

CONDITIONS OF APPROVAL **AND MITIGATION MONITORING PROGRAM**

TENTATIVE PARCEL MAP 2873 VAIRA RANCH

APPLICANT: Jean B. Ely, Judy L. Chaffee, and Janet M. Bawart;
Representative Robin Peters, Delta Engineering Inc.

PHONE: (209) 223-1441

PROJECT LOCATION: 15050 Vaira Ranch Rd. Drytown, CA 95669

PROJECT DESCRIPTION: Tentative Parcel Map No. 2873-Vaira Ranch, proposing the division of ±154 acres into three (3) parcels 10±, 64±, and 79.5± acres in size. Proposed use of the parcels is residential, and all parcels will retain existing X, Special Use District zoning and AG Agriculture General, General Plan Designation (40- acre minimum). This variation in parcel size is consistent with County Code Section 17.32.030 which allows the Planning Commission to authorize deviations in lot size provided that there is no more than ten percent increase in density in the overall development. This project does not propose an increase in overall allowable density. (APNs: 008-210-008, 008-210-009)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

PLANNING COMMISSION APPROVAL DATE: May 11, 2021

NOTICE OF DETERMINATION DATE:

IMPORTANT NOTES:

NOTE A: It is suggested the project applicant contact the Environmental Health, Public Works, and Planning Departments and any other agencies involved prior to commencing these requirements. Improvement work shall not begin prior to the review and submission of the plans and the issuance of any applicable permits by the responsible County Department(s). The Inspector must have a minimum of 48 hours' notice prior to the start of any construction.

NOTE B: Information concerning this project can be obtained through the Amador County Planning Department, 810 Court Street, Jackson, CA 95642 (209) 223-6380.

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1. **FISH AND WILDLIFE FEES:** *No permits shall be issued, fees paid, or activity commence, as they relate to this project, until such time as the Permittee has provided the Planning Department with the Department of Fish and Wildlife Filing Fee for a Notice of Determination or a Certificate of Fee Exemption from Fish and Wildlife.* THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
 2. Prepare and submit Parcel Map. The preparation and submission of a Public Report is required prior to recording. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
 3. Submit Preliminary Title Report as evidence of ownership with the parcel map check package. An updated Parcel Map Guarantee must accompany the map at the time of recording. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
 4. A Registered Civil Engineer or Licensed Land Surveyor must survey all parcels. Monuments are to be set, reset, or verified (if existing) according to County Standards. THE SURVEYOR'S OFFICE SHALL MONITOR THIS REQUIREMENT.
 5. Pursuant to Section 66463.1 of the Government Code (Subdivision Map Act) multiple Parcel Map(s) may be filed prior to the expiration of the tentative map. Any multiple Parcel Map(s) so filed shall be reviewed as to submittal to the Board of Supervisors for Parcel Map approval. The shape and size and development of any single unit or multiple units will be subject to Public Works Agency and

Environmental Health Department review of traffic circulation and sewage disposal. THE SURVEYOR'S OFFICE, TRANSPORTATION AND PUBLIC WORKS DEPARTMENT, AND ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

SOILS:

- 6. Preliminary Soils Report:
 - I. Submit Preliminary Soils Report by a Registered Civil Engineer required in Section 17.28.240 of the County Ordinance Code.
 - II. X Waived as defined in Section 66491 (a) of the Subdivision Map Act. NO MONITORING NECESSARY.

EASEMENTS:

- 7. Prior to recordation of any Parcel Map, provide easements as required for utilities by County Code Section 17.28.030. THE SURVEYOR'S OFFICE SHALL MONITOR THIS CONDITION.
- 8. Prior to recordation, subdivider shall offer to dedicate access roads for Road and Utility Easements as determined necessary by the County. THE SURVEYOR'S OFFICE SHALL MONITOR THIS CONDITION.

TAXES:

- 9. All current and delinquent taxes must be paid. Security, in the form of a cash deposit, must be posted for estimated taxes, and special assessment collected as taxes, which are a lien against the subject property, but which are not yet payable. The Tax Collector shall draw upon this cash deposit to pay the taxes, and special assessments collected as taxes when they become payable. When all current and/or delinquent taxes have been paid, and any required security has been posted with the County Tax Collector, the Tax Collector will submit a letter to the County Surveyor's Office stating that this condition has been satisfied. (Note: Please refer to Amador County Code Sections 17.72.120, 17.72.130 and 17.72.140 {amended May 15, 2007}, and Government Code Sections 66492 and 66493). THE SURVEYOR'S OFFICE SHALL MONITOR THIS CONDITION.

PUBLIC REPORT:

- 10. Complete the form for the Subdivision Public Report for recording--must be notarized. THE SURVEYOR'S OFFICE SHALL MONITOR THIS CONDITION.

PUBLIC WORKS FEES:

- 11. The subdivider shall pay the actual costs of Plan Checking, Inspection, and Testing as provided in Section 17.40 of the County Ordinance prior to recordation of any final map(s). Five percent (5%) of a Licensed Civil Engineer's Estimate of the Improvement Costs will be deposit with the Public Works Agency in the Surveying and Engineering Office (2-1.5% at the time of submission and 2-1.5% prior to inspection and testing). THE TRANSPORTATION AND PUBLIC WORKS DEPARTMENT SHALL MONITOR THIS CONDITION.

BUILDING PERMITS

- 12. The permittee shall acquire all necessary building permits for all facilities and any other related equipment. Construction and location shall be substantially the same as submitted plans and as stated in the approved project description. THE BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.

WASTE DISPOSAL

- 13. Prior to recordation of the final map, the applicant must submit a will serve statement stating that the current solid waste disposal service is sufficient to serve the intended use. THE WASTE MANAGEMENT DEPARTMENT SHALL MONITOR THIS CONDITION.

MITIGATION MONITORING AND REPORTING PROGRAM:

14. Special Status Species (BIO-1): Special-status plant and animal species should be avoided to the maximum extent practicable. If complete avoidance is infeasible, project impacts will need to be quantified and mitigation developed to reduce the impacts to a less-than-significant level. Mitigation may include preservation and enhancement of on and/or off-site populations, transplanting individuals to a preservation area, or other actions, subject to the approval of CDFW or USFWS. In the event that any of the endangered, threatened, or special-status plant or animal species identified in the CEQA Initial Study for this project are discovered in the project area, all construction and ground-disturbing activity will be halted immediately. The property owner will then contact the US Department of Fish and Wildlife and Amador County Planning Department to establish additional mitigations according to industry-standard best management practices (BMPs) to mitigate for impacts to these species. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
15. Ground Disturbance Timing for Nesting Birds (BIO-2): To avoid impacts to nesting bird species or birds protected under the Migratory Bird Treaty Act, all ground disturbing activities conducted between February 1 and September 1 must be preceded by a pre-construction survey for active nests, to be conducted by a qualified biologist. This survey should be conducted within two weeks prior to any construction activities. The purpose of this survey is to determine the presence or absence of nests in an area to be potentially disturbed. If nests are found, a buffer depending upon the species and as determined by a qualified biologist in consultation with the California Department of Fish and Wildlife and shall be demarcated with bright orange construction fencing. Any vegetation clearing should be schedule outside of the avian nesting season (February 1 through August 31) or survey should be conducted immediately prior to vegetation removal. If active nests are found, vegetation removal should be delayed until the young fledge. No ground disturbing or other construction activities shall occur within this buffer until the County-approved biologist has confirmed that breeding or nesting is completed and the young have fledged the nest. Nesting bird surveys are not required for ground disturbing activities occurring between September 2 and January 31. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
16. Special-Status Species Plants- (BIO-3): Special-status plant populations should be avoided to the maximum extent practicable. If complete avoidance is infeasible, project impacts will need to be quantified and mitigation developed to reduce the impacts to a less-than-significant level. Mitigation may include preservation and enhancement of on and/or off-site populations, transplanting individual plants to preservation area, or other actions, subject to the approval of CDFW, USFWS, or CNPS. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
17. Plant Survey (BIO-4): Prior to any construction activity, a biological and/or rare plant survey shall be conducted to determine if there are any special-status plants within the project area and which may potentially be disturbed. If special-status species are identified, avoidance zones may be established around plant populations to clearly demarcate areas for avoidance. Where avoidance is infeasible, and the plant subject to removal or potential damage from construction, the project applicant shall develop and implement a mitigation plan pursuant to State and Federal regulation. The mitigation plan shall provide for no net loss of habitat and shall include, but is not limited to, relocation of the affected plants, replanting, and monitoring of relocated and planted specimens, or any other BMPs or conservation practices established by CDFW or USFWS. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
18. Riparian and Wetland Conservation (BIO-5): Complete avoidance of wetlands is conservatively recommended to ensure compliance with wetland laws. Site development shall implement erosion control plans, and best management practices (BMPs) that prevent the discharge of sediment into nearby drainage channels and wetlands. To the extent feasible, any intermittent creeks within the project vicinity shall be preserved, with a 50-foot buffer, limited to construction on either side of the creek. This buffer should be 50 feet in width on each side of the creek as measured from the edge of US Army Corps of Engineers jurisdiction. This mitigation measure shall not apply where it conflicts with

hazardous site remediation required by orders from the Central Valley Regional Water Quality Control Board. If complete avoidance of potential jurisdictional Waters of the U.S. or wetlands is not practicable, a wetland delineation should be prepared and submitted to USACE for verification in order to determine the jurisdictional or nonjurisdictional nature of the seasonal wetlands and man-made drainage ditch. If jurisdictional areas will be impacted, wetland permits/and or certification should be obtained from USACE, CDFW, and the RWQCB prior to placement of any fill (e.g., a culvert, fill slope, rock) within potential Waters of the U.S.

19. Historic and Cultural Resources (CULTR-1) (CULTR-2): In the event the permittee encounters any historic, archaeological, paleontological, or tribal resource (such as chipped or ground stone, fossil-bearing rock, large quantities of shell, historic debris, building foundations, or human bone) during any construction undertaken to comply with these Use Permit conditions, permittee shall stop work immediately within a 100 ft. radius of the find and retain the services of a qualified professional for the purpose of recording, protecting, or curating the discovery as appropriate. The qualified professional shall be required to submit to the Planning Department a written report concerning the importance of the resource and the need to preserve the resource or otherwise reduce impacts of the project. The permittee shall notify the Amador County Planning Department of the find and provide proof to the Planning Department that any/all recommendations and requirements of the qualified professional have been complied with. Additionally in the case that human remains are discovered on site, the following steps must be taken in accordance with Amador County FEIR Mitigation Measure 4.5-15 Cultural Resources, per Section 7050.5 of the California Health and Safety Code, The Amador County coroner shall, within two working days:
- a. Determine if an investigation of cause of death is required;
 - b. Determine if the remains are most likely that of Native American origin, and if so suspected, the coroner shall notify the California Native American Heritage Commission (NAHC) within 24 hours of making his or her determination.
 - c. The descendants of the deceased Native Americans shall make a recommendation to the operator/permittee for the means of handling the remains and any associated grave goods as provided in Public Resources Code (PRC) Section 5097.98.
 - d. The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American.
 - e. The descendants may, with the permission of the landowner or their representative, inspect the site of the discovered Native American remains and may recommend possible treatment or disposition within 24 hours of their notification.
 - f. Whenever the NAHC is unable to identify a descendent, or the descendent identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendent and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

20. Archeologist Recommendations Regarding Historical Resources (CULTR-3): Archeologist Recommendation: "Avoidance of the [identified cultural resources] would be the preferred mitigation for any project that may threaten the [resource(s)] or any significant cultural resources. Once the County approves the proposed land division, if a previously unrecorded archaeological resource is discovered during any future ground disturbing activity, all work shall stop in the immediate vicinity of the find and the resource shall be documented, evaluated, and an appropriate means of mitigating any adverse effects shall be recommended by an archaeologist who meets the Secretary of the Interior's professional qualifications standards in prehistoric or historical archaeology, as appropriate. In the unlikely event that human remains are discovered, California law requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition of the remains and any grave goods. If the Coroner determines that no investigation of the cause of death is required and if the Native American heritage commission, which in turn will inform a most likely descendant, the descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods" (Windmiller Consulting Inc., Vaira Ranch Parcel Map Project, 2021). THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

21. Sewage Disposal (GEO-1): Prior to recordation of any final map, the subdivider shall demonstrate compliance with Amador County Code Section 14.12.130 by retaining the services of a qualified consultant to complete the following:
 - A. Unless waived by the Environmental Health Department, perform soil profile testing in each sewage disposal site for proposed parcels 2 and 3.
 - B. Unless waived by the Environmental Health Department, perform percolation testing in each sewage disposal site for proposed parcels 2 and 3.
 - C. Unless waived by the Environmental Health Department, perform wet weather testing in the proposed sewage disposal site for proposed parcels 2 and 3.
 - D. Submit a report to the Environmental Health Department for review and approval which includes a plot plan each for proposed parcels 2 and 3, as well as soil profile logs, percolation test results and, if applicable, wet weather testing results. Each plot plan shall locate and dimension the proposed sewage disposal site and include at least one tie to a property corner pin, the locations of pertinent field testing, any existing or proposed wells/springs within 200 feet of the disposal site, and any waterways within 100 feet of the disposal site. If the disposal site does not comply with the criteria for conventional sewage disposal pursuant to Section 14.12.010(H) of Amador County Code, the consultant shall include a conceptual disposal system design prepared by a qualified consultant which includes, at a minimum, a typical trench cross section, a foot print or layout of the disposal system, topography in the disposal site, and required linear footage per bedroom. THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
22. Grading Permits (HYD-1): Prior to the issuance of permits for site-specific development, drainage and grading permits shall be prepared by a licensed civil engineer and submitted to the Amador County Building Department for approval. Drainage plans shall demonstrate that new development would not increase peak storm flows and that adequate capacity exists downstream to accommodate increased stormwater volume. All site-specific development shall implement appropriate stormwater runoff best management practices (BMPs) and design features to protect receiving water quality consistent with Amador County standards, and any required National Pollution Discharge Elimination System (NPDES) permits administered by the State Water Resources Control Board (SWRCB) must be obtained prior to project execution. THE BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.
23. Fire Protection Services (PUB-1): To mitigate the impact on fire protection services, in accordance with Amador County Ordinance No. 1640 (County Code 17.14.020)4, the developer shall participate in the annexation to the County's Community Facilities District No. 2006-1 (Fire Protection Services), including execution of a "waiver and consent" to the expedited election procedure, the successful completion of a landowner-vote election authorizing an annual special tax for fire protection services, to be levied on the subject property by means of the County's secured property tax roll, and payment of the County's cost in conducting the procedure. THE AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION.
24. Amador County Recreation and Fees Ordinance (REC-1): Pursuant to County Code Chapter 17.50 (Ordinance No. 1198- Amador County Recreation and Fees Ordinance) a dedication of land, payment of fees, or a combination of both for park and recreational purposes shall be provided by the developer prior to recordation of the Parcel Map. THE AMADOR COUNTY RECREATION AGENCY SHALL MONITOR THIS CONDITION.
25. Access (TRA-1): Each proposed parcel must obtain and maintain a primary access onto a County road and obtain all necessary encroachment permits (Chapter 12.10). THE TRANSPORTATION AND PUBLIC WORKS DEPARTMENT SHALL MONITOR THIS CONDITION.
26. Fire and Life Safety (TRA-2): The project applicant/permittee shall comply with Chapter 15.30 Fire and Life Safety Ordinance. THE BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.

27. Utilities and Service Systems (UTIL-1): Water Systems: Applicant must verify sufficient water and wastewater disposal services to meet minimum requirements by Amador County Environmental Health Department, prior to final map recordation.
28. Well Water Quality/Water Supply (UTL-2): Prior to recordation of any final map, the subdivider shall provide the Amador County Environmental Health Department with general mineral, general physical, and inorganic chemical analyses for a water well located within the project boundary. The results shall be generated by an accredited laboratory. Test results must demonstrate that the water produced does not exceed any primary maximum contaminant levels listed in California Code of Regulations, Title 22, Table 64431-A. THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
29. Well Water Quality/Water Supply (UTL-3): Prior to recordation of a final map the subdivider shall demonstrate that the yield of at least one well within the project boundary meets the production requirements of Section 14.06.055, Amador County Code. For any parcel created by the final map not containing a well meeting the production standard, record a constructive notice document concurrent with recordation of the final map that will be discovered through title search. The constructive notice statement shall advise interested parties of the following: “Groundwater yield in the area is generally low and has not been demonstrated for this parcel. Any water well intended to support a proposed residence on this parcel must either meet the production standards of Section 14.06.055 or additional storage shall be required to mitigate the lower yield. Interested parties may contact the Amador County Environmental Health Department for additional details.” THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

Chairperson Amador County Planning Commission	Date
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Applicant	Date
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| <ul style="list-style-type: none"> (1) Applicant (2) Amador Air District (3) Building Department (4) Environmental Health Department (5) Transportation and Public Works Department | <ul style="list-style-type: none"> (6) Waste Management Department (7) Amador Fire Protection District (8) CA Department of Fish and Wildlife (9) Planning Department |
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