

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

Project Name: Union Asphalt

File No: PLN000349 APN: 424-101-012-15, 017 and 018

Approval by: Planning Commission Date: June 12, 2002

LEGEND

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

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

<i>Mit. Mon. No.</i>	<i>Final Signoff Date</i>	<i>Conditions of Approval: Mitigation Measures</i>	<i>Orig. Dept. or Agency</i>	<i>Schedule</i>	<i>Person/Agency responsible for Inspection/Monitoring/Review</i>
1		The operator shall be responsible for implementing a worker training program in order to provide onsite personnel with the necessary knowledge to identify the San Joaquin kit fox and their potential dens and how to avoid impacts that could be interpreted as a take under the Endangered Species Act. This training shall also include identification of the western burrowing owl and their potential nesting sites. All personnel shall receive this training prior to working onsite and thereafter on an annual basis. A copy of this Initial Study / Mitigated Negative Declaration shall be included in the training materials.	PBI	Prior to Commencement of Mining / Continuous Evidence of compliance shall be submitted to PBI on an annual basis, prior to annual inspection.	PBI
2		Mining shall not be performed after dark. Evening activities shall be limited to aggregate processing within the established processing area and vehicles shall be limited to the mine access road paralleling the railroad tracks.	PBI	Continuous Operator shall notify PBI prior to commencing operations outside the hours of 7:00 AM-9:00 PM	PBI
3		To avoid attracting kit fox or other predators to the site, all trash containing food shall be secured in tightly closed trash containers and regularly removed.	PBI	Continuous	Operator will be responsible for daily monitoring. PBI will monitor during annual inspection

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4		Any pipe of diameter between 4 and 36 inches shall be stored with ends securely covered while on the site. Any trench or vertical walled pit more than three feet deep not backfilled the day it is dug will have one or more escape ramps dug in the side.	PBI	Continuous Operator shall include in worker training program	Operator will be responsible for daily monitoring. PBI will monitor during annual inspection
5		The operator shall retain a qualified biologist to conduct San Joaquin kit fox and western burrowing owl surveys. Surveys shall take place no more than 30 days prior to the initiation of mining activities in undisturbed areas that have not been surveyed within the previous 12 months. All burrows within the planned excavation area, of diameter and depth capable of providing escape cover for these species shall be monitored as necessary to confirm that they are not present. The surveyed area will be clearly marked and mining equipment shall not be operated outside of the marked area.	PBI	Prior to Mining/ Continuous Survey results shall be submitted to PBI prior to annual inspection	Consultant shall conduct surveys, staking of surveyed areas and submit survey results to PBI. Operator shall maintain staking. PBI will monitor during annual inspection
6		If the San Joaquin kit fox is discovered onsite, all work shall be suspended and the operator shall enter into consultation with USFWS, CDFG and PBI. Further work shall not be undertaken until all requirements of the California Endangered Species Act and the Federal Endangered Species Act are met.	PBI	Continuous	Operator will be responsible for daily monitoring. USFWS, CDFG and PBI
7		If western burrowing owls are discovered onsite, all work within 300 ft. of the nest shall be immediately halted and a qualified biologist shall determine the potential for negative impacts. If it is determined that the operation could negatively impact the western burrowing owl, they may be passively relocated by a qualified biologist, subject to the requirements of the CDF&G.	PBI	Continuous	Operator will be responsible for daily monitoring. Operator-hired consultant shall evaluate potential impacts and shall initiate consultation with CDFG and PBI. CDFG and PBI will monitor as needed.
8		The operator shall, whenever feasible, avoid impacting wetlands and natural drainages. If impacts are unavoidable, the operator shall replace disturbed wetlands on a 1.5 to 1 basis. The compensatory wetlands shall be constructed as soon as possible, but no later than 90 days after the disturbance occurs unless a qualified biologist determines that this will not be feasible and proposes an acceptable alternative.	PBI	Continuous Operator will submit to PBI, prior to annual inspections, a report that details land disturbance and reclamation activities (see MM # 12).	PBI will monitor during annual inspection

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9		Prior to disturbing any wetlands, the operator shall retain a qualified biologist, who shall perform appropriate surveys to determine if any special status species are present. The results of these surveys along with all required permits from other agencies, including but not limited to the ACOE, CDF&G and USFWS shall be submitted to the Director of the Monterey County Planning and Building Inspection Department. No wetlands shall be disturbed until authorized by the Planning Director	PBI	Continuous / Prior to Excavating or Filling Wetlands	Operator-hired biologist will perform surveys and submit findings and copies of any required permits to PBI (see MM # 12). PBI will monitor during annual inspection.
10		Compensatory wetlands shall be located onsite and be similar in scope and complexity to the original wetlands. The design and construction of these wetlands shall be performed under the supervision of a qualified biologist. Compensatory wetlands shall be monitored by a qualified biologist for a period of 5 years or until said biologist determines that reclamation has been successful. The operator shall be responsible for all restoration and monitoring costs.	PBI	Continuous	Operator-hired consultant will monitor and submit findings annually to PBI (see MM # 12). PBI will monitor during annual inspection.
11		Previous surveys have not found evidence of vernal pool fairy shrimp on the site. The operator shall maintain a 100 f. buffer between the vernal pool located in Phase III of the mining plan and shall not excavate, fill or otherwise disturb the vernal pool, until documentation has been submitted to the Director of the Planning and Building Inspection Department showing that the operator has met all requirements of the U. S. Fish and Wildlife Service and the California Department of Fish and Game. .	PBI	Continuous / Prior to excavation of vernal pool	PBI will monitor during annual inspection and look at annual report on land disturbance. Operator-hired consultant shall monitor and submit findings to PBI (see MM # 12). PBI will monitor during annual inspection.
12		The operator shall submit an annual report to the Monterey County Planning and Building Inspection Department. This report shall include the following: a) Current Biological Survey Reports b) Copies of any new or updated permits granted by other agencies c) A summary of mining and reclamation activities, occurring during the previous 12 months. This shall include: identification of disturbed and reclaimed acreage; revegetation and wetlands monitoring results. Reclamation success shall be measured against the standards contained in the approved mining and reclamation plan and amendments	PBI	Continuous / Annual	PBI

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13		Mining operations shall not be conducted outside of the hours of 7:00 AM to 9:00 PM, unless the operator demonstrates that nearby residents will not be significantly impacted by evening operations. Non-mining work in the stockpile area, but not including operation of screening equipment or operations of similar noise intensity, may be conducted as early as 6 A.M. Prior to commencing evening operations, the operator shall retain a qualified consultant to assess potential noise impacts associated with this action. The consultant shall provide the Director of the Monterey County Planning and Building Inspection Department with substantial evidence, based on accepted modeling methodologies and actual noise measurements, that the proposed evening operations will not generate noise levels that exceed County noise standards, as contained in the General Plan, or cause a substantial increase in ambient noise levels that could adversely impact nearby residents. No exterior lighting shall be allowed without prior approval by the Director of Planning and Building Inspection. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Evening operations shall be subject to approval by the Director.	PBI	Prior to Commencement of Night Operations / Continuous Consultant shall provide PBI with required information prior to night time operations. The Consultant shall also record noise levels at nearby sensitive receptors during nighttime operations. This data shall be provided to PBI within 30 days of collection.	Operator-hired consultant shall monitor noise levels and submit findings to PBI.
14		The operator shall be responsible for pavement overlay improvements in accordance with the recommendations outlined in the May 11, 2001, Traffic Analysis Report prepared by Higgins Associates and the August 16, 2001, Pavement Evaluation Study prepared by Kleinfelder, Inc. The level of improvements shall be proportionate to the project's impacts and shall use traffic index values approved by the Director of the Monterey County Public Works Department. The operator shall enter into a road maintenance agreement with the Public Works Department, prior to hauling aggregates offsite.	PW	Prior to Hauling Aggregates Offsite / Continuous	PW
15		Prior to hauling aggregates offsite, the operator shall widen the pavement return radii at the Bradley Road intersection with Hare Canyon Road in order to accommodate quarry truck turning movements.	PW	Prior to Hauling Aggregates Offsite	PW
16		Prior to hauling aggregates offsite, the operator shall widen the project driveway at Hare Canyon Road in order to accommodate simultaneous ingress and egress by quarry trucks.	PW	Prior to Hauling Aggregates Offsite	PW

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17		<p>The operator shall submit an annual report to the Monterey County Planning and Building Inspection Department. This report shall include the following:</p> <p>Tonnage of aggregate shipped offsite</p> <p>Identification of maintenance and improvements performed and planned on Bradley Road and any other impacted road segments.</p>	PBI	Annual	PBI and PW