

**THE BOARD OF DIRECTORS OF WIEDEMANN RANCH GEOLOGIC  
HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on March 29, 2016 by the following vote:

**AYES:** Gioia, Andersen, Mitchoff, Glover

**NOES:** None

**ABSENT:** Piepho

**ABSTAIN:** None

**RESOLUTION NO. 2016/02 (WIEDEMANN RANCH GHAD)**

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**SUBJECT:** ADOPT Resolution 2016/02 approving the annexation of the Podva property into the Wiedemann Ranch Geologic Hazard Abatement District (GHAD) and approving the Podva Property Development Annexation Plan of Control.

**WHEREAS**, on September 1, 1998, the Contra Costa County Board of Supervisors adopted Resolution 98/438 approving the formation of the Wiedemann Ranch (GHAD) and appointed itself to serve as the GHAD Board of Directors.

**WHEREAS**, the GHAD Board is now presented with and has reviewed the Petition for Annexation of Territory to the Wiedemann Ranch GHAD (“GHAD Petition”), which is attached hereto as Attachment 1. The property proposed to be annexed into the GHAD is described in the legal description and identified in the boundary map set forth in Exhibit A to Attachment 1.

**WHEREAS**, the GHAD Board was presented with and reviewed the draft Podva Property Development Annexation Plan of Control (dated January 7, 2016) which describes potential geologic hazards within the territory to be annexed and addressed the prevention, mitigation, abatement and control of such hazards.

**WHEREAS**, on January 19, 2016 the GHAD Board adopted Resolution 2016/01 scheduling a public hearing for March 22, 2016 to consider the proposed annexation and plan of control. The GHAD Board did not convene on March 22 so the public hearing was noticed for March 29. This hearing was noticed in accordance with Public Resources Code section 26557, 26561, 26562, and 26563.

**WHEREAS**, on March 29, 2016, the GHAD Board held a public hearing on the proposed annexation and plan of control. At the time set for the hearing, the GHAD Board was not presented with any objections to the annexation. At the hearing, owner(s) of more than 50 percent of the assessed valuation of the property to be included in the Wiedemann Ranch GHAD did not object to the annexation.

**The Board of Directors of the GHAD HEREBY RESOLVES THAT:**

1. This Resolution No. 2016/02 is made pursuant to the provisions of Division 17 of the Public Resources Code with particular references to Chapter 1 (commencing with Section 26500), Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).

2. The GHAD Board has been presented with and reviewed the draft Podva Property Development Annexation Plan of Control and has determined that the health, safety and welfare of the public requires annexation of the Podva property into the Wiedemann Ranch GHAD.

3. At the hearing, owner(s) of more than 50 percent of the assessed valuation of the property to be included in the Wiedemann Ranch GHAD did not object to the annexation or to the proposed Podva Property Development Annexation Plan of Control.

4. The GHAD Board hereby approves the annexation of the Podva Property development into the Wiedemann Ranch GHAD as described in the GHAD Petition, subject to the adoption of a resolution approving the annexation by the Board of Supervisors of Contra Costa County as required under Public Resources code section 26581 and conditioned upon subsequent approval of the proposed assessment following an assessment ballot proceeding pursuant to Proposition 218.

5. The GHAD Board hereby approves and adopts the Podva Property Development Annexation Plan of Control.

6. These proceedings are exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code §§ 2100 et seq.) in accordance with Public Resources Code section 21080(b)(4).

7. The recitals are incorporated herein by this reference.

This Resolution shall become effective immediately upon its passage and adoption.

**Attachment 1 – Petition for Annexation**

**PETITION FOR ANNEXATION OF TERRITORY TO THE  
WIEDEMANN RANCH GEOLOGIC HAZARD  
ABATEMENT DISTRICT PURSUANT TO  
DIVISION 17 (commencing with Section 26500)  
OF THE PUBLIC RESOURCES CODE  
OF THE STATE OF CALIFORNIA**

TO: The Clerk of the Wiedemann Ranch Geologic Hazard Abatement District (“GHAD”)

The undersigned owner of land within the boundaries of the territory proposed to be annexed to the GHAD hereby request that the Board of Directors of the GHAD (“GHAD Board”) initiate proceedings to annex the territory described in Exhibit A (“Boundary Map”) and Exhibit B (“Legal Description”), attached hereto, to the GHAD pursuant to Article 3 (commencing with Public Resources Code § 26550) and Article 4 (commencing with Public Resources Code § 26561) of Chapter 2 of Division 17 of the Public Resources Code (§ 26500 *et seq.*). Said owner is the owner of all the territory proposed to be annexed.

(a) This petition is made pursuant to Division 17 of the Public Resources Code with particular reference to Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).

(b) Opposite the signature of each petitioner is an indication of the lot, tract and map number or other legal description sufficient to identify the signature of the petitioner as that of an owner of land within the territory proposed to be annexed to the GHAD.

(c) Opposite the signature of each petitioner is an indication of the date on which said petitioner’s signature was affixed to this petition.

(d) The following documents are attached to this petition and are incorporated herein by this reference as if set forth in full in the petition:

1. A map of the boundaries of the territory proposed to be annexed to the GHAD (Exhibit A);
2. A legal description of the boundaries of the territory proposed to be annexed to the GHAD (Exhibit B); and
3. Annexation Documents for the Podva Property Development including a Plan of Control prepared by an Engineering Geologist certified pursuant to Section 7822 of the California Business and Professions Code, which describes in detail geologic hazards, their location and the areas affected thereby, and a plan for their prevention, mitigation, abatement and control thereof (Exhibit C).

Exhibits: A - Boundary Map and Legal Description  
B - Annexation Documents including the Podva Property Plan of Control

Ponderosa Homes II, Inc., a California Corporation

By: Jeffrey C. Schroeder

Name: Jeffrey C. Schroeder

Title: Senior Vice President

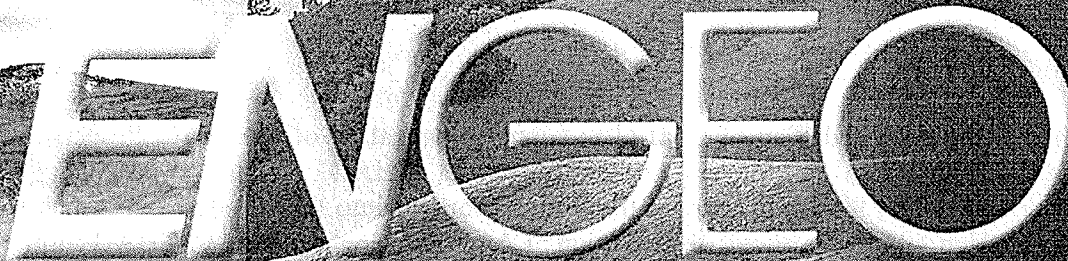
Date: September 8, 2015

Assessor's Parcel Number: 208-160-007; 008

WIEDEMANN RANCH GEOLOGIC HAZARD  
ABATEMENT DISTRICT (GHAD)

PLAN OF CONTROL

PODVA PROPERTY DEVELOPMENT ANNEXATION

The logo for ENGEEO is rendered in large, white, three-dimensional block letters. The letters are set against a dark, textured background that features a landscape with rolling hills and a road. The overall aesthetic is professional and modern.

*Expect Excellence*

Submitted to  
Ponderosa Homes II, Inc.  
Pleasanton, California

Prepared by  
ENGEEO Incorporated

June 18, 2015  
Revised January 7, 2016

Project No.  
9160.000.001

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Expect Excellence

GEOTECHNICAL  
ENVIRONMENTAL  
WATER RESOURCES  
CONSTRUCTION SERVICES

Project No.  
**9160.000.001**

June 18, 2015  
Revised January 7, 2016

Mr. Jeffrey C. Schroeder  
Ponderosa Homes II, Inc.  
6671 Owens Drive  
Pleasanton, CA 94588

Subject: Podva Property  
Danville, California

### PLAN OF CONTROL


Dear Mr. Schroeder:

Attached is the proposed Plan of Control to support annexation of the Podva Property into the Wiedemann Ranch Geologic Hazard Abatement District (GHAD). The proposed Plan of Control is intended to reflect the annexation of the Podva Property into the Wiedemann Ranch GHAD. This annexation satisfies portions of Condition of Approval No. 5, related to GHAD formation.

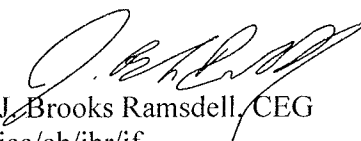
If you have any questions or would like any additional information, please do not hesitate to contact us.

Sincerely,

ENGEO Incorporated

  
Jeffrey A. Adams, PhD, PE

  
Eric Harrell, CEG

  
J. Brooks Ramsdell, CEG  
jaa/eh/jbr/jf

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### LIST OF REFERENCES

**FIGURE 1** – Corrective Grading Plan

**EXHIBIT A** – Podva Property, Legal Description for Subdivision 9309 with Plat

**EXHIBIT B** – Podva Property, Site Geology

**EXHIBIT C** – Podva Property, Funding and Acceptance

## **1.0 INTRODUCTION**

Under the Condition of Approval No. 5 (Subdivision 9309), the Town of Danville has required establishment of a GHAD or annexation into an existing GHAD for the Podva Property. To satisfy this requirement, the developer of the Podva Property has petitioned the Board of Directors of the Wiedemann Ranch GHAD to annex the Podva Property into the existing Wiedemann Ranch GHAD ("GHAD").

### **1.1 PROPERTY IDENTIFICATION, OWNERSHIP AND MAINTENANCE RESPONSIBILITIES**

A written description of the properties to be annexed into the existing GHAD is provided in Exhibit A and shown graphically on the plat to accompany the legal description. The GHAD annexation area includes 20 proposed residential parcels and one open space parcel (Parcel "A", 17,778 sf) that will serve as a bio-retention area and open space Parcel "B" at approximately 4 acres within Subdivision 9309 as shown on Figure 1.

## **2.0 PODVA PROPERTY PLAN OF CONTROL**

### **2.1 GEOLOGIC HAZARDS**

Geologic hazards identified for the Site in the ENGEO geotechnical report dated August 5, 2011, include the following items.

- Slope instability
- Seismically induced ground shaking
- Expansive soils

These geologic hazards are not expected to be eliminated entirely by site grading. Slope instability or potential slope instability is not unique to this project, but is of importance for hillside projects throughout the San Francisco Bay Area, such as Elworthy Ranch, Henry Ranch, and Norris Canyon Estates already within the Wiedemann Ranch GHAD. Future stability depends on various factors, including any introduction of natural or artificial groundwater, future grading and earthquake ground shaking.

#### **2.1.1 Slope Instability – Podva Property**

Areas of slope instability or landsliding located to the west of the residential development may affect the Podva Property during the life of the development. During mapping for the Podva Property geotechnical exploration, landslide debris fan deposits were mapped on Lot 5 and Parcel "B". The corrective grading plan showing the location of the debris fan deposits included as Figure 1. Debris benches and intervening roadways are planned to mitigate the potential for landslide and earthflow/debris flow hazards originating on slopes west of the project from impacting the development.



A landslide is defined as a mass of rock, soil and other debris that has been displaced downslope by sliding, flowing or falling. Landslides include cohesive block glides and disrupted slumps that have formed by displacement along a planar slip surface or rotation (displacement along a curved slip surface). Undercutting and erosion of hillside slopes can trigger slope failures.

Slope failures are also triggered by increased pore water pressure due to the infiltration of rainwater. The resulting decrease of shear resistance (internal resistance to deformation by shearing) can cause the slope to move. The level of the groundwater table varies with the amount of rainfall for the area. If rainfall is higher than average during the winter season, the water table may be higher than average on a hillslope and groundwater pressures may become high. Under these conditions, hillside movement can be activated.

Potential mitigation and repair measures for GHAD areas near improvements are discussed in later sections of this document.

### **2.1.2 Seismically Induced Ground Shaking**

Previous fault investigation at the site (ENGEО, 2011) indicates that an active fault trace does not traverse the proposed residential development. However, geologic and fault zone maps indicate that queried potential fault traces may exist to the west of the residential development in the open space area outside of the GHAD boundary.

As identified in the referenced reports, an earthquake of moderate to high magnitude generated within the San Francisco Bay Region could cause considerable ground shaking at the Podva property, similar to that which has occurred in the past. Seismic slope stability has been considered in the geotechnical reports completed for the property; however, seismically generated slope failures could occur outside the grading limits within the Podva Property.

### **2.1.3 Expansive Soils**

Surface and near-surface soils in the western portion of the Podva Property could exhibit a moderate to high potential for expansion. These potentially expansive soils could impact the planned site development. Expansive soils shrink and swell as a result of moisture change. This can cause heaving and cracking of slabs-on-grade, pavements and structures founded on shallow foundations. The potential for expansive soils has been identified in previous reports for the property. Shrink and swell of expansive soils on slopes contributes to creep movement, which can result in shallow slope instability.

## **2.2 SLOPE STABILITY CONSIDERATIONS DURING MASS GRADING**

As recommended in the 2014 Geotechnical Exploration (ENGEО, 2014), the development of the eastern terraced area has been designed to avoid landslides on the western portion of the site by locating the proposed improvements on the stable and competent Miocene bedrock. In addition, recommendations have been made to provide the development with protection from soil

sloughing and earthflows originating on the slopes to the west by including debris benches or by situating trails or roadways between slopes and structural improvements. Planned debris benches or trails consist of a minimum 15-foot-wide near-level bench located between the rear or side yard and the adjacent slopes. Subdrains are proposed to be installed to collect subsurface waters as shown on the Corrective Grading Plan (Figure 1).

### 2.3 GHAD-MAINTAINED IMPROVEMENTS AND OPEN SPACE AREAS

Conditions of Approval (COA) Numbers 2, 4, 5, 8, and 14 address parcel ownership and GHAD maintenance responsibilities.

COA No. 14 (Site Planning) – *The responsibility to maintain the existing trash rack located to the south of proposed Lot 4 shall be transferred either to the Geologic Hazard Abatement District (GHAD), the project’s homeowner’s association (HOA), or similar instrument found to be acceptable by the Town upon recordation of the initial final map recorded for the property. The area to the south of Lot 4 shall be configured to the satisfaction of the Engineering Division to assure accommodation to stage the necessary maintenance equipment and to make provision for the turnaround and departure of equipment used to remove debris for the trash rack. The area shall be graded as determined by the Town and shall have all-weather surfacing (as generally shown on the exhibit referenced under Condition of Approval A.1.f., above).*

COA No. 2 (Landscaping) – *All plant material that is to be located in areas that will be the responsibility of the project homeowner’s association (HOA), the Geologic Hazard Abatement District (GHAD), or similar instrument found to be acceptable by the Town shall be served by an automatic underground irrigation system and shall be maintained in a healthy growing condition.*

COA No. 4 (Miscellaneous) – *The project homeowner’s association (HOA), the Geologic Hazard Abatement District (GHAD), or similar instrument found to be acceptable by the Town, shall be responsible for maintenance of all common landscape and common fencing. If an HOA is formed, draft project CC&Rs shall be submitted to the Planning Division and City Attorney for review and approval a minimum of 45 days prior to the recordation of the final map. An HOA shall be required to be formed for the project unless the developer can show, to the satisfaction of the Town, that the duties typically handled by the HOA can be adequately handled by the GHAD or similar instrument. In determining the adequacy of the GHAD or similar instrument, emphasis shall be placed on the need to provide for a local and accessible representative that residents of the neighborhood can readily contact in the event that maintenance issues arise.*

COA No. 5 (Miscellaneous) – *The Geologic Hazard Abatement District (GHAD) shall be established or annexed into. The GHAD shall finance the prevention, mitigation, abatement, or control of any current or future geologic hazard that threatens improvements on the property. Said GHAD shall be established according to Public*

*Resources Code §26500 et seq. The approximately 99 acres of permanent open space created as part of this project shall be maintained by the GHAD. The GHAD shall be responsible for the maintenance and upkeep of the detention basin and other stormwater pollution control and hydromodification facility constructed as part of the project.*

COA No. 8 (Miscellaneous) – *Prior to the recordation of the final map, the project applicant shall prepare and submit a detailed Operation and Maintenance Agreement to the Development and Services Department for review and approval. The operation and Maintenance Agreement shall identify the maintenance and funding for proposed storm water management features at the project site (i.e. bio-retention facility, storm water detention basin). All features shall be maintained and funded by the local homeowner's association (HOA), GHAD or similar instrument found to be acceptable by the Town. The maintenance protocols shall address both the routine and non-routine maintenance activities and shall explicitly identify monitoring and reporting requirements. These protocols shall include an estimate of annual monitoring and maintenance costs.*

The GHAD shall be responsible for the maintenance of geologic stabilization and hydrogeologic features in the common open space and the unimproved areas. Specifically, the GHAD's maintenance responsibilities include prevention and abatement of geologic hazards such as landslides and slope erosion within the developed area and open space as provided in this Plan of Control. The GHAD will have the responsibility to manage geologic hazards, as described herein, within the Project area only after the transfer process has been completed (Exhibit C). The GHAD will have the following maintenance responsibilities as outlined below:

- Monitoring of retaining walls and maintenance if structural integrity of a wall or adjacent structure(s) is threatened (Parcels A and B).
- Maintenance of water detention basin facility and access road located on Parcel "B".
- Maintenance of bioretention facility located on Parcel "A" between Midland Way and Lot 1.
- Maintenance of trash rack on Parcel "B".
- Maintenance of debris benches, lined and unlined drainage ditches in developed areas and open space.
- Vegetation control for fire suppression within open space (Parcels "A" and "B").
- Maintenance of storm drain system improvements, subdrains, and subdrain outlets in open space (Parcels "A" and "B").
- Trail maintenance on Parcel "B".

### 2.3.1 General Landslide Mitigation

The techniques the GHAD may employ to prevent, mitigate, or abate landsliding or adverse erosion damage that might include, but are not necessarily limited to:

- Removal of the unstable earth mass.
- Stabilization (either partial or total) of the landslide by removal and replacement with compacted drained fill.
- Construction of structures to retain or divert landslide material or sediment.
- Construction of erosion-control devices such as gabions, rip rap, geotextiles or lined ditches.
- Placement of drained engineered buttress fill.
- Placement of subsurface drainage devices (e.g., underdrains, or horizontal drains).
- Slope correction (e.g., gradient change, biotechnical stabilization, and slope trimming or contouring).
- Construction of additional surface ditches and/or detention basins, silt fences, sediment traps, or backfill or erosion channels.

Potential landslide and erosion hazards can often best be mitigated by controlling soil saturation and water runoff and by maintaining the surface and subsurface drainage system. Maintenance shall be provided for lined surface drainage ditches and drainage terraces.

### 2.4 BIOTECHNICAL RECOMMENDATIONS FOR PREVENTION AND MITIGATION OF EXISTING OR POTENTIAL EROSION HAZARDS

Fill slopes within the boundaries of the GHAD are expected to be erodible as will cut slopes in bedrock; therefore, the maintenance of vegetative cover is especially important. Vegetation provides a protection on soil and exposed rock. It absorbs the impact of raindrops, reduces the velocity of runoff and retards erosion.

In many instances, adequate erosion protection for slopes can be accomplished with carefully selected and placed biological elements (plants) without the use of structures (e.g., brush layering and willow waddling).

In other areas, biotechnical slope protection may involve the use of mechanical elements or structures in combination with biological elements to provide erosion control and help prevent small-scale slope failures. Locally, walls, welded-wire walls, gabion walls, rock walls, riprap and reinforced earth walls used in combination with carefully selected and planted vegetation can

provide high-quality slope protection. The vegetation may be planted on the slope above a low retaining structure or toe wall, or the interstices of the structure can be planted.

## **2.5 CRITERIA FOR GHAD RESPONSIBILITY**

To establish an appropriate GHAD assessment level for the Podva Property portion of the GHAD, it is important to define clearly the limits of the GHAD's responsibilities. The GHAD will accept responsibility for property as described in Exhibit A and identified in Section 2.3. However, the intent of this Plan of Control is not to extend the GHAD's responsibilities to every potential situation of slope instability; as such, the following are exclusions from GHAD responsibility.

### **2.5.1 Isolated or Remote Slope Instability**

The GHAD shall not have responsibility to monitor, abate, mitigate or control slope instability that does not involve damage to, or pose a significant threat to damage, site improvements or flood control capacity. As used herein, the term "site improvements" means buildings, roads, sidewalks, utilities, retaining walls, improved trails, swimming pools, geologic stabilization features and drainage features or similar improvements.

### **2.5.2 Single Property**

The GHAD will not prevent, mitigate, abate or control geologic hazards which are limited in area to a single residential parcel of property unless the geologic hazard has damaged, or poses a significant threat of damage to site improvements located on other property within the GHAD boundaries.

### **2.5.3 Geologic Hazards Resulting from Negligence of Property Owner**

The GHAD may, in the general manager's sole discretion, decline to prevent, mitigate, abate or control geologic hazards which occur or result from any negligence of the homeowner and/or the homeowner's contractors, agents or employees in developing, investigating, grading, constructing, maintaining or performing or not performing any post-development work on the subject property.

### **2.5.4 Property Not Accepted**

The GHAD shall not have responsibility to repair damage, which is located on a parcel of real property, which the GHAD has not accepted in accordance with Exhibit C. The GHAD, however, may monitor, abate, mitigate or control slope instability on a parcel of real property, which the GHAD has not accepted in accordance with Exhibit C, provided that the GHAD responsibility on such parcel shall be limited to the extent necessary to address damage or a significant threat to damage site improvements on a GHAD-accepted parcel. Should the GHAD be required to respond to a geologic hazard outside the boundaries of the GHAD, the GHAD

may take such actions as may be appropriate to recover costs incurred as a result of preventing, mitigating, abating or controlling such geologic hazard from the responsible party, if any.

#### **2.5.5 Geologic Hazard Which Requires Expenditure in Amount Exceeding the Value of the Threatened or Damaged Improvement**

The GHAD may elect not to prevent, mitigate, abate or control a geologic hazard where, in the general manager's sole discretion, the anticipated expenditure required to be funded by the GHAD to prevent, mitigate, abate or control the geologic hazard will exceed the value of the structure(s) and site improvement(s) threatened with damage or loss.

#### **2.5.6 GHAD Funding or Reimbursement for Damaged or Destroyed Structures or Site Improvements**

In the event a residence or any other private structure, site improvement or landscape feature is damaged or destroyed as a result of a geologic hazard, the GHAD may fund or reimburse the property owner for the expenses necessary to repair or replace the damaged or destroyed structure, site improvement or landscaping. Unless otherwise authorized by the Board of Directors, the total dollar amount of the GHAD funding or reimbursement paid to all property owners whose property is damaged by a geologic hazard may not exceed ten percent (10 percent) of the total costs incurred by the GHAD in actually mitigating, abating or controlling the geologic hazard that causes the damage<sup>1</sup>. In the event the geologic hazard damages or destroys a structure, site improvement or landscaping which violates any provisions of the City Building Code or City Code at the time of its installation or improvement, the GHAD may decline to provide any funding, or reimbursement to the property owner for repair or replacement of the damaged structure, improvement or landscaping.

#### **2.5.7 No Reimbursement of Expenses Incurred by Property Owners**

The GHAD will not be obligated to reimburse a property owner for expenses incurred for the prevention, mitigation, abatement, or control of a geologic hazard absent a written agreement between the property owner and the GHAD to that effect, which agreement has been executed prior to the property owner incurring said expenses, and following an investigation conducted by the GHAD.

#### **2.5.8 GHAD Manager Discretion and Appeals to GHAD Board of Directors**

The GHAD manager has sole discretion for GHAD's response under items in Section 2.5. Any determination made by the GHAD Manager in its sole discretion may be appealed to the GHAD Board of Directors through a written letter of appeal submitted within 10 days of the GHAD Manager's written determination to the affected party.

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<sup>1</sup> For example, if a landslide causes \$10,000 in structural damage to each one of four neighboring homes for a total of \$40,000 in structural damage and it costs the GHAD \$100,000 to design and install a new retaining wall to abate the slide, the GHAD may only reimburse each property owner \$2,500 of their \$10,000 in structural damage.

## 2.6 PRIORITY FOR GHAD-FUNDED REPAIRS

Emergency response and scheduled monitoring, maintenance or repair expenditures are to be prioritized by the General Manager, utilizing its discretion, based upon available funds, a prudent reserve and the approved operating budget. Should available funds not be sufficient to undertake all of the identified remedial and preventive stabilization measures, the expenditures shall be prioritized as follows in descending order of priority.

- A. The prevention, mitigation, abatement or control of geologic hazards that have either damaged or pose a significant threat of damage to residences, critical lifeline utilities or emergency vehicle access corridors.
- B. The prevention, mitigation, abatement or control of geologic hazards that either have damaged or pose a significant threat of damage to ancillary structures or private recreation facilities (e.g., pools, spas, etc.).
- C. Prevention, mitigation, abatement or control of geologic hazards, which either have damaged or pose a significant threat of damage to open space amenities.
- D. The prevention, mitigation, abatement or control of geologic hazards that either have damaged or pose a significant threat of damage limited to loss of landscaping, other similar non-essential amenities.
- E. The prevention, mitigation, abatement or control of geologic hazards existing entirely on open-space property and which have neither damaged nor pose a significant threat of damage to any site improvements.

If sufficient funds are not available to undertake the listed activities, the GHAD may investigate obtaining funding as allowed in Section 26505(e) of the Public Resources Code through the issuance of bonds, notes, or debentures such as a line of credit.

## 2.7 MAINTENANCE AND MONITORING SCHEDULE

Geologic features and GHAD-maintained facilities should be inspected on a regular basis. Budget permitting, inspections should generally be scheduled to occur two times per year in normal years and three or more times per year in years of heavy rainfall. The inspections should be scheduled to take place in the fall, prior to the first significant rainfall; mid-winter as necessary during heavy rainfall years; and in spring at the end of the rainy season. It is anticipated that the monitoring events for the Podva Property and the Wiedemann Ranch development within the Wiedemann Ranch GHAD would be completed on the same schedule.

- A GHAD Engineer and/or Geologist should inspect the lined surface of concrete-lined drainage ditches within the GHAD boundaries on a regular schedule. Repairs and maintenance should be performed as needed. Excess silt or sediment in ditches should be

removed and cracked or broken ditches should be patched or repaired as required before the beginning of the next rainy season.

- Inspection, repairs, and maintenance of debris catchment structures should be performed on a regular schedule. Excess debris should be removed to allow the structures to maintain adequate catchment area.
- Subsurface drain outlets and horizontal drain outlets, if any, should be inspected on a regular schedule. Water flowing from these outlets should be measured and recorded during each inspection. Any suspicious interruption in flow should signal a need to unplug or clean.
- Inlets, outfalls or trash racks, if used, must be kept free of debris, and spillways must be maintained. Attention should be given to plantings or other obstructions, which may interfere with access by power equipment.
- Retaining walls should be inspected annually for evidence of distress, such as tilting and/or structural failure. Repairs and maintenance would be undertaken only in the event that the structural integrity of the wall has been compromised or if the wall distress poses a threat to the integrity of adjacent structures.
- The water detention basin facility and bioretention facility should be monitored on a semi-annual basis; once prior to and once following rainy season. Repairs and maintenance, as needed, should be undertaken, including removal of excess silt or sediment.
- Monitoring of the detention basin access road should include observing the access road for eroded areas or areas of instability, pavement competency, and encroaching vegetation.

The GHAD should review its inspection schedule annually and assess the effectiveness of its preventive maintenance program on a regular basis. GHAD staff should prepare an annual report to the Board of Directors with recommendations for maintenance and/or repair projects. Consultants, as necessary, may be retained to undertake the needed studies. The GHAD Geotechnical Engineer and/or Certified Engineering Geologist retained by the GHAD shall prepare an annual inspection report for presentation to the GHAD Board of Directors.

### **3.0 GLOSSARY**

Engineer's Report - The document that establishes the individual property owners' GHAD assessment based on the projected expenses (budget) of the GHAD.

Geological Hazard Abatement District (GHAD) Manager – An entity employing a licensed Geotechnical Engineer who will oversee the operations of the GHAD including preparation of GHAD budgets. The GHAD Manager is hired by and reports to the GHAD Board of Directors.



#### 4.0 OWNERSHIP AND MANAGEMENT

Ownership, funding sources and maintenance responsibilities shall be as shown on the following table and Figure 1.

**TABLE 4.0-1**  
**PODVA PROPERTY/WIEDEMAN RANCH GHAD**  
**Long-Term Ownership and Management Matrix**

| Facility/Function   | Maintenance Entity | Funding          | Tentative GHAD Acceptance Date or Minimum Initial Monitoring Term | Ownership        |
|---|--------------------|------------------|---|------------------|
| <b>1. Development Area</b>  |                    |                  |   |                  |
| a. Single-Family Residential Parcels (20 units)                                       | Private            | Private          | Not Applicable  | Private          |
| b. Neighborhood Common Areas<br>i. Landscaping<br>ii. Irrigation<br>iii. Fencing      | HOA                | HOA Fees         | Not Applicable  | HOA              |
| c. Public Roadways  | Town of Danville   | Town of Danville | Not Applicable  | Town of Danville |
| d. Storm Drain System   | Town of Danville   | Town of Danville | Not Applicable  | Town of Danville |
| <b>2. Open Space – Parcels “A” and “B”</b>  |                    |                  |   |                  |
| Plan of Control Defined Activities (Three (3) Year Minimum Initial Monitoring Period) |                    |                  |   |                  |
| a. Bioretention cells   | Developer          | Private Funding  | 3 Years   | Developer        |
| b. Detention Basin  | Developer          | Private Funding  | 3 Years   | Developer        |
| c. Storm Drain System including Trash Rack  | Developer          | Private Funding  | 3 Years   | Developer        |
| d. Vegetation Management for Fire Suppression   | Developer          | Private Funding  | 3 Years   | Developer        |
| e. Slopes and Surface Drainage Improvements   | Developer          | Private Funding  | 3 Years   | Developer        |
| f. Retaining Walls, Gates, and Fencing  | Developer          | Private Funding  | 3 Years   | Developer        |
| g. Trail  | Developer          | Private Funding  | 3 Years   | Developer        |
| Plan of Control Defined Activities (Post Initial Monitoring Period)                   |                    |                  |   |                  |
| a. Bioretention cell  | GHAD               | Assessment       | Perpetual   | GHAD             |
| b. Detention Basin  | GHAD               | Assessment       | Perpetual   | GHAD             |
| c. Storm Drain System including Trash Rack  | GHAD               | Assessment       | Perpetual   | GHAD             |
| d. Vegetation Management for Fire Suppression   | GHAD               | Assessment       | Perpetual   | GHAD             |
| e. Slopes and Surface Drainage Improvements   | GHAD               | Assessment       | Perpetual   | GHAD             |

| Facility/Function                      | Maintenance Entity | Funding    | Tentative GHAD Acceptance Date or Minimum Initial Monitoring Term | Ownership |
|--|--------------------|------------|---|-----------|
| f. Retaining Walls, Gates, and Fencing | GHAD               | Assessment | Perpetual   | GHAD      |
| h. Trail                               | GHAD               | Assessment | Perpetual   | GHAD      |

## 5.0 RIGHT-OF-ENTRY

GHAD officers, employees, consultants, contractors, agents, and representatives shall have the right to enter upon all lands within the GHAD boundary, as described or shown in Exhibit A, for the purpose of performing the activities described in the Podva Property GHAD Plan of Control. Should the GHAD need to access parcels owned by the Homeowner's Association, or private residential lots to fulfill its duties under the Plan of Control, the GHAD shall provide the affected landowner and/or resident with 72 hours advanced notice unless, in the reasonable judgment of the GHAD Manager, an emergency situation exists which makes immediate access necessary to protect the public health and safety, in which case no advanced notice is required, but the GHAD shall inform the landowner and/or resident as soon as reasonably possible.

The owner or owners of property within the Podva Property shall record a Declaration of Restrictive Covenants, Right of Entry and Disclosures Regarding Geologic Hazard Abatement GHAD ("Declaration") after recordation of the Parcel Map. The Declaration creates covenants that run with the land and will be binding upon all future owners of property within the Podva Property development, their successors and assigns.

## REFERENCES

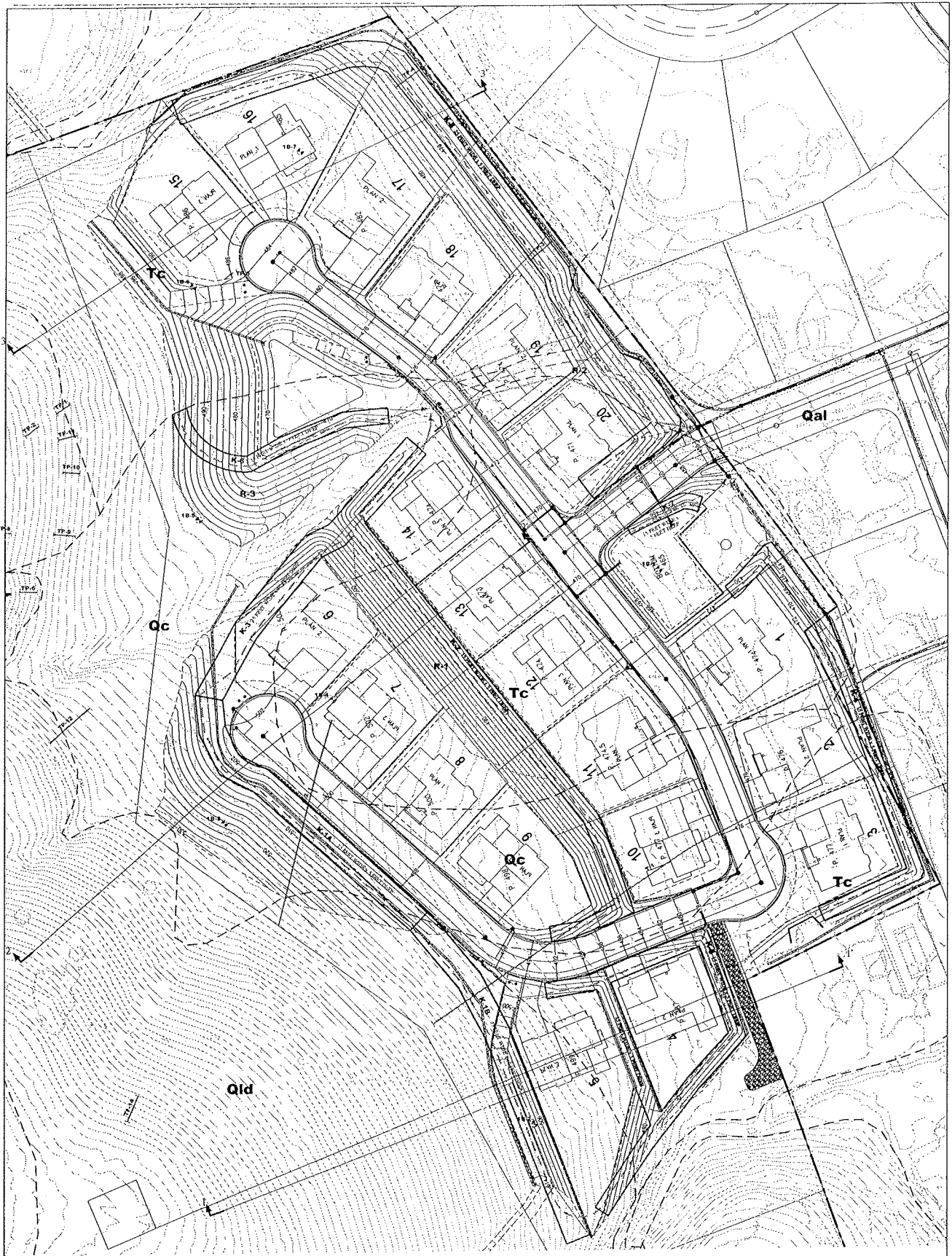
1. Danville Town of, Resolution No. 28-2014, Certifying a Final Environmental Impact Report and Adopting finding of Fact, Adopting Mitigation Measures and a Mitigation Monitoring and Reporting Program, and Approving Preliminary Development Plan – Rezoning Request LEG12-001, Major Subdivision Request SD 9309, Final Development Plan Request Dev114-0011 and Tree Removal Request TR14-007 (APN 208-160-007 and 008 – Podva Property – Ponderosa Homes), April 1, 2014.
2. ENGEO, Geotechnical Exploration, Podva Property, Danville, California, Project Number 9160.000.001, August 6, 2014.
3. ENGEO, Preliminary Geotechnical and Fault Evaluation Report, Podva Parcel, Danville, California, Project Number 9160.000.001, August 5, 2011.
4. Carlson, Barbee and Gibson, Vesting Tentative Map, Subdivision 9309, Podva Property, Town of Danville, California, January 2012.
5. Carlson, Barbee and Gibson, Draft Final Map, Subdivision 9309, Podva Property, Town of Danville, California, November 2014.

**F  
I  
C  
U  
R  
E**

**FIGURE 1**

Corrective Grading Plan





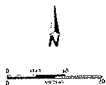
**EXPLANATION**

ALL LOCATIONS ARE APPROXIMATE

- Qal** ARLINGTON
- Qc** COLONIAL
- Tsp** SANDY HILLS - SINGLE-FAMILY RESIDENTIAL
- Tc** C-8 RD SANDSTONE
- Tbr** BARNES - BUNGALOW
- Tm** MEADOW - SINGLE-FAMILY
- Qld** LANDMARK - MEDIUM-DENSITY RESIDENTIAL

- GEORGIA CONTACT
- T-2 1/2" HIGH SLOPE
- TP-11 1/2" HIGH SLOPE
- 1-0/16" 0/8" SLOPE (0.00125)
- CROSS SECTION

- K-7** KEYWAY WITH WIDTH AND DEPTH
- R-3** REARWAY AREA
- SUBGRADE
- SURFACE OFFSET



**E  
X  
H  
I  
B  
I  
T  
A**

**EXHIBIT A**

Legal Description and Plats to Accompany Legal Description



SUBDIVISION 9309  
RED HAWK

CONSISTING OF 5 SHEETS  
BEING A PORTION OF RANCHO SAN RAMON AND  
A PORTION OF SECTION 32, T.1S., R.1W., MDM  
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

JUNE 2015

OWNER'S STATEMENT

THE UNDERSIGNED, BEING THE PARTIES HAVING RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE SUBDIVISION BOUNDARY OF THIS MAP ENTITLED "SUBDIVISION 9309 RED HAWK", TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA, DO HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES; THOSE PORTION OF SAID LANDS DESIGNATED ON THIS MAP AS RED TAIL COURT, WINFIELD COURT AND MIDLAND WAY FOR PUBLIC STREET AND UTILITY PURPOSES.

THE REAL PROPERTY BELOW IS OFFERED FOR DEDICATION AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "PUBLIC UTILITY EASEMENT" OR "PUET" ARE FOR PUBLIC PURPOSES INCLUDING POLES, WIRES, CONDUITS, STORM DRAINS, FLOOD AND SURFACE WATER DRAINAGE, GAS LINES, ELECTRIC, TELEPHONE, AND CABLE TELEVISION UTILITIES, INCLUDING THE RIGHTS OF INGRESS, EGRESS, CONSTRUCTION, RECONSTRUCTION, ACCESS FOR MAINTENANCE OF WORKS, IMPROVEMENTS, AND STRUCTURES, AND THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE REAL PROPERTY BELOW IS OFFERED FOR DEDICATION AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS SHOWN AS "SCENIC EASEMENT" OVER PARCEL "B" AND UNSURVEYED DESIGNATED REMAINDER ARE FOR THE PURPOSE OF OPEN SPACE AND ARE SPECIFICALLY EXCLUDED FROM FUTURE DEVELOPMENT, THE SCENIC EASEMENT ACROSS THE UNSURVEYED DESIGNATED REMAINDER SHALL AUTOMATICALLY EXTINGUISH UPON E.B.R.P.D. ACCEPTANCE OF THE LAND DEDICATION.

THE REAL PROPERTY DESIGNATED AS PARCEL "A" IS FOR THE PURPOSE OF PRIVATE STORM DRAINAGE, LANDSCAPE FEATURES, AND WATER QUALITY USE AND ANY IMPROVEMENTS AND APPURTENANCES INSTALLED. THE REAL PROPERTY DESIGNATED AS PARCEL "B" IS FOR THE PURPOSE OF OPEN SPACE. MAINTENANCE OF SAID PARCELS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION OF THIS SUBDIVISION. PARCEL "A" AND PARCEL "B" WILL BE OFFERED TO, AND ACCEPTED BY, THE GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD) BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREAS SHOWN AS "LANDSCAPE MAINTENANCE EASEMENT" OR "LME" ARE SPECIFICALLY EXCLUDED FROM PUBLIC DEDICATION AND ARE FOR THE USE OF AND MAINTENANCE BY THE HOMEOWNERS ASSOCIATION OF SUBDIVISION 9309 RED HAWK, FOR ACCESS, STORM DRAINAGE, CONSTRUCTION, AND MAINTENANCE OF STORM DRAIN AND LANDSCAPE FEATURES.

THE AREA MARKED EBMUD IS DEDICATED TO EAST BAY MUNICIPAL UTILITY DISTRICT AS A PERPETUAL EASEMENT FOR THE PURPOSE OF CONSTRUCTING, REPLACING, MAINTAINING, OPERATING AND USING FOR THE TRANSMISSION AND DISTRIBUTION OF WATER, A PIPE OR PIPELINES AND ALL NECESSARY FIXTURES INCLUDING UNDERGROUND TELEMETRY AND ELECTRICAL CABLES OR APPURTENANCES THERETO, IN, UNDER, ALONG AND ACROSS SAID EASEMENT. TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT AND THE RIGHT AT ALL TIMES TO ENTER IN, OVER AND UPON SAID EASEMENT AND EVERY PART THEREOF.

THE EASEMENT AREA MAY BE LANDSCAPED IN A MANNER CONSISTENT WITH EAST BAY MUNICIPAL UTILITY DISTRICT'S USE; HOWEVER, NO BUILDING OR STRUCTURE MAY BE PLACED ON SAID EASEMENT, NO TREES MAY BE PLANTED WITHIN THE EASEMENT AREA AND NO CHANGES MAY BE MADE TO THE EXISTING SURFACE ELEVATION (GRADE) OF THE EASEMENT AREA BY MORE THAN ONE (1) FOOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY INTERFERE WITH EAST BAY MUNICIPAL UTILITY DISTRICT'S FULL ENJOYMENT OF SAID EASEMENT.

THE REAL PROPERTY DESIGNATED AS "DESIGNATED UNSURVEYED REMAINDER" SHALL BE DEDICATED TO THE EAST BAY REGIONAL PARK DISTRICT BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE AREA SHOWN AS TRAIL MAINTENANCE ACCESS EASEMENT OR "TMAE" IS IRREVOCABLY OFFERED FOR DEDICATION TO THE EAST BAY REGIONAL PARK DISTRICT FOR INGRESS AND EGRESS, MAINTENANCE PURPOSES, AND PUBLIC ACCESS. THIS EASEMENT WILL BE ACCEPTED BY THE EAST BAY REGIONAL PARK DISTRICT BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THIS MAP SHOWS ALL EASEMENTS OF RECORD ON THE PROPERTY BEING SUBDIVIDED.

AS OWNER:

PONDEROSA HOMES II, INC., A CALIFORNIA CORPORATION

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
NAME: \_\_\_\_\_ NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_ TITLE: \_\_\_\_\_

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

ON \_\_\_\_\_, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

SIGNATURE: \_\_\_\_\_

NAME (PRINT): \_\_\_\_\_

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

MY COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

ON \_\_\_\_\_, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL:

SIGNATURE: \_\_\_\_\_

NAME (PRINT): \_\_\_\_\_

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

MY COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF PONDEROSA HOMES II, INC., A CALIFORNIA CORPORATION, IN SEPTEMBER 2014, AND IS TRUE AND COMPLETE AS SHOWN. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. I HEREBY STATE THAT THE MONUMENTS WILL BE SET IN THE POSITIONS INDICATED AFTER THE IMPROVEMENTS ARE COMPLETED AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. THE AREA OF THE SUBDIVISION IS 13.22 ACRES, MORE OR LESS.

DATE \_\_\_\_\_



MARK H. WEHBER, P.L.S.  
L.S. NO. 7960

RECORDER'S STATEMENT

THIS MAP, ENTITLED "SUBDIVISION 9309 RED HAWK", IS HEREBY ACCEPTED FOR RECORDATION, SHOWING A CLEAR TITLE AS PER LETTER OF TITLE WRITTEN BY FIRST AMERICAN TITLE COMPANY, DATED \_\_\_\_\_, AND AFTER EXAMINING THE SAME, I DEEM THAT SAID MAP COMPLIES IN ALL RESPECTS WITH THE PROVISIONS OF STATE LAWS AND LOCAL ORDINANCES GOVERNING THE FILING OF SUBDIVISION MAPS.

RECORDED AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY AT \_\_\_\_\_, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, IN BOOK \_\_\_\_\_ OF MAPS, AT PAGE \_\_\_\_\_, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

DOCUMENT NO: \_\_\_\_\_

JOSEPH E. CANCEMILLA  
COUNTY RECORDER  
COUNTY OF CONTRA COSTA  
STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY COUNTY RECORDER

**SUBDIVISION 9309  
RED HAWK**

CONSISTING OF 5 SHEETS  
BEING A PORTION OF RANCHO SAN RAMON AND  
A PORTION OF SECTION 32, T.1S., R.1W., MDM  
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

JUNE 2015

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN TRACT MAP ENTITLED "SUBDIVISION 9309 RED HAWK", THAT THE SUBDIVISION IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, ON \_\_\_\_\_ THAT ALL OF THE PROVISIONS OF STATE LAW AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

DATE: \_\_\_\_\_

STEVEN C. LAKE  
DEVELOPMENT SERVICES DIRECTOR/CITY ENGINEER  
TOWN OF DANVILLE  
R.C.E. 31870

CITY CLERK'S STATEMENT

I HEREBY STATE THIS MAP, ENTITLED "SUBDIVISION 9309 RED HAWK", WAS PRESENTED TO THE TOWN COUNCIL OF THE TOWN OF DANVILLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AS PROVIDED BY LAW, AT A REGULAR MEETING THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AND THAT SAID COUNCIL DID THEREUPON APPROVE SAID MAP BY A RESOLUTION WHICH WAS DULY PASSED AND ADOPTED AT SAID MEETING.

I FURTHER STATE THAT SAID TOWN COUNCIL DID HEREBY ACCEPT, SUBJECT TO IMPROVEMENTS, ON BEHALF OF THE PUBLIC, THE FOLLOWING OFFERS OF DEDICATION SHOWN ON THIS MAP, SAID AREAS ARE CALLED OUT AS: RED TAIL COURT, WINGFIELD COURT, PUBLIC UTILITY EASEMENT (PUE), SCENIC EASEMENT AND MIDLAND WAY.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

MARIE SUNSERI  
CITY CLERK AND EX-OFFICIO CLERK OF THE  
TOWN COUNCIL OF THE TOWN OF DANVILLE,  
COUNTY OF CONTRA COSTA, STATE OF  
CALIFORNIA

PLANNING STATEMENT

I HEREBY STATE THAT THE PLANNING COMMISSION OF THE TOWN OF DANVILLE, CONTRA COSTA COUNTY, STATE OF CALIFORNIA, HAS APPROVED THE TENTATIVE MAP ENTITLED "SUBDIVISION 9309 RED HAWK" UPON WHICH THE FINAL MAP IS BASED.

DATE \_\_\_\_\_

KEVIN J. GAILEY  
CHIEF OF PLANNING  
TOWN OF DANVILLE  
COUNTY OF CONTRA COSTA  
STATE OF CALIFORNIA

BUILDING OFFICIAL'S STATEMENT

A GEOTECHNICAL EXPLORATION REPORT, PREPARED BY ENGED, DATED AUGUST 6, 2014, PROJECT NO. 916.000.001, SIGNED BY PHILIP STUECHELI, HAS BEEN RECEIVED AND APPROVED FOR AREAS INCLUDED IN THIS SUBDIVISION AND IS KEPT ON FILE FOR PUBLIC INSPECTION AT THE TOWN OF DANVILLE BUILDING INSPECTION DIVISION, DANVILLE, CALIFORNIA.

MIKE LEONTEDES  
CHIEF BUILDING OFFICIAL  
TOWN OF DANVILLE  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

BY \_\_\_\_\_ DATE \_\_\_\_\_

CLERK OF THE BOARD OF SUPERVISORS STATEMENT

I HEREBY STATE AS CHECKED BELOW THAT:

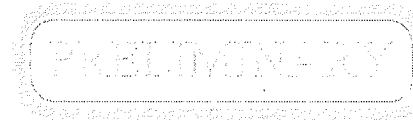
A TAX BOND ASSURING PAYMENT OF ALL TAXES WHICH ARE NOW A LIEN, BUT ARE NOT YET PAYABLE, HAVE BEEN RECEIVED AND FILED WITH THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

ALL TAXES DUE HAVE BEEN PAID, AS CERTIFIED BY THE COUNTY REDEMPTION OFFICER.

DATED \_\_\_\_\_

DAVID IWA  
CLERK OF THE BOARD OF SUPERVISORS  
AND COUNTY ADMINISTRATOR  
COUNTY OF CONTRA COSTA  
STATE OF CALIFORNIA

BY \_\_\_\_\_  
DEPUTY CLERK





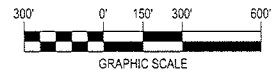
# SUBDIVISION 9309 RED HAWK

CONSISTING OF 5 SHEETS  
BEING A PORTION OF RANCHO SAN RAMON AND  
A PORTION OF SECTION 32, T.1S., R.1W., MDM  
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

SCALE: 1" = 300' JUNE 2015



## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS SHOWN ON WESTRIDGE AVENUE, THE BEARING BEING N21°00'00"W PER TRACT NO. 3280 (107 M. 43).

## REFERENCES:

- (#) INDICATES REFERENCE NUMBER
- (1) SUBDIVISION 6098 (279 M. 3)
- (2) GRANT DEED, DOC. NO. 2011-32618
- (3) TRACT 2743 (77 M. 31)
- (4) SUBDIVISION 3280 (107 M. 43)

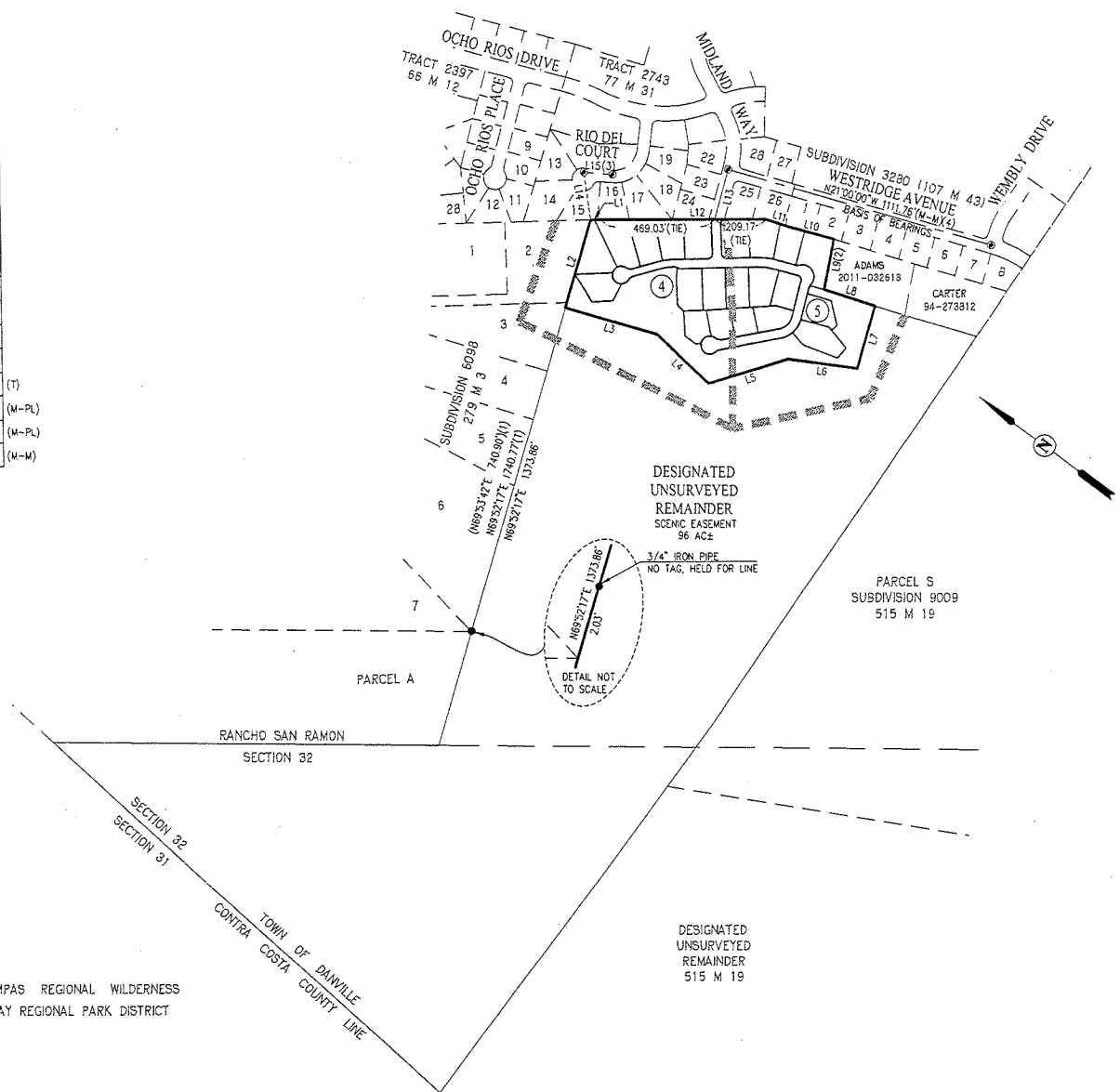
## NOTE:

1. A CHISELED MARK SHALL BE CUT INTO THE TOP OF CURB AT THE PROLONGATION OF LOT LINES, AND A REBAR AND CAP, LS 7960, SHALL BE SET AT ALL NON-FRONTAGE CORNERS AND ANGLE POINTS

## LEGEND

|        |                                   |
|--------|-----------------------------------|
|        | SUBDIVISION BOUNDARY LINE         |
|        | RIGHT OF WAY LINE                 |
|        | LOT LINE                          |
|        | EASEMENT LINE                     |
|        | MONUMENT LINE                     |
|        | ADJOINER LINE                     |
|        | RANCHO AND SECTION LINE           |
| (T)    | TOTAL                             |
| (R)    | RADIAL                            |
| (M-M)  | MONUMENT TO MONUMENT              |
| (M-PL) | MONUMENT TO PROPERTY LINE         |
| ⊙      | FOUND STANDARD STREET MONUMENT    |
| ⊙      | SET STANDARD STREET MONUMENT      |
| ●      | FOUND MONUMENT AS NOTED           |
| LME    | LANDSCAPE MAINTENANCE EASEMENT    |
| PUE    | PUBLIC UTILITY EASEMENT           |
| TMAE   | TRAIL MAINTENANCE ACCESS EASEMENT |
|        | SHEET LIMIT                       |
| ②      | SHEET NUMBER                      |

| NO  | BEARING     | LENGTH         |
|-----|-------------|----------------|
| L1  | N38°23'06"W | 38.56'         |
| L2  | N69°52'17"E | 366.91'        |
| L3  | N20°45'48"W | 389.46'        |
| L4  | N06°25'59"E | 285.81'        |
| L5  | N53°56'03"W | 339.68'        |
| L6  | N29°13'22"W | 284.65'        |
| L7  | N69°39'40"E | 261.49'        |
| L8  | N20°20'20"W | 215.97'        |
| L9  | N64°27'40"E | 208.30'        |
| L10 | N21°34'57"W | 199.21'        |
| L11 | N18°20'58"W | 87.21'         |
| L12 | N37°02'05"W | 678.20' (T)    |
| L13 | N69°00'00"E | 209.85' (M-PL) |
| L14 | N45°35'15"E | 194.43' (M-PL) |
| L15 | N32°30'00"W | 117.00' (M-M)  |



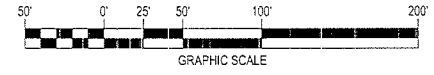
| LINE TABLE |             |        | LINE TABLE |             |        | LINE TABLE |             |        | LINE TABLE |             |         | LINE TABLE |             |         |
|------------|-------------|--------|------------|-------------|--------|------------|-------------|--------|------------|-------------|---------|------------|-------------|---------|
| NO         | BEARING     | LENGTH | NO         | BEARING     | LENGTH | NO         | BEARING     | LENGTH | NO         | BEARING     | LENGTH  | NO         | BEARING     | LENGTH  |
| L1         | N16°26'03"W | 6.28'  | L10        | N37°37'11"E | 2.00'  | L19        | N38°14'08"W | 24.00' | L28        | S46°03'48"W | 22.24'  | L37        | N37°37'11"E | 11.36'  |
| L2         | N16°26'03"W | 13.77' | L11        | N37°37'11"E | 16.00' | L20        | N69°00'30"E | 1.46'  | L29        | N01°02'36"E | 14.90'  | L38        | N40°08'12"W | 117.46' |
| L3         | N38°23'06"W | 15.68' | L12        | N37°37'11"E | 14.00' | L21        | N51°45'52"E | 33.00' | L30        | N46°50'45"E | 80.46'  | L39        | N27°34'00"E | 10.70'  |
| L4         | N38°23'06"W | 38.56' | L13        | N37°37'11"E | 14.00' | L22        | N51°45'52"E | 14.00' | L31        | N28°00'17"W | 36.86'  | L40        | N40°08'12"W | 20.34'  |
| L5         | N38°23'06"W | 22.88' | L14        | N37°37'11"E | 16.00' | L23        | N42°35'08"E | 2.00'  | L32        | N38°14'08"W | 52.72'  | L41        | N74°09'28"E | 76.73'  |
| L6         | N45°17'35"W | 21.05' | L15        | N51°45'52"E | 24.00' | L24        | N88°29'48"W | 36.00' | L33        | N51°45'52"E | 5.06'   | L42        | N46°03'48"E | 10.93'  |
| L7         | N20°49'33"E | 68.32' | L16        | N51°45'52"E | 14.00' | L25        | N42°35'08"E | 14.00' | L34        | N27°39'51"W | 113.32' | L43        | N39°42'24"W | 2.41'   |
| L8         | N16°26'03"W | 7.48'  | L17        | S38°53'39"W | 38.05' | L26        | N42°35'08"E | 24.00' | L35        | N42°38'22"E | 8.37'   |            |             |         |
| L9         | N86°32'15"E | 36.00' | L18        | N38°14'08"W | 14.00' | L27        | N51°45'52"E | 14.00' | L36        | N40°08'12"W | 105.44' |            |             |         |

# SUBDIVISION 9309 RED HAWK

CONSISTING OF 5 SHEETS  
BEING A PORTION OF RANCHO SAN RAMON AND  
A PORTION OF SECTION 32, T.1.S., R.1.W., MDM  
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

**Carlson, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

SCALE: 1" = 50' JUNE 2015



### BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS SHOWN ON WESTRIDGE AVENUE, THE BEARING BEING N21°00'00"W PER TRACT NO. 3280 (107 M. 43).

### REFERENCES:

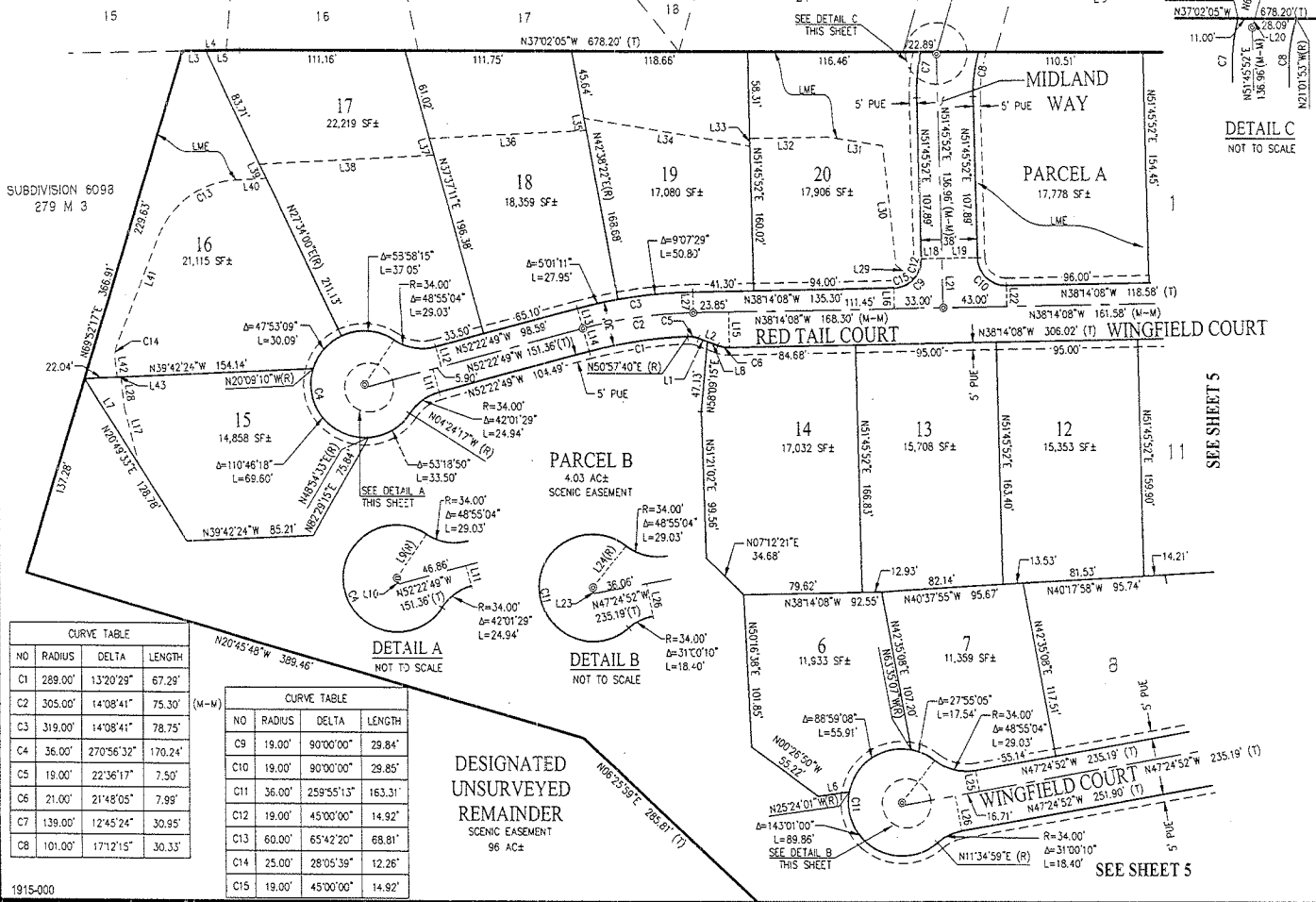
- (#) INDICATES REFERENCE NUMBER
- (1) SUBDIVISION 6098 (279 M. 3)
- (2) GRANT DEED, DOC NO. 2011-32618
- (3) TRACT 2743 (77 M. 31)
- (4) SUBDIVISION 3280 (107 M. 43)

### NOTE:

1. A CHISELED MARK SHALL BE CUT INTO THE TOP OF CURB AT THE PROLONGATION OF LOT LINES, AND A REBAR AND CAP, LS 7960, SHALL BE SET AT ALL NON-FRONTAGE CORNERS AND ANGLE POINTS

### LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- MONUMENT LINE
- ADJOINER LINE
- RANCHO AND SECTION LINE
- (T) TOTAL
- (R) RADIAL
- (M-M) MONUMENT TO MONUMENT
- (M-PL) MONUMENT TO PROPERTY LINE
- ⊙ SET STANDARD STREET MONUMENT
- FOUND MONUMENT AS NOTED
- LANDSCAPE MAINTENANCE EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- TMAE TRAIL MAINTENANCE ACCESS EASEMENT



| NO | RADIUS  | DELTA      | LENGTH  |
|----|---------|------------|---------|
| C1 | 289.00' | 13°20'29"  | 67.29'  |
| C2 | 305.00' | 14°08'41"  | 75.30'  |
| C3 | 319.00' | 14°08'41"  | 78.75'  |
| C4 | 36.00'  | 270°56'32" | 170.24' |
| C5 | 19.00'  | 22°36'17"  | 7.50'   |
| C6 | 21.00'  | 21°48'05"  | 7.99'   |
| C7 | 139.00' | 12°45'24"  | 30.95'  |
| C8 | 101.00' | 17°12'15"  | 30.33'  |

| NO  | RADIUS | DELTA      | LENGTH  |
|-----|--------|------------|---------|
| C9  | 19.00' | 90°00'00"  | 29.84'  |
| C10 | 19.00' | 90°00'00"  | 29.85'  |
| C11 | 36.00' | 259°55'13" | 163.31' |
| C12 | 19.00' | 45°00'00"  | 14.92'  |
| C13 | 60.00' | 65°42'20"  | 68.81'  |
| C14 | 25.00' | 28°05'39"  | 12.26'  |
| C15 | 19.00' | 45°00'00"  | 14.92'  |

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SHEET 4 OF 5

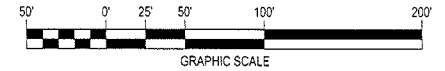
# SUBDIVISION 9309 RED HAWK

CONSISTING OF 5 SHEETS  
BEING A PORTION OF RANCHO SAN RAMON AND  
A PORTION OF SECTION 32, T.1S., R.1W., MDM  
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

SCALE: 1" = 50'  
JUNE 2015



## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS SHOWN ON WESTRIDGE AVENUE, THE BEARING BEING N21°00'00"W PER TRACT NO. 3280 (107 M. 43).

## REFERENCES:

- (#) INDICATES REFERENCE NUMBER
- (1) SUBDIVISION 6098 (279 M. 3)
- (2) GRANT DEED, DOC. NO. 2011-32618
- (3) TRACT 2743 (77 M. 31)
- (4) SUBDIVISION 3280 (107 M. 43)

## NOTE:

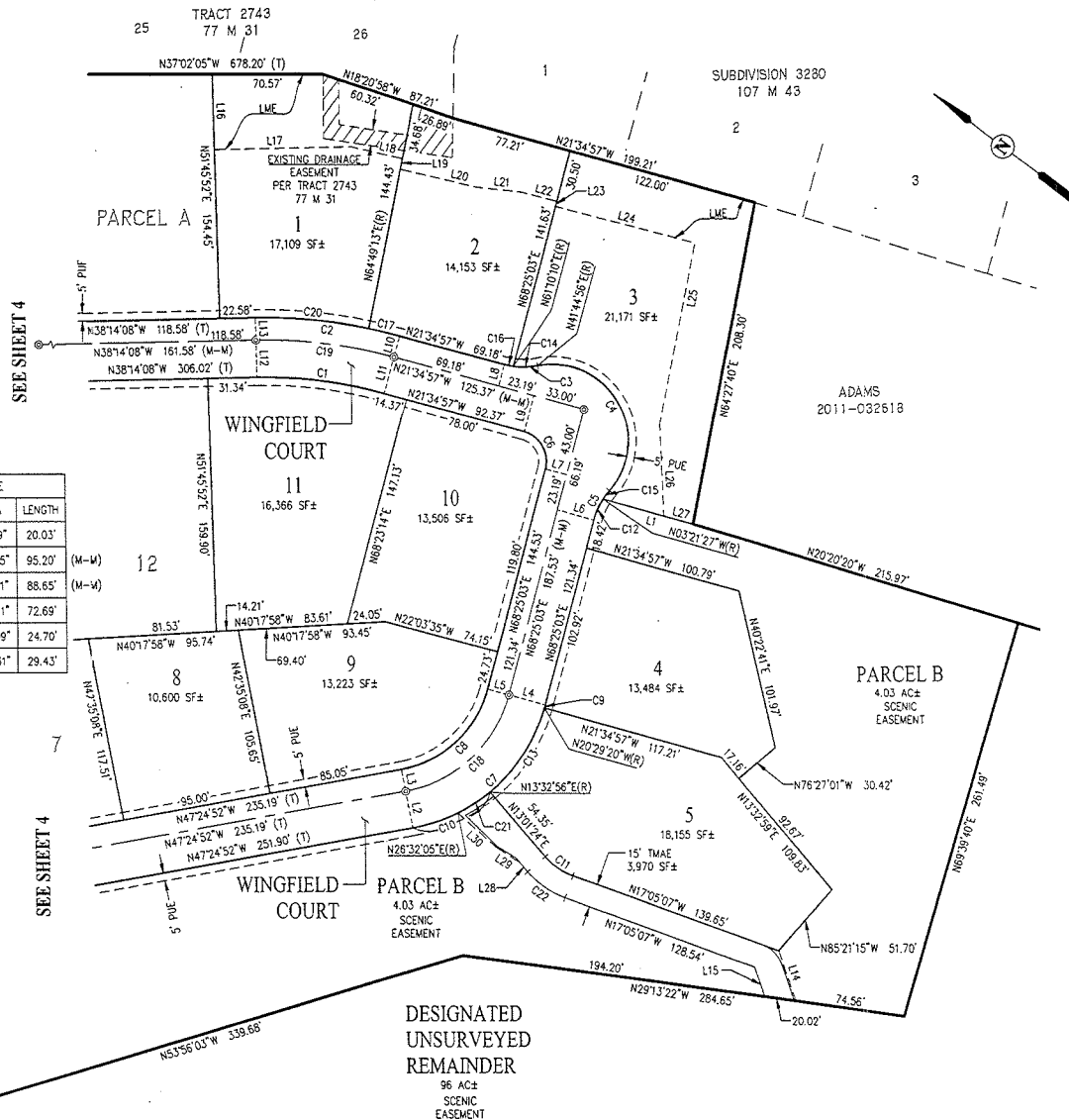
1. A CHISELED MARK SHALL BE CUT INTO THE TOP OF CURB AT THE PROLONGATION OF LOT LINES, AND A REBAR AND CAP, LS 7960, SHALL BE SET AT ALL NON-FRONTAGE CORNERS AND ANGLE POINTS

## LEGEND

|        |                                   |
|--------|-----------------------------------|
|        | SUBDIVISION BOUNDARY LINE         |
|        | RIGHT OF WAY LINE                 |
|        | LOT LINE                          |
|        | EASEMENT LINE                     |
|        | MONUMENT LINE                     |
|        | ADJOINER LINE                     |
|        | RANCHO AND SECTION LINE           |
| (T)    | TOTAL                             |
| (R)    | RADIAL                            |
| (M-M)  | MONUMENT TO MONUMENT              |
| (M-PL) | MONUMENT TO PROPERTY LINE         |
| ●      | FOUND STANDARD STREET MONUMENT    |
| ⊙      | SET STANDARD STREET MONUMENT      |
| ●      | FOUND MONUMENT AS NOTED           |
| LME    | LANDSCAPE MAINTENANCE EASEMENT    |
| PUE    | PUBLIC UTILITY EASEMENT           |
| TMAE   | TRAIL MAINTENANCE ACCESS EASEMENT |

| LINE TABLE |             |        | LINE TABLE |             |         |
|------------|-------------|--------|------------|-------------|---------|
| NO         | BEARING     | LENGTH | NO         | BEARING     | LENGTH  |
| L1         | N21°34'57"W | 59.68' | L16        | N51°45'52"E | 47.43'  |
| L2         | N42°35'08"E | 24.00' | L17        | N37°14'08"W | 87.00'  |
| L3         | N42°35'08"E | 14.00' | L18        | N23°48'21"W | 33.49'  |
| L4         | N21°34'57"W | 24.00' | L19        | N64°49'13"E | 5.39'   |
| L5         | N21°34'57"W | 14.00' | L20        | N23°42'38"W | 48.91'  |
| L6         | N21°34'57"W | 24.00' | L21        | N30°48'02"W | 29.49'  |
| L7         | N21°34'57"W | 14.00' | L22        | N22°37'30"W | 23.46'  |
| L8         | N68°25'03"E | 14.00' | L23        | N68°25'03"E | 3.30'   |
| L9         | N68°25'03"E | 24.00' | L24        | N22°37'30"W | 91.45'  |
| L10        | N68°25'03"E | 14.00' | L25        | N64°30'37"E | 118.00' |
| L11        | N68°25'03"E | 24.00' | L26        | N50°59'50"E | 58.07'  |
| L12        | N51°45'52"E | 24.00' | L27        | N21°34'57"W | 19.52'  |
| L13        | N51°45'52"E | 14.00' | L28        | N13°01'24"E | 7.71'   |
| L14        | N34°48'26"E | 33.66' | L29        | N03°42'15"W | 17.77'  |
| L15        | N34°48'26"E | 19.95' | L30        | N05°25'35"E | 32.92'  |

| CURVE TABLE |         |           |         | CURVE TABLE |         |           |        |
|-------------|---------|-----------|---------|-------------|---------|-----------|--------|
| NO          | RADIUS  | DELTA     | LENGTH  | NO          | RADIUS  | DELTA     | LENGTH |
| C1          | 281.00' | 16°39'11" | 81.67'  | C17         | 319.00' | 3°35'49"  | 20.03' |
| C2          | 319.00' | 16°39'11" | 92.72'  | C18         | 85.00'  | 64°10'05" | 95.20' |
| C3          | 46.00'  | 26°40'07" | 21.41'  | C19         | 305.00' | 16°39'11" | 88.65' |
| C4          | 48.00'  | 14°32'01" | 120.06' | C20         | 319.00' | 13°03'21" | 72.69' |
| C5          | 46.00'  | 26°40'07" | 21.41'  | C21         | 109.00' | 12°59'09" | 24.70' |
| C6          | 19.00'  | 90°00'00" | 29.85'  | C22         | 56.00'  | 30°06'31" | 29.43' |
| C7          | 109.00' | 64°10'05" | 122.07' |             |         |           |        |
| C8          | 71.00'  | 64°10'06" | 79.52'  |             |         |           |        |
| C9          | 109.00' | 1°05'37"  | 2.08'   |             |         |           |        |
| C10         | 109.00' | 29°02'12" | 55.24'  |             |         |           |        |
| C11         | 41.00'  | 30°06'31" | 21.55'  |             |         |           |        |
| C12         | 48.00'  | 18°13'30" | 14.63'  |             |         |           |        |
| C13         | 109.00' | 34°02'16" | 64.75'  |             |         |           |        |
| C14         | 46.00'  | 19°25'14" | 15.59'  |             |         |           |        |
| C15         | 46.00'  | 8°26'37"  | 6.78'   |             |         |           |        |
| C16         | 46.00'  | 7°14'53"  | 5.82'   |             |         |           |        |



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**EXHIBIT B**

PODVA PROPERTY ANNEXATION

Site Geology



## **SITE GEOLOGY**

### **Site and Geologic Setting**

The Podva property consists of two Assessor's Parcels (208-160-007 and 208-160-008) totaling approximately 109 acres located in the Town and Country Planning Area of Danville, California (Figure 1). The property backs to the Las Trampas Regional Wilderness to the west, the Elworthy Property to the south, residential development to the north and east, and is located at the west terminus of Midland Way. The property is currently agricultural with two existing structures, a wooden barn and a metal building.

The Podva property is generally characterized by open, rolling, grass-covered hills, to the ridgeline above, with tree-covered drainage channels and scattered trees in open areas. Current elevations range from a high of about 1,100 feet above mean sea level (msl) at a Las Trampas Ridgeline in the southwest corner of the property to a low of about 452 feet above msl at the east extent of the property at the terminus of Midland Way. The easternmost portion of the project is a gently sloping terrace area.

The Podva property is located on the west flank of Las Trampas Ridge, a prominent northwest-trending ridge formed by uplifted resistant Miocene sandstones that include the Briones, Cierbo and Nerloy Formations (Ham, 1952, Crane, 1995). The ridge crest is the west flank of the overturned Las Trampas Anticline. The core of the anticline is formed by interbedded sandstone and shale of the Middle Miocene Monterey group and contains the Las Trampas Fault, a Late Quaternary east-vergent thrust fault, mapped just below the ridge crest. The Podva Property is located over the eastern flank of the fold. The bedrock layers underlying the site are overturned, inclined steeply northwest, and include the Monterey Group and the Briones and Cierbo Sandstones. Steeply west-dipping sandstone layers are exposed under the relatively flat eastern terrace area and in the incised drainages that flank the property on the north and south.

The Las Trampas Anticline and the Las Trampas Fault are features that are related to the regional structure of the East Bay Hills block, an uplifted range bordered on the east by the Calaveras Fault, an active strike-slip fault generally located at the eastern side of Las Trampas Ridge, and the active Hayward Fault, located approximately 8.8 miles to the southwest. In the site vicinity, northeast-directed shortening between these two faults has resulted in the formation of several folds and thrust faults, including the Las Trampas and Bollinger Faults.

### **Landslide Deposits**

Much of the Podva property west of the residential development on the lower terrace area consists of a large, deep-seated landslide complex. Crudely stratified soils interpreted as debris fan deposits were encountered at the east limit of the mapped landslide deposit. No evidence of deep-seated landslide displacement or shearing was observed in previous fault trenches excavated in these deposits or along the contact with underlying bedrock. The geotechnical

exploration at the site concluded that the veneer of debris fan deposits that mantle the eastern edge of the deep-seated landslide complex have not been displaced by deep-seated slope movements. Locally, smaller, recent landslides have formed on slopes underlain by these deposits as depicted on the Site Plan and Geologic Map. The bedrock exposed at the east side of the project appears to be strong competent, and unaffected by landslide movements.

Recently active slump/earthflow landslides are present in the debris fan deposits on the slopes adjacent to the eastern terrace area. It was concluded that these landslides do not appear to have mobilized and flowed great distances due to the fine-grained and cohesive nature of the soils.

The previous geotechnical exploration at the site concluded that the risk of direct landslide movement impacts to the proposed development area is low.

### **Seismic Sources**

The residential development area is not located within a designated California Earthquake Fault Zone for active faults; however, the zone for the Calaveras fault is located on the Podva Property approximately 1,000 feet southwest of the development. A previous fault investigation performed at the Site concluded that no active fault traces cross the development area (ENGEO, 2011).

South of the site, the Calaveras fault is considered to be "active" by the State and is believed to accommodate approximately 4mm/year of long-term slip that is well-expressed geomorphically by east-facing fault scarps, saddles and deflected drainages (Hart, 1981). The Calaveras fault bifurcates south of the site near Bollinger Canyon Road, and the well-defined fault traces disappear into a series of large landslide complexes on the east flank of Las Trampas Ridge. The locations of active traces of the Calaveras fault have been evaluated by the State of California (Hart, 1981). The State zone for the Calaveras fault ends at the boundary of the Diablo Quadrangle because, beyond that point, the fault is not "sufficiently active and well-defined" to be included on the State maps. A recent study of the northern portion of the Calaveras fault by Unruh and Kelson (2002) concluded that the slip from the active portion of the fault transfers through the East Bay Hills north and west of Danville via the complex interaction of several fold, thrust fault and strike slip fault structures.

### **Groundwater**

Groundwater was not encountered in borings, trenches or test pits at the site during the ENGEO geotechnical investigation. Subdrains have been proposed within keyways on the corrective grading plans to control the potential impacts from groundwater.

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**EXHIBIT C**

PODVA PROPERTY ANNEXATION  
Funding and Acceptance



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## FUNDING AND ACCEPTANCE OF RESPONSIBILITY BY THE GHAD

An annual assessment is already being levied for properties in the GHAD under the provisions of the existing Plan of Control and Engineer's Report. Ultimately, an annual assessment shall be levied on all annexed residential and nonresidential parcels with habitable building areas within the Podva Property development.

### 1. Activation of Assessment

The assessment shall be levied by the GHAD on each individual parcel beginning the first fiscal year following issuance of a building permit for that parcel.

### 2. Responsibility for GHAD Activities

The party that, on the date the Final Map is recorded within the GHAD annexation boundaries owns the developable parcels shown on that Final Map, shall have the responsibility to perform all activities that are anticipated to be transferred to the GHAD. Such responsibility shall be eligible to transfer to the GHAD at 9:00 a.m. on the day exactly three years after the first residential building permit within the annexation area is issued by the Town of Danville provided that the items listed under item No. 4 in this section have been completed. This turn-over date may be extended at the sole discretion of the project developer provided that the assessments shall continue to be levied during the extension period and that notice of such extension is delivered to the GHAD Manager at least 30 days prior to the turn-over date. The petitioners for formation of the GHAD intend that the approximately three-year period between the initial levying of the GHAD assessment and the GHAD becoming responsible to perform activities on property within each Final Map will allow the GHAD to accumulate reserve funds without incurring significant expenses.

### 3. Ownership of the Open Space

Ownership of the open space (Parcels "A" and "B") will pass from the owner/developers to the GHAD on, or approximately on, the date the GHAD commences its activities and becomes responsible for oversight of the actual physical maintenance of the open space as provided in this section.

### 4. Process for Transferring Responsibility for GHAD Activities

After the Transfer Eligibility Date for parcel(s), the process for transferring responsibility for performing GHAD activities on such parcel(s) shall be as follows:

- (a) Up to one year in advance of the Transfer Eligibility Date or in any subsequent year, at its discretion, the developer may apply to the GHAD ("Transfer Application") to transfer the responsibility for performing GHAD Activities for parcel(s) to the GHAD.



- (b) Within 45 days of receiving such notice, a representative of the GHAD shall verify that all the facilities for which the GHAD will have maintenance responsibility have been constructed and maintained according to the City-approved plans and specifications for the individual improvements, and that such facilities are operational and in good working order.
- (c) Within 15 days of such inspection, the GHAD will send the developer a list ("Punch list") of all of the items that need to be constructed, repaired or otherwise modified.
- (d) The developer may notify the GHAD when it has completed the items identified on the Punch list.
- (e) Within 30 days of receipt of such notice, the GHAD shall verify whether all Punch List items have been completed. If such items have been completed, the GHAD shall notify the developer that the GHAD accepts responsibility for performing all future GHAD Activities on the parcel(s).
- (f) The GHAD shall confirm that the reserve requirement defined in the approved Engineer's Report has been met.
- (g) Ownership of the open space shall be transferred from the owner/developers to the District.
- (h) The owner or owners of property within the Podva property shall record a Declaration of Restrictive Covenants, Right of Entry, and Disclosures Regarding Geologic Hazard Abatement District ("Declaration") previously approved by the GHAD.

As part of the transfer, the developer of parcel(s) to be transferred will provide the GHAD, for its use, copies of the applicable geotechnical exploration reports, grading plans, corrective grading plans, improvement plans, field-verified geologic maps, as-built subdrain plans or other pertinent documents as requested by the GHAD.

