

MONTEREY COUNTY PLANNING COMMISSION

Meeting: June 13, 2012	Time: 9:45 AM	Agenda Item No.: 4
Project Description: Consider a Combined Development Permit consisting of: 1) a Use Permit for development on slopes in excess of 25% to allow grading (approximately 1,400 cubic yards of cut and 1,100 cubic yards of fill) and construction of structures for the Los Padres Dam Downstream Fish Passage project; and 2) a Use Permit to allow the removal of 12 protected Oak trees (6" - 18" diameter), 3 Sycamores (27"-30") and one Willow (10").		
Project Location: Los Padres Dam, Cachagua, 7.5 miles south-southeast of the Carmel Valley Village		APN: 418-191-035-000 & 418-191-005-000
Planning File Number: PLN110322		Owner: California American Water Agent: HDR Engineering, Inc.
Planning Area: Cachagua Area Plan		Flagged and staked: No
Zoning Designation: : "RC/2300" [Resource Conservation/2300 acre-minimum]		
CEQA Action: Mitigated Negative Declaration [CEQA 15063]		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to:

- 1) Adopt the Mitigated Negative Declaration; and
- 2) Approve a Combined Development Permit consisting of: 1) a Use Permit for development on slopes in excess of 25% to allow grading (approximately 1,400 cubic yards of cut and 1,100 cubic yards of fill) and construction of structures for the Los Padres Dam Downstream Fish Passage project; and 2) a Use Permit to allow the removal of 12 protected Oak trees (6" - 18" diameter), 3 Sycamores (27"-30") and one Willow (10"); and
- 3) Adopting a Mitigation Monitoring and Reporting Plan.

PROJECT OVERVIEW:

See **EXHIBIT B**.

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

- √ RMA - Public Works Department
- Environmental Health Bureau
- Water Resources Agency
- Cachagua Fire Protection District
- Parks Department
- RMA - Building Department

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

The project was not referred to a LUAC as no LUAC is currently assembled for the Cachagua area.

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



Steve Mason – Assistant Planner
(831) 755-5228, masons@co.monterey.ca.us
June 5, 2012

cc: Front Counter Copy; Planning Commission; Cachagua Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; Laura Lawrence, Planning Services Manager; Steve Mason, Project Planner; California American Water, Owner; HDR Engineering, Inc., Agent; The Open Monterey Project; LandWatch; Planning File PLN110322

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
• Conditions of Approval and Mitigation Monitoring and Reporting Program
• Site Plan, Building Plans, Proposed Tree Removals
Exhibit D Vicinity Map
Exhibit E Site Photos
Exhibit F Mitigated Negative Declaration (CD attached)

This report was reviewed by Wanda Hickman, Planning Services Manager. *wjh*

EXHIBIT A

Project Information for PLN110322

Project Information:

Project Name: CALIFORNIA AMERICAN WATER (LOS PADRES DAM DOWNSTREAM FISH PASSAGE PROJECT)
Location: LOS PADRES DAM (7.5 MILES S SE OF THE CARMEL VALLEY VILLAGE)
Permit Type: Use Permit

Environmental Status: Mitigated Negative Declaration **Final Action Deadline (884):** 10/23/2012

Existing Structures (sf): **Coverage Allowed:** n/a
Proposed Structures (sf): **Coverage Proposed:** n/a
Total Sq. Ft.: **Height Allowed:** n/a
Tree Removal: 12 Oak, 3 Sycamore, 1 Willow **Height Proposed:** n/a
Water Source: n/a **FAR Allowed:** n/a
Water Purveyor: n/a **FAR Proposed:** n/a
Sewage Disposal (method): n/a **Lot Size:**
Sewer District: n/a **Grading (cubic yds.):** 1400

Parcel Information:

Primary APN: 418-191-005-000 **Seismic Hazard Zone:** VI, RELATIVELY STABLE AREA
Applicable Plan: Cachagua **Erosion Hazard Zone:** High
Advisory Committee: Cachagua Advisory Committee (Defunct) **Fire Hazard Zone:** Very High
Zoning: RC/2300 **Flood Hazard Zone:** FEMA Rating "A"
Land Use Designation: Resource Conservation **Archaeological Sensitivity:** High
Coastal Zone: N **Viewshed:** Highly Sensitive
Fire District: Cachagua FPD **Special Setbacks on Parcel:** N

Reports on Project Parcel:

Soils Report #: MND
Biological Report #: MND
Geologic Report #: MND
Forest Management Rpt. #: MND
Archaeological Report #: MND
Traffic Report #:

EXHIBIT B DISCUSSION

Project Description

The Carmel River supports a population of steelhead trout, a species currently listed as “threatened” per the federal Endangered Species Act. The current steelhead population in the Carmel River is lower in numbers than historic levels due to many factors, one of which is the delay and/or barrier to fish passage at Los Padres Dam. The proposed project is specifically intended to benefit the recovery of these resident south/central California coast steelhead. The proposed facilities have been designed in cooperation with the National Marine Fisheries Service (NMFS) and the California Department of Fish & Game (CDFG) to provide safe and efficient downstream passage at Los Padres Dam.

California American Water operates Los Padres Dam, constructed in 1948, at approximate River Mile 24.8 on the Carmel River. At the present time, the only outlet for downstream fish migration at Los Padres Dam is the spillway. Flow in the spillway is very shallow downstream of the crest, frequently causing physical injury to both juvenile and adult fish. When the lake elevation falls below the spillway crest (1039.85’), no downstream migration corridor exists for steelhead. In recent years, a small notch has been cut in the spillway crest to provide outflow to a stage of 1039.12’. However, this 9-inch notch does not allow sufficient depth to pass fish without resulting in injury nor does it incorporate provisions to improve fish attraction. The operation of the proposed facility is designed to be an improvement over the current conditions that expose fish to injury or death from passing over the spillway crest, where they continue down the spillway and outfall into the river. The proposed facilities will also allow for downstream passage over a greater range of flow than the current condition.

Upstream migration is currently facilitated by way of a trap-and-transport method. Approximately 250 feet downstream of the dam tailrace on the left bank, a Denil ladder is in operation to transport upstream migrating steelhead to an adult fish trap. Steelhead are transferred from the fish trap to a truck via water-to-water transfer, hauled upstream of the dam crest, and released in the reservoir. This existing trap facility functions well for the currently depressed size of the annual migration.

These existing fish passage facilities at Los Padres Dam provide inadequate means for passage of Endangered Species Act (ESA) Threatened migrating steelhead of the South-Central California Coast Evolutionary Significant Unit (ESU) in the Carmel River. In order to meet requirements of Section 7 of the ESA Act of 1973 (19 USC § 1536(c)), as well as the Salmon, Steelhead Trout, and Anadromous Fisheries Program Act of 1988 (SB 2261) California American Water has committed to implementing an economically viable interim downstream fish passage solution at Los Padres Dam. It is estimated that improving survival of steelhead from the 14.5 miles of spawning habitat upstream of Los Padres Dam could increase the number of returning adult steelhead past Los Padres.

The floating weir surface collector has been designed according to criteria collaboratively developed between CDFG and the National Marine Fisheries Service (NMFS).

The apparatus would be comprised of four essential elements:

- The behavioral guidance system (BGS);
- The floating weir surface collector;
- The bypass conduit; and

- The bypass outfall.

BEHAVIORAL GUIDANCE SYSTEM

The Behavioral Guidance System (BGS) would be comprised of a floating boom that would support a system of panels suspended approximately in the upper third of the water column to guide and encourage steelhead movement towards the floating weir surface collector. The BGS panels would be solid plates constructed of steel, aluminum, or high density plastic. The BGS would be anchored in place using two 36,000 lb "dead-man" anchors located at either end of the BGS booms. A separate debris boom will be installed upstream of the BGS to intercept debris and minimize the chance of it entering the floating weir surface collector.

FLOATING WEIR SURFACE COLLECTOR

The floating weir collector structure would be positioned at the apex of the BGS installation and will be anchored in place using four or more steel pilings. Using a system of ballast and float tanks, the structure would move up and down. The collector is designed to operate up to a maximum spillway flow of 1,100 cfs. For flows above that level the collector will be closed to prevent damage to the system and for safety. At flows above 1,100 cfs when flow is no longer entering the collector, fish may sound below the BGS system and pass downstream via the spillway.

BYPASS CONDUIT

The bypass conduit is the pipe that will transport the steelhead from the floating weir surface collector to the bypass outfall. The bypass conduit would be buried for the majority of its length at a depth of up to five feet below existing ground level for the majority of the alignment. The bypass conduit will discharge into the Carmel River approximately 900 feet downstream of the collector. The transit time of fish from the floating weir surface collector to the bypass outfall will vary somewhat with flow entering the system, but is estimated at approximately 1 minute. The water velocity within the bypass conduit will always be at least 2 feet per second (fps) with a minimum depth of at least 0.5 feet during the primary steelhead migration period. Access portals to the bypass conduit will be placed at intervals for viewing, sampling, and maintenance of the bypass conduit. A large portal will be placed just below the location where the bypass conduit exits the dam face. This portal will be large enough to allow a person with equipment to access the portal for maintenance reasons

BYPASS OUTFALL

The bypass outfall has been designed in accordance with NMFS criteria for the release of anadromous salmonids (NMFS, 1997). The exit point of the outfall will be set to where it is a minimum of 2 ft and a maximum of 4 feet above the tailwater surface elevation expected during the migration period. The maximum height above the tailwater pool was set to minimize the potential for fish injury and to reduce fish impact velocities.

Downstream fish passage projects of similar design and concept (though varying scale) have been successfully implemented in the state of Washington at the Lake Chelan Dam, Cowlitz Falls Dam, the Baker River, and the Bonneville Dam on the Columbia River.

Project Issues

Effects resulting from the construction of the downstream fish passage facility are expected to be minimal as the amount of in-water work is limited to setting pilings for the floating surface collector, installation of the surface collector, setting anchors for the behavioral guidance system, and a small amount of streambank and channel manipulation at the outfall. The proposed in-

water work will occur between July 1 and November 1 to limit the exposure of steelhead to the potential effects posed by construction activities. The remainder of the work is expected to occur on land and be fully isolated from the stream or reservoir.

The primary roadways that would be used to access the project site are Carmel Valley Road, Cachagua Road and Nasson Road. The primary roadways would also be utilized by construction-related traffic for the proposed project. California American Water shall implement **Mitigation Measures TRANS-1 through TRANS-3** to address the potential for construction traffic to disrupt the local circulation system. These Measures shall include scheduling truck trips outside of peak morning and evening traffic periods to the extent feasible and maintaining routes for passage of emergency response vehicles through roadways affected by construction activities.

The project will require some construction and trenching on slopes in excess of 25% in order to facilitate installation of the conduit pipe. These slopes are primarily man-made, being located on the face of the dam. Additionally, the conduit pipe installation will require the removal of 12 Coast live oak trees (*quercus agrifolia*), three Sycamores, and a Willow tree. Both of these issues will be permitted by approval of this project pursuant to Monterey County Inland Zoning Code sections 21.64.230.C.2 and 21.64.260.C.3 respectively.

Environmental Review

An Initial Study/Mitigated Negative Declaration (IS/MND), attached as **EXHIBIT H** (circulated 4/23/2012 – 5/24/2012), was drafted for the project. The IS/MND identified no Potentially Significant Impacts, and no comments were received on the IS/MND.

Habitat types within the project site include oak woodland/chaparral scrub, ruderal/disturbed, riparian woodland, riverine, drainage, perennial wetland, and reservoir. Habitat disturbance from construction will be minor and is not expected to cause long-term habitat alterations.

The project is not expected to have a substantial adverse effect, either directly or through habitat modifications, on any known nearby 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 the U.S. Fish and Wildlife Service: Western Pond Turtle, Coast Range Newt and Prairie Falcon. Mitigation Measures have been included to ensure protection of these species.

The proposed project may affect California Red-Legged Frog (CRLF) and a limited portion of Critical Habitat for this species. The proposed project area is within a Critical Habitat unit for CRLF. The potential effect of the project on CRLF and its Critical Habitat would be temporary and during the construction phase only. When completed, the fish passage project will not alter or irritate any portion of CRLF's critical habitat. The area will not be reduced or diminished by the collector and bypass facility, which will occupy already developed ground. **Mitigation Measures BIO-3** would reduce potential impacts to CRLF and its Critical Habitat to less-than-significant levels. Operation and maintenance impacts to CRLF are not anticipated.

Title 16, Chapter 16.60, Monterey County Code, provides for the preservation of oaks and other protected tree species within the unincorporated areas of the County. As defined in Section 16.60.030 D, no oak may be removed in any area of the County designated in the area plan as Resource Conservation, Residential, Commercial or Industrial without a permit. Chapter 16.060.040 D requires that the applicant relocate or replace each removed tree on a one-to-one ratio. This ratio may be varied upon showing that such a requirement will create a special

hardship in the use of the site or such a replacement would be detrimental to the long-term health and maintenance of the remaining habitat. The project will require the removal of 12 Oak trees (6" - 18" diameter). Project conditions will require that these trees are to be replaced at a 2:1 ratio. On June 9, 2011, an arborist approved by Monterey County conducted a survey of the trees to be impacted by the proposed project. An arborist report has been prepared and measures will be implemented by the California American Water supplied contractors to protect those trees retained on site as outlined in **Mitigation Measure BIO-8**.

Recommendation

Staff is recommending approval of the project as proposed, subject to the protections and mitigation measures included in the Mitigated Negative Declaration and Conditions of Approval.

**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:

California American Water (PLN110322)

RESOLUTION NO. [REDACTED]

Resolution by the Monterey County Hearing Body:

- 1) Adopting the Mitigated Negative Declaration;
and
- 2) Approving a Combined Development Permit
consisting of: 1) a Use Permit for
development on slopes in excess of 25% to
allow grading (approximately 1,400 cubic
yards of cut and 1,100 cubic yards of fill) and
construction of structures for the Los Padres
Dam Downstream Fish Passage project; and
2) a Use Permit to allow the removal of 12
protected Oak trees (6" - 18" diameter) , 3
Sycamores (27"-30") and one Willow (10");
and
- 3) Adopting a Mitigation Monitoring and
Reporting Plan.

[PLN110322, California American Water , Los
Padres Dam, Cachagua, Cachagua Area Plan
(APN(s): 418-191-035-000 & 418-191-005-000)]

The California American Water application (PLN110322) came on for public hearing before the Monterey County Planning Commission on June 13, 2012. 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 2010 Monterey County General Plan;
 - Cachagua Area Plan;
 - Monterey County Zoning Ordinance (Title 21);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 Los Padres Dam, Cachagua (Assessor's Parcel Numbers 418-191-035-000 & 418-191-005-000), Cachagua Area Plan.

The parcel is zoned "RC/2300" [Resource Conservation/2300 acre-minimum], which allows development on slopes in excess of 25% and removal of 12 Oak trees with an approved Use Permit. Therefore, the project is an allowed land use for this site.

- c) The project planner conducted a site inspection on November 23, 2011 and June 1, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
- d) The project is consistent with the Cachagua Area Plan, and the Plan's section CACH 3-7 specifically:
"New development shall be sited to protect riparian vegetation and threatened fish species, minimize erosion, and preserve the visual aspects of the Carmel and Arroyo Seco Rivers. Private property owners are encouraged to preserve the Carmel River in its natural state, to prevent erosion and protect fishery habitat. Fishery habitats located above the Los Padres Dam and San Clemente Dams shall be maintained in a productive state accessible to fish populations, especially steelhead."
- e) The project was not referred to the Cachagua Land Use Advisory Committee (LUAC) for review as no LUAC is currently assembled for the Cachagua area.
- f) 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 PLN110322.

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, Cachagua 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 have been incorporated.
 - b) Staff identified potential impacts to Biological Resources, Archaeological Resources, Soil/Slope Stability, etc. A Mitigated Negative Declaration (**EXHIBIT F** to this June 13 staff report) has been drafted to address these potential impacts. The Mitigated Negative Declaration, which references reports by outside consultants, indicates that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.
 - c) Staff conducted a site inspection on November 23, 2011 and June 1, 2012 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 PLN110322.
 - e) See previous findings and evidence.

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 the RMA – Planning and Building Departments, Cachagua Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency 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. . The Department of Public Works has recommended conditions.
 - b) Staff conducted a site inspection on November 23, 2011 and June 1, 2012 to verify that the site is suitable for this use.
 - c) 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 PLN110322.
4. **FINDING:** **SLOPES** – Pursuant to Monterey County Code section 21.64.230.C.2 and Monterey County General Plan section OS-3.5.1).a): In order to approve development on slopes of twenty-five (25) percent or more, the Appropriate Authority must find, in addition to other necessary findings, based on substantial evidence that:
- a. There is no feasible alternative which would allow development to occur on slopes of less than twenty-five (25) percent; or
 - b. That the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan, applicable area plans and master plans than other development alternatives.
- EVIDENCE:**
- a) The proposed development on slopes in excess of 25% is the minimum required in order to achieve the project objectives. There is no feasible alternative.
5. **FINDING:** **TREES** - No native tree six inches or more in diameter two feet above ground level shall be removed in the Cachagua Area Plan area without approval of a use permit. "Native trees," for the purpose of this requirement (Monterey County Code 21.64.260.C.3), are:
- a. Santa Lucia Fir;
 - b. Black Cottonwood;
 - c. Fremont Cottonwood;
 - d. Box Elder;
 - e. Willows;
 - f. California Laurel;
 - g. Sycamores;
 - h. Oaks;
 - i. Madrones.

- EVIDENCE:**
- a) The conduit pipe installation proposed for the project will require the removal of 12 Coast live oak trees, three Sycamores and a Willow tree.
 - b) The proposed tree removals are the minimum required in order to achieve the project objectives. There is no feasible alternative.

6. **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 a site inspection on November 23, 2011 and June 1, 2012 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) Zoning violation abatement costs, if any, have been paid. A condition is included to assure that all zoning abatement costs, if any, have been paid.
 - e) The existing fish passage facilities at Los Padres Dam provide inadequate means for passage of Endangered Species Act (ESA)-Threatened migrating steelhead of the South-Central California Coast Evolutionary Significant Unit (ESU) in the Carmel River. In order to meet requirements of Section 7 of the ESA Act of 1973 (19 USC § 1536(c)), as well as the Salmon, Steelhead Trout, and Anadromous Fisheries Program Act of 1988 (SB 2261). The proposed project is being implemented with the goal of improving survival of steelhead from the 14.5 miles of spawning habitat upstream of Los Padres Dam.
 - f) 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 PLN110322.

7. **FINDING:** **CEQA (Mitigated Negative Declaration)** - 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) HDR Engineering has prepared an Initial Study pursuant to CEQA, with the direct consultation and guidance of the RMA Planning Department. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN110322).
 - 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 identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

- 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, is designed to ensure compliance during project implementation, and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval.
- e) The Draft Mitigated Negative Declaration ("MND") for PLN110322 was prepared in accordance with CEQA and circulated for public review from April 23, 2012 through May 24, 2012 (SCH#: 2012041064).
- f) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, and utility/service systems.
- g) The following Mitigation Measures have been included in order to reduce any potential impacts:
 - MM AQ-1: AIR QUALITY MANAGEMENT PLAN
 - MM AQ-2: CONTROL FUGITIVE DUST EMISSIONS
 - MM AQ-3: CONTROL EXHAUST AND TAC EMISSIONS
 - MM BIO-1: MEASURES FOR LISTED PLANT SPECIES
 - MM BIO-2: MEASURES FOR STEELHEAD
 - MM BIO-3: MEASURES FOR CALIFORNIA REDLEGGED FROG (CRLF)
 - MM BIO-4: MEASURES FOR COAST RANGE NEWT
 - MM BIO-5: MEASURES FOR WESTERN POND TURTLE
 - MM BIO-6: MEASURES FOR RAPTORS AND MIGRATORY BIRDS
 - MM BIO-7: MEASURES TO REDUCE IMPACTS TO THE CARMEL RIVER AND ASSOCIATED WETLANDS
 - MM BIO-8: MEASURES FOR TREES
 - MM CUL-1: STOP WORK/ARCHAEOLOGICAL RESOURCES
 - MM CUL-2: STOP WORK/HUMAN REMAINS
 - MM HAZ-1: VEGETATION AND DEBRIS CLEARANCE
 - MM HAZ-2: FIRE HAZARD CONTROL AND RESPONSE PLAN
 - MM WQ-1: SWPP AND OTHER APPLICABLE REGULATIONS
 - MM TRANS-1: TRAFFIC AND SAFETY PLAN
 - MM TRANS-2: HAUL AND ACCESS ROUTE DAMAGE
 - MM TRANS-3: ROAD MAINTENANCE
- h) 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. These documents are on file in the RMA-Planning Department (PLN110322) and are hereby incorporated herein by reference.

- i) 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. The site supports south/central California coast steelhead (*Oncorhynchus mykiss*), California redlegged frog (*Rana draytonii*), Coast Range newt (*Taricha torosa*), western pond turtle (*Actinemys (Emys marmorata)*), and prairie falcon (*Falco mexicanus*). For purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to the California Department of Fish and Game for review, comment, and to 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 and posting the Notice of Determination (NOD).
- j) No comments from the public were received.
- k) The Monterey County Planning Department, located at 168 W. Alisal, 2nd 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 negative declaration is based.

8. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
- EVIDENCE:** Section 21.80.040.D of the Monterey County Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

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

1. Adopt the Mitigated Negative Declaration; and
2. Approve a Combined Development Permit consisting of: 1) a Use Permit for development on slopes in excess of 25% to allow grading (approximately 1,400 cubic yards of cut and 1,100 cubic yards of fill) and construction of structures for the Los Padres Dam Downstream Fish Passage project; and 2) a Use Permit to allow the removal of 12 protected Oak trees (6" - 18" diameter), 3 Sycamores (27"-30") and one Willow (10"); and
3. Adopt the attached Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED this 13th day of June, 2012 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Secretary, Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 DATE

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.

Form Rev. 05-09-2012

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN110322

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This permit to allow construction of the Los Padres Dam Downstream Fish Passage Project, including removal of protected trees and development on slopes in excess of 25%, was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Numbers 418-191-035-000 & 418-191-005-000 on June 13, 2012. The permit was granted subject to 31 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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 Register 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 recovery. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis. 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.

4. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of 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. The 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 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)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

5. PD005 - FISH AND GAME FEE-NEG DEC/EIR

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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)

Compliance or Monitoring Action to be Performed: Within 5 working days of project approval: The applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.

6. PD006 - MITIGATION MONITORING PROGRAM

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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)

Compliance or Monitoring Action to be Performed: Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first:
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.

7. PD007 - GRADING-WINTER RESTRICTION

Responsible Department: Building

Condition/Mitigation Monitoring Measure: 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)

Compliance or Monitoring Action to be Performed: Ongoing: Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

8. PD009 - GEOTECHNICAL CERTIFICATION

Responsible Department: Building

Condition/Mitigation Monitoring Measure: Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)

Compliance or Monitoring Action to be Performed: Prior to final inspection: Submit certification by the geotechnical consultant to the RMA - Building Services Department showing project compliance with the geotechnical report.

9. PD010 - EROSION CONTROL PLAN AND SCHEDULE

Responsible Department: Building

Condition/Mitigation Monitoring Measure: The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits: An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.

Ongoing: Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.

Prior to final inspection: Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department

10. PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and/or building permits: Submit evidence of tree protection to the RMA - Planning Department for review and approval.

During Construction: Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection: Submit photos of the trees on the property to the RMA - Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

11. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on June 13, 2015 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: As stated in the conditions of approval: 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.

12. PDSP001 - TREE REPLACEMENT/RELOCATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Within 60 days of permit approval, the applicant shall replace and or relocate each tree approved for removal as follows:
- Replacement ratio: 2:1
Replacement tree(s) shall be located within the same general location as the tree being removed. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within 60 days after project completion: The Owner/Applicant shall submit evidence of tree replacement to the RMA-Planning Department for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.

Six months after planting: Six months after the planting of the replacement tree(s), the Owner/ Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition. Deceased trees shall be replaced with additional replantings, as necessary.

One year after planting: One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.

13. MM AQ-1: AIR QUALITY MANAGEMENT PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: An Air Quality Management Plan (AQMP) shall be prepared by the contractor detailing the Fugitive Dust Control and Enhanced Control Measures.

Compliance or Monitoring Action to be Performed: Prior to issuance of any permits: The California American Water supplied contractor shall coordinate with the MBUAPCD to define the appropriate measures that will be incorporated. The AQMP shall document the measures and the coordination process for review and approval by Monterey County. Monterey County will incorporate the AQMP as a condition of approval for the grading permit.

Ongoing: Compliance with the AQMP will be verified by weekly monitoring (at minimum, unless more frequent monitoring is deemed appropriate in the AQMP). Monitoring forms or report shall be transmitted to the MBUAPCD weekly. In the event that there is non-compliance noted, the monitor shall transmit the incident to the County within 24 hours.

14. MM AQ-2: CONTROL FUGITIVE DUST EMISSIONS

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Prior to the issuance of grading permits, California American Water shall incorporate a requirement for a -Fugitive Dust Control Plan - (to be developed by the California American Water supplied contractor) on the grading plans that includes, but is not limited to, the measures set forth below.

Compliance or Monitoring Action to be Performed: During construction activities, including ground disturbance activities, the California American Water supplied contractor shall obtain any required MBUAPCD permits, and conduct all grading and construction activities as required in the Air Quality Management Plan. During construction of the proposed project, California American Water supplied contractors shall implement the following control measures to control fugitive dust emissions:

- BASIC CONTROL MEASURES:

- Water all active construction areas at least twice daily.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at the construction site.
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at the construction site.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- The California American Water supplied contractors shall post a visible sign which specifies the telephone number and person to contact regarding emissions-related complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBUAPCD shall be visible to ensure compliance with Rule 402 (Nuisance).

- ENHANCED CONTROL MEASURES:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This shall apply to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- Limit traffic speeds of hauling and non-earth moving equipment on unpaved roads to 15 mph and earth moving equipment to 10 mph.
- Install wind fencing and phase grading operations, where appropriate, and operate water trucks to stabilize unpaved surfaces under windy conditions.
- Install sandbags or erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.

15. MM AQ-3: CONTROL EXHAUST AND TAC EMISSIONS

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to control exhaust and Toxic Air Contaminant (TAC) emissions shall be implemented.

Compliance or Monitoring Action to be Performed: During construction of the proposed project, in order to reduce emissions and TACs from construction equipment exhaust, California American Water shall implement Best Available Control Technologies (BACTs), which may include, but not limited to, the following:

- Use alternative fuel or ultra-low sulfur fuel for construction equipment;
- Employ catalyst-equipped diesel construction equipment and other add-on emission control measures;
- Minimize equipment idling time to a maximum of 5 minutes, or other appropriate limit;
- Limit the hours of operation of heavy equipment and/or the amount of equipment in use;
- Ensure that all construction equipment used on the project is maintained in good working order and properly tuned according to manufacturers specifications; and
- Implement periodic spot checks by the Resident Project Representative (RPR) to ensure that emission control mitigations are maintained.

Prior to construction, the California American Water supplied contractor shall consult with MBUAPCD to verify that the BACTs to be used are appropriate for the project.

16. MM BIO-1: MEASURES FOR LISTED PLANT SPECIES

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to ensure the protection of listed plant species shall be implemented.

Compliance or Monitoring Action to be Performed: Prior to construction, focused botanical surveys will be conducted by a qualified botanist. The qualified botanist shall be provided by the California American Water supplied contractor. The qualified botanist shall be chosen from Monterey County's list of approved consultants during the bloom season of each special-status plant species (any time in the February through May period) to determine presence/absence of special-status plant species. If a special-status plant species is detected within the project impact area, the qualified botanist will prepare a protection plan that will describe the activities needed (avoidance, transplantation or seed collection). Thirty days prior to construction the qualified botanist will prepare a protection plan for review by Monterey County and CDFG. The preferred measure will be to avoid the sensitive plant species, by mapping the location and flag the area for protection. If the area cannot be avoided, the plants will be salvaged and relocated or seed collected and used in a restoration plan. Construction permits will not be issued until Monterey County has reviewed and approved the protection plan.

17. MM BIO-2: MEASURES FOR STEELHEAD

Responsible Department: Planning Department

**Condition/Mitigation
Monitoring Measure:** Measures to ensure the protection of steelhead shall be implemented.

**Compliance or
Monitoring
Action to be Performed:** The following measures will be implemented to minimize impacts to steelhead during construction, operations, and maintenance of the project: During Construction of Fish Passage Facility

- In-water work will occur during times of year when ESA-listed steelhead are not expected to be in the vicinity (July 1 through November 1).
- Pile driving with an impact hammer will be done within a cofferdam or bubble curtain or in the dry if water conditions permit.
- All in-water or above-water work will be contained to prevent accidental discharge of construction related debris or material from entering the Carmel River or Los Padres Reservoir.
- The staging and lay down area will be contained to prevent accidental leakage of construction material into the reservoir or the Carmel River. During Operation and Maintenance of Fish Passage Facility
- To ensure the safety of downstream migrating steelhead, California American Water will inspect the facility in its entirety once per week to ensure the components are properly functioning. An operations and maintenance log shall be maintained by California American Water, and submitted to NMFS, CDFG, and Monterey County Resource Management Agency annually. California American Water Company shall take full accountability for any improvements needed, shall California American Water see that the facility is not functioning properly.

18. MM BIO-3: MEASURES FOR CALIFORNIA REDLEGGED FROG

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to ensure the protection of CRLF shall be implemented.

Compliance or Monitoring Action to be Performed:

- Worker environmental awareness training shall be conducted prior to project initiation for construction personnel. Construction personnel will undergo environmental awareness training to understand requirements under ESA and protection of CRLF including the species - conservation requirements. Environmental awareness training will be conducted by a qualified biologist.
- CRLF, especially post-breeding adults, travel over land and occupy upland sites. Clearly demarcated work areas, especially staging areas below the dam and closer to the plunge pool will be subject to routine monitoring by a qualified biologist. Movement of construction vehicles and other mobile equipment near CRLF sites has a potential to harm or cause mortality of CRLF.
- All equipment fueling and repairs will be made in a staging area. Engine, hydraulic and other maintenance materials will be contained and kept from escaping the specific work site and entering a stream, runoff channel or body of water. In-progress fueling for rigged equipment (e.g., generators tied in place) may be exceptional, but Best Management Practices (BMPs) to capture fugitive fuels, lubricants and slurries, will be in place and maintained. The onsite RPR will be onsite during all construction activities to ensure that all equipment fueling and repairs are made in a staging area.
- For water quality protection, excess wet cement or grout material shall be drained and cleared into a prepared dug and lined basin from which the hardened material shall be collected and removed.
- For frog and wildlife protection, employees - dogs shall not be brought to the work site and staging areas, whether intended to stay under control and kept in or with parked vehicles.
- Prior to earth-moving activities, daily pre construction surveys of the work area and adjacent habitat areas (up to one-half mile [0.50 mi] from crest of spillway) will be made by a qualified biologist to determine presence and proximity of CRLF (any life stages). No action will be required unless frogs are found in the impact area, from which they will be captured before start of work, and then relocated.
- Pursuant to Service Policy, CRLF monitoring will be conducted only by qualified individuals who are supervised by a qualified biologist. All activities that require identification and/or handling of CRLF (any life stage) will be by a qualified biologist. Other compliance issues not directly involving CRLF handling and identification will be monitored by the RPR.
- Consistent with USFWS policy, the necessary capture and relocation of CRLF from construction sites and activities will be to a site or sites closest to the capture location yet, still sufficiently distant to achieve its purpose. Relocation will be to downstream habitats along the Carmel River. The capture and relocation of CRLF will be conducted by a USFWS approved biologist.

19. MM BIO-4: MEASURES FOR COAST RANGE NEWT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to ensure the protection of Coast Range Newt shall be implemented.

Compliance or Monitoring Action to be Performed:

- The following measures will be implemented to minimize impacts to Coast Range newt:
 - Forty-eight hours prior to vegetation clearing activities in the riparian area or the oak woodland/chaparral area adjacent to the outfall location, a preconstruction survey will be conducted for Coast Range newt by a qualified biologist. If newts are located in the area that will be cleared or impacted by construction activities, the qualified biologist will relocate them to riparian habitat downstream of construction activities or adjacent to the drainage channel within the project study area. Once construction access areas have been cleared in the riparian and oak woodland/chaparral areas, the California American Water supplied contractor will keep the access area cleared of vegetation and leaf debris. The California American Water supplied contractor will not store equipment or materials in this area overnight and will only transport equipment and materials to this area when they are needed for installation of the outfall and bypass conduit. Construction equipment and materials will only be stored in the staging areas that have been previously identified in construction plans.
 - Construction personnel would participate in an approved worker environmental awareness program. A qualified biologist would inform all construction personnel about the life history of Coast Range newt and its potential presence in the project area and explain the State laws pertaining to protecting this species and its habitat. A training log which lists all construction personnel that attended the environmental awareness program will be provided to the RPR. The training log shall also be included in the postconstruction report and be provided to Monterey County Resource Management Agency and CDFG.
 - In order to minimize the potential of entrapment of Coast Range newts and other animals, erosion control mats or blanket with mesh or netting shall be avoided to the extent possible. If erosion control or revegetation activities require mesh or netting, only natural- fiber, biodegradable mesh will be used. An onsite RPR shall be present to survey the correct installation and maintenance of erosion control mats or blankets.

20. MM BIO-5: MEASURES FOR WESTERN POND TURTLE

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to ensure the protection of Western Pond Turtle shall be implemented.

Compliance or Monitoring Action to be Performed:

- Preconstruction surveys for western pond turtle shall be conducted within the project site by a qualified biologist prior to the initiation of construction activities to ensure that this species is not present within the project site. If western pond turtle is found in the project area during preconstruction surveys, Monterey County and CDFG will be notified within 72 hours to determine the appropriate measures to prevent impacts to the species. Construction would not begin until appropriate measures provided by CDFG are implemented.
- Construction personnel shall participate in an approved worker environmental awareness program. A qualified biologist would inform all construction personnel about the life history of western pond turtle and its potential presence in the project area and explain the state laws pertaining to protecting this species and its habitat. A training log which lists all construction personnel that attended the environmental awareness program will be provided to the onsite RPR. The training log shall also be included in the post-construction report and be provided to the Monterey County Resource Management Agency and CDFG.
- Activities conducted in or near the reservoir and river shall be limited to the period of July 1 to November 1. During this period river and reservoir levels are lower to dry, providing limited habitat for western pond turtle.

21. MM BIO-6: MEASURES FOR RAPTORS AND MIGRATORY BIRDS

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to ensure the protection of raptors and migratory birds shall be implemented.

Compliance or Monitoring Action to be Performed: If construction begins during the typical avian breeding season (February 15 to September 15), pre-construction surveys shall be conducted by a qualified biologist within two weeks prior to commencement of construction to determine presence/absence of raptor and migratory bird nests. Surveys shall be conducted in the project study area and in accessible areas outside of the project study area that fall within 500 feet of construction activities. A report shall be submitted to Monterey County Resource Management Agency and CDFG prior to construction reporting the results of the preconstruction surveys. A copy of the CDFG submittal will be provided to Monterey County Resource Management Agency. If no nests are found during the survey, no further mitigation shall be necessary. If nests are found, then the following mitigation shall be implemented.

Impacts to active nests shall be avoided by establishment and maintenance of buffers around the nests. The appropriate size and shape of the buffers shall be determined by a qualified biologist in conjunction with CDFG and may vary, depending on the nest location, nest stage, and construction activity. No project activity shall commence within the buffer area, except as allowed through consultation with CDFG, or until the qualified biologist confirms that the nest is no longer active.

Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting breeding effort. In this case, as determined by consultation with CDFG, the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If the monitoring biologist determines that construction will impact the nest, the biologist shall immediately inform the RPR and CDFG. Construction activities within the buffer will be stopped until either the nest is no longer active or the project receives approval to continue by CDFG. Notes discussing the establishment, maintenance, and monitoring of the buffers shall be provided in the postconstruction report and be provided to Monterey County Resource Management Agency and CDFG.

22. MM BIO-7: MEASURES TO REDUCE IMPACTS TO THE CARMEL RIVER AND ASSOCIATED WETLANDS

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures shall be implemented to reduce impacts to the Carmel River and associated wetlands. Construction activities shall be required to follow standard engineering practices that reduce impacts to water quality (e.g, compliance with National Pollution Discharge Elimination Act), especially where the watercourses are affected. These practices include reduction of sediment loading and sediment disturbance as well as other standard measures for maintaining water quality in the project area. With mitigation measures incorporated into construction activities, no impacts to water quality are anticipated during or post-construction. Construction BMPs shall be implemented throughout the construction period, in order to avoid and minimize adverse effects to the water quality within the project area. Appropriate erosion control measures to reduce siltation and contaminated runoff from the project site shall be included in the BMPs, such as hay bales, filter fences, vegetative buffer strips or other accepted equivalents.

California American Water supplied contractor shall prepare a construction plan that delineates environmentally sensitive habitat areas (ESHA) and provides for the necessary construction equipment staging areas, etc. Thirty days prior to earth disturbing activities, such plan shall be submitted to the Director of Monterey County Planning for review and approval and shall include the following components:

**Compliance or
Monitoring
Action to be Performed:**

The following mitigation measures will be incorporated into the proposed project to reduce impacts to the Carmel River:

- California American Water supplied contractors shall install orange barrier fencing to delineate and protect ESHA.
- No clearing within 200 feet of the Carmel River, unless prior approval from Monterey County Resource Management Agency and/or other agencies (e.g., CDFG).
- Clearing within the project study area shall be confined to the minimal area necessary within 200 feet of the Carmel River to facilitate construction activities. To ensure that construction equipment and personnel do not affect sensitive aquatic habitat outside of the project area, orange barrier fencing shall be erected to clearly define the habitat to be avoided. This shall delineate the environmentally sensitive areas on the project.
- In order to avoid deleterious materials entering into streams or other waters, a spill prevention and containment plan shall be prepared by the California American Water supplied contractor and submitted for review and approval to County Environmental Health Bureau, 30 days prior to construction activities commencing. Such plan shall include a listing of materials and quantities of expected construction by-products and pollutants such as petroleum products, chemicals, or other deleterious materials.
- Equipment shall be re-fueled and serviced at designated construction staging areas. Designated construction staging areas shall be identified prior to construction on project construction plans. All construction material and fill should be stored and contained in a designated area that is located away from channel areas to prevent transport of materials into adjacent streams. The preferred distance is 100 feet from the wetted width of a stream. In addition, a silt fence shall be installed to collect any discharge, and adequate materials shall be available for spill clean-up and during storm events.
- Construction vehicles and equipment shall be maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease.
- Building materials storage areas containing hazardous or potentially toxic materials such as herbicides and petroleum products shall be located outside of the 100 year flood zone, if feasible, shall have an impermeable membrane between the ground and the hazardous material, and shall be bermed to prevent the discharge of pollutants to ground water and runoff water. If location of these items outside the 100 year flood zone is not feasible, then no hazardous or potentially toxic materials shall be stored within the 100 year flood zone during the wet season (October 15 through April 15).
- All disturbed soils shall undergo erosion control treatment prior to October 15th and/ or immediately after construction is terminated. Appropriate erosion control measures will be used (e.g., hay bales, filter fences, vegetative buffer strips or other accepted equivalents) to reduce siltation and contaminated runoff from project sites. Any disturbed soils on a gradient of over 30 percent shall have erosion control blankets installed.
- Shaded riverine aquatic habitat or natural woody riparian habitat shall be avoided or preserved to the maximum extent practicable. Any disturbed riparian vegetation shall be replanted with native trees and shrubs, with appropriate irrigation, care, and monitoring to ensure that healthy riparian and shaded riverine aquatic habitat is fully established.
- Emergent (rising out of water) and submergent (covered by water) vegetation will be retained where feasible. Rapidly sprouting plants, such as willows, shall be cut off at ground level and root systems left in tact, when removal is necessary.
- Upon completion of construction, temporarily disturbed sections of the Carmel River will be revegetated with native grasses and forbs.

23. MM BIO-8: MEASURES FOR TREES

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to ensure the protection of trees shall be implemented. On June 9, 2011, an HDR certified arborist approved by Monterey County conducted a survey of the trees to be impacted by the proposed project. An arborist report has been prepared. The arborist report includes the location, species, size, and health of each tree to be removed. Removed native trees with a diameter at breast height (dbh) of six inches or greater will be replaced at a minimum two-to-one ratio.

Compliance or Monitoring Action to be Performed: The following measures will be implemented by the California American Water supplied contractors to protect those trees retained on site:

- A minimum 4-foot tall, brightly colored, synthetic fence shall be installed around the outermost edge of the protected zone of trees that are designated for retention on-site. Encroachment into the fenced areas shall be restricted to the minimum amount feasible and fencing shall remain in place until all construction activities have ceased. The protected zone is defined as the "dripline" (which is an imaginary line that is drawn on the ground around the tree at the outermost limit of the canopy) or in cases where construction is encroaching on the dripline of a retained tree, the protected zone is the portion of the tree's dripline that is being protected.
- The fenced area shall be kept clear of building materials, waste, and excess soil.
- No digging, trenching, compaction, or other soil disturbance shall be allowed in the fenced area.
- The storage of construction equipment or hazardous materials such as gasoline, oil, or other toxic chemicals shall not be allowed in or adjacent to the fenced area.
- Storage areas for equipment, soil, and construction materials as well as burn sites (if permitted), cement washout pits, and construction work zones shall be kept away from protected trees and outside the fenced in area.
- Cable, chain, rope or signage shall not be attached to retained trees.
- Designated roads and parking areas shall be established. All construction personnel shall be restricted to driving and parking in designated areas. Discharge of exhaust from construction vehicles and equipment shall not be allowed near the protected zone of trees.

24. MM CUL-1: STOP WORK/ARCHAEOLOGICAL RESOURCES

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to protect archaeological resources shall be implemented.

Compliance or Monitoring Action to be Performed: If archaeological material (such as chipped or ground stone, historic debris, building foundations, or non-human bone) are inadvertently discovered during ground-disturbing activities, the California American Water construction contractor shall stop work in the area and within 100 feet of the find until a qualified archaeologist can assess the significance of the finding and develop appropriate treatment measures. Treatment measures will be made by California American Water, in consultation with Monterey County and other parties, including the Native American community, as appropriate. Treatment measures typically include development of avoidance strategies or mitigation of impacts through data recovery programs such as excavation or detailed documentation. Ground disturbance in the zone of suspended activity shall not recommence without authorization from the archaeologist.

25. MM CUL-2: STOP WORK/HUMAN REMAINS

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Measures to protect human remains shall be implemented.

Compliance or Monitoring Action to be Performed: If human remains are uncovered during project construction, all ground-disturbing activities shall immediately be suspended within a 100-foot radius of the find (or an appropriate distance determined by a qualified professional archaeologist) based on the potential for disturbance of additional remains, and the County or its designated representative shall be notified. State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Monterey County Coroner has made the necessary findings as to origin; therefore, the qualified archeologist shall be supplied by the California American Water contractor. The qualified archeologist shall be chosen from Monterey County's list of approved consultants. The qualified archeologist shall immediately notify the Monterey County Coroner. The coroner shall examine the discovery within 48 hours. If the Coroner determines that the remains are those of a Native American, he or she shall contact the NAHC by phone within 24 hours. The NAHC shall contact the most likely descendant of the remains. The County or its appointed representative and the archaeologist shall consult with the most likely descendant regarding the removal or preservation and avoidance of the remains, and the parties shall rebury or preserve the remains as appropriate. Ground disturbance in the zone of suspended activity shall not recommence without authorization from the archaeologist.

26. MM HAZ-1: VEGETATION AND DEBRIS CLEARANCE

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Adequate vegetation and debris clearance shall be maintained in areas where spark-producing or intense heat-producing equipment will be used.

Compliance or Monitoring Action to be Performed: Staging areas, welding areas, or other areas slated for construction using spark-producing or intense heat-producing equipment are to be cleared, within a minimum of 100 feet, of dried vegetation or other materials that could serve as fire fuel. The California American Water supplied contractor shall keep these areas clear of combustible materials in order to maintain a firebreak. Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, construction equipment and vehicles.

27. MM HAZ-2: FIRE HAZARD CONTROL AND RESPONSE PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: A Fire Hazard Control and Response Plan shall be prepared and implemented.

Compliance or Monitoring Action to be Performed: Prior to construction, the California American Water supplied contractor will prepare a Fire Hazard Control and Response Plan. Crews working at the site will be responsible to be familiar with the plan and have fire control equipment available to include shovels, pulaskis, and fire extinguishers. Staging areas, welding areas, or other areas slated for construction using spark-producing or intense heat-producing equipment are to be cleared of dried vegetation or other materials that could serve as fire fuel. The California American Water supplied contractor shall keep these areas clear of combustible materials in order to maintain a firebreak. Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, construction equipment and vehicles.

28. MM WQ-1: SWPP AND OTHER APPLICABLE REGULATIONS

Responsible Department: Water Resources Agency

**Condition/Mitigation
Monitoring Measure:**

Applicant shall prepare a SWPPP and comply with other applicable regulations. Before the start of any project construction work, site grading, or excavation, the California American Water supplied contractor shall prepare a SWPPP detailing measures to control soil erosion and waste discharges from construction areas and shall submit a notice of intent (NOI) to the CCRWQCB for stormwater discharges associated with general construction activity. Monterey County shall require all contractors conducting construction-related work to implement the SWPPP to control soil erosion and waste discharges of other construction-related contaminants. The California American Water supplied general contractor(s) and subcontractor(s) conducting the work shall be responsible for constructing or implementing, regularly inspecting, and maintaining the measures in good working order.

The SWPPP shall identify the grading and erosion control BMPs and specifications that are necessary to avoid and minimize water quality impacts to the extent practicable. Standard erosion control measures (e.g., management, structural, and vegetative controls) shall be implemented for all construction activities that expose soil. Grading operations shall be conducted to eliminate direct routes for conveying potentially contaminated runoff to drainage channels. Erosion control barriers such as silt fences and mulching material shall be installed, and disturbed areas shall be reseeded with grass or other plants where necessary.

The SWPPP shall contain specific measures for stabilizing soils at construction-related sites before the onset of the winter rainfall season. These standard erosion control measures shall be designed to reduce the potential for soil erosion and sedimentation of drainage channels.

**Compliance or
Monitoring
Action to be Performed:**

The following specific BMPs are recommended for implementation:

- Conduct all work according to site-specific construction plans that identify areas for clearing, grading, and revegetation so that ground disturbance is minimized.
- Avoid riparian and wetland vegetation wherever possible and identify vegetation to be retained for habitat maintenance (i.e., as identified through preconstruction biological surveys), cover cleared areas with mulches, install silt fences near riparian areas or streams to control erosion and trap sediment, and reseed cleared areas with native vegetation.
- Stabilize disturbed soils at all construction sites and staging areas before the onset of the winter rainfall season.
- Stabilize and protect stockpiles from exposure to erosion and flooding. The SWPPP also shall specify appropriate hazardous materials handling, storage, and spill response practices to reduce the possibility of adverse impacts from use or accidental spills or releases of contaminants. Specific measures applicable to the project include, but are not limited to, the following:
 - Develop and implement strict on-site handling rules to keep construction and maintenance materials out of drainages and waterways.
 - Conduct all refueling and servicing of equipment with absorbent material or drip pans underneath to contain spilled fuel. Collect any fluid drained from machinery during servicing in leakproof containers and deliver to an appropriate disposal or recycling facility.
 - Maintain controlled construction staging, site entrance, concrete washout, and fueling areas at least 100 feet away from stream channels or wetlands to minimize accidental spills and runoff of contaminants in stormwater.
 - Prevent raw cement; concrete or concrete washings; asphalt, paint, or other coating material; oil or other petroleum products; or any other substances that could be hazardous to aquatic life from contaminating the soil or entering watercourses.
 - Maintain spill cleanup equipment in proper working condition. Clean up all spills immediately according to the spill prevention and containment plan, and immediately notify CDFG and the RWQCB of any spills and cleanup procedures.
- The SWPPP shall be reviewed and approved the Monterey County Environmental Health Bureau and Water Resources Management Agency prior to implementation.

29. MM TRANS-1: TRAFFIC AND SAFETY PLAN

Responsible Department: Public Works Department

Condition/Mitigation Monitoring Measure: The California American Water supplied construction contractor shall develop a plan for traffic safety assurance for the County roadways in the project vicinity.

Compliance or Monitoring Action to be Performed: The California American Water supplied contractor shall submit the plan to the County Public Works Department for review prior to the issuance of building permits and before the initiation of construction-related activity that could adversely affect traffic on County roadways. The plan(s) may call for the following elements, based on the requirements of each agency:

- Posting warnings about the potential presence of slow-moving vehicles;
- Using traffic control personnel when appropriate;
- Scheduling truck trips outside of peak morning and evening traffic periods to the extent feasible;
- Placing and maintaining barriers and installing traffic control devices necessary for safety, as specified in Caltrans's Manual of Traffic Controls for Construction and Maintenance Works Zones and in accordance with County requirements; and
- Maintaining routes for passage of emergency response vehicles through roadways affected by construction activities.

30. MM TRANS-2: HAUL AND ACCESS ROUTE DAMAGE

Responsible Department: Public Works Department

Condition/Mitigation Monitoring Measure: California American Water, in coordination with the County Public Works Department, shall assess damage to roadways used during construction and shall repair and rehabilitate roadways due to potholes, fractures, or other damages caused by the project's heavy construction equipment.

Compliance or Monitoring Action to be Performed: Prior to final inspection: California American Water, in coordination with the County Public Works Department, shall assess damage to roadways during construction. Due to construction and heavy equipment used. The County will require rehabilitation of roadways used.

Within 60 days of completion of final inspection the applicant shall repair and rehabilitate damaged roadways.

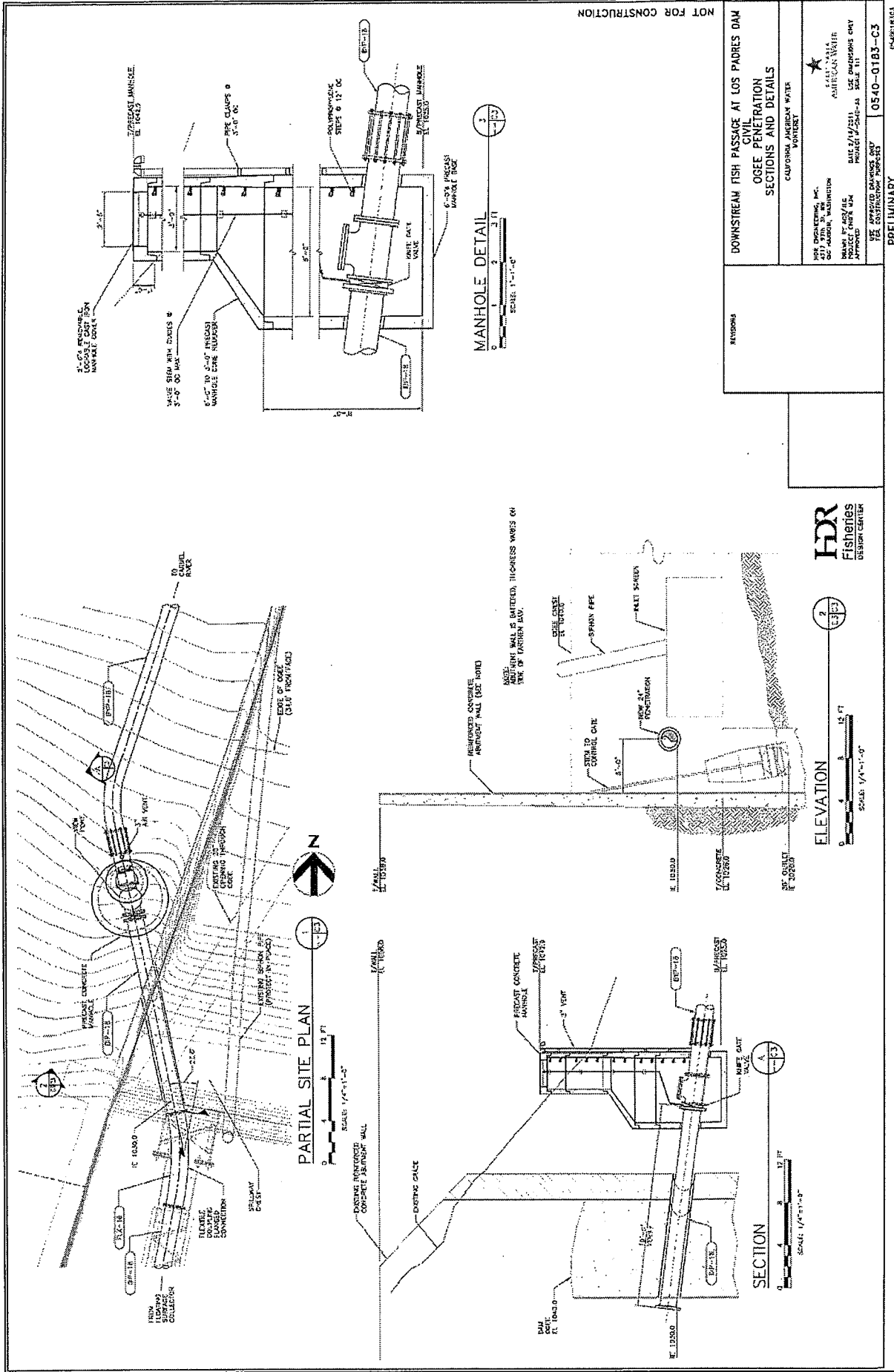
31. MM TRANS-3: ROAD MAINTENANCE

Responsible Department: Public Works Department

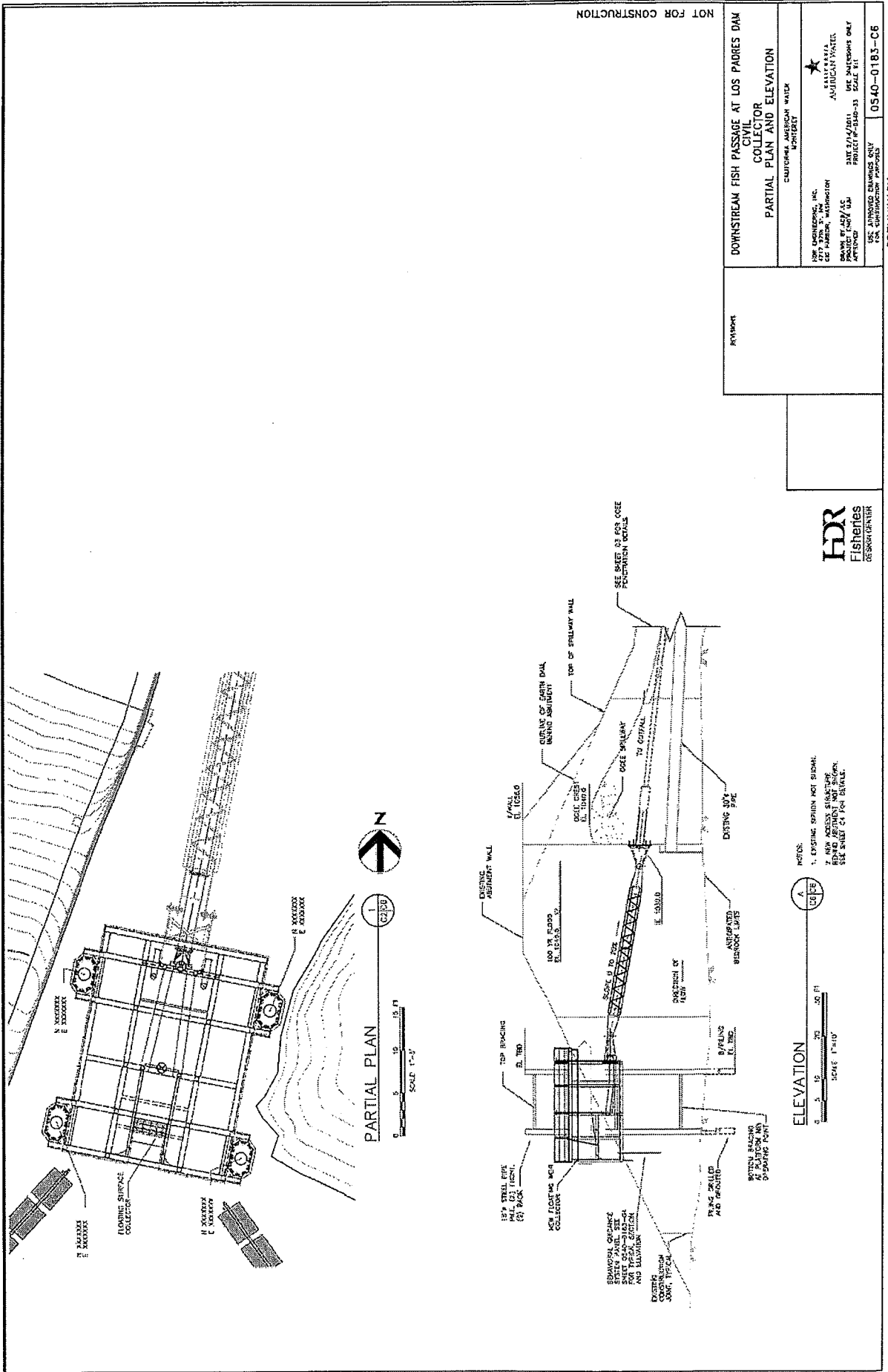
Condition/Mitigation Monitoring Measure: After completion of construction activities, any temporary facilities would be removed and disturbed areas would be restored and reclaimed as appropriate.

Compliance or Monitoring Action to be Performed: Within 60 days of completion of final inspection: Any temporary facilities shall be removed and disturbed areas would be restored and reclaimed as appropriate.

All roadways used must be designed to be able to accommodate the turning radius of heavy construction equipment and geometrics of the roadway. The road improvement plan must be prepared by a licensed Civil Engineer in California.



REVISIONS	HDR Fisheries DESIGN CENTER
DOWNSTREAM FISH PASSAGE AT LOS PADRES DAM CIVIL GDFE PENETRATION SECTIONS AND DETAILS	
CALIFORNIA AMERICAN WATER CONTRACT NO. 0540-0183-C3	
PRELIMINARY	
HSE DESIGNING, INC. 20700 W. 11TH AVE. SUITE 100 FORT COLLINS, CO 80504 PHONE: 970.462.1111 FAX: 970.462.1112	SCALE: 1/4"=1'-0" DATE: 11/19/2011 PROJECT: 0540-0183-C3 SHEET: 111 APPROVED: [Signature] CHECKED: [Signature] DRAWN: [Signature]



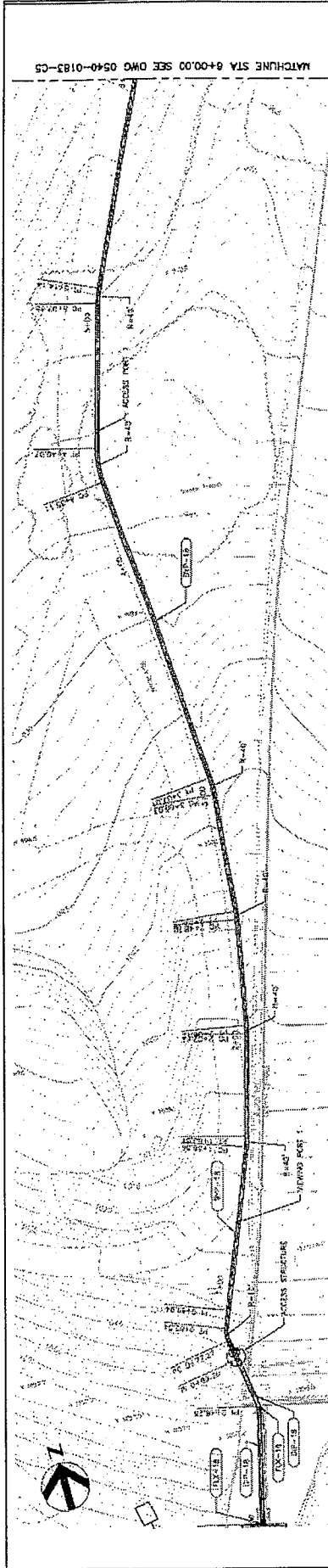
NOT FOR CONSTRUCTION

DOWNSTREAM FISH PASSAGE AT LOS PADRES DAM CIVIL COLLECTOR PARTIAL PLAN AND ELEVATION	CHURCHILL WATER MONTEREY
	H2O ENGINEERING, INC. 2000 S. GARDEN, MONTEREY, CA 93940 PHONE: (831) 385-1100 FAX: (831) 385-1101 WWW.H2OENGINEERING.COM
PRELIMINARY	PROJECT: 0540-0183-C6 SHEET: 0540-0183-C6

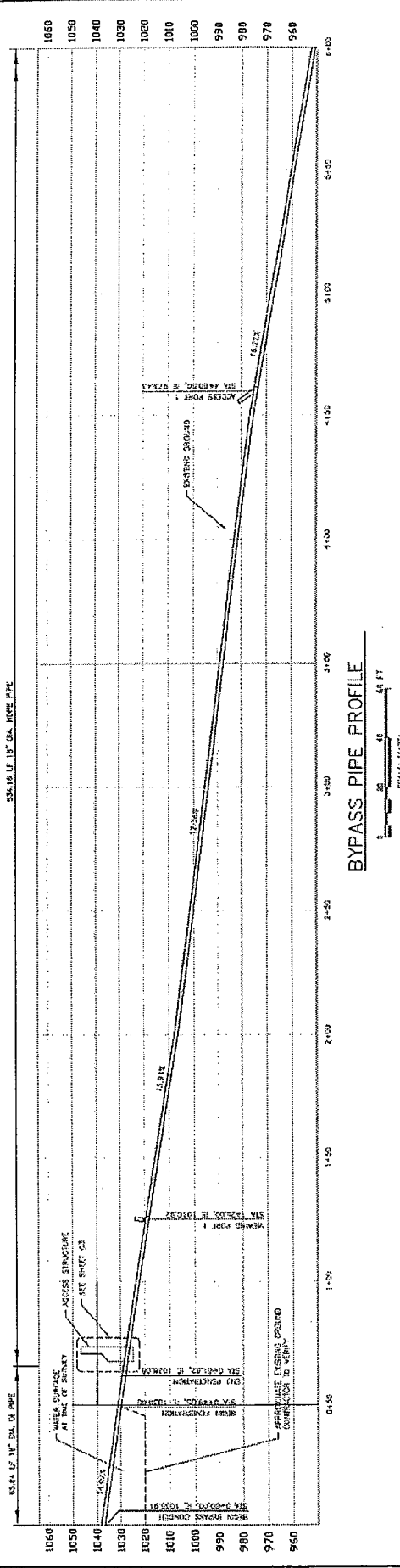


- NOTES:
- EXISTING REVISION NOT SHOWN.
 - NEW ACCESS STRUCTURE SHALL BE CONSTRUCTED TO THE SOUTH OF THE WEIR.

Data Sources: Map information was compiled from the best available sources. No warranty is made for its accuracy or completeness. Topographic Base Map, Aerial Photography Data is California State Plane Feet, NAD83 Zone 8.

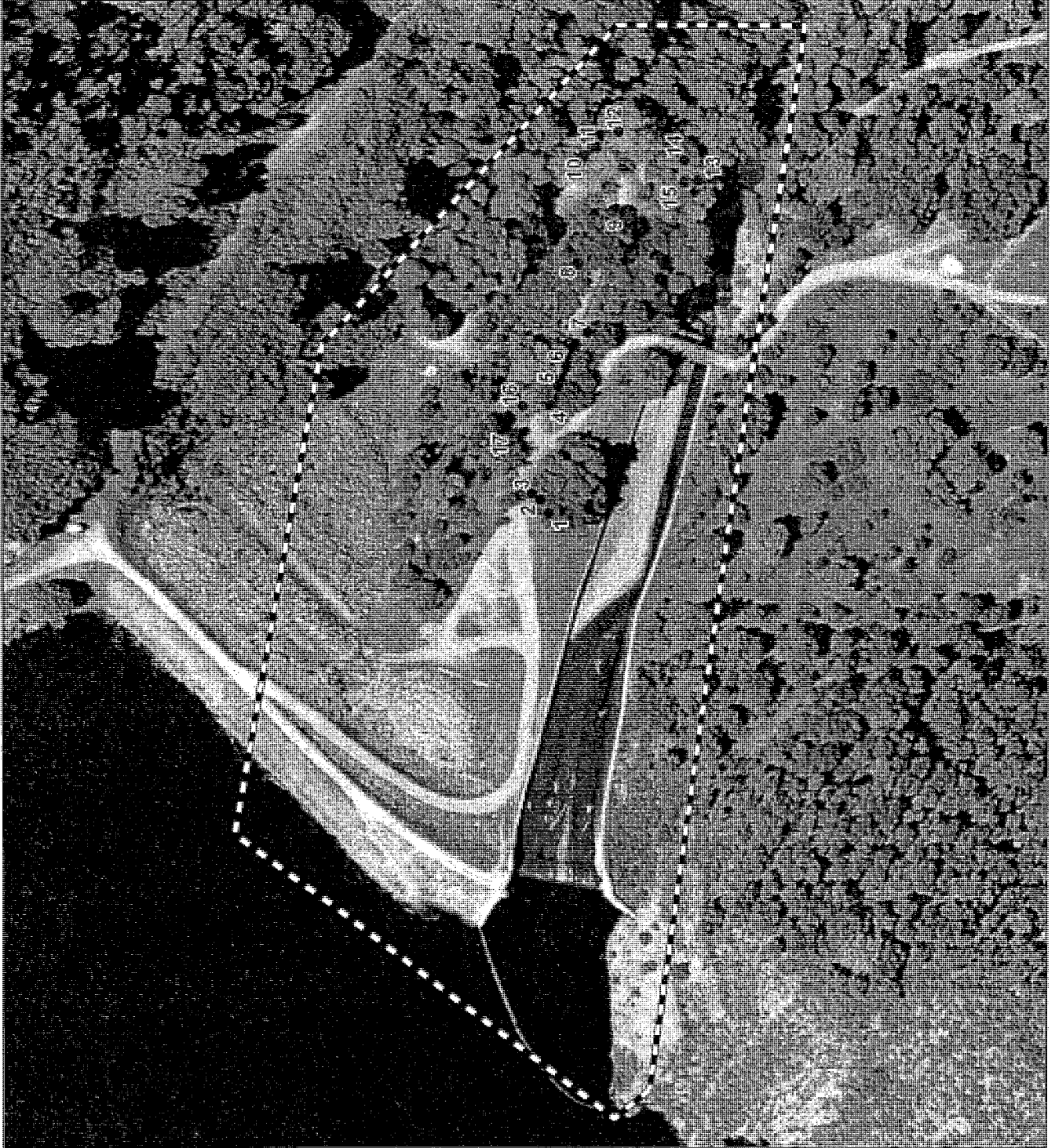


BYPASS PIPE PLAN
SCALE: 1"=40'



BYPASS PIPE PROFILE
SCALE: 1"=40'

	REVISIONS	DOWNSTREAM FISH PASSAGE AT LOS PADRES DAM CIVIL BYPASS CONDUIT PLAN AND PROFILE 1 CALIFORNIA ANGELES WATER MONTEREY
		HDR ENGINEERING, P.C. 1000 CALIFORNIA 2400 HAYWARD, WASHINGTON DRAWN BY: JAC/MLC PROJECT NO: 0540-0183-03 DATE: 7/17/01 SEE DIMENSIONS ONLY APPROVED BY: JAC/MLC FOR CONTRACTOR PURSUANT TO: 0540-0183-C4 PRELIMINARY 06-001-BEC1



Legend

-  Tree Location
-  Project Study Area



1 in = 150 ft



Arboret Survey Map

Los Padres Dam
Downstream Fish Passage Project
Monterey County, California

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2348 Iron Point Road, Suite 300
Folsom, CA 95630-4709

August 2017

Project Name: Los Padres Dam Downstream Fish Passage Project Number: _____

Arborist Name: Stephen Stringer

Date: 6/9/11 Page: 1

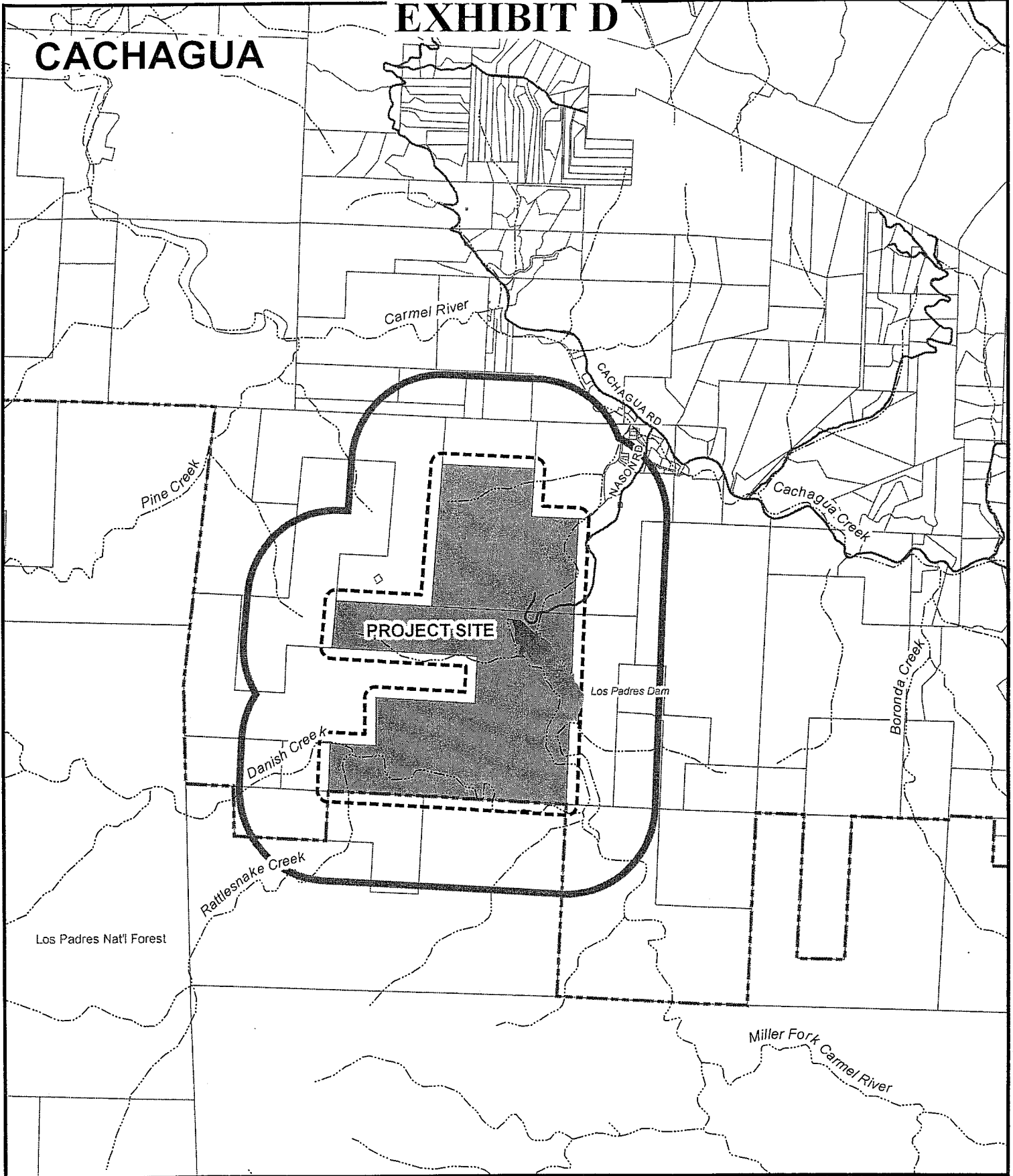
Vigor categories: Excellent; Good; Fair-Good; Fair (dead branches, burns, rot, insects, etc; but will survive more than 5 yrs); Fair-Poor; Poor (likely to die within 5 yrs)

Tag #	Species	DBH	Height	Dripline	Vigor	Comments
1	Quercus agrifolia	9.5, 6, 8, 14 20, 8, 6	40	30	F	
2	Q. agrifolia	6	15	15	F	
3	Q. agrifolia	8	30	15	G	
4	Q. agrifolia	17	40	15	F	
5	Q. agrifolia	8	30	10	G	
6	Q. agrifolia	7.5, 11	35	15	F	
7	Q. agrifolia	17	40	20	F	
* 8	Q. agrifolia	18	60	30	G	untaggable: inaccessible due to poison oak
9	Q. agrifolia	6, 4, 4, 4 3, 3, 2	25	15	G	
10	Platanus racemosa	21, 27, 22	100	60	F	
11	Platanus racemosa	25, 25, 26, 6	100	45	F	
12	P. racemosa	30	100	20	G	tagged on lower branch: trunk inaccessible due to poison oak.
13	Alnus rhombifolia	26	70	25	G	
14	Q. agrifolia	15, 13	45	15	G	
* 15	Salix sp.	10, 6	70	35	F	untaggable: tree inaccessible due to high flows
16	Q. agrifolia	16	30	10	G	
* 17	Q. agrifolia	14	25	15	F	untaggable: inaccessible due to poison oak.

* = tree untaggable

EXHIBIT D

CACHAGUA

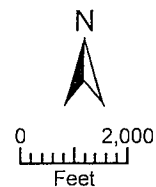


APPLICANT: CAL-AM (LOS PADRES DAM DOWNSTREAM FISH PASSAGE PROJECT)

APN: 418-191-005-000 & 418-191-035-000

FILE # PLN110322

Water 2500' Limit 300' Limit City Limits



PLANNER: MASON

EXHIBIT E

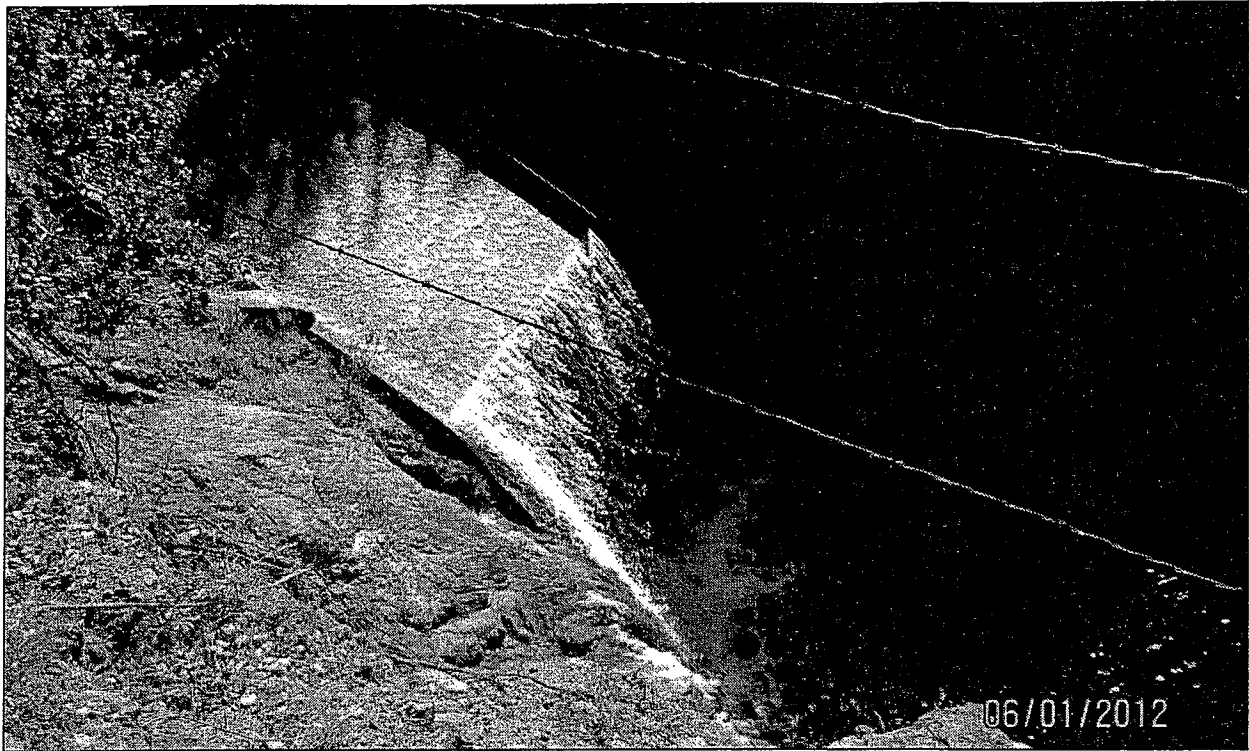
Site Photos



Lip of upper spillway, photographed June 1, 2012. Note flow depth less than 3" and debris obstructions.



Upper stretch of spillway (Total spillway length approx. 575').



Spillway drop-off. (Approximately 20' drop.)



Satellite photo taken during low-water period (9-30-2009). Note inaccessible (dry) spillway preventing downstream passage. Similar conditions were noted during November 23, 2012 site visit.