Attachment 3

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RECORDING REQUESTED BY)
AND WHEN RECORDED RETURN TO:)
)
Monterey County Resource Management)
Agency)
168 W. Alisal St., 2nd Floor)
Salinas, CA 93901)
Attention: G.H. Nichols PE)
)

The Undersigned Grantor(s) Declare(s):
DOCUMENTARY TRANSFER TAX OF $ 0
Exempt from Documentary Transfer Tax
Pursuant to Revenue & Taxation Code 11922
Reason: Transfer to a governmental entity
X Unincorporated Area or __ City of _____

_____
Signature of Declarant or Agent

Space above this line for Recorder's use
No fee document pursuant to Government Code Section 27383

GRANT OF EASEMENT

Portion of APN 031-101-056 (Parcel E8a.1.1.2)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the COUNTY OF MONTEREY (hereinafter referred to as "**GRANTOR**") does hereby grant to the TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY, ON BEHALF OF CALIFORNIA STATE UNIVERSITY, MONTEREY BAY, a State University (hereinafter referred to as "**GRANTEE**"), according to the following terms and conditions :

1. Grantor conveys to Grantee an Easement over and across a portion of Grantor's Property, as described and shown in Exhibit A attached hereto and hereby incorporated by reference (hereinafter "Easement Property"), for the purpose of:

a. Facilitating construction and maintenance of a traffic roundabout at the intersection of Intergarrison Road and 8th Avenue (hereinafter the "Project"), owned by and located within the California State University Monterey Bay (CSUMB) campus, including but not limited to access to the construction site, removal of trees, construction of earth embankments, construction of new, and relocation of existing, storm drain outfalls (which discharge drainage carried from areas within the CSUMB campus tributary to said Intergarrison Road and said 8th Avenue onto said County property), re-construction of the driveway into Grantor's property, re-planting trees, and re-vegetating the embankment slopes; and

b. Entry onto Grantor's property from time to time to perform, at Grantee's sole cost and expense, maintenance of said road embankments and vegetation thereon, and to operate and maintain said storm drain outfalls located within said Easement Property in accordance with terms, conditions, and requirements of Grading Permit No. 16CP01811 issued by the Monterey County Resource Management Agency-Building Services Division, and the

Operator's Verification of Ongoing Maintenance Provisions: Structural Stormwater Control Measures Statement of Responsibility attached hereto as Exhibit B and hereby incorporated by reference.

2. Use of this Easement Property and construction of the Project proposed herein is governed and restricted by provisions contained in the following documents, which are incorporated herein by reference:

a. *Quitclaim Deed for a Portion of the Former Fort Ord (Parcel E8a.1.1.2 et al)* (DACA05-09-05-575), from the United States of America acting by and through the Secretary of the Army to the Fort Ord Reuse Authority, recorded June 26, 2006 at Document No. 2006056382, Official Records of Monterey County;

b. *Quitclaim Deed for Parcel E8a.1.1.2, Former Fort Ord*, from the Fort Ord Reuse Authority to the Redevelopment Agency of the County of Monterey, recorded July 26, 2007 at Document No. 2007058699, Official Records of Monterey County;

c. *Quitclaim Deed, APN 031-101-056 (Parcel E8a.1.1.2),* from the Redevelopment Agency of the County of Monterey, by and through the statutory successor in interest, the Successor Agency to the Redevelopment Agency of the County of Monterey (Health and Safety Code § 34175(b) effective February 1, 2012) to the County of Monterey, recorded August 23, 2016 at Document No. 2016048368, Official Records of Monterey County;

d. *Memorandum of Agreement concerning Monitoring and Reporting on Environmental Restrictions on the Former Fort Ord* among the California Department of Toxic Substances Control, Monterey County, California State University Monterey Bay, et al, dated February 27, 2008;

e. *Covenant to Restrict Use of Property – Environmental Restriction, Landfill-adjacent Parcels at Former Fort Ord, Portions of Parcel E8a.1.1.2 et al*, between the State of California acting by and through the Department of Toxic Substances Control and the Redevelopment Agency of the County of Monterey, recorded June 9, 2009 at Document No. 2009035680, Official Records of Monterey County;

f. *Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord, California*, U.S. Army Corps of Engineers Sacramento District, April 1997; and

g. *Long Range Property Management Plan*, Successor Agency to Redevelopment Agency of County of Monterey, December 14, 2015.

3. Grantee agrees to perform all work on the Project in accordance with the County of Monterey Mitigation Monitoring and Reporting Program attached hereto as Exhibit C and incorporated herein by this reference. It is also understood and agreed by and between the parties hereto that Grantee will, at no expense to Grantor, perform the following work during and after completion of the Project, including but not limited to the following:

a. During and after construction of the intersection roundabout:
   - Provide temporary safety fencing to protect members of the public utilizing the remainder of Grantor's property from all construction activity.
   - At completion of the Project, reconstruct and conform the driveway serving Grantor's property to the new roadway to an alignment similar to what presently exists as per Project plans on file with the Resources Management Agency. The driveway shall be at least twenty feet (20') in width.
   - At completion of the Project, replant trees and re-vegetate all impacted property

as per Project plans on file with the Resources Management Agency and hereby incorporated by reference and as per Exhibit B the Mitigation Monitoring Reporting Program.

b. Ongoing maintenance obligations of Grantee in perpetuity thereafter:
   - Operate and maintain said storm drain system and outfalls located within said Easement Property in accordance with terms, conditions, and requirements of Grading Permit No. 16CP01811 issued by the Monterey County Resource Management Agency-Building Services Division, and the *Operator's Verification of Ongoing Maintenance Provisions: Structural Stormwater Control Measures Statement of Responsibility* (Exhibit B).

4. Grantor provides the Easement Property to Grantee "As Is" in its current condition with all faults and without representation or warranty. Grantor makes no representation or warranty as to the suitability of the Easement Property for Grantee's Project or purposes.

5. To the fullest extent permitted by law, CSUMB shall hold harmless, defend at its own expense, and indemnify the Successor Agency and the County, their officers, employees, agents, volunteers and their successors in interest, against any and all liability, claims, losses, damages, or expenses, including reasonable attorney's fees, arising from all acts or omissions of CSUMB or its contractors, officers, agents, or employees arising from the granting or use of this Easement, or the construction of the Project.

6. If any provision of this Easement is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of the Easement shall continue in full force and effect and shall in no way be impaired or invalidated and the parties agree to substitute for the invalid or unenforceable provision a valid and enforceable provision that most closely approximates the intent and economic effect of the invalid or unenforceable provision.

7. This Easement may be executed in counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same instrument.

8. Each party has received independent legal advice from its attorneys with respect to the advisability of executing this Easement and the meaning of the provisions hereof. The provisions of this Easement shall be construed as to the fair meaning and not for or against any party based upon any attribution of such party as the sole source of the language in question.

9. The parties have herein set forth the whole of their agreement and no obligations other than those set herein, unless amended in writing, will be recognized. The performance of this Easement constitutes the entire consideration for the Easement Property delivered to the Grantee.

GRANTOR
THE COUNTY OF MONTEREY

Dated: _____

_____
Jane Parker, Chair, Board of Supervisors
THE COUNTY OF MONTEREY

Approved as to Form:
COUNTY COUNSEL

_____
Cynthia L. Hasson
Deputy County Counsel

Dated: _____

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On _____ before me, _____,
a Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)

ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by the Grant of Easement dated _____, 2016 from the County of Monterey, a political corporation and/or governmental agency, to the Trustees of California State University, on behalf of CSU Monterey Bay, is hereby accepted by the undersigned officer on behalf of the Trustees of the California State University pursuant to authority conferred by Section 89048 of the California Education Code, Standing Orders of the Board of Trustees of The California State University, and , authority delegated by the Chancellor to the undersigned and the grantee consents to recordation thereof by its duly authorized officer.

GRANTEE
ACCEPTED BY AND ON BEHALF OF THE BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY

Dated: _____

_____
Elvyra F. San Juan, Assistant Vice Chancellor,
Capital Planning, Design and Construction
Office of the Chancellor
The California State University

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) SS.
COUNTY OF MONTEREY)

On _____ before me, _____,
a Notary Public, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)

EXHIBIT "A"

Certain real property situate in the County of Monterey, State of California, described as follows:

Being a portion of that certain property described as Parcel E8a.1.1.2 in the deed recorded on July 26, 2007 as Document Number 2007058699, Official Records of said County more particularly described as follows:

Beginning at a point on the southerly line of said Parcel, said point being distant South 87° 45' 00" East, 706.00 feet from the most southwesterly corner of said Parcel; thence departing said southerly boundary line of said Parcel

1) North 78° 32' 54" East, 147.51 feet; thence

2) North 67° 45' 37" East, 209.58 feet; thence

3) North 44° 38' 32" East, 70.32 feet; thence

4) South 73° 28' 04" East, 81.40 feet; thence

5) South 60° 54' 30" East, 340.34 feet to the southerly boundary line of said Parcel; thence continuing along the southerly line of said parcel

6) North 87° 45' 00" West, 764.00 feet to the **POINT OF BEGINNING**.

Containing 1.4 acres, more or less.

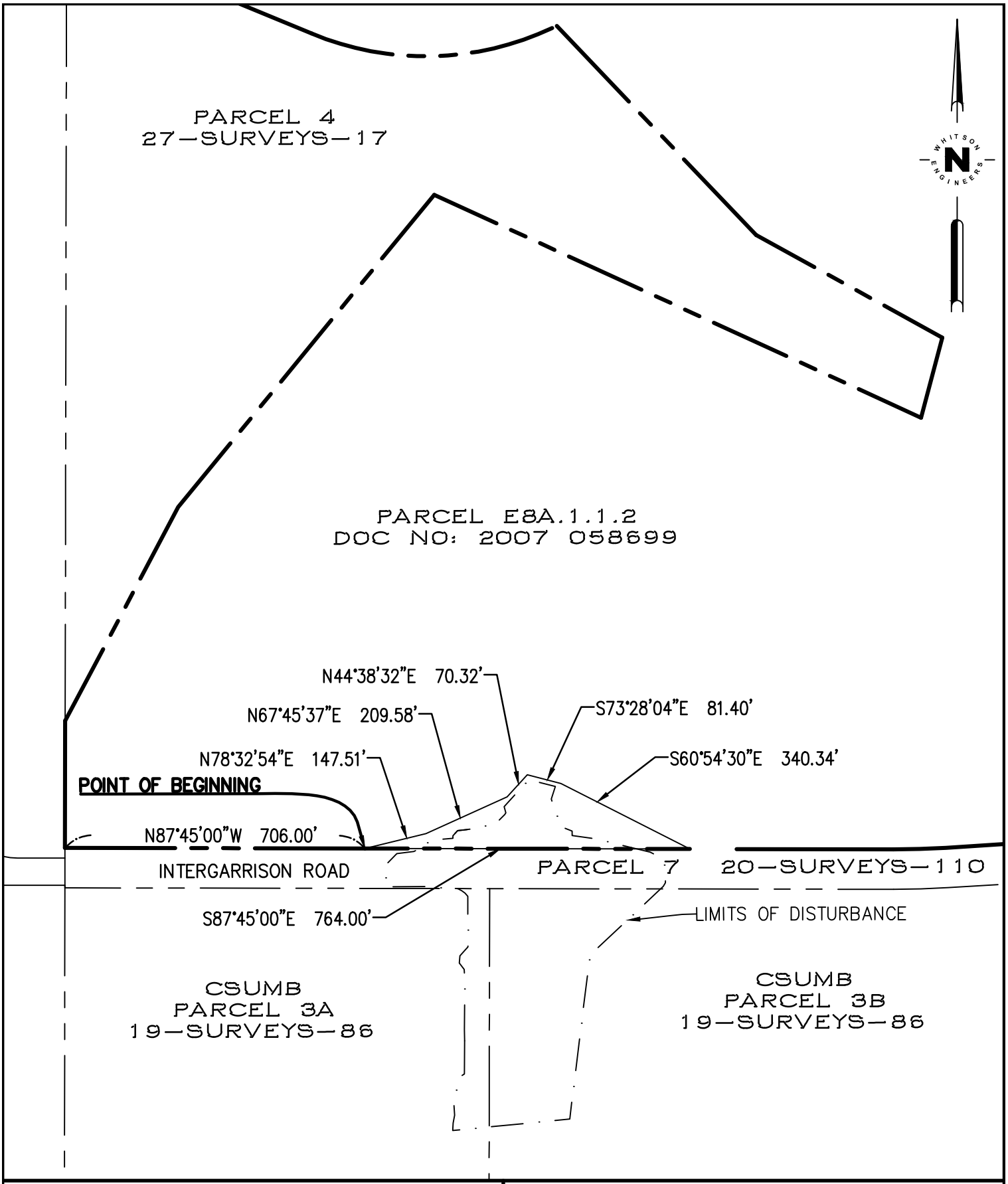
Attached hereto is a plat to accompany legal description, and by this reference made a part hereof

END OF DESCRIPTION

PREPARED BY:

WHITSON ENGINEERS

RICHARD P. WEBER P.L.S.
L.S. NO. 8002
Job No.: 3436.05



PLAT TO ACCOMPANY LEGAL DESCRIPTION

MONTEREY COUNTY, CALIFORNIA

AUGUST 12, 2016

WHITSON ENGINEERS
9699 Blue Larkspur Lane ▪ Suite 105 ▪ Monterey, CA 93940
831 649-5225 ▪ Fax 831 373-5065
CIVIL ENGINEERING ▪ LAND SURVEYING ▪ PROJECT MANAGEMENT

Operator's Name:	California State University - Monterey Bay
Permit (File) No.:	16CP01811
Assessor's Parcel No.:	031-101-020; 031-101-022-000; 031-101-056-000
Physical Address:	Intersection of Eight Avenue at Inter-Garrison Road

OPERATOR'S VERIFICATION OF ONGOING MAINTENANCE PROVISIONS

STRUCTURAL STORMWATER CONTROL MEASURES

STATEMENT OF RESPONSIBILITY

RECITALS:

1. **WHEREAS**, CALIFORNIA STATE UNIVERSITY - MONTEREY BAY (hereafter, "Operator") applied to Monterey County for a permit (Permit No, 16CP01811), on file with the County of Monterey Resource Management Agency and incorporated herein by this reference (hereafter referred to as "Permit" or "Permit No. 16CP01811") for construction of a new traffic roundabout (hereafter, "Project") on the subject properties described above; and

2. **WHEREAS**, the Project is located partially within the area of Monterey County regulated by the State of California under the National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements (WDRs) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s), Order No. 2013-0001-DWQ, NPDES No. CAS000004 (hereafter, "Phase II Small MS4 General Permit"); and

3. **WHEREAS**, development projects that create or replace greater than 2,500 square feet of impervious surface area within Monterey County's designated Phase II Small MS4 General Permit area are subject to stormwater management requirements adopted by the Central Coast Regional Water Quality Control Board (Resolution No. R3-2013-0032) entitled "Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region", dated July 12, 2013 (hereafter "Post-Construction Requirements"); and

4. **WHEREAS**, the Post-Construction Requirements establish standards for development projects that limit runoff volumes and improve the quality of runoff that discharges from project sites through the design and construction of Structural Stormwater Control Measures; and

5. **WHEREAS**, the Post-Construction Requirements require the Operator to maintain the Structural Stormwater Control Measures in accordance with the Operations and Maintenance Plan described in Attachment 1, attached hereto and incorporated by this reference; and

6. **WHEREAS**, the Post-Construction Requirements require the Operator to grant access to all representatives of Monterey County for the sole purpose of performing operation and maintenance inspections of the installed Stormwater Control Measures at the Project site; and

TERMS

NOW, THEREFORE, the Operator, a public entity, assumes responsibility for the operation and maintenance of the Structural Stormwater Control Measures identified in the attached Operations and Maintenance Plan prepared for the Project, and agrees that the Project meets all local agency design standards, as evidenced by issuance of the Permit. The undersigned Operator, for himself/herself/itself and for his/her/its heirs, assigns, and successors in interest, covenants and agrees to the following terms, conditions and restrictions:

1. Operator agrees to operate and maintain the Structural Stormwater Control Measures in a good and operable condition in accordance with the information outlined in the Operations and Maintenance Plan created for the Project (Attachment 1);

2. Operator covenants and agrees to submit annually a Structural Stormwater Control Measures Report, prepared by a registered Professional Engineer, which includes the status of all Structural Stormwater Control Measures and maintenance recommendations. The report shall be submitted to Monterey County Resource Management Agency – Environmental Services Division for review and approval no later than August 15 each year. All recommended maintenance shall be completed by October 15 of the same year. A certification that all recommended maintenance has been completed shall be provided prior to the beginning of the rainy season (October 15) of the same year.

3. Operator covenants and agrees that the Structural Stormwater Control Measures installed shall not be removed from the Project unless and until they have been replaced with other facilities that have been permitted and approved by Monterey County which meet the applicable Post-Construction Requirements at the time.

4. Operator covenants and agrees to grant access to all representatives of Monterey County for the sole purpose of performing operation and maintenance inspections of the installed Stormwater Control Measures at the Project site.

5. The Project site shall be subject to any and all applicable federal, state and/or local laws, regulations and ordinances in effect at the time of permit issuance regarding the permitting, operation, maintenance, or monitoring of the Structural Stormwater Control Measure.

6. Operator agrees to provide a copy of this Statement of Responsibility to Owners of properties affected by the Project.

7. This Statement of Responsibility shall remain in full force and effect during the period that the development authorized by the Permit is operational. This Statement is hereby deemed and agreed by Operator to be a covenant running with the land, binding the Operator and all his/hers/its/their assigns and successors in interest to the maintenance and reporting requirements of the Structural Stormwater Control Measures contained herein and as may be amended.

CALIFORNIA STATE UNIVERSITY – MONTEREY BAY, (OPERATOR)

DATE: _____, 20___ Signed: _____

Print Name and title

Attachment 1

Operations and Maintenance Plan

For Low Impact Development Bioretention Facilities

Project Address and Cross Streets: 8th Avenue /Inter-Garrison Road, Seaside, CA 93955

Assessor's Parcel No.: 031-101-020-000; 031-101-022-000; and 031-101-056-000

Property Owners: FORA, CSUMB, Successor Agency of Monterey County

Responsible Agency: Kathleen Ventimiglia, Director, Campus Planning & Development, CSUMB

Phone Number: 831-582-4304

Designated Contact: Mike Lerch, Associate Director, Facilities Services & Operations, CSUMB

Phone Number: 831-582-3739

Mailing Address: 100 Campus Center, Seaside, CA 93955

The property contains two (2) bioretention areas, located as described below and as shown in Figure 1 of the Stormwater Control Plan (SWCP, Appendix A), and five (5) infiltration areas located immediately downstream of the drainage system outlets as shown in Figure 2 of the SWCP.

Bioretention Area A is located on the south side of Inter-Garrison Road, between the roadway and sidewalk improvements on APNs 031-101-020-000 and 031-101-022-000.

Bioretention Area B is located on the north side of Inter-Garrison Road, adjacent to APN: 031-101-056-000.

Infiltration Areas (C) are located on the north side of Inter-Garrison Road, on APN: 031-101-056-000.

Attached SWC Plan delineates the Drainage Management Areas on the site including a tabulation of associated calculations. SWC Plan includes details necessary for construction of said facilities. This plan should be updated with "as built" plans, elevations and details of the bioretention facilities and should be annotated with any changes made in the field during construction.

I. Responsible Parties

The following parties will have direct responsibility for the inspection and maintenance of stormwater controls and maintain self-inspection records. Responsibilities also include the continued funding of said maintenance as well as signing any correspondence with the municipality regarding the inspections. Responsible party will be the contact for response to problems, such as clogged drains or broken irrigation mains, that would require immediate response should they occur during off-hours.

Responsible Party: **CSUMB (Operator)**

Included in this Operations and Maintenance plan is a legally binding Statement of Responsibility made by the Operator. This agreement identifies the legally responsible person charged with implementing the O&M Plan over the life of the project. The Statement is a covenant to operate and maintain the facilities on properties owned by others; transfer of title to a new owner will not transfer the responsibility for O&M from the Project Operator. Updated information, including contact information, must be provided to Monterey County Resource Management Agency whenever a property is sold and whenever responsibility for maintenance is changed.

II. Routine Maintenance Activities:

The principal maintenance objective is to prevent sediment buildup and clogging, which reduces pollutant removal efficiency and may lead to bioretention area failure. Routine maintenance activities, and the frequency at which they will be conducted, are shown in Table I. All tasks should be completed by staff or contractors that have been properly trained regarding the purpose, mode of operation, and maintenance requirements for the facilities on the site. This Operations and Maintenance Plan must be kept on-site, and a copy maintained at the Operator's facilities office. Amendments to this Plan shall be provided to Monterey County Resource Management Agency.

Table 1 – Routine Maintenance Activities for Bioretention Areas

No.	Maintenance Task	Frequency of Task
1	Inspect the Bioretention surface area, inlets and outlets for obstructions and trash; clear any obstructions and remove trash and debris.	Monthly, or as needed after storm events
2	Inspect the energy dissipation device(s) at the outlet to ensure it is functioning adequately, and that there is no scour of the surface mulch. Remove any accumulation of sediment.	Monthly, or as needed after storm events
3	Check that mulch is at appropriate depth (2 inches per soil specifications) and replenish as necessary.	Monthly, or as needed after storm events
4	Inspect bioretention area for ponded water. If ponded water does not drain within 2-3 days, till and replace the surface soil and replant. If mosquito larvae are observed, contact the vector control district via contact information provided in section V.	Monthly, or as needed after storm events
5	Inspect outlets for channels, soil exposure or other evidence of erosion. Clear obstructions and remove sediment.	Monthly, or as needed after storm events
6	Remove and replace all dead and diseased vegetation.	At least twice a year
7	Control weeds by manual methods and soil amendment. In response to problem areas or threatening invasions, corn gluten, white vinegar, vinegar-based products, or non-selective natural herbicides may be used.	At least twice a year
8	Treat diseased plants as needed, using preventative and low-toxic measures to the extent possible.	At least twice a year
9	Maintain vegetation and the irrigation system (if applicable). Prune and weed to keep bioretention area neat and orderly in appearance. Remove and/or replace any dead plants.	At least twice a year
10	Check signage. Remove graffiti and replace if necessary.	At least once a year
11	Apply 1" to 2" of composted mulch or gravel once a year. Mulch should also be replaced when erosion is evident; spot mulching may be sufficient for random void areas.	Annually, before the wet season begins (October 15)
12	Inspect bioretention and infiltration areas using the attached inspection checklist.	Monthly, or after large storm events, and after removal of accumulated debris or material

III. Use of Pesticides:

The use of pesticides and quick release fertilizers shall be minimized, and the principles of integrated pest management (IPM) followed:

1. Employ non-chemical controls (biological, physical and cultural controls) before using chemicals to treat a pest problem.
2. Prune plants properly and at the appropriate time of year.
3. Provide adequate irrigation for landscape plants. Do not over water.
4. Pest control should avoid harming non-target organisms, or negatively affecting air and water quality and public health. Apply chemical controls only when monitoring indicates that preventative and non-chemical methods are not keeping pests below acceptable levels. When pesticides are required, apply the least toxic and the least persistent pesticide that will provide adequate pest control. Do not apply pesticides on a prescheduled basis.
5. Sweep up spilled fertilizer and pesticides. Do not wash away or bury such spills.
6. Do not over apply pesticide. Spray only where the infestation exists. Follow the manufacturer's instructions for mixing and applying materials.
7. Only licensed, trained pesticide applicators shall apply pesticides.
8. Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging pesticides into runoff. With the exception of pre-emergent pesticides, avoid application if rain is expected.
9. Unwanted/unused pesticides shall be disposed as hazardous waste.

IV. Use of Fertilizer:

Do not add fertilizer to bioretention facilities. Compost tea, available from various nurseries and garden supply retailers may be applied at a recommended rate of *5* gallons mixed with 15 gallons of water per acre, up to two weeks prior to planting and once per year between March and June. Do not apply when temperatures are below 50° F or above 90° F, or when rain is forecast in the next 48 hours.

V. Vector Control:

Standing water shall not remain in the treatment measures for more than five days, to prevent mosquito generation. Should any mosquito issues arise, contact the Northern Salinas Valley Mosquito Abatement District. Mosquito larvicides shall be applied only when absolutely necessary, as indicated by the District, and then only by a licensed professional or contractor. Contact information for the District is provided below.

Northern Salinas Valley Mosquito Abatement District
342 Airport Boulevard
Salinas, CA 93905
Phone: (831) 422-6438
www.montereycountymosquito.com

VI. Inspections:

A Bioretention Area Inspection and Maintenance Checklist shall be used to conduct inspections monthly (or as needed). Identify needed maintenance and record maintenance that is conducted. A sample of the inspection Report and Maintenance Checklist are provided in Appendix C.

VII. Appendices:

Appendix A: Effective Stormwater Control Plan
Appendix B: Structural Stormwater Control Measures Details
Appendix C: Sample Inspection Report and Maintenance Checklist

Mesiti-Miller Engineering, Inc.
Civil and Structural Engineering

June 21, 2016

Kathleen Ventimiglia, AIA
Director for Campus Planning & Development
CSUMB
100 Campus Center Mountain Hall A
Seaside, CA 93955

Re: 8th Ave and Inter-Garrison Rd Roundabout - Storm Water Treatment

Dear Ms. Ventimiglia,

This letter was prepared to describe the storm water treatment measures integrated into the roundabout design and how these exceed the requirements for water quality.

The project will provide storm water treatment of the new roadways and sidewalks by constructing new landscaped bioretention swales between the roadway and the sidewalk to treat, retain and infiltrate storm water. The bioswales will capture trash, sediment, and pollutants using biological and physical filtration processes. The ratio of bioswale area provided to the new impervious area is 11.5%, about three times more than the typical sizing factor of 4% (Central Coast Regional Water Quality Control Board, Phase II Small MS4 General Permit, Low Impact Design Standards, 2013). 3,500 square feet of bioswales will more than mitigate the increase in impervious area of 30,400 square feet (Figure 1).

In addition, any excess runoff from the project will drain into existing natural infiltration basins and will rapidly infiltrate. The in-situ soils are highly permeable dune sands with rapid to very rapid permeability rates ranging from 6 to 20 in/hr (CSUMB Storm Water Master Plan, 2006) and are ideal for percolating storm water (Fort Ord Reuse Authority Storm Water Master Plan, 2005). Regional guidelines suggest a maximum of two parts contributing impervious area to one part landscape area, resulting in an infiltration area required of about 15,200 square feet (Central Coast Regional Water Quality Control Board, Technical Support for LID Implementation, Self-Retaining Area Guidance). The existing natural infiltration basins downstream are much larger than required and exceed both size and infiltration rate requirements (Figure 2).

Thank you for the opportunity to assist CSUMB with this excellent project.

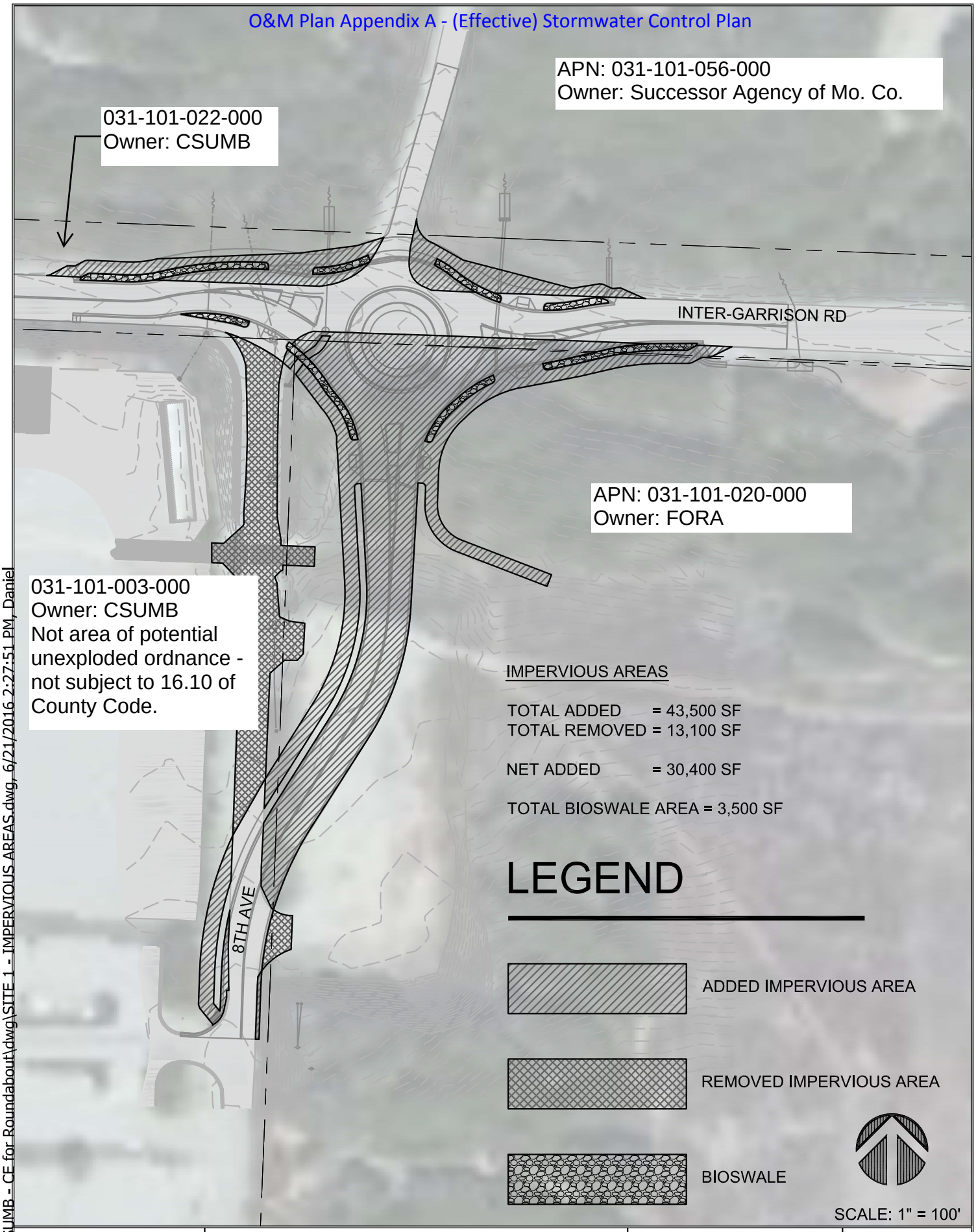
Best Regards,

Rodney Cahill

Rodney Cahill, P.E.
Principal

REGISTERED PROFESSIONAL ENGINEER
RODNEY T. CAHILL
67728
Expires 6.21.2016
CIVIL
STATE OF CALIFORNIA

i:\14225 csumb - ce for roundabout\calcs\site 1\storm water treatment\14225 letter re stormwater 2016 06 21.docx



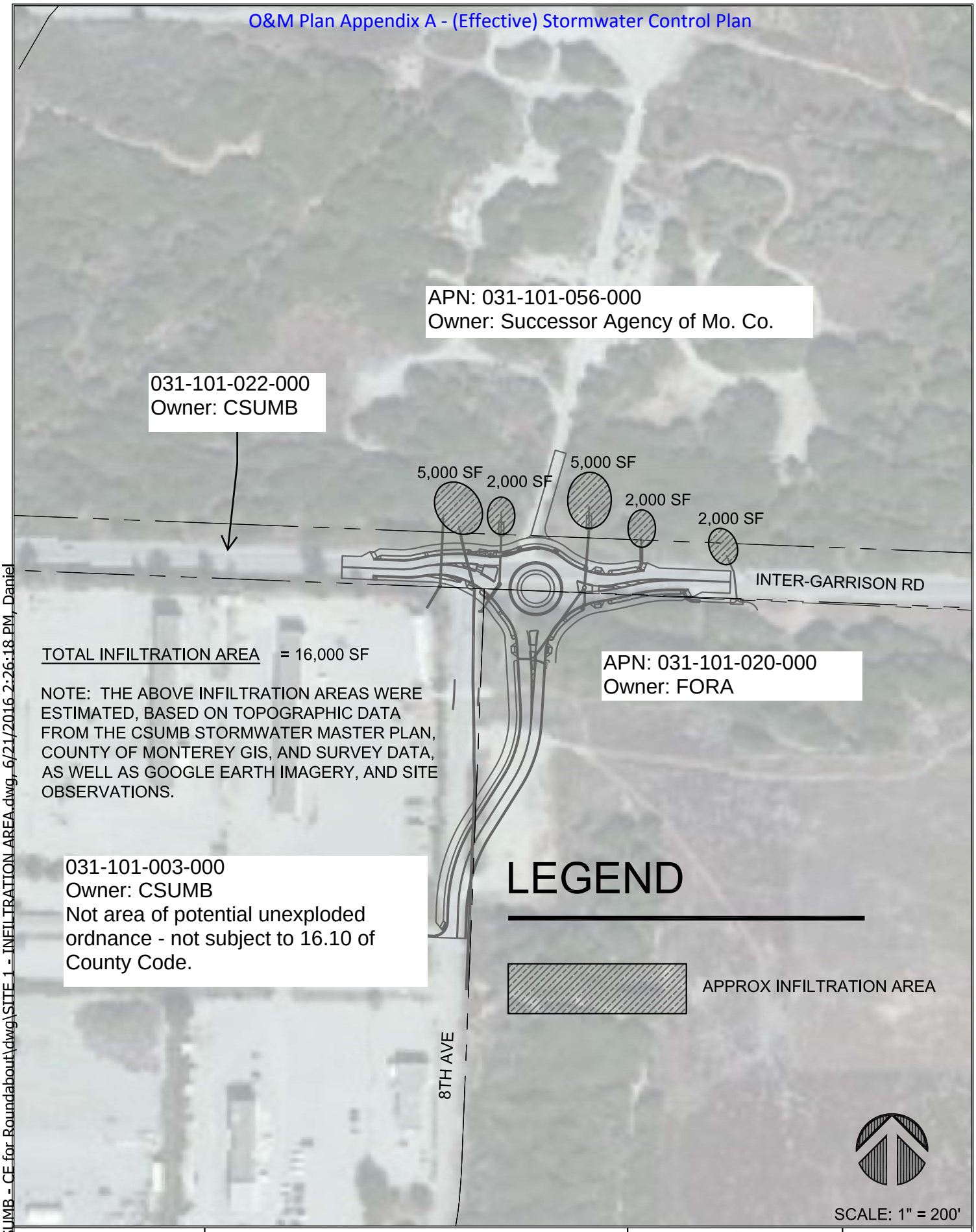
SHEET NO: FIG 1
DATE ISSUED: 6/21/16

IMPERVIOUS AREAS
TDM - 8TH AVE ROUNDABOUT SITE 1

PREPARED AT THE REQUEST OF
CALIFORNIA STATE UNIVERSITY MONTEREY BAY
100 CAMPUS CENTER
SEASIDE, CA 93955

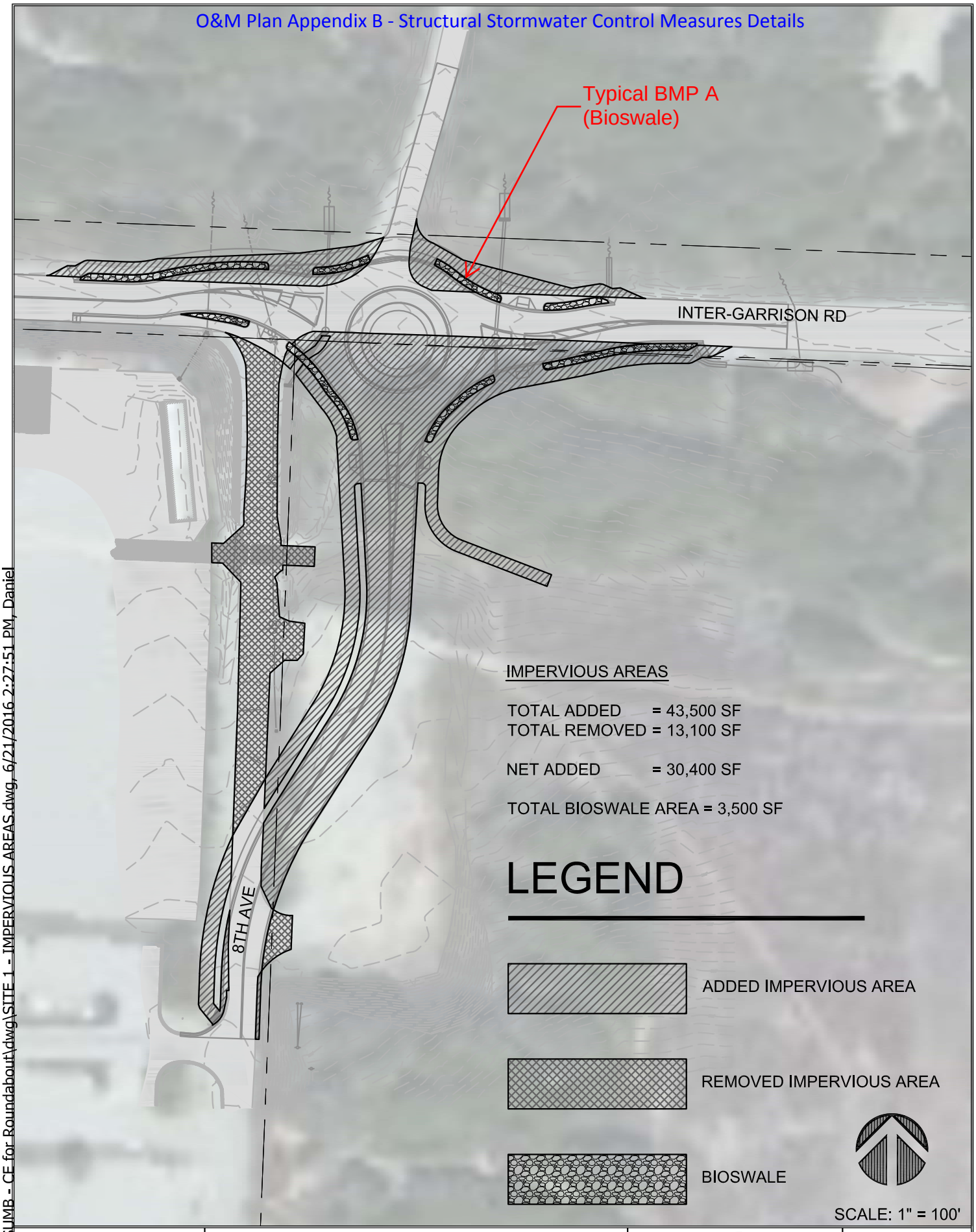
Mesiti-Miller Engineering, Inc.
Civil and Structural Engineering
224 Walnut Avenue, Suite B • Santa Cruz, CA 95060
Phone 831-426-3186 • Fax 831-426-6607

DRAWN BY: DM
CHECKED BY: RC



SHEET NO: FIG 2 DATE ISSUED: 6/21/16	APPROXIMATE INFILTRATION AREAS TDM - 8TH AVE ROUNDABOUT SITE 1 PREPARED AT THE REQUEST OF CALIFORNIA STATE UNIVERSITY MONTEREY BAY 100 CAMPUS CENTER SEASIDE, CA 93955	Mesiti-Miller Engineering, Inc. Civil and Structural Engineering 224 Walnut Avenue, Suite B • Santa Cruz, CA 95060 Phone 831-426-3186 • Fax 831-426-6607	DRAWN BY: DM CHECKED BY: RC Page 19 of 38

I:\14225 CSUMB - CE for Roundabout\dwg\SITE 1 - INFILTRATION AREA.dwg, 6/21/2016 2:26:18 PM, Daniel



IMPERVIOUS AREAS

TOTAL ADDED = 43,500 SF
TOTAL REMOVED = 13,100 SF

NET ADDED = 30,400 SF

TOTAL BIOSWALE AREA = 3,500 SF

LEGEND

ADDED IMPERVIOUS AREA

REMOVED IMPERVIOUS AREA

BIOSWALE

SCALE: 1" = 100'

SHEET NO:
BMP A

DATE ISSUED: 6/21/16

IMPERVIOUS AREAS
TDM - 8TH AVE ROUNDABOUT SITE 1

PREPARED AT THE REQUEST OF

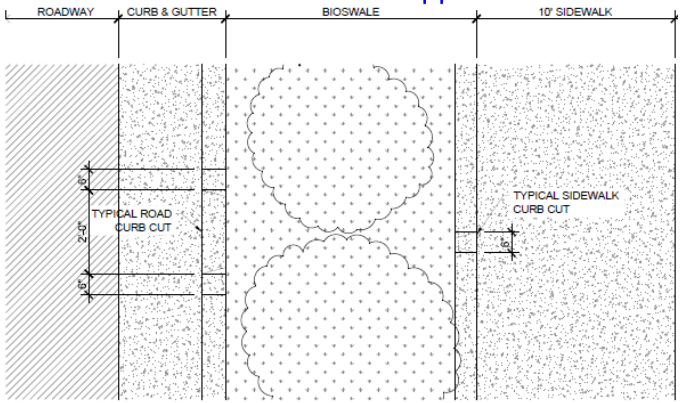
CALIFORNIA STATE UNIVERSITY MONTEREY BAY
100 CAMPUS CENTER
SEASIDE, CA 93955

Mesiti-Miller Engineering, Inc.
Civil and Structural Engineering
224 Walnut Avenue, Suite B • Santa Cruz, CA 95060
Phone 831-426-3186 • Fax 831-426-6607

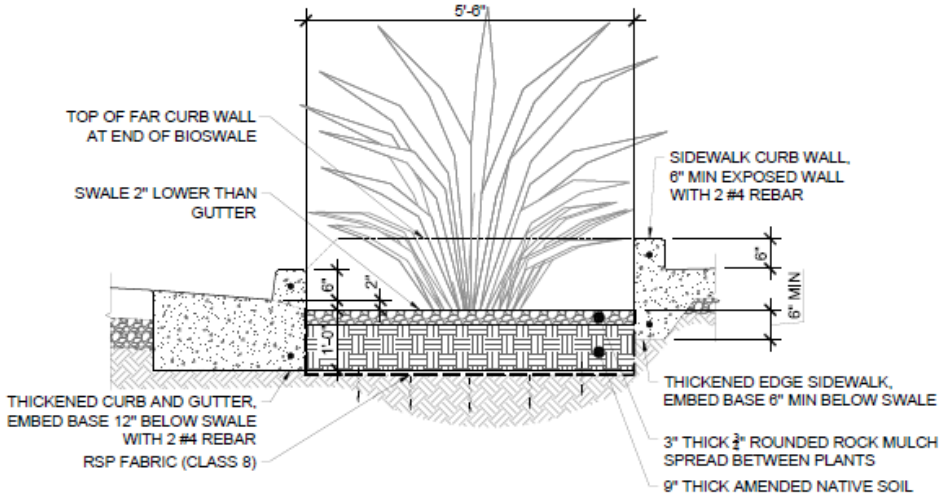
DRAWN BY: DM

CHECKED BY: RC

BMP A - Details



BIOSWALE PLAN



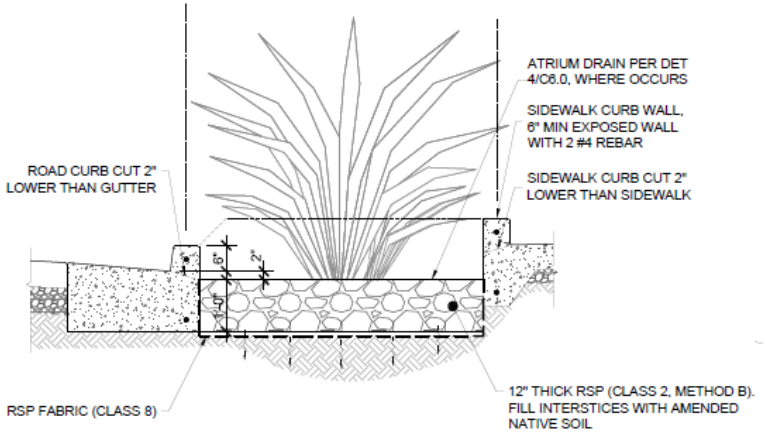
TYPICAL BIOSWALE

ROAD CURB CUTOUT

NOTE: SPACING PER PLAN AND AT LOW POINTS

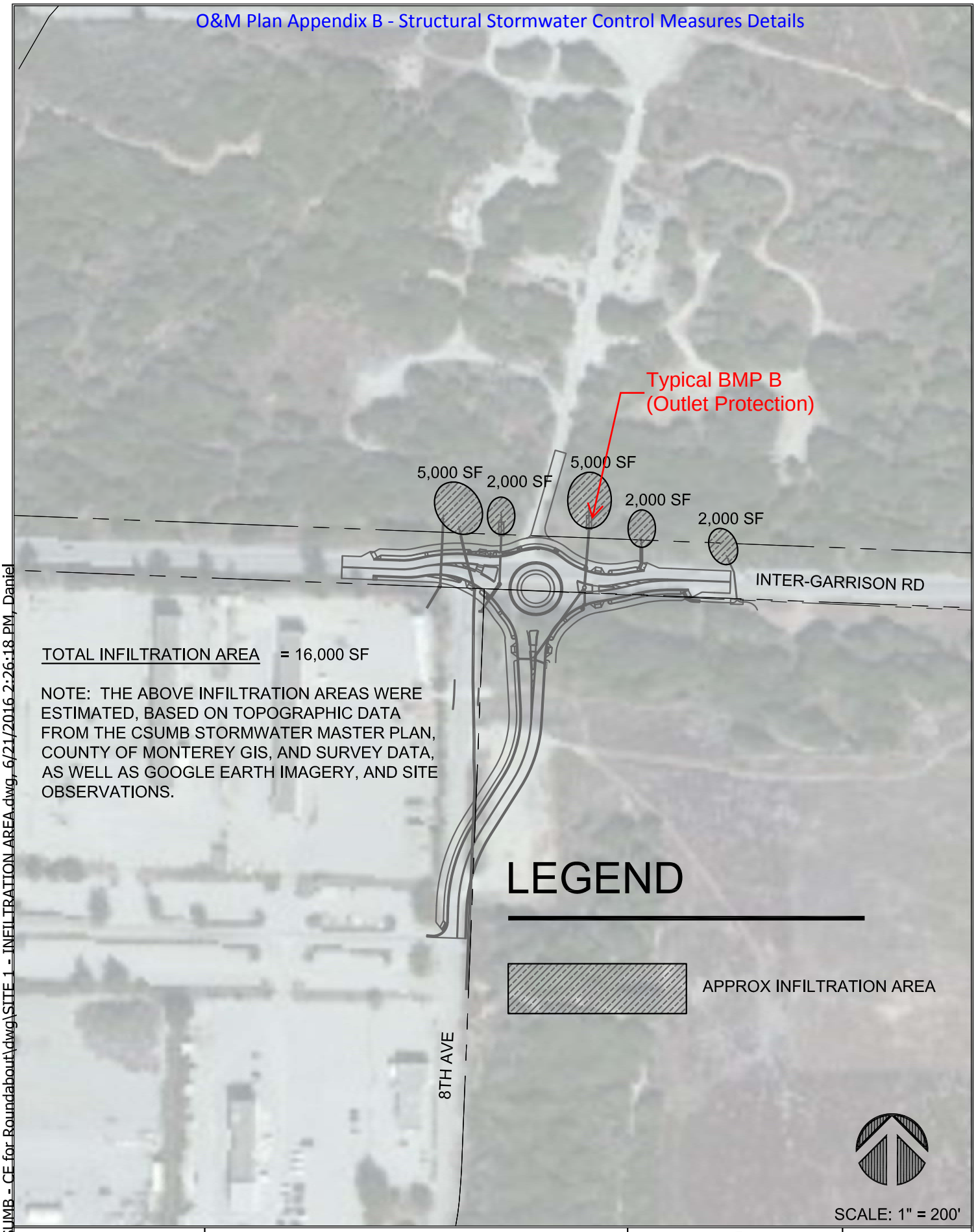
SIDEWALK CURB CUTOUT

NOTE: AT 10'-0" MAX SPACING AND AT LOW POINTS ALIGN WITH SIDEWALK JOINTS



BIOSWALE ROCK APRON AT ROAD CURB CUT

Source: Mesti-Miller Engineering 2016 (5/C6.0)



TOTAL INFILTRATION AREA = 16,000 SF

NOTE: THE ABOVE INFILTRATION AREAS WERE ESTIMATED, BASED ON TOPOGRAPHIC DATA FROM THE CSUMB STORMWATER MASTER PLAN, COUNTY OF MONTEREY GIS, AND SURVEY DATA, AS WELL AS GOOGLE EARTH IMAGERY, AND SITE OBSERVATIONS.

SCALE: 1" = 200'

SHEET NO:
BMP B
DATE ISSUED: 6/21/16

APPROXIMATE INFILTRATION AREAS
TDM - 8TH AVE ROUNDABOUT SITE 1

PREPARED AT THE REQUEST OF

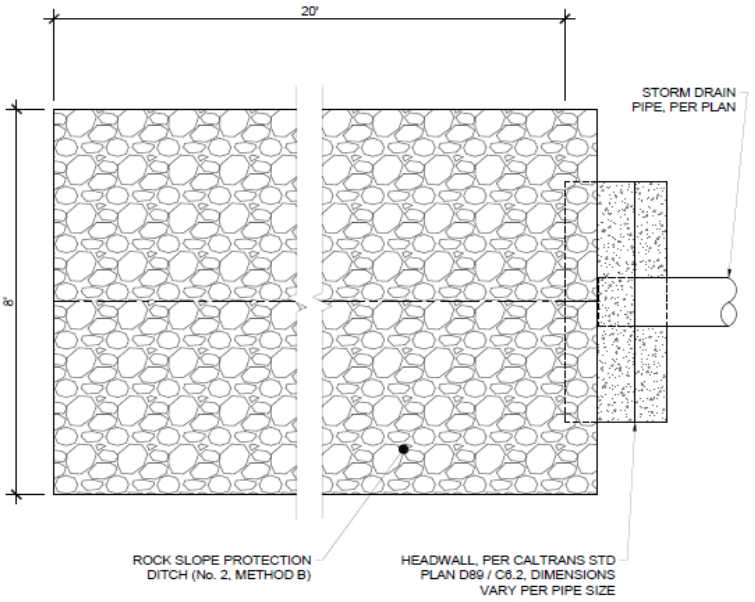
CALIFORNIA STATE UNIVERSITY MONTEREY BAY
100 CAMPUS CENTER
SEASIDE, CA 93955

Mesiti-Miller Engineering, Inc.
Civil and Structural Engineering
224 Walnut Avenue, Suite B • Santa Cruz, CA 95060
Phone 831-426-3186 • Fax 831-426-6607

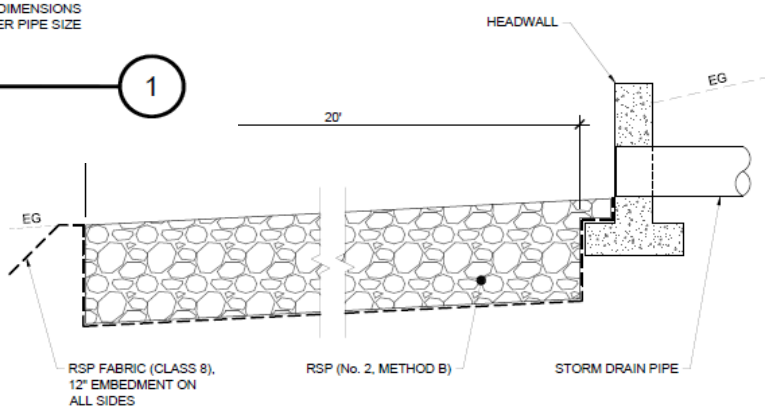
DRAWN BY: DM
CHECKED BY: RC

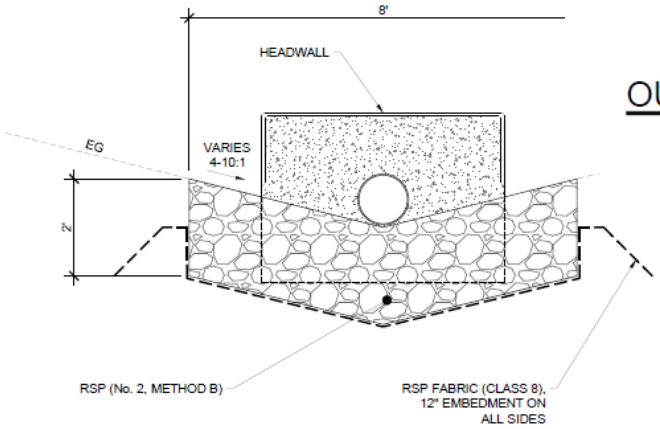
I:\14225 CSUMB - CE for Roundabout\dwg\SITE 1 - INFILTRATION AREA.dwg, 6/21/2016 2:26:18 PM, Daniel

BMP B - Details



OUTLET PROTECTION PLAN 1





OUTLET PROTECTION PROFILE 2

OUTLET PROTECTION SECTION 3

Source: Mesti-Miller Engineering 2016 (1,2,3/C6.0)

Bioretention Facilities Operation and Maintenance

Inspection Report

This report and attached Inspection and Maintenance Checklists document the inspection and maintenance conducted for the identified stormwater treatment measure(s) subject to the annual Structural Stormwater Control Measures Report and the Operations and Maintenance Plan for the Project during the annual reporting period indicated below.

I. Property Information:

Property Address or APN: ***Intersection of Eighth Avenue at Inter-Garrison Road***

Property Operator: ***California State University – Monterey Bay (CSUMB)***

II. Contact Information:

Name of person to contact regarding this report: _____
Phone number of contact person: _____ Email: _____
Address to which correspondence regarding this report should be directed:

_____

_____

III. Reporting Period:

This report, with the attached completed inspection checklists, documents the inspections and maintenance of the identified treatment measures during the time period from July 1, _____ to June 30, _____

IV. Stormwater Treatment Measure Information:

The following stormwater treatment measures (identified treatment measures) are located on the property identified above and are subject to the Maintenance Agreement:

Identifying Number of Treatment Measure	Type of Treatment Measure	Location of Treatment Measure on the Property
BMP A	Bioretention Area	N side of the Project
BMP B	Bioretention Area	SE corner of the Project
BMP C	Bioretention Area	SW corner of the Project
BMP D	Infiltration Areas	N side of the Project

V. Summary of Inspection and Maintenance:

Summarize the following information using the attached Inspection and Maintenance Checklists:

Identifying Number of Treatment Measure	Date of Inspection	Operation and Maintenance Activities Performed and Date(s) Conducted	Additional Comments
BMP A			
BMP B			
BMP C			
BMP D			

VI. Sediment Removal:

Total amount of accumulated sediment removed from the stormwater treatment measure(s) during the reporting period: _____ cubic yards/tons (circle one).

How was sediment disposed?

☐ Landfill

☐ Other location on-site as described in and allowed by the maintenance plan

☐ Other, explain _____

VII. Inspector Information:

The inspections documented in the attached Inspection and Maintenance Checklists were conducted by the following inspector(s):

Inspector's Name and Title	Inspector's Employer and Address

VIII. Certification:

I hereby certify, under penalty of perjury, that the information presented in this report and attachments is true and complete:

Signature of Project Operator or Other Responsible Party _____ Date _____

Type or Print Name _____

Company Name _____

Address _____

Phone number: _____ Email: _____

O&M Plan Appendix C

O&M Inspection Report

CSUMB Roundabout (Eight Avenue @ Inter-Garrison Road)

Bioretention Area

Inspection and Maintenance Checklist

Property Address: ***Eighth Avenue at Inter-Garrison Road*** Property Operator: ***CSUMB***

Treatment Measure No.: _____ Date of Inspection: _____ Type of Inspection: Monthly Pre-Wet Season

After heavy runoff End of Wet Season

Inspector(s): _____ Other: _____

Defect	Conditions When Maintenance Is Needed	Maintenance Needed? (Y/N)	Comments (Describe maintenance completed and if needed maintenance was not conducted, note when it will be done)	Results Expected When MaintenanceIs Performed
1. Standing Water	Water stands in the bioretention area between storms and does not drain within 2-3 days after rainfall.			There should be no areas of standing water once storm event has ceased. Any of the following may apply: sediment, trash, and other blockages removed, Improved grade from head to foot of bioretentlon area, or added underdrains.
2. Trash and Debris Accumulation	Trash and debris accumulated in the bioretention area.			Trash and debris removed from bioretention area and disposed of properly.
3. Sediment	Evidence of sedimentation in broretention area.			Material removed so that there is no clogging or blockage. Material is disposed of property.
4. Eroston	Channels have formed around inlets; there are areas of bare soil, and/or other evidence of erosion.			Obstructions and sediment removed so that water flows freely and disperses over a wide area. Obstructions and sediment are disposed of properly.
5. Vegetation	Vegetation is dead, diseased and/or overgrown.			Vegetation is healthy and attractive in appearance.
6. Mulch	Mulch is missing or patchy in appearance. Areas of bare earth are exposed, or mulch layer is less than 2 inches in depth.			All bare earth is covered, except mulch is kept 6 inches away from trunks of trees and shrubs. Mulch is even in appearance, at a depth of 2 inches
7. Miscellaneous	Any condition not covered above that needs attention in order for the bioretention area to function as designed.			Meets the design specifications.

Exhibit C

County of Monterey

Mitigation Monitoring and Reporting Program for the

Construction and Maintenance of Roundabout Project

Project Proponent: California State University, Monterey Bay (CSUMB)

Project Description: Construction and maintenance of a traffic roundabout at the intersection of Intergarrison Road and 8th Avenue, Monterey County, California

Implement all mitigation, monitoring and reporting measures described in Mitigation Monitoring & Reporting Program, California State University, Monterey Bay, Transportation Demand Measure Projects (Attachment 1) in the easement area.

Submit approved Oak Tree Restoration Plan to the County upon completion of construction activities.

Prepare and submit a report to the County of Monterey upon completion of construction activities that identifies how the mitigation measures were implemented and achieved in the easement area.

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
Aesthetics					
Substantially degrade the existing visual character or quality of the site and its surroundings?	**Mitigation Measure 1** Coast live oak trees removed from the 8th Avenue/Inter-Garrison Road and 7th Avenue-8th Street/Inter-Garrison Road project sites as a result of the proposed project shall be mitigated at a 2:1 ratio, as follows: • Trees removed at the 8th Avenue/Inter-Garrison Road project site shall be mitigated with the planting of 15-gallon specimens at a 1:1 ratio (i.e., 101 trees) in accordance with the Landscape Plan, and also with 5-gallon specimens at a 1:1 ratio (i.e., 101 trees) within the abandoned roadways. • Trees removed at the 7th Avenue/Inter-Garrison Road project site shall be mitigated with the planting of 5-gallon specimens at a 2:1 ratio (i.e., 10 trees total) within the abandoned roadways. The details and requirements regarding the planting of coast live oak trees shall be outlined in an Oak Tree Restoration Plan to be approved by the CSUMB Planning Director and prepared and implemented by a qualified biologist, arborist, and/or landscape architect. The plan shall include, but is not limited to, the following: • procedures to control non-native species invasion and elimination of existing non-native species within the mitigation area; • provisions to ensure compliance with the requirements of the plan; • a detailed description of the off-site mitigation area, seeding and planting specifications, including, if appropriate, increased planting ratio to ensure the success ratio; and • a monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met.	Prior, During, and Upon Completion of Construction Activities	CSUMB and/or Contractor shall contract with a qualified biologist to implement this measure	CSUMB	

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
	Prior to the commencement of construction activities: • Trees located adjacent to the construction area shall be protected from damage by construction equipment by the use of temporary fencing in combination with wrapping of trunks with protective materials where ever there may be construction present. • Fencing shall consist of chain link, heavy duty snowdrift or plastic mesh, hay bales, or field fence. • Fencing is not to be attached to the tree but free standing and self-supporting so as not to damage trees. Fencing shall be rigidly supported both vertically and horizontally. • Fenced areas and the trunk protection materials shall remain in place during the entire construction period. • Remedial pruning should occur prior to construction. Following construction, any above ground tree pruning/trimming should be delayed until one year after completion of construction. During grading and excavation activities: • Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials is not allowed adjacent to trees, especially within fenced areas. • All trenching, grading or any other digging or soil removal that is expected to encounter roots of trees to be retained must be monitored by a qualified arborist or forester to ensure against drilling or cutting into or through major roots. • The project arborist should be on site during excavation activities to direct any minor field adjustments that may be needed.				

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
	• Trenching construction located adjacent to any tree that would be retained should be done by hand where practical and any roots greater than 1.5 inches in diameter should be bridged or pruned appropriately. • Any roots of trees to be retained that must be cut should be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment. • Any roots of trees to be retained that are damaged during grading or excavation should be exposed to sound tissue and cut cleanly with a saw. • If at any time potentially significant roots of trees to be retained are discovered, the arborist/forester would be authorized to halt excavation until appropriate mitigation measures are formulated and implemented. • If significant roots are identified that must be removed that would destabilize or negatively affect the target trees, the property owner would be notified immediately and a determination for removal would be assessed and made as required by law for treatment of the area that would not risk death decline or instability of the tree consistent with the implementation of appropriate construction design approaches to minimize affects, such as hand digging, bridging or tunneling under roots, etc. In addition, Best Management Practices (BMPs) as described below shall be adhered to, to protect retained coast live oak trees. The proposed BMPs include, but are not limited to: • Do not deposit any fill around trees, which may compact soils and alter water and air relationships. Avoid depositing fill, parking equipment, or staging construction materials near existing trees. Covering and compacting soil around trees can alter water and air relationships with the				

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
	roots. Fill placed within the drip-line may encourage the development of oak rot fungus (*Armillaria mellea*). • Pruning shall be conducted so as not to unnecessarily injure the tree. General-principals of pruning include placing cuts immediately beyond the branch collar, making clean cuts by scoring the underside of the branch first, and for live oak, avoiding the period from February through May. • Native live oaks are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the drip line of oaks. Native, locally adapted, drought resistant species are the most compatible with this goal. • Root cutting should occur outside of the springtime. Late June and July would likely be the best. • Oak material greater than 3 inches in diameter remaining on site more than one month that is not cut and split into firewood should be covered with thick clear plastic that is dug in securely around the pile. This would discourage infestation and dispersion of bark beetles. • A mulch layer up to approximately 4 inches deep may be applied to the ground under selected oaks following construction. Only 1 to 2 inches of mulch should be applied within 1 to 2 feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated on site. • Following construction, if trees along and near the development are visibly declining in vigor, a Professional Forester or Certified Arborist should be contacted to inspect the site to recommend a course of action.				
Biological Resources					
Have a substantial adverse effect, either	**Mitigation Measure 2** The following measure shall be implemented to avoid or reduce impacts to	Prior and During	CSUMB and/or	CSUMB	

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Kellogg's horkelia, nesting raptors and other protected avian species, Monterey dusky-footed woodrat, and coast horned lizard: Prior to construction activities, a qualified biologist shall conduct an Employee Education Program for the construction crew. The biologist shall meet with the construction crew at the site at the onset of construction to educate the construction crew on the following: 1) a review of the project boundaries including staging areas and access routes; 2) the special-status species that may be present, their habitat, and proper identification; 3) the specific avoidance and minimization measures that will be incorporated into the construction effort; 4) the general provisions and protections afforded by the U.S. Fish and Wildlife Service and the CDFW; and 5) the proper procedures if a special-status animal is encountered within the project site. A biological monitor shall be on-site during initial vegetation removal activities to protect any special-status species encountered. The qualified biologist shall identify and explain the protection methods during the Employee Education Program as described above. Methods could include, but are not limited to, stopping work in the area where the animal is encountered until it has moved on its own outside of the site or moving individuals outside of the site to adjacent appropriate habitat.	Construction Activities	Contractor shall contract with a qualified biologist to implement this measure		
	Mitigation Measure 3 The following measure shall be implemented to avoid or reduce impacts to migratory birds and other protected avian species: Construction activities that may directly (e.g., vegetation removal) or indirectly affect (e.g. noise/ground disturbance) nesting raptors and/or protected avian species will be timed to avoid the breeding and nesting seasons. Specifically, demolition, grading with heavy machinery, and	Prior and During Construction Activities	CSUMB and/or Contractor shall contract with a qualified biologist to implement this	CSUMB	

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
	vegetation and/or tree removal can be scheduled after September 16 and before January 31. If construction activities must occur during the breeding and nesting season (February 1 through September 15), a qualified biologist shall conduct pre-construction surveys for nesting raptors and other protected avian species within 300 feet of the proposed construction activities. Pre-construction surveys should be conducted no more than 7 days prior to the start of the construction activities during the early part of the breeding season (February through April) and no more than 14 days prior to the initiation of these activities during the late part of the breeding season (May through August). If raptors or other protected avian species nests are identified during the pre-construction surveys, the qualified biologist would notify the project proponent and an appropriate no-disturbance buffer would be imposed within which no construction activities or disturbance would take place (generally 300 feet in all directions for raptors; other avian species may have species-specific requirements) until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.		measure		
	Mitigation Measure 4 The following measure shall be implemented to avoid or reduce impacts to Monterey dusky-footed woodrat: Not more than thirty (30) days prior to the start of construction (including vegetation removal), a qualified biologist shall conduct a survey of the project sites to locate existing Monterey dusky-footed woodrat nests. All Monterey dusky-footed woodrat nests shall be mapped and flagged for avoidance. Graphics depicting all Monterey dusky-footed woodrat nests shall be	Prior to Construction Activities	CSUMB and/or Contractor shall contract with a qualified biologist to implement this measure	CSUMB	

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
	provided to the project proponent. Any Monterey dusky-footed woodrat nests that cannot be avoided shall be relocated according to the following procedures. • Each active nest shall be disturbed by the qualified biologist to the degree that Monterey dusky-footed woodrats leave the nest and seek refuge elsewhere. After the nests have been disturbed, the nest sticks shall be removed from the impact areas and placed outside of areas planned for impacts. Nests shall be dismantled during the non-breeding season (between October 1 and December 31), if possible. If a litter of young is found or suspected, nest material shall be replaced and the nest left alone for 2-3 weeks, after this time the nest will be rechecked to verify that young are capable of independent survival before proceeding with nest dismantling.				
	Mitigation Measure 5 The following measure shall be implemented to avoid or reduce impacts to Kellogg's horkelia: Kellogg's horkelia within the potential soil laydown areas shall be fenced and avoided to the maximum extent possible. A qualified biologist will supervise fence installation and conduct monitoring to ensure fencing remains intact and impacts are avoided. If avoidance is not feasible, Kellogg's horkelia shall be replaced at a 1:1 ratio for the area or number of individuals impacted and a Rare Plant Restoration Plan approved by the CSUMB Planning Director shall be prepared by a qualified biologist and implemented. The plan shall include, but is not limited to, the following:	Prior and Upon the Completion of Construction Activities	CSUMB and/or Contractor shall contract with a qualified biologist to implement this measure	CSUMB	

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
	• a description of the baseline conditions of the habitats within the area of impact, including the presence of any special-status species, their locations, and densities; • procedures to control non-native species invasion and elimination of existing non-native species within the area of impact; • provisions to ensure compliance with the requirements of the plan; • a detailed description of on-site and off-site restoration areas, salvage of seed and/or soil bank, plant salvage, seeding and planting specifications, including, if appropriate, increased planting ratio to ensure the 1:1 success ratio; and • a monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met.				
Cultural Resources					
Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA 15064.5?	**Mitigation Measure 6** If archaeological materials or features are discovered at any time during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist (defined as one who is certified by the Society of Professional Archaeologists). If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.	During Construction Activities	CSUMB and/or Contractor	CSUMB	
Disturb any human remains, including those interred outside of formal cemeteries?	**Mitigation Measure 7** If human remains are discovered at any time during construction, work shall be halted within 50 meters (150 feet) of the find. • The contractor shall call the Monterey County Coroner and await the Coroner's clearance. If the coroner determines the remains are Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours.	During Construction Activities	CSUMB and/or Contractor	CSUMB	

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
	• NAHC shall notify the most likely descendent. • The Native American descendent, with permission of the land owner or representative, may inspect the site of the discovery and recommend the means for treating or disposing with appropriate dignity the human remains and any associated grave goods. • The Native American descendent shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the removal and analysis of human remains and associated items; preservation of the Native American human remains and associated items in place; relinquishment of Native American human remains and associated items to the descendants for treatment; or other culturally appropriate treatment. If the NAHC is unable to identify a descendent or the descendent identified fails to make a recommendation within 24 hours, the landowner shall reinter the human remains and items associated with the Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance. • If the landowner and Native American descendent reach agreement on the appropriate procedure, the landowner shall follow this procedure. • If the landowner and Native American descent cannot reach agreement, the parties shall consult with the Native American Heritage Commission. The landowner shall consider and, if agreeable, follow the identified procedure. • If the landowner and Native American descendant cannot reach agreement after consultation, the Native American human remains shall be reinterred on the property with appropriate dignity.				

MITIGATION MONITORING & REPORTING PROGRAM California State University, Monterey Bay (CSUMB) Transportation Demand Measure Projects					
Impact	**Mitigation**	**Timing of Implementation**	**Responsible Party**		**Done (X)**
			Implementation	**Compliance/ Verification**	
Geology and Soils					
Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	**Mitigation Measure 8** The contractor shall be required to implement the recommendations from the Geotechnical Investigations and incorporate the recommendations into the final plans and specification prior to the start of construction.	Prior to construction activities	CSUMB and/or Project Engineer/ Architect	CSUMB	