendix E of the Staff Report on Burrowing Owl Mitigation (CDFW, 2012).
b) Passive relocation of burrowing owls shall be limited in areas adjacent to Project activities that have a sustained or low-level disturbance regime; this approach shall allow burrowing owls that are tolerant of Project activities to occupy quality, suitable nesting and refuge burrows. The use of passive relocation techniques in a given area shall be determined by a qualified biologist who may consult with CDFW, and shall depend on existing and future conditions (e.g., time of year, vegetation/topographic screening, and disturbance regimes).

Mitigation Timing: The applicant shall submit preconstruction survey documentation to the County that either no occupied burrowing owl burrows were recorded on the project site, or that appropriate avoidance measures have been implemented to ensure avoidance of active breeding burrows prior to issuance of grading permits.

Monitoring: The County shall ensure that the applicant is in compliance with burrowing owl impacts avoidance and minimization measures.

35. MITIGATION MEASURE #25 - B-1(N) COMPENSATORY HABITAT MITIGATION FOR BURROWING OWL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

To mitigate for the loss of burrowing owl habitat from the installation of all new facilities, except the SDAs, the applicant shall provide compensatory mitigation acreage, adjusted to reflect the final Project footprint in consultation with CDFW, but at a minimum of 3:1 ratio (preserved habitat: affected habitat). The compensatory mitigation must provide equal or greater habitat value than the project site.

To mitigate for the impacts to burrowing owl habitat within the SDAs, the project Proponent shall provide compensatory mitigation acreage, adjusted to reflect the final footprint of the SDAs in consultation with CDFW, but at a minimum of 2:1 ratio. All compensatory mitigation must comprise habitat of value equal to, or greater than, the project site.

Compensatory mitigation areas for burrowing owl can be combined with mitigation for multiple species as outlined in measure B-1(a) for nesting mitigation. Compensatory mitigation for burrowing owl shall be consistent with the conditions outlined in the above measure B-1(a), and managed and monitored under the HMMP as outlined in the above measure B-1(b).

Compliance or Monitoring Action to be Performed:

Mitigation Timing: Identification of the total acreage for mitigation of burrowing owl must be submitted to the county prior to the issuance of grading permits. All other timing shall be consistent with measure B-1(a).

36. MITIGATION MEASURE #26 - B-1(O) PRECONSTRUCTION SURVEYS FOR COACHWHIP AND COAST HORNED LIZARD

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The project Proponent shall retain a qualified biologist (i.e., a biologist approved by CDFW to handle these species) to conduct pre-construction surveys immediately before initial ground disturbance (i.e., the morning of the commencement of disturbance). If San Joaquin coachwhips or coast horned lizards are found in the area of disturbance, the biologist shall move the animals to an appropriate location outside the area of disturbance. The candidate sites for relocation shall be identified before construction and shall be selected based on the size and type of habitat present, the potential for negative interactions with resident species, and the species' range. A final report identifying the number of animals moved and any mortality identified during the relocation event shall be completed and submitted to the County at the end of construction.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant will contract for preconstruction coachwhip and coast horned lizard surveys to be conducted prior to construction of the project.

Monitoring: The County shall ensure that the surveys are completed prior to issuing grading permits.

37. MITIGATION MEASURE #27 - B-1(P) WILDLIFE - FRIENDLY FENCE DESIGN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The fencing around the perimeter of the project site and SDAs shall be designed to allow passage by SJKF, American badger, and their prey species, by incorporating either standard deer fencing installed so that the larger openings occur at the bottom or chain link fencing with the bottom edge raised 5 to 7 inches above the ground for the entire length, to allow for unimpeded movement of SJKF and American badger through the site. Interior fencing may be designed such that it is installed four to five inches above ground.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The Wildlife-friendly fence design plans shall be submitted by the applicant to the County, CDFW, and USFWS for review and approv by the County prior to issuance of grading permits.

Monitoring: The County shall ensure that an approved wildlife-friendly fence design is included in final project design.

38. MITIGATION MEASURE #28 - B-1(Q) BAT PRECONSTRUCTION SURVEYS AND AVOIDANCE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A qualified biologist shall conduct an acoustic survey during the maternity season (1 March to 31 July) before any grading or removal of trees, particularly trees 12 inches in diameter or greater at 4.5 feet above grade with loose bark or other cavities. An additional survey for non-maternity roosts shall be conducted not less than 30 days prior to the start of construction. If no active roosts are found, no further action shall be required.

If active maternity roosts or hibernacula are found, the structure or tree occupied by the roost shall be fully avoided and not removed or otherwise impacted by Project activities during the maternity season. A minimum 100-foot ESA avoidance buffer shall be demarcated by highly visible orange construction fencing around active maternity roosts. No construction equipment, vehicles, or personnel shall enter the ESA without clear permission from the qualified biologist. Reduced avoidance buffers can be established through consultation with CDFW. ESA fencing shall be maintained in good condition for the duration of the maternity season. The roost shall be removed only after the maternity season has ended, and shall be removed under the direction of a qualified biologist.

If active non-maternity bat roosts (e.g., bachelor colonies, hibernacula) are found in trees scheduled to be removed or in rocky crevices within the grading footprint, the individuals shall be safely evicted (e.g., through installation of one-way doors) under the direction of a qualified bat biologist in consultation with the CDFW. In situations requiring one-way doors, a minimum of one week shall pass after doors are installed to allow all bats to leave the roost. Temperatures need to be sufficiently warm for bats to exit the roost, because bats do not typically leave their roost daily during winter months in coastal California. Eviction shall be scheduled to allow bats to leave during nighttime hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation to the County that either no special status bats were recorded on the project site, or that appropriate avoidance measures have been implemented to ensure avoidance of impacts to special status bats prior to the start of construction activity.

Monitoring: The County shall ensure that the applicant is in compliance with special status bat impacts avoidance and minimization measures.

39. MITIGATION MEASURE #29 - B-1(R) PRECONSTRUCTION SURVEY FOR TAPTORS AND OTHER SPECIAL STATUS BIRD S

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Not more than 30 days prior to initiation of construction activities (incl. mobilization, staging and ESA fence installation) during the breeding season (1 February to 15 September), a qualified biologist shall conduct preconstruction surveys for nesting raptors. Not more than 14 days prior to initiation of construction activities (incl. mobilization, staging and ESA fence installation) during the breeding season (1 February to 15 September), a qualified biologist shall conduct preconstruction surveys for nesting MBTA/state regulated birds. The survey for the presence of nesting raptors, including golden eagles, shall cover all areas within of the disturbance footprint plus a 1-mile buffer where access can be secured. The survey area for all other nesting bird species shall include the disturbance footprint plus a 300-foot buffer. The surveys shall be repeated during the breeding season for each subsequent year of construction to ensure that ongoing construction activities avoid impacts to nesting birds.

If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest, and 0.5 mile for fully protected and state-listed raptors (such as white-tailed kite, bald eagle and Swainson's hawk). The objective of the buffer shall be to reduce disturbance of nesting birds. All buffers shall be marked using high-visibility flagging or fencing, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails.

For golden eagle nests identified during the preconstruction surveys, an avoidance buffer of up to one mile shall be established on a case-by-case basis in consultation with the USFWS, and shall depend on the existing conditions and disturbance regime, relevant landscape characteristics, and the nature, timing, and duration of the expected development disturbance. The buffer shall be established between 1 February and 31 August; however, buffers may be relaxed earlier than 31 August if a qualified ornithologist determines that a given nest has failed or that all surviving chicks have fledged.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation to the County that either no raptors or other special status birds were recorded on the project site, or that appropriate avoidance measures have been implemented to ensure avoidance of impacts to raptors and other special status birds prior to the start of construction activity. If results of the preconstruction surveys for raptors or other special status birds identify any state listed or state fully protected species, a preconstruction survey report will also be provided to CDFW prior to the start of construction.

Monitoring: The County shall ensure that the applicant is in compliance with raptor and special status bird impacts avoidance and minimization measures.

40. MITIGATION MEASURE #30 - B-1(S) SPECIAL STATUS BIRD SPECIES IMPACT AVOIDANCE AND MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The following avoidance and minimization measure shall be implemented to protect special status bird species from impacts due to project implementation.

1. Cap Vertical Pipes and Piles. To prevent cavity-dwelling and -nesting birds from entering open vertical pipes and piles, all open vertical pipes and piles shall be capped or otherwise modified to prevent use by birds. Caps or other modifications shall be put in place before or immediately after pipe or pile installation. All caps or other exclusionary modifications shall be maintained for the duration of construction and operation. A qualified biologist shall periodically monitor the site to ensure that all pipes or piles are appropriately capped.

2. Avian/Power Line Collision Avoidance and Minimization. Install bird flight diverters in accordance with the Avian Power Line Interaction Committee (APLIC) guidelines for reducing avian collisions with power lines. The applicant shall construct the 230-kV transmission line in accordance with the applicable measures for installing bird flight diverters, of the most recent APLIC guidelines for minimizing avian collisions (Reducing Avian Collisions with Power Lines; APLIC 2012). Details of design components shall be indicated on all construction plans. The applicant shall monitor for new versions of the APLIC collision guidelines and update designs or implement new measures as needed during Project construction, provided these actions do not require the purchase of previously ordered transmission line structures. All bird flight diverters shall be maintained for the duration of construction and operation.

3. Avian Electrocution Avoidance and Minimization. Implement Project-specific design measures in accordance with the APLIC guidelines for minimizing avian electrocutions. The applicant shall construct and maintain all transmission facilities, towers, poles, and lines in accordance with applicable policies set forth in the most recent APLIC guidelines for minimizing avian electrocutions (Avian Protection Plan Guidelines; APLIC 2006). Specific APLIC guidelines to be incorporated into the design of the transmission lines to minimize avian electrocutions shall include the following:

a) Design the tops of structures to be safe for perching raptors.

b) Provide 60 inches separation between energized conductors and

I. energized conductors,

ii. grounded or neutral conductors,

iii. pole line hardware that could provide a perch or nesting place, and

iv. overhead shield wires, including optical ground wire shield wire.

c) Ensure that all exposed jumper cables are completely covered with a cover of a qualified insulation rating.

d) Ensure insulation of all energized arresters with covers and insulated cables.

Details of design components shall be indicated on all construction plans. The applicant shall monitor for new versions of the APLIC guidelines and update designs or implement new measures as needed during Project construction, provided these actions do not require the purchase of previously ordered transmission line structures.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submitted documentation to the County, that avian impact avoidance and minimization features have been incorporated into the project design prior to issuance of grading permits. Biological monitoring reports (see B-1[ee]) will include discussions of monitoring of vertical pipes and pilings and that these features were capped to ensure avoidance of impacts to avian species during construction. Monitoring: The County shall ensure that all avian impact avoidance and minimization design features have been included in project design by the applicant.

41. MITIGATION MEASURE #31 - B-1(T) PRECONSTRUCTION SURVEYS AND AVOIDANCE OF WESTERN POND TURTLE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Preconstruction surveys shall be conducted for western pond turtle prior to initiation of construction activities, including mobilization and staging. All suitable aquatic habitat within the disturbance footprint plus 200 feet of adjacent upland habitat shall be surveyed for western pond turtles. If any pond turtles are detected during these surveys, or during construction in an area where individuals could be affected, they shall be moved to a suitable location outside the disturbance footprint. The candidate sites for relocation shall be identified prior to start of construction and shall be located within similar size and type of habitat within the same drainage in which the individual was observed. If any pond turtle nests with eggs are found, the nests shall remain undisturbed until the eggs have hatched, if feasible. If avoidance of a nest is infeasible (e.g., if avoidance would result in an unacceptable delay in the project's schedule), or if the eggs are discovered only after the nest has been affected, any viable eggs shall be relocated by a qualified biologist to a suitable location outside the impact area. Egg relocation areas shall be identified by a qualified biologist based on pond turtle nesting biology. Any viable eggs shall be deposited in a hole and buried for thermal protection.

A final report outline the preconstruction survey results and identifying the number of animals moved shall be submitted to the County prior to the start of construction.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation to the County that no aquatic special status species were recorded on the project site, or that appropriate impact avoidance measures have been implemented to ensure avoidance of aquatic special status species prior to the start of construction activity.

Monitoring: The County shall ensure that the applicant is in compliance with aquatic special status species impact avoidance and minimization measures.

42. MITIGATION MEASURE #32 - B-1(U) PRECONSTRUCTION SURVEYS AND AVOIDANCE OF WESTERN SPADEFOOT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Before the start of construction, a qualified biologist shall conduct a preconstruction survey in and around areas of proposed disturbance during the time of year in which this species can be detected (i.e., during periods of suitable rainfall that result in pooling or the formation of other aquatic habitat) to determine the presence of western spadefoot toad and related habitat. During construction, and based on rainfall and temperatures (generally best between February and April), the qualified biologist shall conduct surveys in all appropriate aquatic breeding habitats and in adjacent upland habitats in the project impact area that are within 1200 feet of appropriate aquatic breeding habitats. Surveys shall include evaluation of all previously documented occupied areas and a reconnaissance-level survey of the remaining natural areas of the site. If western spadefoot toads are detected within the area of disturbance, the qualified biologist shall move the animals to an appropriate location outside the area of disturbance. The candidate sites for relocation shall be identified before construction and shall be selected based on the size and type of habitat present, the potential for negative interactions with resident species, and the range of western spadefoot toad. A final report identifying the number of animals moved and any mortality identified during the relocation event shall be completed and submitted to the County at the end of construction.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit preconstruction survey documentation to the County that no western spadefoot were recorded on the project site, or that appropriate avoidance measures have been implemented to ensure avoidance of impacts to western spadefoot prior to the start of construction activity.

Monitoring: The County shall ensure that the applicant is in compliance with western spadefoot impact avoidance and minimization measures.

43. MITIGATION MEASURE #33 - B-1(V) COMPENSATORY MITIGATION FOR WESTER SPADEFOOT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If occupied breeding (aquatic) habitat for western spadefoot toad is detected and would be permanently affected, compensatory mitigation shall be implemented as follows:

Permanently affected occupied breeding habitat shall be replaced at a 2:1 ratio (mitigation area: affected area). To the extent that there is an overlap in habitat value and occupied habitat, preservation lands may be the same as those provided for other species, such as California red-legged frog and western pond turtle.

Any occupied breeding pond that would be permanently affected and cannot be preserved for western spadefoot toad shall not be disturbed or affected until replacement breeding habitat has been created. Once the replacement habitat is created, during surveys, all western spadefoot toad adults, tadpoles, and egg masses detected in the impact area shall be moved to the created pool habitat. If construction impacts on occupied breeding ponds would occur during the dry season, the replacement habitat must be in place prior to the beginning of the next wet season. Surveys in the vicinity of the affected pond shall take place during the wet season, and all western spadefoot toads detected shall be moved to the replacement habitat.

The mitigation breeding habitat shall be monitored and maintained until it is shown to be successful habitat for western spadefoot toad, or up to five years, whichever is shorter. Provision to make adjustments to remediate problems shall also be included in the HMMP in measure B-1(b).

Compensatory mitigation areas for western spadefoot can be combined with mitigation for multiple species as outlined in measure B-1(a) for nesting mitigation. Compensatory mitigation for western spadefoot shall be consistent with the conditions outlined in the above measure B-1(a), and managed and monitored under the HMMP as outlined in the above measure B-1(b).

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed: Compensatory mitigation areas for western spadefoot can be combined with mitigation for multiple species as outlined in measure B-1(a) for nesting mitigation. Compensatory mitigation for western spadefoot shall be consistent with the conditions outlined in the above measure B-1(a), and managed and monitored under the HMMP as outlined in the above measure B-1(b).

Mitigation Timing: Identification of the total acreage for mitigation for western spadefoot must be submitted to the county prior to the issuance of grading permits. All other timing to be consistent with measure B-1(a).

44. MITIGATION MEASURE #34 - B-1(W) CALIFORNIA TIGER SALAMANDER AND CALIFORNIA RED-LEGGED FROG RELOCA

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to the initiation of any other protective measures, a qualified biologist (i.e., biologist approved by USFWS and/or CDFW to translocate CTS and CRLF) shall, in consultation with USFWS and/or CDFW as applicable, identify appropriate relocation sites for any adult, juvenile, and larval CTS and CRLF that may be observed during the pre-construction survey or monitoring activities described below and need to be moved from within the limits of direct impact disturbance. Relocation or other take (e.g. entrapment) of CTS and CRLF can only be conducted by an authorized biologist and the project must have been issued the requisite take authorizations from CDFW and/or USFWS as applicable before any relocation activity can commence.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit to the County documentation that CDFW and/or USFWS approved relocation sites for CTS and CRLF have been identified prior to issuance of grading permits.

Monitoring: The County shall ensure that CDFW- and USFWS-approved relocation sites have been identified by the applicant.

45. MITIGATION MEASURE #35 - B-1(X) CALIFORNIA RED-LEGGED FROG CONSTRUCTION BARRIERS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Before any ground disturbance within 200 feet of identified red-legged frog breeding and aquatic non-breeding habitats, temporary barriers shall be constructed between the limits of disturbance and these identified habitats to minimize the potential for California red-legged frogs to enter the project footprint during construction. The barriers shall consist of 3-foot-tall silt fencing buried to a depth of at least 6 inches below the soil surface. The ends of the barriers shall extend 50 feet beyond the 200-foot range of the identified habitats and hook away from the limits of disturbance. These barriers shall be inspected daily by construction personnel and maintained and repaired as necessary for the duration of construction to ensure that they are functional and are not a hazard to red-legged frogs on the outer side of the fence.

The qualified biologist shall monitor fence installation for presence of California red-legged frog. Any individuals detected during these surveys shall be moved to a safe location (e.g., aquatic pool habitat) in a nearby area but outside the limits of disturbance by a qualified biologist approved by USFWS to handle red-legged frogs. Such fencing might not be feasible for in-stream work or work in very rocky areas.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit to the County documentation that fencing has been installed prior to ground disturbing activity.

Monitoring: The County shall ensure that CRLF fencing is in place prior to the start of ground disturbing activity.

46. MITIGATION MEASURE #36 B-1(Y) CONSTRUCTION TIMING, PRECONSTRUCTION SURVEYS AND AVOIDANCE MEASUR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To avoid disturbing breeding frogs and to avoid potential spills into known breeding sites when eggs and tadpoles are present, construction activities shall be performed during the dry season to the extent practicable. Construction activities in or within 200 feet of occupied CRLF breeding habitat shall occur during the July–November period, if feasible, to avoid the period when red-legged frogs are breeding and the period when eggs or larvae are most likely to be present.

Preconstruction surveys shall be conducted for CRLF prior to initiation of construction activities, including mobilization and staging. All suitable aquatic habitat within the disturbance footprint plus 200 feet of adjacent upland habitat shall be surveyed. CRLF surveys shall consist of one nighttime survey and one daytime survey conducted by a qualified biologist within a 48-hour period before the onset of construction activities. If CRLF of any life stage are found, they shall be moved to the designated relocation sites identified under B-1(w).

To minimize impacts to California red-legged frog dispersing to breeding sites, during the breeding season (November through April), in areas within 200 feet of California red-legged frog aquatic habitat construction and construction-related activities shall be avoided between sunset and sunrise (nighttime) when there is an 80% chance or greater of precipitation, to the extent feasible. If nighttime construction and construction-related activities are required from November through April, when there is an 80% chance or greater of precipitation, a qualified herpetologist approved by USFWS to handle red-legged frogs shall be present to monitor the activity for California red-legged frog. If a California red-legged frog is detected during this monitoring, it shall be moved to the pre-determined salvage site established under measure B-1(w).

A final report outline the preconstruction survey results and identifying the number of animals moved shall be submitted to the County prior to the start of construction.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation to the County that no aquatic special status species were recorded on the project site, or that appropriate impact avoidance measures have been implemented to ensure avoidance of aquatic special status species prior to the start of construction activity.

Monitoring: The County shall ensure that the applicant is in compliance with aquatic special status species impact avoidance and minimization measures.

47. MITIGATION MEASURE #37 - B-1(Z) COMPENSATORY MITIGATION FOR CALIFORNIA RED-LEGGED FROG

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Compensatory mitigation shall be required for impacts to suitable habitat for CRLF. To mitigate for the permanent loss of CRLF upland habitat within one mile of known breeding habitat, the project Proponent shall provide compensatory mitigation acreage, adjusted to reflect the final Project footprint, at a 2:1 ratio (preserved habitat: affected habitat within one mile of known breeding habitat).

The compensatory mitigation must provide equal or greater habitat value than the project site. If the compensatory mitigation provides suitable breeding habitat for these species, the overall acreage for upland mitigation habitat shall be reduced by two times the acreage of the suitable breeding habitat (overall acres of upland required – [2 * suitable breeding habitat acres]).

Compensatory mitigation areas for CRLF can be combined with mitigation for multiple species as outlined in measure B-1(a) for nesting mitigation. Compensatory mitigation for CRLF shall be consistent with the conditions outlined in the above measure B-1(a), and managed and monitored under the HMMP as outlined in the above measure B-1(b).

Compliance or Monitoring Action to be Performed: Mitigation Timing: Identification of the total acreage for mitigation for California red-legged frog must be submitted to the county prior to the issuance of grading permits, or prior to the issuance of the grading permit for each phase of the project, should the project be phased. All other timing shall be consistent with measure B-1(a).

48. MITITGATION MEASURE #38 - B-1(AA) CALIFORNIA TIGER SALAMANDER CONSTRUCTION BARRIERS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to any ground disturbance, temporary one-way barriers approved by both USFWS and CDFW shall be constructed on the project site limits of disturbance wherever these limits intersect uplands located within 0.35 mile of the identified suitable breeding habitat of the project site. No barrier fence shall be installed along the Access Road, Utility Corridor or transmission line. The purpose of the barriers shall be to allow California tiger salamanders to exit the project site but minimize the potential for them to enter the project site impact areas from these potential breeding locations. The barriers shall consist of 3-foot-tall silt fencing buried to a depth of at least 6 inches below the soil surface and installed to allow salamanders to exit but not enter the area of disturbance by providing a one-way door, funnel, ramp, or similar device, every 100 feet. The ends of each barrier shall extend 50 feet beyond the 0.35-mile distance and hook away from the limits of disturbance if the limits of disturbance extend beyond the 0.35-mile distance. This barrier shall be installed prior to the start of the breeding season that precedes the start of construction to allow adult salamanders moving to the breeding ponds during this breeding season to exit the project site to breed but not re-enter the project site to seek refugia. During the breeding season, this barrier shall be inspected daily by construction personnel and maintained and repaired to determine if it is functioning properly and is not a hazard to tiger salamanders on the outer side of the fence. Damage observed at any time shall be reported so that repairs are made as necessary for the duration of construction to ensure that it is functional. A qualified biologist shall monitor fence installation for presence of California tiger salamanders. Any individual detected during this monitoring or at any time within construction limits shall be moved to a safe location identified in measure B-1(w) in a nearby area but outside the limits of disturbance by a qualified biologist approved by USFWS and CDFW to handle the tiger salamanders. This barrier shall be removed within 30 days after completion of construction.

Within 0.35 mile of the identified suitable breeding habitat of the project site, where installation of a silt fence is not feasible, ground-disturbing construction activities shall be limited to the non-breeding season to the extent practicable, and nighttime construction activities shall be minimized during the breeding season. In particular, to minimize impacts to California tiger salamanders that are dispersing to and from breeding sites during the breeding season (October through March), ground-disturbing construction activities along the access road, Utility Corridor and transmission line shall be limited to the non-breeding season, to the extent practicable. In addition, in areas within 0.35 mile of potential California tiger salamander breeding habitat that have not been fenced, construction and construction-related activities, such as deliveries, shall be avoided between sunset and sunrise (nighttime) when there is an 80% chance or greater of precipitation, to the extent feasible. If nighttime construction and construction-related activities are required from November through April when there is an 80% chance or greater of precipitation, a qualified herpetologist approved by USFWS and CDFW to handle tiger salamander shall be present to monitor the activity area for California tiger salamander. If a California tiger salamander is detected during this monitoring, it shall be moved to the pre-determined salvage site (as identified in mitigation measure B-1(w).

Compliance or Monitoring Action to be Performed: Prior to any ground disturbance, temporary one-way barriers, in conformance with the standards set forth in the condition, shall be approved by both USFWS and CDFW and shall be constructed on the project site limits of disturbance wherever these limits intersect uplands located within 0.35 mile of the identified suitable breeding habitat of the project site.

49. MITIGATION MEASURE #39 - B-1(BB) CALIFORNIA TIGER SALAMANDER DAILY PRE-ACTIVITY SURVEYS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: During the winter and spring breeding season (October through April), a qualified biologist (i.e., a biologist approved by USFWS and CDFW to handle CTS or someone working under such a biologist) shall conduct a daily pre-activity survey of active construction areas within 0.35 mile of potential breeding ponds to detect any dispersing CTS. These surveys shall be conducted each morning prior to the initiation of construction in the area where construction is to occur. The qualified biologist shall inspect under all equipment or material stored in the area or to be moved, and along the barrier fence for California tiger salamanders. Any individual detected during these pre-activity surveys shall be moved to a designated relocation sites identified under B-1(w).

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall report results of daily pre-activity surveys within the biological monitoring reports required in measure B-1(ee) and submit these reports to the County as described in measure B-1(ee).

Monitoring: The County shall review monitoring reports to ensure that the applicant is in compliance with all mitigation measures related to CTS daily pre-activity surveys.

50. MITIGATION MEASURE #40 - B-1(CC) COMPENSATORY MITIGATION FOR CALIFORNIA TIGER SALAMANDER

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Compensatory mitigation shall be required for impacts to suitable habitat for CTS upland habitat from all new facilities, the applicant shall provide compensatory mitigation acreage, adjusted to reflect the final Project footprint, at the following ratios (preserved habitat: affected habitat): 2:1 for areas within 4,925 feet of a breeding pond, 1:1 for areas located between 4,925 feet and 6,125 feet of a suitable breeding pond, and 0.5:1 for areas located between 6,125 feet and 1.3 miles from a potential breeding pond.

Compensatory mitigation areas for CTS can be combined with mitigation for multiple species as outlined in measure B-1(a) for nesting mitigation. Compensatory mitigation for CTS shall be consistent with the conditions outlined in the above measure B-1(a), and managed and monitored under the HMMP as outlined in the above measure B-1(b).

Compliance or Monitoring Action to be Performed: Mitigation Timing: Identification of the total acreage for mitigation for California tiger salamander must be submitted to the county prior to the issuance of grading permits or prior to the issuance of the grading permit for each phase of the project, should the project be phased. All other timing shall be consistent with measure B-1(a).

51. MITIGATION MEASURE #41 - B-1(dd) VERNAL POOL BRANCHIOPOD AVOIDANCE AND MITIGATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Wetlands found to contain populations of listed branchiopods on the project site and within 250 feet of the project site shall be avoided by implementing a buffer of 250 feet between the habitat and all grading, where feasible. This condition may be modified in consultation with USFWS if the water body is located upslope of the grading area or a reduced buffer would be sufficient for avoidance given existing site-specific conditions (such as proximity to existing roads). Roads to be widened that are directly adjacent to these wetlands shall be widened to the side away from the wetland where feasible. The road shall also be graded to drain runoff to the side away from the wetland. Project elements that do not substantially affect drainage patterns (such as areas where no grading is necessary) shall be located at least 50 feet from the wetlands found to contain listed branchiopods. If avoidances buffers cannot be maintained, any construction activity within the buffer area must be monitored by a qualified biologist to ensure no direct impacts to listed branchiopods.

If full avoidance of occupied habitat is not feasible, impacts to habitat occupied by listed branchiopods shall be mitigated as follows:
1. 2:1 preservation of occupied habitat (preservation mitigation area: impact area) and 1:1 creation of suitable wetland habitat (creation mitigation area: impact area) for direct impacts, or
2. 1:1 preservation of occupied habitat (preservation mitigation area: impact area) for indirect impacts.

Mitigation shall include preservation of occupied wetland habitats supporting the affected species. This habitat can be preserved in an offsite location and managed in accordance with the HMMP (B-1(d)). Alternatively, mitigation requirements can be satisfied by purchasing credits at a conservation bank approved by USFWS for these species. If the compensatory mitigation acreage provides suitable mitigation for other species, such as the San Joaquin kit fox or other species, the compensatory mitigation acreage may be used to provide mitigation for multiple species.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall include details on vernal pool branchiopod avoidance measures in biological monitoring status reports that are to be submitted to the County as outlined in B-1(u).

Monitoring: The County shall ensure that the applicant is in compliance with vernal pool branchiopod impact avoidance and minimization measures.

52. MITIGATION MEASURE #42 - B-1(ee) CONSTRUCTION BIOLOGICAL MONITORING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Before the start of ground disturbance or site mobilization activities, qualified biologists shall be retained by the applicant. The applicant shall ensure that each qualified biologist has demonstrated expertise with the listed and/or special status plants, terrestrial mammals, birds, reptiles, and invertebrates of the region, such as San Joaquin kit fox, California red-legged frog, and burrowing owl. Expertise must include the ability to recognize listed/special status and common species of the region, as well as sign, including scat, pellets, tracks, hair, fur, feathers, dens, and burrows. One or more of the qualified biologists shall also, as necessary, have the ability to monitor, relocate, handle, and collect species, as authorized by CDFW and USFWS through the use of a Memorandum of Understanding (MOU), scientific collecting/incidental take permit, and/or federal take permit. The qualified biologist(s) shall be present during initial ground-disturbing activities immediately adjacent to or within habitat that supports populations of listed or special status species.

If a listed or special status species is encountered during Project construction, the following protocol shall be implemented:
1. All work that could result in death, direct injury, disturbance, or harassment of the individual animal shall immediately cease and the qualified biologist shall be contacted; and
2. The qualified biologist shall remove the individual animal to an appropriate relocation site outside the project impact areas, or the individual animal shall be allowed to leave unimpeded.

Construction shall resume, as directed by the qualified biologist(s), as soon as the individual animal either leaves or is removed from the area.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation to the County demonstrating that the applicant has contracted qualified biologists to conduct biological monitoring and that these biologists have been approved by CDFW and USFWS (as required) prior to issuance of a grading permit. The applicant shall also report results of daily biological monitoring activity to the County (through the Environmental Compliance Manager) on a monthly and annual basis through the preparation and submission of monthly summary monitoring reports, and annual monitoring reports. During construction, the annual written report shall describe the status of project construction, as well as the compliance and current implementation status of construction-related biological mitigation measures and general biological measures. The report shall be submitted to the County no later than 15 February of the following year.

Monitoring: The County shall ensure that the applicant's biological monitors are approved by CDFW and USFWS and shall review monitoring reports to ensure that the applicant is in compliance with all mitigation measures related to biological monitoring activities.

53. MITIGATION MEASURE #43 - B-1(ff) SPECIAL STATUS ANIMAL SPECIES GENERAL AVOIDANCE MEAS. AND CONST. BM

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The following general avoidance measures and Best Management Practices (BMPs) shall be implemented to avoid and minimize impacts to special status animal species.

1. Prior to ground disturbance, all permanent and temporary disturbance areas shall be clearly delineated by stakes, flags, or another clearly identifiable system.

2. To minimize disturbance of areas outside the project site, all construction and operation vehicle traffic shall be restricted to established roads, construction areas, and other designated areas. These areas shall be included in pre-construction surveys and, to the extent possible, shall be established in locations disturbed by previous activities to prevent further impacts.

3. Construction and operation vehicles shall observe a 20 mile-per-hour (MPH) speed limit during daylight hours within Project areas, except on county roads and state and federal highways. During limited nighttime activities, all construction and operation vehicles shall observe a 10 MPH speed limit. Speed limit signs shall be installed at the project site entrance from the driveway, every one mile along the project site access road, and at the end points of the driveway upon initiation of site disturbance and/or construction. One electronic speed monitoring sign shall be placed in both directions, at the approximate midpoint of the driveway.

a) Due to the length of the approximately 5.6-mile-long driveway, USFWS recommended 20 MPH speed limits would be prohibitively slow and would negatively impact construction duration. Therefore, vehicles utilizing the access road (or "driveway") will observe a 25 MPH speed limit during daylight hours (7 AM–5 PM between 1 October and 31 May; and 7 AM–7 PM between 1 June and 30 September) and will observe a 20 MPH speed limit during the hours of 5 AM–7 AM and 5 PM/7PM–9 PM. During limited nighttime activities (9 PM–5 AM) within the driveway, all construction and operation vehicles shall observe a 10 MPH speed limit.

4. All construction pipes, culverts, or similar structures greater than four inches in diameter, or greater than 1.5 inches in diameter within areas where CTS or CRLF may be present, stored or stacked on the project site for one or more overnight periods shall be either securely capped before storage or thoroughly inspected for wildlife before the pipe is subsequently moved, buried, capped, or otherwise used.

5. Materials that could provide shelter/nesting habitat for birds during the nesting season may be covered with netting or treated with other exclusion methods, where feasible and appropriate, to prevent birds from constructing nests. In addition, materials such as wooden pallets, wooden power poles, and metal tubing, providing nesting and shelter habitat for birds during the nesting season and artificial refugia for other special-status species shall be thoroughly inspected before use.

6. If encountered, wildlife within the project site shall be allowed to escape unimpeded, removed by a qualified biologist and placed in a designated safe area away from construction activities, or left in place when required by regulations, policies, permits, and/or conditions of approval. If wildlife removal by a qualified biologist is required, the qualified biologist shall be approved or permitted by CDFW and USFWS, as and if required by law, prior to removing such species.

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

7. To prevent entrapment of special-status wildlife, all excavations (e.g., steep-walled holes, or trenches) more than six inches deep shall be covered with plywood or similar materials when not in use or fitted with at least one escape ramp constructed of earth dirt fill, wooden planks, or another material that wildlife could ascend. During the month of May excavations and trenches two-feet deep or greater shall be covered with plywood or similar materials when not in use, any excavations or trenches that cannot be covered when not in use shall be monitored daily to prevent entrapment of pronghorn calves. All excavations more than six inches deep shall be inspected daily for entrapped wildlife before construction activities begin and once immediately before being covered with plywood. Before excavations are filled, they shall be thoroughly inspected for entrapped wildlife. Any wildlife discovered shall be allowed to escape unimpeded before field activities resume or shall be removed from excavated areas by a qualified biologist and released at a safe nearby location.
8. Avoidance and minimization of impacts on sensitive biological resources within active construction areas shall be aided through identification of ESAs with flagging or fencing.
9. Dust suppression shall occur during construction activities when necessary to meet air quality standards and protect biological resources.
10. Disturbance of ponds and in-stream pools shall be avoided to the extent practicable. When feasible, and to the extent practicable, all in-stream work shall occur during the dry season.
11. To the extent practicable, existing mammal burrows shall be preserved in place.
12. No vehicles or equipment shall be refueled or undergo maintenance within 100 feet of a jurisdictional waters feature. Spill kits shall be maintained on the site in sufficient quantity to accommodate at least three complete vehicle tank failures of 50 gallons each. Any vehicles driven or operated within or adjacent to drainages or wetlands shall be checked and maintained daily to prevent leaks of materials.
13. All general trash, food-related trash items (wrappers, cans, bottles, food scraps, cigarettes, etc.), microtrash (nails, bits of metal and plastic, small construction debris, etc.), and other human-generated debris scheduled to be removed shall be stored in animal-proof containers and removed from the site on a regular basis (weekly during construction, and at least monthly during operations). No deliberate feeding of wildlife or domestic animals shall be allowed.
14. To minimize potential for attracting predators that could impact special status animal species, Project personnel shall monitor the project site for animal carcasses, including wild animals and livestock. Monitoring shall be conducted by the project Proponent on a weekly basis during construction and operation. During construction, any road kill within the project site or Access Road shall be reported to designated onsite personnel. Any animal carcasses detected on the project site shall be removed and disposed of as quickly as possible to avoid attracting predators. The removal and disposal shall be conducted by an individual in possession of appropriate federal and state permits, if any are required.
15. New light sources shall be minimized, and lighting shall be designed (e.g., using shielding and/or downcast lights) to limit the lighted area to the minimum necessary.

CONTINUED IN NEXT CONDITION 53

53. MITIGATION MEASURE #43 - B-1(ff) SPECIAL STATUS ANIMAL SPECIES GENERAL AVOIDANCE MEASURES AND CONS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: CONDITION TEXT CONTINUED

16. Use of chemicals, fuels, lubricants, or biocides shall be in compliance with all local, state, and federal regulations. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation. Use of first- and second-generation rodenticides shall not be permitted except for the limited use of zinc phosphide, or a rodenticide approved by the County, and only after other means of pest control (e.g. rodent traps) have proven to be ineffective.
17. To prevent harassment and mortality of listed, special status, and common wildlife species and destruction of their habitats, no domesticated animals shall be permitted on the project site, with the exception of grazing animals prescribed for vegetation management and trained working animals used specifically for livestock management or species surveys (e.g., horses, livestock working dogs, scent tracking dogs).
18. No firearms shall be allowed on the project site, unless otherwise approved for security personnel.
19. During construction, an annual written report shall be prepared describing the status of Project construction, as well as the compliance and current implementation status of construction-related biological mitigation measures and general biological measures. The report shall be submitted to the County no later than 15 February the following year.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall include details on special status animal species general avoidance measures and construction BMPs in biological monitoring status reports that are to be submitted to the County as outlined in B-1(u).

Monitoring: The County shall ensure that the applicant is in compliance with special status animal species general avoidance measures and construction BMPs.

54. MITIGATION MEASURE #44 - B-1(gg) WORKER ENVIRONMENTAL AWARENESS PROGRAM

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall retain qualified biologists to prepare a Worker Environmental Awareness Program (WEAP) that shall be presented to all construction personnel and employees before any ground-disturbing activities commence at the project site. This presentation shall explain to construction personnel how best to avoid the accidental take of listed and impacts to other special status species during construction. The program shall consist of a brief presentation explaining listed and other special status species concerns to all personnel involved in the project. The program shall include a description of special status species potentially on the project site and their habitat needs; an explanation of the status of the species and their protection under the FESA, CESA, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, and California Fish and Game Code; specific mitigation measures applicable to listed and other special status species; and the penalties for take.

The program shall also explain to construction personnel how to avoid impacts to jurisdictional waters, including wetlands. The program shall include a description of jurisdictional waters on the site, specifically permitted impacts to jurisdictional waters, measures to protect waters to be avoided, and maps showing the location of jurisdictional waters and permitted impacts. The program shall be recorded electronically, and all future facility employees shall be required to review the recording before the initiation of work on the project site.

The WEAP shall be implemented by the applicant before the start of ground disturbance and shall be continued through the construction phase for all construction personnel. A separate WEAP shall be implemented by the applicant before project operation, for all permanent project employees. This program shall include all the information above, as applicable to project operations.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The WEAP shall be submitted by the applicant to the County for approval prior to issuance of grading permits, and all staff must complete WEAP training prior to conducting any work on the project site.

Monitoring: The County shall ensure that all components of the WEAP training are fully implemented by the applicant.

55. MITIGATION MEASURE #45 - B-2(a) VALLEY NEEDLEGRASS GRASSLAND AND WILDFLOWER FIELD HABITAT MITIGATI

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall mitigate permanent impacts to these habitats caused by grading, construction of new road surface, array construction, and structure and building placement by preserving and managing valley needlegrass grassland at a 2:1 mitigation ratio and wildflower field at a 1:1 mitigation ratio (mitigation area: impact area) for total acreages of these habitats as presented in Table 4.4-8.

This compensatory mitigation may be fulfilled in conjunction with other mitigation requirements, such as those for special status plant or animal species affected by the project and should be consistent with the conditions outlined in measure B-1(a), and shall be managed in accordance with the HMMP described in mitigation measure B-1(b).

Areas proposed for preservation and serving as compensatory mitigation for sensitive vegetation types must contain verified extant populations of the vegetation that would be impacted by the project. If existing floristic data has sufficient detail to classify and quantify wildflower fields to alliance level using currently accepted vegetation classification protocols outline in the Manual of California Vegetation, 2nd Edition (Sawyer et al. 2009) and the CDFW VegCAMP program, this data may be used to determine alliances and acreages required for compensatory mitigation. To demonstrate consistent quality and composition between mitigation sites and impacted sites, baseline plot data must be collected. Data collection must follow an accepted vegetation sampling methodology for cover, species composition, and species richness, and plot size must be appropriate for the community sampled. Guidance on minimum plot size is provided in the CDFW/CNPS Vegetation Rapid Assessment Method. Compensatory mitigation sites for sensitive vegetation must have similar or better native species cover, comparable species richness and composition, and meet alliance classification membership rules of the alliance, if any, for which mitigation is intended. The total number of baseline and mitigation site plots required to demonstrate consistency shall be determined by a qualified ecologist skilled in design of vegetation field sampling studies.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall obtain County approval of the location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands in accordance with the timing outlined in measure B-1(a).

Monitoring: Monitoring will be conducted in accordance with the conditions outlined in measure B-1(a).

56. MITIGATION MEASURE #46 - B-2(b) HABITAT RESTORATION AND REVEGETATION PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Restore temporarily impacted habitats to prevent loss or degradation of sensitive communities and to preserve habitat functions and values for special status animal species. Areas where temporary, construction-related impacts have taken place shall be restored in accordance with a Habitat Restoration and Revegetation Plan (HRRP). The plan shall prescribe restoration actions needed to treat disturbed soils and vegetation, in order to restore disturbed areas. Only areas that were graded (i.e., where the soil resources were removed and replaced) shall be subject to active restoration; however, the vegetation in the temporarily disturbed areas on the project site and in the Access Road shall be monitored to ensure success, maintenance, and/or establishment of target habitat. The applicant shall contract a qualified restoration biologist, knowledgeable in grassland and wetland habitat restoration to developed the HRRP.

The HRRP shall set forth trigger points to identify where restoration shall be required in response to construction-related impacts. It shall also explicitly detail the process or processes required to restore habitats. The HRRP shall, at a minimum, include the following Project-specific information and sections:

1. Soils and Seed Bank Management

a) A soil baseline study shall be conducted, by a qualified restoration ecologist with soils expertise, to inform soil requirements relative to habitat restoration for temporarily disturbed areas of the site. The results of this study shall be included in the HRRP and will be used to inform the development of a topsoil harvest and stockpiling plan outlined in the HRRP, and will outline methods for preserving the seed bank present in the removed topsoil.

b) The HRRP shall include details for topsoil salvage, if needed, and proper storage, and shall identify areas within the construction footprint where topsoil is present, supports native vegetation or common non-native grasses characteristic of the grasslands on the site, does not support dense weed infestations, and can be salvaged and stockpiled for later replacement following ground-disturbing activities. The soil baseline study shall characterize topsoil by its depth to impervious layer, nutrient levels, texture, organic matter, permeability, and water-holding capacity.

c) The HRRP shall also identify areas where topsoil stockpiling and replacement would not be warranted due to low development of the existing seed bank and organic material. The harvesting, stockpiling, and spreading of topsoil and seed bank shall also be monitored by a qualified restoration ecologist with a soils background.

d) The HRRP shall require that at least 6 inches of topsoil be salvaged from the areas identified in the plan. These stockpiles shall not be mixed with spoil material, trash, materials such as road base or aggregate, or topsoil containing heavy weed seed banks. The allowable duration for stockpiling and management of stockpiles that will maintain healthy soil conditions shall be stipulated in the HRRP. The HRRP shall stipulate BMPs to discourage erosion of the topsoil stockpiles, including planting cover crops, roughening the pile, using fiber rolls, employing temporary stabilization measures, or other measures, as determined by the potential for erosion of the pile from rain and wind.

e) All redistribution of stored topsoil shall be completed prior to final site inspection (for the close of Project construction work).

f) Soils temporarily disturbed by trenching activities shall be replaced immediately to the extent practicable following placement of cables, and the amount of time open trenches are left on site shall be minimized to the extent practical.

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

2. Temporary Disturbance Mapping

a) The HRRP shall include detailed figures showing the areas proposed to be temporarily disturbed during Project construction. Such figures shall be updated as needed to reflect design changes and areas requiring active restoration actions.

3. Supplemental Restoration Actions

a) The HRRP will stipulate specific performance criteria that identify when areas require additional methods beyond topsoil replacement and soil restoration. In areas requiring active reseeding beyond topsoil replacement, the species composition proposed for reseeding shall be substantially similar to or improve on pre-construction vegetation community composition, excluding invasive non-native species and rare plant species. The latter may have very specific microhabitat requirements that may not be possible to replicate after disturbance. A range of seeding palettes will be stipulated in the HRRP, and these shall differ as needed between various habitat types. For example, native perennial grasses shall be required as a component of the palette for impacted areas of serpentine bunchgrass grasslands or Valley needlegrass grasslands. Non-native species that are dominant within and characteristic of disturbed habitats may be included, as long as they are not specifically prohibited by the project Vegetation and Invasive Species Management Plan (see measure B-2[c] below). The intent of the seeding palettes shall be to maintain or increase native species coverage, reduce establishment of damaging invasive species, and preserve current wetland vegetation types present on the site. A description of the preferred methods for planting (e.g., hydroseeding, drill seeding, aerial broadcast seeding, or others) within differing habitats or impact types shall be provided, as well as details regarding irrigation, if needed. If seed is to be collected for redistribution from onsite species, collection protocols and areas shall be outlined.

4. Monitoring

a) All areas subject to temporary disturbance and requiring restoration actions under the HRRP shall be monitored by a qualified restoration ecologist so that restoration success can be determined and relevant recommendations can be made for successful habitat establishment. Monitoring shall consist of both qualitative and quantitative assessment programs.

b) Both qualitative and quantitative monitoring shall be required in all restored areas for at least two years following construction. Failure to meet pre-defined success criteria after two years of at least average annual rainfall will trigger remedial actions; however, as vegetation growth is lower during below-average rainfall years failure to meet success criteria during years with lower than average rainfall will simply entail a longer monitoring duration until it can be determined that the restoration success requires remedial actions and the site is not simply being affected by below-average rainfall. Average rainfall is defined in this context as the 30-year average for the site (1981–2010), established by the Parameter-elevation Regressions on Independent Slopes Model (PRISM) Climate Group, or 13.12 inches per year (PRISM 2013). The actual annual rainfall must be measured using an onsite rain gauge, and if the actual measured precipitation does not meet this level by the end of the rainy season, these monitoring results will still be reported, but monitoring will continue until the monitoring data set includes at least two years in which this precipitation level is met or until success criteria are met in two monitoring years.

CONDITION CONTINUED ON NEXT CONDITION 56

56. MITIGATION MEASURE #46 - B-2(b) HABITAT RESTORATION AND REVEGETATION PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: c) Qualitative survey results shall discuss species composition, growth and survivorship, germination success, invasive plant infestations, and areas where restoration was not successful in re-establishing adequate vegetation cover to prevent erosion and sedimentation-related impacts. Qualitative monitoring shall occur on a quarterly basis for the first year. This timing shall allow remedial actions to be identified and enacted as necessary following restoration to achieve success criteria in advance of the final success/failure determination. Monitoring reports shall be submitted to the County every six months (after two qualitative monitoring events) for the first year following restoration. Qualitative monitoring shall then occur once per year in conjunction with quantitative monitoring until two years of average rainfall have occurred or until successful restoration is achieved via attainment of the pre-defined success criteria. d) Quantitative monitoring shall occur annually for years one and two, or longer until pre-defined success criteria are met in two years of monitoring as described above. As described above, failure to meet success criteria during below-average rainfall years will lengthen monitoring duration, but will not necessarily require the commencement of remedial actions until and unless it isdetermined in a year with normal precipitation these criteria are still not being met. In year one, quantitative monitoring shall take place in January, April, and July. In year two and in any subsequent years that this monitoring is required due to low rainfall and/or failure to meet success criteria, monitoring shall occur in May. e) The HRRP will establish pre-defined success criteria for both qualitative and quantitative monitoring activities. A qualified restoration ecologist shall use baseline vegetation data from the impact areas or from reference areas to set comparative success criteria across the site. The success criteria will be defined separately for each habitat type. These criteria will: 1) identify the duration of monitoring sufficient to indicate that the restoration habitat is on a clear trajectory toward successful establishment if this differs from the minimum two years required (e.g., if a given habitat takes six years to reach full maturity, one might monitor it for three years to establish the restoration trajectory), 2) specify interim quantitative habitat performance criteria that can be used to track habitat development at intervals during the monitoring period- these may either be predetermined based on a vegetation survey of the impacted habitat or may be tied to reference sites, 3) specify final quantitative success criteria for each habitat that indicate that the habitat is likely to ultimately develop functions and values comparable to the impacted habitat, and 4) specify final qualitative and quantitative success criteria that demonstrate that the restoration areas exhibit minimal erosion and that invasive plant species cover does not exceed that of reference habitats.

f) Quantitative monitoring shall be conducted in one-square-meter quadrats and shall include the following data at a minimum:

i. Species composition and cover data
ii. Bare ground cover data
iii. Canopy height
iv. Hydric soil indicators (in wetlands)

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

g) These data shall be used to measure and report native species coverage, native and non-native species recruitment, and hydrology within restored wetlands, and to compare these to the pre-established success criteria. Based on these results, the restoration ecologist shall make specific recommendations for remedial actions, if required. Reports shall be submitted to the County twice annually for the first year of monitoring (by 31 January and by 31 July) and once annually by 31 January during all subsequent years of monitoring. Each HRRP monitoring report shall include the following information at a minimum:

1. The name, title, and company of all persons involved in restoration monitoring and report preparation
2. Maps or aerials showing restoration areas, transect locations, and photo documentation locations
3. An explanation of the methods used to perform the work
4. An assessment of the treatment success.

Mitigation Timing: The HRRP shall be submitted by the applicant to the County for review and approved by the County prior to issuance of grading permits.

Monitoring: The County shall ensure that all components of the HRRP are fully implemented by the applicant.

57. MITIGATION MEASURE #47 - B-2(c) PROJECT VEGETATION AND INVASIVE SPECIES MANAGEMENT PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Before the construction permit is issued, the applicant shall retain a qualified restoration or plant ecologist with rangeland management experience to prepare a Project-specific Vegetation and Invasive Species Management Plan (PVIMP), to be administered during operation of the project in the array fields and other applicable areas of the project site. The comprehensive plan shall be intended to maintain acceptable fuel loads and prevent the introduction or spread of non-native invasive species associated with the disturbance resulting from the project.

The PVIMP shall be an adaptive management tool. Vegetation management strategies and weed control efficacy shall be evaluated over time. Modifications to the strategies used or to the techniques used to accomplish each strategy shall be implemented based on results, experience, and the latest research. If grazing is not feasible on the project site, comparable alternative methods of vegetation management (e.g., mowing) may be used.

The PVIMP shall also describe BMPs to avoid the unintentional introduction of invasive species to and from the site, describe monitoring measures to ensure that any invasions are detected before they become substantial, and describe species-specific control measures that shall be implemented if invasions occur.

The PVIMP shall be submitted to the County, CDFW, and USFWS prior to the notice to proceed, and shall address the entire project site. This submittal shall further describe the process by which the PVIMP shall be implemented (e.g., the entity responsible for implementing it, funding mechanisms, and reporting procedures). The PVIMP shall include, but is not limited to, the following:

1. detailed measures to promote the persistence of native grassland species, including listed and rare plant species in the vicinity of, but not removed by, the project;
2. a description of exclusion fencing, if warranted to protect avoided riparian habitats and jurisdictional waters within the arrays;
3. in areas subject to grazing management, development of an RDM monitoring plan that shall inform adaptive management and the rates, timing, and duration of livestock grazing actions planned from year to year, determined by annual climatic patterns and the response of herbaceous vegetation to impacts from the solar panels and plant operations (e.g., panel washing);
4. a plan for adaptive strategies to manage grazing or other vegetation management actions to benefit native wildlife and vegetation and avoid or minimize the establishment of invasive weeds, to the degree practicable;
5. a description of alternate acceptable vegetation control methods and triggers for their use, including weed whacking, mowing, herbicides, and others;
6. a description of annual monitoring stipulated for weeds within the project site and measures for controlling weeds, both prior to ground disturbance and annually during operation of the project;
7. a plan for the use and application of herbicides, which may be prescribed only by a licensed Pest Control Advisor and applied only by a licensed applicator; specific prohibitions on herbicide use and application (e.g., no application of herbicides when winds are in excess of 10 MPH or within 50 feet of wetlands) including prohibition near amphibian habitat shall be included;
8. a detailed plan for the washing of all ground-disturbing equipment before it is transported to the site or is used at another site, and for washing equipment within the

site if it has worked in infested areas before being used elsewhere on the site;
9. a detailed plan for preventing the spread of New Zealand mud snails within the site; the plan shall include thorough washing of equipment and the footwear of construction personnel, or drying for two weeks following work in wetted stream channels that may support the species; and

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

10. details for placing and maintaining an onsite wash station for washing heavy equipment that has worked in infested areas before moving elsewhere on the site, and performance criteria for the control and disposal of wash water and collected sediment; and treatment and disposal requirements for weed-infested topsoil.

Mitigation Timing: The PVIMP shall be submitted by the applicant to the County, CDFW, and USFWS for review and approved by the County prior to issuance of grading permits.

Monitoring: The County shall ensure that all components of the PVIMP are fully implemented by the applicant.

58. MITIGATION MEASURE #48 - B-2(d) MIXED OAK WOODLAND AVOIDANCE AND MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

If oak woodlands occur in or adjacent to (i.e., within 25 feet of) the project impact area, an International Society of Arboriculture (ISA)-certified arborist shall establish a buffer of 25 feet from the driplines of native trees in the oak woodland habitat. No ground-based construction activities, including trimming of trees, shall be allowed within the buffer unless monitored by an ISA-certified arborist. All buffers shall be marked using highly visible flagging or fencing.

Compliance or Monitoring Action to be Performed:

Mitigation Timing: The applicant shall submit documentation that either no oak woodlands or individual oaks were recorded within 25 feet of proposed impact areas, or that appropriate avoidance measures have been implemented to ensure avoidance of oaks and oak woodlands prior to issuance of grading permits.

Monitoring: The County shall ensure that the applicant is in compliance with oak woodland impact avoidance and minimization measures.

59. MITIGATION MEASURE #49 - B-2(e) RIPARIAN/STREAM HABITAT SETBACKS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: As discussed above, some improvements near and within riparian habitats and streams would be necessary to construct road and fence crossings, stabilize banks, and construct other Project improvements. In other locations, where complete avoidance of reaches of perennial and intermittent streams is proposed, Project activities and Project work limits shall include a standard 50-foot setback from the top of bank or the outer dripline of the riparian canopy of the avoided stream reaches. The 50-foot setback shall apply to the avoided reach length. In isolated locations it may be necessary to place structures within 50 feet of the avoided drainage and a full 50-foot setback is not feasible, a minimum 25-foot setback shall be observed from avoided perennial or intermittent riparian habitat in all locations (i.e., work limits may come no closer than 25 feet from the top of bank or the outer canopy dripline in any specific area along the avoided reach). Where existing roads occur parallel to and within 50 feet of avoided perennial or intermittent streams, it will be impossible to maintain a 50-foot average setback or even a 25-foot minimum setback, because even to realign the road, work near the avoided streams would be required. In these cases, Project activities and Project work limits shall be set back 10 feet from the top of bank. All work that must occur within the 50-foot setback shall be monitored by an authorized biologist to ensure direct impacts to sensitive habitat are minimized, and all impacts to special status species are avoided. Riparian setbacks and all riparian habitat to be avoided by the project shall be fenced or flagged before construction occurs in adjacent areas. A biological monitor shall be present to ensure compliance with off-limits areas.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation that appropriate avoidance measures have been implemented to ensure avoidance of all riparian habitat prior to issuance of grading permits.

Monitoring: The County shall ensure that the applicant is in compliance with riparian habitat impact avoidance and minimization measures.

60. MITIGATION MEASURE #50 - B-2(f) STREAM CHANNEL AVOIDANCE AND MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To prevent high-velocity water flow from causing bank downcutting at downstream locations, any improvements related to road realignment, widening, or the ability of the road to convey heavy equipment for construction shall be designed to minimize alterations to natural flow patterns and capacity, consistent with the design-level drainage analysis.

Improved outfalls, channel stabilization, rock weirs, rock cross vanes, and other measures associated with crossing improvements shall be installed as necessary, but the use of large riprap shall be avoided or minimized to the extent feasible.

Grade-control structures and structures such as weirs shall be designed in consultation with a qualified geomorphologist, to determine the least amount of fill and structures needed to achieve stabilization goals, and to ensure that stabilization structures and improvements shall not themselves cause additional unwanted channel instability. Similarly, rerouted drainages shall be assessed by a qualified geomorphologist or hydrologist to ensure that drainage patterns downstream of the rerouted reach shall not be affected. Where present, cobble substrates within the reaches of streams to be rerouted shall be collected and replaced within the rerouted reaches.

A single new clear-span bridge shall be installed over Cottonwood Creek. For the purposes of construction, no low-water crossings shall be allowed within perennial streams. Additionally, culvert crossings shall be installed in primary access locations over intermittent streams that carry flows for long periods (weeks or months) of typical wet seasons, whenever feasible. Permanent low-water crossings in intermittent or ephemeral streams that may be subject to heavy use during construction or operations, or which must be accessible throughout the rainy season and during storm events, shall be improved (to protect the bed and banks from erosion) using keyed aggregate, armor block, or similar materials that do not erode out during heavy storm flows. Where unimproved low-water crossings are used, such as the unimproved aisleway crossings between panel blocks over ephemeral streams, these crossings shall not be accessed during periods of active flow, or when the soil of the bed and banks are wetted and subject to erosion, compaction, or bank damage by vehicles.

Construction will not occur within wetted channels. For construction that must occur in streams carrying active flows, the stream habitat and water quality in the stream shall be protected through dewatering. Any construction that must occur in these habitats in the wet season (typically, 15 October to 15 April) will take place only when soils are not wetted (i.e., not during or after storm events, allowing for a sufficient drying period after rain events), and construction shall not occur when rain is forecast to occur with a 30% or greater chance within the next 24 hours. Sufficient erosion control materials must be kept on the site and be ready for installation in case construction must cease in streams due to a forecast rain event, as per the project-specific Storm Water Pollution Prevention Plan (SWPPP).

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation that appropriate avoidance measures have been implemented to ensure avoidance of all stream channels prior to issuance of grading permits.

Monitoring: The County shall ensure that the applicant is in compliance with stream channel impact avoidance and minimization measures.

61. MITIGATION MEASURE #51 - B-2(g) DIRECTIONAL BORING AVOIDANCE AND MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: As discussed above, directional boring, or in some cases, overhead lines, shall be used in place of open trenching wherever open trenching would require grading of banks to access steep, deeply incised drainages. Wherever directional boring is to occur, a frac-out plan shall be developed and implemented to avoid potential water quality impacts related to this activity. If frac-out occurs, the affected stream reach shall be restored to pre-existing conditions, and the impact shall be mitigated as per mitigation measure B-2(j).

Compliance or Monitoring Action to be Performed: Mitigation Timing: The Frac-out Plan shall be submitted by the applicant to the County for approval prior to issuance of grading permits.

Monitoring: The County shall ensure that all components of the Frac-out Plan are fully implemented by the applicant.

62. MITIGATION MEASURE #52 - B-2(h) SHOW STREAMS AND RIPARIAN HABITAT, AND ASSOCIATED SETBACKS, ON CON

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To facilitate site management and ensure avoidance of these sensitive features, all streams and riparian habitat shall be clearly delineated on plan sets. The plan sets shall also show avoided reaches and setbacks adjacent to Project improvements. Additionally, all riparian and stream locations subject to impacts shall be clearly delineated on Project plan sets. The plan sets shall depict temporary, construction-related low-water road crossings through intermittent and ephemeral streams, as well as crossings through minor drainages between panel blocks needed for operational access to the arrays; these crossing types would require no improvement such as grading or aggregate placement. Zones within solar arrays where ephemeral streams and associated riparian habitat would be impacted for solar panel footing placement, where access would be required along the length of the stream, shall also be depicted. Any subsets of these impacted reaches where slopes are too steep to move equipment across safely or without excessive bank damage, or areas that cannot be safely crossed without the aid of planned improvements such as culverted temporary fill, shall be depicted and flagged on the ground; access shall not be allowed in these areas unless by way of the planned improvements. No construction- or operation related vehicular access shall occur through riparian or stream habitats on the site outside of the designated crossing and temporary impact zones.

Compliance or Monitoring Action to be Performed: Mitigation Timing: Construction drawings depicting stream and riparian setbacks shall be submitted by the applicant to the County, for approval prior to issuance of grading permits.

Monitoring: The County shall ensure that all stream and riparian setbacks have been appropriately established by the applicant.

63. MITIGATION MEASURE #53 - B-2(i) RIPARIAN/STREAM MITIGATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Perennial stream/channel wetlands and associated riparian habitat shall be preserved and enhanced to compensate for permanent impacts to riparian and stream habitats, in a manner that achieves no net loss in acreage or function, and should be consistent with the USFWS Recover Plan for Upland Species of the San Joaquin Valley (USFWS 1998) if possible. Enhancement of the preserved habitat shall be site-specific, according to opportunities available at the preservation site and may include riparian vegetation plantings, weed removal, and alteration in grazing management such as changes in stocking, timing, or installation of riparian exclusion fencing. Permanent impacts to perennial streams and the associated riparian habitat shall be mitigated at a 3:1 ratio (linear feet of stream and associated riparian corridor preserved and enhanced: linear feet of perennial stream and associated riparian corridor impacted); impacts to intermittent streams shall be mitigated at a 2:1 ratio (linear feet preserved and enhanced: linear feet impacted); and impacts to ephemeral streams shall be mitigated at a 1:1 ratio (linear feet preserved: linear feet impacted). The design, monitoring schedule, and success criteria for the mitigation site shall be described in a Project Wetland Mitigation and Monitoring Plan (described in detail in mitigation measure B-3(d), below) that demonstrates no net loss in acreage or function. Preserved riparian corridors, and any surrounding uplands above the top of bank within the area to be preserved, shall be placed in a conservation easement or similar legal mechanism and managed in perpetuity.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall obtain County approval of the location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands consistent with the timing outlined in mitigation measure B-1(a).

Monitoring: Monitoring for riparian/stream mitigation shall be consistent with the monitoring conditions outlined in mitigation measure B-1(a).

64. MITIGATION MEASURE #54 - B-3(a) WETLAND AVOIDANCE AND MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Impacts to wetlands and other waters shall be avoided to the extent feasible. In consultation with a wetland ecologist, the project shall be designed, constructed and operated to avoid and minimize impacts to wetlands and other waters to the extent feasible, which may include minor changes to the panel layout and roadway configurations to avoid wetlands. General Project staging and laydown activities shall not occur within wetlands during construction. To avoid unnecessary egress into wetlands, all wetlands in the project impact area shall be clearly shown on Project plans and the limits marked with highly visible flagging, rope, or similar materials in the field. Access allowed within these features for the purposes of construction in and near such features (e.g., road crossings, pile placement, trenching) shall be clearly delimited on Project plan sets, and these allowed work limits shall also be staked in the field, to prevent construction personnel from causing impacts to areas outside of work limits. Where necessary, silt fencing or other measures may be used to protect adjacent wetlands from sediment transport or other indirect impacts that could result from adjacent construction. During the operation of the solar facility, maintenance activities shall not be staged within wetlands. Wetlands and other waters within construction areas that are to be avoided shall be fenced or flagged for avoidance prior to construction, and a biological monitor shall be present to ensure compliance with off-limits areas. All jurisdictional wetlands and waters shall be clearly shown on Project plan sets.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation to the County that appropriate wetland avoidance and minimization measures have been implemented prior to issuance of grading permits.

Monitoring: The County shall ensure that the applicant is in compliance with wetland impact avoidance and minimization measures.

65. MITIGATION MEASURE #55 - B-3(b) WELL PLACEMENT HYDROLOGY STUDY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To mitigate for potential impacts from groundwater pumping that may affect the active hydrology at New Well 1, the applicant shall contract a qualified hydrologist to perform a detailed, area-specific study for all newly proposed wells, prior to well construction. The Well Placement Hydrology Study (WPHS) shall determine the potential vulnerability and the expected effects of any new well (including calculated acreages of impacts), as well as the anticipated construction water demands on nearby wetlands and the downstream waters fed by such wetlands. To the extent feasible, all new wells shall be sited with sufficient setback from groundwater-fed wetlands such that temporary impacts to W19 and other wetlands shall be avoided or minimized. If a new well must be sited in an area where impacts to W19 or other wetlands cannot be ruled out (or limited to no more than one rainy season) by the hydrologic study, mitigation measure B-3(c) shall apply, and the applicant shall consult with CDFW, USACE and RWQCB, as applicable, to determine if permitting is required.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The WPHS shall be submitted by the applicant to the County for review and approval prior to issuance of grading permits.

Monitoring: The County shall ensure that all components of the WPHS are fully implemented by the applicant.

66. MITIGATION MEASURE #56 - B-3(c) MONITOR WELL IMPACTS TO WETLANDS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In the event that the hydrologic study cannot rule out permanent or temporary impacts to New Well 1 lasting longer than one rainy season, or to other groundwater-fed wetlands at new well locations, wetland dewatering impacts monitoring shall be included in the Construction Management Plan. Under this plan, the potentially affected features shall be monitored to determine the extent of adverse effects and duration of loss of, or reduction in, wetland functions and values. The monitoring plan shall require, at a minimum:

1. ambient monitoring, including groundwater monitoring conducted to establish a baseline of the conducted to establish current conditions in the year prior to Project implementation;
2. compliance monitoring, to determine the spatial extent (as defined per USACE routine delineation methods) and duration of hydrological interruption impacts to wetland vegetation and hydrology in the affected wetland and any streams fed by the wetlands; and
3. post-closure monitoring conducted for one year after the well is abandoned, or until a 90% success criterion has been met, to quantify groundwater levels after use of the well ceases and confirm that wetland acreage, functions, and values provided by the affected wetlands have returned to within 10% of pre-Project conditions (established during baseline monitoring and as per the USACE-approved Project wetland delineation mapping of the feature shown on Figure 4.4-2a).

As part of the monitoring plan, quarterly reports shall be provided to the County on observed hydrological impacts. Compensatory mitigation shall be provided per mitigation measure B-3(d) based on the extent and duration of wetland impacts quantified through monitoring.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation that either all impacts to wetlands from well development have been avoided or compensatory mitigation measures have been implemented prior to the first of the project's final inspections, or within 12 months of issuance of grading permits, whichever comes first. The applicant shall also submit quarterly monitoring reports to the County, RWQCB, and/or USACE.

Monitoring: The County shall ensure that the applicant is in compliance with impact avoidance and mitigation measures relating to wetland impacts from well development.

67. MITIGATION MEASURE #57 - B-3(d) WETLAND HABITAT MITIGATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To compensate for permanent impacts to wetlands on site, offsite wetlands shall be created, preserved, and managed in perpetuity at a 2:1 mitigation ratio (acres created and preserved: acre impacted). Permanent loss includes all wetlands affected by permanent fill placement (which may occur, for example, from mass grading or new road or structure placement, including panel footing placement). In the areas of seasonal wetlands under solar panels (i.e., not the area affected by fill placement but the remainder of the wetland area under the array), some degradation of the wetland is expected; however, it is also anticipated that these areas would continue to provide residual wetland functions and values in at least a portion of the affected wetland. As such, these areas shall be mitigated through creation of offsite wetlands at a 1.5:1 ratio (acres created and preserved: acre impacted). Permanent impacts to wetlands within streams that will be affected by construction of road crossings (see Impact B-2) shall be mitigated by creating off-site wetlands at a 1:1 ratio; these areas shall also be mitigated through preservation and management of riparian and stream habitat (see mitigation measure B-2[i]). By concurrently providing 1:1 wetland creation mitigation for such impacts, no net loss of wetlands will occur, and lost values and functions will be compensated (Table 4.4-9).

Temporary impacts to wetlands and other waters shall be mitigated through onsite restoration as described in mitigation measure B-2(b) (HRRP), if impacts are restored within a single year, with most restoration expected to occur at the onset of the rainy season to enhance germination success (i.e., areas impacted in a given year must be restored prior to 1 March of the following year to be considered temporary and require no additional mitigation). Areas of construction access-related temporary impacts that cannot be restored prior to 1 March the following year and would remain exposed during the dry season shall be restored the following fall. Compensatory mitigation for such long-term temporarily impacted areas shall be provided at the offsite location at a ratio of 0.5:1 of wetland creation (acres created and preserved off site: acres temporarily impacted for more than one rainy season). Impact areas left unrestored for two rainy seasons shall be compensated off site at a 1:1 ratio, and additionally shall be restored on site. Temporary impacts to groundwater-fed wetlands due to hydrological interruption from a new well(s) shall be determined per mitigation measure B-3(c) and shall be mitigated off site at a ratio of 1:1 if success criteria are met and the wetlands are restored to pre-Project function within three years of the date of well construction. If functions and values are lost for more than three years, the impacts shall be considered permanent, and compensatory mitigation shall be provided at a 2:1 ratio (Table 4.4-9). Permanent impacts to any streams fed by such wetlands shall be mitigated as per mitigation measure B-2(i).
Table 4.4-9 below provides a summary of the various mitigation ratio requirements for each impact type. The permanent protection and management of the constructed mitigation wetlands shall be ensured through an appropriate mechanism, such as a conservation easement granted to a public or private entity authorized by Section 815.3 of the California Civil Code to acquire and hold conservation easements, deed restriction, or fee title purchase.

[SEE PAGE 4.4-179 IN THE DRAFT EIR FOR TABLE 4.4-9: Mitigation Ratios for Wetland Impacts (Ratios to Be Applied to Actual Impacts Determined from Construction Plans and Well Monitoring)]

A project-specific Wetland Mitigation and Monitoring Plan (WMMP) shall be prepared

by a qualified restoration ecologist and shall include, at a minimum, the following information:

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

A project-specific Wetland Mitigation and Monitoring Plan (WMMP) shall be prepared by a qualified restoration ecologist and shall include, at a minimum, the following information:

1. wetlands and waters impacts summary (as described by MM B-48 and this measure) and habitat mitigation actions;
2. goals of the restoration to achieve no net loss;
3. a map depicting the location of the mitigation site(s) and a detailed description of existing site conditions; and
4. a detailed description of the mitigation design, including:
5. location of the new wetlands;
6. proposed site construction schedule;
7. description of existing and proposed soils, hydrology, geomorphology, and geotechnical stability, as well as results of applicable soils testing conducted at the mitigation site;
8. a detailed description of the steps required for site preparation and a conceptual grading plan—a formal package for plan sets, specs, and estimates for the grading and mitigation construction work shall be prepared based on the concepts set forth in the WMMP no fewer than fifteen days prior to starting work at the mitigation site;
9. a description of recommended soil amendments and other site preparation;
10. development of a planting plan including details on plant procurement, if necessary, propagation, allowable species for seeding and relative pounds/acre, and application;
11. maintenance plan for the created wetlands and riparian plantings;
12. a description of specific monitoring metrics, and objective performance and success criteria, such as delineation of created area as jurisdictional wetland per USACE methods within five years of construction, minimum riparian tree and canopy cover measures in the enhanced stream reaches within ten years of restoration, and others;
13. monitoring methods for vegetation and soils, and measures stipulating quantitative monitoring to occur once per year for at least five years following construction of the wetlands or until success criteria are met;
14. a list of reporting requirements and reporting schedule; and
15. a contingency plan for mitigation elements that do not meet performance or final success criteria within five years for created wetlands and ten years for riparian enhancement; this plan shall include specific triggers for remediation if performance criteria are not being met and a description of the process by which remediation of problems with the mitigation site (e.g., presence of noxious weeds) shall occur.

Mitigation Timing: The applicant shall obtain County approval of the location of mitigation lands, the holder of conservation easements, and the restrictions contained in the easement(s) created for the permanent protection of these lands. Documentation of recorded easement(s) shall be submitted to and approved by the County consistent with the timing outlined in mitigation measureB-1(a). The applicant shall consult with CDFW on the requirement for Lake and Streambed Alteration Agreement (LSAA; Fish and Game Code 1600) for waters subject to CDFW jurisdiction.

Monitoring: Monitoring for wetland mitigation shall be consistent with the monitoring conditions outlined in mitigation measure B-1(a).

68. MITIGATION MEASURE #58 - B-4(a) PRONGHORN CALVING GROUND AVOIDANCE AND MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Disturbance of pronghorn calving grounds shall be avoided to the extent practicable. No pronghorn calves have been observed on the project site to date. Preconstruction surveys for calving pronghorn shall be conducted within the calving season (1 April through 30 June), and if calves are detected, a 0.25-mile limited activity buffer shall be established to ensure that the calves and doe are not distressed. The buffer distance may be modified in consultation with CDFW. The buffer shall be flagged with material highly visible to construction personnel, and maintained as necessary. Construction may resume within the buffer when directed by the qualified biologist.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation to the County and CDFW that either no calving pronghorn were present on the site at the time of preconstruction surveys, or that all avoidance measures have been implemented for avoiding impacts to calving pronghorn.

Monitoring: The County shall ensure that the applicant is in compliance with impact avoidance and mitigation measures relating to pronghorn calving.

69. MITIGATION MEASURE #59 - B-4(b) PRONGHORN-FRIENDLY FENCE DESIGN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: As part of the management of mitigation sites required in mitigation measure B-1(a), new pronghorn-friendly fencing shall be installed to improve the movement of pronghorn both on and through mitigation sites where applicable. This requirement shall not apply to existing fencing or fencing installed to preclude cattle from sensitive resources such as restored or protected wetland or riparian habitats. The HMMP (mitigation measure B-1[b]) for these sites shall contain the following requirements:

1. Identification of likely and feasible pronghorn movement pathways on the mitigation sites;
2. Removal of nonessential fencing on the mitigation sites where not in conflict with adjacent land management practices;
3. Incorporation of measures to increase visibility of existing fencing (high-visibility wire, PVC covers, vinyl markers, flagging, etc.), as appropriate;
4. Incorporation of fencing modifications, where not in conflict with adjacent land management practices, such as replacing barbed wire with smooth wire on the lower and possibly upper wires of the fence), designed to enable movement by pronghorn through the likely and feasible pathways on mitigation sites;
5. Placement of fencing at potential risk areas to encourage movement away from dangerous roads; and
6. A schedule for implementing the above measures and financial assurances to implement the required enhancement.

Compliance or Monitoring Action to be Performed: Mitigation Timing: The applicant shall submit documentation that to the County and CDFW that pronghorn-friendly fence design has been incorporated into the HMMP concurrently with submittal of the HMMP as noted in Measure B-1(b) (prior to the first of the project's final inspections, or within 12 months after issuance of grading permits, whichever comes first).

Monitoring: The County shall ensure that the applicant is in compliance with impact avoidance and mitigation measures relating to pronghorn movement.

70. MITIGATION MEASURE #60 - B-5(a) OAK/RIPARIAN TREE PROTECTION ZONE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Impacts to native trees at risk of being damaged by Project activities shall be avoided and minimized through the establishment, in consultation with an ISA-certified arborist, of Tree Protection Zones (TPZs) that include at least a 25-foot buffer around oak driplines within 25 feet of project disturbance areas. The health and stability of trees is best protected by minimizing impacts to root systems. Such impacts are typically caused by vehicles, heavy equipment, foot traffic, and stored materials. For all retained trees, the minimum TPZ shall be defined as the area within the tree's dripline, unless incursions within the dripline are specifically reviewed and approved by the ISA-certified arborist. Around each tree or group of trees to be preserved in or next to an impact area, highly visible flagging or fencing shall be erected along the approximate dripline(s) of such protected trees to define the construction boundary and create a TPZ for trunks and roots. Within TPZs, work shall be limited as follows:

1. No storage of equipment or construction materials, parking of vehicles, or operation of equipment shall be permitted within the TPZ unless specifically reviewed and authorized by the ISA-certified arborist. Additional protective measures, such as use of fabric overlain by six inches of wood chips, shall be used to protect the affected rooting areas within the TPZ.
2. No soil shall be removed from within the dripline of any tree, and no fill of additional soil shall exceed two inches within the driplines of trees, unless it is part of approved construction and is reviewed by an ISA-certified arborist. Because trees are sensitive to the addition of fill, excavated material shall either be removed from the site or retained at least one foot away from oak trunks and from as much rooting area as is feasible.
3. Bark injury caused by equipment or materials shall be prevented by the protective fencing described above.
4. Roots exposed by excavation shall be pruned and recovered as quickly as possible to promote callusing, closure, and healthy regrowth. Where excavation occurs within TPZs, the following root-severing procedures shall be followed during excavation and trenching unless otherwise approved by an ISA-certified arborist: gently expose and cleanly sever roots one foot farther from the tree than the final limit of grading, then hand-dig the final foot of width. Roots are then cleanly pruned to the side wall of the excavation with a saw, sawzall, narrow trencher with sharp blades, or clippers. Hydraulic or pneumatic excavation technologies that expose and minimize damage to roots may be used. Exposed roots shall be draped immediately with at least two layers of untreated burlap or carpets, secured to cover the excavated surface to a depth of 3 feet. Burlap or carpeting (or temporary fill) shall be soaked nightly and kept in place until the excavated surface is backfilled and watered.
5. All tree work shall be guided by an ISA-certified arborist, and work shall be completed by qualified tree service personnel.
6. Oaks shall not be trimmed during periods of rapid growth in the spring and early summer, to prevent growth of deformed "witches brooms."
7. Where trees are removed within 15 feet of retained trees, roots of the removed tree shall be severed by grinding the stump to grade or slightly below grade, rather than excavating the stump. If grinding is infeasible, sharp vertical cuts shall be made at the limits of approved excavation before pushing over or excavating the root wad and trunk.

CONDITION CONTINUED BELOW

Compliance or Monitoring Action to be Performed:

8. Special construction methods that minimize root loss may be necessary to permit healthy retention of certain trees, as identified in the final Forest Management Plan (FMP; Appendix E5) developed for the project. These measures may include, but are not restricted to, minimizing native soil excavation or using forms to retain subgrade and surfacing slightly above the existing soil surface. Posts or caissons shall be attached to retention structures, including forms, in place of continuous structures.
9. Semipermeable surfaces shall be used wherever feasible for proposed road, parking, or walkway surfaces that cross the roots of trees.
10. Wood chips or other mulch shall be applied to TPZs within 15 feet of construction activities; however, chips and mulch shall not be left mounded against tree trunks.
11. In addition to any measures required by local authorities or the California Department of Forestry and Fire Protection, the project Proponent shall:
a) maintain spark arresters on gasoline-powered equipment;
b) control fuel accumulation in drought-tolerant landscapes through managed grazing; and break up and clear away any dense accumulations of dead or dry underbrush or plant litter, especially near landmark trees in the project area.

Mitigation Timing: The applicant shall submit documentation to the County that an ISA-certified arborist has been contracted to develop TPZs prior to issuance of a grading permit, and submit documentation of ISA-certified arborists monitoring of any project activity within TPZs.

Monitoring: The County shall ensure that the applicant is in compliance with impact avoidance and mitigation measures relating to protected trees.

71. MITIGATION MEASURE #61 - B-5(b) OAK/RIPARIAN TREE MITIGATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

Native tree loss is not anticipated to occur. However, if the project results in unavoidable or inadvertent loss of protected trees, as identified by the ISA-certified arborist during monitoring of work within any TPZ (see also mitigation measure B-5[a]), the project Proponent shall replace the lost protected trees (native trees 6 inches or more in diameter at breast height) at a 3:1 ratio (replacement trees: removed trees). Mitigation plantings may be integrated with the mitigation of impacts to riparian woodlands and oak woodlands on the project site. Replacement trees shall be chosen to correspond to the habitat impacted by the tree removal; for example, valley oaks and blue oaks may be planted to replace trees removed from mixed oak woodlands or riparian oak woodlands, and cottonwood or willow may be planted to replace trees removed from willow-cottonwood riparian woodland. Individual planting locations shall be predetermined and mapped by a qualified restoration ecologist. Oak, cottonwood, and willow replanting stock shall be grown from native seed stock gathered within 25 miles of the project site. The removal of oak trees shall be further mitigated by preserving existing mature oak woodland at a 2:1 ratio (canopy preservation area: canopy removal area).

Compliance or Monitoring Action to be Performed:

Mitigation Timing: The applicant shall submit documentation to the County that either no protected trees were impacted during Project activity or that a qualified restoration ecologist has been contracted to identify mitigation planting species and locations.

Monitoring: The County shall ensure that the applicant is in compliance with impact avoidance and mitigation measures relating to protected trees.

72. MITIGATION MEASURE #62 - CR-1(a) ARCHAEOLOGICAL SITE AVOIDANCE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Wherever feasible, direct impacts on NRHP/CRHR-eligible archaeological sites shall be avoided. Avoidance shall be accomplished by preventing any direct ground disturbance of the resource. If impacts to all or any of these resources cannot be avoided, as determined by the applicant with concurrence from RMA – Planning, the boundaries of the NRHP/CRHR-eligible sites shall be marked in the field by a Registered Professional Archaeologist prior to ground disturbance with exclusionary fencing, lath, flagging tape, or some other combination of material that is highly visible, durable, and which construction and management personnel can recognize as marking an exclusion zone where no earth disturbance or other activity shall occur. Exclusion zones shall be inspected weekly by an archaeological monitor or other environmental inspector to ensure that they are being honored, remain effective, and in place. If complete avoidance is not feasible, mitigation measures CR-1(b) and CR-1(c) shall apply.

Compliance or Monitoring Action to be Performed: On an ongoing basis throughout construction, direct impacts on NRHP/CRHR-eligible archaeological sites shall be avoided, in conformance with the standards set forth in the condition.

73. MITIGATION MEASURE #63 - CR-1(b) SITE CAPPING AND DATA INDEXING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If direct disturbance of NRHP/CRHR-eligible archaeological or historic resources cannot be avoided, placement of chemically neutral, culturally sterile, nonreactive fill on top of the sites, rather than cutting into the cultural deposits, shall be required, when determined feasible by the Monterey County RMA – Planning Department. Because sites on which fill would be placed would no longer be accessible to research, a data indexing program shall be implemented to characterize the nature of the portions of the site to be buried (if they have not been sampled previously). The indexing program shall include mapping the location of surface artifacts within the proposed areas of fill; surface collection of those artifacts; and excavation of a small sample, determined by a Registered Professional Archaeologist, of the cultural deposit to characterize the nature of the buried deposit. All earth disturbances associated with placement of the fill shall also be monitored by a qualified archaeological monitor under the direction of a Registered Professional Archaeologist, as well as a tribal consultant if the site is of Native American origin, to prevent any residual impact associated with the loss of research data. Cultural materials recovered during the data indexing program shall be curated at an appropriate archaeological curation facility and copies of all reports shall be provided to RMA-Planning and the Northwest Information Center at Sonoma State University. The reports shall include detailed geospatial data regarding the locations of capped sites and these data shall be used to avoid new impacts during decommissioning.

Compliance or Monitoring Action to be Performed: On an ongoing basis, if direct disturbance of NRHP/CRHR-eligible archaeological or historic resources cannot be avoided, the sites shall be managed in conformance with the standards set forth in the condition.

74. MITIGATION MEASURE #64 - CR-1(c) DATA RECOVERY EXCAVATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If avoidance [CR-1(a)] or capping [CR-1(b)] of NRHP/CRHR-eligible cultural resources is not possible, the project applicant shall complete a Phase III data recovery excavation program for significant cultural resources that would be impacted prior to project disturbance. Phase III data recovery shall be directed by a Registered Professional Archaeologist and include the preparation of a work plan/research design, fieldwork, laboratory analysis of recovered artifacts and ecofacts, special studies if appropriate, the preparation of a technical report, and curation of recovered materials. The Research Design shall be reviewed and approved by the Monterey County RMA—Planning Department prior to its implementation. A tribal consultant shall be present for all data recovery excavations of sites of Native American origin.

Compliance or Monitoring Action to be Performed: On an ongoing basis, if avoidance [CR-1(a)] or capping [CR-1(b)] of NRHP/CRHR-eligible cultural resources is not possible, a Phase III data recovery excavation program shall be completed in conformance with the standards set forth in the condition.

75. MITIGATION MEASURE #65 - CR-1(d) ARCHAEOLOGICAL RESOURCE WORKER ENVIRONMENTAL AWARENESS PROGI

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to the commencement of construction a Registered Professional Archaeologist or a monitor under their direction shall provide a Worker Environmental Awareness Program (WEAP) for the general contractor, subcontractor(s), and construction workers participating in earth disturbing activities. The WEAP training shall describe the potential of exposing archaeological resources, the types of cultural materials that may be encountered, and directions on the steps that shall be taken if such a find is encountered. This training may be presented alongside other environmental training programs required prior to construction. A WEAP acknowledgment form must be signed by all workers who receive the training.

Compliance or Monitoring Action to be Performed: Prior to the commencement of construction a Registered Professional Archaeologist or a monitor under their direction shall provide a Worker Environmental Awareness Program (WEAP) for the general contractor, subcontractor(s), and construction workers participating in earth disturbing activities, in conformance with the standards set forth in the condition. Verification of training shall be submitted to RMA-Planning for review and approval.

76. MITIGATION MEASURE #66 - CR-1(e) ARCHAEOLOGICAL RESOURCE CONSTRUCTION MONITORING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A qualified archaeologist shall be retained by the Applicant to be present during all earth moving activities that have the potential to affect archaeological or historical sites. In the event that previously unidentified prehistoric or historic archaeological materials or human remains are encountered during project construction, mitigation measure CR-2 shall take effect. A monitoring report shall be submitted to RMA County Planning upon completion of construction.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the Owner/Applicant shall retain the services of a qualified archaeologist to be present during all earth moving activities that have the potential to affect archaeological or historical sites, in conformance with the standards set forth in the condition.

On an ongoing basis throughout construction that has the potential to affect archaeological or historical sites, a qualified archaeologist shall be present during all earth moving activities.

Upon completion of construction, a monitoring report shall be submitted to RMA County Planning for review and approval.

77. MITIGATION MEASURE #67 - CR-1(f) NATIVE AMERICAN CONSTRUCTION MONITORING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A tribal consultant (Native American monitor) shall be retained by the Applicant to be present during all earth moving activities that have the potential to affect prehistoric archaeological sites. The Native American monitor shall prepare daily logs and submit weekly updates to RMA – Planning.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the Owner/Applicant shall retain the services of a tribal consultant (Native American monitor) to be present during all earth moving activities that have the potential to affect prehistoric archaeological, in conformance with the standards set forth in the condition.

On an ongoing basis throughout construction that has the potential to affect prehistoric archaeological, a tribal consultant (Native American monitor) shall be present during all earth moving activities.

The tribal consultant (Native American monitor)shall prepare daily logs and submit weekly updates to RMA County Planning for review and approval.

78. MITIGATION MEASURE #68 - CR-2 PREVIOUSLY UNIDENTIFIED ARCHAEOLOGICAL RESOURCES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If previously unidentified prehistoric or historic archaeological resources are encountered during construction or land modification activities, work within the immediate vicinity of the find shall stop and the Applicant and the Monterey County RMA – Planning Department and project archaeologist shall be notified immediately. The project archaeologist, at the Applicant's expense, will assess the content, age, association, and integrity of the find and the Applicant shall provide the Monterey County RMA – Planning Department with sufficient information to determine whether the resource is a CRHR-eligible resource. If the Monterey County RMA – Planning Department determines that the resource is not CRHR eligible or that it is CRHR eligible, but that additional data recovery would only yield redundant information, no additional mitigation will be required and construction can proceed. If the Monterey County RMA – Planning Department determines that the resource is CRHR eligible and that the discovery has significant historical associations or could yield additional scientific information about local or regional history or prehistory that has not been recovered during prior investigations, the Applicant shall implement MM-CR-1(a)-(c) and if of Native American origin CR-1(e).

If the site is determined insignificant, no further mitigation shall be required. However, archaeological and Native American monitoring may still be required in the vicinity of the site in accordance with mitigation measures CR-1(e) and CR-1(f).

Compliance or Monitoring Action to be Performed: On an ongoing basis throughout construction, if previously unidentified prehistoric or historic archaeological resources are encountered during construction or land modification activities, work within the immediate vicinity of the find shall stop and the Applicant and the Monterey County RMA – Planning Department and project archaeologist shall be notified immediately, in conformance with the standards set forth in the condition.

79. MITIGATION MEASURE #69 - CR-4(a) PALEONTOLOGICAL RESOURCE MITIGATION PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to grading activities, a Paleontological Resource Mitigation Plan (PRMP) shall be prepared for the project by a qualified professional paleontologist as defined by the Society of Vertebrate Paleontology (SVP, 2010). The PRMP should include a map identifying the locations where monitoring is required, provide protocols for construction monitoring and the recovery of significant fossils, identify the Project Paleontologist and on-site monitors, and make provisions for fossil preparation, curation, and reporting. The PRMP shall be reviewed and approved by the Monterey County RMA- Planning Department prior to its implementation.

Compliance or Monitoring Action to be Performed: Prior to grading activities, a Paleontological Resource Mitigation Plan (PRMP) shall be prepared for the project by a qualified professional paleontologist as defined by the Society of Vertebrate Paleontology (SVP, 2010), in conformance with the standards set forth in the condition. The PRMP shall be reviewed and approved by the Monterey County RMA- Planning prior to its implementation.

80. MITIGATION MEASURE #70 - CR-4(b) PALEONTOLOGICAL RESOURCE CONSTRUCTION MONITORING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Full-time monitoring shall be required during ground disturbing activities in areas determined to have a high paleontological sensitivity. All work shall be conducted by a qualified paleontological monitor as defined by the SVP (2010) and in conformance with the PRMP (mitigation measure CR-4a). Monitoring efforts can be reduced or eliminated at the discretion of the Project Paleontologist if, after 50% of the excavations are completed, no fossil resources are encountered. If deemed appropriate by the Project Paleontologist, part-time monitoring or spot checking may occur during the construction of the project in areas underlain by Quaternary surficial alluvial sediments to determine if underlying sensitive geologic units are being impacted by construction and at what depth.

If significant fossils are unearthed during construction, paleontological recovery shall be carried out. Recovery shall include: salvage of significant fossils; washing of representative samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates; preparation of recovered specimens to a point of identification to the lowest taxonomic level and permanent preservation; identification, curation, and accession of specimens into a museum repository with permanent retrievable storage; preparation of a report of findings by the Project Paleontologist with an appended itemized inventory of specimens. The report, inventory, and record of accession shall be submitted to Monterey County and the curation facility, and its submission shall signify completion of the program to mitigate impacts to paleontological resources.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the Owner/Applicant shall retain the services of a qualified paleontological monitor as defined by the SVP (2010) and in conformance with the PRMP (mitigation measure CR-4a).

On an ongoing basis throughout construction, full-time monitoring shall be required during ground disturbing activities in areas determined to have a high paleontological sensitivity, in conformance with the standards set forth in the condition.

Upon the completion of construction, the Project Paleontologist shall submit a report of findings in conformance with the standards set forth in the condition.

81. MITIGATION MEASURE #71 - GEO-2 LANDSLIDE AVOIDANCE AND HAZARD MINIMIZATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Installation of solar modules and other project features shall be avoided in the areas of the project site containing deeply incised drainage channels (those drainage channels incised up to approximately 15 feet). Where avoidance is not feasible, a certified engineering geologist shall conduct a landslide survey in and adjacent to deeply incised drainage channels to determine those areas in which landslides could have the potential to damage and destroy roadways, structures and other improvements as well as alter or block drainage channels, causing further damage and erosion. The survey shall identify areas with the potential for unstable slopes, landslides, earth flows, debris flows, and seismically induced slope failure hazards. If the results of the landslide survey indicate the presence of slopes likely to fail and cause damage to these structures, appropriate support and protection measures shall be designed and implemented to minimize potential damage. These design measures may include, but are not limited to: retaining walls, reengineered slopes, removal of potentially unstable materials, and avoidance of areas above and below highly unstable areas. Study results and proposed design modifications shall be provided to the Monterey County RMA – Planning Department for review and approval prior to grading permit issuance. Prior to any module blocks becoming operational (generating electricity and delivering power to the grid), the RMA – Building Department shall verify that all elements within that block comply with approved plans and the California Building Code.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, a certified engineering geologist shall conduct a landslide survey (study) in conformance with the standards set forth in the condition.

Prior to grading permit issuance, the study results and proposed design modifications shall be provided to the Monterey County RMA – Planning for review and approval.

Prior to any module blocks becoming operational (generating electricity and delivering power to the grid), RMA – Building Services shall verify that all elements within that block comply with approved plans and the California Building Code.

82. MITIGATION MEASURE #72 - HAZ-3 LOCATE UNDERGROUND UTILITIES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To identify and avoid subsurface utility lines at the project site, Underground Service Alert shall be consulted immediately prior to construction. In addition, a private utility locator service shall be consulted immediately prior to start of construction in order to determine the location of any existing underground utilities, including, but not limited to, the underground gas line. Construction plans shall be submitted to PG&E and any other identified utilities for review and comment for grading or excavation proposed within 25 feet of known underground utility lines. The applicant shall submit proof of underground utility location and PG&E plan submittal to the County of Monterey RMA – Planning Department prior to issuance of grading permits.

Compliance or Monitoring Action to be Performed: Immediately prior to construction, the Owner/Applicant shall consult Underground Service Alert and contact a private utility locator service to identify and avoid subsurface utility lines at the project site, in conformance with the standards set forth in the condition.

Prior to issuance of grading permits, the applicant shall submit proof of underground utility location and PG&E plan submittal to the County of Monterey RMA – Planning.

83. MITIGATION MEASURE #73 - HAZ-4(a) FINAL FUEL MANAGEMENT PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to the issuance of any construction permit, the applicant shall submit a Final Fuel Management Plan to the County of Monterey RMA – Planning Department for review and approval. The Final Fuel Management Plan shall be prepared in consultation with the Fire Protection District and/or CAL FIRE. The Final Fuel Management Plan shall identify emergency access routes, vegetation management measures (e.g. grazing, disking, mowing), road maintenance requirements, fuel modification zones and defensible spaces around structures, applicable emergency response procedures (e.g. notification requirements), and vehicle restrictions during the fire hazard season. Fuel protection zones, including defensible spaces and firebreaks, shall be established and maintained throughout the duration of the project in accordance with state and County minimum clearances and fuel modification standards.

Compliance or Monitoring Action to be Performed: Prior to the issuance of any construction permit, the applicant shall prepare and submit a Final Fuel Management Plan, in conformance with the standards set forth in the condition, to the County of Monterey RMA – Planning Department for review and approval.

84. MITIGATION MEASURE #74 - HAZ-4(b) EMERGENCY ACCESS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall be responsible for maintaining adequate emergency access throughout the duration of project construction, operation, and decommissioning in accordance with the Final Fuel Management Plan. All access gate lock codes, combinations, and/or Knox box codes shall be provided to the Monterey County Emergency Operations Dispatch prior to construction. Also prior to construction, a 24-hour contact person with access to all access gates shall be identified and the contact number provided to the Monterey County Emergency Operations Dispatch.

Compliance or Monitoring Action to be Performed: On an ongoing basis throughout construction, operation, and decommissioning, the applicant shall be responsible for maintaining adequate emergency access in accordance with the Final Fuel Management Plan and in conformance with the standards set forth in the condition.

85. MITIGATION MEASURE #75 HAZ-5 - DISPOSAL OF PV MODULES AND SUPPORT STRUCTURES

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall submit a recycling or disposal plan for PV modules for County review and approval, in order that project structures not pose a risk to human health or the environment after project repowering and/or decommissioning. The plan shall specify how these project components shall be recycled or disposed of in a manner that will not pose a risk to human health or the environment, and the costs of such recycling or disposal. Prior to issuance of construction permits, the applicant shall post a long-term decommissioning bond to the County of Monterey, or other mutually acceptable financial obligation, in an amount consistent with these costs (plus County administrative costs) consistent with the requirements of the Development Agreement (if approved).

Compliance or Monitoring Action to be Performed: Prior to installation of the PV modules, the applicant shall submit a recycling or disposal plan for PV modules for County review and approval, in conformance with the standards set forth in the condition.

Prior to issuance of construction permits, the applicant shall post a long-term decommissioning bond to the County of Monterey, or other mutually acceptable financial obligation, in an amount consistent with the costs for recycling and disposal (plus County administrative costs) consistent with the requirements of the Development Agreement (if approved).

86. MITIGATION MEASURE #77 - HYD-2(b) MAINTAIN VEHICLES AND EQUIPMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All vehicles and equipment, including all hydraulic hoses, shall be maintained in good working order to minimize leaks that could escape the vehicle or contact the ground. A vehicle and equipment maintenance log shall be updated and provided by the applicant to the County of Monterey RMA – Planning Department on a monthly basis for the duration of project construction.

Compliance or Monitoring Action to be Performed: On an ongoing basis throughout construction, all vehicles and equipment, including all hydraulic hoses, shall be maintained in good working order in conformance with the standards set forth in the condition.

On a monthly basis throughout construction, a vehicle and equipment maintenance log shall be updated and provided by the applicant to the County of Monterey RMA – Planning for review and approval.

87. MITIGATION MEASURE #78 - PS-1(a) CONSTRUCTION MANAGEMENT PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall include measures that reduce the demand for fire protection services during project construction in the final Construction Management Plan subject to the review and approval of CAL FIRE or the Fire Protection District as applicable. Applicable measures shall include but not be limited to on-site fire suppression, including on-site fire suppression equipment and fire suppression training for on-site personnel. The construction contractor shall be responsible for implementing the final Construction Management Plan, including applicable fire safety measures, for the duration of construction. Prior to the issuance of a construction permit, the applicant shall provide the County with a copy of the final Construction Management Plan approved by CAL FIRE that includes measures that adequately reduce the demand for fire protection services.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the Owner/Applicant shall submit a final Construction Management Plan, in conformance with the standards set forth in the condition, to CAL FIRE or the Fire Protection District for review and approval.

Prior to the issuance of a construction permit, the applicant shall provide the County with a copy of the final Construction Management Plan approved by CAL FIRE that includes measures that adequately reduce the demand for fire protection services.

On an ongoing basis throughout construction, the construction contractor shall be responsible for implementing the final Construction Management Plan, including applicable fire safety measures.

88. MITIGATION MEASURE #79 - PS-1(b) EMERGENCY RESPONSE TRAINING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: During project construction and operation, on-site staff shall receive emergency response training and shall be informed of all emergency response procedures on a minimum annual basis. Prior to operation of the project, the applicant shall consult with South Monterey County FPD/CAL FIRE staff to educate them in emergency response procedures for solar power facilities. In addition, on-site fire suppression equipment (e.g. fire extinguishers) shall be maintained on-site for the duration of project operation.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the Owner/Applicant shall ensure that on-site staff shall receive emergency response training and shall be informed of all emergency response procedures. Verification of training shall be submitted to South Monterey County FPD/CAL FIRE for review and approval.

Prior to operation of the project, the applicant shall consult with South Monterey County FPD/CAL FIRE staff to educate them in emergency response procedures for solar power facilities.

On an annual basis, on-site staff shall receive emergency response training and shall be informed of all emergency response procedures. Verification of training shall be submitted to South Monterey County FPD/CAL FIRE for review and approval.

On an ongoing basis, on-site fire suppression equipment (e.g. fire extinguishers) shall be maintained on-site for the duration of project operation.

89. MITIGATION MEASURE #80 - PS-1(C) FIRE PROTECTION DURING CONSTRUCTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to the issuance of a construction permit, the applicant shall enter into an agreement with CAL FIRE to provide sufficient fire protection services during the non-peak fire season for the duration of project construction via provision of sufficient funding and other measures necessary to keep the CAL FIRE Parkfield substation operational during the non-peak fire season. The measures to assure sufficient fire protection services in accordance with existing standards shall be subject to the review and approval of CAL FIRE and may include but not be limited to the following: funding for provision for fire personnel, purchase of on additional patrol/rescue vehicle, and/or provision of a helicopter landing space in consultation with CAL FIRE, the use of which will be restricted to emergency use only. A copy of the final, executed agreement shall be submitted to the County prior to the issuance of a construction permit.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the applicant shall enter into an agreement with CAL FIRE to provide sufficient fire protection services in conformance with the standards set forth in the condition.

Prior to the issuance of a construction permit, a copy of the final, executed agreement shall be submitted to the County.

90. MITIGATION MEASURE #81 - T-2 FRIDAY PEAK HOUR CONTROL MEASURES – CONSTRUCTION PHASE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All project generated traffic bound for SR 46 eastbound that would make the southbound left turn movement at the intersection of SR 41/SR 46 shall be removed by implementing traffic control measures at the project access road exit during the Friday PM peak hour between 4:35 PM and 5:35 PM. Truck delivery and construction workers bound for eastbound SR 46 shall be prohibited from making right turns from the project access road onto SR 41 by a flagman located at the project access road during the Friday PM peak hour. Vehicle destinations shall be identified by vehicle badges. The flagman shall identify these vehicles and direct them to make an eastbound left out movement from the project access road onto SR 41 east.

Compliance or Monitoring Action to be Performed: On an ongoing basis throughout construction, traffic control measures, as set forth in the condition, shall be implemented for all project generated traffic bound for SR 46 eastbound during the Friday PM peak hour.

91. MITIGATION MEASURE #82 - T-4 FRIDAY PEAK HOUR CONTROL MEASURES – OPERATION PHASE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Until the completion of Caltrans improvements to the intersection of SR 41/46, all project generated traffic bound for SR 46 eastbound that would make the southbound left turn movement at the intersection of SR 41/SR 46 shall be removed by implementing traffic control measures at the project access road exit during the Friday PM peak hour between 4:35 PM and 5:35 PM. Employees bound for eastbound SR 46 shall be prohibited from making right turns from the project access road onto SR 41 by a flagman located at the project access road during the Friday PM peak hour. The flagman shall identify these vehicles and direct them to make a left out movement from the project access road onto SR 41 east.

Compliance or Monitoring Action to be Performed: Until the completion of Caltrans improvements to the intersection of SR 41/46, traffic control measures, as set forth in the condition, shall be implemented for all project generated traffic bound for SR 46 eastbound during the Friday PM peak hour.

92. MITIGATION MEASURE #83 - T-7 PARK AND RIDE FACILITY SITING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Any proposed park and ride facilities shall be sited in already developed parking lots (paved or unpaved) designed to accommodate large numbers of vehicles (e.g. shopping center locations). All vehicles shall be required to park in designated parking spaces. No permanent new lighting shall be installed. The location of the park and ride facilities within these existing parking lots shall be sited in an area located away from residences and other sensitive receptors to limit nighttime disturbance from noise.

Selection of the park and ride lots shall consider the existing and projected traffic conditions in the surrounding area and the proposed park and ride lots shall not be located on roadway segments and near intersections currently experiencing deficient Levels of Service, as defined either by Caltrans, a county or a city, as applicable, unless a supporting traffic study prepared by a qualified transportation planner or engineer shows that impacts to traffic conditions would not occur.

Compliance or Monitoring Action to be Performed: Prior to the issuance of a construction permit, the Owner/Applicant shall submit a plan showing the proposed park and ride facilities, in accordance with the standards set forth in the condition, to RMA-Public Works for review and approval.

93. MITIGATION MEASURE #84 - LT-1 WORKER HOUSING PROGRAM

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of construction permits, the applicant shall submit a Worker Housing Program prepared by a professional relocation firm to Monterey County for review and approval that would include:

1. Projection of the peak need for worker housing in relation to existing demand for temporary accommodations, with particular attention paid to seasonal housing;
2. Classification of workers' housing needs based on the duration of their work on the project; and
3. Identification of dwelling units, hotels, motels, RV parks, and campsites with the ability to accommodate workers for periods of longer than one month.

The applicant (or relocation firm) shall reserve or coordinate the reservation of temporary accommodations for employees relocating from outside the local area.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits, the applicant shall submit a Worker Housing Program, in conformance with the standards set forth in the condition, prepared by a professional relocation firm to Monterey County for review and approval.

94. PD032 - PERMIT LENGTH

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This permit shall be granted for 34 years, with an expiration date as specified in the permit. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of RMA-Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

95. ACCESS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of any Construction Permits the applicant/developer shall demonstrate that they have approval to construct the road from Highway 41 to the subject site from San Luis Obispo County.

Compliance or Monitoring Action to be Performed: Prior to issuance of Construction Permits a Use Permit from San Luis Obispo County shall be provided to the County of Monterey by the applicant.

96. PDSP 002 DEVELOPMENT AGREEMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of any construction permits, the applicant (or the assignee) shall prepare a final legal description of the project site, which shall be approved by the RMA-Planning Director, and the approved legal description shall be attached to the Development Agreement, and the Development Agreement shall be recorded by the County at the applicant's expense in accordance with the terms of the ordinance approving the Development Agreement.

Compliance or Monitoring Action to be Performed: Applicant shall submit revised legal description for approval.

Applicant shall pay for cost of recordation.

97. PDSP003 -- ACCESS ON TURKEY FLAT ROAD

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Access for emergency vehicles and a limited number of daily passenger vehicles and pickups are allowed to use Turkey Flat Road to access the site. The applicant/owner shall be responsible for managing the number of trips accessing the site on Turkey Flat Road in a manner consistent with the traffic analysis in the EIR. Heavy Equipment and large trucks are not permitted to use the public portion of Turkey Flat Road north of the Hearst Gate.

Compliance or Monitoring Action to be Performed: Prior to issuance of any Construction Permits, the applicant/owner shall submit to the RMA Planning Department the report of the anticipated number of vehicles which will be using Turkey Flat Road on a daily basis.

98. PDSP004 -- EASEMENT MAINTENANCE

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The owner/ applicant shall be responsible for maintaining the condition of the road lying within the ingress/egress easement on APN 424-181-011. The road shall be maintained in at least as good a condition as it currently exists. Prior to issuance of any Construction Permits or movement of any equipment onto the site, the owner/applicant shall provide photo documentation of the condition of the road to the County of Monterey. Upon completion of the project, the owner/applicant shall provide photo documentation that the road has a graded, smooth, compacted surface without damage, potholes or other deviations that would compromise the integrity of the road. The easement shall be maintained in this condition throughout the operational life of the project.

Compliance or Monitoring Action to be Performed: Prior to issuance of any Construction Permits or movement of equipment onto the site photo documentation of the condition of the road shall be submitted to the RMA-Planning Department.

Prior to finalization of the last phase of the project, photo documentation shall be submitted showing that that condition of the easement is acceptable,

This page intentionally left blank

California Flats Site Plan Booklet
Monterey County Submittal

Prepared For

First Solar

Contact: John Gaglioti
Project Developer – Engineer | First Solar, Inc.
135 Main Street, 6th floor
San Francisco, CA 94105
(m) +00.1.928.607.1691
john.gaglioti@firstsolar.com

Prepared By

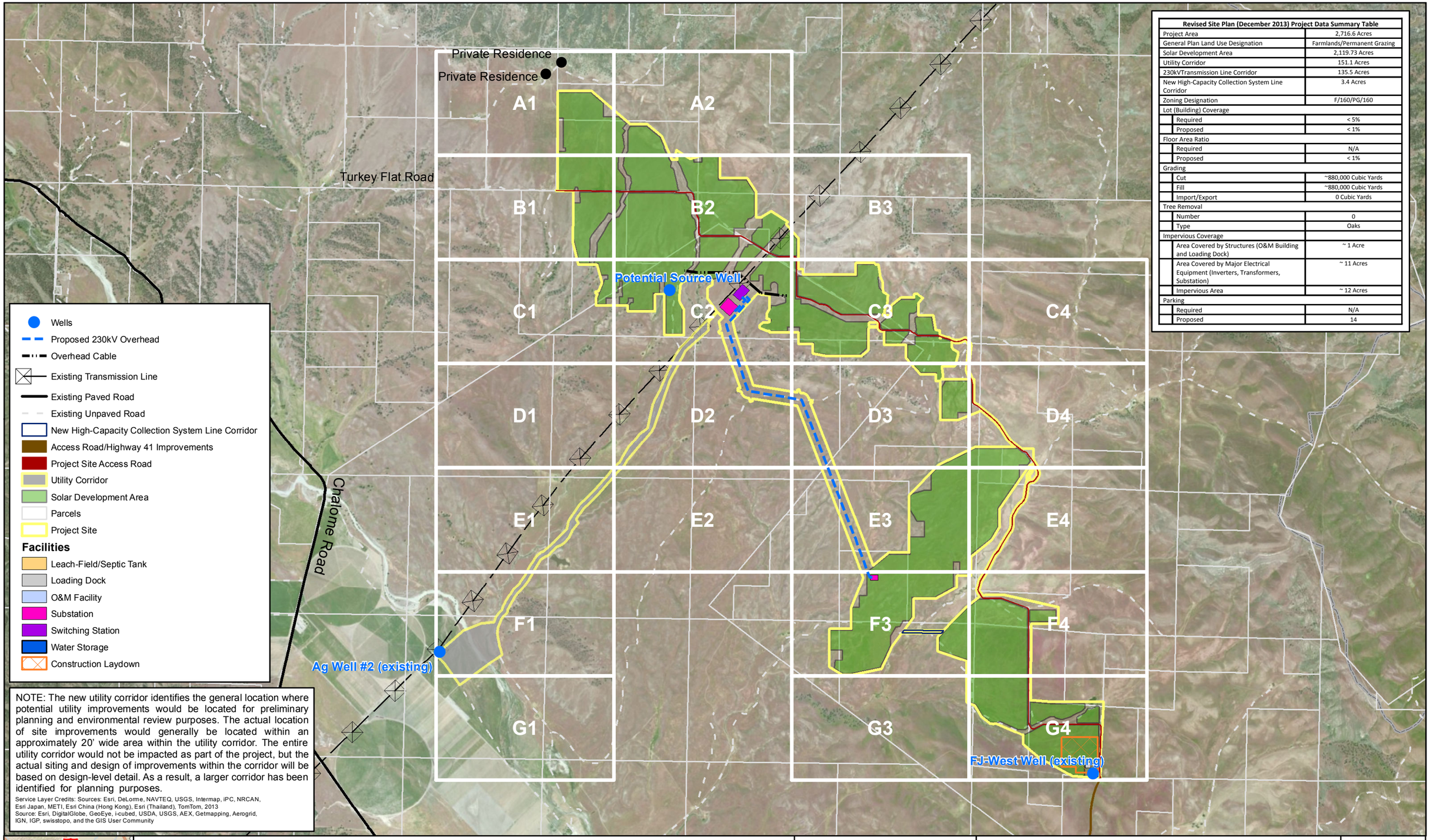
Denise Duffy & Associates, Inc.

Contact: Tyler Potter, AICP
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341 office ext. 37
tpotter@ddaplanning.com

December 5, 2013

Coordinate System: NAD 1983 State Plane California IV FIPS 0404 Feet
Projection: Lambert Conformal Conic
Datum: North American 1983
Units: Feet

Revised Site Plan (December 2013) Project Data Summary Table		
Project Area		2,716.6 Acres
General Plan Land Use Designation		Farmlands/Permanent Grazing
Solar Development Area		2,119.73 Acres
Utility Corridor		151.1 Acres
230kVTransmission Line Corridor		135.5 Acres
New High-Capacity Collection System Line Corridor		3.4 Acres
Zoning Designation		F/160/PG/160
Lot (Building) Coverage		
	Required	< 5%
	Proposed	< 1%
Floor Area Ratio		
	Required	N/A
	Proposed	< 1%
Grading		
	Cut	~880,000 Cubic Yards
	Fill	~880,000 Cubic Yards
	Import/Export	0 Cubic Yards
Tree Removal		
	Number	0
	Type	Oaks
Impervious Coverage		
	Area Covered by Structures (O&M Building and Loading Dock)	~ 1 Acre
	Area Covered by Major Electrical Equipment (Inverters, Transformers, Substation)	~ 11 Acres
	Impervious Area	~ 12 Acres
Parking		
	Required	N/A
	Proposed	14



Revised Site Plan (December 2013) Project Data Summary Table	
Project Area	2,716.6 Acres
General Plan Land Use Designation	Farmlands/Permanent Grazing
Solar Development Area	2,119.73 Acres
Utility Corridor	151.1 Acres
230kVTransmission Line Corridor	135.5 Acres
New High-Capacity Collection System Line Corridor	3.4 Acres
Zoning Designation	F/160/PG/160
Lot (Building) Coverage	
Required	< 5%
Proposed	< 1%
Floor Area Ratio	
Required	N/A
Proposed	< 1%
Grading	
Cut	~880,000 Cubic Yards
Fill	~880,000 Cubic Yards
Import/Export	0 Cubic Yards
Tree Removal	
Number	0
Type	Oaks
Impervious Coverage	
Area Covered by Structures (O&M Building and Loading Dock)	~ 1 Acre
Area Covered by Major Electrical Equipment (Inverters, Transformers, Substation)	~ 11 Acres
Impervious Area	~ 12 Acres
Parking	
Required	N/A
Proposed	14

NOTE: The new utility corridor identifies the general location where potential utility improvements would be located for preliminary planning and environmental review purposes. The actual location of site improvements would generally be located within an approximately 20' wide area within the utility corridor. The entire utility corridor would not be impacted as part of the project, but the actual siting and design of improvements within the corridor will be based on design-level detail. As a result, a larger corridor has been identified for planning purposes.

Title: Site Plan - Index Map

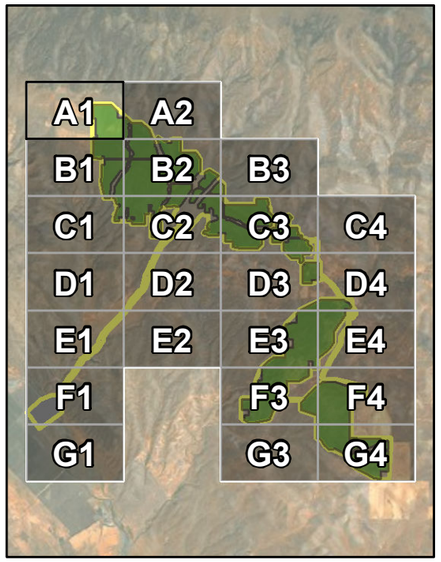
File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan Index.mxd

Date: 12/6/2013

Scale: 1 in = 1 miles

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

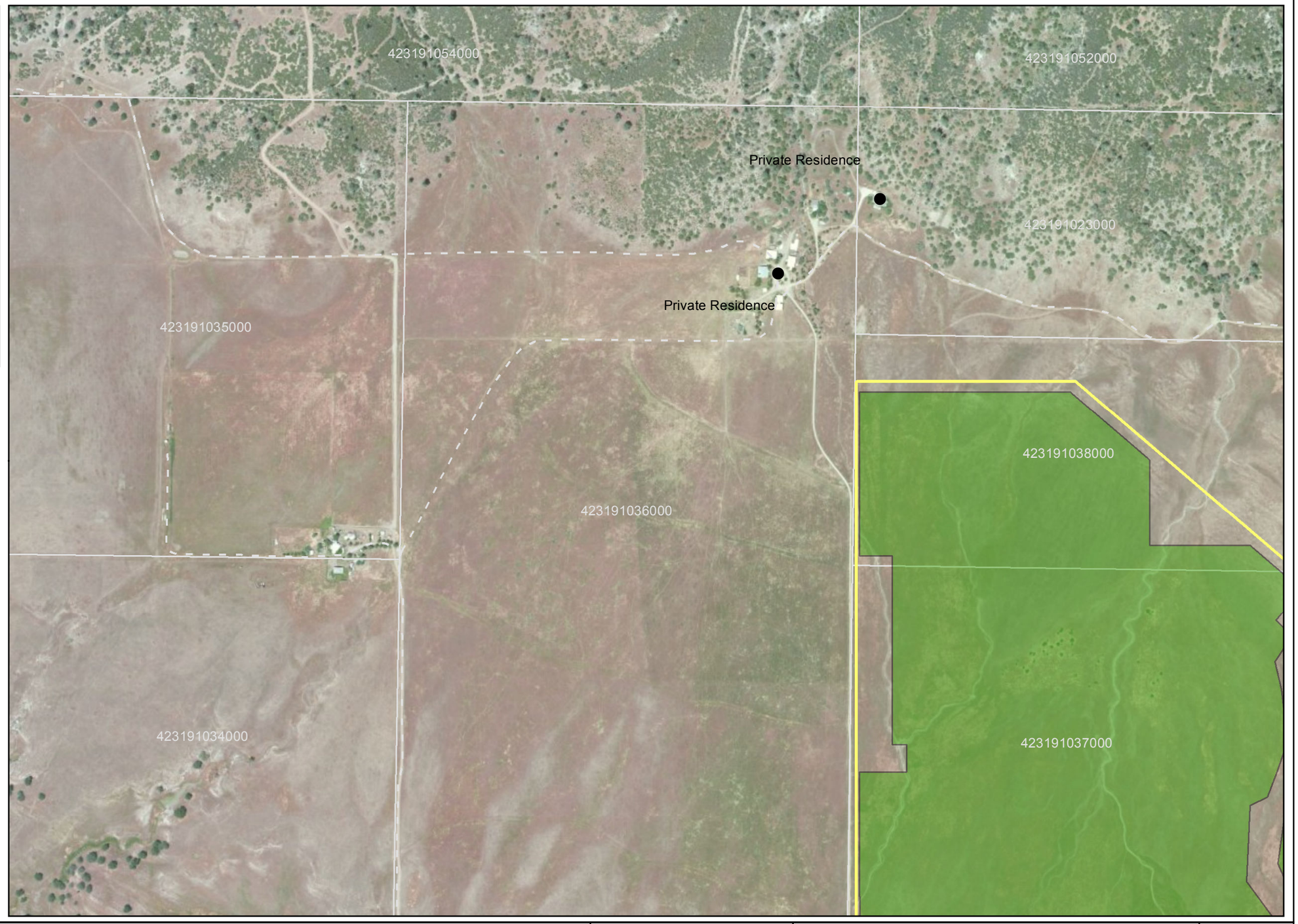
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

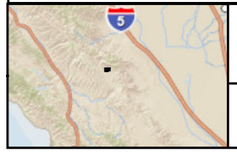
0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





Title: Site Plan - A1

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

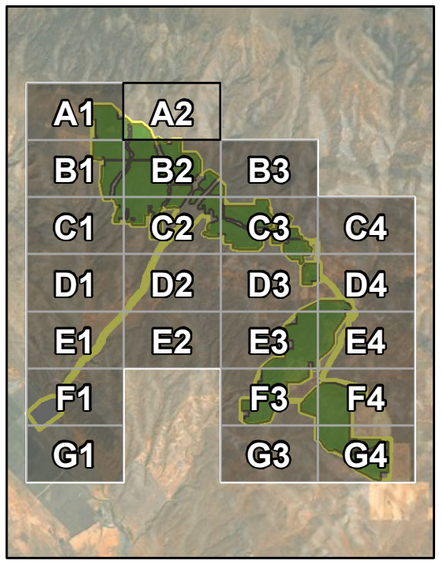
Date: 12/5/2013

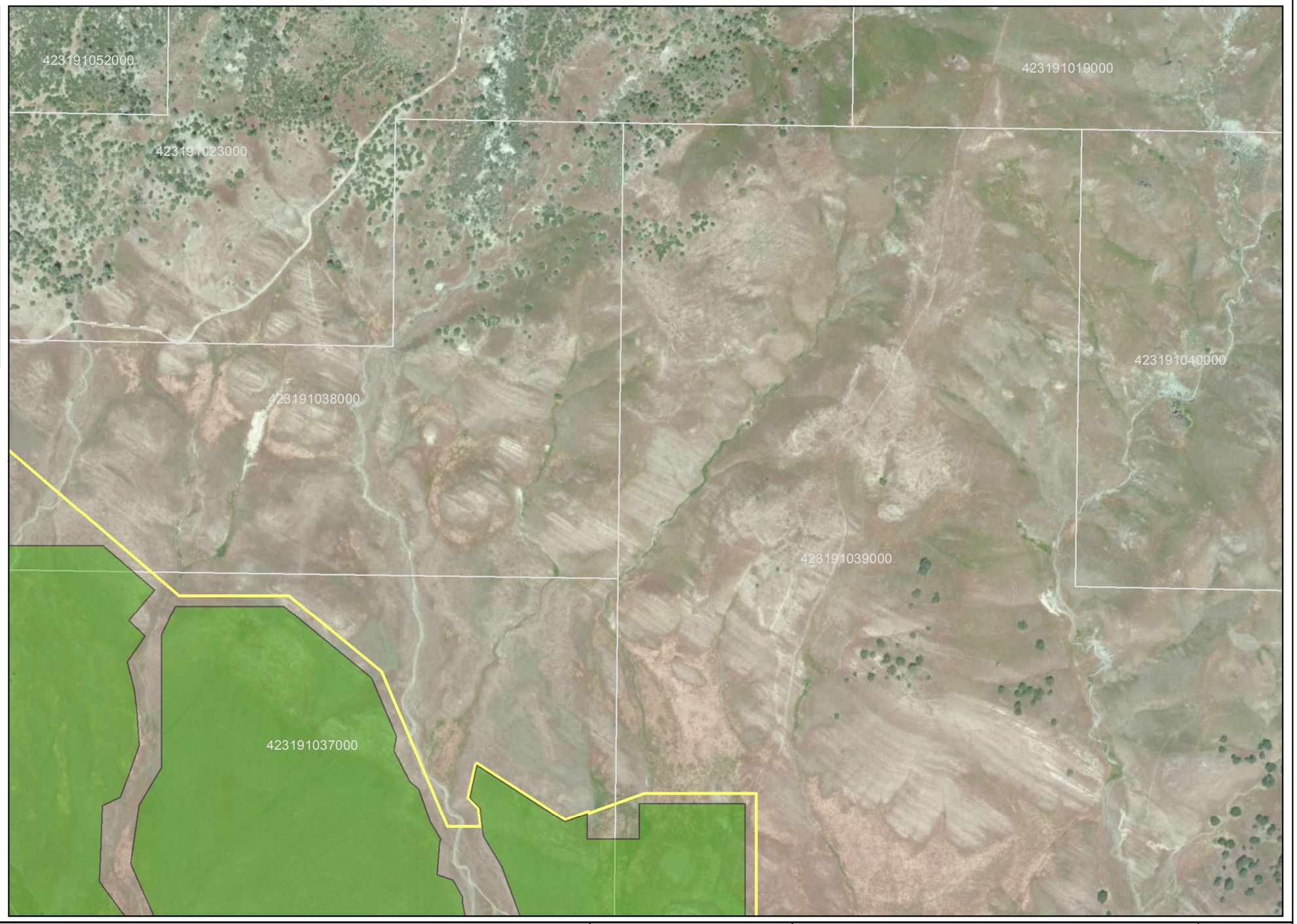
Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar





- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

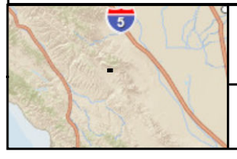
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - A2

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

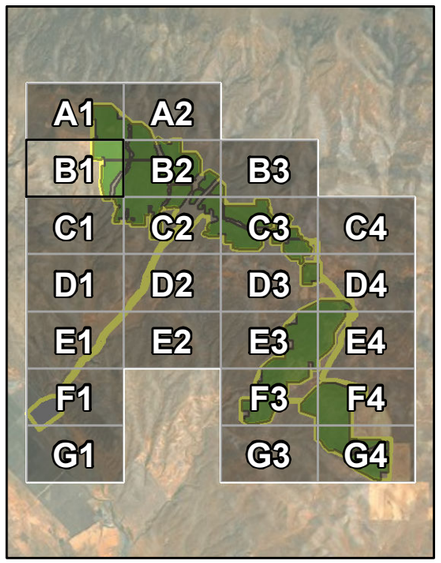
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

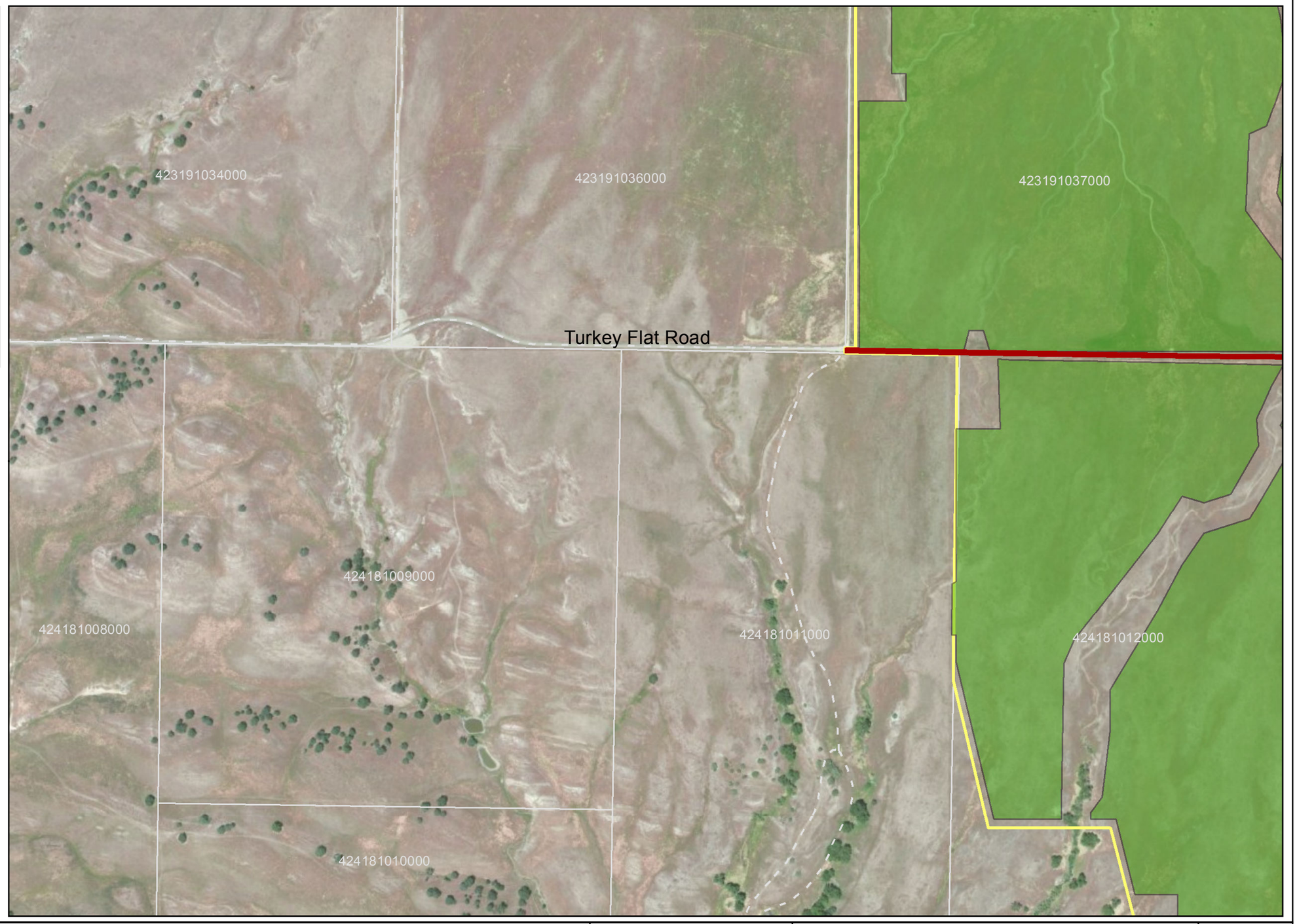
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

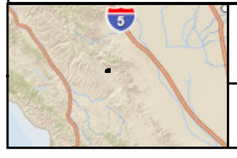
0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





Title: Site Plan - B1

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

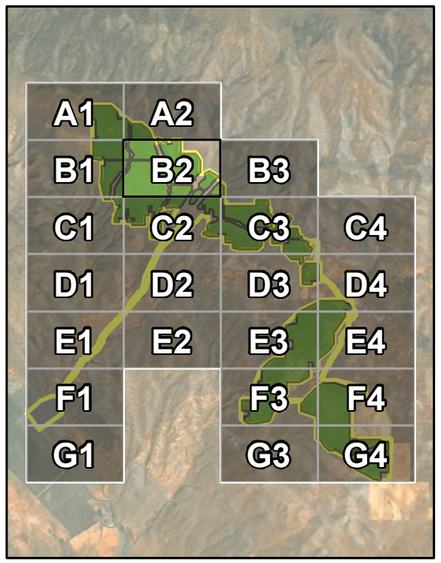
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

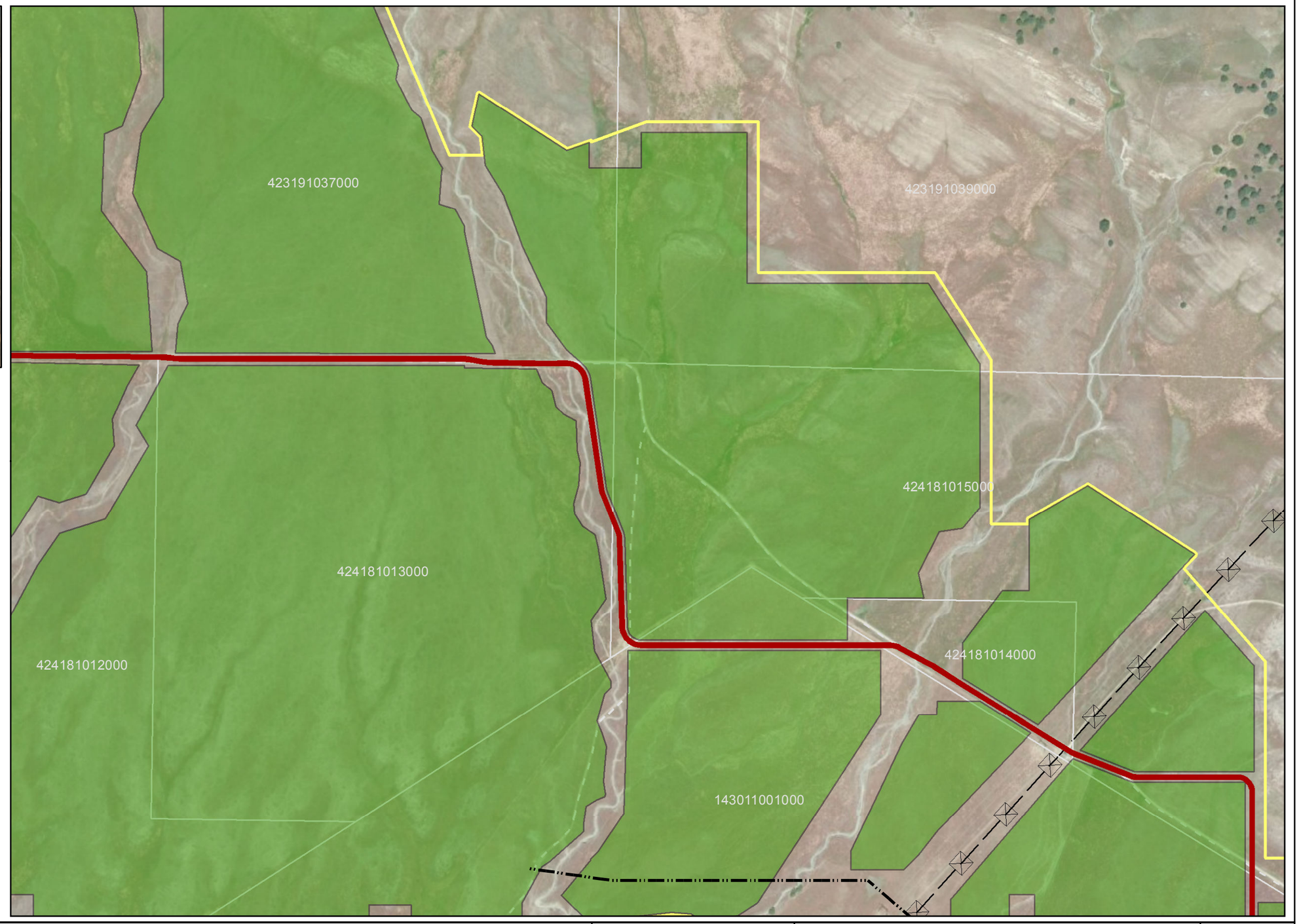
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

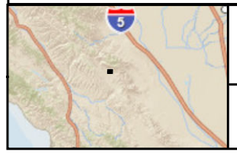
0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





Title: Site Plan - B2

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

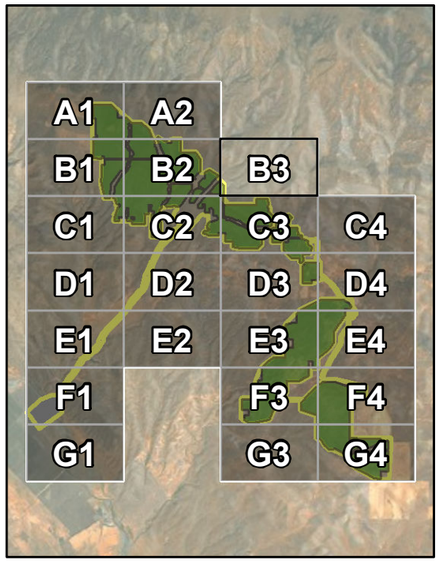
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

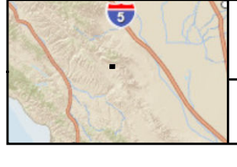
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - B3

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

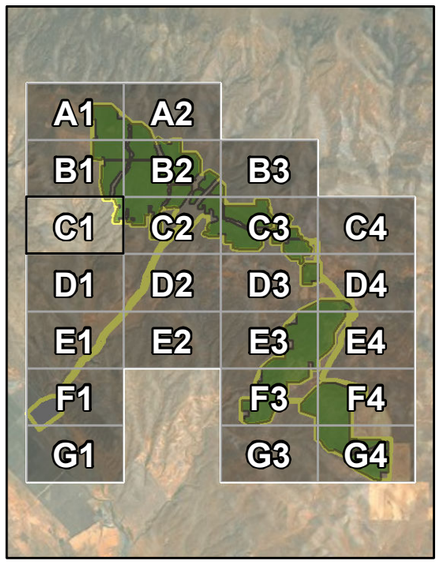
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

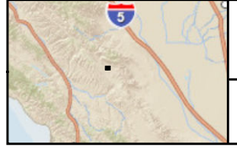
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



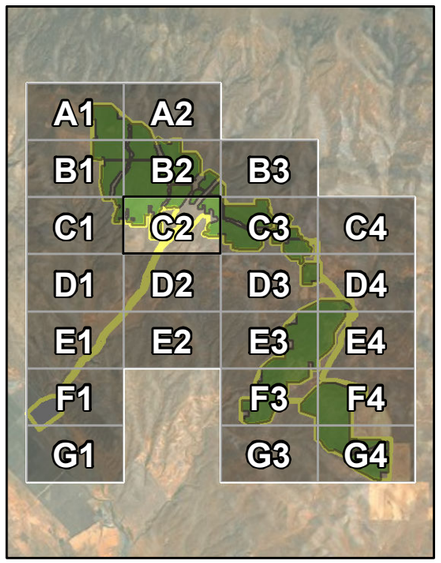
Title: Site Plan - C1

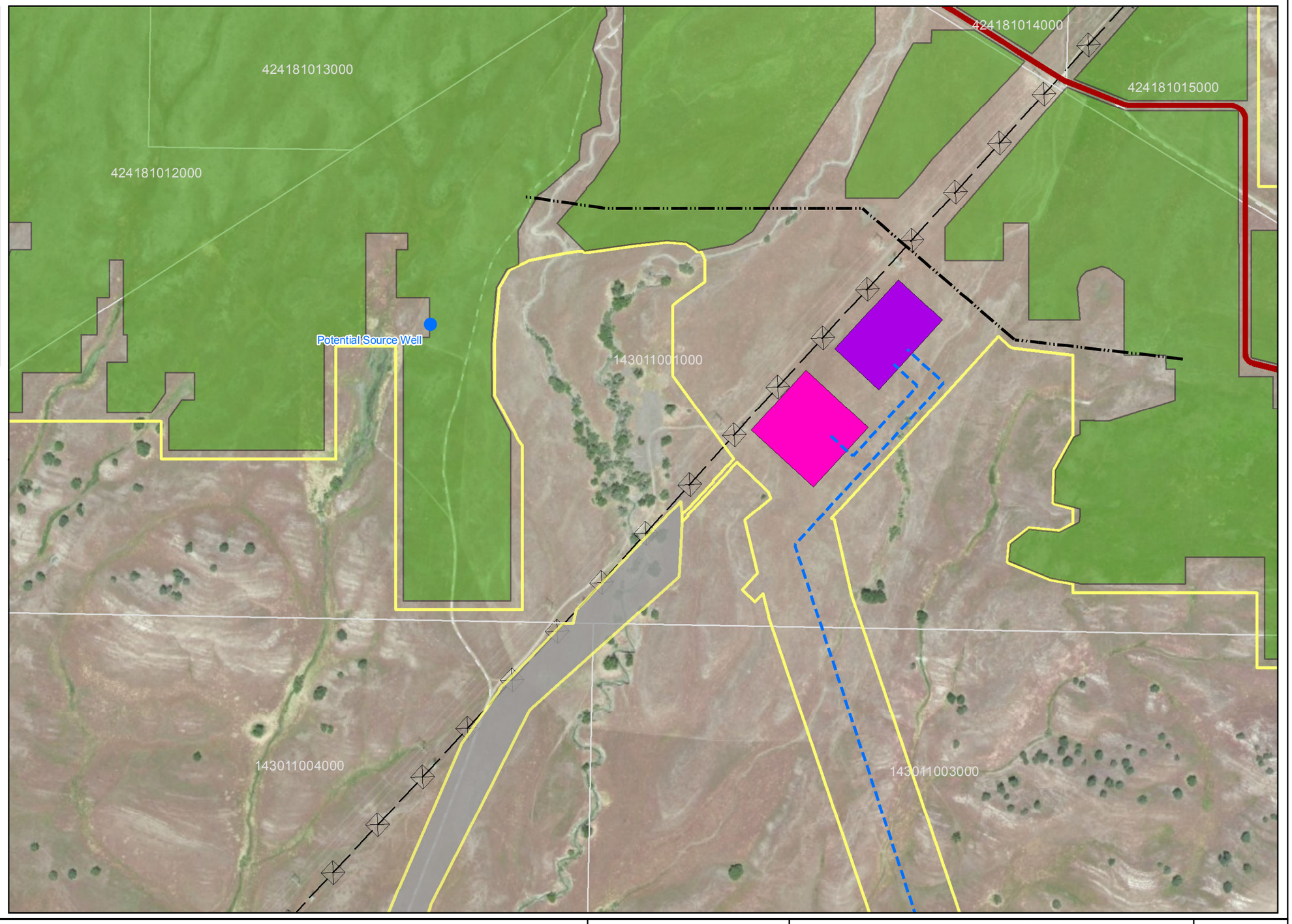
File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

Date: 12/5/2013
Scale: 1 in = 580 feet
Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar





- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

Title: Site Plan - C2

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

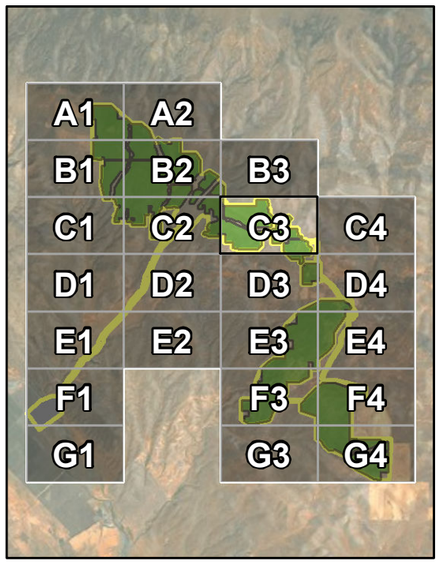
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



Wells
Proposed 230kV Overhead
Overhead Cable
Existing Transmission Line
Existing Paved Road
Existing Unpaved Road
New High-Capacity Collection System Line Corridor
Access Road/Highway 41 Improvements
Project Site Access Road
Utility Corridor
Solar Development Area
Parcels
Project Site

Facilities

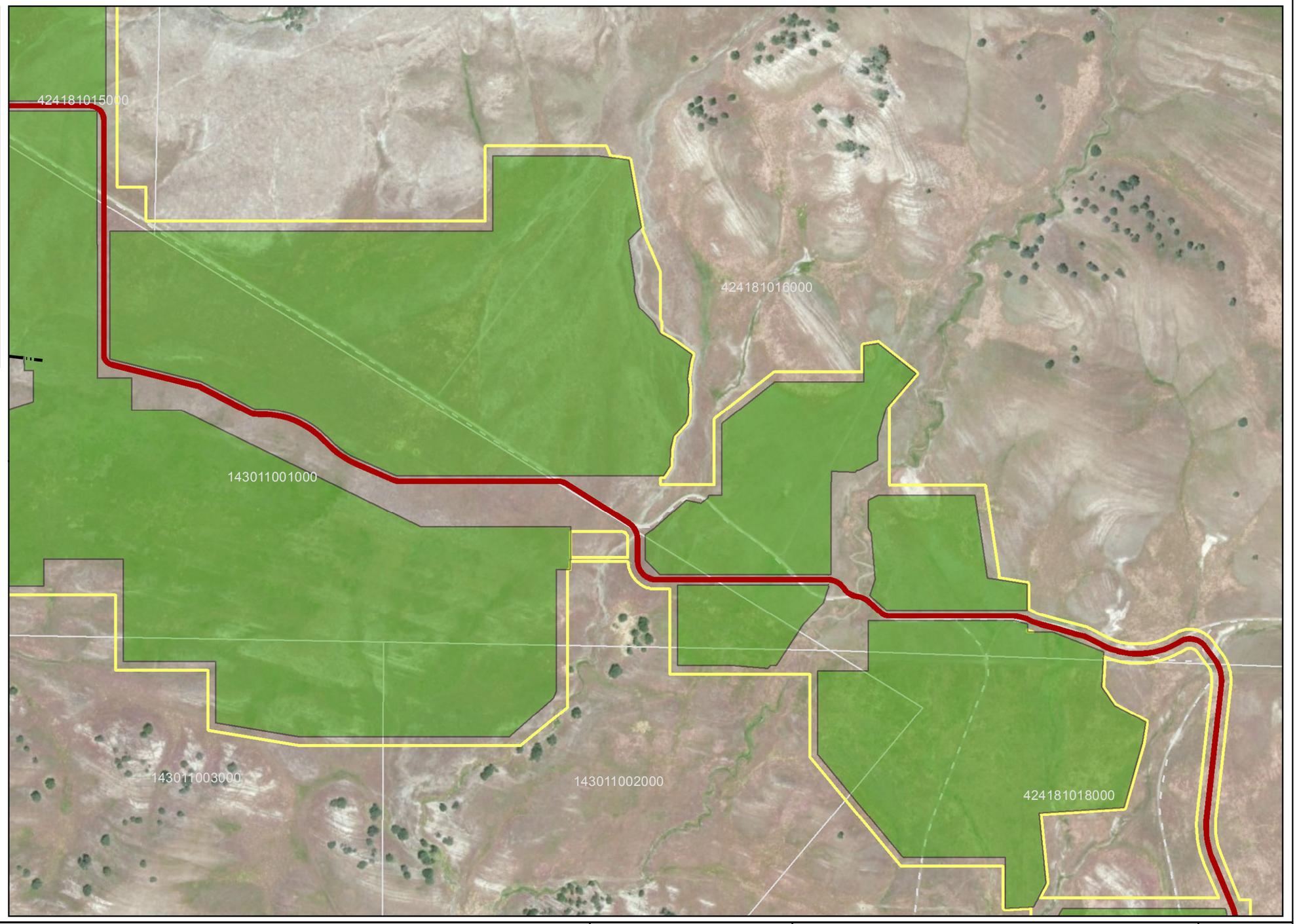
Leach-Field/Septic Tank
Loading Dock
O&M Facility
Substation
Switching Station
Water Storage
Construction Laydown

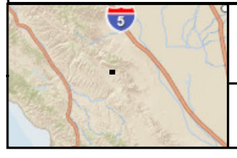
0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





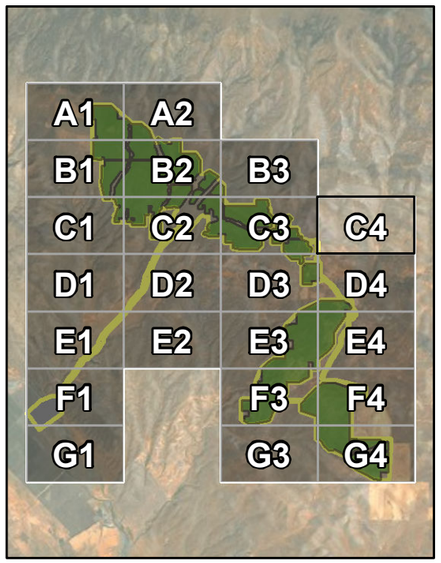
Title: Site Plan - C3

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

Date: 12/5/2013
Scale: 1 in = 580 feet
Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

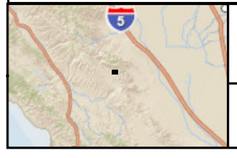
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - C4

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

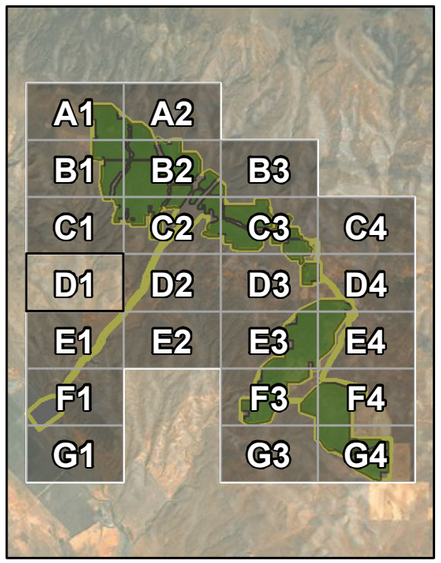
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

Title: Site Plan - D1

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

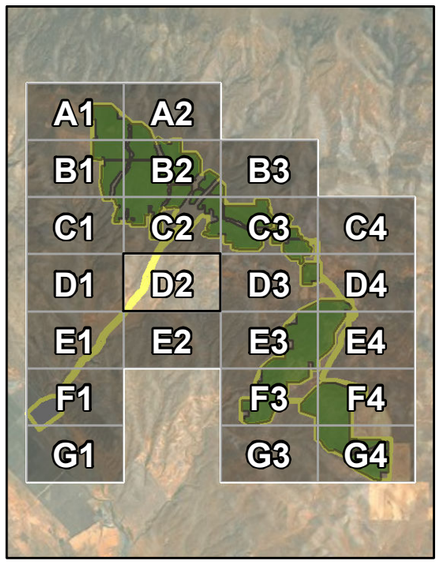
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

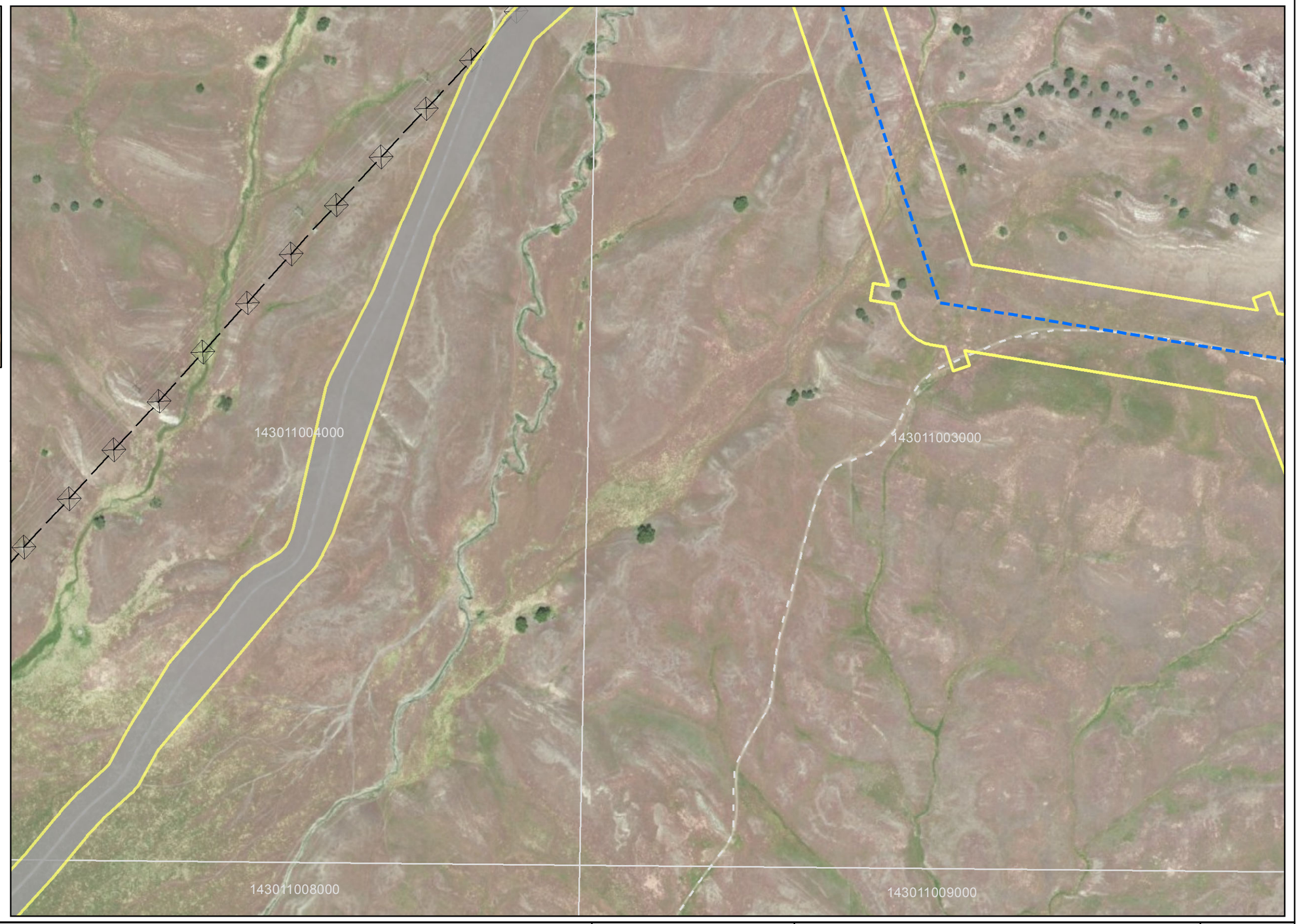
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

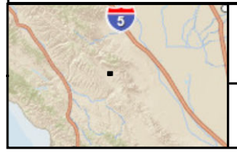
0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





Title: Site Plan - D2

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

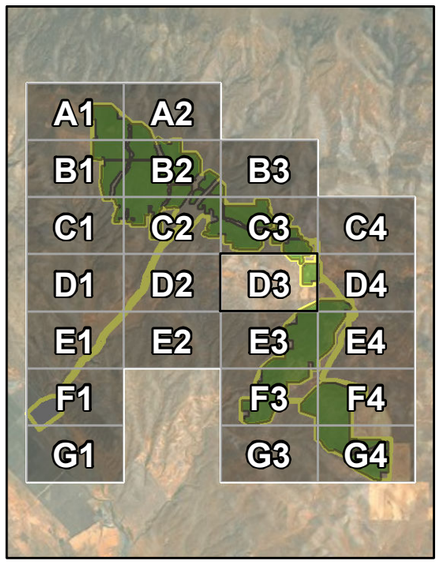
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

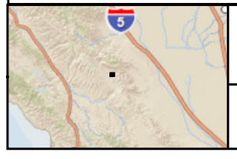
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - D3

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

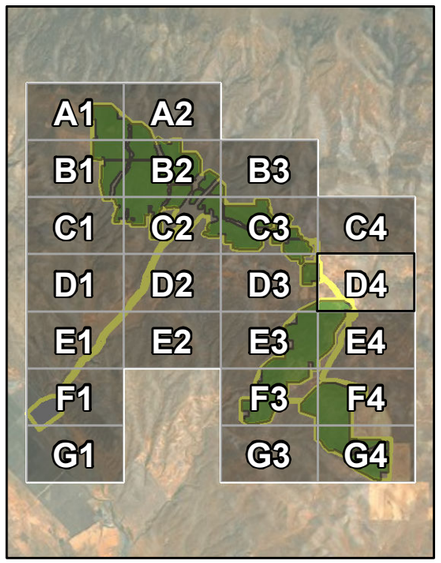
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

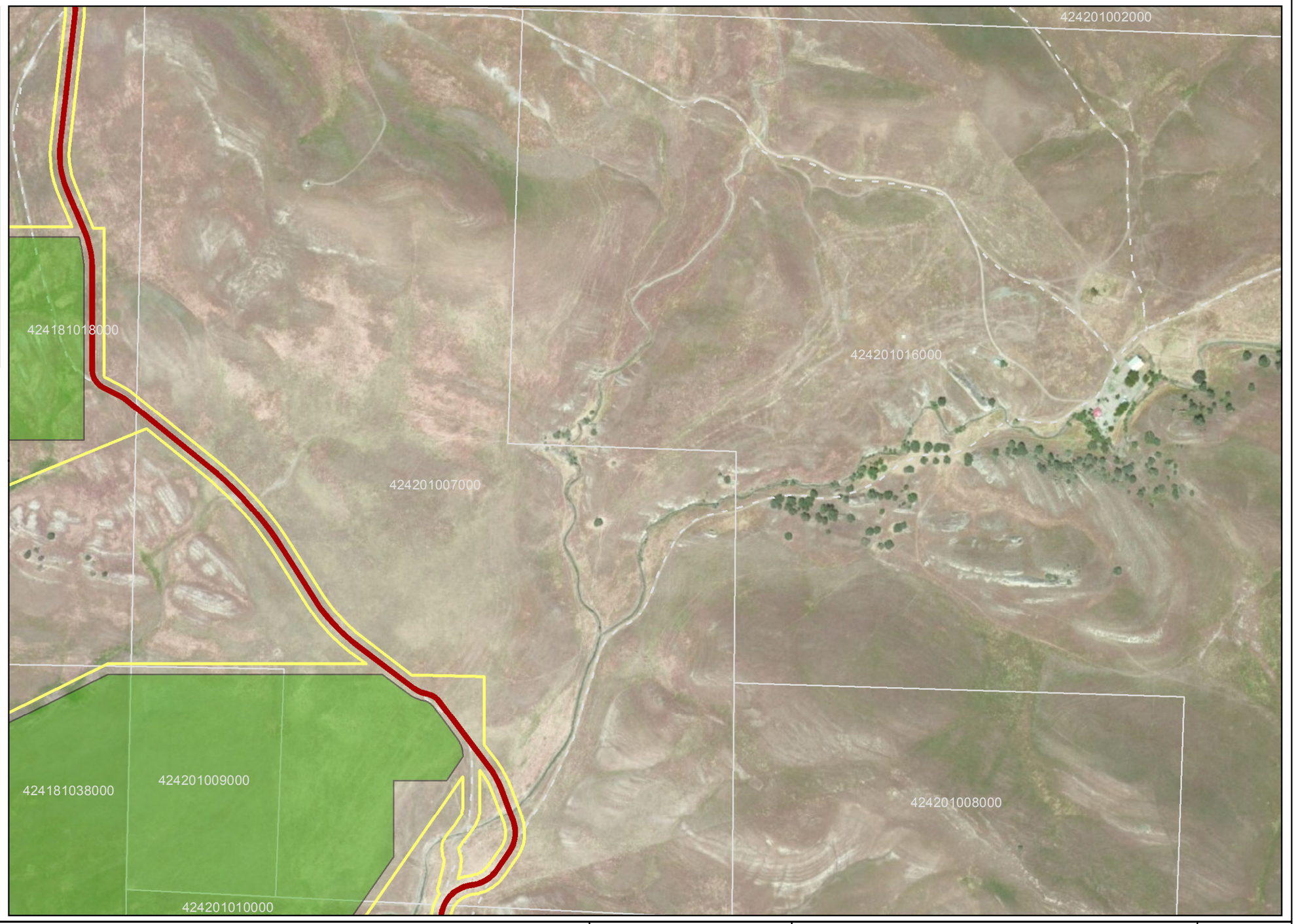
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

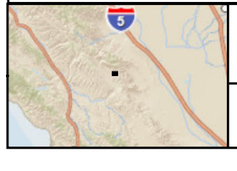
0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





Title: Site Plan - D4

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

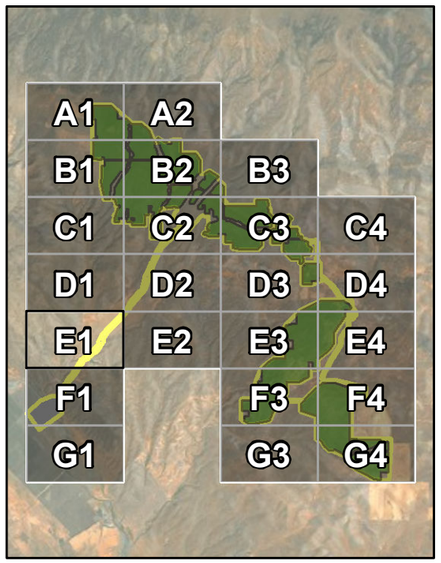
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

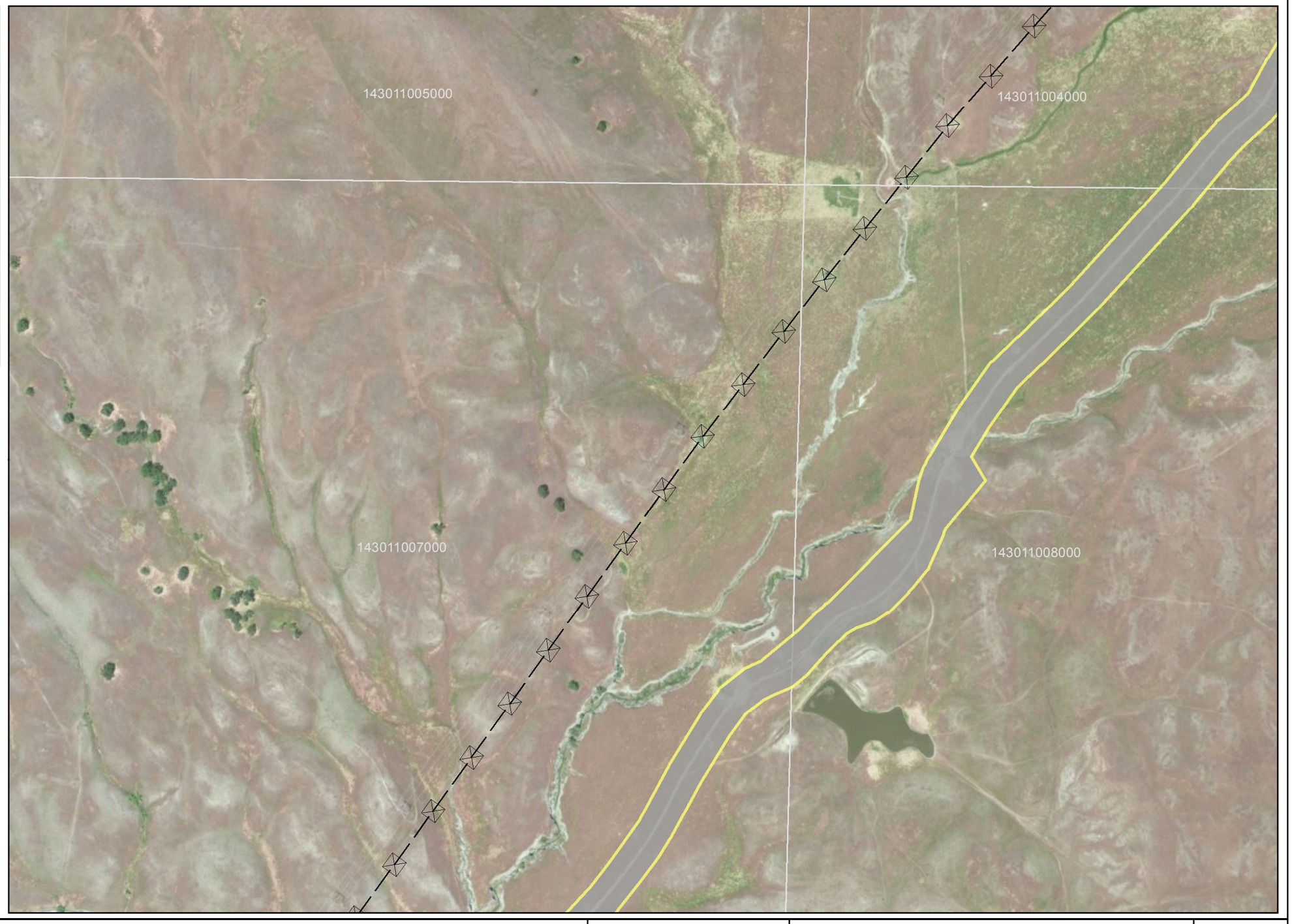
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



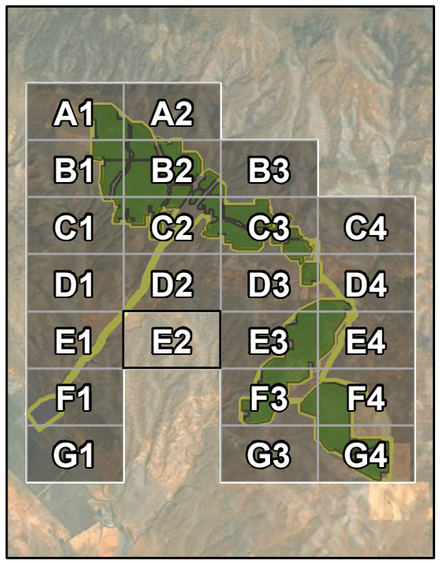
Title: Site Plan - E1

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

Date: 12/5/2013
Scale: 1 in = 580 feet
Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

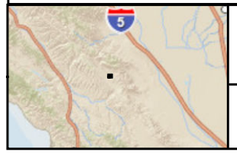
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - E2

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

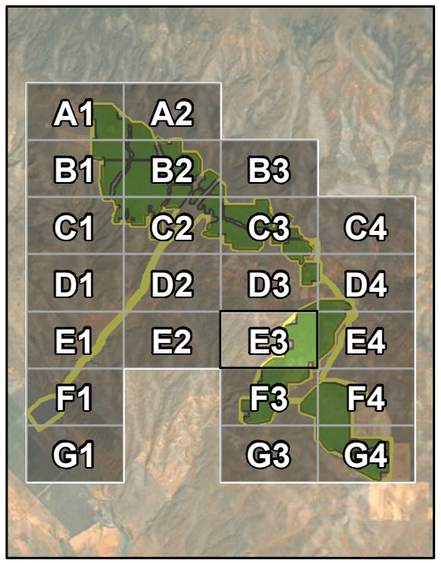
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

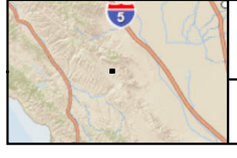
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - E3

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

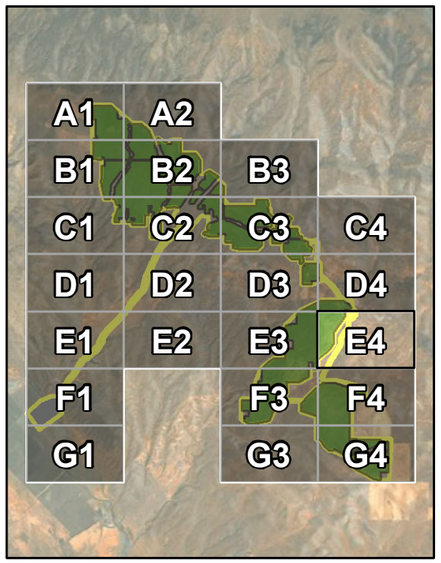
Date: 12/5/2013

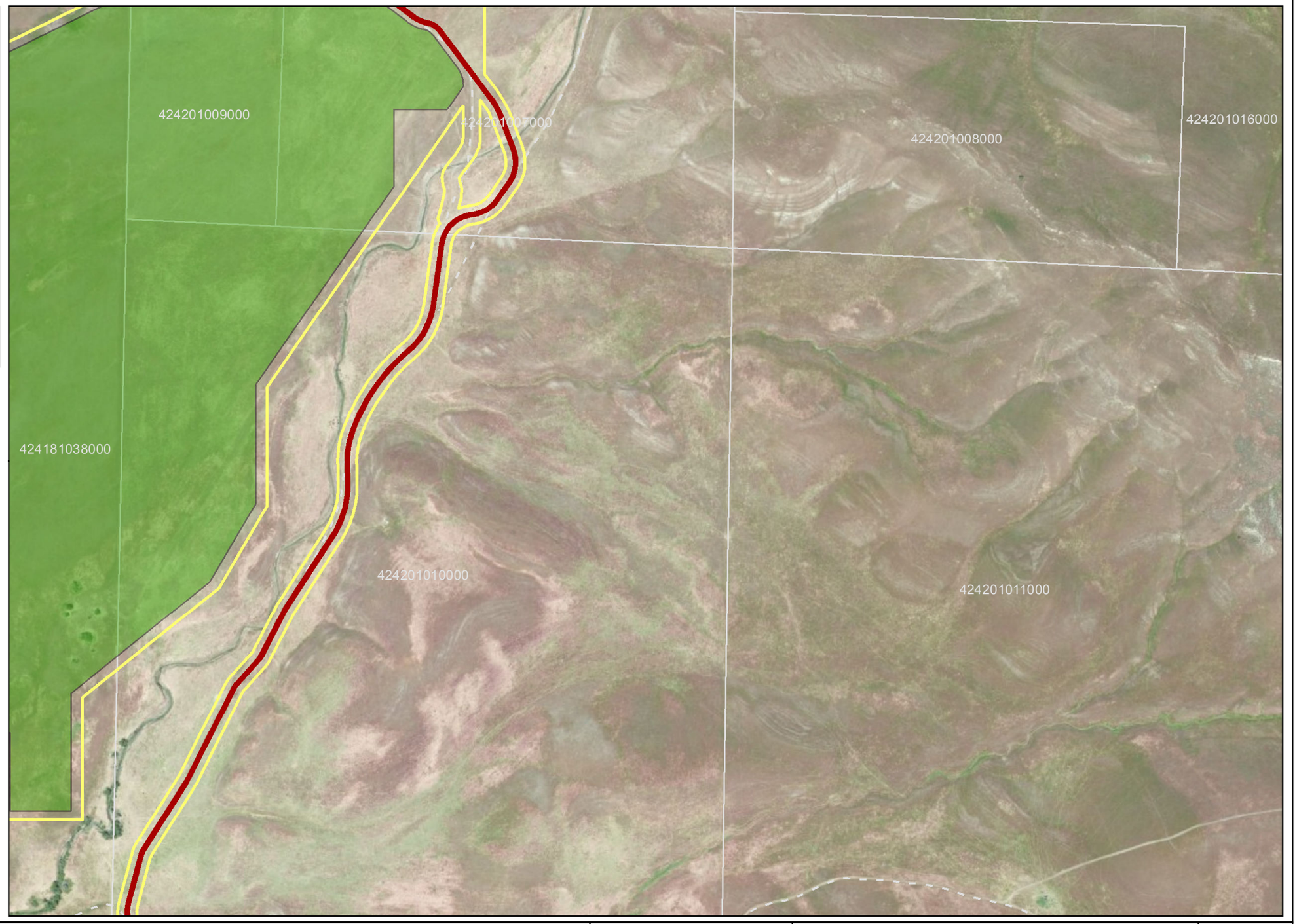
Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar





- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

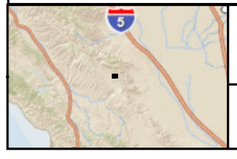
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



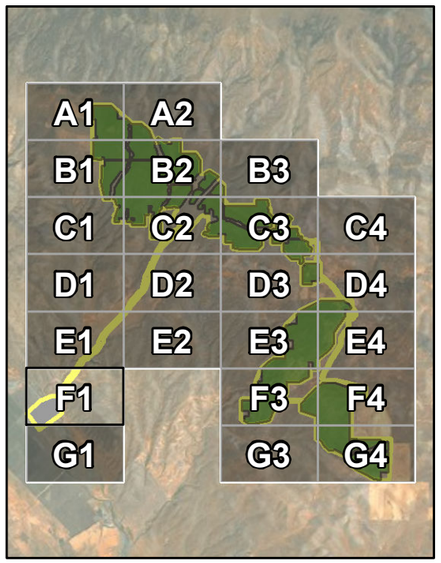
Title: Site Plan - E4

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

Date: 12/5/2013
Scale: 1 in = 580 feet
Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

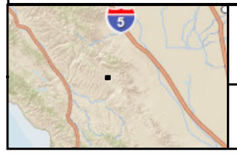
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - F1

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

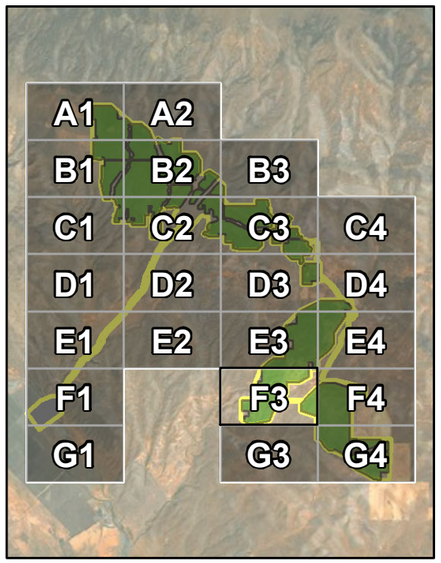
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

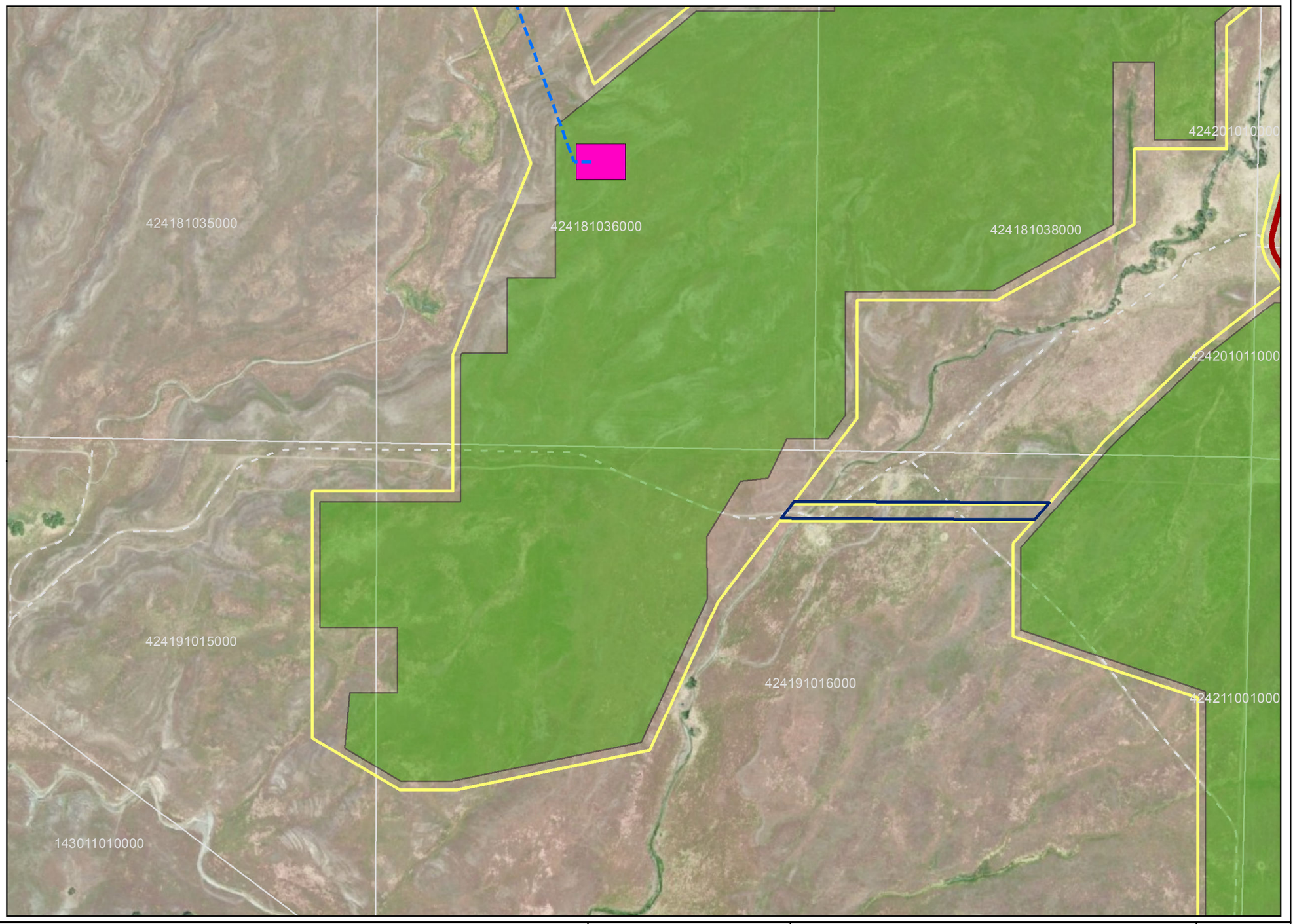
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

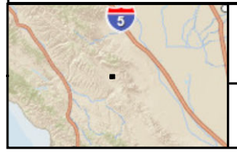
0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





Title: Site Plan - F3

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

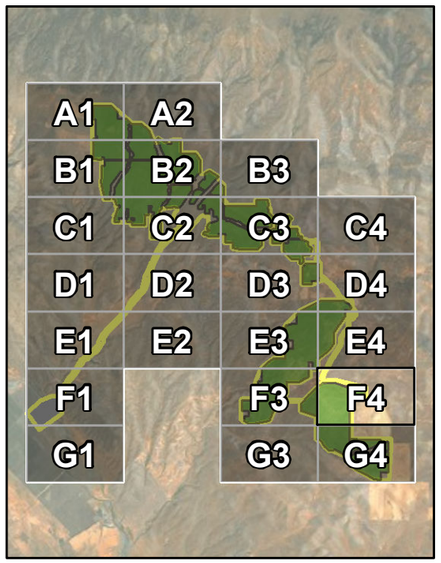
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

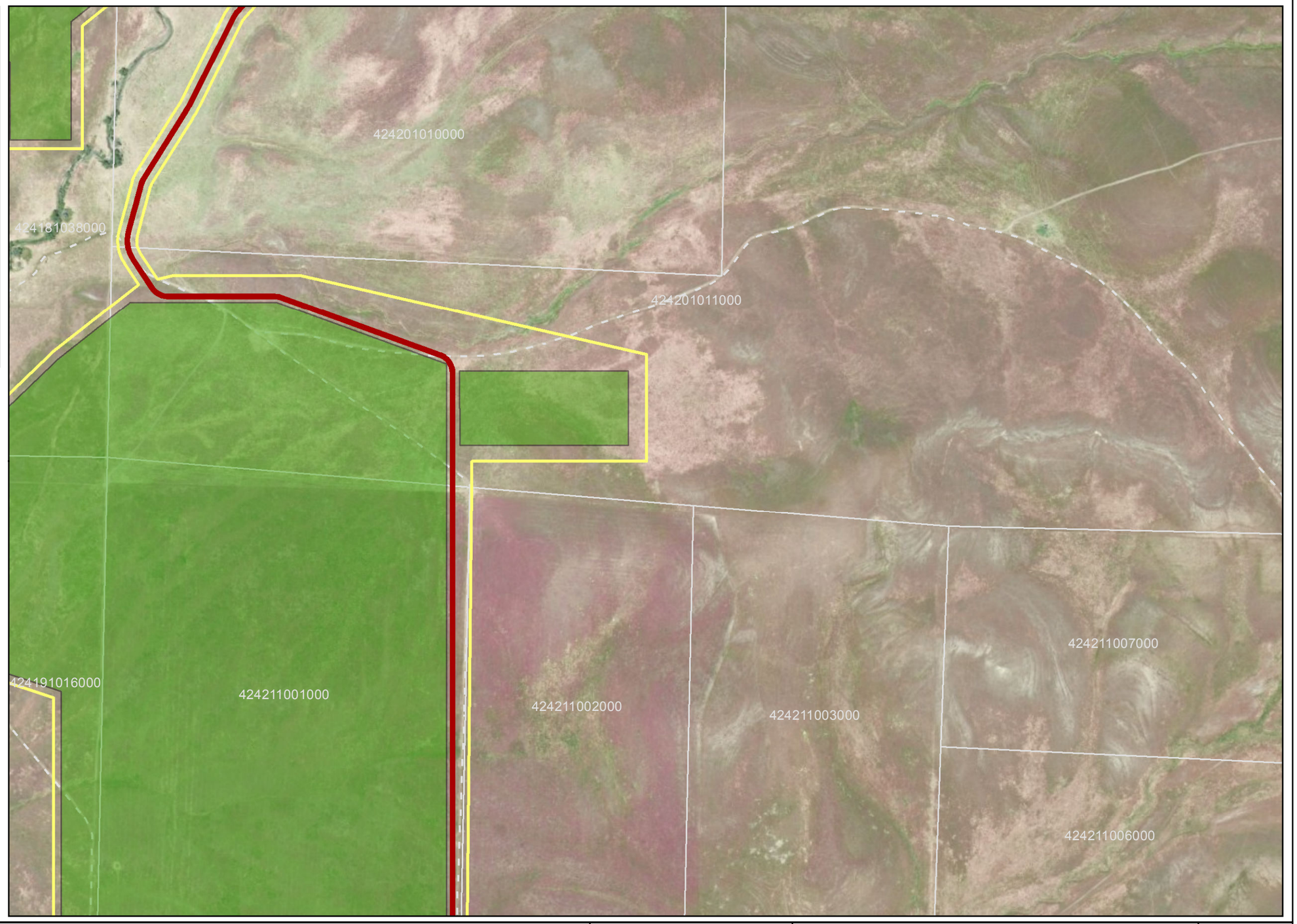
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

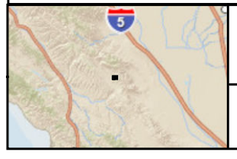
0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013





Title: Site Plan - F4

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

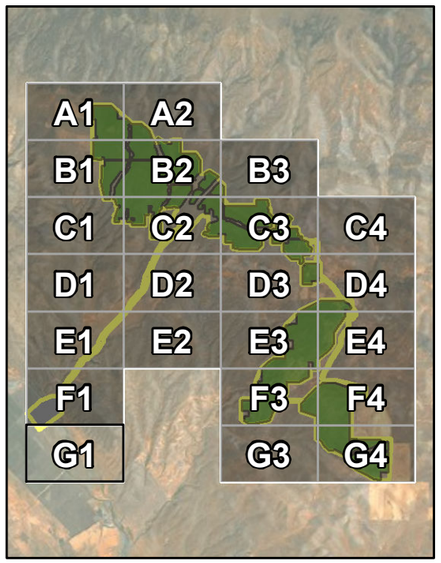
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

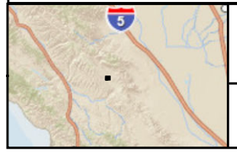
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - G1

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

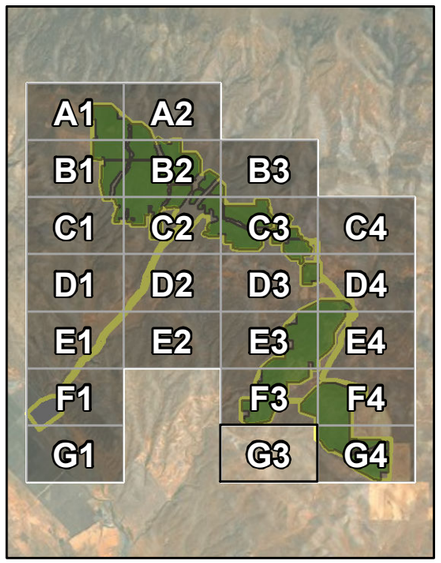
Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



Wells
Proposed 230kV Overhead
Overhead Cable
Existing Transmission Line
Existing Paved Road
Existing Unpaved Road
New High-Capacity Collection System Line Corridor
Access Road/Highway 41 Improvements
Project Site Access Road
Utility Corridor
Solar Development Area
Parcels
Project Site

Facilities

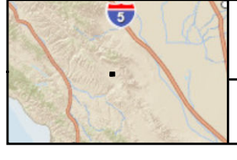
Leach-Field/Septic Tank
Loading Dock
O&M Facility
Substation
Switching Station
Water Storage
Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



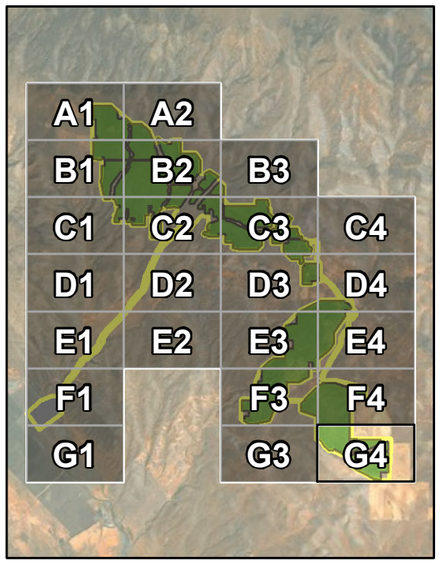
Title: Site Plan - G3

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

Date: 12/5/2013
Scale: 1 in = 580 feet
Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar



- Wells
- Proposed 230kV Overhead
- Overhead Cable
- Existing Transmission Line
- Existing Paved Road
- Existing Unpaved Road
- New High-Capacity Collection System Line Corridor
- Access Road/Highway 41 Improvements
- Project Site Access Road
- Utility Corridor
- Solar Development Area
- Parcels
- Project Site

Facilities

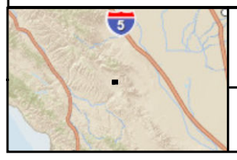
- Leach-Field/Septic Tank
- Loading Dock
- O&M Facility
- Substation
- Switching Station
- Water Storage
- Construction Laydown

0 250 500 1,000
Feet

0 62.5 125 250
Meters

N

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013



Title: Site Plan - G4

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Site Plan.mxd

Date: 12/5/2013

Scale: 1 in = 580 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

First Solar

424191016000
424211004000
424211024000
424211023000
424211025000
143011018000
143011023000
143011024000
143011022000
143011025000
017-031-010
017-031-011
017-031-012
017-031-018
017-031-035
MONTEREY COUNTY
SAN LUIS OBISPO COUNTY
Refer to Page 27 For Detail
N
Existing Paved Road
Existing Unpaved Road
Parcels
County Border
Highway 41 Improvements
Existing Private Access Road
Construction Laydown
0
0.25
0.5
1 Mile
Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Title: Site Plan - Existing Private Access Road

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\Booklet Access Road Site Plan.mxd

Date: 12/5/2013
Scale: 1 in = 1,400 feet
Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Title: Highway 41 Improvements Construction Laydown Area

File: C:\GIS\GIS_Projects\2011-26 CA Flats Solar\Final Products\Booklet\HWY 41 Construction Laydown Area.mxd

Date: 12/5/2013

Scale: 1 in = 230 feet

Project: 2011-26

Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

This page intentionally left blank.