

Attachment E

This page intentionally left blank.

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director

LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS

1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527

(831)755-4800

www.co.monterey.ca.us/rma



March 12, 2020

ADDENDUM NO.1

REQUEST FOR PROPOSALS (RFP) # 10706 TO PROVIDE PROFESSIONAL CIVIL ENGINEERING SERVICES FOR LAS LOMAS DRIVE BICYCLE LANE AND PEDESTRIAN PROJECT

The purpose of this Addendum is to provide answers to questions received to date regarding RFP #10706. This acknowledgement signature page of Addendum No.1 must be submitted with your proposal package.

If this acknowledgement signature page is not submitted with your proposal package, your entire proposal package may be considered non-responsive.

RECEIPT IS HEREBY ACKNOWLEDGED OF ADDENDUM NO.1 RFP #10706.

Authorized Company Signature

Printed Name

Company Name

Date

The questions received to date are the following, along with their respective responses:

Question 1: Can you let me know if this RFP is just for the on-call consultants or is this open to the public?

Answer 1: RFP (#10706) is open to the public and not exclusive for on-call consultants.

Question 2: We will provide the Construction Management (CM) support for Phase 1 of the project. Can we submit on the design for this phase.

Answer 2: The Phase 1, Las Lomas Drainage Project is a separate project from the Las Lomas Drive Bicycle and Pedestrian Path Project. Firms that are interested can submit a Design RFP for the project.

Question 3: Do you have a subdivision map, or whatever document created the right of way for the project, we can look at?

Answer 3: Please see attached Exhibit F showing the most recent Right of Way documents used for the project.

Question 4: Per the Phase 1 plans, Exhibit C, and the evaluation criteria, Right-of-Way Acquisition is called out as part of Phase 2 but not included in the scope of services in the RFP, we would like to confirm whether or not the County would like assistance with Right-of-Way acquisition.

Answer 4: County does not need assistance with Right-of-Way acquisition. As of to date, County completed all the required project's Right-of Way acquisition. The parcels were dedicated to the County as Permanent Easement Deed and Public Easement Deed. Please refer to Exhibit F. County will hire a Right of Way Consultant under a separate contract if additional Right of Way services is needed for the project.

Question 5: Should we have the signature page and addenda acknowledgement manually signed in blue ink for the original only or for the original and all the copies?

Answer 5: For the original only.

Question 6: It appears topographic mapping may have been completed on the project. If so, is this available to review and to what level of effort of topographic mapping should we include in our scope?

Answer 6: The County has topographic mapping information that was surveyed in 2013. Please see attached version 2013 topographic Map, Exhibit G. The project's topography will change after the completion of phase 1 project.

Question 7: Are there any environmental permits for Phase 1 (including Area B) of the project? If so, can you provide them for review as an addendum to the RFP?

Answer 7: Please see attached environmental permits for Phase 1, Exhibit H.

EXHIBIT F
RIGHT OF WAY DOCUMENTS

C TC 5211900310LD

Stephen L. Vagnini
Monterey County Clerk-Recorder
Recorded at the request of:
CHICAGO TITLE SALINAS - 50 W

2019032841

08/02/2019 02:52:21
Titles: 1 Pages: 5

Fees: \$0.00
Taxes: \$0.00
AMT PAID: \$0.00

RECORDING requested by:
County of Monterey

When recorded, mail to:
Bender Rosenthal, Inc.
Attn: Rebekah Green
2825 Watt Avenue, Suite 200
Sacramento, CA 95821

Space above this line for Recorder's use

No recording fee required; this document is exempt from fee pursuant to Sections 6103 and 27383 of the California Government Code. This deed is exempt from tax pursuant to Section 11922 of the California Revenue and Taxation Code. Transfer to Government entity

Portion of APN: 119-151-019
Las Lomas Drainage Project

PERMANENT EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Adrian Vazquez-Gonzalez and Yuliana Garcia Rodriguez, husband and wife as community property with right of survivorship**, hereby **GRANT** to the **County of Monterey, a political subdivision of the State of California**, a non-exclusive Permanent Easement upon, over and across the certain real property for the Las Lomas Drainage Project in the County of Monterey, State of California, described and depicted in Exhibit A attached hereto and incorporated herein by this reference.
and Exhibit B

Dated: 2/24/19, ~~2018~~ ²⁰¹⁹
JO


Adrian Vazquez-Gonzalez



Yuliana Garcia Rodriguez

EXHIBIT "A"

Road: Las Lomas Drive

APN 119-151-019

All that certain real property situated in Rancho Bolsa de San Cayetano, County of Monterey, State of California, described as follows:

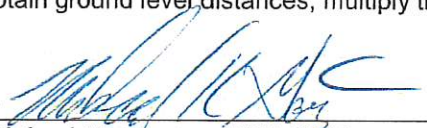
Being a portion of that certain "1.11 Ac." parcel, as shown and so designated on "Licensed Surveyors Map of Las Lomas Tract No. 5-A," filed for record September 6, 1939 in Volume 4 of Surveys at Page 2, Records of Monterey County, being also a portion of land conveyed by deed from David M. Salles to Adrian Vazquez-Gonzalez, et ux, dated August 18, 2017, and recorded August 28, 2017 as Document No. 2017045962 of the Official Records of Monterey County; said portion being more particularly described as follows:

Beginning at a 1/2" iron pipe tagged "LS 6832" standing at the point of intersection of the westerly line of Las Lomas Drive, a County Road (formerly Jehl Road), with the northerly boundary of the aforesaid conveyed parcel, said intersection point being shown on that certain map filed for record in Volume 31 of Surveys, at Page 16, Records of Monterey County; thence along said northerly boundary

- 1) S. $85^{\circ}19'02''$ W., 13.52 feet; thence leaving said northerly boundary and curving, but not tangent thereto
- 2) Southerly along the arc of a circular curve to the right having a radius of 205.00 feet, the center of which bears N. $89^{\circ}30'47''$ W., 205.00 feet distant, through a central angle of $20^{\circ}56'54''$ for an arc distance of 74.95 feet to a point on the aforesaid westerly line of Las Lomas Drive; thence tangentially leaving said curve and along said westerly road line
- 3) N. $21^{\circ}26'07''$ E., 63.25 feet (N. $19^{\circ}28'05''$ E., map); thence non-tangentially curving
- 4) Northerly along the arc of a circular curve to the left having a radius of 93.00 feet, the center of which bears N. $68^{\circ}40'03''$ W., 93.00 feet distant (N. $70^{\circ}31'55''$ W., map), through a central angle of $09^{\circ}54'08''$ for an arc distance of 16.07 feet to the point of beginning

Containing an area of 363 square feet, more or less.

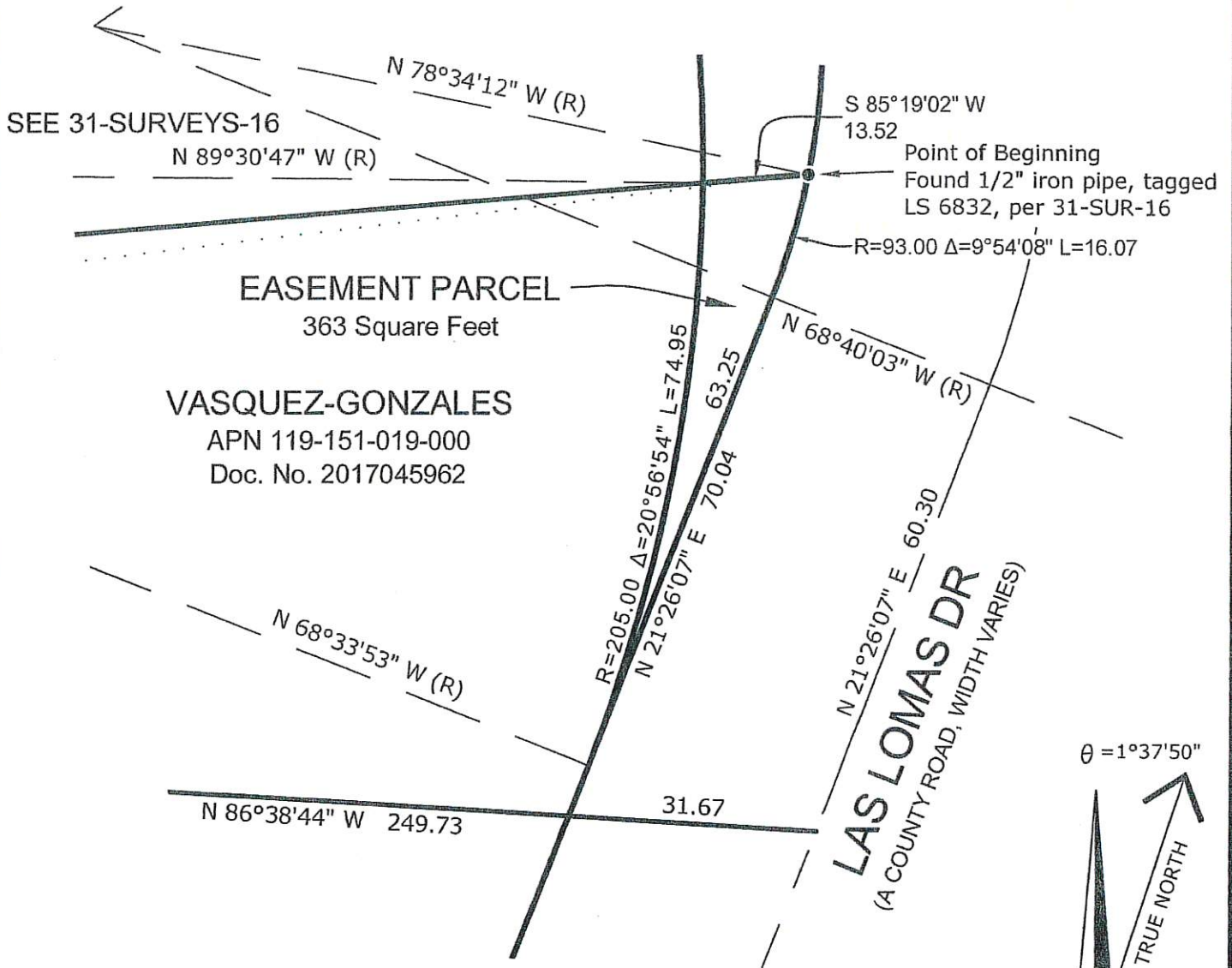
The above bearings and distances are based on the California Coordinate System 1983 Zone IV. To obtain bearings relative to true north, the grid bearings shown must be rotated clockwise approximately $1^{\circ}37'50''$. To obtain ground level distances, multiply the distances shown by 1.0000504.



Michael K. Goetz – PLS 5667
County Surveyor
Monterey County, California

July 9, 2018
Date





The above bearings and distances are based on the California Coordinate System 1983 Zone IV. To obtain bearings relative to true north, the grid bearings shown must be rotated clockwise approximately 1°37'50". To obtain ground level distances, multiply the distances shown by 1.0000504.



July 9, 2018
DATE
[Signature]
MICHAEL K. GOETZ
COUNTY SURVEYOR



COUNTY OF MONTEREY
RESOURCE MANAGEMENT AGENCY
OFFICE OF THE COUNTY SURVEYOR
1441 SCHILLING PLACE, SOUTH 2ND FLOOR
SALINAS, CALIFORNIA 93901
(831) 755-4800/FAX (831) 755-4958

PERMANENT ROAD EASEMENT ACQUISITION
PORTION OF APN 119-151-019-000
LAS LOMAS DRIVE STORM DRAIN PROJECT

EXHIBIT "B"

DATE	07/09/18	DRAWING	K: /SURVEYS/Las Lomas Hall Storm Drain	SHEET	1
SCALE	1"=30'	VIEW	119-151-019	OF	1

CTC 5211900 3166D

Stephen L. Vagnini
Monterey County Clerk-Recorder

Recorded at the request of:
CHICAGO TITLE SALINAS - 50 W

2019032837

RECORDING requested by:
County of Monterey

08/02/2019 02:41:47
Titles: 1 Pages: 5

When recorded, mail to:
Bender Rosenthal, Inc.
Attn: Rebekah Green
2825 Watt Avenue, Suite 200
Sacramento, CA 95821

Fees: \$0.00
Taxes: \$0.00
AMT PAID: \$0.00

Space above this line for Recorder's use

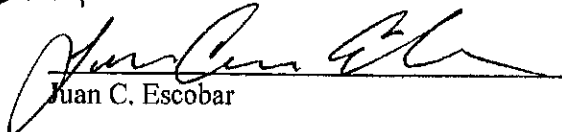
No recording fee required; this document is exempt from fee pursuant to Sections 6103 and 27383 of the California Government Code. This deed is exempt from tax pursuant to Section 11922 of the California Revenue and Taxation Code. Transfer to Government entity

Portion of APN:119-151-021
& 119-161-017
Las Lomas Drainage Project

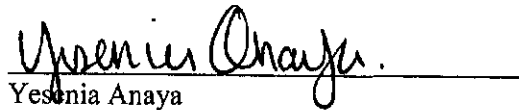
PERMANENT EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Juan C. Escobar and Yesenia Anaya, husband and wife as joint tenants**, hereby **GRANT** to the **County of Monterey, a political subdivision of the State of California**, a non-exclusive Permanent Easement upon, over and across the certain real property for the Las Lomas Drainage Project in the County of Monterey, State of California, for public roadway and utility purposes as described and depicted in Exhibit "A" and "B" attached hereto and incorporated herein by this reference.

Dated: 2-29-19, ~~2018~~ 2019



Juan C. Escobar



Yesenia Anaya

EXHIBIT "A"

Road: Las Lomas Drive

APN 119-151-021 & 119-161-017

All that certain real property situated in Rancho Bolsa de San Cayetano, County of Monterey, State of California, described as follows:

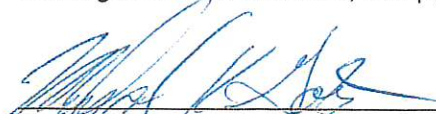
Being a portion of those certain "1.11 Ac." and "1.13 Ac." parcels, as shown and so designated on "Licensed Surveyors Map of Las Lomas Tract No. 5-A," filed for record September 6, 1939 in Volume 4 of Surveys at Page 2, Records of Monterey County, being also a portion of land conveyed by deed from Juan C. Escobar, et al, to Juan C. Escobar, et ux, dated December 9, 2016, and recorded December 15, 2016 as Document No. 2016076869 of the Official Records of Monterey County; said portion being more particularly described as follows:

Beginning at a 1/2" iron pipe tagged "LS 6832" standing at the point of intersection of the westerly line of Las Lomas Drive, a County Road (formerly Jehl Road), with the southerly boundary of the aforesaid conveyed parcel, said intersection point being shown on that certain map filed for record in Volume 31 of Surveys, at Page 16, Records of Monterey County; thence along said southerly boundary

- 1) S. 85°19'02" W., 13.52 feet; thence leaving said southerly boundary and curving, but not tangent thereto
- 2) Northerly along the arc of a circular curve to the left having a radius of 205.00 feet, the center of which bears N. 89°30'47" W., 205.00 feet distant, through a central angle of 29°24'33" for an arc distance of 105.22 feet; thence leaving said curve and tangent thereto
- 3) N. 28°55'21" W., 39.63 feet to the point on the northerly boundary of the aforesaid conveyed parcel; thence along said northerly boundary
- 4) N. 76°22'29" E., 2.29 feet (N. 74°30'37" E., map) to a point on the aforesaid westerly line of Las Lomas Drive; thence leaving said northerly boundary and non-tangentially curving along said westerly road line
- 5) Southeasterly along the arc of a circular curve to the left having a radius of 1800.30 feet, the center of which bears N. 58°14'14" E., 1800.30 feet distant (N. 56°22'23" E., map), through a central angle of 02°26'23" for an arc distance of 76.66 feet to a point of reverse curvature; thence curving
- 6) Southerly along the arc of a circular curve to the right having a radius of 93.00 feet, the center of which bears S. 55°47'51" W., 93.00 feet distant, through a central angle of 45°37'58" for an arc distance of 74.07 feet to the point of beginning

Containing an area of 1462 square feet, more or less.

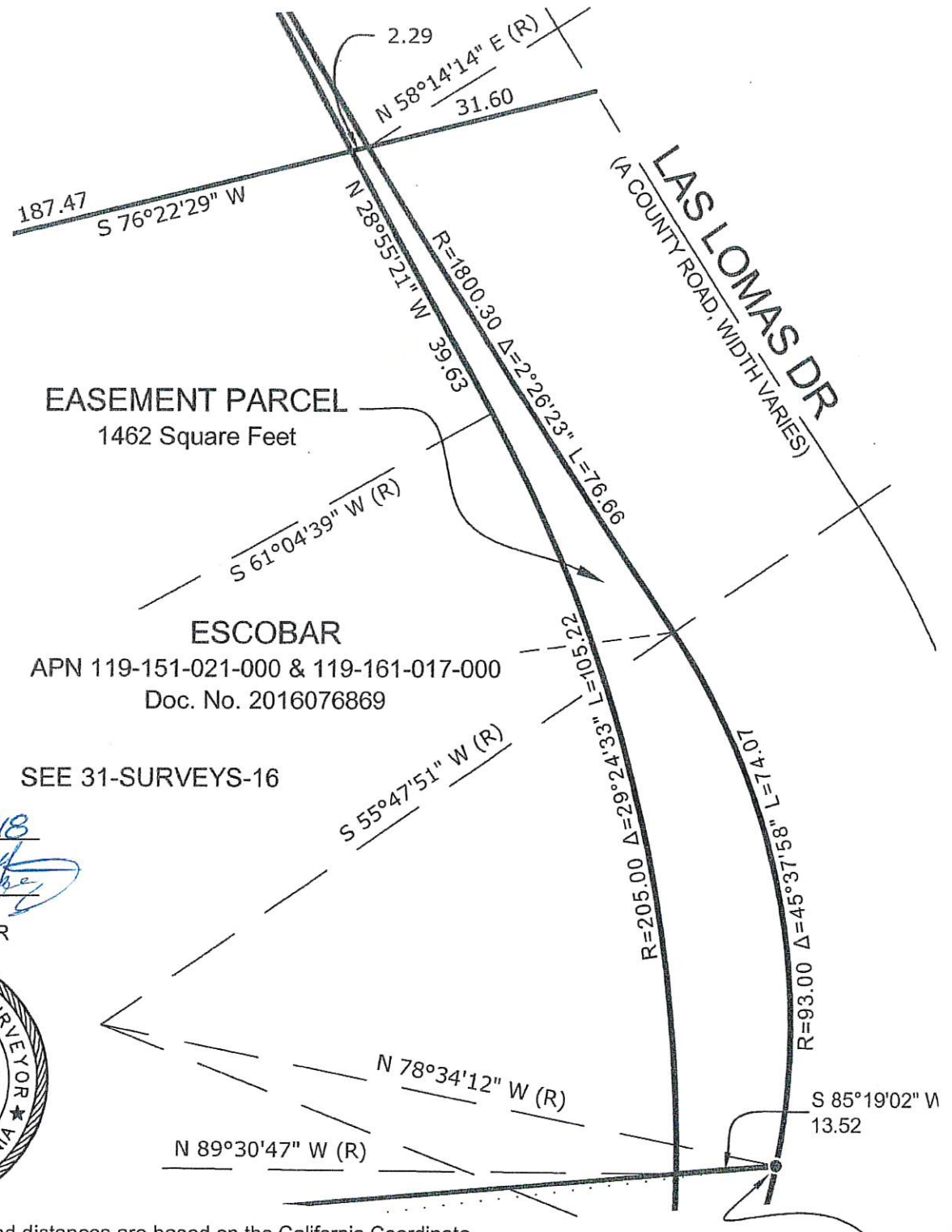
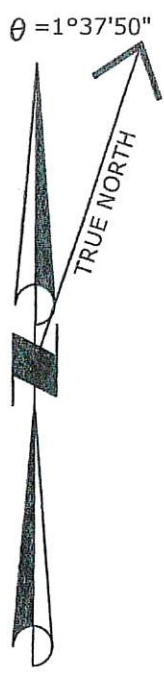
The above bearings and distances are based on the California Coordinate System 1983 Zone IV. To obtain bearings relative to true north, the grid bearings shown must be rotated clockwise approximately 1°37'50". To obtain ground level distances, multiply the distances shown by 1.0000504.



Michael K. Goetz - PLS 5667
County Surveyor - Monterey County, California

July 9, 2018
Date





July 9 2018
DATE
Michael K. Goetz
MICHAEL K. GOETZ
COUNTY SURVEYOR



The above bearings and distances are based on the California Coordinate System 1983 Zone IV. To obtain bearings relative to true north, the grid bearings shown must be rotated clockwise approximately 1°37'50". To obtain ground level distances, multiply the distances shown by 1.0000504.



COUNTY OF MONTEREY
RESOURCE MANAGEMENT AGENCY
OFFICE OF THE COUNTY SURVEYOR
1441 SCHILLING PLACE, SOUTH 2ND FLOOR
SALINAS, CALIFORNIA 93901
(831) 755-4800/FAX (831) 755-4958

PERMANENT ROAD EASEMENT ACQUISITION			
PORTION OF APN 119-151-021-000 & 119-161-017-000 LAS LOMAS DRIVE STORM DRAIN PROJECT			
EXHIBIT "B"			
DATE	07/09/18	DRAWING	K./SURVEYS/Las Lomas Hall Storm Drain
SCALE	1"=20'	VIEW	119-151-021
			SHEET 1 OF 1

CTC 5211900341LP

Stephen L. Vagnini
Monterey County Clerk-Recorder
Recorded at the request of:
CHICAGO TITLE SALINAS - 50 W

2019032851

08/02/2019 03:13:33
Titles: 1 Pages: 5

Fees: \$0.00
Taxes: \$0.00
AMT PAID: \$0.00

RECORDING requested by
County of Monterey:

When recorded, mail to:
Bender Rosenthal, Inc.
Attn: Rebekah Green
2825 Watt Avenue, Suite 200
Sacramento, CA 95821

Space above this line for Recorder's use

No recording fee required; this document is exempt from fee pursuant to Sections 6103 and 27383 of the California Government Code. This deed is exempt from tax pursuant to Section 11922 of the California Revenue and Taxation Code. Transfer to Government entity

Portion of APN: 119-161-011
Las Lomas Drainage Project

PERMANENT EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Juan Escobar Fernandez and Esperanza Zamora, husband and wife, as Joint Tenants,** hereby **GRANT** to the **County of Monterey, a political subdivision of the State of California,** a non-exclusive Permanent Easement upon, over and across the certain real property for the Las Lomas Drainage Project in the County of Monterey, State of California, described and depicted in Exhibit A/attached hereto and incorporated herein by this reference. and Exhibit B

Dated: ~~02-25-18~~ ²⁰¹⁹ 2018
JD


Juan Escobar Fernández

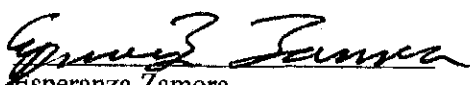

Esperanza Zamora

EXHIBIT "A"

Road: Las Lomas Drive

APN 119-161-011

All that certain real property situated in Rancho Bolsa de San Cayetano, County of Monterey, State of California, described as follows:

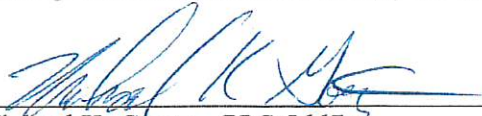
Being a portion of that certain "1.13 Ac." parcel, as shown and so designated on "Licensed Surveyors Map of Las Lomas Tract No. 5-A," filed for record September 6, 1939 in Volume 4 of Surveys at Page 2, Records of Monterey County, being also a portion of land conveyed by deed from Raul Ortiz Rocha to Juan Escobar Fernandez, et ux, dated November 1, 1994, and recorded November 13, 1995 in Reel 3300 of Official Records, at Page 626, Records of Monterey County; said portion being more particularly described as follows:

Beginning at the point of intersection of the northwesterly boundary of the aforesaid conveyed parcel with the westerly line of Las Lomas Drive, a County Road (formerly Jehl Road), from which a spike standing in the centerline of said road bears N. 60°19'08" E., 30.00 feet distant, said intersection point and said spike being shown on that certain map filed for record in Volume 31 of Surveys, at Page 16, Records of Monterey County; thence curving along said westerly road line

- 1) Southeasterly along the arc of a circular curve to the left having a radius of 1800.30 feet, the center of which bears N. 61°04'39" E., 1800.30 feet distant through a central angle of 02°50'26" for an arc distance of 89.25 feet to a point on the southerly boundary of said conveyed parcel; thence non-tangentially leaving said westerly road line and along said southerly boundary
- 2) S. 76°22'29" W., 2.29 feet (N. 74°30'37" E., map); thence leaving said southerly boundary
- 3) N. 28°55'21" W., 88.61 feet to the point of beginning.

Containing an area of 65 square feet, more or less.

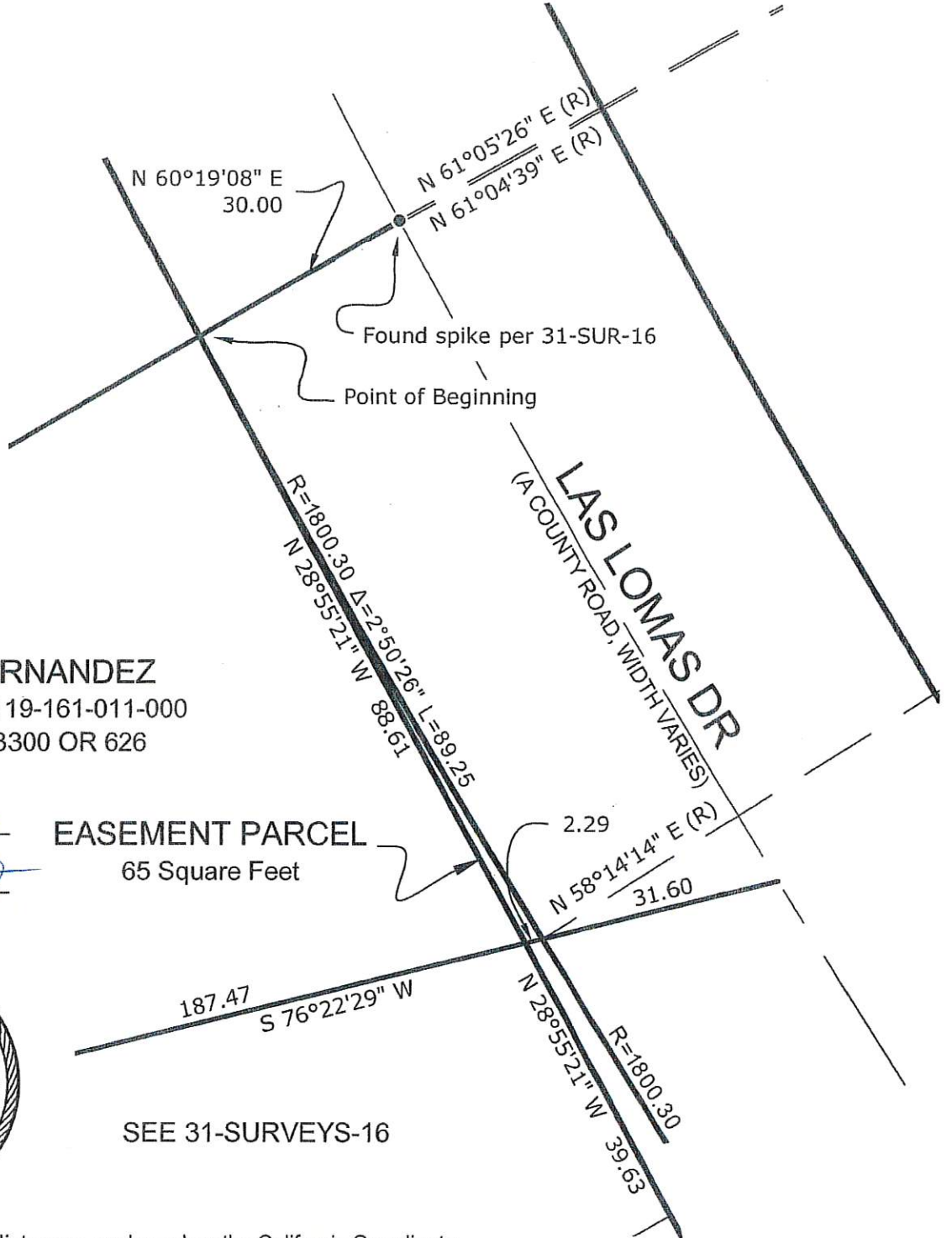
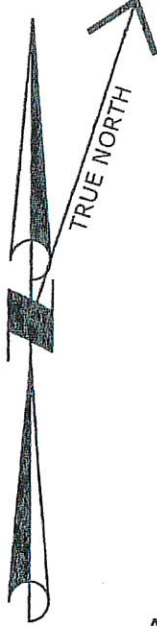
The above bearings and distances are based on the California Coordinate System 1983 Zone IV. To obtain bearings relative to true north, the grid bearings shown must be rotated clockwise approximately 1°37'50". To obtain ground level distances, multiply the distances shown by 1.0000504.


Michael K. Goetz - PLS 5667
County Surveyor - Monterey County, California

July 9, 2018
Date



$\theta = 1^{\circ}37'50''$



FERNANDEZ
APN 119-161-011-000
R 3300 OR 626

July 9, 2018
DATE

Michael K. Goetz
MICHAEL K. GOETZ
COUNTY SURVEYOR

EASEMENT PARCEL
65 Square Feet



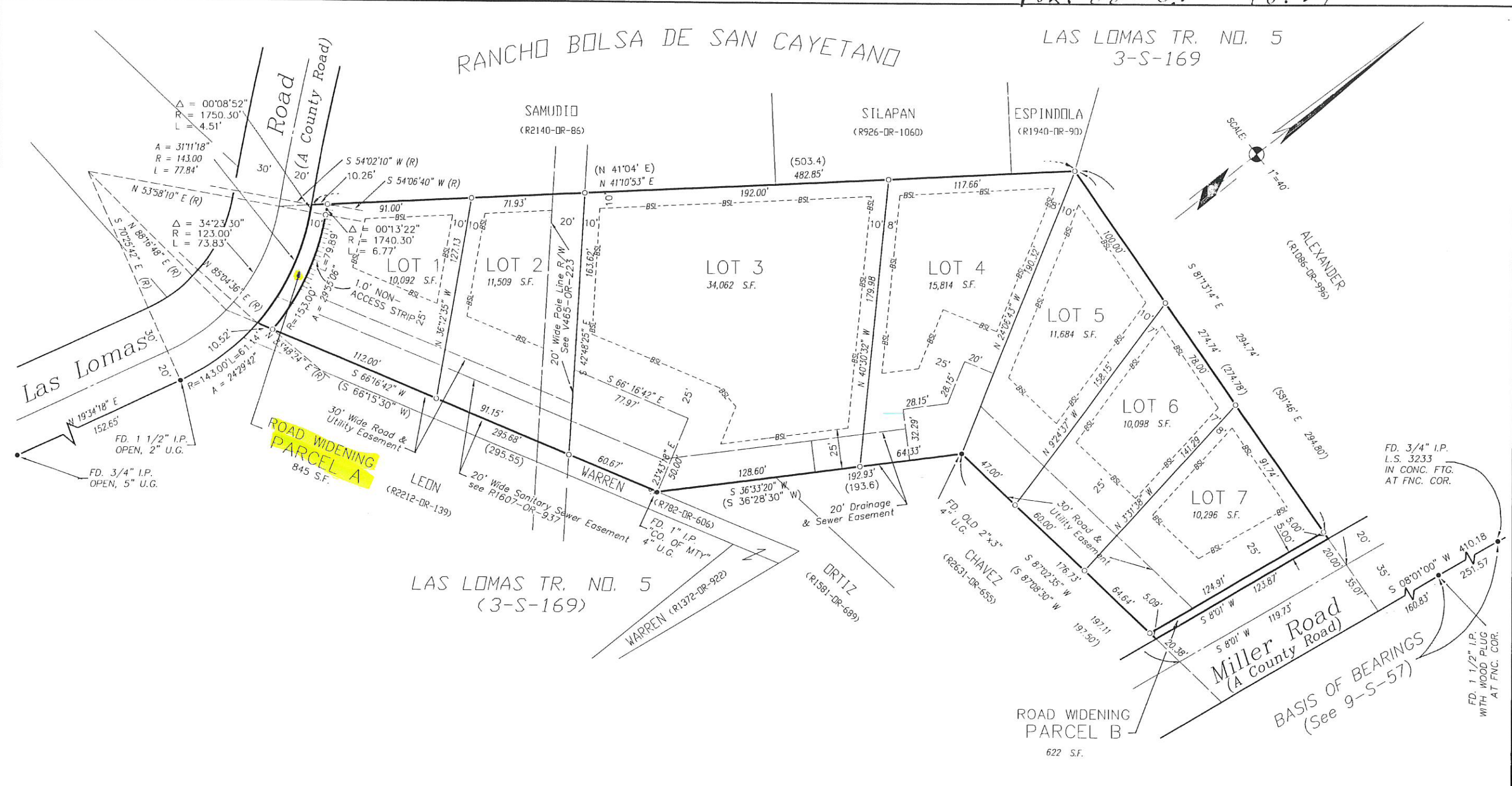
SEE 31-SURVEYS-16

The above bearings and distances are based on the California Coordinate System 1983 Zone IV. To obtain bearings relative to true north, the grid bearings shown must be rotated clockwise approximately 1°37'50". To obtain ground level distances, multiply the distances shown by 1.0000504.



COUNTY OF MONTEREY
RESOURCE MANAGEMENT AGENCY
OFFICE OF THE COUNTY SURVEYOR
1441 SCHILLING PLACE, SOUTH 2ND FLOOR
SALINAS, CALIFORNIA 93901
(831) 755-4800/FAX (831) 755-4958

PERMANENT ROAD EASEMENT ACQUISITION		
PORTION OF APN 119-161-011-000 LAS LOMAS DRIVE STORM DRAIN PROJECT		
EXHIBIT "B"		
DATE	07/09/18	DRAWING
SCALE	1"=20'	K: /SURVEYS/Las Lomas Hall Storm Drain
		VIEW
		119-161-011
		SHEET
		1
		OF
		1



BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE EASTERLY LINE OF MILLER ROAD AS SHOWN ON MAP FILED IN BOOK 9 OF SURVEYS PAGE 57, AS DETERMINED FROM MONUMENTS FOUND.

NOTES:

1. DISTANCES AND DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF.

LEGEND

- 1. (N89°E) DATA WITHIN PARENTHESES, (N89°E), REFERS TO RECORD.
- 2. ————— DENOTES THE BOUNDARY OF THE LANDS SUBDIVIDED BY THIS MAP.
- 3. ● DENOTES FOUND MONUMENT, AS NOTED.
- 4. ○ DENOTES SET IRON PIPE, LS 3880.
- 5. - - - - - BSL DENOTES BUILDING SETBACK LINE
- 6. ||||| DENOTES 1.0' NON-ACCESS STRIP

TRACT 1393
ORTEGA SUBDIVISION

A PORTION OF
UN-OFFICIAL LOT 3 OF
LAS LOMAS TRACT NO. 5,
FILED IN VOL. 3-S-169, IN THE RANCHO
BOLSA DE SAN CAYETANO, MONTEREY COUNTY, CA.

PREPARED FOR:
MR. ARNOLD ORTEGA, ET UX

PREPARED BY:
MONTEREY COUNTY SURVEYORS, INC.



235 Salinas Street Salinas, CA 93901 (408) 424-1984
Scale: 1" = 40' Job No: 16877 Date: Aug, 2002
Sheet: 2 of 2

REF APN: 119162004000

OWNER'S CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY, AND WE CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINES. AND HEREBY DEDICATE TO PUBLIC USE, LAS LOMAS DRIVE, MILLER ROAD, PARCEL A AND PARCEL B, AS SHOWN UPON SAID MAP WITHIN SAID SUBDIVISION.

WE ALSO HEREBY DEDICATE FOR PUBLIC USE EASEMENTS FOR PUBLIC UTILITIES INCLUDING BUT NOT LIMITED TO ELECTRICITY, GAS, COMMUNICATIONS, WATER AND THEIR NECESSARY APPURTENANCES ON, OVER OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED AS "PUBLIC UTILITIES EASEMENTS" (P.U.E.) AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION, SUCH STRIPS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS OR STRUCTURES NOT SERVING THE PURPOSE OF THE EASEMENTS.

WE ALSO HEREBY DEDICATE FOR PUBLIC USE EASEMENTS FOR SANITARY SEWERS AND THEIR NECESSARY APPURTENANCES ON AND UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED "SANITARY SEWER EASEMENTS" AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION; SUCH STRIPS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS OR STRUCTURES NOT SERVING THE PURPOSE OF THE EASEMENTS.

WE ALSO HEREBY DEDICATE FOR PUBLIC USE EASEMENTS FOR DRAINAGE, BOTH SURFACE AND UNDERGROUND AND THEIR NECESSARY APPURTENANCES ON AND UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED "DRAINAGE EASEMENTS" AS SHOWN ON SAID MAP WITHIN SAID SUBDIVISION; SUCH STRIPS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS OR STRUCTURES NOT SERVING THE PURPOSE OF THE EASEMENTS.

WE ALSO DEDICATE CERTAIN NON-ACCESS STRIPS, 1.0 FT. WIDE, SUBJECT TO THE CONDITION THAT THEY SHALL NOT BE OPENED FOR PUBLIC USE AND TRAVEL UNTIL SUCH TIME AS THEY ARE OPENED BY ORDER OF THE BOARD OF SUPERVISORS OF MONTEREY COUNTY, CALIFORNIA, SAID STRIPS OF LAND SITUATED AS SHOWN ON THE WITHIN SUBDIVISION MAP AND INDICATED THUS

ARNOLD V. ORTEGA AND MARY L. ORTEGA, Husband and Wife

[Signatures of Arnold V. Ortega and Mary L. Ortega]

STEWART TITLE COMPANY, INC. A California Corporation

Trustee under deed of trust recorded in Doc. # 2000006026

Bryan Taylor, Vice President

BRYAN TAYLOR

SIGNATURES OF THE FOLLOWING ARE NOT REQUIRED PURSUANT TO SECTION 664.36.3 OF THE GOVERNMENT CODE:

- 1) THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY, A CORPORATION; (NOW PACIFIC BELL, A CORPORATION) EASEMENT HOLDER BY DOCUMENT RECORDED IN BOOK 465-OR-223
2) COAST COUNTIES GAS AND ELECTRIC COMPANY, A CORPORATION; (NOW PACIFIC GAS & ELECTRIC COMPANY, A CORPORATION) EASEMENT HOLDER BY DOCUMENT RECORDED IN BOOK 671-OR-498 (NOT LOCATABLE)
3) PAJARO COUNTY SANITATION DISTRICT, EASEMENT HOLDER BY DOCUMENT RECORDED IN R 1607-OR-937 AND REEL 1651-OR- 39 (NOT LOCATABLE)
4) PACIFIC GAS AND ELECTRIC COMPANY, A CALIFORNIA CORPORATION EASEMENT HOLDER BY DOCUMENT RECORDED IN R 2854-115 (NOT LOCATABLE)

STATE OF CALIFORNIA : ss
COUNTY OF MONTEREY :

ON AUG. 27, 2002 BEFORE ME, ALAN G. MILLER PERSONALLY APPEARED ARNOLD V. ORTEGA PERSONALLY KNOWN TO ME (OR 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.

WITNESS MY HAND AND OFFICIAL SEAL

[Signature of Alan G. Miller]
Comm. # 1288277
Exp. 1-20-05

STATE OF CALIFORNIA : ss
COUNTY OF MONTEREY :

ON AUG. 28, 2002 BEFORE ME, ALAN G. MILLER PERSONALLY APPEARED MARY L. ORTEGA PERSONALLY KNOWN TO ME (OR 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.

WITNESS MY HAND AND OFFICIAL SEAL

[Signature of Alan G. Miller]
Comm. # 1288277
Exp. 1-20-05

STATE OF CALIFORNIA : ss
COUNTY OF MONTEREY :

ON Aug. 29, 2002 BEFORE ME, S. MALICEK PERSONALLY APPEARED BRYAN TAYLOR PERSONALLY KNOWN TO ME (OR 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.

WITNESS MY HAND AND OFFICIAL SEAL

[Signature of S. Malicek]
Comm # 1261999
Exp. April 27, 2004

STATE OF CALIFORNIA : ss
COUNTY OF MONTEREY :

ON _____ BEFORE ME, _____ PERSONALLY APPEARED _____ PERSONALLY KNOWN TO ME (OR 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.

WITNESS MY HAND AND OFFICIAL SEAL

BOARD OF SUPERVISORS

I, Carrie Wilkinson, CLERK OF THE BOARD OF SUPERVISORS OF MONTEREY COUNTY, CALIFORNIA, HEREBY CERTIFY THAT SAID BOARD APPROVED THE WITHIN MAP ON THE 11th of March 2003, AND ACCEPTED ON BEHALF OF THE PUBLIC ALL OFFERS OF DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

[Signature of Carrie Wilkinson]
BY: Carrie Wilkinson
DEPUTY

PLANNING COMMISSION CERTIFICATE

I, Scott Hennessy, SECRETARY OF THE PLANNING COMMISSION OF THE COUNTY OF MONTEREY, CALIFORNIA, HEREBY CERTIFY THAT I HAVE EXAMINED THE WITHIN MAP; THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE PLANNING COMMISSION OF THE COUNTY OF MONTEREY ON 3-31-91 THAT ALL THE PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT AND TITLE 19, MONTEREY COUNTY CODE, HAVE BEEN COMPLIED WITH.

[Signature of Scott Hennessy] 3/28/03
SECRETARY OF THE PLANNING COMMISSION OF MONTEREY COUNTY, CALIFORNIA

STATE OF CALIFORNIA : ss
COUNTY OF LOS ANGELES :

ON _____ BEFORE ME, _____ PERSONALLY APPEARED _____ PERSONALLY KNOWN TO ME (OR 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.

WITNESS MY HAND AND OFFICIAL SEAL

STATE OF CALIFORNIA : ss
COUNTY OF LOS ANGELES :

ON _____ BEFORE ME, _____ PERSONALLY APPEARED _____ PERSONALLY KNOWN TO ME (OR 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.

WITNESS MY HAND AND OFFICIAL SEAL

COUNTY SURVEYOR'S STATEMENT

I, G.H. Nichols, COUNTY SURVEYOR OF MONTEREY COUNTY, CALIFORNIA, HEREBY CERTIFY THAT I HAVE EXAMINED THE WITHIN SUBDIVISION MAP, THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE BOARD OF SUPERVISORS OF MONTEREY COUNTY ON 3-31-91 THAT ALL OF THE SUBDIVISION IS LOCATED ENTIRELY WITHIN THE COUNTY OF MONTEREY, THAT ALL OF THE PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT, AS AMENDED, AND ALL LOCAL ORDINANCES HAVE BEEN COMPLIED WITH, AND THAT SAID MAP IS TECHNICALLY CORRECT.

[Signature of G.H. Nichols]
COUNTY SURVEYOR OF THE COUNTY OF MONTEREY
R.C.E. 7544
EXPIRES 12-31-03

SURVEYOR'S STATEMENT

I, ALAN G. MILLER, LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME, OR UNDER MY DIRECTION, DURING OCT., 1991; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THEY WILL BE SET IN SUCH POSITIONS ON OR BEFORE ONE YEAR AFTER THE RECORDATION OF THIS MAP BY THE MONTEREY COUNTY RECORDER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

[Signature of Alan G. Miller]
ALAN G. MILLER, LICENSED LAND SURVEYOR
LS 3880 EXPIRES: 6/30/04



COUNTY RECORDER'S CERTIFICATE

FILED THIS 29th DAY OF APRIL, 2002 2003 AT 2:44 PM IN BOOK 22 OF CITIES & TOWNS AT PAGE 29 AT THE REQUEST OF STEWART TITLE CO STEPHEN L. VAGNINI JOSEPH E. BITTA COUNTY RECORDER FEE: \$9.00

BY: [Signature] DEPUTY S.N. 200304908

NOTES:

- 1. THIS IS A PRIVATE ROAD SUBDIVISION.
2. "A GEOLOGICAL/GEOTECHNICAL REPORT PREPARED FOR THE PARCEL BY GRICE ENGINEERING, INC. IS CONTAINED IN STANDARD SUBDIVISION FILE SB-867 ON FILE IN THE MONTEREY COUNTY PLANNING AND BUILDING INSPECTION DEPARTMENT. SPECIFIC MITIGATION MEASURES ARE CONTAINED IN THE GEOLOGICAL/GEOTECHNICAL AND OTHER CITED REFERENCES."

TRACT 1393
ORTEGA SUBDIVISION
A PORTION OF
UN-OFFICIAL LOT 3 OF
LAS LOMAS TRACT NO. 5,
FILED IN VOL. 3-S-169, IN THE RANCHO
BOLSA DE SAN CAYETANO, MONTEREY COUNTY, CA.

PREPARED FOR:
MR. ARNOLD ORTEGA, ET UX
PREPARED BY:



MONTEREY COUNTY SURVEYORS, INC.
235 Salinas Street Salinas, CA 93901 (408) 424-1984
Scale: N/A Job No: 16877 Date: AUG., 2002
Sheet: 1 of: 2

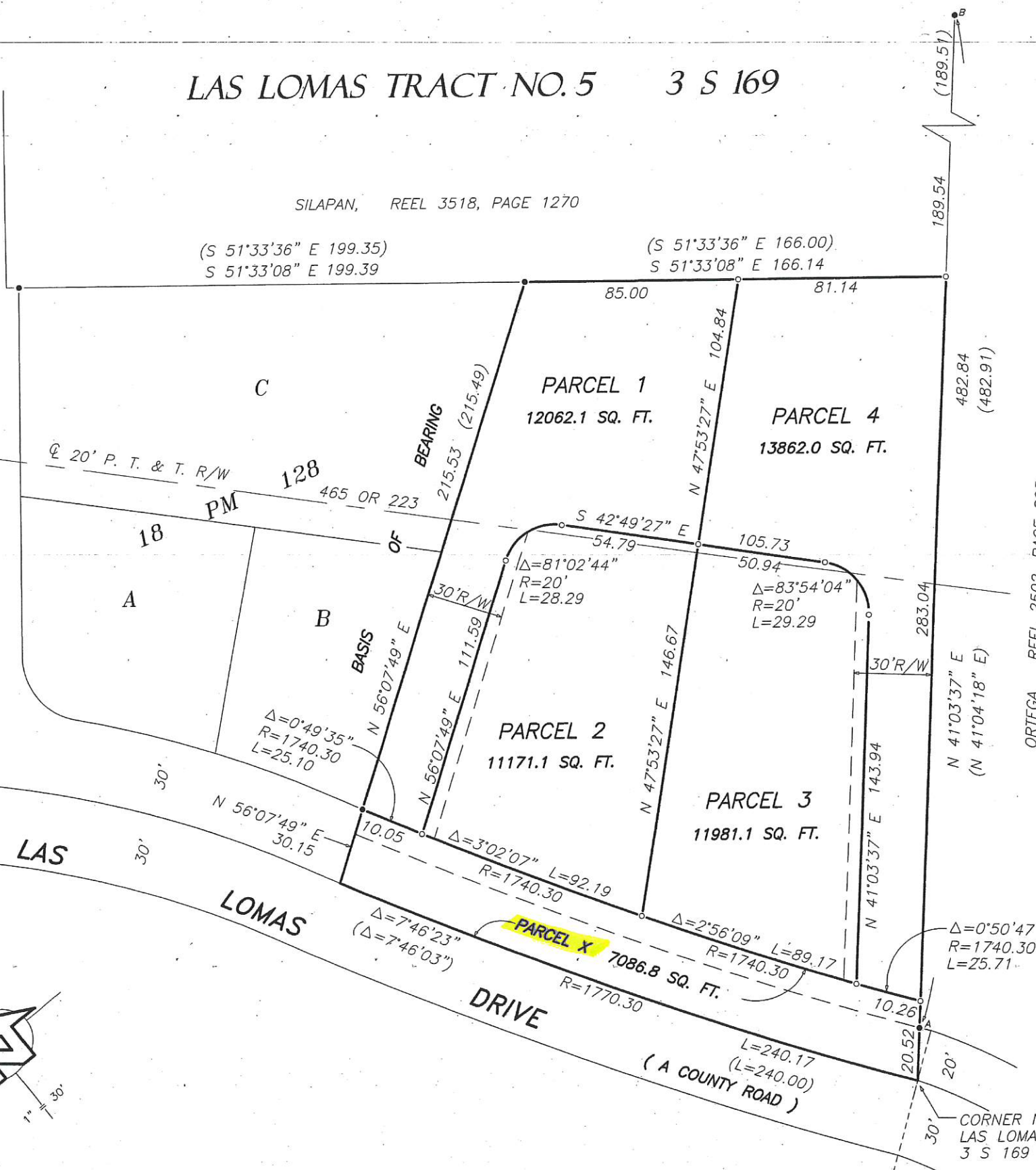
LAS LOMAS TRACT NO. 5 3 S 169

SILAPAN, REEL 3518, PAGE 1270

(S 51°33'36" E 199.35)
S 51°33'08" E 199.39

(S 51°33'36" E 166.00)
S 51°33'08" E 166.14

THOMAS ROAD (A COUNTY ROAD)



NOTES

1. ALL DEVELOPMENT ON THESE PARCELS SHALL HAVE A DRAINAGE AND EROSION CONTROL PLAN TO BE PREPARED BY A REGISTERED CIVIL ENGINEER, TO ADDRESS ON-SITE AND OFF-SITE IMPACTS.
2. A GEOTECHNIC REPORT HAS BEEN PREPARED FOR THIS PROJECT BY JACOB AND ASSOCIATES, AND IS ON FILE IN THE MONTEREY COUNTY PLANNING AND BUILDING INSPECTION LIBRARY #14.03.197. ALL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THIS REPORT.

LEGEND

- FOUND 1/2" I.P. TAGGED LS 3233, UNLESS NOTED OTHERWISE
 - SET 1/2" PIPE, TAGGED LS 4134
 - A FOUND 1 1/4" PIPE, OPEN
 - B FOUND 2" PIPE PLUGGED WITH NAIL, NO TAG
 - () RECORD INFORMATION
- ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

BASIS OF BEARING:

N 56°07'49" E, ESTABLISHED BETWEEN THE FOUND MONUMENTS ALONG THE NORTHWEST BOUNDARY AS SHOWN ON THAT PARCEL MAP RECORDED IN VOLUME 18, OF PARCEL MAPS, AT PAGE 128, MONTEREY COUNTY RECORDS.

MINOR SUBDIVISION NO. PC93018

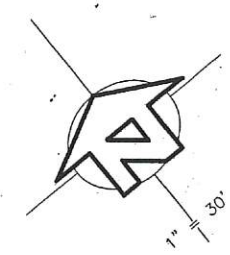
PARCEL MAP

FERNANDO RAMIREZ, et al

Reel 2714, Page 1098, Monterey County Records
Situata in Rancho Bolsa Nueva de San Cayetano

MONTEREY COUNTY, CALIFORNIA
BRIDGETTE LAND SURVEYING

64 PENNY LANE, SUITE B, WATSONVILLE CA
95076 831-722-5800 FAX: 831-722-8077
APN 119-162-008 JOB #0031 SCALE: 1"=30'



OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO, THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP...

OWNERS BY DEED RECORDED IN REEL 2714, OFFICIAL RECORDS, PAGE 1098, MONTEREY COUNTY RECORDS

Signatures of Fernando Ramirez, Jose Lopez, and Martin C. Moya.

TRUSTEE: LOMAREY, INC., A CORPORATION BY DEED RECORDED ON REEL 2714, OFFICIAL RECORDS, PAGE 1100, MONTEREY COUNTY

TRUSTEE: CALIFORNIA RECONVEYANCE COMPANY, BY DOCUMENT NO. 2001-068116, OFFICIAL RECORDS MONTEREY COUNTY

Signatures of Marie Brails and Sondra Messick.

ACKNOWLEDGEMENT

STATE OF CALIFORNIA

COUNTY OF Santa Cruz SS

ON 10-22-02 BEFORE ME, Ann M. Tafari NOTARY PUBLIC, PERSONALLY APPEARED Marie Brails + Sondra Messick

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES...

WITNESS MY HAND AND OFFICIAL SEAL SIGNATURE [Signature] Comm # 1325401 Expires 3-4-06

ACKNOWLEDGEMENT

STATE OF CALIFORNIA

COUNTY OF _____ SS

ON _____ BEFORE ME, _____ NOTARY PUBLIC, PERSONALLY APPEARED _____

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES...

WITNESS MY HAND AND OFFICIAL SEAL SIGNATURE _____

ACKNOWLEDGEMENT

STATE OF CALIFORNIA

COUNTY OF Santa Cruz SS

ON Nov. 1, 2002 BEFORE ME, Melissa Gallardo NOTARY PUBLIC, PERSONALLY APPEARED Jose Lopez + Aida Lopez + Fernando Ramirez + Elena Moya + Martin Calvario Moya

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES...

WITNESS MY HAND AND OFFICIAL SEAL SIGNATURE [Signature]



COUNTY SURVEYOR'S STATEMENT

I, Michael K. Goetz, COUNTY SURVEYOR OF MONTEREY COUNTY, HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP...

DATED SEPTEMBER 17, 2012

Signatures of Michael K. Goetz and Jerry L. Combs.

COUNTY RECORDER'S STATEMENT

FILED THIS 6th DAY OF November, 2012 AT _____ M. IN

VOLUME 23 OF PARCEL MAPS, AT PAGE 28, AT THE REQUEST

OF Old Republic Title

SIGNED Stephen L. Vagnini BY [Signature] COUNTY RECORDER DEPUTY

FEE \$12.00 2012068010

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF FERNANDO RAMIREZ IN JANUARY 1992...



ACKNOWLEDGEMENT

STATE OF CALIFORNIA

COUNTY OF _____ SS

ON _____ BEFORE ME, _____ NOTARY PUBLIC, PERSONALLY APPEARED _____

PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES...

WITNESS MY HAND AND OFFICIAL SEAL SIGNATURE _____

CLERK OF THE BOARD OF SUPERVISOR'S STATEMENT

I, Gail T. Borkowski, CLERK OF THE BOARD OF SUPERVISORS OF MONTEREY COUNTY, HEREBY STATE THAT SAID BOARD APPROVED THE WITHIN MAP ON THE 25th DAY OF September AND ACCEPTED ON BEHALF OF THE PUBLIC, ALL OFFERS OF DEDICATION FOR PUBLIC USE, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION.

CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA BY [Signature] DEPUTY

MINOR SUBDIVISION NO. PC93018

PARCEL MAP

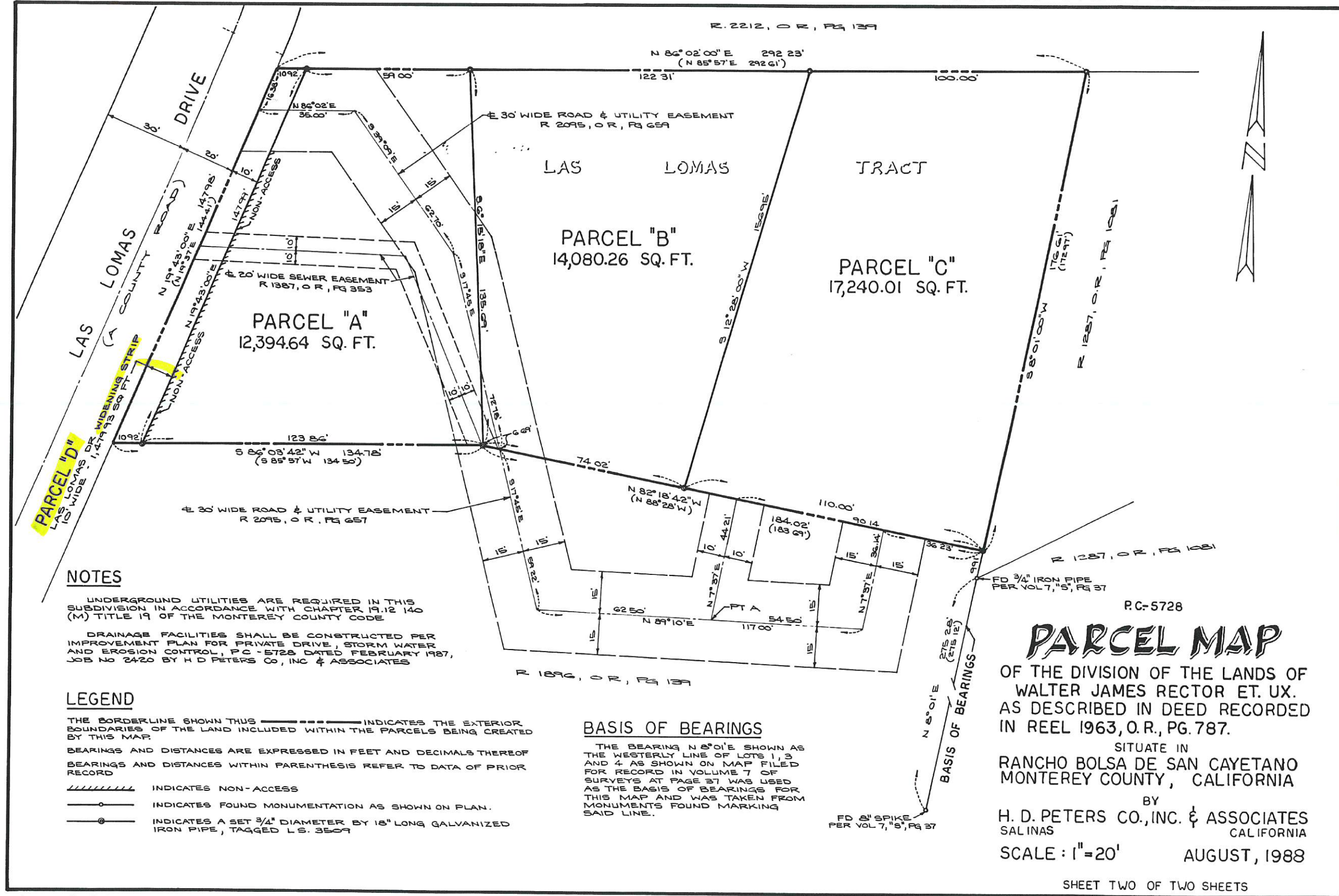
FERNANDO RAMIREZ, et al

Reel 2714, Page 1098, Monterey County Records Situate in Rancho Bolsa Nueva de San Cayetano

MONTEREY COUNTY, CALIFORNIA

BRIDGETTE LAND SURVEYING

64 PENNY LANE, SUITE B, WATSONVILLE CA 95076 831-722-5800 FAX: 831-722-8077 APN 119-162-008 JOB #0031 SCALE: 1"=30'



NOTES

UNDERGROUND UTILITIES ARE REQUIRED IN THIS SUBDIVISION IN ACCORDANCE WITH CHAPTER 19.12 140 (M) TITLE 19 OF THE MONTEREY COUNTY CODE

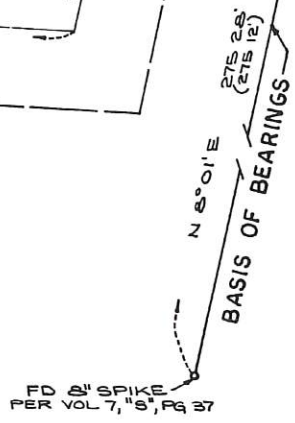
DRAINAGE FACILITIES SHALL BE CONSTRUCTED PER IMPROVEMENT PLAN FOR PRIVATE DRIVE, STORM WATER AND EROSION CONTROL, P.C. - 5728 DATED FEBRUARY 1987, JOB NO 2420 BY H D PETERS CO., INC & ASSOCIATES

LEGEND

- THE BORDERLINE SHOWN THUS INDICATES THE EXTERIOR BOUNDARIES OF THE LAND INCLUDED WITHIN THE PARCELS BEING CREATED BY THIS MAP.
- BEARINGS AND DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF
- BEARINGS AND DISTANCES WITHIN PARENTHESIS REFER TO DATA OF PRIOR RECORD
- INDICATES NON-ACCESS
- INDICATES FOUND MONUMENTATION AS SHOWN ON PLAN.
- INDICATES A SET 3/4" DIAMETER BY 18" LONG GALVANIZED IRON PIPE, TAGGED L.S. 3509

BASIS OF BEARINGS

THE BEARING N 8°01'E SHOWN AS THE WESTERLY LINE OF LOTS 1, 3 AND 4 AS SHOWN ON MAP FILED FOR RECORD IN VOLUME 7 OF SURVEYS AT PAGE 37 WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP AND WAS TAKEN FROM MONUMENTS FOUND MARKING SAID LINE.



P.C.-5728

PARCEL MAP

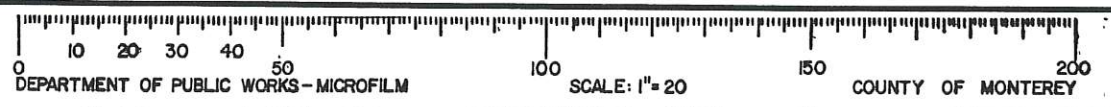
OF THE DIVISION OF THE LANDS OF WALTER JAMES RECTOR ET. UX. AS DESCRIBED IN DEED RECORDED IN REEL 1963, O.R., PG. 787.

SITUATE IN RANCHO BOLSA DE SAN CAYETANO MONTEREY COUNTY, CALIFORNIA

BY H. D. PETERS CO., INC. & ASSOCIATES SALINAS CALIFORNIA

SCALE : 1" = 20' AUGUST, 1988

LDG 4953



We hereby certify that we are the owners of, or have some right, title or interest in and to the real property included within the subdivision shown upon this map, and that we are the only persons whose consent is necessary to pass a clear title to said property, and we consent to the preparation and recordation of said map and subdivision as shown within the subdivision boundary lines and hereby dedicate to public use Parcel #2 Las Lomas Drive watering strip shown upon said map within said subdivision.

* Subject however to the following interest which cannot ripen into a fee, the signatures of which are not required pursuant to current sections of the government code.

Pajaro County Sanitation District holder of easement rights in the following easement for sewer lines recorded January 30, 1980 in reel 1287 at page 353 "Official Records."

Walter James Rector
Walter James Rector

Marian Rector
Marian Rector

Portola Investment Corporation, trustee per deed dated May 7, 1966 and recorded June 6, 1966 in Reel 1963 at page 789 "Official Records."

By William P. Piel

By Gladya G. Munoz

* We also hereby relinquish any and all abutters rights of access to Las Lomas Drive along lines shown thus ~~~~~

State of California 7 ss.
County of ~~Santa Cruz~~

On Sept. 20, 1988 before me, the undersigned, a Notary Public in and for said state, personally appeared Walter James Rector and Marian Rector known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

Witness my hand and official seal.

Helen R. Silva
Notary Public

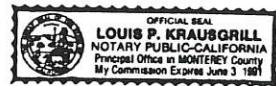


State of California 7 ss.
County of SANTA CRUZ

On August 23, 1988 before me, the undersigned, a Notary Public in and for said state, personally appeared William J. Meidt, known to me to be the president, and Gladya G. Munoz known to me to be the secretary of the corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

Witness my hand and official seal.

Louis P. Krausgrill
Notary Public



Clerk of the Board of Supervisors

I ERNEST K. MORISHITA, Clerk of the Board of Supervisors of Monterey County, hereby certify that said board on the 18th day of OCTOBER, 1988, accepted on behalf of the public, all offers of dedication for public use, in conformity with the terms of the offer of dedication.

By ERNEST K. MORISHITA

Clerk
of the Board of Supervisors of
the County of Monterey, State of
California.

By Anne Arri
Deputy

County Recorder's Statement

Filed this 21st day of OCTOBER, 1988,
at 10:09 a.m. in book 17 of PARCEL MAPS, at page
135, at the request of H.D. Peters Co.

ERNEST A. MAGGINI
County Recorder

By Dellie D. Bryant
Deputy

Fee: \$ 8.00 G.No. 56505

Surveyor's Statement

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the subdivision map act and local ordinance at the request of Jim Rector on March, 1987. I hereby state that this parcel map substantially conforms to the approved or conditionally approved tentative map, if any.

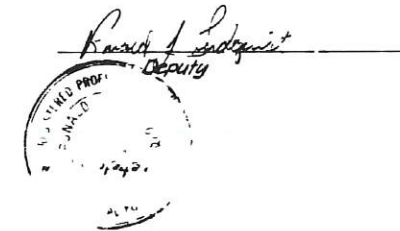
Leon W. Davis
Licensed Land Surveyor No. 3509
License expires June 30, 1992

County Surveyor's Statement

This map conforms with the requirements of the subdivision map act and local ordinance.

Date OCTOBER 17 1988

BRUCE W. McCLAIN
County Surveyor, Monterey
County, California.



PC-5728

PARCEL MAP

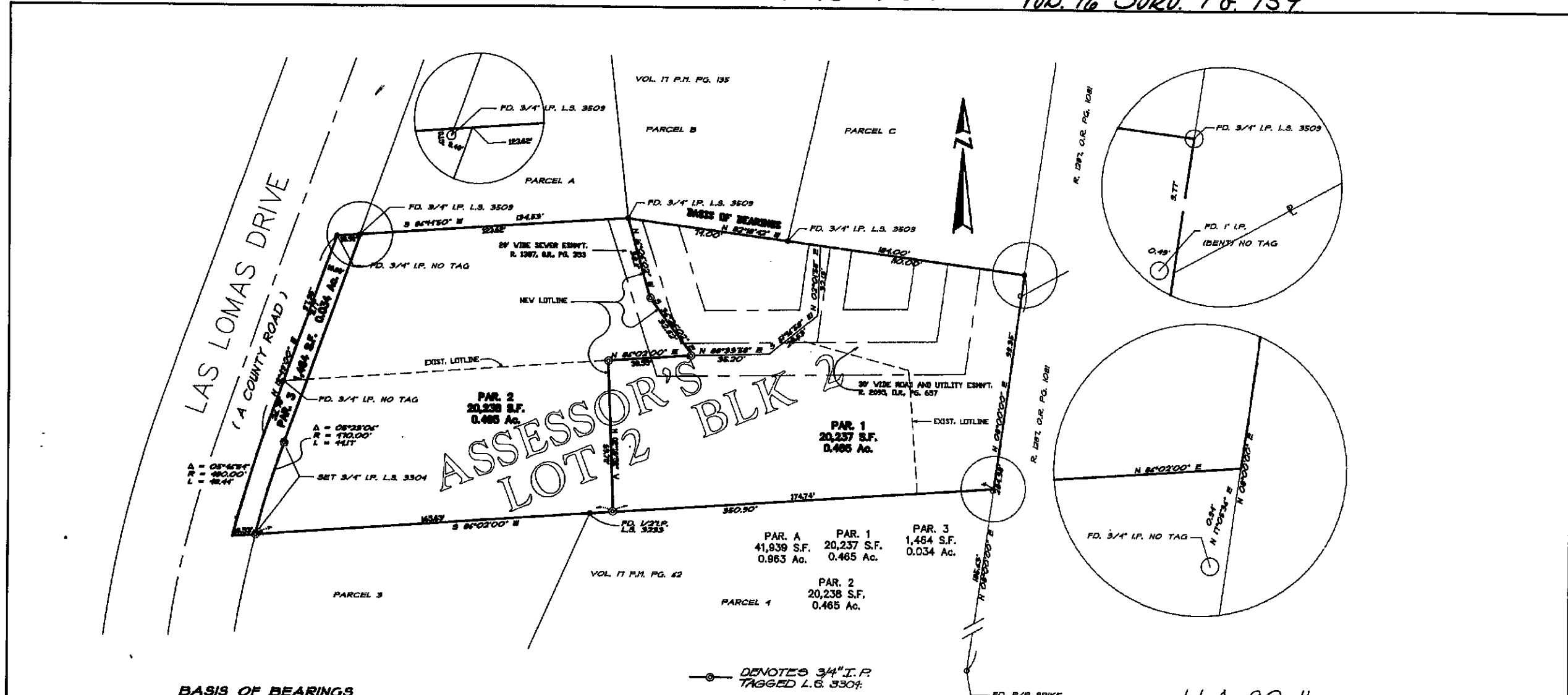
OF THE DIVISION OF THE LANDS OF
WALTER JAMES RECTOR ET. UX.
AS DESCRIBED IN DEED RECORDED
IN REEL 1963, O.R., PG. 787.

SITUATE IN
RANCHO BOLSA DE SAN CAYETANO
MONTEREY COUNTY, CALIFORNIA

BY
H. D. PETERS CO., INC. & ASSOCIATES
SALINAS CALIFORNIA

AUGUST, 1988

SHEET ONE OF TWO SHEETS



BASIS OF BEARINGS

THE BEARING N.82°18'42"W. SHOWN AS THE SOUTHERLY LINE OF PARCELS "B" AND "C" AS SHOWN ON MAP FILED FOR RECORD IN VOLUME 17 OF "PARCEL MAPS" AT PAGE 135 WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP AND WAS TAKEN FROM MONUMENTS FOUND MARKING SAID LINE.

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT AT THE REQUEST OF LOUIE HAYASHIDA IN JANUARY, 1990.

W. J. Lundquist
LICENSED LAND SURVEYOR NO. 3304
LICENSE EXPIRES JUNE 30, 1992

COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED THIS 15th DAY OF October, 1990 IN ACCORDANCE WITH SECTION 8164 OF THE LAND SURVEYOR'S ACT.

Ronald J. Lundquist
COUNTY SURVEYOR

COUNTY RECORDER'S STATEMENT

FILED THIS 16th DAY OF Oct., 1990 AT 2:00 P.M. IN VOLUME 16 OF "SURVEYS" AT PAGE 154 AT THE REQUEST OF H.D. PETERS CO., INC.

Ernest A. Massimi
COUNTY RECORDER



Barbara Underhill
DEPUTY
FEE: \$6.00 G-NO. 60632

LLA 90-11

RECORD OF SURVEY

OF
LOT LINE ADJUSTMENT

BETWEEN
PORTIONS OF ASSESSOR'S LOT 2, BLOCK 2 OF LAS LOMAS TRACT NO. 5 AS RECORDED IN VOL. 3 OF "SURVEYS" PG. 169

SITUATE IN
RANCHO BOLSA DE SAN CAYETANO,
MONTEREY COUNTY, CALIFORNIA

FOR
LOUIE HAYASHIDA

BY
H.D. PETERS CO., INC. & ASSOC.
119 CENTRAL AVE. SALINAS, CA

SCALE: 1"=30' JAN. 1990



Order No. 115351BB
Escrow No.
Loan No.

WHEN RECORDED MAIL TO:

County of Monterey
Department of Public Works
Attention Bryce Horl
312 E. Alisal Street
Salinas, CA 93901

REEL 2906 PAGE 1170

RECORDED AT REQUEST OF
COUNTY OF MONTEREY
FEB 9 8 36 AM '93
OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

09609

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

Same as above

DOCUMENTARY TRANSFER TAX \$.....NONE.....
..... Computed on the consideration or value of property conveyed; OR
..... Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

Signature of Declarant or Agent determining tax -- Firm Name

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Louie Hayashida and Miyeko Hayashida, Husband and Wife

hereby GRANT(S) to
The County of Monterey

the real property in the City of
County of Monterey

, State of California, described as

See Exhibit "A" Hereto Attached

Dated December 17, 1992

STATE OF CALIFORNIA
COUNTY OF _____

On _____

before me, the undersigned, a Notary Public in and for said State, personally appeared _____

personally known to me (or 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.

WITNESS my hand and official seal.

Signature _____

Louie Hayashida
Louie Hayashida
Miyeko Hayashida
Miyeko Hayashida

(This area for official notarial seal)

1002 (6/82)

CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by the deed or grant dated 12/17/92 from Louie Hayashida and Miyeko Hayashida, Husband and Wife

to the COUNTY OF MONTEREY a political subdivision of the State of California, is hereby accepted by the undersigned officer or agent on behalf of the Board of Supervisors of said grantee pursuant to authority conferred by resolution of said Board of Supervisors adopted on February 4, 1975, and the grantee consents to recordation thereof by its duly authorized officer.

DATED: 2-8-93

COUNTY OF MONTEREY
By Gerald J. Gromko
Gerald J. Gromko, Ph.D.
Title Public Works Director

STATE OF CALIFORNIA
COUNTY OF Monterey ss.

On 1-25-93 before me, Beth A. Conder
personally appeared Louie Hayashida and Miyeko Hayashida

_____ personally known to me (or 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.

WITNESS my hand and official seal.

Signature Beth A. Conder



(This area for official notarial seal)

3008 (1/81) - (General) First American Title Company

REEL 2906 PAGE 1172

All that certain real property situate in the Rancho Bolsa De San Cayetano, County of Monterey, State of California described as follows:

Parcel 3 as said Parcel is shown and so designated on map filed for record in Volume 16 of "Surveys" at Page 154, Records of Monterey County, California; said Parcel 3 being more particularly described as follows:

Beginning in the easterly line of Las Lomas Drive, a County Road as widened, at the southerly corner common to Parcel 2 and said Parcel 3, all as shown and so designated on said map and being the northwesterly corner of Parcel 3, as shown and so designated on map filed for record in Volume 17 of "Parcel Maps" at Page 62, Records of said County; thence run along said easterly line of Las Lomas Drive and boundaries of Parcel 3 with the following four courses

- (1) South 86° 02' 00" West, 10.53 feet; thence
- (2) Northeasterly along the arc of a non-tangent circular curve, the center of circle of which bears South 75° 57' 54" East, 480.00 feet distant, through a central angle of 5° 46' 54" for an arc distance of 48.44 feet; thence tangentially
- (3) North 19° 49' 00" East, 97.95 feet; thence
- (4) South 86° 14' 50" East, 10.91 feet to the northerly corner common to said Parcels 2 and 3, being the southwesterly corner of Parcel A as said Parcel is shown and so designated on map filed for record in Volume 17 of "Parcel Maps" at Page 135, Records of said County; thence along the boundary common to said Parcels 2 and 3 with the following two courses
- (5) South 19° 49' 00" West, 102.31 feet; thence
- (6) Southwesterly along the arc of a tangent circular curve, concave to the southeast, having a radius of 470.00 feet, through a central angle of 5° 23' 06", for an arc distance of 44.17 feet to the place of beginning.

END OF DOCUMENT

EXHIBIT G

VERSION 2013, TOPOGRAPHIC MAP

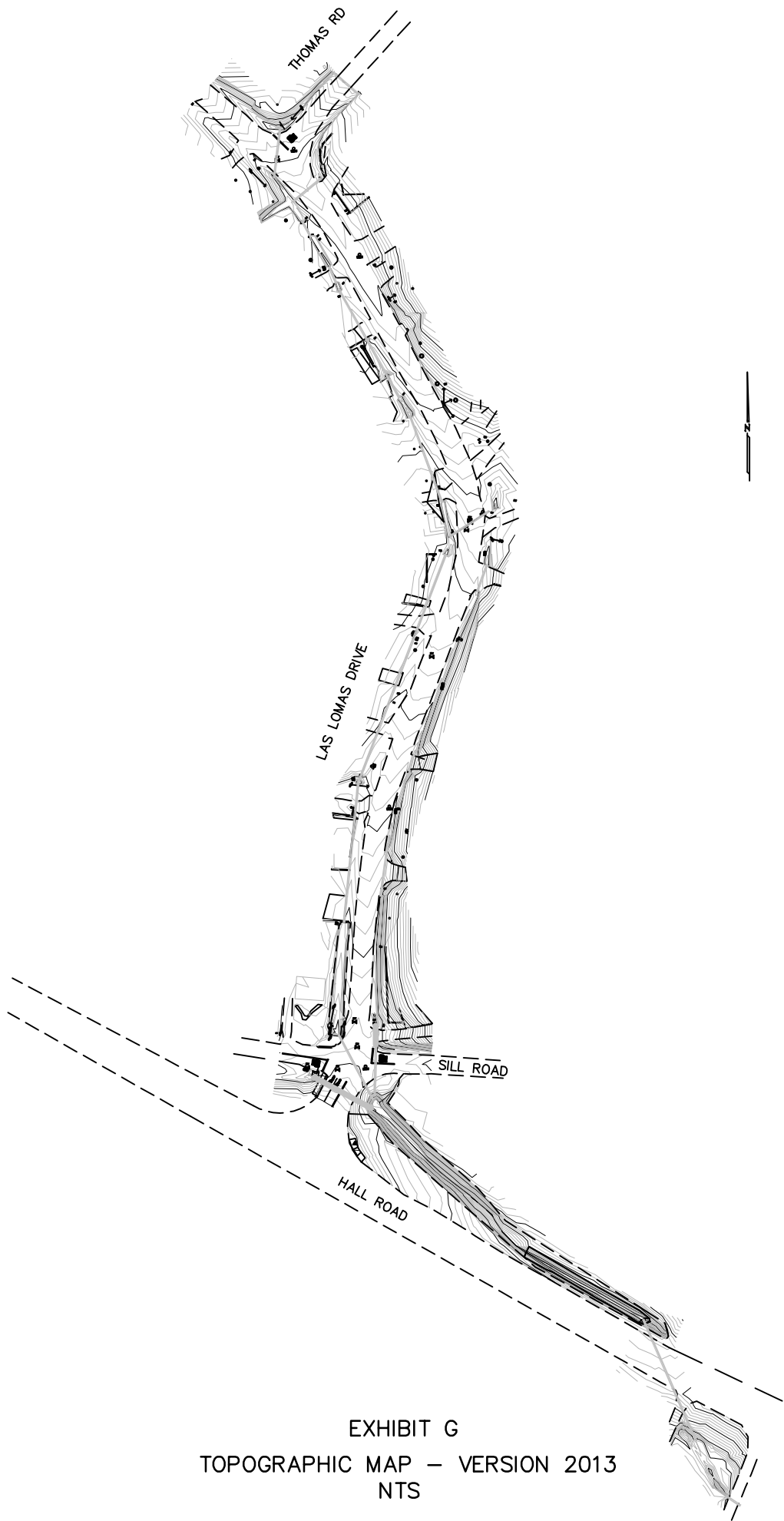


EXHIBIT G
TOPOGRAPHIC MAP — VERSION 2013
NTS

EXHIBIT H
ENVIRONMENTAL PERMITS
FOR PHASE 1

CDFW PERMIT - PAGE # 2

RWQCB PERMIT - PAGE # 23

USACE PERMIT - PAGE # 43



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4593
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



May 17, 2016



Isabelo Dela Merced
Monterey County Resource Management Agency
168 West Alisal Street
Salinas, California 93901

Subject: Final Lake or Streambed Alteration Agreement
Notification No. 1600-2015-0065-R4
Unnamed Tributary to Carneros Creek – Monterey County

Dear Mr. Dela Merced:

Enclosed is the Final Streambed Alteration Agreement (Agreement) for the Las Lomas Drainage Project (Project). Before the California Department of Fish and Wildlife (Department) may issue an Agreement, it must comply with the California Environmental Quality Act (CEQA). In this case, the Department, acting as a responsible agency, filed a notice of determination (NOD) within five working days of signing the Agreement. The NOD was based on information contained in the Mitigated Negative Declaration that the lead agency prepared for the Project.

Pursuant to CEQA Guidelines sections 15075(g) and 15094(g), filing of a NOD starts a 30-day statute of limitations during which a party may challenge the filing agency's approval of the Project. You may begin your project before the 30-day period expires if you have obtained all necessary local, state, and federal permits or other authorizations. However, if you elect to do so, it will be at your own risk.

If you have any questions regarding this matter, please contact Carrie Swanberg, Environmental Scientist, at (559) 243-4014 extension 246 or carrie.swanberg@wildlife.ca.gov.

Sincerely,

Julie A. Vance
Regional Manager

Enclosure

Notice of Determination

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, California 93710
Contact: Carrie Swanberg
Phone: (559) 243-4014 x 246

Lead Agency (if different from above):
County of Monterey
Resource Management Agency
168 West Alisal, 2nd Floor
Salinas, California 93901
Contact: Bob Schubert
Phone: (831) 755-5183

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2007121063

Project Title: Las Lomas Bicycle and Pedestrian Path Project (Streambed Alteration Agreement No. 1600-2015-0065-R4)

Project Location (include county): The Project is located within and adjacent to an unnamed tributary to Carreros Creek in Monterey County, California; NE ¼ of Section 27, Township 12 South, Range 2 East, USGS 7.5 Minute Quad Map Prunedale, MDB & M; Latitude 36°51'55.74"N, Longitude 121°22'00.67"W.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Streambed Alteration Agreement number 1600-2015-0065-R4, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Monterey County Resource Management Agency.

The Project includes activities related to improving storm water conveyance and drainage in Las Lomas.

This is to advise that CDFW, acting as a Responsible Agency approved the above described project on 5/18/14 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects CDFW considered the mitigated negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
2. Mitigation measures were made a condition of CDFW's approval of the project.
3. A mitigation reporting or monitoring plan was adopted by CDFW for this project.
4. A Statement of Overriding Considerations was not adopted by CDFW for this project.
5. Findings were not made by CDFW pursuant to Public Resources Code section 21081, subdivision (a).

The mitigated negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency.

Signature  *Date:* 5/18/14

Julie A. Vance
Regional Manager

Date Received for filing at OPR: _____

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REGION 4 - CENTRAL REGION
1234 EAST SHAW AVENUE
FRESNO, CALIFORNIA 93710



STREAMBED ALTERATION AGREEMENT
NOTIFICATION No. 1600-2015-0065-R4
UNNAMED TRIBUTARY TO CARNEROS CREEK – MONTEREY COUNTY

ISABELO DELA MERCED
MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY
168 WEST ALISAL STREET
SALINAS, CALIFORNIA 93901

LAS LOMAS DRAINAGE PROJECT (PROJECT)

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Monterey County Resource Management Agency (referred to as Permittee), represented by Isabelo Dela Merced.

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, Permittee notified CDFW on March 30, 2015, that Permittee intends to complete the Project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the Project could substantially adversely affect existing fish or wildlife resources and has included Protective Measures in this Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed this Agreement and accepts its terms and conditions, including the Protective Measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the Project in accordance with this Agreement.

PROJECT LOCATION

The Project is located within and adjacent to an unnamed tributary to Carneros Creek in Monterey County, California; NE ¼ of Section 27, Township 12 South, Range 2 East, USGS 7.5 Minute Quad Map Prunedale, MDB & M; Latitude 36°51'55.74"N, Longitude 121°22'00.67"W (Figure 1).

PROJECT DESCRIPTION

The Project includes activities related to improving storm water conveyance and drainage in Las Lomas near Las Lomas Drive and Hall Road. Work will occur in five separate locations when the channel is naturally dry, as described below.

Las Lomas Drive from Thomas Road to Sill Road

- Excavate 1,700 linear-feet of trenches along both sides of Las Lomas Drive that are up to 9 feet wide and 9 feet deep.
- Place pre-cast reinforced concrete pipes in the trenches that are 18 inches, 36 inches, and 48 inches in diameter.
- Backfill the excavated material over the pipes and deposit excess material offsite.
- Excavate 6-foot by 6-foot by 5½-foot holes in 14 locations (185 cubic yards of material) for storm water inlets and deposit excess material offsite.
- Place 14 pre-cast reinforced concrete inlets with metal grates in the excavated holes.
- Excavate 10-foot by 10-foot by 9½-foot holes in 14 locations (495 cubic yards of material) for manhole access points.
- Construct junction structures at the bottom of each manhole access point with wet-poured reinforced concrete.

Sill Road Outlet

- Excavate 110 cubic yards of material from the channel.
- Place two 48-inch precast reinforced concrete flared end sections, each approximately covering 84 square feet, at the 48-inch diameter culvert outlets.
- Place 20 cubic yards of ¼ ton rock slope protection over 300 square feet at the outlet of the flared end sections.

Hall Road Culvert

- Excavate 544 cubic yards of material including the existing 48-inch arch pipe culvert and headwall and dispose of off-site.
- Place two 48-inch diameter reinforced concrete culvert pipes that are each 148 feet long.
- Construct a headwall that is 6 inches thick and 6 feet in height with wet poured reinforced concrete.
- Place approximately 351 cubic yards of backfill material layered over the culverts consisting of sand bedding, slurry cement, asphalt base, and hot mix asphalt concrete overlay to match Hall Road grade.
- Place two 48-inch precast reinforced concrete flared end sections, each approximately covering 84 square feet, at the 48-inch diameter culvert outlets.
- Place 16 cubic yards of ¼ ton rock slope protection over approximately 200 square feet at the outlet of the flared end sections.

South of Hall Road Private Property Channel

- Excavate 160 cubic yards of material from an existing 100-foot long channel.
- Reconstruct the channel to 11 feet width in the bed and 18 feet wide between the top of each bank.

South of Hall Road Private Property Culvert

- Excavate approximately 48 cubic yards of material including the existing 48-inch arch pipe culvert and dispose of off-site.
- Place two 48-inch diameter reinforced concrete culvert pipes that are each 24 feet long.
- Place approximately 42.7 cubic yards of backfill material layered over the culverts consisting of sand bedding, slurry cement, asphalt base, and hot mix asphalt concrete overlay to match the private driveway grade.
- Place 10 cubic yards of ¼ ton rock slope protection over approximately 100 square feet at both the inlet and outlet of the culverts.

PROJECT IMPACTS

The placement of storm water drainage structures and rock slope protection will result in permanent impacts to 0.42 acre over 2,056 linear feet of the unnamed tributary to Carneros Creek.

Potential impacts related to Project implementation include but are not limited to those resulting from excavation, placement of structures or rock slope protection, and removal of trees with established root systems. These activities could destabilize and erode the banks or send sediment downstream. The unnatural movement of sediment can alter the stream function and directly affect aquatic animals using the stream. Project activities could result in direct mortality to animals from trampling or crushing or collisions with vehicles and excavation equipment.

Impacts from noise or vibration could affect nesting birds or other wildlife using trees or vegetation within or adjacent to the Project area. Trees and vegetation provides cover, foraging, resting and potentially denning habitat for small mammals, reptiles, and birds.

This Agreement is intended to avoid, minimize, and mitigate adverse impacts to the fish and wildlife resources that occupy the Project area and the immediate adjacent habitat. Absent implementation of the Protective Measures required by this Agreement, the following species and their habitats could potentially be impacted: the Federally threatened and State threatened California tiger salamander (*Ambystoma californiense*); the State and Federal endangered and State fully protected Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*); the Federally threatened and State species of special concern California red-legged frog (*Rana draytonii*); and the State species of special concern burrowing owl (*Athene cunicularia*), American badger (*Taxidea taxus*), Coast range newt (*Taricha torosa*), two-striped garter snake

(*Thamnophis hammondi*), black legless lizard (*Anniella pulchra nigra*), and Coast horned lizard (*Phrynosoma blainvillii*); as well as other wildlife species including birds, mammals, fish, reptiles, amphibians, invertebrates, and plants that compose the local ecosystem.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative Protective Measure described below.

- 1.1 Documentation at Project Site. Permittee shall make this Agreement, any extensions and amendments to this Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the Project site at all times and shall be presented to CDFW personnel or personnel from another State, Federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of this Agreement and any extensions and amendments to this Agreement to all persons who will be working on the Project at the Project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a Protective Measure in this Agreement might conflict with a provision imposed on the Project by another local, State, or Federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the Project site at any time to verify compliance with this Agreement.
- 1.5 Legal Obligations. This Agreement does not exempt Permittee from complying with all other applicable local, State, and Federal law, or other legal obligations.
- 1.6 Unauthorized Take. This Agreement does not authorize the "take" (defined in Fish and Game Code Section 86 as to hunt, pursue, catch, capture, or kill; or attempt to hunt, pursue, catch, capture, or kill) of State- or Federally-listed threatened or endangered species. Any such take shall require separate permitting as may be required.
- 1.7 Property Not Owned by Permittee. To the extent that the Protective Measures of this Agreement provide for activities that require Permittee to enter on another owner's property, they are agreed to with the understanding that Permittee possesses the legal right to so enter.
- 1.8 Work Schedule. Permittee shall submit a work schedule to CDFW prior to beginning any activities covered by this Agreement. Permittee shall also notify CDFW upon the completion of the activities covered by this Agreement.

- 1.9 Training. Prior to starting activity, all employees, contractors, and visitors who will be present during Project activities shall receive training from a qualified individual on the contents of this Agreement, the resources at stake, and the legal consequences of non-compliance.

2 Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each Protective Measure listed below.

- 2.1 Construction/Work Hours. All work activities shall be confined to daylight hours. For purposes of this Agreement, "daylight hours" are defined as that daytime period between sunrise and sunset.
- 2.2 Flagging/Fencing. Prior to any activity within the stream, Permittee shall identify the limits of the Project's encroachment into CDFW jurisdictional areas. These "work area" limits shall be identified with brightly-colored flagging/fencing. Work completed under this Agreement shall be limited to this defined area only. Flagging/fencing shall be maintained in good repair for the duration of the Project. All CDFW jurisdictional areas beyond the identified work area limits shall be considered Environmentally Sensitive Areas (ESA) and shall not be disturbed.
- 2.3 Listed and Other Sensitive Status Species.
- (a) This Agreement does not allow for the take of any State- or Federally-listed threatened or endangered species. Liability for any take of such listed species remains the separate responsibility of Permittee for the duration of the Project.
 - (b) Permittee affirms that no take of listed species shall occur as a result of this Project and shall take prudent measures to ensure that all take is avoided. Permittee acknowledges and fully understands that it does not have State incidental take authority. If any State- or Federally-listed threatened or endangered species occur within the proposed work area or could be impacted by the work proposed, and thus taken as a result of Project activities, Permittee is responsible for obtaining and complying with required State and Federally threatened and endangered species permits or other written authorization before proceeding with this Project.
 - (c) Permittee shall immediately notify CDFW of the discovery of any such threatened or endangered species prior to and/or during Project implementation.
 - (d) Pre-activity surveys for potential rare, listed, or other sensitive species shall be conducted by a qualified biologist within 30 days prior to commencement of Project activities. Surveys shall be conducted within the work area and all access routes to avoid and minimize incidental take, confirm previous observations, identify any areas occupied by listed or sensitive species, and

clearly mark all resources to be avoided by Project activities. If any State- or Federally-listed threatened or endangered species are found or could be impacted by the work proposed, Permittee shall notify CDFW of the discovery prior to commencement of Project activity. An amended Agreement and/or Incidental Take Permit may be necessary and a new CEQA analysis might need to be conducted, before work may begin.

- (e) California Tiger Salamander: Project activities shall occur only when the stream is naturally dry. Project activities may proceed according to the following options: 1) All rodent burrows in the Project work area and a 50-foot buffer shall be flagged and avoided by a minimum 50-foot no-disturbance buffer. A map of burrow locations shall be provided to CDFW. Permittee may propose reduced buffers in a written justification for CDFW consideration; no work within 50 feet buffer of a burrow may begin until after CDFW has provided written authorization. A qualified biologist shall be present during all ground disturbing activities during the active season of the species (November through May) and shall halt Project activities if a California tiger salamander is detected in or adjacent to the Project area, until the individual leaves of its own volition. CDFW shall be notified immediately if a salamander is detected. Or, if avoidance of rodent burrows is not feasible, 2) Protocol-level surveys (which could require two (2) years to complete) to detect presence shall be conducted, and results shall be submitted to CDFW for review well in advance of Project initiation. If any individuals are detected or if CDFW does not concur that avoidance of take is feasible, Permittee shall acquire an Incidental Take Permit from CDFW for California tiger salamander prior to Project initiation. Alternatively, Permittee may assume presence of CTS and acquire an Incidental Take Permit without surveying.
- (f) Santa Cruz Long-Toed Salamander: Incidental take of this State fully protected species may not be authorized by CDFW; therefore, avoidance of take is necessary. Project activities shall occur only when the stream is naturally dry. All rodent burrows and cracked soils in areas of suitable habitat for the species shall be avoided by a minimum 50-foot no-disturbance buffer. Permittee may propose reduced buffers in a written justification for CDFW consideration; no work within 50 feet buffer of a burrow or cracked soils may begin until after CDFW has provided written authorization. Alternately, protocol level surveys shall be completed by a qualified biologist. If individuals of the species are found during surveys or at any time during Project implementation, activity shall cease immediately or shall not commence (whichever applies) and Permittee shall notify CDFW; CDFW may provide written guidance regarding the avoidance of individuals, prior to Project activity resuming.
- (g) California Red-Legged Frog: A qualified biologist shall survey the Project area for California red-legged frog within 48 hours prior to commencing work. If any red-legged frogs are found prior to the Project or at any time during Project activities, work shall cease or shall not commence (whichever applies) until CDFW has been contacted and has given written approval for work to

continue. Additional Protective Measures may be warranted. Permittee shall contact CDFW within 24 hours of each detection.

- (h) Burrowing Owl: No more than 30 days prior to commencement of Project activity at each location, a qualified biologist shall conduct burrowing owl surveys in each Project area and within a 500-foot radius of each Project area. Surveys shall be conducted at appropriate times to maximize detection. If any active burrowing owl burrows are observed, these burrows shall be designated an Environmentally Sensitive Area (ESA), protected, and monitored by a qualified biologist during Project-related activities. A minimum 500-foot avoidance buffer shall be established and maintained around each owl burrow during the nesting season (February 1 through August 31). If active burrowing owl burrows are observed outside of the nesting season, a minimum 150-foot no disturbance buffer shall be established around each burrow. Permittee may propose reduced buffers in a written justification for CDFW consideration; no work within the above buffers may begin until after CDFW has provided written authorization. If avoidance is not feasible and Permittee proposes to evict burrowing owls from burrows, Permittee shall submit to CDFW for written approval a Burrowing Owl Eviction Plan at least 30 days prior to any proposed activity requiring eviction of owls. The Burrowing Owl Eviction Plan shall include details regarding the eviction via one-way doors, including but not limited to the materials used and at least twice daily monitoring of subject burrows to ensure that owls are not trapped; timing of eviction only outside the nesting season; details about protecting land for each pair or individual evicted; and details about any proposed use of artificial burrows, including but not limited to design, installation, and maintenance.
- (i) American Badger: Any American badger detected within the Project area during Project activities shall be allowed to move out of the work area of its own volition. If American badger is denning on or immediately adjacent to the Project site, the burrow shall be protected with a 100-foot no-disturbance buffer. If the disturbance buffer cannot be maintained Permittee shall consult with CDFW regarding whether animal(s) may be evicted from the den. Eviction of badgers will not be approved by CDFW unless it is confirmed that no dependent young are present.
- (j) Coast Range Newt, and Two-Striped Garter Snake: Any Coast range newts or two-striped garter snakes discovered at the site immediately prior to or during Project activities shall be allowed to move out of the area of their own volition. If this is not feasible, they shall be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat at least 100 feet upstream or downstream from the Project site.
- (k) Black Legless Lizard and Coast Horned Lizard: The Project work area shall be searched for these lizards by a qualified biologist immediately prior to Project activity. Lizards present in the work area shall be allowed to leave the work area of their own volition or shall be moved out of harm's way by a

qualified biologist. Any loose substrate in which lizards could bury themselves shall be gently raked with a hand tool (e.g., a garden rake) to a depth of 2 inches to locate any lizards that could be under the surface immediately prior to Project activity.

2.4 Fish and Wildlife.

- (a) If any fish or wildlife is encountered during the course of Project activities, said fish or wildlife shall be allowed to leave the Project area unharmed.
- (b) Pursuant to FGC Sections 3503 and 3503.5, it is unlawful to take, possess, or destroy the nest or eggs of any bird or bird-of-prey. To protect nesting birds, no Project activity shall be completed from March 1 through August 31 unless the following Avian Nesting Surveys are completed by a qualified biologist within 30 days prior to commencing Project activities.

Separate avian survey and avoidance requirements are listed above for burrowing owl due to its special status listing (see Avoidance and Minimization Measures 2.3(h)).

Raptors: Survey for nesting activity of raptors within a 500-foot radius of the site. Surveys shall be conducted at appropriate nesting times and concentrate on trees with the potential to support raptor nests. If any active nests are observed, these nests and nest trees shall be designated an ESA and protected with a minimum 500-foot buffer until young have fledged and are no longer reliant on the nest site or parental care.

Other Avian Species: Survey for nesting activity within a 250-foot radius of the defined work area. If any nesting activity is found, these nests shall be designated an ESA and protected with a minimum 250-foot buffer until young have fledged and are no longer reliant on the nest site or parental care.

CDFW may consider variances from these buffers when there is a compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography.

2.5 Vegetation.

- (a) No trees will be removed or cut during Project implementation.
- (b) The disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations and shall only occur within the defined work area. Precautions shall be taken to avoid other damage to vegetation by people or equipment.

- (c) Vegetation removed from the Project site shall be disposed of at an appropriate and legal off-site location where the material cannot enter the stream channel. No such material shall be stockpiled in the streambed or bank.

2.6 Vehicles and Equipment.

- (a) Vehicles shall only be operated in the work area during naturally dry conditions.
- (b) Vehicles, equipment, and other machinery shall be inspected for the presence of undesirable species and cleaned prior to on-site use to reduce the risk of introducing exotic plant or animal species into the Project site.
- (c) Any equipment or vehicles driven and/or operated in or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic and terrestrial life.
- (d) Staging and storage areas for equipment, materials, fuels, lubricants, and solvents shall be located outside of the stream channel and banks. Stationary equipment such as motors, pumps, generators, compressors and welders, located within or adjacent to the pond, shall be positioned over drip-pans. Vehicles shall be moved away from the stream prior to refueling and lubrication.

2.7 Fill/Spoil.

- (a) Spoil storage sites shall not be located within the stream or where spoil will be washed into the stream. Rock, gravel, and/or other materials shall not be imported into or moved within the bed or banks of the stream, except as otherwise addressed in this Agreement.
- (b) Fill shall be limited to the minimal amount necessary to accomplish the agreed activities. Excess fill material shall be moved off-site at Project completion.
- (c) All rip-rap and rock slope protection shall consist of clean, natural rock and shall not include concrete, asphalt, or other material that is deleterious to fish or wildlife.

- 2.8 Structures. Permittee confirms that any and all structures and constructed features shall be properly aligned and otherwise engineered and installed to assure resistance to washout, and to erosion of the stream bed, stream banks, and/or fill and that they will not cause long-term changes in water flows that adversely modify the existing upstream or downstream bed/bank contours or increase sediment deposition. Structures shall be engineered to withstand high (i.e., 100-year) flows.

2.9 Erosion.

- (a) No work shall occur during or within 24 hours following significant rainfall events, defined as $\frac{1}{4}$ inch or more of rain in a 24-hour period.
- (b) Project activity shall occur when the stream is naturally dry.
- (c) All disturbed soils within the Project site shall be stabilized to reduce erosion potential, both during and following Project implementation. Temporary erosion control devices, such as straw bales, silt fencing, and sand bags, may be used, as appropriate, to prevent siltation of the pond. To minimize the risk of ensnaring and strangling wildlife, coir rolls, erosion control mats or blankets, straw or fiber wattles, or similar erosion control products shall be composed entirely of natural-fiber, biodegradable materials. Permittee shall not use "photodegradable" or other plastic erosion control materials.

2.10 Pollution.

- (a) Permittee and all contractors shall be subject to the water pollution regulations found in Fish and Game Code Sections 5650 and 12015.
- (b) Raw cement, concrete or washings thereof, asphalt, drilling fluids or lubricants, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to fish or wildlife resulting from or disturbed by Project-related activities, shall be prevented from contaminating the soil and/or entering the "Waters of the State".
- (c) All Project-generated debris, building materials, and rubbish shall be removed from the stream and from areas where such materials could be washed into the stream.
- (d) Staging and storage areas for equipment, materials, fuels, lubricants, and solvents shall be located outside of the stream channel and banks. Stationary equipment such as motors, pumps, generators, compressors and welders located within or adjacent to the stream shall be positioned over drip-pans.
- (e) Permittee shall install the necessary containment structures to control the placement of wet concrete and to prevent it from entering into the stream bed or banks outside of those structures. No concrete shall be poured below the top of bank if the 10-day weather forecast indicates any chance of rain. At all times when Permittee is pouring or working with wet concrete there shall be a designated monitor to inspect the containment structures and ensure that no concrete or other debris enters into the channel outside of those structures. Poured concrete shall remain isolated from surface waters and allowed to dry/cure for a minimum of 30 days. CDFW may approve a variance to this measure if Permittee proposes a plan to collect surface water (including rain)

that comes in contact with concrete and dispose of the water in a lawful manner at an offsite location. No variance shall be implemented unless CDFW has provided approval in writing and in advance.

- (f) An Emergency Response Plan shall be prepared and submitted to CDFW for written approval prior to the start of Project activities, and shall be kept on-site during all phases of the Project. The Plan shall identify the actions that shall be taken in the event of a spill of petroleum products, concrete, contaminated soil, or other material harmful to fish, plants, or aquatic life. Emergency response materials shall be kept at the site and readily available to allow rapid containment and cleanup of any spilled material. In the event that a spill occurs, all Project activities shall immediately cease until cleanup of the spilled materials is completed. CDFW shall be notified immediately by Permittee of any spills. The Emergency Response Plan shall be clearly identified and readily available to staff in the event of an emergency situation, and accessible during inspection of the site by CDFW personnel.

3 Compensatory Measures

To compensate for adverse impacts to fish and wildlife resources identified above that cannot be avoided or minimized, Permittee shall implement each Protective Measure listed below.

3.1. Revegetation and Restoration.

- (a) Any exposed slopes or exposed areas created by Project activities shall be seeded (with weed-free straw or mulch) with a blend of a minimum of three (3) locally native grass species. One (1) or two (2) sterile non-native perennial grass species may be added to the seed mix provided that amount does not exceed 25 percent of the total seed mix by count. Locally native wildflower and/or shrub seeds may also be included in the seed mix. The seeding shall be completed as soon as possible, but no later than November 15 of the year Project activity ends or as otherwise approved in writing by CDFW. A seed mixture shall be submitted to CDFW for approval prior to application.
- (b) Where suitable vegetation cannot be reasonably expected to become established, non-erodible materials shall be used for such stabilization. Any installation of non-erodible materials not described in the original Project description shall be coordinated with CDFW. Coordination may include the negotiation of additional Protective Measures for this activity.

4 Reporting Measures

Permittee shall meet each reporting requirement described below.

4.1 Obligations of Permittee.

- (a) Permittee shall have primary responsibility for monitoring compliance with all Protective Measures in this Agreement. Protective Measures shall be implemented within the time periods indicated in this Agreement and the reporting described below.
- (b) Permittee (or Permittee's designee) shall ensure the implementation of the Protective Measures of this Agreement, and shall monitor the effectiveness of the Protective Measures.

4.2 Reports. Permittee shall submit the following Reports to CDFW:

- Work schedule, submitted to CDFW at least one (1) week prior to the start of Project activities (Administrative Measure 1.8).
- Results of the pre-activity surveys, submitted to CDFW at least one (1) week prior to the start of Project activities (Avoidance and Minimization Measure 2.3(d)).
- A map of rodent burrow locations or if burrow avoidance is not feasible, survey results for California tiger salamander, submitted to CDFW at least one (1) week prior to commencement of Project activities (Avoidance and Minimization Measure 2.3(e)).
- If avoidance of burrows and soil cracks in suitable habitat is not feasible, surveys for Santa Cruz long-toed salamander, submitted to CDFW at least one (1) week prior to the start of Project activities (Avoidance and Minimization Measure 2.3(f)).
- Results of surveys for California red-legged frogs, submitted to CDFW within two (2) weeks of completing surveys (Avoidance and Minimization Measure 2.3(g)).
- Results of surveys for burrowing owls, submitted to CDFW at least one (1) week prior to commencement of Project activities (Avoidance and Minimization Measure 2.3(h)).
- Results of surveys for nesting birds, if any work is scheduled during the avian nesting season, submitted to CDFW at least one (1) week prior to commencement of Project activities (Avoidance and Minimization Measure 2.4(b)).

- An Emergency Response Plan, submitted to CDFW for written approval at least two (2) weeks prior to Project commencement (Avoidance and Minimization Measure 2.10(f)).
- A seed mixture, submitted to CDFW for written approval prior to its implementation (Compensatory Measure 3.1(a)).
- A Final Project Report to be submitted within 30 days after the Project is completed. The final report shall summarize the Project and address the implementation of each Protective Measure included in this Agreement. Before, during, and after photo documentation of the Project work area shall be included in the report.

CONTACT INFORMATION

Any communication that Permittee or CDFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail, fax, or email, or to such other address as Permittee or CDFW specifies by written notice to the other. Permittee shall submit all schedules, survey results, reports, and/or plans required by this Agreement in hard copy to the address below; Permittee may also submit those materials electronically by email to the CDFW contact identified below (or subsequent contact) **and** to R4LSA@wildlife.ca.gov.

To Permittee:

Isabelo Dela Merced
Monterey County Resource Management Agency
168 Alisal Street
Salinas, California 93901
Phone: (831) 755-4746
delamercedi@co.monterey.ca.us

To CDFW:

California Department of Fish and Wildlife
Region 4 – Central Region
1234 East Shaw Avenue
Fresno, California 93710
Attn: Lake and Streambed Alteration Program – Carrie Swanberg
Notification No. 1600-2014-0214-R4
Phone: (559) 243-4014 ext. 246
Fax: (559) 243-4594
Carrie.Swanberg@wildlife.ca.gov

LIABILITY

Permittee shall be solely liable for any violations of this Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the Project or any activity related to it that this Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require Permittee to proceed with the Project. The decision to proceed with the Project is Permittee's alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if it determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with this Agreement.

Before CDFW suspends or revokes this Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before CDFW suspends or revokes this Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in this Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking this Agreement.

Nothing in this Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other Federal, State, or local laws or regulations before beginning the Project or an activity related to it.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), 3503

(bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in this Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend this Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend this Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's fee schedule at the time of the request (see Cal. Code Regs., Title 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of this Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of this Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's fee schedule at the time of the request (see Cal. Code Regs., Title 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605(b), Permittee may request one (1) extension of this Agreement, provided the request is made prior to the expiration of this Agreement's term. To request an extension, Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's fee schedule at the time of the request (see Cal. Code Regs., Title 14, § 699.5). CDFW shall process the extension request in accordance with FGC 1605(b) through (e).

If Permittee fails to submit a request to extend this Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the Project this Agreement covers (FGC, § 1605, subd. (f)).

EFFECTIVE DATE

This Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall remain in effect for five (5) years beginning on the date signed by CDFW, unless it is terminated or extended before then. All provisions in this Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after this Agreement expires or is terminated, as FGC section 1605(a)(2) requires.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

In approving this Agreement, CDFW is independently required to assess the applicability of CEQA. The features of this Agreement shall be considered as part of the overall Project description.

Permittee's concurrence signature on this Agreement serves as confirmation to CDFW that the activities conducted under the terms of this Agreement are consistent with the Project as described in the CEQA Mitigated Negative Declaration prepared by the Monterey County Resource Management Agency for the Las Lomas Drive and Hall Road Improvements (State Clearinghouse No. 2007121063), approved by the Planning Commission of Monterey County on January 14, 2015.

CDFW, as a CEQA Responsible Agency, shall submit a Notice of Determination to the State Clearinghouse upon signing this Agreement.

EXHIBITS

The document listed below is included as an exhibit to this Agreement and is incorporated herein by reference.

Figure 1. Project Location USGS Quad Map.

AUTHORITY

If the person signing this Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the Project described herein. If Permittee begins or completes a Project different from the Project this Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all the provisions of this Agreement.

FOR MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY



Isabelo Dela Merced

5/11/16

Date

FOR CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE



Julie A. Vance

Regional Manager – Central Region

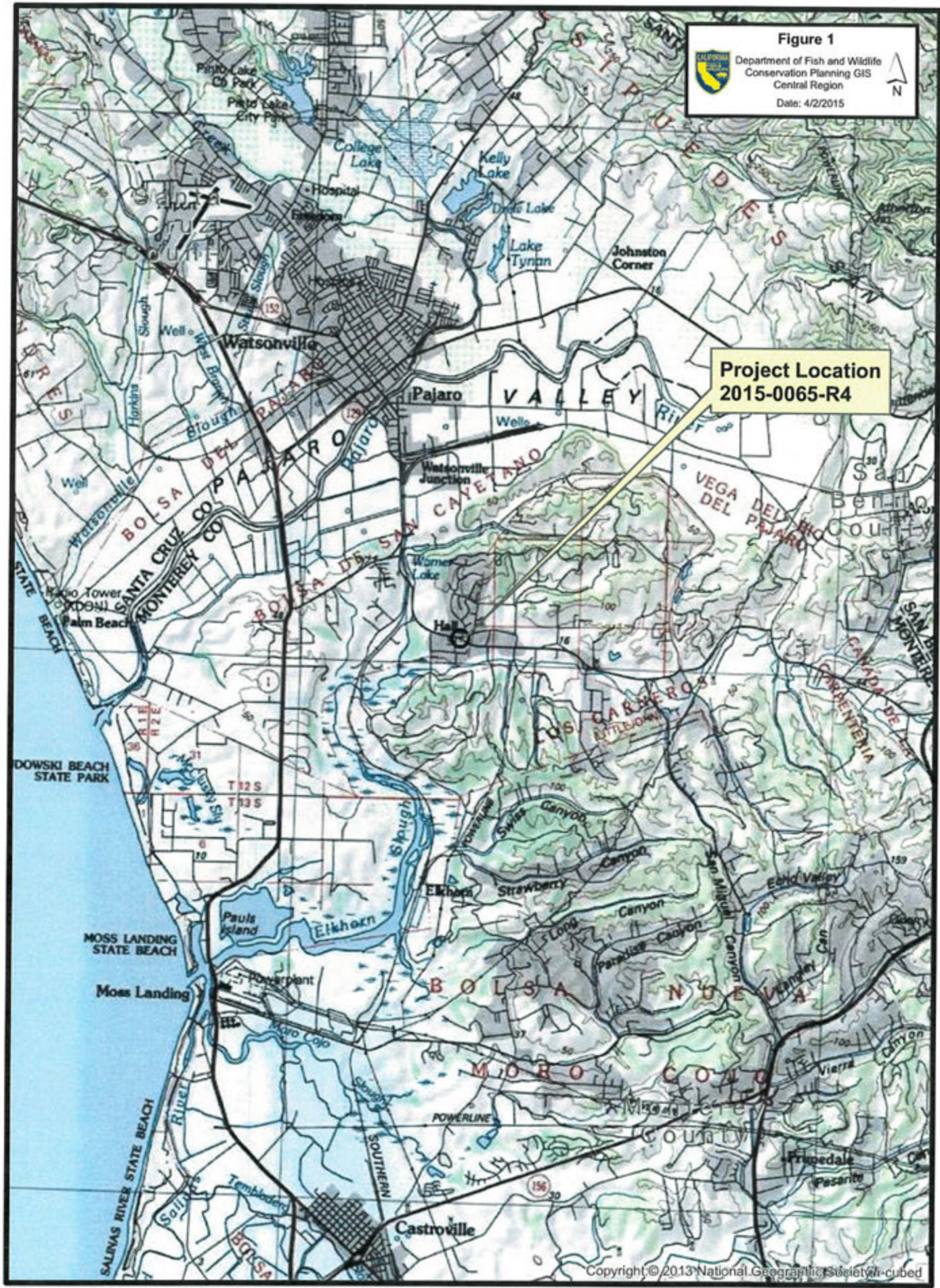
5/18/16

Date

Figure 1

Exhibit A

Figure 1
 Department of Fish and Wildlife
 Conservation Planning GIS
 Central Region
 Date: 4/2/2015



0 1 2 Miles



Central Coast Regional Water Quality Control Board

February 6, 2018

Isabelo Dela Merced
Monterey County Resource Management Agency
Dept. of Public Works
168 West Alisal Street
Salinas, CA 93901
Email: delamercedi@co.monterey.ca.us

VIA ELECTRONIC MAIL

Dear Mr. Dela Merced:

WATER QUALITY CERTIFICATION NUMBER 32716WQ05 FOR LAS LOMAS DRAINAGE PROJECT, PHASE 1, MONTEREY COUNTY

Thank you for the opportunity to review your March 24, 2016 application for water quality certification of the Las Lomas Drainage Project, Phase 1 (Project). The application was completed on September 7, 2016. The project, if implemented as described in your application and with the additional mitigation and other conditions required by this Clean Water Action Section 401 Water Quality Certification (Certification), appears to be protective of beneficial uses of State waters. We are issuing the enclosed Certification. Should new information come to our attention that indicates a water quality problem, we may require additional monitoring and reporting, issue Waste Discharge Requirements, or take other action.

Your Certification application and submitted documents indicate that project activities have the potential to affect beneficial uses and water quality. The Central Coast Regional Water Quality Control Board (Central Coast Water Board) issues this Certification to protect water quality and associated beneficial uses from project activities. We need reports to determine compliance with this Certification. All technical and monitoring reports requested in this Certification, or any time after, are required per Section 13267 of the California Water Code.

Failure to submit reports required by this Certification, or failure to submit a report of technical quality acceptable to the Executive Officer, may subject you to enforcement action per Section 13268 of the California Water Code. The Central Coast Water Board will base enforcement actions on the date of certification. Any person affected by this Central Coast Water Board action may petition the State Water Resources Control Board (State Water Board) to review this action in accordance with California Water Code Section 13320; and Title 23, California Code of Regulations, Sections 2050 and 3867-3869. The State Water Board, Office of Chief Counsel, PO Box 100, Sacramento, CA 95812, must receive the petition within 30 days of the date of this Certification. We will provide upon request copies of the law and regulations applicable to filing petitions.

If you have questions please contact **Kim Sanders** at (805) 542-4771 or via email at Kim.Sanders@waterboards.ca.gov or Phil Hammer at (805) 549-3882. Please mention the above certification number in all future correspondence pertaining to this project.

Sincerely,

for
John M. Robertson
Executive Officer

Enclosure: Action on Request for CWA Section 401 Water Quality Certification

cc: With enclosures

Stefanie Krantz
EMC Planning
Email: Krantz@emcplanning.com

Jennifer Siu
U.S. Environmental Protection Agency
Region 9
Email: siu.jennifer@epa.gov

Katerina Galacatos
U.S. Army Corps of Engineers
Email: Katerina.galacatos@usace.army.mil

Ashley Green
Central Coast Water Board
Email: Ashley.Green@waterboards.ca.gov

Julie Vance
California Department of Fish and Wildlife
Email: Julie.Vance@wildlife.ca.gov

Kim Sanders
Central Coast Water Board
Email: Kim.Sanders@waterboards.ca.gov

Linda Connolly
California Department of Fish and Wildlife
Email: Linda.Connolly@wildlife.ca.gov

401 Program Manager
State Water Resources Control Board
Email: Stateboard401@waterboards.ca.gov

R:\RB3\Shared\401\Certifications\Monterey\2016\32716WQ05_Las Lomas
Drainage\R3_LasLomasDrng_32716WQ05_Cert_final.doc

Action on Request for
Clean Water Act Section 401 Water Quality Certification
for Discharge of Dredged and/or Fill Materials

PROJECT: Las Lomas Drainage Project, Phase 1

APPLICANT: Isabelo Dela Merced
Monterey County Resource Management Agency
Dept. of Public Works
168 West Alisal Street
Salinas, CA 93901

ACTION:

1. Order for Standard Certification
2. Order for Technically-Conditioned Certification
3. Order for Denial of Certification

STANDARD CONDITIONS:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment per section 13330 of the California Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
2. This Certification action is not intended to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed per 23 CCR subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license was being sought.
3. The validity of any non-denial Certification action (Actions 1 and 2) is conditioned upon total payment of the fee required under 23 CCR section 3833, unless otherwise stated in writing by the certifying agency.

ADMINISTRATIVE CONDITIONS:

1. This Certification is subject to the acquisition of all local, regional, state, and federal permits and approvals as required by law. Failure to meet any conditions contained herein or any conditions contained in any other permit or approval issued by the State of California or any subdivision thereof may result in the revocation of this Certification and civil or criminal liability.
2. In the event of a violation or threatened violation of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of Section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.

3. In response to a suspected violation of any condition of this Certification, the Central Coast Water Board may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the Central Coast Water Board deems appropriate, provided that the burden, including costs, of the reports shall have a reasonable relationship to the need for the reports and the benefits obtained from the reports.
4. In response to any violation of the conditions of this Certification, the Central Coast Water Board may add to or modify the conditions of this Certification as appropriate to ensure compliance.
5. The Central Coast Water Board reserves the right to suspend, cancel, or modify and reissue this Certification, after providing notice to the applicant, if the Central Coast Water Board determines that the Project fails to comply with any of the terms or conditions of this Certification.
6. A copy of this Certification, the application, and supporting documentation must be available at the Project site during construction for review by site personnel and agencies. A copy of this Certification must also be provided to the contractor and all subcontractors who will work at the Project site. All personnel performing work on the proposed Project shall be familiar with the content of this Certification and its posted location on the Project site.
7. The Applicant shall grant Central Coast Water Board staff, or an authorized representative, upon presentation of credentials and other documents as may be required by law, permission to enter the Project site at reasonable times, to ensure compliance with the terms and conditions of this Certification and/or to determine the impacts the Project may have on waters of the State.
8. The Applicant must, at all times, fully comply with the application, engineering plans, specifications, and technical reports submitted to support this Certification; all subsequent submittals required as part of this Certification; and the attached Project Information and Conditions. The conditions within this Certification and attachment(s) supersede conflicting provisions within applicant submittals.
9. The Applicant shall notify the Central Coast Water Board within 24 hours of any unauthorized discharge to waters of the U.S. and/or State; measures that were implemented to stop and contain the discharge; measures implemented to clean-up the discharge; the volume and type of materials discharged and recovered; and additional BMPs or other measures that will be implemented to prevent future discharges.
10. This Certification is not transferable to any person except after notice to the Executive Officer of the Central Coast Water Board. The Applicant shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new responsible party containing a specific date for the transfer of this Certification's responsibility and coverage between the current responsible party and the new responsible party. This agreement shall include an acknowledgement that the existing responsible party is liable for compliance and violations up to the transfer date and that the new responsible party is liable from the transfer date on.

- 11. This Certification expires if Project construction does not begin within five years from the date of this Certification. If this Certification does not expire as described above, it remains in effect until the Applicant complies with all Certification requirements and conditions.
- 12. The total application fee for this project is \$1,404. The remaining application fee payable to the Central Coast Water Board is \$0. Additional annual fees may apply.

CENTRAL COAST WATER BOARD CONTACT PERSON:

Kim Sanders
 (805) 542-4771
 Kim.Sanders@waterboards.ca.gov

Please refer to the above certification number when corresponding with the Central Coast Water Board concerning this project.

WATER QUALITY CERTIFICATION:

I hereby issue an order certifying that as long as all the conditions listed in this Certification are met, any discharge from the Las Lomas Drainage Project, Phase 1 shall comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. This discharge is also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ, which requires compliance with all conditions of this Certification.

Except insofar as may be modified by any preceding conditions, all Certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description and the attached Project Information and Conditions, and (b) compliance with all applicable requirements of the Central Coast Water Board's policies and Water Quality Control Plan (Basin Plan).

for _____
 John M. Robertson
 Executive Officer
 Central Coast Water Board

February 6, 2018
 Date

PROJECT INFORMATION AND CONDITIONS

Application Date	Received: March 24, 2016 Completed: September 7, 2016
Applicant	Isabelo Dela Merced Monterey County Resource Management Agency Dept. of Public Works 168 West Alisal Street Salinas, CA 93901 Email: delamercedi@co.monterey.ca.us 831-755-4746
Applicant Representatives	Stefanie Krantz EMC Planning 301 Lighthouse Ave Monterey, CA 93940 Krantz@emcplanning.com 831-649-1799 ext. 210
Project Name	Las Lomas Drainage Project, Phase 1
Application Number	32716WQ05
Type of Project	Bridges, Overpasses, and Crossings
Project Location	Las Lomas Latitude: 36°51'56.57" N Longitude: -121°44'1.11" W
County	Monterey
Receiving Water(s)	Unnamed Tributary to Carneros Creek 306.00 Bolsa Nueva Hydrologic Unit
Water Body Type	Streambed, wetland
Designated Beneficial Uses	Municipal and Domestic Water Supply Protection of both recreation and aquatic life
Project Description (purpose/goal)	<p>The purpose of this project is to address flooding in Las Lomas via improving storm water conveyance and drainage system changes.</p> <p>Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff understands that Phase 1 of the project includes the activities listed below.</p> <ol style="list-style-type: none"> 1. Thomas Road to Sill Road drainage system: <ol style="list-style-type: none"> a. Installing approximately 2,118 linear feet of 48-inch, 36-inch, and 18-inch diameter pipe by trench excavation and backfilling; b. Excavating approximately 5,918 cubic yards of material to install the pipes; c. Constructing 11 inlets within the existing ditch area, that are precast and made of reinforced concrete; d. Excavating approximately 81 cubic yards of material to construct the inlets; e. Installing 14 manholes by excavating a trench approximately 10 feet by 10 feet wide with an average depth of 9.5 feet; f. Constructing the junction structures at the bottom of each manhole using a cast-in-place method with reinforced concrete; g. Excavating approximately 495 cubic yards of material to install

	<p>the manholes;</p> <p>h. Covering an existing 127-foot-long ditch with 159 cubic yards of native fill material; and</p> <p>i. Stabilizing disturbed soils after excavation using temporary erosion control devices such as fiber rolls, silt fencing, and hydroseeding the disturbed area with an erosion control mix.</p> <p>2. Sill Road flared end section and rock slope protection:</p> <p>a. Installing two precast reinforced concrete flared end sections at the outfall of the 48-inch diameter storm drain pipe; and</p> <p>b. Installing approximately 74 cubic yards of ¼ ton rock slope protection 40 feet beyond the outfall.</p> <p>3. Minor ditch reconstruction:</p> <p>a. Reconstructing the existing ditch 110 feet from the outfall including 7 feet to 14 feet of ditch bed widening to accommodate the installation of a flared end section, rock slope protection, and a compensatory wetland area;</p> <p>b. Excavating approximately 50 cubic yards of materials from the ditch; and</p> <p>c. Hydroseeding the disturbed area with an erosion control mix.</p>
U.S. Army Corps of Engineers Permit No.	Nationwide Permit 43 – Stormwater Management Facilities
Dept. of Fish and Wildlife Streambed Alteration Agreement	Streambed Alteration Agreement file no. 1600-2015-0065-R4 issued May 17, 2016
Status of CEQA Compliance	Mitigated Negative Declaration Lead Agency: Monterey County Resource Management Agency
Total Certification Fee	\$1,404
Area of Disturbance	Approximately 0.0195 acre / 144 linear feet total Streambed: 0.01 acre / 76 linear feet permanent Wetland: 0.0015 acre / 8 linear feet permanent, 0.008 acre / 60 linear feet temporary
Fill Volume	Approximately 45.5 total cubic yards Streambed: 44.0 cubic yards permanent Wetland: 1.5 cubic yards permanent

<p>Compensatory Mitigation Requirements</p>	<ol style="list-style-type: none"> 1. The project shall include the following compensatory mitigation: <ol style="list-style-type: none"> a. 0.01 acre / 76 linear feet of permanent streambed impacts (due to rip rap placement and inlet construction) shall be mitigated through the re-establishment of 0.031 acre / 90 linear feet of riparian habitat (willow plantings) at the top of the bank in the unnamed tributary to Carneros Creek (see Exhibit 2 in the Mitigation and Monitoring Plan for Las Lomas Drainage Project, dated December 12, 2017). b. 0.0015 acre / 8 linear feet of permanent wetland impacts (due to inlet construction) shall be mitigated through the establishment of 0.0032 acre / 70 linear feet of wetland habitat at the toe of the bank in the unnamed tributary to Carneros Creek (see Exhibit 2 in the Mitigation and Monitoring Plan for Las Lomas Drainage Project, dated December 12, 2017). c. 0.008 acre / 60 linear feet of temporary wetland impacts (on the west side of Las Lomas Drive) shall be mitigated through the rehabilitation of 0.008 acre / 60 linear feet of wetland habitat at the site of the temporary impact by using native fill, recontouring the area, and seeding with the seed mix identified in the Compensatory Mitigation Plan section on page 2 of the Mitigation and Monitoring Plan for Las Lomas Drainage Project, dated December 12, 2017. 2. The Applicant shall implement compensatory mitigation installation, maintenance, and monitoring as described in the Mitigation and Monitoring Plan for Las Lomas Drainage Project, dated December 12, 2017, and any other pertinent submittals. 3. The applicant shall achieve 70% cover of native wetland plantings within the designated wetland mitigation area and 80% survival of willow tree plantings in five years of spring growing seasons, or continue maintenance and monitoring until compensatory mitigation requirements are met. 4. Onsite compensatory mitigation shall be installed within 12 months of completion of project construction.
<p>Project Requirements</p>	<p><u>Project practices that are required to comply with 401 Water Quality Certification are as follows:</u></p> <ol style="list-style-type: none"> 1. All personnel who engage in construction activities or their oversight at the project site (superintendent, construction manager, foreman, crew, contractor, biological monitor, etc.) must attend trainings on the conditions of this Certification and how to perform their duties in compliance with those conditions. Every person shall attend an initial training within five working days of their start date at the project site and follow-up trainings every six months until the project is completed. Trainings shall be conducted by a qualified individual with experience in 401 Water Quality Certification conditions and compliance. 2. All work performed within waters of the State shall be completed in a manner that minimizes impacts to beneficial uses and habitat. Measures shall be employed to minimize land disturbances that will adversely impact the water quality of waters of the State. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete Project implementation.

	<ol style="list-style-type: none">3. Portions of the project that occur below top of creek banks or in other waters of the State shall be stabilized for the winter prior to October 1 of each year, either by completing construction of those portions of the project (including installation of permanent erosion control measures) or by implementing winterization stabilization measures capable of effectively stabilizing the area and preventing erosion under winter rain and flow conditions generated by the 10-year 24-hour storm event. No construction activities shall be conducted below top of creek banks or in other waters of the State during the winter period (October 1 – May 30), unless prior written approval has been obtained from Central Coast Water Board staff. Requests to conduct construction activities below top of creek banks or in other waters of the State during the winter period shall be submitted to Central Coast Water Board staff at least 21 days prior to the planned winter period work date. If approval is obtained, the Applicant shall implement the approved winter work as specified in the Central Coast Water Board staff approval and as described in any documentation submitted by the Applicant while seeking the approval.4. Erosion and sediment control measures shall be on site prior to the start of construction and kept on site at all times so they are immediately available for installation in anticipation of rain events.5. The Applicant shall implement and maintain an effective combination of erosion and sediment control measures (e.g., revegetation, fiber rolls, erosion control blankets, hydromulching, compost, straw with tackifiers, temporary basins) to prevent erosion and capture sediment. The Applicant shall implement and maintain washout, trackout, dust control, and any other applicable source control BMPs.6. Erosion and sediment control measures and other construction BMPs shall be implemented and maintained in accordance with all specifications governing their proper design, installation, operation, and maintenance.7. At any time of year, the Applicant shall not conduct construction activities below top of creek banks or in other waters of the State during rain events or on any day for which the National Weather Service has predicted a 25% or more chance of at least 0.1 inch rain in 24 hours (Predicted Rain Event). The Applicant shall install effective erosion control, sediment control, and other protective measures no later than the day prior to the Predicted Rain Event, and prior to the start of any rainfall. Construction activities below top of creek banks or in other waters of the State may resume after the rain has ceased, the National Weather Service predicts clear weather for at least 24 hours, and site conditions are dry enough to continue work without discharge of sediment or other pollutants from the project site.8. Any material stockpiled that is not actively being used during construction shall be covered and surrounded with a linear sediment barrier.9. The Applicant shall retain a spill plan and appropriate spill control and clean up materials (e.g., oil absorbent pads) onsite in case spills occur.
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ol style="list-style-type: none"> 10. The Applicant shall confine all trash and debris in appropriate enclosed bins and dispose of the trash and debris at an approved site at least weekly. 11. All construction vehicles and equipment used on site shall be well maintained and checked daily for fuel, oil, and hydraulic fluid leaks or other problems that could result in spills of toxic materials. 12. The Applicant shall designate a staging area for equipment and vehicle fueling and storage at least 100 feet away from waterways, in a location where fluids or accidental discharges cannot flow into waterways. 13. All vehicle fueling and maintenance activity shall occur at least 100 feet away from waterways and in designated staging areas, unless a requested exception on a case-by case basis granted by prior written approval has been obtained from Central Coast Water Board staff. 14. Dewatering and stream diversion measures are not authorized based on the application. If the project requires dewatering or diversion, the Applicant shall submit detailed dewatering/ diversion plans for Central Coast Water Board staff approval at least 21 days prior to any dewatering or diversion. Dewatering/diversion plans shall include the area to be dewatered, timing of dewatering, and method of dewatering to be implemented. All temporary dewatering/diversion methods shall be designed to have the minimum necessary impacts to waters of the State to isolate the immediate work area. All dewatering/diversion methods shall be installed such that natural flow is maintained upstream and downstream of the project area. Any temporary dams or diversions shall be installed such that the diversion does not cause sedimentation, siltation, or erosion upstream or downstream of the project area. All dewatering/diversion methods shall be removed immediately upon completion of dewatering/diversion activities. Dewatering or diversion shall not commence until applicant has obtained Central Coast Water Board staff approval of the dewatering/diversion plans. Any dewatering/diversion must be implemented in compliance with approved dewatering/diversion plans. 15. All construction-related equipment, materials, and any temporary BMPs no longer needed shall be removed and cleared from the site upon completion of the project. 16. Central Coast Water Board staff shall be notified if mitigations as described in the 401 Water Quality Certification application for this project are altered by the imposition of subsequent permit conditions by any local, state or federal regulatory authority. The Applicant shall inform Central Coast Water Board staff of any modifications that interfere with compliance with this Certification.
<p>Monitoring and Reporting Requirements</p>	<p>The Applicant shall conduct the following monitoring:</p> <ol style="list-style-type: none"> 1. Visually inspect the project site and areas of waters of the State upstream, downstream and adjacent to project impact areas following completion of project construction and for five subsequent rainy seasons to ensure that the project is not causing excessive erosion, stream instability, or other water quality problems. If the project does cause water quality problems, contact the Central Coast

	<p>Water Board staff member overseeing the project. You will be responsible for obtaining any additional permits necessary for implementing plans for restoration to prevent further water quality problems.</p> <ol style="list-style-type: none">2. Monitor the compensatory mitigation site for five years. If success criteria are not achieved within that time, continue annual monitoring and maintenance until success criteria are achieved. Compensatory mitigation monitoring shall include assessment of growth, survival, percent cover, general health and stature, signs of reproduction, progress towards achieving success criteria, and any other measures identified in the Mitigation and Monitoring Plan for Las Lomas Drainage Project, dated December 12, 2017, and any other pertinent submittals. <p>The Applicant shall provide the following reporting to RB3_401Reporting@waterboards.ca.gov [Note: Annual fees are based on submittal of reporting item 4 below]:</p> <ol style="list-style-type: none">1. Streambed Alteration Agreement - Submit a signed copy of the Department of Fish and Wildlife's streambed alteration agreement to the Central Coast Water Board immediately upon execution and prior to any discharge to waters of the State.2. Construction Commencement Notification - At least seven days in advance of any ground disturbing or grubbing activities, submit notification to the Central Coast Water Board of the date when project construction will begin.3. Discharge, Construction, and Mitigation Installation Completion Notification - Within seven days of completing all project discharge, construction, and mitigation installation activities, submit notification to the Central Coast Water Board of project discharge, construction, and mitigation installation completion.4. Compensatory Mitigation and Monitoring Completion Notification – Within seven days of Applicant verification of achievement of all compensatory mitigation success criteria and completion of all monitoring, submit notification to the Central Coast Water Board of compensatory mitigation success criteria achievement and monitoring completion. Include identification of the date when the final Annual Project Status Report will be submitted. [Note: Submittal of Compensatory Mitigation and Monitoring Completion Notification does not terminate this Certification or its requirements.]5. Annual Project Status Report – The Applicant shall submit to the Central Coast Water Board an Annual Project Status Report by May 31 of each year following the issuance of this Certification, regardless of whether project construction has started or not. The Applicant shall submit Annual Project Status Reports until the Applicant has conducted all required monitoring and mitigation has achieved all success criteria. The final Annual Project Status Report is due on or before the May 31 following the achievement of all mitigation success criteria. Each Annual Project Status Report shall include at a minimum:<ol style="list-style-type: none">a. The status of the project: construction not started, construction started, or construction complete.
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ul style="list-style-type: none">b. The date of construction initiation, if applicable.c. The date of construction completion, if applicable.d. If project construction is complete:<ul style="list-style-type: none">i. A summary of daily activities, monitoring and inspection observations, and problems incurred and actions taken;ii. Status of permanent post-construction stormwater management BMPs, including photo documentation of all BMPs;iii. Identification of when site personnel trainings occurred, description of the topics covered during trainings, and confirmation that every person that engaged in construction activities or their oversight at the project site was trained initially and every six months thereafter.iv. A description of the results of the annual visual inspection of the project site and areas of waters of the State adjacent to project impact areas, including:<ul style="list-style-type: none">1. Erosion conditions;2. Stream stability conditions;3. Water quality and beneficial use conditions;4. Clearly identified photo-documentation of all areas of permanent and temporary impact, prior to and after project construction; and5. Clearly identified representative photo-documentation of other project areas, prior to and after project construction.6. If the visual inspection monitoring period is over, but water quality problems persist, the Annual Report shall identify corrective measures to be undertaken, including extension of the monitoring period until the project is no longer causing excessive erosion, stream instability, or other water quality problems.e. Mitigation reporting, if mitigation installation has started, including the following information:<ul style="list-style-type: none">i. Date of initiation of mitigation installation and date mitigation installation was completed;ii. If mitigation installation was completed, confirmation mitigation was installed according to the requirements of this Certification and as described in the application, Mitigation and Monitoring Plan for Las Lomas Drainage Project, dated September 2017, and any other pertinent submittals;iii. Analysis of monitoring data collected in the field;iv. Quantification of growth, percent cover, survival, general health and stature, signs of reproduction, and documentation of progress toward achieving all mitigation performance criteria;v. Qualitative and quantitative comparisons of current mitigation conditions with preconstruction conditions and previous mitigation monitoring results;vi. Any remedial or maintenance actions taken or needed;vii. Any additional information specified in the Mitigation and Monitoring Plan for Las Lomas Drainage Project, dated December 12, 2017, and any other pertinent submittals; and
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>viii. Annual photo-documentation representative of all mitigation areas, taken from vantage points from which Central Coast Water Board staff can identify changes in size and cover of plants. Compare photos of installed mitigation with photos of the mitigation areas prior to installation.</p> <p>f. A description of mitigation completion status that identifies the amount of mitigation monitoring and maintenance remaining, or certifies that mitigation is complete and all required mitigation monitoring and maintenance has been conducted and all success criteria achieved. If the monitoring period is over, but all success criteria have not been achieved, the Annual Report shall identify corrective measures to be undertaken, including extension of the monitoring period until the criteria are met.</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

MITIGATION AND MONITORING PLAN
FOR
LAS LOMAS DRAINAGE PROJECT
December 12, 2017

Project Impact

Wetland Impact Area (Permanent) = 0.0015 Acres, 64 Square Feet

Rip Rap Impact Area = 0.008 Acres , 364 Square Feet

The list of plant species observed within the wetland area are non-native grasses such as wild oat (*Avena barbata*), rescue grass (*Bromus catharticus*), and ripgut brome (*Bromus diandrus*). Vegetation along the unlined portions of the ditch where the riprap will be installed is dominated by ruderal, non-native weedy species including field mustard, wild radish, rabbit'sfoot grass (*Polypogon monsepelensis*), poison hemlock (*Conium maculatum*), and curly dock (*Rumex crispis*).

Compensatory Mitigation

The mitigation proposed are as follows:

- Wetland Area will be mitigated at a ratio of 2:1 by planting grass seed mix consisting of 25% *elymus triticoids*, 25% *bromos carinatus* and 50% *hordeum brachyantherum*. See Exhibit 2 and Exhibit 3.
- Rip rap area will be mitigated at a ratio of 3:1 by planting 6 (six) arroyo willow trees (*salix lasiolepis*). See Exhibit 2 for location.
- Non-Native vegetation around planting area will be suppressed and removed until the arroyo willows achieved success criteria.

Other planting requirements include:

1. *Source and sizes of mitigation planting:* The proposed plant size containers are 1 gallon size and sourced from a local nursery.
2. *The property owner of the land on which all planting and non-native vegetation removal will occur:* The arroyo willow planting area is located on County right of way and partly on a private parcel. County of Monterey staff will secure a right of entry from the private property owner for the planting and maintenance of the arroyo willow within the private parcel.
3. *Success criteria:*
 - a. Achieved 80% survival of arroyo willow tree plantings by year 5. Survival of willows shall only be calculated after three years without supplemental irrigation.
 - b. Success criteria by percent cover of at least 70 percent native wetland species in five years.
Monterey County will actively maintain the plants within a 2-year plant establishment period, and will monitor for five years or until success criteria are achieved.

4. *Irrigation:* The seedlings must be watered bi-weekly during the first year of planting. No watering is needed during the winter months after the first major rain storm occurs or in the months of November to March. Watering must be done by either manual or irrigation system with micro sprays. No drip irrigation is required.
5. *Planting Area:* The planting area for the seedlings shall be cleaned of weeds, level the area approximately four (4) feet in diameter. Dig approximately 1'x1'x1' hole for 1 gallon seedling. Weeding must be done on a regular basis to maintain the area free of weed around seedlings approximately four (4) feet diameter in the mulching area. Four (4) inches of mulch shall be maintained around the seedlings to control the weeds and maintain the moisture in the soil. The extra mulch shall be added around the seedlings as needed. Install 2" x 2" stakes and 2 feet diameter ½ inch aviary wire cage to protect the seedlings. Prior to planting, County staff must consult with a biologist to determine if the best way to establish the willow is from container stock or willow poles.
6. *Planting Schedule:* Plants will be planted following the construction of the outfall and ditch reconstruction.

Monitoring Plan

Plantings will be monitored by a qualified biologist/restoration ecologist or a certified arborist in the springs of Year 1 through 5 unless success criteria are achieved before Year 5. A memo documenting the results of the plant survival and percent cover monitoring will be prepared, including a minimum of 3 photo points, and a table documenting the species and percent cover. The memo will be provided to the regulatory agencies (RWQCB and CDFW) no later than May 31st of each year.

Contingency plan:

- a. In the event the plantings are not at a minimum of 70% cover and tree survival/diversity by the Spring of Year 1, adaptive management will be used to select the best planting location for replacing the dead plants up to a minimum of 90% of the originally planted number. If only one species has died, then that species may be replaced with one that is flourishing, for example, so long as habitat values and plant diversity are maintained.
- b. If plants don't meet the success criteria by Year 2, replanting will be performed only after consultation with the regulatory agencies for the appropriate adaptive management of plantings for the area. For example, if the site is on-track for percent survival but slow to attain percent cover because species are slow in developing due to drought watering restrictions, no additional planting may be warranted.

c. If the success criteria are not met by Year 2, an additional 10% mitigation may be required by the agencies to account for temporal loss of habitat. This may not be warranted if the shortcomings are due to drought as outlined above.

LAS LOMAS DRAINAGE PROJECT MITIGATION AND MONITORING PLAN EXHIBIT I - LAYOUT



LEGEND

JURISDICTIONAL AREA

- WETLAND AREAS PER SITE VISIT BY USACE STAFF ON 10/07/15
- EXISTING CHANNELIZED CREEK
- EXISTING CULVERT
- *WETLAND COMPENSATORY MITIGATION AREA (2:1 RATIO)

NON - JURISDICTIONAL AREA

- EXISTING DRAINAGE DITCH
- EXISTING DRAINAGE CULVERT

PROPOSED STORM DRAIN PIPE

-

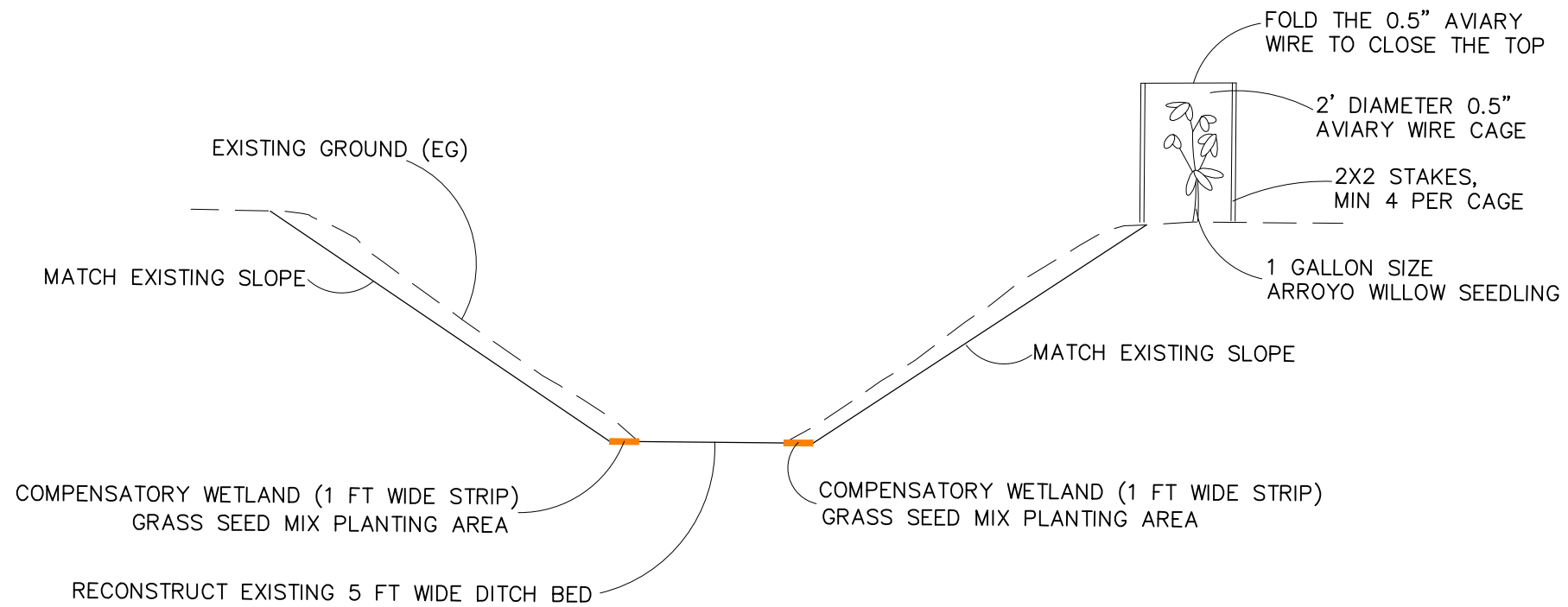
PROJECT BOUNDARY

-

SCALE:
NOT TO SCALE

K:\Design\Projects\1723_Las Lomas Drainage\GIS\Map_Series - Exhibit I for Permitting\jurisdictional areas - 1201 Miles_100715_100715_100715.dwg, Exhibit I - 11/17/15, DWG, by psp/ed

LAS LOMAS DRAINAGE PROJECT MITIGATION AND MONITORING PLAN EXHIBIT 3



**SECTION A-A
TYPICAL DITCH SECTION
NOT TO SCALE**

PREPARED BY: STAFF
DATE: 12/12/17



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1455 MARKET STREET, 16TH FLOOR
SAN FRANCISCO, CALIFORNIA 94103-1398

SEP 27 2017

Regulatory Division

Subject: File Number 2015-00073S

Mr. Isabelo Dela Merced
Monterey County Public Works
168 West Alisal Street, 2nd Floor
Salinas, California 93901

Dear Mr. Dela Merced:

This correspondence is in reference to the December 15, 2015 submittal from EMC Planning Group, on your behalf, concerning Department of the Army (DA) authorization to construct stormwater drainage improvements along Las Lomas Drive, between Hall Road and Thomas Road in the community of Las Lomas, Monterey County, California (36.86637°N, -121.7335°W).

Work within U.S. Army Corps of Engineers' (Corps) jurisdiction will include the following project components:

- Permanently fill approximately 1,362 linear feet of channelized tributary along the west side of Las Lomas Drive (including 456 linear feet of open channel and 906 linear feet of culverted channel) to widen the existing roadway and construct a new sidewalk. Drainage will be directed into a new bioswale (to be constructed between the roadway and new sidewalk) and new storm drain (to be constructed within the roadway).
- Replace existing culvert outfalls at the intersection of Las Lomas Drive and Sill Road with 2 precast concrete flared outfalls, and armor new outfall with 20 cubic yards of riprap, which will permanently impact approximately 20 linear feet (300 square feet) of the channel.
- Excavate and backfill to replace existing culvert inlet draining the wetland tributary on the east side of Las Lomas Drive with a new precast concrete inlet, which will temporarily impact approximately 6 linear feet (36 square feet) of the wetland channel.

In total, work will require placement of a total of up to 500 cubic yards of fill within approximately 1390 linear feet (0.22 acre) of channelized tributaries. Fill will include permanent impacts to approximately 60 linear feet (0.008 acre) of in-channel wetlands, and temporary impacts to approximately 6 linear feet (0.001 acre) of abutting wetlands. All work shall be completed in accordance with the plans and drawings titled "USACE File #2015-00073S, Las Lomas drainage improvements, 3/18/15, 4 sheets" provided as enclosure 1.

Section 404 of the Clean Water Act (CWA) generally regulates the discharge of dredged or fill material below the plane of ordinary high water in non-tidal waters of the United States, below the high tide line in tidal waters of the United States, and within the lateral extent of wetlands adjacent to these waters. Section 10 of the Rivers and Harbors Act generally regulates

construction of structures and work, including excavation, dredging, and discharges of dredged or fill material, occurring below the plane of mean high water in tidal waters of the United States; in former diked baylands currently below mean high water; outside the limits of mean high water but affecting the navigable capacity of tidal waters; or below the plane of ordinary high water in non-tidal waters designated as navigable waters of the United States. Navigable waters of the United States generally include all waters subject to the ebb and flow of the tide; and/or all waters presently used, or have been used in the past, or may be susceptible for future use to transport interstate or foreign commerce.

The enclosed delineation map titled *Las Lomas drainage improvements*, in one sheet date certified September 26, 2017 (enclosure 2), accurately depicts the extent and location of wetlands and other waters of the United States within the boundary area of the site that are subject to U.S. Army Corps of Engineers' regulatory authority under Section 404 of the Clean Water Act. This approved jurisdictional determination is based on the current conditions of the site, as verified during a field investigation on October 7, 2015, a review of available digital photographic imagery, and a review of other data included in your submittal. This approved jurisdictional determination will expire in five years from the date of this letter, unless new information or a change in field conditions warrants a revision to the delineation map prior to the expiration date.

You are advised that the approved jurisdictional determination may be appealed through the U.S. Army Corps of Engineers' Administrative Appeal Process, as described in 33 C.F.R. Part 331 (65 Fed. Reg. 16,486; Mar. 28, 2000), and outlined in the enclosed flowchart and Notification of Administrative Appeal Options, Process, and Request for Appeal (NAO-RFA) Form (enclosure 3). If you do not intend to accept the approved jurisdictional determination, you may elect to provide new information to this office for reconsideration of this decision. If you do not provide new information to this office, you may elect to submit a completed NAO-RFA Form to the Division Engineer to initiate the appeal process; the completed NAO-RFA Form must be submitted directly to the Appeal Review Officer at the address specified on the NAO-RFA Form. You will relinquish all rights to a review or an appeal, unless this office or the Division Engineer receives new information or a completed NAO-RFA Form within 60 days of the date on the NAO-RFA Form. If you intend to accept the approved jurisdictional determination, you do not need to take any further action associated with the Administrative Appeal Process.

Based on a review of the information in your submittal and the current condition of the site, as verified during a field investigation on October 7, 2015, the project qualifies for authorization under Department of the Army Nationwide Permit (NWP) 43 - *Stormwater Management Facilities*, 82 Fed. Reg. 1860, January 6, 2017 (www.spn.usace.army.mil/Portals/68/docs/regulatory/NWP/NWP17_43.pdf), pursuant to Section 404 of the CWA of 1972, as amended (33 U.S.C. § 1344 *et seq.*). The project must be in

compliance with the terms of the NWP, the general conditions of the Nationwide Permit Program (www.spn.usace.army.mil/Portals/68/docs/regulatory/NWP/NWP17_GC.pdf), and the San Francisco District regional conditions cited on our website (www.spn.usace.army.mil/Portals/68/docs/regulatory/NWP/NWP17_RC.pdf). You must also be in compliance with any special conditions specified in this letter for the NWP authorization to remain valid. Non-compliance with any term or condition could result in the revocation of the NWP authorization for your project, thereby requiring you to obtain an Individual Permit from the Corps. This NWP authorization does not obviate the need to obtain other State or local approvals required by law.

This verification will remain valid until March 18, 2022, unless the NWP authorization is modified, suspended, or revoked. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon a NWP will remain authorized provided the activity is completed within 12 months of the date of a NWP's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 C.F.R. § 330.4(e) and 33 C.F.R. § 330.5 (c) or (d). This verification will remain valid if, during the time period between now and March 18, 2022, the activity complies with any subsequent modification of the NWP authorization. The Chief of Engineers will periodically review NWPs and their conditions and will decide to modify, reissue, or revoke the permits. If a NWP is not modified or reissued within five years of its effective date, it automatically expires and becomes null and void. It is incumbent upon you to remain informed of any changes to the NWPs. Changes to the NWPs would be announced by Public Notice posted on our website (www.spn.usace.army.mil/Missions/Regulatory/Public-Notices.aspx). Upon completion of the project and all associated mitigation requirements, you shall sign and return the Certification of Compliance, enclosure 4, verifying that you have complied with the terms and conditions of the permit.

This authorization will not be effective until you have obtained a Section 401 water quality certification from the Central Coast Regional Water Quality Control Board (RWQCB). If the RWQCB fails to act on a valid request for certification within 60 days after receipt of a complete application, the Corps will presume a waiver of water quality certification has been obtained. You shall submit a copy of the certification to the Corps prior to the commencement of work.

This authorization will not be effective until you have obtained a concurrence from the California Coastal Commission that your project will comply with California's Coastal Zone Management Act. If the Commission fails to act on a valid request for concurrence with your certification within six months after receipt, the Corps will presume a concurrence has been obtained. You shall submit a copy of the concurrence to the Corps prior to the commencement of work.

In order to ensure compliance with this NWP authorization, the following special conditions shall be implemented:

1. To ensure temporary impacts to the wetland tributary on the east side of Las Lomas Drive are fully restored, all excavated material must be stockpiled well outside the wetland area. Any excavated wetland topsoil and vegetation must be stockpiled separately from other excavated material, and used for final backfilling of any excavation within the wetland area.
2. A post construction report shall be submitted 45 days after the conclusion of construction activities. The report shall document construction activities and contain as-built drawings (if different from drawings submitted with application) and include before and after photos.

You may refer any questions on this matter to Greg Brown of my Regulatory staff by telephone at 415-503-6791 or by e-mail at gregory.g.brown@usace.army.mil. All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

The San Francisco District is committed to improving service to our customers. My Regulatory staff seeks to achieve the goals of the Regulatory Program in an efficient and cooperative manner, while preserving and protecting our nation's aquatic resources. If you would like to provide comments on our Regulatory Program, please complete the Customer Service Survey Form available on our website: <http://www.spn.usace.army.mil/Missions/Regulatory.aspx>

Sincerely,



Greg Brown
Senior Project Manager, Regulatory Division

Enclosures

Digital Copies Furnished (w/ encls):

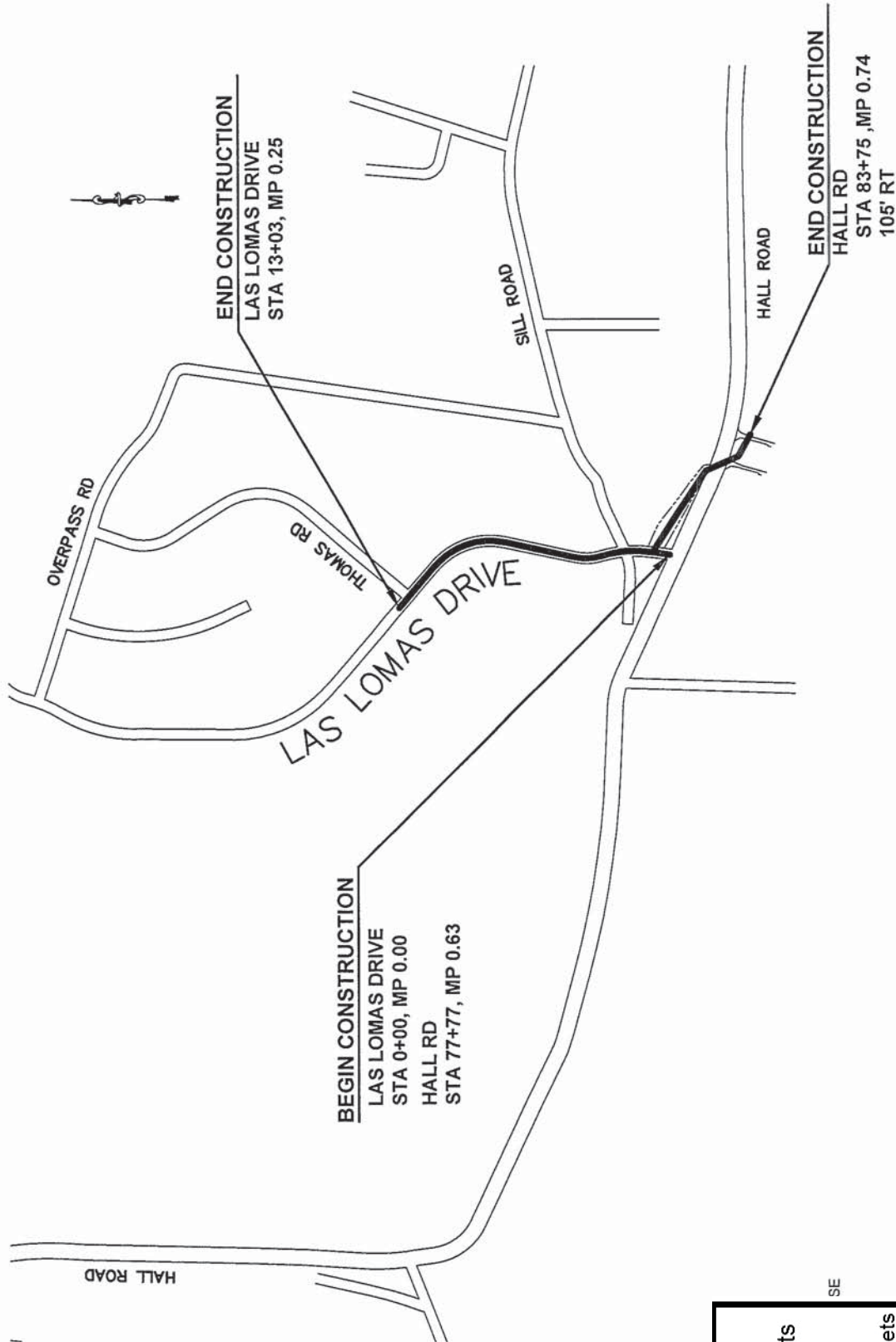
Monterey County Public Works, Salinas, CA (delamercedi@co.monterey.ca.us)
EMC Planning, Monterey, CA (rideout@emcplanning.com)
CA RWQCB, San Luis Obispo, CA (Kim.Sanders@waterboards.ca.gov)
CA CCC, Santa Cruz, CA (brian.o'neill@coastal.ca.gov; michael.watson@coastal.ca.gov)

COUNTY OF MONTEREY
STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

PROJECT PLANS FOR CONSTRUCTION
LAS LOMAS DRIVE
DRAINAGE PROJECT

AT COMMUNITY OF LAS LOMAS FROM
SILL ROAD TO THOMAS ROAD
AND A SEGMENT OF HALL RD

TO BE SUPPLEMENTED BY CALTRANS STANDARD SPECIFICATIONS AND STANDARD PLANS
 DATED MAY 2010, INCLUDING ISSUED ADDENDA



UNAPPROVED FOR CONSTRUCTION
PRELIMINARY PLANS

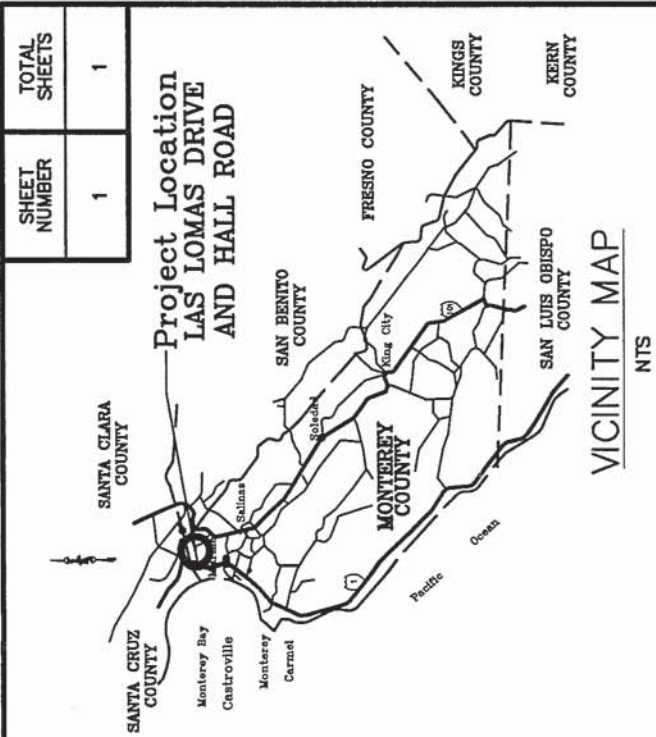
INDEX OF SHEETS
TITLE SHEET

1

USACE File # 2015-00073S
 Las Lomas drainage improvements
 Las Lomas, Monterey County, California

 3/18/15 4 Sheets

SUBMITTED BY: JONATHAN L. PASCUA, P.E. <small>SENIOR CIVIL ENGINEER</small>	APPROVED: _____ DATE: _____
DESIGN BY: J. PASCUA, P.E. <small>PROJECT ENGINEER</small>	CHECKED BY: J.P.
DRAWN BY: I DELA MERCED	CHECKED BY: J.P.
SPECIFICATIONS WRITTEN BY: I DELA MERCED	CHECKED BY: J.P.
APPROVAL: _____ RECOMMENDED BY: ENRIQUE, M., SAAVEDRA, P.E. <small>ASSISTANT DIRECTOR OF PUBLIC WORKS</small>	DATE: _____ PUBLIC WORKS



LAS LOMAS DRAINAGE PROJECT 15-172365	
TITLE SHEET	
DATE: 03/18/15 SCALE: AS SHOWN	DRAWING: K:\Design\Projects\172-Lomas-15\172\Title.dwg VIEW: TS-1

COUNTY OF MONTEREY
RESOURCE MANAGEMENT AGENCY
DEPARTMENT OF PUBLIC WORKS

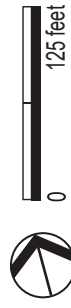
DESIGN SECTION
 168 WEST ALUSAL STREET
 SALINAS, CALIFORNIA 93901
 (831) 755-4800/FAX (831) 755-4958

NO.	DATE	REVISION	APPROVED

BY ACTION OF THE BOARD OF SUPERVISORS
 APPROVED ON _____
 PER BOARD ORDER No. _____ PUBLIC WORKS

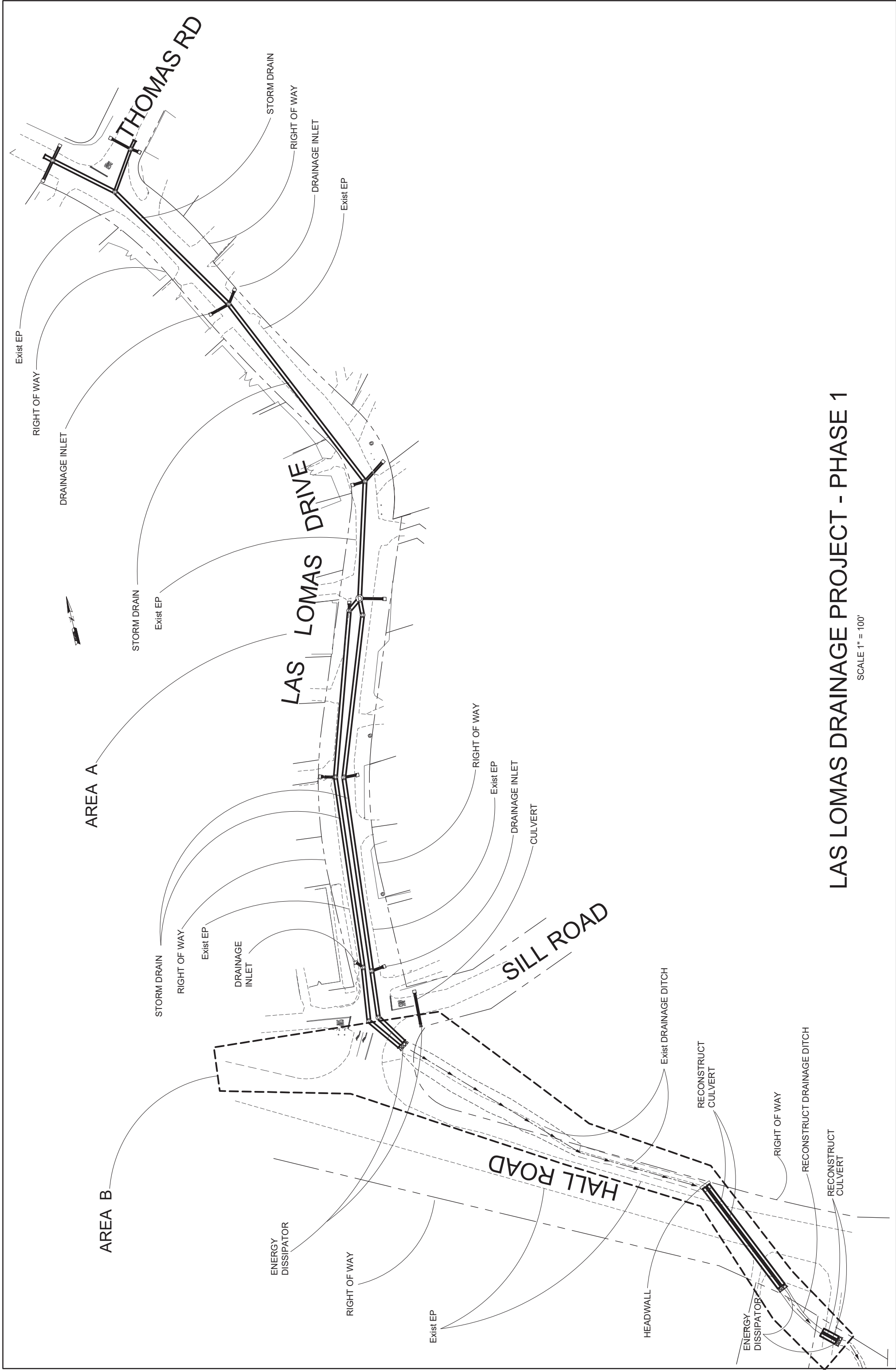
 ROBERT K. MURDOCH, P.E.
 DIRECTOR OF PUBLIC WORKS

 DATE _____



Source: Google Earth 2014, IDMI

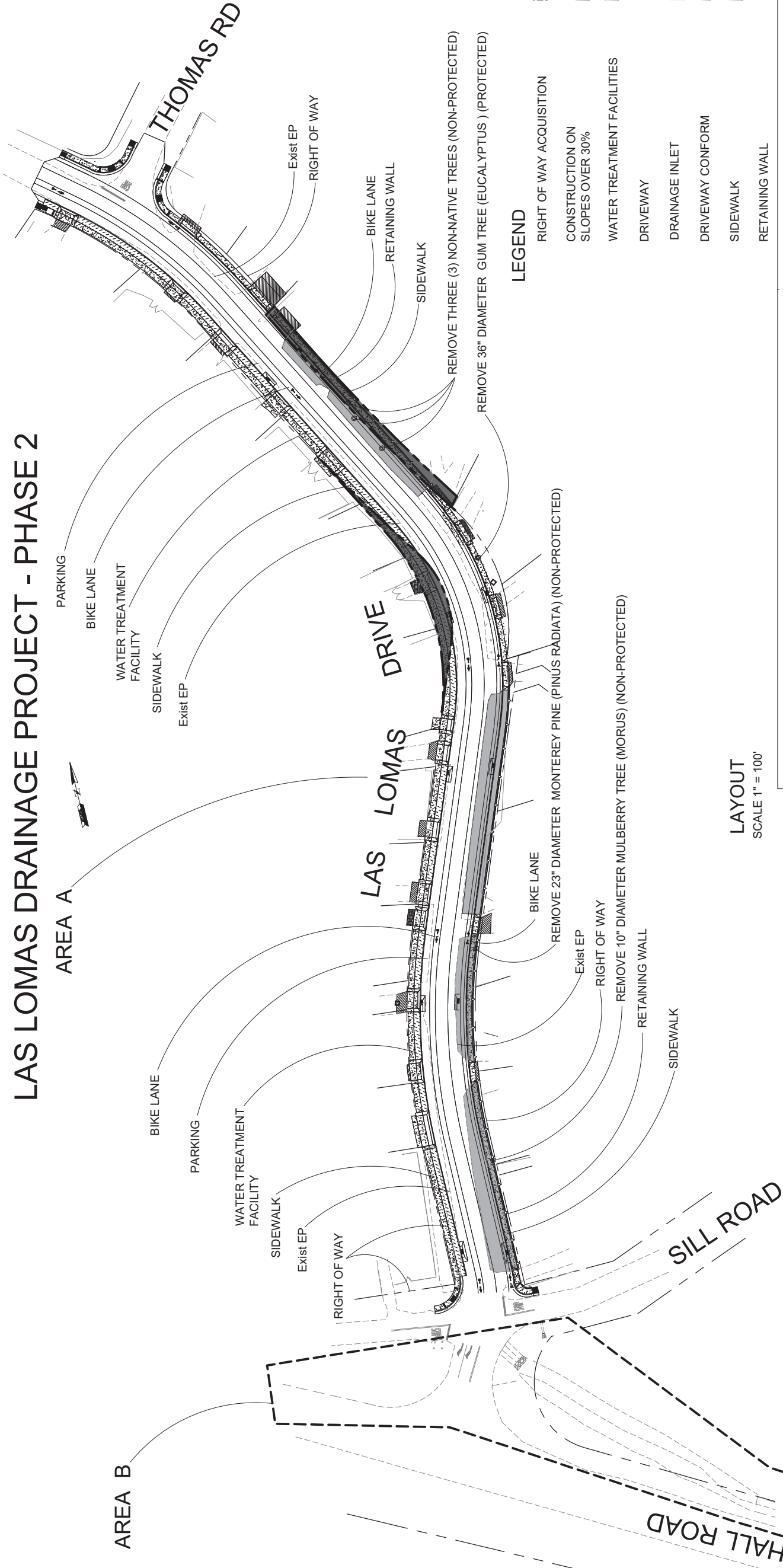
Figure 2
Project Layout
 Las Lomas Drainage Project Initial Study



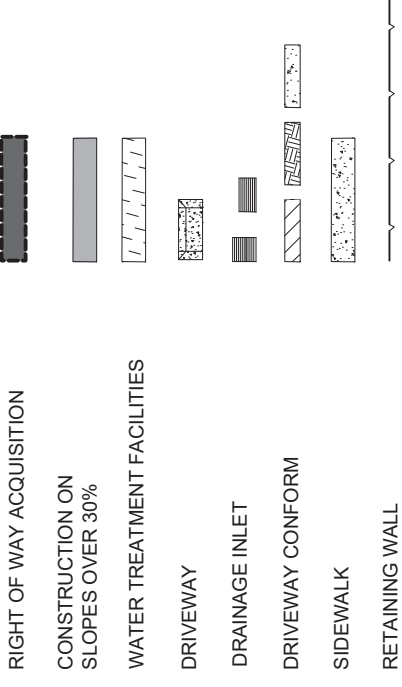
LAS LOMAS DRAINAGE PROJECT - PHASE 1

SCALE 1" = 100'

LAS LOMAS DRAINAGE PROJECT - PHASE 2



LEGEND



LAYOUT
SCALE 1" = 100'

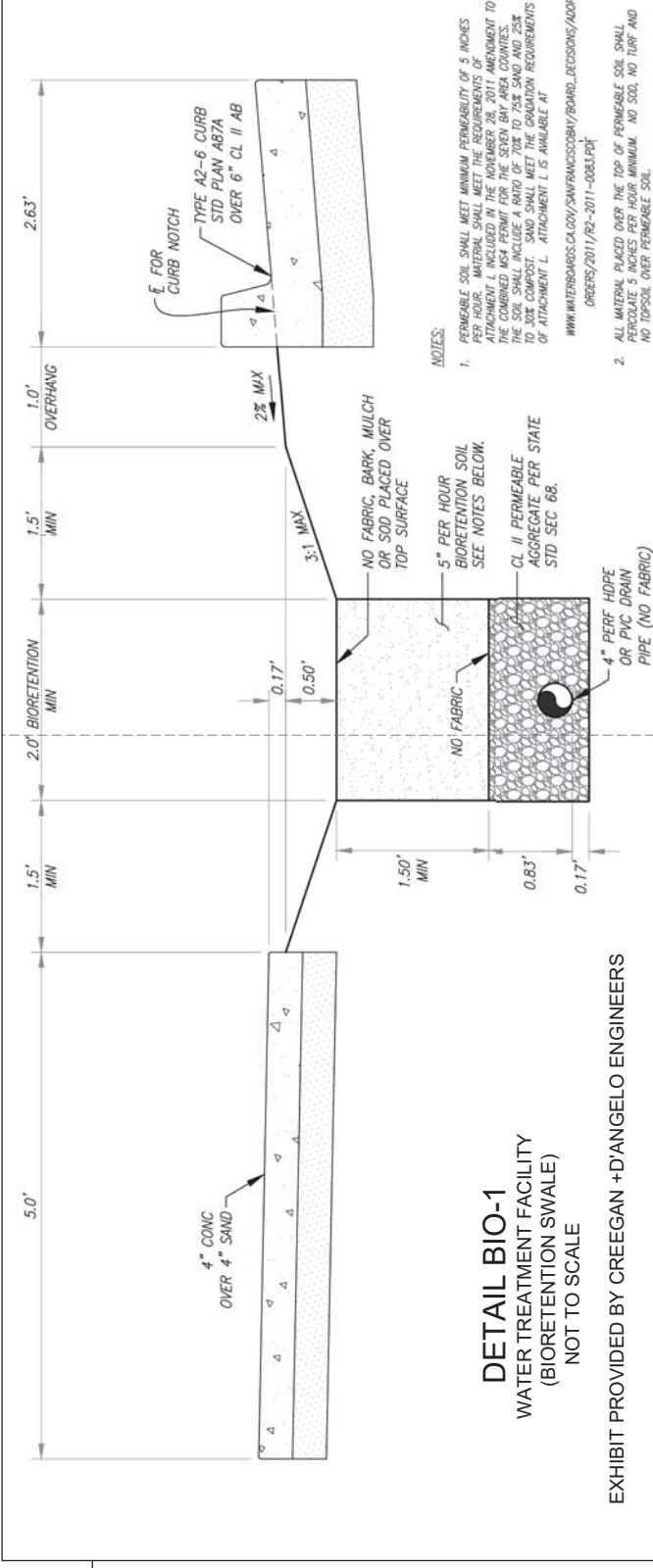
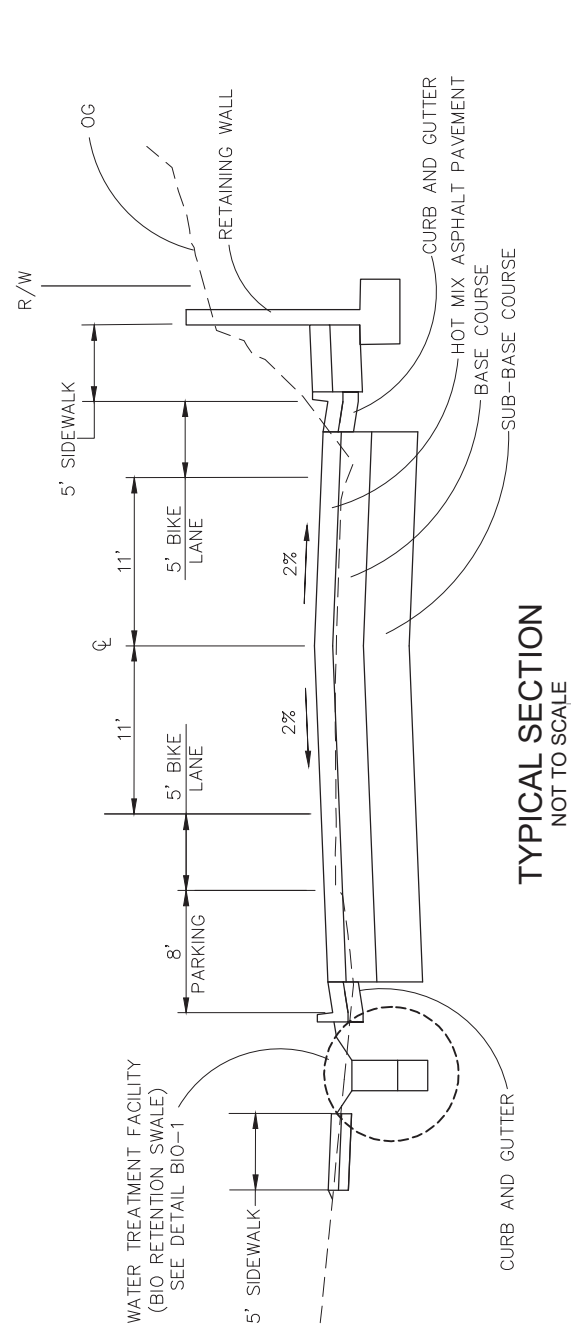
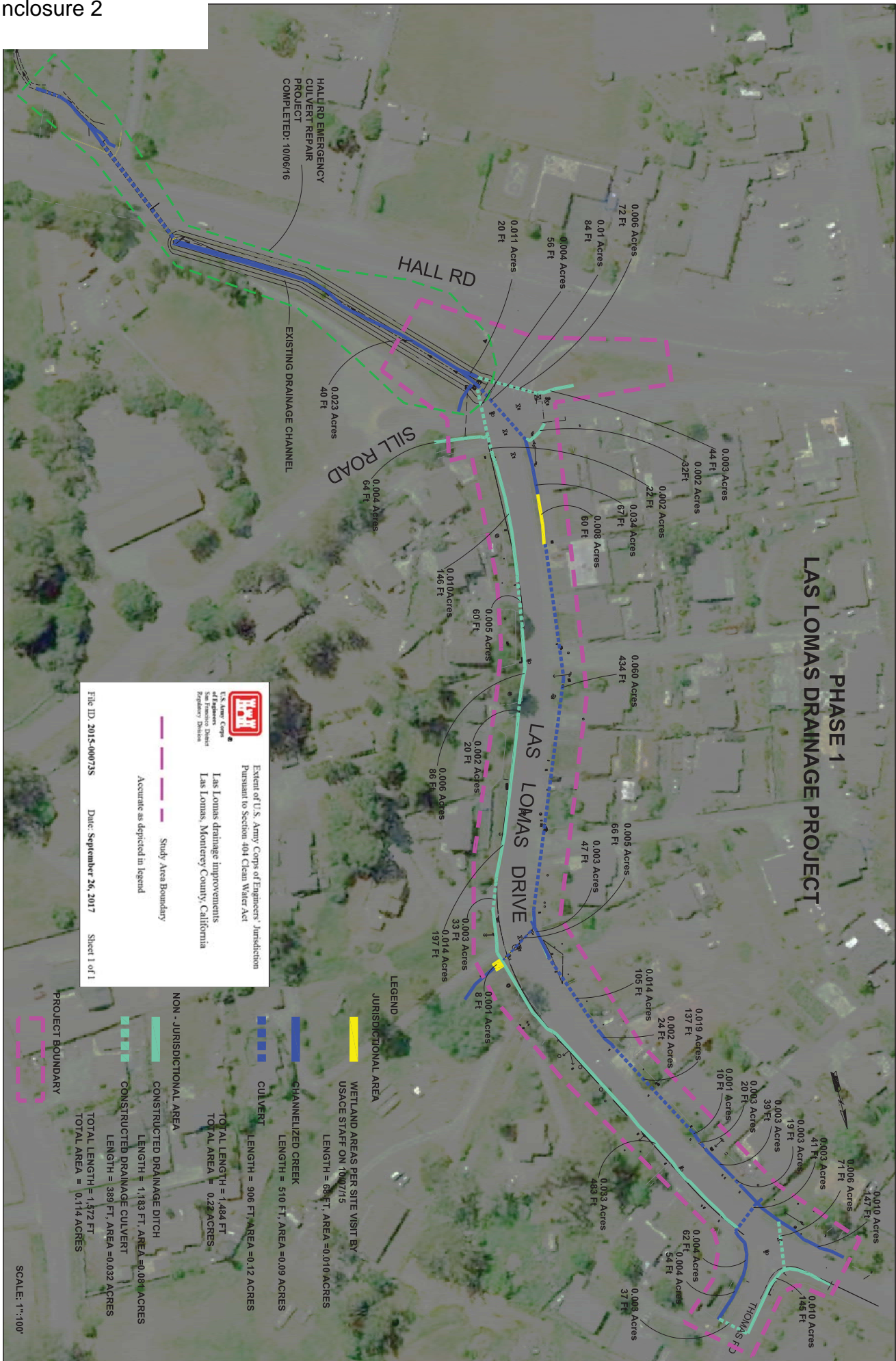


EXHIBIT PROVIDED BY CREEGAN +D'ANGELO ENGINEERS



Enclosure 2



NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Isabelo Dela Merced, Monterey County PW		File Number: 2015-00073S	Date: 9/26/17
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
x	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/cecw/pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

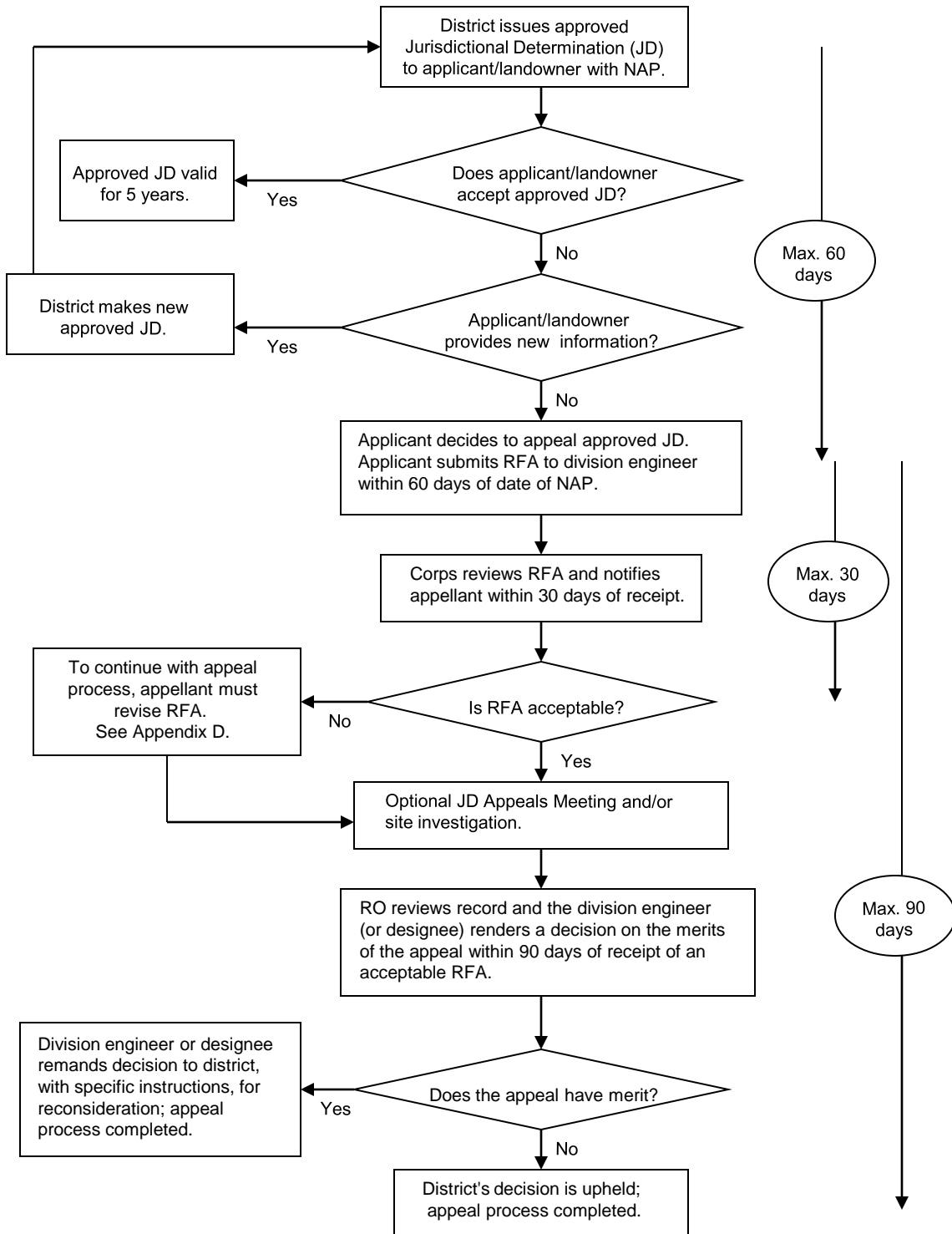
If you have questions regarding this decision and/or the appeal process you may contact:
Katerina Galacatos
South Branch Chief, Regulatory Division
San Francisco District, U.S. Army Corps of Engineers
1455 Market Street, 16th floor
San Francisco, CA 94103-1398
Phone: (415) 503-6778 Email: Katerina.galacatos@usace.army.mil

If you only have questions regarding the appeal process you may also contact: Thomas J. Cavanaugh
Administrative Appeal Review Officer,
U.S. Army Corps of Engineers
South Pacific Division
1455 Market Street, 2052B
San Francisco, California 94103-1399
Phone: (415) 503-6574 Fax: (415) 503-6646
Email: thomas.j.cavanaugh@usace.army.mil

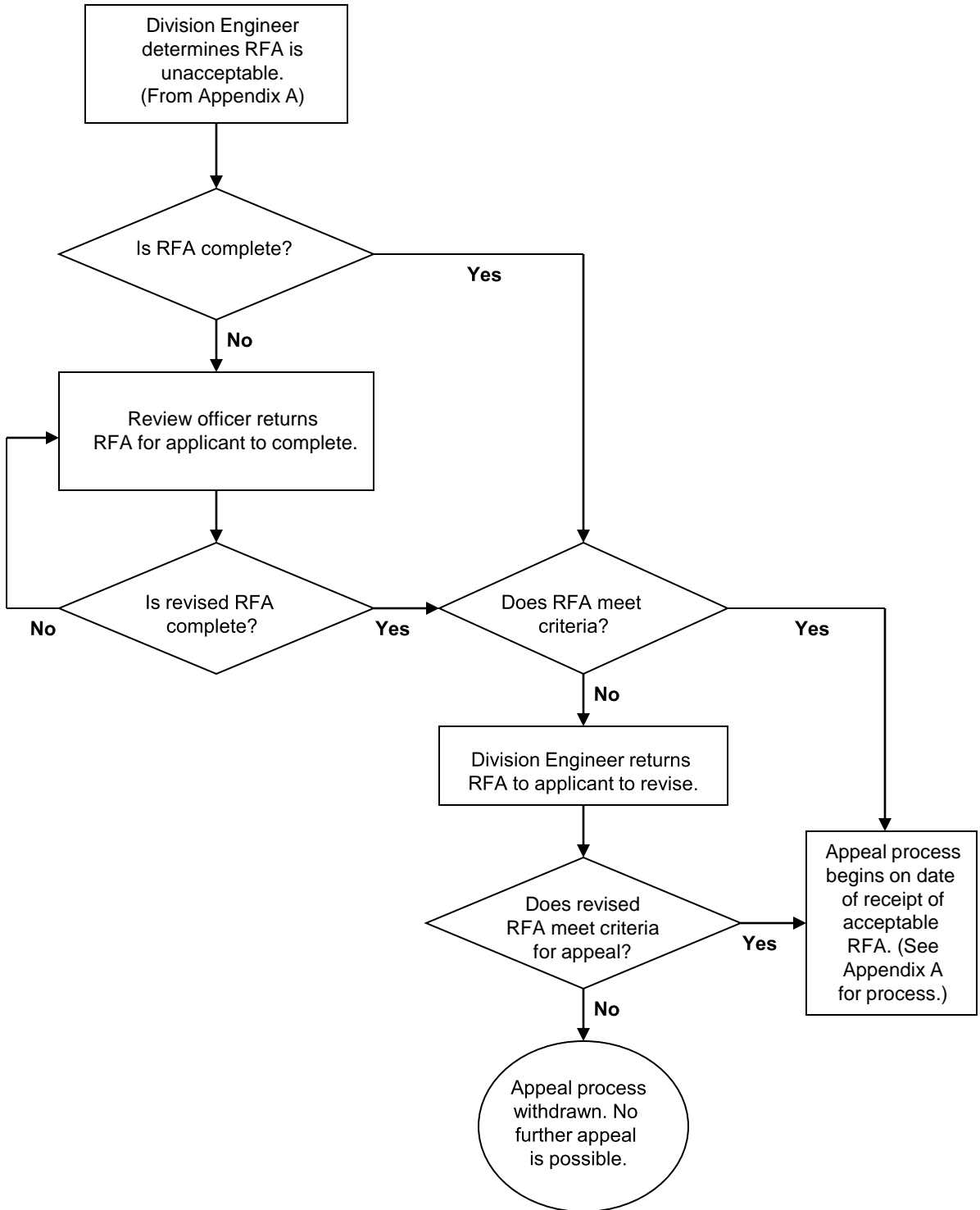
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

<hr/> Signature of appellant or agent.	Date:	Telephone number:
-------------------------------------------	-------	-------------------

Administrative Appeal Process for Approved Jurisdictional Determinations



Process for Unacceptable Request for Appeal



Enclosure 4

Permittee: Mr. Isabelo Dela Merced, Monterey County Public Works

File Number: 2015-00073S

**Certification of Compliance
for
Nationwide Permit**

"I hereby certify that the work authorized by the above referenced File Number and all required mitigation have been completed in accordance with the terms and conditions of this Nationwide Permit authorization."

(Permittee)

(Date)

Return to:

Greg Brown
U.S. Army, Corps of Engineers
San Francisco District
Regulatory Division, CESP-N-R-S
1455 Market Street
San Francisco, CA 94103-1398