

**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02022

A. P. # 185-011-002-000M

In the matter of the application of  
**Twelfth Tee Investors LLC (PLN020048)**

**FINDINGS AND DECISION**

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located at 10519 Carmel Valley Road (Old Fiskdale Ranch), fronting on Carmel Valley Road, Carmel Valley area, came on regularly for hearing before the Planning Commission on May 8, 2002.

WHEREAS: Said proposal includes:

- 1) Use Permit for development on slopes greater than 30%,
- 2) Use Permit for removal of approximately 120 Oak trees; and
- 3) Administrative Permit to allow overall improvements to an existing ranch road, including approximately 16,400 cubic yards of grading (cut and fill), to provide vehicular access to four existing lots of record located in the "S" (Site Review) Zoning District; project is the second phase of the overall ranch road improvements, which also includes improvements approved under project File No. PLN010206.

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

**FINDINGS OF FACT**

- 1. FINDING:** The subject Combined Development Permit (File PLN020048) as described in Condition No. 1 and as conditioned conforms with the plans, policies, requirements and standards of the General Plan, Carmel Valley Master Plan and the Monterey County Zoning Ordinance (Title 21). The properties are located at 10519 Carmel Valley Road (Assessor's Parcel Numbers 185-051-001-000; 185-051-002-000; 185-051-003-000; 185-051-004 & 185-051-005-000), northerly of Carmel Valley Road and westerly of Los Laureles Grade Road. The parcels are zoned "RDR/10-D-S" and "LDR/2.5-D-S" or Rural Density Residential and Low Density Residential with Design Control and Site Review overlay zoning districts. The subject parcels are in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21 and any zoning violation abatement costs have been paid.

**EVIDENCE:** The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- a) Monterey County General Plan
- b) Carmel Valley Master Plan
- c) Chapters 21.14 (LDR Zoning Regulations), 21.16 (RDR Zoning Regulations), 21.44 (Design Control Regulations), 21.45 (Site Plan Review Zoning Regulations), 21.64.230 (Development on Slopes in Excess of 30%) and 21.64.260 (Preservation of Oak and Other Protected Trees) of the Monterey County Zoning Ordinance.

**EVIDENCE:** The project site is suitable for the proposed use as described in the project file. The proposed development has been reviewed by the Planning and Building Inspection Department, Health Department, Public Works Department, Water Resources Agency and the Carmel Valley Fire Protection District. There has been no indication from those agencies that the site is not suitable for the proposed development. Each agency has recommended conditions for project approval.

**EVIDENCE:** The proposed use is consistent with the development standards for Low Density Residential and Rural Density Residential zoning districts, pursuant to Title 21, Monterey County Zoning Ordinance.

**EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

**EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development.

**EVIDENCE:** The on-site inspection by the project planner to verify that the proposed project complies with the applicable regulations.

**EVIDENCE:** Plans and materials contained in project File No. PLN020048.

**EVIDENCE:** Review and recommendation of the Carmel Valley Land Use Advisory Committee.

2. **FINDING:** The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment. A Mitigated Negative Declaration has been prepared and is on file (File # PLN020048) in the Department of Planning and Building Inspection. All mitigation measures identified in the Initial Study and Mitigated Negative Declaration and all project changes required to avoid significant effects on the environment have been incorporated into the approved project or are made conditions of approval. A Program for Monitoring and/or Reporting on Conditions of Approval (hereafter “the Program”) has been prepared pursuant to Public Resources Code 21081.6 and is made a condition of approval. The Program is attached hereto as Exhibit “G” and is incorporated herein by reference. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Monterey County Planning and Building Inspection Department, located at 2620 1<sup>st</sup>. Avenue, Marina, CA is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based.

**EVIDENCE:** County staff prepared an Initial Study for the project, including both phases, in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on September 5, 2001, noticed for public review and circulated to the State Clearinghouse. All comments received on the Initial Study have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County’s independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

1. Certified Monterey County Zoning Ordinance, Title 21

2. Carmel Valley Master Plan
3. Monterey Bay Unified Air Pollution Control District, 1995. CEQA Guidelines
4. *Preliminary Biological Assessment Study for the Coyote Creek Ranch Road Improvement Project, Monterey County, California*, Denise Duffy and Associates, June 2001
5. *Updated Geologic and Geotechnical Investigation Report, Proposed Coyote Creek Ranch Westside and Entrance Road Improvements, Monterey County, California*, The Twining Laboratories, Inc., January 14, 2002
6. *Erosion Control Plan and Preliminary Drainage Plan for the Coyote Creek Ranch Road Improvements – West Side, Monterey County, California*, Whitson Engineers, January 16, 2002
7. *Coyote Creek Ranch, Road Improvements – West Side, Watershed Calculations and Culvert Capacity Calculations*, Whitson Engineers, January 16, 2002

3. **FINDING:** For purposes of the Fish and Game Code, the project will have a potential for changes to fish and wildlife resources upon which the wildlife depends.  
**EVIDENCE:** Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations.
4. **FINDING:** The proposed development on slopes greater than 30% better achieves the goals, policies and objectives of the Monterey County General Plan and the Carmel Valley Master Plan.  
**EVIDENCE:** Development on slopes greater than 30% would take place on approximately 3,600 feet of the 15,194 feet of the road. Approximately 80% of this length represents widening of the existing road (cut and fill areas) which is proposed in order to minimize grading, tree removal and to reduce the length of the road. While there are alternative areas with slopes less than 30%, their development would result in greater lengths of road construction and a larger quantity of related disturbance as well as more extensive vegetation and tree removal. Taking this into account, and that the alignment of the road, including the areas on slopes greater than 30%, follows the existing ranch road to a large degree, the proposed development on slopes greater than 30% better achieves the goals, policies and objectives of the General Plan and the Carmel Valley Master Plan.  
**EVIDENCE:** Site visit, project plans, Initial Study and materials contained in the project file.
5. **FINDING:** The removal of 121 Oak trees is the minimum under the circumstances of the case.  
**EVIDENCE:** The Forest Management Plan prepared by Stephen R. Staub, estimates that oak woodland covers approximately 30% of the four parcels to which the proposed road would provide access, and that there are approximately 31,650 oak trees within the area. According to these estimates, the report concludes that “tree removal associated with road construction is of incidental impact, constituting less than ½ of 1% of the total number of oaks in the four lots.” Taking into account that the proposed road improvements would generally follow the existing ranch road in order to minimize environmental disruption, including tree removal, and based on the results of the field inspection conducted by staff which confirms the findings of the report, the proposed tree removal is the minimum required for the project.  
**EVIDENCE:** Site visit, project plans, Initial Study and materials contained in the project file.
6. **FINDING:** The removal of 121 Oak trees will not involve a risk of adverse environmental impacts such as soil erosion, water quality, ecological impacts, noise pollution, air movement and wildlife habitat.  
**EVIDENCE:** Tree removal associated with road construction constitutes less than ½ of 1% of the total number of oaks in the four lots. The mitigation measures identified in the Initial Study as well as

recommended conditions of approval would ensure minimal impacts on these resources.

**EVIDENCE:** Site visit, project plans, Initial Study and materials contained in the project file.

7. **FINDING:** The site is suitable for the use proposed.

**EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Health Department and the Carmel Valley Fire Protection District. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas or similar areas that would indicate the site is not suitable for the use proposed.

8. **FINDING:** The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to health, safety, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

**EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Planning and Building Inspection Department, Health Department, Public Works Department, Water Resources Agency and the Carmel Valley Fire Protection District. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the County in general.

### **DECISION**

THEREFORE, it is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration and Program for Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following conditions:

1. This Combined Development Permit allows for construction of the second phase (Westside and entrance road improvements) of the overall improvements of existing ranch roads serving 10 existing lots of record. The permit specifically includes the following: 1) Use Permit for development on slopes greater than 30%; 2) Use Permit for removal of 120 Oak trees; and 3) Administrative Permit for improvements of an existing ranch road, including approximately 16,125 cubic yards of grading and paving, to provide improved vehicular access to 4 existing lots of record located in the "S" (Site Review) Zoning District in accordance with County ordinances and land use regulations subject to the following terms and conditions. The properties are located at 10519 Carmel Valley Road, northerly of Carmel Valley Road and westerly of Los Laureles Grade Road, Carmel Valley area. 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 Planning and Building Inspection. 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. (Planning and Building Inspection Department)

### **Prior to Issuance of Demolition, Grading or Building permits**

2. The applicant shall record a notice which states: "A permit (Resolution No. 02022) was approved by the Planning Commission for Assessor's Parcel Numbers 185-051-001-000; 185-051-002-000; 185-051-003-000; 185-051-004-000 & 185-051-008-000 on May 8, 2002. The permit was granted subject to **18** conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection Department)
3. The applicant shall enter into an agreement with the County to implement the Mitigation Monitoring Plan adopted for the project. (Planning and Building Inspection Department)
4. A Slope Restoration and Erosion Control Plan shall be prepared by the consulting engineer to mitigate short-term impacts from construction of the project and the long-term impacts on the stability of all disturbed slopes. The plan shall be incorporated into the project plans and specifications. The plan shall contain the following:
  - a) Appropriate erosion control measures to protect bare soil areas and slopes within the project site during the duration of the project.
  - b) A Revegetation and Landscaping Plan for the restoration of all bare road shoulders, reconfigured slopes along the road alignment and any other areas disturbed as a result of the construction of the project. The plan shall be prepared by a consulting biologist and shall contain a planting palette of appropriate native plants and grasses to be used, success criteria, and contingency planning if those criteria are not met. The plan shall also include a list of Best Management Practices for its monitoring and implementation and shall also include a monitoring schedule for a minimum period of three years. A plan review fee shall be paid at the time of submittal. All revegetation/landscaping plant material shall be installed prior to issuance of a final grading permit. (MM #1) (Planning and Building Inspection Department)
5. A plan shall be developed by the consulting biologist in consultation with a licensed forester, identifying measures for the protection during construction of native trees and vegetation located in the vicinity of the road improvements. The protection measures shall include, to the extent feasible, placement of orange safety netting outside of the dripline of the trees, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or dripline of the retained trees and placement of exclusionary fencing off of herbaceous and shrubby vegetation at the dripline, hay bales, and protective wood barriers for trees. Additionally, the plan shall contain specific provisions, including minor realignment of the road, as appropriate, for the protection of the root systems of any protected tree or native vegetation species that may be affected by the construction of the road, and shall include a map identifying the location of all such trees. If road construction falls within the dripline of any protected trees, they should be identified in the plan and measures recommended by the biologist and forester to ensure the long-term health of the trees. If road construction identified in the plan results in the death or removal of any such trees, the applicant shall apply for the appropriate permits. No vehicle parking, storage of equipment, materials or debris or dumping of wastes shall be permitted within the fenced areas. Fencing shall remain in place during all stages of development of the project. The plan shall be approved by the Director of Planning and Building Inspection and the applicant shall submit evidence (photographs) of the installation of the protective measures prior to commencement of the grading. (MM #2) (Planning and Building Inspection Department)
6. Surveys for nesting raptors shall be performed by the consulting biologist prior to construction or removal of trees - before young have fledged- on any portion of the entire project that is scheduled to begin between April 15 and August 1. A letter from the biologist verifying surveys shall be submitted to the Director of Planning and Building Inspection. If raptor nests are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each nest for the duration of the breeding season (until such time as the young

are fully fledged) to prevent nest harassment and brood mortality. If trees known to support raptor nests cannot be avoided, removal of these trees may only occur during the non-breeding season. (MM #3) (Planning and Building Inspection Department)

7. Surveys for special status bat species shall be performed by the consulting biologist -before young have fledged- in areas containing suitable habitat (i.e., oak trees, rock outcrops and/or man-made structures) that may be affected by construction of any portion of the project and that is scheduled to begin between April 15 and August 1. A letter from the biologist verifying surveys shall be submitted to the Director of Planning and Building Inspection. If presence is confirmed, the applicant shall develop an alternative habitat plan that provides comparable spatial and thermal characteristics to habitat impacted or lost. The plan shall contain a monitoring schedule to assure its viability. The plan shall be prepared by a qualified biologist and shall be approved by the Director of Planning and Building Inspection prior to disturbance of any habitat. (MM#4) (Planning and Building Inspection Department)
8. Provide evidence from a qualified wetlands consultant that the project meets the requirements of Section 404 of the Clean Water Act subject to a determination of the Army Corp of Engineers. Impacts from any portion of the proposed project on jurisdictional wetlands shall be mitigated subject to the applicable requirements of Section 404 of the Clean Water Act. If required by Section 404, a wetland mitigation plan shall be developed that identifies substituting wetland areas or restored wetlands at appropriate ratios within the Ranch boundaries. The plan shall include specific monitoring schedules to assure viability of the newly created wetlands. The plan shall be approved by the Director of Planning and Building Inspection and any other necessary State or federal agencies prior to disturbance of any existing wetland areas. Any substituting or restored wetland areas shall be placed in permanent Scenic and Conservation Easements. A *non-reporting* Nation-wide Permit shall be obtained prior to any work within jurisdictional wetlands as defined under Section 404 of the Clean Water Act. If the proposed impacts are covered and mitigated within an existing *non-reporting* Nation-wide Permit, the applicant shall provide evidence that the work is covered under the permit. (MM #5) (Planning and Building Inspection Department)
9. A Grading Permit shall be required for the project pursuant to Chapter 16.08 of the Monterey County Code. All grading and earthwork shall be done in conformance with the recommendations of the Updated Geologic and Geotechnical Feasibility Investigation prepared for this phase of the project and the required update for the second phase. Specifically, the grading plans shall contain provisions for implementation of the following measures:
  - a. The geotechnical engineer shall be present on the site to make field observations and conduct testing to determine the adequacy of fill materials and assess the compliance of earthwork with recommended specifications. Fill slopes should be constructed with engineered fill; no fill slopes steeper than 2:1 (horizontal/vertical) should be constructed, unless otherwise approved by the geotechnical engineer; cut slopes should be no steeper than as recommended by the geotechnical engineer. Fill slopes should be keyed if over five feet high. Appropriate drainage measures and setbacks shall be developed, and incorporated into the project improvement plans.
  - b. All slopes and disturbed surfaces resulting from grading operations shall be prepared and maintained to control erosion. This control shall consist of vegetative measures to provide temporary cover to help control erosion during construction and permanent cover to stabilize the site after construction has been completed. The faces of all fill slopes should be prepared by track rolling of the slope and effective planting. All cut and fill slopes should be stabilized as soon as possible with native vegetation cover, temporary vegetation, seeding, mulching or other approved landscaping practices in compliance with the requirements of the grading and landscaping plans. The protection of the slopes should be installed as soon as practicable, so that a sufficient growth will be established prior to inclement weather conditions. It is vital that no slope be left standing through a winter season without the erosion control measures

- having been provided.
- c. Surface drainage should be planned to prevent ponding and enable water to drain away from road cuts and fills, the edges of pavements, and retaining structures. Surface drainage should be designed to capture runoff and discharge to a suitable collection or discharge facility.
  - d. Permanent cut slopes into weathered rock should be made at an inclination of 1.5H to 1V. Cut slopes in the overlying soil mantle should be made no steeper than 2H to 1V unless otherwise proposed by the consulting engineer and approved by the grading inspector.
  - e. Wherever the grading operation obstructs or impairs the natural flow of runoff, appropriate measures shall be taken to control this flow. The measures may include construction of temporary sediment basins to retain sediment on the site, as well as construction of interceptor drainage ditches, subsurface drains and culverts. These drainage facilities shall discharge at a stable discharge area. A rip-rap energy dissipater shall be installed at the discharge point of all drainage outlets. (MM #6) (Planning and Building Inspection Department)
1. No land clearing or grading shall take place between October 15 and April 15 unless the following specific provisions are noted on the approved grading plans and implemented in the field:
    - a. No fill materials shall be placed, spread or rolled during unfavorable weather conditions.
    - b. Disturbed surfaces not involved in the immediate operations must be protected by mulching and/or other effective means of soil protection.
    - c. Runoff from the site shall be detained or filtered by berms, vegetated filter strips and/or catch basins to prevent the escape of sediment from the site. These drainage controls must be maintained by the owner and/or contractor as necessary to achieve their purpose throughout the construction of the project.
    - d. Erosion control measures shall be in place at the end of each day's work.
    - e. The Building Inspector shall stop operations during periods of inclement weather if he determines that erosion problems are not being controlled adequately. (MM # 7) (Planning and Building Inspection Department)
  2. The final drainage plans for the project shall include an internal drainage system adequate to carry stormwater runoff generated by the proposed road improvements (westside and entrance roads), and shall provide on-site mitigations to accommodate all stormwater runoff. The plans shall comply with the Monterey County Drainage Design Standards, shall take into account all applicable recommendations of the Erosion Control Plan and Preliminary Drainage Plan prepared by Whitson Engineers and dated January 16, 2002 and shall be approved by the Monterey County Water Resources Agency. (MM # 9) (Planning and Building Inspection Department)
  3. All new utilities and distribution lines shall be placed underground. (Planning and Building Inspection Department)
  4. Obtain an Encroachment Permit for any work required within the Public Right-of-Way. (Public Works Department)
  5. Submit a Construction Management Plan for approval by the Director of Public Works. The Plan shall contain a specific truck traffic schedule during the duration of the construction of the project. (Public Works)

**Prior to Final Building Inspection/Occupancy**

6. A Tree Replacement Program shall be developed and implemented following the specific recommendations of the Forest Management Plan prepared by Stephen R. Staub and dated November, 2001. Tree planting shall be concentrated either in near-road areas where trees are removed or very widely spaced in grassland areas to create oak savanna characteristics. (Planning and Building Inspection Department)

7. All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Prior to obtaining any building permits for lighting, the applicant shall submit a copy of an exterior lighting plan indicating the type and location of all light fixtures for review and approval by the Planning and Building Inspection Department. (Planning and Building Inspection Department)

### **On Going Conditions**

8. All newly constructed drainage facilities shall be inspected annually to assess drainage impacts and any required maintenance. (MM # 12) (Planning and Building Inspection Department; Water Resources Agency)
9. 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. (Planning and Building Inspection Department)

**PASSED AND ADOPTED** this 8th day of May, 2002 by the following vote:

AYES: Errea, Sanchez, Hawkins, Parsons, Brennan, Pitt-Derdivanis, Diehl, Hernandez, Classen, Wilmot  
 NOES: None  
 ABSENT: None

Original Signed By: \_\_\_\_\_

DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90<sup>th</sup> day following the date on which this decision becomes final.

### **NOTES**

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Marina.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within



this period.

Monterey County Planning & Building  
Inspection  
Program for Monitoring or Reporting\* on  
Conditions of Approval

Project Name: Twelfth Tee Investors, Inc.	
File No: <u>PLN020048</u>	APN(s): <u>185-051-001-</u> <u>185-051-002-000; 185-051-003-00</u> <u>185-051-004-000; 185-051-008-00</u>
Approval by: <u>Planning Commission</u> Date: <u>5/8/01</u>	

LEGEND

PBI Planning & Building Inspection	WRA Water Resources Agency	EH Environmental Health	AG Ag Commissioner
FPD Fire Protection District	PW Public Works	RA Redevelopment Agency	PKS Parks Department
CC County Counsel	MMR Mitigation Monitoring Reporting Team	CE Code Enforcement	Other State which agency

**\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.**

Mit. Mon. No.	Final Signoff Date	Mitigation Measures	Standard	Orig. Dept. or Agency	Schedule (Prior to/Continuous) (Report due?) Fill in timeframe ↓	Person/Agency responsible for Inspection/Monitoring/Review What is to be reviewed? Who is the preparer?
1		<p>A Slope Restoration and Erosion Control Plan shall be prepared by the consulting engineer to mitigate short-term impacts from construction of the project and the long-term impacts on the stability of all disturbed slopes. The plan shall be incorporated into the project plans and specifications. The plan shall contain the following:</p> <p>a) Appropriate erosion control measures to protect bare soil areas and slopes within the project site during</p>	Title 16 MCC	PBI	Prior to issuance of a grading permit	Grading Engineer and project planner/ Monterey County Planning and Building Inspection Department/ Plans to be prepared by consulting engineer

<b>Mit. Mon. No.</b>	<b>Final Signoff Date</b>	<b>Mitigation Measures</b>	<b>Standard</b>	<b>Orig. Dept. or Agency</b>	<b>Schedule (Prior to/Continuous) (Report due?) Fill in timeframe ↓</b>	<b>Person/Agency responsible for Inspection/Monitoring/Review What is to be reviewed? Who is the preparer?</b>
		<p>the duration of the project.</p> <p>b) A Revegetation and Landscaping Plan for the restoration of all bare road shoulders, reconfigured slopes along the road alignment and any other areas disturbed as a result of the construction of the project. The plan shall be prepared by a consulting biologist and shall contain a planting palette of appropriate native plants and grasses to be used, success criteria, and contingency planning if those criteria are not met. The plan shall also include a list of Best Management Practices for its monitoring and implementation and shall also include a monitoring schedule for a minimum period of three years. A plan review fee of \$ 84.00 shall be paid at the time of submittal. All revegetation/landscaping plant material shall be installed prior to issuance of a final grading permit.</p>				
2		A plan shall be developed by the consulting biologist in consultation with a licensed forester, identifying measures for the protection during construction of native trees and vegetation located in the vicinity of the road improvements. The protection measures shall include, to the extent feasible, placement of orange safety netting outside of the dripline of the	Title 21 MCC	PBI	Prior to commencement of grading	Project Planner/ Monterey County Planning and Building Inspection Department/ Plans to be prepared by consulting biologist and engineer

<b>Mit. Mon. No.</b>	<b>Final Signoff Date</b>	<b>Mitigation Measures</b>	<b>Standard</b>	<b>Orig. Dept. or Agency</b>	<b>Schedule (Prior to/Continuous) (Report due?) Fill in timeframe ↓</b>	<b>Person/Agency responsible for Inspection/Monitoring/Review What is to be reviewed? Who is the preparer?</b>
		trees, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or dripline of the retained trees and placement of exclusionary fencing off of herbaceous and shrubby vegetation at the dripline, hay bales, and protective wood barriers for trees. Additionally, the plan shall contain specific provisions, including minor realignment of the road, as appropriate, for the protection of the root systems of any protected tree or native vegetation species that may be affected by the construction of the road, and shall include a map identifying the location of all such trees. If road construction falls within the dripline of any protected trees, they should be identified in the plan and measures recommended by the biologist and forester to ensure the long-term health of the trees. If road construction identified in the plan results in the death or removal of any such trees, the applicant shall apply for the appropriate permits. No vehicle parking, storage of equipment, materials or debris or dumping of wastes shall be permitted within the fenced areas. Fencing shall remain in place during all stages of development of the project. The plan shall be approved by the Director of Planning and Building Inspection and the applicant shall submit evidence (photographs) of the				

<b>Mit. Mon. No.</b>	<b>Final Signoff Date</b>	<b>Mitigation Measures</b>	<b>Standard</b>	<b>Orig. Dept. or Agency</b>	<b>Schedule (Prior to/Continuous) (Report due?) Fill in timeframe ↓</b>	<b>Person/Agency responsible for Inspection/Monitoring/Review What is to be reviewed? Who is the preparer?</b>
		installation of the protective measures prior to commencement of the grading.				
3		Surveys for nesting raptors shall be performed by the consulting biologist prior to construction or removal of trees - before young have fledged- on any portion of the entire project that is scheduled for work between April 15 and August 1. A letter from the biologist verifying surveys shall be submitted to the Director of Planning and Building Inspection. If raptor nests are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each nest for the duration of the breeding season (until such time as the young are fully fledged) to prevent nest harassment and brood mortality. If trees known to support raptor nests cannot be avoided, removal of these trees may only occur during the non-breeding season.	Endangered Species Act	PBI	Prior to any work that may take place between April 15 and August 1.	Project Planner/ Monterey County Planning and Building Inspection Department/ Applicant must submit surveys prior to any work between April 15 and August 1 of any year during construction of project/ Planner needs to follow up construction dates and process to determine if surveys are needed
4		Surveys for special status bat species shall be performed by the consulting biologist -before young have fledged- in areas containing suitable habitat (i.e., oak trees, rock outcrops and/or man-made structures) that may be affected by construction of any portion of the project and that is scheduled for work between April 15 and August 1. A letter from the biologist verifying surveys shall be submitted to the Director of Planning and Building Inspection. If presence is confirmed, the	Endangered Species Act	PBI	Prior to any work that may take place between April 15 and August 1.	Project Planner/ Monterey County Planning and Building Inspection Department/Applicant must submit surveys prior to any work between April 15 and August 1 of any year during construction of project/ Planner needs to follow up construction dates and process to determine if surveys are needed

<b>Mit. Mon. No.</b>	<b>Final Signoff Date</b>	<b>Mitigation Measures</b>	<b>Standard</b>	<b>Orig. Dept. or Agency</b>	<b>Schedule (Prior to/Continuous) (Report due?) Fill in timeframe ↓</b>	<b>Person/Agency responsible for Inspection/Monitoring/Review What is to be reviewed? Who is the preparer?</b>
		applicant shall develop an alternative habitat plan that provides comparable spatial and thermal characteristics to habitat impacted or lost. The plan shall contain a monitoring schedule to assure its viability. The plan shall be prepared by a qualified biologist and shall be approved by the Director of Planning and Building Inspection prior to disturbance of any habit				
5		Provide evidence from a qualified wetlands consultant that the project meets the requirements of Section 404 of the Clean Water Act subject to determination of the Army Corp of Engineers. Impacts from any portion of the proposed project on jurisdictional wetlands shall be mitigated subject to the applicable requirements of Section 404 of the Clean Water Act. If required by Section 404, wetland mitigation plan shall be developed that identifies substituting wetland areas or restored wetlands at appropriate ratios within the Ranch boundaries. The plan shall include specific monitoring schedules to assure viability of the newly created wetlands. The plan shall be approved by the Director of Planning and Building Inspection and any other necessary State or federal agencies prior to disturbance of any existing wetland areas. Any substituting or restored wetland areas shall be placed in permanent Scenic and Conservation Easements. A non-reporting Nation-wide Permit shall be	Section 404 of the Clean Water Act	PBI	Prior to issuance of a final grading permit	Project Planner/ Monterey County Planning and Building Inspection Department/ Planner must review information and assure compliance with Clean Water Act

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		obtained prior to any work within jurisdictional wetlands as defined under Section 404 of the Clean Water Act. If the proposed impacts are covered and mitigated within an existing non-reporting Nation-wide Permit, the applicant shall provide evidence that the work is covered under the permit.				
6		<p>A Grading Permit shall be required for the project pursuant to Chapter 16.08 of the Monterey County Code. All grading and earthwork should be done in conformance with the recommendations of Geologic and Geotechnical Feasibility Investigation prepared for the first phase of the project and the required update for the second phase. Specifically, the grading plans shall contain provisions for implementation of the following measures:</p> <p>a. The geotechnical engineer shall be present on the site to make field observations and conduct testing to determine the adequacy of fill materials and assess the compliance of earthwork with recommended specifications. Fill slopes should be constructed with engineered fill; no fill slopes steeper than 2:1 (horizontal/vertical) should be constructed, unless otherwise approved by the geotechnical engineer; cut slopes should be no steeper than as recommended by the geotechnical engineer. Fill slopes should be keyed if over five feet high. Appropriate drainage measures and setbacks shall be developed, and incorporated into the project improvement plans.</p> <p>b. All slopes and</p>	Title 16, MCC	PBI	Prior to issuance of grading permit	Grading Engineer / Monterey County Planning and Building Inspection Department/ Plans to be prepared by consulting engineer

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		<p>disturbed surfaces resulting from grading operations shall be prepared and maintained to control erosion. This control shall consist of vegetative measures to provide temporary cover to help control erosion during construction and permanent cover to stabilize the site after construction has been completed. The faces of all fill slopes should be prepared by track rolling of the slope and effective planting. All cut and fill slopes should be stabilized as soon as possible with native vegetation cover, temporary vegetation, seeding, mulching or other approved landscaping practices in compliance with the requirements of the grading and landscaping plans. The protection of the slopes should be installed as soon as practicable, so that a sufficient growth will be established prior to inclement weather conditions. It is vital that no slope be left standing through a winter season without the erosion control measures having been provided.</p> <p>c. Surface drainage should be planned to prevent ponding and enable water to drain away from road cuts and fills, the edges of pavements, and retaining structures. Surface drainage should be designed to capture runoff and discharge to a suitable collection or discharge facility.</p> <p>d. Permanent cut slopes into weathered rock should be made at an inclination of 1.5H to 1V. Cut slopes in the overlying soil mantle should be made no steeper than 2H to 1V and permanent fill slopes should be no steeper than 2H to 1V unless</p>				



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		<p>otherwise proposed by the consulting engineer and approved by the grading inspector.</p> <p>e. Wherever the grading operation obstructs or impairs the natural flow of runoff, appropriate measures shall be taken to control this flow. The measures may include construction of temporary sediment basins to retain sediment on the site, as well as construction of interceptor drainage ditches, subsurface drains and culverts. These drainage facilities shall discharge at a stable discharge area. A rip-rap energy dissipater shall be installed at the discharge point of all drainage outlets.</p>				
7		<p>No land clearing or grading shall take place between October 15 and April 15 unless the following specific provisions are noted in the approved grading plans and implemented in the field:</p> <p>a. No fill materials shall be placed, spread or rolled during unfavorable weather conditions.</p> <p>b. Disturbed surfaces not involved in the immediate operations must be protected by mulching and/or other effective means of soil protection.</p> <p>c. Runoff from the site shall be detained or filtered by berms, vegetated filter strips and/or catch basins to prevent the escape of sediment from the site. These drainage controls must be maintained by the owner and/or contractor as necessary to achieve their purpose throughout the construction of the project.</p>	Title 16, MCC	PBI	During grading	Grading Engineer / Monterey County Planning and Building Inspection Department/ Plans to be prepared by consulting engineer/Grading engineer shall approve any work within these dates

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		<p>d. Erosion control measures shall be in place at the end of each day's work.</p> <p>e. The Building Inspector shall stop operations during periods of inclement weather if he determines that erosion problems are not being controlled adequately.</p>				
8		The applicant shall prepare and implement final drainage plans for the project. The plans shall include an internal drainage system adequate to carry stormwater runoff generated by the proposed road improvements (westside and entrance roads), and shall provide on-site mitigations to accommodate all stormwater runoff. The plans shall comply with the Monterey County Drainage Design Standards, shall take into account all applicable recommendations of the Erosion Control Plan and Preliminary Drainage Plan prepared by Whitson Engineers and dated January 16, 2002 and shall be approved by the Monterey County Water Resources Agency.	Drainage Design Standards and Title 16, MCC	PBI/WRA/PW	Prior to issuance of grading permit	Staff/Water Resources Agency/ Consultant engineer to provide calculations/ Staff must review in conjunction with overall grading permit
9		All newly constructed drainage facilities shall be inspected annually to assess drainage impacts and any required maintenance.	<b>(add standard)</b>	PBI/WRA	Annually for three years	Staff/Water Resources Agency/ Consultant engineer to provide annual report/ Staff must review and recommend additional maintenance if necessary