MONTEREY COUNTY PLANNING COMMISSION

Meeting: July 9, 2008 **Time:** 9:00AM	**Agenda Item No.:** 3
Project Description: Combined Development Permit consisting of: (1) a Use Permit for development on slopes in excess of 30% to allow the demolition of an existing drainage facility, the construction of a replacement drainage facility required to mitigate stormwater runoff within subwatershed no. 7 as defined in the Canyon Del Rey Watershed Master Drainage Plan, and grading (approx. 7,200 cu. yds. cut/ 7,200 cu. yds. fill); and (2) an Administrative Permit to allow development within a Site Plan Review district or "S" zoning district.	
Project Location: 24700 Bit Road, Monterey	**APN:** 416-193-013-000
Planning File Number: PLN060378	**Name:** Douglas & Lu Ann Meador TRS, Property Owner
Plan Area: Greater Monterey Peninsula Area Plan	**Flagged and staked:** No
Zoning Designation: RDR/B-6-D-S [Rural Density Residential with Building Site, Design Control, and Site Plan Review Overlays]	
CEQA Action: Categorically Exempt per Section 15302	
Department: RMA - Planning Department	

RECOMMENDATION:
Staff recommends that the Planning Commission approve Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to recommended conditions of approval (**Exhibit D**).

PROJECT OVERVIEW:
The Doug and Lu Ann Meador ("Applicants") project application requests site improvements proposed within an existing drainage easement to allow for the construction of a new drainage facility. The existing stormwater detention/retention pond is inadequate and failing. The proposed facility been designed to exceed the County stormwater detention standards for new development although it consumes less space than the existing facility. These improvements consist of the demolition of the existing drainage facility and grading of approximately 7,200 cubic yards of cut and 7,200 cubic yards fill. These grading activities include earth movement on small portions of slopes exceeding 30%, which requires review and approval by the Planning Commission pursuant to Monterey County Code. These improvements are the second part of a two-part project. Part one was the approval of an amendment to the subdivision's final map to accommodate the proposed drainage facility and part two is to obtain approval to allow earth movement on-site. Substantial evidence supports the conclusion that project related impacts will result in less than significant or no impact on environmental resources. No unusual circumstances, unresolved issues, or adverse environmental impacts were identified during project review. The project, as described and conditioned, is consistent will all applicable County of Monterey policies and regulations. Please see **Exhibit B** for a detailed discussion.

OTHER AGENCY INVOLVEMENT:

- ✓ Salinas Rural Fire Protection District
- ✓ Public Works Department
- ✓ Water Resources Agency
- ✓ Environmental Health Division

The above checked agencies and departments have reviewed this project. Conditions recommended by Planning, Public Works Department, and Water Resources Agency have been incorporated into the Condition Compliance and Mitigation Monitoring Reporting Plan (**Exhibit D**).

LUAC RECOMMENDATION:
The project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) on August 16, 2006. The LUAC recommended approved the project with a 3-0 vote with one member absent. The minutes are attached as **Exhibit G.**

Note: The decision on this project is appealable to the Board of Supervisors.

Elisa Manuguerra

Elisa Manuguerra, Associate Planner
(831) 755-5179, manuguerrae@co.monterey.ca.us
June 19, 2008

cc: Front Counter Copy; Planning Commission Members; Public Works; Water Resources Agency; Environmental Health; Parks Department; Salinas Rural Fire Protection District; Laura Lawrence, Planning Manager; Doug and Lu Ann Meador, Applicant/Owner; John Bridges, Fenton & Keller, Attorney Agent; Greater Monterey Peninsula LUAC members (5); Project File PLN060378.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Overview
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval
	Exhibit E	Vicinity Map
	Exhibit F	Project Plan
	Exhibit G	LUAC Minutes
	Exhibit H	Mesa Hills West Final Map, recorded at Volume 17, Page 12 of Parcel Maps
	Exhibit I	Mesa Hills West Tentative Map, Resolution No. 82-66
	Exhibit J	John Bolten Minor Subdivision, Resolution No. MS 84-40
	Exhibit K	John Bolten Minor Subdivision Amendment, Resolution No. MS 88-90
	Exhibit L	John Bridges letter dated August 9, 2005
	Exhibit M	Curtis Weeks letter dated August 29, 2005
	Exhibit N-1	Drainage Report prepared by WWD Corporation for Meador Property, Assessor's Parcel Number 416-193-013-000 (LIB070165)
	Exhibit N-2	Drainage Report prepared by WWD Corporation for Meador Property, Assessor's Parcel Number 416-193-013-000 (LIB080281)
	Exhibit O	Boots Road Maintenance Association letter dated April 3, 2007

This report was reviewed by Laura Lawrence, Planning Services Manager

EXHIBIT A

Project Information for PLN060378

Project Title: MEADOR J DOUGLAS & LU ANN TRS

Location:	24700 BIT RD MONTEREY	**Primary APN:**	416-193-013-000
Applicable Plan:	Greater Monterey Peninsula Area Plan	**Coastal Zone:**	No
Permit Type:	Combined Development Permit	**Zoning:**	RDR/B-6-D-S
Environmental Status:	MND	**Plan Designation:**	RDR 5 AC+/UN
Advisory Committee:	N/A	**Final Action Deadline (884):**	9/8/2008

Project Site Data:

Lot Size:	40 AC	**Coverage Allowed:**	25%
		Coverage Proposed:	0 SF
Existing Structures (sf):	0 SF	**Height Allowed:**	30 FT
Proposed Structures (sf):	N/A	**Height Proposed:**	0 FT
Total Sq. Ft.:	N/A	**FAR Allowed:**	N/A
		FAR Proposed:	N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat:	No	**Erosion Hazard Zone:**	V
Biological Report #:	N/A	**Soils Report #:**	N/A
Forest Management Rpt. #:	N/A		
Archaeological Sensitivity Zone:	MODERATE	**Geologic Hazard Zone:**	VI
Archaeological Report #:	N/A	**Geologic Report #:**	N/A
Fire Hazard Zone:	HIGH	**Traffic Report #:**	N/A

Other Information:

Water Source:	N/A	**Sewage Disposal (method):**	N/A
Water Dist/Co:	N/A	**Sewer District Name:**	N/A
Fire District:	SALINAS RURAL	**Grading (cubic yds.):**	14,400.0
Tree Removal:	N/A		

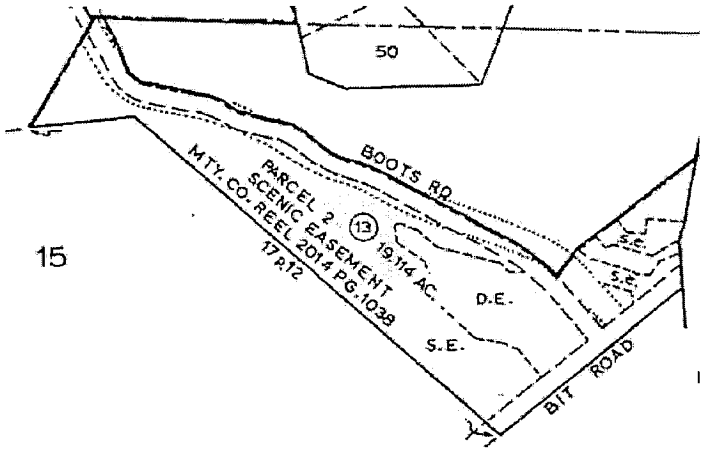
Date Printed: 06/19/2008

EXHIBIT B
PROJECT OVERVIEW

Project Description

The subject property consists of scenic easement, drainage easement, and a small portion available for residential development. The property owners request to improve the existing drainage facility located on the property within the drainage easement. Improvements to the dam are necessary to comply with Water Resources Agency requests for improvements to the flow and capacity capabilities of the failing dam in its present condition. In order to make these improvements, entitlements must be secured for (1) an amendment to the subdivision's parcel map to allow the adjustment of existing drainage easement boundary (PLN070643) and (2) the physical site improvements for grading (PLN060378).

Figure 1. Assessor's Parcel Number 416-193-013-000



On June 12, 2008, the Minor Subdivision Committed approved Planning File No. PLN070643, an Amendment to the Mesa Hills West Final Map recorded at Volume 17, Page 12 of Parcel Maps (Resolution No. MS 84-40) to include the abandonment of an existing 145,600 square foot drainage easement boundary and the dedication of a 25,000 square foot drainage easement boundary. It is necessary to amend the Mesa Hills West Final Map, attached as **Exhibit H,** because small portions of the proposed drainage improvements would occur outside the existing drainage easement boundary.

The subject development application, the second phase of this project, requests a Combined Development Permit to allow the demolition of an existing drainage facility, the construction of a replacement drainage facility and grading (approx. 7,200 cu. yds. cut/ 7,200 cu. yds. fill). In order to complete these improvements, the applicants must secure a Use Permit for development on slopes in excess of 30% for the demolition and construction of the drainage facility and an Administrative Permit to allow development within a Site Plan Review district or "S" zoning district. The Applicants are proposing to replacement the existing pond designed to limit the 100-year post-development runoff rate to the 2-year pre-development rate. The pond is designed with 9,163 cubic feet of silt storage capacity and 41,852 cubic feet of stormwater storage capacity. The design criterion exceeds the County stormwater detention standards for new development.

Setting

The property is zoned Rural Density Residential with Building Site, Design Control, and Site Plan Review zoning district overlays (RDR/B-6-D-S) and is located southwesterly of the intersection of Highway 68 and Boots Road, approximately 10 miles outside the Monterey City

limits. The 40-acre subdivision area is surrounded by low-density residential uses. The parcel is dominated by dense stands of mature mixed-oak woodland and constrained by steep slopes at the northern portion. The drainage easement area, located near the intersection of Highway 68 and Bit Road, has been cleared overtime; it is not heavily vegetated. See Figures 2 and 3 below.

Figure 2. Subject Parcel

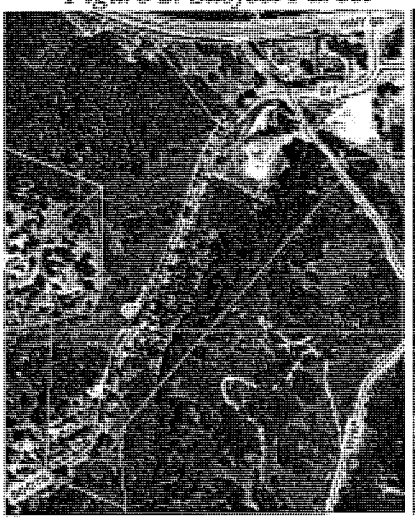
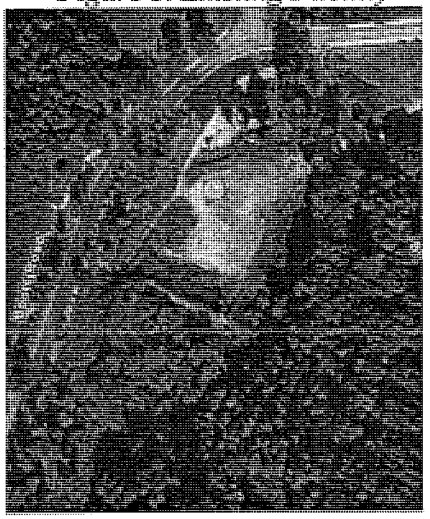


Figure 3. Existing Facility



Project Background

The parcel was created by the Mesa Hills West Subdivision in 1982. The tentative map and resolution of the subdivision are attached as **Exhibits H & I**. The Final EIR prepared for the Mesa Hills West Subdivision indicates that the subject parcel and respective drainage infrastructure were designed to accommodate Sub-watershed No. 7 of the Canyon del Rey Watershed. The Sub watershed No. 7 has a tributary drainage of 196 acres that includes Lots 31-33, 36-47, and portions of Lots 1, 26, 27, 28, 29, 30, 34, and 35 of the Mesa West Subdivision. The subject 40-acre property was a remainder parcel of the Mesa West Subdivision, which contained a drainage facility as prescribed by the project's EIR, specifically as Mitigation Measure No. 9, which required on-site drainage for the Mesa West Subdivision area to be directed to three retention/siltation basins. The drainage facility on the subject parcel is one of these three retention/siltation basins. The drainage easement in its present configuration was recorded on the property as a result of Minor Subdivision Resolution No. 88-90 (John Bolten Minor Subdivision).

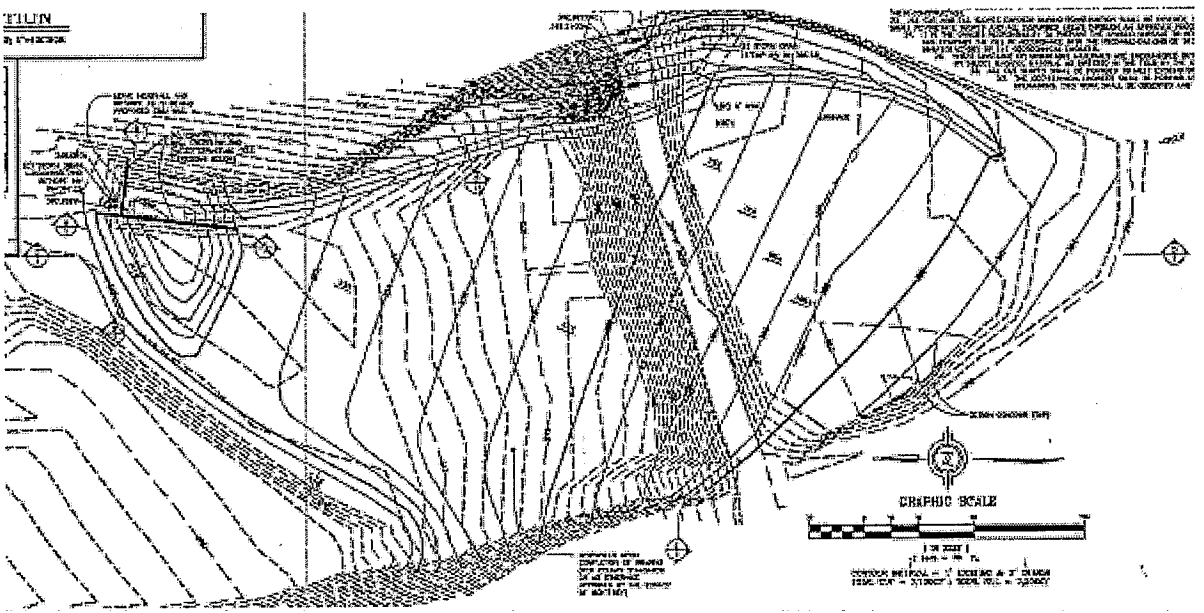
In 1986, the John Bolten Minor Subdivision and the adoption of Minor Subdivision Resolution No. 84-40, attached as **Exhibit J**, further subdivided the subject 40-acre parcel. This subdivision resulted in the creation of Parcel A, a 20.886-acre parcel, and Parcel B, a 19.114-acre parcel. Parcel A, consists of a 19.84 acres in scenic easement and 1.046 acres available for residential development. Parcel B consists of 10.655 acres in scenic easement, the road alignment for Boots Road, and the subject drainage easement. It is important to note that Conditions 10 and 11 of Subdivision Resolution No 88-90 specifically address concerns regarding the dam. Condition No. 10 requires that "a study be done by a Registered Civil Engineer to determine the adequacy and condition of the dam and the adequacy of the pond for its intended purpose of storm water detention." In addition, Condition No. 11 specifies that the future owners of the Parcel 2 are responsible to ensure that inspections and maintenance of the dam occur on a regular basis. In 1988, an Amendment to the John Bolten Minor Subdivision Resolution No. 88-90 (**Exhibit K**) amended the original subdivision approval. This amendment modified Condition No. 11 from requiring that the property owner be responsible for the regular inspection and maintenance of the dam to requiring the Boots Road Maintenance Association be responsible for the maintenance of the dam, outlet facilities, and the periodic removal of accumulated sediment. The current property owner,

Douglas & Lu Ann Meador, requests the subject application for the drainage easement amendment, however correspondence attached at **Exhibit O**, confirms that their request is an action on behalf of the Boots Road Maintenance Association.

Development on Slopes exceeding 30%

Monterey County Code, Section 21.64.230.C requires a Use Permit for development on slopes exceeding 30%; there are no exceptions to this requirement. The Applicants request to demolish and construct a drainage facility on-site, which will require the movement of approximately 14,400 cubic yards of soil. The existing facility is best described as a wide pond with a berm at the northern face. The berm is approximately 210 linear feet in length, 60 linear feet wide, and 10 feet in height. Along the eastern border of the drainage, easement earth movement is proposed on slopes exceeding 30% to allow the recontouring of the land surrounding the new drainage facility as shown at Figure 4 below. County code requires development on slopes exceeding 30% to be the minimum required under the circumstances of the case. The proposed development on slopes exceeding 30% consist of the removal of the man-made berm and recontouring adjacent areas to provide a natural be blending with the surrounding landscape. Considering development consists of deconstructing man-made slopes and balancing soil materials on-site there does not appear to be areas that will unnecessarily be disturbed by the proposed construction activities. Staff finds the proposed development on slopes exceeding 30% to be the minimum required under the circumstances of the case.

Figure 4. Drainage Easement Area and Proposed Facility



Environmental Review / California Environmental Quality Act Compliance

California Environmental Quality Act (CEQA) Guidelines Section 15302 (Class 2) categorically exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replace and will have substantially the same purpose and capacity as the structure replaced. The existing drainage easement is a like-for-like replacement of the existing drainage facility that is failing.

Greater Monterey Peninsula Land Use Advisory Committee Review
The project was referred to the Greater Monterey Peninsula (LUAC) on August 16, 2006. The LUAC recommended approval of the site improvements with a 3-0 vote with one member absent to include the condition that the Applicants install a grate over the culvert, which passes under Bit Road. This recommendation has been incorporated as Condition of Approval No. 9. The minutes are attached as **Exhibit G.**

Conclusion
The proposed site improvements to allow the construction of a new drainage facility are consistent with applicable Monterey County policies, requirements, and standards. The project will not have a significant environmental effect subject to adherence to recommended conditions of approval.

EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY** – The subject Combined Development Permit (PLN060378), as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Greater Monterey Peninsula Area Plan, Greater Monterey Peninsula Area Plan Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for residential development.

   EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

   (b) The property is located at 24700 Bit Road, Monterey (Assessor's Parcel Number 416-193-013-000), Greater Monterey Peninsula Area Plan. The property is zoned "RDR/B-6-D-S" or Rural Density Residential with Building Site, Design Control, and Site Plan Review zoning district overlays. The property complies with the size requirements of the land use and zoning designations.

   (c) Site Plan Review or "S" zoning requires review of development in those areas of the County of Monterey where development, by reason of its location has the potential to adversely affect or be adversely affected by natural resources or site constraints, without imposing undue restrictions on private property. Section 21.45.040.C of the Monterey County Zoning Ordinance (Title 21) requires an Administrative Permit for the construction of structures, additions, deposit, or removal of materials. As such, this Combined Development Permit includes an Administrative Permit for the site improvements within the drainage easement.

   (d) Design Control or "D" zoning requires design review of structures to assures the protection of the public viewshed, neighborhood character, and the visually integrity of certain developments without imposing undue restrictions on private property. The construction of structures is not part of the subject application and therefore a Design Approval application is not incorporated.

   (e) Monterey County Code, Section 21.64.230.C requires a Use Permit for development on slopes exceeding 30%. See Finding 4.

   (f) The project was referred to the Greater Monterey Peninsula (LUAC) on August 16, 2006. The LUAC recommended approval of the site improvements with a 3-0 vote with one member absent to include the condition that the Applicants install a grate over the culvert, which passes under Bit Road. This recommendation has been incorporated as Condition of Approval No. 9. The minutes are attached as Exhibit G of the July 9, 2008 Planning Commission Staff Report.

   (g) The project planner conducted a site inspection on July 13, 2006 to verify that the project on the subject parcel conforms to the plans listed above.

   (h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management

Agency – Planning Department for the proposed development found in Project File PLN060378.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.
EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Parks Department, Public Works, Environmental Health Division, Water Resources Agency, and Housing & Redevelopment. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

(b) The property is located at 24700 Bit Road, Monterey (Assessor's Parcel Number 416-193-013-000), Greater Monterey Peninsula Area Plan. The property is zoned "RDR/B-6-D-S" or Rural Density Residential with Building Site, Design Control, and Site Plan Review zoning district overlays. The property complies with the size requirements of the land use and zoning designations.

(c) On June 12, 2008, the Minor Subdivision Committed approved Planning File No. PLN070643, an Amendment to the Mesa Hills West Final Map recorded at Volume 17, Page 12 of Parcel Maps (Resolution No. MS 84-40) to include the abandonment of an existing 145,600 square foot drainage easement boundary and the dedication of a 25,000 square foot drainage easement boundary. It is necessary to amend the Mesa Hills West Final Map, attached as Exhibit H of the July 9, 2008 Planning Commission Staff Report, because small portions of the proposed drainage improvements would occur outside the existing drainage easement boundary. The subject development application, the second phase of this project, requests a Combined Development Permit to allow the demolition of an existing drainage facility, the construction of a replacement drainage facility and grading (approx. 7,200 cu. yds. cut/ 7,200 cu. yds. fill). In order to complete these improvements, the applicants must secure a Use Permit for development on slopes in excess of 30% for the demolition and construction of the drainage facility and an Administrative Permit to allow development within a Site Plan Review district or "S" zoning district. The Applicants are proposing to replacement the existing pond designed to limit the 100-year post-development runoff rate to the 2-year pre-development rate. The pond is designed with 9,163 cubic feet of silt storage capacity and 41,852 cubic feet of stormwater storage capacity. The design criterion exceeds the County stormwater detention standards for new development.

(d) The parcel was created by the Mesa Hills West Subdivision in 1982. The resolution and tentative map of the subdivision are attached as Exhibit H & I to the July 9, 2008 Planning Commission Staff Report. The Final EIR prepared for the Mesa Hills West Subdivision indicates that the subject parcel and respective drainage infrastructure was designed to accommodate Sub-watershed No. 7 of the Canyon del Rey Watershed. The Sub watershed No. 7 has a tributary drainage of 196 acres that includes Lots 31-33, 36-47, and portions of Lots 1, 26, 27, 28, 29, 30, 34, and 35 of the Mesa West Subdivision. The subject 40-acre property was a remainder parcel of the

Mesa West Subdivision, which contained a drainage facility as prescribed by the project's EIR, specifically as Mitigation Measure No. 9, which required on-site drainage for the Mesa West Subdivision area to be directed to three retention/siltation basins. The drainage facility on the subject parcel is one of these three retention/siltation basins. The drainage easement in its present configuration was recorded on the property as a result of Minor Subdivision Amendment Resolution No. 88-90 (John Bolten Minor Subdivision).

(e) In 1986, the John Bolten Minor Subdivision and the adoption of Minor Subdivision Resolution No. 84-40, attached as Exhibit J to the July 9, 2008 Planning Commission Staff Report, further subdivided the subject 40-acre parcel. This subdivision resulted in the creation of Parcel A, a 20.886-acre parcel, and Parcel B, a 19.114-acre parcel. Parcel A, consists of a 19.84 acres in scenic easement and 1.046 acres available for residential development. Parcel B consists of 10.655 acres in scenic easement, the road alignment for Boots Road, and the subject drainage easement. It is important to note that Conditions 10 and 11 of Subdivision Resolution No 88-90 specifically address concerns regarding the dam. Condition No. 10 requires that "a study be done by a Registered Civil Engineer to determine the adequacy and condition of the dam and the adequacy of the pond for its intended purpose of storm water detention." In addition, Condition No. 11 specifies that the future owners of the Parcel 2 are responsible to ensure that inspections and maintenance of the dam occur on a regular basis. In 1988, an Amendment to the John Bolten Minor Subdivision Resolution No. 88-90 (Exhibit K to the July 9, 2008 Planning Commission Staff Report) amended the original subdivision approval. This amendment modified Condition No. 11 from requiring that the property owner be responsible for the regular inspection and maintenance of the dam to requiring the Boots Road Maintenance Association be responsible for the maintenance of the dam, outlet facilities, and the periodic removal of accumulated sediment. The current property owner, Douglas & Lu Ann Meador, requests the subject application for the drainage easement amendment, however correspondence attached as Exhibit O to the July 9, 2008 Planning Commission Staff Report, confirms that their request is an action on behalf of the Boots Road Maintenance Association.

(f) Drainage Report prepared by WWD Corporation for Meador Property, Assessor's Parcel Number 416-193-013-000 dated March 2007 (LIB070165).

(g) Drainage Report prepared by WWD Corporation for Meador Property, Assessor's Parcel Number 416-193-013-000 dated May 15, 2006 (LIB080281).

(h) Staff conducted a site visit on July 13, 2006 to verify that the site is suitable for this use.

(i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency – Planning Department for the proposed development found in Project File No. PLN060378.

3. **FINDING:** **CEQA (Exempt)** – The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

EVIDENCE: (a) California Environmental Quality Act (CEQA) Guidelines Section 15302. Class 2 categorically exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replace and will have substantially the same purpose and capacity as the structure replaced. The new structure will be located on the same site as the structure replace and will have substantially the same purpose and capacity as the structure replaced. The existing drainage easement is a like-for-like replacement of the existing drainage facility that is failing.

(b) On June 12, 2008, the Minor Subdivision Committed approved Planning File No. PLN070643, an Amendment to the Mesa Hills West Final Map recorded at Volume 17, Page 12 of Parcel Maps (Resolution No. MS 84-40) to include the abandonment of an existing 145,600 square foot drainage easement boundary and the dedication of a 25,000 square foot drainage easement boundary. It is necessary to amend the Mesa Hills West Final Map, attached as Exhibit H of the July 9, 2008 Planning Commission Staff Report, because small portions of the proposed drainage improvements would occur outside the existing drainage easement boundary. The subject development application, the second phase of this project, requests a Combined Development Permit to allow the demolition of an existing drainage facility, the construction of a replacement drainage facility and grading (approx. 7,200 cu. yds. cut/ 7,200 cu. yds. fill). In order to complete these improvements, the applicants must secure a Use Permit for development on slopes in excess of 30% for the demolition and construction of the drainage facility and an Administrative Permit to allow development within a Site Plan Review district or "S" zoning district. The Applicants are proposing to replacement the existing pond designed to limit the 100-year post-development runoff rate to the 2-year pre-development rate. The pond is designed with 9,163 cubic feet of silt storage capacity and 41,852 cubic feet of stormwater storage capacity. The design criterion exceeds the County stormwater detention standards for new development. No adverse environmental effects were identified during staff review of the project application and during site-visits on July 13, 2006.

(c) See preceding and following findings and supporting evidence.

4. **FINDING:** **DEVELOPMENT ON SLOPES IN EXCESS OF 30% -** The project, as conditioned, is consistent with the Regulations for Development on Slopes in Excess of 30%, Section 21.64.230 of the Monterey County Zoning Ordinance (Title 21). As such, there exists no feasible alternative, which would allow development to occur on slopes less than 30%.

EVIDENCE: (a) The subject property consists of scenic easement, drainage easement, and a small portion and available for residential development. The property owners request to improve the existing drainage facility located on the property within the drainage easement. Improvements to the dam are necessary to comply with Water Resources Agency requests for improvements to the flow and capacity capabilities of the failing dam in its present conditions. In order to make these improvements entitlements must be secured for (1) an amendment to the subdivision's parcel map to allow the adjustment of existing drainage easement boundary (PLN070643) and

(2) the physical site improvements for grading (PLN060378). On June 12, 2008, the Minor Subdivision Committed approved Planning File No. PLN070643, an Amendment to the Mesa Hills West Final Map recorded at Volume 17, Page 12 of Parcel Maps (Resolution No. MS 84-40) to include the abandonment of an existing 145,600 square foot drainage easement boundary and the dedication of a 25,000 square foot drainage easement boundary. It is necessary to amend the Mesa Hills West Final Map (attached as Exhibit H to the July 9, 2008 Planning Commission Staff Report) because small portions of the proposed drainage improvements would occur outside the existing drainage easement boundary.

(b) The Mesa Hills West Subdivision created the parcel in 1982. The resolution and tentative map of the subdivision are attached as Exhibits H & I to the July 9, 2008 Planning Commission Staff Report. The Final EIR prepared for the Mesa Hills West Subdivision indicates that the subject parcel and respective drainage infrastructure was designed to accommodate Sub-watershed No. 7 of the Canyon del Rey Watershed. The Sub watershed No. 7 has a tributary drainage of 196 acres that includes Lots 31-33, 36-47, and portions of Lots 1, 26, 27, 28, 29, 30, 34, and 35 of the Mesa West Subdivision. The subject 40-acre property was a remainder parcel of the Mesa West Subdivision, which contained a drainage facility as prescribed by the project's EIR, specifically as Mitigation Measure No. 9, which required on-site drainage for the Mesa West Subdivision area to be directed to three retention/siltation basins. The drainage facility on the subject parcel is one of these three retention/siltation basins. The drainage easement in its present configuration was recorded on the property as a result of Minor Subdivision Amendment Resolution No. 88-90 (John Bolten Minor Subdivision).

(c) Monterey County Code, Section 21.64.230.C requires a Use Permit for development on slopes exceeding 30%; there are no exceptions to this requirement. The applicants request to demolish and construct a drainage facility on-site, which will require the movement of approximately 7,200 cubic yards of soil. The existing facility is best described as a wide pond with a berm at the northern face. The berm is approximately 210 linear feet in length, 60 linear feet wide, and 10 feet in height. Along the eastern border of the drainage easement earth movement is proposed on slopes exceeding 30% to allow the recontouring of the land surrounding the new drainage facility as shown at Figure 1 below. County code requires the development on slopes exceeding 30% be the minimum required under the circumstances of the case. The proposed development on slopes exceeding 30% consist of the removal of the berm and recontouring adjacent areas to provide a natural be blend with the surrounding landscape. Considering development consists of deconstructing man-made slopes and balancing soil materials on-site there does not appear to be areas that will unnecessarily be disturbed by the proposed construction activities.

(d) The site is located within a V or "moderate" landslide and erosion susceptibility zone and within a VI or "very high" seismic hazard zone. Condition No. 5 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection.

(e) Drainage Report prepared by WWD Corporation for Meador Property, Assessor's Parcel Number 416-193-013-000 dated March 2007 (LIB070165).
(f) Drainage Report prepared by WWD Corporation for Meador Property, Assessor's Parcel Number 416-193-013-000 dated May 15, 2006 (LIB0080281).
(g) Staff conducted a site visit on July 13, 2006 to verify that development on slopes exceeding 30% is the minimum required under the circumstances of the case.
(h) The application, project plans, and related support materials submitted by the project Applicant to the Monterey County Resource Management Agency – Planning Department for the proposed development found in Project File PLN060378.

5. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.
EVIDENCE: (a) Staff reviewed Monterey County RMA – Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
(b) See Findings 1 and 2.

6. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
EVIDENCE: See Findings 1, 2, and 4.

7. **APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.
EVIDENCE: Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

EXHIBIT D Monterey County Resources Management Agency Planning Department Condition Compliance and Mitigation Monitoring Reporting Plan	Project Name: Douglas & Lu Ann Meador TRS File No: PLN060378 APN: 416-193-013-000 Approved by: Planning Commission Date: July 9, 2008

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

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
1.		**PD001 - SPECIFIC USES ONLY** This Combined Development Permit Minor Subdivision Amendment (PLN060378) allows an consisting of: (1) a Use Permit for development on slopes in excess of 30% to allow the demolition of an existing drainage facility, the construction of a replacement drainage facility required to mitigate stormwater runoff within subwatershed no. 7 as defined in the Canyon Del Rey Watershed Master Drainage Plan, and grading (approx. 7,200 cu. yds. cut / 7,200 cu. yds. fill); and (2) an Administrative Permit to allow development within a Site Plan Review district or "S" zoning district. The property is located at 24700 Bit Road, Monterey (Assessor's Parcel Number 416-193-013-000), Greater Monterey Peninsula area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. **(RMA - Planning Department)**				
2.		**PD002 - NOTICE-PERMIT APPROVAL** The applicant shall record a notice, which states: "A Combined Development Permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 416-193-013-000 on **July 9, 2008**. The Combined Development Permit was granted subject to **13** conditions of approval, which run with the land. A copy of the Combined Development Permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. **(RMA - Planning Department)**	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commence-ment of use.	
3.		**PD004 - INDEMNIFICATION AGREEMENT** The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use	

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		employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. **(RMA - Planning Department)**	outlined, shall be submitted to the RMA – Planning Department.		of the property, filing of the parcel map, whichever occurs first and as applicable	
4.		**PD007 - GRADING-WINTER RESTRICTION** No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. **(RMA – Planning Department and Building Services Department)**	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
5.		**PD009 - GEOTECHNICAL CERTIFICATION** Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. **(RMA – Planning Department and Building Services Department)**	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical	Owner/ Applicant/ Geotech-nical Consultant	Prior to final inspection	

Permit Cond. Number	*Mitig. Number*	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department*	*Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
			report.			
6.		**PD010 - EROSION CONTROL PLAN AND SCHEDULE** The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. **(RMA - Planning Department and RMA - Building Services Department)**	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
7.		**PD033 - RESTORATION OF NATURAL MATERIALS** Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. **(RMA – Planning Department)**	Submit restoration plans to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to final inspection.	
8.		**PD035 - UTILITIES - UNDERGROUND** All new utility and distribution lines shall be placed underground. **(RMA - Planning Department; Public Works)**	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	

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9.		**PDSP001 – STORMWATER CULVERT COVERING (NON-STANDARD)** The applicants shall install a grate over at the culvert opening which passes under Bit Road. **(RMA - Planning Department)**	Schedule an on-site inspection to verify installation of grate at the opening of the culvert.	Owner/ Applicant	Prior to finial inspection.	
10.		**WRSP001 - STORMWATER DETENTION (NON-STANDARD)** Prior to issuance of any grading permits, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer addressing on-site and off-site impacts with supporting calculations and construction details. The plan shall include detention facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. **(Water Resources Agency)**	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading permits	
11.		**PD042 – GRADING/EASEMENT STAKING** The conservation and scenic easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department. The staking shall be verified at the grading pre-site inspection by the grading inspector. **(RMA – Planning Department and Building Services Department)**	The easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department.	Owner/ Applicant	At presite inspection by the grading inspector	
12.		**WRSP002 - COMPLETION CERTIFICATION (NON-STANDARD)** Prior to filing of final map, the applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that the stormwater	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved	Owner/ Applicant	Prior to filing of final map	

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		detention facilities have been constructed in accordance with approved plans. **(Water Resources Agency)**	drainage plan.			
13.		**WRSP003 - DRAINAGE & FLOOD CONTROL SYSTEMS AGREEMENT (NON-STANDARD)** Prior to filing the final map, a copy of a signed and notarized *Drainage and Flood Control Systems Agreement* shall be provided to the Water Resources Agency for review & approval. The agreement shall contain provisions for an annual drainage report to be prepared by a registered civil engineer. The report shall be submitted to the Agency for review and approval no later than August 15 of each year. If the homeowners' association, or other maintenance entity, after notice and hearing fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities in the project. The County Water Resources Agency shall have the right to collect the cost for said repairs, maintenance or improvements from the property owners upon their property tax bills. A hearing shall be provided by the Board of Supervisors as to the appropriateness of the cost. **(Water Resources Agency)**	Submit the signed and notarized original Agreement to the Water Resources Agency for review and approval prior to recordation. Submit an annual report to the Water Resources Agency for review and approval.	Owner/ Applicant	The agreement shall be recorded concurrently with the final map	

END OF CONDITIONS

Exhibit E

APPLICANT: MEADOR

APN: 416-193-013-000 **FILE #** PLN070643

300' Limit 2500' Limit City Limits

N

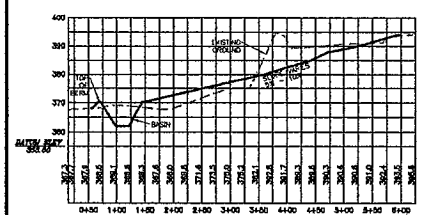
0 1,000

Feet

PLANNER: MANUGUERRA

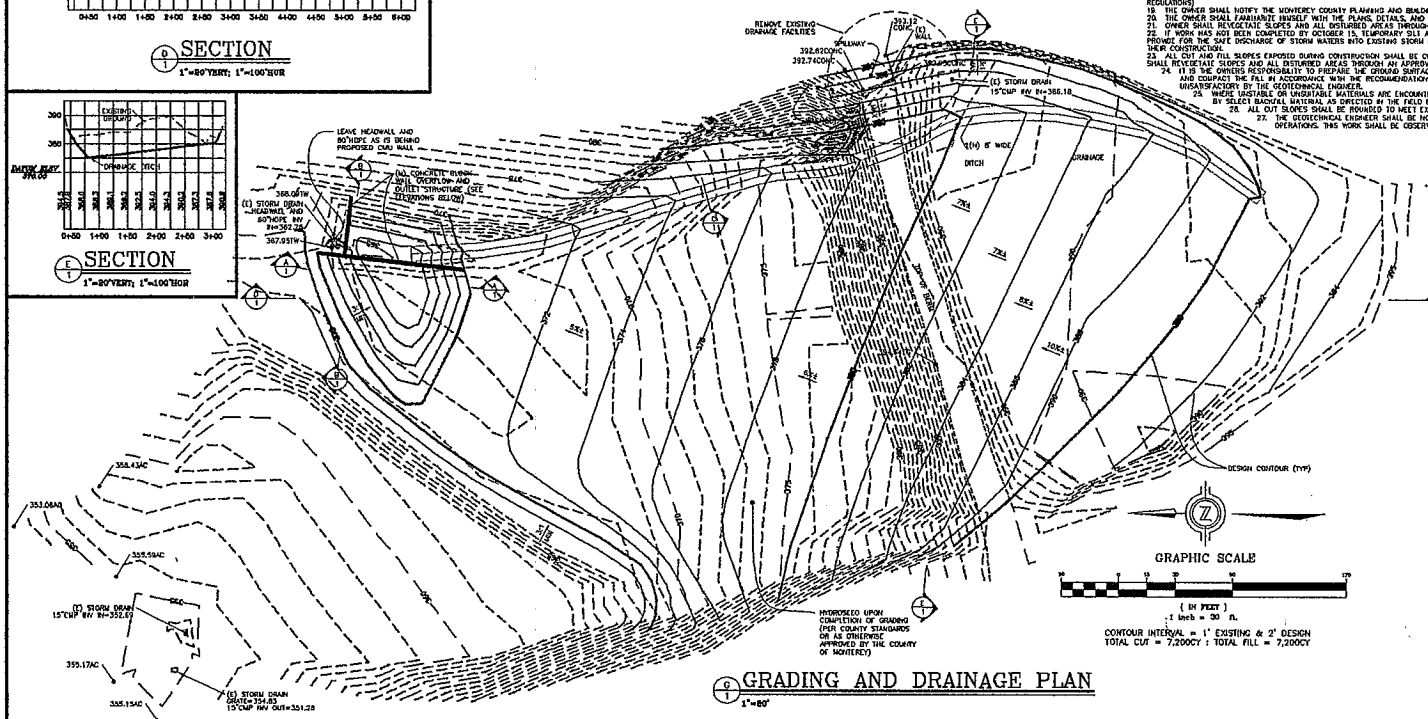
GRADING AND GENERAL NOTES

1. ALL REVISIONS TO THESE PLANS MUST BE APPROVED BY THE DESIGN ENGINEER PRIOR TO THEIR CONSTRUCTION, AND SHALL BE ACCURATELY SHOWN ON AS BUILT DRAWINGS PRIOR TO THE ACCEPTANCE OF THE WORK AS COMPLETE. ANY CHANGES TO OR DEVIATIONS FROM THE PLANS MADE WITHOUT AUTHORIZATION SHALL BE AT THE OWNER'S SOLE RISK AND SHALL ABSOLVE THE ENGINEER OF ANY AND ALL RESPONSIBILITY ASSOCIATED WITH THE CHANGE OR DEVIATION.
2. ALL WORK SHALL BE IN CONFORMANCE WITH THE MONTEREY COUNTY GRADING ORDINANCE 2535 AND THE MONTEREY COUNTY EROSION CONTROL ORDINANCE 2806.
3. OWNER SHALL NOTIFY THE ENGINEER AT LEAST 48 HOURS PRIOR TO COMMENCING WORK.
4. THE OWNER SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE DUST CONTROL THROUGHOUT THE GRADING OPERATION, AND CONFORM TO THE STANDARDS ESTABLISHED BY THE AIR QUALITY MAINTENANCE DISTRICT FOR AIRBORNE PARTICULATES(DUST). DUST CONTROL MEASURES SHALL BE IMPLEMENTED TO REDUCE FUGITIVE DUST EMISSIONS AT THE SITE INCLUDING THE FOLLOWING:
a. PROVIDE EQUIPMENT AND MANPOWER REQUIRED FOR WATERING ALL EXPOSED OR DISTURBED EARTH SURFACES AT LEAST TWICE DAILY. THE USE OF SUB-POTABLE WATER IS PREFERRED.
b. COVER STOCKPILES OF DEBRIS, SOIL, SAND OR OTHER MATERIALS THAT MAY BE BLOWN BY THE WIND.
c. SWEEP CONSTRUCTION AREAS AND ADJACENT STREETS OF ALL MUD AND DUST DAILY OR AS NEEDED.
d. LANDSCAPE OR COVER COMPLETED PORTIONS OF THE SITE AS SOON AS CONSTRUCTION IS COMPLETE IN THAT AREA.
5. IF ARCHAEOLOGICAL RESOURCES OR HUMAN REMAINS ARE DISCOVERED DURING CONSTRUCTION, WORK SHALL BE HALTED WITHIN 50 METERS (150 FEET) OF THE FIND UNTIL IT CAN BE EVALUATED BY A QUALIFIED PROFESSIONAL ARCHAEOLOGIST. IF THE FIND IS DETERMINED TO BE SIGNIFICANT, APPROPRIATE MITIGATION MEASURES SHALL BE FORMULATED AND IMPLEMENTED.
6. THE WORK HEREON WILL BE REVIEWED AND INSPECTED/TESTED BY THE GEOTECHNICAL ENGINEER.
7. THE GEOTECHNICAL ENGINEER OR THEIR AUTHORIZED REPRESENTATIVE IS REQUIRED TO APPROVE TRENCHES PRIOR TO BACKFILLING. BACK FILLING DONE WITHOUT SUCH APPROVAL SHALL NOT BE ACCEPTABLE.
8. ONSITE GRADING AND EARTHWORK SHALL BE TESTED BY THE GEOTECHNICAL ENGINEER DESIGNATED BY THE OWNER. ALL GRADING AND EARTHWORK SHALL BE DONE TO THE SATISFACTION OF THE GEOTECHNICAL ENGINEER.
9. ALL FILL SHALL BE COMPACTED TO A MINIMUM OF 90% RELATIVE COMPACTION. THE SUB GRADE SHALL BE COMPACTED TO THE DEPTH REQUESTED BY THE GEOTECHNICAL ENGINEER AND SHALL BE COMPACTED TO THE MINIMUM COMPACTION RECOMMENDED BY THE GEOTECHNICAL ENGINEER.
10. THE GEOTECHNICAL ENGINEER SHALL PROVIDE FINAL CERTIFICATION THAT ALL GRADING WAS DONE IN COMPLIANCE WITH HIS RECOMMENDATIONS.
11. CUT/FILL SLOPES: INCLINATION OF PERMANENT CUT SLOPES IN MONTEREY SHALE SHOULD NOT EXCEED 2 TO 1 (H/V) UNLESS APPROVED BY THE GEOTECHNICAL ENGINEER. CUTS SHOULD BE EXAMINED BY THE GEOTECHNICAL ENGINEER TO DETERMINE IF FLATTER SLOPE GRADIENTS MAY BE NEEDED IN LOCALIZED AREAS. CUTS IN SOIL/ALLUVIUM MATERIAL SHOULD BE 2:1 OR FLATTER UNLESS RETAINED OR OTHERWISE APPROVED BY THE GEOTECHNICAL ENGINEER. FILL SLOPES TO BE 2:1 OR FLATTER. FILLS ON EXISTING SLOPES 6:1 OR STEEPER MUST BE KEYED AND BENCHED INTO COMPETENT SOIL. ALL FILLS TO BE COMPACTED TO A MINIMUM 90% OF MAXIMUM DENSITY PRIOR TO BE APPROVED BY GEOTECHNICAL ENGINEER PRIOR TO FILL PLACEMENT.
12. THE OWNER AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR COMPLIANCE WITH ANY CURRENTLY APPLICABLE SAFETY LAW OF ANY JURISDICTIONAL BODY. FOR INFORMATION REGARDING THIS PROVISION, THE OWNER IS DIRECTED TO CONTACT THE CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, SALINAS, CA, PHONE (831)452-7288. THE OWNER SHALL BE RESPONSIBLE FOR ALL BARRICADES, SAFETY SERVICES, AND CONTROL OF TRAFFIC WITHIN THE CONSTRUCTION AREA. FOR ALL TRENCH EXCAVATIONS FIVE (5) FEET OR MORE IN DEPTH, THE OWNER SHALL OBTAIN A PERMIT FROM THE CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, PHONE (831)452-7288, PRIOR TO BEGINNING ANY EXCAVATION. A COPY OF THIS PERMIT SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES, WHEN APPLICABLE.
13. THE OWNER SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR THE JOB SITE CONDITIONS AND SAFETY OF ALL PERSONS AND PROPERTY DURING THE COURSE OF CONSTRUCTION OF THE PROJECT. THE OWNER AND ALL SUB-CONTRACTORS AGREE TO HOLD HARMLESS, INDEMNIFY AND DEFEND THE OWNER, THE ENGINEER, AND ALL DESIGN CONSULTANTS FROM ANY AND ALL LIABILITY, CLAIMS, LOSSES OR DAMAGES ARISING FROM THE PERFORMANCE OF THE WORK DESCRIBED HEREIN EXCEPT THOSE ARISING FROM THE SOLE NEGLIGENCE OF ANY OF THE PREVIOUSLY MENTIONED PEOPLE OR ENTITIES. THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
14. REMOVE AND STOCKPILE TOPSOIL FOR RE-VEGETATION WORK.
15. THERE IS NO PAVEMENT TO BE INSTALLED.
16. OWNER SHALL ARRANGE TO HAVE GEOTECHNICAL ENGINEER ON JOB DURING CONSTRUCTION.
17. ALL CONSTRUCTION EQUIPMENT USING COMBUSTION ENGINES MUST HAVE MUFFLERS IN GOOD CONDITION.
18. IN ACCORDANCE WITH FEDERAL, STATE AND LOCAL REGULATIONS, THE OWNER WILL BE REQUIRED TO IMPLEMENT AND MAINTAIN SITE CONTROLS IN ACCORDANCE WITH A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) PREPARED FOR THIS SITE. THE OWNER IS ALSO REQUIRED TO ENSURE THAT EMPLOYEES ARE PROPERLY TRAINED IN ACCORDANCE WITH THE SWPPP AND APPLICABLE REGULATIONS, AND THAT REQUIRED INSPECTIONS AND MAINTENANCE ARE PERFORMED. OWNER SHALL ASSUME SOLE RESPONSIBILITY FOR COMPLIANCE WITH THE SWPPP AND ASSOCIATED REGULATIONS. (CONTACT THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD AT 916-657-0570 FOR MORE INFORMATION REGARDING THIS REQUIREMENT AND CURRENT REGULATIONS)
19. THE OWNER SHALL NOTIFY THE MONTEREY COUNTY PLANNING AND BUILDING INSPECTION DEPARTMENT AT LEAST 24 HOURS PRIOR TO THE START OF CONSTRUCTION.
20. THE OWNER SHALL FAMILIARIZE HIMSELF WITH THE PLANS, DETAILS, AND SPECIFICATIONS AND SITE CONDITIONS PRIOR TO THE START OF CONSTRUCTION.
21. OWNER SHALL REVEGETATE SLOPES AND ALL DISTURBED AREAS THROUGH AN APPROVED PROCESS AS DETERMINED BY MONTEREY COUNTY DEPARTMENT OF PUBLIC WORKS.
22. IF WORK HAS NOT BEEN COMPLETED BY OCTOBER 15, TEMPORARY SILT AND EROSION CONTROL FACILITIES SHALL BE INSTALLED TO CONTAIN SILT DEPOSITS AND TO PROVIDE FOR THE SAFE DISCHARGE OF STORM WATERS INTO EXISTING STORM DRAINAGE FACILITIES. DESIGN OF THE SILT AND EROSION CONTROL FACILITIES MUST BE APPROVED PRIOR TO THEIR CONSTRUCTION.
23. ALL CUT AND FILL SLOPES EXPOSED DURING CONSTRUCTION SHALL BE COVERED, SEEDED OR OTHERWISE TREATED TO CONTROL EROSION WITHIN 48 HOURS AFTER GRADING. OWNER SHALL REVEGETATE SLOPES AND ALL DISTURBED AREAS THROUGH AN APPROVED PROCESS AS DETERMINED BY MONTEREY COUNTY PUBLIC WORKS DEPARTMENT.
24. IT IS THE OWNERS RESPONSIBILITY TO PREPARE THE GROUND SURFACE TO RECEIVE THE FILLS TO THE SATISFACTION OF THE SOIL ENGINEER AND TO PLACE, SPREAD, MIX, WATER, AND COMPACT THE FILL IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER. THE OWNER SHALL ALSO REMOVE ALL MATERIAL CONSIDERED UNSATISFACTORY BY THE GEOTECHNICAL ENGINEER.
25. WHERE UNSTABLE OR UNSUITABLE MATERIALS ARE ENCOUNTERED DURING SUBGRADE PREPARATION, THE AREA IN QUESTION SHALL BE OVER EXCAVATED AND REPLACED BY SELECT BACKFILL MATERIAL AS DIRECTED IN THE FIELD BY THE GEOTECHNICAL ENGINEER.
26. ALL CUT SLOPES SHALL BE ROUNDED TO MEET EXISTING GRADES AND BLEND WITH SURROUNDING TOPOGRAPHY.
27. THE GEOTECHNICAL ENGINEER SHALL BE NOTIFIED AT LEAST TWO (2) DAYS IN ADVANCE OF COMMENCING WORK, INCLUDING SITE STRIPPING AND GRADING OPERATIONS. THIS WORK SHALL BE OBSERVED AND TESTED BY THE GEOTECHNICAL ENGINEER.



1 SECTION
1"=80'VERT; 1"=100'HOR

E 1 SECTION
1"=20'VERT; 1"=100'HOR



1 GRADING AND DRAINAGE PLAN
1"=80'

EROSION/SEDIMENT CONTROL NOTES

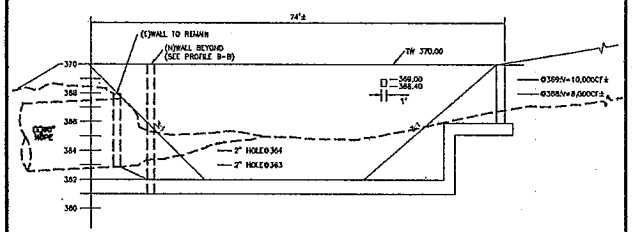
1. ALL GRADING OPERATIONS SHALL BE DONE IN ACCORDANCE WITH MONTEREY COUNTY CODE 16.12

2. WHEN WINTER OPERATIONS TAKE PLACE, THE FOLLOWING MEASURES MUST BE TAKEN TO PREVENT ACCELERATED EROSION. ADDITIONAL MEASURES MAY BE REQUIRED. (MONTEREY COUNTY CODE 16.12.090)
a. BETWEEN OCTOBER 15 AND APRIL 15, DISTURBED SURFACES NOT INVOLVED IN THE IMMEDIATE OPERATIONS MUST BE PROTECTED BY MULCHING AND/OR OTHER EFFECTIVE MEANS OF SOILS PROTECTION.
b. ALL ROAD AND DRIVEWAYS SHALL HAVE DRAINAGE FACILITIES SUFFICIENT TO PREVENT EROSION TO OR ON PRIVACY OF THE ROADWAY OR DOWNHILL PROPERTIES. TEMPORARY DRAINAGE MAY BE REQUIRED IN AREAS OF HIGH EROSION HAZARD.
c. RUN-OFF 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 DISTURBED AREA OR SITE. THESE SEDIMENT CONTROL MEASURES MUST BE MAINTAINED BY THE OWNER AS NECESSARY TO ACHIEVE THEIR PURPOSE THROUGHOUT THE LIFE OF THE PROJECT.
d. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH DAY'S WORK.
e. THE DIRECTOR OF THE BUILDING INSPECTION DEPARTMENT MAY STOP OPERATIONS DURING PERIODS OF INCLEMENT WEATHER IF HE DETERMINES THAT EROSION PROBLEMS ARE NOT BEING CONTROLLED ADEQUATELY.

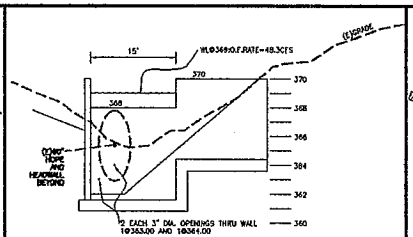
3. THE OWNER SHALL TAKE ALL NECESSARY MEASURES TO MINIMIZE EROSION AND PREVENT SEDIMENT LADEN RUN-OFF FROM ENTERING THE STORM DRAINAGE SYSTEM. ACCEPTABLE MEASURES MAY INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

EROSION CONTROL DEVICES
1. PRESERVE AS MUCH EXISTING VEGETATION AS POSSIBLE DURING THE GRADING OPERATION.
2. HYDRAULIC MULCH, WOOD MULCH, AND STRAW MULCH CAN BE PLACED AS A TEMPORARY MEASURE WHILE PERMANENT STABILIZATION IS BEING INSTALLED.
3. DEGRETTES AND MATS CAN BE PLACED ON SLOPES TO REDUCE EROSION FROM RAINFALL IMPACT.
4. CONSTRUCTION OF DRAINAGE SWALES HELPS TO CHANNEL WATER AROUND DISTURBED AREAS.
5. INSTALL ROCK DISSIPATORS AT DISCHARGE POINTS ON STORM DRAIN SYSTEM TO PREVENT INVITING.

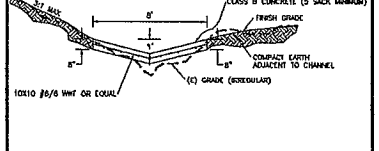
SEDIMENT CONTROL DEVICES
SILT FENCE:
1. SILT FENCES SHOULD BE INSTALLED ON LEVEL CONTOURS AND SHOULD REMAIN IN PLACE THROUGH THE RAINY SEASON AND UNTIL THE DISTURBED AREA IS PERMANENTLY STABILIZED. SEE DETAIL A/D-3.
2. THE ENDS OF THE SILT FENCE SHOULD BE TURNED UPHILL TO PREVENT SEDIMENT LADEN RUN-OFF FROM FLOWING AROUND THE FENCE.
3. SUFFICIENT AREA SHOULD EXIST BEHIND THE FENCE TO ALLOW PONDING WITHOUT FLOODING OR OVERTOPPING THE FENCE.
4. SILT FENCES SHALL BE INSPECTED MONTHLY DURING DRY PERIODS AND IMMEDIATELY AFTER EACH RAINFALL. REPAIRS SHALL BE MADE IMMEDIATELY TO ANY DAMAGED PORTION OF THE FENCE. SEDIMENT AND DEBRIS SHOULD BE REMOVED FROM THE UPSTREAM SIDE OF THE FENCE ONCE IT REACHES ONE THIRD OF THE FENCE HEIGHT OR IF HEAVY RAINS ARE EXPECTED.
STORM DRAIN INLET PROTECTION
1. STORM DRAIN INLET PROTECTION SHALL BE INSTALLED AROUND EXISTING AND NEW STORM DRAIN INLETS AS REQUIRED TO PREVENT ANY SEDIMENT LADEN RUN-OFF FROM ENTERING THE STORM DRAINAGE SYSTEM.
2. INSTALL STORM DRAIN INLET PROTECTION AS SHOWN ON DETAILS E/D-3 AND F/D-3.
3. STORM DRAIN INLET PROTECTION SHALL BE INSPECTED MONTHLY DURING DRY PERIODS AND IMMEDIATELY AFTER EACH RAINFALL. REPAIRS SHALL BE MADE IMMEDIATELY TO ANY DAMAGED PORTION OF THE BARRIER. SEDIMENT AND DEBRIS SHOULD BE REMOVED FROM THE PERIMETER OF THE BARRIER.



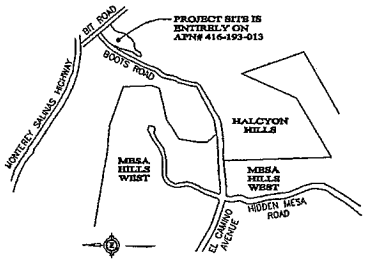
A 1 OUTLET STRUCTURE ELEVATION
1"=4'VERT; 1"=10'HOR



B 1 OUTLET STRUCTURE ELEVATION
1"=4'VERT; 1"=10'HOR



C 1 DRAINAGE CHANNEL*
1"=4'
*ALTERNATE CHANNEL LINERS MAY BE CONSIDERED



F 1 LOCATION/VICINITY PLAN
NOT TO SCALE

WWD CORPORATION
ENGINEERING - SURVEYING
PLANNING - CONSULTANTS
2801 MONTEREY - SALINAS HIGHWAY, MONTEREY, CALIFORNIA 93940
TEL:(831) 655-3723 FAX: (831) 655-3427
E-MAIL: MAIL@WWDENGINEERING.COM

REG. 24420 EXP. 12-31-07 CIVIL STATE OF CALIFORNIA

DRAWN BY: PJM
DESIGNED BY: DKP
DATE: 5/15/06
SCALE: AS SHOWN
JOB NUMBER: 02-004
LAST REVISED:
REVISED BY:

PREPARED FOR:
DOUG MIRADOR, (OWNER)
C/O FENTON & KELLER
2801 MONTEREY SALINAS HWY
MONTEREY, CA 93940

DRAINAGE, GRADING AND EROSION CONTROL PLAN
MEADOR PROPERTY
24700 BIT ROAD
MONTEREY, CA
APN# 416-193-013

SHEET 1 OF 1 SHEET

Exhibit F

Exhibit G

MINUTES

Greater Monterey Peninsula Land Use Advisory
Wednesday, August 16, 2006

1. Meeting called to order 4:14 pm

2. Members Present: PHIL SMITH, MARGARET PAGNILLO, ALAN CHURCH

3. Members Absent: JOY JACOBS

4. Approval of Minutes: (July 5, 2006)

Motion: ALAN CHURCH to accept as submitted (LUAC Member's Nam

Second: MARGARET PAGNILLO (LUAC Member's Nam

Ayes: 3 SMITH, PAGNILLO, CHURCH

Noes: 0

Absent: 1 JACOBS

Abstain: 0

5. Public Comments:

None

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects/Applications

None

B) Review of Area Plan

Continued to next meeting

No discussion took place

Action by Land Use Advisory Committee
Project Referral Sheet

Planning & Building Inspection Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Greater Monterey Peninsula

Please submit your recommendations for this application by Wednesday, August 16, 2006.

Project Title: MEADOR J DOUGLAS & LU ANN TRS
File Number: PLN060378
File Type: ZA
Planner: MANUGUERRA
Location: 24700 BIT RD MONTEREY
Project Description:
COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) A USE PERMIT FOR DEVELOPMENT OI SLOPES IN EXCESS OF 30% TO ALLOW THE RE-GRADING OF AN EXISTING DRAINAGE EASEME Y(7,200 CU. YDS. CUT/7,200 CU. YDS. FILL); AND(2) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT .THIN A SITE PLAN REVIEW DISTRICTS ("S" DISTRICT). THE PROPERTY IS LOCATED AT 24700 BIT ROAI MONTEREY (ASSESSOR'S PARCEL NUMBER 416-193-013-000), GREATER MONTEREY PENINSULA REA.

Was the Owner/Applicant/Representative Present at Meeting? Yes X No _____ 2 engineer

PUBLIC COMMENT:

— none —

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

Mr. Church - is the property in the scenic easement. The applicant explains that the area of grading is not in the scenic easement.

Mrs. Smith is concerned about the water channel and access into it. The engineer reports it is designed for a 100 year flood. There should be some monitoring by the County after the project is complete.

- The applicant agreed to volunteered to install a grate over the entrance to the culvert at lower end of property, to exclude animals & people from the pipe.

Mr. Church is there any concern by the neighbors. The applicant states that ~~neighborhood~~ he has been told that the neighborhood association is behind this.

[PLN060378 MEADOR CONTINUED]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

Mrs. Smith recommends replanting with native plants after the grading. She wants to see the regraded project safe and restored to as natural a condition as possible.

Mr. Church I'd like a landscape plan utilizing native plants that restores the land to a natural state. There will be no cutting on the ~~north~~ east side adjacent to the water channel, and minimal cutting on the west side.

Mrs. Smith & the LUAC recommends that a grate be placed over the culvert at the water channel base of the property (south side) that excludes people, animals and trash.

ADDITIONAL LUAC COMMENTS:

None—

RECOMMENDATION (e.g. ~~recommend approval~~; recommend denial; recommend continuance):

Mr Church: Recommend approval subject to our concerns and recommendations.

Mrs. Paquillo: seconded

CONCUR WITH RECOMMENDATION:

AYES: 3 CHURCH, PAQUILLO, SMITH

NOES: 0

ABSENT: 1 JACOBS

ABSTAIN: 0

MEETING ADJOURNED AT: 5:28 pm

Exhibit H

MAP 8 8 9 N 0460100 E1183500 SN 19421 VOL 17 PAR PG 12

OWNERS' CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO, THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY, AND WE CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE SUBDIVISION BOUNDARY LINES.

Edward F. Hogan (signature)

MESA HILLS LAND COMPANY, INC., A CALIFORNIA CORPORATION
ED HOGAN, PRESIDENT

THE SIGNATURES OF THE FOLLOWING ARE NOT REQUIRED AS THEY HOLD ONLY CERTAIN INTEREST THAT CANNOT RIPEN INTO A FEE:

1. PACIFIC GAS & ELECTRIC COMPANY, HOLDER OF A RIGHT-OF-WAY FOR GAS PIPE LINES AND APPURTENANCES, RECORDED OCTOBER 3, 1929 IN VOLUME 209, OFFICIAL RECORDS, PAGE 407.

2. UTAH CONSTRUCTION AND MINING CO., A CORPORATION, AS FOLLOWS:

   HOLDER OF AN EASEMENT FOR ROAD AND UTILITY PURPOSES OVER RIDGE ROAD, RECORDED JULY 6, 1970, IN REEL 657, OFFICIAL RECORDS, PAGE 148.

   HOLDER OF A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITES AND APPURTENANCES THERETO, RECORDED DECEMBER 2, 1970, REEL 677, OFFICIAL RECORDS, PAGE 209.

   HOLDER OF A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AND PUBLIC UTILITIES, CONVEYED BY THE FOLLOWING DEEDS:

   (a) FROM HIDDEN HILLS WEST LTD., DATED NOVEMBER 16, 1970 AND RECORDED DECEMBER 2, 1970, REEL 677, OFFICIAL RECORDS, PAGE 212.

   (b) FROM INDIAN RIDGE DEVELOPMENT CORP., DATED NOVEMBER 9, 1970 AND RECORDED DECEMBER 2, 1970, REEL 677, OFFICIAL RECORDS, PAGE 214.

   (c) FROM EDWARD F. HOGAN AND MARGARET M. HOGAN, HUSBAND AND WIFE, DATED NOVEMBER 16, 1970 AND RECORDED DECEMBER 2, 1970, REEL 677, OFFICIAL RECORDS, PAGE 216.

3. INDIAN RIDGE DEVELOPMENT CORP., A CORPORATION, SUCCESSOR BY MERGER WITH HIDDEN HILLS LAND COMPANY, A CORPORATION, AND WESTERN TITLE GUARANTY COMPANY, A MONTEREY COUNTY DIVISION, A CORPORATION, HOLDERS OF EASEMENTS AFFECTING ALL THAT PORTION WITHIN THE LIMITS OF RIDGE ROAD AS CONVEYED BY VARIOUS DEEDS OF RECORD AND AS ESTABLISHED BY DEEDS EXECUTED BY AND BETWEEN THE ABOVE-NAMED CORPORATIONS, RECORDED JANUARY 29, 1969 ON REEL 591, OFFICIAL RECORDS, PAGES 79 AND 86, AND RECORDED MARCH 10, 1970 ON REEL 642, OFFICIAL RECORDS, PAGES 628 AND 634.

4. INDIAN RIDGE DEVELOPMENT CORP., A MASSACHUSETTS CORPORATION, HOLDER OF AN EASEMENT FOR ROADWAY PURPOSES RECORDED OCTOBER 26, 1970, REEL 672, OFFICIAL RECORDS, PAGE 354.

5. EDWARD F. HOGAN, ET UX., HOLDER OF AN EASEMENT FOR ROADWAY AND SANITARY SEWER PURPOSES OVER A STRIP OF LAND 30 FEET WIDE, BY DEED DATED AUGUST 28, 1970 AND RECORDED SEPTEMBER 17, 1970, REEL 666, OFFICIAL RECORDS, PAGE 947; ALSO HELD BY HIDDEN HILLS WEST, LTD., A LIMITED PARTNERSHIP, BY DEED DATED AUGUST 28, 1970 AND RECORDED SEPTEMBER 17, 1970, REEL 666, OFFICIAL RECORDS, PAGE 950; ALSO HELD BY MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT, BY DEED DATED JULY 1, 1970 AND RECORDED OCTOBER 26, 1970, REEL 672, OFFICIAL RECORDS, PAGE 356.

6. EDWARD R. REINS, ET UX., HIDDEN HILLS WEST, LTD., A LIMITED PARTNERSHIP, EDWARD F. & MARGARET M. HOGAN, HUSBAND AND WIFE, HOLDERS OF A NON-EXCLUSIVE RIGHT-OF-WAY FOR ROAD AND UTILITY PURPOSES, BY DEED DATED OCTOBER 16, 1970 AND RECORDED OCTOBER 29, 1970, REEL 672, OFFICIAL RECORDS, AT PAGES 1085, 1089 AND 1092, RESPECTIVELY.

7. INDIAN RIDGE DEVELOPMENT CORP., A MASSACHUSETTS CORPORATION, AND STANDARD INTERNATIONAL CORPORATION, AN OHIO CORPORATION, HOLDERS OF EASEMENTS FOR ROAD, UTILITY, AND DRAINAGE PURPOSES, AND FOR HIKING AND BRIDLE PATHS AS RESERVED IN DEED RECORDED DECEMBER 8, 1971, REEL 740, OFFICIAL RECORDS, PAGE 550.

8. CARMEL VALLET MUTUAL WATER COMPANY, HOLDER OF A 5-FOOT WIDE EASEMENT FOR WATER PIPELINES, RECORDED DECEMBER 1, 1978, REEL 1294, OFFICIAL RECORDS, PAGE 452.

SURVEYOR'S CERTIFICATE

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF DANIEL E. HOGAN ON APRIL 1986. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP. IF ANY.

SIGNED (signature)
JOHN H. VAN ZANDER
REGISTERED CIVIL ENGINEER NO. 15310
EXPIRATION DATE: MAY 31, 1989

NOTARY CERTIFICATES

STATE OF CALIFORNIA
S.S.
COUNTY OF MONTEREY

ON 21 August 1986 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED Edward F. Hogan KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSONS (S) WHO EXECUTED THE WITHIN INSTRUMENT AS President OR ON BEHALF OF THE CORPORATION THEREIN NAMED, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE WITHIN INSTRUMENT PURSUANT TO ITS BYLAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

WITNESS MY HAND AND OFFICAL SEAL.

SIGNATURE: Priscilla R. Herrera (signature)

NAME: Priscilla R. Herrera
(TYPED OR PRINTED)

OFFICIAL SEAL
PRISCILLA R. HERRERA
NOTARY PUBLIC CALIFORNIA
Principal Office in Monterey County

COUNTY SURVEYOR'S CERTIFICATE

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES.

DATED OCTOBER 6, 1986

BRUCE W. McCLAIN
COUNTY SURVEYOR

(signature) DEPUTY CE 27135
Expires 3-31-89

COUNTY RECORDER'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF BESTOR ENGINEERS, INC., THIS 21ST DAY OF OCTOBER, 1986, AT 11:50 A.M., IN VOLUME 17 OF PARCEL MAPS AT PAGE 12, RECORDS OF MONTEREY COUNTY, CALIFORNIA.

ERNEST A. MAGGINI
COUNTY RECORDER

(signature) DEPUTY

SERIAL NO. 55374

FEE: $ 8.00

NOTICE:

THIS PROPERTY IS LOCATED WITHIN OR PARTIALLY WITHIN A FLOOD PLAIN AND MAY BE SUBJECT TO BUILDING AND/OR LAND USE RESTRICTIONS. ADDITIONAL INFORMATION REGARDING THE EXTENT IMPACT OF THE FLOOD PLAIN ON THIS PROPERTY MAY BE OBTAINED FROM THE COUNTY FLOOD CONTROL DISTRICT.

THE OWNER OF PARCEL 2 AS SHOWN ON THIS PARCEL MAP IS RESPONSIBLE TO SEE THAT INSPECTIONS OF THE DAM, LOCATED ON SAID PARCEL, ARE CONDUCTED ON AN ANNUAL BASIS AND THAT ANY NECESSARY MAINTENANCE IS ACCOMPLISHED. THIS COVENANT SHALL RUN WITH THE LAND.

M.S. 84-40

Parcel Map

Of 40.00 Acre Parcel in Monterey City Lands Tract No. 2
As Described in Deed Recorded in Reel 740 Official Records, Pg.550
COUNTY OF MONTEREY, CALIFORNIA
FOR
MESA HILLS LAND CO., INC.
BY
BESTOR ENGINEERS, INC.
CIVIL ENGINEERING · SURVEYING · LAND PLANNING
400 CAMINO AGUAJITO, MONTEREY, CALIFORNIA 93940

Scale: 1"=100' W.O.2591.40 Date: APRIL 1986

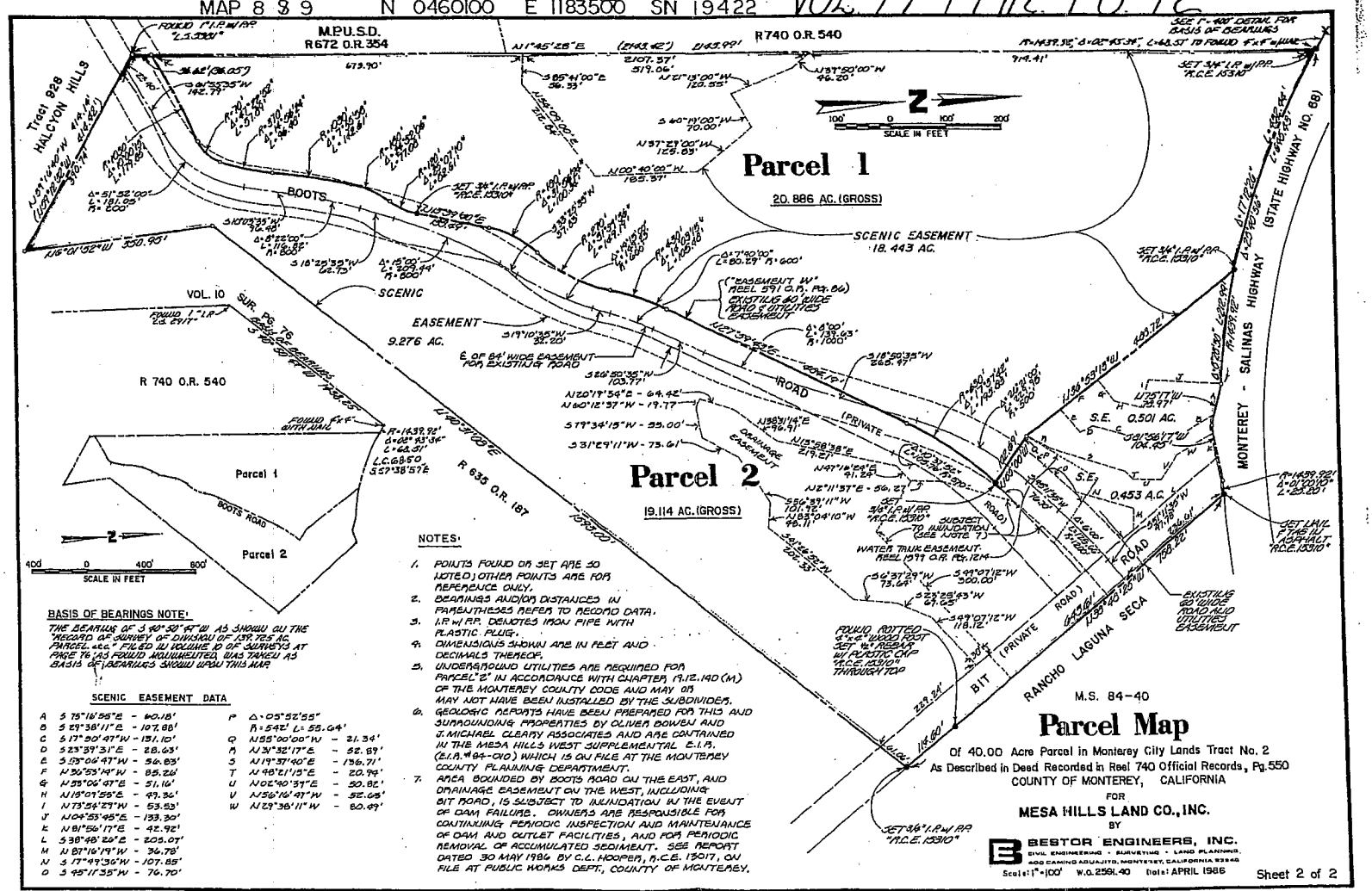
Sheet 1 of 2

LOG 4677

AP 416-151-07÷09

0 10 20 30 40 50 60 70 80 90 100
DEPARTMENT OF PUBLIC WORKS—MICROFILM SCALE:1"=10 COUNTY OF MONTEREY

MAP 8 3 9 N 0460100 E 1183500 SN 19422 VOL. 17 PAR. PG. 12



A	S 75°16'55"E - 40.18'	P	Δ=05°52'55" R=542' L=55.64'
B	S 29°38'11"E - 107.88'	Q	N55°00'00"W - 21.34'
C	S 17°30'47"W - 131.10'	R	N 3°32'17"E - 52.89'
D	S 23°39'31"E - 28.63'	S	N 19°37'40"E - 136.71'
E	S 15°06'47"W - 56.85'	T	N 98°21'15"E - 20.99'
F	N 36°53'49"W - 85.26'	U	N 0°40'39"E - 50.82'
G	N 55°06'47"E - 51.16'	V	N 56°16'47"W - 52.68'
H	N 19°07'55"E - 49.36'	W	N 29°38'11"W - 60.49'
I	N 73°54'29"W - 53.53'		
J	N 04°53'45"E - 133.30'		
K	N 81°56'17"E - 42.92'		
L	S 38°48'26"E - 205.07'		
M	N 87°16'19"W - 36.78'		
N	S 17°49'36"W - 107.85'		
O	S 45°17'35"W - 76.70'		

LOG 4677

AP 416-151-07 & 09

Exhibit I

RESOLUTION NO. 82-66
NTEREY COUNTY PLANNING COMMISS
STATE OF CALIFORNIA

WHEREAS: The tentative subdivision map of Mesa Hills West was filed with the Planning Commission on March 10, 1982 for consideration in conjunction with the Environmental Impact Report certified by the Board of Supervisors on July 28, 1981, and

WHEREAS: The Planning Commission found the map in conformance to the Subdivision Ordinance and the General Plan, and

WHEREAS: The Planning Commission considered Condition No. 13 of the State Office of Planning and Research Extension Agreement of November 3, 1981 and

WHEREAS: The Planning Commission, with reference to said Condition No. 13, recommends to the Board of Supervisors that it find, based on substantial evidence submitted by the subdivider, that there is existing adequate water, sewer, and roadway capacity to service the proposed development, or that there is a reasonable probability that the infrastructure can be developed pursuant to conditional approval of the application, now therefore be it

RESOLVED: That the tentative map of Mesa Hills West is hereby approved subject to the conditions set out in Exhibit "A" attached hereto and made a part hereof.

Regularly passed and adopted by the Planning Commission of the County of Monterey, State of California, on the 10th day of March, 1982 by the following vote:

AYES: Basham, Calcagno, Jimenez, Mill, Reaves, Callotto

NOES: Hendrick

ABSENT: Owen, Varga

ATTEST:

E. W. DENARS, SECRETARY

PETER CALLOTTO, CHAIRMAN

THIS CONSTITUTES THE REPORT TO THE BOARD OF SUPERVISORS AS REQUIRED BY SECTION 6.7b OF THE SUBDIVISION ORDINANCE AND IS SUBJECT TO THEIR APPROVAL

EXHIBIT "A"

1. The subdivider shall submit three prints of the approved tentative map to each of the following utility companies: Pacific Gas and Electric Co., Pacific Telephone Co., Water Company. Utility companies shall submit their recommendations, if any, to the Director of Public Works for all required easements.
2. The subdivider shall pay for all maintenance and operation of open space, private roads, and storm drainage from the time of installation until acceptance of the improvements for the subdivision by the Board of Supervisors as completed in accordance with the agreement and until a homeowners association or other agency with legal authorization to collect fees sufficient to support the services is formed to assure responsibility for the services.
3. That all natural drainage channels be designated on the final map by easements labeled "Natural Drainage Easements".
4. That a drainage report be submitted for approval of the Director of Public Works. The report is to include and show all tributary areas and information pertinent to the capability of the detention ponds to include anticipated silt load.
5. That adequate storm water detention siltation ponds be provided for this development to the satisfaction of the Director of Public Works such that the flow rate from the subdivision will not exceed that from the tributary area in its natural state during a ten year design storm. The Homeowners' Association shall be responsible for maintenance of the ponds.

Drainage Plan

6. Where cuts or fills at property line exceed 5' driveways shall be rough graded in when streets are rough graded, and positive drainage and erosion control provided.
7. That the common driveways have passing turnouts as required by sight distance to the approval of the Public Works Director and have minimum traversible width of 16 feet.
8. That catch basins be designed with grease traps.
9. That the improvement and grading plans include the specific plan and implementation schedule of measure for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control plantings become established. Temporary silt traps may be required. This plan shall be approved by the Director of Building Inspection for lot grading and the Public Works Director for road construction.
10. That all graded areas of the street right of way be planted and maintained as required by the County Surveyor to control erosion. The area planted shall include all shoulder areas and all cut and fill slopes. A report and plan prepared by a qualified person shall be submitted to the satisfaction of the County Surveyor and include the following:

    a) That the cut and fill slopes can be stabilized.
    b) Specific method of treatment and type of planting, by area for each soil type and slope required to satisfy item a.
    c) Type and amount of maintenance required to satisfy item a.

11. That cut slopes not exceed 1-1/2 to 1 except as specifically approved in concurrence with the erosion control plan. Slope rounding shall be a minimum of 10 feet by 10 feet to include replacement of topsoil.
12. That the subdivider deed to the County that area within the Official Plan Lines of State Highway 63 subject to a reversionary clause whereby land not used within a 20 year period is returned to the subdivider.
13. That abutters rights of access be relinquished along the Hidden Mesa Road frontage of lots served by common driveways and along one frontage of double-frontage lots.
14. That a grading permit be obtained from the Building Department.
15. That a Homeowners Association be formed for open space, road and drainage maintenance, grease trap cleaning, street sweeping and similar acts required by the AMBAG 208 Study.
16. That an adequate access easement be provided to the storm water detention siltation pond on Lots 25, 27, & 28, for maintenance purposes.

(CONTINUED)

17. Perform percolation tests and/or soil borings as required by the Health Department to determine the subdivision's suitability for sewage disposal by septic tank system. When a determination of the depth to groundwater is necessary, that determination may be required during the rainy season. Lots determined to be unsuitable by the Health Department shall be converted to open space or combined with another suitable lot subject to the approval of the Director of Planning. The Health Department must be contacted to witness all soil borings and percolation tests.
18. Provide sufficient geological and hydrogeological data to assure that a subsurface sewage disposal system can be installed on each lot. Some lots may require building envelopes to be placed on the final map. Lots that are determined to be unsuitable for septic system use should be combined with other suitable lots subject to the approval of the Director of Planning.
19. Provide certification and any necessary documentation from State agencies that Carmel Valley Mutual Water Company can and will supply sufficient water flow and pressure to comply with both Health and fire flow standards, and submit a letter from the local fire agency stating that the system has been tested for compliance.
20. Contact the State Department of Health to determine the requirements for expanding Carmel Valley Mutual Water System. Forward all State Department of Health determinations and comments to the County Health Department. Submit plans for the proposed water system additions to the Health Department for approval and construct the additions according to the approved plans.
21. That a Soils Engineers Report be submitted to the Building Department.
22. That the lots and building setback line be applied in accordance with the recommendations contained in the geotechnical report referred to in the certified EIR.
23. That a scenic easement be conveyed to the County on slopes over 30%, open space parcels and forest reserve parcels. Scenic easement deed to be submitted to and approved by Director of Planning prior to filing of parcel map.
24. That improvement plans showing tree locations be submitted to the Planning Director demonstrating that attempts were made to avoid the removal of trees for the road construction.
25. That the subdivision restrictions shall contain the following requirements, restrictions and provisions in a form subject to the approval of the Director of Planning:

    (1) No trees shall be unnecessarily removed or damaged.
    (2) Off-road vehicles shall not be permitted in the open space and forest reserve parcels.
    (3) Dogs shall not be permitted to run free at any time.
    (4) Native vegetation and open space shall be preserved.
    (5) Fences shall be restricted to the immediate vicinity of dwellings.
    (6) Residences are encouraged to use fire resistant native vegetation and removed problem exotic vegetation.
    (7) Residents are encouraged to preserve the two rare and endangered species and one rare plant species that have been discovered in various locations in the vicinity. They are: Carmel Valley bushmallow, Toro Manzanita and Monterey ceanothus.
    (8) Construction shall be limited to daylight hours.

26. That the equestrian and hiking trail be dedicated to the public over Boots Road, Camino Nuevo and Hidden Mesa Road subject to the approval of the Director of Planning.
27. That the developer grant an avigation easement to the Monterey Peninsula Airport District.
28. That the subdivision be rezoned to an SC-B-6 & O classification.
29. Applicant shall comply with the requirements of the Inclusionary Housing Ordinance (Ordinance #2694) prior to filing of the final map.
30. In the event that the County of Monterey adopts an overall ordinance providing for the construction and funding of Highway 68 improvements prior to recordation of the final subdivision map, the subdivider shall comply with that ordinance.

(CONTINUED)

31. That the subdivision annex to the Salinas Rural Fire District.
32. This approval is subject to the Board of Supervisors, making the necessary Findings required by Condition No. 13 of the State Office of Planning and Research Extension Agreement of November 3, 1981.

Exhibit J

MINOR SUBDIVISION COMMITTEE
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 86-10

MINOR SUBDIVISION # MS-84-40

A.P.# 416-151-07, 08 and 09

FINDINGS AND DECISION

In the matter of the application of Estate of John Bolten (MS-84-40) for a Minor Subdivision in accordance with Chapter 19.32 of Title 19 (Subdivisions) of the County of Monterey Code, to allow a minor subdivision to allow the division of a 40 acre parcel into three parcels of 21 acres, 14 acres and 5 acres each, located on Assessor's Map of Indian Ridge Development Corp., a portion of Township 16 South, Range 2 East, Monterey County Lands, Tract 2 & El Toro Rancho, Parcel 21, Hidden Hills area, fronting on and southerly of Highway 68, came on regularly for hearing before the Minor Subdivision Committee on February 13, 1986.

Said Minor Subdivision Committee, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. Finding: The tentative map for this subdivision, together with the provisions for its design and improvement, is consistent with the Greater Monterey Area Peninsula Plan.

   Evidence: The Greater Monterey Peninsula Area Plan land use element designates this parcel as "Rural Density Residential, 5+ acres per unit". The overall density of the project is 1 unit per 20.0 acres and the project is consistent with the other elements of the Land Use Plan.

2. Finding: The site of the proposed subdivision is physically suitable for the type of development proposed.

   Evidence: The proposed minor subdivision will allow the development of 40 acres into 3 parcels of 21 acres and 19 acres. The 21 acre parcel (parcel A) will become a portion of lots 49, 50 and 51 and a portion of open space parcel "B" of Mesa Hills West Subdivision and has a designated building site on the upper portion of the lot that was approved as a part of the Mesa Hills West Subdivision (818). The 19 acre parcel is a combination of proposed parcels B and C. The lower portion of the combined parcels is developed and the remaining portions will be placed into scenic easement. The majority of the land in proposed parcel B is undevelopable because of slopes greater than 30% and limited access.

3. Finding: The design of the proposed minor subdivision is physically suitable for the proposed density of development.

Evidence: The proposed development will result in the creation of two lots of 19 acres and 21 acres. The 19 acre parcel (parcels B and C) is currently developed with a tract office for subdivision sales and the 21 acre parcel will become a part of the approved Mesa Hills West Subdivision. No further development of the property will take place.

4. Finding: The design of the subdivision proposed by the tentative map or the proposed improvements are not likely to cause substantial environmental damage or substantially or unavoidably injure fish or wildlife or their habitat.

Evidence: As determined by the Initial Study this property is not a significant wildlife habitat nor does it contain any rare or endangered plant/animal species.

5. Finding: The design of the subdivision proposed by the tentative map or type of improvements on the tentative map is not likely to cause serious public health problems.

Evidence: By virtue of the building site in lot A and the combination of lots B and C will allow areas of sufficient size to meet septic tank requirements of the Regional Water Quality Control Board and Monterey County Health Department as determined by the Initial Study.

6. Finding: In approving the proposed minor subdivision, the Minor Subdivision Committee has balanced the housing needs of the County against the public service needs of its' residents and available fiscal and environmental resources.

Evidence: The Committee has required, as a condition of approval, that the development comply with the County's Inclusionary Housing Ordinance in existence at the time the application for minor subdivision is deemed complete.

7. Finding: In approving the proposed minor subdivision, the Minor Subdivision Committee finds that the fulfillment of the required conditions of approval is necessary.

Evidence: For the public health, safety and orderly development in the surrounding area as determined by the Departments of Planning, Public Works, Flood Control and Health.

8. Finding: In approving the proposed minor subdivision the Minor Subdivision Committee has determined that the approval will have no significant effect on the environment and a negative declaration has been filed.

Evidence: As determined by the Initial Study for the proposed project.

9. Finding: In approving the proposed minor subdivision the Minor Subdivision Committee has considered the effect of this minor subdivision in relation with the supply and demand of current water resources of the area.

   Evidence: The Minor Subdivision Committee has required that in order to approve this application for development the number of lots will be reduced from a proposal of 3 to 2 lots. This reduction will not increase the current demand of water in the area. Proposed lot A will be a portion of lots 49, 50 and 51 and a portion of open space parcel "B" of the previously approved Mesa Hills West Subdivision. Lots 49, 50 and 51 of Mesa Hills West have approved building sites and have been conditioned upon the approval of a water system that will be approved by the Environmental Health Division and the combination of proposed lots B and C is already developed.

10. Finding: Pursuant to Section 19.12.140(M) of the Monterey County Code, the Minor Subdivision Committee finds that a requirement for underground utilities on parcels B and C of MS-84-40 would be unreasonable and impractical.

    Evidence: Parcels B and C will be combined into one parcel to be known as Parcel B as a condition of approval. Said parcel B is an already developed parcel with overhead utilities which are well screened by existing vegetation and topography. The extent of the screening was field checked by a Planning Department staff member on February 13, 1986.

DECISION

THEREFORE, it is the decision of said Minor Subdivision Committee that the Negative Declaration be adopted and that said application for a minor subdivision be granted as shown on the attached sketch subject to the following conditions:

1. That a note be placed on the parcel map indicating that "underground utilities are required for Parcel "A" in accordance with Chapter 19.12.140(M) of the Monterey County Code and and may or may not have been installed by the subdivider." The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works.

2. That a scenic easement be conveyed to the County over those portions of the property where the slope exceeds 30%. Scenic easement deed to be submitted to and approved by Director of Planning prior to filing of parcel map.

3. That the developer grant an avigation easement to the Monterey Peninsula Airport District for each parcel created by this minor subdivision and that the deed by accepted by the Airport District prior to filing of the parcel map.

4. That a note be placed on the parcel map stating that "geologic reports have been prepared for this and surrounding properties by Oliver Bowen and J. Michael Cleary Associates and are contained in the Mesa Hills West Supplemental EIR (EIR #84-010) which is on file at the Monterey County Planning Department."

5. File parcel map delineating all existing and required easements or rights of way and monument new lines.

6. Thirty days prior to expiration date of the tentative map, Step A (8 items) of the County Surveyor's Check Off List for Parcel Map Processing shall be completed.

7. Prior to filing of the parcel map the applicant shall request in writing the combining "SC-B-6" zoning classification for combined parcels B and C and the combining "SC--B-5 21 acre minimum" for parcel A.

8. That lots B and C be combined into one lot to be identified as parcel B.

9. An analysis shall be performed by a Registered Civil Engineer to determine the area subject to inundation in the event of a dam failure. This area shall be placed in a drainage easement.

10. A study shall be done by a Registered Civil Engineer to determine the adequacy and condition of the dam and the adequacy of the pond for its intended purpose of storm water detention. If improvements are needed, they shall be completed prior to the filing of the parcel map, or a bond or acceptable surety shall be provided to the Director of Public Works for that purpose.

11. A notice shall be recorded advising future owners of Parcel "B" that they are responsible to see that inspections of the dam and pond are done on a regular basis and that necessary maintenance is accomplished. This notice shall also be placed on the parcel map. Notice shall be recorded concurrently with the parcel map.

12. That the standard hold-harmless agreement with County be required and that it be recorded.

13. Subdivider shall comply with Title 10.08 of Monterey County Code.

14. For Parcel "A", the subdivider shall contribute to a fund for drainage facility improvements in Canyon Del Rey his proportionate share to be determined by the Flood Control District.

PASSED AND ADOPTED THIS 13TH day of February, 1986, by the following vote:

AYES: Chiulos, Friedrich, Naslund, Perkins, Plopa, Stewart
NOES: None
ABSENT: Riddle

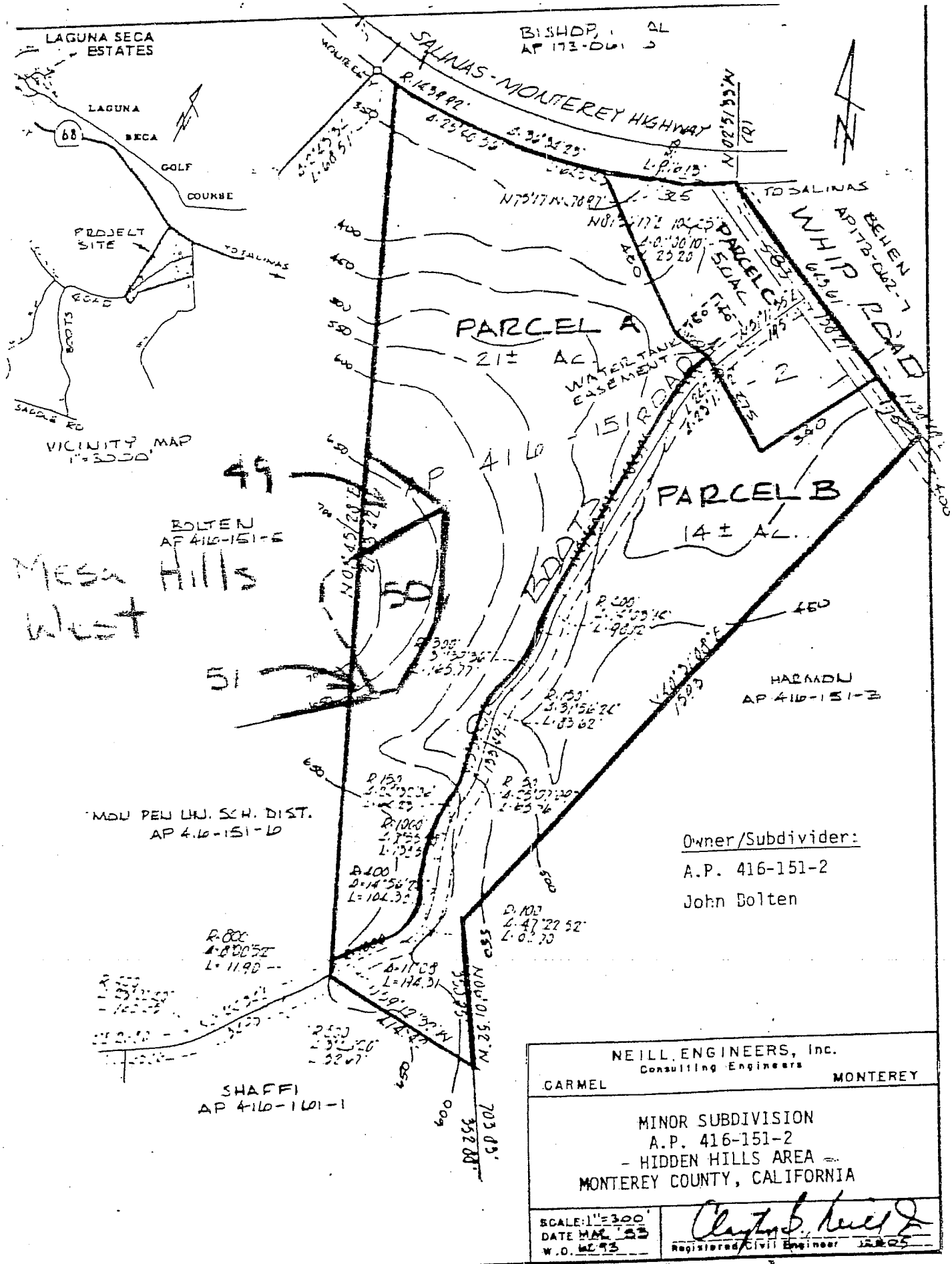
Nicholas Chiulos
NICHOLAS CHIULOS, SECRETARY

COPY OF THIS DECISION WAS MAILED TO APPLICANT ON: February 21, 1986.

IF ANYONE WISHES TO APPEAL THIS DECISION, AND APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE MARCH 4, 1986.

UNLESS EXTENDED AS PROVIDED BY CHAPTER 19.32.130, TITLE 19 (SUBDIVISIONS), MONTEREY COUNTY CODE, THIS APPROVAL EXPIRES ON FEBRUARY 13, 1988. EXTENSION REQUESTS MUST BE MADE IN WRITING 30 DAYS PRIOR TO THE AFOREMENTIONED EXPIRATION DATE.

THESE PERMIT SUPERCEDES ALL PREVIOUS PERMITS PREVIOUSLY MAILED TO THE APPLICANT.



Owner/Subdivider:

A.P. 416-151-2

John Bolten

NEILL ENGINEERS, Inc.
Consulting Engineers
CARMEL MONTEREY

MINOR SUBDIVISION
A.P. 416-151-2
- HIDDEN HILLS AREA -
MONTEREY COUNTY, CALIFORNIA

SCALE: 1"=300'
DATE MAR. '83
W.O. 82-93

Registered Civil Engineer

MS 84-40

1988 Sept. 29

Exhibit K

MINOR SUBDIVISION COMMITTEE
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 88-90

MINOR SUBDIVISION # MS-84-40

A.P.# 416-193-13

FINDINGS AND DECISION

In the matter of the application of JOHN BOLTEN (MS-84-40) for a Minor Subdivision in accordance with Chapter 19.04 of Title 19 (Subdivisions) of the County of Monterey Code, to allow an amendment to the recorded parcel map, Volume 17 Parcel Maps, page 12, Recorded October 21, 1986 for a previously approved Minor Subdivision (MS-84-40) regarding Condition #11 which requires that "A notice shall be recorded advising future owners of Parcel 'B' that they are responsible to see that inspections of the dam and pond are done on a regular basis and that necessary maintenance is accomplished." Located on Parcel 2, Monterey City Lands Tract #2, Hidden Hills area, fronting on Bit and Boots Roads, came on regularly for hearing before the Minor Subdivision Committee on September 29, 1988.

Said Minor Subdivision Committee, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. Finding: That the proposed amendment of the parcel map will not impose any additional burden on the present fee owner of the property and does not alter any right, title or interest in the real property on the recorded map.

   Evidence: The existing notice on the parcel map states: "Area bounded by Boots Road on the east, and drainage easement on the west, including Bit Road, is subject to inundation in the event of dam failure. Owners are responsible for continuing periodic inspection and maintenance of dam and outlet facilities, and for periodic removal of accumulated sediment. See report dated 30 May 1986 by C.L. Hooper, R.C.E. 13017, on file at Public Works Dept., County of Monterey".

   The amended notice will state the following: "Area bounded by Boots Road on the east, and drainage easement on the west, including Bit Road, is subject to inundation in the event of dam failure. Boots Road Maintenance Association is responsible for continuing periodic inspection and maintenance of dam and outlet facilities and for periodic removal of accumulated sediment. See report dated 30 May 1986 by C.L. Hooper, R.C.E. 13017, on file at Public Works Dept., County of Monterey".

2. Finding: That the proposed deletion of approved Condition #11 of the Estate of John Bolten (MS 84-40) will not impose any additional burden on the present fee owner of the property or property owners within the approved subdivision and does not alter any right, title or interest in the real property on the recorded map.

   Evidence: The proposed deletion of this condition of approval, which states: "A notice shall be recorded advising future owners of Parcel 'B' that

they are responsible to see that inspections of the dam and pond are done on a regular basis and that necessary maintenance is accomplished. This notice shall also be placed on the parcel map. Notice shall be recorded concurrently with the parcel map" is an item addressed in the Articles of Incorporation of the Boots Road Maintenance Association.

Article III, Section 1, Association Responsibilities of the aforementioned Articles states, in part: The Board of the Association will have the responsibility of managing the maintenance of Boots Road...The term 'maintenance of Boots Road' as used herein, shall include maintenance and repair of all erosion control facilities associated with Boots Road, including, without limitation, all drainage structures, piping and the detention dam located adjacent to the real property commonly known a(s) 24700 Bit Road, Monterey, California".

Removal of Condition #11 will not affect the requirements of the homeowners in the subject subdivision to maintain and repair the dam and the pond.

3. Finding: The amended parcel map is consistent with the Greater Monterey Peninsula Area Plan.

   Evidence: The Greater Monterey Peninsula Area Plan land use element designates the subject area as "Rural Density Residential, 10 acres per unit". The parcel map was filed in accordance with the approval of a tentative parcel map (MS 84-40 and Minor Subdivision Committee Resolution No 86-10). Amending the parcel map and deleting Condition #11 will not alter the density of the minor subdivision nor adjust any lot lines.

4. Finding: The Negative Declaration filed for the Estate of John Bolten (MS 84-40) remains an adequate environmental assessment for this project.

   Evidence: No significant environmental impact(s) will result from the changes proposed in this project. The Initial Study identifies increased project run-off as an insignificant impact that can be mitigated. The changes in the project that would result from proposed modifications still require property owners to provide for the maintenance and repair of the dam and detention pond.

DECISION

THEREFORE, it is the decision of said Minor Subdivision Committee that the previously adopted Negative Declaration be found adequate and that the approval of MS-84-40 shall be modified subject to the following conditions:

1. Condition #11 of Resolution No. 86-10 shall be amended to read: "The dam and pond shall be maintained by the Boots Road Maintenance Association and noticed on the parcel map."
2. That the applicant file an amended parcel map, subject to the approval of Flood Control and Water Conservation District and the Director of Planning and Building Inspection, which includes the following notice: "Area

bounded by Boots Road on the east, and drainage easement on the west, including Bit Road, is subject to inundation in the event of dam failure. Boots Road Maintenance Association is responsible for continuing periodic inspection and maintenance of dam and outlet facilities, and for periodic removal of accumulated sediment. See report dated 30 May 1986 by C.L. Hooper, R.C.E. 13017, on file at Public Works Dept., County of Monterey".

3. Provide proof of recordation of the Boots Road Homeowner's Maintenance Agreement to the Flood Control District and Director of Planning and Building Inspection.

PASSED AND ADOPTED this 29TH day of SEPTEMBER, 1988, by the following vote:

AYES: Chiulos, LeWarne, Lundquist, McPharlin, Moore, Stewart, Walker

NOES: None

ABSENT: None

by Robert Slimmon Jr.
NICHOLAS CHIULOS, SECRETARY

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON OCTOBER 17, 1988

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE OCTOBER 27, 1988

THIS CORRECTED PERMIT SUPERSEDES PERMIT PREVIOUSLY MAILED TO YOU.

MS1

Exhibit L

FENTON & KELLER
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
2801 MONTEREY-SALINAS HIGHWAY
POST OFFICE BOX 791
MONTEREY, CALIFORNIA 93942-0791
TELEPHONE (831) 373-1241
FACSIMILE (831) 373-7219

CHARLES R. KELLER
RONALD F. SCHOLL
THOMAS H. JAMISON
LARRY E. HAYES
MARK A. CAMERON
JOHN S. BRIDGES
DENNIS G. MCCARTHY
JACQUELINE P. MCMANUS
CHRISTOPHER E. PANETTA
DAVID C. SWEIGERT
VIRGINIA E. HOWARD
JENNIFER M. PAVLET
SARA B. BOYNS
TIMOTHY M. STUART
SHARILYN R. PAYNE
BRIAN E. TURLINGTON
AMBER D. PASSNO

LEWIS L. FENTON
1925-2005

FROM SALINAS
TELEPHONE (831) 757-8937

August 9, 2005

JOHN S. BRIDGES

JBridges@FentonKeller.com
ext. 238

Monterey County Water Resources Agency
Attn: Curtis Weeks
P.O. Box 930
Salinas, CA 93902

Re: Meador Property at 24700 Bit Road (APN 416-193-013/Siltation Basin Removal)
Our File: 2035.29501

Dear Curtis:

This letter is to follow up on our March 22 meeting regarding the Meador property. Based on the record materials we have reviewed regarding the siltation basin located on the Meador property we have determined:

1. The siltation basin was initially developed in 1969 to address siltation concerns associated with subdivision by the Hidden Hills Land Company. Evidence of this is found in the August 31, 1969, report prepared by Bestor Engineers where the purpose of the facility is described as being "for interim measures to prevent downstream siltation..." (see also 9-12-69 drainage plans; attached). Evidence is also found on the subdivision map recorded at Volume 17 of Parcel Maps, Page 12; note 7 which references a May 30, 1986, report by Carl Hooper on file at County Public Works which report clearly defines the facility as being for "siltation protection" with any function as detention being "coincidental" and "not obligatory." That original interim downstream siltation purpose has been fulfilled since the area is now essentially built out and Mr. Meador intends to now reuse his land.

2. As far as the basin being used for water detention is concerned, if any requirement for detention on the site exists it would only be that related to the Mesa Hills West subdivision which, according to the above referenced May 30, 1986, Bestor Engineers report, equates to approximately 1.56 cfs (52.1 cfs x .03). Although Mr. Meador does not concede any legal obligation that his property must provide detention for said 1.56 cfs, Mr. Meador is willing, in the spirit of compromise, to

agree with the Boots Road Maintenance Association to design and build a detention facility on the property that will handle 1.56 cfs (see attached WWD Engineering letter discussing MCWRA design criteria).

3. The maintenance responsibility for the existing basin currently rests with the Boots Road Maintenance Association consistent with their Resolution No. 88-90.

As we discussed, Mr. Meador is willing to agree with the Boots Road Maintenance Association to design and build such a detention facility on the property in accordance with the attached WWD Engineering letter. The cost of this project would be borne by Mr. Meador and the Boots Road Maintenance Association. Mr. Meador will also agree to ensure that the Boots Road Maintenance Association continues to monitor and maintain the facility. Based on our meeting and subject to your written concurrence with the WWD letter, Mr. Meador is prepared to commence design of the detention facility and submit a grading permit to the Monterey County Planning & Building Inspection Department to remove the existing siltation basin and thereafter to work with the Boots Road Maintenance Association to construct said detention facility (which would consist of two earthen berm drainage channel bunkers designed to allow routine access for sediment control). We understand your Agency would support such an application and assist in its processing.

As we discussed, before proceeding to the design stage, Mr. Meador needs your concurrence with the background record set forth above and with the letter prepared by WWD (attached). In light of the significant expense associated with developing the detention facility, it is only reasonable for Mr. Meador to seek your advance approval. Of course, in order to complete the project before the next rainy season begins we need to move forward expeditiously. Thank you.

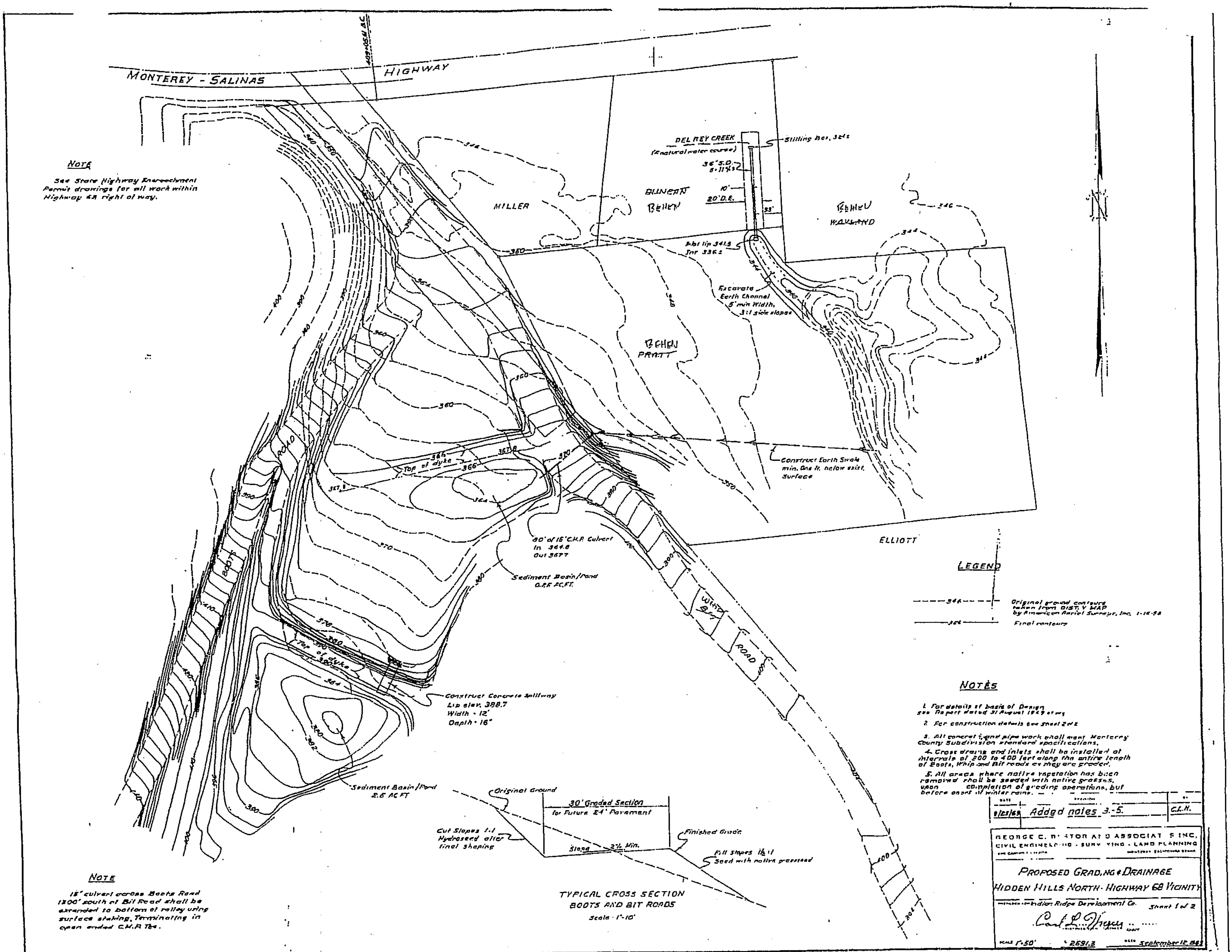
Very truly yours,

FENTON & KELLER
A Professional Corporation

John S. Bridges

JSB:kmc
Enclosures

cc: Doug Meador (w/encs.)
Dave Fuller, WWD (w/encs.)


MONTEREY - SALINAS HIGHWAY
NOTE
See State Highway Encroachment Permit drawings for all work within Highway 68 right of way.
MILLER
DEL REY CREEK
(Natural water course)
Stilling Box, 342±
BEHEN
WAYLAND
PRATT
ELLIOTT
Excavate Earth Channel 5' min Width. 3:1 side slopes
Construct Earth Swale min. One ft. below exist. Surface
Top of dyke
80' of 15" C.M.P. Culvert In 364.8 Out 367.7
Sediment Basin/Pond
Construct Concrete Spillway Lip elev. 388.7 Width - 12' Depth - 16"
Sediment Basin/Pond 2.6 AC FT
BOOTS ROAD
WHIP ROAD
LEGEND
Original ground contours taken from DIST. V MAP by American Aerial Surveys, Inc. 1-16-58
Final contours
NOTES
1. For details of basis of Design see Report dated 31 August 1969
2. For construction details see Sheet 2 of 2
3. All concrete and pipe work shall meet Monterey County Subdivision standard specifications.
4. Cross drains and inlets shall be installed at intervals of 300 to 400 feet along the entire length of Boots, Whip and Bit roads as they are graded.
5. All areas where native vegetation has been removed shall be seeded with native grasses, upon completion of grading operations, but before onset of winter rains.
Added notes 3.-5.
C.L.H.
Original Ground
30' Graded Section
for Future 24' Pavement
Finished Grade
Cut Slopes 1:1 Hydroseed after final shaping
Slope 2% Min.
Fill Slopes 1½:1 Seed with native grasses
TYPICAL CROSS SECTION
BOOTS AND BIT ROADS
Scale 1"=10'
NOTE
15" culvert across Boots Road 1300' south of Bit Road shall be extended to bottom of valley using surface staking, Terminating in open ended C.M.P. Tee.
PROPOSED GRADING & DRAINAGE
HIDDEN HILLS NORTH - HIGHWAY 68 VICINITY
Indian Ridge Development Co.
Sheet 1 of 2
Scale 1"=50'
2691.3
September 12, 1969

WWD CORPORATION

ENGINEERING · SURVEYING · PLANNING · CONSULTANTS

April 27, 2005

John Bridges
Fenton & Keller
2801 Monterey-Salinas Hwy
Monterey, CA. 93940

Subject: Meador property at 24700 Bit Road (APN 416-193-013) (detention facility).

Dear Mr. Bridges:

You have asked me to comment on your draft letter to Mr. Weeks of the Monterey County Water Resources Agency (MCWRA).

In that letter, under number 2, a flow of 1.56 cubic feet per second (CFS) is to be detained.

Assuming an event duration of one hour, the required detention volume would be 1.56 CFS x 3600 SECS / HR = 5,616 cubic feet.

The existing channel on the Meador property south of Boots Road and east of Whip Road can be utilized for this storage by placing a dam (or series of dams) within the channel. The dam(s) (channel barrier) would allow water to back up and be detained. A small diameter opening at the bottom of the dam(s) would allow detention area(s) to drain at a low rate so within a short period of time (say 4 hours) the detention facility would be empty and ready to receive water from subsequent storms.

The owner (Mr. Meador) has suggested that possibly an 8 foot deep by 6 foot wide flat concrete channel could be built within the existing drainage channel with a concrete dam at the down stream end. As an additional benefit, this would also act as a stilling basin to settle out silts and would therefore need to be accessible by equipment for cleaning as needed.

This is, in my opinion, a workable solution. There are numerous other solutions also which could provide the 5,616 CFS storage and access for cleaning. The owner should have the option of selecting the most efficient and economical design after careful review of the various options.

Sincerely,

David K. Fuller
PE24400

2801 MONTEREY-SALINAS HIGHWAY, SUITE I
MONTEREY, CA 93940
Phone: (831) 655-2723 Fax: (831) 655-3425
Web Site: WWDENGINEERING.COM E-Mail: MAIL@WWDENGINEERING.COM

Exhibit M

MONTEREY COUNTY

WATER RESOURCES AGENCY

PO BOX 930
SALINAS, CA 93902
(831) 755-4860
FAX (831) 424-7935

CURTIS V. WEEKS
GENERAL MANAGER

August 29, 2005

STREET ADDRESS
893 BLANCO CIRCLE
SALINAS, CA 93901-4455

Mr. John Bridges
Fenton & Keller
2801 Monterey-Salinas Hwy
Monterey, CA 93942-0791

Subject: 24700 Bit Road, APN 416-193-013-000, Boots Road Pond.

Dear Mr. Bridges:

In response to your correspondence of August 9, 2005 regarding our meeting of March 22, 2005, please recall that the Agency has conducted several reviews of the subject parcel and pond previous to our March 22 meeting, and recommended in the past that your client move forward through the County's Planning and Building process. By receipt of this letter, we conclude that your client is prepared to begin that process.

The Agency's efforts, to date, consist of review of the Agency documentation, consultation the Bestor Engineering, consultation with the former attorney for Laguna Seca Golf Ranch, Mr. Donald Hubbard, and review of the title for the existing easements on the subject property. From this review, we have established the following history of the subject pond and dam. Moreover, we acknowledge that there are gaps in the records of previous subdivisions and the formation documentation of the existing structures.

It appears that the dam was constructed to resolve a private dispute in 1969 between landowners (Laguna Seca Golf Ranch – Plaintiffs v. Hidden Hills Land Company (Mr. Hogan) – Defendants) in the Hidden Hills area. As a result, George C. Bestor & Associates, Inc., according to Mr. Carl Hooper, was appointed by the courts to review the plan, prepare a report and recommend final corrective measures and to supervise their implementation. That letter report from George C. Bestor Inc. signed by Mr. Carl Hooper to Mr. Donald Hubbard, attorney for Laguna Seca Golf Ranch Inc is dated 31 August 1969.

The letter report makes recommendations to Mr. Hubbard as to how siltation from Mr. Hogan's property (Hidden Hills Land Company) can be prevented from impacting plaintiff's property, Laguna Seca Golf Ranch. According to Mr. Hubbard, Boots Road was under construction in 1968 when severe rainstorms in early 1969 caused considerable amount of erosion and siltation from the construction of Boots Road damaging downstream properties including Laguna Seca Golf Ranch and Highway 68. Mr. Hooper has indicated that the 1968 construction included

ponds that were intended as siltation protection. However, the rains, erosion, and siltation in 1969 exceeded the capacity of those facilities, and resulted in the construction of a new pond and dam in late 1969. This is the facility that exists today.

The 1969 Bestor letter report makes some recommendations, but it is not clear what recommendations were followed or implemented. In a letter to the Monterey County Building Department dated 12 March 1971 (Attachment 1), Mr. Carl Hooper certifies that all work outlined in the grading permit for Boots Road as issued to Mr. Edward F. Hogan, has been completed essentially in compliance with the terms set forth in the report prepared by Carl Hooper on 31 August 1969. We cannot locate the grading permit addressed in the 1971 correspondence, nor can we determine if a grading permit was issued.

The subject parcel (APN 416-193-013-000) was created as part of the Bolton Minor Subdivision (MS 84-40). Apparently, an engineer's report was prepared to satisfy a condition of approval for the minor subdivision. In Resolution No. 86-10 (Attachment 2), condition no. 10 reads: "A study shall be done by a Registered Civil Engineer to determine the adequacy and condition of the dam and the adequacy of the pond for its intended purpose of storm water detention. If improvements are needed, they shall be completed prior to filing of the parcel map, or a bond or acceptable surety shall be provided to the Director of Public Works for that purpose." The engineer's report prepared as a result of the above condition is the 30 May 1986 report prepared by Mr. Carl Hooper (Attachment 3).

According to Mr. Hooper, the existing pond was constructed in 1969 with an approximate capacity of 2.5 acre feet behind a 16 to 18 foot constructed height earth filled embankment approximately 210 feet long. The combined pipe and spillway outlets could carry a peak 100-year runoff. Although, according to Mr. Carl Hooper, the 1968 construction of the ponds was truly intended for siltation protection. Its function as detention was coincidental, but not obligatory.

Condition No. 9 of Resolution No. 86-10 (Attachment 2), states: "An analysis shall be performed by a Registered Civil Engineer to determine the area subject to inundation in the event of dam failure. This area shall be placed in a drainage easement." The drainage easement with the associated area of inundation is shown on Attachment 4. The drainage easement is owned by Indian Ridge Development Corporation and Standard International Corporation (Attachment 4).

Condition No. 11 of Resolution No. 86-10, states: "A notice shall be recorded advising future owners of Parcel "B" (also known as part of APN 416-193-013-000) that they are responsible to see that inspections of the dam and pond are done on a regular basis and that necessary maintenance is accomplished. This notice shall be recorded concurrently with the final map." Condition No. 11 of Resolution No. 86-10 was modified by Resolution No. 88-90 (Attachment

5) to read: "The dam and pond shall be maintained by the Boots Road Maintenance Association and noticed on the parcel map."

In Resolution No. 88-90, Findings of fact number 2 states: "Finding: That the proposed deletion of approved Condition #11 of the Estate of John Bolten (MS 84-40) will not impose any additional burden on the present fee owner of the property or property owners within the approved subdivision and does not alter any right, title or interest in the real property on the recorded map. Evidence: The proposed deletion of this condition of approval, which states: "A notice shall be recorded advising future owners of Parcel B that they are responsible to see that inspections of the dam and pond are done on a regular basis and that necessary maintenance is accomplished. This notice shall also be placed on the parcel map. Notice shall be recorded concurrently with the parcel map" is an item addressed in the Articles of Incorporation of the Boots Road Maintenance Association.

Article III, Section 1, Association Responsibilities (Resolution No. 88-90) of the aforementioned Articles state, in part: "The Board of the Association will have the responsibility of managing the maintenance of Boots Road...The term maintenance of Boots Road, as used herein, shall include maintenance and repair of all erosion control facilities associated with Boots Road, including, without limitation, all drainage structures, piping and the detention dam located adjacent to the real property commonly known a (s) 24700 Bit Road, Monterey, California." Removal of Condition #11 will not affect the requirements of the homeowners in the subject subdivision to maintain and repair the dam and the pond."

The pond (dam) history is also connected to the *Final Supplemental EIR for the Mesa Hills West Tentative Subdivision and Rezoning* (Final Supplemental EIR) (Attachment 6), County of Monterey, dated December 1984. On page 44, it is stated that: "Subwatershed No. 7. This subwatershed has a tributary drainage of 196 acres. It has a well-defined creek channel that extends from the upper reaches, close to the dividing line with the Carmel Watershed, down to a gravity dam built close to Canyon del Rey Creek. A paved road, Boots Road, climbs to the upper part of this watershed, where a substantial amount of earthwork has already been done, readying the land for subdividing. The dam discharges through a 24" CMP that ends in a concrete box energy dissipator (refer to Figure 18). The proposed Mesa Hills West lots that fall within this watershed are as follows: Lots – 31-33, 36-47 and portions of Lots 1, 26, 27, 28, 29, 30, 34, and 35." There have been many subdivisions within the watershed; however, Agency records are incomplete. In Resolution No. 82-66 (Attachment 7), related to the tentative subdivision map for Mesa Hills West, Condition No. 5 states: "That adequate storm water detention siltation ponds be provided for this development to the satisfaction of the Director of Public Works such that the flow rate from the subdivision will not exceed that from the tributary area in its natural state during a ten year design storm. The Homeowners' Association shall be responsible for maintenance of the ponds." From our research, two ponds currently exist, one is

near Hidden Mesa Road and Camino Nuevo on the Jeanette Hogan Property and the other is located at the foot of Boots Road.

The above history demonstrates a reliance on the pond and dam at the base of Boots Road for siltation and storm water detention, albeit without the rigor and continuity the Agency currently would utilize. In addition, we have found that the area of the pond and dam to Bit Road are in a recorded drainage easement owned by Indian Ridge Development Corporation and Standard International. This finding is not consistent with publicly held siltation or storm water facilities. It should also be noted that this area is to be maintained by the Boots Road Maintenance Association.

The Agency's records are incomplete with regard to the use, designation and reliance of the dam and pond for the multiple subdivisions that have been developed over time. As we understand, your client's intent is to remove the existing dam as it has served its purpose for siltation removal subject to the 1969 litigation resolution. The Agency will assist in your client's efforts to modify or remove the existing dam through the appropriate permitting process.

For example, it is likely that the proposed modification of the existing pond would be subject to a grading permit from Monterey County. As part of the permitting process, the Agency will review the design for the proposed changes, and supporting drainage analysis prepared by a registered civil engineer. It is not clear at this time what additional information may be required to complete our review.

Regarding any change in the parcel's configuration, grading, project construction or removal of the dam and pond, appropriate permits would be required. The Agency stands ready to assist your client as he moves forward. We encourage you to contact Planning and Building Inspection regarding the procedure for such construction or demolition and any required permits.

Sincerely,

Curtis V. Weeks
General Manager

Attachments:
Attachments 1-7

Exhibit N-1 PLN060378/ UB070165

DRAINAGE REPORT
MEADOR PROPERTY
APN 416 193 013
PLN 060378

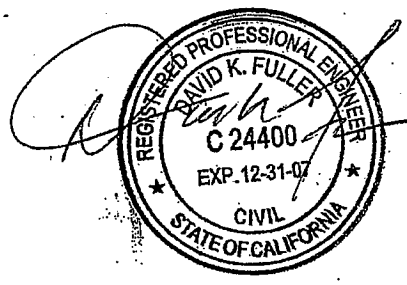
FILE COPY

Prepared by:

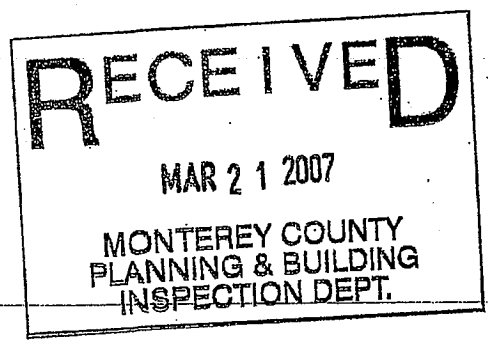
WWD Corporation
2801 Monterey Salinas Highway
Suite I
Monterey, CA 93940

For:
Grading and Drainage Improvements
To Individual LOT

This report supercedes all other reports prepared By WWD Corporation for this project



Date Prepared
March 2007



GENERAL

The Meador property is approximately 19.11 acres and is located South of Highway 68 on Bit Road (24700 Bit Road). It has had a silt basin on its premises for many years. The basin earth berm is in poor repair and in danger of failing, which could cause significant down stream damage. The outlet structure is no longer functional and considerable erosion has occurred around the structure.

The owner of the property (Meador) is very concerned about this problem. He is tasked with maintaining the basin, as is the Boots Road Maintenance Association per MS84 – 40 (Resolution 88-90). As MCWRA is aware, the owner has been attempting to get County permission to do work to correct this problem, for sometime.

The Monterey County Water Resources Agency (MCWRA) has indicated it is their belief that this is not a silt basin but a detention basin. The owner disagrees, indicating it has always been a silt basin and never officially required to be a detention facility. There have been numerous reports and revision reports spanning (to my knowledge) 37± years which deal directly or indirectly with this basin.

The purpose of this report is not be rehash the numerous documents in the record but to design a facility which will provide the safeguards to the public that the owner feels are at risk due to the failing earth berm and, at the same time, take into account the MCWRA desires to provide detention storage on this site for the entire tributary area.

TRIBUTARY AREA

The area tributary to the basin on the Meador property (in the past annotated as the "Boots Road Pond") is entirely north of the basin. The highest elevations in the water shed is approximately 1230' MSL and the lowest is 362.76' (which is the invert of the 60" culvert leaving the Meador property). The total length of the watershed is approximately 4800 feet.

The total area of the watershed is 185 acres, of which 16.2 acres drain to a retention pond (approximately 40,000 cubic feet in volume) on the condo parcel in Mesa Hills West. Therefore, the tributary area to the Meador (Boots Road) basin is 168.8 Acres. The attached 11x17 (1" = 400') USGS map shows all the tributary area and the lots of record within the area.

The writer of this report and John Cuda (past president of Boots Road Maintenance Association) met on 2/01/07 and inspected the entire site to determine which units were tributary to the watershed. The basin site on the Condo parcel was also visited and measured for volume.

DESIGN CRITERIA

A meeting with MCWRA was held on 2/1/07 to discuss this project and design criteria. MCWRA suggested it would be appropriate to design the basin volume in accordance with today's guidelines to hold a volume equivalent to the difference between the peak 100 year post-development storm water runoff and the peak 10 year pre-development storm water runoff. It was also suggested that and outlets below the overflow be designed to pass only the 2 year peak pre-development storm. (Two of these openings might be appropriate, one above the other so if the bottom is plugged water can still leave the basin in the other). The design will provide that when the water is at the overflow level, both outlets will allow only the 2year pre-development storm out of the basin.

Formula:

$Q = AiC$ A = Tributary area in acres
C = Runoff Coefficient
I = Rainfall intensity at tc
tc = Time of concentration = $60\,(11.9\,L^3/H)^{0.385}$ + 10 Minutes roof-to-gutter-time

Where L = Length of longest water course, miles
And H = Elevation difference between divide and outlet (feet)

At least 5,000 cubic feet of silt storage will be provided in the bottom of the basin below the lowest outlet.

DESIGN CALCULATIONS

$tc = 60\ (11.9\ L^3/H)^{0.385} = 60\ (11.9 \times 0.91^3/1230\text{-}363)^{0.385} = 60\ (0.0103)^{0.385}$

$= 60 \times 0.17$

$= 10.32$ Min

Roof to Gutter = 10min $= \underline{10.00}$ Min

Therefore: tc $= 20.32$ Min

say $= \underline{\mathbf{21\ Minutes}}$

PRE-DEVELOPMENT : **2 Year Peak Runoff**

$Q_2 = Aci$ $\quad i = 0.6 \times 7.75/tc^{¼} = 1.01$ in/hr

A = 168.8 Ac

C = 0.10

Therefore: $Q_2 = 168.8 \times 0.10 \times 1.01 =$ **17.0 CFS**

10 Year Peak Runoff

$Q_{10} = Aci$ $\quad i = 0.6 \times 7.75/tc^{¼} \times 1.48 = 1.49$ in/hr

$Q = 168.8 \times 0.10 \times 1.49 =$ **25.2 CFS**

POST-DEVELOPMENT: **100 Year Peak Runoff**

IMPERVIOUS AREAS

28 Residential Units:	Avg Roof Area		= 4500 SF
	Avg Dwy Area		= 1500 SF
	Avg Flat Work		= 500 SF
	Per Lot Total		6,500 SF
28 Units x 6500 SF	= 182,000 SF		= 4.18 AC

ROADS

Road	4300 LF @ 28'	=	120,400	
Road	3050 LF @ 24'	=	73,200	
Road	700 LF @ 22"	=	15,400	
(Half Road)	900 LF @ 12'	=	10,800	
(Common Dwy)	1200 LF @ 12'	=	14,400	
			234,200 ÷ 43,560	= 5.38 AC
			Impervious Area (Total)	= 9.56 AC

CNatural = 0.10

CImpervious = 0.95

$\bar{C} = (0.95 \times 9.56 = 0.10 \times 159.24) / 168.8 = 25.06 / 168.8 = 0.148$

Say 0.15

$Q_{100} = 168.8 \times 0.15 \times 0.6 \times 7.75/21^{¼} \times 2.22 =$ **57.04 CFS**

REQUIRED STORAGE = $(Q_{100}$ post $- Q_{10}$ pre) x tc x 60

$= (57.04 - 25.20) \times 21 \times 60 =$ **40,118 CF**

SUMMARY
Required minimum storage at overflow (Q100 post) = 40,118 CF
Required maximum outflow = (Q_2 pre) = 17.0 CFS @ water level 369^0
Minimum design Overflow = Q_{100} post) = 57.04 CFS – 17.0 CFS = 40 CFS @ 370^0
(Design for 50 CFS in case one opening is plugged)

DETENTION BASIN VOLUME CALCULATIONS

ELEV FT	CONTOUR AREA (SF)	VOLUME BETWEEN BASIN CONTOURS (CF)	CUMULATIVE VOLUME (CF)	COMMENTS
360	2610		0	
		6210		
362	3600		6210	
		2953		
362.75	4275		9163	Silt storage
		5906		
364	5175		15,069	
		11,943		
366	6768		27,012	
		14,958		
368	8190		41,970	
		9,045		
369	9180		51,015	Overflow weir elevation
		9,675		
370	10,170		60,690	Maximum water level

Basin has 9,163CF of silt storage below elevation 362.75 which is the elevation at which basin will begin to discharge thru the openings in the headwall.

Basin has useable storage of approximately 41,852CF between elevation 362.75 and 369.00 (overflow weir elevation). This volume excludes the 9,163CF below elevation 362.75 which is allocated for silt storage. Basin stores 50,527 CF at Elevation 370 while overflowing 50CFS.

SUMMARY AND CONCLUSIONS
The required storage between the lowest outlet and the overflows is 40,118 CF. Approximately 42,000 CF is provided between elevation 369.00 and elevation 362.75. Also, over 9,000 CF of silt storage is provided below elevation 362.75.

A headwall type outlet structure is to be constructed to control outflow from the detention basin. The overflow will be a weir overflow (15' long and 2' deep) which will allow 50 CFS to overflow at a 1' flow depth over the weir.

There will be 2 outlets in the wall. One will be 12" diameter at elevation 363.25 (centerline) and the other will be 9.8" diameter at elevation 365.0 (centerline). The combined discharge from these 2 outlets when the basin water level is at the overflow (elev 369.00) is less than 17.0 CFS, which is equivalent to the pre-development 2 year peak runoff.

The combined flow with the water level at 370.00 (1' over the overflow) will be 67.0± CFS which is 10 CFS more than the post development 100 year runoff 57.04 CFS. (50 CFS over the overflow and 17 + CFS through the 2 outlets).

The 60" (existing) culvert at 3% slope (n=0.013) will carry the 17cfs flow at a depth of 0.83 feet and the 57 CFS flow at a depth of 1.70 feet.

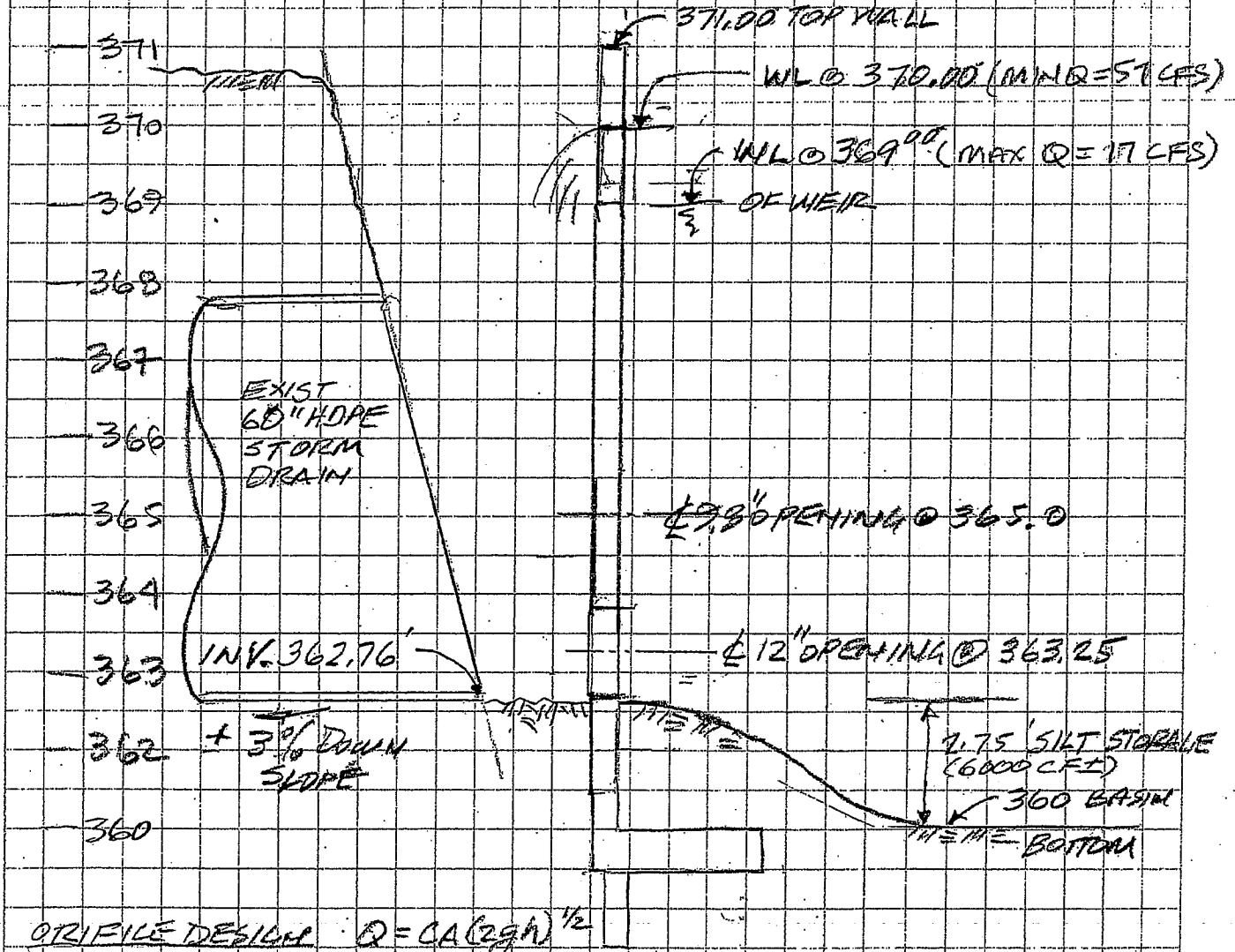
See attached 11x17 map drawing showing the tributary area and the attached 8.5 x 11 detail of the outlet structure and relative elevations.

END

W W D CORPORATION
ENGINEERING • SURVEYING
PLANNING • CONSULTANTS
PHONE (831) 655-2723 FAX (831) 655-3425

JOB
SHEET NO. OF
CALCULATED BY DATE
CHECKED BY DATE
SCALE

OUTLET STRUCTURE DETAIL / DESIGN



ORIFICE DESIGN $Q = CA(2gh)^{1/2}$

$Q = 0.7 \times 0.5^2\pi \times 8 \times (6)^{1/2} = 10.8$ CFS

$Q_2 = 0.7 \times A \times 8 \times (4.25)^{1/2} = 6.2$ CFS $\therefore A = 0.54$ ft²

$\therefore r = (0.54/\pi)^{1/2} = 0.41' \times 2 = D = 0.81' \approx 9.8''$ DIAMETER

OVERFLOW WEIR

$Q = 57$ CFS $- 17$ CFS $= 40$ CFS $= CLH^{3/2}$ $H = 1.0'$ $C = 3.33$

$\therefore L = 40/(3.33 \times 1) = 12.0'$ IN LENGTH

(MAKE 15' LONG = 50 CFS CAPACITY)

Exhibit N-2

LIB 080281
PCN 060378

DRAINAGE REPORT
MEADOR PROPERTY
APN 416-193-013
PLN 060378

Prepared by:

WWD Corporation
2801 Monterey Salinas Highway, Suite I
Monterey, CA 93940

For
Grading and Drainage
Improvements to Lot

Date Prepared
5/15/06

W W D CORPORATION
ENGINEERING • SURVEYING
PLANNING • CONSULTANTS
PHONE (831) 655-2723 FAX (831) 655-3425

JOB MEADOR PROPERTY APN 416-193-013
SHEET NO. 1 OF 1
CALCULATED BY D. FULLER DATE 5.15.06
CHECKED BY _____ DATE _____
SCALE _____

DRAINAGE CALCULATIONS - REFER TO LETTER OF 4/27/05 FROM WWD TO JOHN BADGER
- REFER TO MEADOR PROPERTY "DRAINAGE, GRADING & EROSION CONTROL PLAN" SHT 1 OF 1 5/15/06

PER THE REF LETTER OF 4/27/05 IT IS REQUIRED TO PASS THROUGH 52.10 CFS AND STORE 1.56 CFS. IF WE ASSUME A ONE HOUR DURATION, THE MINIMUM STORAGE VOLUME FOR THE 1.56 CFS IS 5616 CUBIC FEET.

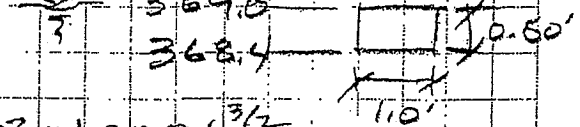
REFER TO PLAN: THE OVERFLOW MUST ALLOW 50.54 CFS OUTFLOW, THE WEIR LENGTH IS 15'. THE OVERFLOW W.L. @ 50.54 CFS IS:

$Q = CLH^{3/2}$ $C = 3.33$ (COEF)
$L = 15.0'$
H = HEIGHT OVERWEIR
$Q = 50.54$ CFS

$\therefore H = \left(\frac{Q}{CL}\right)^{2/3} = (50.54/3.33 \times 15)^{2/3} = 1.008$
SAY 1.00'

= 50.54 CFS OVERFLOW

WHEN W.L. = 369.0 OPENING IN WALL ALLOWS 1.56 CFS TO PASS THROUGH INTO THE STORAGE AREA WHICH HOLDS 10,000 CF @ W.L. 369 & 8,000 CF @ W.L. 368. THE ORIFICE THRU THE WALL IS 1.0' WIDE & 0.60' HIGH



WITH W.L. = 369
Q THRU OPENING = $3.33 \times 1.0 \times 0.6^{3/2}$
≈ 1.55 CFS ≈ 1.56 CFS ∴ OK

SEE REFERENCED PLAN FOR ALL DETAILS.

GEORGE C. BESTOR
Registered Civil Engineer
Licensed Land Surveyor

CARL L. HOOPER
Registered Civil Engineer

C. A. WOOLDRIDGE JR.
Registered Civil Engineer
Licensed Land Surveyor

REF # 1

RECORD COPY

GEORGE C. BESTOR & ASSOCIATES INC.
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING
400 Camino Aguajito
Monterey, California 93940
Phone (408) 373-2941
From Salinas 424-7681

31 August 1969

2591.2

Mr. Donald G. Hubbard
400 Camino Aguajito
Monterey, California 93940

Dear Mr. Hubbard:

Pursuant to our agreement with Mr. Edward F. Hogan dated August 6, 1969, we have investigated the drainage situation on the northwesterly portion of Hidden Hills North. In the performance of this investigation, we have analysed the declaration of Mr. Ralph E. Voice, P.E., dated August 1, 1969, and have made extensive site inspections. We are presently preparing detailed topograhic maps of the area adjacent to the intersection of Boots and Bit Roads, and will soon have available a complete grading and drainage plan for that portion of Hidden Hills North. We are also preparing detailed plans for certain spillways, channels, and culverts as outlined herein.

We find the drainage watershed information contained in Mr. Voice's declaration to be substantially correct. Utilizing the drainage design requirements as outlined in the Monterey County Standard Details, a part of the Subdivision Ordinance of Monterey County, which has been approved by the Planning Commission and is presently under study for approval by the Board of Supervisors, we determine the following design runoff characteristics to apply to the applicable portions of those watersheds:

A. Runoff coefficients:

Hidden Hills North has been zoned for varying densities averaging one dwelling unit per two and one half acres in the portions tributary to the Bit Road-Boots Road area. We estimate the present runoff coefficient to be 0.15, due to the steepness and general vegetative cover. Upon development as zoned, we estimate the ultimate runoff coefficient to be 0.20. That is, presently about 15 percent of any rain falling upon the property will run off to the creek, whereas this may ultimately rise to 20 percent.

B. Concentration times:

For minor road culverts, we will assume a concentration time of 20 minutes. That is, it will take that water falling upon the most remote portion of the watershed of any specific culvert 20 minutes to flow overland and along gutters to reach the inlet to that culvert.

For the two principal onsite watersheds, Boots Road and Whip Road, each of which is nearly a mile in length, we assume a concentration time of 45 minutes.

For the total watershed in question, which includes also portions of the Laguna Seca Ranch properties (former "Satellite Kennedy" property) and contains several existing and proposed ponds, we assume a concentration time of 60 minutes.

C. Rainfall intensities:

Based upon the Monterey County Standards, which are derived from Weather Bureau documents, we determine the following critical rainfall intensities:

2 year, one hour. . . . . 0.55 inches per hour

10 year, one hour . . . . . 0.83 inches per hour

100 year, one hour. . . . . 1.23 inches per hour

Time of Concentration	2 year	10 year	100 year
20 minutes	0.96	1.43	2.14
30 minutes	0.78	1.15	1.73
45 minutes	0.64	0.95	1.42
60 minutes	0.55	0.83	1.23

D. Design criteria:

Although the present requirement is for interim measures to prevent downstream siltation, we have analysed the 10 year and 100 year requirements under future fully developed conditions since that is the basis upon which Monterey County will review any improvements for future subdivison approvals. In certain cases, our recommendations are phased for present (2-year, undeveloped) necessity, with later supplemental work to improve to full subdivision needs. In other cases we feel that it would be economically ill advised to construct a lesser facility that would require replacement in a few years, hence we will recommend the 10-year quality. In the case of dam spillways and the channel through the Duncan property, because of the great possible damage due to failures, we will recommend protection to the ultimate 100 year need.

E. Recommended improvements:

1. Roadways

The roads that have been rough graded have quite steep gradients, frequently in excess of 12 percent. These are susceptible to considerable erosion if large volumes of water are permitted to flow down them. We

recommend, therefore, that culverts be placed across these roads at frequent intervals, breaking the flow into small segments. These culverts should be placed at all side watercourses and at approximate 300 to 400 foot spacing along the roads where they can discharge onto natural ground. This will create a number of small watersheds, never exceeding about eight acres, from which the two year flow should be less than one cubic foot per second (cfs). This volume of flow should be tolerable upon the roadways and upon the surface below the road with little erosion. In this way surfacing of the roads will not be necessary, and can be deferred until it is desired for traffic capacity.

The culverts (except where side watercourses cross the roads) may be 12-inch, but will then require replacement upon subdivision (18-inch is the smallest culvert acceptable on County roads). In lieu of culverts, it would be possible to construct asphalt concrete spillways having a depth of three to four inches and a width of two to three feet. These would reduce the utility of roads, but would serve equally as well as the culverts.

The native soil from which these roads have been cut is primarily of a fine sandy nature. Cuts in similar soils along nearby state highways reveal very little erosion where there is vegetative cover, but quite extensive erosion where left bare. We recommend, therefore, that effort be made to establish a grass cover as soon as possible, before major rivulets start to form. Probably the best method would be the "hydroseed" process, using native grass seed, fertilizer, and sawdust in an emulsion base. This should be sprayed on the completed cut slopes shortly before rains are expected, and should be possibly spray-irrigated once or twice to initiate germination. The fill slopes could be similarly treated, or could be seeded merely by broadcasting seed and fertilizer. Those roads that are only partially graded should not be so treated, since any vegetation thus initiated would be lost upon final grading.

We reserve comment on the compaction of existing fills, since that is better a part of road construction than of drainage analysis. The adequacy of compaction or lack thereof should be determined by soil tests at the time of road pavement construction.

2. Side watercourses

Three side watercourses are to be conducted across roads, requiring special consideration:

a. Boots road, 1300 feet south of Bit. The watershed is 35 acres, whence 10-year, 30 minute runoff after development is 8 cfs. A 15-inch corrugated metal pipe culvert has been placed across the road at a gradient of approximately 10 percent. Although road grading is not complete, it will be possible to create a catchment basin which will permit headwater depth of approximately three feet above the top of pipe. The entrance should be made with a prefabricated flare to re-

* and other areas of construction activity where native cover has been destroyed.

duce headloss. Under these conditions, this culvert can develop a capacity in excess of the 8 cfs design flow. This volume of water falling free from a cantilevered outlet will undoubtedly cause considerable erosion. The outfall should be modified either by adding an elbow and extending the pipe down the slope to the stream bed or by placing a heavy rubble energy dissipator below the outfall. The pipe extension would be preferable, and could be placed by stake anchors on the surface. It should terminate with a tee to act as an energy dissipator. If rubble is elected, it should consist of heavy rock, 100 pound or larger, and should extend 15 or 20 feet down the slope.

It is essential that the road grade be built up to provide the headwater depth, or a considerable volume could flow down the roadway below this culvert.

b. Boots Road intersection with Bit Road: The watershed is 170 acres with a length of 5100 feet, whence the 45 minute design flows would be 24.2 cfs for the present condition 10 year storm (170 x 0.15 x 0.95 = 24.2) and 48.3 cfs for the 100 year fully developed condition (170 x 0.20 x 1.42 = 48.3). Mr. Hogan has constructed two small earthen dams to act as siltation basins and has placed a 15 inch corrugated metal culvert under Bit Road. Our recommendations for these facilities are

(1) Upper dam, approximately 400 feet above Bit Road, has been constructed using the relatively cohesive surface soils from the old stream bed. It has a base width of 50 to 60 feet, upstream slopes of about 4 to 1, downstream slopes of about 1-1/2 to 1, and a present maximum height of about 8 feet. It can be extended at the same slopes an additional two feet, still providing a 10 foot maintenance road along its top. Compaction has been obtained by multiple pass rolling with a loaded tractor drawn scraper. If sufficiently uniform, this could be satisfactory, but it should be tested by a qualified soils engineer.

This dam, upon being raised to 10 feet (crest height of about 390) can create a total of about 2.5 acre feet of storage, a combination of water and siltation. This is about 1.4 hour retention of 10 year inflow at present, but will decrease as siltation reduces the water volume. This will create an excellent stilling pond, permitting sedimentation of the major portion of any silt carried by the creek.

A spillway should be constructed to pass the 100 year ultimate flow, since a washout could be quite harmful. This would require a channel 12 feet wide and 16 inches deep, which would flow at a depth of 0.78 feet under present 10 year storm, 1.20 feet under ultimate 100 year storm. It should be constructed with a stilling basin at its base to dissipate the energy. Sketches of the proposed design are attached.

Although a spillway of less than half this capacity would probably suffice as an interim measure, its cost would be only a 20 to 25 percent saving, and it would require duplication at a later date.

It would be undesirable to permit a pond of this depth and capacity to stand full permanently, as long term saturation of the earthen dam could cause failure. We recommend, therefor, the provision of a valved outlet pipe supplied by an open topped, perforated corrugated metal riser. We have indicated an eight inch pipe, which would discharge a peak of about 4.5 cfs (2000 gpm), but a smaller pipe would be satisfactory. Four inch, for instance, would discharge a peak of about 0.8 cfs (350 gpm) requiring about two days to drain the pond.

(2) Lower dam, consisting of the Bit Road fill and a continution to the west, has a crest elevation of 367.1, a maximum depth of 3.5 feet, and a total storage volume of about 400 cubic yards (0.25 acre feet). The present outlet is a 15-inch corrugated metal pipe set 1.5 feet above the pond bed. This creates a secondary settling basin of about two to three minutes retention, which should result in only very minor sedimentation.

The capacity of the 15 inch pipe, which has a gradient of 9 percent, is about 12 cfs. or half of the 10 year inflow rate. The two year peak would be somewhat less than 12 cfs, since the upper dam would have adequate retention to create a concentration time at this culvert of about 90 minutes. This culvert is thus adequate for an interim measure, but it should be supplemented by a 24 inch pipe for ultimate 100 year capacity.

Since overflow is highly improbable, due to the fact a headwater depth of 1.0 feet is available on the 15 inch pipe, and since the low point on the westerly berm occurs where the berm is only one foot high so any washout would be of small consequence, a spillway is not justified. Any overflow would be directed along the toe of the cut bank to Highway 68 and would then flow in the highway ditch in a westerly direction, crossing the highway in an existing culvert about 350 feet west of the Rancho Boundary. Although this is technically a diversion out of a watershed, and would therefore not be recommended, we feel that it can be done in this case because it is merely rerouting downstream in the same watershed, and would be limited to very minor and short term overflows. It should be noted here that the high point on the highway is at the Rancho line, and positive grading measures should be taken to ensure that the diversion is to the west along the highway since added ditch flow to the east could damage the Miller and Duncan driveways.

(3) The outfall from the Bit Road culvert will direct water to the east in a very shallow swale across the Pratt property to the present pond. This should be deepened slightly to provide a minimum depth of about one foot to prevent extensive sheet flow to the north.

c. Whip Road. The watershed here is 110 acres, with a length of 4200 feet. It will have characteristics of flow approximately two-thirds those of Boots Road, with a ten year peak of 16 cfs and a 100 year peak of 31 cfs. A dam similar to that on Boots Road has been started. It is in a much narrower and steeper valley and it will store only approximately 0.6 acre feet at a maximum depth of 10 feet. This is about a 30 minutes retention under 10 year flow conditions, hence it should act quite well as a settling basin preventing major flows of silt across Bit Road.

The spillway for this dam should be similar to that of Boots Road, except only eight feet wide rather than twelve. A four inch outlet pipe with a six or eight inch perforated riser should be adequate, since it will permit draining the pond in about ten or twelve hours.

The culvert under Bit road should have a ten year design capacity of at least 16 cfs, which would require an 18 inch culvert at a minimum 6 percent gradient.

d. Bit Road. The watershed which must cross Bit Road approximately 700 feet east of Whip Road contains 190 acres, 23 of which are in Lagune Seca ownership. Depending upon the method of construction of Bit Road, these 23 acres could be excluded and all water retained on the north side of the road. It is more logical to assume that a culvert will lead most of this onto Hidden Hills North (Parcel 13). This watershed is 5000 feet long and includes a small (six to eight acre foot) pond in a natural depression at elevation 827. This pond can intercept and detain flow from about one third of the watershed, including all of the potentially dense development area. The design flows would thus be based upon a 60 minute concentration time, and would be 31 cfs for the ultimate 10 year and 46 cfs for the ultimate 100 year storm. Since this valley is quite broad and flat, having an average slope of only seven percent, it is unlikely that extensive grading will ever be done here. No siltation basin would appear necessary, and the culvert should be designed only on the 10-year basis. This would probably require a 24 or 30 inch culvert, depending upon the available gradient and headwater conditions.

Since no major grading is proposed in this watershed at the present time, it will not be necessary to provide any improvements now. We have commented on the Bit Road watershed only for future subdivision purposes.

3. Offsite outfall improvements

All of the above mentioned watersheds drain into the natural watercourse which traverses the Elliott and Pratt properties. This formerly drained through the Duncan property in a culvert under the old County Road, approximately 12 feet below the roadway grade (present ground level). This culvert has been plugged and the ravine filled with sediment causing the formation of a lake. Three possible alternatives exist to prevent surface flow across the Duncan property: re-excavate the ravine and open the culvert, install a new culvert, or install an open channel. Because of the possibility of plugging of a culvert, we recommend an open channel, as detailed on the enclosed sketches.

The watershed at the Lake is approximately 540 acres. Using a 60 minute concentration time, the peak flows would be as follows:

	Present	Developed
2-year	48 cfs	64 cfs
10 year	72 cfs	96 cfs
100 year	107 cfs	143 cfs

INCLUDES 350 Acres other watershed

We recommend a concrete lined channel having a three foot bottom, two foot depth, one-to-one side slopes, at a two percent gradient. This will have a capacity of 150 cfs when full, and will carry 107 cfs at a depth of 20 inches. Since the creek bank is extremely steep, we recommend that a pipe be placed down the slope, with a tee deflector at the bottom. The recommended 24 inch pipe at a 50 percent slope will readily handle the design flows.

Prior to any work on this channel and pipe, an easement should be granted by Mr. Duncan to Mr. Hogan.

The elevations indicated have been selected to maintain a waterlevel of 341.3, 0.3 feet below the waterlevel at the present time. This could easily be raised if desired to retain a sizable stock pond. It is our understanding from Mr. Hogan that Mrs. Pratt desires that a pond be maintained, otherwise the channel could be placed deeper and permit free draining. This pond provides a final settling basin to further limit discharge of any silt into the creek. An arm of the pond should be excavated to the inlet to the channel, which is indicated approximately 10 feet inside the Pratt property.

F. Summary.

In order that the volume of silt transported from the Hidden Hills property be held to a minimum, we have recommended the provision of the following improvements:

1. A series of culverts or channels across Whip and Boots Roads to break downgrade flow into small increments.

2. Detention ponds on two large watersheds and on the Pratt property, with spillways sized for 100 year ultimate flow.

3. Culverts under Bit Road sized for 10 year ultimate flow.

We will complete detailed drawings for the abovementioned improvements and will provide construction staking and inspection service to ensure that they are constructed to properly serve their function. If the recommendations included herein receive the approval of Mr. Neill and Mr. Voice, we will proceed immediately, enabling construction to proceed during the month of October. Since no portion of the work is excessively time consuming, all work should be capable of completion prior to November 15, which is the probable end of the dry season.

Very truly yours,

GEORGE C. BESTOR AND ASSOCIATES INC.

Carl L. Hooper
Registered Civil Engineer #13017
State of California

2591.2
CLH/s
cc: Mr. Hogan
cc: Mr. Hollingsworth
cc: Mr. McIntosh
cc: Mr. Neill
cc: Mr. Voice

REF # 2

30 May 1986

ENGINEER'S REPORT
DETENTION POND ON BOOTS ROAD

1. PURPOSE

A stormwater siltation and detention pond was constructed adjacent to the lower end of Boots Road in the Hidden Hills area of Monterey County in 1969. That pond is located on Lands of the Billy Graham Evangelical Association, known as AP 416-151-09. That parcel is a portion of Parcel 21 of Hidden Hills North which is to be divided into two parcels by Minor Subdivision MS 84-40. Condition 9 and 10 of the approved Minor Subdivision require an analysis to determine area of inundation in the event of failure, an analysis of the adequacy and condition of the dam and pond, and accomplishment of any indicated improvements. Condition 11 requires a recorded notice of continuing responsibility for inspections and maintenance. The purpose of this report is to respond to those conditions.

2. WATERSHED AND RUNOFF ANALYSIS

Prior correspondence with County Flood Control (CLH-Owen Stewart, 22 August 1985) has indicated the watershed area to be 204 acres and to contain 34 single family homesites and a nine unit condominium site. Included within the improvement plans for the condominiums is a separate small siltation and detention basin which intercepts flow from seven homesites and the condo site. Of the 34 contributory homesites, seven are already developed, including relatively completed landscaping. The condominium site will be fully developed in 1986-87. The remaining 27 lots will be developed with custom homes, probably extending over a period of 10 to 15 years. During that period, there will undoubtedly be one or two lots with relatively unfinished grading during each winter.

Total ultimate roofed and paved surfaces will be approximately:

Roads	11,300 L.F. @ 30' Width	=	7.8 ac
Common Drives	3,000 L.F. @ 12' width	=	0.8 ac
Roofs	37 @ 3000 s.f.	=	2.5 ac
On-lot drives, patios, etc.	37 @ 2000 s.f.	=	1.7 ac
Impervious	Total		12.8 Ac

The remaining area, approximately 191 acres, will be landscaped (probably 15 - 20 acres) or left in its more or less natural state. The composite runoff coefficient thus becomes:

Impervious	12.8	x 0.92 =	11.8
Landscaped	17.5	x 0.20 =	3.5
Natural	173.7	x 0.10 =	17.3
Total	204	x 0.16 =	32.6

Thus; total runoff from 191 acres will be 2.55 Acre Feet per inch of rainfall.

Hence average overall runoff coefficient will be 16%, up 6% from the pre-development 10%. It should be noted that 6300 feet of the roads were constructed and paved prior to formal requirement for onsite detention. This accounts for 4.3 acres of the 12.8 acres of impervious surfaces, or one third of the development increase. The 1968 construction of ponds was truly intended as siltation protection. Its function as detention was coincedental, but was not obligatory. Technically, only the 4% increase from post - 1980 development is statutorily required to be detained. Of that, nearly 1% will be detained within the condominium project, so the main pond is only required to detain the final 3%.

The design storm parameters are:

2 year - 1 hour - 0.55 iph
10 year - 1 hour - 0.83 iph
100 year - 1 hour - 1.22 iph

Assumed concentration time, based upon 10 minute overland plus 6600 feet of channel flow at an average of 5 fps, is 32 minutes. Design intensities are thus: 10 year, 32 minutes = 1.04 iph; 100 year, 32 minute = 1.67 iph.

Gross peak runoff, ignoring condo pond, becomes:

Pre-development (i.e., pre- 1969) -
10 year - 196 ac x 10% x 1.04 = 20.4 cfs
100 year - 196 ac x 10% x 1.67 = 32.6 cfs

Current (seven homes, 6300 feet roads)
10 year - 196 ac x 12% x 1.04 = 24.4 cfs
100 year - 196 ac x 12% x 1.67 = 39.2 cfs

Ultimate (34 homes + 9 condos and Huff diversion)
10 year - 204 ac x 16% x 1.04 = 34.0 cfs
100 year - 204 ac x 16% x 1.67 = 54.6 cfs

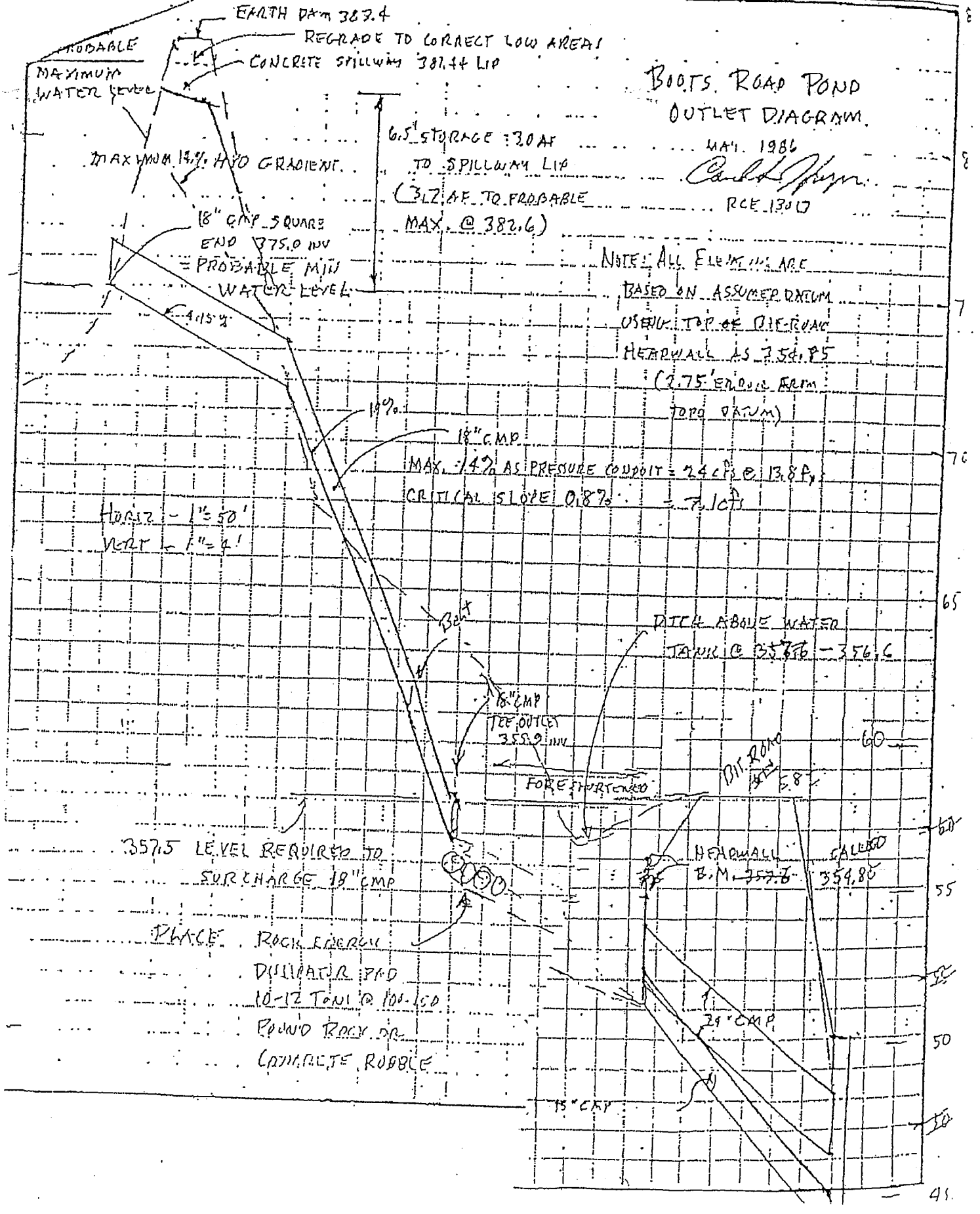
Ultimate, including condo detention
10 year - 34.0 cfs - 2.5 cfs = 31.5 cfs
100 year - 54.6 cfs - 2.5 cfs = 52.1 cfs

Long Term Runoff for detention design purposes, should be based upon 6 hour or even 24 hour rainfall projections. Using NOAA Atlas No. 2, we find the following:

100 year - 6 hour depth - 2.0 inches
100 year - 24 hour depth - 3.5 inches
100 year - 6 hour runoff, Ultimate, is
204 x 16% x 2.0/12 = 5.44 Acre feet
100 year - 24 hour runoff - Ultimate,
204 x 16% x 3.4/12 = 9.25 Acre feet
100 year, pre-development - 24 hour
196 x 10% x 3.4/12 = 5.55 Acre feet

CHECKED BY _____ DATE _____

SCALE _____



3. POND DISCHARGE FACILITIES

The 1969 pond was constructed with a 151 foot long 18" corrugated metal pipe outlet at approximate elevation 375.0 (approx. six feet below spillway elevation of 381.4). It has square end entry and Tee exit, with a hog wire trash rack at entry. (Elevations stated herein are based upon datum of the subdivision topographic map which deviates from the State Highway topo datum used in 1970 analyses). This pipe can have 6.4 feet maximum headwater depth at pending over flow at the spillway. This will generate approximately 24 cfs outflow from the effective 14% gradient between maximum headwater and suppressed tailwater maximum, beginning at zero when pond level is at or below the 375 invert.

The spillway, at elevation 381.4, is 13.8 feet wide and 16 inches deep, acting as a broad crested weir. At 9 inch depth (0.5 foot freeboard) its capacity is approx. 26 cfs ($Q = 3.33\ LH^{1.5}$). At 12 inch depth, it rises to 40 cfs, and at 15 inch depth (no freeboard) this rises to 62 cfs.

The combined pipe and spillway outlets could thus carry more than the peak 100 year runoff (52.1 cfs, ultimate) even if it should occur as the aftermath of a storm which already filled the pond to full capacity. It should be noted that the design flow at longer concentration time than the 32 minute peak rapidly declines from the 52.1 cfs rate. As an example, at one hour, it becomes only about 38 cfs, at two hours it becomes 26 cfs. That rate could be passed by the 18 inch pipe plus somewhat less than one half foot spillway depth.

These main dam outlets discharge to a natural swale which leads to Bit Road. Two culverts pass beneath Bit Road, 15" and 24" c.m.p., each 80' long, with headwall entry providing 4.1 feet headwater depth, and concrete box exit which suppresses discharge so pipes operate as pressure conduits. The 15 inch will pass 12.5 cfs at effective 10% gradient, and the 24 inch will pass 40 cfs at the effective 8% gradient (accounting for entry and exit losses). This is slightly in excess of the 100 year ultimate peak flow without allowance for main pond detention.

Facilities downstream across the Bay Ridge Pratt parcel and Duncan were sized far in excess of current projected runoff, since they accept runoff from 540 acres projected in 1970 to have 0.20 runoff coefficient, versus the 0.16 now projected as ultimate in the Boots watershed and much less in the two easterly sub-watersheds.

No outlet improvements are necessary. The 18" main dam outfall, however, has sagged at its low end and should be repaired. This requires some minor fill, a new rock dissipator pad to prevent future washouts, and possible replacement or straightening of one bent section.

4. MAIN DAM

The 210 foot long earth fill dam was constructed in 1969. It was tested for compaction by Michael Obelé and found satisfactory. Two vertical pipes were set and water levels were recorded though one complete wet season, showing that the maximum pool hydraulic gradient through the dam passed beneath the downstream toe. This toe has since been buttressed by several feet of dredge deposits, adding to stability. The maximum constructed height of fill was 16 to 18 feet. This has been effectively reduced to about 14 feet by the downstream mass fill.

The upstream slope face is about 2.5 to 1, the downstream face is at 2 to 1. Both faces have substantial grass and brush cover which have held erosion to an imperceptable level through the 16 year life of the structure. The top is about 12 - 14 feet wide and does show very minor surface erosion. Levels run across the roadway in May 1986 show slight irregularities, with one point about 50 feet west of the spillway being 0.3 feet below top of spillway curbing (still 1.08' above spillway lip). This roadway should be regraded and raised to at least 0.5 feet above spillway curb (to elevation 383.4). This will require approximately 50 cubic yards of fill material (210' long, 12' wide, average 0.5 feet deep, maximum 0.8 feet deep).

There is no evidence of any seepage on the downstream face or in the fill area below the dam. Recent grading for a water tank foundation about 150 feet north of the toe did encounter wet soils requiring removal of unsuitable materials. This was not necessarily related to the pond, however, and may have been merely the result of perched water which has been encountered in numerous locations - including portions of Whip Road several hundred feet above any impoundment.

5. SEDIMENTATION CAPACITY

The existing basin was constructed in 1969. It has been cleaned of sediment twice, in 1979 and in 1982. No precise data of volume of sediment removal have been found, but it may be assumed that it was less than 2500 cubic yards (1.6 acre feet) at each cleaning since that is the approximately total volume below the outlet pipe. That volume can be expected to be deposited within the pond, on an average, within three to five years until all upstream grading operations are fully stabilized. Some sediment deposit will continue indefinitely, but at a lesser rate as the neighborhood becomes more fully developed and landscaping measures become more effective.

In the past, the sediment was placed on the flat area below the dam. This site is approximately 0.6 acre in area, resulting in placing roughly two feet of fill at each cleaning. This practice can continue for three or four more cleanings (up to about 10,000 cubic yards) with no detrimental effect other than a raising of the flat area by 10 to 12 feet and probable loss of one oak tree. The

removal soil is relatively sterile, so little brush growth is to be anticipated. The 0.6 acre flat pad will, therefore, present a barren appearance. It can only be seen for a brief period of several seconds by persons travelling down Boots Road. Subsequent cleanings, beyond about 1995 - 2000, may require removal offsite of dredgings.

The sediment removal has been by dragline and dump truck. In extremely dry years, it could probably be done at lower cost by scrapers. A siphon has been placed to simplify draining the pond, but it will be covered by soil, so should be relocated to the spillway outfall swale. Probable cost of each cleaning, at an average of once each four years, is $10 - 12,000 in 1986 costs.

6. DETENTION CAPACITY

The pond must be assumed to be filled to 18" pipe outlet level (375) at the start of any storm, since percolation is virtually non-existent. Water surface area and storage volumes are:

DESCR.	ELEVATION	AREA, AC	VOL., A.F.	VOL., A.F.
Outlet, invert	375.0	0.40	- 0 -	- 0 -
----	378.0	0.46	1.3	1.3
Spillway Lip	381.4	0.57	1.7	3.0
Maximum	382.6	0.61	0.7	3.7

Total detention volume at 381.4, without spillway operation, is 3.0 acre feet. This is 56% of the 100 year - 6 hour runoff at ultimate development. During 6 hours, the 18 inch pipe could discharge up to about 8 to 10 acre feet, however, so that level should never be reached. The spillway will most likely never be used unless the 18 inch pipe should become plugged, except for brief surge outflows (Section e, below) in extreme storms.

The net result of detention is:

a. Outflow will begin at a very low rate, reaching its "critical slope" maximum of 7.1 cfs at about elevation 377.2, and remaining at that rate until outlet submergence occurs (Section d.)

b. Storage capacity at 377.2 is approximately 0.7 AF, or about 30,000 cubic feet. This is the inflow from about 15 minutes peak inflow in a 10 year storm, or 10 minutes in a 100 year storm. Design inflows would drop to about 80-85% of peak during that period, or about 24 cfs in 10 year or 43 cfs in 10 year storm.

c. Storage will then rise to spillway level, another 2.7 AF, with discharge remaining at 7.1 cfs, or about 25% of 10 year inflow rate. That 2.7 AF will take approximately five hours in a 10 year storm, or three hours in a 100 year storm, when depth of rainfall has reached about 1.2 to 1.3 inches.

d. If rainfall intensity still exceeds 0.23 inches per hour, and inflow still exceeds 7.1 cfs, there will then be overflow at the spillway, equal to about the inflow minus 7 cfs, minus added storage. Since storage capacity increases by about 0.05 acre feet for each 0.1 foot rise in water level, it will take at least another 0.3 inches of rain within a one hour period to cause any spillway flow.

e. At 7.1 cfs, the Bit Road pipes are not quite flowing full (about 0.4 feet open on 24" and 0.3 feet surcharge on the 15 inch at elevation 353). This level is 4.3 feet below the crown of the main dam discharge, hence it is not surcharged by tailwater and remains at 7.1 cfs. Only spillway discharge adequate to raise Bit headwater above 357.5 (about 40 cfs total, or 33 cfs spillway and 7 cfs pipe) will cause 18 inch pipe to surge into pressure pipe mode, at which time its capacity jumps to 24 cfs, level drops, and spillway ceases to flow. This then causes Bit headwater to slowly fall below the level required to create tailwater on the 18 inch.

f. The 18 inch line under surcharge discharges 2.0 acre feet per hour - the equivalent of about 0.8 inches of rain. Unless rainfall rate exceeds that - which would be a phenomenal rate, equivalent to the peak hour of a 10 year storm - the pond level will slowly fall, re- ducing 18 inch capacity below 24 cfs at just below spillway lip. This drops surcharge on Bit pipes, in turn dropping tailwater on 18 inch pipe, causing it to revert to critical slope capacity of 7.1 cfs.

g. The pond level will then rise slowly until spillway again discharges 33 cfs, causing the entire cycle to repeat.

h. Obviously, when rainfall rate drops below 0.8 inches per hour, the spillway never reaches 33 cfs, and the surcharge cycle never occurs. When rainfall drops below 0.23 inches per hour, the 18 inch line capacity of 7.1 cfs exceeds inflow rate, and pond level slowly recedes.

i. Consequently, the spillway will probably never flow. IT DID NOT FLOW DURING 1982 OR 1983 STORMS.

7. FAILURE EFFECTS

The pond will almost always contain water and/or sediment to the outlet pipe level of 375, which is 8.4 feet below the earth dam crest. It will only contain water above the spillway lip, which is 2.0 feet below the earth crest, for very brief periods - in terms of minutes during the most extreme 100 year or greater storms. It will fall to within a few inches of the outlet pipe level within a few inches of the outlet pipe level within a few hours after even those extreme storms. The probability of any failure while containing water is therefore extremely low.

The maximum dam height is now about 14 feet, and will be reduced by several feet each time sediment is removed and placed below its toe. This will even further reduce any possibility of failure.

We have recommended regrading crest road to improve freeboard to at least 0.5 feet above spillway curb to positively eliminate any overflow across earth face even if outlet pipe becomes plugged and spillway becomes partially plugged.

The dam has stood through 16 years, including several very wet years, (27 inches and 38 inches versus annual average of 15.5 inches rainfall) with no signs of distress.

In the extremely unlikely event of seismic failure when the dam is at spillway lip level, however, we see the following effect:

a. Pond would contain as much as 3.5 to 4.0 acre feet, no more being even remotely probable.

b. Assuming a 60 minute collapse rate - berm is 21 feet wide at maximum probable water level (spillway lip elevation) - there would be an average of about 45 cfs outflow.

c. Assuming peak rate to be double average, peak outflow might reach 90 cfs.

d. Bit Road culverts at pending overflow will pass up to 52 cfs, rising to about 55 cfs with a half foot overflow depth.

e. As much as 35 cfs could, for very brief periods, flow down Bit Road to Highway 68. This would be about 20 feet wide, and less than a half foot deep, at about 4.0 feet per second. This flow would probably continue for only a few minutes, 15 to 20 at most, after which outflow rate would recede to more nearly the 45 cfs average - which can pass through Bit culverts.

f. The Bay Ridge Office area would also pass some flow to lower Bit Road, probably at depths of only a few inches. This should not damage the buildings, which have floor levels substantially above grade.

g. Bit Road north curb and berm would probably not be overtopped, so long as it remains at full height. Driveways should be constructed to maintain that level.

8. RECOMMENDED IMPROVEMENTS

As outlined above, the following improvements are recommended:

a. Regrade main dam roadway to eliminate low points. Estimated at $1000.

b. Relocate siphon at time of next dredging, estimated at $400.

c. Repair or replace lower 20' section of 18" outfall. Install new rock energy dissipator consisting of 15 - 20 tons of 100 - 150 pound rock or concrete rubble. Estimated cost is $2500.

d. Patch hogwire screen at pond outlet to protect 18" inlet. Estimated cost is $100.

e. Total estimated improvements cost is $4000.

f. Dredging is not recommended at this time, but should probably be scheduled for 1987 or 1988. Estimated cost if $10 - 12,,000.

g. Inspection of upstream areas should be made to determine any properties that contain excessive erosion areas. The owners of those properties should be informed of County Erosion Control Ordinance prohibitions of continued excessive erosion and should be requested to take necessary corrective action. That work is not within the scope of the recommended "onsite" improvement outlined above.

Respectfully Submitted,

CARL L. HOOPER
Registered Civil Engineer #13017
State of California

30 May 1986
W.O. 2591,40
0752C

BOOTS ROAD EXTENSION
DRAINAGE ANALYSIS
23 June 1995
W.O. 2085.22

Debra Brooks
REF #4

It is intended that Boots Road will be extended to the east to connect with Highway 68 opposite the proposed Bishop Ranch entrance. The present Bit Road entrance to the Hidden Hills/Mesa Hills area will then be closed.

Drainage from the canyon which contains Boots Road is carried under Bit Road south of Boots Road by 15 inch and 24 inch corrugated metal pipes (cmp). These pipes have a joint capacity of 35 cubic feet per second. The actual flow in normal design storms (10 year probable return frequency) is less than that amount. Total runoff from the canyon is intercepted by a sedimentation/detention pond about 400 feet west of Bit Road. That pond was designed by Charles Fisher and constructed in 1968 or 1969 by Ed Hogan and was subject to review by Bestor Engineers as a court appointed independent review engineer. The Bit Road culverts and a downstream culvert crossing land of Carl Duncan (recently acquired by Behen) were designed by Bestor Engineers and constructed by Ed Hogan, all as a matter in settlement of litigation. Design basis for the Bit Road culverts was to handle spillway discharge at 100 year flow of 48.3 cfs (vs. 10 year peak of 24.2 cfs), including bypass flow down Bit Road gutter.

This culvert flow was then carried in an open ditch to the lake on Pratt (now Behen) 5 acre parcel. The lake also accepts inflow from the two canyons to the east, a total of 540 acres. Outflow from the lake was calculated to be 96 cfs in a 10 year storm, or 143 cfs in a 100 year storm (including the Boots canyon inflow discussed above). That flow is carried across the Behen 1 acre parcel (was Dunlap) in a 36 inch pipe with a capacity of 120 cfs, substantially above the 10 year flow, and only 16% less than 100 year flow.

It should be pointed out that the design flows in 1969 were all based on substantially higher development densities within the watershed than is now permitted by the 5 acre density zoning. Present day 100 year design would be substantially less than 1969 design, by at least the 16% factor on the 36 inch culvert. That culvert does suffice for 100 year flow now, whereas it was only intended to handle 10 year flows.

The design of future improvements include diverting the Bit Road culvert outlet to carry the 35 cfs capacity by pipe to the 36 inch pipe across Behen 1 acre parcel. This eliminates open ditch flow across the 5 acre parcel from Bit. The 36 inch pipe, as discussed above, was designed to accept this flow, whether by pipe or via the open ditch.

Boots Road will cross the main channel of Canyon del Rey Creek. We have shown a culvert to be constructed which has a capacity greater than the existing highway culvert downstream. Design flow is 150 cfs, so we show either a 54" cmp or 48 inch concrete pipe, both having capacity in excess of 150 cfs.

Respectfully submitted

CARL L. HOOPER
Registered Civil Engineer #13017
State of California
Expires 3/31/97

23 June 1995
W. O. 2085.22
CLH/lh.2740

BOOTS ROAD MAINTENANCE ASSOCIATION

11109 SADDLE ROAD
MONTEREY, CALIFORNIA 93940

Exhibit O

April 3, 2007

Ms. Elisa Manguera
Planner
Monterey Planning & Building Department
168 West Alisal, 2nd Floor
Salinas, CA 93902

Beth Shirk
Ombudsman
Monterey Planning & Building Department
168 West Alisal, 2nd Floor
Salinas, CA 93902

Re: Meador J Douglas & Lu Ann Trs
Project File No: PLN 060378
Project location: 24700 Bit Road, Monterey
APN: 416-193-013-000

This letter serves as a formal acknowledgement that Clinton Thelander of Thelander Management serves our interests as our management agent. The letter he sent you on October 9, 2006 is in agreement with our position.

We again wish to express that the applicant of this Project File, Douglas J Meadow, is acting on behalf of the Boots Road Maintenance Association ("BRMA"). The BRMA provides maintenance services for Boots Road and associated facilities, including the drain basis improvements described in subject application for the Bay Ridge, Mesa Hills West, Halcyon Hills and Halcyon Heights Homeowners Association and area independent home owners that utilize Boots Road.

Should you have any further demands, please address them directly to Clinton Thelander. He can be reached using the contact information found at the foot of this letter.

Yours truly,

Mark Travaglio

President, Board of Directors

Beth Wenhold-Schock

Secretary, Board of Directors

RECEIVED
APR 17 2007
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

THELANDER MANAGEMENT
P.O. BOX 1531
Salinas, California 93902
Office: (831) 758-2855 Fax: (831) 758-1147

Boots Road Maintenance Association
25545 Boots Road Monterey, CA 93940 Tel. 655-3969 FAX 655-3335 brooks@mbay.net

April 15, 1999

ATTN: Roy Marci
Water Resources Agency, County of Monterey
893 Blanco Circle.
Salinas, CA
Tel. 755-4860, FAX 424-7935
marcir@co.monterey.ca.us

Contacts in the Boots Road, Mesa Hills West, Bay Ridge, Halcyon Heights area:

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