

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

Monterey Peninsula Regional Park District (MPRPD) **PLN100601/Interim Access Plan**

RESOLUTION NO. 11-002

Resolution by the Monterey County Planning
Commission:

- 1) Adopting the Supplemental Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program (**Exhibit 1**), and
- 2) Approving the coastal portion of a Combined Development Permit consisting of: a: 1) Administrative Permit for the construction of a bicycle trail (within a Site Plan Review Zoning District) approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval.

(PLN100601, Monterey Peninsula Regional Park District, the project location generally parallels the Carmel River south and east of Highway 1 from and west of Rancho San Carlos Road to, and including the Palo Corona Regional Park; within the Carmel Area Land Use Plan, (APN 157-121-001-000, 243-081-005-000 and 243-081-008-000).

The Combined Development Permit for Phase III of the Carmel Valley Class I Bicycle Trail Project, including an addendum to the Palo Corona Regional Park, came on for public hearing before the Monterey County Planning Commission on January 12, 2011. 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) This proposed November 2010 Addendum to the existing Interim Access Plan will incorporate changes to allow public access into a portion of the park previously closed, and extend the Interim Public Access Plan for five years through April 26, 2016. The purpose of the addendum is to amend the existing trail plan and extend the Interim Program for five years (through April 26, 2016). The proposed amendments remain consistent with the previously approved project (PLN080093) by incorporating all the other elements (conditions and mitigations) of the previously approved Interim Access Plan into the proposed amendment which shall be referred to as the 2010 Interim Access plan and shall incorporate all aspects of the following permits PLN050638 and PLN080093, including conditions and mitigations, into PLN100601. The project as proposed is consistent with Section 20.17.050 of the Monterey County Coastal Implementation Plan (Title 20), that Conditional Uses, including those public and quasi-public in nature are allowed within the Watershed and Scenic Conservation Zoning District upon securing a Coastal Development Permit. Therefore the proposed project consists of a Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and approximately 3,000 cubic yards of total grading (cut/fill); 2) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) a Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) a General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for five years (through April 26, 2016); and Design Approval. The Public access will be allowed from sunrise to sunset and may be adjusted appropriately to correspond to public safety needs. The Park hours are to remain from sunrise to sunset for all persons. This addendum includes no lighting and the 93-acre privately owned Fish Ranch property will continue to be protected from public access and public viewing and will not be used as a primary public entrance to the park. Implementation of the project will not impact the historic status or nature of the Fish Lower Front Barn and no habitat will be disturbed or removed as a result of project implementation. Staff has reviewed the associated application materials and determined that the proposed change in use is consistent with the plans, policies, requirements, and standards of the Local Coastal Program (LCP) for this site.
 - (b) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of the application. No conflicts were found to exist. No communications were received during the course of review of the project to indicate that there is any inconsistency with the text, policies, and regulation in these documents.
 - (c) The project is located within the 680-acre portion of the 4,300-acre Palo Corona Regional Park (a.k.a. "Front Ranch"). The pedestrian trail is located south of the Carmel River along the River Trail Carmel Area, (Assessor's Parcel Number 157-121-001-000) within the Carmel Area Land Use Plan, Coastal Zone. For purposes of the amendment extending

the Interim Public Access Plan the following parcels are included: 243-081-005-000 and 243-081-008-000.

- (d) The majority of the property has one land use designation “WSC/40-D” (CZ) Watershed and Scenic Conservation 40 acres per unit, Design Control District. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20. Therefore, the property is suitable for the proposed development. The project is consistent with the Monterey County Zoning Ordinance (Title 20) standards as required by Section 20.17.030 which identify non-exempt development and requires a Coastal Development Permit for those categories listed under that section.
- (e) The project was reviewed for consistency with the goals, objectives, and policies established in the 2005 TAMC General Bikeways Plan, the 2005 Monterey County Regional Transportation Plan (RTP), and the 2001 Monterey County General Bikeways Plan. The proposed plans designed by the Public Works Department of Monterey County and as illustrated page 22 of the Monterey County General Bikeways Plan.
- (f) The project planner conducted a site inspection on October 15, 2010 and December 6, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- (g) The project was referred to the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) for review on December 6, 2010. The LUAC voted to continue the item 6-0 to January 3, 2011. There was no public comment presented. The LUAC noted concerns regarding having a representative present to speak about the project and to have a site visit to discuss concern about the retaining walls, path trail contours, and tree removal. Staff will provide the Planning Commission with minutes from the January 3, 2011 at the hearing on January 12, 2011.
- (h) 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 PLN100601.

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, Monterey Regional/Carmel Valley Fire Protection District, Parks, RMA-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) 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:

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. Technical reports by

outside consultants indicated that there are no physical or environmental constraints that would result in significant impacts to the environment with implementation of mitigation and monitoring measures. The following reports have been prepared as part of the adopted 2008 MND and the Supplemental MND. Staff reviewed the reports and concurs with their conclusions:

1. A "Preliminary Geotechnical Investigation for the Carmel Valley Class I Bicycle Trail", dated July 2005, (LIB#100486) by Pacific Crest Engineering, Watsonville, California, was prepared.
 2. A "Location Hydraulics Study," dated September 2005 (LIB#100485) by C & D Engineers, Monterey California, was prepared.
 3. A "Natural Environment Study", dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California was prepared.
 4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey, California, was prepared.
 5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project", dated October 20, 2010 (LIB#100484) by Denise Duffy & Associates, Monterey, California, was prepared.
 6. A "Supplemental Archaeological Surface Survey", dated October 14, 2010, (LIB#100489) by Archaeological Consulting, Salinas, California, was prepared.
 7. A "Tree Resource Assessment/Management Plan", dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California, was prepared.
- (c) Staff conducted site inspections on October 15, 2010 and December 6, 2010 to confirm site conditions and the information provided in the sited reports.
- (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 PLN100601.

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 RMA - Planning Department, Monterey Regional/Carmel Valley Fire Protection District, Parks Department, Public Works, Environmental Health Bureau, and Water Resources Agency. 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. The subject project if approved would not require variances or exception to any Health and Safety regulations within the county codes. The project as conditioned is consistent with all county regulations and Land Use Plan policies.
- (b) Necessary public facilities are available. No water or waste water facilities are required for the bicycle trail project.

- (c) Preceding findings and supporting evidence for PLN100601 and see Finding No. 5.

4. FINDING: **NO VIOLATIONS** - The subject property complies with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

EVIDENCE:

- (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- (b) Staff conducted a site inspection on October 15, 2010 and December 6, 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 PLN100601.

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 requires environmental review if there is substantial evidence that the project may have a significant effect on the environment. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would result in significant impacts to the environment with implementation of mitigation and monitoring measures. The following reports have been prepared as part of the adopted 2008 MND and the Supplemental MND. Staff reviewed the reports and concurs with their conclusions:

1. A "Preliminary Geotechnical Investigation for the Carmel Valley Class I Bicycle Trail," dated July 2005, (LIB#100486) by Pacific Crest Engineering, Watsonville, California, was prepared.
2. A "Location Hydraulics Study," dated September 2005 (LIB#100485) by C & D Engineers, Monterey California, was prepared.
3. A "Natural Environment Study", dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California was prepared.
4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey, California, was prepared.
5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project", dated October 20, 2010 (LIB#100484) by Denise Duffy & Associates, Monterey, California, was prepared.
6. A "Supplemental Archaeological Surface Survey," dated October 14, 2010 (LIB#100489) by Archaeological Consulting, Salinas,

California, was prepared.

7. A "Tree Resource Assessment/Management Plan," dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California, was prepared.
- b) On August 28, 2008, Monterey County Planning Commission adopted an Initial Study/Mitigated Negative Declaration (IS/MND) and Condition Compliance & Mitigation Monitoring and/or Reporting Plan (MMRP) (SCH#2008041136). This document analyzed environmental impacts associated with Phase III of the Carmel Valley Class I Bicycle Trail project. The scope of that study was a 66-foot wide area within which a portion would be used for the Phase III trail design.
- c) Since the adoption of the August 2008 IS/MND, the alignment of the Carmel Valley Class I Bicycle Trail has been defined and easements have been secured for a 14-foot wide trail alignment. The 66-foot wide Area of Potential Impact (APE) was reduced although small areas of the 14-foot easement for the trail are outside of the APE. The APE area studied was 8.9 acres and with 14-foot project the trail footprint is reduced to 2.1 acres, although with temporary impacts associated with the construction activities, it will be greater than 2.1 acres. The new areas of trail alignment are shown in Figure 2 of the Supplemental IS/MND.
- d) Consistent with CEQA Guidelines 15162 and 15163 a Draft Supplemental 2010 IS/MND has been prepared to address additional minor changes and revisions to the project from those described in the adopted 2008 IS/MND, so as to more completely describe the project in accordance with Section 15163 of the CEQA Guidelines. Pursuant to these guidelines, only the information necessary to make the previous 2008 IS/MND adequate for the project as revised is included in the Draft Supplemental 2010 IS/MND. A mitigated negative declaration may be adopted if the project would result in less-than-significant impacts with mitigation measures incorporated into the proposed project. The 2008 MMRP has been revised since previous impacts are reduced and impacts to CRLF will be avoided including with on-site monitoring. The adopted Class I Bicycle Trail project IS/MND is still relied on to address the impacts associated with those aspects of the project that do not result in new information or new significant impacts and associated mitigation measures.
- e) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA Section 15062 and 15063. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN080106).
- f) 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.
- g) Issues that were analyzed in the Mitigated Negative Declaration include: biological resources, cultural resources, geology and soils, hydrology/water quality, noise, traffic and transportation.
- h) Biological Resources
A supplemental biological analysis for the proposed new alignment of

the bicycle trail was conducted. The purpose of the analysis was to determine whether there were any additional impacts not previously identified in the adopted IS/MND. A survey of the existing habitat of the proposed project alignment was conducted on October 1, 2010. The survey concluded that the proposed new alignment for the Carmel Valley Class I Bicycle Trail Project is characterized by four habitat types: historically disturbed riparian, grazing land, existing road/trail, and riparian. The Project would impact 0.51 acre of historically disturbed riparian habitat, 0.64 acre of grazing land habitat, 0.37 acre of existing road/trail habitat, and 0.22 acre of riparian habitat. The new project alignment will impact approximately 0.73 acre of riparian/disturbed riparian habitat, approximately 0.37 acre less of riparian/disturbed riparian habitat than the original project alignment. The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted.

The area of the project alignment classified as historically disturbed riparian shows evidence of having been recently cleared of all existing vegetation with the exception of large tree species, which include cottonwood and willows with poison oak in the cleared areas. Grazing land habitat is dominated by non-native grasses in areas typically used for the grazing of cows, goats, and horses. An existing road/trail habitat in the vicinity of the proposed alignment is either paved with asphalt on the eastern end or covered in decomposed granite. The riparian habitat areas are dominated by poison oak, blackberry, and stinging nettle and dominated by cottonwood and willow tree species.

The potential for habitat modifications to result from implementation of the bicycle trail was previously analyzed in the adopted 2008 IS/MND. The adopted IS/MND determined that construction of the bicycle trail would require the permanent removal of riparian habitat and would likely require a Streambed Alteration Agreement from the California Department of Fish & Game (CDFG). The adopted IS/MND concluded that the inclusion of Mitigation Measures #1 through #13 would reduce impacts to a less-than-significant level, as identified in the Supplemental 2010 MND/MMRP.

The U.S. Fish and Wildlife Service (Service) issued a Biological Opinion (BO) for the Carmel Hill and River Bicycle Trail Project (Federal ID Number CML-6143 (032), 05-MON-0-TAMC) and the Carmel Valley Class I Bicycle Trail Project (Federal ID Number CML-5944 (063), 05-MON-0-CR) in Monterey County, California on March 12, 2009 (8-8-09-F-2), to authorize take of California red-legged frog (CRLF). However, it was recently determined that the Carmel Valley Class I Bicycle Trail Project will no longer be receiving federal funds from the Federal Highways Administration (FHWA), administered by Caltrans through the Local Assistance Program. As a result, the project no longer has a federal nexus and will no longer be able to benefit from the Section 7 consultation process already completed for the project. The adopted IS/MND included implementation of the measures

identified in the BO to mitigate for potential impacts to CRLF.

However, the avoidance and minimization measures within the BO consisted of the implementation of the Service's 2003 Programmatic Biological Opinion for Projects Funded or Approved under the Federal Aid Program (Programmatic BO). The measures identified in the Programmatic BO cannot be implemented without take authorization because they include handling CRLF, if found. Therefore, the mitigation measures identified below will be implemented to avoid take of CRLF during construction of the project; these measures do not require take authorization and the MMRP has been revised accordingly. As discussed above, the project will result in impacts to 0.73 acre of riparian habitat (0.37 acre less than originally proposed). The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted. With the implementation of the measures above and revisions to the project design, the project is not likely to result in take of CRLF.

Construction and ground disturbing activities will occur outside of the May 1 to October 15 "work window" which requires consultation with the CDFG and NOAA Fisheries (Mitigation Measure No. 1). Work outside of this window cannot proceed prior without authorization from the CDFG and NOAA.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to biological resources that were not previously identified in the adopted IS/MND. Potential impacts to biological resources associated with the proposed project were adequately addressed in the adopted IS/MND. The revised project description does not introduce any new impacts to biological resources and the mitigation measures remain adequate to reduce impacts to a less-than-significant level and with the implementation of Mitigation Measures #1 through # 13.

i) Cultural Resources

A supplemental archaeological surface survey for the proposed new alignment of the bicycle trail was conducted. The field survey also found no surface evidence of potentially significant historic period archaeological resources in the project area. The field survey concluded that the proposed new trail alignment would not result in previously unidentified impacts to cultural resources.

The potential for impacts to cultural resources resulting from implementation of the class I bicycle trail was previously analyzed in the 2008 IS/MND. The adopted IS/MND identified one archaeological site within 0.62 mile of the project area, but none within or immediately adjacent to the bicycle alignment. No physical evidence of historic or prehistoric cultural resources was found during the initial field survey conducted in conjunction with the adopted IS/MND.

Although no historic or archaeological resources were identified during

investigation of the project site, the possible uncovering of archaeological materials during construction is a potentially significant impact that would be reduced to a less-than-significant level with implementation of Mitigation Measure #14, as identified in the Revised MMRP. The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to cultural resources that were not previously identified in the adopted 2008 IS/MND. The revised project description does not introduce any new impacts to cultural resources; the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

j) Geology and Soils

The results of the "Preliminary Geotechnical Investigation for Carmel Valley Bicycle" report indicate that from a geotechnical engineering standpoint, the project may be developed as proposed provided that the recommendations from the report are included in the design and construction. Since the study was preliminary and does not include detailed grading, foundation, or pavement design criteria, a final geotechnical investigation should be prepared to address these issues once project details (e.g., depth of cut, fills, etc.) are finalized. The requirement for the preparation of a final geotechnical investigation to be submitted for approval to County of Monterey and to have these recommendations included in the final design and construction of the project was included as Mitigation Measure #15 in the Revised MMRP. The adopted IS/MND concluded that the inclusion of this mitigation would reduce the impact to a less-than-significant level.

As further identified by the adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. This is identified in the adopted IS/MND as a potentially significant impact. In addition, cut and fill are proposed on slopes greater than 25% in the Inland area. The adopted IS/MND concluded that application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the required stormwater pollution prevention plan (SWPPP), in addition to implementation of relevant mitigation measures (Mitigation Measures #1 and #7 through #13) identified in the Biological Resources section of the Revised MMRP, would reduce potential erosion impacts to a less-than-significant level.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to geology or soils that were not previously identified in the IS/MND. Potential impacts to geology/soils associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to geology or soils, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

k) Hydrology/Water Quality

As identified adopted IS/MND, grading, cutting, and filling during construction could result in erosion impacts, especially if construction were to take place during the wet weather season. The proposed project will disturb more than one acre of land during construction. Therefore, a Notice of Intent is required to be filed with the State Water Resources Control Board to be covered under the State NPDES General Construction Permit for discharges of storm water associated with construction activities. Application of standard Best Management Practices during construction in compliance with an erosion control plan (preparation of which is a standard construction specification) and the SWPPP, in addition to implementation of relevant mitigation measures (Mitigation Measures #1 and #7 through #13) identified in the Biological Resources section of the Revised MMRP would reduce potential erosion impacts to a less-than-significant level.

The project is partially within the 100-year floodplain. However, there is minimal potential for increased flood risk that would result from the construction of the project since the project does not propose any structures that would impede or redirect flows or propose to alter the existing river course. The proposed project will not have any effect upon the flood plain or the backwater potential. Flood damage on the trail is not anticipated except for the deposition of sediment. The trail will essentially be at the same elevation as the existing ground and will not require importing fill for construction of the trail.

As discussed in the adopted IS/MND, the construction of the trail would result in an increase in impervious surface area. The increased impervious surface area would result in a relatively minor increase in the amount of surface runoff during storm events, which would not, however, result in flooding on- or off-site as the project design. Therefore, impacts associated with flooding are considered to be less-than-significant and no mitigation is required by the adopted IS/MND. The increased impervious surface area would result in a relatively minor increase in the amount of surface runoff during storm events. Given that the project design will incorporate drainage features to accommodate the increased runoff and the relatively minor increase in impervious surfaces, this impact is considered to be less-than-significant with mitigation and monitoring measures implemented in the MMRP.

The proposed minor alterations to the alignment of the proposed bicycle trail would not result in new impacts to hydrology or water quality that were not previously identified in the adopted IS/MND. The potential hydrology/water quality impacts associated with the proposed project were adequately addressed in the adopted IS/MND. The project would be required to implement mitigation measures identified in the adopted IS/MND, and, since the revised project description does not introduce any new impacts to hydrology or water quality, the mitigation measures remain adequate to reduce impacts to a less-than-significant level.

l) Noise

The major source of existing noise in the project area is from the agricultural operations in the adjacent fields, Carmel Valley Road, and Rancho San Carlos Road. The Monterey County General Plan sets forth goals, objectives, and policies for noise. Construction activities will cause a temporary increase in ambient exterior noise levels in the project area. Most types of diesel powered, heavy construction equipment (such as dump trucks and graders) produce noise levels of up to 80-85 decibels at a distance of 100 feet. Noise levels decrease at a rate of six decibels for each doubling of distance from the source. Short-term noise impacts would occur during construction of the project. Construction noise levels vary by stage, depending upon the number and type of equipment in use. Construction activities at the project site may result in adverse noise impacts due to the proximity of sensitive receptors. This impact can be reduced to a less-than-significant level with implementation of the mitigation measures in the MMRP.

m) Traffic and Transportation

Regional access to the project site is provided by Carmel Valley Road. Carmel Valley Road is a designated arterial roadway, and provides access between Carmel and Carmel Valley, and serves the many residential communities between these two areas. Currently, local service to the project site is provided only by Rancho San Carlos Road. A driveway to the sanitary sewer station, which also serves as a class III bike trail, provides direct access to the project. In the future, when the fourth segment of the bike trail is completed, the trail will be accessible from State Highway 1.

The traffic associated with construction vehicles and equipment has the potential to impact traffic volume or result in the interruption of traffic along Rancho San Carlos Road, and potentially, Carmel Valley Road. This impact can be reduced to a less-than-significant level with implementation of the mitigation measures in the MMRP requiring a Construction Management Plan.

- n) The 2010 Supplemental Mitigated Negative Declaration ("MND") for PLN080106 & PLN100601 was prepared in accordance with CEQA and circulated for public review from December 8, 2010 through January 7, 2011 (SCH#2008041136). Issues that were analyzed include biological resources, cultural resources, geology and soils, hydrology, water quality, noise, traffic and transportation.
- o) 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 (PLN080106 & PLN100601) and are hereby incorporated herein by reference.
- p) 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 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 CRLF and riparian plant and animal species and will result in permanently removing riparian habitat. 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. The California Department of Fish and Game reviewed the 2008 MND and recommend conditions necessary to protect biological resources in this area. The Planning Commission adopted a MND for the bike trail project on August 27, 2008. Therefore, because the project was not found to be exempt from CDFG fees the department of Public Works filed a Notice of Determination (NOD) and paid the CDFG fees on June 24, 2010. The Monterey County Clerk/Recorder processed and posted the NOD on that day.

- q) 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 negative declaration is based.

6. FINDING: 30 PERCENT SLOPE WAIVER – The project as designed, better achieves the goals, policies, and objectives of the Carmel Land Use Plan policies, and regulations in Title 20 (Monterey County Coastal Area Implementation Plan, Part 1; Chapter 20.64.230.E.); regarding development on slopes in excess of 30 percent, and therefore qualifies for a waiver. The waiver of the slope policy would allow portions of the proposed pedestrian trail to be developed on slopes in excess of thirty percent. This conclusion is supported by the following evidences:

- EVIDENCE:**
- (a) The project is located within the 680-acre Palo Corona Regional Park “Front Ranch” area along State Route Highway 1 and Ribera Road, Carmel Area Land Use Plan, Coastal Zone. The site is zoned WSC/40-D or Watershed and Scenic Conservation, 40 acres per unit, in a Design Control District. The existing river trail will provide access to the other trails in the park; the proposed trail will traverse an area on slopes in excess of 30% in order to connect the intended portions of the existing trails and proposed trails.
 - (b) The project areas are identified in the Carmel Area Land Use Plan (LUP) as relatively unstable uplands. A Geotechnical Report was prepared for the proposed Plan by Pacific Crest Engineering July 2005 library No. 100486. This report provides a detailed description of the proposed bike trail to be constructed. Trail construction specifications and materials are analyzed in the report. The proposed alignment of the bike trail in the Palo Corona Park would require the project to breach an area approximately 6,600 square feet across 30% slopes. The alignment of the easements granted to the project by the Monterey Peninsula Regional Park District to allow the course of the trail path to align with existing trails on the park and to be easily connected to future proposed bike paths and pedestrian trails. For that reason the project better meets the objectives of the Carmel Land Use Plan Policies and since the project proposes to retire existing sections of

roadway on slopes in excess of thirty percent and place those sections of road in areas which follow the contours of the land.

- (c) Staff conducted site inspections on October 15, 2010 and December 6, 2010 to confirm site conditions and information provided is correct.
- (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 PLN100601.

7. FINDING: VISUAL RESOURCES – The project is consistent with Chapter 2.2 of the Carmel Area Land Use Plan. The proposed trail development shall not detract from the natural beauty of the undeveloped ridgelines and slopes in the public viewshed. The project as proposed is consistent with the Carmel Area Land Use Plan policies and regulations (Monterey County Coastal Implementation Plan Part 4 Section (20.146.030.C.1 & C.4) regarding development standards for parcels visible within the public viewshed. The proposed trail was analyzed by the supplemental Initial Study filed on December 7, 2010 and it was determined that the project as proposed will not have a significant adverse visual effect on the public viewshed, and will constitute a less than significant impact. This conclusion is supported by the following evidences:

- EVIDENCE:** (a) Construction activities associated with the proposed project may require the removal of vegetation within the ruderal non-native grassland however the portion of the trail that will traverse through the Palo Corona Regional Park will not require the removal of trees or major vegetation that would otherwise expose the trail with foot traffic to greater visibility visible from Highway 1. The project as proposed is considered located in “Frontal Slopes” area. The Land Use Plan’s (LUP) objective for this area is to preserve its open space and scenic recreational values. Low-intensity uses shall be allowed, and the land shall be retained in the largest possible parcels (LUP, page 61). The Resource Conservation Policies pertinent to the Project include Policies 4.4.2.5, 4.4.3.A.1, 4.4.3.C.1, 4.4.3.C.4, and 4.4.3.C.5. In addition, Palo Corona Ranch is identified as a “Special Treatment” area in the LUP. The LUP states, “In order to protect the high scenic values of the Ranch’s frontal slopes, these slopes shall be designated for “Special Treatment”. As specified by general development policy 4.4.2.5; the proposed development is compatible with the aforementioned policies. The project as proposed does not interfere with the preservation of sensitive coastal resources and is consistent with the objective of outdoor recreational uses to be passive and of a low intensive nature.
- (b) Staff conducted site inspections in October 15, 2010 and December 6, 2010 to confirm site conditions and information provided in the visual analysis.

8. FINDING: ENVIRONMENTALLY SENSITIVE HABITAT – The proposed development, complies with the objectives in the Carmel Area Land Use Plan policies (Chapter 2.3) and regulations in Coastal Implementation Plan (Section 20.146.040) regarding development within 100 feet of an environmentally sensitive habitat. A supplemental Mitigated Negative Declaration prepared for the project analyzed the potential for impact to any sensitive habitat or protected biological. The adopted Palo Corona Regional Park 2008 MND and

the Supplemental 2010 IS/MND provides mitigations and conditions to reduce the potential for impacts created by the proposed development; consequently, those mitigation and conditions have been incorporated into the project to reduce the potential for impacts to the portion of the park where the trail will be constructed. This conclusion is supported by the following evidences:

EVIDENCE: (a) Construction activities associated with the proposed project may require the removal of vegetation within the ruderal non-native grassland and riparian habitats. Due to the low quality of habitat and dominance of non-native vegetation, the removal of this vegetation is considered a less-than-significant impact and may improve the visual quality of the area. According to the Natural Environment Study (NES), 1.1 acres of riparian habitat exists within the project Area of Potential Effect (APE). The project proposes to avoid and minimize impacts to riparian habitat by situating the trail to avoid sensitive biological resources to the greatest extent feasible. For example, the trail may meander, split into two travel lanes, or narrow to avoid or reduce impacts to vegetation. These measures will reduce impacts to the visual quality of the site, but not to a less-than-significant level. Staff conducted site inspections on October 15, 2010 and December 6, 2010 to verify the site conditions of the subject parcel. Section 20.146.040, Standards for Environmental Sensitive Habitats, requires a biological survey be prepared for development proposed within 100 feet of a known environmental sensitive habitat. Biological reports were completed dated August 2008, and October 20, 2010. Vegetation removal and land disturbance has been limited to that necessary for the trail development. For that reason, a "Tree Resource Assessment/Management Plan" (TRA) was prepared for the project addressing the removal of ESHA/Tree Resources. Therefore 26 trees including cottonwoods, willows, and alders ranging in size from 6 inches to 36 inches are proposed to be removed. The trees are not protected under the plan therefore no permit is required for their removal. One sycamore tree is in poor condition and is recommended to be removed because it would become a hazard once a trail is established. Native trees six inches in diameter or greater are required to be replaced at a 3:1 ratio either on- or off site (Palo Corona Regional Park). A condition requires that all tree removal, replanting, and protection shall be consistent with the recommendations in the TRA. The TRA in conjunction with the Biological report mitigations will insure that the project as mitigated will not have a significant adverse impact on the habitats long-term maintenance either on development or on a cumulative basis. Mitigation and monitoring measures have been incorporated as part of the project.

The potential for habitat modifications to result from implementation of the bicycle trail was previously analyzed in the 2008 IS/MND and the Supplemental IS/MND. The adopted IS/MND determined that construction of the bicycle trail would require the permanent removal of riparian habitat and would likely require a Streambed Alteration Agreement from the California Department of Fish & Game (CDFG). The adopted IS/MND concluded that the inclusion of Mitigation Measures #1 to #13 would reduce impacts to a less-than-significant level, as identified in the Revised MMRP. Potential impacts to biological resources

associated with the Coastal portion of the project were adequately addressed in the Supplemental 2010 IS/MND. A supplemental biological analysis for the proposed new alignment of the bicycle trail was conducted. A survey of the existing habitat of the proposed project alignment was conducted on October 1, 2010. Mitigation and monitoring measures were modified to avoid take of California Red legged frog (CRLF) during construction, where previously take was assumed (Mitigation Measure #4).

The project site was surveyed for special status plant and animal wildlife species and appropriate habitat for these species. Several special status species are known to occur within or adjacent to the project APE. The survey of the alignment determined that the proposed alignment of the Carmel Valley Class I Bicycle Trail Project would impact 0.51 acre of historically disturbed riparian habitat, 0.64 acre of grazing land habitat, 0.37 acre of existing road/trail habitat, and 0.22 acre of riparian habitat. The new project alignment will impact approximately 0.73 acre of riparian/disturbed riparian habitat, approximately 0.37 acre less of riparian/disturbed riparian habitat than the original project alignment. The riparian habitat is dominated by poison oak, and stinging nettle and tree species dominated by cottonwood and willow. The project design will also avoid impacts to the 0.003 acre unvegetated drainage channel that was previously proposed to be impacted.

- (b) Listed species or special status species include California red-legged frog (CRLF), Steelhead and Monterey dusky-footed woodrat and western pond turtle. The 2008 IS/MND and the Supplemental MND included analysis of these species as well as special status plants and raptor species. With the implementation of mitigation and monitoring measures and revisions to the project design, the project is not likely to result in take of CRLF steelhead nor impacts to dusky-footed woodrats or western pond turtles and their habitat. (See Finding No. 5.)
- (c) The project planner conducted a site inspection on June 9, 2008, October 15, 2010, and December 6, 2010 to verify ESHA locations and potential project impacts to ESHA.
- (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 PLN100601.

9. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4.). Approval of the Interim Public Access Plan Amendments will not have a substantial adverse impact on public access, individually or cumulatively, as described in Section 20.70.050.B.4.b & c. of the Monterey County Coastal Implementation Plan, can be demonstrated.

- EVIDENCE:** (a) The project includes the implementation of an amendment to an Interim Public Access Plan. The plan provides pedestrian access to the "Front Ranch" area of Palo Corona Regional Park. Access is not required under the Coastal Act and Local Coastal Program. However existing access under the Interim Public Access Plan will be limited to pedestrians and by permit only. No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property that would affect the existing Interim Public Access Plan.
- (b) The subject property is not described as an area where the Local Coastal Program requires access.
- (c) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 3, the Shoreline Access/Trails Map, of the Carmel Area Land Use Plan.
- (d) Staff conducted site inspections on October 15, 2010 and December 6, 2010 to confirm site conditions and the information provided in the sited reports.

10. FINDING: APPEALABILITY – The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:** (a) Sections 20.86.020 of the Monterey County Zoning Ordinance, Title 20. (Board of Supervisors)
- (b) Section 20.86.080 of the Monterey County Zoning Ordinance, Title 20 A. 2 & A. 3 allow an appeal of a County decision on a coastal development permit application may be filed by an applicant or any aggrieved person who has exhausted all County appeals pursuant to this Section.


DECISION

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

- A. Adopt the Supplemental Mitigated Negative Declaration; prepared for the project and a Mitigation and Monitoring Program (**Exhibit 1**)
- B. Approve a Combined Development Permit consisting of: a) 1) Administrative Permit for the construction of a bicycle trail (within a Site Plan Review Zoning District) approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval, in general conformance with the plans and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 12th day of January, 2011 upon motion of Commissioner Rochester, seconded by Commissioner Vandevere, by the following vote:

AYES: Getzelman, Vandevere, Roberts, Rochester, Brown, Mendez, Diehl, Padilla, Ottone
NOES: None
ABSENT: Salazar
ABSTAIN: None


Mike Novo, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON FEB 01 2011

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 FEB 11 2011

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT 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 5 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION 11-002 - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Carmel Valley Class I/III Bicycle Trail Project and Palo Corona Regional Park Interim Public Access Plan Amendment

File No: PLN100601

APNs: 157-121-001-000, 243-001-000 and 243-001-008

Approval by: Planning Commission

Date: January 12, 2011

**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 Combined Development Permit (PLN100601) allows a Combined Development Permit consisting of: a: 1) Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading approximately 3,700 cubic yards (2,600 cubic yards cut and 1,100 cubic yards fill; 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through April 26, 2016); and 6) Design Approval. Where condition compliance refers to "Owner" that shall mean the Big Sur Land Trust as the easement holder, and "Owner" on the Palo Corona Regional Park property shall mean the Monterey Peninsula Regional Park District. The property is located at general parallel to the Carmel	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. 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.	Owner/ Applicant RMA - Planning WRA 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>
		River south and east of Highway 1 (Assessor's Parcel Number 157-121-001-000 243-081-005-000 and 243-081-008-000), Carmel 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)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 11-002) was approved by the Planning Commission for Assessor's Parcel Number (Assessor's Parcel Number 157-121-001-000 243-081-005-000 and 243-081-008-000) on January 12, 2011 . The permit was granted subject to 40 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 Combined Development Permit shall be granted for a period of 5 years, to expire on January 12, 2016. (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	

<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>
4.		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.	
5.		PDSP001 - ADHERENCE TO INTERIM PUBLIC ACCESS PROPOSAL (NON STANDARD) The applicant shall adhere to the standards set forth within the Palo Corona Regional Park Interim Public Access Proposal including, but not limited to, protection and preservation of the identified historic Barn, adherence to adherence to visitor hours, permit allocation, private property designation, litter removal, and trail maintenance. (RMA - Planning Department)	Submit monitoring report to Planning and Building Inspection Department.	Owner/ Applicant	Once yearly until 5 year interim period expires.	
6.		PDSP002 - VISITOR PARKING (NON STANDARD) The applicant shall monitor and record the number of parked vehicles along the easterly side of Highway 1, as well as any received public comments and or complaints regarding vehicle parking and utilize this information in drafting and implementing a long-term parking plan with proposed parking alternatives. (RMA - Planning Department)	Submit monitoring report to Planning and Building Inspection Department. Include District phone number on signage, website, and permits to allow users, adjacent homeowners, and members of the public an opportunity to comment and or render complaints regarding parked vehicles.	Owner/ Applicant Owner/ Applicant	Once yearly until 5 year interim period expires. Ongoing	

<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>
7.		PDSP003 - PUBLIC OUTREACH (NON STANDARD) In an effort to provide safe ingress and egress to the park, the District shall engage in a public safety outreach program designed to educate park users on the use and location of appropriate parking areas and legally appropriate traffic maneuvers on Highway 1. Vehicle safety information shall be provided on the District's website, park signage, and on the General Public Permit. (RMA - Planning Department)	Submit public outreach plan to Planning and Building Inspection Department for review.	Owner/ Applicant	Once yearly until 5 year interim period expires.	
8.		PDSP004 – SIGNAGE (NON STANDARD) Signs located within the public viewshed and readily visible from Highway 1 shall be of a design complimentary to the scenic character of the Carmel area, with preference for natural materials. (RMA - Planning Department)	Submit photographs of signs visible from Highway 1.	Owner/ Applicant	Prior to start of use	
9.		PDSP005 - PROTECTION OF ENVIRONMENTALLY SENSITIVE HABITATS (NON STANDARD) Access through environmentally sensitive habitats shall be limited to low-intensity recreational, scientific, or educational uses. Access through these areas shall be controlled and confined to designated trails and pathways. (RMA - Planning Department)	Submit monitoring report for the review of the Director of PBI.	Owner/ Applicant	Once yearly until five year interim period expires.	
10.		FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (CDF Coastal Fire District)	Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to start of use	

<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>
11.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. (CDF Coastal Fire District)	Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to start of use	
12.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	
13.		PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	

<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>
14.		PDSP006 – TREE AND ROOT PROTECTION (NON-STANDARD) 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. All tree removal, planting, tree replacement and pruning shall be in accordance to the recommendations in the Tree Resource Assessment/Management Plan”, dated November 15, 2010 (LIB#100488) by F. & O. Consulting. (RMA - Planning Department)	Submit evidence of tree protection to the RMA - Planning Department for review and approval. All tree removal shall be in accordance to the recommendations in the Tree Resource Assessment/Management Plan”, dated November 15, 2010 by F. & O. Consulting	Owner/ Applicant	Prior to the issuance of grading permits	
			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.	Owner/ Applicant/ Arborist	During construction	
			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.	Owner/ Applicant	Prior to grading final inspection	
15.		PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: 1. A “Preliminary Geotechnical Investigation for the Carmel Valley Class I Bicycle Trail,” dated July 2005, (LIB#100486) by Pacific Crest Engineering, Watsonville, California, was prepared. 2. A “Location Hydraulics Study,” dated September 2005 (LIB#100485) by C & D	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	

<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>
		<p>Engineers, Monterey California, was prepared.</p> <p>3. A "Natural Environment Study," dated January 2008, (LIB#100487) by Denise Duffy & Associates, Monterey, California was prepared.</p> <p>4. A "Biological Assessment" dated August 2008 (LIB#100490), by Denise Duffy & Associates, Monterey, California, was prepared.</p> <p>5. A "Supplemental Biological Report for the Carmel Valley Bicycle Trail Project," dated October 20, 2010 (LIB#100484) by Denise Duffy & Associates, Monterey, California, was prepared.</p> <p>6. A "Supplemental Archaeological Surface Survey," dated October 14, 2010, (LIB#100489) by Archaeological Consulting, Salinas, California, was prepared.</p> <p>7. A "Tree Resource Assessment/Management Plan," dated November 15, 2010 (LIB#100488) by F. & O. Consulting, Pacific Grove California, was prepared.</p> <p>All development shall be in accordance with these reports" (RMA – Planning Department)</p>				
RMA – Public Works Department						
16.		<p>PW0016 – MAINTENANCE OF IMPROVEMENTS (NON-STANDARD)</p> <p>Big Sur Land Trust and Monterey Peninsula Regional Park District shall assume all maintenance and operation responsibilities of the bicycle path improvements. Prior to issuance of the grading permit, applicant(s) shall submit letters from the Big Sur Land Trust and Monterey Peninsula Regional Park District (owners of the bicycle path easement/facility) accepting all maintenance and operation responsibilities of the bicycle path</p>	<p>Submit letters from the Big Sur Land Trust and Monterey Peninsula Regional Park District (owners of the bicycle path easement/facility) accepting all maintenance and operation responsibilities of the bicycle path prior to issuance of the Grading Permit improvements. Applicant(s) shall be responsible to maintain improvements until maintenance is assumed by</p>	Easement Owner/ Applicant	Prior to commencement of grading, submit application for grading permit	

<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>
		improvements. Applicant(s) shall be responsible to maintain improvements until maintenance is assumed by another entity. The applicant/owner shall prepare a trail maintenance management plan to be reviewed and approved by the RMA - Public Works and the RMA – Planning Department). (RMA - Public Works and RMA – Planning Department)	another entity. The applicant/owner shall prepare a trail maintenance management plan to be reviewed and approval by the RMA - Public Works and the RMA – Planning Department).			
17.		PW0025 – GRADING PERMIT (NON-STANDARD) A grading permit shall be obtained from the RMA - Planning Department if required. Prior to commencement of Grading, applicant to submit application for grading permit. (RMA - Public Works)	Obtain a grading permit from the RMA- Planning Department if required prior to commencement of grading, submit an application for grading permit	Owner/ Applicant	Prior to commence ment of grading, submit application for grading permit	
18.		PWSP003 – AS BUILT PLANS (NON-STANDARD) A Registered Civil Engineer shall submit as built plans (originals) to the Department of Public Works. Prior to final of grading permit Applicant shall submit as built plans to the Department of Public Works. (RMA - Public Works)	A Registered Civil Engineer shall submit as built plans (originals) to the Department of Public Works. Prior to final of grading permit Applicant shall submit as built plans to the Department of Public Works.	Owner/ Applicant Registered Civil Engineer	Prior to commence ment of grading, applicant to submit application for grading permit	
19.		PWSP004 – CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD) In order to minimize construction traffic impacts, the contractor shall prepare a construction management plan for the approval of the County prior to the issuance of grading or building permits. The contractor shall adhere to measures included in the approved construction management plan. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following	Submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an	Owner/ Applicant Applicant/ Owner	Prior to commence ment of grading, applicant to submit application for grading permit	

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)
		<p>information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project.</p> <ol style="list-style-type: none"> 1. Prior to issuance of the Grading Permit Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval. 2. On-going through construction phases, Owner/Applicant/Contractor shall implement approved measures during the construction/grading phase of the project. (RMA - Public Works) and (RMA – Planning Department) 	<p>estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project.</p> <p>The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.</p>			
			All approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase through completion of the project.	Owner/ Applicant Applicant/ Owner	Ongoing until completion of project	

Mitigation Measures

Biological Resources

20.	MM-1	All ground disturbing activities shall be confined to the “work window” of May 1 to October 15, or other dates as determined by CDFG and/or NOAA Fisheries to minimize potential indirect impacts to steelhead, including increased sedimentation and other water quality impacts (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that all ground disturbing activities are confined to the time-period between May 1 and October 15. If work is to occur outside of the identified “work window,” CDFG and NOAA Fisheries shall be consulted. Work outside of the identified “work window” may not proceed unless authorized by CDFG and NOAA Fisheries.	Owner/ Applicant / Contractor /Qualified Biologist	Prior to issuance of grading permit	
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<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>
21.	MM-2	Protective fencing shall be placed to keep construction vehicles and personnel from impacting steelhead critical habitat adjacent to the APE. (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that appropriate fencing has been installed before commencement of construction.	Project Applicant/ Qualified Biologist	Prior to commence ment of construc- tion	
22.	MM-3	Best Management Practices shall be employed to reduce the transport of sediment from the site into adjacent sensitive fishery habitat. (RMA – Planning Department)	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Project Applicant/ Contractor/ Biological Monitor	Prior to commence ment of construc- tion	
23.	MM-4	<p>The following mitigation measures shall be implemented to avoid impacts to the California red-legged frog (CRLF):</p> <ul style="list-style-type: none"> • A biologist with CRLF experience will be on site during construction activities. If CRLF are observed, all construction activities will cease until the CRLF voluntarily move out of the area. All CRLF sightings will be immediately reported to the Service. • Before ground disturbing work activities begin each day, a CRLF-experienced biologist will inspect under construction equipment and materials to look for CRLF. If a CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue. • Riparian vegetation removal necessary to accommodate the project will be done by hand. 	The biological monitor shall be consulted regarding implementation of these measures.	Project Applicant/ Contract- or/ Biological Monitor	Prior to commence ment of construc- tion / Ongoing	

<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>
		<ul style="list-style-type: none"> • A CRLF-experienced biologist will monitor all vegetation removal and ground disturbing construction activity. The CRLF experienced biologist and the construction monitor will have the authority to stop and/or redirect project activities to ensure avoidance of take and implementation of all avoidance measures. • To prevent inadvertent entrapment of CRLF during the project, all excavated, steep-walled holes or trenches more than 2 feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If CRLF is found during these checks or during construction monitoring, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue. • Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including CRLF. (RMA – Planning Department) 				
24.	MM-5	To avoid impacts to nesting birds, vegetation proposed for removal will be removed during the non-breeding season (September 15 to February 14). If this is not possible and removal of trees and shrubs must occur during the breeding season (February 15 to September 14), pre-construction surveys shall be conducted for active nesting raptor and riparian avian species in all areas that may provide suitable nesting habitat that exist in or within 300 feet of the APE by a qualified biologist no more than seven days prior to the commencement of	If construction activities are initiated between February 15 and September 14, a qualified biological monitor shall conduct pre-construction surveys and submit written documentation to the Department of Public Works. If active nests are present, work may not proceed within the established no-disturbance buffer until a qualified biologist has determined all young have fledged and	Project Owner/ Applicant/ Contractor / Biological Monitor	Prior to commencement of construction	

<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>
		construction activities. If nesting birds are identified during pre-construction surveys, a minimum 250-foot no-disturbance buffer will be imposed within which no construction activities or disturbance will take place. A qualified biological monitor shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work may proceed in the vicinity of an active nest until a qualified biologist has determined that all young are fledged and are no longer reliant upon the nest or parental care for survival. (RMA – Planning Department)	are no longer reliant upon the nest or parental care for survival.			
25.	MM-6	A qualified biologist shall conduct pre-construction surveys for woodrat nests. All woodrat nests that may be affected by the project shall be dismantled by a qualified biologist prior to any construction activities. Dismantling will be done by hand, allowing any animals to escape either along existing woodrat trails or toward other available habitat. Nests shall be dismantled during the non-breeding season between October 1 and December 31 and within three days of the initiation of construction. If construction is not initiated within three days of the dismantling an additional survey and dismantling effort, if nests are found to be rebuilt, will need to occur within three days of the initiation of construction activities. If a litter of young is found during dismantling, nest material will be replaced and the nest left alone for two weeks. Construction activities within 25 feet of the nest must be postponed until a recheck of the nest is conducted to verify that young are capable of independent survival before proceeding with nest dismantling. Any woodrat nests that are adjacent to areas of grading or vegetation removal, but are not scheduled for removal, will be avoided and protected during construction activities with a minimum 25-foot buffer. (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that pre-construction woodrat nest surveys have been completed.	Owner/ Applicant/ Contractor /Qualified Biologist	Prior to commence ment of construc- tion	

<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>
26.	MM-6b	A qualified biologist shall conduct pre-construction surveys for western pond turtles and their nests within 30 days prior to the commencement of construction activities. If an adult turtle is found in any areas prior to or during project-related construction activities, a qualified biologist shall relocate the individual from the site and relocate it to a suitable location, preferably along the Carmel River. If a buried nest of eggs is encountered during project-related construction activities, the CDFG does not recommend moving the eggs because of specific conditions required for development and hatching. If a nest is found within the construction area, construction will stop and the California Department of Fish and Game will be notified. Construction can be reinitiated subsequent to California Department of Fish and Game approval. (RMA – Planning Department)	A qualified biologist shall submit evidence to the Department of Public Works demonstrating that pre-construction surveys have been completed.	Owner/ Applicant/ Contractor/ Qualified Biologist	Prior to commence- ment of construc- tion	
27.	MM-7	Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. (RMA – Planning Department)	The biological monitor shall be consulted regarding the extent of vegetation removal and disturbance.	Owner/ Applicant Contract- or/ Biological Monitor	Prior to commence ment of construc- tion / Ongoing	
28.	MM-8	The final bike trail alignment shall avoid to the greatest extent feasible all riparian tree species greater than 6.0 inches in diameter at breast height. Where feasible, sycamore trees shall be avoided in favor of other riparian species that reestablish more easily, such as willow and cottonwood trees. (RMA – Planning Department)	The biological monitor shall be consulted regarding the extent of riparian tree removal and disturbance.	Owner/ Applicant/ Contract- or/ Biological Monitor	Prior to commence ment of construc- tion / Ongoing	
29.	MM-9	Protective fencing shall be placed so as to keep construction vehicles and personnel from impacting riparian vegetation adjacent to the project site outside of work limits. (RMA – Planning Department)	The project contractor, in consultation with the biological monitor, shall submit evidence to the Department of Public Works demonstrating that protective fencing has been installed.	Owner/ Applicant/ Contract- or/ Biological Monitor	Prior to commence ment of construc- tion / Ongoing	

<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>
30.	MM-10	Trees or vegetation not required for removal, but directly adjacent to construction activities, shall be provided appropriate protection from impacts of construction activity. This includes fencing off shrubby vegetation and protective wood barriers for trees. (RMA – Planning Department)	The project contractor shall submit evidence to the Department of Public Works demonstrating that adequate protective measures are installed.	Owner/ Applicant/ Contractor	Prior to commence ment of construction / Ongoing	
31.	MM-11	No fueling or maintenance of equipment shall take place in the riparian habitats identified. 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. (RMA – Planning Department)	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Owner/ Applicant/ Contractor	Prior to commence ment of construction / Ongoing	
32.	MM-12	Erosion control and slope stabilization measures shall be implemented to assure that disturbed slopes do not erode. Best Management Practices shall be employed to reduce the transport of sediment from the site into adjacent sensitive fisheries habitat. In addition, where feasible, alternative bank protection methods, such as restoration of native vegetation, root wads, or other bioengineering methods of stabilization, shall be used. (RMA – Planning Department)	The biological monitor shall be consulted in order to insure that adequate measures are implemented to prevent impacts to biological resources within the project vicinity. Written documentation shall be provided to the Department of Public Works demonstrating that adequate erosion control measures have been implemented.	Owner/ Applicant/ Contractor/ Biological Monitor	Prior to commence ment of construction	
33.	MM-13	Impacts to the riparian habitat have been reduced as a result of the alignment revisions. As a result, riparian enhancement, restoration, or creation will likely occur both on- and off-site. A potential off-site mitigation area may be available within the adjacent Palo Corona Regional Park. The mitigation area shall be preserved in perpetuity through a conservation easement or other legally enforceable land preservation agreement. Riparian trees that are proposed for removal will be	The contractor or project Applicant shall identify the mitigation areas on- and/or off-site, implement the restoration recommended by the qualified biologist, and provide documentation to the County that the 3:1 mitigation ratio requirement has been met.	Owner/ Applicant/ Contractor/ Qualified Biologist	Prior to commence ment of construction	

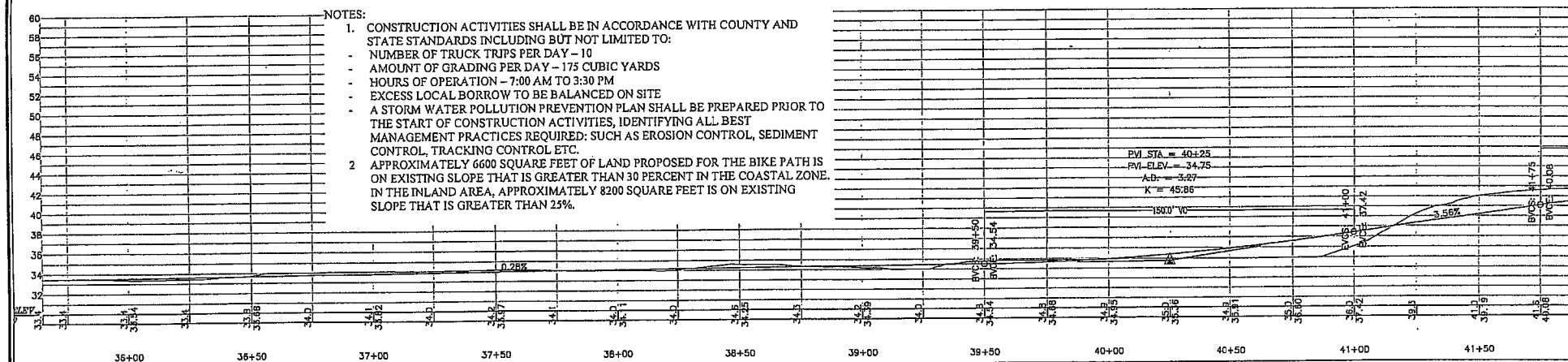
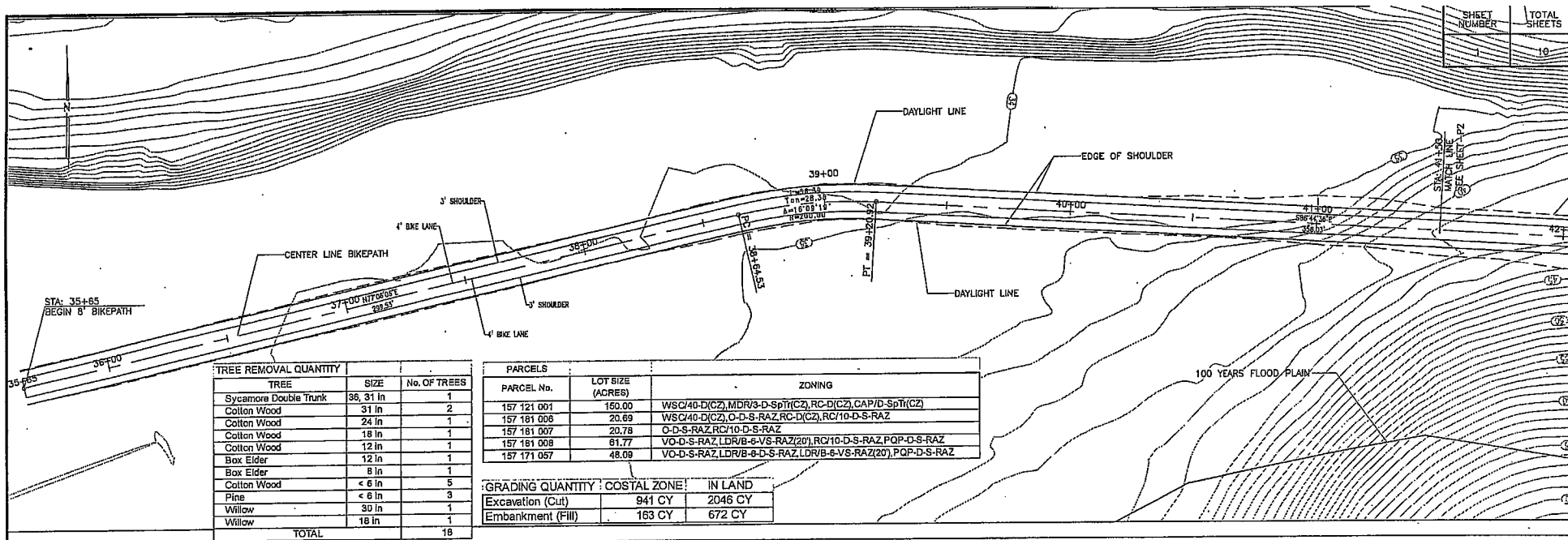
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		replaced at a 3:1 ratio. (RMA – Planning Department)				
Cultural Resources						
34.	MM-14	If archaeological or human remains are discovered during construction within the project limits, the Public Works Department shall be notified immediately and work shall be halted within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist (project archaeologist) in accordance with the Programmatic Agreement. If the find is determined to be significant, a mitigation program shall be prepared in conformance with the protocol set forth in the CEQA Guidelines (Section 15064.5). A final report shall be prepared by the project archaeologist when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report shall include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions. (RMA – Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Public Works Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project Applicant 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/ Contractor / Qualified Archae- ologist	Ongoing	
Geology and Soils						
35.	MM-15	The County shall obtain a final geotechnical report and include the recommendations of the report in the final design and construction of the project. (RMA – Planning Department)	The project Applicant shall have prepared a project-specific geotechnical analysis by a registered engineer with geotechnical experience, subject to the review and approval of the County Public Works Director.	Owner/ Applicant/ Regis- tered Geotech- nical Engineer	Prior to certification of final design plans	
Hazards and Hazardous Materials						
36.	MM-16	Prior to commencement of construction activities, the contractor will prepare a Hazardous Materials Spill Response Plan, which details the protocol to follow in the event that a hazardous material is released into the	The contractor shall submit evidence demonstrating that a Hazardous Materials Spill Response Plan has been prepared, subject to the review and	Owner/ Applicant/ Contrac- tor	Prior to commencem ent of construction	

<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>
		environment. This plan shall be maintained on the project site, and all personnel working on the project site will be notified of its location. (RMA – Public Works)	approval of the Department of Public Works.			
Noise						
37.	MM-17	Require contractor implementation of equipment maintenance and management practices to reduce construction-related noise including the following: <ul style="list-style-type: none"> Choose construction equipment that has a quiet design, a high-quality muffler system, and is well maintained. This includes trucks used to haul materials. Install engine enclosure panels when required on stationary gas, diesel, or pump equipment. Eliminate unnecessary idling of machines when not in use. Use good maintenance and lubrication procedures to reduce operating noise. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Project Applicant/ Contractor	Prior to commencement of construction	
38.	MM-18	Truck movement, construction activities, and equipment operation shall be limited to the hours of 7:30 AM and 7:30 PM, Monday through Saturday. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Ongoing	
39.	MM-19	The contractor shall comply with the California Vehicle Code prohibitions against faulty or modified loud vehicle exhaust systems - Sections 27150 and 27151. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commencement of construction	
40.	MM-20	The contractor shall post a telephone number of the project representative that will be available to respond to noise nuisance concerns. (RMA – Planning Department)	The contractor shall submit evidence demonstrating that these practices have been implemented, subject to the review and approval of the Department of Public Works.	Owner/ Applicant/ Contractor	Prior to commencement of construction	

END OF CONDITIONS - Rev. 01/12/2010

Carmel Valley Bike Trail/Phase III (PLN100601)

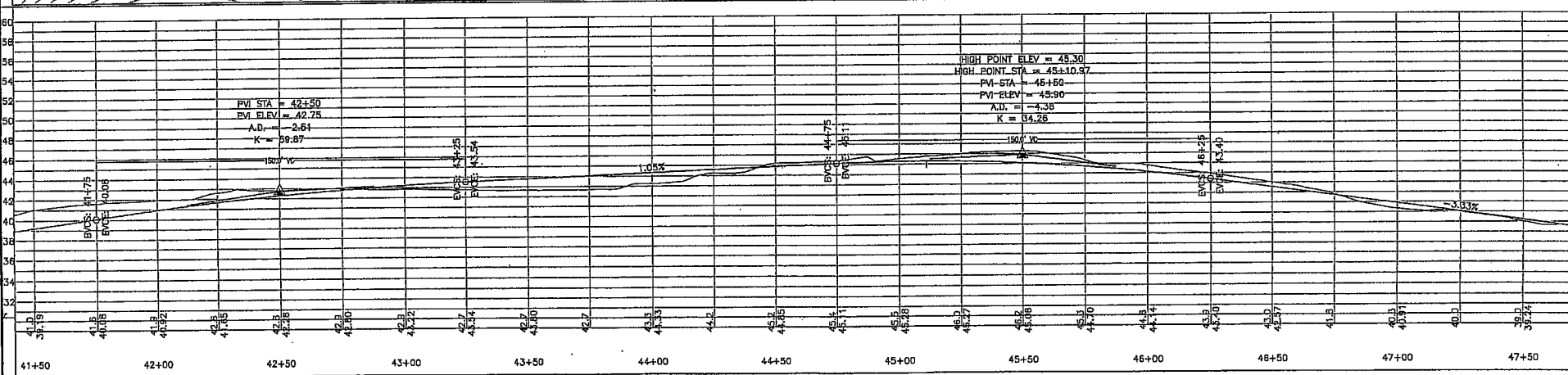
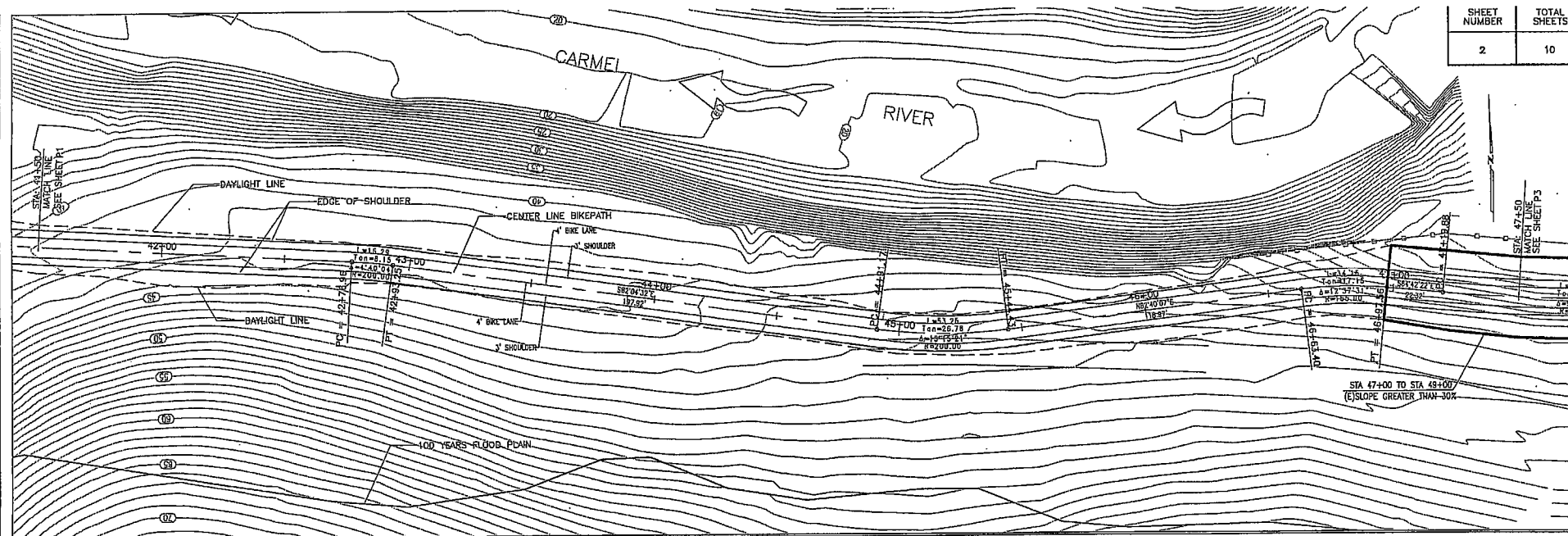
Page 33 of 33



SUBMITTED BY: ARTURO A. ADLAWAN, P.E. SENIOR CIVIL ENGINEER		NO.		DATE	REVISION	APPROVED		COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS DESIGN SECTION 188 WEST ALISAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 93801 (831)755-4800/FAX (831)755-4858		CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864065 SITE PLAN	
DESIGN BY: J. L. PASCUA	CHKD BY: A.A.	1						DATE 10/07/10	DRAWING VIEW	SHEET P1	
DRAWN BY: T. NYUNT	CHKD BY: J.P.	2						SCALE 1:20(H), 1:5(V)			
REVISIONS WRITTEN BY: J. L. PASCUA	CHKD BY: A.A.	3									
APPROVAL RECOMMENDED BY: PAUL H. GREENWAY, P.E. DISTRICT ENGINEER, RD. DIST. 10											

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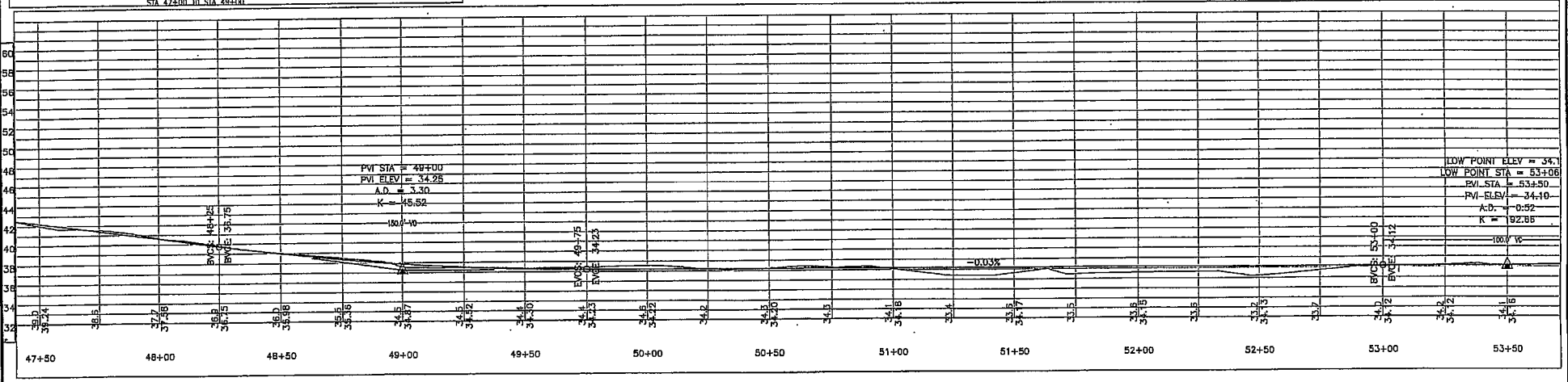
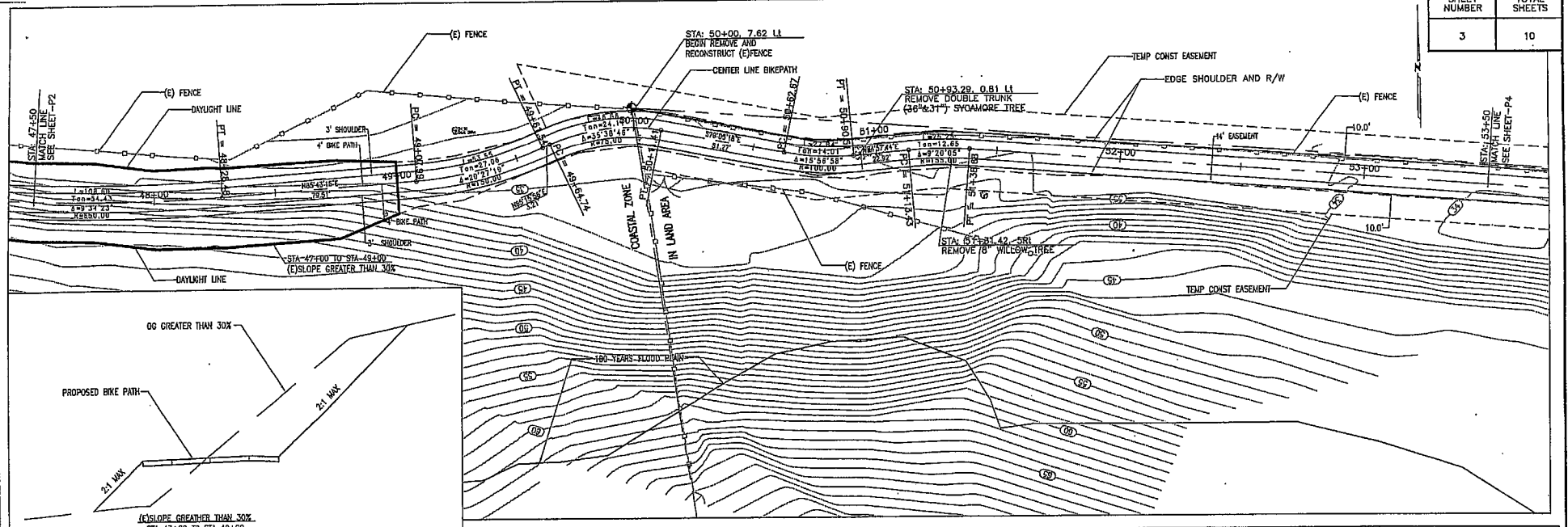
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SUBMITTED BY: ARTURO A. ADLAWAN, P.E. DESIGN BY: J. L. PASCUA DRAWN BY: T. NYUNT SPECIFICATIONS BY: J. L. PASCUA APPROVAL: RECOMMENDED BY: PAUL H. GREENWAY, P.E.		<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> <th>APPROVED</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DATE	REVISION	APPROVED																	COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS DESIGN SECTION 168 WEST AVAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)758-4800/FAX (831)755-4958	CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864085 SITE PLAN DATE: 10/07/10 SCALE: 1:20 (H), 1:5 (V) DRAWING VIEW SHEET P2
NO.	DATE	REVISION	APPROVED																					

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SUBMITTED BY: ARTURO A. ADLAWAN, P.E. SPECIAL DESIGNER	
DESIGN BY: J. L. PASCUA	CHKD BY: A.A.
DRAWN BY: T. NYUNT	CHKD BY: J.P.
SPECIFICATIONS: MONTEREY CO., J. L. PASCUA	CHKD BY: A.A.
APPROVAL: RECOMMENDED BY: PAUL H. GREENWAY, P.E. ASSISTANT DIRECTOR OF PUBLIC WORKS	

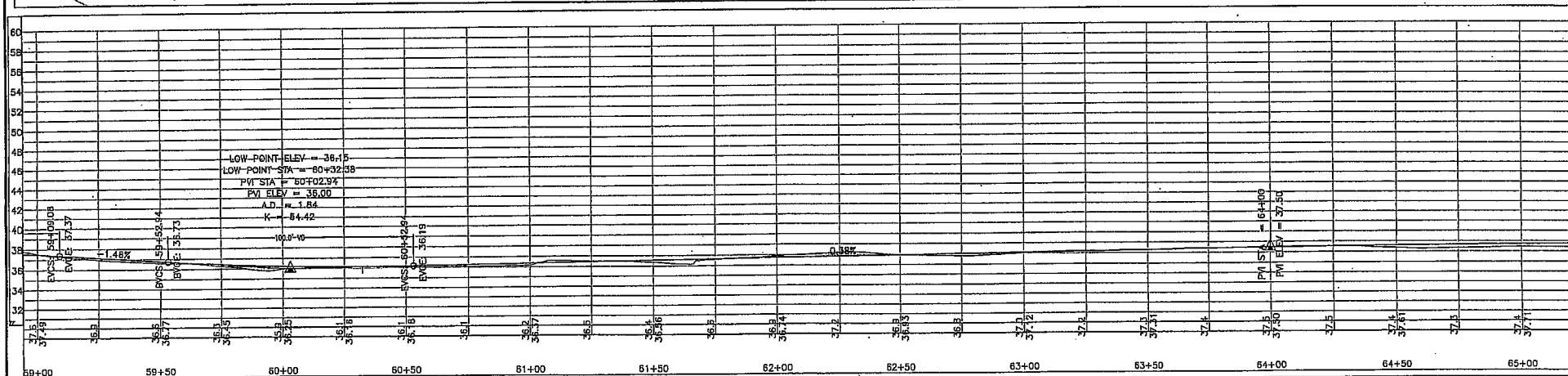
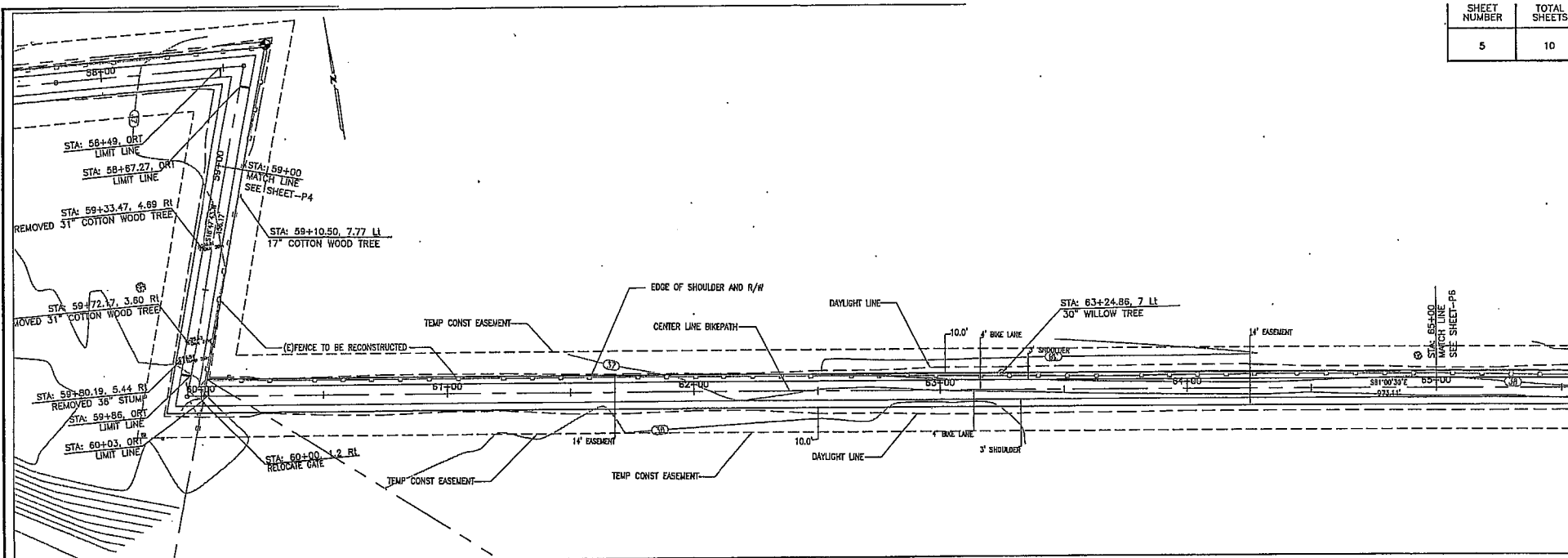
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COUNTY OF MONTEREY
RESOURCE MANAGEMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
DESIGN SECTION
168 WEST ALisal STREET, 2nd FLOOR
SALINAS, CALIFORNIA 93801
(831)765-4800/FAX (831)755-4958

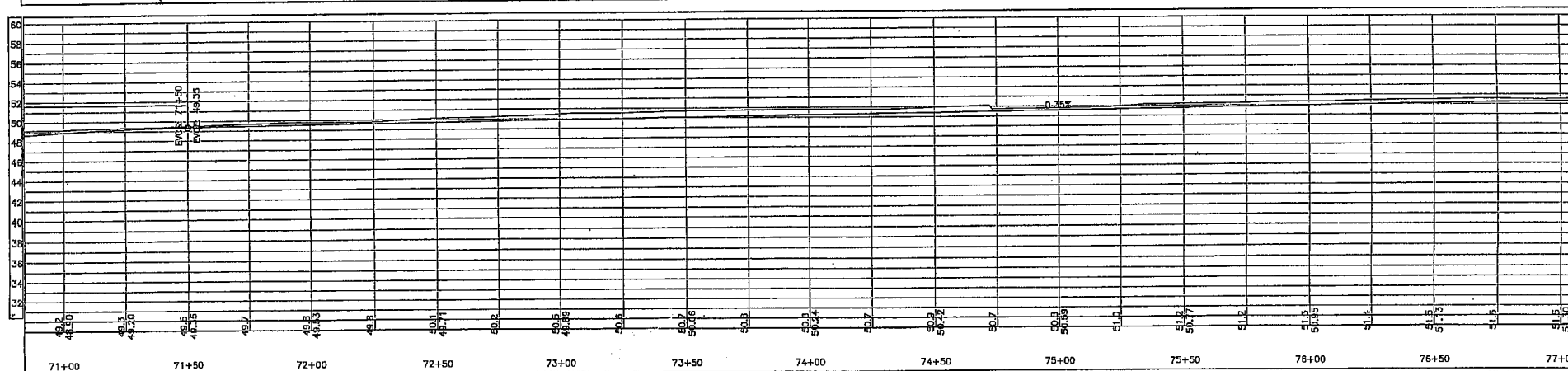
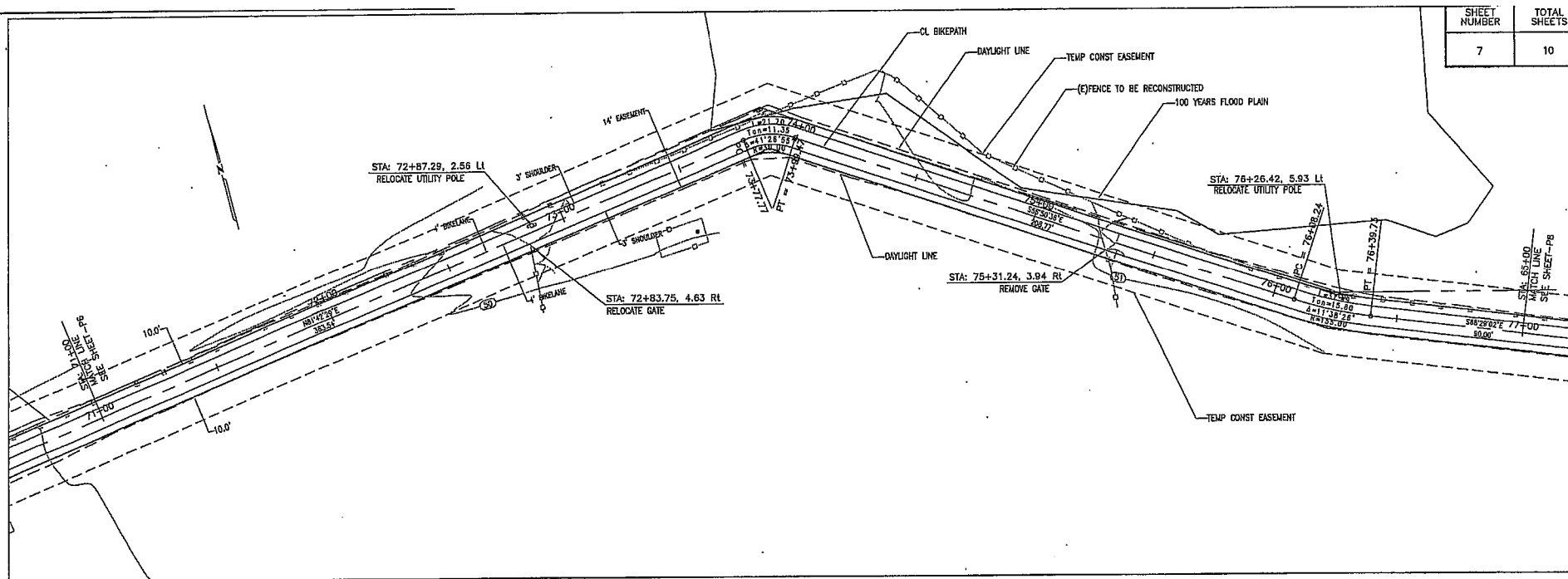
CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864085 SITE PLAN		SHEET P3
DATE 10/07/10 SCALE 1:20(H), 1:5(V)	DRAWING VIEW	

SHEET NUMBER	TOTAL SHEETS
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SUBMITTED BY, ARTURO A. ADLAWAN, P.E. DESIGN BY, J. L. PASCUA DRAWN BY, T. MYUNT CHECKED BY, J. L. PASCUA APPROVED BY, PAUL H. GREENWAY, P.E.		<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> <th>APPROVED</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DATE	REVISION	APPROVED																	<div style="text-align: center;">  COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS DESIGN SECTION 168 WEST ALisal STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)755-4000/FAX (831)755-4955 </div>		<div style="text-align: center;"> CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864065 SITE PLAN </div> <table border="1"> <tr> <td>DATE 10/07/10</td> <td>DRAWING VIEW</td> <td>SHEET P5</td> </tr> </table>		DATE 10/07/10	DRAWING VIEW	SHEET P5
NO.	DATE	REVISION	APPROVED																											
DATE 10/07/10	DRAWING VIEW	SHEET P5																												

SHEET NUMBER	TOTAL SHEETS
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SUBMITTED BY: ARTURO A. ADLANAN, P.E.
 DESIGN BY: J. L. PASCUA
 DRAWN BY: T. NYUNT
 REVISIONS BY: J. L. PASCUA
 APPROVAL: RECOMMENDED BY: PAUL H. GREENWAY, P.E.

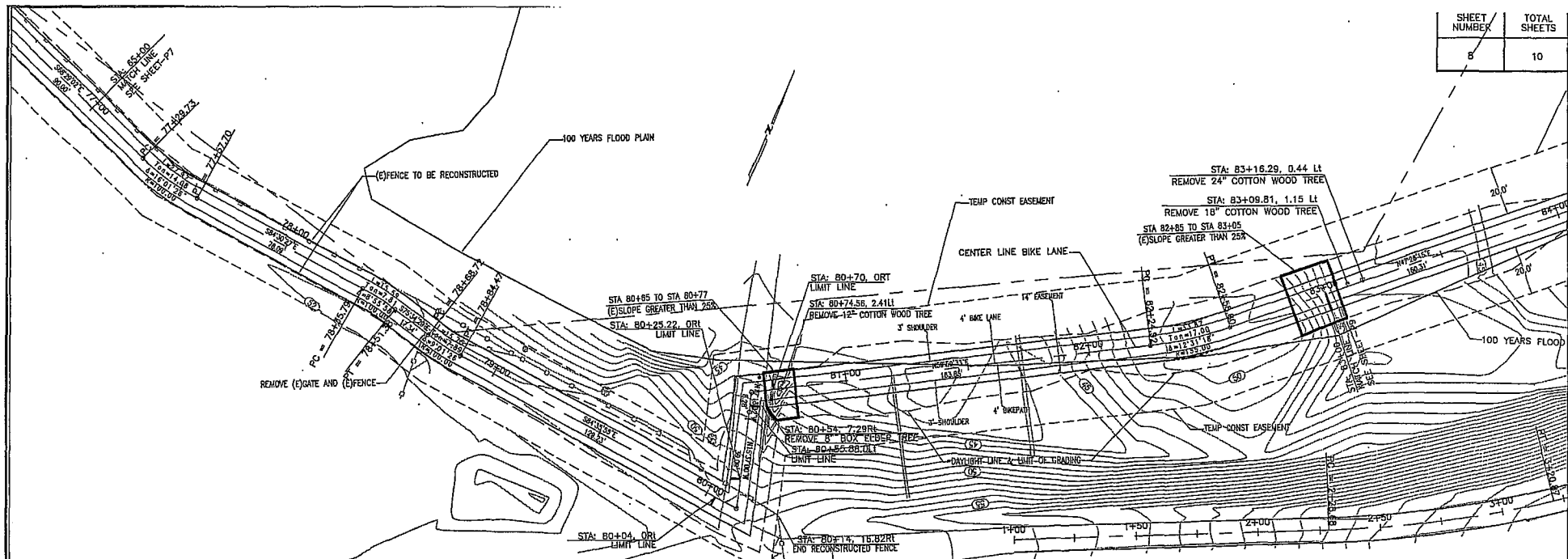
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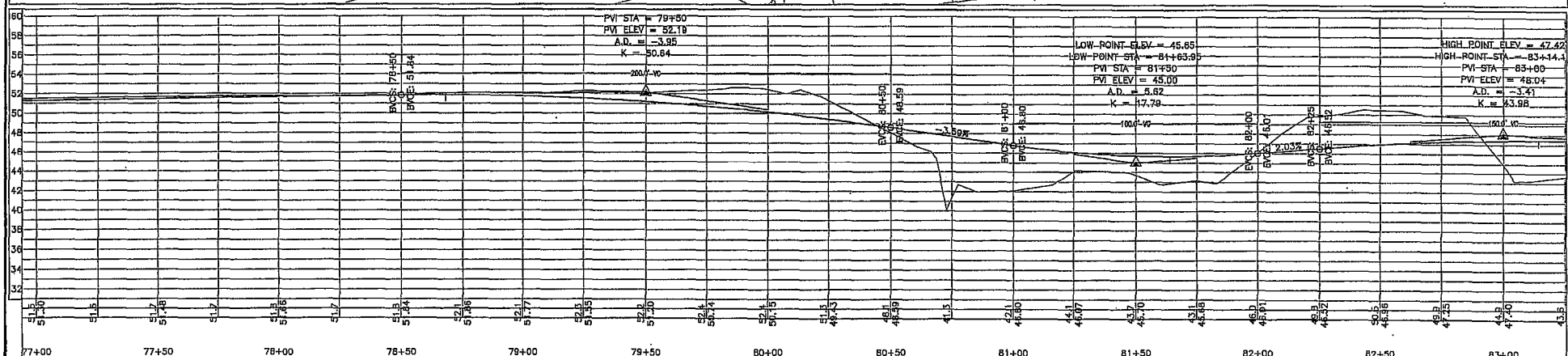
COUNTY OF MONTEREY
 RESOURCE MANAGEMENT AGENCY
 DEPARTMENT OF PUBLIC WORKS
 DESIGN SECTION
 185 WEST ALisal STREET, 2nd FLOOR
 SALINAS, CALIFORNIA 93901
 (831)755-4800/FAX (831)755-4958

CARMEL VALLEY ROAD BIKE PATH
 CONTRACT NO. 10-864065
 SITE PLAN

DATE 10/07/10	DRAWING MEW	SHEET P7
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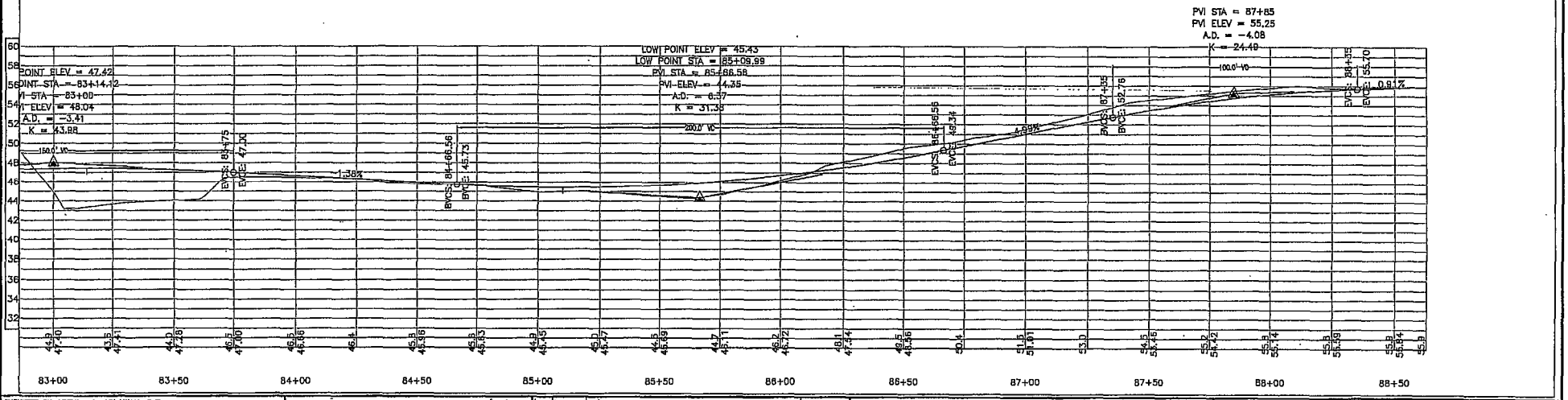
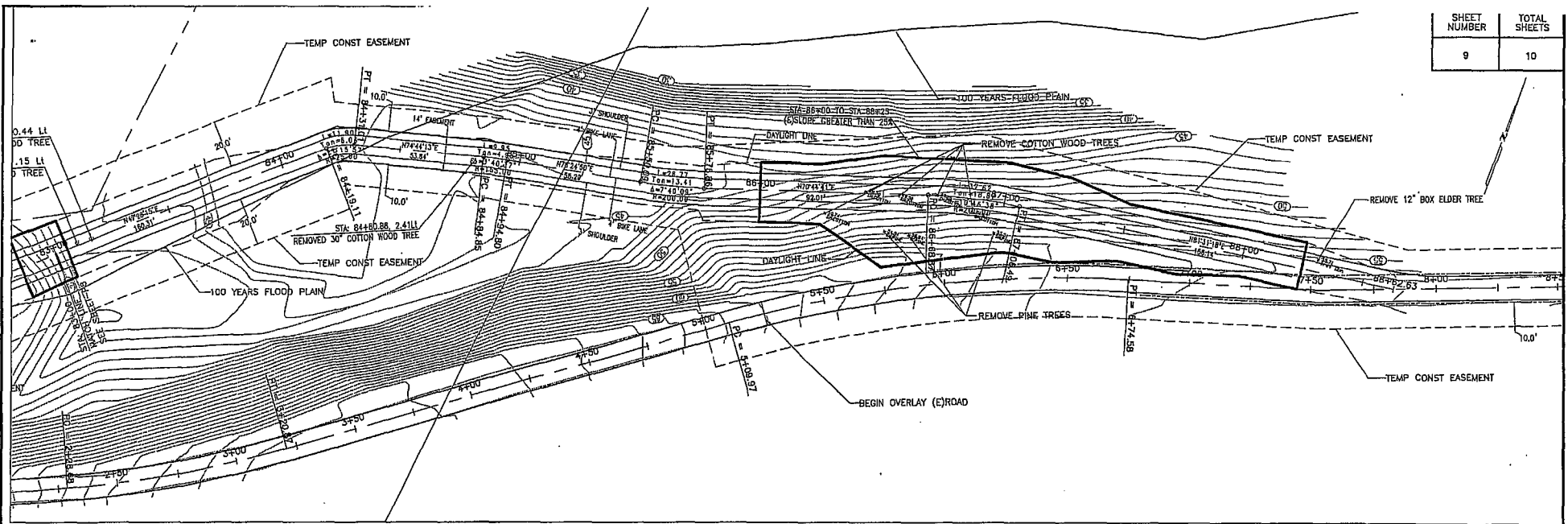
SHEET NUMBER	TOTAL SHEETS
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SUBMITTED BY: ARTURO A. ADLAWAN, P.E. DESIGN BY: J. L. PASQUA DRAWN BY: T. NYUNT CHECKED BY: J. L. PASQUA APPROVAL: RECOMMENDED BY: PAUL H. GREENWAY, P.E.		<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> <th>APPROVED</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DATE	REVISION	APPROVED																																									COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS DESIGN SECTION 168 WEST AURAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 95061 (831) 755-4800/FAX (831) 755-4958	CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-B84085 SITE PLAN DATE: 10/07/10 SCALE: 1"=20'(H), 1"=5'(V) DRAWING: VIEW SHEET: P8
NO.	DATE	REVISION	APPROVED																																													

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SHEET NUMBER	TOTAL SHEETS
9	10



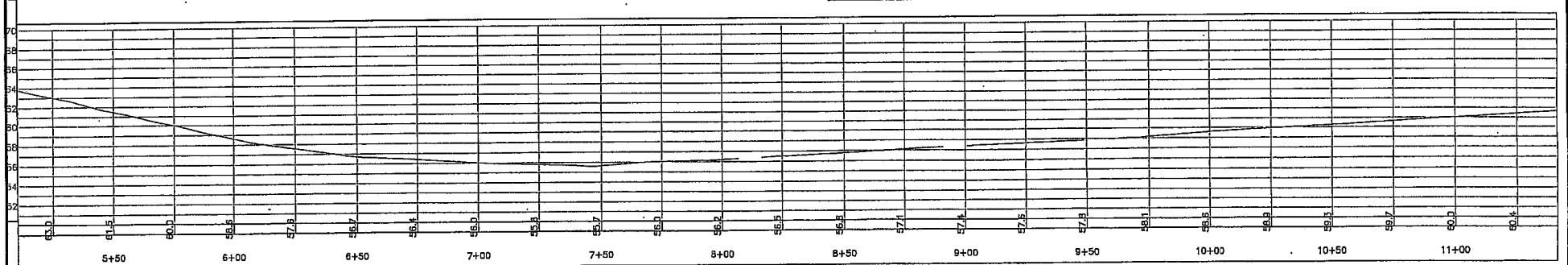
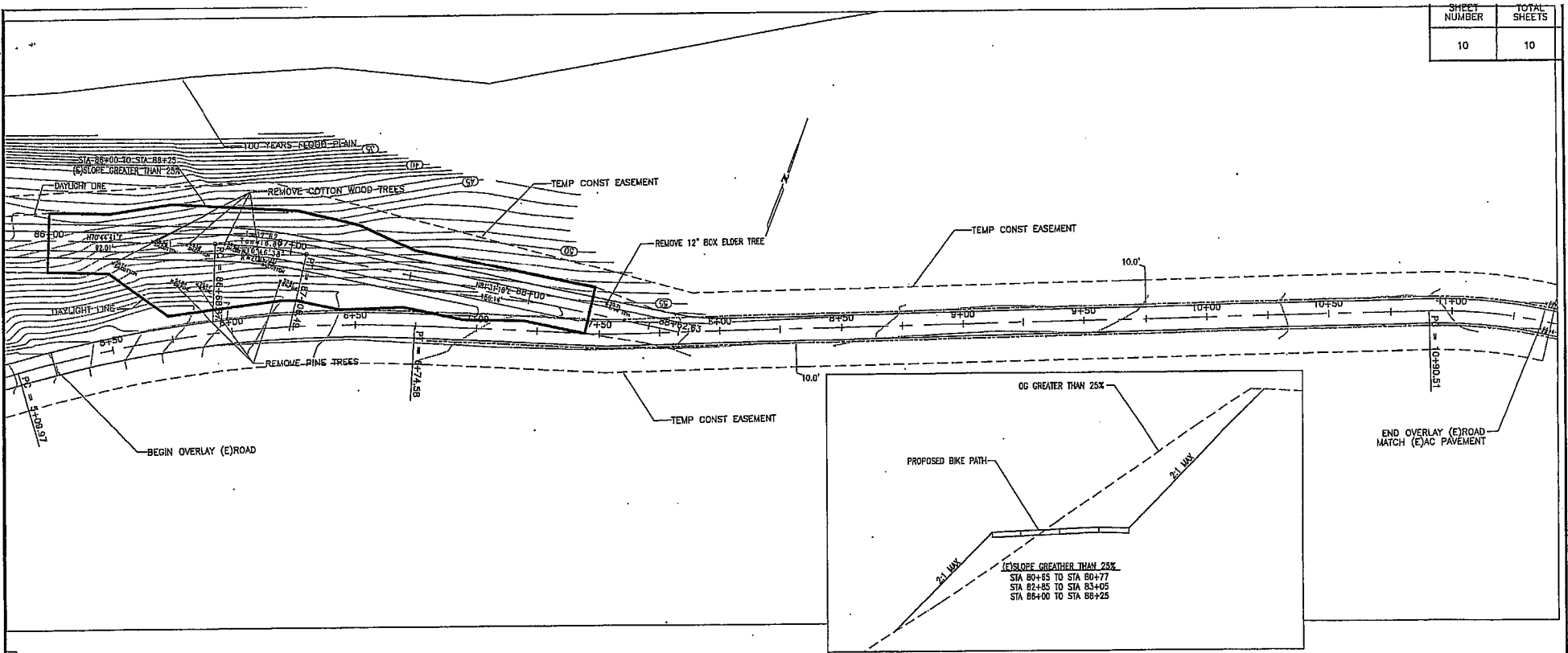
SUBMITTED BY: ARTURO A. ADLAWAN, P.E.
 DESIGN BY: J. L. PASCUA
 DRAWN BY: T. NYUNT
 CHECKED BY: J. L. PASCUA
 APPROVED BY: PAUL H. GREENWAY, P.E.


NO.	DATE	REVISION	APPROVED
1			
2			
3			
4			
5			

COUNTY OF MONTEREY
 RESOURCE MANAGEMENT AGENCY
 DEPARTMENT OF PUBLIC WORKS
 DESIGN SECTION
 188 WEST ALBIS STREET, 2nd FLOOR
 SALINAS, CALIFORNIA 93901
 (831)755-4800/FAX (831)755-4958

CARMEL VALLEY ROAD BIKE PATH
 CONTRACT NO. 10-B64085
 SITE PLAN
 DATE: 10/07/10
 SCALE: 1:20 (H), 1:5 (V)
 DRAWING: VIEW
 SHEET: P9

SHEET NUMBER	TOTAL SHEETS
10	10



SUBMITTED BY: ARTURO A. ADLAWAN, P.E. <small>SENIOR CIVIL ENGINEER</small>		NO. DATE REVISION APPROVED ▲ ▲ ▲ ▲				COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY DEPARTMENT OF PUBLIC WORKS DESIGN SECTION 188 WEST AVAL STREET, 2nd FLOOR SALINAS, CALIFORNIA 93901 (831)765-4800/FAX (831)755-4855		CARMEL VALLEY ROAD BIKE PATH CONTRACT NO. 10-864085 ACCESS ROAD AC OVERLAY PLAN	
DESIGN BY: J. L. PASQUA <small>PROJECT ENGINEER</small> DRAWN BY: T. NYUNT <small>DESIGNER</small> SPECIFICATIONS WRITTEN BY: J. L. PASQUA <small>DESIGNER</small>		CHKD BY: J.A. <small>PROJECT ENGINEER</small> CHKD BY: J.P. <small>DESIGNER</small> CHKD BY: J.A. <small>DESIGNER</small>				DATE: 10/07/10 SCALE: 1:20(H), 1:5(V) DRAWING: NEW		SHEET: P10	

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Murphy's
67

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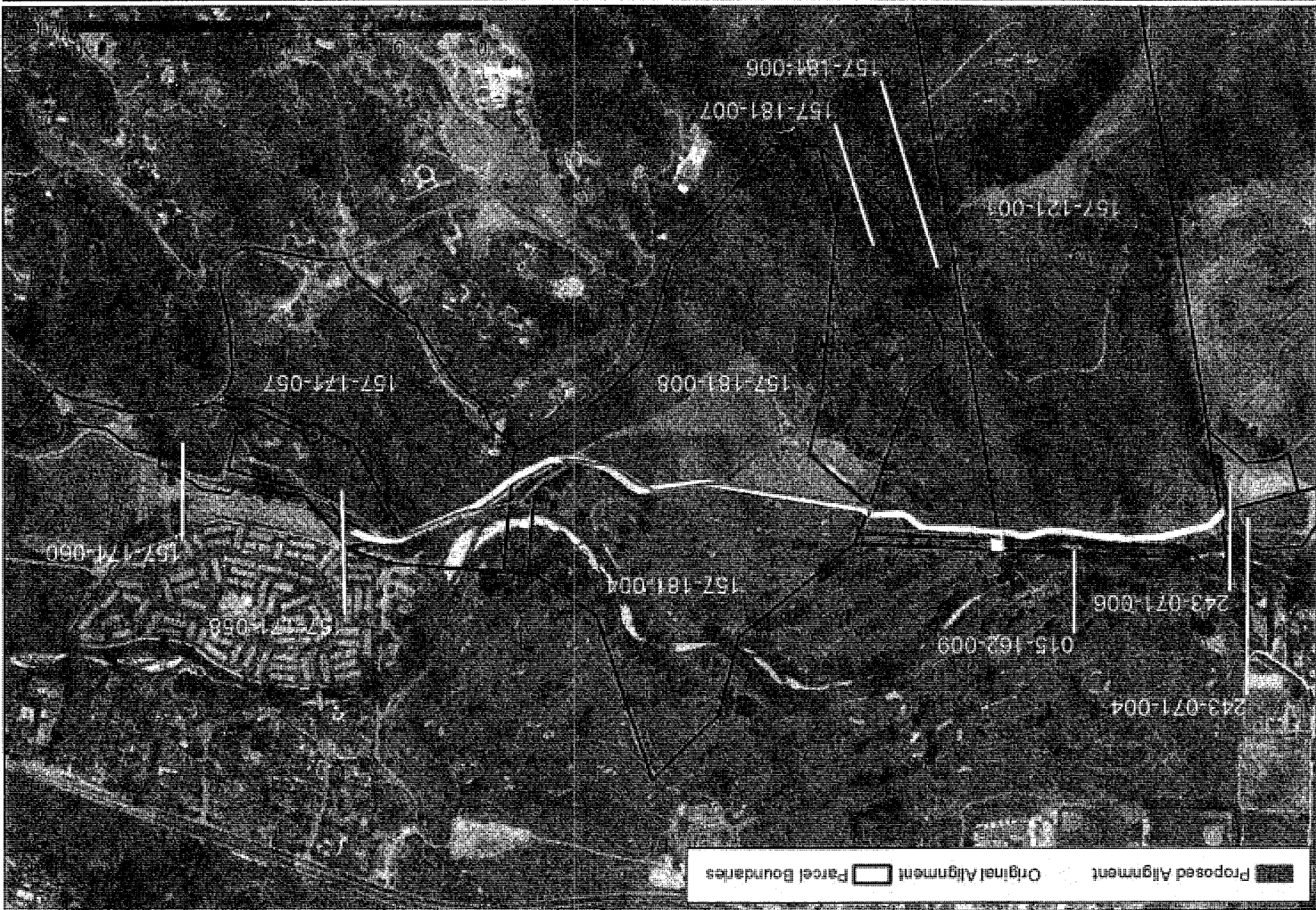
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Date: 10-28-2010
Scale: 1 in = 0.15 miles
Project: 2010-22 CVBP



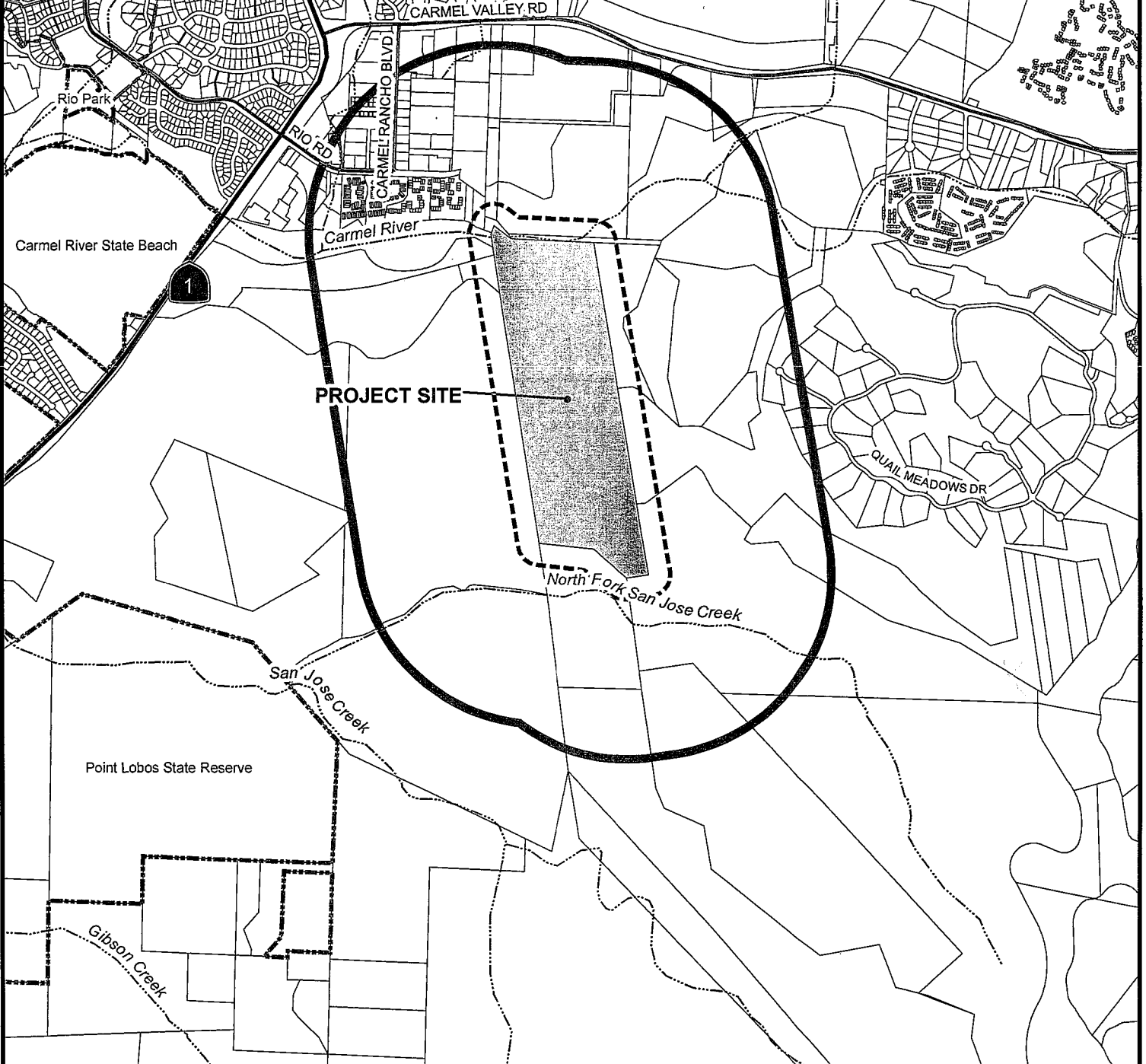
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
Monterey | Truckee | San Jose
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Figure 2



CARMEL AREA

CARMEL BY-THE-SEA



APPLICANT: MONTEREY PENINSULA REGIONAL PARK DISTRICT

APN: 157-121-001-000

FILE # PLN100601

~~~~~ Water



2500' Limit



300' Limit



City Limits



0 2,000  
Feet



PLANNER: BRADLEY