

MARIPOSA COUNTY MITIGATED NEGATIVE DECLARATION

(Pursuant to California Administrative Code, Section 15070)

APPLICANT/APPLICATION: *Land Division Application No. 2019-125*
Reza Abrahamzadeh and Susan Zakar, applicants

PROJECT DESCRIPTION: The project is a subdivision of a 21.04-acre parcel (APN 015-090-006) into a three (3) parcels that would result in: Parcel A – 5.08+/- acres, Parcel B – 10.95+/- acres, and Parcel C – 5.01 +/- acres. The lots are located within the residential land use classification in the Mountain Home Zone and will be available for residential uses. Proposed Parcels B and C have existing homes and independent septic systems. Parcel C houses a well, which serves homes on both proposed Parcels B and C. Parcel A is undeveloped except for a driveway. Access is proposed via Meadow Lane, and an existing 40-foot wide private access with turnaround to connect to a proposed 40-foot wide private easement with turnaround.

FINDINGS: No significant effect is based on the following findings:

1. **FINDING:** The site is physically suitable for the type and density of development.

EVIDENCE: The site is physically suited for low-density homes and appurtenant improvements, and has already been developed as such. The proposed project is located within the Mountain Home Zone and the Residential Land Use Classification. The subdivision density is designed in accordance with the Mountain Home Zone and the Residential Land Use Classification.

2. **FINDING:** The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

EVIDENCE: The Initial Study prepared for the project found that based on the approved project description, the project would have a less than significant effect on the environment with mitigation applied. The project may have an adverse impact on the wildlife resources and potential habitat areas, and therefore, subject to the California Department of Fish and Wildlife file fees for a mitigated negative declaration as required by AB 3158 and SB 1535 and County Clerk fees.

3. **FINDING:** The design of the subdivision or the proposed improvements is not likely to cause serious public health problems.

EVIDENCE: This land division and its subsequent use for low-density residential purposes are not likely to cause serious health problems. Future residential uses will be required to comply with all Building Code regulations and Environmental Health Unit standards for the proper installation of wells and sewage disposal systems. The proper location and implementation of these improvements will ensure that serious health problems will not occur on the site. The project site is located in a State Responsibility Area. The project has been reviewed by the Mariposa County Fire Department and CALFIRE. The land division has been designed to comply with all applicable fire safe requirements. All future residential uses will be required to comply with the State Fire

Safe Standards as mandated by California Public Resource Code (PRC) Sections 4290 and 4291, which will eliminate any potential health and safety issues related to fire protection. The design and location of each lot and ingress/egress points to the subdivision and individual lots comply with all applicable County standards as well as standards contained in PRC sections 4290 and 4291. Structural fire protection and suppressions services are available to the project site through the Mariposa County Fire Department and CALFIRE.

4. **FINDING:** The proposed map is consistent with applicable General and Specific plans as specified in Government Code Section 65451.

EVIDENCE: The land division is the initial step in the process to help accomplish Mariposa County General Plan's Housing Element overall goal to *"Provide opportunities for an adequate supply of sound, affordable housing units for ownership and for rent in a safe and satisfying environment for the present and future residents of the County."* The land division satisfies the following Housing Element Objectives, including: *"Provide Adequate Sites and Services."* All of the proposed Parcels have existing access from Meadow Lane, a county-maintained road which has adequate capacity for the additional traffic generated by the new parcels created by this project. The project proposes to improve the existing access to the parcels in accordance with the SRA Fire Safe Regulations as required by CALFIRE.

5. **FINDING:** The design or improvement of the proposed subdivision is consistent with applicable General and Specific plans.

EVIDENCE: The minimum parcel size, minimum density, and building intensity proposed by the project is consistent with standards contained in the Residential Land Use Classification of the General Plan and the Mountain Home Zone. The land division's design complies with the County Subdivision Ordinance's maximum 4:1 length to width ratio for parcel configuration.

6. **FINDING:** The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

EVIDENCE: The project will not conflict with any public utility easements, which exist along the property boundaries. There is no public access easements proposed on the property.

7. **FINDING:** The Planning Commission finds that there is no public need for an offer of dedication for the proposed easement on the tentative map.

EVIDENCE: The easement does not serve an off-site parcel. The easement can be created as a private easement.

Impact Discussion & Conclusions:

1. The project will have a less-than-significant impact on biological and cultural resources with mitigation for protection of possible nesting birds and raptors and a less than significant impact on cultural resources. The project will result in increased air emissions, groundwater use, noise, traffic, and demand for public services. However, these impacts are not considered to be significant, and are individually limited, and not cumulatively considerable. The project does not have the potential to cause substantial adverse effects on human beings, either directly or indirectly. Based on the environmental review conducted for the project, a mitigated negative declaration has been adopted for the project.
2. The project does not have the potential to have substantial adverse direct or indirect environment effects on human beings.

No significant effect is based on review procedures of the following County Departments or Divisions:

- | | | | |
|-------------------------------------|---------------------|-------------------------------------|----------------------------------|
| <input type="checkbox"/> | Building Department | <input checked="" type="checkbox"/> | County Environmental Health Unit |
| <input checked="" type="checkbox"/> | Planning Commission | <input checked="" type="checkbox"/> | Public Works Department |

Other: Mariposa County Unified School District, California Department of Forestry and Fire Protection (Cal Fire), Sierra Telephone, Mariposa County Fire Department, Mariposa County Assessor, California Department of Fish and Wildlife, Southern Sierra Miwok Nation, Mariposa County Agricultural Commissioner, Mariposa County Resource Conservation District, and Pacific Gas & Electric.

No significant effect is based on additional conditions as follows:

See Conditions as approved by the Mariposa County Planning Commission on page 4 of this document.

Initial Study was prepared by Keasha Blew, Associate Planner, and is on file at Mariposa County Planning Department, 5100 Bullion Street, Mariposa, California 95338



Sarah Williams, Director
Mariposa Planning

6/12/20

Date

CONDITIONS: The following conditions were approved by the Mariposa County Planning Commission:

General Conditions

1. Project approval is valid for a period of three years from the June 12, 2020 date of approval by the Mariposa County Planning Commission. This approval shall expire on June 12, 2023, three (3) years after the date of approval by the Mariposa County Planning Commission. An extension of time may be granted by the Planning Commission if a complete time extension application is submitted prior to the expiration date.

(Section 16.16.090, Mariposa County Code)

2. The Property Owner shall indemnify, protect, defend, and hold harmless the County, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the County, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, any approval of the County, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the County, concerning the project and the approvals granted herein. Actions concerning the project and approvals granted shall include, but not be limited to, the environmental determination made pursuant to the California Environmental Quality Act (CEQA). Furthermore, Owner shall indemnify, protect, defend, and hold harmless the County, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which Owner's project is subject to that other governmental entity's approval and a condition of such approval is that the County indemnify and defend such governmental entity. County shall promptly notify the Owner of any claim, action, or proceeding. County will further cooperate in the defense of the action.

An agreement on a form approved by Mariposa County Counsel shall be executed within twenty (20) working days of the date of project action. Non-compliance with this condition may result in revocation of project approval by the County.

(Mariposa County Code, Section 16.36.030)

3. Prior to filing of the parcel map, all fees associated with the County's processing of the map and filing of associated documents shall be paid. The Department of Fish and Game filing fee (\$2,406.75 as of 1/1/20) and the County Clerk fee (\$50.00 as of 1/1/20) shall be paid by the applicant within five (5) working days of the approval of the application (by Friday, June 19, 2020). If the fee is not paid within 5 working days, and the Notice of Determination is not filed with the County Clerk prior to close of business on Friday, June 19, 2020, the environmental determination is not operative, vested, or final (Section 21089(b) Public Resources Code).

The County Clerk requires that one check be submitted to cover both of these fees, for a total of \$2,456.75 (effective 1/1/20), and that it be in the form of a cashier's check or money order payable to "Mariposa County." The County Clerk will not accept a personal check for these fees. Submit the check to Mariposa Planning to file this fee and other required documents.

Note, the filing fees are adjusted annually, effective January 1st of each year, pursuant to Fish and Game Code.

(§16.12.390, Mariposa County Subdivision Code; 711.4(c) of the State Fish and Game code)

4. In the event human remains or artifacts are discovered during ground disturbance on the project site, a Native American monitor shall be on-site for the duration of ground disturbance. During road grading, soil testing and/or construction, or any activity that involves ground disturbance necessary to implement project conditions of approval, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the applicant to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered. Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains.

(Mitigation Measure B.4.d.1)

5. Any tree removal or pruning on the project site including dead or broken trees, shall occur between October 1 and January 31, the time-frame which is outside of the normal raptor and general avian breeding season. Should such tree removal occur between February 1 and September 31, a pre-removal survey for active raptor or avian nests shall be conducted by a qualified biologist/botanist no more than fifteen days prior to removal. If such nests are found the tree or trees in which nest(s) are located shall not be removed until the young have fledged. The appropriate time for tree removal shall be determined by a qualified biologist/botanist in consultation with the California Department of Fish and Game. The project proponent shall provide the results of any surveys to the Mariposa County Planning Department prior to tree removal.

(Mitigation Measure B.5.c.1)

CALFIRE/County Fire Conditions

6. Prior to Parcel Map recordation, the applicant shall have complied with all applicable SRA Fire Safe Regulations according to PRC 4290, PRC 4291. Evidence that this condition has been satisfied shall be in the form of a letter from County Fire and CALFIRE to the County Surveyor.

(Title 14, California Code of Regulations [PRC 4290] and/or CALFIRE Recommendation)

Public Works Conditions

7. Prior to the commencement of any road improvements, road construction or other road building or maintenance activities required as a condition of approval for this project and

prior to issuance of any encroachment permit for the required improvements, a consultation meeting with the Public Works Department, CALFIRE, the applicant, the agent, and the road contractor, shall occur. This meeting shall be conducted on-site. This consultation meeting shall be setup by the applicant and/or agent. Any and all costs associated with the consultation shall be the responsibility of the applicant. The County engineer shall verify that this condition has been met prior to issuance of any road improvement or encroachment permit required for this project and prior to the scheduling of any on-site inspection of road improvements.

(Public Works Recommendation)

8. The easement along Segment 2, from Parcel A to the proposed 60- foot turnaround of the proposed access (see Staff Report – Road Segment Exhibit), shall be made a minimum 40-foot wide and non-exclusive. A turnaround easement with a radius of 60-feet (or an adequate easement to encompass a hammerhead T turnaround, if approved pursuant to Condition No. 10) shall be provided to encompass the required turnaround improvements. The easement shall be designated for access for the use and benefit of the subject property. Additional easement width may be required to encompass the required road improvements, including turnouts and associated cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. The location and width of the easements shall be approved by the County Engineer.

(Section 16.12.160.B, County Subdivision Ordinance; Section II.A.3, Road Improvement and Circulation Policy)

9. Prior to Parcel Map recordation, the easements from Meadow Lane to Parcel A (Segment 1) and from Parcel A to the proposed 60- foot turnaround (Segment 2) shall be improved to a Rural Class IIA standard and shall meet this standard at the time of parcel map recordation. (The intersection of the on-site easement road and the on-site/off-site easement road shall be constructed at as close to a 90 degree angle as possible or as approved by the County Engineer.) The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be approved by the County Engineer at the time of recordation of the parcel map. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

The maximum grade below 3000 foot elevation will be 12% and the maximum grade above 3000 foot elevation will be 10%. Grades may be increased per the County Improvement Standards, with the approval of the County Engineer. Increase of the grades may require paving. Road improvements are also subject to approval by CALFIRE in accordance with Calif. Fire Safe Standards.

The limits of the existing easement from Meadow Lane to Parcel A (Segment 1) shall be identified (flagged) on site by a surveyor, prior to construction. Flagging shall be maintained during road improvement work.

The on-site drainage crossing shall meet all applicable standards and is subject to approval by the County Engineer prior to commencing any road improvements. Drainage crossing may require engineered improvements plans prepared by a Registered Civil Engineer.

(Section 16.12.170, County Subdivision Ordinance; Chart A and Section II.D.2.a, Road Improvement and Circulation Policy)

10. Prior to Parcel Map recordation, a cul-de-sac shall be constructed at the terminus of the required road improvements at the intersection of Parcels A, B and C (Segment 2) as shown on the tentative parcel map. The cul-de-sac shall be improved to meet county standards and shall meet these standards at the time of parcel map recordation. The required cul-de-sac improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be inspected and approved by the County Engineer at the time of recordation of the parcel map. The applicant may request permission to construct a hammerhead T turnaround with the approval of CALFIRE and concurrence of the County Engineer. The hammerhead T turnaround shall be completed in accordance with State Fire Safe Regulations, and applicable provisions from the Road Improvement and Circulation Policy and County Improvement Standards. At the time of recordation of the parcel map, the County Engineer shall confirm that this condition has been met.

(Section 11.4(B)(9) County Improvement Standards)

11. An encroachment permit shall be obtained from the Mariposa County Public Works Department prior to any work being done on or adjacent to Meadow Lane. In addition, all grading and road improvement work required as a condition of approval of this project shall comply with the Mariposa County Improvement Standards and all requirements contained therein. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

(Chapter 11, County Improvement Standards)

12. All grading and road improvement work required as a condition of approval of this project shall comply with the Mariposa County Improvement Standards and all requirements contained therein. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvement required as a condition of approval for this project. If engineered improvement plans are required, the plan shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

(Public Works Recommendation)

13. Immediately upon completion of the required road and encroachment improvements, the applicant shall re-vegetate all exposed soils and install other erosion control as recommended by the Resource Conservation District (RCD). The applicant shall also contact the RCD for an inspection. Inspection fees shall be the responsibility of the applicant. A letter shall be submitted to the County Surveyor by RCD stating that the re-vegetation and erosion control provisions have been completed prior to the recordation of the parcel map.

(Road Improvement and Circulation Policy; County Improvement Standards)

14. The easement from Meadow Lane to the intersection of Parcels A, B and C (Segments 1 and 2) shall be named in accordance with the criteria of County Resolution No. 92-541. A Road Name Request application shall be submitted to the Planning Department and be acted upon by the Board of Supervisors. Approval of the road name shall be tentative, until the map is filed. The name of the road within the project site shall be shown on the parcel map.

A road name sign for the easement road shall be placed at the intersection of the off-site easement road (Segment 1) and Meadow Lane. The design and specifications of the sign shall be in accordance with the Mariposa County Improvement Standards.

(County Resolution No. 92-541, Section 16.12.175, County Subdivision Ordinance)

15. The posted address sign or mailbox for the existing residences shall be maintained in good repair at all times during project construction, up until both of the following are satisfied: a) a new address is assigned for the existing residences and b) the new road name sign is installed.

Prior to filing the parcel map, the applicant shall submit to the Planning Department an "address request form", on a form provided by the Planning Department, for Parcels A, B, and C and for offsite parcels which already have existing addresses. The "address request form" will ensure that all homes on Parcels A, B, and C, served by the proposed easement (Segment 2), as well as existing residences served by the existing easement (Segment 1), are assigned new addresses off the newly named subdivision road by the Assessor/Recorder's Office following the filing of the parcel map. A letter or e-mail from the Planning Department shall be sent to the County Surveyor which verifies this condition has been met.

(Planning Department Recommendation)

16. One of the following conditions shall be met prior to recordation of the parcel map:
 - a. A gate shall be installed across the easement adjacent to the intersection of the off-site easement and on-site easement (between Segments 1 and 2). The type and location of the gate shall be approved by the Public Works Director. If the gate is to be locked, the gate shall be approved by the County Fire Chief and CALFIRE for emergency access purposes.

-OR-

- b. A sign stating "PRIVATE ROAD" shall be installed on the easement adjacent to the intersection of the off-site easement and Meadow Lane (Segment 1). The location of the sign shall be approved by the Public Works Director, and the design and specifications shall be in accordance with the County Improvement Standards.

(Section II.I, Road Improvement and Circulation Policy)

17. A road maintenance association shall be formed to provide for the maintenance of both the off-site easement road (Segment 1) from Meadow Lane to the existing 60-foot turnaround and the on-site easement road (Segment 2) from the existing 60-foot

turnaround and the boundary of proposed Parcel A to the proposed 60-foot turnaround at the shared boundary line of Parcels A, B, and C. Maintenance shall include, but not be limited to, drainage and erosion control devices, fuel modification, and upkeep of road surfaces. The road maintenance association provisions shall be developed by the applicant so those parcels served by the easement road shall be responsible for road maintenance. These provisions shall be reviewed and approved by the County Engineer prior to recordation of the parcel map and shall:

- a. Be in effect for a period of not less than thirty (30) years unless said maintenance is taken over by the County, a special district, or other governmental entity.
- b. Provide for annual maintenance and the immediate correction of emergency and hazard situations.
- c. Include 100% of the parcels in the subdivision served by the access roads.
- d. Provide a mechanism for the road maintenance association to collect delinquent payments or assessments for the maintenance described above by filing a lien on the delinquent properties.
- e. Provide a mechanism for new parcels to be added to the association.

-OR-

The Applicant shall join an existing road maintenance association provided it can be expanded to include all parcels and roads created as a result of LDA No. 2019-125 and it meets all of the provisions described above for formation of a new road maintenance association.

(Public Works Department Recommendation; Section II.I, Road Improvement and Circulation Policy)

18. A Verification of Taxes Paid Form, acquired no sooner than 30-days prior to the recordation of the parcel map, shall be submitted to the County Surveyor.

(Section 16.12.395, County Subdivision Ordinance)

19. The telephone company shall be contacted prior to construction in order to coordinate the location of telephone facilities, including conduit. The applicant shall submit a letter from the telephone company to the County Surveyor stating that the requirement has been met.

(Public Works Recommendation)

Environmental Health Conditions

20. Prior to recordation of the parcel map, the applicant shall prove to the satisfaction of the Mariposa County Environmental Health Unit that Parcels A, B and C have a supply of potable water meeting requirements for quantity and quality. Proof is as follows:
 - a. An approved connection from an approved public water provider; or
 - b. A proposed connection to a shared well which has been pre-approved by the Environmental Health Unit; or
 - c. A well, for which appropriate permits and inspections have been approved by the Environmental Health Unit, has been drilled on the subject property and developed with appropriate casings, and for which improvements may or may not include permanently installed pump equipment; or

- d. A demonstration that there can be a source of water capable of producing a sustained potable water supply with storage of at least 1,000 gallons per twelve (12) hour day per dwelling unit, which will be contained within any combination of (a) a potable water storage tank, (b) a static water supply in the well; or
- e. Other satisfactory proof and wells drilled and tested prior to sale to demonstrate the quantities described in "Section d." above.

Additionally, if the property is to be served in the future by a well, the applicant shall record a disclosure statement concurrently with the parcel map and referenced on the parcel map or shall include the disclosure statement on an additional map sheet which indicates its relationship to the parcel map. The statement shall be the following:

"This notice is not intended to affect record title interest. Water supplies for residential lands are derived from private wells on Parcels A, B, and C as shown on the Parcel Map for _____ filed in Book___at Page____, Mariposa County Records. Mariposa County groundwater supplies are found in fractures in the bedrock. The costs associated with drilling and developing a private well is highly variable because it is unknown how much or if any additional water can be found on these parcels. There is no guarantee additional potable water supply of adequate quality or quantity can be found or sustained on any parcel shown on this map."

(Mariposa County General Plan, Section 5.3.02.E(4))

- 21. If the applicant has not drilled a well on Parcel B for the existing residence (on Parcel B) prior to recordation of the parcel map, an access easement for the existing well on Parcel C shall be created for the use and benefit of Parcel B.

(Planning Department Recommendation)

- 22. The access easement for the existing shared well on Parcel C, also serving Parcel B, shall be located such that physical access can be made to the well from the access road on Parcel B and shall be shall be a minimum of 20-feet wide.

(Planning Department Recommendation)

- 23. A shared maintenance agreement shall be recorded concurrently with and referenced on the Parcel Map describing the property owner's responsibilities for sharing in all costs associated with the routine maintenance, upkeep, and replacement costs of the existing well.

(Planning Department Recommendation)

- 24. Any conditions of the Environmental Health Unit for a shared well such as well production quantity and water composition quality shall be met prior to recordation of the parcel map.

(Planning Department Recommendation)

- 25. Percolation tests and soils analysis tests have been performed on proposed Parcel A in accordance with Health Department rules and regulations and Health Department Policy 03-01. A report meeting the requirements of Health Department Rules and Regulations has been submitted to the Mariposa County Health Department and approved by the County Environmental Health Specialist. A statement shall be recorded in Official Records concurrently with the parcel map and referenced on the parcel map as follows:

“Percolation tests and soils analysis tests show that conventional on-site sewage disposal systems cannot be constructed on Parcel A as shown on the Parcel Map for Reza Abrahamzadeh and Susan Zakar, filed in Book ____ at Page _____, Mariposa County Records, based upon limiting soil conditions; however, the test results meet the Health Department Land Division policy requirements for use of engineered, alternative design on-site sewage disposal systems. The State of California is in the process of developing Statewide on-site sewage disposal regulations that could affect the future installation of engineered, alternative design on-site sewage disposal systems; therefore, buyers are encouraged to check with the Mariposa County Environmental Health Unit disposal system on this parcel.

Additionally, a notice shall be filed concurrently with the parcel map and referenced on the parcel map which states:

“The property described as Parcel A as shown on the Parcel Map for _____, filed in Book ____ at Page _____, Mariposa County Records, is required to be served by an alternative design on-site sewage disposal system which is to be installed in the exact area tested and approved by the Environmental Health Unit unless the Environmental Health Unit approves an alternate location as described below. Construction plans for the alternative design on-site sewage disposal system must be submitted to and approved by the Mariposa County Environmental Health Unit prior to the issuance of a development permit for any construction activities. A map showing the approved location and a report including percolation test and soil profile analysis results is on file at the Mariposa County Environmental Health Unit.

The alternative design on-site sewage disposal system is to be maintained in accordance with Mariposa County Environmental Health Unit Policy 03-01 which states, “A maintenance entity shall be required prior to approval and installation of a special design sewage disposal system on a land division. In lieu of a public entity, an operation and maintenance protocol may be submitted for approval by the manufacturer of a specific technology and an agreement/contract entered into with a private on-site sewage disposal maintenance company certified by the manufacture to service their equipment.” Said maintenance entity shall be created to provide maintenance on the engineered sewage disposal systems prior to issuance of a development permit for residential construction activities.

In the event that additional soils testing is conducted demonstrating that an alternative design on-site sewage disposal system is not necessary, the Mariposa County Environmental Health Unit may allow the use of a conventional on-site sewage disposal system in the newly tested area. Any newly tested area requiring the use of an engineered alternative design on-site sewage disposal system must meet the same minimum soils requirements of Health Department policy 03-01 as a newly created parcel.” The approved sewage reserve area shall have a 25 foot protection/buffer area on the downslope side excluding any grading or other construction that could create a setback that encroaches into the approved sewage reserve area.

(Section 16.12.330, County Subdivision Ordinance; Environmental Health Unit Recommendation)

26. Prior to the commencement of any road improvements, road construction or other road building or maintenance activities required as a condition of approval for this project, the applicant shall contact the California Department of Fish and Wildlife (CDFW) to determine if a Section 1603 Streambed Alteration Notification is required. If required, the applicant shall obtain the notification or permit prior to the commencement of construction activities. A copy of the approved permit or evidence that a permit is not required shall be submitted to the Public Works Department prior to the onsite consultation meeting required by Condition of Approval No. 7. If a permit is required, all provisions and requirements of the permit shall be completed prior to recordation of the parcel map. The applicant shall submit to the County Surveyor evidence that all permit requirements have been met to the satisfaction of the Department of Fish and Wildlife.

(CDFG recommendation; Fish and Game Code Section 1603)

27. Prior to the commencement of any road improvements, road construction or other road building or maintenance activities required as a condition of approval for this project, the applicant shall contact the Regional Water Quality Control Board to determine if a General Permit for Discharges of Storm Water Associated with Construction Activity is required. If required, the applicant shall obtain the permit prior to commencement of construction activities. A copy of the approved permit or evidence that a permit is not required shall be submitted to the Public Works Department by the applicant prior to the onsite consultation meeting required by Condition of Approval No. 7. If a permit is required, all provisions and requirements of the permit shall be completed prior to recordation of the parcel map. The applicant shall submit to the County Surveyor evidence that the permit requirements have been met to the satisfaction of the RWQCB.

(State Water Quality Control Board Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES))