

CONDITIONS OF APPROVAL FOR COUNTY FILE #SD13-9338

Project Approval

1. The Vesting Tentative Map for a 35-Lot Residential Subdivision, staging (parking area), and three open space parcels is APPROVED, as generally shown and based on the following, including but not limited, documents:
 - Application and materials submitted to the Department of Conservation and Development, Community Development Division (CDD) on May 10, 2013;
 - Revised Vesting Tentative Map for Subdivision 9338, received on August 13, 2019;
 - Preliminary Geotechnical Exploration Report, prepared by Engeo, dated April 3, 2013;
 - Stormwater Control Plan, prepared by Aliquot, dated March 29, 2018;
 - Preliminary Drainage Study, prepared by Aliquot, dated March 29, 2018;
 - Traffic Impact Study, prepared by Abrams Associates, dated February 1, 2017 and Addendums dated February 2, 2017, February 3, 2017, and April 18, 2018;
 - Arborist Report, prepared by Joseph McNeil, Consulting Arborist, dated December 23, 2016 and Addendum dated February 21, 2018;
 - Cultural Resources Survey Report, prepared by Holman & Associates dated May 15, 2012;
 - Historical Report, prepared by JRP Historical Consulting, LLC dated March 3, 2016; and
 - Biological Resources Report, prepared by Mosaic Associates LLC dated Revised June 2016.

Application Fees

2. This application is subject to an initial application deposit of \$15,772, which was paid with the application submittal, plus time and materials costs if the application review expenses exceed 100% of the initial deposit. Any additional costs due must be paid within 60 days of the permit effective date or prior to use of the permit, whichever occurs first. The applicant 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.

Indemnity

3. The Applicant shall enter into an Indemnification Agreement with the County, and the Applicant shall indemnify, defend (with counsel reasonably acceptable to the County), and hold harmless the County, its boards, commissions, officers, employees, and agents (collectively "County Parties") from any and all claims, costs, losses, actions, fees, liabilities, expenses, and damages (collectively, "Liabilities") arising from or related to the Project, the Applicant's application for a land use permit, the County's discretionary approvals for the Project, including but not limited to changes in the urban limit line, the County's actions pursuant to the California Environmental Quality Act and planning and zoning laws, or the construction and operation of the Project, regardless of whether those Liabilities accrue before or after Project approval.

Compliance Report

Unless otherwise indicated, all of the conditions of this report will need to be met prior to filing the Final Map.

4. **At least 45 days prior to recordation of the Final Map or issuance of a grading or building permit, whichever occurs first**, the applicant shall provide a permit compliance report to the Department of Conservation and Development, Community Development Division (CDD) for review and approval. The report shall identify all conditions of approval that are administered by the CDD. The report shall document the measures taken by the applicant to satisfy all relevant conditions. Copies of the permit conditions may be obtained from the CDD.

The permit compliance review is subject to staff time and materials charges, with an initial deposit of \$5,000, which shall be paid at the time of submittal of the compliance report.

Vesting Tentative Map (VTM) Duration

5. If no Development Agreement is entered into, the VTM is granted for a period of three (3) years, which may be extended subject to proper request(s) for extension, and review and approval by CDD. If a Development Agreement is entered into for the project, then the duration of the VTM is as specified in the Development Agreement.

Filing of Multiple Final Maps

6. The project is a phased development. Concurrently with the filing of each final map, a detailed plan specifying the pattern of phasing, including common area improvements, shall be submitted for review and approval of CDD.

Each of the conditions set forth in this approval apply to every phase of this subdivision approval.

Inclusionary Housing Ordinance

The following conditions of approval are for the purpose of compliance with Chapter 822-4 of the County Ordinance Code. Terms and definitions used in the following conditions of approval may be found in the above-referenced County Ordinance Code.

7. This project is subject to the Inclusionary Housing Ordinance (Chapter 822-4). Pursuant to Section 822-4.402 of the County Ordinance Code, a residential development of 35 for-sale units shall require at least fifteen percent of the for-sale units to be developed and sold as inclusionary units. The applicant is required to construct 5.25 inclusionary housing units for the project.

As an alternative to the requirement to construct inclusionary housing, the applicant has proposed the payment of a For-Sale Housing In-Lieu Fee. This alternative to collect an in-lieu fee, as established in DCD's fee schedule, has been accepted.

Prior to the recordation of the Final Map or the filing of a building permit for the development, whichever occurs first, the applicant shall pay to the County the full amount of the Inclusionary Housing Ordinance For-Sale Housing In-Lieu fee of \$135,621.15. This amount is calculated as: $\$3,874.89/\text{unit} \times 35 \text{ market rate units} = \$135,621.15$ total in-lieu fee. This in-lieu fee is non-refundable.

8. If the full payment of the in-lieu fee is not submitted to DCD prior to the recordation of the Final Map or the filing of a building permit, whichever occurs first, the applicant shall comply with the Inclusionary Housing Ordinance Chapter 822-4 and construct the required number of inclusionary units on-site, off-site, or a combination of both.

Park Impact Fee

9. **Prior to submittal of a building permit for a new residence,** the applicant shall pay the applicable park impact fee as established by the Board of Supervisors.

Park Dedication Fee

10. **Prior to submittal of a building permit for a new residence,** the applicant shall pay the applicable park dedication fee as established by the Board of Supervisors.

Child Care

11. The development shall comply with the requirements of the Child Care Ordinance (Chapter 88-22). **Prior to the recordation of the Final Map,** the developer shall pay \$400.00 per lot, as adopted by the Board of Supervisors.

Police Services District

12. **Election for Establishment of a Police Services District to Augment Police Services: Prior to the recordation of the Final Map,** 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 per parcel annual amount (with appropriate future CPI adjustment) 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.

Homeowner's Association (HOA)

13. **Prior to the recordation of the Final Map**, a homeowners association shall be formed for the ownership and maintenance (through homeowners assessments) of all common areas, including private streets and common landscaping, Parcel A, B, and C, and gates within the subdivision.

Conditions, Covenants, and Restrictions (CC&Rs)

14. **Prior to the recordation of the Final map**, Covenants, Conditions and Restrictions (CC&R's) shall be submitted for review and approval by the CDD. The C&Rs shall provide for the following to the extent the HOA owns and maintains property as contemplated in COAs #13 & 18, and the project description chapter of the project's environmental impact report.
- A. The CC&R's shall provide for establishment, ownership and maintenance of the common open spaces, Parcels A, B, and C, parking, fire protection, including the emergency vehicle access (EVA), fencing, private streets, portions of the undeveloped area and wetland mitigation areas, drainage maintenance, and required signage.
 - B. The CC&Rs shall include design guidelines for all homes on perimeter lots (Lots 1-8, 15-18, 27 & 28), and Landscape Design Guidelines consistent with COAs #15, #16, and #37 below. The design guidelines shall include the following:
 - Minimize visual impact of garages by setting back garages, and where feasible provide side entrance garage doors.
 - Attention to composition of building mass to prevent a monolithic bulky mass.
 - Incorporate at least one single story element in two-story buildings.
 - Two-story dominance on streetscene and sidewalks and open spaces shall be prevented by increasing beyond the minimum setback unless this configuration would be counterproductive by

moving home footprints too close to share property lines with neighbors.

- Homes should have at least two planes (not counting the garage) of variation in front elevation massing.
- Homes shall be designed without repetition in continuous gable-ends and similar ridge heights.
- Provide accent materials complementing the overall color and style of the home.
- Meters shall be screened from public view.
- Lighting used on walls and walkways shall focus light down and provide appropriate downcasting hardware to minimize glare.
- Surface mounted lights shall not be permitted in garage door soffits. Lighting fixtures shall be appropriate to the selected style of the home.
- Ambient light shall be cast downward to reduce impact.
- Variable rear setbacks shall be provided to create variety for edge conditions such as home back to collector roads and back-to-back homes.

C. The CC&Rs shall include a hazardous fire mitigation plan to address the abatement of hazardous weeds and brush to minimize fire fuel build up for all adjacent open space areas consistent with COA #73 below.

D. The CC&Rs shall include information for the future property owners of the future staging area (COA #19-23).

Design Standards

15. Development on Lots 1-4 shall be designed to minimize visibility and building mass and shall be consistent with the Design Review Guidelines (as required by COAs #14B and #37) and not to exceed 30 feet in height from natural or finished grade, whichever is lower. Any proposed second story on these lots shall be designed to minimize the visual bulk in order to reduce the building mass.

Prior to the recordation of the Final Map, the applicant shall submit for the review and approval of CDD proposed language for a deed disclosure to be recorded concurrently with the approved final map informing future property owners of Lots 1-4 of the requirements above.

16. The setback of all lots shall be measured from the edge of the roadway easement irrespective of the size of the lots.
17. **Prior to the recordation of the Final Map**, the applicant shall submit for the review and approval of CDD proposed language for a deed disclosure to be recorded concurrently with the approved final map informing each of the lots (Lots 1-35) within the project site, including but not limited to the following conditions of approval (COA):
 - Design Standards, measurement of setbacks, staging area, emergency vehicle access, tree replanting plan for trees removed, and maintenance of bio-retention areas on each lot.

Ownership, Maintenance, and Financial Responsibility for Open Space Parcels to Be Identified Prior to the Recording of the Final Map

18. The non-residential parcels identified below shall be recorded on the Final Map. These parcels shall be owned and maintained as provided below. No structures are allowed for Parcels A, B, and C, except for safety purposes, as determined by DCD. The financial responsibility for maintenance will likely be provided as described below.
 - A. Parcel A (1.42 acres) – Identified as a scenic easement. This parcel will be owned and maintained by the Homeowner's Association (HOA).
 - B. Parcel B (34.7 acres) – Parcel B includes wetland mitigation area that is approximately 0.51 acres. If Parcel B is not donated to East Bay Regional Park District or Conservancy Group prior to recordation of the Final Map, then Parcel B shall be maintained by the HOA.
 - C. Parcel C (4.42 acres) – Identified as open space and provides as a 100-foot-wide buffer between the rear property line of Lots 8, 9, 28, 29, 30, 31, 32, 33 and the Parcel B open space. This parcel will be owned and maintained by the HOA.

For Parcels B (only if maintained by HOA) and C

- D. Prior to the filing of the Final Map, the project proponent shall join with the existing Geological Hazard Abatement District (GHAD) or create a new

independent GHAD formed pursuant to Public Resources Code section 26500. The GHAD documents are subject to review and approval of the Board of Supervisors. The GHAD formation requires a Plan of Control and an Engineers Report. These documents must be prepared by licensed professionals (engineering geologists and geotechnical engineers) and are subject to technical review by the Department of Conservation & Development. The project proponent is responsible for funding the technical review.

- E. If the GHAD is to own the open space parcels, it will assume responsibilities that relate to their position as a GHAD and also the duties as a responsible property owner. The GHAD is charged with responsibilities that relate to the prevention, mitigation, abatement, or control of geologic hazards, which includes (a) maintenance of facilities that enhance geologic as well as (b) hydrogeologic stability, such as drainage facilities and associated improvements. The drainage facilities maintained by the GHAD may include retaining walls on open space parcels, BMP water quality treatment facilities, concrete lined drainage ditches and open space storm drainage facilities, and other peripherally-related open space responsibilities (e.g. erosion control, mowing).
- F. The Plan of Control shall include (a) background information on the project and the open space, (b) characterize the geologic and seismic setting of the site, (c) provide a detailed evaluation of potential geologic hazards, (d) provide criteria for GHAD responsibility, (e) address activation of assessments and outline the process for transferring responsibility to the GHAD, (f) describe general landslide mitigation, (g) establish priorities for GHAD expenditures, and (h) outline the monitoring and maintenance schedule, including provision for monitoring performance of GHAD maintained facilities in the aftermath of an earthquake that yields strong to violent earthquake shaking in the West County area. The engineers report shall provide the financial details needed to implement the Plan of Control.
- G. A recorded deed disclosure shall provide notice to all the owners of residential lots in the subdivision of the existence of the Geologic Hazard Abatement District (GHAD) and its responsibilities, in addition to any easements and improvements granted to the GHAD. This notice may

include provision for removal of landscaping or structures within the easements granted to the District without compensation.

Staging Area

19. **Prior to the recordation of the Final Map**, the applicant shall submit for the review and approval of CDD proposed language for a deed disclosure to be recorded concurrently with the approved final map informing future property owners of the subdivision that a future public staging area will be constructed on Lot 21.
20. Prior to recordation of the Final Map, the applicant shall dedicate Lot 21- Staging Area to the East Bay Regional Park District.
21. The EBRPD shall have access to the staging areas at all times.
22. The plans/design of the staging area shall be reviewed by the EBRPD and reviewed and approved by CDD.
23. The project sponsor shall work in collaboration with the EBRPD, to the extent feasible, to explore a mechanism to provide for a maintenance agreement for any proposed structures within the staging area.

Emergency Vehicle Access

24. **Prior to the recordation of the Final Map**, the applicant shall submit for the review and approval of CDD proposed language for a deed disclosure to be recorded concurrently with the approved final map informing future property owners of the subdivision that an emergency vehicle access (EVA) will be located between Lots 5 and 6. Access to the EVA gate shall be provided to the emergency responders (e.g., fire district, sheriff, etc.).
25. The final design of the EVA gate and fence shall be reviewed and approved by CDD (in addition to the Fire District and Public Works Department).

Lot Line Adjustment

26. At least 90 days prior to the recordation of the first final map, the project sponsor shall apply for a lot line adjustment to allow the adjustment between APN: 198-

262-002, 198-262-003, 198-262-004, and 198-170-008 as depicted on Sheet TM-3 of the Vesting Tentative Map. All the newly reconfigured lots shall meet all of the requirements of the R-20 Zoning District.

Signs/Walls

27. Any proposed signs shall be subject to the review and approval of CDD.
28. **At least 30 days prior to submittal of a building permit**, the details of the design, location, color and type of materials for any project entrance signs. The design, color and location of any project sign at the entrance to the property shall be reviewed and approved by CDD.

Restitution for Tree Removal

29. Required Restitution for Approved Tree Removal: The following measures are intended to provide restitution for the removal of approximately 469 code-protected trees:
- A. Tree Restitution Planting and Irrigation Plan: **Prior to the removal of trees or submittal of building permits (e.g. demolition, grading or building) for each lot, whichever occurs first**, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of CDD, consistent with Table 4.4.3, COA #57. The plan shall comply with the State's Model Water Efficient Landscape Ordinance. The plan shall be accompanied by an estimate prepared by a licensed landscape architect or arborist of the materials and labor costs to complete the mitigation tree planting and irrigation on the plan. **The implementation of this condition that pertains to single-family residences shall be implemented prior to final building inspection for each lot. The implementation that pertains to the other areas (e.g. common areas, open spaces, EVA, etc.) shall be implemented prior to completion of site improvements.**
 - B. Required Security to Assure Completion of Plan Improvements: **Prior to removal of trees or submittal of building permits (e.g. demolition, grading or building) whichever occurs first**, the applicant shall submit a security (e.g. bond, cash deposit) that is acceptable to the CDD. The bond shall include the amount of the approved cost estimate, *plus* a 20% inflation

surcharge. **The security that pertains to single-family residences shall be submitted prior to seeking any permits for each lot. The security that pertains to the other areas (e.g. common areas, open spaces, EVA, etc.) shall be submitted prior to issuance of any permits, including tree removal.**

- C. Initial Deposit for Processing of Security: The County ordinance requires that the applicant pay fees to cover all staff time and material costs of staff for processing the landscape improvement security. At the time of submittal for each security, the applicant shall pay an initial deposit of \$100.
- D. Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree(s) intended to be protected has been damaged, and CDD determines that the applicant has not been diligent in providing reasonable restitution, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

30. Tree removal shall occur only with an approved grading or building permit.

Contingency Restitution Should Altered Trees Be Damaged

- 31. Trees to be Preserved but Altered – Pursuant to the conclusions of the arborist report, proposed improvements within the root zone of approximately 205 code-protected trees noted on the site plan to be preserved have been determined to be feasible and still allow for preservation provided that the recommendations of the arborist are followed. Pursuant to the requirements of Section 816-6.1204 of the Tree Protection and Preservation Ordinance, to address the possibility that construction activity nevertheless damages these trees, the applicant shall provide the County with a security (e.g. bond, cash deposit) to be submitted prior to construction activities or issuance of a building permit (e.g. demolition, grading

or building), whichever occurs first, to allow for replacement of trees intended to be preserved that are significantly damaged by construction activity.

- A. Determination of Security Amount: The security shall submitted for each lot and the common/open space areas, and provide for all of the following costs:
 - i. Preparation of landscape/irrigation plan by a licensed landscape architect or arborist, which shall comply with the State's Model Water Efficient Landscape Ordinance;
 - ii. Labor and materials estimate for planting the potential number of trees and related irrigation improvements that may be required, prepared by a licensed landscape contractor; and
 - iii. An additional 20% of the total of the above amounts to address inflation costs.
- B. Initial Deposit for Processing of Security – The County Ordinance requires that the applicant cover all time and material costs of staff for processing a tree protection security. The Applicant shall pay an initial fee deposit of \$100 at time of submittal for each security.
- C. Duration of Security: The security for each lot shall be retained by the County for a minimum of 12 months up to 24 months beyond the date of receipt of the security and from the time, the final inspection for the lot was approved. A prerequisite of releasing the bond between 12 and 24 months shall be to have the applicant arrange for the consulting arborist to inspect the trees and to prepare a report on the trees' health. In the event that CDD determines that the tree intended to be protected has been damaged by development activity, and CDD determines that the applicant has not been diligent in providing reasonable restitution of the damaged trees, then CDD may require that all part of the security be used to provide for mitigation of the damaged tree(s). Should one security be submitted for all lots, the security may be released upon complying with the requirements stated above and upon approval of a final inspection for the last lot constructed.

Tree Protection

- 32. The applicant shall adhere to all of the recommended tree preservation measures outlined within the arborist report prepared by Joseph McNeil, Consulting

Arborist, dated December 23, 2016 and Addendum dated February 21, 2018. All recommended tree protection measures shall be stated on the face of construction plans.

33. Prior to the start of any clearing, stockpiling, trenching, grading, compaction, paving or change in ground elevation on a site with trees to be preserved, the applicant shall install fencing at the dripline or other area as determined by an arborist report of all trees adjacent to or in the area to be altered. Prior to grading or issuance of any permits, the fences may be inspected and the location thereof approved by appropriate County staff.
34. No grading, compaction, stockpiling, trenching, paving or change in ground elevation shall be permitted within the dripline unless indicated on the grading plans approved by the County and addressed in any required report prepared by an arborist. If grading or construction is approved within the dripline, an arborist may be required to be present during grading and construction, an involved arborist shall prepare a report outlining further methods required for tree protection if any are required. All arborist expense shall be borne by the developer and applicant.
35. No parking or storing vehicles, equipment, machinery or construction materials, construction trailers and no dumping of oils or chemicals shall be permitted within the dripline within the dripline of any tree to be saved.

Landscaping

36. The landscaping plan shall conform to the State's Model Water Efficient Landscape Ordinance or the County's Ordinance, if one is adopted. **Prior to requesting a final inspection for each lot and prior to completion of site improvements for common/open space areas (e.g. EVA, entryways, etc.),** the approved landscaping shall be installed and evidence of the installation (e.g., photos) shall be provided for the review and approval of CDD.

Aesthetics

37. Homes on the perimeter lots (Lots 1-8, 15-18, 27 & 28) must undergo an administrative design review, as required by conditions of approval, to ensure consistency with the existing character of the surrounding area and be ministerially reviewed and approved by CDD. This process would examine

elements of each proposed custom home, including size, scale, massing, setback, and color. The Design Review Guidelines and Landscape Design Plan will include specific provisions regarding setbacks and for backyard structures. Compliance with these procedures will be required by the project's covenants, conditions, and restrictions. **(MM AES-1)**

The northern portion of Lots 15, 16, 17 and the eastern portion of Lots 17, 18, 27, 28 along the Madrone Trail shall provide a vegetative buffer that shall be maintained in perpetuity. Prior to issuance of a building permit for a residence on these lots, a landscaping plan with the vegetative buffer shall be submitted for review and approval of CDD. **(MM AES-1)**

38. A lighting plan for any proposed exterior lighting must be submitted to the Department of Conservation and Development, Community Development Division (CDD) for review and approval.

Exterior lighting must be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover. Light bulbs must be limited to low intensity lights, including lighting for identification purposes.

No free standing light poles will be allowed within the residential property. Landscaping lights must be limited to ground-level for walking/safety purposes.

If any lighting is proposed for the staging area, lighting must be also directed downward and away from adjacent properties. Lighting intensity may not be greater than what is reasonably required to safely illuminate the staging area. **(MM AES-2)**

Air Quality

39. The contractor shall adhere to the following best management practices during construction and shall be stated on the face of all construction plans:

- 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 offsite shall be covered.

- All visible mud or dirt track-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 miles per hour (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 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.
- Post a publicly visible sign with the telephone number and person to contact at the construction contractor's office regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. **(MM AQ-1)**

Biological Resources

40. The project proponent shall consult with the USFWS and CDFW regarding potential impacts of the project on Alameda whipsnake, and shall obtain the appropriate take authorization (Section 7 Biological Opinion and/or 2081 permit or 2080.1 consistency determination) as specified by the USFWS and CDFW prior to initiation of construction activities. The project proponent shall comply with all terms of the endangered species permits including any mitigation requirements, and provide evidence of compliance to the County prior to issuance of a grading permit. Consistent with previous consultation processes, on-site Alameda whipsnake protection would likely be accomplished through the development and implementation of a habitat management plan to identify the following:

- Location and implementation measures for all habitat restoration activities;
- Management measures to ensure that adjacent land uses would not adversely affect the ecological functions and values of the habitat

management lands. Such measures may include the use of fencing to prevent unauthorized access, and signage describing the sensitive nature of the habitat management land;

- Species, quantity, and location of plants to be installed in areas of habitat enhancement, as well as management measures required to ensure successful establishment;
- Enhanced habitat in new and existing habitat areas, such as the installation of rock piles, planting native oaks to expand oak woodland habitat adjacent to the development, and planting native scrub/chaparral species outside the 100-foot defensible space, thereby increasing habitat for prey species to improve habitat values for Alameda whipsnakes;
- Adaptive management measures that may be employed as needed to ensure the success of the habitat management plan, including management of invasive species, domestic pets, and fuels, and;
- Management and maintenance activities, including weeding, supplemental irrigation, and site protection. **(MM BIO-1a)**

41. In order to allow any snakes and lizards that currently use the small woodpiles west of the residence to seek alternative cover, the woodpiles shall be removed gradually and under the supervision of an agency-approved biologist prior to the start of construction. Depending upon the size of the woodpiles, a quarter to a third of the piles should be manually removed every five days.

Project operation will include vegetation management to maintain 100 feet of defensible space to reduce the risk of wildfires. Vegetation management activities include annual weed whacking, grazing and disposal of woody debris to manage defensible space in the open space west of Lots 8, 9, Lots 28-33, and the residences bordering Parcel A may adversely affect an individual Alameda whipsnake if a snake was seeking temporary cover in woody debris, or moving through herbaceous/ graminoid or shrubby vegetation during vegetation management activities.

Vegetation management to achieve defensible space in the open space west of the development shall be conducted manually. Grasses, weeds, and brush shall be cut manually or with the aid of hand-powered equipment such as weed-whackers or hand-operated mowers. Woody debris shall be retrieved manually. Grazing animals such as goats may be used for vegetation management. A Defensible Space Vegetation Management Plan that describes vegetation management objectives and practices protective of AWS shall be prepared by

the project sponsor, approved of by the USFWS, and implemented by the homeowners and HOA.

In addition, an agency-approved biologist shall monitor removal of the eucalyptus trees and construction of the wetland mitigation area in the western portion of the project site, if wetland restoration or tree removal in this area is conducted (see **Mitigation Measure BIO-6b**). (**MM BIO-1b**)

42. A preconstruction survey for Alameda whipsnake of the area that will be disturbed by construction shall be conducted by a 10(a)(1)(A) permitted biologist not more than 24 hours prior to the start of any site disturbance activities. All suitable habitat features that may be used by Alameda whipsnake shall be identified, marked, and mapped during the preconstruction survey. The removal or destruction of suitable habitat features and all initial ground disturbances (e.g. clearing and grubbing) shall be conducted under the direct supervision of the agency approved biologist prior to the onset of site grading. If Alameda whipsnake are detected within the project work area, site disturbance shall be halted until the snake has been relocated by a 10(a)(1)(A) permitted biologist as approved and directed by the USFWS and CDFW. Terms of the salvage shall be established in consultation with USFWS and CDFW prior to initiation of construction activities, and approved relocation may be in suitable habitat in the open space and critical habitat area west of the project site. (**MM BIO-1c**)
43. Upon completion of the preconstruction survey, a snake exclusion fence not less than 4 feet in height with one-way exit funnels (to allow Alameda whipsnake to passively move out of the construction zone), and buried at least 4 inches in the ground shall be installed around the southern and southwestern boundaries of the project development site. The fence shall be installed at the location specified by and under the guidance of an agency approved biologist who is knowledgeable about Alameda whipsnake, and shall be maintained until all vegetation removal and earthwork for the project has been completed. The fence shall be inspected by the construction team on a daily basis (i.e., every workday), and repairs shall be made immediately if the integrity of the fence is compromised. (**MM BIO-1d**)
44. All construction personnel shall attend an informational training session conducted by an agency approved biologist prior to the start of any site disturbance activities, including demolition. This session will cover identification of the species and procedures to be followed if an individual is found onsite, as

well as biology and habitat needs of this species. Handouts will be provided and extra copies will be retained onsite. Construction workers shall sign a form stating that they attended the program and understand all protection measures for the Alameda whipsnake. Additional training sessions will be provided to construction new personnel during the course of construction. **(MM BIO-1e)**

45. Trenches or pits greater than 1 foot deep that are created during earthwork for the project shall be covered with plywood or an earthen ramp will be made each night after work so no organisms are trapped. Trenches and pits shall be inspected by a designated member of the construction team who has been trained by the agency-approved biologist prior to the start of earthwork each day. Any vertebrate organisms observed in such areas shall be allowed to escape to the safety of adjacent cover. **(MM BIO-1f)**
46. Best Management Practices shall be implemented to minimize the potential mortality, injury, or other impacts to Alameda whipsnake. Erosion control materials shall not include small-mesh plastic netting, which could result in entanglement and death. All food trash items shall be removed from the project site daily to reduce the potential for attracting predators of Alameda whipsnake which could scavenge uncovered snakes. **(MM BIO-1g)**
47. An agency approved biological monitor knowledgeable about Alameda whipsnake will be the point of contact for the construction team. The USFWS will be notified immediately if Alameda whipsnakes are detected within the project site. The CDFW will also be notified after contacting the USFWS. **(MM BIO-1h)**
48. Prior to the initiation of construction activities, including ground disturbing activities and tree removal scheduled to occur between February 1 and September 1, the qualified biologist shall conduct a habitat assessment and nesting survey for nesting bird species no more than seven (7) days prior to the initiation of work. Surveys shall encompass all potential habitats (e.g., grasslands and tree cavities) within 250 feet of the project site, as well potential nest trees within 0.5 mile for golden eagle, 1,000 feet for Swainson's hawk.

The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures for birds known to nest in the project site. Surveys shall be conducted during periods of peak activity (early morning, dusk) and shall be of sufficient duration to observe movement patterns. Survey results, including a description of timing, duration, and methods used, shall be submitted to CDFW

for review 48 hours prior to the initiation of the project. If a lapse in project activity of seven days (7) or more occurs, the survey shall be repeated and no work shall proceed until the results have been submitted to CDFW.

If nesting birds are found as described above, then no work shall be initiated until species-specific buffers have been established in consultation with CDFW. If CDFW does not respond within four (4) days of receiving the survey, construction activities may proceed consistent with the qualified biologist's recommendations on nest buffers. Buffer areas shall be demarked from work activities and avoided until the young have fledged, as determined by the qualified biologist. Active nests found inside the limits of species-specific buffer zones or nests within the vicinity of the project site showing signs of distress from project activity as determined by the qualified biologist shall be monitored daily during the duration of the project for changes in bird behavior. Buffer areas of active nests within the vicinity of the project site showing signs of distress or disruptions to nesting behaviors from project activity, as determined by the qualified biologist, shall have their buffers immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detectable.

If vegetation removal, building demolition, or earthwork stages are phased over multiple years, the pre-construction survey and nest-avoidance measures described above would need to be repeated. **(MM BIO-2)**

49. A qualified biologist knowledgeable about local bat species and experienced with bat survey methods shall inspect all structures and trees that could support bats at the project site prior to the start of site disturbance (e.g., demolition, vegetation removal, and earthwork). Surveys should be conducted during appropriate weather to detect bats (i.e., not in high winds or during heavy rain events). One daytime and up to two nighttime surveys (starting at least 1 hour prior to dusk) should be conducted to determine if bats are present. If bats are detected, additional surveys utilizing acoustic monitoring or other methods may be necessary depending on the recommendations of the bat biologist. **(MM BIO-3a)**
50. Preconstruction surveys for bats should be conducted within two weeks prior to the removal of any trees or structures that are deemed to have potential bat roosting habitat. If bats are detected on site and would be impacted by the project, then appropriate mitigation measures would be developed with approval from CDFW. Mitigation measures would include one or more of the following methods: using one-way doors to exclude non-breeding bats, opening up roof

areas of structures to allow airflow that would deter bats from roosting, and taking individual trees down in sections to encourage bats to relocate to another roost site. Typically, this work is conducted in the evening when bats are more active, and this work should be conducted under the guidance of an experienced bat biologist. **(MM BIO-3b)**

51. Should bat species be confirmed on the project site either through the habitat assessment or during surveys, building demolition, tree trimming, or tree removal should only be conducted during seasonal periods of bat activity: between August 31 and October 15, when bats would be able to fly and feed independently, and between March 1 and April 15 to avoid hibernating bats, and prior to the formation of maternity colonies. Mitigation for impacts to a maternity bat roost, if detected, would be determined through consultation with CDFW and may include construction of structures that provide suitable bat roosting habitat (i.e., bat houses, bat condos) for the particular species impacted. **(MM BIO-3c)**
52. Not more than 30 days before initial ground disturbance, a qualified biologist shall conduct a survey of the project site to determine whether San Francisco dusky-footed woodrat lodges have been constructed within the work area. If no woodrat lodges are present within the work area, no further mitigation is required. If San Francisco dusky-footed woodrat lodges are observed within the area subject to ground disturbance, a woodrat mitigation plan describing habitat enhancement and relocation of the lodge(s) to an area not subject to site disturbance within the project site or the remainder parcel shall be prepared and submitted to CDFW for approval prior to the start of ground disturbance. **(MM BIO-4)**
53. A qualified biologist shall conduct a preconstruction survey for the American badger within 14 days prior to the start of construction. If no potential dens are found, no additional measures are required. If an active badger den is found, consultation with CDFW would be required. Construction would be halted within 100 feet of the den during the breeding season (summer through early fall), and hand excavation of dens during the non-breeding period would be required subject to CDFW approval. **(MM BIO-5)**
54. The removal of riparian trees and shrubs will be avoided and minimized to the extent feasible. Hazard reduction associated with structurally unsound trees, and the risks of failure given proximity to improvements proposed in the project shall be considered and addressed through tree removals and pruning specified by a certified arborist. Mitigation to compensate for the removal of riparian trees shall

be accomplished through replacement plantings of locally native trees at not less than a 3:1 replacement to loss ratio within the project site or an alternative location approved by CDFW.-With regards to oak trees, replacement shall conform with the ratio discussed in Mitigation Measure BIO-8.

A riparian restoration plan detailing the following elements shall be prepared:

- The number, species, and location of riparian mitigation plantings that will be planted in the restoration area;
- Performance standards requiring a minimum 80 percent survival rate; average of good vigor and positive height growth of riparian mitigation trees after ten years; seasonal planting timing; and method of supplemental watering during the establishment period;
- The monitoring period, which shall be not less than 10 years for riparian restoration;
- Adaptive management procedures that may be employed as needed to ensure the success of the restoration project. These include, but are not limited to, exotic and invasive plant species control, the use of browse barriers to protect riparian plants from wildlife damage, replacement plantings and management of the supplemental watering system to support the attainment of the foregoing performance standards;
- Management and maintenance activities, including weeding, supplemental irrigation, site protection; and
- Responsibility for maintaining, monitoring and ensuring the preservation of the mitigation site in perpetuity.

In replacing riparian trees, the arborist shall review the final project grading plans to ensure that adequate tree preservation methods, guidelines, and conditions are in place. The arborist shall conduct pre-demolition site meetings with the contractor to determine clearance pruning, stump removal techniques, fencing placement and timing, and tree protection. The arborist shall have site meetings after demolition to review and confirm tree protection fencing position for the grading and construction portion of the subdivision. The arborist shall be guided by the standard protocols set forth in the *American National Standards Institute (ANSI) A300 Standard, Part 5 (2005)* and the *International Society of Arboriculture's publication Best Management Practices: Managing Trees During Construction (2008)*. **(MM BIO-6a)**

55. The fill of jurisdictional wetlands and unvegetated other waters will be avoided and minimized to the extent feasible. Authorization for the fill of waters of the U.S. and State shall be obtained by the project proponent prior to the start of construction. Mitigation for the fill of wetlands and other waters shall be accomplished through the creation of seasonal freshwater wetlands and unvegetated other waters at a minimum 1:1 replacement ratio within the project site, at an approved wetland mitigation bank, or at another location within the Walnut Creek watershed approved of by the USACE, RWQCB, and CDFW. The mitigation goal shall be to create and enhance aquatic habitats with habitat functions and values greater than or equal to those that will be impacted by the proposed project.

Wetland mitigation within the project site or at another location within the Walnut Creek watershed would be described in a wetland mitigation plan that would:

- Be prepared consistent with the Final Regional Compensatory Mitigation and Monitoring Guidelines (USACE 2015) and the Compensatory Mitigation for Losses of Aquatic Resources: Final Rule (USACE 2008);
- Define the location of all restoration and creation activities;
- Describe measures that would ensure that adjacent land uses would not adversely affect the ecological functions and values of the wetland mitigation area, so as to ensure consistency with the foregoing federal guidelines and rules. Such measures may include the use of appropriately-sized buffers between the wetland mitigation area and any adjacent development, the use of fencing or walls to prevent unauthorized access, lighting in adjacent development designed to avoid light spillage into the wetland mitigation area, landscape-based Best Management Practices for adjacent development prior to discharge into the wetland mitigation area, and signage describing the sensitive nature of the wetland mitigation area.
- Provide evidence of a suitable water budget to support restored and created wetland habitats;
- Identify the species, quantity, and location of plants to be installed in the wetland habitats;
- Identify the time of year for planting and method for supplemental watering during the establishment period;

- Identify the monitoring so as to ensure consistency with the foregoing federal guidelines and rules, which shall be not less than five years for wetland restoration;
- Define success criteria that will be required for restoration efforts to be deemed a success;
- Identify adaptive management procedures that may be employed as needed to ensure the success of the mitigation project and its consistency with the foregoing federal guidelines and rules. These include, but are not limited to, remedial measures to address exotic invasive species, insufficient hydrology to support the attainment of performance standards, and wildlife harm;
- Define management and maintenance activities, including weeding, supplemental irrigation, and site protection; and
- Define responsibility for maintaining, monitoring and ensuring the preservation of the mitigation site in perpetuity.

The Project Applicant shall comply with all terms of the permits issued by these agencies, including mitigation requirements, and shall provide proof of compliance to the County prior to issuance of a grading permit. **(MM BIO-6b)**

56. Adverse impacts to water quality shall be avoided and minimized by implementing the following measures:

- Prior to the start of site disturbance activities, construction barrier fencing and silt fencing shall be installed around the perimeters of wetlands and drainages that are to be protected during construction of the project to prevent movement of sediments into these features. Any debris that is inadvertently deposited into these features during construction shall be removed in a manner that minimizes disturbance.
- All construction within jurisdictional features shall be conducted consistent with permits issued by USACE, RWQCB, and CDFW. Construction activities within these features shall be completed promptly to minimize their duration and resultant impacts.
- The project proponent shall be required to implement a Stormwater Pollution Prevention Plan that describes BMPs including the conduct of all

work according to site-specific construction plans that minimize the potential for sediment input to the aquatic system, avoiding impacts to areas outside the staked and fenced limits of construction, covering bare areas prior to storm events, and protecting disturbed areas with approved erosion control materials.

- Bioretention planters, vegetated swales, and other landscape-based BMPs to catch and filter runoff from impervious surfaces shall be implemented throughout the project site to protect water quality in receiving waters. **(MM BIO-7)**

57. **Prior to the removal of trees and/or prior to the issuance of a grading permit,** the project sponsor will submit to the County a Tree Replacement Plan designating the approximate location, number, and sizes of replacement trees to be planted on the project site. **Prior to submittal of a building permit for each home,** a licensed landscape architect shall submit a landscape plan designating the final location and species of trees in general conformance with the Tree Replacement Plan. Trees shall be planted prior to final occupancy of each building.

Mitigation for the removal of any native oak trees by the project, regardless of location, will be achieved by the following ratios: 4:1 replacement for trees 6-3/8-10 inches in diameter, 5:1 replacement for trees >10-15 inches in diameter, and 15:1 replacement for trees >15 inches in diameter. The replacement ratio for non-oak trees shall be as follows: 3:1 for trees that are removed within riparian corridors, 2:1 for drought tolerant trees, and 1:1 for non-drought tolerant trees.

The Tree Replacement Plan shall identify the total number and size of trees to be replanted in accordance to the ratios discussed above. CDFW replacement ratios are based on the diameter of the removed tree, with no minimum container size for replacement trees. To fulfill CDFW recommendations, the oak mitigation credit shall be calculated based on the scale outlined in Table 4.4-3

Table 4.4-3 Tree Mitigation Credit Based on Container Size

Container Size	Oak tree replacement credit	
1-gallon	1 tree	1 credit to CDFW
5-gallon	2 trees	2 credits to CDFW
15-gallon	4 trees	4 credits to CDFW

Container Size	Oak tree replacement credit	
24-inch box	8 trees	8 credits to CDFW
36-inch box	16 trees	16 credits to CDFW
48-inch box	32 trees	32 credits to CDFW

Replacement plantings shall consist of locally appropriate native species and non-invasive species. Tree species identified as a pest species by the California Invasive Plant Council shall not be used as replacement plantings.

Planting shall conform to the American National Standards Institute (ANSI) A300 Standard, Part 6 (2012) Tree, Shrub and Other Woody Plant Management Standard Practices (Planting and Transplanting), or later versions as they are published and to the companion International Society of Arboriculture (ISA) Best Management Practices (BMP) Tree Planting, Second Edition, or later versions as they are published. Tree selection and planting shall be overseen by an International Society of Arboriculture Certified Arborist familiar with the practices in the Standard and BMP. Irrigation of the mitigation trees shall be dedicated to the specific tree, not part of a broader area irrigation.

The project sponsor will prepare an Offsite Tree Replacement Plan outlining the number, location, and sizes of replacement trees to be planted offsite if the project site cannot sustainably support the required number of replacement trees. All trees that are planted offsite or within common or open space areas on the project site shall be planted upon completion of the site improvements. The project sponsor will monitor offsite plantings for a period of five years to ensure at least 80 percent tree survival. **(MM BIO-8)**

Cultural Resources

58. Pursuant to CEQA Guidelines Section 15064.5, and other applicable law, in the event that any prehistoric, historic, archaeological, or paleontological resources are discovered during ground-disturbing activities, all work within 100 feet of the resources shall be halted and the proponent shall consult with the County and a qualified professional (historian, archaeologist, and/or paleontologist, as determined appropriate and approved by the County) to assess the significance of the find.

If any find is determined to be significant, representatives of the County and the consulting professional shall determine, with the input of any affected California Native American tribe, the appropriate avoidance measures, such as planning greenspace, parks, or other open space around the resource to preserve it and/or its context (while protecting the confidentiality of its location to the extent feasible) or other appropriate mitigation, such as protecting the historical or cultural value of the resource through data recovery or preservation.

In considering any suggested mitigation proposed by the consulting professional to mitigate impacts to cultural resources, the County shall determine whether avoidance is feasible in light of factors such as the nature of the find, project design, costs, and other considerations.

If avoidance is infeasible, other appropriate measures, such as data recovery, shall be instituted. The resource shall be treated with the appropriate dignity, taking into account the resource's historical or cultural value, meaning, and traditional use, as determined by a qualified professional or California Native American tribe, as is appropriate. Work may proceed on other parts of the project site while mitigation for cultural resources is carried out. All significant cultural materials recovered shall, at the discretion of the consulting professional, be subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

At the County's discretion, all work performed by the consulting professional shall be paid for by the proponent and at the County's discretion, the professional may work under contract with the County. **(MM CUL-1)**

59. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - If the coroner determines the remains to be Native American:
 - The coroner shall contact the Native American Heritage Commission within 24 hours;

- The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American;
 - The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98;
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
- The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the Commission;
 - The identified descendant fails to make a recommendation; or
 - The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. **(MM CUL-2)**

Geology

60. The project proponent shall design structures and foundations to withstand expected seismic sources in accordance with the current version of the California Building Code, as adopted by the County. Prior to the issuance of a building permit, the Contra Costa County Department of Conservation and Development shall verify that plans incorporate seismic site categorization and design coefficients in conformance with the most recent version of the California Building Code. The project sponsor shall be required to provide evidence that a qualified geotechnical engineer has reviewed final grading, drainage, and foundation plans for consistency with California Building Code and Uniform Building Code design standards, and verify that all pertinent recommendations of the geotechnical engineer are incorporated into final building plans (see **Mitigation Measure GEO-2**). **(MM GEO-1)**

61. A design-level geotechnical report shall provide recommendations to address soil stability on the project site. Performance measures shall include, but not be limited to, those described below.

- To reduce the potential for adverse settlement or stability problems, compressible native soils, artificial fill, and any compressible alluvium shall be replaced with engineered fill and/or improvements designed to accommodate the anticipated settlement. To reduce the expansion potential of the fill, moisture conditioning of clayey fill materials to above-optimum moisture content should be anticipated. Detailed fill placement recommendations will be provided based on laboratory testing and analysis performed in conjunction with the design-level geotechnical report.
- Depending on the location and characteristics of compressible native soils and artificial fill, some building pads may require drilled pier and grade beam foundations to achieve the desired level of structural support. This technique entails drilling pier holes below the depth of seasonal moisture changes and into more stable soils below. The pier holes are backfilled with concrete and reinforcing steel rebar, resulting in a structure with low movement risk.
- Most of the existing fill slope located along the rear of Lots 11 through 14 and Lots 18 through 20 will require corrective grading. For existing fills that remain in place, setbacks from the toe of the existing fill slope can be developed based on the findings of the design-level geotechnical exploration. In general, all proposed improvements should be set back from the toe of the slope a distance equal to, or greater than, the height of the existing fill slope.
- If after rough grading, testing of the pad soils determines that soils on the project site are corrosive, the project proponent will provide recommendation for foundations that protect building materials (such as concrete and steel) in contact with the ground surface.
- The design-level geotechnical report will characterize shrink/swell properties of on-site soils. Design-level mitigation will be required to reduce the risk associated with expansive soils, which may include the following.
 - Excavate expansive soils and replace with non-expansive fill

- Avoid siting structures across soil materials of substantially different expansive properties
- Extend building foundations below the zone of seasonal moisture change
- Utilize pier and grade beam foundation system
- Utilize post-tensioned slabs
- Prevent accumulation of surface water adjacent to or under foundations
- Depending on the results of the design-level geotechnical report, the potential danger posed by liquefiable soils would be mitigated by appropriate soil and structural stabilization measures, such as compaction grouting and/or designing structures to accommodate anticipated settlement.
- Where development encroaches into the hilly, western areas of the project site, remedial grading will be required to reduce the potential for adverse impacts from slide movement and soil creep. Specific grading measures should be developed on a case-by-case basis where development encroaches into the mapped landslide areas. Measures may include:
 - Benching through the surficial soils during fill placement
 - Drilled pier and grade beam foundation systems to accommodate lateral loads from soil creep
 - Properly engineered cut and fill slopes
 - Stabilization of landslide areas
 - Creation of sufficient buffers between the identified landslide areas and development area
- Maintenance benches should be provided at the toe of major cut slopes (cut slopes higher than 10 feet) or natural slopes that extend upslope of the area of planned development. The width of the bench should be approximately 15 feet wide or as determined necessary by a licensed geotechnical engineer, depending on the height and steepness of the adjacent slope, to ensure compliance with applicable provisions of the California Building Code.
- A cut slope is planned on the upslope side of proposed Lot 29 that would be about 18 feet high and have a gradient of about 2:1. This proposed cut

slope may encounter relatively shallow bedrock. Additional exploration must determine if a 2:1 slope is feasible in this location. If subsurface conditions are such that a 2:1 slope is not feasible, the slope should be flattened to a gradient no steeper than 2.5:1, or reconstructed as an engineered fill slope with an appropriate keyway and subdrainage. (Also see **Mitigation Measure GEO-1)(MM GEO-2)**

Greenhouse Gas Emissions

62. The following improvements will be included as requirements for building permits for any applicable structure on the project site:

- The proposed project shall install high-efficiency kitchen and laundry appliances (e.g., Energy Star-rated appliances or equivalent). Tankless water heaters or a similar hot water energy-saving device or system shall be installed.
- The project proponent will develop a solar exposure study to determine which residences would benefit from solar energy. The solar study will be submitted prior to obtaining a building permit. Residences that would cost-effectively benefit from solar energy shall be wired to be solar ready, as defined by the California Building Standards Code. Residences that would not cost-effectively benefit from solar energy shall have the attic insulated with R-49 insulation batts to prepare for the statewide transition to zero net energy.
- The proposed project shall provide rewiring for electric vehicle charging stations for each residence. **(MM GHG-1)**

Hazards and Hazardous Materials

63. **Prior to issuance of any demolition, grading, or building permit**, a site evaluation will investigate for agrichemical contamination on portions of APN 198-170-008 proposed for residential development. Soil samples will be collected and tested for organochlorine pesticides, lead, and arsenic by a qualified professional to assess potential environmental impacts from past agricultural practices. Concentrations of agricultural contaminants will be compared to applicable EPA screening levels for residential development. The Project Applicant will be required to submit a comprehensive report to the County, signed by a qualified environmental professional, documenting the

presence or lack of agrichemicals on APN 198-170-008. If this assessment finds presence of such chemicals, the Project Applicant will create and implement a remediation plan that ensures workers and future residents are not exposed to concentrations in excess of applicable EPA screening levels and risks associated with these agrichemicals. Potential safety measures could include soil removal and treatment or protective work attire requirements for construction workers. **(MM HAZ-1)**

64. **Prior to issuance of any demolition, grading, or building permit**, the project applicant shall submit a comprehensive report to the County, signed by a qualified environmental professional, documenting the presence or lack of asbestos, lead-based paint, and any other building materials or stored materials classified as hazardous waste by State or Federal law. If this assessment finds presence of such materials, the Project Applicant shall create and implement a health and safety plan to ensure workers are not exposed to contaminants in excess of OSHA and other applicable State and Federal standards and associated risks associated with hazardous materials during demolition, renovation of affected structures, transport, and disposal. **(MM HAZ-2)**

Noise

65. **Prior to the issuance of building permits**, any outdoor mechanical equipment, air conditioning units, or pumps shall be selected and designed to reduce impacts on surrounding uses. A qualified acoustical consultant shall be retained by the Project Applicant to review mechanical noise as the equipment systems are selected in order to determine specific noise reduction measures necessary to reduce noise to 55 dBA Ldn at the shared property line. Noise reduction measures could include, but are not limited to, locating equipment in shielded and/or less noise-sensitive areas, selection of equipment that emits low noise levels, and/or installation of noise barriers such as enclosures to block the line of sight between the noise source and the nearest receptors. Other feasible controls could include, but shall not be limited to, fan silencers, enclosures, and mechanical equipment screen walls. **(MM NOI-1)**
66. Abatement of excessive noise from off-road construction equipment would be accomplished by means of temporary acoustical screens of suitable height and extent. Such screens would completely interrupt the line-of-sight between the equipment and receptors of the noise and would have no gaps or openings. Efficacy would be maximized by placing screens as close to noise sources as

possible. Sound screens will be approximately 12 feet in height and will provide approximately 8 decibels reduction in noise levels at the first and second stories of nearby homes. When construction noise impacts reach a level below 70 L_{dn} /CNEL at the nearest homes, the temporary screens can be removed.

Construction is likely to be concentrated in one or a few contiguous areas at a time during each phase. Therefore, sound screens need not extend along the entire site perimeter at once, but could be shorter and moved following the work so as to provide shielding to one or more sensitive receptors near the work area. However, in order to maintain the full acoustic benefit, these screens will extend at least 1.5 times their height past each side of the area where construction equipment is to operate. This will minimize sound escaping around the ends of the screens. **(MM NOI-2)**

67. The applicant shall develop a construction mitigation plan with input from County staff to minimize construction noise disturbance. Considering the potential for substantial increases in noise at adjacent residences as a result of project construction, the following conditions shall be incorporated into contract agreements to reduce construction noise impacts:

- Restrict noise-generating activities including construction traffic at the construction site or in areas adjacent to the construction site to the hours of 8:00 a.m. to 5:30 p.m., Monday through Friday, with no construction allowed on Federal and State weekends and holidays.
- Potential contractors shall be requested to submit information on their noise management procedures and demonstrate a successful track record of construction noise management on prior projects.
- The selected contractor will equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- The selected contractor will prohibit unnecessary idling of internal combustion engines.
- The selected contractor will locate stationary noise generating equipment, such as air compressors or portable power generators, as far as practical from sensitive receptors.
- The selected contractor will utilize "quiet" air compressors and other stationary noise sources where technology exists.

- The selected contractor shall limit the allowable hours for the delivery of materials or equipment to the site and truck traffic coming to and from the site for any purpose to Monday through Friday between 8:00 a.m. and 5:30 p.m.
- The selected contractor will establish construction staging areas and material stockpiles at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction as is feasible.
- During tree demolition, the woodchipper shall be located on Lot 30 to reduce the effect of noise levels to sensitive receptors. If the chipper is to be moved into other areas of the site, a qualified registered professional Noise Consultant shall determine the allowable distance from sensitive receptors so as to ensure consistency with the County's noise thresholds. A noise contour map will be provided defining the boundaries of the chipper access on the project.
- The selected contractor will route all construction traffic to and from the project site via designated truck routes where possible and prohibit construction related heavy truck traffic in residential areas where feasible.
- The selected contractor will control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- After grading is complete and during construction of site improvements, the contractor will limit use of the property a distance of 75 feet from adjacent neighbor's properties. Stockpiles and equipment storage shall be predominately on interior lots.
- The selected contractor will notify neighbors located adjacent to the construction site of the construction schedule in writing.
- The selected contractor will designate a project liaison that will be responsible for responding to noise complaints during the construction phase. The name and phone number of the liaison will be conspicuously posted at construction areas and on all advanced notifications. This person will take steps to resolve complaints, including periodic noise monitoring, if necessary. Results of noise monitoring will be presented at regular project meetings with the project contractor, and the liaison will coordinate with the contractor to modify any construction activities that generated excessive noise levels to the extent feasible.

- The selected contractor will hold a preconstruction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and noise coordinator) are completed.
- Neighboring property owners within 300 feet of construction activity shall be notified in writing of the construction schedule and at least 30 days prior to loud noise-generating activities. Notification will include the nature and estimated duration of the activity.
- A qualified acoustical professional shall be retained as needed to address neighbor complaints as they occur. If complaints occur, noise measurements could be conducted to determine if construction noise levels at adjacent property lines are within acceptable performance standards. Short-term construction noise monitoring could also be utilized to diagnose complaints and determine if additional reductionary measures are required for certain phases of construction. Additional measures might include temporary local barriers around specific construction equipment or property line barriers. The location, height, and extent of the barriers would be provided by the acoustical professional.

(MM NOI-3)

Construction

68. All construction activities shall be limited to the hours of 8:00 a.m. to 5:30 p.m, Monday through Friday, and are 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 (Federal)
Lincoln's Birthday (State)
President's Day (State and Federal)
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/fedhol>
California Holidays <http://www.edd.ca.gov/eddsthoh.htm>

- A. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
 - B. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
69. Contractor and/or developer shall comply with the following construction, noise, dust and litter control requirements.
- A. A dust and litter control program shall be submitted for the review and approval of the Community Development Division staff. Any violation of the approved program or applicable ordinances shall require an immediate work stoppage. Construction work shall not be allowed to resume until, if necessary, an appropriate construction bond has been posted.
 - B. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.

Debris Recovery

70. **At least 15 days prior to the issuance of a grading permit or building permit,** the developer shall demonstrate compliance with the Debris Recovery CalGreen program.

Street Names

71. **Prior to the recordation of the Final Map**, proposed street names shall be submitted for review by the Department of Conservation and Development, GIS/Mapping Section. Alternate street names should be submitted. The Final Map cannot be certified by CDD without the approved street names.

Transportation Demand Management

72. **Prior to the recordation of the Final Map**, the applicant shall submit a Transportation Demand Management (TDM) information program in accord with the requirements of the Transportation Demand Management Ordinance (Chapter 82-32) for review and approval by CDD. The applicant shall also comply with the County Growth Management Program and Bay Area Air Quality Management District regulations regarding transportation.

Hazardous Fire Mitigation Plan

73. **Prior to the recordation of the Final Map**, the applicant shall provide a hazardous fire mitigation plan to address the abatement of hazardous weeds and brush to minimize fire fuel build up for all adjacent open space areas. To maintain 100 feet of defensible space and thereby reduce the risk of wildfires consistent with California Public Resources Code 4291, vegetation management will be required. The HOA will be responsible for reducing the amount of fuel within 100 feet of the property line through annual mowing, grazing, pruning lower limbs from trees and removing dead vegetation (with mowing permitted only insofar as the 100-foot buffer overlaps private backyards of the project residents). The plan shall be reviewed by the San Ramon Valley Protection District and a County appointed biologist to ensure fire abatement will avoid impacts to biologic resources. The plan shall be included as part of the CC&Rs.

PUBLIC WORKS CONDITIONS OF APPROVAL FOR SUBDIVISION SD13-9338

The applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the 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 Department of Conservation and Development on August 13, 2019.

UNLESS NOTED OTHERWISE, COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO FILING OF THE FINAL MAP.

General Requirements

74. 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 August 13, 2019.
75. The applicant shall submit improvement plans prepared by a registered civil engineer to 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 (Camille Avenue and Ironwood Place)

76. The applicant shall construct standard cul-de-sacs at the terminus of the public portions of Camille Avenue and Ironwood Place including curb, 4.5-foot sidewalk necessary longitudinal and transverse drainage, pavement widening and transitions, except for the sidewalk around each cul-de-sac will be limited to one side of the street per exception requested. Applicant shall construct face of curb at the locations as shown on the tentative map.
77. Any cracked and displaced curb and gutter shall be removed and replaced along the project frontage of Camille Avenue and the public portion of Ironwood Place.

Concrete shall be saw cut prior to removal. Existing lines and grade shall be maintained. New curb and gutter shall be doveled into existing improvements.

78. The applicant shall locate any vehicular entrance gates a minimum 20 feet from the edge of pavement to allow vehicles to queue without obstructing through traffic. Sufficient area shall be provided outside any gate to allow a vehicle to turn around and return to the public streets in a forward direction.

Emergency Vehicle Access

79. The applicant shall furnish proof to Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of emergency vehicle access to the private portion of Ironwood Place north of Lots 5 and 6. Access restrictions shall be coordinated with the San Ramon Valley Fire Protection District.

Access to Adjoining Property:

Proof of Access

80. The applicant shall furnish proof to 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.

Encroachment Permit

81. The applicant shall obtain an encroachment permit from the Application and Permit Center for construction of driveways or other improvements within public right of way of Camille Avenue and of Ironwood Place.

Right of Way Vacation

82. The applicant shall apply for the vacation of any excess right of way at the terminus of public portions of Camille Avenue and Ironwood Place and pay the appropriate processing fee.

Private Roads

83. The applicant shall construct a paved turnaround at the end of "A" Court, "B" Court and Ironwood Place, all private roads.
84. The applicant shall construct an on-site roadway system to current County private road standards with a minimum traveled width of 20 feet within a 30-foot access easement. Specific roadway easement widths and typical sections are noted on Vesting Tentative Map Sheet TM-7, subject to Advisory Agency findings and exception approval.
85. Improvements to access and utility easements to non-residential parcels and the Emergency Vehicle Access to Ironwood Place north of the subject property shall be constructed as shown on Sheet TM-7 of the Vesting Tentative Map.

Road Dedications

86. Property Owner shall convey to the County, by Offer of Dedication, the right of way necessary for the cul-de-sac improvements at the terminus of the public street portions of Camille Avenue and Ironwood Place. To protect existing trees, the right of way dedication at the terminus of Camille Avenue may be reduced to a 40-foot radius.

Street Lights

87. The applicant shall annex to 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.

Pedestrian Facilities

Pedestrian Access

88. The 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

89. 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

90. The applicant shall underground all new and existing utility distribution facilities, including those along the frontage of Camille Avenue and Ironwood Place. 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.

Construction

91. Prior to the start of construction-related activities, the applicant shall prepare a Traffic Control Plan (TCP), including a haul route, for the review and approval of the Public Works Department.
92. Prior to the start of demolition or other construction activities, the applicant shall provide a Pavement Condition Survey prepared by a qualified professional firm that provides this service. As part of said Survey, Camille Avenue and Ironwood Place shall be photographed or videotaped prior to site demolition.
93. During the course of the project construction potholes or extensive pavement fatigue will be repaired immediately upon notice by the County Public Works Department. Other routine repairs will be made every three years to the satisfaction of the Public Works Department while the project is still under construction.
94. After the project is completed, the applicant shall undertake all repairs necessary to bring the roads to a condition equal to the condition that the road would have

been without the project, considering the existing condition before the start of demolition or other construction activities and normal deterioration with time.

95. Prior to filing of the Final Map the applicant shall include a line item for final roadway repairs in the executed and bonded subdivision agreement. The amount shall be deemed sufficient by Public Works Department.

Maintenance of Facilities

96. 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) or other appropriate instruments of conveyance. The language shall be submitted for the review and approval of the Zoning Administrator and Public Works Department at least 60 days prior to filing of the Final Map for the first phase.
97. The applicant shall ensure that all public and private (street lights), landscaping, private roads, and any retaining walls on-site be privately maintained in perpetuity. A maintenance plan of operation for all common areas, private roads and perimeter walls/fences shall be submitted for Public Works Department review. The County will not accept these properties or facilities for ownership or maintenance.

Drainage Improvements:

Collect and Convey

98. The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the storm waters to a natural watercourse, in accordance with Division 914 of the Ordinance Code. Applicant shall verify the adequacy at any downstream drainage facilities accepting stormwater from this project prior to discharging runoff. If the downstream system(s) is inadequate to handle the existing and developed project condition for the required design storm, improvements shall be constructed to make the system adequate. The applicant shall obtain access rights to make any necessary improvements to off-site facilities.

Exception (Subject to Advisory Agency findings and approval)

The applicant shall be permitted an exception to allow a diversion of stormwater entering and/or originating on the subject property to the Camille Avenue storm drain system provided that the applicant verifies the adequacy of the storm water facility or natural watercourse to which the stormwater shall be directed. If the off-site conveyance system or ultimate drainage facility or natural watercourse to which stormwater is proposed to be diverted is inadequate, the applicant shall be responsible for all costs related to the construction and/or right of way acquisition related to any necessary improvements to make the system adequate.

Miscellaneous Drainage Requirements

99. The applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.
100. The applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.
101. A private storm drain easement, conforming to the width specified in Section 914-14.004 of the County Ordinance Code, shall be dedicated on the Final Map over all portions of the proposed storm drain system traversing the site serving or traversing more than a single parcel.
102. The applicant shall make a cash payment to the Flood Control District at the rate of \$0.10 per square foot of new impervious surface area created by the development for ongoing maintenance of San Ramon Creek. The added impervious surface area created by the development will be based on the Flood Control District's standard impervious surface area ordinance.

Creek Structure Setbacks

103. The applicant shall relinquish "development rights" over that portion of the site that is within the structure setback area of the watercourse traversing the site from the northwest corner of Lot 30 and to the proposed culvert entrance at "A" Lane. The structure setback area shall be determined by using the criteria

outlined in Chapter 914-14, "Rights of Way and Setbacks," of the Subdivision Ordinance. "Development rights" shall be conveyed to the County by grant deed.

Exception (Subject to Advisory Agency findings and approval)

The structure setback area within Lots 21-24 may be reduced subject to the review of the Public Works Department based on a hydrology and hydraulic study and geotechnical analysis of the soil which shows that the creek banks will be stable and non-erosive with the anticipated creek flows and velocities. The hydrology and hydraulic study shall be based upon the ultimate development of the watershed.

Those sections of "A" Drive, "A" Lane, "B" Court, and bridge structures on "A" Court and "B" Drive which fall within the structure setback area of the creek shall also be subject to the above condition of approval. If sections of the roadway fall within the structure setback area as defined by the Ordinance Code, then the applicant shall submit a soils and geotechnical report verifying the stability of the creek bank in the vicinity of the access road and structures.

Hold Harmless

104. The property owner shall be aware that the creek banks on the site are potentially unstable. The property owner shall execute a recordable agreement with the County which states that the developer and the property owner and the future property owner(s) will hold harmless Contra Costa County and the Contra Costa County Flood Control and Water Conservation District in the event of damage to the on-site and off-site improvements as a result of creek-bank failure or erosion.

Foundation Design Considerations

105. The applicant shall design the foundations for residences and other affected improvements based on a soils and geotechnical report. The soils and geotechnical report shall address potential soils and bank instability resulting from potential erosive creek flows, potential creek-bank erosion and instability, and shall be submitted to the Building Inspection Division for review. The foundation design may incorporate conservative design analysis rather than rigorous geotechnical analysis if acceptable to the Building Inspection Division.

National Pollutant Discharge Elimination System (NPDES)

106. 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).

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 bioretention basins) as reviewed and approved by 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.
- Shallow roadside and on-site swales.
- Distribute public information items regarding the Clean Water Program and lot specific IMPs to buyers.
- Other alternatives comparable to the above as approved by Public Works Department.

Stormwater Management and Discharge Control Ordinance

107. 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 first final map. Amendments to these documents as applicable shall be submitted to Public Works prior to filing

final maps for each subsequent phase. 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.

108. 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).
109. Storm water 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.
110. Prior to filing of the first Final Map 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 proposed stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.
111. Prior to filing the first final map, the property owner(s) shall annex the subject property in its entirety 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.
112. 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.
113. All treatment BMP/IMPs constructed within each phase of the proposed development shall be designed and sized to treat, at a minimum, storm water generated from each phase constructed.

ADVISORY NOTES

ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL, BUT ARE NOT CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED IN ORDER TO INFORM THE APPLICANT OF ADDITIONAL REGULATIONS, ORDINANCES, AND REQUIREMENTS THAT MAY BE APPLICABLE TO THE PROPOSED PROJECT.

A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a 90-day period after the project is approved.

The ninety (90) day period, in which you may protest the amount of any fee or the imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the Department of Conservation and Development within 90 days of the approval date of this permit.

- B. The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the Alamo, Tri Valley and SCC Regional Areas of Benefit as adopted by the Board of Supervisors.
- C. This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, 2825 Cordelia Road, Suite 100, Fairfield, CA 94534, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.
- D. 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.

- E. This project is subject to the development fees in effect under County Ordinance as of April 4, 2014, the date the vesting tentative map application was accepted as complete by the Department of Conservation and Development. These fees are in addition to any other development fees, which may specified in the conditions of approval.
- F. The applicant shall participate in the P2B Alamo Police Services District.
- G. The applicant shall comply with the requirements of the following agencies:
 - Department of Conservation and Development, Building Inspection Division
 - San Ramon Valley Fire Protection District
 - Central Contra Costa Sanitary District
 - East Bay Municipal Utility District

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