

MONTEREY COUNTY PLANNING COMMISSION

Meeting: October 13, 2010 Time: 10:00 a.m.	Agenda Item No.: 4
Project Description: Coastal Development Permit to allow a voluntary wetland restoration project on approximately 40 acres of a 195 acre parcel. The restoration consists of restoring, improving and maintaining native plant and endangered habitat while reconnecting the Carneros Creek to its historic floodplain. Grading consists of 4,130 cubic yards of cut and 4,130 cubic yards of fill, all to be balanced on site.	
Project Location: 420 Hall Road, Royal Oaks	APN: 181-251-001-000
Planning File Number: PLN090095	Owner: Agriculture & Land-Based Training Association Agent: Denise Duffy & Associates
Planning Area: North County Land Use Plan	Flagged and staked: No
Zoning Designation: : "RDR/5 (CZ)" Rural Density Residential, 5 acres per unit (Coastal Zone)	
CEQA Action: Mitigated Negative Declaration per (CEQA) Guidelines Section 15070	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Adopt Mitigated Negative Declaration per (CEQA) Guidelines Section 15070;
- 2) Approve PLN090095, based on the findings and evidence and subject to the conditions of approval (**Exhibit C1**); and
- 3) Adopt the Mitigation Monitoring and Reporting Program (**Exhibit C1**)

PROJECT OVERVIEW:

The Agriculture and Land-Based Training Association (ALBA) is a non-profit organization who owns two ranches that serve as incubator farms for aspiring, predominately low-resource, Latino farmers. ALBA's mission is to advance economic viability, social equity and ecological land management among limited-resource and aspiring farmers.

The Triple M Ranch Wetland Restoration Project is a voluntary restoration project proposed by ALBA to improve the quality and function of the habitats found on the Triple M Ranch. ALBA has outlined a specific set of goals to accomplish this objective, including improving and maintaining habitat for three federal and state protected amphibian species: California red-legged frog, Santa Cruz long-toed salamander, and California Tiger Salamander.

Project components proposed include excavation of accumulated sediments in existing wetlands to prolong the hydro-period and provide amphibian breeding ponds, creation of islands of terrestrial habitat that can be used by amphibians as refugia in larger wetland areas, and replanting of disturbed areas with a diversity of native species. Following construction, ALBA will monitor the project site and implement management techniques to ensure the success of the Restoration project in providing improved habitat conditions for these target species. See **Exhibit B** for further discussion.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

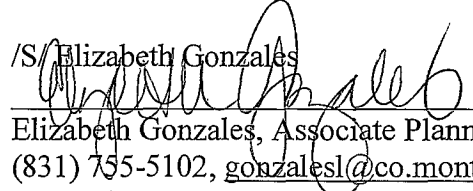
- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ North County Fire Protection District
- √ Parks Department
- California Department of Fish & Game
- U.S. Fish and Wildlife
- California Coastal Commission

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by RMA Planning, Environmental Health Bureau and Water Resources Agency have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The project was referred to the North County Land Use Advisory Committee (LUAC) for review on August 3, 2010. The committee liked the idea to restore wetlands; however, they were concerned with how the project would affect the neighboring property. They continued the item to August 17, 2010 so the applicant could address neighbors’ concerns. At the August 17, 2010 meeting, an extensive discussion took place between the Garcia family, ALBA and County staff. The goal of improving the creek’s water flow, mitigating some flooding and creating an expanded wetland seemed to be shared by all parties. ALBA stated that because the Garcia’s property’s elevation being higher than ALBA’s property, potential flooding should not impact them. However, the Garcia’s remained skeptical. Two motions by the Committee failed: 1) to approve the project as presented and 2) to deny the project. The final motion was moved to cancel any public hearings until a site visit was set up for all interested parties. Staff offered a site visit immediately after the meeting. Only ALBA’s representatives, County staff and a member of the public attended. See (**Exhibit B**) for further discussion of neighbor’s issues.


Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

/s/ Elizabeth Gonzales


Elizabeth Gonzales, Associate Planner
(831) 755-5102, gonzalesl@co.monterey.ca.us
September 1, 2010

cc: Front Counter Copy; Planning Commission; North County Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; California Department of Fish and Game; U.S. Fish and Wildlife Service; Laura Lawrence, Planning Services Manager; Elizabeth Gonzales, Project Planner; Carol Allen, Senior Secretary; Agriculture & Land-Based Training Association, Owner; Denise Duffy & Associates, Agent; Matt and Mark Garcia, Interested Parties; Planning File PLN090095.

- Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval and Mitigation Monitoring and Reporting Program
2. Site Plan, Floor Plan and Elevations, Parcel Map, Tentative Map
Exhibit D Vicinity Map
Exhibit E North County Land Use Advisory Committee Minutes (LUAC)
Exhibit F Project Correspondence (Neighbor)
Exhibit G Response from ALBA to neighbor's letter
Exhibit H Mitigated Negative Declaration
Exhibit I Vegetation Management Plan
Exhibit J Comments on Mitigated Negative Declaration
Exhibit K Fall Creek Engineering letter dated November 30, 2009

This report was reviewed by Laura Lawrence, Planning Services Manager 

TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "A"

PROJECT DATA SHEET

EXHIBIT A

Project Data Sheet for PLN090095

Project Title:

Location: 420 Hall Road, Royal Oaks	Primary APN: 181-251-001-000
Applicable Plan: North County Land Use Plan	Coastal Zone: YES
Permit Type: Coastal Development Permit	Zoning: RDR/5 (CZ)
Environmental Status: Mitigated Negative Declaration	Plan Designation: Agricultural Conservation
Advisory Committee: N/A	Final Action Deadline (884): July 26, 2010

Project Site Data:

Lot Size: 195 ACRES	Coverage Allowed: N/A
Existing Structures (SF): Approx. 1,500 square feet	Coverage Proposed: N/A
Proposed Structures (SF): N/A	Height Allowed: N/A
Total SF: Approx. 1,500 square feet	Height Proposed: N/A
	Floor Area Ratio Allowed: N/A
	Floor Area Ratio Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: HIGH	Erosion Hazard Zone: LOW
Biological Report #: LIB090301/LIB100281	Soils Report #: N/A
Forest Management Rpt. #: N/A	
Archaeological Sensitivity Zone: Moderate	Geologic Hazard Zone: LOW
Archaeological Report #: N/A	Geologic Report #: N/A
Fire Hazard Zone: Moderate	Traffic Report #: N/A

Other Information:

Water Source: Private Well	Sewage Disposal (method): SEPTIC SYSTEM
Water Dist/Co: N/A	Sewer District Name: N/A
Fire District: North County Fire Protection Dist.	Total Grading (cubic yds.): 8,260 cubic yards
Tree Removal: N/A	

TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "B"

PROJECT DISCUSSION

EXHIBIT “B” DISCUSSION

A. INTRODUCTION

Setting

The property is located in the Coastal Zone of northern Monterey County and consists of a 195 acre farm surrounded by agricultural and rural residential land uses. The property is located approximately 1.5 miles southeast of the small community of Las Lomas. Hall Elementary School is located approximate .5 miles to the northwest, just east of Las Lomas. The project site has historically been used for agricultural purposes, with a small structure used for administrative purposes and training. The property is bisected by Carneros Creek, which provides riparian habitat on the property. The creek, in this area, serves as a transition from fluvial freshwater flows to estuarine associated with the Elkhorn Slough. With Carneros Creek running through the property, the property is located within Zone AE, the 100-year floodplain. A portion of the site is also located within the FEMA-defined Floodway. The Base Flood Elevation in this area is between 10 and 20 feet above sea level.

The parcel is zoned “RDR/5 (CZ)”, Rural Density Residential/5 acre minimum in the Coastal Zone. Although no structural development is proposed, the North County Land Use Plan (LUP) encourages resource dependent uses. Pursuant to Key Policy 2.3.1 of the North County LUP, The environmentally sensitive habitats of North County are unique, limited, and fragile resources of statewide significance, important to the enrichment of present and future generations of county residences and visitors; accordingly, they shall be protected, maintained and where possible, enhanced and restored.

Project Description

The project involves the enhancement, creation and restoration of several wetlands (approximately 1.5 acres in total) on a portion of the 195 acre property, which is located in northern Monterey County, in the Coastal Zone, southeast of the community of Las Lomas. The restoration area will be located on approximately 40 acres of the property. Approximately 24.6 acres will be disturbed by ground disturbance as a result of excavating (creating approximately 1.5 acres of wetlands), placement of fill to create upland refugia habitat and to level cultivated fields, the repair and installation of hydrological structures on farm roads, and for staging areas for equipment and materials.

The primary purposes of the project are to 1) improve water quality on the project site and within the watershed, 2) restore native plant communities to increase biodiversity and ecological integrity, as well as diversify habitat, 3) improve and maintain habitat for Threatened and Endangered species, 4) provide flood storage, 5) reconnect the Carneros Creek to its historic floodplain, and 6) collect research data on target state and federally listed species, particularly Santa Cruz long-toed salamander, California tiger salamander, and California red-legged frog in order to demonstrate the value of the project as a research opportunity.

Specific improvements include the following:

- ☛ Raise approximately 205 linear feet of Sill Road and install gated culverts at the wetland crossings to allow for controlled conveyance of water;
- ☛ Construct a new bridge and channel gate to replace an existing concrete culvert at the stream crossing;
- ☛ Plug existing drainage ditches to prolong water retention periods;
- ☛ Plant clusters of riparian trees and thin existing even-aged stands along Carneros Creek to diversify the habitat;
- ☛ Create a treatment wetland to enhance water quality

The property contains four wells. Two production wells are used for on-site agricultural use and are registered with the Pajaro Valley Water Management Agency. One well is used for a neighboring property and is used seasonally. This well is located in area 5 and will not be inundated by project. One well, located near the corner of Hall and Sill Roads, is proposed to be destroyed. Environmental Health Bureau has conditioned the project to abandon that well (Condition 8). Since the project is located outside of Zone 2C, an area of overdraft, the Environmental Health Bureau required confirmation that no ground pumping will occur for the project and wetlands will be filled by naturally occurring groundwater or surface flow (**Exhibit K**).

The project includes a Revegetation and Vegetation Management and Monitoring program. This program includes planting of native plants and control of other species to provide habitat for the protected species identified above. The program includes a monitoring component to ensure that habitat is improved and maintained and to ensure that open water is maintained in the wetland areas. Each wetland will be created or enhanced such that they provide a stretch of shallow, open water, vegetated deeper water, and dense vegetation in elevated areas around the ponds. The program has been developed in consultation with the California Department of Fish and Game, US Fish and Wildlife Service, Monterey County departments, and the Salinas Valley Mosquito Abatement District.

The proposed project is solely for the benefit of listed species and their habitats and the intent of the project is to improve hydrology and water quality and to increase the number and improve the quality of potential breeding sites for State and federally listed amphibians on the project site, and to implement a research and monitoring program. Therefore, this project is consistent with the objectives of the North County Land Use Plan.

LUAC

The project was referred to the North County Land Use Advisory Committee (LUAC) for review on August 3, 2010. The committee liked the idea to restore wetlands; however, they were concerned with how the project would affect the neighboring property. They continued the item to August 17, 2010 so the applicant could address neighbors' concerns. At the August 17, 2010 meeting, an extensive discussion took place between the Garcia family, ALBA and County staff. The goal of improving the creek's water flow, mitigating some flooding and creating an expanded wetland seemed to be shared by all parties. ALBA stated that because the Garcia's

property's elevation being higher than ALBA's property, potential flooding should not impact them. However, the Garcia's remained skeptical. Two motions by the Committee failed: 1) to approve the project as presented and 2) to deny the project. The final motion was moved to cancel any public hearings until a site visit was set up for all interested parties. Staff offered a site visit immediately after the meeting. Only ALBA's representatives, County staff and a member of the public attended. See below for further details of neighbor's issues.

NEIGHBORS' CONCERNS:

At the August 17, 2010 LUAC meeting, ALBA stated their hydrologist told them the project would not increase flooding but rather help maintain the present water flows without much change. Staff also recommended the neighbors contact Water Resources Agency to discuss the drainage plan. Water Resources Agency has confirmed that the drainage/grading plan has been reviewed and approved. They have conditioned the project to provide certification from a registered civil engineer that all site improvements have been constructed in accordance with the approved plan (Condition 13, Mitigation Measure #1). However, the neighbors are still not convinced that this project would not affect them negatively. Staff suggested they put their concerns in writing. **See Exhibit F.**

- The neighbors are concerned with the lifting of Sill Road and constructing a new bridge and channel gate underneath the road. The Carneros Creek runs through both properties and has been filling with debris during rainy seasons for many years. The neighbor has no issue with the lifting of the road itself, their concern is that ALBA will be dumping additional water onto their property.

ALBA has submitted a response to the neighbor's concerns. **(Exhibit G)**

- The proposed slide gates and the ford crossing are not intended to hold back the water more than existing conditions. Nor are they intended to divert the flow of the stream from existing conditions. Water will continue to pool on ALBA property and then flow at the area in the center of the road. The overflow built into the crossing permits high flows to overtop the road without damaging the structure. The water behind the slide gates on the ALBA property will rise to the same elevation as under existing conditions. The slide gates are intended to enable water levels to be lowered below where they are under existing conditions in the event that there is a problem with mosquitoes and bullfrogs (a non-native predator of endangered species occurring on site). It must be emphasized that bacterial contamination of Carneros Creek is not a reason for releasing water using the slide gates.
- The installation of the large culvert replaces an existing large culvert in the same location. If the sediment laden channel downstream of the proposed project were dredged again, then flow would occur through the proposed large culvert. ALBA does not own the section of the stream channel where this dredging would occur, therefore, the project does not attempt to address those issues.
- Recognizing that these are two important issues for the Garcia family, ALBA intends to continue to engage in conversation and rebuild neighbor relations to ensure that any future downstream channel dredging will be cooperatively achieved.

CEQA

An Initial Study was prepared and concluded that the project would not result in significant impacts, and recommended that a Mitigated Negative Declaration be prepared. The Initial Study and Mitigated Negative Declaration were circulated for a 30-day public review period. To date, comments were received from the responsible agency (**Exhibit J**), no substantive issues were raised; however, we revised and added mitigations to amplify and clarify existing mitigations.

Their concern is that the ground-disturbing activities associated with the restoration and creation of habitat on the project site will have the potential to result in a “take” of State-listed species. The CDF&G supports the overall effort to improve habitat and assist in the recovery of State-listed species, and includes specific recommendations regarding the MND so that the document can support the CDF&G’s anticipated permitting of this project. They wanted it to clearly state that the Vegetation Management Plan could be used to demonstrate the value of the project as a research opportunity in support of CDF&G permitting.

The CDF&G Regional staff anticipates providing support for the Fully Protected Species Permit. The CDF&G believes that incidental “take” coverage for California Tiger Salamander (CTS) is also appropriate for this project. Pursuant to Fish and Game Code Section 2081 (b) with an Incidental Take permit, the Department believes that the California State Safe Harbor Agreement Program Act, pursuant to Sections 2089.2 et seq. of Fish and Game Code may be the more appropriate permitting pathway for CTS on this project.

A Safe Harbor Agreement is intended to encourage the voluntary management of lands to benefit listed species. Upon establishing baseline conditions on the site, land management would be established that increases species populations or their habitats, with an agreement by the landowner to avoid or minimize incidental “take” and not to reduce conditions to or below baseline. This project seems well suited for a Safe Harbor Agreement because the intent is to improve habitat conditions that offer a net conservation benefit to the listed species known to the site and its vicinity. Therefore, the County supports the issuance of a Safe Harbor Agreement.

Impacts addressed in the Initial Study include Aesthetics, Agriculture and Forest Resources, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hydrology/Water Quality, and Noise. Impacts were found to be less than significant except for Air Quality and Biological Resources. Mitigation measures include Best Management Practices to maintain excessive dust shall be implemented by the grading contractor during construction. All required permits shall be obtained from the CDF&G and USF&W prior to beginning any construction. A qualified biologist shall conduct an Employee Education Program for the construction crew foreman and ALBA staff, conduct pre-construction surveys, inspect areas for SCTLs, CTS and CRLF prior to beginning daily work activities, and be on-site during initial grading and vegetation removal activities.

TRIPLE M RANCH WETLAND RESTORATION PROJECT

EXHIBIT “C”

DRAFT RESOLUTION INCLUDING

1. CONDITION OF APPROVAL AND
MITIGATION MONITORING AND
REPORTING PROGRAM

**EXHIBIT C
DRAFT RESOLUTION**

**Before the PLANNING COMMISSION in and for the
County of Monterey, State of California**

In the matter of the application of:

AGRICULTURE & LAND-BASED TRAINING ASSOCIATION (PLN090095)

RESOLUTION NO. [REDACTED]

Resolution by the Monterey County Planning
Commission:

- 1) Adopt Mitigated Negative Declaration per (CEQA) Guidelines Section 15070;
- 2) Approve PLN090095, based on the findings and evidence and subject to the conditions of approval (**Exhibit 1**); and
- 3) Adopt the Mitigation Monitoring and Reporting Program (**Exhibit 1**)
(PLN090095, Agriculture & Land-Based Training Association, 420 Hall Road, Royal Oaks, North County Land Use Plan (APN: 181-251-001-000))

The Coastal Development Permit application (PLN090095) came on for public hearing before the Monterey County Planning Commission on October 13, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the Monterey County General Plan,
 - North County Land Use Plan,
 - Monterey County Coastal Implementation Plan, Part 2
 - Monterey County Zoning Ordinance (Title 20)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 420 Hall Road, Royal Oaks (Assessor's Parcel Number 181-251-001-000, North County Land Use Plan. The parcel is zoned "RDR/5 (CZ)" Rural Density Residential, 5 acres per unit (Coastal Zone), which allows development within 100 feet of mapped or field identified environmentally sensitive habitats. Therefore, the project is an allowed land use for this site.
c) The parcel is zoned "RDR/5 (CZ)", Rural Density Residential/5 acre

minimum in the Coastal Zone. Although no structural development is proposed, the North County Land Use Plan (LUP) encourages resource dependent uses. Pursuant to Key Policy 2.3.1 of the North County LUP, The environmentally sensitive habitats of North County are unique, limited, and fragile resources of statewide significance, important to the enrichment of present and future generations of county residences and visitors; accordingly, they shall be protected, maintained and where possible, enhanced and restored.

- d) The project consists of a voluntary restoration project to improve the quality and function for three federal and state project amphibian species: California red-legged frog, Santa Cruz long-toed salamander and the California tiger salamander found on the Triple M Ranch. To accomplish this, a specific set of goals include A Re-Vegetation and Vegetation Management and Monitoring Plan. The primary purposes of the project are to 1) improve water quality on the project site and within the watershed, 2) restore native plant communities to increase biodiversity and ecological integrity, as well as diversify habitat, 3) improve and maintain habitat for Threatened and Endangered species, 4) provide flood storage, 5) reconnect the Carneros Creek to its historic floodplain, and 6) collect research data on target state and federally listed species, particularly Santa Cruz long-toed salamander, California tiger salamander, and California red-legged frog in order to demonstrate the value of the project as a research opportunity.
- e) The proposed project is solely for the benefit of listed species and their habitats and the intent of the project is to improve hydrology and water quality and to increase the number and improve the quality of potential breeding sites for State and Federally listed amphibians on the project site, and to implement a research and monitoring program. Therefore, this project is consistent with the objectives of the North County Land Use Plan.
- f) The project planner conducted site inspections on June 11, 2009 and August 17, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- g) The project was referred to the North County Land Use Advisory Committee (LUAC) for review on August 3, 2010. The committee liked the idea to restore wetlands; however, they were concerned with how the project would affect the neighboring property. They continued the item to August 17, 2010 so the applicant could address neighbors' concerns. At the August 17, 2010 meeting, an extensive discussion took place between the Garcia family, ALBA and County staff. The goal of improving the creek's water flow, mitigating some flooding and creating an expanded wetland seemed to be shared by all parties. ALBA stated that because the Garcia's property's elevation being higher than ALBA's property, potential flooding should not impact them. However, the Garcia's remained skeptical. Two motions by the Committee failed: 1) to approve the project as presented and 2) to deny the project. The final motion was moved to cancel any public hearings until a site visit was set up for all interested parties. Staff offered a site visit immediately after the meeting. Only ALBA's representatives, County staff and a member of the public attended.
- h) The neighbors are concerned with the lifting of Sill Road and

constructing a new bridge and channel gate underneath the road. The neighbor has no issue with the lifting of the road itself, their concern is that ALBA will be dumping additional water onto their property. ALBA has submitted a response to the neighbor's concerns. The proposed slide gates and the ford crossing are not intended to hold back the water more than existing conditions. Nor are they intended to divert the flow of the stream from existing conditions. The slide gates are intended to enable water levels to be lowered below where they are under existing conditions in the event that there is a problem with mosquitoes and bullfrogs (a non-native predator of endangered species occurring on site). It must be emphasized that bacterial contamination of Carneros Creek is not a reason for releasing water using the slide gates. Recognizing that the Garcia family has concerns, ALBA intends to continue to engage conversation and rebuild neighbor relations to ensure that any future downstream channel dredging will be cooperatively achieved.

- i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090095.

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, North County Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended by RMA Planning Department, Water Resources and Environmental Health Bureau have been incorporated.
 - b) Staff identified potential impacts to Biological Resources. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - *“Biological Assessment” (LIB090301) prepared by Denise Duffy & Associates, Monterey CA, December 2008.*
 - *“Biological Resources Report” (LIB100281) prepared by Denise Duffy & Associates, Monterey, CA, November 2009.*
 - c) Staff conducted site inspections on June 11, 2009 and August 17, 2010 to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090095.

3. **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:**
- a) The project was reviewed by North County Fire Protection District, Parks Department, RMA- Planning Department, Public Works, Water Resources Agency and Environmental Health Bureau. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) The property contains four wells. Two production wells are used for on-site agricultural use and are registered with the Pajaro Valley Water Management Agency. One well is used for a neighboring property and is used seasonally. This well is located in area 5 and will not be inundated by project. One well, located near the corner of Hall and Sill Roads, is proposed to be destroyed. Environmental Health Bureau has conditioned the project to abandon that well (Condition 8). Since the project is located outside of Zone 2C, an area of overdraft, the Environmental Health Bureau required confirmation that no ground pumping will occur for the project and wetlands will be filled by naturally occurring groundwater or surface flow (**Exhibit K**).
 - c) Preceding findings #1 and #2 and supporting evidence for PLN090095.

4. **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.

- 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) Staff conducted site inspections on June 11, 2009 and August 17, 2010 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090095.

5. **FINDING:** **CEQA (Mitigated Neg Dec)** - On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the

Planning Department and is hereby incorporated by reference (PLN090095).

- c) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Mitigated Negative Declaration. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN090095).
- d) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference as **Exhibit 1**. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval (**Condition #6**).
- e) The Draft Mitigated Negative Declaration ("MND") for PLN090095 was prepared in accordance with CEQA and circulated for public review from July 28, 2010 through August 30, 2010 (SCH#: 2010071080). Issues that were analyzed in the Draft Mitigated Negative Declaration ("MND") include aesthetic resources, agricultural resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology/water quality, and noise.
- f) Evidence that has been received and considered includes: the application, technical studies/reports (*see Finding 2/Site Suitability*), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN090095) and are hereby incorporated herein by reference.
- g) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Game (CDFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.
- h) Impacts addressed in the Initial Study include Aesthetics, Agriculture and Forest Resources, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hydrology/Water Quality, and Noise. Impacts were found to be less than significant except for Air Quality and Biological Resources. Mitigation measures include Best Management Practices to maintain excessive dust shall be implemented by the grading contractor during construction. All required permits shall be obtained from the CDF&G and USF&W prior to beginning any construction. A qualified biologist shall conduct an Employee Education Program for the construction crew foreman and ALBA staff, conduct pre-construction surveys, and inspect areas for Santa Cruz Long Toed Salamander (SCLTS), California Tiger Salamander (CTS) and California Red Legged Frog (CRLF) prior to

- beginning daily work activities, and be on-site during initial grading and vegetation removal activities.
- i) The site supports biological resources. For purposes of the Fish and Game Code, the project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. State Department of Fish and Game reviewed the MND to comment and recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
 - j) During the review period, the County received a comment from the responsible agency, the California Department of Fish and Game (CDF&G). Their concern is that the ground-disturbing activities associated with the restoration and creation of habitat on the project site will have the potential to result in a “take” of State-listed species. The CDF&G supports the overall effort to improve habitat and assist in the recovery of State-listed species, and includes specific recommendations regarding the MND so that the document can support the CDF&G’s anticipated permitting of this project. They wanted it to clearly state that the Vegetation Management Plan could be used to demonstrate the value of the project as a research opportunity in support of CDF&G permitting.
 - k) The CDF&G Regional staff anticipates providing support for the Fully Protected Species Permit. The CDF&G believes that incidental “take” coverage for California Tiger Salamander (CTS) is also appropriate for this project. Pursuant to Fish and Game Code Section 2081 (b) with an Incidental Take permit, the Department believes that the California State Safe Harbor Agreement Program Act, pursuant to Sections 2089.2 et seq. of Fish and Game Code may be the more appropriate permitting pathway for CTS on this project.
 - l) A Safe Harbor Agreement is intended to encourage the voluntary management of lands to benefit listed species. Upon establishing baseline conditions on the site, land management would be established that increases species populations or their habitats, with an agreement by the landowner to avoid or minimize incidental “take” and not to reduce conditions to or below baseline. This project seems well suited for a Safe Harbor Agreement because the intent is to result in improved habitat conditions that offer a net conservation benefit to the listed species known to the site and its vicinity. Therefore, the County supports the issuance of a Safe Harbor Agreement.
 - m) The County has considered the comments received from the California Department of Fish & Game during the public review period. As a result, the County has revised conditions #17, 20, 21, 22, 24 and 26 to clarify and amplify the project description. Changes made were using no-disturbance buffers such as flagging in lieu of fencing and supporting that a “take” permit under the Safe Harbor Agreement is required from the CDF&G. Pursuant to CEQA Section 15073.5, recirculation is not required when new information is added to a mitigated negative declaration that only amplifies and clarifies existing mitigations.
 - n) New mitigation measures (MM # 5, 8, 9, 10, 12 and 14) are

equivalent or more effective in mitigating or avoiding potential significant effects and it itself will not cause any potentially significant effect on the environment. A public hearing was held on the project on October 13, 2010 in which the deletion and substitution of the mitigation measures were addressed. The new mitigation measures are incorporated into project approval or made a condition of project approval.

- o) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based.
- l) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based.

5. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 4 in the North County Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090095
 - e) The project planner conducted site inspections on June 11, 2009 and August 17, 2010.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission

- EVIDENCE:**
- a) Section 20.86.070 Monterey County Zoning Ordinance (Board of Supervisors).
 - b) Section 20.86.080 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because development within 100 feet of environmentally sensitive habitat is permitted in the underlying zone as a conditional use and is considered nonexempt development.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- A. Adopt Mitigated Negative Declaration per (CEQA) Guidelines Section 15070;
- B. Approve PLN090095, Coastal Development Permit to allow a voluntary wetland restoration project on approximately 40 acres of a 195 acre parcel. The restoration consists of restoring, improving and maintaining native plant and endangered habitat while reconnecting the Carneros Creek to its historic floodplain. Grading consists of 4,130 cubic yards of cut and 4,130 cubic yards of fill, all to be balanced on site, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.
- C. Adopt the Mitigation Monitoring and Reporting Program (**Exhibit 1**)

PASSED AND ADOPTED this 13th day of October, 2010 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Secretary to the Planning commission

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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

NOTES

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

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

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

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION _____ - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Agriculture & Land Based Training/Triple M. Ranch
File No: PLN090095 **APNs:** 181-251-001-000
Approved by: Planning Commission **Date:** October 13, 2010

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Coastal Development Permit (PLN090095) allows for a voluntary wetland restoration project on approximately 40 acres of a 195 acre parcel. The restoration consists of restoring, improving and maintaining native plant and endangered habitat while reconnecting the Carneros Creek to its historic floodplain to include grading consisting of 4,130 cubic yards of cut and 4,130 cubic yards of fill, all to be	Adhere to conditions and uses specified in the permit. 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.	Owner/ Applicant RMA - Planning	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		balanced on site. The property is located at 420 Hall Road, Royal Oaks (Assessor's Parcel Number 181-251-001-000), North County Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA-Planning Department)	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.	WRA RMA - Planning		
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 181-251-001-000 on October 13, 2010. The permit was granted subject to 32 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on October 13, 2013 unless use of the property or actual construction has begun within this period. (RMA – Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	

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4.		<p>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 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)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits or use of the property, whichever occurs first and as applicable	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5.		PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department. If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	Within 5 working days of project approval.	
6.		PD006 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
7.		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	

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Health Department Environmental Health Bureau						
8.		<p>EHSP001 - ABANDONED WELL – AREA 1 (NON STANDARD)</p> <p>Destroy the existing abandoned well located adjacent to Hall and Sill Roads. The well shall be destroyed according to the standards found in State of California Department of Water Resources Bulletin 74-81 and all its supplements in addition to Chapter 15.08 of the Monterey County Code.</p> <p>The location of this well is noted on the Fall Creek Engineering, Inc. <u>Overall Site Improvement Plan</u>, dated August 2009, Sheet C2.0, Area 1. (Environmental Health)</p>	<p>Prior to destruction of the well, a permit for the destruction of the well shall be obtained from the Environmental Health Bureau by a CA licensed well contractor. After destruction, submit the Well Completion (Destruction) Report to the Environmental Health Bureau.</p>	<p>CA Licensed Well Contractor/ Applicant</p>	<p>Prior to issuance of a grading or building permit.</p>	
9.		<p>EHSP002 - NO PUMPING OF GROUNDWATER (NON STANDARD)</p> <p>Per the Fall Creek Engineering, Inc. letter report from the applicant's registered civil engineer dated November 30, 2009 (Item #3), the project shall not result in groundwater pumping. (Environmental Health)</p>	<p>The applicant shall comply with their registered civil engineers letter report from Fall Creek Engineering, Inc. This document is dated November 30, 2009 and states:</p> <p>"No groundwater pumping will occur for the above referenced project. The wetlands will be filled by naturally occurring groundwater or surface flow."</p>	<p>CA Licensed Engineer /Owner/ Applicant</p>	<p>Continuous / On-going</p>	

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Monterey County Water Resources Agency						
10.		WRASP001 - GRADING PLAN (NON-STANDARD) A grading plan shall be prepared by a registered civil engineer or licensed surveyor to reflect the proposed cross-sections and hydraulic conditions identified in the <i>Floodway Analysis for the Triple M Ranch Wetland Restoration Project</i> prepared by Fall Creek Engineering, dated 10/22/2009. The grading plan shall be submitted to the Water Resources Agency for review and approval. (Water Resources Agency)	Submit the grading plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading permits	WRA
11.		WRASP002 - FLOODPLAIN RECORDATION (NON-STANDARD) The owner shall provide the Water Resources Agency a recorded Floodplain Notice stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." (Water Resources Agency)	Submit a recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to issuance of any grading permits	WRA
12.		WRASP003 - COMPLETION CERTIFICATION (NON-STANDARD) The applicant shall provide the Water Resources Agency certification from a registered civil engineer that all site improvements have been constructed in accordance with the approved grading plan. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer, certifying compliance with the approved site improvement plan.	Owner/ Applicant	Prior to final inspection	WRA
Mitigation Measures						

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)
13.	1	<p>Mitigation Measure #1: The following notes shall be included on all grading permit plans and in the contract with the grading contractor, and shall be implemented by the grading contractor:</p> <ul style="list-style-type: none"> ☒ Apply water to all excavated or graded areas to prevent excessive dust. ☒ Cover all material transported off-site to prevent excessive dust release ☒ Maintain two feet of freeboard for all material transported off-site ☒ Limit construction impacts to levels within Air District thresholds of significance. Submit a construction program that demonstrates that thresholds will not be exceeded by either limiting the amount of disturbed area per day or by providing construction and erosion management techniques that reduce emissions. ☒ Limit on-site construction vehicle speeds to 15 miles per hour ☒ Clean loose soil from construction vehicles before exiting the site ☒ Maintain all construction vehicle internal combustion engines according to manufacturer's specifications ☒ All diesel equipment shall comply with applicable State (Air Resources Board) regulations ☒ All equipment shall comply with the State Anti-Idling Rule, Title 13, California Code of Regulations, Section 2485(c)(1) <p>(RMA- Planning Department)</p>	<p>Monitoring Action #1: A copy of a signed agreement between the applicant and grading contractor stating that the contractor agrees to these notes shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.</p>	Applicant/ Owner	Prior to issuance of grading permit.	

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14.	2	<p>Mitigation Measure #2: Prior to construction activities, the project proponent shall retain a qualified biologist. ALBA shall submit a signed contract to the County prior to the issuance of any grading permit or vegetation clearance activities. The contract will include language demonstrating that a qualified biologist will be retained to be on-site during initial grading and vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project.</p> <p>The biologist shall conduct an Employee Education Program for the construction crew foreman and ALBA staff. The biologist shall meet with the construction crew foreman and ABLA staff at the project site at the onset of construction to educate the foreman and staff on the following: 1) a review of the project boundaries; 2) the special-status species that may be present, their habitat, and proper identification; 3) the specific mitigation measures that will be incorporated into the construction effort; 4) the general provisions and protections afforded by the Service and the DFG; and 5) and the proper procedures if a special-status animal is encountered within the project site. The construction foreman is responsible for making sure that all personnel that will be onsite, including all new workers and subcontractors, review the Worker's Education Training Program materials. All personnel must sign and date their review of the Worker's Education Training Program materials prior to working on the site. The sign-in sheet must be maintained on-site by the construction foreman and presented upon request. (RMA- Planning Department)</p>	<p>Monitoring Action #2: A copy of a signed agreement between a qualified biologist and the applicant stating that "the biologist will be retained to be on-site during initial grading and vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project" shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.</p>	Applicant/ Owner	Prior to issuance of grading/building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
15.	3	<p><u>Mitigation Measure #3:</u> A qualified biologist shall be on-site during initial grading and vegetation removal activities to identify any special-status species encountered. If special-status species are identified prior to or during construction activities, the biologist has the authority to stop the project until the individual wildlife species has left the site. If the individual does not leave the site within a reasonable amount of time, the biologist shall contact the California Department of Fish and Game (DFG) for guidance. Project activities shall not resume until the individual leaves the site or authorization is received from DFG to resume activities. (RMA- Planning Department)</p>	<p><u>Monitoring Action #3:</u> A copy of a signed agreement between the applicant and the qualified biologist stating "If special-status species are identified prior to or during construction activities, the biologist shall contact the RMA-Planning Department along with the CDF&G" shall be submitted to the RMA Planning Department prior to issuance of grading/building permits.</p>	Applicant/ Qualified biologist	Prior to issuance of grading/building permits.	
16.	4	<p><u>Mitigation Measure #4:</u> A qualified biologist shall conduct pre-construction surveys for Monterey dusky footed woodrat nests within the project area and in a buffer zone located 100 feet around the area of disturbance. The survey(s) shall be conducted no more than three days prior to construction or vegetation clearance. All woodrat nests shall be flagged for avoidance of direct construction impacts, where feasible. Any active nests outside of grading or vegetation removal areas shall be avoided and protected during project activities with a minimum 25 foot buffer. Nests that cannot be avoided shall be manually deconstructed prior to land clearing activities to allow animals to escape harm and to reestablish territories for the next breeding season. DFG shall be contacted to determine the appropriate methods for dismantling. These methods typically include dismantling by hand, which allows any animals to escape either along existing woodrat trails or toward other available habitat. If a litter of young is found or suspected, nest material shall be replaced and the nest left alone for 2 – 3 weeks before a</p>	<p><u>Monitoring Action #4:</u> A copy of the pre-construction Monterey dusk footed woodrat nest survey prepared by the qualified biologist shall be submitted to the RMA Planning Department prior to issuance of grading/building permits.</p>	Applicant/ Qualified biologist	Prior to issuance of grading/building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		recheck to verify that young are capable of independent survival before proceeding with nest dismantling. ALBA shall submit evidence to the County of Monterey in the form of a letter report with supporting photographic evidence demonstrating compliance with this measure prior to the initiation of construction activities. (RMA- Planning Department)				
17.	5	<p><u>Mitigation Measure #5:</u> Construction activities that may affect white-tailed kite, short-eared owl, nesting raptors, and other protected avian species (including tricolored blackbird and California horned lark) can be timed to avoid the nesting season. Specifically, vegetation removal can be scheduled after September 1 and before January 31. If vegetation removal is to be conducted outside of this period, pre-construction surveys shall be conducted for these species within 300 feet of proposed construction activities. Pre-construction surveys shall be conducted no more than 14 days prior to the start of construction. If short-eared owl, white-tailed kite, nesting raptors, or other nesting birds are identified during the pre-construction surveys, DFG shall be contacted and an appropriate <u>no-disturbance buffer (i.e. flagging)</u> shall be established within which no construction activities or disturbance shall take place (generally 300 feet in all directions for raptors; other protected avian species may have species-specific requirements) until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist in consultation with DFG. ALBA shall submit evidence to the County of Monterey in the form of a letter report demonstrating compliance with this measure prior to the initiation of construction activities. (RMA- Planning Department)</p>	<p><u>Monitoring Action #5:</u> Applicant shall submit evidence to the RMA – Planning Department in the form of a letter report demonstrating compliance with this measure prior to the initiation of construction activities prior to issuance of grading/building permits.</p>	Applicant/qualified biologist	Prior to issuance of grading/building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
18.	6	<p><u>Mitigation Measure #6:</u> Prior to use of heavy equipment and surface-disturbing activities, the work area shall be cleared under the direction of a qualified biologist. Vegetation shall initially be removed by hand (including brush cutters, weed whackers, and chainsaws). Piles of woody debris shall be cleared by hand. Larger debris will only be moved after being inspected by the project biologist. If SCLTS, CTS, or CRLF are observed during vegetation and debris removal activities, the project biologist shall stop work and contact applicable state and federal agencies for guidance and permits. (RMA- Planning Department)</p>	<p><u>Monitoring Action #6:</u> A copy of a signed agreement between the applicant and the biologist that vegetation shall initially be removed by hand after being inspected shall be submitted to the RMA – Planning Department prior to issuance of grading/building permits.</p>	Applicant/qualified biologist	Prior to issuance of grading/building permits.	
19.	7	<p><u>Mitigation Measure #7:</u> Before work activities begin each day, the project biologist shall inspect the area to look for SCLTS, CTS and CRLF. If any of these species are observed during vegetation and debris removal activities, the project biologist shall stop work and contact the US Fish and Wildlife Service.</p>	<p><u>Monitoring Action #7:</u> A copy of a signed agreement between the applicant and the biologist stating that the biologist shall inspect the area to look for SCLTS, CTS and CRLF shall be submitted to the RMA- Planning Department.</p>	Applicant/qualified biologist	Prior to issuance of grading/building permits.	
20.	8.	<p><u>Mitigation Measure #8:</u> If <u>silt fencing flagging</u> is required per erosion control best management practices or for any other reason, only high-quality <u>silt fencing flagging</u> (as agreed to by the biologist prior to installation) shall be used and efforts shall be made to install it in a way that does not inhibit movement of SCLTS, CTS or CRLF. Openings shall be created approximately every 100 feet. (RMA- Planning Department)</p>	<p><u>Monitoring Action #8:</u> A copy of a signed agreement between the applicant and the biologist stating that the qualified biologist shall determine what type of flagging shall be used so that it does not inhibit movement of SCLTS, CTS or CRLF shall be submitted to the RMA- Planning Department.</p>	Applicant/qualified biologist	Prior to issuance of grading/building permits.	

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)
21.	9	<p>Mitigation Measure #9: Prior to the issuance of any grading permit, the project applicant shall submit evidence to the County of Monterey documenting that US Fish and Wildlife Service, as well as the <u>California Department of Fish & Game (CDFG)</u>, have been consulted regarding the potential take of any state or federally listed species. The applicants shall obtain all necessary permits or take all actions required by those agencies. The CDFG Regional staff anticipates providing support for the Fully Protected Species Permit. The CDFG believes that incidental "take" coverage for CTS is also appropriate for this project. Pursuant to Fish and Game Code Section 2081 (b) with an Incidental Take permit, the Department believes that the California State Safe Harbor Agreement Program Act, pursuant to Sections 2089.2 et seq. of Fish and Game Code may be the more appropriate permitting pathway for CTS on this project. Any changes to the project components as a result of such consultation or permits shall be communicated immediately, prior to implementation, to the County of Monterey. If necessary, permit amendments may be required if the changes are not in conformance with the original permit.</p> <p>(RMA- Planning Department)</p>	<p>Monitoring Action #9: The applicant shall submit evidence to the RMA – Planning Department documenting that US Fish and Wildlife Service, as well as DFG, have been consulted regarding the potential take of any state or federally listed species. The applicant shall obtain all necessary permits or take all actions required by those agencies prior to the issuance of any grading/building permits.</p>	Applicant/qualified biologist	Prior to issuance of grading/building permits.	
22.	10	<p>Mitigation Measure #10: The Pajaro Manzanita individual within the project site shall be protected during construction. This includes the use of exclusionary <u>no-disturbance buffers such as fencing and/or flagging</u> of the individual to ensure avoidance, as recommended by the project biologist. A biological monitor shall supervise the installation of the protection and remain on-site during the initial grading activities and vegetation removal. After these activities are completed, the biological monitor shall check at</p>	<p>Monitoring Action #10: A copy of a signed agreement between the applicant and the biologist stating that the individual Pajaro Manzanita shall be protected during construction and monitored. The agreement shall be submitted to the RMA-Planning Department.</p>	Applicant/qualified biologist	Prior to issuance of grading/building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		least once per week, until the construction is completed, that the protective measure remain intact and that construction work is maintained within the limits of construction. ALBA shall submit evidence to the County of Monterey prior to the issuance of the any grading permit. (RMA- Planning Department)				
23.	11	<u>Mitigation Measure #11:</u> All post construction management activities shall be completed in accordance with the management recommendations and avoidance measures contained in the <i>Vegetation Management Plan and Habitat Enhancement for Federal and State Listed Amphibian Species</i> (Vegetation Monitoring and Pond Management Plan). All monitoring data shall be archived based on the specifications contained in these plans and shall be made available to the regulatory agencies within 30 days of any request. (RMA- Planning Department)	<u>Monitoring Action #11:</u> A copy of a signed agreement between the applicant and the biologist stating that all post construction management activities shall be completed in accordance with the management recommendations and avoidance measures contained in the <i>Vegetation Management Plan and Habitat Enhancement for Federal and State Listed Amphibian Species</i> (Vegetation Monitoring and Pond Management Plan) and shall be submitted to the RMA-Planning Department.	Applicant/qualified biologist	Prior to issuance of grading/building permits.	
24.	12	<u>Mitigation Measure #12:</u> Larval surveys shall be conducted by a qualified biologist who holds the appropriate permits for USFWS and DFG during the monitoring period as outlined in the Management Plan <u>specifically monitoring existing and created ponds for potential occupation by listed species.</u> Activities associated with larval surveys shall be permitted prior to the initiation of surveys under the project-specific authorization required by those permits and not as a component of this project. (RMA- Planning Department)	<u>Monitoring Action #12:</u> A copy of a signed agreement between the applicant and the biologist stating that larval surveys shall be conducted by a qualified biologist who holds the appropriate permits for USFWS and DFG during the monitoring period as outlined in the Management Plan and shall be submitted to the RMA-Planning Department.	Applicant/qualified biologist	Prior to issuance of grading/building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
25.	13	<u>Mitigation Measure #13:</u> The project shall comply with Section 1602 of the Fish and Game Code. In doing so, a Streambed Alteration Agreement Permit shall be obtained from DFG prior to the initiation of construction in those areas. All requirements of the permit shall be followed. Prior to the initiation of construction in the applicable areas, ALBA shall obtain the permit and provide a copy to the County of Monterey. (RMA- Planning Department)	<u>Monitoring Action #13:</u> The applicant shall submit a copy of the Streambed Alteration Agreement Permit obtained from DFG prior to the initiation of construction in those areas and submitted to the RMA – Planning Department prior to issuance of grading/building permits.	Applicant/ qualified biologist	Prior to issuance of grading/ building permits.	
26.	14	<u>Mitigation Measure #14:</u> All ground disturbing activities shall be confined to the period from June 15 to October 15. The grading limit line shall be marked in the field with <u>no-disturbance buffers such as flagging or temporary fencing</u> . ALBA shall submit evidence to the County of Monterey in the form of photographic evidence demonstrating compliance with this measure prior to the initiation of construction activities. (RMA- Planning Department)	<u>Monitoring Action #14:</u> The applicant shall submit evidence to the RMA- Planning Department in the form of photographic evidence demonstrating compliance with this measure prior to the issuance of any grading/building permits.	Applicant/ qualified biologist	Prior to issuance of grading/ building permits.	
27.	15	<u>Mitigation Measure #15:</u> Grading, excavating, and other activities that involve substantial soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer or erosion control specialist, and shall utilize standard erosion control and slope stabilization measures in satisfaction of Monterey County erosion control requirements to minimize erosion of slopes and sedimentation to native vegetation areas. (RMA- Planning Department)	<u>Monitoring Action #15:</u> A copy of a signed agreement between the applicant and a qualified hydrologist stating that they will utilize standard erosion control and slope stabilization measures in satisfaction of Monterey County erosion control requirements to minimize erosion of slopes and sedimentation to native vegetation areas. This agreement shall be submitted to the RMA- Planning Department.	Applicant/ Owner	Prior to issuance of grading/ building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
28.	16	<u>Mitigation Measure #16:</u> Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations, as determined by the project biologist. Trees and vegetation not planned for removal or trimming shall be protected during construction to the maximum extent. Measures may include the use of exclusionary flagging of herbaceous and shrubby vegetation and protective wood barriers for trees. Only certified weed-free straw shall be used to avoid the introduction of non-native, invasive species. ALBA shall submit evidence to the County of Monterey in the form of photographic evidence demonstrating compliance with this measure prior to the issuance of any grading permit. (RMA-Planning Department)	<u>Monitoring Action #16:</u> Applicant shall submit evidence of tree/vegetation protection to the RMA – Planning Department in the form of photographic evidence demonstrating compliance with this measure prior to the issuance of any grading permit.	Applicant/ Owner	Prior to issuance of grading/ building permits.	
29.	17	<u>Mitigation Measure #17:</u> A biological monitor shall supervise the installation of protective flagging and shall monitor the maintenance of the flagging (and other protective measures) during each of their monitoring visits as describe in the above mitigation measures. (RMA- Planning Department)	<u>Monitoring Action #17:</u> A signed agreement between the applicant and qualified biologist stating that a biological monitor shall supervise the installation of protective flagging and shall monitor the maintenance during each of their monitoring visits. A copy of the signed agreement shall be submitted to the RMA- Planning Department.	Applicant/ qualified biologist	Prior to issuance of grading/ building permits.	
30.	18	<u>Mitigation Measure #18:</u> No fueling or maintenance of equipment shall take place in the riparian or wetland habitat areas. Mechanical equipment shall be serviced in designated staging areas located outside of these habitats. Water from equipment washing or concrete wash down shall be prevented from entering these habitats and shall only occur where approved by the project biologist. (RMA- Planning Department)	<u>Monitoring Action #18:</u> A signed agreement between the applicant and qualified biologist stating that a qualified biologist shall monitor that no fueling or maintenance of equipment shall take place in the riparian or wetland habitat areas and that all mechanical equipment be serviced in designated staging areas	Applicant/ qualified biologist	Prior to issuance of grading/ building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
			located outside of these habitats. A copy of the signed agreement shall be submitted to the RMA- Planning Department.			
31.	19	<p><u>Mitigation Measure #19:</u> The project applicant and all workers shall comply with Section 401 and 404 of the Clean Water Act. Permits, if any shall be obtained from the US Army Corps of Engineers and Regional Water Quality Control Board, as applicable and necessary, prior to the initiation of construction or prior to vegetation removal. All requirements of any permits shall be followed. Prior to the issuance of any grading permit, ALBA shall obtain the necessary permits and provide a copy to the County of Monterey demonstrating compliance with this measure. (RMA- Planning Department)</p>	<p><u>Monitoring Action #13:</u> The applicant shall submit a copy of the Section 401 and 404 of the Clean Water Act. Permits, if any shall be obtained from the US Army Corps of Engineers and Regional Water Quality Control Board, as applicable and necessary, prior to the initiation of construction or prior to vegetation removal. prior to the initiation of construction and submitted to the RMA – Planning Department prior to issuance of grading/building permits.</p>	Applicant/qualified biologist	Prior to issuance of grading/building permits.	
32.	20	<p><u>Mitigation Measure #20:</u> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA- Planning Department)</p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

END OF CONDITIONS

Rev. 08/11/2010

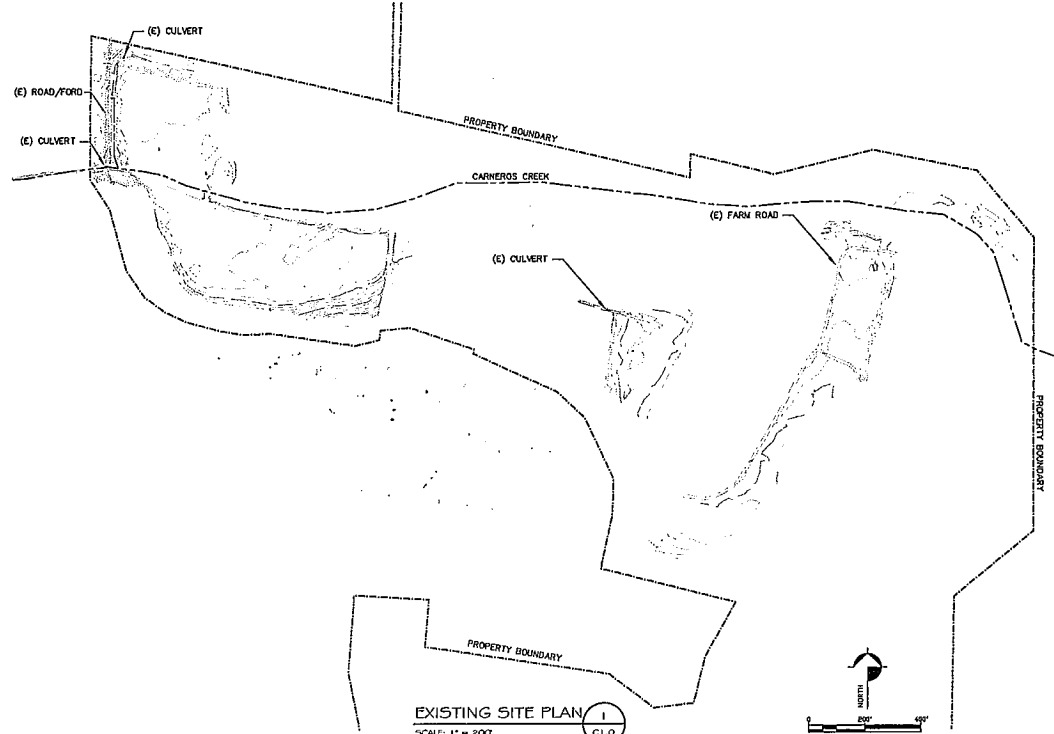
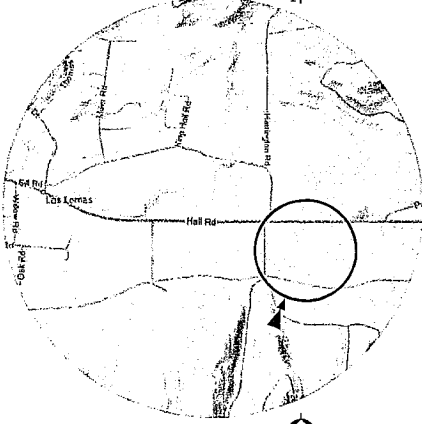
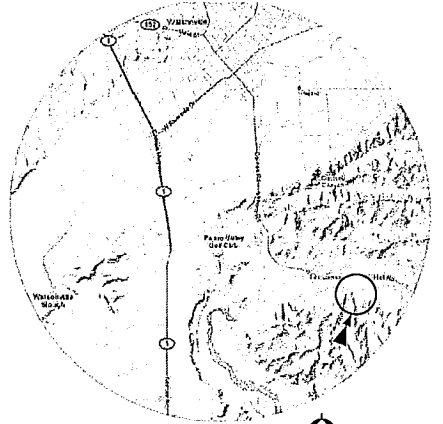
TRIPLE M RANCH WETLAND RESTORATION PROJECT

EXHIBIT “C” 2

DRAFT RESOLUTION INCLUDING

1. SITE PLAN, FLOOR PLAN AND
ELEVATIONS, PARCEL MAP, TENTATIVE
MAP

ALBA - TRIPLE M RANCH WETLAND RESTORATION PROJECT



- TECHNICAL REFERENCES**
1. FALL CREEK ENGINEERING, INC. (CIVIL ENGINEER); DATED NOVEMBER 13, 2008. "ALBA WETLANDS RESTORATION PROJECT: CIVIL DESIGN CRITERIA".
 2. LARGAY HYDROLOGIC SCIENCES, LLC (HYDROLOGIST); DATED AUGUST 1, 2008. "ALBA WETLANDS RESTORATION PROJECT: EXISTING CONDITIONS, MANAGEMENT RECOMMENDATIONS AND CONCEPTUAL DESIGN".
 3. RASMUSSEN LAND SURVEYING, INC. (SURVEYOR).

CIVIL SHEET INDEX	
SHEET	TITLE
C1.0	COVER SHEET
C2.0	OVERALL SITE IMPROVEMENT PLAN
C3.0	GRADING PLAN - AREA 1 (40 SCALE)
C3.1	GRADING PLAN - AREA 2 (40 SCALE)
C3.2	GRADING PLAN - AREA 3 (40 SCALE)
C3.3	GRADING PLAN - AREA 4 (40 SCALE)
C3.4	GRADING PLAN - AREA 5 (40 SCALE)
C4.0	WETLAND GRADING PROFILES
C4.1	TREATMENT WETLAND PLAN, PROFILE AND SECTIONS
C4.2	ROAD GRADING PLAN, PROFILE AND SECTIONS
C4.3	FORD GRADING PLAN, PROFILE AND SECTIONS
C4.4	STREAM CROSSING PLAN, PROFILE, SECTIONS, AND DETAILS
C4.5	WETLAND CROSSING PLAN, SECTIONS, AND DETAILS
C4.6	STREAM AND WETLAND CROSSING DETAILS
C5.0	EROSION CONTROL AND REVEGETATION PLAN
C5.1	EROSION CONTROL AND REVEGETATION PLAN AND NOTES

REV.	DATE	BY

SHEET TITLE
COVER SHEET

OWNER
ALBA
TRIPLE M RANCH
420 HALL ROAD
LAS LOMAS, CA 95076

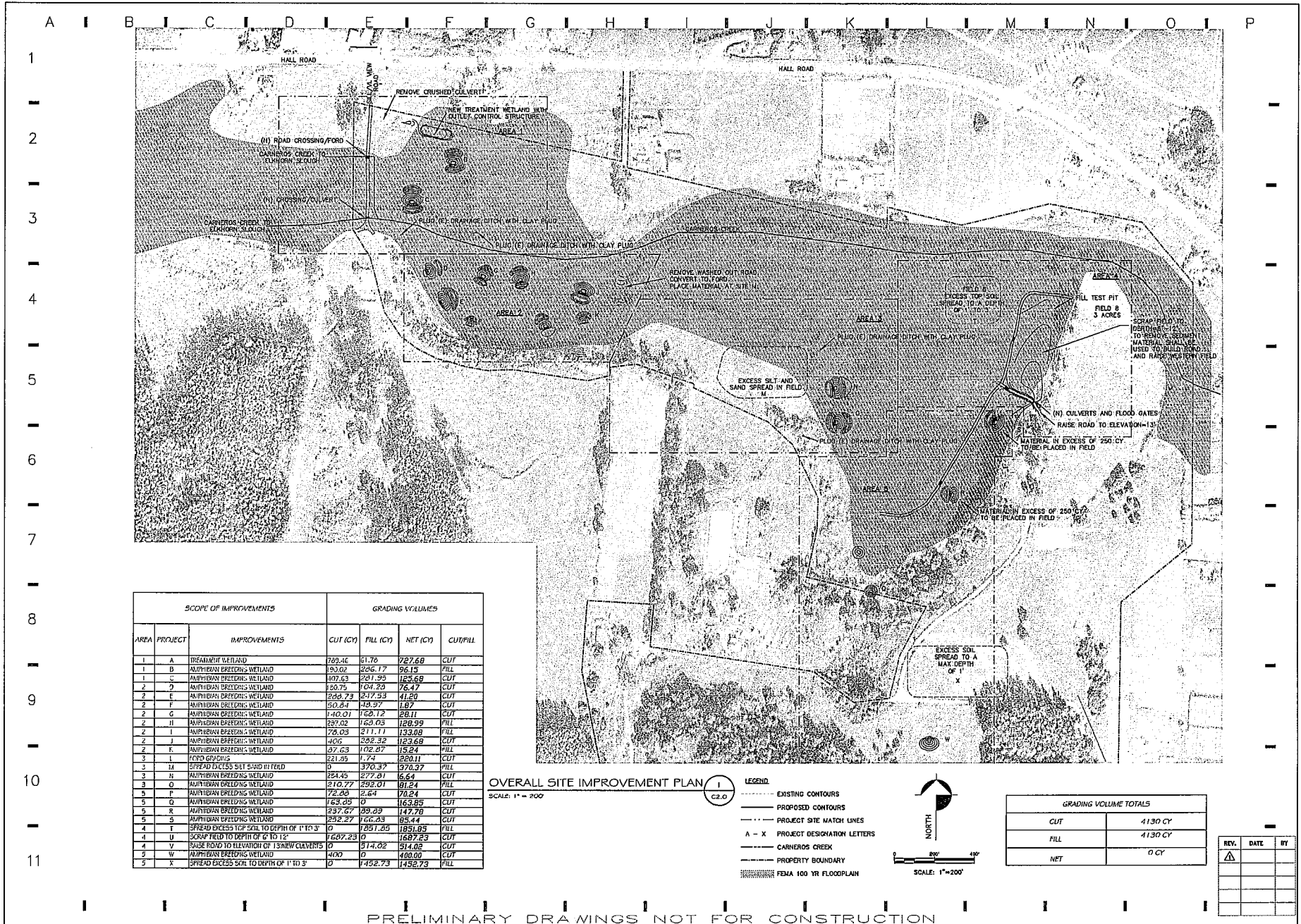
PROJECT TITLE
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
420 HALL ROAD
LAS LOMAS, CALIFORNIA 95076

FALL CREEK ENGINEERING, INC.
Professional Engineers
Civil & Environmental • Water Resources
P.O. BOX 7074, SANTA CRUZ, CA 95061
(408) 426-8254 FAX (408) 426-1432



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CHECKED BY: PHH
DATE: FEB 2008
JOB NO: 10420
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OF 16

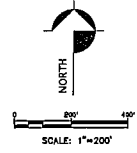


SCOPE OF IMPROVEMENTS			GRADING VOLUMES			
AREA	PROJECT	IMPROVEMENTS	CUT (CY)	FILL (CY)	NET (CY)	CUT/FILL
1	A	TREATMENT WETLAND	789.46	61.76	727.68	CUT
1	B	AMPHIBIAN BREEDING WETLAND	60.02	206.17	96.15	FILL
1	C	AMPHIBIAN BREEDING WETLAND	107.63	201.99	126.68	CUT
2	D	AMPHIBIAN BREEDING WETLAND	150.75	104.23	76.47	CUT
2	E	AMPHIBIAN BREEDING WETLAND	264.73	217.33	41.20	CUT
2	F	AMPHIBIAN BREEDING WETLAND	50.84	18.37	1.87	CUT
2	G	AMPHIBIAN BREEDING WETLAND	110.01	168.12	28.11	CUT
2	H	AMPHIBIAN BREEDING WETLAND	287.02	163.03	128.99	FILL
2	I	AMPHIBIAN BREEDING WETLAND	28.03	311.11	133.08	FILL
2	J	AMPHIBIAN BREEDING WETLAND	406	252.32	123.68	CUT
2	K	AMPHIBIAN BREEDING WETLAND	37.63	102.87	15.24	FILL
3	L	TOP GRADING	221.35	1.74	220.11	CUT
3	M	SPREAD EXCESS SILT SAND IN FIELD	0	370.37	370.37	FILL
3	N	AMPHIBIAN BREEDING WETLAND	224.45	277.01	6.54	CUT
3	O	AMPHIBIAN BREEDING WETLAND	210.77	292.01	81.24	FILL
5	P	AMPHIBIAN BREEDING WETLAND	72.23	2.64	70.24	CUT
5	Q	AMPHIBIAN BREEDING WETLAND	163.25	0	163.25	CUT
5	R	AMPHIBIAN BREEDING WETLAND	237.67	29.29	147.70	CUT
5	S	AMPHIBIAN BREEDING WETLAND	252.27	166.23	85.44	CUT
4	T	SPREAD EXCESS TOP SOIL TO DEPTH OF 1' TO 3'	0	185.83	185.83	FILL
4	U	SCRAP FIELD TO DEPTH OF 6" TO 12"	1687.23	0	1687.23	CUT
4	V	RAISE ROAD TO ELEVATION OF 13 NEW CULVERTS	0	314.02	314.02	CUT
4	W	AMPHIBIAN BREEDING WETLAND	400	0	400.00	CUT
5	X	SPREAD EXCESS SOIL TO DEPTH OF 1' TO 3'	0	1452.73	1452.73	FILL

OVERALL SITE IMPROVEMENT PLAN

SCALE: 1" = 200'

- LEGEND**
- EXISTING CONTOURS
 - PROPOSED CONTOURS
 - PROJECT SITE MATCH LINES
 - CARNEROS CREEK
 - PROPERTY BOUNDARY
 - FEMA 100 YR FLOODPLAIN



GRADING VOLUME TOTALS	
CUT	4130 CY
FILL	4130 CY
NET	0 CY

REV.	DATE	BY

SHEET TITLE
OVERALL SITE IMPROVEMENT PLAN

CLIENT
ALBA
TRIPLE M RANCH
102 HALL ROAD
LAS VEGAS, CA 89070

PROJECT TITLE
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
102 HALL ROAD
LAS VEGAS, CALIFORNIA 89070

FIELD ENGINEER/DESIGNER, INC.
Civil/Utility Engineers
2400 International Blvd. Reno NV
P.O. BOX 7744 SOUTH OAK, CA 90081
TEL: (916) 424-4004 FAX: (916) 424-4042



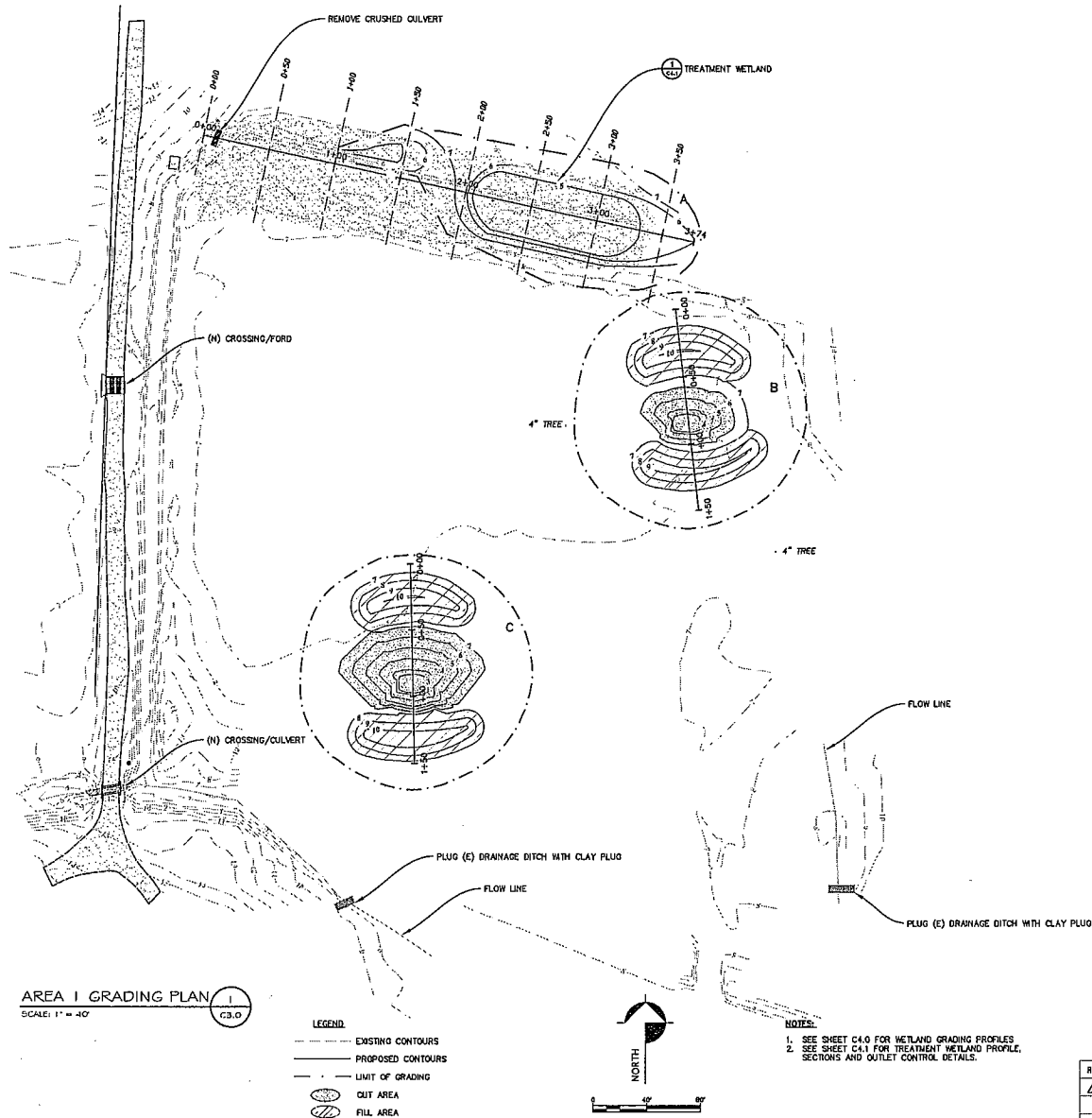
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DATE: FEB 2009
JOB NO: 20920
SCALE: 1"=200'

SHEET
C2.0
OF 10

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

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PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

SHEET TITLE:
AREA 1 GRADING PLAN

CLIENT:
ALBA
TRIPLE M RANCH
11000 ALAMITOS
LAS VEGAS, NV 89076

PROJECT TITLE:
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
LAS VEGAS, CALIFORNIA 95076

FALL CREER ENGINEERING, INC.
Consulting Engineers
Civil/Environmental/Water Resources
P.O. BOX 7154, SANTA CRUZ, CA 95061
TEL. (408) 498-9051 FAX (408) 438-1110



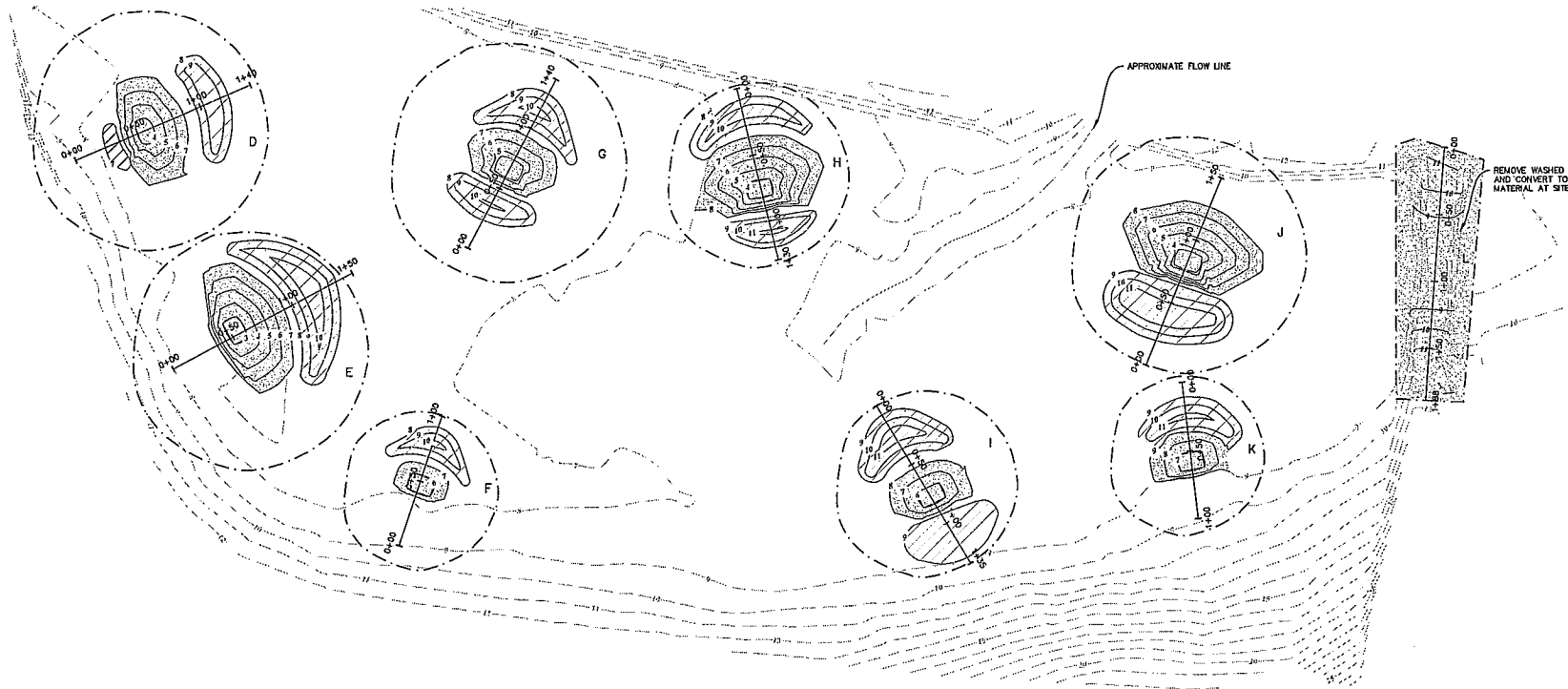
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DATE: FEB 2009
JOB NO: 20820
SCALE: 1"=40'

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OF 16

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AREA 2 GRADING PLAN
SCALE: 1" = 40'
(C3.1)

- LEGEND**
- EXISTING CONTOURS
 - PROPOSED CONTOURS
 - - - LIMIT OF GRADING
 - ▨ CUT AREA
 - ▩ FILL AREA



- NOTES:**
1. SEE SHEET C4.0 FOR WETLAND GRADING PROFILES.
 2. SEE SHEET C4.3 FOR FORD GRADING PLAN AND PROFILE.

REV.	DATE	BY
△		

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

SHEET TITLE
AREA 2 GRADING PLAN

CLIENT
**ALBA
TRIPLE M RANCH
480 HALL ROAD
LAS LOMAS, CA 95076**

PROJECT TITLE
**ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
480 HALL ROAD
LAS LOMAS, CALIFORNIA 95076**

PAUL CHIEK ENGINEERING, INC.

Civil & Environmental & Water Resources
P.O. BOX 7854, SANTA CRUZ, CA 95061
TEL (408) 438-9704 FAX (408) 434-1442

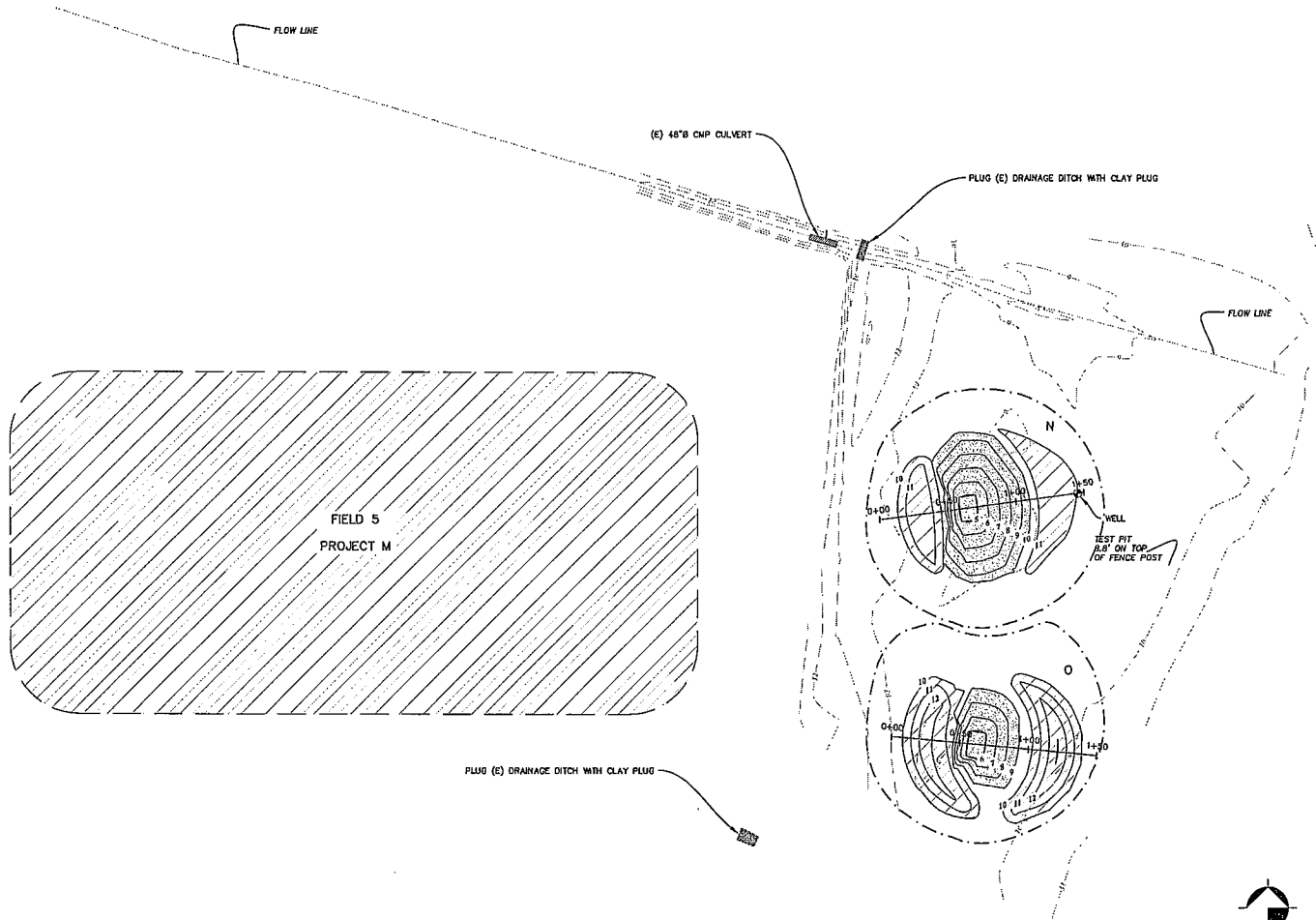


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DATE: FEB 2009
JOB NO: 20520
SCALE: 1" = 40'
SHEET

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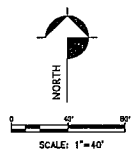
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AREA 3 GRADING PLAN
SCALE: 1" = 40'

- LEGEND:**
- - - - - EXISTING CONTOURS
 - PROPOSED CONTOURS
 - LIMIT OF GRADING
 - ▨ CUT AREA
 - ▩ FILL AREA

NOTES:
1. SEE SHEET C4.0 FOR WETLAND GRADING PROFILES



REV.	DATE	BY
1		

SHEET TITLE:
AREA 3 GRADING PLAN

CLIENT:
ALBA
TRIPLE M RANCH
80 HALL ROAD
LAS JOLAS, CA 95076

PROJECT TITLE:
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
80 HALL ROAD
LAS JOLAS, CALIFORNIA 95076

FIRM: FALL CREEK ENGINEERING, INC.
Consulting Engineers
Old & Established & New Practices
P.O. BOX 7174, SANTA CRUZ, CA 95061
TEL. (408) 426-8054 FAX (408) 426-1122

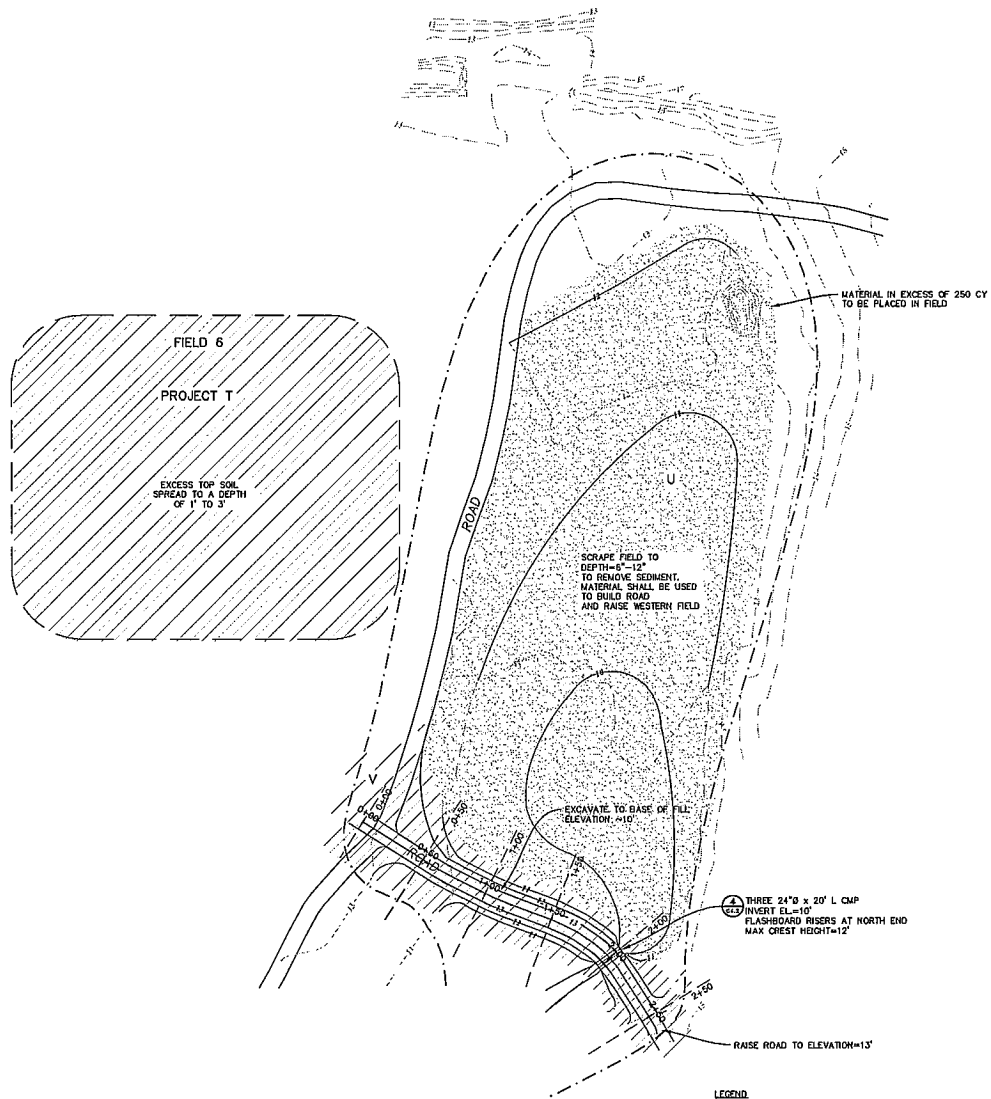


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SHEET: C3.2
OF 16

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

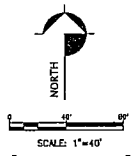
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AREA 4 GRADING PLAN
SCALE: 1" = 40'

- LEGEND
- EXISTING CONTOURS
 - - - PROPOSED CONTOURS
 - - - LIMIT OF GRADING
 - CUT AREA
 - ▨ FILL AREA



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SHEET TITLE:
AREA 4 GRADING PLAN

CLIENT:
ALBA TRIPLE M RANCH
TRIPLE M RANCH
LAS LOMAS, CA 95078

PROJECT TITLE:
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
LAS LOMAS, CALIFORNIA 95078

FALL CREEK ENGINEERING, INC.
Consulting Engineers
Civil - Environmental - Water Resources
P.O. BOX 7034, SANTA FE, CA 80501
TEL (303) 435-8024 FAX (303) 435-1342

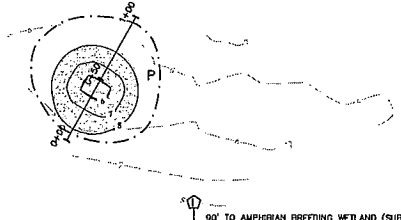
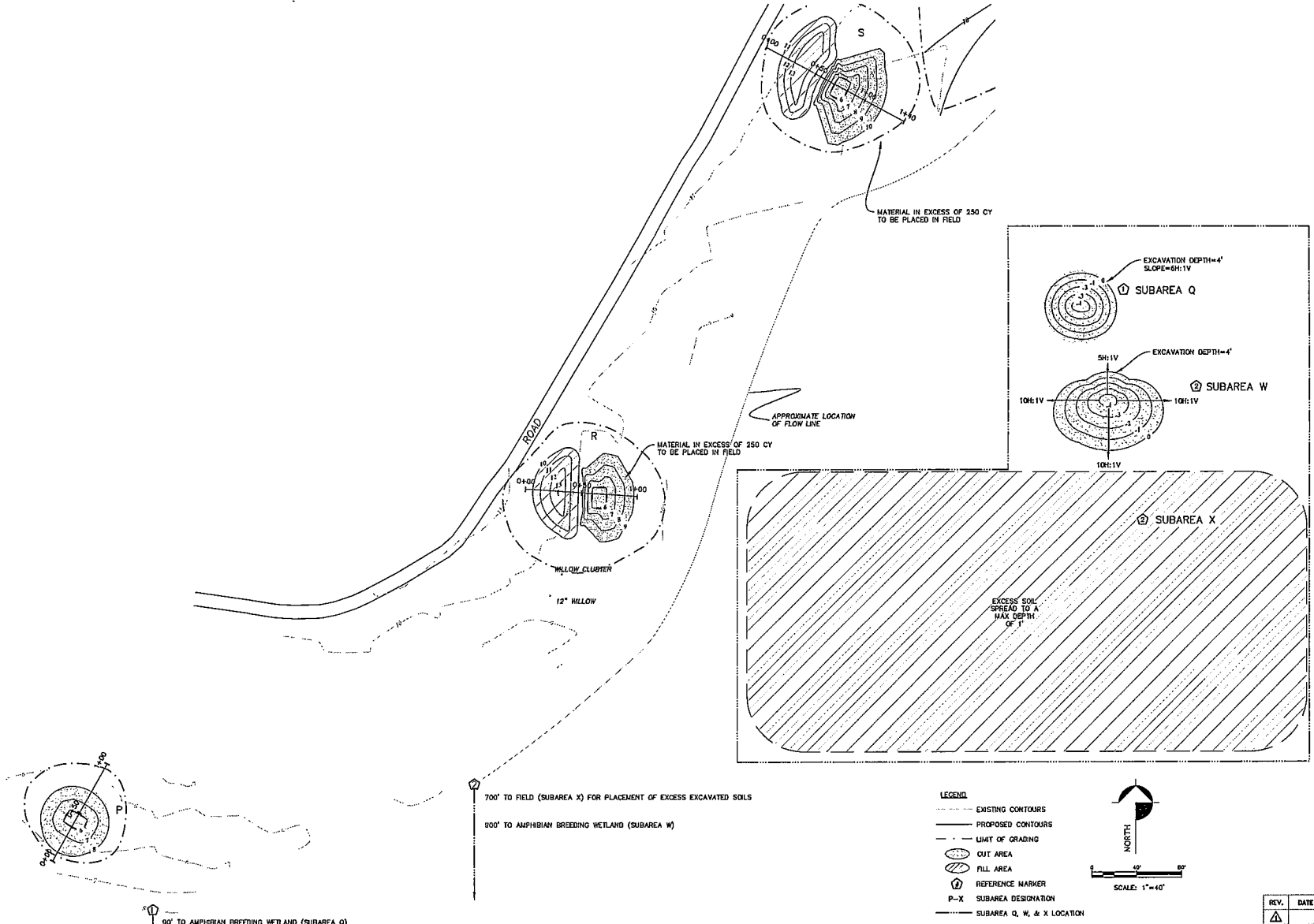


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SCALE: 1" = 40'
SHEET: C3.3

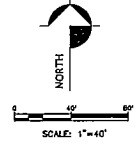
PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P

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LEGEND
 - - - - - EXISTING CONTOURS
 ———— PROPOSED CONTOURS
 - - - - - LIMIT OF GRADING
 ○ (with contour) CUT AREA
 ▨ (with contour) FILL AREA
 ⊕ REFERENCE MARKER
 P-X SUBAREA DESIGNATION
 --- SUBAREA Q, W, & X LOCATION



AREA 5 GRADING PLAN (1)
 SCALE: 1" = 40' CS-1

REV.	DATE	BY
1		

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

SUBJECT TITLE
AREA 5 GRADING PLAN

CLIENT
 ALBA
 TRIPLE M RANCH
 1500 S. L. ROAD
 LAS VEGAS, NV 89078

PROJECT TITLE
 ALBA - TRIPLE M RANCH
 WETLANDS RESTORATION PROJECT
 LAS VEGAS, CALIFORNIA 95078

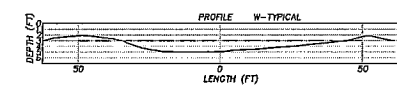
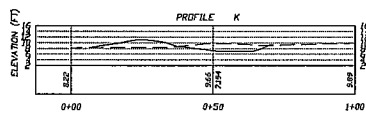
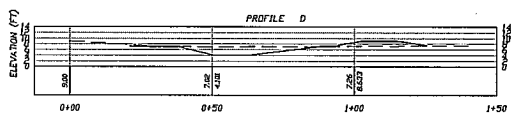
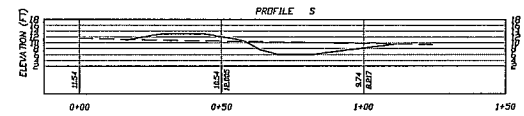
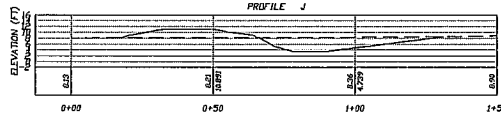
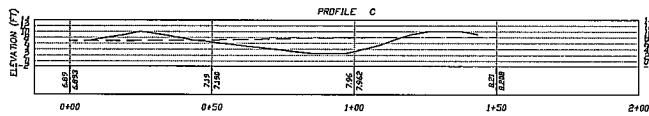
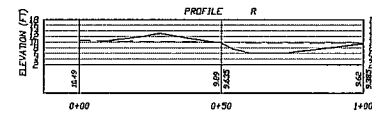
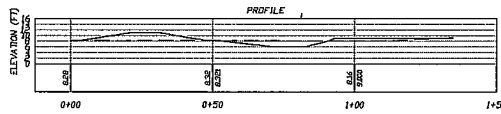
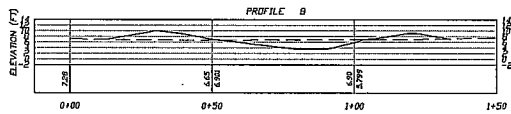
FIRM
 FALL CREEK ENGINEERING, INC.
 Consulting Engineers
 604 - 2nd Street - 3rd Floor
 P.O. BOX 7864, SANTA CRUZ, CA 95061
 TEL: (408) 286-1000 FAX: (408) 286-1010

DRAWN BY: PEM
CHECKED BY: PWH
DATE: FEB 2009
JOB NO: 20080
SCALE: 1" = 40'
SHEET: C3.4

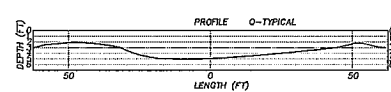
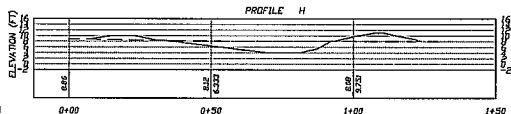
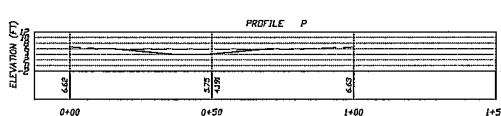
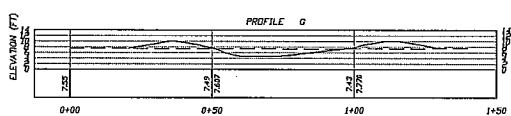
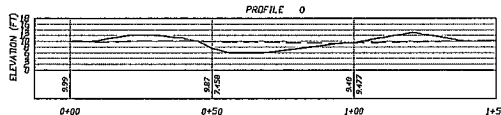
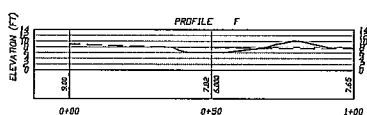
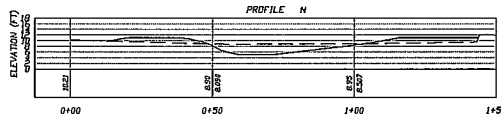
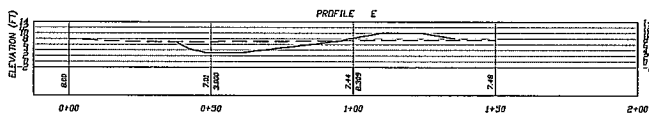
OF 16

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NOTE: TOPOGRAPHIC INFORMATION IS NOT AVAILABLE IN THIS AREA (W). DEPTH AND LENGTH ARE USED TO DEMONSTRATE THE GENERAL GEOMETRY OF THE WETLAND.



NOTE: TOPOGRAPHIC INFORMATION IS NOT AVAILABLE IN THIS AREA (O). DEPTH AND LENGTH ARE USED TO DEMONSTRATE THE GENERAL GEOMETRY OF THE WETLAND.

WETLAND GRADING PROFILES
SCALE: 1" = 40'

LEGEND
— EXISTING CONTOURS
- - - PROPOSED CONTOURS

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 40'

REV.	DATE	BY
1		

SHEET TITLE:
WETLAND GRADING PROFILES

CLIENT:
ALBA
TRIPLE M RANCH
503 HALL ROAD
LAS LOMAS, CA 95076

PROJECT TITLE:
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
LAS LOMAS, CALIFORNIA 95076

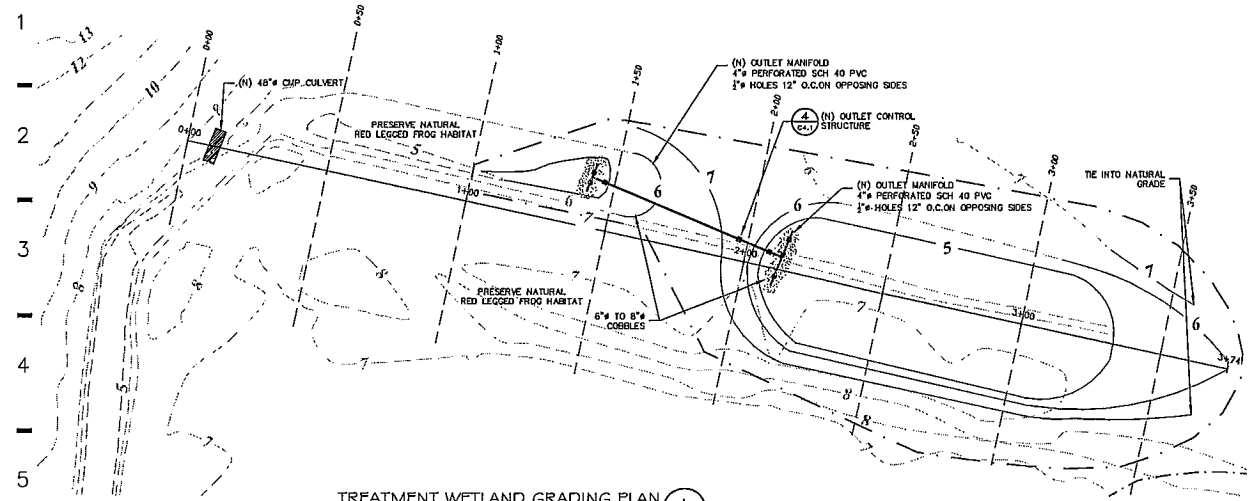
FALL CREEK ENGINEERS, INC.
Consulting Engineers
Old + Edwards + Miller Associates
P.O. BOX 7984, SANTA CRUZ, CA 95061
TEL (408) 436-8554 FAX (408) 436-8422



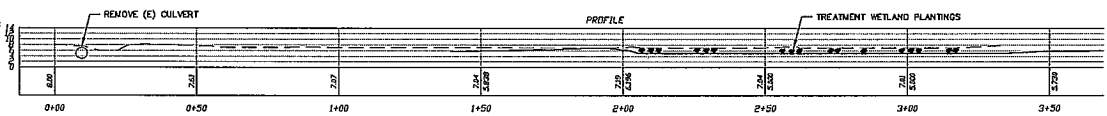
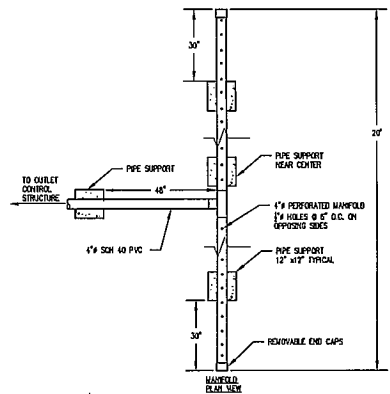
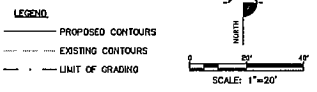
DRAWN BY: PCM
CHECKED BY: PHM
DATE: NOV 2008
JOB NO: 20820
SCALE: AS SHOWN
SHEET: C4.0

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

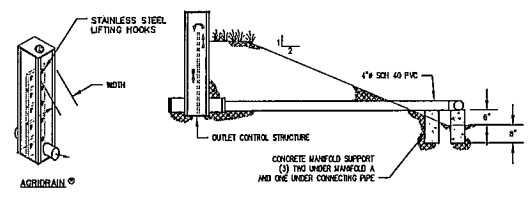
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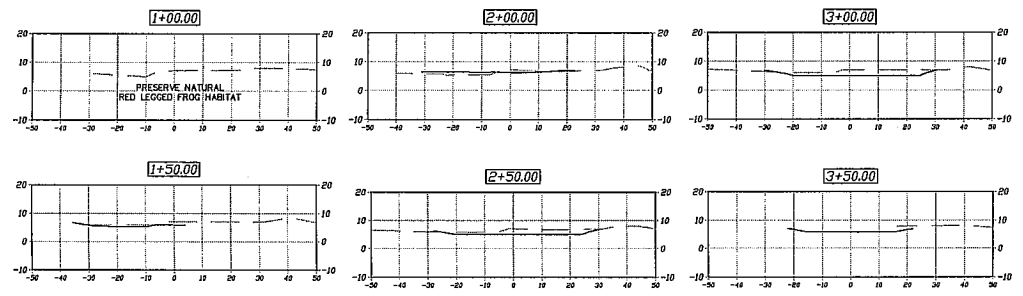
TREATMENT WETLAND GRADING PLAN
SCALE: 1" = 20'



TREATMENT WETLAND GRADING PROFILE
SCALE: 1" = 20'



TYPICAL OUTLET CONTROL STRUCTURE
SCALE: 1" = 2'



TREATMENT WETLAND GRADING CROSS SECTIONS
SCALE: 1" = 20'

REV.	DATE	BY
1		

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

SHEET TITLE:
TREATMENT WETLAND
PLAN, PROFILE AND
CROSS SECTIONS

CLIENT:
ALBA
TRIPLE M RANCH
LAS JOLAS, CA 95076

PROJECT TITLE:
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
LAS JOLAS, CALIFORNIA 95076

YALL CHECK ENGINEERS, INC.
Civil/Structural Engineers
Civil/Structural & Water Resources

P.O. BOX 7514, SANTA CRUZ, CA 95061
TEL. (408) 498-8080 FAX (408) 498-1212

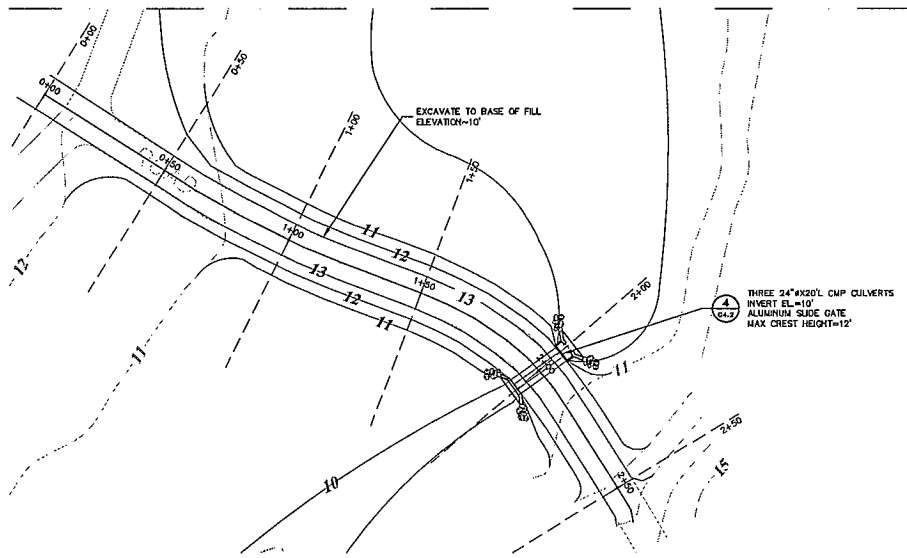


DRAWN BY: PEM
CHECKED BY: PHH
DATE: FEB 2009
JOB NO: 20820
SCALE: AS SHOWN

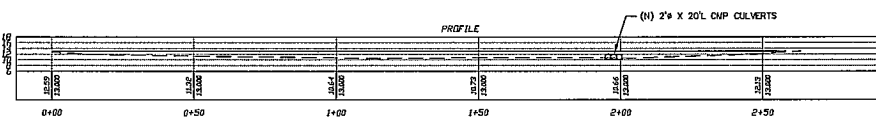
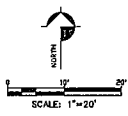
SHEET:
C4.1
OF 16

A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P

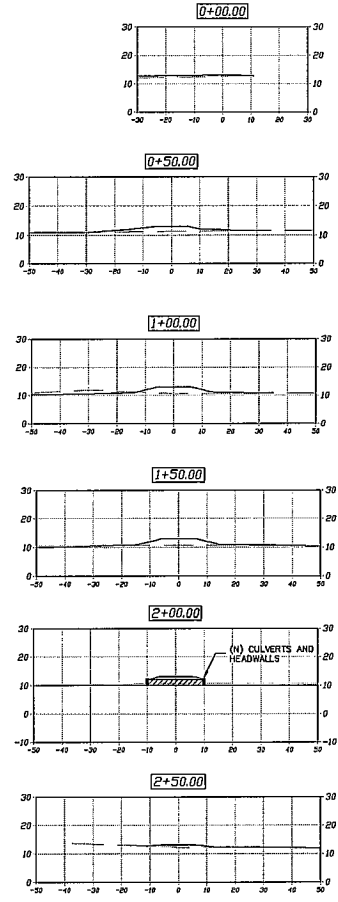
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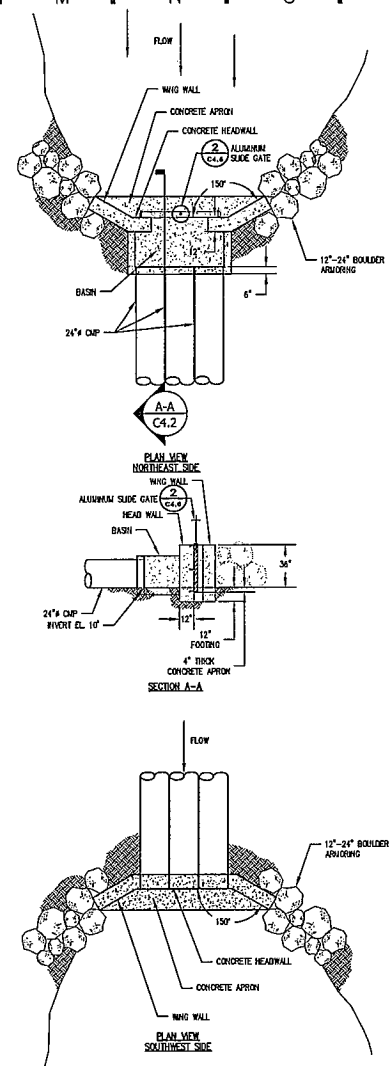
ROAD GRADING PLAN 1
SCALE: 1" = 20'
LEGEND:
- - - PROPOSED CONTOURS
- - - EXISTING CONTOURS
- - - ROAD CENTERLINE



ROAD GRADING PLAN 2
SCALE: 1" = 20'



ROAD GRADING CROSS SECTIONS 3
SCALE: 1" = 20'



CULVERT AND HEADWALL DETAILS 4
SCALE: 1" = 4'

REV.	DATE	BY
△		

SHEET TITLE:
ROAD GRADING PLAN, PROFILE AND CROSS SECTIONS

CLIENT:
ALBA
TRIPLE M RANCH
RESTORATION PROJECT
LAS ANIMAS, CA 95076

PROJECT TITLE:
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
LAS ANIMAS, CALIFORNIA 95076

WALL GROUP ENGINEERING, INC.
Civil Engineering
Civil-Environmental & Water Resources

P.O. BOX 7394, SANTA CRUZ, CA 95069
TEL: (303) 426-8800 FAX: (303) 426-8820



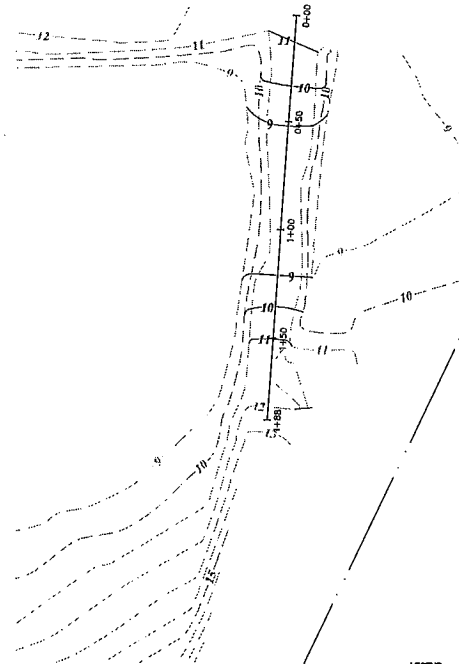
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CHECKED BY: PHH
DATE: FEB 2009
JOB NO.: 20820
SCALE: AS SHOWN
SHEET:

C4.2
OF 16

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

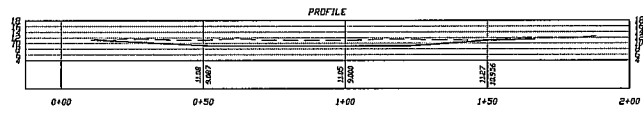
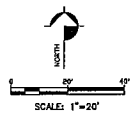
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FORD GRADING PLAN 1
SCALE: 1" = 20'
C4.3

LEGEND
 - - - - - PROPOSED CONTOURS
 ······ EXISTING CONTOURS
 ——— ROAD CENTERLINE



FORD GRADING PLAN 1
SCALE: 1" = 20'
C4.3

REV.	DATE	BY
△		

SHEET TITLE
**FORD GRADING PLAN
 AND PROFILE**

CLIENT
**ALBA
 TRIPLE M RANCH
 LAS LOMAS, CA 95076**

PROJECT TITLE
**ALBA - TRIPLE M RANCH
 WETLANDS RESTORATION PROJECT
 LAS LOMAS, CALIFORNIA 95076**

FALL CREDE ENGINEERING, INC.
 Professional Engineers
 Civil Engineering & Water Resources
 P.O. BOX 7144, SANTA CRUZ, CA 95061
 TEL (408) 498-0200 FAX (408) 498-0410

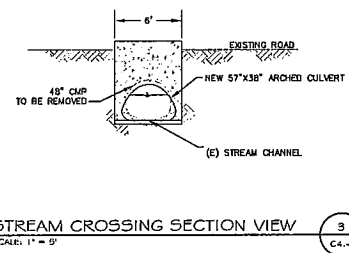
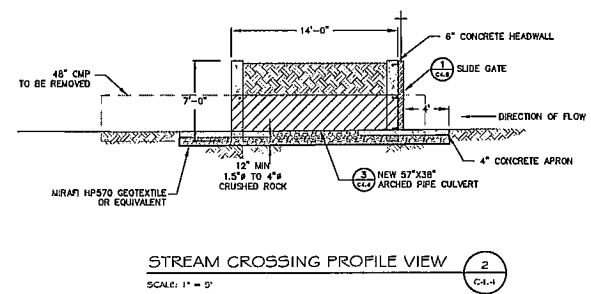
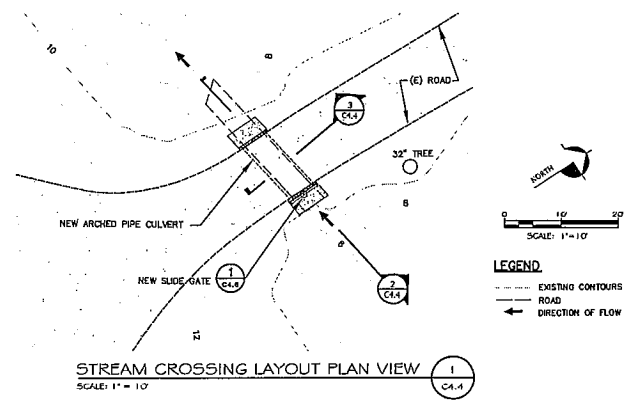


DRAWN BY: PEM
 CHECKED BY: PHH
 DATE: FEB 2009
 JOB NO: 20820
 SCALE: AS SHOWN
 SHEET: **C4.3**
 OF 18

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

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PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

SHEET TITLE:
**STREAM CROSSING PLAN
PROFILE, SECTIONS, AND DETAILS**

CLIENT:
**ALBA RANCH
420 HULL ROAD
LAS LOMAS, CA 95076**

PROJECT TITLE:
**ALBA - TRIBLE M RANCH
RESTORATION PROJECT
420 HULL ROAD
LAS LOMAS, CALIFORNIA 95076**

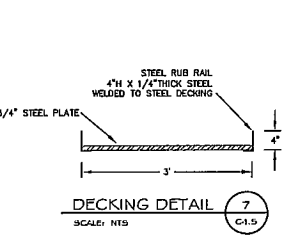
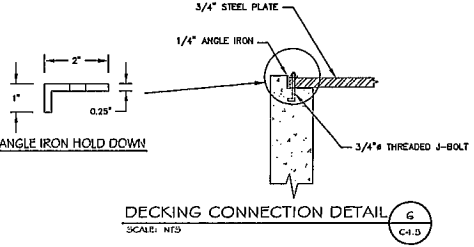
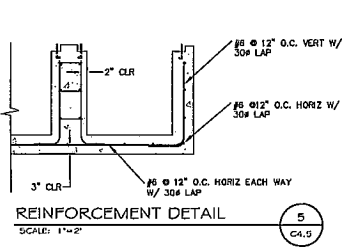
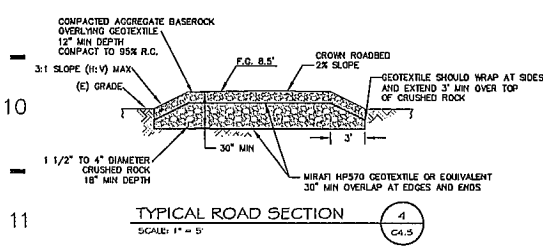
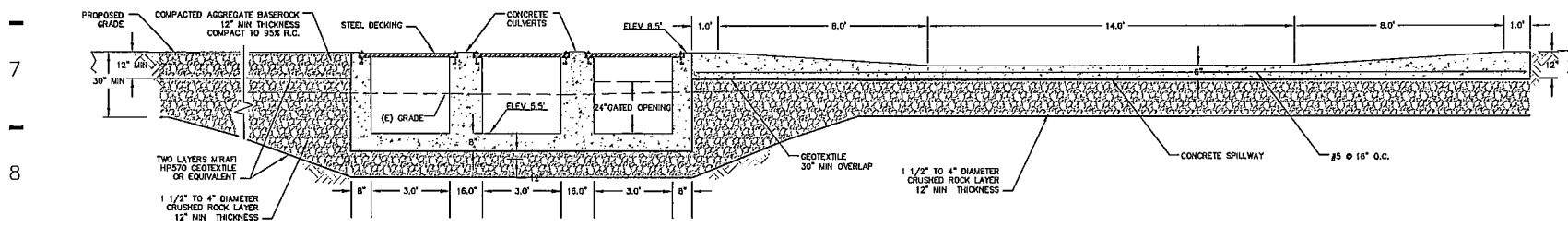
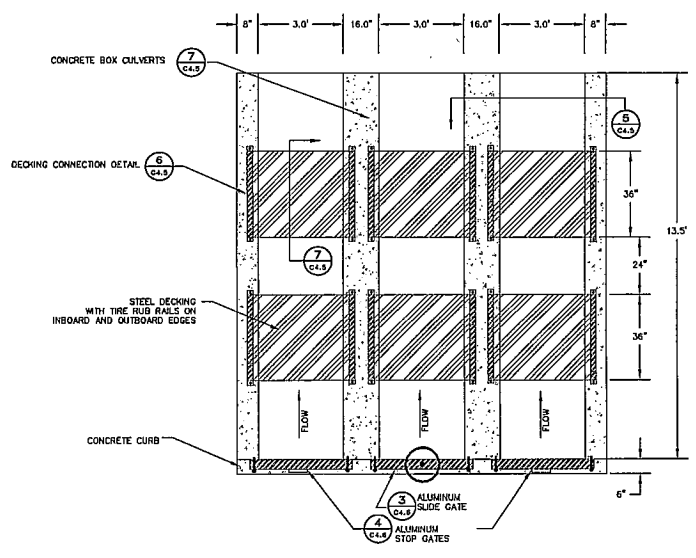
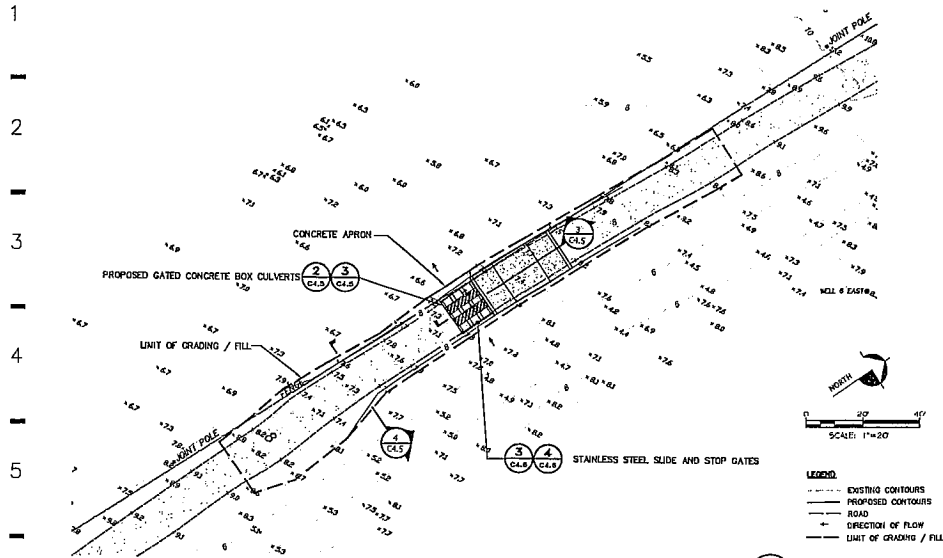
FALL CROSS ENGINEERING, INC.
Civil & Landscaping Engineers
Civil & Landscaping & Water Resources
20, 202 794, 5413 CHIL, CA 95030
TEL (415) 433-3024 FAX (415) 433-1100



REV.	DATE	BY
1		

DRAWN BY: SJY
CHECKED BY: PHH
DATE: FEB 2009
JOB NO: 20820
SCALE: AS SHOWN
SHEET: C4.4
OF 18

A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P



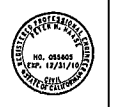
REV.	DATE	BY
Δ		

SHEET TITLE:
WETLAND CROSSING PLAN, SECTIONS, AND DETAILS

CLIENT:
ALBA TRIPLE M RANCH RESTORATION PROJECT
LAS JONAS, CA 95078

PROJECT TITLE:
ALBA - TRIPLE M RANCH RESTORATION PROJECT
LAS JONAS, CALIFORNIA 95078

FULL CREED ENGINEERING, INC.
 Consulting Engineers
 601 Galbreath's Belle Avenue
 FA 801 796-5000 EXT. CA 8001
 TX (409) 696-1041 FAX (409) 696-1022



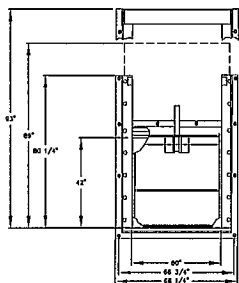
DRAWN BY: JLV
 CHECKED BY: PHH
 DATE: FEB 2009
 JOB NO: 20820
 SCALE: AS SHOWN
 SHEET:

C4.5
OF 16

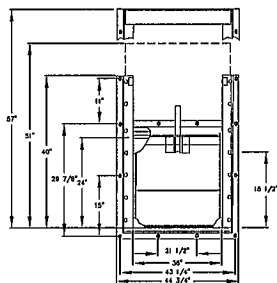
PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

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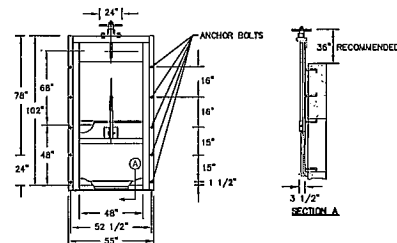
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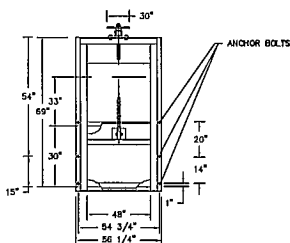
60" X 42" SLIDE GATE ALTERNATIVE (1)
WATERMAN AR-200-1 30X42 ALUMINUM SLIDE GATE C4.6



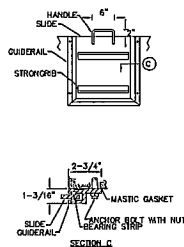
36" X 24" SLIDE GATE ALTERNATIVE (3)
WATERMAN A-290-1 36X24 ALUMINUM SLIDE GATE C4.6



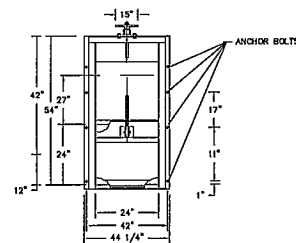
48" X 48" SLIDE GATE DETAIL (5)
WATERMAN SR-5-PF3 48X48 GALVANIZED STEEL SLIDE GATE C4.6



48" X 30" SLIDE GATE ALTERNATIVE (2)
WATERMAN AR-29-1 48X30 ALUMINUM SLIDE GATE C4.6



TYPICAL STOP GATE DETAILS (4)
WATERMAN 36 X 24 ALUMINUM STOP GATE OR GALVANIZED STEEL C4.6



36" X 24" SLIDE GATE DETAIL (6)
WATERMAN SR-5-PF3 36X24 GALVANIZED STEEL SLIDE GATE C4.6

REV.	DATE	BY
△		

SHEET TITLE:
STREAM AND WETLAND
CROSSING DETAILS

CLIENT:
ALBA
TRIPLE M RANCH
LAS LOMAS, CA 95076

PROJECT TITLE:
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
LAS LOMAS, CALIFORNIA 95076

FALL ENGINEERING, INC.
Planning Engineers
Data Collection & Water Resources
P.O. BOX 774, SANTA CRUZ, CA 95061
TEL: (507) 484-8241 FAX: (507) 484-1810



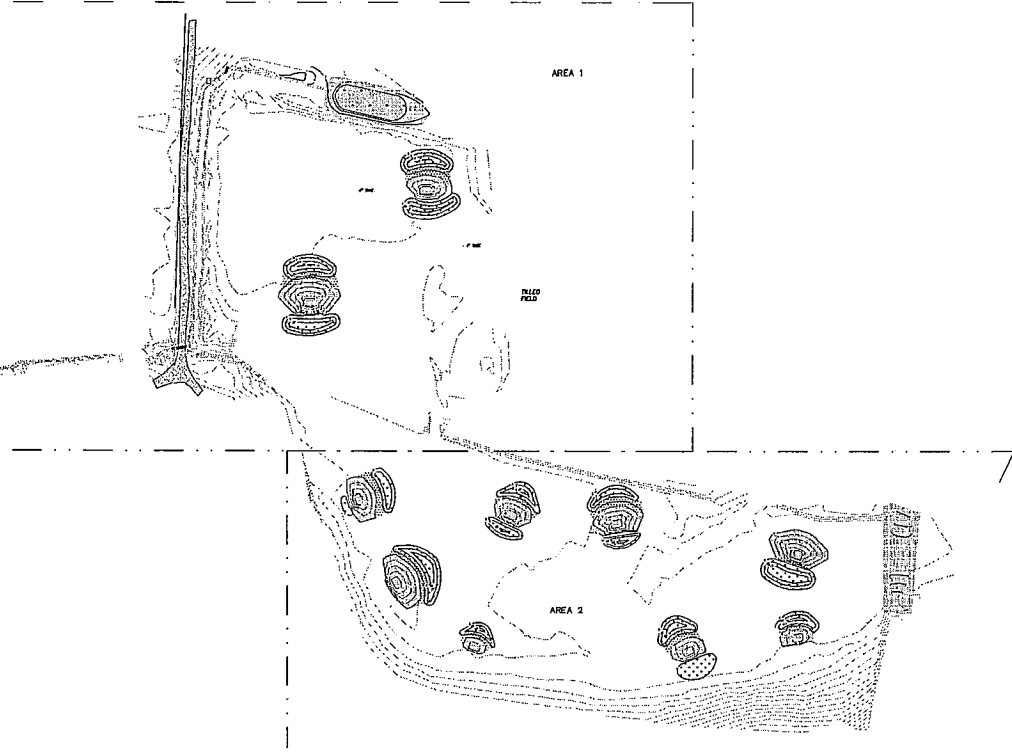
DRAWN BY: SJV
CHECKED BY: PHH
DATE: FEB 2009
JOB NO: 200820
SCALE: AS SHOWN
SHEET:

C4.6
OF 16

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

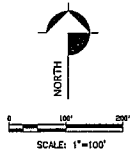
A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P

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EROSION CONTROL AND REVEGETATION PLAN 1
SCALE: 1"=100'

- LEGEND**
- EXISTING CONTOURS
 - - - PROPOSED CONTOURS
 - - - PROJECT SITE MATCH LINES
 - A - X PROJECT DESIGNATION LETTERS
 - [Pattern] SEEDING AND MULCH
 - [Pattern] CENTRAL COAST RIPARIAN SCRUB STOCKED WITH LARGE WOODY DEBRIS
 - [Pattern] VALLEY GRASSLAND PLANTINGS
 - [Pattern] TREATMENT WETLAND PLANTINGS



EROSION CONTROL SPECIFICATIONS

THE CONTRACTOR SHALL INSTALL, MAINTAIN AND INSPECT EROSION CONTROL AND TEMPORARY STORMWATER CONTROL MEASURES TO CONTROL SEDIMENT AND RUNOFF IN ACCORDANCE WITH THESE PLANS.

1.0 GENERAL REQUIREMENTS

- 1.1. EROSION IS TO BE CONTROLLED AT ALL TIMES ALTHOUGH SPECIFIC MEASURES SHOWN ARE TO BE IMPLEMENTED AT A MINIMUM BETWEEN OCTOBER 15TH AND APRIL 15TH.
- 1.2. UNLESS SPECIFIC MEASURES ARE SHOWN OR NOTED ON THIS PLAN, ALL COLLECTED RUNOFF SHALL BE PERCOLATED INTO THE GROUND AND/OR CARRIED TO DRAINAGE COURSES IN LINED CONDUITS WHICH WILL NOT CAUSE EROSION.
- 1.3. THE DESIRED END RESULT OF THESE MEASURES IS TO CONTROL SITE EROSION AND PREVENT SEDIMENT TRANSPORT OFF THE SITE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO SEE THAT ANY ADDITIONAL MEASURES NECESSARY TO MEET THIS GOAL ARE IMPLEMENTED, IF FAILED INSPECTIONS BY PROJECT ENGINEER OR COUNTY STAFF SHOW THIS GOAL IS NOT BEING MET, ADDITIONAL MEASURES WILL BE REQUIRED.
- 1.4. RUNOFF FROM THE CONSTRUCTION SITE MUST NOT BE ALLOWED TO FLOW OVER ANY FILL SLOPES.
- 1.5. ALL EROSION CONTROL AND SOIL CONSERVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THESE SPECIFICATIONS AND EROSION CONTROL REQUIREMENTS ESTABLISHED BY THE COUNTY OF MONTEREY.
- 1.6. DURING CONSTRUCTION, NEVER STORE CUT AND FILL MATERIAL WHERE IT MAY WASH INTO DRAINAGEWAYS. KEEP ALL CULVERTS AND DRAINAGE FACILITIES FREE OF SILT AND DEBRIS. KEEP ENERGY EROSION CONTROL MATERIALS SUCH AS STRAW MULCH, EROSION CONTROL BLANKETS, AND SANDBAGS ON-SITE AND INSTALL THESE AT THE END OF EACH DAY DURING THE WINTER RAINY SEASON AS NECESSARY.
- 1.7. EROSION CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH DAY'S WORK BETWEEN OCTOBER 15TH AND APRIL 15TH.
- 1.11. ANY DISTURBED AREA NOT COVERED BY THE ABOVE AND NOT PAVED, SOODED OR BUILT UPON BY OCTOBER 15, OR DISTURBED AFTER THAT DATE, IS TO BE SEEDED AND MULCHED WITH WEED-FREE HAY OR STRAW MULCH AT THE RATE OF ONE BALE (80 LB (35 KG)) OF STRAW COVERS 1000 SF. ALL SLOPES OVER 20% WILL BE HYDROSEDED WITH A NATIVE SEED MIX AND COVERED BY AN EROSION CONTROL BLANKET.
- 1.12. AT THE COMPLETION OF THE CONSTRUCTION PROJECT, AND AUTHORIZATION BY THE PROJECT MANAGER ALL TEMPORARY EROSION CONTROLS SHALL BE REMOVED AND ALL DISTURBED AREAS SHALL BE STABILIZED WITH PERMANENT EROSION CONTROL MEASURES AND NATIVE AND NON-NATIVE LANDSCAPING AS SPECIFIED BELOW.
- 1.13. BOTH LEAVE-TRENCH AND INTERIM MATERIAL STORAGE AND STAGING AREAS SHALL BE ESTABLISHED TO STORE CONSTRUCTION AND HAZARDOUS MATERIALS. THE STORAGE AREAS SHALL BE PLACED IN LOCATIONS REMOTE FROM DRAINAGE COURSES. THE STORAGE AREAS SHALL BE SETUP TO PROVIDE SECONDARY CONTAINMENT OF HAZARDOUS MATERIALS STORED ON THE PROPERTY AND CONTROL RUNOFF FROM THESE AREAS UTILIZING TEMPORARY BERMS AND/OR SILT CURTAINS. THE AREA(S) SHALL ALSO BE FENCED.

2.0 EROSION CONTROL MEASURES

2.1. TEMPORARY SEEDING

SEE REVEGETATION PLAN

2.2. MULCHING

- A. ALL SLOPES LESS THAN 20% SHALL BE COVERED WITH 4 TO 6 INCHES OF STRAW MULCH AFTER TEMPORARY EROSION CONTROL SEEDING.
- B. OBTAIN STERILE, WEED-FREE WHEAT, BARLEY, OAT OR RICE STRAW IN ORDER TO PREVENT THE SPREAD OF NOXIOUS WEEDS. AVOID MOLDY, COMPACTED STRAW BECAUSE IT TENDS TO CLUMP AND IS NOT EVENLY DISTRIBUTED.
- C. THE STRAW SHALL BE EVENLY DISTRIBUTED BY HAND OR MACHINE TO THE DESIRED DEPTH AND SHOULD COVER THE EXPOSED AREA TO A UNIFORM DEPTH.
- D. APPROXIMATELY ONE BALE (80 LB (35 KG)) OF STRAW COVERS 1000 SF ADEQUATELY.
- E. THERE SHOULD BE A MINIMUM OF 2-4" OF STRAW OVER THE SOIL.
- F. ON STEEP OR HIGH WIND SITES, STRAW MUST BE ANCHORED TO KEEP IT FROM BLOWING AWAY.
- G. "TRACKING" WITH MACHINERY ON SANDY SOIL PROVIDES ROUGHENING WITHOUT UNDOE COMPACTION.

2.3. OTHER PROVISIONS

- A. CONTRACTOR, EROSION CONTROL SPECIALIST, AND/OR ENGINEER SHALL MONITOR ALL DISTURBED AREAS PRIOR TO AND IMMEDIATELY FOLLOWING ANY RAINS, AND SHALL ADJUST BLANKETS, MULCH, STRAW ROLLS AND OTHER MEASURES TO INSURE NO SEDIMENT LEAVES SITE.
- B. IF CONSTRUCTION OCCURS BETWEEN OCTOBER 15TH AND APRIL 15TH, EXPOSED SOIL NOT INVOLVED IN IMMEDIATE CONSTRUCTION ACTIVITY SHALL BE PROTECTED FROM EROSION AT ALL TIMES. IN ADDITION, TEMPORARY BERMS WILL BE INSTALLED AT THE EDGE OF THE CONSTRUCTION ZONE TO PREVENT SEDIMENT FROM ENTERING ADJACENT SLOPES. STRAW BALES SHALL BE STOCKPILED ON SITE TO ALLOW CONTRACTOR TO APPLY STRAW MULCH TO ALL EXPOSED SLOPES IF RAINFALL IS PREDICTED WITHIN 24 HOURS.
- C. AFTER APRIL 15TH, EROSION CONTROL MEASURES SHALL BE IN PLACE DURING INCLEMENT WEATHER.
- D. EROSION CONTROL MEASURES SHALL BE KEPT IN PLACE AND FUNCTIONAL FOR AT LEAST 3 YEARS UNTIL NATIVE/NON-NATIVE VEGETATION HAS BEEN ESTABLISHED AND PROVIDES NECESSARY SLOPE COVER.
- E. UPON COMPLETION OF CONSTRUCTION, ALL TEMPORARY SEEDED SLOPES AND REMAINING EXPOSED SURFACES SHALL BE PERMANENTLY REVEGETATED PER THE LANDSCAPING PLAN.
- F. THE CONTRACTOR OR CONTRACTOR'S REPRESENTATIVE SHALL MONITOR EROSION CONTROL ON DISTURBED AREAS FOR A PERIOD OF 3 YEARS TO INSURE MEASURES ARE SUCCESSFUL. MONITORING WILL TAKE PLACE DURING THE FALL DRY SEASON AND AFTER EACH SIGNIFICANT RAINFALL EVENT. CONTRACTOR WILL IMMEDIATELY NOTIFY EROSION CONTROL SPECIALIST OR PROJECT ENGINEER OF ANY PROBLEMS.

3.0 TREE PROTECTION MEASURES

- 3.1. THE CONTRACTOR SHALL CONTACT THE PROJECT BIOLOGIST IMMEDIATELY WITH ANY QUESTIONS REGARDING EXISTING TREES OR SITE CONDITIONS NEAR OR ADJACENT TO EXISTING TREES.
- 3.2. ESTABLISHMENT OF A TREE PRESERVATION ZONE (TPZ). ORANGE CONSTRUCTION FENCING, WITH STAKES IN THE GROUND, NO LESS THAN 48" INCHES IN HEIGHT, SHALL BE INSTALLED AS DIRECTED BY THE LANDSCAPE ARCHITECT OR ARBORIST. THE INSTALLATION WILL BE DONE PRIOR TO ANY CONSTRUCTION ACTIVITIES ON SITE. ONCE IN PLACE, FENCING WILL NOT BE REMOVED WITHOUT THE CONSENT OF THE PROJECT BIOLOGIST.
- 3.3. NO STORAGE OF CONSTRUCTION EQUIPMENT, MATERIALS, TOOLS, DEBRIS OR EXCESS SOIL WILL BE ALLOWED WITHIN THE TPZ. SOLVENTS OR LIQUIDS OF ANY TYPE SHOULD BE DISPOSED PROPERLY, NEVER WITHIN THIS PROTECTED AREA.
- 3.4. SOIL COMPACTION SHALL BE MINIMIZED WITHIN THE TPZ. SOIL SURFACE WITHIN THE TPZ SHALL BE MULCHED WITH A 6" LAYER OF MULCH.
- 3.5. UNAUTHORIZED PRUNING OF ANY TREE ON THIS SITE SHALL NOT BE ALLOWED. IF ANY TREE CANOPY ENCRUSTATIONS ON THE BUILDING SITE THE REQUIRED PRUNING WILL BE DONE ON THE AUTHORITY OF THE LANDSCAPE ARCHITECT/ARBORIST AND TO ISA GUIDELINES AND ANSI A-300 PRUNING STANDARDS.

REV.	DATE	BY
1		

SHEET TITLE:
EROSION CONTROL AND REVEGETATION PLAN

CLIENT:
ALBA TRIPLE M RANCH RESTORATION PROJECT
LAS LOMAS, CALIFORNIA 95078

PROJECT TITLE:
ALBA - TRIPLE M RANCH WETLANDS RESTORATION PROJECT
LAS LOMAS, CALIFORNIA 95078

FULL CREDE ENGINEERING, INC.
Professional Engineers
Old Government of Monterey
P.O. BOX 7876, SAN JOSE, CA 95081
TEL: (408) 298-9000 FAX: (408) 298-1022

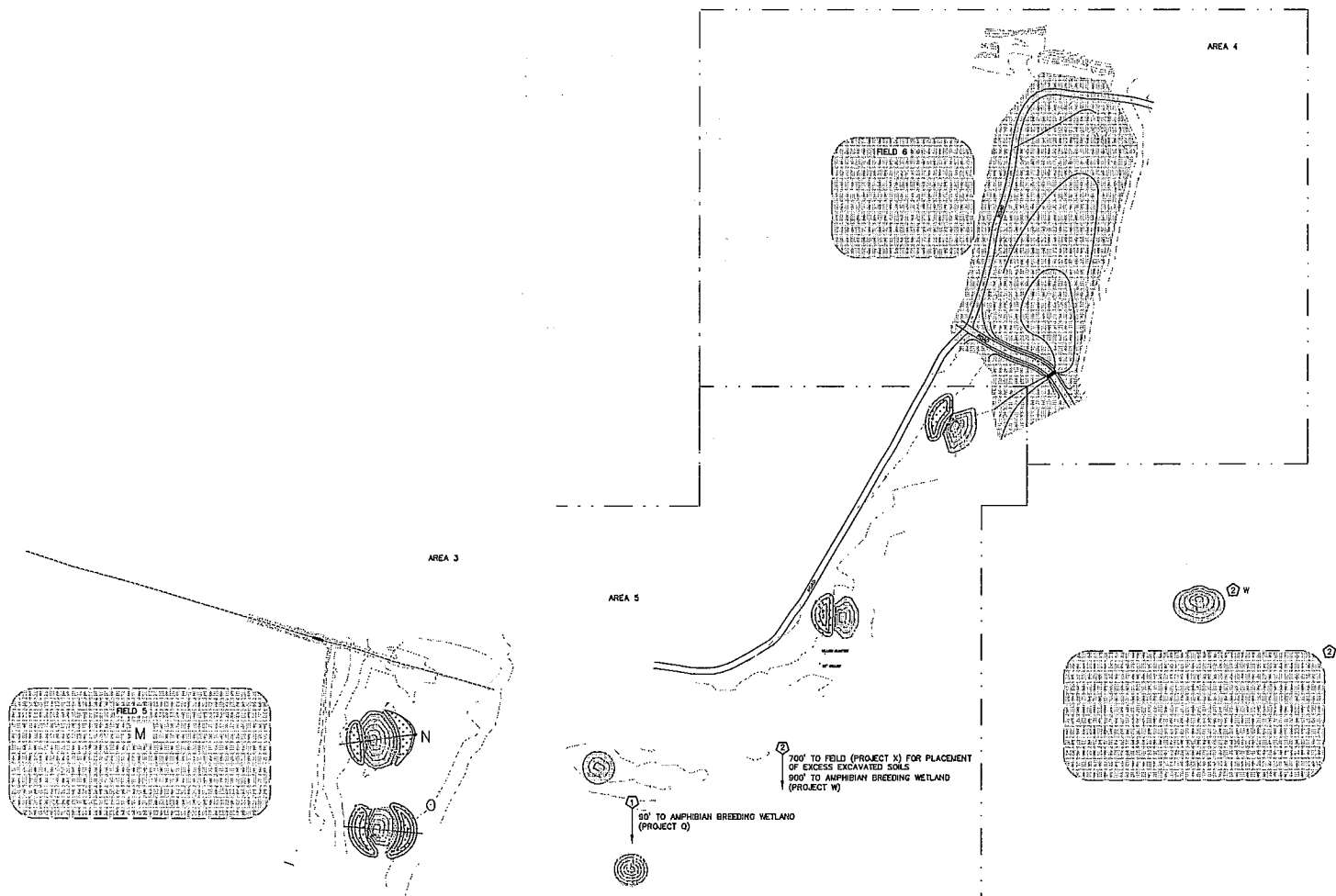


DRAWN BY: PEM
CHECKED BY: PRH
DATE: FEB 2009
JOB NO: 20820
SCALE: 1"=100'
SHEET: C5.0

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

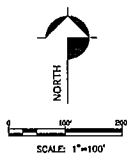
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EROSION CONTROL AND REVEGETATION PLAN (1)
SCALE: 1" = 100'

- LEGEND**
- - - - - EXISTING CONTOURS
 - - - - - PROPOSED CONTOURS
 - - - - - PROJECT SITE MATCH LINES
 - A - X PROJECT DESIGNATION LETTERS
 - [Pattern] SEEDING AND MULCH
 - [Pattern] CENTRAL COAST RIPARIAN SCRUB STOCKED WITH LARGE WOODY DEBRIS
 - [Pattern] VALLEY GRASSLAND PLANTINGS

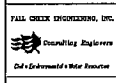


REV.	DATE	BY
△		

SHEET TITLE:
EROSION CONTROL AND REVEGETATION PLAN

CLIENT:
ALBA
TRIPLE M RANCH
LAS LOMAS, CA 95076

PROJECT TITLE:
ALBA - TRIPLE M RANCH
WETLANDS RESTORATION PROJECT
LAS LOMAS, CALIFORNIA 95076



P.O. BOX 7314, SANTA CRUZ, CA 95061
TEL: (408) 999-9266 FAX: (408) 999-9268



DRAWN BY: PEM
CHECKED BY: FPH
DATE: FEB 2009
JOB NO.: 20820
SCALE: 1"=100'

SHEET:
C5.1
OF 16

PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION

TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "D"

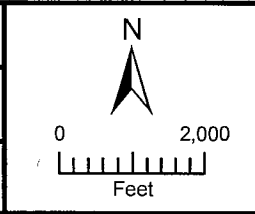
VICINITY MAP



APPLICANT: ALBA/AGRICULTURE & LAND-BASED TRAINING

APN: 181-251-001-000 & 181-251-003-000 FILE # PLN090095

 300' Limit
 2500' Limit
 City Limits



TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "E"

NORTH COUNTY LAND USE ADVISORY
COMMITTEE MINUTES (LUAC)

EXHIBIT "E"

MINUTES

North County Coastal Land Use Advisory Committee
Tuesday, August 3, 2010

1. Meeting called to order by Greg Burch at 9:14 am

2. Roll Call

Members Present: Greg Burch, Peter Nowak, Ken Walker, Ed Centeno

Members Absent: David Evans

3. Approval of Minutes:

A. April 6, 2010 minutes

Motion: Ken Walker (LUAC Member's Name)

Second: Ed Centeno (LUAC Member's Name)

Ayes: Greg, Ken, Ed

Noes: None

Absent: David Evans

Abstain: Peter Nowak

4. Public Comments: The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

coastal cleanup day coming; Margie Key 9/25/10 at Kirby Park

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INSPECTION DEPT.

5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

none

B) Announcements

General Plan is up for vote

7. Meeting Adjourned: 10:37 am

Minutes taken by: *Peter Nowak*

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Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

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Advisory Committee: North County Coastal

**MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT**

Please submit your recommendations for this application by: **August 3, 2010**

Project Title: AGRICULTURE & LAND-BASED TRAINING ASSOCIATION

File Number: PLN090095

File Type: ZA

Planner: GONZALES.

Location: 9999 (NO ADDRESS ASSIGNED TO PARCELS)

Project Description:

Coastal Development Permit to allow a voluntary wetland restoration project on approximately 40 acres of a 195 acre parcel. The restoration consists of restoring, improving and maintaining native plant and endangered habitat while reconnecting the Carreros Creek to its historic floodplain. Grading consists of 4,130 cubic yards of cut and 4,130 cubic yards of fill, all to be balanced on site. The property is located east of Sill Road and south of Hall Road in the Elkhorn Slough Watershed (Assessor's Parcel Numbers 181-251-001-000 & 181-251-003-000), North County area, Coastal Zone.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

*Bret Melone
Kaley Grinland*

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>Mark Garcia, Rep for Aunt 342 Hall Rd</i>	<input checked="" type="checkbox"/>		<i>Just curious about Proposed Run off to adjacent property</i>
<i>Margie Kay</i>		<input checked="" type="checkbox"/>	<i>Clarification of Ditch Maintenance</i>
<i>Delinda Robinson County</i>		<input checked="" type="checkbox"/>	<i>No Issues, Has no info from County on project</i>
<i>Margie Kay</i>		<input checked="" type="checkbox"/>	<i>Project may not come back.</i>

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
- Not wanting neighboring properties to become wet		
- Move proposed culvert to south property line to		
be more in keeping with Carreras Creek flow.		move culvert further south
- what will the effect of increasing wetland be in spread of endangered	species to adjacent properties	

ADDITIONAL LUAC COMMENTS

Greg: Concerns about effect to adjacent property concerning flooding. Ed concurred.
 Peter: propose move culvert at a position further south
 current flow of creek will be changed & directed to Garcia Property
 Ken: plans are incomplete in flow of creek

RECOMMENDATION :

Motion by: Ed Centeno (LUAC Member's Name)

Second by: Ken Walker (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: plan seem to be in good faith to restore wetland
Not enough info to make a decision Talk with
Garcia Property & plans, need contour detail - county needs to
 Continued to what date: look into effects of plan on adjacent property

AYES: Peter Nowak, Ed Centeno, Ken Walker, Greg Burch

NOES: ∅

ABSENT: David Evans

ABSTAIN: ∅

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 INSPECTION DEPT

8/3/10 Sign in Sheet Public

ADDITIONAL PAGE FOR ITEM #: _____

Margie Kay, public

Delinda Robinson, Monterey County

Adam Garcia, public

Mark Garcia MONT. CO:

Brett Melore ALBA

Raley Bremland ALBA

KEN WICKER LUAC

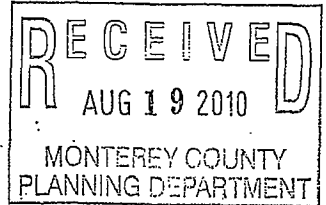
Ed Centers LUAC

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PLANNING & BUILDING
INSPECTION DEPT

PAGE



MINUTES
North County Coastal Land Use Advisory Committee
Tuesday, August 17, 2010

1. Meeting called to order by GREG BURCH at 9:05 am

2. Roll Call

Members Present: ⁴ GREG BURCH DAVID EVANS KEN WALKER PETER NOWAK

Members Absent: ¹ ED CENTENO

3. Approval of Minutes:

A. August 3, 2010 minutes

Motion: KEN WALKER (LUAC Member's Name)

Second: PETER NOWAK (LUAC Member's Name)

Ayes: ³ KEN WALKER PETER NOWAK GREG BURCH

Noes: ⁰

Absent: ¹ ED CENTENO

Abstain: DAVID EVANS

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

MARGIE KAY REPORTED THAT PVWMA PROPOSITION 218 PASSED LAST WEEK AND A LAWSUIT HAS ALREADY BEEN FILED THE PVWMA WILL MEET TOMORROW (8/18) AT CITY HALL IN WATSONVILLE FEATURING A PRESENTATION BY MARTIN FRENEY (AUTHOR OF THE FUGRO REPORT) ON THE PAJARO VALLEY HYDROLOGIC UPDATE.

5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

NONE

B) Announcements

NONE

7. Meeting Adjourned: 9:50 am

Minutes taken by: DAVID EVANS

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INSPECTION DEPT

**Action by Land Use Advisory Committee
Project Referral Sheet**

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Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

AUG 19 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Advisory Committee: North County Coastal

Please submit your recommendations for this application by: August 17, 2010

Project Title: AGRICULTURE & LAND-BASED TRAINING ASSOCIATION. Item continued from 8/3/10 meeting

File Number: PLN090095

File Type: ZA

Planner: GONZALES

Location: 9999 (NO ADDRESS ASSIGNED TO PARCELS)

Project Description:

Coastal Development Permit to allow a voluntary wetland restoration project on approximately 40 acres of a 195 acre parcel. The restoration consists of restoring, improving and maintaining native plant and endangered habitat while reconnecting the Carreros Creek to its historic floodplain. Grading consists of 4,130 cubic yards of cut and 4,130 cubic yards of fill, all to be balanced on site. The property is located east of Sill Road and south of Hall Road in the Elkhorn Slough Watershed (Assessor's Parcel Numbers 181-251-001-000 & 181-251-003-000), North County area, Coastal Zone.

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

KALEY GRIMLAND AND BRETT MALONE FOR ALBA, LIZ GONZALES FOR MONTEREY COUNTY. MS. GRIMLAND SAID ALBA HAD MET WITH THEIR HYDROLOGIST WHO TOLD THEM THAT THE PROJECT WOULD NOT INCREASE FLOODING BUT RATHER HELP MAINTAIN THE PRESENT WATER FLOWS WITHOUT MUCH CHANGE

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
MARK GARCIA MATT GARCIA TIM GARCIA	✓		MARK G. GAVE A BRIEF HISTORY OF THE DITCH THAT THE COUNTY DUG TO PREVENT FLOODING BUT FAILED TO MAINTAIN. PROPERTY OWNERS DID WHAT THEY COULD BUT LOST THE BATTLE TO SAND SUTING.
ORENCIJO DIAZ	✓		MR DIAZ IS CONCERNED THAT FLOODING OF HIS PROPERTY WILL INCREASE

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
AN EXTENSIVE DISCUSSION TOOK PLACE BETWEEN THE GARCIAS AND ALBA REPRESENTATIVES. THE GOAL OF IMPROVING THE CREEKS WATERFLOW,		
MITIGATING SOME FLOODING AND CREATING AN EXPANDED WETLAND SEEMED TO BE SHARED BY ALL PARTIES. PROPERTY OWNERS EXPRESSED CONCERN THAT PREVIOUS DEALINGS WITH THE COUNTY HAD SOMETIMES LEFT		
THEM WITH UNINTENDED CONSEQUENCES THAT WERE LEFT UNADDRESSED. MR MELONE OF ALBA TOLD US THAT BECAUSE THE GARCIAS PROPERTY'S ELEVATION BEING HIGHER THAN ALBA'S, POTENTIAL FLOODING SHOULD NOT IMPACT THEM		
THE GARCIAS REMAINED SKEPTICAL. CHAIRPERSON BURCH SAID AGREEMENT SEEMED UNLIKELY AND CALLED FOR A MOTION. PETER NOWAK MOVED TO APPROVE AS PRESENTED. FAILING A SECOND HE MOVED TO DENY. NO SECOND WAS OFFERED		

ADDITIONAL LUAC COMMENTS AT WHICH TIME KEN WALKER MOVED TO CANCEL THE MEETING OF THE PLANNING DEPT. OF SEPT. 5 AND SET UP A SITE VISIT FOR ALL INTERESTED PARTIES AS SOON AS POSSIBLE. THIS WAS SECONDED BY PETER NOWAK. THE VOTE WAS AFFIRMATIVE 3 TO 1. SEE BELOW.

RECOMMENDATION:

Motion by: KEN WALKER (LUAC Member's Name)

Second by: PETER NOWAK (LUAC Member's Name)

INVOLVED COUNTY DEPARTMENTS TO MEET ON SITE WITH INTERESTED PARTIES
Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 3 KEN WALKER, GREG BURCH, PETER NOWAK

NOES: 1 DAVID EVANS

ABSENT: 1 ED CENTENO

ABSTAIN: 0

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PLANNING & BUILDING
INSPECTION DEPT.

SKN IN 8/17/10

ADDITIONAL PAGE FOR ITEM #:

Crescencio Diaz

Tim Garcia

MATT GARCIA

MARK GARCIA

Margie Kay - Public

Katey Grimland ~~ALBA~~

Liz Gonzales - Mont Co. Planning Dept.

Bett Melone - ALBA

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MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT

TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "F"

PROJECT CORRESPONDENCE (NEIGHBOR)

EXHIBIT "F"

From: Garcia Ranch @ 342 Hall Road
To: Monterey County Board of Supervisors
Re: Hearing for ALBA project

9/2/2010

Ladies and gentlemen of the board:

My name is Matthew Garcia. My Family owns the property on the west boundry of this proposed project.

Our concern with this project is the way it will allow water to flow, not to the Carneros creek, but directly into our property. This creek runs along our south property line and has been fouled by erosion over the years so badly that it dose not exist at the east end, where this project is proposed. My grandfather used to maintain this creek, then my father, myself and my brothers. Every spring was spent cleaning debris form our land in order to be able to farm and run cattle. Truck loads of debris.

The erosion from up stream got so bad in the 80's that we could no longer keep up with it and as a result have not been able to farm hay crops for our cattle, or even run our cattle there since most of our fencing is now under ground. At that time, no one we spoke to at the county was able to help, even though at one time they kept it clear.

This erosion has affected nearly HALF of our ranch.

This project dose not address the sand filled creek but rather is making it so the water will be directed into the middle of our lower farmland, by means of a mechanical "floodgate" that I can assure you will clog with debri the first good winter rain. We also do not want to be responsible for maintaining any areas in front of these proposed gates that are likely to become blocked with dbris. There is a spillway in the design that will handle the water if these gates fail, however, it is located even futher north onto our land just moving the problem to a new location further from the creek, again, rather than back to the creek.

I'm not clear why the gates are needed. We were told that if the water got to a point that it needed to be dumped, due to bacteria levels for example, they could be opened, allowing the bad water out. So when the water is too bad, they will dump it onto our property?

We do not want to lose any more land, it is difficult enough trying to maintain what we have. This is a ranch, and has been for our family now four generations. Being able to raise our own crops and livestock has always been a way of life for the Garcias. It has been taken away by land misuse upstream, as well as bad management of this creek.

We have no problem with the proposed road itself, in fact we have legal access on this right of way as well. I would think that rather than building a costly and maintanence needed system, it would be simpler to clean the sand from the creek and let the water flow to it.

We ask you to please consider these requests and concerns.

Thank you,
Matthew Garcia
831-254-0077

TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "G"

RESPONSE FROM ALBA TO
NEIGHBOR'S LETTER

EXHIBIT "G"

September 22, 2010

Ms. Liz Gonzales
Monterey County Resource Management Agency
Planning Department

Subject: ALBA response to Garcia neighbor comments for project PLN 090095

Dear Ms. Gonzales:

ALBA, the land owner proposing project PLN 090095-ALBA Triple M Ranch Wetlands Restoration Project, would like to address the concerns outlined in a letter written by Matt Garcia on behalf of his family, addressed to the Monterey County Board of Supervisors, and dated September 2, 2010. The Garcia property in question is owned by Matt's aunts and shares the westernmost property line along the Sill Road crossing South of Hall Road on the ALBA's Triple M Ranch.

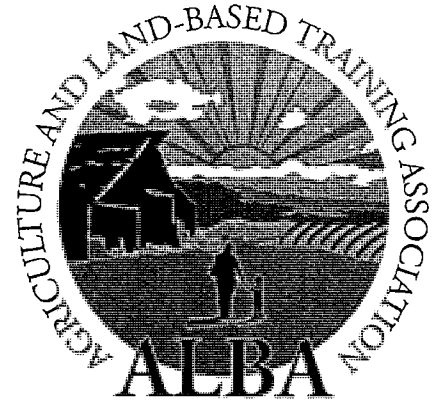
Immediately following the first North County LUAC meeting, ALBA began engaging the Garcias to address their concerns regarding the road crossing/ford to be installed along the road adjacent to the shared property line. Two meetings have already been held between ALBA, the Garcias, and representatives of another neighbor, the Elkhorn Slough Foundation.

In both meetings, historical impairments of Carneros Creek by past management practices in the watershed were discussed, including: sedimentation in the channel and floodplain that has occurred in many areas, higher flood flows due to more impervious surfaces from roads and plastic mulch, and frequent water quality impairment, the increasingly expenses and regulatory compliance associated with aging infrastructure and unmanaged agriculture land, and the lack of down-stream channel maintenance from agencies who once performed that service. The proposed project attempts to address some of these problems, but cannot solve them all.

The project proponent and site landowner, ALBA, developed the project to manage the flow of water on their land to address habitat enhancement for endangered species and improved water quality both on the ranch and downstream before flowing into the Elkhorn Slough. Therefore, the proposed project must address the ongoing problem of water overtopping Sill/Valley View Road, which is a direct result of sedimentation in the dredged channel of Carneros Creek downstream of the project site on the Garcias' property. The Garcias have mentioned many times that inadequate management recommendations and broken promises regarding the management of the channel along their property by various agencies over the past 60 years has allowed this sediment to accumulate. As a result, the existing conditions, with water overtopping the road and entering at the center of the eastern end of the Garcia property, have been in place for at least 12 years, since the winter of 1998, and will not be exacerbated by the wetlands restoration project proposed by ALBA.

The proposed project does not divert water to a new location. Rather, it includes necessary infrastructure that can be adapted to future changes in the downstream channel without jeopardizing proposed on-site restoration activities. Such components include:

- 1) The proposed slide gates and the ford crossing are not intended to hold back the water more than existing conditions. Nor are they intended to divert the



Mailing Address:
P.O. Box 6264
Salinas, California
93912

Rural Development Center
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flow of the stream from existing conditions. Water will continue to pool on ALBA property and then flow at the area in the center of the road, as it has for 12 years. The overflow built into the crossing permits high flows to overtop the road without damaging the structure. It is located in an area where high flows occur under existing conditions. A high flow event currently occurs approximately 6 days per decade.

The water behind the slide gates on the ALBA property will rise to the same elevation as under existing conditions. The slide gates are intended to enable water levels to be lowered below where they are under existing conditions in the event that there is a problem with mosquitoes or bullfrogs (a non-native predator of endangered species occurring on site). This will be a net improvement over existing conditions with respect to public health. It must be emphasized that bacterial contamination of Carneros Creek is not a reason for releasing water using the slide gates.

- 2) The installation of a large culvert in-line with the dredged channel of Carneros Creek. If the sediment laden channel downstream of the proposed project were dredged again, then flow would occur through the proposed large culvert. The proposed large culvert replaces an existing large culvert in the same location. ALBA does not own the section of the stream channel where this dredging would occur; therefore, the project does not attempt to address those issues. Flood gates can be added to the culvert in the case that the channel downstream is dredged again. In this way, water levels can be controlled on ALBA's Triple M Ranch to achieve desired hydro-period to meet special status amphibian breeding needs.

Recognizing that these are two important issues for the Garcias, ALBA intends to continue engaging the Garcias and rebuild neighbor relations to ensure that any future downstream channel dredging will be cooperatively achieved. ALBA encourages the Garcias to pursue dredging of the channel that flows through their property if they want to reclaim their pasture. This would likely substantially reduce the frequency of water overtopping the Sill Road crossing under existing and proposed conditions. Furthermore, ALBA looks forward to working cooperatively with the Garcias, the Elkhorn Slough Foundation, and other neighbors, to pursue stream channel restoration as resources permit.

Please do not hesitate to contact us should you have any questions about the project.

Sincerely,



Brett Melone
Executive Director

TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "H"

MITIGATED NEGATIVE
DECLARATION

EXHIBIT "H"

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025 FAX: (831) 757-9516



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Triple M Ranch Wetland Restoration Project

File No.: PLN090095

Project Location: East of Sill Road, South of Hall Road, North County

Name of Property Owner: Agriculture and Land-Based Training Association

Name of Applicant: Agriculture and Land-Based Training Association

Assessor's Parcel Number(s): 181-251-001-000; 181-251-003-000

Acreage of Property: 195 acres (project on approximately 40 acres)

General Plan Designation: Agricultural Conservation

Zoning District: Rural Density Residential, 1 unit per 5 acres [Coastal Zone]
"RDR/5(CZ)"

Lead Agency: Monterey County RMA-Planning Department

Prepared By: Mike Novo

Date Prepared: July 18, 2010

Contact Person: Elizabeth Gonzales, Project Planner

Phone Number: (831) 755-5102

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

The project involves the restoration of wetlands on a portion of the 195 acre property, which is located in northern Monterey County, in the Coastal Zone, southeast of the community of Las Lomas (Figure 1). The restoration area will be located on approximately 40 acres of the property. Approximately 24.6 acres will be disturbed by ground disturbance as a result of excavating (creating wetlands), placement of fill to create upland refugia habitat and to level cultivated fields, the repair and installation of hydrological structures on farm roads, and for staging areas for equipment and materials. A detailed project description is found in the applicant-submitted Initial Study prepared by Denise Duffy and Associates, July 2010, on pages 5 through 10 (Reference 10). (References 1, 7, 8, 9, 10 and 13)

The primary purposes of the project are to 1) improve water quality on the project site and within the watershed, 2) restore native plant communities to increase biodiversity and ecological integrity, as well as diversify habitat, 3) improve and maintain habitat for Threatened and Endangered species, 4) provide flood storage, 5) reconnect the Carneros Creek to its historic floodplain, and 6) collect research data on target state and federally listed species, particularly Santa Cruz long-toed salamander, California tiger salamander, and California red-legged frog (References 1, 7, 8, 9, and 10).

The project will involve the enhancement and creation of several wetlands (approximately 1.5 acres in total); the reconstruction, removal, and construction of culverts, ranch roads, and ranch road fords of drainages and creeks; the installation of clay plugs to control existing drainage ditches and protection of existing habitat areas. Hydrological structures proposed as part of the project include installation of a large culvert on the main channel of Carneros Creek, three box culverts and stream fords for ranch roads, and the deposition of 2 inches of fill in several areas of the site. The program has been developed in consultation with the California Department of Fish and Game, US Fish and Wildlife Service, Monterey County departments, and the Salinas Valley Mosquito Abatement District (References 1, 6, 7, 10, 11, 12, and 13).

Specific improvements include the following:

- ☒ Raise approximately 205 linear feet of Sill Road and install gated culverts at the wetland crossings to allow for controlled conveyance of water;
- ☒ Construct a new bridge and channel gate to replace an existing concrete culvert at the stream crossing;
- ☒ Plug existing drainage ditches to prolong water retention periods;
- ☒ Plant clusters of riparian trees and thin existing even-aged stands along Carneros Creek to diversify the habitat;
- ☒ Create a treatment wetland to enhance water quality

The property contains four wells. Two production wells are used for on-site agricultural use and are registered with the Pajaro Valley Water Management Agency. One well is used for a neighboring property and is used seasonally. This well is located in area 5 and will not be

inundated by project. One well, located near the corner of Hall and Sill Roads, is proposed to be destroyed. (References 1 and 20)

~~The property owners have been working with the Salinas Valley Mosquito Abatement District to ensure that mosquito control will be provided, if necessary, for the project. The project biologist does not foresee any effect on increasing mosquito populations as a result of this project, but consultation is ongoing between the property owner and the District (References 7 and 10).~~

The project includes a Revegetation and Vegetation Management and Monitoring program. This program includes planting of native plants and control of other species to provide habitat for the protected species identified above. The program includes a monitoring component to ensure that habitat is improved and maintained and to ensure that open water is maintained in the wetland areas. Each wetland will be created or enhanced such that they provide a stretch of shallow, open water, vegetated deeper water, and dense vegetation in elevated areas around the ponds (see Reference 7 for more details of the program).

A detailed description of the project is found in the applicant-submitted Initial Study. An excerpted project background and project description from that document is attached to this Initial Study (Attachment 8).

B. Environmental Setting and Surrounding Land Uses:

The property is located in the Coastal Zone of northern Monterey County and consists of a 195 acre farm surrounded by agricultural and rural residential land uses. The property is located approximately 1.5 miles southeast of the small community of Las Lomas. Hall Elementary School is located approximate .5 miles to the northwest, just east of Las Lomas. The project site has historically been used for agricultural purposes, with a small structure used for administrative purposes and training. The site improvements include improving water quality, restoring native plant communities, improving and maintaining habitat for Threatened and Endangered Species, provide flood storage, reconnecting Carneros Creek to its historic floodplain, and collecting research data; four wells are located on the property, as described above. (References 1, 2, 3, 4, 6, 10 and 14)

The regulatory setting consists of a certified Local Coastal Program (LCP) adopted by Monterey County. The LCP consists of the North County Land Use Plan and the Coastal Implementation Plan (References 3 and 4). In addition, the project is subject to requirements of the California Department of Fish and Game for Streambed Alteration Agreements and for protection of protected species, the US Fish and Wildlife Service for the protection of species, and the US Army Corps of Engineers for jurisdictional wetlands. The site is also located within the North Central Coast Air Basin and is subject to regulatory requirements of the Monterey Bay Unified Air Pollution Control District. (References 1, 3, 4, 5, 6, 10, 14 and 17)

The project site currently consists of the following habitat types:

<u>Habitat Type</u>	<u>Acres</u>
☛ Cultivated fields	60.89

☞ Central Coast Arroyo willow riparian forest	27.41
☞ Fallow fields	19.9
☞ Freshwater marsh	17.3
☞ Coast live oak woodland	11.47
☞ Developed area	7.27
☞ Conifer stands	3.08
☞ Non-native grassland	3.09
☞ Aquatic	0.59

(References 1, 6, 8, 9, 10, and 13)

The property is bisected by Carneros Creek, which provides riparian habitat on the property. The creek, in this area, serves as a transition from fluvial freshwater flows to estuarine associated with the Elkhorn Slough (References 1 and 10). With Carneros Creek running through the property, the property is located within Zone AE, the 100-year floodplain. A portion of the site is also located within the FEMA-defined Floodway. Base Flood Elevation in this area is between 10 and 20 feet above sea level (NAVD 88) (Reference 11).

The site does not contain any known active earthquake faults. Soil types found on the property include Aquic Xerofluvents and Clear Lake clay on the bottom lands, and Elkhorn and Santa Ynez soil series on the slopes of the property. Erosion potential for the soil types found where construction activities are proposed is identified as SCS Class I & II (low to moderate). A detailed description of soil types and characteristics is found in the applicant-submitted Biological Assessment in Section 3.1.2.1 (Reference 9). Erosion control plans were submitted with the application materials. Grading permits and inspections will be required by Monterey County (References 2, 3, 4, 9, and 14)

The property is found within the coastal zone of Monterey County. The North County Land Use Plan and Coastal Implementation Plan, which together make up the Local Coastal Program (LCP), designate this site as Agricultural Conservation. This land use designation is provided to allow viable agricultural land uses. The LCP has specific policies relating to the protection of environmentally sensitive resources as found on the site, aesthetics, cultural resources, forestry resources, land use protection, and biological resources. The site is specifically identified for protection under policies 2.1 and 4.1 of the North County Land Use Plan, Coastal Implementation Plan, Part 2 and regulations found in Section 20.16 and 15.08 of Monterey County Code. Hall Road, a major county highway, is just north of the project site and the property is visible from the highway. (References 1, 2, 3, 4, and 6).

The property site contains a diversity of habitat types, resulting in a diverse number of species. Some of the species found on the property are protected by the state and/or federal government. Others are identified on lists that also provide protection. State and federal listed species, which are protected under the California Endangered Species Act and by the federal Endangered Species Act are identified as being on the property in reports prepared by the applicant's biologist. The applicant's biologist has also identified species considered as special status species on the property Protected species found on the project site are:

- # Monterey dusky-footed woodrat (*Neotoma macrotis luciana*)
- # Cooper's hawk (*Accipiter cooperii*)
- # Tricolored blackbird (*Agelaius tricolor*)
- # Short-eared owl (*Asio flammeus*)
- # White-tailed kite (*Elanus leucurus*)
- # California horned lark (*Eremophila alpestris*)
- # Yellow breasted chat (*Icteria virens*)
- # California tiger salamander (*Ambystoma californiense*)
- # Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*)
- # California legless lizard (*Anniella pulchra*)
- # California red-legged frog (*Rana draytonii*)
- # Pajaro manzanita (*Arctostaphylos pajaroensis*)

(References 8, 9, and 10)

The project site is located in an area designated as low sensitivity for archaeological resources. The site surveyed for archaeological resources, where the proposed project will be located, was largely fallow agricultural fields at that time (July 2009). The project site is located within the ethnographic territory of the Costanoan linguistic group, which “followed a general hunting and gathering subsistence pattern with partial dependence on the natural acorn crop” (Reference 16). No recorded archaeological sites are located within one kilometer of the project site. No listed historic resources were identified in the project area. Consultation with local tribes identified that some sacred sites were located in the area, particularly noting the upper Elkhorn area, located to the west of the property. (References 1, 10, 14, and 16)

Site Plan – Figure 1



III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input checked="" type="checkbox"/>	Local Coastal Program-LUP	<input checked="" type="checkbox"/>

General Plan. This area is subject to policies of the Monterey County General Plan related to noise. The project is designed to retain existing agricultural operations. There is no new development proposed at this time and the proposed wetlands will not create operational noise. Temporary construction noise will be the same as found on the agricultural fields during other tractor operations. **CONSISTENT**

Air Quality Management Plan (AQMP). The project site is located within the Monterey Bay Unified Air Pollution Control District (MBUAPCD) boundaries, which include Monterey, Santa Cruz, and San Benito Counties. MBUAPCD has jurisdiction over the North Central Coast Air Basin (NCCAB) where the project is located. The NCCAB is currently in attainment for federal PM₁₀ (particulate matter less than 10 microns in diameter) standards, and for state and federal nitrogen dioxide, sulfur dioxide, Carbon monoxide. The North Central Coast Air Basin is not “designated as non-attainment-transitional for the state 2 hour ozone standard...” Instead, the North Central Coast Air Basin is now designated nonattainment for the California ozone standard. The California standard became more stringent in 2006 when the Air Resources Board added an eight-hour average to the standard. **CONSISTENT**

Consistency with the AQMP is an indication of whether a project’s cumulative impact would adversely affect regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact unless project emissions are totally offset. The project is consistent with the Air Quality Management Plan. **CONSISTENT**

Water Quality Control Plan. The Regional Water Quality Control Board incorporates the County General Plan in its preparation of regional water quality plans. The project is proposed to enhance water quality in the area by creating wetlands and natural upland habitat areas that can help to filter water pollutants. Section VI.8, Hydrology and Water Quality, discusses whether the proposed project violates any water quality standards or waste discharge requirements, substantially depletes groundwater supplies, or interferes substantially with groundwater recharge, substantially alters the existing drainage pattern of the site or area, or creates or contributes runoff water that would exceed the capacity of existing or planned stormwater drainage. **CONSISTENT**

Local Coastal Program. This area is subject to policies of the Monterey County Local Coastal Program (LCP), which for this area consists of the North County Land Use Plan and the Coastal Implementation Plan. The project is designed to retain existing agricultural operations, one of the primary goals of the California Coastal Act and of the County's LCP. There is no intensification of site development or the agricultural use proposed and the creation of wetlands and habitat is consistent with policies in the LCP regarding Environmentally Sensitive Habitat areas. The property has a land use designation of Agricultural Conservation, which allows agricultural uses and wetlands. Policies in the LCP encourage the preservation of agricultural and the preservation and enhancement of natural environments. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

Hazards/Hazardous Materials

The project does not involve the use or transport or release of hazardous materials. The nearest school is 1.5 miles away. The site is not located on the hazardous materials sites list compiled as required by the Government Code (Reference 21). The project site is not located within two miles of a public use airport and is not located near a private airstrip. The creation of wetlands and hydrological improvements will not block any public roads that could be used for evacuations and will not impair any emergency response plans. The creation of wetlands on an agricultural parcel will not change existing fire risk in the area. (References 1, 2, 3, 4, 10, 13, 14, and 15)

Land Use/Planning

The creation of wetlands on an agricultural property will not divide an established community. The site has a land use designation of Agricultural Conservation, which allows large-lot residential use and agricultural use. The creation, protection and/or enhancement of native habitat is encouraged by the LCP. The nearest community is Las Lomas, which is 1.5 miles away and across Hall Road from the property. With the mitigation measures identified in the biological effects section, the project will not conflict with any policies of the LCP. No Habitat Conservation Plan or Natural Communities Conservation Plan has been adopted in this part of the County. (References 1, 2, 3, 4, 6, 7, 8, 9, 10, 13, and 14)

Mineral Resources

The site is not a location of known mineral resources and has not been delineated as such in any adopted plan. No mining operations occur in the vicinity of the project site. (References 1, 2, 3, 4, 6, and 14)

Population/Housing

No increase in population would result from the creation of wetlands on this property. No housing is proposed as part of the project and substantial job growth would not occur from the grading and related construction activities from this project. Existing housing will not be eliminated on the property or in the area as a result of this project. (References 1, 6, 7, and 13)

Public Services

The creation of wetlands and construction of hydrological structures will not affect public roads in the area that provide access for public service vehicles such as police and fire. No population changes will occur that would cause an increased or decreased need for fire, police, school, or recreational services. Other public facilities will not be significantly affected by the project. Sill Road will be raised for 205 feet, but that will not affect emergency access and will likely improve access during high water periods. No new public facilities are needed to provide services to the project site, which will remain in agricultural use. (References 1, 2, 3, 6, 12, and 13)

Recreation

The project will not result in population growth or limitations on existing recreational facilities; therefore, no increase in use of existing recreational would result from this project. No recreational facilities are proposed. (References 1, 2, 3, 6, and 13)

Transportation/Traffic

The project, creation of wetlands and drainage improvements on an existing farm, will not conflict with a congestion management program or with multi-modal methods of transportation in the area. The project will not affect any busy public roads. The hauling of construction equipment to the site and increases in workers coming to the site would cause a negligible traffic increase in this agricultural area. The workers would use a county highway (Hall Road) to access the site. The grading activities will be temporary in nature and will involve cut and fill activities staying within the property boundaries. Excess cut material will be thinly spread on the existing agricultural fields. The project will not involve activities that would interfere with air traffic or modify public roads, or use of public roads or pedestrian areas, that would increase or cause safety issues. (References 1, 3, 6, 7, 10, 11, and 13)

Utilities/Service Systems

No new wastewater facilities will be needed, and no increase in population will result, from the project. New water systems will not be needed. The wetlands will be naturally filled and drained based on wet and dry years as designed. Supplemental water will not be provided. No new storm water facilities are being constructed. A slight reduction in agricultural land could lead to a small reduction in water use for the groundwater basin. No wastewater treatment facilities would be needed by the project. (References 1, 2, 7, 10, and 13)

B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis

as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ Signature <i>Elizabeth Gonzales</i>	_____ Date <i>Associate Planner</i>
_____ Signature <i>Mike Novo</i>	_____ Date <i>Planning Director</i>

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) Less than significant. The North County Land Use Plan and Coastal Implementation Plan (together LCP) contains policies and regulations relating to aesthetic impacts. The project has been determined to be consistent with those policies and regulations. The LCP identifies the following locations as those to be protected for viewshed effects: ridgelines; the Elkhorn Slough; views to the Pacific Ocean and along the shoreline; and coastal dunes, beaches and wetlands. The potential impact is considered less than significant. (References 1, 2, 3, 4, 6, 10, and 14)

b, c, and d) No impact. The project will not remove trees, alter any rock outcroppings or historic structures, and is not located along a designated scenic highway. Highway 1, a locally designated scenic highway, is almost three miles to the west; the site is not visible from Highway 1. Construction impacts on the site will be temporary and the resulting project will be a farm with wetlands and riparian vegetation along Carneros Creek. Construction will temporarily disturb approximately 25.6 acres and a revegetation plan will be implemented once grading activities have been completed. No lighting is proposed with the project. No impact is expected on these resources. (References 1, 2, 3, 4, 6, 7 and 13)

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) Less than significant. ~~The project is a proposal to convert approximately 6.98 acres of prime farmland and 0.65 acres of unique farmland into wetland habitat.~~ (Although technically called farmland, the land is fallow at this time). The wetland habitat and associated features will demonstrate that agricultural operations can coexist with habitat enhancement and maintenance. The wetland conversion will allow historic wetland areas to return, while retaining the agricultural operations on the property. After project implementation, the site will still have over 150 acres in agricultural production. This impact is considered less than significant. (References 1, 6, 7, 11, 13, and 14)

b) No impact. The project will preserve the agricultural use of the property while demonstrating that agriculture and habitat restoration can coexist. See a, above. (References 1, 6, 7, 8, 9, 10, and 13)

c and d) No impact. The project site does not contain timberland (References 1, 2, 3, 6 and 14).

e) Less than significant. See a, above (References 1, 2, 3, 4, 6, 7, 11, 13, and 14).

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) No impact. The project would only cause air quality impacts associated with temporary construction activities. Construction activities are accommodated in the air quality management plan adopted by the MBUAPCD. In addition, air quality impacts will be less than significant; therefore, the project's construction effects will not conflict with or obstruct the implementation of the Air Quality Management Plan. No impact will occur (References 5 and 17).

b, c,) Less than significant. See response in Section VI.3(d), below.

d) Less than significant with mitigation incorporated. Heavy construction equipment will be used for grading and excavating activities associated with the project. The use of the equipment, primarily diesel powered, would cause short-term, construction related localized increase in vehicle exhaust emissions and dust generation. The Air District's CEQA Guidelines provide a threshold for potential air quality impacts associated with grading and excavation in Section 5.0 Initial Study/Determining Significance, Table 5-2: 8.1 acres per day for minimal earthmoving activities and 2.2 acres per day for excavation type activities. These thresholds were calculated from a maximum limit of 82 pounds per day of PM₁₀ emissions. Although the proposed project would disturb approximately 24.6 acres, the project will involve the creation of small wetland areas over only 1.52 acres and the shallow spreading of excavated dirt on the agricultural fields. These small pond areas to be constructed are less than the threshold established by the Air District. In addition, the grading activities to create these ponds are expected to occur over several days. The project site is also not located within a half mile of any sensitive receptor locations. Although these quantities are below the threshold, if all grading occurred on the same day, including the increase in Sill Road elevation, the impact is considered less than significant with mitigation measures incorporated into the project.

Mitigation Measure 1

The following notes shall be included on all grading permit plans and in the contract with the grading contractor, and shall be implemented by the grading contractor:

- # Apply water to all excavated or graded areas to prevent excessive dust.
- # Cover all material transported off-site to prevent excessive dust release
- # Maintain two feet of freeboard for all material transported off-site
- # Limit construction impacts to levels within Air District thresholds of significance. Submit a construction program that demonstrates that thresholds will not be exceeded by either limiting the amount of disturbed area per day or by providing construction and erosion management techniques that reduce emissions.
- # Limit on-site construction vehicle speeds to 15 miles per hour
- # Clean loose soil from construction vehicles before exiting the site
- # Maintain all construction vehicle internal combustion engines according to manufacturer's specifications
- # All diesel equipment shall comply with applicable State (Air Resources Board) regulations
- # All equipment shall comply with the State Anti-Idling Rule, Title 13, California Code of Regulations, Section 2485(c)(1)

e) Less than significant. The nearest sensitive receptor to the site is Hall Elementary School, located 1.5 miles to the northwest and away from the predominant strong wind direction in the area. In addition, with the proposed erosion control requirements of the County Code, and the mitigation measures placed on the project, substantial pollutant concentrations will not be generated off-site. (References 1, 5, 6, 14, 17, 18, and 19)

f) No impact. No odors would be created from the construction of freshwater wetlands. (References 1, 6, 7, 8, and 10)

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Construction impacts could potentially affect some or all of these species as described in Attachments 8 & 9. The following mitigation measures are proposed to address potential impacts to these species:

Mitigation Measure 2

Prior to construction activities, the project proponent shall retain a qualified biologist. ALBA shall submit a signed contract to the County prior to the issuance of any grading permit or vegetation clearance activities. The contract will include language demonstrating that a qualified

biologist will be retained to be on-site during initial grading and vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project.

The biologist shall conduct an Employee Education Program for the construction crew foreman and ALBA staff. The biologist shall meet with the construction crew foreman and ABLA staff at the project site at the onset of construction to educate the foreman and staff on the following: 1) a review of the project boundaries; 2) the special-status species that may be present, their habitat, and proper identification; 3) the specific mitigation measures that will be incorporated into the construction effort; 4) the general provisions and protections afforded by the Service and the DFG; and 5) and the proper procedures if a special-status animal is encountered within the project site. The construction foreman is responsible for making sure that all personnel that will be onsite, including all new workers and subcontractors, review the Worker's Education Training Program materials. All personnel must sign and date their review of the Worker's Education Training Program materials prior to working on the site. The sign-in sheet must be maintained on-site by the construction foreman and presented upon request.

Mitigation Measure 3

A qualified biologist shall be on-site during initial grading and vegetation removal activities to identify any special-status species encountered. If special-status species are identified prior to or during construction activities, the biologist has the authority to stop the project until the individual wildlife species has left the site. If the individual does not leave the site within a reasonable amount of time, the biologist shall contact the California Department of Fish and Game (DFG) for guidance. Project activities shall not resume until the individual leaves the site or authorization is received from DFG to resume activities.

Mitigation Measure 4

A qualified biologist shall conduct pre-construction surveys for Monterey dusky footed woodrat nests within the project area and in a buffer zone located 100 feet around the area of disturbance. The survey(s) shall be conducted no more than three days prior to construction or vegetation clearance. All woodrat nests shall be flagged for avoidance of direct construction impacts, where feasible. Any active nests outside of grading or vegetation removal areas shall be avoided and protected during project activities with a minimum 25 foot buffer. Nests that cannot be avoided shall be manually deconstructed prior to land clearing activities to allow animals to escape harm and to reestablish territories for the next breeding season. DFG shall be contacted to determine the appropriate methods for dismantling. These methods typically include dismantling by hand, which allows any animals to escape either along existing woodrat trails or toward other available habitat. If a litter of young is found or suspected, nest material shall be replaced and the nest left alone for 2 – 3 weeks before a recheck to verify that young are capable of independent survival before proceeding with nest dismantling. ALBA shall submit evidence to the County of Monterey in the form of a letter report with supporting photographic evidence demonstrating compliance with this measure prior to the initiation of construction activities.

Mitigation Measure 5

Construction activities that may affect white-tailed kite, short-eared owl, nesting raptors, and other protected avian species (including tricolored blackbird and California horned lark) can be

timed to avoid the nesting season. Specifically, vegetation removal can be scheduled after September 1 and before January 31. If vegetation removal is to be conducted outside of this period, pre-construction surveys shall be conducted for these species within 300 feet of proposed construction activities. Pre-construction surveys shall be conducted no more than 14 days prior to the start of construction. If short-eared owl, white-tailed kite, nesting raptors, or other nesting birds are identified during the pre-construction surveys, DFG shall be contacted and an appropriate no-disturbance buffer (i.e. flagging) shall be established within which no construction activities or disturbance shall take place (generally 300 feet in all directions for raptors; other protected avian species may have species-specific requirements) until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist in consultation with DFG. ALBA shall submit evidence to the County of Monterey in the form of a letter report demonstrating compliance with this measure prior to the initiation of construction activities.

Mitigation Measure 6

Prior to use of heavy equipment and surface-disturbing activities, the work area shall be cleared under the direction of a qualified biologist. Vegetation shall initially be removed by hand (including brush cutters, weed whackers, and chainsaws). Piles of woody debris shall be cleared by hand. Larger debris will only be moved after being inspected by the project biologist. If SCLTS, CTS, or CRLF are observed during vegetation and debris removal activities, the project biologist shall stop work and contact applicable state and federal agencies for guidance and permits.

Mitigation Measure 7

Before work activities begin each day, the project biologist shall inspect the area to look for SCLTS, CTS and CRLF. If any of these species are observed during vegetation and debris removal activities, the project biologist shall stop work and contact the US Fish and Wildlife Service.

Mitigation Measure 8

If ~~silt fencing~~ flagging is required per erosion control best management practices or for any other reason, only high-quality ~~silt fencing~~ flagging (as agreed to by the biologist prior to installation) shall be used and efforts shall be made to install it in a way that does not inhibit movement of SCLTS, CTS or CRLF. Openings shall be created approximately every 100 feet.

Mitigation Measure 9

Prior to the issuance of any grading permit, the project applicant shall submit evidence to the County of Monterey documenting that US Fish and Wildlife Service, as well as the California Department of Fish & Game (CDFG), have been consulted regarding the potential take of any state or federally listed species. ~~The applicants shall obtain all necessary permits or take all actions required by those agencies. The CDFG Regional staff anticipates providing support for the Fully Protected Species Permit. The CDFG believes that incidental "take" coverage for CTS is also appropriate for this project. Pursuant to Fish and Game Code Section 2081 (b) with an Incidental Take permit, the Department believes that the California State Safe Harbor Agreement Program Act, pursuant to Sections 2089.2 et seq. of Fish and Game Code may be the more~~

appropriate permitting pathway for CTS on this project. Any changes to the project components as a result of such consultation or permits shall be communicated immediately, prior to implementation, to the County of Monterey. If necessary, permit amendments may be required if the changes are not in conformance with the original permit.

A Safe Harbor Agreement is intended to encourage the voluntary management of lands to benefit listed species. Upon establishing baseline conditions on the site, land management would be established that increases species populations or their habitats, with an agreement by the landowner to avoid or minimize incidental "take" and not to reduce conditions to or below baseline. This project seems well suited for a Safe Harbor Agreement because the intent is to result in improved habitat conditions that offer a net conservation benefit to the listed species known to the site and its vicinity. Therefore, the County supports the issuance of a Safe Harbor Agreement.

Mitigation Measure 10

The Pajaro Manzanita individual within the project site shall be protected during construction. This includes the use of exclusionary no-disturbance buffers such as fencing and/or flagging of the individual to ensure avoidance, as recommended by the project biologist. A biological monitor shall supervise the installation of the protection and remain on-site during the initial grading activities and vegetation removal. After these activities are completed, the biological monitor shall check at least once per week, until the construction is completed, that the protective measure remain intact and that construction work is maintained within the limits of construction. ALBA shall submit evidence to the County of Monterey prior to the issuance of the any grading permit.

Mitigation Measure 11

All post construction management activities shall be completed in accordance with the management recommendations and avoidance measures contained in the *Vegetation Management Plan and Habitat Enhancement for Federal and State Listed Amphibian Species* (Vegetation Monitoring and Pond Management Plan). All monitoring data shall be archived based on the specifications contained in these plans and shall be made available to the regulatory agencies within 30 days of any request.

Mitigation Measure 12

Larval surveys shall be conducted by a qualified biologist who holds the appropriate permits for USFWS and DFG during the monitoring period as outlined in the Management Plan, specifically monitoring existing and created ponds for potential occupation by listed species. Activities associated with larval surveys shall be permitted prior to the initiation of surveys under the project-specific authorization required by those permits and not as a component of this project.

b) Less than significant with mitigation incorporated.

Mitigation Measure 13

The project shall comply with Section 1602 of the Fish and Game Code. In doing so, a Streambed Alteration Agreement Permit shall be obtained from DFG prior to the initiation of

construction in those areas. All requirements of the permit shall be followed. Prior to the initiation of construction in the applicable areas, ALBA shall obtain the permit and provide a copy to the County of Monterey.

Mitigation Measure 14

All ground disturbing activities shall be confined to the period from June 15 to October 15. The grading limit line shall be marked in the field with no-disturbance buffers such as flagging or temporary fencing. ALBA shall submit evidence to the County of Monterey in the form of photographic evidence demonstrating compliance with this measure prior to the initiation of construction activities.

Mitigation Measure 15

Grading, excavating, and other activities that involve substantial soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer or erosion control specialist, and shall utilize standard erosion control and slope stabilization measures in satisfaction of Monterey County erosion control requirements to minimize erosion of slopes and sedimentation to native vegetation areas.

Mitigation Measure 16

Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations, as determined by the project biologist. Trees and vegetation not planned for removal or trimming shall be protected during construction to the maximum extent. Measures may include the use of exclusionary fencing of herbaceous and shrubby vegetation and protective wood barriers for trees. Only certified weed-free straw shall be used to avoid the introduction of non-native, invasive species. ALBA shall submit evidence to the County of Monterey in the form of photographic evidence demonstrating compliance with this measure prior to the issuance of any grading permit.

Mitigation Measure 17

A biological monitor shall supervise the installation of protective fencing and shall monitor the maintenance of the fencing (and other protective measures) during each of their monitoring visits as describe in the above mitigation measures.

Mitigation Measure 18

No fueling or maintenance of equipment shall take place in the riparian or wetland habitat areas. Mechanical equipment shall be serviced in designated staging areas located outside of these habitats. Water from equipment washing or concrete wash down shall be prevented from entering these habitats and shall only occur where approved by the project biologist.

c) Less than significant with mitigation incorporated.

Mitigation Measure 19

The project applicant and all workers shall comply with Section 401 and 404 of the Clean Water Act. Permits, if any shall be obtained from the US Army Corps of Engineers and Regional Water Quality Control Board, as applicable and necessary, prior to the initiation of construction or prior

to vegetation removal. All requirements of any permits shall be followed. Prior to the issuance of any grading permit, ALBA shall obtain the necessary permits and provide a copy to the County of Monterey demonstrating compliance with this measure.

d) Less than significant with mitigation incorporated. See discussion in Section VI.4.a, above.

e) Less than significant with mitigation incorporated. See discussion in Section VI.4.a, above. With the incorporation of the mitigation measures identified in this document, the project will be consistent with the policies and regulations of the Monterey County Local Coastal Program related to environmentally sensitive habitats. (References 1, 2, 3, 4, 6, 7, 8, 9, 10 and 14)

f) No impact. The project site is not located within an area with an adopted Habitat Conservation Plan or Natural Community Conservation Plan. No other approved conservation plans have been adopted for this area. (References 1, 2, 3, 4, 6, 7, 8, 9, 10 and 14)

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) No impact. The project site does not contain any historic resources. Archaeological Consulting analyzed lists of historic resources, and conducted a site reconnaissance, and did not see any potentially historic structures that could be affected by the project. No impact. (References 1, 6, and 16)

b) Less than significant with mitigation incorporated. Based upon a surface reconnaissance for archaeological resources, no surface evidence of cultural resources was found. However, the area has the potential to have buried resources due to the proximity to the Elkhorn Slough and to Carneros Creek. The site has been greatly disturbed by historic agricultural use of the land, but some non-agricultural field areas will be disturbed by construction activities and resources could be uncovered during excavation. The following mitigation measure will be required:

Mitigation Measure 20:

If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

c) No impact. No known paleontological resources or unique geologic features were discovered during project review. No impact. (References 1, 6, and 16)

d) No impact. No indication has been found that would lead to a conclusion that human remains could be found in the area. No recorded archaeological sites are in the project vicinity. In the event that human remains are unearthed, County procedures would be followed requiring notification of the Sheriff-Coroner and the Costanoan tribe's Most Likely Descendant (identified in consultation with the California Native American Heritage Commission) if the remains are determined to be Native American.

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) No impact. No new habitable structures are proposed as part of the project that could cause injury or death. Therefore, people will not be exposed to hazards created by geologic hazards, including fault rupture, seismic shaking, liquefaction or ground failure, or by landslides. (References 1, 2, 3, 4, 6, and 14)

b) Less than significant. Construction activities could result in temporary erosion related impacts. The County's grading and erosion control ordinances would require that this potential is addressed by the plans submitted for the grading permits. Inspection by County inspectors will ensure compliance with the approved plans, which would be in conformance with County regulations, and with best management practices to protect the environment from erosion or sedimentation. A revegetation plan has also been submitted and incorporated into the project to ensure that vegetation will provide long-term stability to graded slopes. Construction activities, as controlled by County regulations and as completed by compliance with the proposed revegetation program will result in an impact that is less than significant. (References 1, 6, 7, 18, and 19).

c) No impact. The proposed project consists of a restoration project, creating wetlands and installing stream crossing structures. From a review of the soil types and proposed project components, no impact is expected to geologic stability from implementation of the project. The project is located on the gentler slopes in the area. (References 1, 6, 9 and 14)

d) No impact. The proposal does not involve habitable structures. (References 1 and 6)

e) No impact. No wastewater disposal is proposed with the project. (Reference 1 and 6)

7. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a) Less than significant. See discussion above in Section VI.3, particularly in subsection (d). (References 1, 5, 6, and 17)
- b) No impact. See discussion above in Section VI.3.

8. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Discussion in Section IV.A, above.

9. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) No impact. The project is intended to improve surface water quality in the area. No potential impact on water quality has been determined. See also Section VI.6(b). (References 1, 6, 7, 8, and 9)

b) No impact. The proposed project would not increase demand for water. With less agricultural ground in production, water use may decrease. Wetlands will be filled naturally and will be allowed to occasionally dry naturally, by design. The County Environmental Health Bureau will require a condition that no groundwater can occur in connection with operation of the proposed project wetlands. (References 1, 6, 7, 8, 9, and 13)

c) Less than significant. See responses to VI.9 (a) and (b).

d, h) Less than significant. The project involves the rehabilitation of wetlands within the floodplain and floodway of Carneros Creek, but no substantial alteration is proposed. A large culvert will be installed on the main channel. Three box culverts and a road will cross the creek at a 'ford.' In addition, fill will be placed to a depth of two inches on a portion of the property shown as Area 4 on the project plans. An analysis of the impacts of these structures and the fill has been provided by an engineering firm to the Water Resources Agency (Attachment 5). According to the analysis and review by WRA, the project will not increase flooding elevations and will, in fact, improve flood conveyance and reduce the base flood elevation. (References 1, 3, 4, 10, 11, 12, 13, and 14)

- e) No impact. See responses in VI.6 (b) and VI.9 (a). No increases in runoff will occur. The wetland areas will retain runoff greater than the existing situation. (References 1, 10, 11, 12, and 13)
- f) No impact. See response to VI.9(a).
- g) No impact. No habitable structures are proposed. (References 1, 6, 12 and 13)
- i) No impact. The in-stream structures proposed as part of the project have been designed to convey floodwaters to a greater extent than the existing site improvements. (References 1, 6, 10, 12 and 13)
- j) No impact. The site is not in a location where it would be subjected to seiche or tsunamis. Mudflows are not anticipated from a visual analysis of the area. In any event, the project would not expose structures or humans to such events. (References 1, 3, 4, 6, and 12)

10. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Discussion in Section IV.A, above.

11. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Discussion in Section IV.A, above.

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

- a) Less than significant. A temporary increase in noise levels would occur during construction activities from earthmoving equipment. The majority of earthmoving work is expected to occur over a few days. However, these noise effects would be similar to those generated by agricultural equipment currently used on the property. Sensitive receptors are not located close to the project site, with the nearest school approximately 1.5 miles away. (References 1, 2, 6, 14)
- b) No impact. Construction and vegetation removal activities can generate localized ground vibration and noise. Vibration from construction equipment is typically below a perception threshold approximately 50 feet from the source of vibration. All on-site activities will be more than 50 feet from property lines. Work on Sill Road is not within 50 feet of any sensitive receptors. Vibration will only occur during construction activities, which are expected to only last a few days. (References 1, 6, 10, 12, and 13)
- c) No impact. No permanent noise increases will result from restoration of wetlands and installation of stream crossing infrastructure. (References 1, 6, and 13)
- d) Less than significant. See response to VI.12(a).
- e) No impact. The project site is not located within an area governed by an airport land use plan and is not within two miles of any public use airport. (References 1, 2, 3, 4, 6 and 14)
- f) No impact. The project site is not located within the vicinity of a private airstrip. (References 1, 2, 3, 4, 6 and 14)

13. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Discussion in Section IV.A, above.

14. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Discussion in Section IV.A, above.

15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Discussion in Section IV.A, above.

16. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Discussion in Section IV.A, above.

17. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Discussion in Section IV.A, above.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) Less than significant with mitigation incorporated. The project will result in temporary impacts to biological resources from project construction and staging activities. Mitigation measures have been identified that will reduce the potential impacts to a less than significant level, as identified above in Section VI.4, Biological Resources. The proposed project, after constructed, would benefit a number of special status species, including California tiger salamander, California red-legged frog, and Santa Cruz long-toed salamander by providing and enhancing on-site habitat. The project will not adversely impact a cultural or historic resource that is an important example of any major period in California history or prehistory, as demonstrated in Section VI.5, Cultural Resources.

b) No impact. The proposed wetland restoration project would have beneficial cumulative effects on several endangered and threatened species. No adverse cumulative effects are anticipated.

c) No impact. No adverse effects on human beings have been identified, as described in Sections IV and VI, above.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a “de minimis” effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of “de minimis” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at www.dfg.ca.gov.

Conclusion: The project will be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN090095 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. Monterey County General Plan
3. North County Land Use Plan

4. Title 20 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2004.
6. Site Visit conducted by the project planner on June 12, 2010 and July 16, 2010.
7. *Vegetation Management Plan and Habitat Enhancement for Federal and State Listed Amphibian Species, ALBA Triple M Ranch Wetlands Restoration Project*, Agriculture and Land-Based Training Association, May 2010
8. *ALBA Triple M Ranch Wetlands Restoration Project, Biological Resources Report*, Denise Duffy and Associates, November 2009
9. *ALBA Triple M Ranch Wetlands Restoration Project, Biological Assessment*, Denise Duffy and Associates, December 2008
10. *Initial Study (Applicant Submittal) for Triple M Ranch Wetland Restoration Project*, Denise Duffy and Associates, July 2010
11. Interdepartmental Review Comments from Monterey County Water Resources Agency dated 11/02/09.
12. *Floodway Analysis for Triple M Ranch Wetland Restoration Project*, Fall Creek Engineering, October 22, 2009, on file at the Monterey County Water Resources Agency
13. *Overall Site Improvement Plans*, Fall Creek Engineering, February 2009, as amended.
14. Monterey County Geographic Information System
15. Environmental Health Department website, Hazardous Materials Sites List www.co.monterey/health/EnvironmentalHealth/hazWaste.htm
16. *Preliminary Archaeological Reconnaissance for the ALBA wetlands Restoration Project on APN 181-251-001 and 181-251-003, in Las Lomas, Monterey County, California*, Archaeological Consulting, July 15, 2009.
17. *Air Quality Management Plan*, Monterey Bay Unified Air Pollution Control District, August, 2008
18. Monterey County Code Section 16.08.020, Grading (CIP Part 6)
19. Monterey County Code Section 16.12.060, Erosion Control (CIP Part 6)
20. Personal Communication, Patrick Treffry, Monterey County Environmental Health Bureau, July 20, 2010.
21. Monterey County Environmental Health Bureau website, list of hazardous sites, found at <http://www.co.monterey/health/EnvironmentalHealth/hazWaste.htm>

X. ATTACHMENTS - * Please note these attachments are on a CD

1. *Vegetation Management Plan and Habitat Enhancement for Federal and State Listed Amphibian Species, ALMA Triple M Ranch Wetlands Restoration Project, May 2010
 - Pond Management Plan
 - Vegetation Monitoring & Management Plan
2. *ALBA Triple M Ranch Wetlands Restoration Project, Biological Resources Report, November 2009
3. *ALBA Triple M Ranch Wetlands Restoration Project, Biological Assessment, December 2008
4. *Cultural Analysis
5. *Fall Creek Floodway Analysis
6. *Other Attachments from IS
7. Site Plans (attached to document)
 - a. Wetland Grading Profiles
 - b. Treatment Wetland plan
 - c. Grading plan
 - d. Stream and Wetland crossing plan
 - e. Erosion Control and Re-vegetation plan
8. Project Background and Project Description Excerpt from Applicant-submitted Initial Study, pages 4 through 10 (see Reference 10).

TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT “I”

VEGETATION MANAGEMENT
PLAN

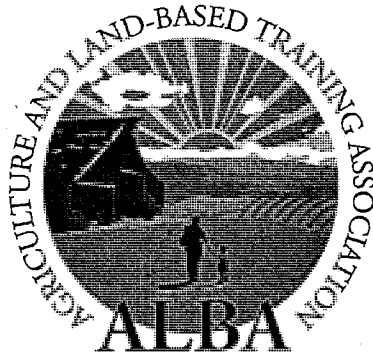
EXHIBIT "I"



Vegetation Management Plan and Habitat Enhancement for Federal and State Listed Amphibian Species

ALBA Triple M Ranch Wetlands Restoration Project

May 2010



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This document was drafted by, the Agriculture and Land-Based Training Association (ALBA)'s Triple M Ranch Coordinator, Kaley Grimland, at the request of the US Fish and Wildlife Service and the California Department of Fish and Game to streamline habitat enhancement activities with mosquito control activities as habitat enhancement for the threatened California Red-Legged Frog and California Tiger Salamander and the Fully Protected Santa Cruz Long-Toed Salamander. The Northern Salinas Valley Mosquito Abatement District is the responsible organization for implementing the habitat enhancement activities regarding mosquito control on the ALBA Triple M Ranch located in Northern Monterey County within the Elkhorn Slough Watershed.

Collaboration with Dr. Nina D'Amore and Dr. Wes Savage- the Triple M project biologists specializing in the aforementioned endangered amphibian species, Josh Fodor and Dr. Grey Hayes of Central Coast Wilds-The Triple M Project's Vegetation planners, Josh Harwayne and Jami Davis from Denise Duffy & Associates, Inc., Dennis Boronda from the North Salinas Valley Mosquito Abatement District, Chad Mithcham of US Fish and Wildlife Service, and Linda Connolly of the California Department of Fish and Game allowed us to complete this document. We hope that this document and the results of the proposed activities will set precedence for other projects enhancing habitat for endangered aquatic species.

Background

The Agriculture and Land-Based Training Association (ALBA) is a non-profit 501c(3) organization who owns two ranches that serve as incubator farms for aspiring, predominantly low-resource, Latino farmers. ALBA's mission is to advance economic viability, social equity and ecological land management among limited-resource and aspiring farmers.

The Triple M Ranch Wetland Restoration Project is a voluntary restoration project proposed by ALBA to improve the quality and function of the habitats found on the Triple M Ranch. ALBA has outlined a specific set of goals to accomplish this objective, including improving and maintaining habitat for three federal and state protected amphibian species: California red-legged frog (*Rana draytonii*, CRLF); Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*, SCLTS); and California tiger salamander (*A. californiense*, CTS).

Project components proposed to accomplish this goal include excavation of accumulated sediments in existing wetlands to prolong the hydro-period and provide amphibian breeding ponds, creation of islands of terrestrial habitat that can be used by amphibians as refugia in larger wetland areas, and replanting of disturbed areas with a diversity of native species. Following construction of these habitats areas, ALBA is proposing to monitor the project site and implement management techniques to ensure the success of the Restoration Project in providing improved habitat conditions for these target species.

The management techniques listed below will ensure a healthy and viable habitat for the aforementioned Listed Species and will in turn enable mosquito control measures to be implemented when warranted by the Northern Salinas Valley Mosquito Abatement District.

Vegetation Overview

A Revegetation and Vegetation Management and Monitoring Plan (Revegetation Plan R1.0-R1.5) has been prepared for the Restoration Project by Central Coast Wilds and includes planting pallets, planting area details, and specifications for plant installation, invasive weed control, replacement planting, and monitoring. The type and placement of plantings and the monitoring of goals for the revegetation of the created breeding ponds were determined based on the collaborative insight of biologists familiar with the particular breeding needs of the target species, including Nina D' Amore, Dawn Reis, and Josh Harwayne.

The ALBA project's Revegetation Plan specifically address two objectives:

- 1) Improving wildlife habitat of the special status amphibians on the ranch with species driven native diverse vegetation plantings that require minimal maintenance in the long-term.
- 2) Maintaining open water by increasing native plant species diversity and minimizing invasive non-native plant species enhancement.

Areas that will receive vegetation maintenance are illustrated on Sheet R1.0 of the Revegetation Plan. These areas will be managed to maintain or improve conditions in order to facilitate use by the target species as outlined in the Revegetation Plan Sheet R1.4. Management efforts focus on specific vegetative parameters associated with species diversity and habitat value for target species.

The following vegetation monitoring will help identify areas that need additional management to provide suitable habitat, as well as the management actions that should be taken. Vegetation within each created pond and the surrounding elevated areas will be monitored to ensure that the ponds provide a stretch of shallow, open water in which amphibian larvae can bask in as well as vegetated deeper water in which larvae can seek refuge, and that the elevated areas surrounding the ponds provide dense vegetation that juveniles and adults can use for cover.

Additionally, the percent cover of invasive plant species will be monitored to ensure the disturbed areas do not become choked with non-native species. If the target habitat conditions are not met, the vegetation management activities may be implemented such as but not limited to: 1) Additional planting of native species, 2) Weeding of invasive species, 3) Placement of woody debris in the elevated areas, and 4) Late-season livestock grazing. Specific monitoring protocols, success criteria, and management techniques that will be implemented are outlined in "Monitoring and Reporting of Maintenance Activities" on Sheet R-1.4 of the Revegetation Plan.

This Revegetation Plan specifies a five year maintenance program that includes 1) An intensive three year establishment period maintenance program following native plant installation and 2) A two year post-establishment maintenance period. After the first five years the site will be periodically monitored as required to meet the long term goals of the restoration project.

Monitoring of shoreline vegetation post construction

The status of the planted vegetation immediately (< 5 meters) around each created pond will be lightly monitored for five years post-construction as stipulated in the Revegetation Plan sheet R1.4 "Summary of Maintenance and Management Goals" to ensure that there continues to be a stretch of shallow, open water free of vegetation for amphibian larvae to bask in.

ALBA staff or a contracted biologist will visually assess the amount of vegetation around each excavated pond and on the created islands approximately every six months. Should the shoreline vegetation cover more than 2/3 of the water shallower than two feet, some of the vegetation will be carefully removed by hand by a permitted biologist in order to provide more suitable basking habitat. There should also continue to be refuge habitat on the deeper side of each excavation,

including native plants that extend from the shoreline into the water. If more than 2/3 of the deeper shoreline is bare of vegetation, additional plants will be planted by ALBA or a contracted land steward in order to provide sufficient cover, with an emphasis on species (such as *Juncus spp.*) that will extend over the shoreline.

Monitoring island plantings post construction

The status of the planted vegetation on the excavated islands should also be monitored for five years post-construction as stipulated in the Revegetation Plan on sheet R1.4 "Summary of Maintenance and Management Goals" by ALBA staff or a contracted biologist. The excavated islands aim to provide dense vegetative cover for the amphibians. Should the excavated islands be more than 50% bare ground, additional native plants should be planted by ALBA staff or a contracted land steward to ensure adequate cover is provided for adult animals and emerging young. Examples of appropriate vegetation include: native rushes, blackberries, willows and nettle species. Large woody debris, such as fallen tree limbs, may help to provide additional cover and damp habitat during the dry season. If an island has more than 50% bare ground and needs additional plantings, a piece of large woody debris should be placed on the island to provide cover until the plants grow sufficiently large.

Hydro-period Monitoring

Target hydro-period is:

1. The pond holds water into August for three or more years during the five year monitoring period;
2. The pond dries out completely at least one year during the five year monitoring period; and
3. The pond does not dry out completely before August in two consecutive years.

The hydro-period of each pond will be monitored to ensure that the duration of ponding is adequate to allow for egg and larval development of the target species (i.e. the ponds hold water through August), but also detrimental to the development of non-native predator populations (i.e. the ponds dry out completely at least one year in five). If the target hydro-periods are not met, the cause(s) of failure will be identified and remedial actions may be implemented, including additional excavations to deepen the pond(s) in order to increase the inundation time or replacing some of the fill that was removed in order to shorten the inundation time.

All work shall proceed under the same conditions and constraints required of the initial pond construction activities:

1. Additional excavation to deep the pond(s) in order to increase the inundation time of the pond(s) will be confined to the "work window" of June 15-October 15. The grading limit line will be marked in the field with flagging or temporary fencing. Before work activities begin each day, a qualified biologist, who holds the appropriate state and federal permits,

shall inspect the area to look for the Listed species. If Listed species are found, the biologist will contact the appropriate regulatory agencies to determine the proper actions to implement.

2. Replacing some of the fill that was removed in order to shorten the inundation time of the pond(s) will be confined to the "work window" of June 15-October 15. Fill should only be taken for the adjacent elevated areas where it was originally placed. The work limit will be marked in the field with flagging or temporary fencing. Before work activities begin each day, a qualified biologist, who holds the appropriate state and federal permits, shall inspect the area to look for the Listed species. If Listed species are found, the biologist will contact the appropriate regulatory agencies to determine the proper actions to implement.

Data storage and dissemination

All of the monitoring data, whether collected by ALBA staff or a contracted biologist, should be housed in a central database by ALBA. Should any regulatory agency request any of the monitoring data, ALBA will provide the necessary information within 30 days of the request.

Habitat Enhancement and Mosquito Control

The excavation of accumulated sediment in the Triple M wetlands is designed to create ephemeral ponds that incorporate relatively warm, shallow, open water with a deeper area as a refuge from predators to allow for predator control and vegetation maintenance (Civil Design Plans C2.0-C4.0) to maintain viable breeding habitat in the conservation of the targeted species. Concurrently, these same activities will sustain open water to allow for mosquito control activities using Bti.

Even though the Restoration Project does not result in a net increase of mosquito breeding area on the Triple M Ranch, the project has the possibility of prolonging the mosquito breeding season if the ephemeral ponds do not completely dry-down year to year. If a pond does not dry down annually there is no concern that it will not still offer a suitable breeding habitat in the next year. If target hydro-periods are not met, the cause(s) of failure will be identified and remedial actions may be implemented as noted in "*Hydro-period Monitoring*."

In the years when vegetation management is warranted for habitat enhancement and mosquito control by the Northern Salinas Valley Mosquito Abatement District (NSVMAD), then both ALBA and NSVMAD will collaborate to implement mosquito abatement activities mentioned below only in the created ephemeral ponds after two careful daytime surveys for the presence of listed species by a USFWS approved biologist have occurred on the day prior to and the morning of the proposed abatement activities.

Habitat Management Recommendations to Allow for Mosquito Control

Continual and timely communication and collaboration between ALBA staff or contracted biologist and NSVMAD.

- ALBA staff or a contracted biologist must monitor pond vegetation and hydro-periods and keep all data in a centralized data base and be open to any agency requesting information, including USFWS, CDFG and NSVMAD amongst others
- Before mosquito surveillance activities begin each day, the onsite biological monitor will inspect the area to look for SCLTS, CTS and CRLF. If a SCLTS, CTS or CRLF is found during these checks or at any time during construction they will be relocated to the nearest appropriate habitat on site by a USFWS biologist

NSVMAD Recommended Activities

- Mosquito surveillance activities, including sampling, trapping, etc will occur only between April-October as water levels permit.
- Prior to mosquito surveillance activities, NSVMAD will notify ALBA staff or the contracted biologist at least 14 days prior to the selected date to ensure that a USFWS certified biologist can be present to monitor special status wildlife presence.
- During surveillance and abatement activities, NSVMAD personnel will change boots or cleanse the bottoms of boots with a 10% bleach solution and dry them prior to entering different areas of the wetland to prevent soil and chytrid (*Batrachochytrium dendrobatidis*) disease cross-contamination
- Mosquito control agents will only be applied when more than 5 mosquito larva per dip net sample are present, unless a primary mosquito vector of the West Nile Virus is present.
- Only methoprene or bacterial toxins will be used in consultation with the Service and CDFG. Oils or monomolecular films will not be used in the pond.

Vegetation Maintenance-Site Wide

- Vegetation removal/grazing in excavated ephemeral ponds will only late in the growing season from September-late October when the site has been completely dry for at least a week and after two careful daytime surveys for the presence of listed species by a USFWS approved biologist have occurred on the day previous to and the morning of the proposed dredging. This time period for vegetation removal occurs during the dormant season (September-February) to maximize plant survival rates and to ensure that desired habitat features are achieved.
- Vegetation will initially be removed by hand (including but not limited to: brush-cutters, weed whackers and chainsaws). Piles of woody debris will be cleared by hand. Larger debris will only be moved after being inspected by the biological monitor. If SCLTS, CTS or CRLF are observed

incidentally during vegetation and debris removal activities. If found the biologist with appropriate state and federal permits will contact CDFG and USFWS for recommended activities.

- In the case that vegetation becomes too dense to effectively remove by hand, livestock grazing may be pursued to manage these species (Table 1). Again, these actions will occur between September and late October when the site has been completely dry for at least a week and after two careful daytime surveys for the presence of listed species by a USFWS approved biologist have occurred on the day previous to and the morning of the proposed dredging.

Grazing Recommendations in California Red-Legged Frog Habitat: Pools B-K

The frogs breed from December to April in ponds and streams. They generally choose the sites that have warm, shallow water, as long as it is at least 20 cm deep, and will persist long enough for tadpole metamorphosis. Eggs hatch in a few days, depending on temperature, and the tadpoles develop through the spring. Usually, they start to transform into froglets in July, and by late August, most have completed the process.

- NSVMAD will use a diluted Bti solution in ponds designed to enhance wildlife for CRLF.
- Livestock grazing will be utilized to manage vegetation in ponds B-K (Table 1).
- Grazing will only occur late in the dry season (September-late October) to best manage the plant species and minimize amphibian-grazer conflict.
- Prior to introducing livestock to the habitat, NSVMAD will coordinate with ALBA and the contracted biologist to ensure the site has been completely dry for at least a week and after two careful daytime surveys for the presence of listed species by a USFWS approved biologist have occurred on the day previous to and the morning of the proposed grazing.
- Livestock will be highly supervised by an on-site professional herder and contained in the site with double electric fencing to prevent their escape into ALBA farmers' fields. If goats are considered, then only polled goats will be used to prevent livestock escapes.
- It is ALBA's responsibility to inform its farmers when grazing will occur near their fields.
- ALBA staff or a contracted biologist will identify and mark areas where livestock are not allowed to access to protect salvaged plantings and existing vegetation that is beneficial for CRLF habitat.

Grazing Recommendations in Santa Cruz Long-Toed Salamander Habitat:

Pools N, O R, S

Adult SCLTS migrate to breeding sites at night during rain events between November and March, with peak activity between December and February. During migration, SCLTS may be found under surface objects such as rocks or logs near the breeding site. Ideal breeding locations appear to be shallow,

temporary, freshwater ponds that lack fishes and hold water at least through the spring months.

Comment: Diluted to what?

- NSVMAD will use a diluted Bti solution in ponds designed to enhance wildlife for SCLTS.
- Livestock grazing will be utilized to manage vegetation planted in ponds N, O, R, S (Table 1) in close proximity to the only observed breeding site of SCLTS.
- Grazing will only occur late in the dry season (September- late October) as long as no storm events occur to best manage *Salix and Juncus spp.* and to minimize amphibian-grazer conflict. All grazing will cease and livestock will be removed immediately prior to a predicted storm event.
- Prior to introducing livestock to the habitat, NSVMAD will coordinate with ALBA and the contracted biologist to ensure the site has been completely dry for at least a week and after two careful daytime surveys for the presence of listed species by a USFWS approved biologist have occurred on the day previous to and the morning of the proposed grazing.
- Livestock will be highly supervised by an on-site professional herder and contained in the site with double electric fencing to prevent their escape into ALBA farmers' fields. If goats are considered, they will be polled goats to minimize escape incidents.
- It is ALBA's responsibility to inform its farmers when grazing will occur near their fields.
- ALBA staff or a contracted biologist will identify and mark areas where livestock are not allowed to access to protect salvaged plantings and existing vegetation that is beneficial for SCLTS habitat.

Gazing Recommendations in California Tiger Salamander Habitat: Pool W

- NSVMAD will use a diluted Bti solution in ponds designed to enhance habitat for CTS.
- Livestock grazing will be utilized to manage vegetation planted in pond W (Table 1).
- Grazing will only occur late in the dry season (September to late October) to best manage these species and minimize amphibian-grazer conflict.
- Prior to introducing livestock to the habitat, NSVMAD will coordinate with ALBA and the contracted biologist to ensure the site has been completely dry for at least a week and after two careful daytime surveys for the presence of listed species by a USFWS approved biologist have occurred on the day previous to and the morning of the proposed grazing.
- Livestock will be highly supervised by an on-site professional herder and contained in the site with double electric fencing to prevent their escape into ALBA farmers' fields. Only polled goats will be considered to minimize risk of escape.
- It is ALBA's responsibility to inform its farmers when grazing will occur near their fields.

- ALBA staff or a contracted biologist will identify and mark areas where livestock are not allowed to access to protect salvaged plantings and existing vegetation that is beneficial for CTS habitat.

Table 1. Proposed Listed Species-Specific Vegetation Maintenance Activities.

Project Areas	Species	Grazing Animal	Grazing Season	Targeted Plant Species
B-K	California Red Legged Frog (<i>Rana draytonii</i> , CRLF)	Hand Removal Goat Sheep	Late in the dry season (September-late October) and only after the site has been completely dried down for one week	<i>Hordeum brachyantherum</i> ; <i>Leymus triticoides</i> ; <i>Juncus patens</i> ; <i>Scirpus maritimus</i> ; and <i>Baccharis salicifolia</i> ;
N,O,R,S	Santa Cruz Long-Toed Salamander (<i>Ambystoma macrodactylum croceum</i> , SCLTS)	Hand Removal Goat Sheep	Late in the dry season (September-late October) and only after the site has been completely dried down for one week	<i>Hordeum brachyantherum</i> ; <i>Leymus triticoides</i> ; <i>Juncus patens</i> ; <i>Juncus effuses</i> ; <i>Eleocharis macrostachya</i> ; <i>Baccharis salicifolia</i> ; <i>Artemisia douglasiana</i>
W	California Tiger Salamander (<i>A. californiense</i> , CTS)	Hand Removal Goat Sheep	Late in the dry season (September-late October) and only after the site has been completely dried down for one week	<i>Hordeum brachyantheru</i> , <i>Leymus triticoides</i> ; <i>Juncus patens</i> ; <i>Eleocharis macrostaychya</i> , <i>Baccharis salicifolia</i>

References

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TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "J"

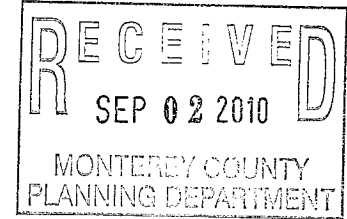
COMMENTS ON MITIGATED
NEGATIVE DECLARATION



Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
<http://www.dfg.ca.gov>



EXHIBIT "J"



August 30, 2010

Elizabeth Gonzales
Resource Management Agency –
Planning Department
County of Monterey
168 West Alisal, 2nd Floor
Salinas, California 93901

Subject: Mitigated Negative Declaration (MND)
Triple M Ranch Wetland Restoration Project
SCH No. 2010071080

Dear Ms. Gonzales:

The Department of Fish and Game has reviewed the MND submitted by the County of Monterey for the above Project. Project approval would allow for the restoration and creation of wetlands on approximately 40 acres of a 195-acre property, including the excavation of new ponds and the creation of upland refugia habitat appropriate for State- and Federally listed amphibian species, the repair and installation of hydrological structures, the creation of a water quality treatment wetland, and staging areas for equipment and materials. The Project site is located east of Sill Road and south of Hall Road in unincorporated Monterey County.

Department staff have consulted on several occasions with Project applicant representatives and their biological consultant, most recently on August 18, 2010, and understands that the applicant, ALBA (Agricultural Land Based Training Association), is a non-profit organization with the goal of teaching and allowing local, limited-resource farmers to experiment with techniques of sustainable agriculture. The Project is proposed as a demonstration that farming and ecosystem restoration are compatible activities.

Biological surveys of the Project site have found aquatic breeding habitat that is occupied by the State and Federally endangered and State fully protected Santa Cruz long-toed salamander (SCLTS) (*Ambystoma macrodactylum croceum*), and a juvenile State and Federally threatened California tiger salamander (CTS) (*Ambystoma californiense*) was also found approximately 1/3 mile from the Project site on the adjacent property. The ground-disturbing activities associated with the restoration and creation of habitats on the Project site have the potential to result in the "take" of

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Page 2

State-listed species, and the Department has been working with the applicant on options that minimize Project impacts while still meeting Project objectives. The Department supports the applicant's overall effort to improve habitats and assist in the recovery of State-listed species, and has recommendations for permitting pathways that will allow Project activities to lawfully proceed. Our comments below include specific recommendations regarding the MND in order for the final approved document to support the Department's anticipated permitting of this Project.

Project Description

The Department's past consultation with the Project applicant has allowed the Department a more detailed understanding of the Project description than that which would have been possible simply from reading the MND. As a result of ongoing discussion, the Department is aware of changes to the Project description that are not reflected in the MND. The Department would like to ensure that the Project that is ultimately approved by the County reflects all Project changes or updates.

The MND refers to Attachment 8 for a complete Project description. The attachment describes certain activities in more detail, but overall the MND does not link individual Project features to specific benefits to habitats and species. The Department understands that some actions may appear to be secondary or accessory to the restoration, such as raising or improving existing on-site roads and installing culverts, but are actually part of the overall site restoration and in the case of these actions are intended to aid in preventing sedimentation of the SCLTS breeding site in Oxbow Pond and in restoring water movement patterns out of the Project site and into Elkhorn Slough. The Department believes that the Project description could be improved by detailing the purpose and benefits of each specific aspect of the Project.

The MND and accompanying attachments do not provide adequate detail regarding Project purpose #6 on page 2, to collect research data on target State- and Federally listed species. Mitigation Measure 12 mentions larval surveys, which are also mentioned in the Vegetation Monitoring and Pond Management Plan (Management Plan) that is proposed in Mitigation Measure 11. Rather than proposing monitoring as a form of mitigation, the Department recommends including the details of the Management Plan in the Project description, specifically to monitor existing and created ponds for potential occupation by listed species, as well as being included as a mitigation measure. An adaptive monitoring program would be an important facet of the restoration in order to refine created or altered habitat conditions such that the Project may be more likely to result in the occupation of those habitats. This Monitoring Plan could then be used to demonstrate the value of the Project as a research opportunity, in support of Department permitting, as described below.

The Department supports the applicant's proposal for the long-term management of aquatic vegetation per the Management Plan through both proactive measures and by grazing, to ensuring that each resulting pond provides areas of shallow, open water necessary for amphibian reproduction. While the Management Plan does not currently specify, the Department understands from discussions with the applicant and their consultant that the goal will be to maintain approximately 25 percent open habitat in each pond for the benefit of listed amphibians. The Department recommends that this overall goal be specified in the Management Plan as part of the Project description, as well as being specified as a mitigation measure.

All activities related to mosquito abatement need to be removed from the Management Plan, as those activities are not a goal of the restoration, are not intended to assist in recovery of listed species, and could therefore confound the Department's ability to permit the Project. The Department has provided guidance to the Project applicant and recommends that the Management Plan and the MND Project description do not address activities that would be undertaken by another entity, that would be subject to separate environmental review, and that could result in the "take" of State-listed species. The MND may instead state that the applicant engaged the Northern Salinas Valley Mosquito Abatement District (NSVMAD) in reviewing the Management Plan for concurrence that management of aquatic vegetation by the applicant may result in a lesser need for future abatement activity and would eliminate the need for NSVMAD to enter the site with heavy machinery to control vegetation as part of their potential future activities.

The Department has provided feedback to the applicant regarding the proposed use of clay plugs to control drainage ditches and prolong water retention periods. The Department is interested in working with the applicant to better understand how to monitor this hydrological change such that resulting increases in ponding duration lead to more successful amphibian breeding without resulting in year-round ponding. The Department recommends the use of earthen materials native to the area that are softer and therefore less likely to result in a blowout around or adjacent to a harder introduced clay material.

Permitting

The Department has been discussing the Project's permitting needs with the applicant and their consultant since late 2008. Because the site is known to support breeding SCLTS, the Project's only avenue for permitting will be a Fully Protected Species Permit; these permits are issued through the Department's Wildlife Branch in Sacramento with the support of the corresponding Department regional staff, and are only issued for projects that provide a research benefit or otherwise assist in the

recovery of listed species. Because of these guidelines for permit approval, the entire Project must be proposed solely for the benefit of listed species and their habitats. The Department acknowledges that this Project is a voluntary wetland restoration action and is not mitigation for any other activity, and that the intent of the Project is to improve hydrology and water quality, to increase the number and improve the quality of potential breeding sites for State- and Federally listed amphibians on the Project site, and to implement a research and monitoring program. Department Regional staff will continue to work with the applicant to finalize the Project and anticipates providing support for the Fully Protected Species Permit.

The Department believes that incidental "take" coverage for CTS is also appropriate for this Project. While the Department could permit the Project, pursuant to Fish and Game Code Section 2081(b) with an Incidental Take permit, the Department believes that the California State Safe Harbor Agreement Program Act, pursuant to Sections 2089.2 et seq. of Fish and Game Code may be the more appropriate permitting pathway for CTS on this Project. CTS is known to occur adjacent to the property and a Project objective is to provide additional suitable habitat for the species; therefore, the potential for CTS to occur on the Project site is expected to increase over time as a result of Project implementation. In addition to the potential for "take" of CTS during initial Project ground-disturbing activities, adaptive habitat management and agricultural activities on the property could both result in "take" of CTS in the future. A Safe Harbor Agreement is intended to encourage the voluntary management of lands to benefit listed species. Upon establishing baseline conditions on the site, land management would be established that increases species populations or their habitats, with an agreement by the landowner to avoid or minimize incidental "take" and not to reduce conditions to or below baseline. This Project seems well suited for a Safe Harbor Agreement because the intent is to result in improved habitat conditions that offer a net conservation benefit to the listed species known to the site and its vicinity.

Because issuance of a Safe Harbor Agreement would be a discretionary approval, the Department would need to make findings under the California Environmental Quality Act (CEQA). The MND would therefore need to support issuance of the Safe Harbor Agreement by clearly identifying the intended Project benefits and potential "take" of CTS from Project-related activities as well as over time from other land uses on the property. If the Department determines that it is not able to use the MND approved by the County, a supplemental CEQA document would be warranted. The Department has recommendations regarding the disclosure of Project-related impacts and MND proposed mitigation in the following section of this letter.

Biological Resources Impacts and Mitigation

The MND Environmental Setting lists species that have been found on the Project site but the Biological Resources section does not fully disclose the potential impacts to State-listed species. The Biological Resources discussion states that impacts could occur to species listed in Attachments 8 and 9; unfortunately, Attachment 8 included with the MND does not list any species and there is no Attachment 9. The CD included with the MND appears to include Appendices A through D to the MND, though no appendices were referenced in the MND text. It is possible that additional information intended as biological analysis for the MND was included in those documents, though they were not presented as such. Appendix A-1 asserts that the Project has been adequately refined, "eliminating the potential for take of the federal and state Listed SCLTS (per... DFG comments)." The Department has in fact not given an indication during consultation for this Project that it is possible to engage in ground-disturbing activities while necessarily avoiding the "take" of either SCLTS or CTS. The Department has consistently encouraged the minimization of impacts in addition to the development of an appropriate permitting pathway for the State-listed species known to the site and the adjacent area.

Mitigation Measure 8 discusses the potential need for silt fencing that may be required as a best management practice (BMP) for erosion control. Any BMPs must be identified in the MND such that it is clear what impact is being reduced to a less than significant level, and such that the development of any necessary mitigation is not deferred until after the Project is approved. The Department recommends that as little fencing as possible be used in the Project itself or as a mitigation measure. Trenching for silt fencing or other barrier fencing is a ground-disturbing activity that could result in the "take" of State-listed species, and therefore the potential impact of that activity needs to be addressed and disclosed in the MND, even if the fencing is intended to mitigate another potential Project impact. Whenever possible for identifying no-disturbance buffers, as mentioned in Mitigation Measures 5, 10, and 14, flagging should be used in lieu of fencing.

Rather than the current Mitigation Measure 9 language that vaguely requires that the applicant "obtain all necessary permits" from the Department, the mitigation measure should clearly identify that because of the potential for "take" of State-listed species, permits authorizing their "take" shall be acquired prior to initiating ground-disturbing activities. It is acceptable for the MND to identify the above described permitting pathway, which the Department has been developing through ongoing consultation with the Project applicant.

Elizabeth Gonzales
August 30, 2010
Page 6

The existing Mitigation Measure 9 further indicates that any necessary permits from the Department may require the County approval to be amended. In order for DFG to authorize incidental "take" of CTS via a Safe Harbor Agreement, the MND that is approved by the County must support the Department's necessary findings under CEQA, as stated above. In order to avoid the need for a supplemental CEQA document, the Department recommends that all necessary MND changes and mitigation incorporated into conditions of Project approval by the County. The Department further requests that, if changes or additions to Project mitigation result and are approved, the full MND and staff report be available publicly online and that the Department be provided with a copy.

If you have any questions regarding these comments, please contact Linda Connolly, Environmental Scientist, at the address provided on this letterhead or by telephone at (559) 243-4014, extension 242.

Sincerely,


Jeffrey R. Single, Ph.D.
Regional Manager

cc: Brett Malone
ALBA
PO Box 6264
Salinas, California 93912

Chad Mitcham
United States Fish and Wildlife Service
2493 Portola Road, Suite B
Ventura, California 93003

Josh Harwayne
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947 Cass Street, Suite 5
Monterey, California 93940

State Clearinghouse
Office of Planning and Research
Post Office Box 3044
Sacramento, California 95812-3044

ec: See Page Seven

Elizabeth Gonzales
August 30, 2010
Page 7

ec Betsy Bolster
 Department of Fish and Game
 Wildlife Branch

 Deb Hillyard
 Jeff Cann
 Mike Hill
 Department of Fish and Game
 Central Region

TRIPLE M RANCH WETLAND
RESTORATION PROJECT

EXHIBIT "K"

FALL CREEK ENGINEERING LETTER
DATED NOVEMBER 30, 2009

**FALL CREEK ENGINEERING, INC.***Civil • Environmental • Water Resource Engineering and Sciences*

Tel. (831) 426-9054

P.O. Box 7894, Santa Cruz, CA 95061

Fax. (831) 426-4932

November 30, 2009

Patrick Treffry
Senior Environmental Specialist
Monterey County Health Department
Environmental Health Review Services
1270 Natividad Road
Salinas, CA 93906

**Subject: Revised Response to Monterey County Health Department Comments
ALBA Wetlands Restoration Project, Triple M Ranch, Las Lomas,
California, APN: 181-251-001-000M, File: PLN090095**

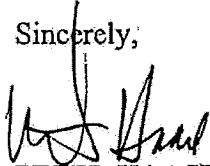
Dear Mr. Treffry:

Fall Creek Engineering, Inc. (FCE) has prepared this letter on behalf of ALBA, regarding the above referenced project, to respond to the Monterey County Health Department letter dated June 8, 2009. The following responses address the comments received on the Monterey County Health Department letter:

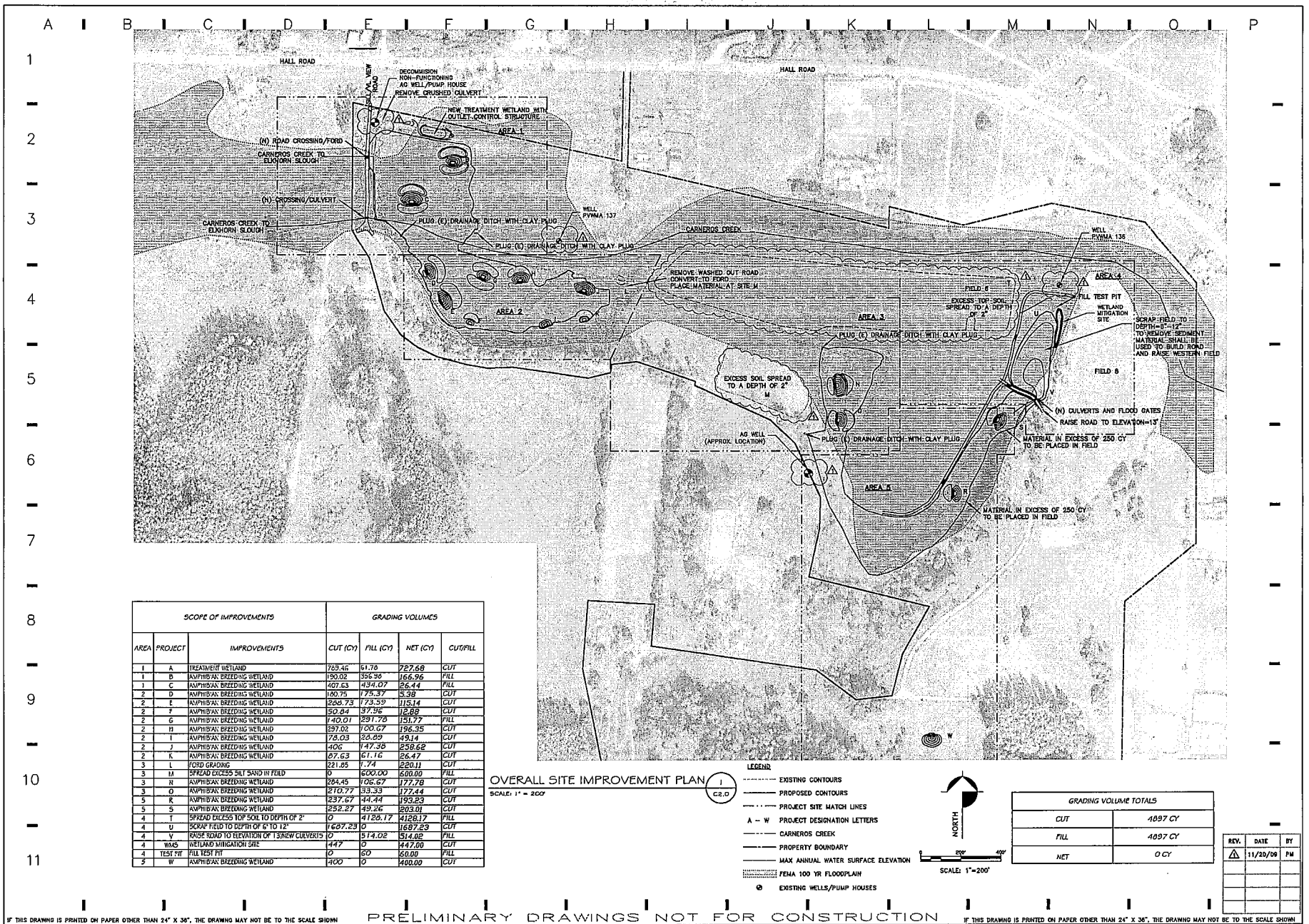
1. Sheet C2.0 of the design plans has been revised to show the locations of all existing wells with corresponding PVWMA numbers, and the well to be decommissioned under permit from the EHD is identified. (Exhibit 1 attached, presents a scaled down version of sheet C2.0 for your reference.)
2. The ALBA Wetlands Restoration Project on Carneros Creek will not increase the maximum annual water surface elevation, or the extent of inundated areas on the Triple M Ranch. Therefore, there is no increased risk to wells or septic systems above those posed by existing conditions. The restoration project will not adversely impact water wells or inundate septic systems on adjacent properties.
3. No groundwater pumping will occur for the above referenced project. The wetlands will be filled by naturally occurring groundwater or surface flow.
4. ALBA staff, Kaley Grimland will be the liaison for Mosquito Abatement. She contacted Dennis Boronda at the Monterey County Mosquito Abatement District to discuss the project. Mr. Boronda was aware of the project and provided several recommendations to manage vegetation and drains during mosquito breeding periods. ALBA intends to incorporate the recommendations into the Wetland Maintenance and Monitoring program and will coordinate mosquito monitoring and management activities with the District.

Thank you for the opportunity to respond to these comments. If you have any questions or require any additional information, please do not hesitate to contact me at (831) 426-9054.

Sincerely,



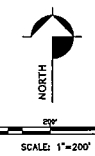
PETER HAASE, P.E.
Principal Engineer



SCOPE OF IMPROVEMENTS			GRADING VOLUMES			
AREA	PROJECT	IMPROVEMENTS	CUT (CY)	FILL (CY)	NET (CY)	CUT/FILL
1	A	TREATMENT WETLAND	729.46	61.76	727.68	CUT
1	B	AMPHIBIAN BREEDING WETLAND	190.02	356.36	166.96	FILL
1	C	AMPHIBIAN BREEDING WETLAND	407.63	434.07	26.44	CUT
2	D	AMPHIBIAN BREEDING WETLAND	180.75	175.37	5.38	CUT
2	E	AMPHIBIAN BREEDING WETLAND	338.73	173.39	165.34	CUT
2	F	AMPHIBIAN BREEDING WETLAND	50.24	37.96	12.88	CUT
2	G	AMPHIBIAN BREEDING WETLAND	140.01	291.78	151.77	FILL
2	H	AMPHIBIAN BREEDING WETLAND	297.02	100.67	196.35	CUT
2	I	AMPHIBIAN BREEDING WETLAND	23.03	33.89	49.14	CUT
2	J	AMPHIBIAN BREEDING WETLAND	406	147.35	258.62	CUT
2	K	AMPHIBIAN BREEDING WETLAND	67.63	61.16	26.47	CUT
3	L	FORD GRADING	221.85	1.74	220.11	CUT
3	M	SPREAD EXCESS SOIL SAND IN FIELD	0	600.00	600.00	FILL
3	N	AMPHIBIAN BREEDING WETLAND	284.45	106.57	177.78	CUT
3	O	AMPHIBIAN BREEDING WETLAND	210.77	33.33	177.44	CUT
5	K	AMPHIBIAN BREEDING WETLAND	237.67	44.44	193.23	CUT
5	S	AMPHIBIAN BREEDING WETLAND	252.27	49.26	203.01	CUT
4	T	SPREAD EXCESS TOP SOIL TO DEPTH OF 2'	0	4128.17	4128.17	FILL
4	U	SCRAP FIELD TO DEPTH OF 6" TO 12"	1637.23	0	1637.23	CUT
4	V	RAISE ROAD TO ELEVATION OF 13' NEW CULVERTS	0	514.02	514.02	FILL
4	W	WETLAND MITIGATION SITE	447	0	447.00	CUT
4	W	FILL TEST PIT	0	60	60.00	FILL
5	W	AMPHIBIAN BREEDING WETLAND	400	0	400.00	CUT

OVERALL SITE IMPROVEMENT PLAN
SCALE: 1" = 200'

- LEGEND
- EXISTING CONTOURS
 - PROPOSED CONTOURS
 - - - PROJECT SITE MATCH LINES
 - A - W PROJECT DESIGNATION LETTERS
 - CARNEROS CREEK
 - PROPERTY BOUNDARY
 - MAX ANNUAL WATER SURFACE ELEVATION
 - FEMA 100 YR FLOODPLAIN
 - ⊙ EXISTING WELLS/PUMP HOUSES



GRADING VOLUME TOTALS	
CUT	4897 CY
FILL	4897 CY
NET	0 CY

REV.	DATE	BY
1	11/20/09	PM

SHEET TITLE: EXHIBIT 1 OVERALL SITE IMPROVEMENT PLAN
 CLIENT: ALBA TRIPLE M RANCH 420 HALL ROAD LAS LOMAS, CA 95076
 PROJECT TITLE: ALBA - TRIPLE M RANCH WETLANDS RESTORATION PROJECT 420 HALL ROAD LAS LOMAS, CALIFORNIA 95076
 PREPARED BY: FALL CREEK ENGINEERING, INC. Consulting Engineers
 614 Greenwood & Main Streets
 P.O. BOX 1984, SANTA FE, N.M. 87501
 TEL: (505) 424-9244 FAX: (505) 424-9242
 REGISTERED PROFESSIONAL ENGINEER
 NO. 63886
 EXP. 12/31/15
 DRAWN BY: PM
 CHECKED BY: PHH
 DATE: AUG 2009
 JOB NO: 2063D
 SCALE: 1"=200'
 SHEET: Exhibit 1 OF 18