

**Monterey County Planning & Building Inspection
Condition Compliance & Mitigation Monitoring and/or
Reporting Plan**

Project Name: *Laube and Engle*

File No: PLN010105

APNs: 243-251-012-000
243-251-013-000

Approval by: Planning Commission **Date:** October 29, 2003

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

<i>Condition and Condition #; or Mitigation Measure Number; Category, Text, Impact Addressed, and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed or documented, including performance measures, if applicable.</i>	<i>Responsible Party for Monitoring</i>	<i>Monitoring Schedule (Timing)</i>	<i>Verification of Completed or Ongoing Mitigation or of Non- Compliance</i>	<i>Action to Achieve Compliance</i>
Mitigation Measure 1: No exterior lighting shall be allowed as seen from Highway One. No flood lights or any sort of exterior lights shall be placed at the northern, western, and southern elevations of the building. No lights shall shine on the water, surrounding habitat, or other public viewing areas. The applicant shall submit 3 copies of a lighting plan which shall indicate the location, type, and wattage of all light fixtures to be assured that lighting will not create a glare that can be seen from Highway One.	The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection.	P&BI	Prior to issuance of building permits		

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Mitigation Measure 2: The present owners shall convey to the County a Scenic and Conservation Easement over the parcel created by combining two parcels, Assessor Parcel Numbers 243-251-012-000 and 243-251-013-000, exclusive of building envelope. The Scenic and Conservation Easement shall specify those portions of the property where sensitive habitats exist and are not to be materially altered except for the removal of invasive, exotic plant species. Although included in the Scenic and Conservation Easement, archaeological sites are not to be identified in said easement though included in the area not to be materially altered. The easement boundary shall be adjusted to include as much of the archaeological site as possible, and to exclude the proposed driveway. The shall include provisions to prevent disturbance of native plants and wildlife; to exclude damage by livestock; to provide for maintenance needs; and to specify conditions under which non-native plant species may be controlled, public access allowed, unsafe activity prevented, and entry for archaeological and other scientific research purposed secured).	A Scenic and Conservation Easement shall be submitted to and approved by Director of Planning and Building Inspection.	P&BI	Prior to issuance of building permits		

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Mitigation Measure 3: In order to mitigate potential adverse impacts to sensitive plants and habitats by the proposed project, the applicant shall contract the services of a qualified biologist to fully implement the <u>Biological Report/Revegetation Plan</u> prepared by Jeff Norman, November 30, 1999, with an updated survey dated December 15, 2001. Said contract shall specify the implementation methods, performance criteria, monitoring and reporting as described in the <u>Biological Report/Revegetation Plan</u> . The contract shall require the biologist to consult regularly with the contracted geotechnical engineer, archaeologist and contractor to coordinate individual actions so that no conflicts arise to reduce the mitigation value of consultant measures related to each other.	The applicant shall submit to the Director of Planning & Building Inspection for approval, a copy of the contract to implement the <u>Biological Report/Revegetation Plan</u> .	Applicant	Prior to issuance of grading or building permits		
	The biologist shall submit a letter to the Director of Planning & Building Inspection verifying the implementation of the mitigation measures and the success of said measures toward protection of the biological resources on site, or modifications required to meet the intent of the mitigation measures. If problems arise (e.g. buckwheat death, weed encroachment, etc.) the biologist shall notify the property owners and inform them of what is required to fulfill the terms of the mitigations required to fulfill the intent of the biological report.	Applicant	Ongoing--4 month intervals for 3 years commencing with construction.		

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Mitigation Measure 4: (Monitoring actions for protection of the Southern Sea Otter and Black Swift and the invertebrates they feed upon within the subtidal habitat.) No construction debris shall be allowed to enter the marine habitat, and no erosion shall be allowed to occur as a consequence of the proposed project. The currently eroded area northwest of the building envelope, identified by the consulting biologist, shall be stabilized, the method to be determined by a certified geotechnical engineer and approved by the Director of Planning & Building Inspection. An erosion control plan shall be submitted, reviewed by a certified biologist together with the engineer and contractor, to assure that no debris enter the marine habitat. Any landscaping occurring at this eroded area shall include adequate erosion-control measures and selection of non-invasive plant species.	The applicant shall submit a work schedule verifying that excavation, blasting, and operation of heavy equipment associated with this project occur <i>only between the months of April and November</i> (inclusive) to avoid disturbance of sea otter pupping activity. The applicant shall verify start and stop dates or activity by use between April and November.	Applicant	Prior to the issuance of grading and building permits		
	A qualified biologist shall provide a letter to the Director of Planning & Building Inspection that the plan to stabilize the slopes, especially at the currently eroded area northwest of the building envelope, is adequate, is being implemented, and is adequately preventing construction debris and erosion material from entering the subtidal and intertidal marine habitats on the site. This will require the biologist to collaborate with the engineer and contractor to design and perform the work.	Applicant	Prior to the issuance of grading and building permits, during construction, and ongoing in 4 month intervals for 3 years		

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Mitigation Measure 5: (Monitoring actions for general protection of the native plant community: the Coastal Bluff Scrub and Northern Coastal Scrub) The applicant shall submit for the Director of Planning and Building Inspection's review and approval a detailed grading, landscaping and re-vegetation plan. At minimum, the plan shall specify procedures for erosion control and re-establishment of native plant cover; and proposed landscaping species. Any landscaping plans and irrigation within the building envelope shall be evaluated in terms of erosion control measures and compatibility with the native plant community in the area—the Coastal Bluff Scrub and Northern Coastal Scrub. No interference with public views through the planting of trees shall be allowed.	The qualified biologist retained for implementation of the <u>Biological Report/Revegetation Plan</u> shall submit a letter verifying that he or she has reviewed grading, landscaping and re-vegetation plans prior to submittal to the Director of Planning & Building Inspection Department. The letter shall include a report as to the progress in removing the invasive Hottentot Fig or ice-plant (<i>Carpobrotus edulis</i>) and any manifestation of Cape Ivy (<i>Delairea odorata</i>) from the site.	Applicant	Three weeks prior to the issuance of a final building permit		
	A qualified biologist shall include in his or her quarterly report referred to in the Mitigation Action above, the general condition of the native plant community, the success in removing the invasive plant, and any additional measures required to remove invasive plants.	Applicant	Ongoing—4 month intervals for 3 years		

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Mitigation Measure 6: In order to assure that grading activities do not impact cultural or archaeological resources, the applicant shall contract with a Registered Professional Archaeologist to monitor all earth disturbance work within 10 meters (3 feet) adjacent to identified cultural and/or archaeological resources on the project site. The contract shall specify implementation of the <u>Archaeologist Reconnaissance of Donald Sorensen Property, Big Sur</u> prepared by Archaeological Resource Service, February 8, 1977. In addition, the contract will require the contracted archaeologist to be involved in regular consultation with the contracted geotechnical engineer, biologist and contractor during construction to assure protection of biological and archaeological resources at the site.	The applicant shall submit a contract with a Registered Professional Archaeologist to the Director of Planning & Building Inspection for approval. The contract shall contain professionally acceptable archaeological standards for approval as provided in <u>Archaeological Reconnaissance of Donald Sorensen property</u> [now under ownership of Sheldon Laube & Dr. Nancy Engle], Archaeological Resource Service, February 8, 1977.	Applicant	Prior to issuance of grading and building permits		
	An archaeologist and the contractor shall monitor locations where construction is to occur near identified potential cultural resources on site. Where any sub-surface features such as ovens (piles of fire-fractured stones), shell lenses or human interments are encountered during grading operation, all work shall stop within 10 meters (30 feet) of the find to allow for inspection by the archaeologist. At the time of such a find, the archaeologist accompanied by an Indian observer and a representative of the Coastal Commission shall have visited the site and implemented appropriate mitigation measures.	Applicant	During construction		

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<p>Mitigation Measure 7: In order to assure that excavation, grading and construction activities are consistent with the <u>Geotechnical Report</u> prepared by Vicki C. Odello, the applicant shall contract the services of a qualified geotechnical engineer to fully implement the <u>Geotechnical Report</u> prepared by Vicki C. Odello, C.E., November 21, 1999. In addition to implementation of geotechnical construction specifications described in said <u>Geotechnical Report</u>, the contract will include regular consultation with the consulting biologist, archaeologist and contractor during construction to assure protection of biological and archaeological resources at the site.</p>	<p>The applicant shall submit to the Director of Planning & Building Inspection for approval, a copy of the contract with a qualified geotechnical engineer to implement the requirements of the <u>Geotechnical Report</u> prepared for the proposed project by Vicki C. Odello, C.E., November 21, 1999. In addition, the contract shall detail regular consultations during construction with said geotechnical engineer and the contracted biologist, archaeologist and contractor for the project—with at least one on-site consultation—to coordinate mitigation measures that provide adequate protection of biological and archaeological resources for the short-term construction period as well as for implementing long-term measures to protect said resources. The Director of Planning & Building Inspection or his designee shall approve of the contract in consultation together with the geotechnical engineer, contractor, biologist and archaeologist.</p>	Applicant	Prior to issuance of grading or building permits		
	<p>The applicant shall submit evidence that the storm-water drainage plan and erosion control measures designed by the contracted geotechnical engineer have met the approval of the contracted biologist and archaeologist to assure protection of biological and archaeological resources on site. Erosion resistant vegetation placed on fill slopes shall meet the approval of the contracted biologist for the project. Drainage improvements, including the intercepted surface runoff and subsurface seepage from slopes above the proposed residence, shall be constructed so as not to allow storm water run-off and erosion to adversely impact biological habitats, and especially the subtidal and inter-tidal marine habitat below the construction site.</p>	Applicant	Upon issuance of grading permit		

Mitigation Measure 7 <i>continued</i>	The applicant shall provide evidence that any revised or additional construction specifications (“change orders”) that are required due to unusual or unforeseen soil conditions shall have met the approval of the biologist and archaeologist to be assured that structural remedies do not impact adjacent biological and archaeological resources. The applicant shall provide plans, and if appropriate, photographs to the project planner showing the location and nature of the requested revisions along with the signed approval of the biologist and/or archaeologist.	Applicant	Upon issuance of the grading permit		
	The geotechnical engineer and contractor shall submit a letter, and if appropriate, photographs, to the project planner describing appropriate special precautions that are in place to prevent construction debris from entering the subtidal and intertidal marine habitat consistent with the geotechnical report and in consultation with the biological consultant.	Applicant	During the construction period		