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PLN130447
PEBBLE BEACH COMPANY

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 1.

Condition Name: PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

This Combined Development Permit (PLN130447) allows the construction of 24 affordable housing units and a manager's office building; the removal of approximately 725 trees; and associated grading for structural, utility, and access improvements. The project site is located along SFB Morse Drive, just south of the intersection with Ortega Road and adjacent to the City of Pacific Grove, Pebble Beach (a portion of Assessor's Parcel Number 008-041-009-000 also known as Area D), Del Monte Forest, Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 2.

Condition Name: PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state: "A Combined Development Permit (Resolution Number 16-220) was approved by the Board of Supervisors for a portion of Assessor's Parcel Number 008-041-009-000 on August 23, 2016. The permit was granted subject to forty-seven (47) conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

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

Verification of Compliance/Non-Compliance:

March 22, 2017: On March 8, 2017, the Agent (Cheryl Burrell) submitted evidence of recordation of the Permit Approval Notice. DOC No. 2017003225, recorded 01/19/2017. Condition Met. (Entered by Joseph Sidor, Associate Planner) CLEARED

12/20/2016: Ready to be signed and notarized by owner. Mailed to Agent, Chery Burrell, to address in Accela per her instructions. (Monique Kakimoto)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 3.

Condition Name: PD003(A) - CULTURAL RESOURCES - INADVERTENT DISCOVERY (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 4.

Condition Name: PD003(B) - CULTURAL RESOURCES - HUMAN REMAINS (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and If the coroner determines the remains to be Native American:

The coroner shall contact the Native American Heritage Commission and RMA – Planning within 24 hours. The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
2. The descendent identified fails to make a recommendation; or
3. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 5.

Condition Name: PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

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

Compliance or Monitoring Action to be Performed:

Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to County Counsel for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to County Counsel.

Verification of Compliance/Non-Compliance:

March 22, 2017: On March 8, 2017, the Agent (Cheryl Burrell) submitted evidence of recordation of the Indemnification Agreement. DOC No. 2017003223, recorded 01/19/2017. Condition Met. (Entered by Joseph Sidor, Associate Planner) CLEARED

12/20/2016: Ready to be signed and notarized by owner. Mailed to Agent, Chery Burrell to address in Accela per her instructions. (Monique Kakimoto)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447
Project Name: PEBBLE BEACH COMPANY
Condition Number: 6.
Condition Name: PD005 - FISH & GAME FEE NEG DEC/EIR
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

Verification of Compliance/Non-Compliance:

March 22, 2017: A separate "no fee" NoD was filed by RMA-Planning staff on August 24, 2016 (Filing No. 2016-0083). Condition Met. (Entered by Joseph Sidor, Associate Planner) CLEARED

July 11, 2016: Separate "no fee" NoD to be filed after the Board of Supervisors decision on August 23, 2016, regarding the project. (Entered by J. Sidor, Associate Planner)

June 9, 2016: Notice of Determination (NoD) filed and CDFW fee paid after the Planning Commission approval of the project on June 8, 2016. Filing number 2016-0059. Paper copy of filed NoD in RMA-Planning file for PLN130447. CLEARED (Entered by J. Sidor, Associate Planner)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 7.

Condition Name: PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

Verification of Compliance/Non-Compliance:

April 26, 2017: The Applicant submitted an initial deposit in the amount of \$19,571.42. Condition Met. (Entered by Joseph Sidor, Associate Planner) CLEARED

March 22, 2017: On March 8, 2017, the Agent (Cheryl Burrell) submitted evidence of recordation of the MMRP. DOC No. 2017003224, recorded 01/19/2017. (Entered by Joseph Sidor, Associate Planner)

12/20/2016: Ready to be signed and notarized by owner. Mailed to Agent, Chery Burrell to address in Accela per her instructions. (Monique Kakimoto)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 8.

Condition Name: PD007- GRADING WINTER RESTRICTION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services. (RMA - Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 9.

Condition Name: PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to RMA - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to RMA-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 10.

Condition Name: PD011(A) - TREE REMOVAL

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Tree removal shall not occur until a construction permit has been issued in conformance with the appropriate stage or phase of development in this permit. Only those trees approved for removal shall be removed. (RMA-Planning)

Compliance or Monitoring Action to be Performed:

Prior to tree removal, the Owner/ Applicant/ Tree Removal Contractor shall demonstrate that a construction permit has been issued prior to commencement of tree removal.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 11.

Condition Name: PD012(G) - LANDSCAPE PLAN & MAINTENANCE (OTHER)

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of RMA - Planning. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be installed and inspected.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 12.

Condition Name: PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.
(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 14.

Condition Name: PD027 - DEBRIS REMOVAL

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Prior to issuance of a building permit, recordation of a final map or parcel map or initiation of the use, applicant shall cause to be removed from the property all junk, including scrap metals, scrap materials, dismantled or wrecked vehicles or machinery, garbage, debris or similar materials. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of compliance to RMA - Planning.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 15.

Condition Name: PD033 -RESTORATION NATURAL MATERIALS

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of RMA - Planning. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to commencement of use, the Owner/Applicant shall submit restoration plans to RMA - Planning for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 16.

Condition Name: PD035 - UTILITIES UNDERGROUND

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

All new utility and distribution lines shall be placed underground. (RMA - Planning and RMA- Public Works)

Compliance or Monitoring Action to be Performed:

On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 17.

Condition Name: PD048 - TREE REPLACEMENT/RELOCATION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Within 60 days of completion of construction, and in conjunction with the landscape requirement, the applicant shall replace and or relocate each tree approved for removal as specified by the County. Replacement tree(s) shall be located within the general location as shown on the approved landscape plan. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall submit evidence of tree replacement to RMA-Planning for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.

Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition.

One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 18.

Condition Name: PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Any tree removal activity that occurs during the typical bird nesting season (February 1 - September 15), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to RMA-Planning a nest survey prepared by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 19.

Condition Name: EHSP001 RECYCLABLES IN RENTAL HOUSING

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Recyclables must be separated from refuse, collected, stored and properly recycled for each of the multifamily rental housing units. All persons shall separate recyclables from other solid waste generated at their premises and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility pursuant to Monterey County Code 10.41

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permits, submit a written plan on how recyclables will be collected and stored for each of the multifamily rental housing units to Recycling and Resource Recovery Services of Environmental Health Bureau for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 20.

Condition Name: EHSP02 EMPLOYEE HOUSING

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Comply with Employee Housing Regulations found in the California Health and Safety Code Section 17000-17062.5 and the California Code of Regulations Title 25, Division 1, Chapter 1, Subchapter 3 Sections 600-940.

Compliance or Monitoring Action to be Performed:

Prior to occupancy, obtain a health permit for the Employee Housing from the Environmental Health Bureau.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 21.

Condition Name: FIRE007 - DRIVEWAYS

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the driveway into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of driveway improvements and obtain fire department approval the final fire inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 22.

Condition Name: FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 23.

Condition Name: FIRE021 - FIRE PROTECTION- SPRINKLER SYSTEM (STANDARD)

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permit, Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

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

Prior to requesting a final building inspection, the Applicant shall complete the installation of the fire sprinkler system and obtain fire department approval of the final fire sprinkler inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 24.

Condition Name: FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permit, Applicant shall print the text of this condition on the construction plans.

Prior to requesting a framing inspection, Applicant shall obtain fire department approval of the fire alarm system plans.

Prior to requesting a final building inspection, Applicant shall complete the installation of the fire alarm system, obtain fire department approval of the fire alarm acceptance test and final fire inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 25.

Condition Name: FIRE029 - ROOF CONSTRUCTION - (CYPRESS/PEBBLE BEACH)

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permit, the Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 26.

Condition Name: WR008 - STORMWATER DETENTION

Responsible Department: Water Resources Agency

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide a drainage plan, prepared by a registered civil engineer, addressing on-site and off-site impacts. The plan shall include detention facilities to mitigate the impact of impervious surface stormwater runoff. Supporting calculations and construction details shall also be provided. Pond(s) shall be fenced for public safety. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. The property owner shall maintain the approved stormwater drainage system to insure the facilities are operating as designed. (Water Resources Agency)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

Verification of Compliance/Non-Compliance:

04/13/2017: The applicant has provided the WRA with an acceptable drainage plan prepared by L & S Engineers dated 02/22/2017. The plan includes one detention basin which is designed to detain stormwater from the project. The basin includes an outlet pipe capable of metering the stored stormwater out of the basin at a rate no more than the 10-year pre-development rate (0.368 cfs). The basin is designed to store the 100-year post-development runoff volume (2,839 cu.ft.). The stormwater basins do not require fencing because the applicant was able to design the basin to not exceed 24" in depth.

- CONDITION MET 4/13/2017.

- CCF FORM IN DOCUMENTS MODULE.

- CONDITION CLEARED BY JENNIFER BODENSTEINER, MCWRA, (831) 755-4860

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 27.

Condition Name: WR010 - COMPLETION CERTIFICATION

Responsible Department: Water Resources Agency

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide certification from a registered civil engineer or licensed contractor that stormwater detention facilities have been constructed in accordance with the approved drainage plan.
(Water Resources Agency)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall submit a letter to the Water Resources Agency prepared by a registered civil engineer or licensed contractor.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 28.

Condition Name: WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Water Resources Agency

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at:

www.mcwra.co.monterey.ca.us.

Verification of Compliance/Non-Compliance:

Upon review by the MCWRA it is found that this project will result in a net increase of zero acre-feet per year of water, due to the use of Pebble Beach Company water credit, and is consistent with Monterey Peninsula Water Management District's Ordinance #70 and Board of Supervisors action dated October 11, 1994.

- CONDITION MET 01/25/2017.

- CCF FORM IN DOCUMENTS MODULE.

- CONDITION CLEARED BY MIKE LOGSDON, MCWRA, (831) 755-4876.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 29.

Condition Name: MM AES-B1: INCORPORATE NATIVE INFILL PLANTINGS IN AREAS OUTSIDE OF THE

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM AES-B1: INCORPORATE NATIVE INFILL PLANTINGS IN AREAS OUTSIDE OF THE DEVELOPMENT FOOTPRINT

Prior to Project construction, the applicant shall incorporate native infill plantings into the Project landscaping plans around the development footprint to maximize screening of public views from roadways. Additional native shrubs shall be placed in the following areas: 1) west of the development site, between SFB Morse Drive and the new buildings (but not in a manner that blocks vehicular line of site at the driveways), and 2) east of the development site, between the Pacific Grove/Pebble Beach boundary and the development footprint where gaps allow for infill plantings. Evergreen species such as shaggy-barked manzanita (*Arctostaphylos tomentosa* subsp. *tomentosa*), coyote brush (*Baccharis pilularis*), California coffeeberry (*Frangula californica* subsp. *californica*), and toyon (*Heteromeles arbutifolia*) shall be used. Plants shall be spaced irregularly so that the plantings appear compatible with the existing vegetation in this area, yet at a density that shall ensure effective understory screening. The specific plant species, location and distance apart will be determined in coordination with and approved by the Project biologist and landscape architect analyst, who will sign the plans or approve in memorandum format. It is estimated that there could be 20-50 new native shrubs placed 5 to 10 feet apart depending on the species. Under no circumstances shall any invasive plant species be used at any location. In addition, this measure shall conform to the standards set forth for the 30-foot Lean, Clean and Green Zone and the 70-foot Reduced Fuel Zone established in the Preliminary Fuel Management Plan.

The applicant shall be responsible for maintaining and monitoring the infill plantings during the plant establishment period set forth in the resource management plan developed for the Project (refer to Mitigation Measure 1 BIO-A1, Develop and implement one site-specific resource management plan for the Project's open space preservation area). For a minimum of 20 years after Project construction, the applicant shall submit an annual monitoring report documenting the implementation of this measure.

Compliance or Monitoring Action to be Performed:

Prior to issuing the first construction permit, Monterey County RMA-Planning will review and approve the final landscape plans. After construction and prior to occupancy, the Monterey County RMA-Planning or a qualified landscape architect on the County's behalf will visit the site to ensure the landscaping has been planted in accordance with the approved landscape plans. After occupancy, Monterey County RMA-Planning will review the applicant's annual monitoring report documenting the implementation of this measure for 20 years.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 30.

Condition Name: MM BIO-A1 - DEVELOP AND IMPLEMENT A SITE-SPECIFIC RESOURCE MANAGEMENT

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM BIO-A1: DEVELOP AND IMPLEMENT A SITE-SPECIFIC RESOURCE MANAGEMENT PLAN FOR THE PROJECT'S OPEN SPACE PRESERVATION AREA IN AREA D

The applicant shall be required to develop and implement a site-specific resource management plan (RMP) for the 10.5-acre open space preservation area on the Project site. The objective of the RMP will be to increase the functions and values of the preserved forest habitat to offset the loss of habitat functions and values and to minimize indirect impacts resulting from Project implementation. Additionally, the site-specific RMP will include native infill plantings to replace the trees removed for the Project. (See attached page for the full text of Mitigation Measure BIO-A1.)

Compliance or Monitoring Action to be Performed:

Prior to issuing the first construction permit, Monterey County RMA-Planning shall review and approve the site-specific RMPs. After construction, annually for a minimum of 20 years, Monterey County RMA-Planning, or a qualified biologist on the County's behalf, will visit the sites to ensure the measures in the RMPs are being implemented.

Verification of Compliance/Non-Compliance:

April 4, 2017: Site visit to assess trail alignment options across Sawmill Gulch. Attendees included Joseph Sidor (RMA-Planning), Cheryl Burrell (Pebble Beach Company), Leslie Zander (consulting biologist), and Jeff Lorentz (consulting engineer). The full text of Condition No. 30 includes the following statement: "The crossing of Sawmill Gulch shall be provided by a small clear-span bridge." Based on review of the existing informal trail that crosses Sawmill Gulch, installation/construction of a clear-span bridge would result in significant biological impacts. The size of bridge needed to span the gulch would require mobilization of heavy equipment, which would result in significant biological impacts to undisturbed habitat area and additional tree removal. An approach that would allow restoration and preservation of habitat, and not result in any new significant impacts, would be to extend a path from the end of the drainage easement along the roadway south to SFB Morse Drive. (Entered by Joseph Sidor, Associate Planner)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 31.

Condition Name: MM BIO-A2: DEDICATE CONSERVATION EASEMENT TO THE DEL MONTE FOREST CONSERVANCY

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM BIO-A2: DEDICATE CONSERVATION EASEMENT TO THE DEL MONTE FOREST CONSERVANCY FOR THE OPEN SPACE PRESERVATION AREA IN AREA D. DEDICATE CONSERVATION EASEMENT TO A SUITABLE CONSERVATION AGENCY, FOR THE ADDITIONAL AREA OF OLD CAPITOL SITE

Prior to Project occupancy, the applicant shall be required to dedicate a conservation easement to the Del Monte Forest Conservancy or other approved entity for the entire open space preservation area (10.5 acres), including 4 acres west of SFB Morse Drive and 6.5 acres east of SFB Morse Drive, as shown in Figure 2-3 in the EIR.

The conservation easement shall incorporate specific development prohibitions based on the protection measures outlined in the Master RMP (Monterey County 2011/2012) and the site-specific RMP to be developed in accordance with Mitigation Measure BIO-A1. The conservation easement shall contain specific restrictive language that permanently prohibits all future development in the preservation areas, including the creation or expansion of trails, with the following exceptions.

- Existing trails in Area D to be retained, as identified in the site-specific RMP per the requirements of Mitigation Measure BIO-A1.
- Existing utility uses and their maintenance, as identified in the site-specific RMP.

The conservation easement shall also contain the following provisions:

- A guarantee of full funding for implementation and monitoring by the applicant of all agency-approved resource management methods established in all agreements and memoranda of understanding.
- A statement that these dedicated areas cannot be used for the mitigation of any other past, present, or future projects.

The intent of this language is to prevent the possibility of later revision, amendment, or interpretive disputes concerning the conservation easements that might directly or indirectly result in the loss of habitat area and quality that is intended and required solely as mitigation for this Project's effects. The intent is also to ensure the implementation of proposed resource management activities that are intrinsic to enhancing and maintaining the forest's ecological values, such as implementation of resource and wildfire management practices.

The applicant shall also be required to dedicate 8.4 acres of the Old Capitol Site for the purposes of permanent preservation and management of Monterey pine forest and supported habitat in perpetuity. The additional dedication area shall be outside the 16-acre area containing Yadon's piperia that the applicant previously agreed to preserve in the prior agreement with USFWS.

Compliance or Monitoring Action to be Performed:

Monterey County

Condition Compliance Form

Prior to Project occupancy, Monterey County RMA-Planning shall review and approve the conservation easements to the Del Monte Forest Conservancy or other approved entity.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 32.

Condition Name: MM BIO-B1 - AVOID, MINIMIZE, AND/OR COMPENSATE FOR DEGRADATION OF WATE

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM BIO-B1: AVOID, MINIMIZE, AND/OR COMPENSATE FOR DEGRADATION OF WATER QUALITY AND LOSS OF WATERS; AND IMPLEMENT RESOURCE MANAGEMENT MEASURES TO MAINTAIN WATERS AND WATER QUALITY IN THE PROJECT PRESERVE AREAS

During Project construction, the applicant shall minimize disturbance of the drainage ravine leading to Sawmill Gulch and any associated riparian vegetation due to the construction of the storm drain outfall to the drainage ravine. The outfall shall be constructed so that it shall not result in erosion of the drainage bed or bank through use of energy dissipating rock or other structure. The applicant shall restore any temporary disturbance areas. The applicant shall compensate for the loss of waters through restoration actions along the drainage ravine leading to Sawmill Gulch within the proposed preserve areas. These restoration actions shall include replanting of vegetation to compensate for any permanent loss of riparian vegetation due to outfall installation and restoration of drainage bed or bank at a minimum ratio of 1:1 for any permanent areas of disturbance of the drainage ravine leading to Sawmill Gulch. The amount of compensation included in this mitigation is a minimum requirement; additional compensation may be required as permit conditions from the USACE, RWQCB or CDFW, as appropriate.

In addition to the above requirements, the drainage ravine leading to Sawmill Gulch shall be managed for its habitat as part of the site-specific RMP required pursuant to Mitigation Measure BIO-A1 above, including removal of invasive species, stabilization of any unnatural areas of erosion that may be causing sedimentation of the creek, and removal of any unnatural fills not necessary to roadway or utility infrastructure.

Compliance or Monitoring Action to be Performed:

During Project construction, Monterey County RMA-Planning, or a qualified biologist on the County's behalf, shall ensure that the applicant minimizes disturbance to the drainage ravine leading to Sawmill Gulch and shall restore any areas that are temporarily disturbed.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 33.

Condition Name: MM BIO-C1 - CONDUCT PRE-CONSTRUCTION SURVEYS FOR CRLF, IMPLEMENT PRO

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM BIO-C1: CONDUCT PRE-CONSTRUCTION SURVEYS FOR CRLF, IMPLEMENT PROTECTION MEASURES IF FOUND, AND CONDUCT CONSTRUCTION MONITORING

Prior to issuance of the first Project construction permit, the applicant shall hire a qualified biologist and ensure the following measures are incorporated into construction specifications and implemented to protect CRLF.

- The qualified biologist shall conduct pre-construction surveys up to 3 days prior to initial grading and ground disturbing activities in all upland areas within 300 feet of the drainage ravine leading to Sawmill Gulch in areas proposed for temporary or permanent disturbance in the Project site. During rain conditions, the pre-construction survey shall be conducted the same day as grading and ground disturbing activities.
- If CRLF are found within an area to be disturbed, no ground disturbance shall occur until a USFWS-approved biologist has captured and relocated any individuals to nearby suitable habitat within a preservation area. All relocation shall be completed following a relocation plan approved by the USFWS and CDFW, including the preservation area to which the CRLF shall be relocated.
- If CRLF are found within the project site and relocated out of the project site, then biologist shall supervise installation of barrier fencing around construction areas within 300 feet from the drainage ravine leading to Sawmill Gulch to minimize the potential for CRLF to enter construction areas.
- Once barrier fencing is installed, the biologist will instruct the construction foreman on how to inspect the fence each morning, prior to the start of work activities, to make sure the fence is still intact and that no animals are stuck at the fence.

Compliance or Monitoring Action to be Performed:

Prior to the issuance of the first Project construction permit, Monterey County RMA-Planning shall ensure the CRLF protection measures are incorporated into construction specifications.

During construction, Monterey County RMA-Planning shall verify the protection measures are being implemented by having a construction monitor visit the site or review and approve monitoring reports prepared by the qualified biologist monitoring construction.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 34.

Condition Name: MM BIO-C3 - CONDUCT PRE-CONSTRUCTION SURVEYS FOR BAT ROOSTS, AND IMP

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM BIO-1 C3: CONDUCT PRE-CONSTRUCTION SURVEYS FOR BAT ROOSTS, AND IMPLEMENT CONSTRUCTION MONITORING DURING TREE REMOVAL ACTIVITIES

Prior to issuance of the first Project construction permit, the applicant shall hire a qualified biologist and ensure the following measures are incorporated into the construction specifications and implemented to protect pallid bats.

- The qualified biologist shall conduct pre-construction surveys for pallid bats no more than 48 hours before tree removal activities in or near the proposed development area. This survey shall include: 1) systematic roost searching throughout the development area where there is potential for bats to be located and, if found, 2) monitoring of an occupied tree during initial disturbance confirming bats have vacated prior to tree removal.

If bats are confirmed using the trees on site as roosts, the biologist shall be present during tree removal activities and shall have the authority to temporarily stop construction activities if pallid bats are found, and until such bats have left the occupied tree. If bats are not found roosting in the trees then no additional monitoring is necessary during tree removal, unless required by other mitigation measures.

Compliance or Monitoring Action to be Performed:

Prior to the issuance of the first Project construction permit, Monterey County RMA-Planning shall ensure the pallid bat protection measures are incorporated into the construction specifications.

During construction, Monterey County RMA-Planning shall verify the protection measures are being implemented by having a construction monitor visit the site or review and approve monitoring reports prepared by the qualified biologist monitoring construction.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 35.

Condition Name: MM CC-A1 - IMPLEMENT BEST MANAGEMENT PRACTICES FOR GHG EMISSIONS DURING CONSTRUCTION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM CC-A1: IMPLEMENT BEST MANAGEMENT PRACTICES FOR GHG EMISSIONS DURING CONSTRUCTION

Prior to starting construction activities, the applicant shall ensure the construction contractor includes the following best management practices (BMPs) in the construction specifications, to the extent feasible, to reduce construction-related GHG emissions:

- Use alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment for at least 15% of the fleet.
- Use local building materials where reasonably available (i.e., within the general Monterey Bay area defined as Monterey County, Santa Cruz County, and San Benito County).
- Recycle at least 50% of construction waste or demolition materials.

The applicant shall submit to Monterey County for review and approval a report of construction specifications demonstrating implementation of BMPs.

Compliance or Monitoring Action to be Performed:

Prior to starting construction activities, Monterey County RMA-Planning shall ensure that the construction specifications include best management practices to reduce construction-related GHG emissions.

Prior to the issuance of grading or building permits, Monterey County RMA-Planning shall review and approve construction specifications demonstrating implementation of BMPs.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 36.

Condition Name: MM CC-A2a - REDUCE ANNUAL GREENHOUSE GAS EMISSIONS TO BELOW THE EFFI

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM CC-A2a: REDUCE ANNUAL GREENHOUSE GAS EMISSIONS TO BELOW THE EFFICIENCY STANDARD OF 4.5 MTCO₂e/SERVICE POPULATION USING A COMBINATION OF DESIGN FEATURES, REPLANTING, AND/OR OFFSET PURCHASES

Prior to issuance of the first Project construction permit, the applicant shall develop and implement a GHG Reduction Plan to reduce annual emissions to below the efficiency threshold of 4.5 MTCO₂e/Service Population. With the presumed project residents (78), this would mean reducing GHG emissions to approximately 351 MTCO₂e/year. The GHG Reduction Plan shall be provided to Monterey County for review and approval prior to grading, or ground disturbance or vegetation removal for any phase of the proposed project. The GHG Reduction Plan shall identify the specific design measures proposed to reduce GHG emissions from the proposed project, their timing, and the responsible party. The effect of state measures, as applied to project development, may be counted toward the mitigated level. (See attached page for the full text of Mitigation Measure CC-A2a.)

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first Project construction permit, Monterey County RMA-Planning shall review and approve the GHG Reduction Plan developed by the applicant.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 37.

Condition Name: MM CC-A2b - VALIDATE THE GREENHOUSE GAS EMISSION OFFSET VALUE OF PRES

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM CC-A2b: VALIDATE THE GREENHOUSE GAS EMISSION OFFSET VALUE OF PRESERVING MONTEREY PINE FOREST ON THE OLD CAPITOL SITE USING THE CLIMATE ACTION REGISTRY FOREST PROJECT PROTOCOL AND PRESERVE THE LANDS IN PERPETUITY

In order for this mitigation to be valid, the applicant shall be required to submit an application to the Climate Action Reserve for the proposed preservation areas following the Forest Practices Protocol and shall obtain third-party verification per the protocol to validate the use of such lands for mitigation credit. If the Reserve validates an amount of GHG mitigation offset greater than or equal to the predicted emissions of the proposed project described above, the County shall accept preservation of land as mitigation of GHG emissions. If the applicant is unable to validate the preservation, the applicant shall be required to implement Mitigation Measure CC-A2a.

If validated, the project applicant shall establish preservation areas to prohibit a minimum of 75 acres of Monterey pine forest on the Old Capitol Site from being developed into non-forested land. The preservation area established by the project applicant shall be consistent with the Climate Action Reserve's Forest Project Protocol and shall ensure that the preservation area is maintained for a minimum of 100 years.

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first Project construction permit, the applicant shall submit evidence to Monterey County RMA-Planning of a submitted application to the Climate Action Reserve for the proposed preservation areas following the Forest Practices Protocol and will obtain third-party verification per the protocol to validate the use of such lands for mitigation credit. If validated, Monterey County RMA-Planning shall ensure that the preservation area established is consistent with the Climate Action Reserve's Forest Project Protocol and will ensure that the preservation area is maintained for a minimum of 100 years.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 38.

Condition Name: MM GSS-D1 - DURING PROJECT CONSTRUCTION, DEWATER WHERE EXCAVATION /

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM GSS-D1: DURING PROJECT CONSTRUCTION, DEWATER WHERE EXCAVATION ACTIVITIES WOULD BE 5 FEET OR GREATER AND SHORE TEMPORARY CUTS

The applicant shall ensure construction specifications identify areas where excavation is planned to be 5 feet or greater, including utility installation (6 feet deep), and identify the groundwater depths at those locations. During construction, where groundwater will potentially be encountered, the construction contractor shall implement dewatering (water removal) and shoring methods as necessary to handle drainage and potential excavation wall stability during excavation. These shall be included as notes on construction plans.

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first construction permit, Monterey County RMA-Building Services shall review and approve the construction plans to ensure they identify areas where excavation could be 5 feet or greater and groundwater could be encountered, and include dewatering and shoring activities.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447
Project Name: PEBBLE BEACH COMPANY
Condition Number: 39.
Condition Name: MM NOI-B1 - IMPLEMENT NOISE CONTROL MEASURES TO REDUCE CONSTRUCTION
Responsible Department: Environmental Health
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM NOI-B1 - IMPLEMENT NOISE CONTROL MEASURES TO REDUCE CONSTRUCTION NOISE DURING PROJECT CONSTRUCTION

The applicant shall ensure the construction contractor includes the following measures as notes on the construction plans and implements the measures during construction of the Project.

- Monitor the effectiveness of noise attenuation measures by taking noise measurements during construction activities to evaluate noise levels and determine the need for mitigation to reduce noise below 85 dBA, Lmax at a distance of 50 feet from construction activities.
- Equipment and trucks used for Project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically attenuating shields or shrouds), wherever feasible.
- Construction contractors, to the maximum extent feasible, shall be required to use "quiet" gasoline-powered compressors or other electric-powered compressors, and use electric rather than gasoline or diesel powered forklifts for small lifting.
- Stationary noise sources, such as temporary generators, shall be located as far from nearby receptors as possible, and they shall be muffled and enclosed within temporary enclosures and shielded by barriers, or other measures to the extent feasible.
- Install temporary noise barriers eight feet in height around the construction site to reduce construction noise to 85 dBA as measured at the applicable property lines of the adjacent uses, unless an acoustical engineer submits documentation that confirms that the barriers are not necessary to achieve the attenuation levels.
- Trucks shall be prohibited from idling along streets serving the construction site.
- Monitor the effectiveness of noise attenuation measures by taking noise measurements during construction activities.
- The applicant shall ensure a monitoring report is prepared that documents the noise measurements and the implementation of the noise-reduction measures.

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first construction permit, the Monterey County Environmental Health Bureau shall review and approve the construction plans for noise control measures to be implemented throughout Project construction.

During Project construction, Monterey County Environmental Health Bureau shall review and approve the applicant's monitoring report.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 40.

Condition Name: MM NOI-C1 - IDENTIFY SPECIFIC TIMEFRAME FOR CONSTRUCTION ACTIVITIES THAT

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM NOI-C1: IDENTIFY SPECIFIC TIMEFRAME FOR CONSTRUCTION ACTIVITIES THAT RESULT IN VIBRATION AND PROVIDE ADVANCE NOTICE TO ADJACENT RESIDENTS; CONDUCT VIBRATION TESTING, AND OFFER TEMPORARY RELOCATION TO SELECT RESIDENTS IF VIBRATION LEVELS EXCEED FEDERAL TRANSIT ADMINISTRATION VIBRATION THRESHOLDS

Prior to and during Project construction, the applicant and construction contractor shall ensure that construction scheduling identifies the times and duration of vibration-causing effects associated with earth-moving and grading activities. These construction activities shall be limited to a specified period during the day, as determined by the applicant and construction contractor with approval from Monterey County RMA-Planning. The applicant shall provide advance notice to adjacent residents within 100 feet of vibration-causing activities, and also send a copy of the notice to Monterey County Environmental Health Bureau.

Additionally, the applicant and construction contractor shall conduct vibration testing to determine if earth-moving and grading activities result in vibration levels that exceed the Federal Transit Administration recommended ground-borne vibration threshold of 83 VdB and ground-borne noise threshold of 48 dBA. If ground-borne vibration or noise levels exceed the thresholds, the applicant shall offer to temporarily relocate residents who will be exposed to vibration levels exceeding threshold levels during grading and excavation activities, and notify the Monterey County Environmental Health Bureau.

These requirements shall be included in all relevant construction contracts and shown on construction plans.

Compliance or Monitoring Action to be Performed:

Prior to issuance of the first construction permit, the Monterey County Environmental Health Bureau shall review and approve the construction plans to ensure that construction scheduling identifies the times and duration of vibration-causing effects associated with earth-moving and grading activities.

Additionally, the Monterey County Environmental Health Bureau shall ensure that the applicant and construction contractor conduct vibration testing to determine if construction activities will result in vibration levels in excess of FTA's recommended thresholds.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447
Project Name: PEBBLE BEACH COMPANY
Condition Number: 41.
Condition Name: MM TRA-A1 - DEVELOP AND IMPLEMENT A CONSTRUCTION TRAFFIC CONTROL PLA
Responsible Department: Public Works
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM TRA-A1: DEVELOP AND IMPLEMENT A CONSTRUCTION TRAFFIC CONTROL PLAN

Prior to issuance of grading or building permits, a traffic control plan, including a comprehensive set of traffic control measures, shall be prepared by the construction contractor and submitted to Monterey County RMA – Public Works for review and approval. The plan shall be implemented throughout the course of Project construction and may include, but shall not be limited to, the following elements:

- Limit construction activities to between 8 a.m. and 6 p.m., Monday through Saturday, per the Del Monte Forest Architectural Board Design Guidelines (Pebble Beach Company 2002) imposed on development within Pebble Beach. No work shall be permitted on Sundays or holidays. Workers may be on-site before 8 a.m. and after 6 p.m., but no work shall be performed that will disturb neighboring residents. (The applicant's proposed construction hours are consistent with this measure.)
- Require that written notification be provided to contractors regarding appropriate routes to and from the Project site, and the weight and speed limits on local roads used to access the Project site. Wherever possible, construction truck travel shall occur on collector and arterial roads, not on local or residential streets. (The applicant proposes to limit major construction truck activity to key collector roads in Pebble Beach, and construction truck access to the Project site would be via the SFB Morse Gate.)
- Repair or restore any damage attributable to haul trucks on haul routes to the satisfaction of the appropriate agency.
- Require traffic controls on SFB Morse Drive and the Project entrance driveway, including flag persons wearing bright orange or red vests and using a "Stop/Slow" paddle to control oncoming traffic.
- Lane closure procedures, including signs, cones, and other warning devices for drivers, shall be identified as appropriate.
- Use of steel plates to maintain through-traffic on roads shall be considered, and construction access routes shall be identified.
- Construction staging is anticipated to occur on-site for all Project components and shall be verified by the County.
- Provide adequate on-site parking for all construction workers to minimize the impact on area roads. When on-site parking cannot be provided, alternative parking and shuttle systems shall be developed and verified by the County.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading or building permits, Monterey County RMA-Public Works shall review and approve a traffic control plan to be implemented throughout the course of Project construction.

During construction, Monterey County RMA – Public Works shall periodically monitor construction activities to ensure the traffic control plan is being implemented.

Monterey County

Condition Compliance Form

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447
Project Name: PEBBLE BEACH COMPANY
Condition Number: 42.
Condition Name: MM TRA-C1 - FAIR-SHARE CONTRIBUTION - SR 68/SKYLINE FOREST DRIVE
Responsible Department: Public Works
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM TRA-C1: FAIR-SHARE CONTRIBUTION TO BE CALCULATED BASED ON AN IMPROVEMENT AT SR 68/SKYLINE FOREST DRIVE, BUT COUNTY TO CREDIT FAIR-SHARE AMOUNT AS PARTIAL REPAYMENT OF APPLICANT'S EXCESS FUNDING COMMITMENT FOR THE SR1/SR68 ROUNDABOUT PROJECT IN EXCESS OF ITS OVERALL FAIR SHARE

The applicant's fair-share contribution shall be based on a conceptual improvement for a traffic signal at the intersection of SR 68/Skyline Forest Drive and to widen the intersection to four lanes. The widening is conceptually designed to accommodate traffic signal operations and minimize vehicle queues; it would generally occur within 500 to 600 feet on either side of Skyline Forest Drive.

Based on the Project's contribution to this intersection over the total with project traffic (4 trips over 1,254 total in the PM peak hour as the intersection is deficient today), the Project's estimated share of impact is 0.32%. The estimated cost of this mitigation is \$2,444,000 (Monterey County 2011/2012). Thus, the estimated mitigation fair-share fee for this impact is \$7,821.

This physical improvement at the SR68/Skyline Forest Drive is not included in any existing local or regional traffic improvement program. The County intends to instead credit PBC's fair-share contributions under this measure as partial repayment of the excess funding commitment by the Applicant for the SR1/SR68 roundabout project beyond its fair-share.

Compliance or Monitoring Action to be Performed:

The Applicant is not required to actually make the fair-share contribution. The County shall notify the Applicant in writing prior to issuance of the building permit for the inclusionary project that the fair-share contributions from the inclusionary project will reduce the Applicant's funding of the SR1/SR68 roundabout in excess of its overall fair-share.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447
Project Name: PEBBLE BEACH COMPANY
Condition Number: 43.
Condition Name: MM TRA-C2 - FAIR-SHARE TRAFFIC IMPACT FEE - TAMC REGIONAL DEVELOPMENT I
Responsible Department: Public Works
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM TRA-C2: FAIR-SHARE TRAFFIC IMPACT FEE BASED ON THE FEE SCHEDULE IN TAMC'S REGIONAL DEVELOPMENT IMPACT FEE PROGRAM

The Project applicant shall make a contribution to the TAMC Regional Development Impact Fee Program based on the program requirements. The contribution shall be made prior to issuance of the building permit. Based on the 2013 TAMC fee schedule, the estimated fee for moderate income apartment units is \$2,411.29 per unit and the total fee would be \$57,871. The County does not have the authority to redirect TAMC fees, but will recommend to TAMC that if possible, TAMC should consider crediting a portion of this fair-share amount as partial repayment of Applicant's excess funding commitment for the SR1/SR68 roundabout project in excess of its fair-share.

Compliance or Monitoring Action to be Performed:

If TAMC determines that it will allow redirection of the fair-share fee as partial repayment to the Applicant for the excess funding of the SR1/SR68 roundabout project, then the Applicant is not required to actually make the fair-share contribution.

If TAMC does not allow such redirection, then the Applicant shall confirm in writing prior to issuance of the building permit for the inclusionary project that it has paid the fair-share mitigation fees to TAMC.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447

Project Name: PEBBLE BEACH COMPANY

Condition Number: 44.

Condition Name: MM TRA-D2 - EXTEND DECOMPOSED GRANITE WALKWAY SOUTHWARD ALONG SFE

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM TRA-D2: EXTEND DECOMPOSED GRANITE WALKWAY SOUTHWARD ALONG SFB MORSE DRIVE

Prior to issuance of grading permits, the applicant shall revise the site design plans to extend the decomposed granite walkway southward along SFB Morse Drive to connect to the two Project driveways. The revised design plan shall be provided to Monterey County RMA – Planning for review and approval prior to grading.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading permits, Monterey County RMA-Planning and Monterey County RMA-Public Works shall review and approve the design plans to ensure there is an extended decomposed granite walkway along SFB Morse Drive connecting the two Project driveways.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447
Project Name: PEBBLE BEACH COMPANY
Condition Number: 45.
Condition Name: MM TRA-C3(C) - FAIR-SHARE CONTRIBUTION - SUNSET DRIVE/CONGRESS AVENUE
Responsible Department: Public Works
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM TRA-C3(C): FAIR-SHARE CONTRIBUTION TO BE BASED ON AN IMPROVEMENT AT SUNSET DRIVE/CONGRESS AVENUE, BUT COUNTY MAY CREDIT FAIR-SHARE AMOUNT AS PARTIAL REPAYMENT OF THE APPLICANT'S EXCESS FUNDING COMMITMENT TO THE SR1/SR68 ROUNDABOUT PROJECT.

A fair-share contribution shall be estimated based on a conceptual design to restripe the westbound approach at the Sunset Drive/Congress Avenue intersection to provide a left-turn pocket. The applicant is responsible for its fair-share contribution to this mitigation based on new traffic growth because the intersection operates at acceptable levels under existing conditions.

Based on the Project's contribution to this intersection over cumulative new traffic growth, the Project's estimated share of impact is 0.62%. The estimated cost of this mitigation is \$4,200 (Monterey County 2011/2012). Thus, the estimated mitigation fair-share fee for this impact is \$26.

This physical improvement is not included in any existing local or regional traffic improvement program. Due to the extremely small fair share contribution, there are unlikely to be adequate funds to actually implement the improvement itself. Thus, the County may instead credit the fair-share amount as partial repayment of the Applicant's excess funding commitment for the SR1/SR68 roundabout project.

Compliance or Monitoring Action to be Performed:

The Applicant may not be required to actually make the fair-share contribution. The County shall either obtain the fair-share from the Applicant or shall notify the Applicant in writing prior to issuance of the building permit for the inclusionary project that the fair-share contributions from the inclusionary project will reduce the Applicant's funding of the SR1/SR68 roundabout in excess of its overall fair-share.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447
Project Name: PEBBLE BEACH COMPANY
Condition Number: 46.
Condition Name: MM TRA-C4(C) - FAIR-SHARE CONTRIBUTION - SR 68/AGUAJITO ROAD
Responsible Department: Public Works
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM TRA-C4(C): FAIR-SHARE CONTRIBUTION TO BE BASED ON IMPROVEMENT AT SR68/AGUAJITO ROAD, BUT COUNTY MAY CREDIT THE FAIR-SHARE AMOUNT AS PARTIAL REPAYMENT OF THE APPLICANT'S EXCESS FUNDING COMMITMENT TO THE SR1/SR68 ROUNDABOUT PROJECT

A fair-share contribution shall be based on a conceptual improvement plan to construct a refuge lane on SR 68 for traffic turning left out of the Agujito Road intersection with SR 68. The applicant is responsible for its fair-share contribution to this mitigation based on new traffic because the intersection operates at acceptable levels under existing conditions.

Based on the Project's contribution to this intersection over cumulative traffic increase over existing, the Project's estimated share of impact is 0.13%. The estimated cost of this mitigation is \$201,400 (Monterey County 2011/ 1 2012). Thus, the estimated mitigation fair-share fee for this impact is \$262.

This improvement is not included in any existing local or regional traffic improvement program. Due to the extremely small fair share contribution, there are unlikely to be adequate funds to actually implement the improvement itself. Thus, the County may instead credit the fair-share amount as partial repayment of the Applicant's excess funding commitment for the SR1/SR68 roundabout project.

Compliance or Monitoring Action to be Performed:

The Applicant may not be required to actually make the fair-share contribution. The County shall either require the fair-share contribution or shall notify the Applicant in writing prior to issuance of the building permit for the inclusionary project that the fair-share contributions from the inclusionary project will reduce the Applicant's funding of the SR1/SR68 roundabout in excess of its overall fair-share.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN130447
Project Name: PEBBLE BEACH COMPANY
Condition Number: 47.
Condition Name: MM TRA-C5(C) - FAIR-SHARE CONTRIBUTION - SR 1 NORTHBOUND MERGE AT SR 68
Responsible Department: Public Works
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

MM TRA-C5(C): FAIR-SHARE CONTRIBUTION TO BE BASED ON AN IMPROVEMENT TO THE SR 1 NORTHBOUND MERGE AT SR 68 (WEST), BUT COUNTY MAY CREDIT FAIR-SHARE AMOUNT AS PARTIAL REPAYMENT OF APPLICANT'S EXCESS FUNDING COMMITMENT TO THE SR1/SR68 ROUNDABOUT PROJECT

A fair-share contribution shall be based on a conceptual improvement to replace the SR 1 northbound merge at SR 68 (west) with an auxiliary lane between SR 68 (west) and Munras Avenue. An auxiliary lane between SR 68 (west) and Munras Avenue will alleviate operational problems in the future with the merge.

Based on the project's contribution to this segment over the cumulative total traffic with project (as the merge is currently deficient), the project's estimated share of impact is 0.04%. The estimated cost of this mitigation is \$5,584,800 (Monterey County 2011/2012). Thus, the estimated mitigation fair-share fee for this impact is \$2,234.

This mitigation measure is not included in any existing local or regional traffic improvement program. Due to the extremely small fair share contribution, there are unlikely to be adequate funds to actually implement the improvement itself. Thus, the County may credit the fair-share amount as partial repayment of the Applicant's excess funding commitment for the SR1/SR68 roundabout project.

Compliance or Monitoring Action to be Performed:

The Applicant may not be required to actually make the fair-share contribution. The County shall either require the fair-share contribution or shall notify the Applicant in writing prior to issuance of the building permit for the inclusionary project that the fair-share contributions from the inclusionary project will reduce the Applicant's funding of the SR1/SR68 roundabout in excess of its overall fair-share.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

PLN040061
LOMBARDO LAND GROUP I LP
(RANCHO CANADA VILLAGE)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 1.
Condition Name: PD001 - SPECIFIC USES ONLY
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The Rancho Canada Village Ventures Combined Development Permit (PLN040061) allows: 1) A Vesting Tentative Map for a 130 unit subdivision consisting mostly of single family attached and detached lots along, with 12 condominium units, and a 4.6 acre non contiguous parcel; 2) A Use Permit to allow development in the Carmel River floodplain; 3) A Use Permit to allow the removal of up to 435 trees; 4) A Use Permit for Development within the site plan review zoning district. The property is approximately 81.7 acres located at 4860 Carmel Valley Road; the West Course of the Rancho Canada Golf Club (Assessor's Parcel Numbers 015-162-009-000; 015-162-016-000; 015-162-017-000; 015-162-025-000; 015-162-026-000; 015-162-027-000; 015-162-033-000; 015-162-039-000; 015-162-040-000; 015-162-041-000; 015-162-042-000; 015-162-043-000; 015-162-045-000; 015-162-046-000; and 015-162-047-000), Carmel Valley Master Plan area. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.

For purposes of these conditions, "owner/applicant" and "property owner" means the Rancho Canada Venture LLC and its successors in interest, with the exception of Lot 130.

(RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 2.

Condition Name: PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit and Vesting Tentative standard subdivision (Resolution Number 16-334) was approved by the Board of Supervisors for Assessor's Parcels 015-162-009-000; 015-162-016-000; 015-162-017-000; 015-162-025-000; 015-162-026-000; 015-162-027-000; 015-162-033-000; 015-162-039-000; 015-162-040-000; 015-162-041-000; 015-162-042-000; 015-162-043-000; 015-162-045-000; 015-162-046-000; and 015-162-047-000 on December 13, 2016. The permit was granted subject to 112 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to recordation of the First Phased Final Map(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first phased Final Map, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 3.

Condition Name: PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

Verification of Compliance/Non-Compliance:

12/14: Notice of determination filed with the County and fee paid.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 4.

Condition Name: PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations.

Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within sixty (60) days after project approval or prior to the recordation of the first phased Final Map, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

Verification of Compliance/Non-Compliance:

02/13/17 - Applicant has diligently pursued entry into the Agreement to Implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan in order to meet the sixty day compliance deadline. The delay in execution and recordation of the Agreement is the result of the County, not the Applicant, due to the need to refine the wording of the agreement to address ownership and recordation. County Counsel is refining and negotiating the language of the Agreement to ensure the Agreement is properly recorded and implemented in light of the ownership status of the property. It is expected that the Agreement will be finalized, executed, and recorded soon. - MACKD, Senior Planner (on behalf of County Counsel).

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 5.

Condition Name: PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Trees which are located close to construction sites and are not designated for removal shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to recordation of all phased final maps, this condition and its requirements shall be shown as a Note on the Final Map.

Prior to issuance of grading and/or building permit, the Owner/Applicant shall submit evidence of tree protection to RMA-Planning for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 6.

Condition Name: PD013 - STREET LIGHTING

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

All street lights in the development shall be approved by the Director of RMA - Planning.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to recordation of any phased Final Map, this condition and its requirements shall be denoted as a note on the Final Map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 7.

Condition Name: PD015 - NOTE ON MAP-STUDIES

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A note shall be placed on the final map or a separate sheet to be recorded with the final map and shall be included on the subdivision improvement plan, subdivision grading permit and in the CC&R's stating that: The following reports have been prepared for the Rancho Canada Village project:

- Geotechnical Reports;
- Hydrogeological Reports
- Drainage Reports;
- Traffic Reports;
- Archaeological Reports;
- Air Quality Reports;
- Noise Impact Analysis;
- Biological Resources Reports;
- Foresters Reports;

These reports are on file in Monterey County RMA - Planning. Recommendations contained in said reports shall be followed in further development of this property.

The note shall be located in a conspicuous location, subject to the approval of the County Surveyor.
(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to recordation of any phased final map, the Owner Applicant shall submit the final map with notes to the RMA - Planning and RMA - Public Works for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 8.

Condition Name: PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of 3 years, to expire on December 13, 2019 unless the first phased Final Map has been filed. (RMA-Planning)

Compliance or Monitoring Action to be Performed:

Prior to the expiration date stated in the condition, the Owner/Applicant shall Final the first phased Final Map. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 9.

Condition Name: PD036 - UTILITIES-SUBDIVISION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A note shall be placed on the parcel/final map or a separate sheet to be recorded with the parcel/final map indicating that "Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code." Such facilities shall be installed or bonded through a Subdivision Improvement Agreement prior to filing the parcel/final map. The note shall be located in a conspicuous manner subject to the approval of the Director of RMA-Public Works. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to recording the parcel/final map, the Owner/Applicant shall place a note on the map or on a separate sheet and submit to RMA - Planning for review and approval.

The Owner/Applicant shall install or bond through a a Subdivision Improvement Agreement for the underground utility facilities.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 11.

Condition Name: CALIFORNIA CONSTRUCTION GENERAL PERMIT

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a Waste Discharger Identification (WDID) number certifying the project is covered under the California Construction General Permit. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit a WDID number certifying the project is covered under the California Construction General Permit or a letter of exemption from the Central Coast Regional Water Quality Control Board.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 12.

Condition Name: FIELD VERIFICATION OF POST-CONSTRUCTION STORMWATER CONTROL MEASURE

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide certification from a registered Professional Engineer that the stormwater control facilities have been constructed in accordance with the approved Stormwater Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall submit a letter to RMA-Environmental Services for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 13.

Condition Name: GEOTECHNICAL CERTIFICATION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide certification from a licensed practitioner that all development has been constructed in accordance with the recommendations in the project Geotechnical Report.
(RMA- Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed practitioner.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 14.

Condition Name: GEOTECHNICAL REPORT

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a geotechnical report with project specific recommendations. The report shall include data regarding the nature, distribution, and strength of existing soils, as well as, a description of the site geology and any applicable geologic hazards. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit a geotechnical report to RMA-Environmental Services for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 15.

Condition Name: GRADING PLAN

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a grading plan incorporating the recommendations from the project geotechnical report. The grading plan shall include contour intervals and cross-sections that identify the existing grade, proposed grade, and the extent of any proposed excavation and/or fill. The grading plan shall include the geotechnical inspection schedule that identifies when the inspections will be completed, who will conduct the inspection (i.e., PG, PE, and/or Special Inspector), a description of the required inspection, inspector name, and the completion date. The applicant shall also provide certification from the licensed practitioner that the grading plan incorporates their geotechnical recommendations. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit a grading plan to RMA-Environmental Services for review and approval.

Prior to issuance of any grading or building permits, the applicant shall submit certification from a licensed practitioner that they have reviewed the grading plan for conformance with the geotechnical recommendations.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 16.

Condition Name: INSPECTION-DURING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the site. At the time of the inspection, the applicant shall provide certification that all necessary geotechnical inspections have been completed to that point. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

During construction, the applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 17.

Condition Name: INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 18.

Condition Name: INSPECTION-PRIOR TO LAND DISTURBANCE

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 19.

Condition Name: FIRE001 - ROAD ACCESS

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name.

Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to recordation of any phased Final Map, the Applicant shall incorporate the specification of the roadway into design and print the text of this condition as Fire Department Notes on Final Map.

Prior to requesting a final building inspection, the Applicant shall complete the installation of roadway improvements and obtain fire department approval the final fire inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 20.

Condition Name: FIRE002 - ROADWAY ENGINEERING

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the roadway into design and print the text of this condition as 'Fire Department Notes' on improvement plans.

Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision, the Applicant shall complete the installation of the roadway improvements and shall obtain fire dept. approval of the fire clearance inspection for each phase of development.

Prior to requesting a final building inspection, the Applicant shall complete the installation of roadway improvements and obtain fire department approval the final fire inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 21.

Condition Name: FIRE007 - DRIVEWAYS

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the driveway into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of driveway improvements and obtain fire department approval the final fire inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 22.

Condition Name: FIRE010 -ROAD SIGNS

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of Monterey County Ordinance No. 1241. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Reviewing Fire Authority. Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to filing of the final map, the Applicant shall incorporate the road sign specification into design and print the text of this condition as "Fire Department Notes" improvement plans.

Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision, the Applicant shall complete the installation of road signs and shall obtain fire dept. approval of the fire clearance inspection for each phase of development.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 23.

Condition Name: FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, Applicant shall install the required address signage and shall obtain fire department approval of the fire department final inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 24.

Condition Name: FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on improvement plans.

Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision, the Applicant shall complete the installation of water system improvements and shall obtain fire dept. approval of the fire clearance inspection for each phase of development.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 25.

Condition Name: FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY -

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the water system improvements and shall obtain fire department approval of the final fire inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 26.

Condition Name: FIRE015 - FIRE HYDRANTS/FIRE VALVES

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet and no further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the water system improvements and shall obtain fire department approval of the final fire inspection.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 27.

Condition Name: FIRE017 - DISPOSAL OF VEGETATION AND FUELS

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit. Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and disposal and shall obtain fire department approval of the final fire inspection

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 28.

Condition Name: FIRE018 - GREENBELTS

Responsible Department: Fire

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the Reviewing Authority. Responsible Land Use Department: Cypress Fire District

Compliance or Monitoring Action to be Performed:

Prior to filing of final map for subdivisions, Applicant shall incorporate specification into the improvement plans and print the text of this condition as "Fire Dept. Notes" on the improvement plans

Prior to issuance of building permits, Applicant shall complete the greenbelt(s) and shall obtain fire department approval of the subdivision improvements

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 29.

Condition Name: EHSP01 - WATER SYSTEM ALTERNATIVES (NON-STANDARD)

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The project includes three alternatives for domestic water service. Water for the new lots would be supplied by one of the following:

Alternative A: On-site wells and creation of a public water system; or

Alternative B: Individual meters at each home served by Cal-Am Water Company-Monterey water system; or

Alternative C: A single, master meter served by Cal-Am Water Company-Monterey water system and creation of a public water system to serve each individual lot.

The applicant will be required to comply with the conditions applied to the water system alternative that is ultimately pursued.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first final map, the applicant shall comply with all conditions applicable to the water system alternative that is ultimately pursued.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 30.
Condition Name: EHSP02A - WATER SYSTEM PERMIT: ALTERNATIVE A (NON-STANDARD)
Responsible Department: Environmental Health
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

If the applicant elects to pursue water system Alternative A, the applicant shall demonstrate to the satisfaction of the Environmental Health Bureau ("EHB") that the on-site well(s) proposed to serve a new public water system meet minimum water quality, quantity and construction requirements. The applicant shall apply for a water system permit from the EHB and pay applicable fees.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first final map, the applicant shall submit water quality analysis, source capacity documentation and well construction documentation for the well(s) proposed to serve the public water system. The applicant shall apply for and obtain a water system permit from the EHB and pay all applicable fees.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 31.

Condition Name: EHSP02B – WATER SYSTEM PERMIT: ALTERNATIVE B (NON-STANDARD)

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

If the applicant elects to pursue water system Alternative B, it is not necessary to amend the Cal-Am Water Company – Monterey water system permit.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first final map, the applicant shall provide documentation to the satisfaction of the Environmental Health Bureau ("EHB") that the project will be served by Cal-Am Water Company – Monterey water system and specify that each lot will be provided an individual meter.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 32.

Condition Name: EHSP02C – WATER SYSTEM PERMIT: ALTERNATIVE C (NON-STANDARD)

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

If the applicant elects to pursue Alternative C, the applicant shall apply for a public water system permit from the Environmental Health Bureau and pay applicable fees.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first final map, the applicant shall apply for and obtain a public water system permit from the Environmental Health Bureau and pay applicable fees.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 33.

Condition Name: EHSP03AC- DESIGN WATER SYSTEM IMPROVEMENTS: ALTERNATIVE A OR C (NON-

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

If the applicant elects to pursue either Alternative A or C, the applicant shall design the water system improvements to meet the standards as found in Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. (Environmental Health)

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first final map, the applicant shall submit engineered plans for water system improvements to the Environmental Health Bureau ("EHB") for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 34.

Condition Name: EHSP03B - DESIGN WATER SYSTEM IMPROVEMENTS: ALTERNATIVE B (NON-STAND

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

If the applicant elects to pursue Alternative B, the applicant shall design the water system improvements to meet the standards as found in Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. (Environmental Health)

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first final map, the applicant shall submit engineered plans for water system improvements to the Environmental Health Bureau ("EHB") and Cal-Am Water Company – Monterey water system for review and approval. Submit evidence of approval by Cal-Am Water Company – Monterey water system to EHB.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 35.

Condition Name: EHSP04 – INSTALL OR BOND WATER SYSTEM

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Pursuant to Monterey County Code Chapter 19.13 Improvement Agreements, the owner shall install the water system improvements to and within the subdivision and any appurtenances needed.

OR

The owner shall enter into a Subdivision Improvement Agreement with the County that shall provide security guaranteeing the installation of the water system improvements. (Environmental Health)

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first final map, install the water system improvements to and within the subdivision and any appurtenances needed and obtain approval of installation from Drinking Water Protection Services of the Environmental Health Bureau.

OR

Prior to recordation of the first final map, provide Environmental Health Bureau with a draft of the Subdivision Improvement Agreement for review and approval. Record the approved Subdivision Improvement Agreement concurrent with the first final map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 36.

Condition Name: EHSP05 - FIRE FLOW STANDARDS (NON-STANDARD)

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the first final map, the applicant shall submit plans for the proposed water system improvements to the local fire protection agency for review and approval. Submit a set of signed or wet-stamped water system plans approved by the local fire protection agency to the Environmental Health Bureau for review and acceptance.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 37

Condition Name: EHSP06 - WELL AND WATER SYSTEM EASEMENTS (NON-STANDARD)

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The Final Map shall denote the proposed well easement(s), water distribution and tank easement(s), and access easement(s) for the water system to the Environmental Health Bureau for review and approval. Once approved, well lots and easements shall appear as part of the final map and shall meet the requirements of Monterey County Code, Section 15.04.050 and the California Code of Regulations, Title 22, Chapter 16, Section 64560 (Water Works Standards).

Compliance or Monitoring Action to be Performed:

Prior to filing the first final map, the applicant shall submit a draft of the final map to the Environmental Health Bureau for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 38.

Condition Name: EHSP07 – WELL(S) NOT IN SERVICE (NON-STANDARD)

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Pursuant to State of California Bulletin 74-90, and Chapter 15.08 of the Monterey County Code, a well is considered abandoned if it has not been used for one year, unless the owner demonstrate intention to use the well again. The well owner shall properly maintain an inactive well as evidence of intention for future use in accordance with the standards of Bulletin 74-90.

Compliance or Monitoring Action to be Performed:

Prior to filing the first final map, the applicant shall submit to the Environmental Health Bureau ("EHB") a log of all wells associated with the project, including but not limited to domestic water wells, which specifies the status of each well (active/inactive) and its long-term operational plan.

The EHB will determine if any well(s) is considered abandoned and in need of destruction. As determined to be necessary by the EHB, a CA licensed well drilling contractor shall obtain a well destruction permit from the Environmental Health Bureau on behalf of the property owner and destroy the well.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 39.

Condition Name: EHSP08 – SEWER SYSTEM IMPROVEMENTS: DESIGN (NON-STANDARD)

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Engineered plans for the sewer system, including all necessary appurtenances, shall be submitted to and approved by the Carmel Valley Wastewater District and the Environmental Health Bureau. Plans shall be in conformance with Monterey County Code, Chapter 19.13 and the California Code of Regulations, Title 24, Part 5 (California Plumbing Code).

Compliance or Monitoring Action to be Performed:

Prior to filing the first final map, the applicant shall submit sewer system improvement plans to Environmental Health Bureau ("EHB") and the Carmel Area Wastewater District ("CAWD") for review and approval. Submit evidence to the EHB that plans have been reviewed and approved by CAWD.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 40.

Condition Name: EHSP09 – SEWER SYSTEM IMPROVEMENTS: INSTALL/BOND (NON-STANDARD)

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall install the approved sewer system improvements to and within the subdivision and any appurtenances needed per Monterey County Code, Chapter 19.13 (Improvement Agreements).

OR

The developer shall enter into a Subdivision Improvement Agreement with the County that shall provide security guaranteeing the installation of the sewer system improvements per Monterey County Code, Chapter 19.13 (Improvement Agreements).

Compliance or Monitoring Action to be Performed:

Prior to filing the first final parcel map, the applicant shall install the sewer system improvements to and within the subdivision and any appurtenances needed and obtain approval of installation from the Carmel Area Wastewater District ("CAWD"). Submit evidence of approval by CAWD to the Environmental Health Bureau ("EHB").

OR

Prior to recordation of the first final map, the applicant shall provide EHB with a draft of the Subdivision Improvement Agreement for review and approval. Record the Subdivision Improvement Agreement with the first final map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 41.

Condition Name: PW0001 - ENCROACHMENT (COM)

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Obtain an encroachment permit from the Resource Management Agency (RMA) and construct roadway connections to Rio Road. The design and construction is subject to the approval of the Resource Management Agency.

Compliance or Monitoring Action to be Performed:

Prior to or concurrent with issuance of building or grading permits, Owner/Applicant shall obtain an encroachment permit from RMA. Improvements are to be completed prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 42.

Condition Name: PW0014 - DRAINAGE IMPROVEMENT STUDY

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Provide an on-site/off-site drainage improvement study prepared by a registered Civil Engineer. Study to include analysis of Drainage Area 27, the study to be approved by Public Works Department and/or the Water Resources Agency and shall be incorporated in the improvement plans.

Compliance or Monitoring Action to be Performed:

Prior to Building/Grading Permits Issuance or recordation of Final Map, Applicant's Engineer shall prepare drainage study and improvement plans for review and approval by DPW.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 43.

Condition Name: PW0015 – UTILITY'S COMMENTS

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the RMA- Public Works for all required easements.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of Map Owner/Applicant/Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to RMA-PW.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 44.

Condition Name: PW0016 - MAINTENANCE OF SUBDIVISIONS

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Subdivider shall pay for all maintenance and operation of subdivision improvements from the time of installation until acceptance of the improvements for the Subdivision as computed by the Board of Supervisors in accordance with the subdivision improvement agreement and until a homeowners association or other agency with legal authorization to collect fees sufficient to support the services is formed to assume responsibility for the services.

Compliance or Monitoring Action to be Performed:

As an ongoing condition Subdivider shall be responsible to maintain improvements until maintenance is assumed by another entity.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 45.

Condition Name: PW0017 - DRAINAGE EASEMENT

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Designate all drainage easements and natural drainage channels on the Final Map.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map Subdivider's surveyor shall identify and designate easements and natural drainage easements on the Final Map. Easements shall be dedicated as required by county.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 46.

Condition Name: PW0019 - EROSION, CONTROL

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Improvement and grading plans shall include implementation schedule of measures for the prevention and control of erosion, siltation, and dust during and immediately following construction, and until erosion control planting becomes established.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map Subdivider's Engineer shall include measures on improvement and grading plans and submit plans for county approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 47.

Condition Name: PW0020 - PRIVATE ROADS

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Designate all subdivision roads as private roads.

Compliance or Monitoring Action to be Performed:

Ongoing condition, Subdivider's Surveyor shall designate private roads on Final Map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 48.

Condition Name: PW0021 - ROAD NAMES

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Submit all proposed road names to RMA- Public Works for approval by County Communications.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map, Subdivider shall submit proposed road names to DPW. DPW will submit to County Communications for Approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 49.
Condition Name: PW0030 - HOMEOWNERS ASSOCIATION
Responsible Department: Public Works
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Form a homeowners association for road and drainage maintenance. Prepare an operation and maintenance plan for all facilities. Implement a fee program to fund operation and maintenance, and have appropriate documentation recorded against each parcel within the subdivision.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a Final Map, Subdivider shall submit documentation to DPW and WRA for formation of homeowners association or other entity to maintain roads and drainage improvements.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 50.

Condition Name: PW0032 - AS BUILT PLANS

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A Registered Civil Engineer shall file as built plans (originals) in the Department of Public Works with a letter certifying improvements have been made in conformance to improvement plans and local ordinance.

Compliance or Monitoring Action to be Performed:

Prior to Release of Bonds Subdivider/Engineer shall submit as built plans and stamped notice of completion letter to DPW for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 51.

Condition Name: PW0036 - EXISTING EASEMENTS AND ROW

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Provide for all existing and required easements or rights of way.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the Subdivision Map, Subdivider's Surveyor shall include all existing and required easements or rights of way on Final Map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 52.

Condition Name: PWSP01- NON-STANDARD

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The owner/applicant shall construct intersection improvements, such as, but not limited to, a traffic signal or roundabout, at Carmel Valley Road and Rio Road (project's proposed access). The design and construction is subject to the approval of RMA-Public Works.

Compliance or Monitoring Action to be Performed:

Prior to building/grading permit issuance, the owner/applicant shall submit improvement plans for RMA-Public Works approval. Construct improvements prior to occupancy or commencement of use. Applicant is responsible to obtain all necessary additional right of way, permits and environmental clearances.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 53.

Condition Name: PWSP02 – ENCROACHMENT NON-STANDARD

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Obtain an encroachment permit from the RMA-Public Works and construct intersection improvements at Carmel Valley Road and Rio Road.

Compliance or Monitoring Action to be Performed:

Prior to Building/Grading Permit Issuance Owner/Applicant shall obtain an encroachment permit from RMA-Public Works and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 54.

Condition Name: PWSP03 – SUBDIVISION IMPROVEMENTS

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Prepare detailed improvement plans for approval by the RMA. Plans shall include, but not are limited to, utilities, roads, storm water, waste water, earthwork and grading. Roads shall be constructed in accordance with the typical section shown on the tentative map and as required by the County. Improvement security agreement for improvements not constructed shall be required prior to the acceptance of the Final Map.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map, Subdivider shall submit improvement plans prepared by his Engineer to the RMA for review and approval. Subdivider shall enter into a subdivision improvement agreement to install improvements not constructed prior to acceptance of the Final Map. Improvements shall be bonded prior to recordation of Final Map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 55.

Condition Name: PWSP04 – DRAINAGE IMPROVEMENTS

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a drainage improvement plan incorporating the CSA50 Stormwater Management and Flood Control Report recommendations for drainage area number 27. Alternate drainage improvements may be considered, subject to RMA approval. The drainage improvements shall be constructed in accordance with approved plans. Prior to the acceptance of a Final Map, subdivider shall enter into a drainage improvement agreement. Subdivider shall pay for all maintenance and operation of drainage improvements from the time of installation until a homeowners association or other agency with legal authorization to collect fees sufficient to support the services is formed to assume responsibility or as provided in the drainage improvement agreement.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map, Subdivider shall submit a drainage improvement plan prepared by a licensed engineer to the RMA for review and approval. Prior to acceptance of a Final Map, the subdivider shall enter into a drainage improvement agreement to construct drainage improvements for drainage area number 27. Improvements shall be bonded prior to recordation of Final Map. Subdivider shall be responsible to maintain improvements until maintenance is assumed by another entity or as provided in the drainage improvement agreement. Consideration of provisions, if applicable, to address cost-sharing or fair-share contributions for improvements with regional benefits, dedication of easements, and annexation into county service area may be included in the drainage improvement agreement.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 56.

Condition Name: PWSP05 – BICYCLE/PEDESTRIAN PATHS

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Improvement plans shall include on-site and off-site bicycle/pedestrian facilities, subject to the approval of the RMA.

Compliance or Monitoring Action to be Performed:

Subdivider's Engineer shall include on-site and off-site bicycle/pedestrian facilities, including the connection along the levee from the project site to Rio Road. The site bicycle/pedestrian improvements shall be constructed in accordance with approved plans.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 57.
Condition Name: AES-1
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Mitigation Measure AES-1: Implement Measures to Reduce Light and Glare, and Visual Intrusion to Surrounding Land Uses and Other Public Viewpoints.

The project applicant shall implement the following measures during the construction of the project to reduce visual intrusion for existing residences and other public viewpoints:

- Retain mature trees and existing woody vegetation to the maximum extent feasible;
- Use non-reflective building materials to minimize glare and obtrusiveness;
- Provide a vegetative buffer around the periphery of the project site to provide screening from adjacent residents. Vegetation should be chosen and planted to be compatible with patterns of existing vegetation. Vegetation shall be planted concurrent with residential development. The applicant shall prepare a landscaping plan which will be reviewed and approved by Monterey County prior to the issuance of any building permits that provides vegetative buffers in the locations noted below. In each case, the buffer area will be planted in native tree/shrub/scrub cover with locally derived stock. The purpose of this buffer is to obscure the residential buildings to the maximum extent feasible without adding any additional height obstructions. Buffers will be provided in the following areas:
 - The Western edge of the project north of Rio Road will have a planted buffer to shield views of the new residences from Val Verde Drive and residences.
 - The northern edge of the Rio Road extension to the west will have a planted buffer to shield views of the new residences from road users and the Riverwood Complex.
 - Where not already planted in a sufficiently dense vegetated cover to shield views, the project boundary with Carmel Middle School will have a planted buffer to shield views from the school and the public users of the school.
 - The northern and western edge of the Hatton Parcel will have a planted tree/vegetation buffer views to shield views of the new residences from Rio Road east and the Community Church.
- The Homeowner's Association (HOA) or other entity responsible for common landscaping areas outside of residential units shall ensure that all required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements.

Compliance or Monitoring Action to be Performed:

Add as a note to the final map

Monterey County

Condition Compliance Form

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 58.

Condition Name: AIR-1

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

AIR-1: Prohibit Wood-Burning Fireplaces.

To reduce operational ROG, CO, and PM10 emissions, the Project Applicant will ensure that no wood-burning fireplaces will be permitted in any proposed residential units

Compliance or Monitoring Action to be Performed:

Prior to recordation of the Final Map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 59.

Condition Name: BIO-1

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-1: Conduct a Floristic Survey of Coast Live Oak Woodland Habitat in Lot 130 during the Blooming Period for Potential Special-Status Plant Species.

Prior to construction, on Lot 130, the Applicant or successor(s) in interest responsible for development on Lot 130 will retain a qualified botanist to conduct a survey of the coast live oak woodland habitat in Lot 130 for jolon clarkia and fragrant fritillary. The survey will occur during the overlapping blooming period for these species (April). If special-status plant occurrences are identified in the course of the survey, the perimeters of the occurrences will be mapped using a global positioning system (GPS) with submeter accuracy, and staked to facilitate avoidance. The botanist will prepare a report describing the results of the these surveys. The report will be submitted to the Applicant or successor in interest and the County RMA-Planning.

Mitigation Measure BIO-2 will be implemented if any occurrences of special-status plants are documented during these surveys.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the Final map, this mitigation measure, and its requirements shall be shown as a Note on the map.

Prior to issuance of grading and/or construction permits for development on Lot 130, the Applicant/Owner will submit the results of a properly timed survey for Lot 130 to the RMA-Planning Division for review and approval. If no species are located, then no further action will be required.

In the event special status plants are found and located, the requirement of Mitigation Measure BIO-2 will be required.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 60.

Condition Name: BIO-2

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Monterey County

Condition Compliance Form

BIO-2: Measures to Avoid or Minimize Impacts on Special-Status Plant Species Populations Relative to Lot 130.

The Applicant/Owner will implement the following measures to avoid or minimize impacts on special-status plant species, if any occurrences are documented in the surveys prescribed in Mitigation Measure BIO-1. This measure is applicable only to Lot 130 in the 130-Unit Alternative.

The Applicant/Owner shall present the findings of the special-status plant survey to the County RMA-Planning. If special-status plants are found on Lot 130 that would be affected by the residential design, prior to construction, the Project Applicant will modify the Lot 130 residential design to avoid direct and indirect impacts on special-status plant species, if feasible. If the Applicant/Owner identified that avoidance or minimization is not feasible, they shall identify the reasons why in writing to the County, who shall make the final determination of feasibility prior to issuance of any building permit for Lot 130.

Special-status plant species near the 130-unit Alternative site will be protected from temporary construction disturbance. Prior to construction, the contractor or Applicant/Owner will install environmentally sensitive area fencing (orange construction barrier fencing) around special-status plant species populations. The environmentally sensitive area fencing will be installed at least 20 feet from the edge of the population, where feasible. The location of the fencing will be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications will contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmental sensitive area.

If impacts are unavoidable, the Applicant or successor in interest will coordinate with DFW and Monterey County to determine a compensation plan to replace the loss of special-status plants. If necessary, the Project Applicant will develop and implement a compensation plan in coordination with and with the approval of DFW and Monterey County. The compensation plan will preserve an offsite area containing the affected special-status plant or plants. The compensation area will contain an equal or greater amount of plants and/or acreage (as determined in consultation with DFW) as that lost due to the Project. The amount of preserved area will include adjacent areas if necessary in order to preserve the special-status plant population in perpetuity.

The Applicant or successor in interest will be responsible for acquisition of a mitigation site in fee or in conservation easement, to maintain the mitigation site for the benefit of the special-status plant population in perpetuity, and to fund maintenance of the mitigation site through the establishment of an endowment. Annual monitoring of the mitigation site will be conducted for 5 years to assess vegetative density, population size, natural recruitment, and plant health and vigor to assure that an equal amount of plants or plant acreage is being sustained through the implemented site maintenance. The site will be evaluated at the end of the 5-year monitoring period to determine whether the mitigation has met the success criteria of preserving a population the same size/and or area as that lost due to development of the site and whether adjustments in site maintenance are necessary.

Compliance or Monitoring Action to be Performed:

Monterey County

Condition Compliance Form

Prior to Recordation of the Final Map, this mitigation measure and its requirements shall be shown as a note on the Map.

Prior to issuance of a grading and/or building permit for development on Lot 130, the Applicant/Owner shall demonstrate al sensitive area fencing has been installed in areas where special-status plants have been located. If fencing is not feasible and avoidance can not be accomplished, the Applicant/Owner shall submit proof that a compensation plan has been agreed upon my CDFW, Monterey County and the Project Applicant. Such compensation plan shall include the private acquisition of offsite mitigation area(s).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 61.

Condition Name: BIO-3

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-3: Conduct Mandatory Contractor/Worker Awareness Training for Construction Personnel.

Before any work occurs in the project area, a qualified biologist will conduct mandatory contractor/worker awareness training for construction personnel. The awareness training will be provided to all construction personnel to brief them on the need to minimize impacts on riparian woodland (see Mitigation Measure BIO-7, below). If new construction personnel are added to the Project, the contractor will ensure that the personnel receive the mandatory training before starting work. The Applicant/Owner will be responsible for implementing this measure. Documentation of this measure, such as a training attendance sheet signed by construction personnel, will be kept on file by the applicant to demonstrate to the County that the measure has been implemented.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of any Final Map, this mitigation measure and its requirements shall be shown as Note on the Final Map.

Prior to issuance of grading and/or building permits, the Applicant/Owner shall submit proof that a qualified biologist has been retained to develop and provide the required awareness training for all construction personnel. A training attendance sheet signed by all construction personnel shall be submitted to RMA-Planning as proof that training was provided as required.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 62.

Condition Name: BIO-4

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-4: Provide Funding Assurances and Reporting Concerning Restoration Progress and Success

The Applicant or successor in interest will fully implement the proposed 2006 Restoration Plan (upon approval of the Proposed Project) or newly developed and approved restoration plan (upon approval of the 130-Unit Alternative) (as modified by mitigation requirements in this document), provide funding assurances to the County to guarantee the completion of the proposed restoration prior to issuance of the first building permit for the site (to ensure completion of the restoration regardless of the completion of the residential development), provide annual monitoring of restoration progress to the County until the 10-year success criteria are met, provide contingency funding guarantees to implement contingency plans in the event the 2006 Restoration Plan is not effective.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map, this mitigation measure and its requirements shall be shown as a Note on the map.

Prior to issuance of the first building permit on the site, the Project Applicant shall submit proof of funding assurance and the ability to implement the required restoration plan, to RMA-Planning for review and approval.

After completion of the restoration activities, the Project Applicant shall submit yearly reports, for a period of 10-years consecutive years, demonstrating that restoration was successful. Successful restoration shall be accomplished for ten consecutive years before this mitigation measure is complete.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 63.

Condition Name: BIO-5

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-5: Restore Riparian Forest/Woodland Concurrent with Impact to Compensate for the Permanent Loss of Riparian Forest Habitat.

The Applicant or successor in interest will compensate for the permanent loss of approximately 0.06 acre of riparian forest/woodland habitat associated with the Rio Road east and west extensions through onsite restoration/creation of forested riparian habitat in accordance with the proposed 2006 Restoration Plan (Proposed Project) or newly developed and approved restoration plan for the 130-Unit Alternative1 during Phase 1 of construction. The restoration will commence during Phase 1 and will be done on a minimum 3:1 ratio (for a total of 0.18 acre of restoration) so as to compensate for the temporary reduction in habitat while the restored habitat vegetation grows to maturity. Habitat restoration will be consistent with the proposed 2006 Restoration Plan (Proposed Project) or new 130-Unit Alternative restoration plan. Replacement of riparian trees (i.e., willows, cottonwoods, and western sycamores) will be done concurrent with any removals and will be done at a ratio greater than 1:1 (as shown in Table 3.3-6) (Zander 2006) so as to compensate for the temporary reduction in habitat value while the replanted trees mature. In addition, given the difficulty to replicate mature cottonwoods in a floodplain, a minimum of 25% of the existing mature cottonwoods to be removed will be moved and transplanted in the restoration area during Phase 1 of the Project to provide for mature vegetation cover in the restoration area in the interim period between Project impact and full implementation of the 2006 Restoration Plan (Proposed Project) or new 130-Unit Alternative restoration plan.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the Phase 1 Final Map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Prior to issuance of grading and/or building permits, the Project Applicant shall submit proof that a detailed plan has been developed and will be implemented to remove, relocate, and replant trees in the restoration area based on the required replacement criteria.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 64.

Condition Name: BIO-6

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-6: Minimize Disturbance of Riparian Forest and Woodland.

Riparian forest and woodland outside of the construction footprint will be protected from disturbance. Prior to construction, the Applicant or successor in interest will secure the services of a qualified botanist to erect environmentally sensitive area fencing (orange construction barrier fencing) around riparian forest and woodland areas near the construction area, to identify and protect these sensitive resources. The location of the fencing will be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications will contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area. The Applicant or successor(s) in interest will demonstrate to the County RMA-Planning prior to construction that a qualified biologist has identified and fenced environmentally sensitive areas.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a Final Map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Prior to issuance of grading and/or building permits, the Project Applicant shall submit proof the RMA-Planning that environmentally sensitive area fencing has been installed in the appropriate areas, as determined by a qualified botanist.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 65.

Condition Name: BIO-8

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-8: Create Coast Live Oak Woodland Habitat to Mitigate Permanent Loss of Coast Live Oak Woodland Habitat

Upon approval of the 130-Unit Alternative and in accordance with its restoration plan (which will be developed upon project approval), the Applicant or successor in interest will compensate for the permanent loss of coast live oak woodland habitat associated with the construction of Lot 130 through onsite and/or offsite creation of oak woodland at a compensation ratio greater than 1:1, which will be determined in consultation with the regulatory agencies. Options for the restoration of suitable oak woodland habitat include:

- Onsite Habitat Preserve – The 130-Unit Alternative's proposed restoration plan could be modified to include suitable coast live oak woodland habitat within the habitat preserve.
- Onsite in Remnant Golf Course – Because the impacts are to a small, isolated patch of coast live oak woodland habitat with disturbed, sparse understory, it would be appropriate to create new oak woodland habitat on the retained portions of the golf course south of the Carmel River as compensation for the Project effect.
- Palo Corona Regional Park – There are suitable locations in the nearby Palo Corona Regional Park for creation of coast live oak woodland habitat with adjacent suitable upland habitat. Because the site is already controlled by the Regional Park District, the Applicant or successor in interest would be responsible to construct the creation of the coast live oak woodland habitat and to fund the management of the habitat in perpetuity.

The Applicant or successor in interest will submit and receive approval of a formal proposal from the County for creation, management, and preservation of coast live oak woodland habitat in compliance with this measure prior to issuance of any building permit for development on Lot 130. The Applicant or successor in interest will obtain all necessary regulatory and landowner approvals to implement this measure prior to construction.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of the Final Map, this mitigation measure and its requirements shall be shown as a Note on the map.

Prior to issuance of grading and/or building permits for development on Lot 130, the Applicant/Owner shall submit a formal proposal for the creation, management, and preservation of Coast Live Oak for review and approval.

Monterey County

Condition Compliance Form

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 66.

Condition Name: BIO-9b

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-9b: Restore or Create Wetland and Pond Habitat to Mitigate Permanent Loss of Waters of the United States and State.

In order to ensure that implementation of the 130-Unit Alternative results in no net loss of wetland habitat functions and values, prior to construction the Applicant/Owner will compensate for the loss of pond and wetland habitat through onsite and/or offsite creation of both pond and wetland habitat. A restoration plan for the 130-Unit Alternative will be developed upon project approval to compensate for the loss of wetlands and waters of the United States and state. The size and location(s) of the area(s) to be restored/created will be based on appropriate mitigation ratios derived in consultation with the regulatory agencies. Mitigation ratios will be at least 1:1. Options for the restoration locations are the same as described above for Mitigation Measure BIO-8. If onsite pond creation on the remnant golf course is preferred, it would be appropriate because the Project impacts are to golf course ponds with a mix of adjacent golf course fairway and disturbed coyote brush scrub.

The Applicant/Owner will submit and receive approval of a formal proposal to the County for creation, management, and preservation of pond(s) in compliance with this measure prior to issuance of any grading and/or building permit for this Project. The Applicant/Owner will obtain all necessary regulatory permits and landowner approvals to implement this measure prior to construction.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a Final Map, this mitigation measure and its requirements shall be shown as a Note on the Final Map.

Prior to issuance of grading and/or building permits, the Applicant/Owner shall submit a formal proposal for the creation, management, and preservation of pond(s) for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 67.

Condition Name: BIO-10

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-10: Compensate for Removal of Protected Trees.

The Applicant or successor in interest will replace protected trees at a minimum ratio of 1:1 in upland areas and planting will be concurrent with tree removal. Any trees planted as remediation for failed plantings will be planted as stipulated here for original plantings, and will be monitored for a period of 5 years following installation.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map, this mitigation measure and its requirements shall be shown as note on the Map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 68.
Condition Name: BIO-11
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-11: Conduct Formal Site Assessment and Consult with U.S. Fish and Wildlife Service to Determine if Protocol-Level Surveys are Necessary OR Assume CRLF Presence.

Prior to the beginning of construction, the applicant/owner will retain qualified biologists to conduct a formal site assessment for CRLF according to FWS' Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (August 2005). The site assessment includes assessing the project area and a 1-mile area around the project area. The assessment will include the adjacent CMS pond/wetland and adjacent annual grassland area. The results of the site assessment will be submitted to the Ventura FWS field office, which will determine if protocol-level surveys are necessary. If these surveys are determined to be necessary, they will be conducted according to the guidelines and a report of the survey results will be submitted to FWS. Based on the results of the site assessment and surveys, FWS would provide guidance on how the CRLF should be addressed through the federal ESA Section 7 or Section 10 process. If CRLF are not found during protocol-level surveys and FWS concurs with this negative finding for both the project site and the adjacent CMS habitat, no further mitigation would be necessary; however, it is uncertain if FWS would concur with this finding, given that red-legged frogs are known to occur in the Carmel River and CRLF are anecdotally reported at the CMS habitat site.

Alternatively, if acceptable to FWS, the applicant or successor in interest can assume that CRLF are present and not do the surveys. If CRLF are found, the FWS otherwise determines that the site is CRLF habitat, or it is assumed that CRLF are present, Mitigation Measures BIO-12 through BIO-14 will be implemented.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the Final map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Prior to issuance of grading and/or building permits, the Applicant/owner shall submit proof, from a qualified biologist, that appropriate survey/site assessment was conducted. The results of the assessment shall be document and submitted to USFWS and RMA-Planning for review.

If additional surveys are required USFWS shall be consulted for guidance and that information relayed to RMA-Planning.

If resources are found Mitigation Measures BIO 12 through 14 shall be implemented.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 69.
Condition Name: BIO-12
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-12: Restrict Filling of Ponds/Wetlands and Initial Ground-Disturbing Activities in CRLF Habitat to the Dry Season (May 1 to October 15).

To minimize mortality of CRLF eggs, larvae, and adults, the Applicant or successor in interest would condition its contractor to only perform construction activities that would result in fill of ponds 1, 2, and 3, and the California bulrush wetland during May 1 through October 15. During this time of year, CRLF would have left these areas to aestivate underground and would not be present. CRLF may still be present at ponds during this time of year; however, the number of individuals is likely to be lower than earlier in the season. Therefore, prior to filling, ponds will be surveyed for CRLF (see Mitigation Measure BIO-14). To minimize disturbance of breeding and dispersing CRLF, initial construction activity (including grading) within and CRLF upland habitat (as defined above) will be conducted during the dry season between May 1 and October 15 or before the onset of the rainy season, whichever occurs first. If construction activities are necessary in upland habitat between October 16 and April 30, the Applicant or successor in interest will notify the County and contact the FWS Ventura field office for approval to extend the work period.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a Final Map, this mitigation measure and its requirements shall be shown as a note on the Map.

Prior to issuance of grading and/or building permits, the project Applicant shall submit proof that no work will be conducted within the restricted time period, and/or that USFWS has agreed to an extended work period. Such proof from USFWS shall be in writing.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 70.

Condition Name: BIO-13

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-13: Conduct a Preconstruction Survey for CRLF.

Prior to construction activities, the Applicant/Owner will condition its contractor to obtain the services of a qualified FWS-approved biologist. The biologist will conduct a preconstruction survey for CRLF 2 weeks prior to the onset of work. The name and credentials of the biologist will be submitted to FWS for approval at least 15 days prior to the commencement of work. The survey will include all suitable breeding, foraging, cover, and aestivation habitat in the construction area. Aestivation areas adjacent to the work area will be fenced and avoided. If potential aestivation burrows cannot be avoided, they will be excavated by hand prior to construction and the approved biologist will move individuals to natural burrow sites within 0.25 mile of the construction site. If a CRLF is found within aquatic habitat, the biologist will contact FWS to determine if relocation of any life stages is appropriate. The biologist will document the results of the survey on construction survey log sheets, which will be kept on file at the County.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the Final Map, this mitigation measures and its requirements shall be shown as a note on the Map.

Prior to issuance of grading and/or building permits, the Applicant/Owner shall submit proof to RMA-Planning that a qualified USFWS approved biologist has been retained to perform required surveys. Results of the survey shall be submitted to USFWS and RMA-Planning for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 71.
Condition Name: BIO-14
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-14: Monitor Initial Ground-Disturbing Construction Activities within CRLF Habitat.

The Applicant or successor in interest will condition its contractor to retain the services of a qualified FWS-approved biologist to monitor initial ground-disturbing construction activities within CRLF upland habitat. The biologist will look for CRLF during grading, excavation, and vegetation removal activities. If a CRLF is discovered, construction activities will cease until the frog has been removed from the construction area and released near aquatic habitat within 0.25 mile from the construction area. Any relocation of this species would require incidental take authorization through a Biological Opinion or Habitat Conservation Plan from the FWS

Compliance or Monitoring Action to be Performed:

Prior to recordation of the Final Map, this mitigation measure and its requirements shall be shown as Notes on the Map.

Prior to issuance of grading and/or building permits, the Project Applicant shall submit proof to USFWS and RMA-Planning that a qualified USFWS approved biologist has been retained to monitor ground disturbance activities with CRLF habitat.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 72.

Condition Name: BIO-15

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Monterey County

Condition Compliance Form

BIO-15: Compensate for the Removal and Disturbance of CRLF Breeding Habitat.

The Applicant/Owner will compensate for the permanent loss of suitable breeding habitat for CRLF by creating or preserving suitable aquatic habitat within a FWS-approved conservation area (and preserving adjacent upland habitat). The location and size of the compensation aquatic habitat area will be determined in consultation with FWS through the ESA Section 7 or Section 10 process, but under no circumstances should the compensation area be calculated on less than a 1:1 ratio (1 acre for each 1 acre lost) and potentially more if a greater ratio is determined by the FWS. The actual compensation ratio will be determined in consultation with FWS. The conservation area will be permanently restricted from development and will be managed for the benefit of CRLF with funding for the management guaranteed in perpetuity. A management plan for the conservation area will be developed by the Applicant or successor in interest and approved by FWS and the County prior to construction.

Options for the restoration of suitable aquatic habitat include:

- Onsite Habitat Preserve – The 2006 Restoration Plan for the Proposed Project could be modified, or the newly developed restoration plan (upon approval of the 130-Unit Alternative) could include, suitable breeding ponds for CRLF within the habitat preserve. The 2006 Restoration Plan proposal for provision of upland habitat would provide sufficient adjacent upland habitat to the created ponds that can be managed for the benefit of the CRLF.
- Onsite in Remnant Golf Course – Given that the project's effects are on a bulrush wetland with a mix of adjacent golf course fairway and disturbed coyote brush scrub and indirect effects due to blocking access to a pond on the adjacent school property, it would be appropriate to create a new pond or ponds within the proposed restoration areas or retained open space area as compensation for Project effects. The area south of the river is directly adjacent to the Palo Corona Regional Park and thus new ponds would have good connectivity to the river and to adjacent undeveloped upland habitat. In this scenario, the Applicant or successor in interest would be responsible to create, manage, and preserve the new pond or ponds only. The location of the ponds relative to the adjacent upland habitat would need to be approved by FWS.
- Palo Corona Regional Park – There are suitable locations in the nearby Palo Corona Regional Park for creation of aquatic habitat with adjacent suitable upland habitat. Because the site is already controlled by the Regional Park District, the Applicant or successor in interest would be responsible to construct the new pond or ponds and to fund the management of the ponds in perpetuity, but not the management of adjacent upland habitat.

Given the timing concerns noted above, the applicant or successor in interest will be required to create the new aquatic habitat concurrently with any disturbance to existing aquatic habitat and with any indirect effects to the potential CRLF aquatic habitat offsite at the CMS pond/wetland site. The compensation pond(s) will be designed such that they do not provide suitable breeding habitat (i.e. perennial ponding) for bullfrogs, either through designing the pond to be seasonal or by including a drain in the pond design so that water can be drained in the late summer or fall to limit bullfrog production.

The Applicant/Owner will submit to and receive approval of a formal proposal from the County for creation, management, and preservation of pond(s) in compliance with this measure prior to issuance of any building permit for this Project. The Project Applicant will obtain all necessary regulatory and landowner approvals to implement this measure prior to construction.

Monterey County

Condition Compliance Form

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map, this mitigation measure and its requirements shall be shown as a note on the Map.

Prior to issuance of grading and/or building permits, the Applicant/Owner shall submit proof that a management plan for the conservation area has been developed and approved by USFWS. The management plan shall be reviewed and approved by RMA-Planning.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 73.

Condition Name: BIO-16

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-16: Conduct a Preconstruction Survey for Southwestern Pond Turtles and Monitor Construction Activities within Suitable Aquatic Habitat.

To avoid construction-related impacts on southwestern pond turtles, the Applicant or successor in interest will retain a qualified wildlife biologist to conduct a preconstruction survey for southwestern pond turtles no more than 48 hours before the start of construction within suitable aquatic habitat (as discussed above) and upland habitat (along the Carmel River and Intermittent Drainages 1 and 2). The wildlife biologist will look for adult pond turtles, in addition to nests containing pond turtle hatchlings and eggs. If an adult southwestern pond turtle is located in the construction area, the biologist will move the turtle to a suitable aquatic site, outside the construction area. If an active pond turtle nest containing either pond turtle hatchlings or eggs is found, the Applicant or successor in interest will consult DFW to determine and implement appropriate avoidance measures, which may include a "no-disturbance" buffer around the nest site until the hatchlings have moved to a nearby aquatic site.

In addition to the preconstruction survey, a qualified biological monitor will be present during initial construction activities within aquatic and upland habitat, as described above in Mitigation Measure-BIO-14. If a southwestern pond turtle is observed within the construction area, the biological monitor will attempt to capture and move the turtle to a suitable aquatic site, outside the construction area.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of the Final Map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Prior to issuance of grading and/or building permits, the Project Applicant shall retain a qualified wildlife biologist to conduct a preconstruction survey for southwestern pond turtles no more than 48 hours before the start of construction within suitable aquatic habitat and upland habitat. The preconstruction survey and its findings shall be submitted to RMA-Planning for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 74.

Condition Name: BIO-17

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-17: Conduct Surveys for Nesting Tricolored Blackbirds.

The Applicant or successor in interest will retain a qualified biologist to conduct two surveys for nesting tricolored blackbirds in the California bulrush wetland during the breeding season (late March through June). The biologist will survey suitable breeding habitat within the project area. The first survey will be conducted during the spring prior to construction, and if, as determined by the qualified biologist, suitable habitat remains on the project site, the second survey may be conducted while construction is in progress. If construction spans multiple years and suitable habitat remains, this surveys are required on an annual basis. If no nesting tricolored blackbirds are found, no further action is necessary. If tricolored blackbirds are found to be nesting within the project area, the Applicant or successor in interest will consult DFW to determine and implement appropriate avoidance measures, which may include a "no-disturbance" buffer around the nest site until the breeding season has concluded.

Compliance or Monitoring Action to be Performed:

Prior to recordation of the Final Map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Prior to issuance of grading and/or building permits, the Project Applicant will retain a qualified biologist to conduct two surveys for nesting tricolored blackbirds. Results of the survey shall be submitted to RMA-Planning for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 75.

Condition Name: BIO-18

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-18: Redesign Restoration Plan to Replace Lost Tricolored Blackbird Nesting Colony Habitat or Incorporate Tricolored Blackbird Nesting Habitat into the Newly Developed 130-Unit Alternative Restoration Plan if developed.

The Applicant or successor in interest will replace lost tricolored blackbird nesting habitat in coordination with DFW if a tricolored blackbird nesting colony is documented (per Mitigation Measure BIO-17 above) in the California bulrush wetland. This mitigation is not required if the nesting habitat would not be affected or if only individual nesting is documented in the project area.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of the Final Map, the mitigation measure and its requirements shall shown as Note on the Map.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 76.

Condition Name: BIO-19

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-19: Conduct Surveys for Woodrat Middens and Relocate Woodrats and Middens Prior to Construction Activity.

The Applicant/Owner will retain a qualified biologist to conduct a survey for woodrat middens in all suitable habitat in the 130-Unit Alternative area that will be affected by construction. This survey will be conducted in the non-breeding season (between October 1 and December 31) prior to any clearing or grading activities in the project area. If no middens are found within this area, no further action is required.

Any active middens that will not be in areas of Project-related grading or vegetation removal will be avoided and protected with a minimum 25-foot buffer. Middens that cannot be avoided will be dismantled and relocated during the non-breeding season (between October 1 and December 31) prior to land clearing activities to allow animals to escape harm and to reestablish territories for the next breeding season. Dismantling will be done by hand, allowing any animals to escape either along existing woodrat trails or toward other available habitat. If a litter of young is found or suspected, nest material should be replaced, and the nest left alone for 2 to 3 weeks before a recheck to verify that young are capable of independent survival before proceeding with nest dismantling. The biologists will attempt to relocate any removed middens to the same area where woodrats are released.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a Final Map, this mitigation measure and its requirements shall be shown as a note on the Map,

Prior to issuance of grading and/or building permit, the Project Applicant will retain a qualified biologist to conduct a survey for woodrat middens. The results of the survey and recommendations shall be submitted to RMA-Planning for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 77.

Condition Name: BIO-20

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Monterey County

Condition Compliance Form

BIO-20: Remove Vegetation during the Nonbreeding Season and Avoid Disturbance of Nesting Migratory Birds and Raptors.

During construction of the 130-Unit Alternative, the Applicant/Owner will condition its contractor to ensure that construction contractors remove trees and shrubs only during the nonbreeding season for migratory birds (September 16 through January 30). In addition, removal of vegetation or filling of ponds or wetlands in the project area will also take place during the nonbreeding season to avoid impacts on nesting birds in these areas. To further minimize impacts, one of the following options will be implemented.

- If construction activities are scheduled to occur during the breeding season (February 1 through September 15), a qualified wildlife biologist will be retained by the Project Applicant to conduct focused nesting surveys in and adjacent to the project area. The surveys will be conducted within 1 week prior to initiation of construction activities and at any time between February 1 and September 15. The area surveyed shall include all construction areas as well as areas within 300 feet outside the boundaries of the areas to be cleared or as otherwise determined by the biologist. If the Project is constructed in phases, a nest survey shall be required prior to implementation of each phase and when construction stops at a portion of the site where suitable nesting habitat remains for more than 15 days. Additionally, if construction spans multiple years, at least one nest survey shall be conducted at the beginning of each year of Project implementation between February and May.

- If no active nests are detected during surveys, then no additional mitigation is required. If surveys indicate that migratory bird or raptor nests are found in any areas that would be directly affected by construction activities, a no-disturbance buffer will be established around the site to avoid disturbance of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged (usually late-June to mid-July). The extent of these buffers will be determined by a wildlife biologist and will depend on the level of noise or construction disturbance, line of site between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors will be analyzed in order to make an appropriate decision on buffer distances. The buffers will be maintained until the breeding season has ended or until a qualified biologist determines that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

- If construction activities begin prior to the breeding season (i.e., if construction activity begins between September 16 and January 30), then construction can proceed until it is determined that an active migratory bird or raptor nest is subject to abandonment as a result of construction activities. Construction activities must be in full force, including at a minimum, grading of the site and development of infrastructure, in order for construction to continue (a minor activity that initiates construction but does not involve the full force of construction activities will not qualify as "pre-existing construction"). If any birds or raptors nest in the vicinity (300 feet for raptors and 50 feet for passerines) of the Project under this pre-existing construction condition, then it is assumed that they are or will habituate to the construction activities. Under this scenario, a nesting bird survey will still be conducted on or after February 1 to identify any active nests in the vicinity, and active sites will be monitored by a wildlife biologist periodically until after the breeding season or after the young have fledged (usually late-June to mid-July).

Compliance or Monitoring Action to be Performed:

Prior to recordation of a Final Map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Monterey County

Condition Compliance Form

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 78.

Condition Name: BIO-21

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-21: Conduct a Survey for Suitable Roosting Habitat and Evidence of Roosting Bats and Avoid Disturbing Them.

During April to September, before construction begins, the Project Applicant will retain a qualified bat biologist who will survey trees that will be removed in the project area and identify any snags, hollow trees, or other trees with cavities that may provide suitable roosting habitat for pallid bats and non-special-status bats. This survey will be conducted before any tree removal occurs. If no suitable roosting trees are found, removal of trees may proceed (in accordance with Mitigation Measure BIO-10) If snags, hollow trees, or other trees with suitable cavities are found, these will be examined for roosting bats. If bats are not found and there is no evidence of use by bats, removal of trees may proceed. If bats are found or evidence of use by bats is present, trees will not be removed until DFW is consulted for guidance on measures to take to avoid and minimize disturbance of the bats. Measures may include excluding bats from the tree prior to their hibernation period and before construction begins. Bat boxes will be installed within the habitat preserve to compensate for the temporal loss of roosting habitat. Bat boxes will be installed prior to the removal of any trees used by bats on a minimum 1:1 basis (1 bat box for each identified active bat location).

Compliance or Monitoring Action to be Performed:

Prior to recordation of a Final Map, this mitigation measure and its requirement shall be shown as a Note on the Map.

Prior to issuance of grading and/or building permits, the Project Applicant will retain a qualified bat biologist who will survey trees. Results of the tree surveys and recommendations, shall be submitted to RMA-Planning for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 79.

Condition Name: BIO-22

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-22: Rescue Steelhead, if Stranded in Site Basin during High-Flow Events.

The Applicant/Owner will apply to the NOAA Fisheries and to the DFW for permission to rescue steelhead if they become trapped in the new site basin. The Project Applicant will be responsible for arranging the inspection of the basin after any storm event that results in temporary filling from the Carmel River. Steelhead will be rescued from the basin and either returned to the Carmel River immediately and/or be held at an appropriate facility (such as the MPWMD Sleepy Hollow facility) until it is safe to return them to the river. The Project Applicant may choose to effect this mitigation through arrangement with organizations that are already involved with fish rescue on the Carmel River such as MPWMD and the Carmel River Steelhead Association.

The Applicant/Owner will obtain all necessary approvals and make all implementation arrangements for steelhead rescue prior to the construction of the new site basin and will provide proof of such permits and arrangements to the County.

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Prior to issuance of grading and/or building permits the Applicant/Owner shall submit proof that NOAA Fisheries and CDFW has granted permission to rescue steelhead. The Project Applicant shall submit proof that all required approvals and permits have been obtained.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 80.

Condition Name: BIO-23

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

BIO-23: Install Signs Along and Within the Habitat Preserve about Restraining Dogs and Encouraging Cats to be Kept Inside.

The Homeowners Association (HOA) or other entity that is responsible for maintenance of the habitat preserve will ensure that signs are installed throughout the habitat preserve that contain the following information to educate pet owners about the potential impacts of dogs and cats on wildlife.

"Please help minimize the harassment, injury, or mortality of wildlife by dogs and cats by following these measures:

- Dogs must be on leashes. Please keep control of your dog at all times.
- Pick up after your dog.
- Recognize that keeping your cat inside keeps wildlife safe from cats and cats safe from wildlife."

Compliance or Monitoring Action to be Performed:

Prior to Recordation of a Final Map, this mitigation measure and its requirements shall be shown as a Note on the Map.

Prior to issuance of occupancy, the Applicant/Owner and/or HOA shall submit proof that signs have been developed, printed and installed as prescribed.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 81.

Condition Name: CR-1

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

CR-1: Archaeological Resources- Stop Work if Buried Cultural Deposits are Encountered During Construction Activities

If buried cultural resources are encountered during construction activities, the Project Applicant or its contractor will stop work. If cultural resources such as chipped stone or groundstone, historic debris, building foundations, or human bone are inadvertently discovered during ground-disturbing activities, the Project Applicant or its contractor will stop work within a 100-foot radius of the find until a qualified archaeologist can assess the significance of the find and recommend additional treatment measures appropriate to the nature of the find. The Project Applicant will be responsible for ensuring that treatment measures are implemented, in accordance with the archaeologist's recommendations.

Compliance or Monitoring Action to be Performed:

Include as a note on the final map and comply with the conditions.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 82.

Condition Name: CR-2

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

CR-2: Archaeological Monitoring During Ground Disturbing Activities Within the Project Area During Construction

The alluvial plain of the Carmel River Valley is highly sensitive for the presence of buried prehistoric archaeological resources, which do not always have surface expression and can be difficult to identify through a Phase I archaeological survey. Due to the sensitive nature and location of the project area, there is a possibility that buried prehistoric archaeological materials could be discovered during ground-disturbing activities during the construction phase of the project. Prior to the start of construction activities, the Project Applicant or its contractor will obtain the services of an archaeological monitor who can identify resources and minimize impacts on buried deposits, if present.

Compliance or Monitoring Action to be Performed:

Prior to redecoration of a final map or issuance of permits for subdivision improvements, whichever occurs first, the applicant shall submit a written agreement with a qualified archaeologist and tribal monitor for the observation of all grading and ground disturbance activities.

The monitors shall have the authority to stop work during construction.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 83.
Condition Name: CR-3
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

CR-3: Archaeological Resources- Stop Work if Human Remains are Encountered During Construction Activities

If human remains are encountered during construction, the Project Applicant or its contractor will notify the County Coroner immediately, as required by County Ordinance No. B6-18. Because this measure will be implemented along with Mitigation Measure CR-2, a qualified archeologist will already be onsite. If the County Coroner determines that the remains are Native American, the Coroner will then contact the NAHC, pursuant to HSC Section 7050.5[c]. S/he will also contact the County Coordinator of Indian Affairs. There will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie human remains until the County Coroner has determined that no investigation of the cause of death is required.

If the Coroner determines that the remains are not subject to their authority, they will notify the NAHC, who will attempt to identify descendants of the deceased Native American, who will be consulted as to proper treatment of Native American remains and any associated grave goods. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this state law, then the land owner will re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance

Compliance or Monitoring Action to be Performed:

This language shall be included in the agreement required pursuant to Condition CR-2 and shall be implemented during construction.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 84.

Condition Name: CR-4

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

CR-4: Paleontological Resources- Stop Work if Vertebrate Remains are Encountered During Construction

If vertebrate fossils are discovered during construction, work will stop within a 100-foot radius of the find until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment will include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection, and may also include preparation of a report for publication describing the finds. The project proponent will be responsible for ensuring that the paleontologist's recommendations regarding treatment and reporting are implemented.

Compliance or Monitoring Action to be Performed:

Comply with conditions during all ground disturbing activities.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 85.

Condition Name: CR-5

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

CR-5: Consult With a Qualified Archaeologist to Identify Resources and Assess Impacts

If archaeological resources are uncovered as a result of long-term use of the project area, resulting from the implementation of the 130-Unit Alternative, the Applicant/Owner will consult with a qualified archaeologist to identify the resource, assess the potential significance of the discovery, and assess and mitigate the impacts as appropriate to the resources and level of impacts, as required by CEQA.

Compliance or Monitoring Action to be Performed:

The Home Owner's Association shall adopt rules and procedures adequate to protect archaeological resources on an ongoing basis, including consulting with a qualified archaeologist if potential resources are discovered.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 86.

Condition Name: GEO-1

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

GEO-1: Design All Proposed Structures in Accordance with the Requirements of the California Building Code, Current Edition, and Recommendations Contained in the Site Specific Geologic and Geotechnical Reports.

To minimize the potential for damage from seismic-related ground settlement, prior to construction the Applicant/Owner, or any successor will assure that all proposed structures are designed in accordance with the current and appropriate California Building Code standards and with recommendations made by the geotechnical reports prepared for the project (ENGEO 2006). In addition, the Applicant or successor in interest will implement any recommendations made by the engineer of record and demonstrate to the County during the final stages of project design (prior to issuance of building permits) that the project is in compliance with all the above..

Compliance or Monitoring Action to be Performed:

Prior to recordation of a final map, Geologic and Geotechnical reports shall be submitted to the Division of Planning and the Division of Building of the Resource Management Agency for review and approval.

A Note shall be placed on an additional sheet of the final map that indicates that a geotechnical report was prepared and that all structures shall be designed in accordance with the reports and the current edition of the California Building Code.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 87.
Condition Name: GEO-2
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

GEO-2: Conduct Additional Site-Specific Investigation Relative to Lot 130 and Implement Recommended Grading and Slope Design Criteria of the Site-Specific Geotechnical Reports.

The Applicant/Owner will conduct additional geotechnical investigation to determine if there are any direct or indirect landsliding risks, including risks from landslides north of Carmel Valley Road associated with the future development of Lot 130. If landslide hazards are identified, then site specific recommendation of the additional investigation will be incorporated into site plans.

In order to reduce the potential for slope failure to occur, specific design measure, as recommend in the geotechnical investigations (ENGEO 2005 and as required by this measure), will be incorporated into the 130-Unit Alternative by the applicant during construction. Such measures will include the following:

- The removal of loose or compressible surface soils from all areas to receive fill, followed by scarification, moisture conditioning, and recompaction to create a firm, non-yielding base, and replacement with engineered backfill.
- Grading operations will meet the requirements of the Guide Contract Specifications included in the Geotechnical report (ENGEO 2005).
- The grading of cut and fill slopes to a gradient of no steeper than 2:1.
- Construction of a sub-drained keyway system.
- Implementation of a site drainage plan to divert surface drainage away from potentially unstable foundation systems.

In addition to incorporating the recommendation of the site-specific geotechnical studies, all earthwork will confirm to applicable design standards of the UBC and the County. All design and construction activities will be conducted by or under the supervision of a registered geological engineer or engineering geologist, and are subject to review by the County through the grading permit and construction oversight process.

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading permits for Lot 130, a site-specific geotechnical report shall be submitted to the Building Division of the Resource Management Agency for review and approval.

Grading plans shall incorporate all required measures and techniques required and recommend within the site-specific geotechnical report.

Monterey County

Condition Compliance Form

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 88.
Condition Name: GEO - 3
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

GEO-3: Prepare and Implement an Erosion and Sediment Control Plan.

Prior to construction, the Applicant or successor in interest responsible for project grading, or a qualified consultant acting on behalf of the above, will prepare and implement an erosion and sediment control plan. The plan will be prepared in accordance with the requirements of the local erosion and sediment control ordinance. The plan will contain details and specification for a variety of standard and site-site specific BMP's that will be implemented to control wind and water erosion, stormwater runoff, sediment, and other construction-related pollutants during project construction. The Erosion and Sediment Control Plan will remain in effect until all areas disturbed during construction have been revegetated or otherwise permanently stabilized. Additional measures may be prescribed during the final stages of project design and construction. The Erosion and Sediment Control Plan will be submitted to the Monterey County Resource Management Agency-Planning Division for review and approval prior to issuance of any grading permit.

This measure can be combined with requirements of Mitigation Measure HYD-2 to prepare a SWPPP in compliance with National Pollutant Discharge Elimination System (NPDES) general construction permit requirements.

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading permits, an Erosion and Sediment Control Plan shall be submitted to the RMA - Planning Division and RMA-Environmental Services Division for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 89.

Condition Name: GEO-4

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

GEO-4: Remove Localized Zones of Overly Loose Materials.

During Construction of the 130-Unit Alternative, the Applicant or successor(s) in interest responsible for site grading and foundation work will implement the recommended design criteria of the geotechnical report (ENGEO 2005). Such criteria can include the following measures:

- Localized zones of overly loose materials will be removed to a firm, non-yielding base, then scarified, moisture condition, if necessary, and recompact to create a suitable foundation soil prior to fill placement.
- The spatial extent will include at least the area encompassed by the building footprint plus a horizontal buffer of 5 feet surrounding the building footprint.
- The actual depth for reworking should be determined by a qualified geotechnical engineer at the time of grading.

The responsible party will also implement all other relevant soil recommendation detailed in the geotechnical report and shall demonstrate to the County that the project is in compliance with the criteria and recommendations.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading permits, the recommendations of the Geotechnical Report shall be included in the design of all grading.

Prior to final inspection, the applicant shall submit a letter from a licensed geotechnical engineer indicating that all work has been performed in accordance with approved plans and geotechnical reports.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 90.

Condition Name: GEO-5

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

GEO-5: Prepare a Geotechnical Report for Lot 130 Concerning Expansive Soils.

Prior to construction on Lot 130, the Applicant or successor(s) in interest will prepare a geotechnical report for Lot 130 to determine soil expansion potential. Development on this lot will be designed by a qualified architect and/or engineer according to the recommended design criteria of the geotechnical report. The Applicant or successor(s) in interest will also implement all other relevant soil recommendations detailed in the geotechnical report and demonstrate to the County at the final design phase (prior to issuance of building permit or any water use permits) that the project is in compliance with the design criteria and recommendations of the geotechnical report.

Compliance or Monitoring Action to be Performed:

Prior to recordation of final maps, the requirements of this mitigation measure shall be included as a note on an additional sheet.

Prior to the issuance of grading or building permits on lot 130, the applicant shall submit to the Building Division of the RMA a geotechnical report for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

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Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 91.

Condition Name: GHG-1

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

GHG-1: Implement Best Management Practices for Greenhouse Gas Emissions during Construction

Prior to starting construction activities, the Project Applicant will ensure the construction contractor includes the following BMPs in the construction specifications, to the extent feasible, to reduce construction-related GHG emissions. The contractor will implement the following measures.

- Use alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment for at least 15 percent of the fleet.
- Use local building materials where reasonably available (i.e., within the general Monterey Bay area defined as Monterey County, Santa Cruz County, and San Benito County).
- Recycle at least 50 percent of construction waste or demolition materials.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading or building permits of any phase of the 130-Unit Alternative, the Applicant/Owner shall submit to RMA-Planning for review and approval a report of construction specifications demonstrating implementation of BMPs

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 92.

Condition Name: GHG-2

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

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GHG-2: Reduce Annual Greenhouse Gas Emissions to below the Efficiency Threshold Using a Combination of Design Features, Replanting, and/or Offset Purchases

The Applicant/Owner will develop and implement a GHG Reduction Plan to reduce annual emissions of the 130-Unit Alternative to 1,770 MTCO₂e per year for the 130-Unit Alternative. The GHG Reduction Plan would be provided to RMA-Planning for review and approval prior to grading, or ground disturbance or vegetation removal for any phase of the Proposed Project or 130-Unit Alternative. The GHG Reduction Plan would identify the specific design measures proposed to reduce GHG emissions from the Proposed Project or 130-Unit Alternative, their timing, and the responsible party. The GHG Reduction Plan could include the following measures.

Building Energy Use

- Exceed Title 24 building envelope energy efficiency standards (applicable at the time of the building permit issuance) by 20 percent.
- Install programmable thermostat timers and smart meters.
- Obtain third-party heating, ventilation, and air conditioning commissioning and verification of energy savings.
- Install energy-efficient appliances.
- Require cool roof materials.
- Install green roofs.
- Install solar water heaters.
- Install tankless water heaters.
- Install solar panels.
- HVAC duct sealing.
- Increase roof/ceiling insulation.

Alternative Energy Generation

- Install onsite solar facilities.
- Utilize a combined heat and power system for commercial facilities.

Lighting

- Install high-efficiency area lighting to reduce indoor and outdoor lighting energy use by 40 percent.
- Limit outdoor lighting.
- Replace traffic lights with LED traffic lights.
- Maximize interior day light.

Transportation

- Provide electric vehicle charging stations.
- Provide preferred electric vehicle parking.
- Implement transit access improvements.
- Expand transit network.
- Provide local shuttle service to and from visitor-serving areas using a hybrid electric, electric, or alternative-fueled shuttle.
- Provide free transit passes for facility employees.

Water

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Condition Compliance Form

- Install low-flow water fixtures.
- Design water-efficient landscapes and landscape irrigation systems.
- Install rainwater collection systems.
- Install low-water use appliances and fixtures.
- Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces.

Area Landscaping

- Use only electric-powered landscaping equipment (not gas powered).

Solid Waste

- Institute or extend recycling and composting services.

Carbon Sequestration

- Plant trees to replace trees removed by the Proposed Project.

Off-Site Mitigation

- Off-site mitigation could take many forms, including:
 - Paying for energy-efficiency upgrades of existing homes and business.
 - Installing off-site renewable energy.
 - Paying for off-site water efficiency.
 - Paying for off-site waste reduction.
 - Other methods.
- Offsite mitigation must be maintained in perpetuity to match the length of project operations to provide ongoing annual emission reductions.

Carbon Offsets

- Purchase offsets from a validated source to offset annual GHG emissions.
- Purchase offsets from a validated source to offset one-time carbon stock GHG emissions.

The GHG Reduction Plan would consist of the measures described below unless the Project Applicant demonstrates that alternative measures will collectively meet the overall performance standard. The Project Applicant will document the application of all final measures to proposed new development and demonstrate their effectiveness.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a final map or issuance of permits for subdivision improvements, the applicant/owner shall submit a GHG reduction Plan to the Chief of Planning Services with the Resource Management Agency for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 93.

Condition Name: HAZ-1

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

HAZ-1: Follow Cypress Fire Protection District and Other Guidelines for Storage and Handling of Hazardous Materials

The County will require that contractors transport, store, and handle hazardous materials required for construction in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the Cypress Fire Protection District (CFPD).

Compliance or Monitoring Action to be Performed:

During construction and subdivision improvements, the contractor and applicant shall ensure that all materials are transported handled and stored in accordance with Cypress Fire Protection District recommendations.

Prior to Final inspection, a letter from CFPD shall be submitted indicating that all measures have been implemented and complied with.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 94.

Condition Name: HAZ-2

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

HAZ-2: Immediately Contain Spills, Excavate Spill-Contaminated Soil, and Disposal at an Approved Facility

In the event of a spill of hazardous materials in an amount reportable to the CFPD (as established by fire department guidelines), the contractor will immediately control the source of the leak and contain the spill. If required by the CFPD or other regulatory agencies, contaminated soils will be excavated and disposed of offsite at a facility approved to accept such soils.

Compliance or Monitoring Action to be Performed:

During construction and subdivision improvements, the contractor and applicant shall ensure that all spills are promptly and adequately addressed and that all personnel involved in the clean-up of spills have received the appropriate training.

Prior to Final inspection, a letter from CFPD shall be submitted indicating that all measures have been implemented and complied with.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061
Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)
Condition Number: 95.
Condition Name: HAZ-3
Responsible Department: Environmental Health
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

HAZ-3: Develop and Implement Plans to Reduce Exposure of People and the Environment to Hazardous Conditions During Construction Activities

The County will require the applicant to develop plans to prevent the pollution of surface water and groundwater and to promote the health and safety of workers and other people in the project vicinity. These programs will include an operations and maintenance plan, a site-specific safety plan, and a fire prevention plan, in addition to the Storm Water Pollution Prevention Plan (SWPPP) required for hydrology impacts. The programs are required by law and will require approval by several responsible agencies. Required approvals are as follows: the SWPPP will be approved by the Regional Water Board; the site-specific safety plan and the operations and maintenance plan will be approved by Cal-OSHA; and the fire safety plan will be approved by the CFPD.

The County will also require the applicant to develop and implement a hazardous materials management plan that addresses public health and safety issues by providing safety measures, including release prevention measures; employee training, notification, and evacuation procedures; and adequate emergency response protocols and cleanup procedures.

Finally, the County will require the applicant and its designated contractors to comply with Cal- OSHA, as well as federal standards, for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal-OSHA requirements can be found in the California Labor Code, Division 5, Chapter 2.5. Federal standards can be found in Occupational Safety and Health Administration Regulations, Standards—29 CFR.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a final map or issuance of permits for subdivision improvements, whichever occurs first, the applicant shall submit the required plans to the Chief of Planning Services for review and approval.

Written approval from responsible state and local jurisdictions of the required plans shall be provided.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 96.

Condition Name: HAZ-5

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

HAZ-5: Participate in the Local Household Hazardous Waste Collection Program

The County will require residents living within the Rancho Cañada Village to participate in the Household Hazardous Waste Collection Program run by the Monterey Regional Waste Management District, to ensure that household hazardous wastes are disposed of appropriately. Details about the program can be found on the District's website, located at: www.mrwmd.org.

Compliance or Monitoring Action to be Performed:

Prior to recordation of final maps, the applicant shall submit written evidence of participation in the program from MRWMD.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 97.

Condition Name: HYD-1

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

HYD-1: Prepare and Implement a Stormwater Control Plan

Prior to recordation of a final map, the applicant or successor in interest shall submit to Monterey County RMA Environmental Services a Stormwater Control Plan prepared by a registered professional engineer, addressing Post-Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast region. The Plan shall include the location of drainage facilities and construction details. A report with supporting calculations shall also be provided. The Plan shall be reviewed by a licensed Geotechnical Engineer to ensure conformance with the Geotechnical Investigation or Engineering Geology Report. The Plan shall be reviewed and approved by the County prior to recording the final map.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a final map, the applicant shall submit to Monterey County RMA Environmental Services for review and approval, a Stormwater Control Plan prepared by a registered professional engineer, addressing Post-Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast region.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 98.

Condition Name: HYD-2

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

HYD-2: Prepare and Implement Operation and Maintenance Plan for Stormwater Control Measures

Prior to recordation of a final map, the applicant or successor in interest shall submit an Operation and Maintenance Plan to RMA Environmental Services for review and approval. The plan shall be prepared by a registered Professional Engineer and include, at a minimum, the following: 1) Site map identifying all structural Stormwater Control Measures requiring O&M practices to function as designed; 2) O&M procedures for each structural Stormwater Control Measure, including, but not limited to, LID facilities, retention/detention basins and proprietorship devices; 3) O&M Plan shall include short and long-term maintenance requirements, recommended frequency of maintenance and estimated maintenance costs. The County approved plan shall be implemented by successor(s) in interest responsible for operation and maintenance of the stormwater drainage systems, such as a Homeowners Association (HOA).

Compliance or Monitoring Action to be Performed:

Prior to recordation of a final map, the applicant shall submit an Operation and Maintenance Plan to RMA Environmental Services for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 99.

Condition Name: HYD-3

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

HYD-3: Enter into Maintenance Agreement for Stormwater Control Measures

Prior to recordation of a final map, the applicant or successor in interest, shall enter into Maintenance Agreement with Monterey County. The applicant shall submit a signed and notarized Agreement to RMA Environmental Services for review and approval. The Agreement shall clearly identify the responsible party for ongoing maintenance of structural. Stormwater Control Measures. The Agreement shall contain provisions for an annual report to be prepared by a registered Professional Engineer. The annual report shall be submitted to RMA Environmental Services for review and approval no later than August 15 of each year. All recommended maintenance shall be completed by October 15 of the same year. If maintenance is required, certification shall be provided that all recommended maintenance has been completed before the start of the rainy season.

Compliance or Monitoring Action to be Performed:

Prior to recordation of a final map, the applicant shall enter into Maintenance Agreement with Monterey County.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN040061

Project Name: LOMBARDO LAND GROUP I LP (RANCHO CANADA VILLAGE)

Condition Number: 100.

Condition Name: HYD-4

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

HYD-4: Implement a Spill Prevention and Control Program

Prior to construction, the Applicant or successor in interest, will develop and implement a spill prevention and control program to minimize the potential for, and effects from, spills of hazardous, toxic, or petroleum substances during construction activities for all contractors. The program will be completed before any construction activities begin. Implementation of this measure will comply with state and federal water quality regulations. The County will review and approve the spill prevention and control program before onset of construction activities. The County will routinely inspect the construction area to verify that the measures specified in the spill prevention and control program are properly implemented and maintained. The County will notify contractors immediately if there is a noncompliance issue and will require compliance.

The federal reportable spill quantity for petroleum products, as defined in the EPA's CFR (40 CFR110) is any oil spill that (1) violates applicable water quality standards, (2) causes a film or sheen upon or discoloration of the water surface or adjoining shoreline, or (3) causes a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines.

If an appreciable spill has occurred and is reportable, the contractor's superintendent will notify the County and the County will need to take action to contact the appropriate safety and clean up crews to ensure the spill prevention plan is followed. A written description of reportable releases must be submitted to the Regional Water Board. This submittal must include a description of the release, including the type of material and an estimate of the amount spilled, the date of the release, an explanation of why the spill occurred, and a description of the steps taken to prevent and control future releases. The releases would be documented on a spill report form.

If surface water or groundwater quality levels have been degraded in excess of water quality standards, Mitigation Measure HYD 5 would be required and would reduce this impact to a less than significant level.

Compliance or Monitoring Action to be Performed:

Prior to issuance of permits for subdivision improvements, the Project Applicant will develop and implement a spill prevention and control program to minimize the potential for, and effects from, spills of hazardous, toxic, or petroleum substances during construction activities for all contractors. The plan shall be submitted to the RMA - Planning for review and approval. Written approval by appropriate regulatory agencies may be required as applicable.

Verification of Compliance/Non-Compliance:

Monterey County

Condition Compliance Form

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

PLN150218
CASTRO JAN

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 1.
Condition Name: PD001 - SPECIFIC USES ONLY
Responsible Department: Planning
Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

This Combined Development Permit (PLN150218) consists of: a Coastal Administrative Permit to allow the demolition of an existing 4,010 square foot single family dwelling and the construction of a one story 8,279 square foot single family dwelling; 2) Coastal Development Permit to allow development within 50 feet of a coastal bluff; and 3) Coastal Development Permit for a Lot Line Adjustment; 4) Coastal Development Permit for development within 750 feet of a known archaeological resource; and 5) Design Approval. The properties are located at 36404 & 36324 Highway 1, Carmel (Assessor's Parcel Numbers: 243-251-005-000 and 243-251-008-000), Big Sur Coast Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file.

Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 2.
Condition Name: PD002 - NOTICE PERMIT APPROVAL
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit (Resolution Number 16-007) was approved by the Monterey County Planning Commission for Assessor's Parcel Numbers 243-251-005-000 and 243-251-008-000 on January 27, 2016. The permit was granted subject to 26 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

Verification of Compliance/Non-Compliance:

4/14/2016: Document was recorded as Document Number 2016019084 to help satisfy this condition (Stacy Giles for David Mack)

02/16/2016: Agent notified documents are ready for owner signature (Stacy Giles)

02/16/2016: Documents forwarded to County Counsel for review (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 3.

Condition Name: PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 4.

Condition Name: PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

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

Compliance or Monitoring Action to be Performed:

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

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

Verification of Compliance/Non-Compliance:

Monterey County

Condition Compliance Form

4/26/2016: Document was recorded as Document Number 2016021920 to help satisfy this condition (Stacy Giles for David J.R. Mack)

4/25/2016: Agent notified via e-mail that document is ready to record and is left up front at the Reception Counter in Customer Pick-up under "Lawrence" unless otherwise specified (Stacy Giles)

4/18/2018: Document held in "Legal Documents for Signature Folder" in Stacy's cubicle for Director of RMA signature and notary (Stacy Giles)

4/13/2016: Documents forwarded to County Counsel for signature (Stacy Giles)

02/16/2016: Agent notified documents are ready for owner signature (Stacy Giles)

02/16/2016: Documents forwarded to County Counsel for review (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 5.
Condition Name: PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations.

Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

Verification of Compliance/Non-Compliance:

4/26/2016: Document was recorded as Document Number 2016021921 to help satisfy this condition (Stacy Giles for David J.R. Mack)

4/25/2016: Agent notified via e-mail that document is ready to record and is left up front at the Reception Counter in Customer Pick-up under "Lawrence" unless otherwise specified (Stacy Giles)

4/18/2018: Document held in "Legal Documents for Signature Folder" in Stacy's cubicle for Director of RMA signature and notary (Stacy Giles)

4/13/2016: Documents forwarded to County Counsel for signature (Stacy Giles)

02/16/2016: Agent notified documents are ready for owner signature (Stacy Giles)

02/16/2016: Documents forwarded to County Counsel for review (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 6.

Condition Name: PD007- GRADING WINTER RESTRICTION

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services. (RMA - Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 7.
Condition Name: PD012(D) - LANDSCAPE PLAN & MAINTENANCE (MPWMD-SFD ONLY)
Responsible Department: Planning
Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of RMA - Planning. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by RMA-Planning, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/ shall submit an approved water permit from the MPWMD to RMA-Building Services.

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to Monterey County RMA - Planning.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

Monterey County

Condition Compliance Form

Verification of Compliance/Non-Compliance:

Prior to Issuance:

On 04/26/16, Laura Lawrence submitted the three (3) copies of the landscape plans and landscape cost estimate and paid the landscape submittal fee in the amount of \$265.43. -MACKD, Senior Planner

The plans were approved on 04/29/2016. This condition is partially met. -MACKD, Senior Planner (The property is not located within the boundary of MPWMD and therefore approval from MPWMD is not required)

5/31/17: Revised Landscape plan approved by MackD, Senior Planner. Uploaded into Accela.

Prior to Occupancy:

On DATE, a certificate of deposit or other form of surety was paid for the landscape cost estimate. This condition is partially met. NAME TITLE; or

Prior to Final:

On DATE, a letter, dated DATE, from the landscape architect was submitted stating the landscape was installed per approved plans. The construction permit NUMBER has obtained a final inspection. This condition is met. NAME TITLE

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 8.
Condition Name: PD014(C) - LIGHTING-EXTERIOR LIGHTING PLAN (BIG SUR)
Responsible Department: Planning
Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

All exterior lighting shall be unobtrusive, down-lit, compatible with the local area, and constructed or located so that only intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from critical viewshed viewing areas as defined in Section 20.145.020.V, are prohibited. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.
(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, staff shall conduct a site visit to ensure that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

Verification of Compliance/Non-Compliance:

Prior to Issuance:

On 04/26/16 the three (3) sets of exterior lighting plans were submitted. -MACKD, Senior Planner

On 04/29/16, the exterior lighting plans were approved; the proposed exterior lighting will be shielded, illuminating only intended areas and would not be visible from the common public view as defined in Section 20.145.020.V of the Monterey County CIP Part 3. Upon completion of the construction permit and prior final inspection, a site inspection shall be conducted by staff to verify condition is met. -MACKD, Senior Planner

Prior to Final:

On DATE, NAME conducted a daytime/nighttime site visit to verify compliance; the lighting is not visible from the common public view as defined in Section 20.145.020.V of the Monterey County CIP Part 3; see attached site photos in RMA-Planning file NUMBER. This condition is met. NAME TITLE

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 9.
Condition Name: PD016 - NOTICE OF REPORT
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:

"A Preliminary Archaeological Reconnaissance of APN 243-251-005 and 243-251-008 (LIB150185) was prepared by Archaeological Consulting, Salinas, California on April 16, 2015 and is on file in Monterey County RMA-Planning. All development shall be in accordance with this report."

" Biological Survey Report (LIB150186) was prepared by Eco-Synthesis Scientific & Regulatory Services, Inc., Truckee, California, on April 20, 2015, and is on file in Monterey County RMA-Planning. All development shall be in accordance with this report."

"A Geotechnical and Geologic Investigation with Coastal Bluff Recession Study for Proposed Single Family Residence at 36404 & 36324 Highway 1, Carmel, California" (LIB150187) was prepared by Haro, Kasunich and Associates, Inc., Watsonville, California, in April 2015, and is on file in Monterey County RMA-Planning. All development shall be in accordance with this report."
(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to RMA - Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the RMA - Planning.

Verification of Compliance/Non-Compliance:

*4/14/2016: Document was recorded as Document Number 2016019085 to help satisfy this condition
(Stacy Giles for David Mack)*

02/16/2016: Agent notified documents are ready for owner signature (Stacy Giles)

02/16/2016: Documents forwarded to County Counsel for review (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 10.

Condition Name: PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of 3 years, to expire on January 27, 2019 unless use of the property or actual construction has begun within this period. (RMA-Planning)

Compliance or Monitoring Action to be Performed:

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

Verification of Compliance/Non-Compliance:

Condition is applicable on an on-going basis until 1/27/2019 or until action is taken pursuant to a construction permit

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 11.
Condition Name: PD045 - COC (LOT LINE ADJUSTMENTS)
Responsible Department: Planning
Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall request unconditional Certificates of Compliance for the newly configured parcels. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the Certificates of Compliance.

Prior to the expiration of the entitlement and after the Certificates are recorded, the Owner/Applicant shall file a request and pay the fees for separate assessments or combination assessments (for lot mergers) with the Assessor's Office.

Verification of Compliance/Non-Compliance:

UCOC MEMOS FOR BOTH PARCELS PREPARED AND FORWARDED TO FRIEDRICH FOR PROCESSING/RECORDATION - MACKD - 05/23/16

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 12.
Condition Name: PD047 - DEMOLITION/DECONSTRUCTION (MBUAPCD RULE 439)
Responsible Department: Planning
Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:

1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process;
2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building;
3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour.

All Air District standards shall be enforced by the Air District.

(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of a demolition permit, if applicable, the Owner/Applicant/Contractor shall incorporate a "Demolition/Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.

During demolition, the Owner/Applicant/Contractor shall obtain any required Air District permits and the Air District shall conduct all deconstruction or demolition inspection activities as required by the Air District.

Verification of Compliance/Non-Compliance:

The language contained in this condition is shown on sheet C500 of the plans (16CP00790/16CP00791); prior to issuance portion of condition is cleared as of this date - MACKD, Senior Planner - 04/29/2016

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 13.

Condition Name: MM BIO-1 - SEA-CLIFF BUCKWHEAT DUST CONTROL

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Standard dust control measures shall be implemented during demolition and through the period of soil disturbance, such as application of water to disturbed soil and applying weed-free mulch when soil disturbance is complete. A debris fence shall be installed at the limit of demolition activity to prevent any objects or debris from falling into the coastal bluff vegetation ESHA. In the event that sediment control is implemented by means of a silt fence (as opposed to fiber wattles), the silt and debris fence can be one and the same structure.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Owner/Applicant shall list standard dust control measures as notes on both the Grading and Construction Plans.

Verification of Compliance/Non-Compliance:

The language required by this condition is shown on the plans (16CP00790/16CP00791) sheet C500; condition is satisfied as of this date - MACKD, Senior Planner - 04/29/2016

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 14.
Condition Name: MM-BIO-2 - INTERTIDAL SEDIMENT CONTROL
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

In accordance with Monterey County ordinance, sediment control shall be installed at the limit of soil disturbance, and shall be observed and, if necessary, repaired at the beginning of the rainy season and within 24 hours of any rainfall event exceeding 0.24" at the nearest reporting station. The preferred sediment BMP is silt fencing, however, given the thinness of the soils and slow growth rates of vegetation on site, the standard procedure of excavating a shallow trench and burying the toe of the material in it is not desirable. Instead, the toe of the fence should be pressed against the ground surface by means of gravel- or sand-containing bags such as those used for protection of storm drain inlets in urban settings.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Owner/Applicant shall provide evidence that required inter-tidal sediment control measures have been included into the erosion control plan and is in compliance with recommend dust control measures.

Verification of Compliance/Non-Compliance:

The language required by this condition is shown as notes on the plans on page C500 (16CP00790/16CP00791); condition cleared as of this date - MACKD, Senior Planner - 04/29/2016

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 15.

Condition Name: PDSP001 - ON-SITE CULTURAL MONITOR (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

During the commencement of all excavation/earth work performed on the project site, a cultural monitor from the Ohlone/Costanoan-Esselen Nation (OCEN) tribal group shall be present (on-site) to monitor excavation activities. Should any cultural resources or human remains be discovered, all excavation work shall be ceased to allow the on-site monitor to evaluate the discovery and take appropriate actions.

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading permits, the Owner/Applicant shall submit proof to the Director of RMA-Planning demonstrating that an agreement is in place to allow an onsite cultural monitor during all excavation activities.

Verification of Compliance/Non-Compliance:

Letter confirming on-site monitoring agreement is saved under "Documents"; hard copy placed in file; condition cleared as of this date - MACKD, Senior Planner - 04/26/2016

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 16.

Condition Name: PDSP002 - PROPERTY ACCESS/CONSOLIDATION OF DRIVEWAY

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Prior to recordation of the Certificate of Compliance (COC), an appropriate legal mechanism to ensure access to both parcels shall be implemented and submitted for review and approval to the satisfaction of the Director of RMA-Planning and the Office of County Counsel.

Compliance or Monitoring Action to be Performed:

Submit proof of appropriate measures demonstrating access to both parcels to County Counsel and the Director of RMA-Planning.

Verification of Compliance/Non-Compliance:

ACCESS AND UTILITY DEED RESTRICTION RECORDED ON 5/12/16 - DOC NO. 2016025790

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 17.

Condition Name: EHSP01-ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM: OBTAIN PERM

Responsible Department: Environmental Health

Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

The Environmental Health Bureau (EHB) has determined that adequate area exists on the property to accommodate an alternative onsite wastewater treatment system (Alt OWTS).

Submit a completed permit application with applicable fees and the following information for review and approval:

- Proposed wastewater production rates
- Site plan indicating Alt OWTS treatment unit and dispersal proposal, designed by a registered engineer having experience in alternative wastewater treatment and disposal
- Soils and percolation testing report prepared by a qualified individual, which includes a summary of the soil profile extending at least 2' past the bottom of the proposed dispersal field and a determination of the depth to an impervious layer or groundwater if within 10' below the bottom of the proposed dispersal field.
- Linear loading rate evaluation

Compliance or Monitoring Action to be Performed:

Prior to issuance of construction permit, submit to EHB for review and approval an Alt OWTS application and pay all associated fees.

Alt OWTS permit shall be issued concurrent with construction permit.

Verification of Compliance/Non-Compliance:

THE DESIGN FOR THE ATU HAS BEEN REVIEWED AND APPROVED BY EHB

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 18.

Condition Name: EHSP02-ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM: DEED RESTRI

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The property owner shall record a deed restriction with the Monterey County Recorder for parcel 243-251-005-000 which indicates that an alternative onsite wastewater treatment system (Alt OWTS) is installed on the property. The deed restriction shall include, but is not limited to, the following details:

- The Alt OWTS is subject to all future federal, state or local laws and ordinances regarding the permitting, operation and maintenance and/or monitoring of Alt OWTS
- The Alt OWTS is subject to an annual operating permit with applicable fees paid to the Environmental Health Bureau
- Property owner agrees to enter into and maintain a maintenance contract with an authorized service provider

Contact EHB to request a copy of the deed restriction template. The property owner will be responsible to pay cost recovery fees associated with review of the deed restriction by County Counsel.

Compliance or Monitoring Action to be Performed:

Prior to final inspection of the construction permit the property owner shall sign and notarize the completed deed restriction template and submit the draft for review and approval by the Environmental Health Bureau and County Counsel.

Once approved, the deed restriction shall be recorded with the Monterey County Recorder. Proof of recordation shall be provided to EHB and the Planning Department.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 19.

Condition Name: EHSP03-ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM: MAINTENANCE

Responsible Department: Environmental Health

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The proposed alternative onsite wastewater treatment system (Alt OWTS) requires ongoing maintenance and monitoring to function as designed. A signed operations and maintenance contract with an authorized service provider must be submitted to the Environmental Health Bureau (EHB). The contract must include, but is not limited to:

- Contract term, specification of services to be performed and frequency of service
- Statement indicating that EHB will be notified if either party fails to comply with the contract terms
- A monitoring/ maintenance report, including effluent quality as specified by the associated Alt OWTS operating permit, shall be submitted to EHB every 6 months, or as specified by the EHB operating permit
- EHB shall be notified at each contract renewal term, and a copy of the contract shall be submitted to EHB

Compliance or Monitoring Action to be Performed:

Prior to final inspection of construction permit, submit an executed operations and maintenance contract with an authorized service provider to EHB for review and acceptance

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218
Project Name: CASTRO JAN
Condition Number: 20.
Condition Name: EROSION CONTROL PLAN
Responsible Department: Environmental Services
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan may be combined with the grading plan provided it is clearly identified. The erosion control plan shall include as necessary: construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s). The following notes shall be included on the erosion control plan:

- Dust from grading operations shall be controlled.
- Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County grading and erosion control regulations.
- During construction, the owner/applicant shall schedule an inspection with RMA-Environmental Services to inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the site. At the time of the inspection, the applicant shall provide certification that all necessary geotechnical inspections have been completed to that point.
- Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services to ensure that all disturbed areas have been stabilized and that all temporary erosion and sediment control measures that are no longer needed have been removed. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit an Erosion Control Plan to RMA-Environmental Services for review and approval.

Verification of Compliance/Non-Compliance:

4/18/2016

RMA-Environmental Services received an acceptable Erosion Control Plan prepared by Field Architecture, dated 03/11/2016. The Erosion Control Plan includes a construction entrance, stockpile area, material storage area, waste collection area, storm drain inlet protection, concrete washout, and a portable sanitation facility.

(Mitchell Vernon, RMA-Environmental Services, X.6432)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 21.

Condition Name: GEOTECHNICAL CERTIFICATION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide certification from a licensed practitioner that all development has been constructed in accordance with the recommendations in the project Geotechnical and Geologic Investigation with Coastal Bluff Recession Study. (RMA- Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed practitioner.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 22.

Condition Name: GRADING PLAN

Responsible Department: Environmental Services

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a grading plan incorporating the recommendations in the project Geotechnical and Geologic Investigation with Coastal Bluff Recession Study prepared by Haro, Kasunich and Associates, Inc. The grading plan shall also address the requirements of Monterey County Code Chapter 16.08, and the geotechnical inspection schedule shall be included on the plan. The applicant shall provide certification from the licensed practitioner that the grading plan incorporates their geotechnical recommendations. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit a grading plan to RMA-Environmental Services for review and approval.

Prior to issuance of any grading or building permits, the applicant shall submit certification from a licensed practitioner that they have reviewed the grading plan for conformance with the geotechnical recommendations.

Verification of Compliance/Non-Compliance:

4/29/16

RMA-Environmental Services received a Grading Plan prepared by Field Architecture, dated 03/11/2016. A revised plan addressing the inspection schedule corrections was received by RMA-Environmental Services on 4/29/16. (Mitchell Vernon, RMA-Environmental Services, X.6432)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 23.

Condition Name: INSPECTION-DURING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the site. At the time of the inspection, the applicant shall provide certification that all necessary geotechnical inspections have been completed to that point. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

During construction, the applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 24.

Condition Name: INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 25.

Condition Name: INSPECTION-PRIOR TO LAND DISTURBANCE

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150218

Project Name: CASTRO JAN

Condition Number: 26.

Condition Name: WR001 - DRAINAGE PLAN

Responsible Department: Water Resources Agency

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide a drainage plan, prepared by a registered civil engineer or licensed architect, to mitigate on-site and off-site impacts from impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

Verification of Compliance/Non-Compliance:

The Agency has received an acceptable drainage plan prepared by Avi Benjamini, dated 03/11/2016, showing impervious surface stormwater runoff being directed to a series of energy dissipaters around the proposed structure. Condition no. 26 is met.

- CONDITION MET 04/25/2016.
- CCF FORM IN DOCUMENTS MODULE.
- CONDITION CLEARED BY MIKE LOGSDON, MCWRA, (831) 755-4876.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

PLN150699
PACIFIC GAS & ELECTRIC CO
(MOSS LANDING SUBSTATION
SECURITY UPGRADE)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 1.

Condition Name: PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

This Combined Development Permit (PLN150699) allows the removal of an existing 8,225 linear foot chain link fence and construction of a 5,460 linear foot by 12 foot tall pre-cast concrete wall and 2,765 linear foot by 10 foot tall chain link fence. The property is located at 7251 Highway 1, Moss Landing (Assessor's Parcel Number 133-181-010-000), North County Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699
Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF
Condition Number: 2.
Condition Name: PD002 - NOTICE PERMIT APPROVAL
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit (Resolution Number 16-011) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 133-181-010-000 on [Date the permit was approved]. The permit was granted subject to 34 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

Verification of Compliance/Non-Compliance:

6/27/2016: Document was recorded as Document Number 2016035163 to help satisfy this condition (Stacy Giles for David Mack)

6/27/2016: Agent, Kathleen Cooney, notified that documents are ready to be recorded and are held up front in customer pick-up under her last name (Stacy Giles)

6/23/2016: Document is located in "Legal Documents to Record" Folder in Stacy's cubicle until Indemnification Agreement is signed by Director of RMA and both documents are ready to record (Stacy Giles)

6/23/2016: Documents submitted to County Counsel for signature (Stacy Giles)

6/20/2016: Agent notified that documents are ready for signature (Stacy Giles)

6/14/2016: Documents forwarded to County Counsel for review - will be revised when agent sends legal description (Stacy Giles)

5/23/2016: Documents mailed out to agent, Kathleen Cooney, per her request (Stacy Giles)

5/17/2016: Documents submitted to County Counsel for review (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 3.

Condition Name: PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

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

Compliance or Monitoring Action to be Performed:

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

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

Verification of Compliance/Non-Compliance:

Monterey County

Condition Compliance Form

6/27/2016: Document was recorded as Document Number 2016035161 to help satisfy this condition (Stacy Giles for David Mack)

6/27/2016: Agent, Kathleen Cooney, notified that documents are ready to be recorded and are held up front in customer pick-up under her last name (Stacy Giles)

6/23/2016: Document held in "Legal Documents for Signature Folder" in Stacy's cubicle for Director of RMA for signature and notary (Stacy Giles)

6/23/2016: Documents submitted to County Counsel for signature (Stacy Giles)

6/20/2016: 6/20/2016: Agent notified that documents are ready for signature (Stacy Giles)

6/14/2016: Documents forwarded to County Counsel for review - will be revised when agent sends legal description (Stacy Giles)

5/23/2016: Documents mailed out to agent, Kathleen Cooney, per her request (Stacy Giles)

5/17/2016: Documents submitted to County Counsel for review (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 4.

Condition Name: PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

Verification of Compliance/Non-Compliance:

FEES PAID AND DOCUMENT RECORDED (DOC NO. 2016-0052) ON 05/20/2016

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699
Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF
Condition Number: 5.
Condition Name: PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

Verification of Compliance/Non-Compliance:

6/27/2016: Document was recorded as Document Number 2016035162 to help satisfy this condition (Stacy Giles for David Mack)

6/27/2016: Agent, Kathleen Cooney, notified that documents are ready to be recorded and are held up front in customer pick-up under her last name (Stacy Giles)

6/23/2016: Document held in "Legal Documents for Signature Folder" in Stacy's cubicle for Director of RMA for signature and notary (Stacy Giles)

6/23/2016: Documents submitted to County Counsel for signature (Stacy Giles)

6/20/2016: Agent notified that documents are ready for signature (Stacy Giles)

6/14/2016: Documents forwarded to County Counsel for review - will be revised when agent sends legal description (Stacy Giles)

5/23/2016: Documents mailed out to agent, Kathleen Cooney, per her request (Stacy Giles)

5/17/2016: Documents submitted to County Counsel for review (Stacy Giles)

Monterey County

Condition Compliance Form

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 6.

Condition Name: PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to RMA-Planning a nest survey prepared by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 7.

Condition Name: PWSP01-TRAFFIC MANAGEMENT PLAN

Responsible Department: Public Works

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a Traffic Management Plan (TMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The TMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and at the Highway 1/Dolan Road intersection, and shall provide the following information: Hours of operation, truck route, locations of truck staging areas, and provisions for limiting construction and delivery vehicle trips to non-peak hours in relation to the use of Highway 1. Approved measures included in the TMP shall be implemented by the applicant during the construction/grading phase of the project.

Compliance or Monitoring Action to be Performed:

Applicant shall submit a Traffic Management Plan for approval by RMA-Planning and Public Works prior to issuance of construction permit.

Verification of Compliance/Non-Compliance:

Condition satisfied on: 05/06/2016.

Condition cleared by: Raul Martinez on behalf of Ryan Chapman.

The RMA-DPW has reviewed and approved the TMP.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 8.

Condition Name: PWSP02 - FIELD SURVEY OF PROPERTY LINE(S)

Responsible Department: Public Works

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Prior to issuance of any construction permit, the owner/applicant/operator shall have field surveys of the property lines conducted to ensure that all construction is within the Pacific Gas and Electronic (PG&E) property line.

Compliance or Monitoring Action to be Performed:

Prior to issuance of a construction permit, the Owner/Applicant/Operator shall submit proof of an adequate field survey to RMA-Public Works, clearly demonstrating that the proposed construction area is within the boundaries of the PGE property lines.

Verification of Compliance/Non-Compliance:

Proof of field survey has been submitted to Michael Goetz on 6/22/2016, condition satisfied. The condition has been cleared on 6/23/2016 by Juan Hernandez, Engineering Technician.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 9.

Condition Name: MM1-BIO01-GRADING WINTER RESTRICTIONS

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

Project activities that include grading shall take place during periods of dry weather between April 15 and October 15.

Compliance or Monitoring Action to be Performed:

Timing and Monitoring: All construction permits shall be issued between April 15 and October 15. (RMA-Planning)

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 10.

Condition Name: MM2-BIO02-RAIN EVENT CLEARANCE

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

Work activities are not permitted during and up to 24 hours after the conclusion of a rain event (greater than 0.25 inch). Prior to remobilization, the entire site must be surveyed and cleared by the biological monitor.

Compliance or Monitoring Action to be Performed:

Ongoing. If rains greater than 0.25 inch occurs, biological monitor shall submit observation clearance to RMA-Planning within one week of occurrence.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 11.

Condition Name: MM3-BIO03-RARE PLANT SURVEYS

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Rare plant surveys shall be conducted prior to the commencement of construction during the appropriate phenological period (March through June for Choris' popcornflower). If special-status plants are discovered in the project area, they will be flagged for avoidance. If avoidance is not feasible, the PG&E project biologist will develop and implement a salvage plan with a qualified botanist.

Compliance or Monitoring Action to be Performed:

The surveys shall be conducted within 14 days prior to equipment mobilization. An additional survey shall be conducted immediately prior to the start of equipment mobilization (within 24 hours) to verify absence of special status plants. A report documenting results of the surveys and any necessary avoidance or salvage shall be submitted to County RMA-Planning within one week of completing the survey, prior to commencement of construction.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 12.

Condition Name: MM4-BIO04-WILDLIFE RESTRICTION

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

Handling, harassing, or working near wildlife in the work area is forbidden.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 13.

Condition Name: MM5-BIO05-ONSITE SPEED LIMIT

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

Vehicles will observe a maximum 15-mile-per-hour speed limit while in the work area.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 14.

Condition Name: MM6-BIO06-REMOVE MICROTRASH

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

All foods and food-related trash items will be enclosed in sealed trash containers at the end of each day, and removed completely from the site weekly.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10). Microtrash cleanup and containment shall occur daily and removed from the site weekly. The applicant shall submit an annual report to the County RMA-Planning Department documenting compliance with microtrash cleanup requirements. This report can be submitted with documentation of compliance with other conditions.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 15.

Condition Name: MM7-BIO07-WORKER LIMITATIONS

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

No pets will be allowed anywhere in the project site during construction.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699
Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF
Condition Number: 16.
Condition Name: MM8-BIO08-BURROWING OWL SURVEY
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A qualified biologist shall conduct a protocol-level survey for burrowing owl prior to the commencement of construction. If an occupied burrow is discovered within 500 feet of the work area, the PG&E project biologist will establish an appropriate exclusion zone based on guidance from the Staff Report of Burrowing Owl Mitigation (CDFW, 2012). Exclusion zones shall remain in place until the nest is no longer active or the burrow is no longer occupied. The biological monitor will monitor any work activities that occur within these zones daily when construction is ongoing to assess their effect on the owls. If the PG&E project biologist determines that particular activities pose a high risk of disturbing an occupied burrow, the biologist may halt project activities within the exclusion zone.

Compliance or Monitoring Action to be Performed:

The survey shall be conducted within 14 days prior to equipment mobilization. An additional survey shall be conducted immediately prior to the start of equipment mobilization (within 24 hours) to verify absence of burrowing owl. A report documenting results of the surveys shall be submitted to County RMA-Planning within one week of completing the survey, prior to commencement of construction.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699
Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF
Condition Number: 17.
Condition Name: MM9-BIO09-RED LEGGED FROG SURVEY
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Prior to any ground-disturbing construction activities outside of the developed substation area, a qualified biologist shall conduct a survey for California red-legged frog in areas where they may occur. If a frog is discovered, the PG&E project biologist will be notified immediately. The frog will be monitored by the qualified biologist and allowed to leave the site on its own. No construction activities will occur within 100 feet of a frog, until it has been confirmed that the frog has moved out of the project area.

Compliance or Monitoring Action to be Performed:

The survey shall be conducted within 14 days prior to equipment mobilization. An additional survey shall be conducted immediately prior to the start of equipment mobilization (within 24 hours) to verify absence of red legged frog. A report documenting results of the surveys shall be submitted to County RMA-Planning within one week of completing the survey, prior to commencement of construction.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699
Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF
Condition Number: 18.
Condition Name: MM10-BIO10-WORKER ENVIRONMENTAL AWARENESS TRAINING
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The PG&E project biologist or the designated biological monitor shall conduct an environmental training for all crewmembers prior to the start of construction. The training will describe sensitive species that could occur on site, as well as avoidance and minimization measures. Crewmembers will be informed about the potential presence of species, their habitats, and PG&E's expectation of individual responsibility when it comes to protecting native wildlife.

Compliance or Monitoring Action to be Performed:

Training shall be conducted for new personnel before they initiate equipment mobilization onto the site. The contractor shall be responsible for ensuring that all personnel working on-site comply with the guidelines. Prior to the start of equipment mobilization, a copy of all written materials shall be provided to employees and new personnel as part of the WEAP training. A sign-in log identifying all trained employees and copy of materials shall be submitted to the County within one week of each training session.

Verification of Compliance/Non-Compliance:

Received 7-6-2016. Log is located in project file.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 19.

Condition Name: MM11-BIO11-PRECONSTRUCTION SURVEY

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Immediately prior to the start of construction activities in the areas located adjacent to the substation that contain ruderal and grassland habitats, a qualified biologist shall conduct a pre-construction survey for special-status wildlife species.

Compliance or Monitoring Action to be Performed:

The initial preconstruction survey shall be conducted within 14 days prior to equipment mobilization. An additional survey shall be conducted immediately prior to the start of equipment mobilization (within 24 hours) to verify absence of red legged frog. A report documenting results of the surveys shall be submitted to County RMA-Planning within one week of completing the survey, prior to commencement of construction.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 20.

Condition Name: MM12-BIO12-BIOLOGICAL MONITOR

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

If a special-status wildlife species is identified during pre-construction surveys, the PG&E project biologist shall be contacted and a qualified biologist will remain on site during all activities until the biologist determines that construction activities will not impact the observed species.

Compliance or Monitoring Action to be Performed:

If preconstruction surveys identify a special status species in the project buffer area, a biologist shall remain onsite during activities within those areas, and submit a report of observations to RMA-Planning within one week of the conclusion of construction activities. If the preconstruction survey (MM11) determines that there are no special status wildlife species identified in proximity to project activity areas, this condition can be satisfied and no further action is required.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 21.

Condition Name: MM13-BIO13-VEGETATION REMOVAL

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A qualified biologist shall remain on site during any vegetation clearing or ground-disturbing activities that occur within suitable habitat for the California red-legged frog. The biologist will have the authority to stop work in the event that a California red-legged frog or other listed species are observed in the project area to prevent impacts to the species.

Compliance or Monitoring Action to be Performed:

A biologist shall monitor all activities involving vegetation clearing or ground disturbance and submit a report of observations to RMA-Planning within one week of the conclusion of vegetation clearing or ground disturbing activities. If the preconstruction survey (MM11) determines that there are no special status wildlife species identified in proximity to project activity areas, this mitigation can be satisfied and no further action is required.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 22.

Condition Name: MM14-BIO14-FENCING OF WORK AREA

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The boundary of work areas in the undeveloped portions of the project area shall be staked to avoid and minimize impacts. All project activities in the undeveloped portions of the project area—including vehicle parking, moving heavy equipment, and staging materials—will be confined to the designated work areas.

Compliance or Monitoring Action to be Performed:

Evidence of temporary fencing shall be submitted to RMA-Planning prior to issuance of construction permit.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 23.

Condition Name: MM15-BIO15-SPECIAL STATUS WILDLIFE

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If special-status wildlife species are found on site, crews shall immediately stop work in the immediate area, and the biological monitor will contact the PG&E project biologist.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 24.

Condition Name: MM16-BIO16-OPEN EXCAVATIONS

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

Open excavations shall be covered overnight. If a trapped animal is discovered, the animal will be allowed to escape, or a qualified biologist will assist in moving the animal. Excavations will be inspected for the presence of wildlife prior to backfilling.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 25.

Condition Name: MM17-BIO17-WILDLIFE AWARENESS

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

Personnel shall inspect the project area for wildlife before moving materials.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 26.

Condition Name: MM18-BIO18-WORK ENVIRONMENT

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

Work crews shall maintain a clean work area, including removing all food trash from the site daily, to prevent attracting wildlife to the work areas.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGRADE)

Condition Number: 27.

Condition Name: MM19-BIO19-VEHICLE FUEL

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

All vehicles and construction equipment shall be refueled on paved surfaces or within secondary containment, and any spills will be cleaned up immediately. Appropriate BMPs will be implemented for handling and storing fuel, oil, and hazardous waste.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 28.

Condition Name: MM20-BIO20-NIGHTTIME CREW

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If work at night (between 0.5 hour before sunset and 0.5 hour after sunrise) is necessary, the crews shall consult with the PG&E project biologist prior to proceeding.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 29.

Condition Name: MM21-BIO21-SITE RESTORATION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

After the completion of construction activities, any temporary fill and construction debris shall be removed and, wherever feasible, temporarily disturbed areas will be restored to pre-project conditions.

Compliance or Monitoring Action to be Performed:

Evidence of site restoration shall be submitted to RMA-Planning prior to final of construction permit.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 30.

Condition Name: MM22-BIO22-EROSION CONTROL MATERIALS

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

No monofilament plastic (e.g., matting, fiber roll, wattles, silt fencing backing, or sod) shall be used for erosion control because it poses an entrapment hazard for wildlife. Appropriate materials include burlap, coconut fiber, or other materials identified in the general or site-specific SWPPP.

Compliance or Monitoring Action to be Performed:

Any construction permit issued for the project shall include erosion control plan that utilizes the materials listed above (burlap, coconut fiber, and materials included in the SWPP).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 31.

Condition Name: MM23-CUL01-ESA FENCING

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The areas north, west, and east of the work area shall be designated as a Cultural Environmentally Sensitive Area (Cultural ESA), and will be avoided during construction. Markers will be erected and maintained along the temporary fencing in the area near the ESA to protect from inadvertent trespass for the duration of construction.

Compliance or Monitoring Action to be Performed:

Evidence of temporary fencing shall be submitted to RMA-Planning prior to issuance of construction permit.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 32.

Condition Name: MM24-CUL02-WORKER CULTURAL AWARENESS TRAINING

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

A tailboard meeting shall be conducted prior to any ground-disturbing activities to educate the crew about the role of the monitors, the Cultural ESA boundaries, and the procedures for unanticipated discoveries of cultural remains. A monitoring program will be developed and implemented by PG&E to ensure the effectiveness of the ESA and onsite training.

Compliance or Monitoring Action to be Performed:

Worker Cultural Awareness training shall be conducted for new personnel before they initiate equipment mobilization onto the site. This can be in conjunction with the Worker Environmental Awareness Training. The contractor shall be responsible for ensuring that all personnel working on-site comply with the procedures for unanticipated discoveries of cultural remains. Prior to the start of equipment mobilization, a copy of all written materials shall be provided to employees and new personnel as part of the WCAP training. A sign-in log identifying all trained employees and copy of materials shall be submitted to the County within one week of each training session.

Verification of Compliance/Non-Compliance:

Received 7-6-2016. Log is located in project file.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGF

Condition Number: 33.

Condition Name: MM25-CUL03-CULTURAL MONITOR

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A qualified archaeologist and a Native American representative shall monitor all ground-disturbing activities in the work area.

Compliance or Monitoring Action to be Performed:

A County approved archaeologist and a representative of the Ohlone/Costanoan-Esselen Nation shall be available and present for all ground disturbing activities. A report of monitoring observations shall be submitted to RMA-Planning prior to final of construction permit.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150699

Project Name: PACIFIC GAS & ELECTRIC CO (MOSS LANDING SUBSTATION SECURITY UPGR

Condition Number: 34.

Condition Name: MM26-CUL04-POSITIVE CULTURAL RESOURCES

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If construction activities expose historical, paleontological, or archeological features or other remains, all ground-disturbing activities within 50 feet of the find shall halt immediately while the archeologist, Principal Paleontologist, or Ohlone/Costanoan-Esselen Nation representative, and RMA-Planning staff, together with the PG&E cultural resources representative, examine and assess the find. Such materials would include, but would not be limited to, shell midden, lithics, human and animal remains, funerary artifacts, flaked and ground stone, bone tools, and archeological features (e.g., storage pits, hearths, and house floors). Additional testing and/or data recovery excavation of the deposit might be required upon discovery. If the remains are human, the monitoring archeologist or PG&E cultural resources representative will contact the county coroner, who will examine the remains and determine—within two working days—whether the remains are subject to his/her authority or are archeological in nature (California Health and Safety Code Section 7050.5). If the coroner determines that the remains are archeological and Native American, the monitoring archeologist or PG&E cultural resources representative will contact the California Native American Heritage Commission to designate a Most Likely Descendant regarding appropriate treatment and disposition of discovered human remains.

Compliance or Monitoring Action to be Performed:

Ongoing, include in Worker Environmental Awareness Training (MM10). If contacted, RMA-Planning staff, County approved archaeologist, and Ohlone/Costanoan-Esselen Nation representative shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. Those mitigations shall be documented in a report by the qualified archaeologist and submitted to RMA-Planning prior to final of the construction permit.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

PLN150453
SCHWENK HEIDI

Monterey County

Condition Compliance Form

File No: PLN150453
Project Name: SCHWENK HEIDI
Condition Number: 1.
Condition Name: PD001 - SPECIFIC USES ONLY
Responsible Department: Planning
Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

This Coastal Administrative Permit and Design Approval (PLN150453) allows construction of a new exterior stairwell and excavation to increase clearance of an existing 144 square foot room to 8', within 750 feet of a known archaeological resource. The property is located at 2486 17th Avenue, Carmel (Assessor's Parcel Number 009-471-020-000), Carmel Area Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150453
Project Name: SCHWENK HEIDI
Condition Number: 2.
Condition Name: PD002 - NOTICE PERMIT APPROVAL
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit (Resolution Number 16-011) was approved by the Planning Commission for Assessor's Parcel Number 009-471-020-000 on May 11, 2016. The permit was granted subject to six (6) conditions of approval and three (3) mitigation measures which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

Verification of Compliance/Non-Compliance:

7/22/2016: Document was recorded as Document Number 2016041865 to help satisfy this condition (Stacy Giles for Steve Mason)

7/21/2016: Applicant and agent notified that documents are ready to record and are left up front in customer pick-up under "Schwenk" (Stacy Giles)

6/28/2016: Document held in "Documents to Record" folder in Stacy's cubicle until all documents are ready to record together (Stacy Giles)

6/22/2016: Documents hand delivered to agent, Jeff Crockett at the front counter for owner signature (Stacy Giles)

6/20/2016: Agent notified that documents are ready for signature (Stacy Giles)

6/15/2016: Documents submitted to County Counsel for review (Stacy Giles)

6/9/2016: Follow up call to agent, Jeff Crockett, regarding Grant Deed (Stacy Giles)

6/2/2016: Contacted Agent via e-mail regarding Grant Deed (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150453
Project Name: SCHWENK HEIDI
Condition Number: 3.
Condition Name: PD003(B) - CULTURAL RESOURCES POSITIVE ARCHAEOLOGICAL REPORT
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remain are discovered must be contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American:

- The coroner shall contact the Native American Heritage Commission and RMA - Planning within 24 hours.
- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendant.

- The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, Or Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

1. The Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the commission.
2. The descendant identified fails to make a recommendation; or
3. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Monterey County

Condition Compliance Form

Prior to the issuance of grading or building permits or approval of Subdivision Improvement Plans, whichever occurs first, the Owner/Applicant, per the archaeologist, shall submit the contract with a Registered Professional Archaeologist for on-call archaeological services should resources be discovered during construction activities. Submit the letter to the Director of the RMA – Planning for approval.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final/parcel map.

Prior to Final, the Owner/Applicant, per the Archaeologist, shall submit a report or letter from the archaeologist summarizing their methods, findings, and recommendations if their services are needed during construction or if no resources were found.

Verification of Compliance/Non-Compliance:

Contract Received 7-15-2016. (Accella)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150453

Project Name: SCHWENK HEIDI

Condition Number: 4.

Condition Name: PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations.

Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

Verification of Compliance/Non-Compliance:

Monterey County

Condition Compliance Form

7/22/2016: Document was recorded as Document 2016041864 to help satisfy this condition (Stacy Giles for Steve Mason)

7/21/2016: Applicant and agent notified that documents are ready to record and are left up front in customer pick-up under "Schwenk" (Stacy Giles)

7/15/2016: Document held in "Legal Documents for Signature Folder" in Stacy's cubicle for Director of RMA for signature and notary and submitted to Carl Holm (Stacy Giles)

6/29/2016: Document submitted to Director of RMA for signature and notary (Stacy Giles)

6/28/2016: Documents delivered via FedEx and submitted to County Counsel for signature (Stacy Giles)

6/22/2016: Documents hand delivered to agent, Jeff Crockett at the front counter for owner signature (Stacy Giles)

6/20/2016: Agent notified that documents are ready for signature (Stacy Giles)

6/15/2016: Documents submitted to County Counsel for review (Stacy Giles)

6/9/2016: Follow up call to agent, Jeff Crockett, regarding Grant Deed (Stacy Giles)

6/2/2016: Contacted Agent via e-mail regarding Grant Deed (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150453

Project Name: SCHWENK HEIDI

Condition Number: 5.

Condition Name: PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of three (3) years, to expire on May 11, 2019, unless use of the property or actual construction has begun within this period. (RMA-Planning)

Compliance or Monitoring Action to be Performed:

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

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150453

Project Name: SCHWENK HEIDI

Condition Number: 6.

Condition Name: MM001 - ON-SITE MONITORING

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A qualified archaeological monitor and a Native American monitor of Ohlone/Costanoan-Esselen Nation shall be present during all project excavations. The monitors shall recover significant cultural materials that may be found in the excavated soil. The monitors shall selectively screen midden soil through 1/8" mesh to facilitate data recovery. All materials remaining in the screen should be provided to the Chairperson of the Ohlone/Costanoan-Esselen Nation.

Compliance or Monitoring Action to be Performed:

As described in MM-001.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150453

Project Name: SCHWENK HEIDI

Condition Number: 7.

Condition Name: MM002 - CARBON-DATING

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Mitigation shall include professional analysis of archaeological materials, based on the types and adequate quantities of those materials recovered. At least two single-specimen radiocarbon dates shall be obtained on shells.

Compliance or Monitoring Action to be Performed:

Prior to Final Inspection:

A report detailing at least two single-specimen radiocarbon dates shall be obtained on shells. Said report shall be provided to the RMA- Planning Department.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150453

Project Name: SCHWENK HEIDI

Condition Number: 8.

Condition Name: MM003 - FINAL TECHNICAL REPORT

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A Final Technical Report detailing the results of all analyses shall be completed within six months following the completion of fieldwork. This report shall be submitted to the Lead Agency and to the Northwest Information Center, Sonoma State University.

Compliance or Monitoring Action to be Performed:

As described in MM003.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

PLN150598
PIETRO FAMILY
INVESTMENTS LP

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 1.

Condition Name: PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

This Design Approval allows a first and second story addition to an existing single family dwelling; and 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource. The property is located at 26324 Valley View Avenue, Carmel (Assessor's Parcel Number 009-463-016-000), Carmel Area Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

This condition is on-going during the life of the permit. Ramon Montano, Assistant Planner.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 2.

Condition Name: PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit (Resolution Number 16-016) was approved by the Zoning Administrator for Assessor's Parcel Number 009-463-016-000 on May 12, 2016. The permit was granted subject to 18 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

Verification of Compliance/Non-Compliance:

8/17/2016: Document was recorded as Document Number 2016047117 to help satisfy this condition (Stacy Giles for Ramon Montano)

08/11/2016: This condition is not met. Jacqueline R. Onciano, RMA Services Manager

This condition is temporarily met for the purpose of issuing construction permits because the document has been completed by applicant and County Counsel and is pending the Directors signature. Ramon Montano, Assistant Planner.

6/21/2016: Documents held in "Documents to Record" folder in Stacy's cubicle until additional documents being submitted to County Counsel and Director of RMA are returned and both documents are ready to record (Stacy Giles)

6/9/2016: Owner's representative, Chris Adamski, and architect, Adam Jeselnick, notified documents are ready for signature via e-mail. Will send out in the mail to address Adam provided in e-mail in his absence (Stacy Giles)

6/6/2016: Submitted documents up to County Counsel for review (Stacy Giles)

6/3/2016: Received grant deed from agent (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598
Project Name: PIETRO FAMILY INVESTMENTS LP
Condition Number: 3.
Condition Name: PD003(B) - CULTURAL RESOURCES POSITIVE ARCHAEOLOGICAL REPORT
Responsible Department: Planning
Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remain are discovered must be contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American:

- The coroner shall contact the Native American Heritage Commission and RMA - Planning within 24 hours.
- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendant.
- The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, Or Where the following conditions occur, the landowner or his authorized representatives shall reburial the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
 1. The Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the commission.
 2. The descendant identified fails to make a recommendation; or
 3. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Monterey County

Condition Compliance Form

Prior to the issuance of grading or building permits or approval of Subdivision Improvement Plans, whichever occurs first, the Owner/Applicant, per the archaeologist, shall submit the contract with a Registered Professional Archaeologist for on-call archaeological services should resources be discovered during construction activities. Submit the letter to the Director of the RMA – Planning for approval.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final/parcel map.

Prior to Final, the Owner/Applicant, per the Archaeologist, shall submit a report or letter from the archaeologist summarizing their methods, findings, and recommendations if their services are needed during construction or if no resources were found.

Verification of Compliance/Non-Compliance:

The cultural resources condition is noted on the construction plans 16CP00182 page A0.2. This condition is on-going during the life of the permit. Ramon Montano, Assistant Planner.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 4.

Condition Name: PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

Verification of Compliance/Non-Compliance:

NOTICE OF DETERMINATION FILED WITH COUNTY CLERK ON MAY 27, 2016; DOCUMENT #2016-0053 (ENTERED BY L GONZALES ON 5/31/16)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 5.

Condition Name: PD012(F) - LANDSCAPE PLAN & MAINTENANCE (SFD ONLY)

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of RMA - Planning. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

Verification of Compliance/Non-Compliance:

On 6/28/2016 agent, submitted (1) electronic copy of the landscape plan, irrigation plan and landscape cost estimate for \$14,300 dollars; and paid the landscape submittal fee in the amount of 267.27 receipt 1035795. Ramon Montano, Assistant Planner.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598
Project Name: PIETRO FAMILY INVESTMENTS LP
Condition Number: 6.
Condition Name: PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

Verification of Compliance/Non-Compliance:

8/17/2016: Document was recorded as Document Number 2016047118 to help satisfy this condition (Stacy Giles for Ramon Montano)

On 6/27/2016, staff submitted the executed and notarized Condition of Approval/Mitigation Monitoring Plan and the required fees therefore the condition is temporarily met pending the Directors signature. Ramon Montano, Assistant Planner.

6/27/2016: Document submitted to Director of RMA for signature and notary (Stacy Giles)

6/21/2016: Document submitted to County Counsel for signature (Stacy Giles)

6/9/2016: Owner's representative, Chris Adamski, and architect, Adam Jeselnick, notified documents are ready for signature via e-mail. Will send out in the mail to address Adam provided in e-mail in his absence (Stacy Giles)

6/6/2016: Submitted documents up to County Counsel for review (Stacy Giles)

6/3/2016: Received grant deed from agent (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 7.

Condition Name: PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of 3 years, to expire on April 28, 2019 unless use of the property or actual construction has begun within this period. (RMA-Planning)

Compliance or Monitoring Action to be Performed:

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

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 8.

Condition Name: EROSION CONTROL PLAN

Responsible Department: Environmental Services

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan shall include a construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s), as applicable. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit an erosion control plan to RMA-Environmental Services for review and approval.

Verification of Compliance/Non-Compliance:

7/15/16

RMA-Environmental Services received an acceptable erosion control plan prepared by Adam Jeselnick Architect, dated 01/22/16. The erosion control plan includes areas for temporary material, equipment and stockpile areas. The erosion control plan also includes RMA-Environmental Services inspection notes. (Mitchell Vernon, RMA-ES, X.6432)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 9.

Condition Name: GEOTECHNICAL CERTIFICATION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide certification from a licensed practitioner that all development has been constructed in accordance with the recommendations in the project Geotechnical Investigation. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed practitioner.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 10.

Condition Name: GRADING PLAN

Responsible Department: Environmental Services

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a grading plan incorporating the recommendations in the project Geotechnical Investigation prepared by Haro, Kasunich and Associates, Inc. The grading plan shall also address the requirements of Monterey County Code Chapter 16.08, and the geotechnical inspection schedule shall be included on the plan. The applicant shall provide certification from the licensed practitioner that the grading plan incorporates their geotechnical recommendations. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit a grading plan to RMA-Environmental Services for review and approval.

Prior to issuance of any grading or building permits, the applicant shall submit certification from a licensed practitioner that they have reviewed the grading plan for conformance with the geotechnical recommendations.

Verification of Compliance/Non-Compliance:

7/15/16

*RMA-Environmental Services received an acceptable grading plan incorporating the recommendations in the project Geotechnical Investigation prepared by Haro, Kasunich and Associates, Inc. The grading plan includes the geotechnical inspection schedule that identifies when the inspections will be completed, who will conduct the inspection schedule. The applicant also provided certification from the licensed practitioner that the grading plan incorporates their geotechnical recommendations.
(Mitchell Vernon, RMA-ES, X.6432)*

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 11.

Condition Name: INSPECTION-DURING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the site. At the time of the inspection, the applicant shall provide certification that all necessary geotechnical inspections have been completed to that point. This inspection requirement shall be noted on the Erosion Control Plan.(RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

During construction, the applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 12.

Condition Name: INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 13.

Condition Name: INSPECTION-PRIOR TO LAND DISTURBANCE

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 14.

Condition Name: PW0005 - ENCROACHMENT (STD DRIVEWAY)

Responsible Department: Public Works

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to Valley View Avenue.

Compliance or Monitoring Action to be Performed:

Prior to Building/Grading Permits Issuance, Owner/Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible in obtaining all permits and environmental clearances

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 15.

Condition Name: PW0044 - CONSTRUCTION MANAGEMENT PLAN

Responsible Department: Public Works

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information:

Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the Construction/grading phase of the project.

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of the Grading Permit or Building Permit Owner/Applicant/ Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.
2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

Verification of Compliance/Non-Compliance:

Construction Management Plan has been submitted on 6/20/2016 for review and is in compliance. The condition has been cleared on 6/21/2016 by Juan Hernandez, Engineering Technician.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 16.

Condition Name: MITIGATION MEASURE #1: PRE-CONSTRUCTION MEETING

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Mitigation Measure #1:

An on-site pre-construction meeting shall be held between the applicant, the archaeologist, an OCEN Tribal monitor, and the contractor to discuss and assure the understanding of the mitigation measures required of this permit and scheduling of construction with regard to monitoring. (RMA - PLANNING DEPARTMENT)

Compliance or Monitoring Action to be Performed:

Monitoring Action #1:

Prior to issuance of any permits, the pre-construction meeting between all parties involved shall be conducted with a letter summarizing what was discussed and submitted to RMA-Planning.

Verification of Compliance/Non-Compliance:

On 7/6/2016, agent submitted a copy of the pre-construction meeting minutes between the archaeologist, an OCEN Tribal monitor, and the contractor to discuss and assure the understanding of the mitigation measures required of this permit and scheduling of construction with regard to monitoring. This condition is met. Ramon Montano, Assistant Planner.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598

Project Name: PIETRO FAMILY INVESTMENTS LP

Condition Number: 17.

Condition Name: MITIGATION MEASURE #2: ON-SITE MONITORING REQUIRED

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Mitigation Measure #2:

A professional archaeologist and a Tribal Monitor shall supervise soil disturbing activities such as demolition, excavation and driveway removal. If, at any time, potentially significant archaeological resources are discovered, the Tribal monitor and/or the archaeologist are authorized to temporarily halt work until the find has been evaluated and, if determined significant, until mitigation measures have been formulated and implemented with the concurrence of the County. A sampling of soil may be screened during monitoring to facilitate resource identification and data recovery. A least two single specimen radiocarbon dates shall be obtained. (RMA - PLANNING DEPARTMENT)

Compliance or Monitoring Action to be Performed:

Monitoring Action #2:

Prior to issuance of any grading/building permits, a copy of a signed agreement between the applicant, archaeologist and Tribal monitor shall be submitted to RMA-Planning Department for review and approval.

Verification of Compliance/Non-Compliance:

On 6/28/2016, agent submitted a copy of the signed Archaeological Monitoring Agreement. This condition is met. Ramon Montano, Assistant Planner.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150598
Project Name: PIETRO FAMILY INVESTMENTS LP
Condition Number: 18.
Condition Name: MITIGATION MEASURE #3 - IF REMAINS FOUND
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Mitigation Measure #3:

If archaeological resources or human remains are unexpectedly discovered during construction, the following steps shall be taken:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
- The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
- If the coroner determines the remains to be Native American:
 - The coroner shall contact the Native American Heritage Commission and the RMA – Planning Department within 24 hours.
 - The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoan/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.
 - The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or
 - Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 2. The descendent identified fails to make a recommendation; or
 3. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. (RMA - PLANNING DEPARTMENT)

Compliance or Monitoring Action to be Performed:

Monitoring Action #3:

Prior to issuance of any permits, the language of this mitigation measure shall be placed on the construction plans.

Verification of Compliance/Non-Compliance:

The archaeological resources language of this mitigation measure are noted on the construction plans 16CP00182 page A0.2. This condition is met. Ramon Montano, Assistant Planner.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

PLN150815
SCHEID VINEYARDS
CALIFORNIA INC
(FOUNDATION
WINDPOWER)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 1.

Condition Name: PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

This Use Permit (PLN150815) allows the installation of a 400 foot high 1.85 megawatt (MW) commercial energy conversion system (WECS). The property is located at 1972 Hobson Ave, Greenfield [Assessor's Parcel Number 221-081-009-000 (portion)], Central Salinas Valley Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 2.

Condition Name: PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Use Permit (Resolution Number 16-013) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 221-081-009-000 (portion) on June 8, 2016. The permit was granted subject to 14 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

Verification of Compliance/Non-Compliance:

*5/26/2017: Permit Approval Notice recorded on this date; Document No. 2017028050. Condition is Met.
(Monique Kakimoto for David J. R. Mack)*

6/22/2016: Agent, Bob Lewis, notified via e-mail that document is ready for signature (Stacy Giles)

6/20/2016: Document was submitted to County Counsel for review (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 4.

Condition Name: PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

Verification of Compliance/Non-Compliance:

*6/15/2016: Document was recorded as Document Number 2016041032 to help satisfy this condition
(Stacy Giles for David Mack)*

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 5.

Condition Name: PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: Planning

Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.
(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

Verification of Compliance/Non-Compliance:

5/26/17 - Lighting plan received and approved. OK TO ISSUE BUILDING PERMIT

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 6.

Condition Name: PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of 3 years, to expire on June 8, 2019 unless use of the property or actual construction has begun within this period. (RMA-Planning)

Compliance or Monitoring Action to be Performed:

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

Verification of Compliance/Non-Compliance:

17CP00985 issued on 05/30/2017 - Approved by MackD

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 7.

Condition Name: PD035 - UTILITIES UNDERGROUND

Responsible Department: Planning

Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

All new utility and distribution lines shall be placed underground. (RMA - Planning and RMA- Public Works)

Compliance or Monitoring Action to be Performed:

On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

Verification of Compliance/Non-Compliance:

5/26/17 - Swanson - Letter received verifying that all utilities will be placed underground.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 8.

Condition Name: PDSP001 - MAXIMUM TURBINE HEIGHT (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The maximum turbine height shall no exceed 400 feet in height.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the owner/applicant shall submit 3 copies of an elevation plan which shall indicate the maximum height of the turbine to the RMA-Planning Department for review and approval.

Verification of Compliance/Non-Compliance:

5/26/17 - Swanson - Drawings submitted by applicant verifying height

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 9.

Condition Name: PDSP002 - WIND TURBINE FACILITIES (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The owner/applicant shall agree in writing that if future technological advances allow for reducing the visual impacts of the wind turbines, the owner/applicant shall make modifications to the facility accordingly to reduce the visual impact as part of the facility's normal replacement/maintenance schedule.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits the owner/applicant shall submit, in writing, a declaration agreeing to comply with the terms of this condition to RMA-Planning for review and approval.

Verification of Compliance/Non-Compliance:

5/26/17 - Swanson - Agreement submitted in writing to adhere to condition

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 10.

Condition Name: PDSP003 - WIND TURBINE ABANDONMENT (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If the owner/applicant abandons the facility or terminates the use, the applicant or property owner shall remove the turbine, generator, transformer, switch gear, metering panel, and associated security fencing. Upon such termination or abandonment, the owner/applicant shall enter into a site restoration agreement subject to the approval of the Director of RMA-Planning and County Counsel. The site shall be restored to its natural or prior existing state/use within 6 months of the termination of use or abandonment of the site.

Compliance or Monitoring Action to be Performed:

If the owner/applicant abandons the facility or terminates the use, a site restoration agreement shall be submitted to RMA-Planning subject to the approval of the Director of RMA-Planning and County Counsel, within 30 days of the termination of use or abandonment of the site.

Within 6 months of termination of use or abandonment of site, the property owner and/or applicant shall restore the site to its natural or prior state/use.

Verification of Compliance/Non-Compliance:

5/26/17 - Swanson - Letter received from applicant certifying that they will adhere to condition.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 11.

Condition Name: PDSP004 - WIND TURBINE FAA REQUIREMENTS (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The facility must comply with Federal Aviation Administration (FAA) standards and requirements for color and markings. Prior to the issuance of building and/or grading permits the applicant/owner shall contact the FAA and complete and file Form 7460-1 (Air Space Analysis for structures over 200 feet) and provide proof of filing and submittal, along with the appropriate findings to RMA-Planning. If the facility is in violation of the FAA standards and requirements, the Director of RMA-Planning shall set a public hearing before the Appropriate Authority whereupon the Appropriate Authority may, upon a finding based on substantial evidence that the facility is in violation of the then existing FAA standards and requirements, revoke the permit or modify the conditions of the permit.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or grading permits the owner/applicant shall provide proof of the submittal of Form 7460-1 to the FAA and its findings to RMA-Planning.

If the facility is in violation of FAA standards and/or requirements, the Director of RMA-Planning shall set a public hearing before the Appropriate Authority to consider revocation or modification of the permit.

Verification of Compliance/Non-Compliance:

5/26/17 - Swanson - FAA letter received from applicant

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 12.

Condition Name: PDSP005 - LOCATION OF TURBINES (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The development area and placement of the turbines shall take place only on the portion of the parcel approved and defined by this entitlement and shown on the site plan. The turbine shall not be sited, developed, or constructed on any other portion or remainder of the property. Should the property owner desire to construct turbines over 200 feet in any other portion of the property, additional discretionary permits and environmental review shall be required for any such development.

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and/or building permits, the owner/applicant shall submit construction drawings/plans depicting the location of the turbine to the Director of RMA-Planning for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 13.

Condition Name: PDSP006 - BIOLOGICAL MONITORING REPORT(S) (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

The owner/applicant shall submit monitoring reports prepared by a qualified wildlife biologist that includes raptor surveys (birds and bats), an analysis of use/flight patterns and monthly carcass searches. The reports shall be in a form acceptable to the County of Monterey and submitted to the Director of RMA-Planning. The reports shall be submitted for a three (3) year period commencing from the completion of turbine construction; such reports shall be submitted on a quarterly basis for the first year and semi-annually (every six months) for the two years thereafter.

Compliance or Monitoring Action to be Performed:

The owner/applicant shall adhere to this condition for a period of three years commencing from the completion of turbine construction. Monitoring reports shall be submitted to the Director of RMA-Planning on a quarterly basis for the first year and semi-annually (every six months) for the two years thereafter.

RMA staff shall review the submitted reports annually for the three year period, following commencement of use.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150815

Project Name: SCHEID VINEYARDS CALIFORNIA INC (FOUNDATION WINDPOWER)

Condition Number: 14.

Condition Name: PDSP007 - MM-BIO-1 (RAPTORS AND MIGRATORY BIRDS) (NON-STANDARD)

Responsible Department: Planning

Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

To minimize the potential for impacts to raptors and other migratory birds, to a less than significant level, the following actions shall be taken:

1) Prior to issuance of any construction permit, existing nest boxes on the subject parcel shall be taken down so as not to attract nesting birds and increase the probability of fatalities and/or injuries due to turbine strikes.

2) If construction activities will occur during the nesting season for raptors and migratory birds (March 15–August 15), the applicant shall retain a qualified biologist to conduct a survey of the proposed construction footprint and a 500-foot buffer to determine if active migratory bird and/or raptors nests are present. If active nests are present, a 100-foot no-activity buffer for migratory bird nests and a 250-foot buffer for raptor nests shall be established. No construction related activities should occur within the no-activity buffer until the nest is deemed inactive by the qualified biologist. The size and activities permitted within the buffer could be adjusted through consultation with the County and DFW, as appropriate.

3) The applicant shall monitor the site for bird strikes at least a one-year period following turbine installation. The one-year monitoring shall include the following:

a. Designation of at least two personnel regularly present at the site, which will be trained by a qualified biologist to conduct carcass searches for migratory birds, raptors, and bats. The frequency of searches will be once per month from October-February and May-July, and twice per month during the periods of peak raptor movement from March-April and August-September. The onsite personnel will photo document all finds and secure on site with a secured solid waterproof box until a qualified biologist make identification.

b. Monitoring results shall be reported to the County of Monterey RMA-Planning Department within two months of the first full year of operations.

4) Flashing lights shall be used, as required by the Federal Aviation Administration. The minimum number, intensity, and flashes per minute allowable by the Federal Aviation Administration shall be used, and the use of solid or pulsating (beacon) red lights at night shall be avoided.

5) Construction techniques shall be used that don't require guy wires. If guy wires are necessary, daytime visual markers on wires shall be used.

6) Nacelle air ducts shall be screened to prevent American kestrels from nesting in the ducts.

Compliance or Monitoring Action to be Performed:

Monterey County

Condition Compliance Form

Verification of Compliance/Non-Compliance:

5/26/17 - Swanson - Pictures provided to show evidence of removal of nest boxes. This part of condition is satisfied, CLEARED TO ISSUE CONSTRUCTION PERMIT

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

PLN150247
NORTH MONTEREY COUNTY
SCHOOL DISTRICT
(RESOURCES CONSERVATION)

Monterey County

Condition Compliance Form

File No: PLN150247

Project Name: NORTH MONTEREY COUNTY SCHOOL DIST (RESOURCES CONSERVATION DI

Condition Number: 1.

Condition Name: PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

This Coastal Development Permit (PLN150247) allows voluntary Amphibian Habitat Restoration at the 25 acre piece of land adjacent to the North Monterey County High School campus. The property is located at 13990 Castroville Boulevard, Castroville (Assessor's Parcel Number 133-092-007-000), North Monterey County High School, North County Land Use Plan, Coastal Zone. The term "applicant" or "owner/applicant" as used in these conditions means the Resource Conservation District of Monterey County and its successors and assigns. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150247
Project Name: NORTH MONTEREY COUNTY SCHOOL DIST (RESOURCES CONSERVATION DI
Condition Number: 2.
Condition Name: PD002 - NOTICE PERMIT APPROVAL
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Coastal Development Permit (Resolution Number 16-025) was approved by the Zoning Administrator for Assessor's Parcel Number 133-092-007-000 on [Date the permit was approved]. The permit was granted subject to 4 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

Verification of Compliance/Non-Compliance:

01/17/2017: Document was recorded on 08/31/2016, Document Number 2016050143.

8/31/2016: Document was recorded as Document Number 2016050143 to help satisfy this condition (Stacy Giles for Elizabeth Gonzales)

8/24/2015: Notice prepared and left up front at Customer Pick up. Agent notified that a clear legal description is required before recordation (Stacy Giles)

8/4/2016: Contacted agent that grant deed is required (Stacy Giles)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150247

Project Name: NORTH MONTEREY COUNTY SCHOOL DIST (RESOURCES CONSERVATION DI

Condition Number: 3.

Condition Name: PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN150247

Project Name: NORTH MONTEREY COUNTY SCHOOL DIST (RESOURCES CONSERVATION DI

Condition Number: 4.

Condition Name: MITIGATION MEASURE - BIOLOGICAL RESOURCES

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

As identified in the Mitigated Negative Declaration adopted by the Resource Conservation District of Monterey County, 15 mitigation measures regarding biological resources will be implemented to avoid killing or injuring any life stage of the covered species during habitat enhancement activities. The applicant, with assistance from the Central Coast Wetlands Group at Moss Landing Marine Labs, will implement and monitor all mitigation measures. After restoration work has been completed, the applicant shall provide RMA-Planning a report with evidence as to how all mitigation measure were implemented and their success. If additional measures are required at that time, the report shall identify those measures and provide a timeframe as to when said measure will be completed at which time a subsequent report from the applicant must be submitted to RMA-Planning for review. (RMA-Planning)

Compliance or Monitoring Action to be Performed:

After restoration activities have been completed, the applicant shall provide RMA-Planning a report with evidence as to how all mitigation measure were implemented and their success.

If additional measures are required at that time, the report shall identify those measures and provide a timeframe as to when said measure will be completed at which time a subsequent report from the applicant must be submitted to RMA-Planning for review.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

PLN140219
BELLA DESIGNS LLC

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 1.

Condition Name: PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Current Condition Status: On-Going

Text of Condition/Mitigation Monitoring Measure:

This Combined Development Permit (PLN140219) allows the demolition of a 4,727 square foot single family dwelling and a 650 square foot attached garage, and the construction of a 6,481 square foot single-family dwelling with an attached 1,265 square foot garage, loggia, terrace, and spa, within 750 feet of a known archaeological resource. The property is located at 165 Spindrift Road, Carmel, Carmel Area Land Use Plan (Assessor's Parcel Number 241-251-011-000). This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219
Project Name: BELLA DESIGNS LLC
Condition Number: 2.
Condition Name: PD002 - NOTICE PERMIT APPROVAL
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit (Resolution Number 16-018) was approved by Planning Commission for Assessor's Parcel Number 241-251-011-000 on August 31, 2016. The permit was granted subject to 31 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

Verification of Compliance/Non-Compliance:

2/3/2017: Recorded on this date; Doc No. 2017006760. Condition is Met. (Monique Kakimoto)

9/20/2016: Available for pick up at front counter under Hatter-Crawford, Gail, per her instructions (Monique Kakimoto)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 3.

Condition Name: PD002(A) - ATTACH RESOLUTION TO CONSTRUCTION PLANS

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

A copy of the Resolution of Approval (Resolution No. 16-018) for the Combined Development Permit (Planning File No.: PLN140219) shall be incorporated onto the construction plans for the project prior to the issuance of a grading or building permit. The Contractor/Owner/Applicant shall be responsible for compliance with all conditions of approval. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to commencement of any grading or construction activities, the Owner/Applicant shall submit evidence to RMA-Planning for review and approval, that the Resolution of Approval, for the project, has been incorporated onto the construction plans for the project/approved development.

Ongoing throughout construction and until all Conditions of Approval and/or Mitigation Measures have been complied with, the Contractor/Owner/Applicant shall provide evidence of compliance with Conditions of Approval to the Responsible Land Use Department as specified in the "Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan."

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219
Project Name: BELLA DESIGNS LLC
Condition Number: 4.
Condition Name: PD003(B) - CULTURAL RESOURCES POSITIVE ARCHAEOLOGICAL REPORT
Responsible Department: Planning
Current Condition Status: Partially Met

Text of Condition/Mitigation Monitoring Measure:

If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remain are discovered must be contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American:

- The coroner shall contact the Native American Heritage Commission and RMA - Planning within 24 hours.
- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendant.
- The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, Or Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
 1. The Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the commission.
 2. The descendant identified fails to make a recommendation; or
 3. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Monterey County

Condition Compliance Form

Prior to the issuance of grading or building permits or approval of Subdivision Improvement Plans, whichever occurs first, the Owner/Applicant, per the archaeologist, shall submit the contract with a Registered Professional Archaeologist for on-call archaeological services should resources be discovered during construction activities. Submit the letter to the Director of the RMA – Planning for approval.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final/parcel map.

Prior to Final, the Owner/Applicant, per the Archaeologist, shall submit a report or letter from the archaeologist summarizing their methods, findings, and recommendations if their services are needed during construction or if no resources were found.

Verification of Compliance/Non-Compliance:

2/22/2017 - Applicant submitted copy of an Agreement for Archaeological Monitoring Services authorizing Archaeological Consulting to monitor construction activities.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 5.

Condition Name: PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

Verification of Compliance/Non-Compliance:

NOTICE OF DETERMINATION FILED ON 9/2/16 WITH COUNTY CLERK BY STACY GILES. CCF FORM SAVED IN DOCUMENTS MODULE BY M FRIEDRICH. CONDITION HAS BEEN CLEARED BY ANNA QUENGA (ENTERED BY M FRIEDRICH ON BEHALF OF ANNA QUENGA 9/14/16)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 6.

Condition Name: PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations.

Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to RMA-Planning.

Verification of Compliance/Non-Compliance:

*10/19/2016: Prepared and forwarded to Anna Quenga for review of fee information on document.
(Monique Kakimoto)*

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 7.

Condition Name: PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: Planning

Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed:

Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

Verification of Compliance/Non-Compliance:

3/7/2017 - APPLICANT PAID CONDITION APPROVAL/MITIGATION MONITORING FEES. INVOICE NO. 118981, REC NO. 1041829

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 8.

Condition Name: PD007- GRADING WINTER RESTRICTION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services. (RMA - Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 9.

Condition Name: PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to RMA - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to RMA-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219
Project Name: BELLA DESIGNS LLC
Condition Number: 10.
Condition Name: PD012(D) - LANDSCAPE PLAN & MAINTENANCE (MPWMD-SFD ONLY)
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of RMA - Planning. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by RMA-Planning, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/ shall submit an approved water permit from the MPWMD to RMA-Building Services.

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to Monterey County RMA - Planning.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

Monterey County

Condition Compliance Form

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 11.

Condition Name: PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.
(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219
Project Name: BELLA DESIGNS LLC
Condition Number: 12.
Condition Name: PD016 - NOTICE OF REPORT
Responsible Department: Planning
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:

"The following reports were prepared by outside consultants and are on file in Monterey County RMA - Planning. All development shall be in accordance with these reports:

- "Additional Plan Review for 165 Spindrift, Carmel Highlands" (LIB140345) prepared by Archaeological Consulting, Salinas, CA, March 2016.
- "Focused Phase II Historic Assessment" (LIB130110) prepared by Kent L. Seavey, Pacific Grove, CA, February 10, 2013.
- "Geotechnical Investigation" (LIB140346) prepared by Soil Surveys Inc., Salinas, CA, April 17, 2014 (RMA - Planning)"

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to RMA - Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the RMA - Planning.

Verification of Compliance/Non-Compliance:

3/7/2017: Notice of Report recorded on this date; Document No. 2017012589. Condition is met. (Monique Kakimoto for Anna Quenga)

1/31/2017: Hand-Delivered to Front Counter staff; kept in Pick Up drawer until Indemnification Agreement is ready to be recorded. (Monique Kakimoto)

9/20/2016: Available for pick up at front counter under Hatter-Crawford, Gall, per her instructions (Monique Kakimoto)

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 13.

Condition Name: PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of 3 years, to expire on August 10, 2019 unless use of the property or actual construction has begun within this period. (RMA-Planning)

Compliance or Monitoring Action to be Performed:

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

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 14.

Condition Name: PD041 - HEIGHT VERIFICATION

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible on-site until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor to the Director of RMA - Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA - Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading or building permits, the Owner/Applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection.

Prior to the foundation pre-pour inspection, the Owner/Applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of RMA- Building Services for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.

Prior to the final inspection, the Owner/Applicant/Engineer shall provide evidence from a licensed civil engineer or surveyor, to the Director of RMA- Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 15.

Condition Name: PD047 - DEMOLITION/DECONSTRUCTION (MBUAPCD RULE 439)

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:

1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process;
2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building;
3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour.

All Air District standards shall be enforced by the Air District.

(RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of a demolition permit, if applicable, the Owner/Applicant/Contractor shall incorporate a "Demolition/Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.

During demolition, the Owner/Applicant/Contractor shall obtain any required Air District permits and the Air District shall conduct all deconstruction or demolition inspection activities as required by the Air District.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 16.

Condition Name: PD052 - PRE-CONSTRUCTION MEETING

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Prior to the commencement of any grading or construction activities, a pre-construction meeting shall be held on the site. The meeting shall include representatives of each of the selected contractors, any consultant who will conduct required monitoring, the Owner/Applicant, the RMA-Planning Department and any other appropriate County Departments. The purpose of the meeting is to review the conditions of approval that are applicable to the grading and construction of the approved development. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to commencement of any grading or construction activities, the Owner/Applicant shall contact RMA-Planning to schedule a pre-construction meeting prior to commencement of any grading or construction activities. The Owner/Applicant shall be responsible for ensuring that all appropriate contractors and technical consultants are in attendance. RMA-Planning staff shall be responsible for identifying and notifying other County Departments that should attend the meeting (if applicable).

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219
Project Name: BELLA DESIGNS LLC
Condition Number: 17.
Condition Name: PW0044 - CONSTRUCTION MANAGEMENT PLAN
Responsible Department: Public Works
Current Condition Status: Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information:

Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the Construction/grading phase of the project.

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of the Grading Permit or Building Permit Owner/Applicant/ Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.
2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

Verification of Compliance/Non-Compliance:

3/3/2017: Construction Management Plan submitted by applicant; additional information from contractor received on 3/3/2017. Condition has been met. Chad Alinio / RMA Public Works.

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 18.

Condition Name: WR002 - STORMWATER CONTROL

Responsible Department: Water Resources Agency

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide a drainage plan, prepared by a registered civil engineer or licensed architect, to mitigate on-site and off-site impacts. Impervious surface stormwater runoff shall be dispersed at multiple points, on the least steep available slopes, away from and below any septic leach fields. Erosion control shall be provided at each outlet. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 19.

Condition Name: SLOPE SETBACK REQUIREMENT

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The proposed building(s) shall be setback from the ascending and descending slopes in accordance with the California Building Code. The applicant shall submit plans that include supporting calculations and cross-sections certifying compliance. If an alternate setback is requested, the applicant shall submit an updated Geotechnical Report that considers the material, height of slope, slope gradient, load intensity, and erosion characteristics of slope material to demonstrate the intent of the setback requirement has been satisfied. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit the information to RMA-Environmental Services for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 20.

Condition Name: EROSION CONTROL PLAN

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit an Erosion Control Plan identifying the proposed methods to control runoff and erosion. The plan shall include the location and details for all selected erosion control measures. The Erosion Control Plan may be incorporated into other required plans provided it is clearly identified.
(RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit an Erosion Control Plan to RMA-Environmental Services for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 21.

Condition Name: GEOTECHNICAL CERTIFICATION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall provide certification from a licensed Geotechnical Engineer that all development has been constructed in accordance with the recommendations in the project Geotechnical Investigation.
(RMA- Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed Geotechnical Engineer.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 22.

Condition Name: GRADING PLAN

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall submit a grading plan incorporating the recommendations from the Geotechnical Investigation prepared by Soil Surveys Inc. The Grading Plan shall be stamped by a licensed Geotechnical Engineer. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit a Grading Plan to RMA-Environmental Services for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 23.

Condition Name: INSPECTION-DURING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services, during active construction, to review the maintenance and effectiveness of BMPs installed, as well as, to verify that pollutants of concern are not discharged into receiving water bodies. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

During construction, The applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 24.

Condition Name: INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 25.

Condition Name: INSPECTION-PRIOR TO LAND DISTURBANCE (DURING THE RAINY SEASON)

Responsible Department: Environmental Services

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to commencement of any land disturbance during the rainy season (October 15 – April 15), the owner/applicant shall schedule an inspection with RMA-Environmental Services.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 26.

Condition Name: Mitigation Measure No. 1

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

In order to protect archaeological resources found on the site from future development impacts, a conservation easement shall be conveyed to the County over the portions of the property where the resources exist. This easement shall be developed in consultation with a qualified archaeologist, show the exact location of the easement on the property with a metes and bounds description, and contain a clear and concise list of prohibited activities within the easement area.

Compliance or Monitoring Action to be Performed:

Prior to issuance of construction permits for grading or building, the owner/applicant shall submit the conservation easement deed to RMA-Planning for review and approval. Subsequent to RMA-Planning's approval, the Board of Supervisors shall accept the conveyance and the deed shall be recorded with the Monterey County Recorder's Office.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 27.

Condition Name: Mitigation Measure No. 2

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

In order to reduce potential impacts to cultural resources outside of the project impact area, a protection barrier shall be installed at the limits of construction prior to commencement of soil disturbing activities. Location of the barrier shall be developed in consultation with a qualified archaeologist and shall remain in place until construction is complete. Staging, material and equipment storage, or any other activities associated with construction shall be prohibited outside of the barrier.

Compliance or Monitoring Action to be Performed:

Mitigation Measure Monitoring Action No. 2a: Prior to the issuance of construction permits for grading or building, the owner/applicant shall submit plans to RMA-Planning delineating where the protection barrier will be installed. A note shall be placed on the plans encompassing the language contained within Mitigation Measure No. 2.

Mitigation Measure Monitoring Action No. 2b: Prior to commencement of construction, the owner/applicant shall notify RMA staff when the protection barrier will be installed and staff shall conduct a site visit to verify installation.

Mitigation Measure Monitoring Action No. 2c: Prior to final of construction permits, RMA staff shall periodically conduct a site visit to verify the integrity of the protection barrier.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 28.

Condition Name: Mitigation Measure No. 3

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

In order to reduce potential impacts to cultural resources that may be discovered during grading and construction activities, a qualified archaeological monitor shall be present during soil disturbing activities. These activities include, but are not limited to: grading or lower-level/foundation excavation. If at any time, potentially significant archaeological resources or intact features are discovered, the monitor shall temporarily halt work until the find can be evaluated by the monitor and/or principal archaeologist. If the find is determined to be significant, work shall remain halted until mitigation measures have been formulated, with the concurrence of the County of Monterey Resource Management Agency, and implemented.

Compliance or Monitoring Action to be Performed:

Mitigation Measure Monitoring Action No. 3a: Prior to the issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 3. The owner/applicant shall submit plans to RMA-Planning for review and approval.

Mitigation Measure Monitoring Action No. 3b: Prior to the issuance of construction permits for grading or building, the owner/applicant shall submit to RMA-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include provisions that the monitor shall be present during all activities that involve soil disturbance, how sampling of the excavated soil will occur, giving the monitor authority to stop work in the event that resources are found, and any other logistical information such as providing monitor sufficient notice of when soil disturbing activities will occur. The contract shall be submitted to the RMA-Planning Department for review and approval. Should RMA-Planning find the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219
Project Name: BELLA DESIGNS LLC
Condition Number: 29.
Condition Name: Mitigation Measure No. 4
Responsible Department: Planning
Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

Due to the project site's proximity to existing recorded archaeological resources and because the project includes excavation for a lower level, there is a potential for human remains to be accidentally discovered. If remains are uncovered, all work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

Compliance or Monitoring Action to be Performed:

Mitigation Measure Monitoring Action No. 4a. Prior to the issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language within Mitigation Measure No. 4. The owner/applicant shall submit plans to RMA-Planning for review and approval.

Mitigation Measure Monitoring Action No. 4b. If human remains are accidentally discovered during construction activities, there shall be no further excavation or disturbance within 50 meters (160 feet) of the find until it can be evaluated by a qualified professional archaeologist and the following shall occur:

- The owner, applicant or contractor shall contact the Monterey County Coroner to determine that no investigation of the cause of death is required,
- If the coroner determines the remains to be Native American:
 - The coroner shall contact the Native American Heritage Commission and RMA – Planning within 24 hours.
 - The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costanoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.
 - The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

Monterey County

Condition Compliance Form

File No: PLN140219

Project Name: BELLA DESIGNS LLC

Condition Number: 30.

Condition Name: PDSP-001 GRADING AROUND TREES

Responsible Department: Planning

Current Condition Status: Not Met

Text of Condition/Mitigation Monitoring Measure:

The grading plan shall be modified to protect trees and minimize negative impacts. No grading shall be undertaken in areas to remain natural. No grading shall occur within the area of the existing driveway except to remove the existing pavement and restore natural grade. The grading along the new driveway shall be modified to protect the larger trees in close proximity to the driveway by maintaining the driveway base grade at or above existing grade unless the area within the root zone of the trees is excavated by hand and no roots over 1 inch in diameter will be cut. The excavation of the root zone shall be done by hand under the supervision of a certified arborist. The retaining wall around the patio shall be hand excavated and no roots over 1 inch in diameter can be cut. Roots shall either be bridged or allowed to pass through the retaining wall in a protective casing.

Compliance or Monitoring Action to be Performed:

These requirements shall be shown on the construction plans subject to approval of the RMA Director and grading shall be done under the supervision of a Certified Arborist. A completion report shall be submitted by a Certified Arborist stating that all work was done in compliance with this condition prior to final occupancy.

Verification of Compliance/Non-Compliance:

Attach Evidence of Compliance (field visits, letters, e-mails, phone calls, reports, etc.)

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