

CONDITIONS OF APPROVAL**Mt. Hermon Conference Center and Camp Specific Plan
Including a Master Plan and Commercial Development
Permit No. 98-0046**

Applicant and Property Owner: Mt. Hermon Association

Assessor's Parcel No. 66-021-01, et al.

Property location and address: Property located on both sides of Conference Drive just east of the intersection of Conference Drive and Graham Hill Road in the community of Mount Hermon, San Lorenzo Valley Planning Area (P.O. Box 413, Mt. Hermon, CA, 95041)

Exhibits:

Exhibit A: Architectural Plans prepared by NAI Architects, consisting of 27 sheets dated April 2001

- Sheet MP-1 - Proposed Site Plan
- Sheet MP-1 .1 - Drawing Index
- Sheet MP-2 - Existing Site Plan
- Sheet A-1 .0 - Plan View of Recreational Field vicinity Improvements
- Sheet A-1 .2 - Activity Center, lower level floor plan
- Sheet A-1 .3 - Activity Center, main floor plan
- Sheet A-1 .4 - Activity Center, upper level floor plan
- Sheet A-1 .5 - Activity Center, exterior elevations
- Sheet A-1 .6 - Activity Center, exterior elevations
- Sheet A-1 .7 - Pavillion/Amphitheatre plan view and elevation
- Sheet A-1 .8 - Ministry Center, floor plan
- Sheet A-1 .9 - Ministry Center, exterior elevations
- Sheet A-2.0 - Redwood Camp, site plan
- Sheet A-2.1 - Redwood Camp Sports Pavillion, floor plan and elevations
- Sheet A-2.2 - Redwood Camp Cabins, floor plan and exterior elevations
- Sheet A-2.3 - Redwood Camp Dining Hall, floor plan & elevations

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Sheet A-3.0 - Miniature Golf Course, plan view
Sheet A-4.0 - Central Mall Area, site plan
Sheet A-003 - Auditorium, site plan
Sheet A-101 - Auditorium, lower level floor plan
Sheet A-102 - Auditorium, upper level floor plan
Sheet A-201 - Auditorium, exterior elevations
Sheet A-202 - Auditorium, exterior elevations
Sheet A-301 - Auditorium, building sections
Sheet A-5.1 - Lakeside and three other lodges, site plan
Sheet A-5.2 - Forest Lodges, site plan
Sheet A-6.1 - Forest, Conference & Parkway Parking Lots, site plan

Exhibit B: Mt. Hermon Water Conservation Plan, dated August 28, 2000

Exhibit C: Mitigation Monitoring and Reporting Program, prepared by County
Planning, dated October 11, 2000

Conditions:**I. GENERAL CONDITIONS AND APPROVALS**

- A. This permit authorizes both a Specific Plan and a Master Plan for the Mt. Hermon Conference Center and Redwood Camp and replaces and supersedes the Master Plan previously approved by Permit 4787-U. The approval of the Specific Plan allows flexibility from strict application of Zoning site standards. Site standards differing from those provided in the Zoning Ordinance are specified in condition II below.
- B. The approval of this Specific Plan includes the establishment of a Rural Service Line for the Specific Plan area and a General Plan land use designation amendment and rezoning for a majority of properties within the Specific Plan/Master Plan area to designate properties either as "Park and Recreation" and zoned "PR" (Park, Recreation and Open Space) or to rezone properties to the "R-I -15" (Single-family Residential) zone district where the existing General Plan designation is "Suburban Residential" and a residential use occurs on the parcel.
- C. Master plan parking facilities proposed on parcels not currently owned by MHA are dependent upon successful purchase of these parcels by MHA.

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In that case, grading permits for such facilities shall not be issued until MHA applies for a General Plan amendment and rezoning of these parcels to request they become uniformly designated as "Park and Recreation" and zoned "PR" and the County approves the application. If MHA is not successful in acquiring the parcels needed for certain parking facilities shown on Exhibit A, this shall not alleviate the responsibility to provide these facilities as specified in condition I.F below. In that case, MHA shall apply for a Master Plan amendment to change the location of the parking facilities to property owned by MHA or where MHA has acquired the legal right to construct permanent facilities.

- D. Neither the Specific Plan, nor uses planned thereunder, shall operate to constrain existing or future uses for properties not owned by MHA. (Also, see condition I.G)
- E. Certain permit conditions that correspond to mitigation measures from the EIR are noted in italics with the number of the corresponding mitigation measure. As used in this permit, the term "owner/applicant" and "MHA" (Mt. Hermon Association) are synonymous and includes MHA and any successor in property ownership and management of land within the Specific Plan area.
- F. This Specific Plan/Master Plan allows for the construction of the following new or replacement uses in three development phases:

Phase 1 (Years 1-2)

·	Ministry Center to replace demolished Newton Memorial Bldg. (Already constructed)
·	New auditorium to replace the existing auditorium
·	Relocation and renovation of the existing Central Lounge Meeting Room (on the site of formerly proposed Azalea Lounge Meeting Room)
•	Renovation of the existing parking lot located near the Ministry Center to include expansion for an additional 28 spaces, proper traffic lanes, landscaping and cross-walk to Ministry Center

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• Renovation of the existing recreation field to recrown the field.
• New *"Conference Drive" parking lot (20 spaces)

Phase 2 (Years 3-7)

• Walking path around existing recreation field
• Pavillion amphitheatre to replace existing tennis and basketball courts at the Recreation Field
• New miniature golf course
• 8 new cabins at Redwood Camp to replace the existing 20 cabins (for a total increase of 28 beds)
• New sports pavillion at Redwood Camp to replace existing tennis and basketball courts
• Expansion of existing dining hall at Redwood Camp
• New Black cabin to replace a storage shed (6 beds)
• New "Upper Parkway" lot to replace Tamrack and Mullberry Lodges and one dwelling (36 spaces)

Phase 3 (Years 8-15)

• New activity center to replace an existing residence and detached garages
• New village center building to house the post office, registration center, store and arts & crafts facility to replace the existing post office/Forest Hall (meeting room) building
• New Toyon cabin to replace the existing Toyon cabin (8 beds)
• New Heather cabin to replace the former Heather cabin destroyed by 1989 earthquake (6 beds)

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•	New Lakeside Lodge to replace 1 dwelling (24 beds)
•	New Forest Lodge to replace 6 dwellings (31 beds)
•	New "Forest Lodge" parking lot (29 spaces)
•	New "Lower Parkway" parking lot to replace 5 dwellings (31 spaces)

These facilities shall be sited in the locations shown on Exhibit A of this permit. They shall be constructed in general conformance with the floor plans and exterior elevations of that shown on Exhibit A. For this requirement "in general conformance" shall mean a size, height, and use of exterior materials that do not substantially change the overall concept or density of the structure. Architectural style and maximum number of visitor beds shall not change from that shown on Exhibit A and as described in this permit condition.

- G. The owner/applicant is not required to complete all buildings within a specific phase before continuing with development allowed in subsequent phases as long as the parking lot specified in a phase is completed within the phase it is required to be constructed. However, the conditions in sections III, IV and V below provide certain requirements that must be completed prior to commencing a subsequent construction phase. Meeting these requirements determines if and when development can commence in phases 1, 2 and 3. In addition, the conditions in section VI below specify the development requirements that must be met for each individual facility in each phase.
- H. The Specific Plan/Master Plan recognizes existing structures and uses which are in existence at the time of the approval of this plan and permit. Such uses shall be permitted to continue as authorized uses.
- I. Construction and grading for any approved structure or parking lot may be approved with a level 3 Building Permit and/or Grading Permit without the need of subsequent public hearing as long the project meets the requirements of conditions I.C and II.
- J. No Building Permit or Grading Permit may be issued if uses or

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construction of facilities are not in conformance with the conditions of this permit.

- K. The owner/applicant shall obtain any required approvals from the National Marine Fisheries Service (NMFS) and Regional Water Quality control Board (RWQCB) within the time frames specified by conditions IV and V below.
- L. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/ owner shall:
 - 1. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof. *
 - 2. Record the approved conditions with the Office of the County Recorder and submit documentation of recording to County Planning.
 - 3. Pay an EIR filing fee of \$850.00 to the Clerk of the Board of the County of Santa Cruz as required by the California Department of Fish and Game mitigation fees program.

II. SPECIFIC PLAN SITE AND DESIGN STANDARDS

- A. All new construction for Mt. Hermon Association structures shall comply with the site standards specified by Chapter 13.10 pertaining to the "PR" zoning district (Section 13.10.350 et seq.), and regulations for organized camps and conference centers (Section 13.10.692) except as follows:
 - 1. An overnight visitor density not to exceed 805 visitor accommodation beds
 - 2. Expansion of existing dwellings up to a maximum of 500 square feet if the expansion meets the site standards specified by Section 13.10.353 and standards for individual sewage disposal systems if the property is not served by sewer.
 - 3. Maximum height of any building shall be 28 feet except as noted for the following congregate use buildings:

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- a. Auditorium - 55 feet with a tower at 60 feet as shown on Exhibit A
 - b. Ministry Center - 60 feet as shown on Exhibit A
 - c. Pavillion/Amphitheatre (cupola portion) - 33 feet as shown on Exhibit A
 - d. Sports Pavillion - 38 feet as shown on Exhibit A
 - e. Activity Center at the Recreation Field - 58 feet as shown on Exhibit A
4. Minimum setbacks for all yards shall be 20 feet.
- B. Grading for all uses shall comply with the following standards:
 1. The volume of excavations and fills shall be minimized to the greatest extent feasible.
 2. The maximum number of native trees is preserved to the extent feasible.
 3. Grading on slopes up to 35% may be permitted if shown to be necessary to construct a facility at an approved location if accompanied by a geotechnical report (and engineering geologic report, if required by County Planning) that demonstrates the impacts of the grading can be effectively mitigated by feasible and proven construction or soil stabilization measures (e.g. retaining walls).
 4. All grading plans submitted for County Planning review shall show and explain in writing how the three standards stated above have been met.
- C. The renovation and construction of parking lots shall comply with the following standards:
 1. All parking areas shall be designed to minimize the visibility of paved surfaces and parked vehicles by use of earthen berms, landscaping or other methods approved by County Planning. Existing mature native trees shall be incorporated into the interior and perimeter landscaping of parking lots whenever feasible.

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2. Widths of all driveway entrances/exits shall be 22 feet for two-way traffic and 16 feet for one-way traffic. Grading plans for new parking lots shall include a profile of the driveway entrance showing the existing and finished grade of the entry/exit. They shall be designed to meet County Public Works Design Criteria standards to the greatest extent feasible.
3. Parking lots serving uses that are accessible to wheelchair users shall provide handicapped parking spaces according to ADA (American Disabilities Act) requirements. Handicapped spaces shall be located as close as possible to the main entrance of buildings and other facilities that provide wheelchair accessibility.
4. All surfaced parking areas shall have an approved drainage/erosion control/water quality plan approved by County Planning prior to commencing work to construct a new parking lot or renovate an existing parking lot regardless of the amount of grading involved. This plan shall include showing how surface runoff will be discharged in a manner that filters silt, automobile oil and grease and other contaminants before it reaches any stream or other water body.
5. To prevent isolated flooding of the reconstructed Conference Center parking lot during rainfall events, the engineered storm drainage design for this parking lot shall include parking lot elevations and slopes, drain inlets and pipe sizes that would either avoid lot flooding or reduce flooding to short term shallow inundation of parking lot fringes while maintaining flood free exits. The capacity of the creek which conveys this storm runoff should not be exceeded and result in flooding of Conference Drive in less than the design storm event for this road. This design shall be included in the grading and drainage plans for reconstruction of the lot. (*Mitigation 4.7-7*)
6. To provide for good site visibility from the entry/exit of the Forest Lodge parking lot, grading plans for and construction of the Forest Lodge lot shall include:
 - a. Construction of a new speed bump on the south segment of the curve in Forest Road located just south of the parking lot entry/exit;

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- b. Installation of an elevated mirror on the utility pole at the apex of the curve described above (or nearby new pole) that will provide visual indication of approaching northbound vehicles for motorists exiting the Forest Road parking lot as well as motorists traveling northbound on Forest Road from locations south of the curve;
 - c. Permanent maintenance of all vegetation along the segment of Forest Road proximate to the Forest Lodge lot so site visibility for motorists is maximized.
 - D. The reconstruction of the recreation field shall include a 20-30 foot wide separation between the walking/jogging path and the small spring fed stream at the south edge of the field. This 20-30 foot buffer area shall be planted with low growing native riparian herbaceous plant species. The planting plan shall be included in grading plans for this facility. Bridging across the stream for pedestrian access shall be allowed as shown on Exhibit A if final plans show all bridge abutments and supports outside of the stream channel and banks and appropriate erosion control techniques to protect the instream environment. (*Mitigation 4.8-I*)
 - E. Construction of the miniature golf course (see Sheet A-3.0 of Exhibit A) shall preserve all multi-trunked native trees and shall not encroach on or under the canopy of the adjoining riparian corridor. Regardless of the amount of grading or land clearing proposed, plans for the course shall be submitted to County Planning for review and approval prior to any site disturbance. The plans shall show how all multi-trunked trees will be protected during and after construction from land disturbance, irrigation and root compaction. Techniques to address these requirements shall be designed by a certified arborist or licensed landscape architect.
 - III. REQUIREMENTS PRIOR TO GRADING OR CONSTRUCTION OF PHASE 1 FACILITIES
- Prior to issuance of any Building Permit or Grading Permit for any approved facility in Master Plan development phase 1, the applicant/owner shall:
- A. Implement the Mt. Hermon Water Conservation Plan (Exhibit B)
 - B. Submit a comprehensive Biotic Mitigation Plan as described in condition IX to County Planning for review and approval.

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- C. To prevent substantial parking on area roadways, which would constrain circulation, MHA shall provide an overflow parking area for use during peak attendance periods prior to constructing any additional facilities. In addition to proposed parking lots, this area shall have space for a minimum of 40 vehicles. At minimum, this overflow area shall be 12,000 square feet. The area shall be maintained as an open grassy area. MHA shall identify a site for this overflow parking which is relatively flat and requires little or no removal of existing vegetation. (*Mitigation 4.2-1*)
 - D. To avoid potential impacts to historic resources, MHA shall hire a qualified historian or historic archaeologist to conduct additional research on the historic sawmill and the Zayante Railroad Depot. The goals of this research shall be to formally record the sites and to develop an archaeological testing program for the sites prior to further development that may impact them. This program should test for buried historic resources such as ceramics and other artifacts likely to be located at this site. The report resulting from this research shall be submitted to County Planning for review and approval. (*Mitigation 4.9-2*)
 - E. As a result of the technical report described in Condition VI.C.4 below, MHA shall submit a plan for maintenance of road cuts and road shoulders susceptible to landsliding or debris flow for all roadways on MHA property for which MHA has primary maintenance responsibility. This plan shall include details regarding financing of maintenance activities as well as responsibility for completing maintenance activities. (*Mitigation 4.6-5*)
 - F. Rename the new Ministry Building the "Newton Memorial Building" as required by County Historic Commission approval 96-0820. The name shall be posted at an appropriate exterior location at the main entrance of the building.
 - G. Withdraw the permit application which proposes a third conventional water well to serve MHA by submitting a letter of application withdrawal to both County Planning and County Environmental Health Services.
- IV. REQUIREMENTS PRIOR TO CONSTRUCTION OF PHASE II FACILITIES TO BE CONNECTED TO WASTEWATER TREATMENT PLANT

Prior to the issuance of Building Permits for the replacement buildings for the

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New Black Cabin and Redwood Camp, the owner/applicant shall obtain the required approvals from the agencies specified in conditions below. At minimum, plans submitted to obtain RWQCB approval shall include that specified in conditions IV.B and IV.C below.

- A. Submit written documentation to County Planning for review and acceptance which shows the measurable objectives of the Water Conservation Plan (Exhibit B) have been met, including reducing domestic water use by 7.5 acre feet/year as compared to year 1999 use levels for at least two consecutive years.
- B. A review of pump size by a qualified engineer to prevent accidents involving wastewater. This review shall determine pump sizing for future flow rates and replacement sizes for pumps if necessary each time a new facility is connected to sanitary sewer. The engineer shall specify appropriate type and size of pipe for stream crossings. (*Mitigation 4.5-1*)
- C. Increase size to leach field to prevent surface contamination from increased discharges into the community leach field. This plan shall be prepared by a qualified engineer to accommodate the increased treated wastewater flow rate prior to connecting any additional facilities to sanitary sewer. Subsequent Environmental Review may be required if it is determined that potential impacts may be generated by the removal of forest habitat for the expansion of the leach field. (*Mitigation 4.5-2*)
- D. The owner/applicant shall provide written notice to both County Planning and County Environmental Health Services when an application is made to the RWQCB to modify discharge requirements or to modify the size or function of the wastewater treatment plant or its community leach field.
- E. Submit a progress report to County Planning staff describing how permit conditions applicable to Phase 1 have been complied with and summarizing efforts to work with area water purveyors to reduce the existing aquifer overdraft within the Pasatiempo subunit of the Santa Margarita/Lompico groundwater basin. The progress/condition compliance report shall be reviewed and approved by the Planning Commission as specified in condition XII.B and C below.

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V. REQUIREMENTS PRIOR TO GRADING OR CONSTRUCTION OF PHASE 3 FACILITIES

Prior to issuance of any Building Permit or Grading Permit for any approved facility in Master Plan development Phase 3, the applicant/owner shall:

- A. Obtain any required approvals from the National Marine Fisheries Service regarding use of spring water for diversion (pertaining to protection of steelhead trout, coho salmon and their habitat) and submit copies of written approvals to County Planning.
- B. Submit construction and engineering design plans for the spring diversion and piping to existing storage tanks (referred to as Water Supply Alternative #7 in the staff report/EIR Addendum) to County Planning, County Environmental Health Service and the State Department of Health Services for construction related permits,
- C. Complete construction of the water supply infrastructure described in condition V.B above in accordance with construction related permits from County Planning and the State Department of Health Services and submit records from two consecutive years that show a reduction of at least an additional 3.2 acre feet/year in water use beyond that achieved by the water conservation plan.
- D. Obtain a well permit from the County Environmental Health Service for the new injection and recovery well. This well shall be designed for surface water injection into the Lompico Aquifer and recovery of stored groundwater so it can be used as prototype device to explore innovative methods to reduce regional aquifer overdraft with other water purveyors in the area.
- E. In the case of Village Center, which is included as Phase 3 construction, the following requirement shall also apply:
Prior to the submittal of any Building Permits to alter or demolish the Forest Hall structure, the Historic Resources Commission (HRC) shall review an application by the Mt. Hermon Association (MHA) for the demolition and reconstruction of Forest Hall. If at that time the HRC cannot approve an MHA proposal to demolish and reconstruct Forest Hall, the Master Plan shall be reviewed by the Planning Commission for possible amendment reflecting the HRC action.

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- F. Submit a progress report to County Planning staff describing how permit conditions applicable to Phase 2 have been complied with and summarizing efforts to work with area water purveyors to reduce the existing aquifer overdraft within the Pasatiempo subunit of the Santa Margarita/Lompico groundwater basin. The progress/condition compliance report shall be reviewed and approved by the Planning Commission certifying that all applicable conditions have been met as specified in conditions XII.B and C below.

VI. REQUIREMENTS PRIOR TO GRADING OR CONSTRUCTION FOR EACH FACILITY IN ALL DEVELOPMENT PHASES

Prior to issuance of Building or Grading Permits for each individual facility listed in condition I.B above, the owner/applicant shall complete the following:

- A. Building Permits: Submit construction drawings for a Building Permit application for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans shown in Exhibit A to this permit. The final plans shall include, but not be limited to, the following:
1. Exterior elevations identifying finish materials and colors.
 2. Floor plans identifying each room and its dimensions.
 3. A site plan showing the location of all site improvements, including, but not limited to, points of ingress and egress, parking areas, and accessory structures.
 4. A final Landscape Plan. This plan shall include the location, size, and species of all existing and proposed trees, plants, and turf areas, an irrigation system, and shall comply with the following:
 - a. Turf Limitation: Turf area shall not exceed that specified in Exhibit B, Water Conservation Plan. Turf area shall be of low water-using varieties, such as tall fescue. Turf areas should not be used in areas less than 8 feet in width.
 - b. Plant Selection: All of the plant materials selected for non-turf areas shall be species native to habitat where the facility will be located and shall comply with the County approved Biotic

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Mitigation Plan for this project. MHA shall design landscaping plans for building envelopes such that any landscaping near or within the native tree groves to be retained, should consist of native tree and understory plant materials that are compatible with the existing vegetation removed and adjacent to the site. MHA shall hire a qualified botanist to review the planting plans to document the use of locally appropriate native plant species. Shrub and herbaceous plantings shall be limited to native species already present within the Mount Hermon project area. There should be minimal planting under the dripline of the native oak trees, and the natural leaf mulch or duff on the ground under the tree dripline should not be removed. In general, no summer watering will be done within six feet of oak tree trunks. Plantings and landscaping activities shall commence as soon as construction activities allow (after site disturbance has ceased), according to the directions of a qualified botanist. (*Mitigation 4.8-4*)

- c. Soil Conditioning: In new planting areas, soil shall be tilled to a depth of 6 inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention. After planting, a minimum of 2 inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation and inhibit weed growth.
5. Plans shall include a review and approval letter from the project geotechnical engineer, engineering geologist and any other technical engineer involved with the design and construction of the facility.
6. All new electrical power, telephone, and cable television service connections shall be installed underground.
7. All improvements shall comply with applicable provisions of the Americans With Disabilities Act and/or Title 24 of the State Building Regulations.

- B. Grading Permits: Submit final grading plans for a Grading Permit application for those facilities that include excavations greater than 100 cubic yards or otherwise are required to obtain Grading Permits (e.g. parking lots). This requires submittal of a Grading Permit application to the zoning counter of the Planning Department, including two copies of complete grading, drainage, and erosion control plans in conformance with other conditions of this permit. The permit fee in effect at the time of submittal shall be paid. The Grading Permit shall be approved prior to Building Permit issuance.

Final grading plans shall provide both plan view with pre-and post-grading contours and cross-sections showing changes in topography from grading. All requirements of the approved Grading Permit are, by reference, hereby incorporated into the conditions of this permit. Grading plans shall include the following:

1. No land clearing, grading or excavating shall take place between October 15 and April 15 unless a separate winter erosion-control plan is approved by the Planning Director.
2. An earth disturbance/grading limit line on the site plan. This limit line shall be used to designate the placement of temporary fencing as described below. Construction activities within the Redwood Camp area, the recreation field area, and the miniature golf course, shall implement measures to protect adjacent riparian woodland from construction disturbance. A four-foot tall plastic mesh fencing shall be temporarily placed at the outside edge of the riparian woodland. This fencing shall remain in place until construction is complete. Construction equipment shall not enter these areas. (*Mitigation 4.8-2*)
3. Grading and foundation design shall include the following performance standards:
 - a. Cut and fill slopes should be no higher than 15 feet unless benches are constructed and specific geotechnical recommendations are provided. Cut slopes in bedrock should be no steeper than 1 :1. The need for some maintenance should be anticipated in some areas, including areas where existing cut slopes flatter than 1: 1 are to be steepened. Cut slopes in landslide deposits, terrace deposits, and colluvial and residual soil should be no steeper than 2:1. Fills should be constructed no steeper than 2: 1. On-site, inorganic materials are anticipated to be suitable for use as fill.
 - b. Buildings to be constructed on level or nearly level pads with appropriate setbacks from the tops and toes of adjacent slopes, as determined during a site-specific geotechnical investigation, may be constructed on conventional shallow foundations bearing on competent in-place native soil or on compacted structural fill. Buildings to be constructed on sloping ground should be supported on pier and beam foundations.
 - c. Conventional engineering design and construction recommendations for retaining walls for the proposed

improvements shall be followed unless site-specific geotechnical reports recommend otherwise. (*Mitigation 4.6-2*)

- C. Geotechnical and Engineering Geologic Reports: Submit soils report (and/or engineering geological report, if applicable) for review and approval. This requires submittal of a soils report review application to the zoning counter of the Planning Department together with two copies of a geotechnical engineering report prepared by a State-registered civil or geotechnical engineer in conformance with County Guidelines. The report review fee in effect at the time of submittal shall be paid. All pertinent geotechnical/geologic report recommendations shall be included in the construction drawings submitted to the County for a Building or Grading Permit. When the report has been approved, a plan review letter from the geotechnical engineer/engineering geologist shall be submitted with the plans stating that the plans have been reviewed and found to be in compliance with the recommendations of the geotechnical/geologic report. These reports shall address the following criteria:
1. Geotechnical investigations and develop seismic design requirements for proposed developments: To minimize earthquake-induced damage to an acceptable level of risk, MHA shall have a design-level geotechnical investigation conducted for each major building or facility or group of facilities. This analysis shall include review of seismic design requirements of the proposed structures and shall include specifications for site compaction. The geotechnical engineering design report should be prepared by a California licensed civil engineer. At minimum, seismic design of proposed structures shall meet the standards established in the most recent addition of the Uniform Building Code for Seismic Zone 4. (*Mitigation 4.6-1*)
 2. Geotechnical investigations and design modifications to reduce risk of liquefaction and lateral spreading: To minimize liquefaction impacts to an acceptable level of risk, MHA shall provide design-level geotechnical investigations, for those facilities proposed in areas where liquefaction and lateral spreading may occur prior to finalizing building designs. These facilities include the proposed Redwood Camp cabins, the Activity Center and the Pavilion/Amphitheater. MHA shall implement design modifications according to the results of the geotechnical investigations. (*Mitigation 4.6-2*)
 3. Geotechnical investigations for differential settlement: These investigations shall determine the proposed structure's potential risk of differential settlement. The soils susceptible to differential settlement

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can be densified to improve the bearing capacity and to reduce the settlement potential of the building. The design of the proposed structures and site preparation shall follow the recommendations of the geotechnical investigations, under the guidance of a California licensed civil engineer. (Mitigation 4.6-3)

4. Landslide minimization and design modifications: To minimize the potential of landslides generated by project development, MHA shall hire a qualified engineering geologist or a geotechnical engineer to investigate in detail the landslides within the limits of grading or within 20 feet of proposed roadways and building pads. The design-level geotechnical report shall identify the site's landslide geometry, mechanism, and necessary slope stabilization measures under both static and dynamic conditions. The project geotechnical engineer and project engineering geologist shall provide specific design and construction recommendations for landslide remediation, cut and fill, reinforced earth conventional retaining structures, foundations for residential structures and retaining walls, and drainage facilities to the project civil engineer prior to the final design. This design-level geotechnical investigation shall include, but not be limited to: recommendations for a landslide remediation, slope stability analyses, foundation criteria for proposed roadways, evaluation of pier-and-grade beam foundations systems for occupied structures. (Mitigation 4.6-5)
5. Slope stabilization methods at cut and fill locations: The report shall contain a slope stability analysis, specifications for the depth and thickness of retaining wall footings, and other design guidelines and information required to ensure slope stability. Stabilization measures shall be implemented according to the recommendations of the geotechnical engineer. Conventional fill slope design is expected to be suitable for all materials. Provisions Measures contained in Condition IV.C.4 above also apply as appropriate. (Mitigation 4.6-6)
- D. Drainage and Erosion Control Plan: To prevent drainage and erosion problems from occurring at any of the project construction sites, the owner/applicant shall submit a drainage and erosion control plan to County Planning for review and approval. The Plan shall be prepared by a qualified professional civil engineer using Best Management Practices (BMP's) consistent with the County Grading and Erosion Control Ordinance for each building or grading envelope. The storm drainage plans should be reviewed by a qualified engineering geologist or geotechnical engineer to ensure they are consistent with the recommendations of the geotechnical reports and

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applications prepared for each major building envelope.

1. The plan shall show how the following drainage control performance standards will be achieved:
 - a. These plans shall calculate the increase in runoff from increased impervious area, and ensure drainage facilities are adequately sized to convey storm runoff for flow to Bean Creek, Zayante Creek or lower tributary drainages.
 - b. Maintain existing natural drainage features and employ ditch checks and vegetated swales where feasible to reduce velocity.
 - c. Roof runoff shall be directed as sheet flow to landscaped and natural vegetation in locations where slope stability or seasonal flooding would not be an issue.
 - d. The lack of flat areas onsite (with slopes of less than 15%) limits the potential for use of swales. Because swales and detention basins will not likely be used, special care should be taken to ensure that the components of the drainage system, including drains and pipes, are sized large enough to handle runoff volumes without causing localized flooding.
 - e. Explanation of which measures of the project-wide maintenance program of drainage facilities are applicable to the plan for each facility.
 - f. Adequately sized energy dissipaters should be provided at outflow points. Outflow shall be directed into onsite waterways (Zayante and Bean Creeks and their lower gradient tributaries). Water quality mitigations described in Conditions II.C.2 and 3 shall be implemented in conjunction with the drainage plan. (*Mitigation 4.7-6*)
2. The plan shall show how the following erosion control performance standards will be achieved:
 - a. The site plan shall also include an earthdisturbance/grading line as described in condition VI.B.2 above. Minimal soil disturbance and soil exposure, immediate revegetation of site, diverting runoff from sites as clean sheet flow to native vegetation or via settling ponds with controlled outlets using straw bales or silt fences and storing construction materials and fill in covered

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areas.

- b. Restrict future construction practices that require grading during the rainy season and protect disturbed areas during the rainy season (October 15 to April 15) with appropriate erosion control measures such as reseeding using native and non-invasive grasses, mulch and jute netting. Minor grading may occur if a Winter Operations Approval is granted by County Planning for projects that will not have the potential to generate erosion or stream sedimentation problems during winter rains.
 - c. Comply with all NPDES permit conditions for storm water runoff during construction activities. Refer to the next permit condition.
 - d. Adequately designed and sized energy dissipaters and biotechnical bank stabilization techniques using native rocks, large woody debris, willow and alder plantings and similar other techniques designed to control such erosion.
 - e. Use of dust control measures; straw bale and silt fence barriers and other best management practices to prevent sediments from entering any creek. (*Mitigations 4.7-4, 4.7-6 and 4.8-2*)
- E. Storm Water Pollution Prevention Plan (SWPPP): Shall apply for and obtain an NPDES Permit from the RWQCB which includes an approved SWPPP. The applicable measures of the SWPPP shall be incorporated into drainage and erosion control plans for each building/grading site so there is not conflicts between these two closely related plans. The SWPPP shall include measures for the proper storage and use of hazardous materials during construction and proper clean-up of and disposal of any spilled materials. This would include the appropriate measures listed in condition VI.C above and the following:
- 1. Designated areas for fueling and maintenance of construction vehicles and heavy equipment with secondary containment;
 - 2. Water from equipment washing or concrete washdown shall be self contained or properly disposed off site and not allowed to be discharged to any creek, spring or wetland;
 - 3. All hazardous materials not required after construction shall be properly removed or stored for later reuse. (*Mitigation 4.7-4*)
- F. Wildlife Surveys: Submit the results of surveys for those special-status

species identified in the approved Biotic Mitigation Plan as those species which could be affected by construction or grading activities at the building site. (Refer to Conditions IX.F-I) (*Mitigation 4.8.11-13*)

G. Impact Fees:

1. Pay the Santa Cruz County Child Care fee in effect at the time of Building Permit issuance. On October 11, 2000, the fee is \$0.23/square foot.
2. Meet all requirements of the Department of Public Works and pay all fees for Zone 8 Santa Cruz County Flood Control and Water Conservation District including plan check and permit processing fees.

- H. Timber Production Acknowledgment: Any new construction to be located adjacent to a parcel designated by the General Plan as "Timber Resource" shall require the recordation of a Declaration of Acknowledgment for lands adjacent to a timber resource. The document to be recorded shall be a form provided by the Planning Department which shall be recorded in the Office of the County Recorder, providing notice that the new construction site is adjacent to a parcel where timber harvesting may occur. (*Mitigation 4.10-1*)

VII. CONSTRUCTION REQUIREMENTS

All construction shall be performed in accordance with the approved plans. The owner/applicant shall meet the following conditions throughout the entire construction phase at each construction site:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the Building or Grading Permit shall be completed to the satisfaction of the County Building Official.
- C. Prior to beginning of construction, MHA shall advise all staff including construction crews, to take the precautions and implement the maintenance requirements specified in conditions VIII.C and D below. Written guidance shall be provided and posted in areas where work with hazardous materials may occur, such as construction sites. (*Mitigation 4.7-3*)
- D. Minimize the extent of clearing and grading envelopes to minimize native

tree removal. For retained trees within 30 feet of construction, utility trenching or rough grading for facilities, the trees should be protected by the placement of four-foot high plastic construction fencing along the outside edge of the dripline of the tree or grove of trees. The fencing should be maintained throughout the site during the construction period and should be inspected periodically for damage and proper functioning. For construction activities occurring within the dripline of retained trees, the following protective measures should be implemented during construction:

1. The owner/applicant shall retain a qualified arborist to monitor site grading; and construction crews shall minimize grading, filling, or other type of soil disturbance within 10 feet of the tree trunk. If one third or more of the roots are disturbed, the injured tree should be watered so that the ground is soaked to a depth of 18 inches, extending outward to the dripline of the tree. Other actions shall be implemented as instructed by the arborist.
 2. After the construction period is over at each facility site, a qualified arborist shall be hired for a three-year period to monitor all retained trees that were adjacent to construction activities (road or facility construction activities within the dripline of the tree). If these retained trees display severe decline, MHA shall implement the measures of the approved Biotic Mitigation Plan specified to compensate for tree lost due to construction. The type of measure and the timing to implement it shall be documented in writing and submitted to County Planning within 2 months of determining tree loss has occurred or prior to issuance of the next Building or Grading Permit, whichever occurs first. (*Mitigations 4.8-4 and 4.8-71*)
- E. All provisions of the approved erosion control plan shall be implemented (*Mitigations 4.7-6, 4.8-5 and 4.8-6*)
- F. Prior to construction at each facility site, a four-foot tall plastic mesh fencing and silt fencing shall be installed at the break in slope or outside edge of buffers established to avoid encroachments into riparian and wetland habitats. This fencing shall remain in place until construction is complete. (*Mitigation 4.8.2*)
- G. Follow all recommendations of the approved geotechnical/geologic report for the corresponding facility. An inspection letter(s) shall be submitted as specified in the approved report at predetermined stages of construction.

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- H. To avoid significant impacts to any buried resources, if historic or prehistoric archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist in accordance with County Code Section 16.42.100. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented as approved by County Planning. (*Mitigation 4.9-1*)
- I. To reduce construction generated dust to insignificant levels, grading activities shall prohibit grading/excavation activities over 2.2 acres per day or minimal earthmoving over 8.1 acres per day. In addition, each Grading and Building Permit issued to MHA should require implementation of construction practices to minimize exposed surfaces and generation of dust that include the following measures:
1. Exposed earth surfaces shall be watered during clearing, excavation, grading, and construction activities. All construction contracts shall require watering in late morning and at the end of the day, at minimum, on each day of construction when there is no rainfall.
 2. Grading and other earthmoving shall be prohibited during high wind.
 3. Maintain at least 2 feet of freeboard for all loaded haul trucks.
 4. Haul trucks shall use tarpaulins or other effective covers at all times for off site transport.
 5. Install wheel washers at the entrance to construction sites for all exiting trucks.
 6. Sweep streets if visible soil material is carried out from the construction site.
 7. Use properly maintained construction vehicles and equipment and best available control technology to minimize emissions from internal combustion engines.
 8. Upon completion of construction, measures shall be taken to reduce wind erosion. Revegetation and repaving should be completed as soon as possible. (*Mitigation 4.3-1*)

- J. To reduce construction generated noise to insignificant levels beyond MHA properties, The owner/applicant shall implement the following measures to mitigate construction noise throughout the entire construction phase:
1. Construct temporary plywood construction noise barriers around the perimeter of the construction sites;
 2. Limit construction activity to daytime hours (7:00 am to 5:00 p.m.) with no construction activity on Sundays or holidays;
 3. Use best available noise suppression devices and properly maintain and muffle diesel engine-driven construction equipment;
 4. Locate stationary equipment as far as possible from sensitive receptors;
 5. Designate a Disturbance Coordinator and post the name and phone number of this person conspicuously at the perimeter of the Conference Center so it is clearly visible to nearby residents most likely to be affected by construction noise. This person would manage complaints resulting from construction noise. The Disturbance Coordinator will contact noise sensitive receptors and advise residents of the schedule of construction. (*Mifigation 4.4-1*)
- K. In addition to the noise mitigations of Condition VII.1 above, the following techniques shall be implemented to reduce construction generated noise to insignificant levels beyond MHA properties for the construction of certain facilities.
1. Parking Lots: Construct a solid 6-foot high wood fence along the western edge of the proposed Forest Road parking area where the parking area is contiguous to the adjacent private parcels. To be effective as a noise barrier, the fence must be constructed airtight over the face of the barrier and at the base, and utilize materials which have a minimum surface weight of approximately 3 lbs/sq. ft. (e.g., 1-inch thick wood). Other parking areas are separated from existing residences by an intervening roadway. Similar noise control fences could be considered for these as well, particularly if noise from the parking areas is found to disturb the neighbors. (*Mifigation 4.4-5*)
 2. Aquifer Injection Well: Implement the following measures:

- a. Only drill during the daytime (7:00 AM to 7:00 PM), unless the Planning Director approves alternative measures proposed by MHA that would make night-time drilling acceptable to residents in the affected area;
 - b. Locate the drilling site behind the existing tank so that the tank can shield drilling noise; and
 - c. Park another truck or erect a temporary barrier around the drill rig (*Mifigafion 4.4-6*)
- L. Restrict the duration of construction as follows:
 - 1. Complete construction of all Conference Center facilities affecting residents along Pine Avenue and those residents east of the Main Conference Center area within one year. If completion is not possible within one year, construction causing significant noise levels should be halted for at least one year before continuing. (*Mifigafion 4.4- 1*)
 - 2. Complete construction of all Phase II Lodging facilities within one year. If completion is not possible within one year, construction causing significant noise levels should be halted for at least one year before continuing. (*Mifigafion 4.4-4*)
- M. The owner/applicant shall not allow discharge of fuels, pesticides, chemicals or any hazardous materials onto the ground or into drainage facilities during construction or operation of any project facilities, including common materials such as paints, solvents, motor oil or heating fluid. (*Mifigafion 4.7-3*)

VIII. OPERATIONAL REQUIREMENTS

- A. Following construction, the effectiveness of the approved permanent erosion control measures shall be monitored by the owner/applicant during the first year's rainy season and remedial measures implemented if erosion is noted. (*Mifigafion 4.8-4*)
- B. All landscaping shall be permanently maintained. This includes, but is not limited to, the existing vegetation located between the sports pavilion and East Zayante Road which is an important feature to help visually screen the building from views along the roadway. Any vegetation performing an important visually screening or wildlife habitat function that

dies or falls shall be immediately replaced with similar vegetation.

- C. All drainage, water quality and erosion control facilities shall be permanently maintained in concert with the following maintenance activities:
1. Install silt and grease traps in the most downstream drainage inlet in each parking lot prior to completion of parking lot construction and carry out a permanent maintenance program for all silt and grease traps where the traps are inspected and cleaned (as necessary) prior to October 15 each year during November through March (preferably after major monthly storm events);
 2. Periodic sweeping of parking lots and street surfaces;
 3. Catch basin cleaning;
 4. Recycle used oils and other wastes;
 5. Cover bulk material storage areas (fill piles);
 6. Secondary containment of fuel and oil storage;
 7. Use dry cleanup methods for removing spills of any polluting substances (e.g. sawdust or absorbent materials);
 8. Use educational methods with visitors and employees to reduce oil and chemical spills, or discharges to drains;
 9. Obsolete equipment and old storage containers for liquid substances shall be stored indoors or removed from the site;
 10. Vehicle and equipment maintenance conducted indoors or offsite. (Mitigations 4.7-3 and 4.7-8)
- D. To prevent potential contamination of this unconfined aquifer, the owner/applicant shall not allow tanks or other storage, transfer, or transport of fuels, pesticides, or other chemicals in permeable areas. (Mitigation 4.7-3)
- E. The owner/applicant shall maintain the waste water treatment facility and its community leach field in good working order according to the requirements of the Regional Water Quality Control Board and shall

complete the connections to the facility as specified in Order 99-93, or any subsequent Order which supersedes 99-93. (Refer to conditions IV.A-IV. C)

- F. No roads under MHA control shall be gated to prohibit vehicular access.
- G. MHA shall allow public use of existing hiking trails in a manner consistent with general health, safety and environmental protection for MHA facilities, programs and property.
- H. The new well described condition V.E above shall be used for back-up water supply and as a pilot well to test aquifer injection. This well shall not be used to provide water supply when the two other MHA wells are in production. MHA shall make this well reasonably available to other area water purveyors for data collection purposes towards investigating aquifer injection and recovery to reduce overdraft on a regional basis within the Pasatiempo subunit of the groundwater basin.
- I. MHA shall maintain the wastewater pump stations in a manner that prevents significant odor problems from occurring. All vents serving the pump stations shall be equipped with odor filters or other odor attenuation devices that will prevent malodorous impacts to nearby residences. New devices installed for this purpose shall be inspected by a qualified engineering professional who shall provide both MHA and County Planning with an inspection report. The report shall discuss how well the odor attenuation device functions and provide any recommendations to improve the functioning of the device(s).
- J. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections

and/or necessary enforcement actions, up to and including permit revocation.

IX. BIOTIC MITIGATION PLAN

The owner/applicant shall prepare a comprehensive biotic mitigation plan that address most of the measures required to mitigate project biotic impacts. The approved provisions of the plan shall be permanently implemented and shall include the following:

- A. Compensation for Loss of Native Trees: This impact, which will occur at

the construction site for each facility shall be mitigated by removing or controlling non-native plant species occurring adjacent to the project facilities to avoid the spread of these species in adjacent natural woodlands. Species currently on the site that should be controlled include ivy (all kinds), periwinkle and cotoneaster. Ivy should be removed from the trunks of trees adjacent to MHA facilities. These control measures shall be implemented by the owner/applicant at commencement of project construction and continue on an ongoing basis until exotic species have been controlled. A qualified botanist shall coordinate with MHA planners, landscaping and construction staff to design work schedule for this measure (*Measure 4.8-4*)

- B. Exotics Control Program: An aggressive exotics control program shall be planned and implemented along riparian corridors (i.e., Zayante and Bean Creek, Ferndell and Redwood Springs) and contiguous areas of native upland habitat, between these creeks and the main conference center as an alternative to the 3:1 tree replacement requirements for tree loss. A serious exotics control program should be guided by a plan prepared by a qualified botanist or native restoration specialist and reviewed and approved by County Planning prior to issuance of the first grading or construction permit affecting native forest habitat. This plan shall include a maintenance component which periodically reinspects eradication sites to ensure that exotic plants do not recolonize these areas. (*Measure 4.8-4*)
- C. Conservation area and management plan for riparian corridors. To compensate for indirect impacts to wildlife using riparian habitats, the owner/applicant shall maintain the Zayante and Bean Creek drainage courses in open space, to conserve these natural features in perpetuity and shall develop a management plan for the area. The owner/applicant shall manage the habitat to benefit wildlife habitat. Riparian corridor exotics control as described in Condition IX.1 and 2 above will be the principal management component. Human access shall be restricted to these drainage courses, limiting access to the Sequoia Trail along Bean Creek and other existing trails. If access to Zayante Creek is desired, MHA shall develop a similar footpath along Zayante Creek, under the direction of a landscape ecologist or landscape architect specializing in native habitat restoration. MHA shall limit access to edge of the creek to established, previously disturbed locations and shall limit such use to small groups of people. MHA shall not include or encourage in its programs, activities that involve longitudinal access in-stream or along the wetland fringe of the stream. (*Mitigation 4.8-8*)
- D. Stream Buffer: To minimize impacts to wildlife using swales and the

stream near the recreational field, MHA shall redesign the proposed jogging path such that it follows previously disturbed areas within the perimeter of the existing recreational field. A minimum 20-foot buffer shall be maintained between the path and the spring-fed stream. The buffer zone shall be restored and re-vegetated with native riparian vegetation prior to completion of construction activities. Access to the buffer zone should be restricted during construction and post-construction to reduce disturbance to wildlife. MHA shall restrict illumination of these facilities to the following: no lighting or low lighting screened from the trail during night hours. (*Mifigation 4.8-10*)

- E. Management of Pond: To avoid impacts to the pond located west of the recreation field, MHA shall retain the pond for use by native wildlife by consulting with a landscape architect and wildlife biologist to provide an enhanced natural habitat area which includes providing basking and loafing sites for the southwestern pond turtle and birds such as mallard duck. MHA shall establish a building buffer no less than 100 feet wide around the pond for new construction, with the exception that the new Lakeside Lodge building and pedestrian trail may be located closer than 100 feet as shown on Exhibit A. MHA shall restore and revegetate a 20 foot width around the perimeter of the pond with appropriate native vegetation. Reductions in the width of the revegetation area may occur where it would encroach into the existing parking lot or recreation field turf or play area. MHA shall limit human access to the pond to specific areas in order to reduce disturbance to wildlife. (A platform with a viewing blind is recommended. If such as facility is proposed in the future, it shall be processed as a Minor Variation to this permit). This design shall maintain habitat connectivity between the pond and the restored, southern spring-fed swale that surrounds the recreational field. MHA shall not permit exterior night-lighting within the buffer zone. MHA shall hire a qualified environmental educator to incorporate this natural feature into an appropriate outdoor educational program. (*Mifigation 4.8-10*)
- F. Reg-legged Frog Surveys: To minimize any potential impacts to the federally listed California red-legged frog, MHA shall, prior to construction of the trail or any modification of the existing pond, contact the USFWS to determine if a protocol survey for California red-legged frog is required. If the Service determines a survey is necessary, MHA shall have the survey performed according to standard USFWS protocol and guidelines (USFWS 1997a) and submit the survey report to USFWS. If California red-legged frog is present, consultation with USFWS shall commence and creation of a Habitat Conservation Plan (HCP) may be necessary. In this case, implementation of the HCP (or other mitigation technique) as approved by USFWS shall occur prior to or simultaneously with

development that affects frog habitat. (*Mitigation 4.8-10*)

- G. Protection of Nesting Raptors and Other Birds: To reduce potential impacts to raptors nesting in the recreation field area, MHA shall perform a survey for raptors, including owls, by a qualified biologist prior to any construction activities occurring in the area. If raptors nest onsite in the vicinity of any proposed facility, the nest shall be avoided and construction shall not take place during the breeding season (generally March-August). If construction is scheduled in habitat suitable for raptors during the breeding season, MHA shall conduct pre-construction surveys within 30 days of construction to ensure that no new raptors have moved into or near the building envelope. MHA shall limit construction to the non-nesting season or to areas located at least 300 feet from active nests only where there is vegetative or topographic screening to prevent impacts to nesting raptors. Removal of trees in nesting areas should be performed during September and October, after the nesting season. To reduce potential impacts to nesting birds in the recreation field area, MHA shall limit construction to the non-nesting season or to areas at least 300 feet from active nests, only where there is vegetative or topographic screening to prevent impacts to nesting birds. Tree removal should be performed during September and October, after the nesting season. (*Mitigation 4.8-11*)
- H. Survey and Relocate Woodrats and Middens: MHA shall hire a qualified biologist survey for San Francisco dusky-footed woodrats. The survey shall be conducted prior to initiation of clearing and grading activities, using ground surveys and live-trapping in and adjacent to areas proposed for development. If the species is present, then a pre-construction survey shall be performed within 30 days of construction to trap and relocate woodrats out of areas proposed for development. MHA shall hire a qualified biologist to attempt to move middens, if they are found within a building envelope. (*Mitigation 4.8-12*)
- I. Survey for Special-status Insects and Protective Measures: A buffer of 100 feet shall be maintained between essential intact Zayante sandhill habitat and proposed development envelopes. Night lighting that potentially attracts June beetles will be minimized and directed away from natural habitats. Prior to beginning of construction activities, MHA shall contact USFWS and/or CDFG to confirm if protocol surveys for these species and other potential mitigation measures are required. If these agencies require such surveys, MHA shall hire a qualified entomologist to perform a survey to assess habitat for these and other special-status insects that may inhabit the study area, according to agency protocol for these species. If no such habitat is found by the surveys, then no future

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action is necessary. If habitat is present, focused surveys shall be performed to determine presence of special-status insect species. The survey for the grasshopper should be conducted during daytime hours in August and September, according to agency protocols. Surveys for the June beetle should take place on multiple nights in June and July. If the species are determined to inhabit any areas proposed for development and would be jeopardized (i.e., potentially significant adverse impact), then an HCP or other mitigations may be necessary, and MHA shall consult with the wildlife agencies. (*Mifigation 4.8-13a*)

- J. Mitigations for Indirect Impacts to Special-status Insects: Designation of a single trail to the Cross; closure and restoration of spur trails; posting of signs alerting hikers to the sensitive nature of the sandhills habitats; preparation of educational materials to be distributed to residents regarding the sandhills habitat and resident endangered species; installation of no trespassing signs at the points of access onto the Hanson conservation easement; and an eradication program to address the spread of invasive exotics, particularly Portugese broom. (*Mifigations 4.8-13b and 4.8-76*)
- K. Preserve or replace bat roosts and roosting areas: MHA shall develop management plans for riparian forests and associated contiguous upland forests along Bean and Zayante Creeks which consider the needs of bats in addition to other wildlife species requiring protection. This would be done by implementing Conditions IX. 1, 3 and 7 in a manner that also protects and enhances bat habitat as described in this condition as compensation for the potential loss of bat roosting and foraging habitat associated with building demolition and development envelopes. To reduce impacts to bats, MHA shall hire a qualified biologist to perform a survey within the area to be developed. This survey shall be conducted prior to beginning of any construction activities. If the biologist determines that bat roosts will not be affected, then no further actions should be taken. If roosts are present, MHA shall make efforts to avoid them. If it is not possible to avoid the roost site, a qualified biologist shall exclude or hand-capture and release bats prior to construction using methods to ensure that no individuals are lost. Each roost shall be replaced with an experimental bat house or other artificial roost site at locations selected by a qualified biologist. The experimental bat houses or roost sites shall be monitored for 5 years by a qualified biologist. A permanent management plan shall be implemented for bats and other wildlife. (*Mifigations 4.8- 14 and 4.8- 15*)
- L. Coordination with Water Quality Measures: The plan shall review and incorporate all water quality mitigation measures required by other

conditions of this permit to ensure that the measures will be done in best manner feasible to benefit instream wildlife, with special attention given to benefitting steelhead and coho salmon. (*Mitigations 4.8-17 and 4.8-18*)

X. SPECIFIC PLAN/MASTER PLAN PERMIT AMENDMENTS

- A. Amendments to this document may be approved administratively without the necessity of public hearing if:
 - 1. The conditions allowing a Minor Variation are met as specified by the clause at the end of this permit; or
 - 2. Architectural changes which are in keeping with the overall architectural theme of the Master Plan/Specific Plan with a Level 4 use approval.
- B. Other amendments shall require approval by the County Planning Commission. If a rezoning or General Plan land use designation is proposed as part of an amendment, a subsequent hearing by the Board of Supervisors shall be required.

XI. INDEMNIFICATION AGREEMENT

As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
- E. Within 30 days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement which incorporates the provisions of this condition, or this development approval shall become null and void.

XII. MITIGATION MONITORING AND REPORTING PROGRAM

- A. The mitigation measures listed in Exhibit C of this permit have been incorporated into the conditions of approval for this project in order to mitigate or avoid significant effects on the environment. As required by Section 21081.6 of the California Public Resources Code, a monitoring and reporting program for the above mitigations is hereby adopted as a condition of approval for this project. This monitoring program is specifically described following each mitigation measure listed in Exhibit C. The purpose of this monitoring is to ensure compliance with the environmental mitigations during project implementation and operation. Failure to comply with the conditions of approval, including the terms of the adopted monitoring program, may result in permit revocation pursuant to Section 18.10.462 of the Santa Cruz County Code.
- B. There shall be a public hearing review of condition compliance and mitigation monitoring by the Planning Commission prior to commencement of phase 2 and again prior to phase 3 after MHA has submitted a progress report on condition compliance and mitigation monitoring to County Planning staff for review. Particular attention shall be provided to water supply efforts and compliance with condition V.F above in preparing and reviewing this report. Staff shall place the report on the regular agenda of the Planning Commission within 2 months of receipt of the report from MHA. Development authorized by phases 2 and 3 of this permit shall not occur until the Planning Commission has approved the monitoring reports for the previous phase and certified all applicable conditions have been met in terms of meeting the intent of mitigation measures and other

permit conditions. The report shall use Exhibit C as a guide to prepare the report so it is easy to discern the monitoring results of each individual permit condition that is derived from an EIR mitigation measure. The monitoring of other permit conditions shall also be provided in these reports in a format identical or similar to that provided for by Exhibit C for mitigation measures.

- C. The review of condition compliance by the Planning Commission described in condition XII.B shall utilize the performance standards specified below in certifying that each permit condition is met.

1. Condition III.A (Implementation of Water Conservation Plan)

This condition shall be determined to be met when MHA submits written evidence of:

- Completion of the water audit and installation of all needed water meters;
- The pipe repairs that have occurred under the a leak detection program and inspection of at least 50% of potentially leaking pipes;
- Completion of the survey for the installation of low flow fixtures in all MHA facilities and installation of some fixtures with the locations, types and quantities of fixtures documented;
- Those techniques used to conserve water in landscape management;
- Copies of mailers explaining the new tiered water rate structure and water conservation educational materials to residential customers; and
- Copies of mailers advertising the low flow toilet and shower head retrofit program and a listing of addresses of customers where retrofitting has occurred.

2. Condition IV.A (Meeting Objectives of the Water Conservation Plan)

This condition shall be determined to be met when MHA submits a report that quantifies the reduction of water use in each category of the water conservation plan and that the total volume of the reductions equals or exceeds 7.5 acre feet/year as compared to 1999 levels for 2 or more consecutive years. Easily interpreted and verifiable water use figures for the year 1999 shall be included in this report.

3. Conditions IV.E and V.F (Work with Water Purveyors to Reduce the Aquifer Overdraft)

This condition shall be determined to be met when MHA submits written evidence of letters and meetings conducted with San Lorenzo Valley Water District and other applicable water purveyors conducted to discuss techniques to reduce the overdraft and the results of these mailings and meetings.

4. Condition V.B (Design Plans for Spring Diversion Facilities)
This condition shall be determined to be met when plan review letters from both the County Environmental Health Service and the State Department of Health Services shows that the plans have been reviewed and are acceptable to the agencies.
5. Condition V.C (Construction of Spring Diversion Facilities)
This condition shall be determined to be met when:
 - a. Inspection letters from both the County Environmental Health Service and the State Department of Health Services shows that the infrastructure has been inspected and has been installed according to the approved plans and the infrastructure is in good working order; and
 - b. Records have been submitted that document a reduction in water use for at least two consecutive years of an additional 3.2 acre feet/year beyond that achieved by the water conservation plan.
6. Condition V.D (Construction of New Well)
This condition shall be determined to be met when inspection letters from the County Environmental Health Service shows that the well has been inspected and has been installed according to the approved plans and the well can be used for aquifer injection purposes.
7. Condition VIII.H (Use of New Well for Back-up Water Supply and as a Pilot Project Towards Reducing Aquifer Overdraft in Cooperation with Other Water Purveyors)
This condition shall be determined to be met when MHA submits a report that discusses how the well was used to collect data on aquifer injection or other methods to reduce the overdraft, how and when it was made available to other water purveyors for this use and the activities MHA engaged in to coordinate with other water purveyors in using the well for mutual research purposes.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

**PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM DATE OF APPROVAL
UNLESS YOU OBTAIN YOUR FIRST GRADING OR BUILDING PERMIT AND
COMMENCE CONSTRUCTION.**