

DATE: APRIL 15, 2013
REVISED: April 24, 2013

DEVELOPER'S STATEMENT FOR CANTINAS RANCH FOUNDATION
ED11-086 / DRC2011-00037

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Agricultural Resources

- AG-1 Prior to final inspection and to assure avoidance of potential impacts, the applicant shall submit a letter to the Planning and Building Department (for review and approval) stating the guidelines that are in place to avoid potential incompatibilities with neighboring agricultural operations due to camp activities such as hiking and biking. These measures include but are not limited to:
- a. Provide a camper orientation briefing upon arrival stating locations of camp boundaries and trails that are to be used or provide directional signs in and around camp to direct campers to their appropriate locations.

Monitoring: Required prior to final inspection. Compliance will be verified by the County Department of Planning and Building.

Aesthetic Resources

- V-1 Upon application for each structure or building cluster, construction permits, the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The plans shall be developed and signed by a licensed landscape architect and shall show screen planting for the purpose of screening of the structures as follows:
- a. The screen plants shall include trees and shrubs for the purpose of screening the structures as seen from Oak Shores Drive, Lynch Canyon Road and Lake Nacimiento (Mission, Chapel, Camper Lodging, Art Buildings, Parking Barn, Lake House, Mill Barn, Equestrian Barn. Screen planting shall achieve a minimum 50 percent screening of the structures at plant maturity.

- b. Screen planting shall include evergreen trees capable of growing to a minimum height of 35 feet tall. Trees shall be planted from a minimum fifteen-gallon container size. Shrubs shall be planted among the screen trees. Shrubs shall be planted from five-gallon containers; and
- c. The screen plants shall ensure that the Parking Barn does not silhouette against the ridgeline as viewed from Oak Shores Drive (see Figures 3 shown on the project visual assessment).
- d. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.

Monitoring: Required prior to issuance of a construction permit. Compliance will be verified by the County Department of Planning and Building.

- V-2 Prior to issuance of construction permits for each structure or building cluster, the applicant shall submit a bond to the County of San Luis Obispo for an amount determined by the County to be sufficient to cover the estimated cost of planting and establishing the equivalent of the total number of trees and shrubs described in landscaping mitigation measures. The bond shall be held for a minimum of five years to ensure the successful establishment and maintenance of the mitigation planting.

Monitoring: Required prior to issuance of a construction permit. Compliance will be verified by the County Department of Planning and Building.

- V-3 Prior to final inspection of each structure or building cluster, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the 5 year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. If it is determined that the success criteria has not been met then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.

Monitoring: Required prior to final inspection. Compliance will be verified by the County Department of Planning and Building.

V-4 Prior to issuance of building permits for each structure or building cluster, the applicant shall submit architectural elevations to the County Department of Planning and Building for review and approval. The elevations shall show exterior finish materials and colors, as follows:

- a. Exterior wall colors shall be limited to dark and/or muted earth-tones. Exterior colors shall be no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
- b. Roof colors shall be limited dark and/or muted earth tones, no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building. If natural copper roofing is utilized, it shall be pre-painted in dark brown/ green hues prior to installation. Samples shall be provided to County Planning for review and approval.

Monitoring: Required prior to issuance of a building permit. Compliance will be verified by the County Department of Planning and Building.

V-5 Prior to issuance of building permits for each structure or building cluster, the applicant shall submit landscape plans to the Department of Planning and Building for review and approval. The plans shall include shrubs planted along all permanent and temporary parking areas for the purpose of screening vehicles.

Monitoring: Required prior to issuance of a building permit. Compliance will be verified by the County Department of Planning and Building.

V-6 Prior to issuance of building permits for each structure or building cluster, the applicant shall submit an exterior lighting plan for review and approval by the Department of Planning and Building which includes the following:

- a. Direct views of all exterior lighting sources shall be shielded from view from Oak Shores Drive, Lynch Canyon Road, and Lake Nacimiento.
- b. Exterior lighting shall be designed to not focus illumination onto exterior walls nor the hillside or oak woodland areas adjacent to the buildings.
- c. Any security lighting installed on the property shall be equipped with motion detectors to prevent the illumination from remaining on.
- d. If access road lighting is proposed, the luminaires shall be a shielded "bollard-type" and shall be a maximum of 3 feet above the ground.

Prior to final inspection, all lighting installed shall be consistent with the approved exterior lighting plan.

Monitoring: Required prior to issuance of a building permit. Compliance will be verified by the County Department of Planning and Building.

Air Quality Resources

AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible;
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
- c. All dirt stock-pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating native grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; and,
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.
- l. All road PM10 mitigation measures required shall be shown on the grading and building plans; and,
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20%

opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading day, earthwork or demolition.

Monitoring: Required prior to construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-2 Prior to issuance of construction and/ or grading permits for each structure or building cluster, the applicant shall ensure that a geologic investigation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that would be disturbed. If NOA is not present, an exemption request shall be filed with the Air Pollution Control District (APCD) and submitted to the Planning and Building Department. If NOA is present, the applicant shall work with, and receive approval from the APCD to comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan (which must be approved by the APCD before construction begins) and 2) an Asbestos Health and Safety Program.

Monitoring: Required prior to issuance of a construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building.

AQ-3 During initial grading/scraping, burning shall not be allowed, or if no alternative is available, the applicant shall obtain a burn permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies. Alternatives to burning may include chipping of vegetative materials for ground use as ground cover or other measures approved by the APCD.

Monitoring: Required prior to issuance of a construction permit. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-4 For the unpaved portion of the route to access the site (e.g. Lynch Canyon Road from Oak Shores Drive to the camp's facilities), the applicant shall implement one of the following:

- a. For the life of the project, pave and maintain the roads, driveways, and parking areas; or
- b. For the life of the project, maintain the unpaved roads, driveways, and parking areas with a dust suppressant (see Technical Appendix 4.3 of the APCD's CEQA Handbook for a list of APCD approved suppressants) such that fugitive dust emissions do not exceed the APCD 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402);

and

- c. To improve dust suppressant's long-term efficacy, the applicant shall also implement and maintain design standards to ensure vehicles that use the on-site unpaved road are physically limited (e.g. speed bumps) to a posted speed of 15 mph or less.

Monitoring: Required prior to final inspection and/or operation of camp. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-5 To minimize nuisance impacts and to reduce fugitive dust emissions from equestrian facilities the following mitigation measures shall be incorporated into the project:

- a. Reduce the amount of disturbed areas where possible;
- b. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities;
- c. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust emissions from exceeding the APCD20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402). Increased watering frequency whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;
- d. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD; and
- e. A person or persons shall be designated to monitor for dust and implement additional control measures as necessary to prevent transport of dust offsite. The monitor's duties shall include holiday and weekend. The name and telephone number of such person shall be provided to the APCD prior to operation of the arena.

Monitoring: Required prior to final inspection and/or operation of camp. Compliance will be verified by the County Department of Planning and Building in Consultation with the Air Pollution Control District.

AQ-6 The applicant shall implement the requirements contained in the Transportation Management Plan dated July 13, 2012.

Monitoring: Compliance will be verified by the County Department of Planning and Building in Consultation with Public Works.

Biological Resources

Special Status Birds

BR-1 To protect sensitive bird species and those species protected by the Migratory Bird Treaty Act and/or the Fish and Wildlife Code, the Owners shall avoid vegetation clearing and earth disturbance during the typical nesting season (February 15 – August 31). If avoiding construction during this season is not feasible, a qualified biologist shall survey the area one week prior to activity beginning on the site. If nesting birds are located, they shall be avoided until they have successfully fledged. A buffer zone of 50 feet will be placed around all non-sensitive bird species, a 500-foot buffer zone for raptors, and all activity will remain outside of that buffer until a County approved biologist has determined that the young have fledged. If special-status bird species are located, no work will begin until an appropriate buffer is determined by consultation with the County, the local California Department of Fish and Wildlife biologist, and/or the U. S. Fish and Wildlife Service.

Monitoring: Required prior to issuance of a construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building.

BR-2 Prior to issuance of construction and/or grading permits, the applicant shall clearly show all occupied nests on project plans, and these nest shall be mapped using GIS or survey equipment. The mapped locations shall be placed on a copy of the grading plans and all other applicable construction documents with a 500-foot buffer indicated. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

Monitoring: Required prior to issuance of a construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building.

BR-3 Prior to issuance of construction and/or grading permits, occupied nests of special status bird species that are within 500 feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success, check for project compliance with buffer zone maintenance, and to monitor the effectiveness of the buffer.

Monitoring: Required prior to issuance of a construction permit and/or grading permit. Compliance will be verified by the County Department of Planning and Building.

Oak Tree Impacts

Tree Type	# Removed (4:1 replacement)	# Impacted (2:1 replacement)	Total Replacement
Oak Trees Removed	18 (4x18=72)		72
Oak Trees Impacted		283 (2x283=566)	566
Replacement Oak Trees Required			638
Oak Trees Plantings Proposed by Applicant			910

BR-4 Prior to issuance of construction and/or grading permits for each structure or building cluster, the applicant shall clearly show all oak trees within 50 feet of grading activities on the grading plans. In addition to showing the limits of grading, the grading plans shall also designate which oak trees are to be removed and which oak trees will be impacted by grading activities occurring within the root zone (one and one half times the dripline).

No more than "18" oak trees shall be removed and no more than "283" oak trees shall be impacted. Of this total, no more than 30 oak trees shall be impacted as a result of the emergency access. If additional oak trees need to be impacted or removed (no more than 30 additional oak trees) then a revised Tree Plan shall be submitted to the Planning Department for review and approval.

Oak trees within 50 feet of grading activities, which are not designated for removal, shall be fenced and flagged for protection prior to permit issuance. Fencing shall be clearly shown on the grading plans to be located at the root zone for trees not designated for removal. For impacted trees, where grading activities will occur within the root zone, fencing may be placed at the limits of grading activities.

- a. The applicant shall prepare a tree protection map and plan (Tree Report, by Althouse and Meade, Inc., June 2012) with accurate and complete tree locations, tag numbers, Critical Root Zones, edge of canopy, and tree protection measures. The project engineers shall work with the biological consultants to develop a tree protection plan sheet that indicates all tagged trees, with corresponding tag numbers, edge of canopy and CRZ's within 50 feet of disturbance. Tree protection measures such as construction fencing shall be show on the map. All trees shall to be fully protected shall be clearly shown on the grading and drainage plans.
- b. Any tree removal associated with CDF/County Fire vegetative clearance/modification requirements shall also be considered on the plans.

Monitoring: Required prior to issuance of a construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building.

BR-5 Prior to issuance of construction and/or grading permit for each structure or building cluster, the applicant shall provide a tree replacement plan for review and approval by the Environmental Coordinator. The replacement plan shall demonstrate compliance with the following measures:

- a. Number of Trees – The tree replacement plan shall provide for the replacement, in kind, of removed oak trees at a 4:1 ratio. Additionally, the tree replacement plan shall provide for the planting, in kind, at a 2:1 ratio for oak trees designated for impact but not removal.
- b. Location/Density – The location shall be clearly shown on the plans. Trees shall be planted at no greater a density than the average density in the existing oak woodland area on the site. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- c. Species – Trees shall be of the same species of the trees proposed for impact or removal. The species shall be clearly specified on the plans.
- d. Size – Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- e. Planting – Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- f. Maintenance – Newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding of at least a three foot radius out from the planting, and adequate watering (e.g., drip-irrigation system). Hand removal of weeds shall be kept up on a regular basis at least once in late spring (April) and once in early winter (December).
- g. Irrigation/Watering – Irrigation details shall be clearly shown on the plans. Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period.

Monitoring: Required to issuance of a construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

BR-6 Prior to commencement of any tree removal, to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), unless a county-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County Environmental Division, possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the County.

Monitoring: Required prior to issuance of a construction and or grading permit. Compliance will be verified by the County Department of Planning and Building.

BR-7 Once trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

Monitoring: Required prior to final inspection. Compliance will be verified by the County Department of Planning and Building.

BR-8 Prior to final inspections or occupancy for each structure or building cluster, whichever occurs first, replacement trees shall be installed or bonded for in compliance with the approved tree replacement plan. If bonded for, installation shall be completed within 60 days of bonding.

Monitoring: Required prior to final inspection. Compliance will be verified by the County Department of Planning and Building.

BR-9 Prior to final inspections for each structure or building cluster, or prior to release of bonding (if applicable), the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a three-foot radius from center of plant), or hand removal of weeds (covering at least a 3' radius from center of plant) shall be completed for each new plant. Use of weed-free mulch (at least 3 inches deep) with regular replenishment may be substituted for the weed-mat.

Monitoring: Required prior to final inspection. Compliance will be verified by the County Department of Planning and Building.

BR-10 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than five years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation as approved by the Environmental Coordinator.

- 1) The above mentioned qualified individual shall keep the running tally of the total number of trees impacted and removed. A final mitigation obligation determination would be provided to the Project Manager and the County Planning Department.

Monitoring: Required prior to final inspection. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

BR-11 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to: 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Monitoring: Compliance will be verified by the County Department of Planning and Building.

BR-12 Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Monitoring: Compliance will be verified by the County Department of Planning and Building.

BR-13 All oak trees identified to remain shall not be removed. Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

Monitoring: Compliance will be verified by the County Department of Planning and Building.

BR-14 Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within the fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

Monitoring: Compliance will be verified by the County Department of Planning and Building.

BR-15 To minimize impacts to the sensitive oak woodland understory habitat (e.g. maritime chaparral, coastal scrub), the applicant agrees to the following during construction improvements and for the life of the project:

- a. All native vegetation removal (including vegetation removal to accommodate Cal Fire requirements) shall be shown on all applicable grading/ construction plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
- b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved grading/construction plans.
- c. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by Cal Fire. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).

Monitoring: Prior to issuance of construction and/or grading plans. Compliance will be verified by the County Department of Planning and Building.

California legless lizard

BR-16-Prior to issuance of construction and/or grading permit for each structure or building cluster, the applicant shall complete a focused preconstruction survey (to include hand raking and/or placement of untreated cover boards six months in advance of

construction in attempt to capture and relocate as many legless lizards as possible before construction) for legless lizards to be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- a. Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- b. Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate legless lizards as specified above.
- c. A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

Monitoring: Required prior to issuance of construction and or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Coast horned lizard

BR-17 Prior to issuance of construction and/or grading permit for each structure or building cluster, the applicant shall complete a focused preconstruction survey for coast horned lizard shall be conducted in proposed work areas immediately prior to ground-breaking activities. The survey should be conducted on foot by a qualified biologist with approval from California Department of Fish and Wildlife to relocate horned lizards out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If horned lizards are found to be present in the work areas, the following steps shall be taken:

- a. Horned lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- b. Construction monitoring shall be required for all new ground-breaking activities located within the mapped potential horned lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.
- c. A letter report shall be submitted to the County and CDFW within 30 days of horned lizard relocation, or as directed by CDFW.

Monitoring: Required prior to issuance of construction and or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Whipsnakes

- BR-18 Prior to issuance of construction and/or grading permit for each structure or building cluster, the applicant shall complete a focused preconstruction survey for San Joaquin whipsnake shall be conducted in proposed work areas immediately prior to ground-breaking activities. The survey should be conducted on foot by a qualified biologist with approval from California Department of Fish and Wildlife (CDFW) to relocate whipsnakes out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If San Joaquin whipsnakes are found to be present in the work areas, the following steps shall be taken:
- a. San Joaquin whipsnakes shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
 - b. Construction monitoring shall be required for all new ground-breaking activities located within the mapped potential San Joaquin whipsnake habitat. Construction monitors shall capture and relocate whipsnakes as specified above.
 - c. A letter report shall be submitted to the County and CDFW within 30 days of San Joaquin whipsnake relocation, or as directed by CDFW.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Special status bats

- BR-19 To assure avoidance of potential impacts, prior to issuance of construction and/or grading permit for each structure or building cluster, and prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Wildlife, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

American badger

- BR-20 A preconstruction survey shall be conducted on the property to locate occupied American badger dens within 100 feet of project areas. The survey shall be conducted within 15 days of starting any grading, grubbing, or oak tree removal. Orange construction fencing shall be installed under the direction of a project biologist in a manner sufficient to protect the dens from construction equipment. A buffer of 50 feet shall be used for occupied non-maternal dens. A buffer of 150 feet shall be installed if

the den is determined to be a maternal pupping den. Construction activities shall not commence within the exclusion area until the badger has moved of its own accord. A preconstruction survey letter report shall be submitted to the lead agency for review within one week after completion of the survey.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Needlegrass grassland

BR-21 To reduce impacts to valley needlegrass grassland habitat, new needlegrass grassland habitat shall be created at a 1 to 1 ratio (area of created habitat to impacted habitat). If greater than 50 percent of the onsite needlegrass grassland habitat would be affected, the mitigation ratio shall be increased to 2:1 (refer to County letter in Appendix F of the botanical assessment).

- a. A mitigation, monitoring and reporting plan shall be prepared according to County guidelines that locates and quantifies the impacts to valley needlegrass grassland habitat on the Property. The plan shall be reviewed and approved by the County Planning Department in Consultation with CDFW prior to implementation.
- b. A mitigation site shall be established on the property, adjacent to and contiguous with existing needlegrass grassland areas.
- c. A conceptual planting plan shall be included in the mitigation, monitoring and reporting plan.
- d. Mitigation implementation and success shall be monitored for a minimum of five years. Annual reports that document the recovery of the site shall be prepared and sent to the County by December 15th of each year.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Bald eagles

BR-22 Prior to issuance of construction and/or grading permits, a pre-construction survey shall be completed by a qualified biologist to determine the presence and/or use by bald eagles in the project area. If bald eagles are located within the area, no work will begin until appropriate measures are developed to avoid disturbance are determined by the County, in consultation with the California Department of Fish and Wildlife, and/or the U. S. Fish and Wildlife Service.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Western spadefoot toad and western pond turtle

BR-23 Prior to issuance of construction and/or grading permits for each structure or building cluster avoidance measures shall be implemented. A preconstruction survey for western spadefoot toad and western pond turtle shall be conducted in proposed work areas. The survey shall be conducted on foot by a qualified biologist with approval from California Department of Fish and Wildlife to relocate these species out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If these species are found to be present in the work areas, the following steps shall be taken:

- a. Western spadefoot toad and western pond turtle shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- b. Construction monitoring shall be required for all new ground-breaking activities located within the mapped potential habitat. Construction monitors shall capture and relocate said species as specified above.
- c. A letter report shall be submitted to the County and CDFW within 30 days of Western spadefoot toad and western pond turtle relocation, or as directed by CDFW.
- d. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program regarding protected and special status species.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Monterey dusky-footed woodrat

BR-24 Prior to issuance of construction and/or grading permits for each structure or building cluster, a preconstruction survey for the Monterey dusky-footed woodrat shall be conducted on the Property to locate nests within 50 feet of project areas.

- a. The survey shall be conducted within 30 days of starting of any grading, grubbing, or oak tree removal.
- b. Orange construction fencing shall be installed under direction of a project biologist in a manner sufficient to protect nest from construction equipment.
- c. If a woodrat nest is located in a construction zone, the project biologist may dismantle the nest using hand tools in such a manner as to allow any inhabitants to escape into adjacent open space areas.
- d. A preconstruction survey letter shall be submitted to the County for review within one week after survey completion.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Cultural Resources

- C-1 At the time of application for construction permits, if any ground disturbance will occur within 50 feet of an identified Environmentally Sensitive Area(s), to avoid future impacts, the applicant shall delineate the archaeological site(s) as Environmentally Sensitive Area(s) on the project plans. All new development (e.g. access roads, driveways, camp housing, sheds, utility trenches, etc) shall be located outside the environmentally sensitive area(s).

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

Geology and Soils

- GS-1 Prior to issuance of construction and/or grading permits for each structure or building cluster, the applicant shall submit final plans demonstrating compliance with the Engineering Geology Review (GeoSolutions, 2011), Soils Engineering Report (GeoSolutions, October 13, 2011-revised), and Review of Engineering Report (Brian Papurello, October 2012).

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with the Environmental Coordinator.

- GS-2 Prior to issuance of construction and/or grading permits for each structure or building cluster, the applicant shall submit an erosion and sedimentation control plan in compliance with County Ordinance Section 22.52.120.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with Public Works.

GS-3 Prior to issuance of construction and/or grading permits, the applicant shall submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) approved by the State Water Resources Control Board.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with Public Works.

Water

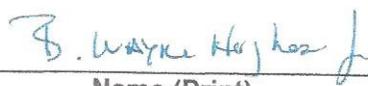
W-1 Upon application for construction and/or grading permits for each structure or building cluster, the applicant shall submit a Best Management Practices (BMP) plan, for review and approval by the County Planning and Building Department, in consultation with the Environmental Coordinator. The plan shall be implemented prior to, during, and following construction activities. The plan shall include, but not be limited to, the following elements:

- a. Identification of all stormwater drainage patterns onsite.
- b. Identification of grading limits.
- c. Staking plan for grading limits and proposed staging area(s).
- d. Use of silt fencing, hay bales, straw waddles, and other measures to ensure sediment retention and avoidance of pollutant discharge outside of the construction area.
- e. Operational best management practices to prevent incidental discharge of hydrocarbons and other pollutants, which may include installation of hydrocarbon filters at discharge points, storage of a clean-up kit to contain and remove leaked fuels and oils, and other similar measures.
- f. Long-term restoration plan to stabilize soils and maintain the flow of un-polluted stormwater into the Nacimiento Lake watershed.

Monitoring: Required prior to issuance of construction and/or grading permit. Compliance will be verified by the County Department of Planning and Building, in consultation with Public Works.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.


Signature of Owner(s)


Name (Print)

4/24/13
Date