



APPENDIX D

**CONDITIONS OF APPROVAL (COA) NUMBERS B.7, E.4,
E.12, AND I.5
IN TOWN OF DANVILLE RESOLUTION 46-2019**

COA No. B.7

The applicant shall construct a public trail from Blackhawk Road near Street "A" to a point where the EVA connects to Diablo Road, as part of subdivision improvements. The trail design standard shall be that of a "Paved Trail" as described in the Townwide Trails Master Plan dated January 1989 and the Town's adopted Parks, Recreation, and Arts Strategic Plan dated July 2017. The trail shall be separate and distinct from any internal sidewalks within the subdivision. Signage, trash/recycling receptacles, doggy-bag dispensers, entry gates, and benches shall be provided as required by the Town according to current design standards. Maintenance of the trail improvements shall be provided by the project Homeowner's Association and/or the GHAD. The Town will have the responsibility for the future construction of the extension of the public trail from the EVA west along the south side of Diablo Road, as part of a future Capital Improvement Project. The exact design/alignment of the trail and construction timing will be determined by the Town at a future date.

COA No. E.4

The project proposes to preserve approximately 381 acres of the project site as open space. Areas to be preserved would be placed under a conservation easement or deed restriction to prohibit construction and preserve conservation value. The project proposes to create a geologic hazard abatement district (GHAD) to provide suitable funding for management and long-term maintenance of the site. Upland habitats shall be managed via a long-term management plan to maintain the quality of the habitat for the movement and dispersal of CRLF. Prior to construction, the project proponent shall retain a qualified biologist to prepare an open space management plan for the explicit purpose of managing and monitoring the proposed open space area. This plan shall be submitted to the Town of Danville for review and approval prior to issuance of grading permits. At a minimum this plan shall include the following components: ...

- f. Define and identify the GHAD maintenance and management activities to manage the open space habitats to meet the stated goals of support habitat characteristics suitable for the CLRF. This would include suitable fencing so as to control access, limited cattle grazing or other procedures to manage grass height and forage production at levels that benefit the CRLF, and removal of trash.*
- g. Define the financial mechanism for the GHAD to manage the open space in perpetuity.*

COA No. E.12

The project proponent shall replace wetland and riparian habitat at a 1:1 replacement-to loss ratio. It is expected that all compensation measures can be accommodated within the 381 acres of the site proposed as open space. Prior to issuance of a grading permit, the project proponent shall retain a qualified biologist to prepare an onsite habitat mitigation and monitoring plan (HMMP) that includes both an aquatic habitat restoration plan and a riparian habitat restoration plan. The HMMP would specifically address the wetland and riparian habitats and is separate from the Open Space Management Plan identified in Mitigation 4.4-4, although there may be some overlap. The HMMP shall include the following components, at a minimum: ...

- g. Define management and maintenance activities (weeding of invasives, providing for supplemental water, repair of water delivery systems) of proposed GHAD; and*

- h. Provide for assurance in funding the monitoring and ensuring that the created wetland and riparian habitats fall within lands to be preserved and managed into perpetuity. Confirm that the proposed GHAD will meet these responsibilities.*

COA No. I.5

A Geologic Hazard Abatement District (GHAD) shall be established or annexed into. The GHAD shall consider implementing measures to prevent, mitigate, abate, or control geologic hazards and also mitigate or abate structural hazards that are caused by geologic hazards. Said GHAD shall be established or the property annexed into a GHAD according to Public Resources Code §26500 et seq. The GHAD should consider owning or maintaining the approximately 381 acres of permanent open space. The GHAD should consider assuming responsibility for maintenance and upkeep of the detention basin, other stormwater pollution control and hydromodification facilities constructed as part of the project, and the future public trail to be constructed by the Town between the western EVA terminus and the western terminus of the trail near the Diablo Road/Alameda Diablo intersection. The GHAD should consider establishing a comprehensive plan to maintain the restored creek and bridge and provide corrective measures as needed. If any duties listed above are unable to be included as part of the GHAD's responsibilities, they shall be included as the responsibility of the project's Homeowner's Associations (HOA). An annual report regarding GHAD funding and activities shall be prepared for the first five years after the GHAD assumes responsibilities under the Plan of Control and submitted for review by the Town and made available for review by other watershed stakeholders.