

CONDITIONS OF APPROVAL FOR COUNTY FILE NO. SD14-9389
AS APPROVED BY THE COUNTY PLANNING COMMISSION ON
JUNE 14, 2017

Administrative

1. This approval is based on the exhibits and reports received by the Department of Conservation and Development (DCD) as follows:
 - a) Vesting Tentative Map dated received March 2, 2015.
 - b) Arborist report by Joseph McNeil dated August 14, 2014.
 - c) Soil Investigation Report by Geotechnical Engineering Inc, dated December 4, 2014.
 - d) Storm Water Control Plan by Apex Civil Engineering and Land Surveying dated September 7, 2014.
 - e) Laurel Place II Revised Mitigated Negative Declaration dated October 2016.
 - f) Biological Memorandum, dated March 1, 2017, by WRA Environmental Consultants
 - g) Geologic Peer Review by Darwin Myers Associates dated September 27, 2014.
 - h) Archaeological Review by Holman and Associates dated November 14, 2014.
2. Approval of Vesting Tentative Map, SD14-9389 is contingent upon the Board of Supervisor approval of Rezoning, RZ14-3228 for this site.
3. This approval allows for a maximum of seven residential lots.
4. This application is subject to an initial application fee, which was paid with the application submittal, plus time and materials costs if the application review

expenses exceed 100% of the initial fee. Any additional fee due must be paid within 60 days of the permit effective date or prior to use of the permit whichever occurs first. The fees include costs through permit issuance plus five working days for file preparation. You may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Indemnification

5. Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agency thereof) shall defend, indemnify, and hold harmless the County, agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate fully in the defense.

Compliance Report

6. At least 45 days prior to filing a final map or issuance of grading permit, whichever occurs first, the applicant shall submit a report on compliance with the conditions of approval with this permit for the review and approval of DCD. The fee for this application is a deposit of \$1000 that is subject to time and materials costs. Should staff costs exceed the deposit, additional fees will be required.
 - A. Except for those conditions administered by the Public Works Department, the report shall list each condition followed by a description of what the applicant has provided as evidence of compliance with that condition.
 - B. Unless otherwise indicated, the applicant will be required to demonstrate compliance with the conditions of this report prior to filing the final map.

Child Care

7. Upon the issuance of building permits, the developer shall pay a fee of \$400 per lot upon which a residence is being built for childcare facility needs in the area as established by the Board of Supervisors.

Police Services

- 8 The owner of the property shall participate in the provision of funding to maintain and augment police services by voting to approve a special tax for the parcels created by this subdivision approval. The tax shall be the per parcel annual amount (with appropriate future CPI adjustment) then established at the time of voting by the Board of Supervisors. The election to provide for the tax shall be completed prior to filing the final map. The property owner shall be responsible for paying the cost of holding the election, payable at the time the election is requested by the owner. Allow a minimum of three to four months for processing.

Park Dedication

9. Upon the issuance of building permits, the developer shall pay a fee of \$7,238 per lot upon which a residence is being built to the County for Park Dedication fees.

Air Quality

10. Consistent with the Best Management Practices required by the BAAQMD, the following actions shall be incorporated into construction contracts and specifications for the project:
 - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
 - Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of

California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and contact information for the designated on-site construction manager available to receive and respond to dust complaints. This person shall report all complaints to Contra Costa County and take immediate corrective action as soon as practical but not more than 48 hours after the complaint is received. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. **Mitigation Measure AIR 1.**

Biology

California Tiger Salamander

11. As required under the California Endangered Species Act and Fish and Game Codes, the applicant shall consult with CDFW if there is take or possession of CTS as defined under the Fish and Game Code anticipated as a result of the proposed project. If no take of individual CTS is anticipated as occurring under the mitigation measures stated below, no further action is required. If a Corps of Engineers permit is required for fill of any wetlands, the Corps may also elect to consult with the USFWS under Section 7 of the Endangered Species Act. The applicant shall comply with all terms of any endangered species permits required and issued including any mitigation requirements and provide proof of compliance, including any compensatory mitigation, to the Department of Conservation and Development (DCD) prior to issuance of a grading permit.

Prior to any construction activities, the following measures shall be conducted:

- a) A silt fence (properly buried at the base in 6 inches of soil) shall be installed along the project footprint to provide a buffer between the edge of fencing and the surrounding roadways. The exclusion fencing shall be composed of Geotex 102F (or its equivalent), a durable material capable of withstanding ultraviolet degradation for the duration of the project. The fence is 12 inches high, buried in the ground, and includes one way exit

funnels which may permit terrestrial species to vacate the construction area. The fencing will be inspected weekly and remain in place for the duration of construction activities.

- b) Immediately prior to the first day of construction activities, an approved biologist shall conduct an environmental training session with all workers on site to inform them about environmental issues regarding the potential for sensitive species, including CTS to be present on the site and provide training on avoidance and protection of the species should any individuals be observed. All work shall stop should an individual be observed during construction and the CDFW and USFWS notified.
- c) A qualified Biological Monitor shall be present during initial grading activities to observe all construction activities and immediately stop work should any CTS be observed. The CDFW and USFWS shall be notified should any individuals be observed.
- d) To prevent inadvertent entrapment of sensitive species during construction, the on-site biologist and/or construction foreman/manager shall ensure that all excavated, steep-walled holes or trenches more than one-foot deep are completely covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks and inspected by the on-site biologist. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals by the on-site biologist and/or construction foreman/manager. If any CTS are observed, all work must stop and CDFW and USFWS contacted.
- e) All activities listed above shall be recorded and maintained in a project monitoring construction log. Training materials, including photographs of the potential listed species in the area, and a list of numbers of personnel, including the US Fish and Wildlife Service and the Department of Fish and Wildlife, will be placed in the log book. Site visits and inspections shall be regularly entered into the log book by the contractor and the monitoring biologist. All applicable permits and conditions to protect sensitive species habitat will be copied and placed in the log book.

Finally, the following mitigation measure shall be conducted to prevent CTS from entering the project area after construction is completed:

- f) A suitable concrete (or brick) wall, curb, or berm, at least 12 inches high, shall be constructed along the boundary of development adjacent to Bailey Avenue and the junction with Myrtle Drive to prevent any juvenile and adult CTS from accessing the area in the future from the adjacent CNWS. The design and placement of the barrier is subject to the review of a qualified biologist retained by the applicant and review and approval of DCD. ***Mitigation Measure Bio 1***

Special-status Plants

12. Prior to site disturbance a qualified biologist, retained by the applicant, shall conduct a special-status plant survey. Avoidance and minimization measures shall be proposed, should any rare plants be observed during the survey. Additionally, the removal of any native (non-grafted) California black walnut trees on the site shall be replaced at a ratio of 6:1.

Nesting Birds

13. If site disturbance commences between February 1 and August 31, a qualified biologist shall conduct a pre-construction bird nesting survey within 14 days of project initiation. If nests of native birds are detected on or adjacent to the site, a no disturbance buffer (generally 50 feet for passerines and 300 feet for raptors) in which no new site disturbance is permitted shall be observed until August 31, or the qualified biologist determines that the young are foraging independently. The size of the no-disturbance buffer shall be determined by a qualified biologist, and shall take into account local site features and existing sources of potential disturbance. If more than 14 days elapses between the survey and the start of construction, the survey shall be repeated. The project sponsor shall provide proof of compliance to the County prior to issuance of a grading permit. ***Mitigation Measure Bio 3***

Wetlands

14. Authorization from the USACE and RWQCB for the fill of jurisdictional wetlands shall be obtained by the applicant prior to the start of construction. The project sponsor shall comply with all terms of the permits including any mitigation requirements and provide proof of compliance to the County prior to issuance of a grading permit. If the applicant chooses or is required to

avoid all delineated wetlands as a result of project redesign and no fill of wetlands occurs, no permits will be necessary. The applicant shall demonstrate to the County that the project has avoided fill in any delineated wetland prior to issuance of the grading permit. **Mitigation Measure Bio 4**

Geology

15. A. Geotechnical Update Report. At least 30 days prior to requesting recordation of the Final Map, the project proponent shall submit and updated geotechnical report. The update shall address the following:

- A screening investigation to assess liquefaction potential. The approach shall include a minimum of one deep boring (40 to 50 ft. deep or to bedrock, whichever is less), and shall include field and laboratory test data and engineering analysis to make a preliminary evaluation liquefaction potential. If liquefiable sands are confirmed to be present update report shall (a) assess the potential for a lateral spreading failure and ground failure, (b) estimate of total settlement and differential settlement beneath foundations, and (c) provide recommendations to mitigate the hazard posed by liquefaction.

The update report shall also include review of the drainage and grading plans for the project, including evaluation of the design of the bio-retention basin on the site, and its potential adverse effects. Specifically, provide recommendations for the gradient of engineered slopes on the perimeter of the basin and identify any measures that may be warranted to protect planned improvements on the site as well as Bailey Road improvements associated with their proximity to the bio-retention basin.

- The update report shall be subject to review by the County Peer Review Geologist, and review/approval by the Zoning Administrator.
- B. Grading Plans and Building Permit Plans. The GEI report provides recommendations for geotechnical monitoring services that include review of grading, drainage and foundation plans prior to issuance of construction permits. The purpose of this review is to ensure that the plans have incorporated GEI's recommendations, and if the plans have evolved since the geotechnical design report was issued, it provides an opportunity for the geotechnical engineer to modify or add supplemental

recommendations. Therefore, when requesting issuance of construction permits, submit a wet signed and stamped letter from the Geotechnical Engineer that provides a bibliographic citation to the plans that were reviewed and providing the geotechnical engineer's review comments. The "General Notes" on Grading Plans (or "Grading Notes" on construction plans) should identify the geotechnical reports for the project, and identify the required geotechnical monitoring that is to be provided. Similarly, prior to requesting building permits the project proponent shall provide evidence of geotechnical review of final grading, drainage and foundation plans, including foundation details. Another "General Note" shall specify that corrosivity testing be performed under the direction of the geotechnical engineer after rough grading (and prior to issuance of building permits) to determine which lots, if any, require special recommendations to prevent damage to concrete and/or steel in contact with the ground.

- C. Prior to Requesting Final Inspection of Grading / Prior to Final Inspection of Building Permits. The geotechnical engineer shall provide observation and testing services during grading. Prior to the issuance of building permits for residences, the geotechnical engineer shall certify that the lot preparation work is in compliance with recommendations in the approved design-level report. During foundation work the geotechnical engineer shall provide observation services to ensure the geotechnical recommendations are properly implemented by the contractor. Prior to requesting a final building inspection, the Building Inspection Division may require documentation of the geotechnical engineer's observation services during final grading/ foundation work/ lot drainage. The intent of such documentation is to ensure that the lot/ building improvements are in conformance with recommendations in the approved design-level report.

Mitigation Measures Geo I.

Construction Conditions

- 16. The following construction noise control measures are required to limit the amount of noise generated during the construction period.
 - All noise generating construction activities shall be limited to the hours of 7:30 A.M. to 5:30 P.M., Monday through Friday, and shall be prohibited on state and federal holidays on the calendar

dates that these holidays are observed by the state or federal government as listed below:

- New Year's Day (State and Federal)
- Birthday of Martin Luther King, Jr. (State and Federal)
- Washington's Birthday/Presidents' Day (State and Federal)
- Lincoln's Birthday (State)
- Cesar Chavez Day (State)
- Memorial Day (State and Federal)
- Independence Day (State and Federal)
- Labor Day (State and Federal)
- Columbus Day (State and Federal)
- Veterans Day (State and Federal)
- Thanksgiving Day (State and Federal)
- Day after Thanksgiving (State)
- Christmas Day (State and Federal)

For specific details on the actual day the state and federal holidays occur, please visit the following websites:

Federal/holidays:

http://www.opm.gov/Operating_Status_Schedules/fedhol/2011.asp

California/ holidays: <http://www.ftb.ca.gov/aboutFTB/holidays.shtml>

- Utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
 - Prohibit unnecessary idling of internal combustion engines.
 - Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - Locate stationary noise generating equipment as far as possible from noise sensitive receptors.
 - Designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.
- Mitigation Measure Noi 1.

- At least one week prior to commencement of grading or construction, the developer shall prepare a notice that grading or construction work will commence. The notice shall be posted at the site and mailed to all owners and occupants of the project site within 300 feet of the exterior boundary. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The names of individuals responsible for noise and litter control, tree protection, construction traffic and vehicles, erosion control, and the 24-hour emergency number, shall be expressly identified in the notice.
- The worksite shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

Fencing

17. At least 30 days prior to filing the final map the developer shall submit a fencing plan that shows the location and height of all the fences and retaining walls on the site. The approved fencing/retaining walls shall be installed prior to occupancy of the first residence that is constructed on the site.

Trees

18. This permit allows the removal of the trees that are noted for removal in the above referenced arborist report, including the following measures: tree protective fencing and zones and arborist on site prior to grading to meet with contractor to assure tree protection. If tree removal occurs between March and August a qualified wildlife biologist shall conduct a preconstruction survey to determine if any birds are nesting in or adjacent to the project site. If active nests of either migratory birds or birds of prey are detected a no disturbance buffer (generally 75 feet) in which no new site disturbance is permitted until a qualified biologist determines that the young have successfully fledged. Prior to occupancy of each unit the developer shall plant at least one native tree (24 gallon min.) with irrigation system in the front yard of each residence. Any removal of native California black walnut on the site would be replaced at a ratio of 6:1.

Lighting Control

19. Outdoor lighting associated with this development shall be designed and located to minimize ambient light levels consistent with public safety standards. Lighting fixtures shall be directed downward onto the project site and shall be shielded to prevent overspill of light onto surrounding properties.

Public Trail

20. The applicant shall make an offer of dedication to the City of Concord for a 12-foot wide trail easement and construct or bond for an asphalt trail that meets City of Concord standards, as shown on the tentative map.
21. At least 30 days prior to recording the final map the applicant shall submit a deed disclosure for review and approval of DCD. The purpose of the deed disclosure is to inform the buyers of lots 1 through 7 that a public trail is planned to the west of the property line.

Construction Debris

22. At least 30 days prior to the issuance of building permits the developer shall submit a "Debris Recovery Plan" demonstrating how they intend to recycle, reuse or salvage building materials and other debris generated from the construction of new buildings. At least 30 days prior to the final inspection of the first residential unit not including models, the developer shall submit completed "Debris Recovery Report" documenting actual debris recovery efforts including quantities of recovered and landfilled materials the resulted from the project.

Cultural

23. The following statement shall be printed on the construction plans: "If human remains are encountered during project activities, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, the project applicant shall notify the Contra Costa County Department of Conservation and Development of the discovery, and a qualified archaeologist shall be contacted to assess the situation. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission

within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods."

Landscaping

24. At least 30 days prior to issuance of grading permits the applicant shall provide a Landscape Plan for the project for review and approval of DCD. The landscape plan shall comply with the State Model Water Efficient Landscape Ordinance and shall be certified by a Landscape Architect on the Landscape Plans.

LAFCO

25. Prior to filing the Final Map the applicant shall comply with the requirements of LAFCO for sewer service by obtaining either annexation to the City of Concord or Out of Agency Service agreement.
26. The Applicant shall comply with the Inclusionary Housing Ordinance, Chapter 822-4 subject to the review and approval of DCD.

PUBLIC WORKS RECOMMENDED CONDITIONS OF APPROVAL FOR SUBDIVISION SD14-9389

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the County Ordinance Code. Any exception(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the vesting tentative map submitted to the Department of Conservation and Development, Community Development Division, on March 2, 2015.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE FINAL MAP.

General Requirements:

27. In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the

Public Works Department and are based on the Vesting Tentative Map received by the Department of Conservation and Development, Community Development Division, on March 2, 2015.

28. Applicant shall submit improvement plans prepared by a registered civil engineer to the Public Works Department and pay appropriate fees in accordance with the County Ordinance and these conditions of approval. The below conditions of approval are subject to the review and approval of Public Works Department.

Roadway Improvements (Frontage)

29. Applicant shall construct curb, 10-foot sidewalk, necessary longitudinal and transverse drainage, street lighting, and pavement widening and transitions along the frontage of Bailey Road. Applicant shall construct face of curb 10 feet from the dedicated right-of-way line.

Access to Adjoining Property:

Proof of Access

30. Applicant shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.
31. Applicant shall furnish proof to the Public Works Department that legal access to the property is available from Laurel Place.

Encroachment Permit

32. Applicant shall obtain an encroachment permit from the Application and Permit Center, if necessary, for construction of improvements within the right-of-way of Bailey Road.

Abutter's Rights

33. Applicant shall relinquish abutter's rights of access along Bailey Road.

Private Roads:

34. Applicant shall construct a (paved) turnaround at the end of the proposed private road.
35. Applicant shall construct an on-site roadway system to current County private road standards with a minimum traveled width of 20 feet with 28 foot wide parking bays as shown on the tentative map. A minimum 25-foot access easement shall be provided.

Road Dedications:

36. Property Owner shall convey to the County, by Offer of Dedication, the right-of-way necessary for the planned future width of 60 feet along the frontage of Bailey Road.

Street Lights:

37. Applicant shall annex into the Community Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

Bicycle - Pedestrian Facilities:

38. Property owner shall convey to the City of Concord, by Offer of Dedication, a minimum twelve-foot wide easement over the trail proposed on the Vesting Tentative Map. Design and construction of said trail shall be subject to review and approval of the City of Concord.
39. Applicant shall design all public and private pedestrian facilities in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps.

Parking:

40. Parking shall be prohibited on one side of on-site roadways where the curb-to-curb width is less than 36 feet and on both sides of on-site roadways where the curb-to-curb width is less than 28 feet. "No Parking"

signs shall be installed along these portions of the roads subject to the review and approval of Public Works Department.

Utilities/Undergrounding:

41. Applicant shall underground all new and existing utility distribution facilities. The overhead utilities along the proposed trail are transmission facilities and not subject to this requirement. The developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and communication conduits and cables, including the size, location and details of all trenches, locations of building utility service stubs and meters, and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

Maintenance of Facilities:

42. The maintenance obligation of all common and open space areas, private roadways, any private street lights, public and private landscaped areas, perimeter walls/fences, and on-site drainage facilities shall be included in the covenants, conditions, and restrictions (CC&Rs). The language shall be submitted for the review and approval of the Zoning Administrator and the Public Works Department at least 60 days prior to filing of the Final Map.

Drainage Improvements:

Collect and Convey

43. The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the storm waters to an adequate natural watercourse, in accordance with Division 914 of the County Ordinance Code.
44. The nearest public drainage facility is the road culvert system in Bailey Road immediately downstream of the subject property. Applicant shall verify its adequacy prior to discharging run-off.

Miscellaneous Drainage Requirements:

45. The applicant shall design and construct all storm drainage facilities in compliance with the County Ordinance Code and the Public Works Department design standards.
46. Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
47. A private storm drain easement, conforming to the width specified in Section 914-14.004 of the County Ordinance Code, shall be dedicated over proposed storm drain improvements traversing the site.

National Pollutant Discharge Elimination System (NPDES):

48. The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities, as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay - Region II).
49. Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of storm water pollutants. The project design shall incorporate, wherever feasible, the following long-term BMPs in accordance with the Contra Costa Clean Water Program for the site's storm water drainage:
 - Minimize the amount of directly connected impervious surface area.
 - Install approved full trash capture devices on all catch basins (excluding catch basins within the bioretention basins) as reviewed and approved by the Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES permits.
 - Place advisory warnings on all catch basins and storm drains using current storm drain markers.
 - Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
 - Other alternatives comparable to the above, as approved by the Public Works Department.

- Shallow roadside and on-site swales.
- Distribute public information items regarding the Clean Water Program and lot-specific IMPs to buyers.

Stormwater Management and Discharge Control Ordinance:

50. The applicant shall submit a FINAL Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to filing of the Final Map. To the extent required by the NPDES Permit, the Final Stormwater Control Plan and the O+M Plan will be required to comply with NPDES Permit requirements that have recently become effective that may not be reflected in the preliminary SWCP and O+M Plan. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.
51. Improvement Plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).
52. Stormwater management facilities shall be subject to inspection by Public Works Department staff; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.
53. Prior to issuance of the first building permit, the property owner(s) shall enter into a standard Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for, and related to, operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.
54. Prior to issuance of the first building permit, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.

55. Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

ADVISORY NOTES

- The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Central County Area of Benefit, as adopted by the Board of Supervisors.
- The applicant will be required to comply with the drainage fee requirements for Drainage Area 33B as adopted by the Board of Supervisors.
- A portion of this project lies within the Special Flood Hazard Area (100-year flood boundary), as designated on the Federal Emergency Flood Rate Maps. The applicant shall be aware of the requirements of the Federal Flood Insurance Program and the County Flood Plain Management Ordinance (Ordinance No. 2000-33), as they pertain to future construction of any structures on this property.
- This project may be subject to the requirements of the Department of Fish and Game. It is the applicant's responsibility to notify the Department of Fish and Game, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Game Code.
- This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- The project shall comply with the requirements of City of Concord with regard to sewer service.