

ATTACHMENT "C"  
CONDITIONS OF APPROVAL

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Amador County  
Conditions of Approval  
2002 Kirkwood Specific Plan As Approved By  
the Amador County Board of Supervisors  
for a Modified Version of Alternative E

**INTRODUCTION**

This document describes the Amador County Conditions of Approval (COAs) for the Kirkwood Specific Plan (Specific Plan) as modified by Revised Alternative E of the *Kirkwood Recirculated Revised Final Environmental Impact Report* (2002 Final EIR). However, these COAs omit the following 2002 Final EIR mitigation measures because they are redundant of mitigation measures provided elsewhere in the 2002 Final EIR and listed below: 4.1(n), 4.2(x), (y) and (z), 4.2(ad), 4.3.1(a), 4.3.1(d), 4.3.1(g), 4.3.2(i) and (j), 4.3.3(d) and (i), 4.4(c), 4.8(r) and (s), 4.12(a), 4.14(g). Additionally, these COAs omit the following 2002 Final EIR mitigation measures as they are not within the jurisdiction of Amador County: 4.1(l), 4.2(g) and (h), 4.2(o), 4.2(q), 4.2(t), 4.2(aa) and (ac), 4.4(aa), 4.5(h), 4.5(i), 4.8(y), and 4.14(b).

**GENERAL CONDITIONS**

**1. Biennial Review**

Every 2 years Kirkwood Mountain Resort ("KMR") or its successor will provide a report on development progress to date, and projected development for the next 2 years. The report will contain information on the following:

- a. Status of total development within the resort.
- b. Construction and phasing of necessary infrastructure and utilities.
- c. Status of any required off-site improvements necessary to support development of the resort.
- d. Compliance with required mitigation monitoring and conditions of approval for the Proposed Project.
- e. Fiscal review as set forth in the Mitigation Monitoring Plan.

The report will be reviewed at a regular meeting of the Tri-County Technical Advisory Committee (TC-TAC). Copies of the report, along with the comments of TC-TAC, will be forwarded to the planning commissions and boards of supervisors of all three counties and will be made available

to the public. KMR will provide a summary of the report to all property owners within the resort.

## **2. 10-Year Review**

During the tenth year following approval of the Proposed Project, KMR or its successor will retain a qualified consultant to review the development for compliance with the mitigation requirements in the MMRP and any other conditions of approval of the Proposed Project. The selection of the consultant will be mutually agreed to by TC-TAC. The consultant will identify any shortcomings and make recommendations for adjustment to conditions of approval to overcome those shortcomings. Additionally, the consultant will identify any new circumstances or unanticipated impacts that were not foreseen when the 2002 Final EIR was certified and the Proposed Project approved. The consultant will recommend whether or not supplemental CEQA documentation may be necessary.

The consultant's report and recommendations will be reviewed at a regular meeting of TC-TAC. Prior to the meeting, the report will be made available to the public. TC-TAC will consider the report and forward recommendations, along with the consultant's report, to the planning commissions and boards of supervisors of all three counties.

Any decision regarding preparation of supplemental CEQA documentation will be made by the lead agency subject to the requirements of the California Environmental Quality Act (CEQA). Further action - including additional mitigation measures, adjustments to the Proposed Project, and additional conditions of approval - may be considered and imposed only in accordance with the requirements of CEQA and other applicable laws, ordinances, and regulations.

## **SPECIFIC CONDITIONS**

### **GEOLOGY, SOILS, AND GEOLOGIC HAZARDS**

#### **3. Mitigation Measure 4.1 (a)**

Construction will comply with the requirements of the Kirkwood erosion control ordinance, which includes, but is not limited to, COAs 4 through 10 below. Prepare a plan for individual development projects that demonstrates compliance with the provisions of the Kirkwood erosion control ordinance.

#### **4. Mitigation Measure 4.1 (b)**

Practice selective soil exposure by removing soil only in areas of immediate development/construction; coordinate erosion and sedimentation control with grading, development, and construction practices. Implement Best Management Practices (BMPs) to regulate construction activities.

5. **Mitigation Measure 4.1 (c)**

Stockpile topsoil for usage as a revegetative media on disturbed areas, and restore sites with topsoil placed over subsoil fill. Control runoff from these stockpiled areas to minimize erosion and sedimentation.

6. **Mitigation Measure 4.1 (d)**

Utilize sediment basin and retention structures when other control measures are unacceptable.

7. **Mitigation Measure 4.1 (e)**

Preserve floodplains and riparian areas adjacent to natural drainages and streams.

8. **Mitigation Measure 4.1 (f)**

Design runoff control to fit the hydrologic setting of the area and to be in compliance with County Subdivision, Parcel Map and Site Improvement Standards.

9. **Mitigation Measure 4.1 (g)**

Preserve natural features (e.g., existing vegetation, wetlands) to the extent practicable through effective construction-site management. Manage construction activities so as to minimize impacts.

10. **Mitigation Measure 4.1 (h)**

KMR will coordinate phasing with Forest Service (FS) and TC-TAC in order to preclude having the amount of concurrent construction so great that a torrential storm or other high-runoff event could cause significant erosion.

11. **Mitigation Measure 4.1 (i)**

Utilize construction roads only where and when necessary.

12. **Mitigation Measure 4.1 (j)**

Limit soil disturbance and vegetation removal to only permanent disturbance locations and those areas necessary for access to construction zones.

13. **Mitigation Measure 4.1 (k)**

Construction roads and road beds will require water bars, mulching, and other erosion control techniques.

14. **Mitigation Measure 4.1 (m)**

Construction activities will be monitored by qualified monitors to ensure compliance with soil erosion prevention practices and mitigation measures, outlined above.

15. **Mitigation Measure 4.1 (mm)**

Utilities (power, phone, water, sewer, cable) for new projects will be placed in a common trench whenever feasible.

16. **Mitigation Measure 4.1 (o)**

Promptly revegetate all disturbed ground immediately following construction. This revegetation effort will be supplemented by the placement of erosion matting during seeding to preserve topsoil and prevent erosion if an unforeseen runoff event occurs. Temporarily disturbed areas will be reseeded to re-establish the vegetation type and density comparable to native vegetation surrounding the disturbed area.

17. **Mitigation Measure 4.1 (p)**

Mulching, hydromulching, landscape netting, sterile straw, or other protective materials will be used to maintain soil moisture. This will enhance revegetation efforts.

18. **Mitigation Measure 4.1 (q)**

Fill placed in areas to be revegetated will be compacted to a bulk density and porosity similar to adjacent native soils.

19. **Mitigation Measure 4.1 (r)**

If shrink/swell soils are discovered at proposed building sites, they shall be avoided by relocating the proposed facility, or the material shall be removed and replaced with non-expansive soils.

20. **Mitigation Measure 4.1 (s)**

Plans and specifications for structures shall integrate engineering and design standards appropriate to Uniform Building Code (UBC) Seismic Zone III to minimize structural effects.

21. **Mitigation Measure 4.1 (t)**

Specific building sites will be evaluated by a geotechnical or soils engineer to determine the level of liquefaction hazard. The factors to consider include soil density, porosity, moisture content, water table, gradation, and depth.

**22. Mitigation Measure 4.1 (u)**

In areas of high liquefaction potential, engineering will include standard measures (e.g., increasing the density of foundation soils, employing larger foundations, and site drainage) to increase stability.

**23. Mitigation Measure 4.1 (v)**

During excavation, remove loose sediments and large boulders by scaling to minimize the hazard.

**24. Mitigation Measure 4.1 (w)**

If appropriate, install temporary barricades and/or wire mesh fencing on unstable slopes.

**25. Mitigation Measure 4.1 (x)**

A professional engineer or engineering geologist shall certify that slopes associated with excavation are designed to ensure stability.

**26. Mitigation Measure 4.1 (y)**

Alluvial soils at the site of specific structures shall be evaluated by a geotechnical or soils engineer to determine if the risks associated with ground settlement are significant.

**27. Mitigation Measure 4.1 (z)**

~~Where feasible,~~ Remove soils susceptible to settling to eliminate risk.

**28. Mitigation Measure 4.1 (aa)**

Incorporate accepted engineering controls to minimize the effects of settling on the structure, or avoid problematic sites.

**29. Mitigation Measure 4.1 (ab)**

Note water table elevations, identify active springs at each site, and adjust designs or incorporate preventative measures per accepted engineering standards.

**30. Mitigation Measure 4.1 (ac)**

In accordance with the Specific Plan, avoid residential development, or development that concentrates human activity (ticket areas, parking lots, trailheads, etc.) in areas designated as high avalanche hazard [2002 Final EIR, Figure 4.3]. Limited road construction in these zones is acceptable.

**31. Mitigation Measure 4.1 (ad)**

Construction of private buildings may be acceptable in zones of moderate avalanche hazard [See 2002 Final EIR, Figure 4.3]. However, reinforcement or protection for design avalanche loads is necessary. Incorporation of one or more of Mears's (1997) four structural types of avalanche mitigation shall be required: (1) direct protection structures; (2) deflecting structures; (3) retarding mounds; or (4) catchment dams. [2002 Final EIR at page 4-30].

**32. Mitigation Measure 4.1 (ae)**

To minimize hazards, the current avalanche forecasting and control program carried out within the ski area boundaries at Kirkwood shall continue, with annual evaluation of the program's effectiveness.

**33. Mitigation Measure 4.1 (af)**

Properties adjacent to the boundaries of mapped avalanche hazard zones shall display signs identifying the potential for this hazard.

**WATER RESOURCES**

**34. Mitigation Measure 4.2 (a)**

Implement grading measures to retard and reduce runoff, e.g., minimize slopes, construct detention basins, and design swales to diffuse runoff and absorb excessive energy.

**35. Mitigation Measure 4.2 (b)**

Use vegetation, geotextiles, rock, gravel, and other surface treatments to retard and absorb runoff.

**36. Mitigation Measure 4.2 (c)**

Avoid creation of future flow barriers, obstructions and constrictions in streams and gullies.

**37. Mitigation Measure 4.2 (dd) and 4.3.1 (ff)**

Implement grazing management practices outlined in the grazing plan, such as fencing livestock out of the riparian area of Kirkwood Creek. [2002 Final EIR, Appendix B]

**38. Mitigation Measure 4.2 (e)**

Implement maximum water conservation and Xeriscape landscaping measures, such as limited yard watering and use of drought resistant native plants.

**39. Mitigation Measure 4.2 (f)**

Reclaim wastewater if necessary to help meet future water supply demands.

**40. Mitigation Measure 4.2 (i)**

Minimize the extent of impervious surfaces and disturbed soils to those that are absolutely necessary for implementation of the Proposed Project.

**41. Mitigation Measure 4.2 (j)**

Avoid soil compaction in disturbed areas by limiting use of heavy equipment, stockpiling and re-spreading of forest duff and topsoils, and use of geotextiles.

**42. Mitigation Measure 4.2 (k)**

Install low-slope permeable swales, porous dams (such as hay bales), earthen benches, and infiltration basins to retard and capture runoff from impermeable surfaces.

**43. Mitigation Measure 4.2 (l)**

Use sealed well casings and other wellhead protection measures to preclude any movement of poor quality groundwater (and surface water) into pumped aquifers.

**44. Mitigation Measure 4.2 (m)**

Install sewage spill catch basins at vulnerable locations located outside the floodplain.

**45. Mitigation Measure 4.2 (n)**

Use accepted engineering design and construction features at flood-prone locations, particularly stream crossings.

**46. Mitigation Measure 4.2 (p)**

Avoid infiltration areas underlain by impermeable or low-permeable soils.

**47. Mitigation Measure 4.2 (r)**

Prevent excessive infiltration of sewage collection and disposal systems by storm water.

**48. Mitigation Measure 4.2 (s)**

Police for and eradicate unauthorized discharges to the sewer system.

**49. Mitigation Measure 4.2 (u)**

Utilize low flow water-conserving plumbing fixtures wherever possible.

**50. Mitigation Measure 4.2 (v)**

Conduct street sweeping with vacuum sweeper twice a year and when buildup of loose materials occurs on paved roadways.

**51. Mitigation Measure 4.2 (w)**

Develop drainage systems for parking lots which collect runoff from impermeable surfaces and channel it to settling basins or through drainage filter strips, grassy swales, sand traps, or alternative sediment-control features.

**BIOLOGICAL RESOURCES**

**52. Mitigation Measure 4.3.1 (b)**

Allow no heavy construction equipment to operate within the Kirkwood Creek floodplain or within 100 feet of the Kirkwood Creek stream channel during periods when soils are saturated from rain or snowmelt.

**53. Mitigation Measure 4.3.1 (c)**

Sediment control structures will remain in place until vegetation has been established in disturbed areas.

**54. Mitigation Measure 4.3.1 (e)**

Minimize salting and/or sanding of parking lots or other impervious surfaces within 100 feet of the floodplain.

**55. Mitigation Measure 4.3.1 (f)**

Prior to the initiation of any proposed construction in affected areas, implement the following site-specific recommendations from the Kirkwood Creek Floodplain Study (EBCE 1996) including but not limited to the following:

- a. Build a diversion structure to operate with the existing drain and inlet for diversion of surface water between Lifts 10 and 11;
- b. Prevent flooding in the area near Base Camp One condominiums by either clearing snow out of the sharp bend in Kirkwood Creek, or constructing a low floodwall;
- c. Replace the two existing footbridges upstream of Kirkwood Meadows Drive, which currently restrict the flow of Kirkwood Creek;
- d. Prevent the infrequent overtopping of Kirkwood Meadows Drive by enlarging the bridge opening or constructing a floodwall eastward along the east creek bank; some boulders could be removed from the creek in this area as well;
- e. Any proposed structures in the Kirkwood Creek area shall be built a few feet above the floodplain elevation;
- f. Channel work in Kirkwood Creek such as bank protection (subject to permit requirements).

**55a. Mitigation Measure 4.3.1(ff)**

Implement the grazing management plan [2002 Final EIR, Appendix B].

**56. Mitigation Measure 4.3.1 (h)**

KMR will assist in educating Kirkwood residents and visitors about fishing regulations at Kirkwood Lake and, with the permission of the Forest Service, post such regulations at angler access points to the lake.

**57. Mitigation Measure 4.3.1 (i)**

KMR will not create additional parking for the purpose of facilitating access to Kirkwood Lake.

**58. Mitigation Measure 4.3.2 (a)**

All dogs will be kept indoors or controlled on a leash.

**59. Mitigation Measure 4.3.2 (b)**

Expand CC&Rs to include regulations to require owners to keep all cats indoors unless controlled on a leash.

**60. Mitigation Measure 4.3.2 (c)**

Require household garbage to be stored in wildlife-proof containers prior to pickup.

**61. Mitigation Measure 4.3.2 (d)**

All pets will be fed inside, and pet food will not be stored or provided to pets where wild animals could gain access.

**62. Mitigation Measure 4.3.2 (e)**

Implement restrictions to prohibit the feeding of wildlife, except seed feeders for birds and nectar feeders for hummingbirds.

**63. Mitigation Measure 4.3.2 (f)**

All projects with the potential to impact waters of the U.S., including wetlands, will be reviewed by the Corps of Engineers (COE) and the appropriate county and will be designed to avoid impacts and/or minimize impacts to the maximum extent practicable.

**64. Mitigation Measure 4.3.2 (g)**

KMR will retain a qualified wildlife biologist to survey the basin immediately surrounding Kirkwood and Caples Lakes in early summer to determine the presence of special-status species identified in Table 4.13 of the 2002 Final EIR and establish baseline conditions. After the initial survey to establish baseline conditions, surveys will be performed every 3 years for a 6-year period (i.e., two additional surveys or as determined to be needed by the Forest Service). The summary results will be submitted within 60 days of the survey completion to the Amador Ranger District. If the wildlife populations or resources appear to be negatively affected, the Forest Service will develop management plans designed to mitigate the effects documented by the surveys. These plans will include specific measures such as trail re-routing, interpretive signing, protective fencing, area closures, and limits on user numbers or seasons of use. They may also call for KMR involvement in the development and implementation of an education program for Kirkwood visitors. The objective of the management plans is to insure that the pertinent statutory protections extended to special-status species identified in Tables 4.11 and 4.13 of the 2002 Final EIR are met. KMR shall implement all mitigation measures identified by the US Forest Service calling for KMR's involvement in educating visitors to Kirkwood.

**65. Mitigation Measure 4.3.2 (h)**

The project proponent will employ a qualified biologist to conduct surveys for threatened, endangered, and sensitive wildlife species at Kirkwood prior to individual project construction. Surveys will be conducted within two breeding seasons prior to commencement of individual project construction. These surveys will be completed during the appropriate season for any species with suitable habitat in the project area. The geographic scope of the surveys should be limited to the area in which direct or indirect impacts could occur. A report outlining results of the surveys will be submitted to the California Department of Fish and Game (CDFG) and to the respective county where construction is to take place within one month of completion of the survey and prior to construction activities. If state-listed species are found, a 2081 Permit will be obtained from the CDFG. If federally listed threatened or endangered Species are found, KMR will enter into consultation with the U.S. Fish and Wildlife Service (USFWS) to determine the appropriate course of action, including obtaining an Incidental Take Permit, if necessary.

**WETLAND RESOURCES**

**66. Mitigation Measure 4.3.3 (a)**

The project proponent will negotiate and abide by an acceptable Streambed Alteration Agreement (Fish and Game Code Section 1603) with CDFG prior to construction of any improvements affecting streambeds.

**67. Mitigation Measure 4.3.3 (b)**

The project proponent will obtain appropriate permits from the Corps. of Engineers (“COE”) prior to any placement of fill in wetlands. The applicant will also comply with the terms and conditions specified in any permits obtained from the COE.

**68. Mitigation Measure 4.3.3 (c)**

During construction of any utility infrastructure within wetlands, the construction contractor will place sidecast materials in upland areas to minimize impacts as a result of temporary storage. These materials will be used to backfill the trench as soon as possible.

**69. Mitigation Measure 4.3.3 (e)**

In the vicinity of wetlands, the construction contractor will restrict construction equipment, vehicles, and the placement of soil stockpiles to upland sites except for implementation of COE-authorized crossings.

**70. Mitigation Measure 4.3.3 (f)**

The project proponent will review proposed development plans with the county of jurisdiction or the Forest Service, if in the special use permit (SUP) area, and the COE to ensure that specific projects have been designed to avoid any impacts to wetlands or other waters of the U.S. to the maximum extent practicable. In cases where avoidance is not feasible, such as a road crossing of a linear wetland feature, then the impact shall be minimized by making the crossing as narrow as possible and crossing at a narrow point in the wetland.

**71. Mitigation Measure 4.3.3 (g)**

The project proponent will review proposed stream crossings with the respective counties or the Forest Service, if in the SUP area, and the COE and determine, based on the quality of the stream system and adjacent riparian habitat, which site would be appropriate for bridging.

**72. Mitigation Measure 4.3.3 (h)**

The project proponent will develop and implement a mitigation plan to replace any wetland losses due to the proposed development. The mitigation plans will be reviewed and approved by the COE and the appropriate counties prior to implementation.

**73. Mitigation Measure 4.3.3 (i)**

If on private land, the county with jurisdiction will require a minimum 35-foot buffer of undisturbed vegetation between wetlands, and perennial or intermittent streams with riparian vegetation, and disturbed areas (construction sites), or parking lots, or other impervious areas that produce runoff. If on federal land in the SUP area, minimum setback requirements outlined for riparian conservation areas in the Sierra Nevada Forest Plan Amendment will be required. These include setback requirements of 300 feet for perennial streams and meadows, and 150 feet for seasonally flowing streams.

**74. Mitigation Measure 4.3.3 (k)**

The Specific Plan landscape and revegetation guidelines (KMR 1998) will be followed, and revised if necessary, to limit the use of traditional manicured lawns in landscaping; to limit fertilizer use to direct application to plants installed during revegetation efforts; and to limit the use of herbicides, pesticides, and fungicides by individual property owners to direct applications to control exotic species.

**75. Mitigation Measure 4.3.4 (a)**

The project proponent will follow the landscape and revegetation guidelines (KMR 1998), unless an item is specifically updated by requirements of the noxious weed control plan [2002 Final EIR, Appendix B].

**76. Mitigation Measure 4.3.4 (b)**

The project proponent will implement the noxious weed control plan [2002 Final EIR, Appendix B] prior to construction of any elements of the Proposed Project. The plan addresses weed issues of concern through measures such as requiring the use of approved, native seed, weed-free hay, and construction practices such as the cleaning of residual soil off of construction equipment transported from other areas prior to use at Kirkwood. KMR will utilize current and approved seed mixes and revegetation techniques, outlined in the landscape and revegetation guidelines, except for specifically updated guidelines, as follows:

- a. Strongly recommend use of native grasses only. This would change the seed mix #1 in the landscape and revegetation guidelines by excluding the use of *Dactylis glomerata* (Orchard grass).
- b. As outlined under the El Dorado National Forest Seed, Mulch, and Fertilizer Prescriptions (Forest Service 2000), rice straw, (local) native grass straw, or pine needle mulch (if certified to be from a non-infected area) may be used in place of certified weed-free hay, pending development of the California certification program.
- c. Use of quick-release, inorganic fertilizers should be avoided, as their use tends to favor establishment of exotic weeds and grasses (Forest Service 2000).

**77. Mitigation Measure 4.3.4 (c)**

The project proponent will retain the services of a California Registered Professional Forester to assess forest conditions and meet the requirements for submitting timber harvesting plans.

**78. Mitigation Measure 4.3.4 (d)**

The project proponent will obtain the services of a qualified botanist to conduct preconstruction surveys for special-status plant species if individuals are known to potentially occur in the area of proposed disturbance. A report outlining results of the surveys will be submitted to the respective county where construction is to take place within one month of completion of the survey and prior to construction activities. If sensitive species are found, construction envelopes shall be redesigned (if feasible) to avoid the populations of sensitive plants. If federally listed threatened or endangered species are found on federal land, the project proponent will enter into consultation with the USFWS to determine the appropriate course of action.

**79. Mitigation Measure 4.3.4 (e)**

Implement recommendations to minimize or eliminate impacts to special-status species, as cited in the botanical survey report (Jones and Stokes 2000), which include using a helicopter lift to

transport equipment and supplies, using stakes and flagging to carefully delineate and restrict the construction area, and notifying construction crews of the presence of the sensitive biological resource.

**AIR QUALITY**

**80. Mitigation Measure 4.4 (a)**

The counties will enact an ordinance to reduce particulate emissions from wood burning within Kirkwood. The ordinance shall include the following standards:

- a. Incentives to eliminate or replace existing wood-burning devices that do not comply with EPA Phase II Certification requirement.
- b. A requirement that all new residences previously approved for the installation of new wood-burning devices incorporate EPA Phase II Certified requirements.
- c. A requirement that, upon installation of a new EPA Phase II Certified wood-burning device, at least one noncompliant wood-burning device be eliminated within the Kirkwood area.
- d. A prohibition on installation of new wood-burning devices, including open-hearth-style fireplaces, which do not comply with EPA Phase II Certification requirements, except that one noncompliant open-hearth-style fireplace will be allowed in the following locations:
  - a common lobby area located in a building containing more than four multi-family units,
  - a common lobby area located within lodges, hotels, motels, bed and breakfast accommodations, or a public recreation/meeting facility,
  - a bar/saloon or restaurant,
  - outdoors in the Village plaza area.

**81. Mitigation Measure 4.4 (b)**

Mountain Utilities (MU) will continue to operate the power generation plant with the Selective Catalytic Reduction (SCR) system in place as required by the Great Basin Unified Air Pollution Control District (GBUAPCD).

**82. Mitigation Measure 4.4 (d)**

During summer months, the application of dust suppressants will be required in areas where earth-moving activities are being conducted.

**83. Mitigation Measure 4.4 (e)**

Streets will be swept by a vacuum sweeper during periods when road conditions are dry enough to allow the removal of anti-skid materials (i.e., sand). The streets must be swept from curb to curb, which includes the driving lanes, to maximize the control effectiveness.

**CULTURAL RESOURCES**

**84. Mitigation Measure 4.5 (a)**

Any area ultimately identified for project development shall be surveyed for prehistoric cultural resources by a qualified archaeologist prior to ground-disturbing activity.

**85. Mitigation Measure 4.5 (b)**

If cultural resources are found, and if the resource is determined to be significant under CEQA/CRHR criteria, or is a unique archaeological resource, mitigation through data recovery or other appropriate measures shall be devised and carried out by a qualified archaeologist, in consultation with all concerned parties.

**86. Mitigation Measure 4.5 (c)**

If Native American burial sites are found, specific mitigation measures shall be determined in consultation with the Native American group that comprises the most likely descendants, as identified by the Native American Heritage Commission (NAHC). Options could include leaving a burial in place if further disturbance can be avoided, or removal and reburial with or without previous archaeological treatment. All such procedures shall be conducted within the context of CEQA Guidelines Section 15064.5 and California Public Resources Code Sections 5097.94, 5097.98 and 5097.99.

**87. Mitigation Measure 4.5 (d)**

In the event that construction personnel observe previously undiscovered subsurface prehistoric archaeological deposits (e.g., concentrations of bone, ash, charcoal, and/or artifacts) or human bones are encountered in an area subject to development activity, work in the immediate vicinity of the find shall be halted and a professional archaeologist consulted, or, in the case of human burials, the County Coroner and the Native American group that comprises the most likely descendants (identified by the NAHC). If the resource is determined to be historically significant under CEQA/CRHR criteria, mitigative data recovery or other measures shall be devised, and carried out by a qualified archaeologist in consultation with all concerned parties.

**88. Mitigation Measure 4.5 (e)**

Any area ultimately identified for potential project development shall be surveyed for historic cultural resources by a qualified archaeologist prior to ground-disturbing activity.

**89. Mitigation Measure 4.5 (f)**

If historic cultural resources are found, and if the resource is determined to be a historic resource or "unique archaeological resource" under CEQA/CRHR criteria, mitigation through data recovery or other appropriate measures shall be devised and carried out by a qualified archaeologist, in consultation with all concerned parties. All such procedures shall be conducted in compliance with CEQA Guidelines Section 15064.5.

**90. Mitigation Measure 4.5 (g)**

In the event that construction personnel observe previously undiscovered subsurface historic archaeological deposits (e.g., concentrations of historic materials such as ceramics, glass, or other historic materials) in an area subject to development activity, work in the immediate vicinity of the find shall be halted and a professional archaeologist consulted. All such procedures shall be conducted in compliance with CEQA Guidelines Section 15064.5.

**91. Mitigation Measure 4.5 (h)**

[Mitigation Measure 4.5 (h) is not within the jurisdiction of Amador County]

**92. Mitigation Measure 4.5 (i)**

[Mitigation Measure 4.5 (i) is not within the jurisdiction of Amador County]

**93. Mitigation Measure 4.5 (j)**

Educational literature will be developed by KMR to educate guests about the fragile and irreplaceable nature of cultural resources and the penalties for violation of state and federal laws related to cultural resources. This informational literature could be in the form of a pamphlet or other handout that shall be distributed at the same venues where other Kirkwood materials are distributed.

**LAND USE**

No mitigation was required with respect to land use under Section 4.6 of the Final EIR.

**TRAFFIC**

**94. Mitigation Measure 4.7 (a)**

A northbound to westbound left-turn acceleration lane on SR88 should be created to accommodate left-turn movements. Kirkwood Meadows Drive should be restriped and/or widened to accommodate three 10-foot-wide lanes (minimum), which would include one southbound lane and two northbound lanes (one left-turn, one right-turn). Either restriping additional turn lanes or temporarily placing traffic cones during peak periods to form turn lanes would allow left-turn vehicle storage while allowing right-turning vehicles to flow.

**95. Mitigation Measure 4.7 (b)**

Traffic control during peak periods, either through signalization or manual control, at the State Route (SR) 88/Kirkwood Meadows Drive intersection would improve the Level of Significance (LOS) rating to B at build-out. KMR will conduct traffic counts and LOS modeling during periods of peak visitation, which could include summer special events, every 3 years and provide the results to TC-TAC. The frequency of this requirement may be modified by TC-TAC based on the rate of growth in traffic experienced since the last evaluation and that expected in the near future. Signalization or manual control of the intersection will occur if traffic flows meet Caltrans minimum requirements for signalization. Alternatively, KMR may pursue other traffic control measures acceptable to Caltrans and all three counties that would improve the LOS rating of the SR88/Kirkwood Meadows Drive intersection to LOS B. The following actions shall be completed by KMR every three years beginning in 2005 and every three years thereafter or as determined by TC-TAC pursuant to the stated mitigation measure:

- (a) Collect morning and evening peak hour turning movement counts at the SR 88/Kirkwood Meadows Drive intersection at least on peak summer and winter weekday and weekend day (total of at least 4 days) with more than 4000 day use visitors at the resort;
- (b) Collect three-year accident history from Caltrans and/or CHP for accidents that occurred within 500 feet of the intersection.
- (c) Retain a registered professional engineer to perform the following:
  - (i) Review the current condition of the intersection including geometrics, sight distance constraints, and field observations (delays, queues, etc.);
  - (ii) Compute the LOS at the intersection during these peak hours in accordance with the methodologies prescribed in the most recent version of the Highway Capacity Manual
  - (iii) Evaluate the accident data to determine if the type or lack of control at the intersection contributed to any of the reported accidents:

- (iv) Conduct a signal warrants analysis based on the peak hour counts and the accident experience per Caltrans' Traffic Manual;
  - (v) Recommend changes to the intersection geometrics and/or traffic control devices necessary to maintain acceptable LOS; and
  - (vi) Document the results of the tasks described above in (c) (i) through (v) for review and comment by Caltrans.
- (d) KMR will submit the report to TC-TAC, who will then submit their recommendations to Caltrans District 10. Improvements may include signalization, manual control during peak days, lane additions, signing and /or striping improvements, sight distance modifications and other appropriate measures. KMR will then be responsible for construction of the improvements as deemed necessary by TC-TAC and Caltrans. KMR may work with the counties, regional transportation planning agencies and Caltrans to pursue State sources to help fund these improvements.

**96. Mitigation Measure 4.7 (c)**

[Mitigation Measure 4.7 (c) is not within the jurisdiction of Amador County].

**97. Mitigation Measure 4.7 (d)**

KMR will prepare an annual report that includes a detailed analysis of day-visitor parking during peak periods such as the Christmas holiday, Presidents Day weekend and other weekends during the ski season, peak periods during the summer, and special events, when more than 4,000 day-use visitors are at the resort. The study will compare day-visitor parking demand during these periods to day-visitor parking capacity at the resort. The results will be reported to TC-TAC in June of each year. If the study shows that the number of day-visitor-related vehicles parked within the resort exceeds the amount of parking spaces available for day visitors (approximately 2,500 spaces), TC-TAC will require KMR to implement a mitigation plan which will include one or more of the following actions:

- a. Provide additional parking spaces in surface lots or parking structures.
- b. Implement methods to provide greater efficiency in the use of existing parking lots.
- c. Reduce parking demand through greater utilization of mass transit, increased vehicle occupancy, car/van pools or other programs that will result in reduced parking demand during peak periods.
- d. Restrict day-visitor use to a level that allows parking demand to be accommodated

in existing day-visitor parking areas.

**98. Mitigation Measure 4.7 (e)**

Caltrans design requirements should be used to develop the final intersection layout for access to Kirkwood North.

**VISUAL AND AESTHETIC RESOURCES**

**99. Mitigation Measure 4.8 (a)**

At high-visibility locations, such as upper elevations of Ski-In/Ski-Out South, new trees will be grouped and planted strategically to help break up or screen out the visibility of the proposed development. Additional refinements to location will be defined through design review and analysis of specific proposals.

**100. Mitigation Measure 4.8 (b)**

Proposed development in forested areas will be established with curvilinear, undulating boundaries wherever possible.

**101. Mitigation Measure 4.8 (c)**

During construction, clearing of land for facilities or activities will emphasize curvilinear boundaries instead of straight lines in natural appearing landscapes.

**102. Mitigation Measure 4.8 (d)**

Grading will be done in a manner which minimizes erosion, conforms to the natural topography, and minimizes cuts and fills.

**103. Mitigation Measure 4.8 (e)**

Clearing trees and vegetation for the project will be limited to the minimum area required.

**104. Mitigation Measure 4.8 (f)**

Soil excavated during construction and not used will be backfilled evenly into a cleared area, and will be graded to conform with the terrain of the adjacent landscape and revegetated per the Kirkwood Landscaping and Revegetation Ordinance.

**105. Mitigation Measure 4.8 (g)**

Site-specific efforts will be made, such as removing stumps or smoothing soil, to ensure a temporary impact where clearing is required in sensitive or scenic areas.

**106. Mitigation Measure 4.8 (h)**

Permanent vegetative cover will be established on disturbed areas. Replanting poor or difficult sites will be done if initial efforts fail to ensure the establishment and continued growth of plant material to prevent erosion and sedimentation. Qualified personnel will perform all reseeding and revegetation efforts.

**107. Mitigation Measure 4.8 (i)**

Indigenous plant materials will be selected on the basis of site-specific climatic conditions, soil characteristics, soil moisture regimen, and topography, and further selected based on their ability to blend with existing vegetation.

**108. Mitigation Measure 4.8 (j)**

The seedbed will be modified to provide an optimum environment for seed germination, seedling growth, and plant survival, as specified in the Kirkwood erosion control ordinance and the KRMOA Design Guidelines.

**109. Mitigation Measure 4.8 (k)**

Landscape design that repeats or blends with the surrounding existing landscape character will be applied in highly visible or sensitive areas to enhance the appearance of project building installation.

**110. Mitigation Measure 4.8 (l)**

Feathering the edges of the highway right of way (ROW) in certain areas will be utilized to repeat vegetation patterns of existing open space edges.

**111. Mitigation Measure 4.8 (m)**

Natural woody vegetation within 250 feet of SR 88 in Kirkwood North will be evaluated carefully before removal in order to preserve a visual buffer for this area. Selective removal or pruning of trees in areas with sensitive scenic values (e.g., SR 88 recreation areas and residences) will be done in consultation with the Caltrans landscape architect or county-approved visual resource specialist prior to any tree removal in these areas.

**112. Mitigation Measure 4.8 (n)**

Trees and other plants for landscaping will be selected based on their ability to blend with existing vegetation. Riprap stabilization material will be a non-contrasting color.

**113. Mitigation Measure 4.8 (o)**

Mulch or scatter tree slash debris on cut and fill areas to mask bare soil and maintain a more appropriate texture to areas back from travelways.

**114. Mitigation Measure 4.8 (p)**

Control planting times to maximize successful revegetation.

**115. Mitigation Measure 4.8 (q)**

Use natural-looking planting patterns on cut/fill slopes.

**116. Mitigation Measure 4.8 (t)**

Design to take advantage of natural screens (i.e., vegetation, landforms).

**117. Mitigation Measure 4.8 (u)**

Seed cuts and fills with native grass species that will not have substantial winter or other seasonal color contrasts.

**118. Mitigation Measure 4.8 (v)**

Visual prominence of development within visually sensitive areas, as viewed from SR 88, will continue to comply with requirements for building colors, construction materials, and architectural design as administered by the Forest Service and the TC-TAC, and outlined in KRMOA CC&Rs and Design Guidelines. Particular attention shall be given to any new Kirkwood North development, especially regarding the architectural style and color scheme.

**119. Mitigation Measure 4.8 (w)**

Structures will be constructed of materials that blend with the landscape character. Lift components will meet Forest Service Manual (FSM) 2380 policy for color and reflectivity, which is 4.5 on the Munsell neutral value color scale. Building designs (on USFS lands), including color and material, will be submitted to the Forest Service for approval prior to construction.

**120. Mitigation Measure 4.8 (x)**

The appearance of human-made openings will simulate existing natural openings in the forest such

as those that occur in the project area.

**121. Mitigation Measure 4.8 (z)**

For working and public-gathering areas, lighting levels will be 3.5 foot-candles average horizontal, with a minimum illumination of 1/3 average, a maximum of three times the average.

**122. Mitigation Measure 4.8 (aa)**

Fixtures will be required to minimize fugitive light into existing residential areas, including East Meadow, KMA subdivision, and other residential locations susceptible to light and glare, by using asymmetrical distribution, light shields and vegetation.

**123. Mitigation 4.8 (ab)**

A lighting plan for all new development will be required, as outlined in the Specific Plan Design Guidelines, that will be reviewed by the respective county when specific project-level plans are submitted for review.

**NOISE**

**124. Mitigation Measure 4.9 (a)**

Construction activities which generate or produce noise that can be heard beyond the boundaries of a project site will be limited to the hours of 7 a.m. to 7 p.m. Exceptions are allowed for emergency repairs.

**125. Mitigation Measure 4.9 (aa)**

Loudspeaker use will continue to be allowed at special events related to ski area operation. The operation of loudspeakers will be limited to between the hours of 7 a.m. and 7 p.m.

**126. Mitigation Measure 4.9 (b)**

KMR will continue to implement the Snowmaking Noise Management Program, which was adopted when the snowmaking project was approved. This incorporates several features including restrictions on the type of nozzle, shielding of nozzles, and acceptable time of operation.

**SOCIO-ECONOMICS**

**127. Mitigation Measure 4.10 (a)**

Counties will enact an ordinance requiring employee housing to be provided at Kirkwood. The

ordinance will, at a minimum, include the following standards:

- a. A requirement that at least 30 percent of the number of average peak-season employees be provided with employee housing concurrent with future development of the resort.
- b. A method of ensuring that the amount of required employee housing will continue to be provided in the future.
- c. Consideration of possible credit toward the employee housing requirement for housing units located outside of the Kirkwood area which are reserved by KMR for use by employees within the Kirkwood area and are subject to the criteria set forth in the Specific Plan.

### **HAZARDOUS MATERIALS**

#### **128. Mitigation Measure 4.11 (a)**

Underground storage tanks or other hazardous material storage will not be sited within the Caltrans right-of-way.

#### **129. Mitigation Measure 4.11 (b)**

The Kirkwood Maintenance Shop and MU will maintain spill prevention plans for all hazardous materials. These plans will be reviewed and updated annually, as appropriate, and filed with the appropriate county.

#### **130. Mitigation Measure 4.11 (c)**

All existing and proposed fuel tanks will be maintained, operated and tested in accordance with local, state and federal regulations.

#### **131. Mitigation Measure 4.11 (d)**

Hazardous materials cleanup and containment supplies will be carried in any vehicle that transports fuel for refueling construction equipment.

#### **132. Mitigation Measure 4.11 (e)**

Hazardous materials cleanup and containment supplies will be present at any permanent location where refueling is done.

#### **133. Mitigation Measure 4.11 (f)**

KMR, MU, and KMPUD will train all vehicle operators who will be participating in refueling activities in spill prevention and in the use of cleanup materials.

**134. Mitigation Measure 4.11 (g)**

No motor refueling will be conducted within 100 feet of Kirkwood Creek or any of its perennial tributaries, or within 50 feet of any occupied housing unit.

**135. Mitigation Measure 4.11 (h)**

In the event that a hazardous material spill of a reportable quality occurs, the responsible party will immediately notify the Department of Environmental Health of the affected county or counties, the CDFG and any other agencies as required under regulations applicable at the time of the spill. If the spill occurs on USFS land, Kirkwood will also notify the Amador Ranger District.

**136. Mitigation Measure 4.11 (i)**

KMR and its agents and subcontractors will adhere to the reporting standards outlined in California Hazardous Materials Spill/Release Notification Guidance (Lercari 1999) established by the Governor's Office of Emergency Services.

**137. Mitigation Measure 4.11 (j)**

KMR, MU, and KMPUD shall comply with Title 22 of the California Code of Regulations for submission of business plans, inventory statements, explosive storage, and spill prevention control countermeasure plans, as may be required.

**138. Mitigation Measure 4.11 (k)**

Future development in portions of Amador County where soil or groundwater contamination by petroleum products has been identified will at a minimum require approval from the applicable County Health Department and the Central Valley Regional Water Quality Control Board (CVRWQCB).

**RECREATION**

**139. Mitigation Measure 4.12 (b)**

KMR will conduct surveys to identify on-off-site recreation use patterns of residents and guests and report results to TC-TAC and the Forest Service. Such surveys will be conducted every 4 years or as deemed necessary by TC-TAC and the Forest Service. Results will be reported to these agencies within 60 days of their completion. This information will increase TC-TAC and Forest Service knowledge of recreational use patterns in the Kirkwood area and contribute to development of

responsive management plans for heavily impacted recreational sites and facilities.

**140. Mitigation Measure 4.12 (c)**

KMR will work with the Forest Service to develop and implement an instructional/interpretive program to inform Kirkwood visitors about sensitive resource issues at Kirkwood Lake.

**PUBLIC SERVICES**

**141. Mitigation Measure 4.13 (a)**

KMR will monitor the level of police protection services required as development proceeds and the resident population increases. Amador County should add deputies as dictated by community needs.

**142. Mitigation Measure 4.13 (b)**

Construct all facilities to adhere to the UBC, the Uniform Fire Code, and all other applicable codes.

**143. Mitigation Measure 4.13 (c)**

KMR shall continue to implement, maintain, and revise as needed, the Kirkwood Village Fire and Life Safety Plan and demonstrate that the development complies with the plan.

**144. Mitigation Measure 4.13 (d)**

The project proponent will increase infrastructure and physical accommodations in the service district to support the level of fire protection required for the proposed development.

**145. Mitigation Measure 4.13 (e)**

KMR will monitor the level of firefighting services required as development proceeds and the resident population increases. KMPUD will add firefighters as dictated by community needs.

**146. Mitigation Measure 4.13 (f)**

KMR will continue to maintain medical facilities during the ski season consistent with the requirements of the U.S. Forest Service special use permit issued for the ski area.

**147. Mitigation Measure 4.13 (g)**

KMR will monitor the level of medical services required as development proceeds and the resident population increases. If the increase in year-round population warrants, KMR will add medical

services to meet community needs.

**148. Mitigation Measure 4.13 (h)**

KMR will continue providing funding support of educational facilities for elementary school children (Grades K-6) at Kirkwood (e.g., continue financial support for rented facilities). This requirement will be reviewed every 5 years and a determination made by Alpine County as to whether the requirement should be continued, modified or eliminated.

**UTILITIES AND INFRASTRUCTURE**

**149. Mitigation Measure 4.14 (a)**

As electrical requirements increase and the existing facility reaches capacity, expanded or new facilities must be developed. At the time a tentative development map is submitted, MU must provide the respective county with the current capacity of the electrical generation facility, the current electrical demand of the Kirkwood area, and the projected electrical requirements of the development. If the projected electrical need, as identified in section 4.14.4.1 of the 2002 Final EIR, will not be met by the existing facility, no new development shall be approved until expanded or new facilities are in place which are capable of meeting the to electrical demands of the new development.

**150. Mitigation Measure 4.14 (c)**

KMPUD will monitor water supply output and install additional wells prior to increased water supply demands of new development parcels. At the time a tentative development map is submitted, KMPUD will provide the respective county with the current water supply, the current water consumption of the Kirkwood area, and the projected water requirements of the development. If the projected water requirements will not be met by the existing supply, as defined in final EIR Mitigation Measure 4.14 (b), no new development shall be approved until additional water supplies capable of serving the development are procured.

**151. Mitigation Measure 4.14 (d)**

Plan and implement new development to ensure the use of best available technologies for water conservation, including, but not limited to, water-conserving toilets, showerheads, faucets, and irrigation systems.

**152. Mitigation Measure 4.14 (e)**

Monitor wastewater treatment operations and upgrade as appropriate. Expanded or new facilities must be in operation prior to wastewater demands of the new development.

**153. Mitigation Measure 4.14 (f)**

At the time a tentative development map is submitted, KMPUD will provide the respective county with: (1) the current capacity of the wastewater treatment facility; (2) the current wastewater output of the Kirkwood area; and (3) the projected wastewater requirements of the development.

**154. Employee Housing**

Off site employee housing within the Tahoe Basin must be new construction of which Kirkwood Mountain Resort is either the primary developer or a substantial development partner that results in additional housing stock within the Tahoe Basin. Within the Tahoe Basin, leasing, remodeling, retrofitting or otherwise using existing housing stock will not result in credit toward employee housing pursuant to this ordinance.

**155. Development Controls**

The maximum amount of development allowed under the Specific Plan, as modified by Revised Alternative E contained in the FEIR is as follows:

a. *Residential Development:* 1413 dwelling units

b. *Commercial Development:* 195,000 GSF (Gross Square Feet)

c. *Population:*

Overnight Peak: 6558 persons, including overnight guests, residents, homeowners and employees

Winter Day Peak: 11,800 persons at one time (PAOT), including day visitors, employees, overnight visitors and all other persons within the resort

Skier Day Peak: 10,800 skiers at one time (SAOT)

Summer Day Peak: 9,800 persons at one time (PAOT) for the duration of special events only, otherwise the summer day peak is 6558 persons

d. *Residential Development Limits:*

Total residential development shall be limited as follows: 1413 dwelling units and accommodations for an overnight population of 6558 persons calculated

by using the population estimate by unit type and land use contained in Section 4.10.1 of the Specific Plan and reproduced below for reference. Whichever limit is reached first (1413 dwelling units or 6558 overnight population capacity) shall determine the maximum amount of residential development allowable under the Specific Plan.

**Multi Family Units:**

Studio:	2.2	people per unit
1 bedroom:	2.2	people per unit
2-bedroom:	4.3	people per unit
3-bedroom:	6.5	people per unit
4-bedroom:	8.6	people per unit

**Single Family and Duplex Units:**

All: 5.8 people per unit

*e. Subarea Development Limits:*

In accordance with Revised Alternative E as described in the Specific Plan, the following subarea development limits for residential development are established as part of the Specific Plan:

**Kirkwood North:**

40 multi family units to include a bed & breakfast/lodging facility and employee housing

**Ski In/Ski Out North:**

128 multi family units  
37 single family/duplex units

**Ski In/Ski Out South:**

38 multi family units  
50 single family units (existing 7 Palisades III units plus 43 additional units)

**156. Biennial Fiscal Review Requirement**

The biennial fiscal review shall be conducted by a consultant hired by the County and paid for by

Kirkwood.

A. KMR has provided the County with an analysis entitled the Kirkwood Mountain Resort Kirkwood Specific Plan Fiscal Impact Analysis and dated April 2003 ("2003 Fiscal Impact Analysis"). The 2003 Fiscal Impact Analysis describes the fiscal impacts on Amador County of the development contemplated under the Kirkwood Specific Plan. The 2003 Fiscal Impact Analysis indicates that for the budget year 2001/02, Kirkwood produced a surplus of County revenues over the costs of County Services in the approximate amount of \$49,674 [2003 Fiscal Impact Analysis page 20, Table 9]. The 2003 Fiscal Impact Analysis further indicates that County revenues from future development under the Specific Plan from 2002/2003 through 2020 will exceed the expected County costs of services by \$1,699,891. [2003 Fiscal Impact Analysis page 29, Table 17].

B. During the required biennial review of the project impacts, KMR and the County will evaluate the cost of the County's services resulting from development under the revised Specific Plan.

C. If the conclusions provided in that evaluation differ by more than thirty percent (30%) from the corresponding conclusions of the 2-3 Fiscal Impact Analysis, then KMR shall submit a revised fiscal report for County review and approval. If the evaluation indicates the County's actual cost of service exceeds the projected annual revenues from taxes, fees, and assessments plus any cumulative surplus of revenues, then the County and KMR agree to jointly evaluate mechanisms for increasing County revenues or reducing County expenses so there is not a net negative number. If at any time after approval of the revised Specific Plan, actual annual County expenses exceed taxes, fees and assessments plus any cumulative surplus of revenues, the County shall have no obligation to approve further development under the revised Specific Plan.

D. KMR and the County shall resolve any controversy or claim related to this Fiscal Review Requirement pursuant to this provision which shall survive the expiration or termination of the Fiscal Review Requirement.

(i) Should the dispute involve the appropriateness of a County cost, the County shall provide documentation substantiating its claim that the county provided services to Kirkwood for a sustained period of time.

(ii) KMR and the County shall first seek to resolve any dispute by negotiations between authorized representatives.

(iii) If the dispute has not been resolved by negotiations within thirty days of it having been raised by either KMR or the County, either KMR or the County may initiate mediation of the dispute by sending the other entity a written request that the dispute be mediated.

(iv) Should the mediation not result in a settlement of any or all issues, either KMR or the County may submit the outstanding claims to a court of competent jurisdiction.

**157. Fire Impact Fee**

The Amador County Board of Supervisors will adopt an AB 1600 fire mitigation fee ordinance

based on KMPUD's fire protection capital improvement plan to mitigate new development's impact on fire protection.

**158. Ski In/Ski Out North**

In addition to all other Conditions of Approval and Mitigation Measures and Specific Plan Policies and Design Guidelines the following additional requirements shall apply to this development:

Development shall be limited such that the pre-development 7900' elevation contour line must transect the building foundation.

Ski-in/Ski-out easements shall be provided across and through all residential lots and parcels so skiers can move throughout the development.

Roadways shall be sited along existing maintenance trails and existing areas of disturbance to minimize new grading and tree and vegetation removal.

Project design shall accomplish the following:

Protect skier access from Chair 9 and Chair 6 to the KMA/Dangberg area.

Protect skier access from Dangberg to Timber Creek and Chairs 7 and 9.

**159. Ski In/Ski Out South**

In addition to all other Conditions of Approval and Mitigation Measures and Specific Plan Policies and Design Guidelines the following additional requirements shall apply to this development:

Development shall be limited such that the pre-development 7975' elevation contour line must transect the building foundation.

Ski-in/Ski-out easements shall be provided across and through all residential lots and parcels so skiers can move throughout the development.

Roadways shall be sited along existing maintenance trails and existing areas of disturbance to minimize new grading and tree and vegetation removal.

Project design shall accomplish the following:

Protect Jane's Jaunt and Jamby's Return, allowing skiers from Sentinel Bowl and the Palisades to return to Chair 6.

Protect ski-way access through the development

Relocation of the bottom terminal of Chair 7

Relocation of Home Run Trail to a better elevation to provide a return to the bottom terminal of Chair 7 without poling.