Attachment No. 3

Indemnification Agreement
INDEMNIFICATION AGREEMENT

THIS AGREEMENT, made and entered by and between the County of Monterey (hereinafter called “County” and/or “Owner”), and Rancho Cielo Inc. (hereinafter called “Applicant”).

RECITALS

Whereas, County is the record owner of the real property described in Exhibit A attached hereto and incorporated herein by reference (hereinafter called the “subject property”); and

Whereas, the Applicant is lessee of the subject property; and

Whereas, the subject property is located within the boundaries of the Greater Salinas Area Plan of the County of Monterey; and

Whereas, pursuant to the Plan and other applicable regulations of the County and the State of California, Applicant applied to the County for a Combined Development Permit to allow the Rancho Cielo Youth Campus Expansion at the subject property; and

Whereas, on September 8, 2010, the Monterey County Planning Commission granted permit no. PLN080351 to Applicant, pursuant to the findings and subject to conditions contained in Resolution No. 10-025; and

Whereas, on September 28, 2011, the Monterey County Planning Commission granted a permit amendment to the original permit approval (PLN080351) filed as permit no. PLN110485 (hereinafter referred to as the “Permit”) to Applicant, pursuant to the findings and subject to conditions contained in Resolution No. 11-031, attached hereto as Exhibit B and incorporated herein by reference; and
Whereas, the Permit was subject, among other conditions, to the following condition of approval:

The applicant agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The applicant will reimburse the County for any court costs and attorney’s fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the applicant of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the applicant shall not thereafter be responsible to defend, indemnify or hold the County harmless. (Resource Management Agency [RMA] - Planning Department)

Whereas, Applicant has elected to comply with the aforesaid condition so as to enable Applicant to undertake the development authorized by the Permit; and

Whereas, Owner will allow Applicant to cause this indemnification agreement to be recorded on the subject property;

NOW THEREFORE, in consideration of the County’s grant of the Permit, the parties agree as follows:

1. INDEMNIFICATION

The applicant agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The applicant will reimburse the County for any court costs and attorney’s fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of
the final map, whichever occurs first and as applicable. The County shall promptly notify the applicant of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the applicant shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning Department)

2. RECORDATION

Applicant shall obtain the permission of Owner to allow the recordation of said indemnification agreement. Upon execution of this agreement by all the parties, the Applicant shall cause this indemnification agreement to be recorded by the County Recorder.

3. OWNER’S PERMISSION

Owner hereby permits the Applicant to record this indemnification agreement on the subject property.

4. BINDING EFFECT

This agreement shall bind and inure to the benefit of the respective heirs, personal representatives, successors in interest, and assigns of the parties hereto.

5. WARRANTY OF AUTHORITY

Any individual executing this Agreement on behalf of an entity represents and warrants hereby that he or she has the requisite authority to enter into this Agreement on behalf of such entity and to bind the entity to the terms and conditions of the same.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set out opposite their respective signatures.

Dated: \textit{October 17, 2011} \hspace{1cm} Applicant: Rancho Cielo, Inc. \\
(Rancho Cielo, Inc.)

By: \hspace{1cm} By:
\hspace{1cm} \hspace{1cm} \hspace{1cm} \hspace{1cm}
\hspace{1cm} (signature) \hspace{1cm} (signature)

\hspace{1cm} \hspace{1cm} Donald O. Chapman, Jr., V.P. \hspace{1cm} Roberto C. Randall, Sec.
\hspace{1cm} (print name and title) \hspace{1cm} (print name and title)
NOTE TO NOTARY PUBLIC: If you are notarizing the signatures of persons, signing on behalf of a corporation, partnership, trust, etc., please use the correct notary jurat (acknowledgment) as explained in your Notary Public Law Book.

STATE OF CALIFORNIA
COUNTY OF MONTEREY

On ___10/17/20___ before me, David T. Nelson, Notary Public, personally appeared Donald E. Chapin Jr. & R.C. Reed, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature David T. Nelson
(Seal)
Owner: COUNTY OF MONTEREY

Dated: ___________________________  By: ___________________________
   Mike Novo
   Director of Planning Department

STATE OF CALIFORNIA)
COUNTY OF MONTEREY)

On ________________ before me, ____________________________, a Notary Public, personally appeared ____________________________, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature ____________________________ (Seal)

APPROVED AS TO FORM:
CHARLES J. MCKEE, County Counsel

By ___________________________
   Deputy County Counsel
   Cynthia L. Hasson
County of Monterey, State of California, described as follows:

BEGINNING at a post marked "C.P.H.F.1", being the North East corner of a tract purchased by Monterey County of Daniel H. King, the deed therefor bearing date May 15, 1873, and thence running North 24° 45' West, 22.24 chains to a post marked "C.P.H.F.2", being the N.W. corner; thence South 70° 30' N., 46.27 chains to a post marked "C.P.H.3"; thence South 24° 45' East, 7.23 chains to a post marked "C.P.H.L." on North side of proposed lane; thence South 65° 15' West, 21.43 chains to a post marked "C.P.H.4" in Salinas Street of the town of Natividad; thence South 24° 45' East, 45 & 1/2 links to a post, marked "C.P.H.L." in said Salinas Street; thence North 65° 15' East, 21.43 chains to a post, marked "C.P.H.L."; thence South 24° 45' East, 13.51 & 1/2 chains, to a post marked "C.P.H.F.5", being the South East corner; thence North 71° 30' East, 46.47 chains to the place of beginning; the said tract containing 100 acres of land and a proposed lane from said tract to Main Street of said town of Natividad, and the same distributed by the Final Decree of Distribution given, made and entered by the Superior Court of the County of Monterey, California, in the matter of the Estate of Henry Whisman, deceased, on June 25th, A.D. 1894, and recorded in Book 44 of Deeds at page 132 of the records of said Monterey County, and is here referred to and made a part hereof.

WITNESS my hand this 5th day of February, 1957.

[Signature]

Monterey—Coast Counties Land Title Company—Salinas
Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:
Rancho Cielo Youth Campus Expansion Master Plan (PLN110485)
RESOLUTION NO. 11-031
Resolution by the Monterey County Planning Commission:
1) Consider an Addendum to the Certified Final Environmental Impact Report for the Rancho Cielo Youth Master Plan (SCH#2008121082);
2) Approving amendment to a previously approved Combined Development Permit (Planning File No. PLN080351) for the Rancho Cielo Youth Campus Expansion Master Plan.

[PLN110485, Rancho Cielo, Inc., 710 Old Netividad Road, Salinas, Greater Salinas Area Plan (APNs: 211-0310-004-000 and 211-031-021-000)]

The Rancho Cielo Youth Campus application (PLN110485) came on for public hearing before the Monterey County Planning Commission on September 28, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. FINDING: CONSISTENCY – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in the:
   - 2010 Monterey County General Plan;
   - Greater Salinas Area Plan;
   - Monterey County Zoning Ordinance (Title 21);
   - Rancho Cielo Youth Campus Expansion Master Plan

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

b) The property is located at 710 Old Stage Rd, Salinas (Assessor’s Parcel Numbers: 211-031-004-000 and 211-031-021-000, Greater Salinas Area Plan. The parcel is zoned Public/Quasi-Public, which allows public uses, such as schools. The youth educational, training, and assistance programs are a non-profit adjunct to public educational programs and consistent with the site’s land use designation. The proposed development would make minor alterations to the previously approved Rancho Cielo Youth Campus Expansion Master Plan. The changes include minor internal circulation changes, an increase in the size of the adaptive living learning units. The use of the property would not change. Therefore, the project is an allowed land use for this site.

c) The proposed amendment would allow changes from the previously approved design to the location of the internal access roads and driveways and allow larger adaptive living units (permitted at 650
square feet each/proposed at one unit of 2,130 square feet for the supervisor and four units at 1,712 square feet for students), and a sixth building to contain shared laundry facilities. The proposed amendment would increase the student housing capacity from an estimated 10 students to 24 students. The increase in student housing capacity has been reviewed and the site is capable of supporting the proposed increase (see Finding 3 with supporting evidence).

d) This amendment modifies the timing of certain conditions of the Combined Development Permit for the Rancho Cielo Youth Campus Expansion from “prior to issuance of permits” to “prior to final inspection”, to allow the construction of the on-site waste water treatment facility concurrent with the construction of the new adaptive living units. Conditions of approval from the Monterey Regional Fire District have also been added through this amendment because fire conditions were not incorporated in the original Combined Development Permit. In addition, one Water Resources Agency condition has also been added because this condition was inadvertently omitted in the original approval. All condition amendments were discussed with the applicant and amongst departments/agencies for consistency with the original permit approval.

e) As the campus expansions are designed and constructed there are variables including funding availability and future campus needs that may result in the need for minor modifications to the design approved under the Combined Development Permit for Rancho Cielo Youth Campus Expansion (Resolution No. 10-025). In keeping with the Combined Development Permit and to allow minor and trivial changes in the design, this amendment is intended to not only allow the proposed minor modifications but also to provide the Director of Planning with the authority to determine compliance with the Combined Development Permit based on the approved total development square footage of 120,575 square feet (25,505 square feet of existing buildings and 95,070 square feet of proposed, pursuant to PLN080351). The list of approved uses include:

- classroom space;
- vocational education and laboratory education;
- agricultural education working farm;
- amphitheater;
- park space for day use;
- 5 adaptive living learning units;
- gymnasium expansion;
- expansion of the culinary training center;
- expansion of the administrative spaces;
- internal roadways and parking areas;
- construction of recreation fields with up to 80,000 cubic yard of excavation;
- additions of hard courts for outdoor hard court sports;
- expansion of the equestrian training and therapy facilities;
- renovation of existing lakes for water storage and fishing opportunities;
- addition of storage buildings and facilities;
- addition of site restroom facilities;
- construction of a caretaker residence;
- improvement of sewage disposal system, storm drainage, water storage and distribution; and
- up to 12 community events per year.

Each improvement will be evaluated to determine if the development and intensity of development is in keeping with the Combined Development Permit and with the Certified Final Rancho Cielo Youth Campus Expansion EIR.

f) The project was not referred to the Land Use Advisory Committee (LUAC) for review because there is no LUAC for the Greater Salinas Area.

g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project Files PLN110485 and PLN080351.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the use proposed.

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Monterey Regional Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

b) The site was previously found suitable for the school and school expansion (Resolution 10-025). This proposed amendment does not change the approved use and the site can support the intensification in the capacity of the adaptive living units.

c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project Files PLN110485 and PLN080351.

3. FINDING: HEALTH AND SAFETY - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: a) The project was reviewed by RMA - Planning Department, Monterey Regional Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
b) Necessary public facilities would be provided. The site is currently served water by Alco Water Service, which has adequate water quality and quantity to serve existing development. In order to allow additional development beyond existing uses, Rancho Cielo shall obtain an updated can and will serve letter from Alco indicating that all CDPH water system requirements have been met. A new on-site wastewater facility is required to provide sewage disposal. Condition No. 19 of original Combined Development Permit (Resolution No. 10-025) requires that the facility be developed prior to issuance of permits. This amendment would change the timing of the facility development to prior to final to allow the construction of the facility and the housing units concurrently.

c) Preceding findings and supporting evidence for PLN110485.

4. FINDING: NO VIOLATIONS - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

EVIDENCE: a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

b) Staff researched County records to assess if any violation exists on the subject property. There are no known violations on the subject parcel.

c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project Files PLN110485 and PLN080351.

5. FINDING: CEQA (Addendum): - An Addendum to a previously certified EIR was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted EIR.

EVIDENCE: a) An EIR for Rancho Cielo Youth Campus Expansion was prepared and certified by the Monterey County Planning Commission on September 8, 2011 (Planning Commission Resolution 10-025).

b) An Addendum to the Rancho Cielo Youth Campus Expansion project EIR was prepared pursuant to Code of Regulations, Title 14, Section 15164 (CEQA Guidelines).

c) The Addendum attached as Exhibit A.2 to the September 28, 2011, Staff Report to the Planning Commission reflects the County’s independent judgment and analysis.

d) Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project that would require major revisions to the prior EIR. This permit (PLN110485) amends certain conditions of approval of the approved Rancho Cielo Combined Development Permit. None of the adopted mitigation measures are proposed to be amended. Pursuant to CEQA Section 15164, the project qualifies for an addendum to the Certified Final Environmental Impact Report for the Rancho Cielo Youth Master Plan because the project...
involves only minor technical changes or additions that are necessary and none of the conditions described in CEQA Section 15162 calling for the preparation of a subsequent EIR have occurred.

e) Pursuant to Section 15162 of the CEQA Guidelines, there is no new information of substantial importance that was not known at the time the EIR was adopted. The amendments are only to timing of conditions of approval of the original permit and clarification that any building/grading permits (See Condition 1) shall be in substantial conformance to the original permit approval. The amendment also clarifies that all improvements shall also be consistent with the Certified Final Rancho Cielo Youth Campus Expansion EIR.

6. FINDING: WATER SUPPLY – The project has an adequate long-term water supply and manages development in the area so as to minimize adverse effects on the aquifers and preserve them as viable sources of water for human consumption.

EVIDENCE: a) Potable water is currently supplied from Alco Water Service. Condition 23 has been applied requiring that prior to final inspection of building permits, Rancho Cielo shall obtain an updated can and will serve letter from Alco indicating that all CDPH water system requirements have been met in order to serve additional development beyond existing uses.

b) The project site is in the East Side subarea of the Salinas Valley Groundwater Basin.

c) The Monterey County WRA oversees water supplies for the project site. In December 2008, the Public Utilities Commission authorized Alco Water Service to supply potable water to the project site, utilizing a recently-constructed pipeline that crosses the site. The project would capture storm water run-off and utilize treated onsite wastewater discharge to reduce its dependence on potable groundwater for irrigation purposes.

d) Annually the proposed project would use about five acre-feet of water for interior building use, about 35 acre-feet for irrigation, and about 3.5 acre-feet for other exterior uses. Water required from Alco Water Service is estimated at about 26.5 acre-feet per year, assuming about 12 acre-feet of the storm water run-off collected in ponds and five acre-feet of treated wastewater would be utilized for irrigation. Water use would fluctuate throughout the year, dependent on the number of students in programs, and seasonal irrigation of the fields. The project would result in a net increase of about 22.1 acre-feet of groundwater use.

e) Modeling developed for the Salinas Valley Water Project predicts a rise in East Side and adjacent Pressure sub-area groundwater levels for at least 35 years following implementation of the Salinas Valley Water Project in January 2010.

7. FINDING: APPEALABILITY - The decision on this project may be appealed to the Board of Supervisors.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:
A. Consider an Addendum to the Certified Final Environmental Impact Report for the Rancho Cielo Youth Master Plan (SCH#2008121082);
B. Approve the amendment (PLN110485) to a previously approved Combined Development Permit (Planning File No. PLN080351) for the Rancho Cielo Youth Campus Expansion Master Plan., in general conformance with the attached sketch and subject to the conditions (Exhibit 1), both exhibits being attached hereto and incorporated herein by reference.
C. Adopt the Mitigation Monitoring and Reporting Program, as adopted originally pursuant to PC Resolution No. 10-025 on September 8, 2010 (Exhibit 1)

PASSED AND ADOPTED this 28th day of September, 2011 upon motion of Commissioner Brown, seconded by Commissioner Salazar, by the following vote:

AYES: Brown, Vandevere, Roberts, Rochester, Salazar, Getzelman, Mendez, Diehl, Padilla, Hert
NOES: None
ABSENT: None
ABSTAIN: None

[Signature]
Carl Holm, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON OCT. 6 2011

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE NOV. 7 2011

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

   Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

   Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the original granting of permit (PLN080351/PC Resolution 10-025) of September 8, 2010, thereof unless construction or use is started within this period.

Rancho Cielo Amendment - PLN110485
Page 6 of 89 48
**Project Name:** Rancho Cielo Youth Campus Master Plan Amendment

**File No:** PLN110485  
**APNs:** 211-031-004, 021  
**Approval by:** Planning Commission  
**Date:** September 28, 2011

*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<table>
<thead>
<tr>
<th>Permit Condition</th>
<th>Milk Number</th>
<th>Condition of Approval &amp; Mitigation Measures and Responsible Party/Department</th>
<th>Conference or Monitoring Actions (if applicable) &amp; Reporting Information of Requirements</th>
<th>Responsible Party for Compliance</th>
<th>Status</th>
<th>Certification of Compliance (if applicable)</th>
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<tbody>
<tr>
<td><strong>PD001 - SPECIFIC USES ONLY</strong></td>
<td></td>
<td>Adhere to conditions and uses specified in the permit.</td>
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<td>Applicant</td>
<td>Ongoing unless otherwise stated</td>
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<td>Neither the uses nor the construction allowed by this permit shall commence unless and until all the conditions of this permit are met to the satisfaction of the Director of the RMA-Planning Department</td>
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<td>RMA-Planning</td>
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<td>To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</td>
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<td>WRA, RMA-Planning</td>
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<tr>
<td>Permit Number</td>
<td>Conditions of Approval and Utilization Restrictions and Responsibilities to be Undertaken</td>
<td>Compliance with Permits</td>
<td>Responsible Party</td>
<td>Compliance Date</td>
<td>Training</td>
<td>Certification Date</td>
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<td>8) expansion of the culinary training center including cooking and serving areas; 9) expansion of administrative spaces to allow for program growth; 10) internal roadways and parking areas; 11) construction of recreational fields including soccer and baseball fields requiring approximately 80,000 cubic yards of excavation; 12) additions of hard courts for basketball tennis and outdoor hard court sports; 13) expansion of equestrian training and therapy facilities; 14) renovation of existing lakes for water storage and fishing opportunities; 15) addition of storage buildings and facilities; 16) addition of site restroom facilities; 17) construction of caretakers residence; 18) improvement of sewage disposal system, storm drainage, water storage and distribution; and 19) allow up to 12 community events per year. The property is located at 710 Old Stage Road (Assessor’s Parcel Number 211-031-004-000 and 211-031-021-000), Greater Salinas Area Plan. This permit was approved in accordance with County ordinance and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. The Director of Planning, in consultation with the other land use departments, has authority to review, interpret and apply permit conditions as different projects (building and/or grading permits) come forward. The projects may differ in size and/or location from what is shown on the Master Plan attached hereto as Exhibit 2. The Director of Planning, in consultation with other land use departments, has discretion in determining substantial conformance of projects, provided the projects are...</td>
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<td>Permit No.</td>
<td>Title</td>
<td>Conditions of Approval and/or Mitigation Measures to Be Implemented</td>
<td>Responsible Party</td>
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<td>Expiration, Revocation (if any)</td>
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<td>consistent with the overall intent and scope of the Combined Development Permit and its conditions and there are no significant adverse impacts not addressed in the project EIR and approved mitigation monitoring program. (RMA – Planning Department)</td>
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<td>2.</td>
<td>PD002 – NOTICE OF PERMIT APPROVAL</td>
<td>The applicant shall record a notice which states: &quot;A permit (Resolution 10-025) was approved by the Planning Commission for Assessor's Parcel Numbers 211-031-004-000 and 211-031-021-000 on September 8, 2010 and such permit was amended on September 28, 2011 (Resolution No. 11-031). The permit amendment was granted subject to 46.59 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County RMA – Planning Department.&quot; (RMA-Planning Department)</td>
<td>Obtain appropriate form from the RMA – Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA – Planning Department.</td>
<td>Applicant</td>
<td>Prior to the issuance of grading and building permits or commencement of uses.</td>
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<td>3.</td>
<td>PD0032(A) – PERMIT EXPIRATION</td>
<td>The permit shall be granted for a time period of 3 years, to expire on September 8, 2013 (original approval date; Resolution No. 10-025) unless use of the property or actual construction has begun within this period. (RMA - Planning Department)</td>
<td>The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration September 8, 2013.</td>
<td>Applicant</td>
<td>As stated in the conditions of approval</td>
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<td>4.</td>
<td>PD004 – INDEMNIFICATION AGREEMENT</td>
<td>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought</td>
<td>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department</td>
<td>Applicant</td>
<td>Upon demand of County Counsel or with the issuance of building permits.</td>
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<td>Permit Number</td>
<td>Multi-Number</td>
<td>Conditions for Approval and Obligation Measures and Responsible Party and Department</td>
<td>Compliance Methodology</td>
<td>Responsible Party</td>
<td>Action and Timeframe</td>
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<td>within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</td>
<td></td>
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<td>use of the property whichever occurs first and as applicable</td>
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<tr>
<td>PD005</td>
<td></td>
<td><strong>FISH AND GAME FEE - NEG DEC/EIR</strong> Pursuant to the State Public Resources Code Â§ 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)</td>
<td>The applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA – Planning Department.</td>
<td>Applicant</td>
<td>Within 5 working days of project approval</td>
<td></td>
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<tr>
<td>Permit Number</td>
<td>Conditions and/or Mitigation Measures</td>
<td>Compliance to Monitoring Actions</td>
<td>Responsible Party for Compliance</td>
<td>Timing</td>
<td>Certification by Compliance Authority</td>
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<td>6. PD006 – MITIGATION MONITORING PROGRAM</td>
<td>The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <em>(RMA - Planning Department)</em></td>
<td>1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</td>
<td>Applicant</td>
<td>Within 60 days after project approval or prior to the issuance of grading or building permits, whichever occurs first</td>
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<tr>
<td>7. PD010 – EROSION CONTROL PLAN AND SCHEDULE</td>
<td>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. <em>(RMA - Planning Department and RMA-Building Services Department)</em></td>
<td>An Erosion Control Plan shall be submitted to the RMA – Planning Department and the RMA – Building Services Department prior to issuance of building and grading permits.</td>
<td>Applicant</td>
<td>Prior to the issuance of grading and building permits.</td>
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<tr>
<td>Plan Document</td>
<td>Condition of Approval or Mitigation Measures and (RMA - Planning Department)</td>
<td>Compliance or Monitoring Actions to be performed (Include professional expertise if required)</td>
<td>Responsible Party for Compliance</td>
<td>Timing</td>
<td>Reason for Compliance Abridged</td>
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<td>8. PD012(G) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)</td>
<td>The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department)</td>
<td>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, &quot;I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures.&quot;</td>
<td>Owner/ Applicant/ Licensed Landscape Contractor / Licensed Landscape Architect</td>
<td>Prior to issuance of Building Permits</td>
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<td>9. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN</td>
<td>All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA - Planning Department)</td>
<td>The landscaping shall be installed and inspected.</td>
<td>Owner/ Applicant/ Licensed Landscape Contractor / Licensed Landscape Architect</td>
<td>Prior to Occupancy</td>
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<td>10. PD035 - UTILITIES - UNDERGROUND</td>
<td>All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)</td>
<td>Install and maintain utility and distribution lines underground</td>
<td>Owner/ Applicant</td>
<td>Ongoing</td>
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<td>No.</td>
<td>Description</td>
<td>Applicant's Action</td>
<td>Responsible Party</td>
<td>Timing</td>
<td>Verification/Compliance</td>
<td>Notes</td>
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<td>11</td>
<td>PWSP001 – ENCROACHMENT (NON-STANDARD)</td>
<td>Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.</td>
<td>Applicant</td>
<td>Prior to issuance of building permits. Required improvements shall be completed or bonded prior to occupancy or commencement of use.</td>
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<td>12</td>
<td>PWSP002 – ON-SITE PARKING STD (NON-STANDARD)</td>
<td>Applicant’s engineer or architect shall prepare a parking plan for review and approval concurrent with building and grading permits applications</td>
<td>Applicant/Engineer</td>
<td>A. Prior to Building / Grading Permit Issuance B. Parking improvements required for a specific project</td>
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<tr>
<td>Permit Condition</td>
<td>Issue Number</td>
<td>Conditions of Approval and/or Mitigation Measures and Responsible Agency/Department</td>
<td>Compliance or Monitoring Actions to be Performed</td>
<td>Date This Permit Shall Be Accepted</td>
<td>Responsible Party for Compliance</td>
<td>Monitoring</td>
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<td>PWSP003 – CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD)</td>
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<td>The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (Public Works)</td>
<td>Applicant shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval concurrent with building and grading permits applications. The approved measures shall be implemented during the construction/grading phase of the project.</td>
<td>Applicant/Contractor</td>
<td>A. Prior to issuance of the Grading Permit or Building Permit. B. The approved measures shall be implemented during the construction/grading phase of the project.</td>
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<td>#</td>
<td>Description</td>
<td>Compliance Monitoring Actions</td>
<td>Responsible Party</td>
<td>Penalty</td>
<td>Enforcement of Compliance Standards</td>
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<td>14</td>
<td><strong>PWSP004 – OFF-SITE IMPROVEMENT PLANS (NON-STANDARD)</strong> Old Natividad Road North of Old Stage Road shall be widened in accordance with County standards, subject to the review and approval by the Director of Public Works. Construction of turning radius at the intersection of Old Stage Road and Old Natividad Road must be adequate for school buses. No sidewalks are required. <strong>(Public Works)</strong></td>
<td>Applicant shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded prior to issuance of the Grading Permit for Sports Field Parking and Roadway.</td>
<td>Applicant</td>
<td>Prior to issuance of the Grading Permit or Building Permit for Sports Field Parking and Roadway.</td>
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<tr>
<td>15</td>
<td><strong>PWSP005 – ENCROACHMENT (NON-STANDARD)</strong> Obtain an encroachment permit from the Department of Public Works for off-site road and underground utilities work within County Road Right-of-way. <strong>(Public Works)</strong></td>
<td>Applicant shall submit improvement plans prepared by his Engineer to DPW for approval. Improvements to be bonded prior to issuance of the Grading Permit for Sports Field Parking and Roadway.</td>
<td>Applicant</td>
<td>Prior to issuance of the Grading Permit for Sports Field Parking and Roadway.</td>
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<td>16</td>
<td><strong>EHSP01 – PORTABLE TOILETS</strong> The Rancho Cielo Youth Campus Expansion Master Plan states that various community and special events will be hosted on the property. Pursuant to Monterey County Code (MCC), Chapter 15.20, no person(s) shall use or maintain any building, structure, or place or place where people reside, congregate, or are employed unless it is equipped with a flush toilet supplied with</td>
<td>Whenever flush toilets are unavailable, provide an adequate number of portable chemical toilets. Limit the use of portable chemical toilets to the number of calendar days specified in Monterey County Code, (MCC), Chapter 15.20.</td>
<td>Applicant</td>
<td>Continuous on a quarterly basis</td>
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| Index Code | Condition | Compliance Monitoring; Details | Responsibility | Monitoring | Certification/Foundation
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<tr>
<td>17</td>
<td><strong>EHSP02 – DEMOLITION OF EXISTING ONSITE WASTEWATER TREATMENT SYSTEM(S) (NON STANDARD)</strong>&lt;br&gt;Existing development throughout Rancho Cielo use the conventional onsite wastewater treatment systems for wastewater disposal (OWTS). In the event that a structure(s) served by a conventional OWTS is proposed to connect to the Alt OWTS (proposed as part of this Master Plan), a permit to demolish the conventional septic tank must be obtained from the Environmental Health Bureau (EHB). EBB shall witness the septic tank demolition, or abandonment in place. <em>(Environmental Health)</em></td>
<td>Submit a septic tank demolition application and plot plan to EHB for review and approval. Obtain demolition permit.&lt;br&gt;Demolish the septic tank, or abandon in place, according to standards set forth in Monterey County Code, Section 15.20.090, under witness by EHB.</td>
<td>Applicant</td>
<td>Concurrent with connection to the Alternative OWTS</td>
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<td>18</td>
<td><strong>EHSP03 – ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM: DEED NOTIFICATIONS; SOILS AND PERCOLATION TESTING (NON STANDARD)</strong>&lt;br&gt;The Environmental Health Bureau has determined that</td>
<td>Submit a percolation and soils testing work plan to EHB for review and approval. Once approved, the testing shall be conducted by a qualified individual and witnessed by EHB.</td>
<td>Applicant/CA-Licensed Engineer</td>
<td>Prior to issuance of building permits.</td>
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### Conditions of Approval for Mitigation Measures and Responsible Party (Agencies)

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<tr>
<th>Permit</th>
<th>Permit No.</th>
<th>Conditions of Approval</th>
<th>Responsible Party (Agency)</th>
<th>Action of Compliance (Amended)</th>
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<tr>
<td>19.</td>
<td>EHSP04 – ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM: DEED</td>
<td>Submit proposal for an Alt OWTS to EHB for review and approval. Upon acceptance by EHB, the proposal would be referred to CRWQCB for review and approval.</td>
<td>Applicant / CA-Licensed Engineer</td>
<td>Prior to issuance of building permits PRIOR TO FINAL INSPECTION OF ANY BUILDING PERMIT THAT WILL CONNECT TO THE ALT OWTS</td>
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Adequate area would exist to accommodate an expansive subsurface drip disposal field for the proposed alternative onsite wastewater treatment system (Alt OWTS). Due to the existing topography off the proposed disposal field area, EBB has authorized deferral of percolation and soil testing requirements that would demonstrate wastewater disposal feasibility to allow site grading to occur first.

Prior to submittal of an Alt OWTS proposal to EBB, submit a work plan that outlines soil and percolation testing plans. Once the work plan is approved, the testing shall be conducted by a qualified individual, as specified by Monterey County Code, Section 15.20.070, and witnessed by EBB. **(Environmental Health)**

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<tr>
<th>Exhibit Number</th>
<th>Conditions of Approval and Mitigation Measures</th>
<th>Compliance of Monitoring Actions to be performed</th>
<th>Party Reponsible for Compliance</th>
<th>Timing</th>
<th>Affidavit of Compliance</th>
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<tr>
<td>20. EHSP05 – ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM: WASTE DISCHARGE REQUIREMENTS (NON STANDARD)</td>
<td>Pursuant to the Memorandum of Understanding between Monterey County and the Central Coast Regional Water Quality Control Board - Central Coast Region (CRWQCB), Monterey County refers all onsite wastewater treatment systems (OWTS) intended to accept 2,500 gallons per day or more of wastewater to the CRWQCB for review. CRWQCB would determine if the proposal must obtain a waiver of Waste Discharge Requirements from CRWQCB or if the proposal would require Individual Waste Discharge Requirements to be assigned by CRWQCB.</td>
<td>Submit evidence to EHB that CRWQCB has issued a waiver of Waste Discharge Requirements or Individual Waste Discharge Requirements for the proposed alternative onsite wastewater treatment system.</td>
<td>Applicant</td>
<td>Prior to the issuance of building permits. Prior to final inspection of any building permit that will connect to the Alt OWTS</td>
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<tr>
<td>21. EHSP06 – ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM: DEED NOTIFICATION (NON-STANDARD)</td>
<td>The applicant shall record a deed notification with the Monterey County Recorder for parcels 211-031-004 and 211-031-021, which indicates that an alternative onsite wastewater treatment system is installed on the property and includes the following specifications:</td>
<td>Contact EHD for specific deed notification language.</td>
<td>CA License d Engineer/Applicant</td>
<td>Record deed notice prior to final inspection of the first building</td>
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<td>Rancho Cielo</td>
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**EHSP07 - CROSS CONNECTION CONTROL PROGRAM (NON-STANDARD)**

Rancho Cielo receives water from multiple sources:
- Alco Water Service (potable) – Domestic
- Alco Water Service (non-potable) - Irrigation and Fire Suppression
- Storm run-off - Irrigation and Fire Suppression
- Alt OWTS Treated Wastewater – Subsurface Irrigation

Rancho Cielo's water distribution system shall be protected from actual and potential cross-connections between the irrigation, fire and domestic water distribution systems. A cross-connection control plan shall be implemented to reduce the hazard of potential cross-connections and to eliminate actual cross-connections. *(Environmental Health)*

**Compliance with Monitoring Actions**

- Submit a cross-connection control survey work plan to the Environmental health Bureau (EHB) for review and approval.

Once approved, the cross-connection control survey shall be completed by an individual considered qualified by EHB.

Submit a cross-connection control plan, prepared by the individual who completed the survey, for review and approval by EHB. Beyond standard components, the plan should also identify the cross-connection specialist and future survey schedules.

Implement the recommendations of the cross-connection control program.

**Permit and Compliance**

- Permit that will connect to the Alternative OWTS

**Exhibit A**

*Exhibit of Plans and Details*
<table>
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<tr>
<th>Number</th>
<th>Item</th>
<th>Description</th>
<th>Compliance and Monitoring Actions</th>
<th>Responsible Party</th>
<th>Action</th>
<th>Verification of Compliance, Acceptance</th>
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<tr>
<td>23.</td>
<td>EHSP08 – UPDATED CAN &amp; WILL SERVE LETTER (NON-STANDARD)</td>
<td>Prior to issuance of building permits, the applicant shall submit an updated &quot;can and will serve&quot; letter from Alco Water Service indicating that the required infrastructure improvements have been completed and that the water system has adequate source capacity and storage to meet CDPH public water system requirements. (Environmental Health)</td>
<td>Prior to issuance of building permits, the applicant shall submit to EHB an updated ‘can and will serve’ letter from Alco Water Service</td>
<td>Applicant</td>
<td>Prior to issuance of building permits</td>
<td>expand the existing equestrian center</td>
</tr>
<tr>
<td>24.</td>
<td>EHSP09 – COMMUNITY / SPECIAL EVENT DISCLOSURE (NON-STANDARD)</td>
<td>Rancho Cielo's Drummond Culinary Academy is registered with the Environmental Health Bureau (EBB) to allow food preparation for service at community or special events that occur outside of normal classroom operations. EBB has authority to complete an inspection of the kitchen and dining facilities at their discretion. In order for EBB to determine if an inspection of the kitchen and dining facilities is appropriate, Rancho Cielo shall notify EBB of community or special event(s) scheduled to occur outside of normal classroom operation. This notice shall be in writing and provided to EBB on a quarterly basis. (Environmental Health)</td>
<td>Rancho Cielo shall notify EBB once per quarter-in-writing of community or special event(s) scheduled to occur at the Drummond Culinary Academy.</td>
<td>Applicant</td>
<td>Prior to community or special events held at the Drummond Culinary Academy</td>
<td>NOTE: DELETED BY EHB; THIS CONDITION IS NO LONGER REQUIRED</td>
</tr>
<tr>
<td>25.</td>
<td>EHSP10 – MANURE MANAGEMENT PLAN (NON-STANDARD)</td>
<td>Provide a Manure Management Plan to the Environmental Health Bureau (EBB) for review and approval. The Manure Management Plan shall include</td>
<td>• Submit two copies of the plan and monitoring timeline to the Environmental Health Bureau for review and approval. • Comply with the approved</td>
<td>Applicant</td>
<td>Prior to issuance of building permit</td>
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the following aspects:
- the volume of waste generated, method and time frame of continual disposal off-site, and necessary controls for vector, odor and waste run-off.
- detailed timeline to provide evidence to EHB that the plan is being implemented and the methods in place are controlling vectors, odors and waste run-off.
- appropriate mechanism to allow for public comment of neighbors to assess compliance to the plan. The approved Manure Management Plan will be on file at the Environmental Health Bureau, File Number PLN080351 and available to the public upon request. (Environmental Health)

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<th>Condition</th>
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<th>Responsible Party</th>
<th>Responsible Party Role</th>
<th>Monitoring Frequency</th>
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<tr>
<td>EH61 - SEPARATE RECYCLABLES</td>
<td>Submit a written plan on how recyclables will be collected and stored to Recycling and Resource Recovery Services (RRRS) of Environmental Health Bureau for review and approval. Contact RRRS for sample calculation worksheets.</td>
<td>Applicant</td>
<td>Prior to issuance of Grading and/or Building Permits</td>
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<tr>
<td>WRSP001 - STORMWATER DETENTION (NON STANDARD WORDING)</td>
<td>Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval</td>
<td>Applicant</td>
<td>Prior to issuance of Grading and/or Building Permits</td>
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<thead>
<tr>
<th>Item Number</th>
<th>Number</th>
<th>Conditions or Approval Device/Utility/Accident Responsible for the Requirement</th>
<th>Compliance for Consent Action, if any, and Professional Concentration Action Required</th>
<th>Responsible Party for Compliance</th>
<th>Duration</th>
<th>Certification of Compliance Available</th>
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<tr>
<td>28.</td>
<td>WR8 - COMPLETION CERTIFICATION</td>
<td>The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)</td>
<td>Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.</td>
<td>Owner/Applicant/Engineer/Contractor</td>
<td>Prior to final inspection</td>
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<td>Permit Code</td>
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<td>Conditions of Approval and Mitigation Measures</td>
<td>Compliance or Monitoring Criteria</td>
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<td>FIRE030</td>
<td>NEW NO. 28</td>
<td><strong>NON-STANDARD CONDITIONS — ON-SITE ROADWAY AND WATER SYSTEM IMPROVEMENTS — PLANS AND INSTALLATION</strong>&lt;br&gt;On-site roadway and water system improvement plans shall be prepared by qualified registered professional engineer(s) for the emergency access and fire protection for the development outlined in the master plan for this project. Permanent roadway and water system improvements may be designed to be installed incrementally, providing all-weather fire department vehicle access and water for fire protection using temporary facilities during the course of construction as approved by the fire district. Permanent roadway and water system facilities serving each phase of development shall be installed and shall be tested and accepted by the fire district prior to the approval of the final fire inspection. <em>(Monterey County Regional Fire District)</em></td>
<td>Applicant or owner shall submit master-plan roadway and water system improvement plans to the fire district and obtain fire district approval.&lt;br&gt;Applicant or owner shall construct temporary or permanent roadway and water system improvements to serve each phase of development during the course of construction as approved by the fire district, and shall obtain fire district approval of the construction of such temporary improvements.&lt;br&gt;Applicant or owner shall construct permanent roadway and water system improvements to serve each phase of development and shall obtain fire district approval of the construction of such improvements.</td>
<td>Applicant or owner</td>
<td>Prior to issuance of construction permits to be served by the improvements</td>
<td></td>
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<tr>
<td>FIRE030</td>
<td>NEW NO. 29</td>
<td><strong>NON-STANDARD CONDITIONS — ON-SITE ROAD ACCESS</strong>&lt;br&gt;Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum width of 20 feet with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. <em>(Monterey County Regional Fire District)</em></td>
<td>Applicant or owner incorporate the access road design into the roadway improvement plans and into the construction plans of each phase of development in accordance with the master improvement plan.&lt;br&gt;Applicant or owner shall construct temporary or permanent roadway to serve each phase of development during the course of construction as approved by the fire district, and shall obtain fire district approval of the construction of such temporary improvements.</td>
<td>Applicant or owner</td>
<td>Prior to issuance of construction permit.</td>
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<tr>
<td>Plan No.</td>
<td>Site Number</td>
<td>Condition of Approval and Mitigation Measures and Responsible Party/Address/Department</td>
<td>Compliance or Monitoring Actions Required and Where Applicable, a Certification of Completion or Exception for Complied</td>
<td>Responsible Party/Conditions</td>
<td>Timing</td>
<td>Participation for Complaint/Grievance</td>
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<td>NEW 30.</td>
<td>FIRE030 – ON-SITE ROADWAY ENGINEERING</td>
<td>The grade for all roads shall not exceed 15 percent. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the &quot;T&quot; shall be a minimum of 60 feet in length. (Monterey County Regional Fire District)</td>
<td>Applicant or owner shall construct permanent roadway improvements to serve each phase of development and shall obtain fire district approval of the construction such improvements.</td>
<td>Applicant or owner</td>
<td>Prior to approval of the final fire inspection</td>
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<tr>
<td>NEW NO. 31</td>
<td>FIRE007 - DRIVEWAYS</td>
<td>Applicant or owner incorporate the access road design into the roadway improvement plans and into the construction plans of each phase of development in accordance with the master improvement plan.</td>
<td>Applicant or owner</td>
<td>Prior to issuance of construction permit.</td>
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<tr>
<td>NEW NO. 32</td>
<td>FIRE030 - NON-STANDARD CONDITIONS</td>
<td>Applicant shall print the text of this condition on the construction plans.</td>
<td>Applicant or owner</td>
<td>Prior to issuance of construction permit.</td>
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<td>Permit Code Number</td>
<td>Mini Number</td>
<td>Conditions of Approval/Building/Structure and Responsible Authority/Department</td>
<td>Components of Monitoring Actions to be Performed</td>
<td>Responsible Party Performing Monitoring to be Authorized</td>
<td>Time</td>
<td>Verification of Compliance/Inspection</td>
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<td>Any non-residential building having a total floor area greater than 500 square feet which is constructed, moved or relocated on the premises shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and approved prior to requesting a framing inspection. <em>(Monterey County Regional Fire District)</em></td>
<td>Applicant shall obtain fire district approval of the rough sprinkler inspection.</td>
<td>Applicant or owner</td>
<td>Prior to framing inspection</td>
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<td>Applicant shall obtain fire district approval of the final sprinkler inspection</td>
<td>Applicant or owner</td>
<td>Prior to final building inspection</td>
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<tr>
<td>Reference No.</td>
<td>New No.</td>
<td>NON-STANDARD CONDITIONS - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (RESIDENTIAL BUILDINGS)</td>
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<td>NEW NO. 33.</td>
<td>FIRE030</td>
<td>Applicant shall print the text of this condition on the construction plans.</td>
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<td>Applicant shall obtain fire district approval of the rough sprinkler inspection.</td>
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<td>Prior to framing inspection.</td>
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<td>Applicant shall obtain fire district approval of the final sprinkler inspection.</td>
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<td>Prior to final building inspection.</td>
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<td>NEW NO. 34.</td>
<td>FIRE030</td>
<td>Applicant shall print the text of this condition on the construction plans.</td>
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<td>Prior to issuance of construction permit.</td>
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<td>Applicant shall submit fire alarm plans to the fire district and obtain approval of the fire alarm plans.</td>
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<td>Prior to rough sprinkler or framing inspection.</td>
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<td>Applicant shall obtain approval of the fire alarm system acceptance test from the fire district.</td>
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<td>Applicant or owner</td>
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<td>Prior to rough sprinkler or framing inspection and</td>
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<tr>
<td>Facility Code Number</td>
<td>Module Section</td>
<td>Conditions of Approval or Mitigation Measures and Responsible Party (if any)</td>
<td>Compliance or Monitoring Actions to be performed where applicable, with professional verification and acceptance if applicable</td>
<td>Responsible Party for Compliance</td>
<td>Timing</td>
<td>Certification of Compliance or Mitigation</td>
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<td>NEW NO. 35</td>
<td>FIRE030 - NON-STANDARD CONDITIONS - HYDRANTS AND FIRE FLOW -</td>
<td>Hydrants for fire protection shall be provided at locations approved by the Fire District and shall conform to the following requirements:</td>
<td>Applicant or owner shall submit water system improvement plans to the fire district and obtain fire district approval</td>
<td>Applicant or owner</td>
<td>Prior to final construction inspection</td>
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<td>a. FIRE FLOW - Pursuant to California Fire Code Appendix B, the minimum fire flow requirement for 32,000 square foot commercial facilities built with Type II-A construction is 2,500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 2 hours. Fire flow for facilities protected with automatic fire sprinkler systems may be reduced to 1,500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 2 hours. Lesser fire flow rates required for other buildings shall be provided through water system improvements pursuant to the requirements of Appendix B of the California Fire Code.</td>
<td>Applicant or owner shall construct temporary or permanent water system improvements to serve each phase of development during the course of construction as approved by the fire district, and shall obtain fire district approval of the construction of such temporary improvements.</td>
<td>Applicant or owner</td>
<td>Prior to approval of the foundation inspection</td>
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<td>b. TIMING OF INSTALLATION - Approved fire protection water supply systems must be installed and made serviceable prior to the time of construction. Temporary facilities may be installed and utilized during the course of construction as approved by the fire district. Permanent water system improvements shall be installed and shall be tested and accepted by the fire district prior to the approval of the final fire inspection of the applicable construction permit.</td>
<td>Applicant or owner shall construct permanent water system improvements to serve each phase of development and shall obtain fire district approval of the construction such improvements.</td>
<td>Applicant or owner</td>
<td>Prior to the approval of the final fire inspection</td>
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<td>Item</td>
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<td>c.</td>
<td>HYDRANT/FIRE VALVE (ADDITION) — New hydrant shall be installed as required by the fire district.</td>
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<td>d.</td>
<td>HYDRANT/FIRE VALVE (LOCATION) - The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway.</td>
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<td>e.</td>
<td>FIRE HYDRANTS - Hydrants shall be installed in accordance with spacing set forth in California Fire Code Appendix C and in accordance with the following specifications:</td>
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<td>g.</td>
<td>HYDRANT SIZE - The hydrant shall have a minimum of two (2) 2-1/2 inch outlets NST and one (1) 4-1/2 inch outlet NST. The riser shall be a minimum of six (6) inches and shall be wet barrel type with a coefficient of 0.9.</td>
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<td>h.</td>
<td>SIGNING OR WATER SOURCES - Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Monterey County Regional Fire District)</td>
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<td>NEW NO. 36</td>
<td>FIRE030 — NON-STANDARD CONDITIONS — EMERGENCY ACCESS KEY BOX — Emergency access key box shall be installed and maintained as required by the fire district. The type and location shall be approved by the fire department. The fire department shall be notified when locks are changed so that the emergency access key box can be maintained with current keys. (Monterey County Regional Fire District)</td>
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<tr>
<th>Responsible Party</th>
<th>Action Required</th>
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<tr>
<td>Applicant or owner</td>
<td>Applicant shall incorporate specification into design and print the text of this condition on the construction plans.</td>
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<tr>
<td>Applicant or owner</td>
<td>Applicant shall install new key box(es) or maintain existing key box(es), and shall obtain approval of the fire district final inspection.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Permit Code</th>
<th>Permit No.</th>
<th>Conditions of Approval &amp; Methods Used</th>
<th>Responsible Party for Compliance</th>
<th>Permits Required</th>
<th>Duration of Compliance Timeframe</th>
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<tr>
<td>FIRE030</td>
<td>NEW NO. 37</td>
<td>NON-STANDARD CONDITIONS — PORTABLE FIRE EXTINGUISHERS — Portable fire extinguishers shall be installed and maintained in accordance with California Fire Code Section 906. <strong>(Monterey County Regional Fire District)</strong></td>
<td>Applicant shall incorporate specification into design and print the text of this condition on the construction plans.</td>
<td>Applicant or owner</td>
<td>Prior to issuance of construction permit.</td>
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<tr>
<td>FIRE011</td>
<td>NEW NO. 38</td>
<td>ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to</td>
<td>Applicant shall incorporate specification into design and print the text of this condition on the construction plans.</td>
<td>Applicant or owner</td>
<td>Prior to issuance of construction permit.</td>
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<tr>
<td>Item Number</td>
<td>Condition of Approval and/ or Mitigation Measures and Responsible Party for Enforcement</td>
<td>Compliance or Monitoring Action</td>
<td>Responsible Party for Compliance</td>
<td>Timing</td>
<td>Verification of Condition Met Date</td>
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<td>NEW NO. 39</td>
<td>FIRE026 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Management of combustible vegetation shall be conducted and maintained within a minimum of 100 feet of structures in accordance with California Public Resources Code Section 4291. Tree limbs shall be trimmed creating a minimum of 6 feet of vertical clearance from the ground. Tree limbs shall be trimmed to a minimum of 10 feet from chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by the Reviewing Authority and the Director of Planning and Building Inspection. (Monterey County Regional Fire District)</td>
<td>Applicant shall incorporate specification into design and enumerate as &quot;Fire Dept. Notes&quot; on plans.</td>
<td>Applicant or owner</td>
<td>Prior to issuance of grading and/or building permit.</td>
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<td>NEW NO. 40</td>
<td>FIRE026 - ROOF CONSTRUCTION (STANDARD) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. (Monterey County Regional Fire District)</td>
<td>Applicant shall print the text of this condition on the construction plans.</td>
<td>Applicant or owner</td>
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<tr>
<td>Partial Code Number</td>
<td>Unit Number</td>
<td>Condition(s) of Approval and Mitigation Measures and Responsible Party and Department</td>
<td>Compliance or Monitoring Action to be Taken When Mitigation Measures Are Not Followed</td>
<td>Responsible Party for Compliance</td>
<td>Timing</td>
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| 28: 41.             | BIO-1       | In order to prevent the spread of invasive non-native species, the applicant’s landscape architect shall prepare a landscaping and revegetation plan to be implemented by the applicant/developer. The landscaping and revegetation plan shall include the following requirements:  
- An eradication plan for plants listed on the Invasive Plant Inventory (Cal-IPC 2006) currently growing on the project site to be implemented during the grading phases of the project;  
- Use of plants listed on the Invasive Plant Inventory (Cal-IPC 2006) shall be prohibited;  
- Exposed soil areas shall be planted, mulched, or covered between October 15 and the following April 15 each year;  
- Plant materials used in landscaping or erosion control shall consist of plants that are appropriate native California plants as identified by a qualified biologist or landscape architect;  
To prevent erosion and conserve water during construction, bare soil between newly installed plant materials shall be mulched, covered with jute netting, or seeded with a mix of seeds best suited for the climate and soil conditions, and native to the Monterey County region. | Applicant’s landscape architect shall prepare a landscaping and revegetation plan to be implemented by the applicant/developer. The landscaping and revegetation plan shall be submitted to the RMA Planning Department for review and approval. Submit a review letter to the RMA Planning Department prepared by a qualified biologist demonstrating compliance with requirements. | Applicant/Developer | Prior to approval of grading plans. Prior to occupancy permit for respective permit |
<p>| 29: 42.             | BIO-2       | The applicant shall be required to obtain a jurisdictional determination from the USACE if grading activities associated with maintenance of the ponds, cross country trails, or construction of the vocational education building, boat house, toilet facilities, storage building, caretaker residence, adaptive living units, and park are within 100 feet of and may impact the ponds or drainage. If the intermittent drainage or the ponds are determined to be jurisdictional, the applicant shall obtain a Section 404 permit from the USACE, a Streambed Alteration Agreement from CDFG, and a | The applicant shall submit jurisdictional determination and correspondence from USACE. The applicant shall submit a Section 404 permit from the USACE, a Streambed Alteration Agreement from CDFG, and a Water Quality (Section 401) Certification from the Central Coast RWQCB. | Applicant/Developer | Prior to grading or building permit for work within 100 feet of ponds. |</p>
<table>
<thead>
<tr>
<th>Permit Case Number</th>
<th>Conditions of Approval/ Mitigation Measures and Responsible Parties/Department</th>
<th>Compliance or Monitoring Actions to be Performed. Where applicable, a certified professional is required for action to be accepted.</th>
<th>Responsible Party/Department</th>
<th>Timing</th>
<th>Certification of Compliance (multiple)</th>
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<td>Water Quality (Section 401) Certification from the Central Coast RWQCB. Depending on the type and extent of impact proposed, a nationwide permit is likely the most appropriate USACE permit. To qualify for Nationwide permits, the applicant shall need to submit detailed plans to conduct the work and enhance or mitigate any impacts.</td>
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<td>Prior to issuance of a grading or building permit for work within 100 feet of a jurisdictional wetland</td>
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<td>Permit Code Number</td>
<td>Application Number</td>
<td>Conditions of Approval</td>
<td>Monitoring/Contingency Measures</td>
<td>Responsible Party</td>
<td>Action Required</td>
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<td>36, 43</td>
<td>BIO-3</td>
<td>To avoid potential impacts to California red-legged frog possibly migrating through the 100-acre campus, the applicant shall implement the following measures:</td>
<td>The applicant shall indicate the 100-foot buffer on Master Plan.</td>
<td>Applicant/Developer</td>
<td>Prior to approval of final Master Plan</td>
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<td>- The Master Plan shall incorporate a 100-foot setback around each of the ponds. No permanent development shall be allowed within the setback. Ground disturbance activities throughout the 100-acre campus shall be completed between May 15 and September 31, outside of the migration period. Should the applicant demonstrate a need to conduct activities within the migration period, the USFWS and CDFG shall be contacted for authorization of such activities.</td>
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<td>The applicant shall implement the following measure prior to ground disturbance:</td>
<td>The applicant shall stipulate construction dates on grading and building permits or submit authorization from USFWS and CDFG</td>
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<td>Prior to grading or building permit.</td>
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<td>- At least 15 days prior to the onset of ground disturbance, the applicant shall submit the name(s) and credentials of qualified biologists who would conduct activities specified in the following measures to RMA-Planning Department. No project activities shall begin until the applicant has written approval from the County that the biologist is qualified to conduct the work.</td>
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<td>- Prior to any ground disturbance activities, the qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training will include a description of California red-legged frog, their habitats, the importance of California red-legged frog and their habitats, general measures that are being implemented to conserve the California red-legged frog as they relate to the project and the extent of project boundaries.</td>
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<td>The applicant shall submit biologist information to the RMA – Planning Department.</td>
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<td>A qualified biologist shall conduct training for construction personnel.</td>
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<td>15 days prior to start of grading</td>
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<td>Permit Number</td>
<td>Description</td>
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<td>Brochures, books and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.</td>
<td>Prior to ground disturbance activities</td>
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<td>The applicant shall implement the following measures during construction:</td>
<td>Prior to start of grading.</td>
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<td>• Temporary structures such as flagging, sediment fencing, straw bales, or other appropriate erosion control measures shall be used to delineate a 100-foot buffer of the ponds and prevent project-related runoff or materials from entering the ponds.</td>
<td>Weekly log during construction activities</td>
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<td>• Food and food-related trash items shall be enclosed in sealed container and regularly removed from the project site to deter potential predators of California red-legged frog.</td>
<td>Annual log by January 31 following the completion of construction activities</td>
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<td>• Construction activities and protective measures shall be monitored weekly by the qualified biologist. A weekly log and representative photographs shall document monitoring activities.</td>
<td>During</td>
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<td>• The qualified biologist shall submit a written annual report to the Monterey County Planning Department by January 31 following construction. The report will discuss activities associated with monitoring and protection of California red-legged frog. Any additional measures taken to protect and monitor California red-legged frog will also be included in the report.</td>
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<td>If California red-legged frog(s) are observed during the construction surveys, and/or if the above avoidance measures cannot be implemented, all work shall cease immediately and project improvements shall only continue in consultation with the USFWS and the CDFG to determine whether incidental take authorization is required, and/or to establish any additional avoidance measures.</td>
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</table>
| Item | Condit. of Approval & Mitigation Measures | Monitoring Activity & Requirements | Responsible Party | Estimated Time | Certification
<table>
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<tbody>
<tr>
<td>31- 44.</td>
<td>Prior to the issuance of grading or building permits for development within the 100-acre campus, the applicant shall implement the following measures subject to the review and approval of the RMA - Planning Department:</td>
<td></td>
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<td>construction activities</td>
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<td>- A pre-construction survey shall be conducted by an aqualified biologist for burrowing owls within 30 days of the on-set of construction according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 1995).</td>
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<td>- If pre-construction surveys undertaken during the breeding season (February through July) locate active nest burrows within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) must remain off limits to construction until the breeding season is over. The CDFG recommends setbacks from occupied nest burrows of 100 meters where construction will result in the loss of foraging habitat.</td>
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<td>During the non-breeding season (August through January), resident owls may be relocated to alternative habitat. The relocation of resident owls must be according to a relocation plan prepared by a qualified biologist in consultation with the CDFG. Passive relocation is the preferred method of relocation. This plan must provide for the owl's relocation to nearby lands possessing available nesting and foraging habitat.</td>
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<td>The applicant shall include the conditions on grading and building permits.</td>
<td></td>
<td>Applicant/ Developer</td>
<td>Prior to grading or building permits.</td>
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<td>A qualified biologist shall conduct a pre-construction borrowing owl survey within 30 days of the on-set of construction. The survey report shall be submitted to the RMA-Planning Department.</td>
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<td>Prior to the start of construction (within 30 days).</td>
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<td>A qualified biologist shall establish buffer and limit construction if active nests are found during breeding season.</td>
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<td>A qualified biologist shall prepare a plan to relocate nests if found during non-breeding season.</td>
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<td>Prior to the start of construction if the pre-construction survey is undertaken during breeding season.</td>
</tr>
<tr>
<td>Species/Constituent</td>
<td>Conditions of Approval</td>
<td>Monitoring Activities to be Performed</td>
<td>Responsible Party for Monitoring</td>
<td>Certification of Compliance</td>
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<td>(February through July) and active nests are found.</td>
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<td>Prior to the start of construction if the pre-construction surveys undertaken during the non-breeding season (August through January) if owls are found.</td>
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<tr>
<td>Priority Code</td>
<td>Study Number</td>
<td>Conditions of approval of wetland mitigation measures and responsible party for implementation</td>
<td>Compliance and Monitoring/Testing</td>
<td>Responsible Party for compliance</td>
<td>Funding</td>
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<td>327-45</td>
<td>BIO-5</td>
<td>Subject to the review of the RMA-Planning Department, a qualified biologist shall conduct pre-construction surveys for roosting bats will be performed 15 days prior to construction at locations within 500 feet of abandoned buildings or trees. Alternatively, the construction schedule for these projects can be modified to initiate construction outside of the nesting period at the recommendation of a qualified biologist. The nesting period is typically April-August. If nesting or roosting bats are found, the applicant shall obtain a Memorandum of Understanding (MOU) with the CDFG in order to remove bat species. Alternative habitat will need to be provided by a qualified biologist if bats are to be excluded from maternity roosts. If this is the case, a roost with comparable spatial and thermal characteristics will be constructed and provided. CDFG will be consulted regarding specific designs.</td>
<td>The applicant shall implement the conditions on grading and building permits. A qualified biologist shall conduct pre-construction bat survey; the survey report shall be submitted to the RMA-Planning Department. The applicant shall obtain a MOU with CDFG if nesting or roosting bats are found during the pre-construction survey.</td>
<td>Applicant/Developer</td>
<td>Prior to grading or building permits</td>
</tr>
<tr>
<td>327-46</td>
<td>BIO-6</td>
<td>The project applicant shall coordinate pre-construction surveys for nesting raptors and/or migratory birds to be conducted by a qualified biologist within 15 days prior to construction if construction is to occur during the nesting season (February through mid-September). If nests are located during pre-construction surveys, a qualified biologist will establish a 250-foot buffer around each nest for the duration of the breeding season (until such time as the young are fully fledged) to prevent nest harassment and brood mortality. Work may proceed prior to mid-September only if a qualified biologist conducts nest checks and establishes that the young are fully fledged. Every effort shall be made to avoid removal or impact to known nests within project boundaries. If trees known to support nests cannot be avoided, removal of these trees will only occur outside the buffer area.</td>
<td>The applicant shall include the conditions on grading and building permits. Pre-construction nesting raptor/migratory bird survey by qualified biologist; the survey report shall be submitted to the RMA-Planning Department.</td>
<td>Applicant/Developer</td>
<td>Prior to grading or building permits</td>
</tr>
<tr>
<td>Permit Category</td>
<td>Species Number</td>
<td>Conditions or Approval and Mitigation Measures and Responsible Party (Name)</td>
<td>Conditions or Monitoring Actions to be performed, or tasks clearly identified, and professionals certified for action to be accepted</td>
<td>Responsible Party (Company)</td>
<td>Meeting Date</td>
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<td>of the nesting season (mid-September through January). A report documenting the results of the surveys and plan for avoidance (if needed) will be submitted to the RMA - Planning Department for review prior to the initiation of ground disturbance.</td>
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<td>CR-1</td>
<td>CR-2</td>
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<td><strong>Conditions of Approval</strong></td>
<td>The applicant shall conduct further historical studies of all affected buildings of 50 years of age or older at the time of building permit application prior to obtaining building permits for additions and alterations to the gymnasium, classroom, or kitchen building. The studies shall be prepared by a qualified cultural historian, to determine the effect of the proposed modifications on the historical significance of the buildings. The studies shall be subject to review and approval by the Parks Department Cultural Affairs Manager and RMA - Planning Department. Additional review by the Historic Resources Review Board may be required if determined appropriate by the Cultural Affairs Manager.</td>
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<td><strong>Compliance with Memorandum Actions</strong></td>
<td>The applicant shall have a qualified cultural historian conduct building-specific historic evaluation if the building is 50 years or older. The evaluation shall be submitted to the Parks Department Cultural Affairs Manager and RMA - Planning Department.</td>
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<td><strong>Required Person/Compliance</strong></td>
<td>Applicant/Developer</td>
<td>Applicant/Developer</td>
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<td><strong>Action to be Taken</strong></td>
<td>Prior to grading or building permits.</td>
<td>Prior to obtaining building permits for additions and alterations to the gymnasium, classroom, or kitchen building.</td>
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<tr>
<td>Permit Code</td>
<td>Study Number</td>
<td>Conditions of Approval under Mitigation Measure and Responsible Party (City Department)</td>
<td>Conditions of Monitoring Actions to be performed where applicable if certified professional is required for action to be accepted</td>
<td>Responsible Party (City Department)</td>
<td>Verification of Compliance (Date)</td>
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<td>36: CR-3</td>
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<td>The applicant shall ensure that all additions, and/or alterations to historically significant buildings, as identified in the historic evaluation prepared pursuant to Mitigation Measure CR-2, shall be subject to the provisions of Monterey County Code Chapter 18.25, or consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as described in CEQA Guidelines section 15064.5(b)(3). All proposed alterations are subject to review and approval by the Parks Department Cultural Affairs Manager and RMA - Planning Department. Additional review by the Historic Resources Review Board may be required if determined appropriate by the Cultural Affairs Manager.</td>
<td>The applicant shall submit appropriate documentation to Parks Department Cultural Affairs Manager and RMA - Planning Department</td>
<td>Applicant/Developer</td>
<td>Prior to obtaining building permits for additions and alterations to the gymnasium, classroom, or kitchen building.</td>
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<tr>
<td>37: GEO-1</td>
<td></td>
<td>The applicant shall have a qualified engineer perform a detailed site-specific supplemental liquefaction study shall be performed in accordance with the guidelines contained within the California Division of Mines and Geology Special Publication 117, as adopted by the State Mining and Geology Board in accordance with the State of California Seismic Hazards Mapping Act of 1990. The supplemental liquefaction study shall include additional cone penetrometer test (CPT) borings in order to more accurately characterize the site subsurface conditions at key locations, determine liquefaction factors of safety, and estimate potential ground settlements as a result of liquefaction. The liquefaction study shall be submitted for the review and approval of the RMA - Planning Department. Final improvement plans and construction documents shall be prepared subject to recommendations in the liquefaction analysis prior to issuance of a grading or building permit.</td>
<td>The applicant shall have a qualified engineer prepare a site-specific liquefaction study and submit the study to the RMA - Planning Department.</td>
<td>Applicant/Developer</td>
<td>Prior to grading or building permits.</td>
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<td>Reference Number</td>
<td>Last 3 Digits</td>
<td>Conditions of Approval and Monitoring: Where applicable, a professional engineer is required to be present.</td>
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<td>38: 51. GEO-2.</td>
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<td>The applicant shall prepare an erosion control plan consistent with the requirements of Monterey County Code Chapter 16.12 prior to approval of grading or building permits. All erosion control measures required by the approved erosion control plan shall be in place between October 15 and April 15, until work is completed, and permanent erosion control measures are in place and approved by the County. The applicant shall prepare an erosion control plan and submit the plan to the RMA – Planning Department for approval. The applicant shall implement construction erosion control measure stipulated in the erosion control plan of approval of the RMA – Planning Department. The applicant shall implement permanent measures. The permanent erosion control measures shall be submitted for approval to the RMA - Planning Department. Applicant/Developer Prior to grading or building permits. During construction activities that occur between October 15 through April 15. Prior to permit signature.</td>
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<td>39: 52. HY-1</td>
<td></td>
<td>The applicant shall prepare a storm water quality best management practices program. The program shall address methods to provide adequate water quality filtering for storm water flows leaving roofs and paved surfaces, and flows entering and exiting the drainage basin. The storm water quality plan shall be submitted to and approved by the Water Resources Agency, and evidence of said approval provided to the RMA-Planning Department prior to issuance of grading permits. The program shall provide typical storm water flow treatment details, focusing on infiltration of storm water in open areas adjacent to roads and parking lots; dispersal of roof run-off to infiltration areas or storage. The applicant shall prepare a storm water quality best management practices program and submit the program to the Water Resources Agency for approval. The applicant shall submit evidence of Water Resources Agency approval of the storm water quality best management practices program to the RMA – Planning Department. Applicant/Developer Prior to grading permits. Prior to grading permit.</td>
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<td>Item</td>
<td>Number</td>
<td>Conditions of Approval</td>
<td>Monitoring Measures and Responsibilities</td>
<td>Remedial Actions to be Taken</td>
<td>Responsible Party for Compliance</td>
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<td>receptacles for later irrigation use; and construction details and plan drawings for the basins illustrating low impact development practices to be employed at both inlets and outlets</td>
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<td>Permit Control Number</td>
<td>Mitigation String</td>
<td>Conditions of Approval and Mitigation Measures and Regional Water Quality Control Board to be undertaken to address the need to be acceptable</td>
<td>Compliance to Monitoring Activities to be performed, where applicable, to be evaluated for the need to be acceptable</td>
<td>Regional Water Quality Control Board</td>
<td>Type of action to be undertaken</td>
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| 40-53                 | T-1               | The applicant shall prepare a Traffic Control Plan prior to obtaining a grading permit or a construction permit for a building over 10,000 square feet, subject to the review and approval of the Monterey County Public Works Department to include the following elements:  
  a. advance signage alerting traffic along Old Stage Road that slow trucks may be entering or exiting at Old Natividad Road;  
  b. provision of flaggers if deemed necessary by the Monterey County Public Works Department | The applicant shall prepare a Traffic Control Plan. The applicant shall submit the plan to the Monterey County Public Works Department for approval | Applicant/Developer               | Prior to obtaining a grading permit or a construction permit for a building over 10,000 square feet |
| 44-54                 | S-1               | The applicant shall design a new wastewater treatment system prior to development that results in an increased demand on wastewater treatment on the project site. The applicant shall submit proposed designs to the Monterey County Health Department and the Regional Water Quality Control Board for approval. The applicant shall complete construction of the system prior to any expanded use of existing buildings that would result in an increase in demand in excess of five percent over current demand, and prior to any occupancy of new buildings. The septic discharge area shall be adequately separated from the storm water detention facility | The applicant shall design a new wastewater treatment system. The proposed designs shall be submitted to the Monterey County Health Department and the Regional Water Quality Control Board for approval. The applicant shall complete the construction of the new septic system | Applicant/Developer               | Prior to development that results in an increased demand on wastewater treatment on the project site. Prior to the issuance of occupancy permit |

*Rancho Cleo Amendment - PLN110485*  
*Page 44 of 48*
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<thead>
<tr>
<th>Permit and</th>
<th>Prior to any expanded use of existing buildings in excess of five percent over current demand</th>
</tr>
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</table>

**Condition of Approval Land Use**:
- Amended General Plan
- Zoning
- Parking
- Water/Sewer

**Condition of Approval Land Use Permits**:
- Building
- Signage

**Condition of Approval Environmental Review**:
- Mitigation
- Monitoring

**Condition of Approval Other**:
- Construction
- Operation

**Additional Condition**:
- As required by the City Planning Commission
- As required by the City Council

**Exhibit B**: Rancho Cielo Amendment - PLN110485
<table>
<thead>
<tr>
<th>Permit Code</th>
<th>Site Number</th>
<th>Approval Measures and Responsible and Compliance Requirements</th>
<th>Applicant and Approvals</th>
<th>Prior Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>42</td>
<td>S-2</td>
<td>The applicant shall modify the Master Plan to eliminate self-contained bathrooms replacing them as necessary with bathroom facilities-connected to water and sewer systems</td>
<td>Applicant/Developer</td>
<td>Prior to approval of final Master Plan.</td>
</tr>
<tr>
<td>43</td>
<td>AQ-1</td>
<td>The applicant shall include on all grading permits for the proposed project the following measures, to be implemented as necessary to prevent construction dust leaving the immediate construction area. &lt;br&gt;a. Water all active portions of the construction site at least twice daily; &lt;br&gt;b. Suspend all excavation and grading operations when wind speeds exceed 15 miles per hour averaged over one hour, if watering activities are inadequate to control airborne dust; &lt;br&gt;c. Replace ground cover or apply MBUAPCD-approved chemical soil stabilizers according to manufacturer's specifications to all inactive portions of the construction site (previously graded areas inactive for four days or more), when airborne dust conditions are visible; &lt;br&gt;d. Apply water two times daily or chemical stabilizers according to manufacturer's specifications to all inactive portions of the construction site (previously graded areas inactive for four days or more), when airborne dust conditions are visible; &lt;br&gt;e. Sufficiently water or securely cover all material transported off-site and adjust on-site loads as necessary to prevent airborne dust conditions. Haul trucks shall maintain two feet of freeboard to prevent airborne dust conditions; &lt;br&gt;f. Plant vegetative ground cover in, or otherwise stabilize disturbed areas as soon as grading and construction activities in those areas are completed; &lt;br&gt;g. Cover material stock piles that remain inactive for</td>
<td>Applicant/Developer</td>
<td>Prior to the issuance of grading permits. During construction activities Ongoing during grading activities</td>
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<td>Hazard Code</td>
<td>Subcode</td>
<td>Conditions of Approval or Mitigation Measures and Responsible Party/Deal Department</td>
<td>Compliance or Monitoring Actions to be performed. Where applicable, a detailed professional report showing action to be performed.</td>
<td>Responsible Party for compliance</td>
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<tr>
<td>44-57</td>
<td>AQ-2</td>
<td>more than 72 consecutive hours; Provide dust free stabilized surfaces at the exit of construction sites for all exiting trucks; Mechanically sweep adjacent public streets at the end of each day if visible soil material is carried out from the construction site; and Limit traffic speed on all unpaved roads to 15 miles per hour or less.</td>
<td>The applicant shall stipulate conditions on grading permits. The applicant shall maintain erosion control implementation logs</td>
<td>Applicant/Developer</td>
</tr>
<tr>
<td>45-58</td>
<td>HAZ-1</td>
<td>Prior to removal of the transite pipe, the applicant shall test the pipe for asbestos content, and if the pipe does contain asbestos, the applicant shall obtain a demolition/asbestos removal permit from the MBUAPCD.</td>
<td>The applicant shall test the transite pipe for asbestos content. The applicant shall obtain demolition/asbestos removal permit from the MBUAPCD. If the pipe does contain asbestos. The applicant shall submit the results of the testing and an asbestos removal permit from the MBUAPCD (if applicable) to the RMA – Planning Department.</td>
<td>Applicant/Developer</td>
</tr>
<tr>
<td>Permit condition number</td>
<td>Mitigation Measure</td>
<td>Conditions of Compliance</td>
<td>Monitoring Actions</td>
<td>Responsible Party for Compliance</td>
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| 46 CC-1                 | The applicant shall prepare a Greenhouse Gas/Off-site Energy Demand Reduction Plan and submit the plan with building permit applications for review and approval of the Resources Management Agency. The plan may be freestanding or incorporated into Title 24 compliance reports or construction plans, and shall include:  
  - Quantification of baseline projected greenhouse gas emissions from the proposed development project;  
  - Feasible greenhouse gas reduction measures to be incorporated into the development project; and  
  - Quantification of greenhouse gas emissions reductions resulting from implementation of the plan.  
  - The applicant may utilize the methodology for quantifying baseline greenhouse gas emissions and quantifying greenhouse gas emissions reductions specified by the Bay Area Air Quality Management District in the draft California Air Quality Act Air Quality Guidelines and its California Environmental Quality Act Air Quality Guidelines, or other appropriate methods approved by the RMA Planning Department. Other feasible measures may be proposed provided that the applicant is able to present substantial evidence that the level of greenhouse gas emissions reduction anticipated is likely to accrue from the measures. The plan may include off-site greenhouse gas emissions reduction measures in addition to off-site energy demand reductions, but must focus on on-site reductions. | The applicant shall prepare a Greenhouse Gas/Off-site Energy Demand Reduction Plan.  
The applicants shall submit the plan to the RMA – Planning Department for approval. | Prior to the issuance of building permits |
PROOF OF SERVICE

I am employed in the County of Monterey, State of California. I am over the age of 18 years and not a party to the within action. My business address is 168 W. Alisal Street, 2nd Floor, Salinas, California.

On Friday, October 28, 2011 I served a true copy of the following document:

- PLANNING COMMISSION RESOLUTION NO.–11-031 RANCHO CIELO YOUTH CAMPUS EXPANSION MASTER PLAN (PLN110485)
- NOTICE OF APPEAL AND INSTRUCTIONS

on the interested parties to said action by the following means:

[ ] (BY HAND-DELIVERY) By causing a true copy thereof, enclosed in a sealed enveloped, to be hand-delivered.

[☑] (BY MAIL) By placing a true copy thereof, enclosed in a sealed envelope, for collection and mailing on that date following ordinary business practices, in the United States Mail at the Resource Management Agency Planning Department, 168 W. Alisal Street, 2nd Floor, Salinas, California, addressed as shown below. I am readily familiar with this business’s practice for collection and processing of correspondence for mailing with the United States Postal Service, and in the ordinary course of business, correspondence would be deposited with the United States Postal Service the same day it was placed for collection and processing.

[ ] (BY OVERNIGHT DELIVERY) By placing a true copy thereof, enclosed in a sealed envelope, with delivery charges to be billed to the Resource Management Agency, Planning Department, to be delivered by Overnight Delivery.

[ ] (BY FACSIMILE TRANSMISSION) By transmitting a true copy thereof by facsimile transmission from facsimile number (831) 757-9516 to the interested parties to said action at the facsimile number(s) shown below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on Friday, October 28, 2011, at Salinas, California.

VANESSA A. CALDERON

Place address(es) mailed to here:
AGENT:
DALE ELLIS
LOMBARDO & GILLES
318 CAYUGA STREET
SALINAS CA 93901