

**Attachment 1**  
**Conditions of Approval (COAs) and Mitigation Monitoring and Reporting Plan**  
Paye Immediate Rezone and Tentative Final Map  
(PLN23-0021, RZN23-0002, TFM23-0001, EIS24-0008)

**A. PLANNING DEPARTMENT**

1. **Project Description.** An Immediate Rezone from Timberland Production Zoning District to the new zones (RA-10 (157 acres) & AG-30 (150 acres)) approved through Ordinance 2453 in 2018, and a Tentative Final Map to subdivide approximately 307-acres into eleven (11) lots ranging in size from 4-acres to 127.4-acres. An existing residence and accessory structures located on lot 3 are served by an existing driveway. Lot 7 will be dedicated to the Nevada County Consolidated Fire District as a public benefit for a future fire station & potential helipad to provide emergency services to the area. Building envelopes will contain existing improvements, sized to allow potential future additional improvements, and designed to avoid sensitive resources to the greatest extent possible. Existing public rights of way provide primary access to the subdivision. All 11 lots will be served by individual septic systems for sewage disposal. 7 of the 11 lots will have metered connection to the Nevada Irrigation District's treated water system and the remaining 4 lots will be served by private wells. The project site contains scattered landmark oaks, landmark oak groves, and watercourses which will be avoided through the implementation of building envelopes.
2. **Defense and Indemnity Agreement.** Within 15 days after project approval the applicant shall sign and file with the Nevada County Planning Department the attached Defense and Indemnity Agreement. No further permits or approvals shall be issued for the project, unless and until the applicant has fully complied with this condition.
3. **Expiration Date.** The Final Map must be recorded within 36 months from the effective date of the map approval, which would be 30 days from the Board of Supervisors approval, unless an extension is filed pursuant to Section 66452.6 of the Government Code (Subdivision Map Act) and granted by the Board of Supervisors.
4. **Supplemental Information Map.** One Supplemental Information Map, which contains non-title information including all conditions, mitigation measures and easements requiring notes on the Supplemental Map, shall be recorded concurrently with the Final Map.
5. **Map Check.** Submit eight (8) copies of the approved Final Map and Supplemental Data Sheet(s) to the Planning Department for distribution to all applicable County Departments for review and approval, along with a map check fee pursuant to the most current Fee Resolution of the Board of Supervisors. This map shall be prepared in substantial compliance with the approved tentative map along with any requirements outlined herein. Acreage of resulting lots shall be shown on the map.
6. **Park & Recreation Facilities Mitigation Fees.** Current Park & Recreation Facilities Mitigation fees will be required at the time of building permit issuance for future residences and accessory dwelling units. The following note[s] shall be included on the Supplemental Data Sheet for the Final Map:

“A Park & Recreation Facilities Mitigation Fee in accordance with Nevada County Ordinance No. 2460, creating and establishing the authority for imposing and charging said fee within the unincorporated territory of Nevada County, will be levied at the issuance of residential building permits for future residences, and accessory dwelling units, for each lot created by the map, and will be based on the latest fee schedule adopted by the Nevada County Board of Supervisors.”

7. **Right to Farm Notice.** The supplemental data sheet for the recorded map, shall include the following right to farm notice note: “When transfers occur of the parcels shown on the recorded map, the seller shall ensure that a disclosure statement containing substantially the following language is provided to, and a written acknowledgement thereof is signed by, the prospective buyer by inclusion in the disclosure form required by Article 1.5 of Chapter 2 of Title 4 of Divisions Second of the California Civil Code, commencing with Section 1102: Nevada County Right to Farm Notice: The County of Nevada recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs and standards. Residents on or near agricultural lands should be prepared to accept some inconveniences or discomforts with agricultural operations, including timber harvesting, falling and removal, including, but not limited to, noise, odors, fumes, dust, operation of machinery, the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizer, soil amendments and pesticides. Nevada County has determined that inconveniences or discomforts with such agricultural operations shall not be considered to be a nuisance if such operations are consistent with accepted customs and standards. Title 20 Chapter 1 of the Nevada County Code recognizes agricultural lands and operations and establishes a grievance committee to assist in the resolution of any disputes which might arise between residents regarding agricultural operations (for more details see said Article).”
8. **Easements:** Prior to Map Recordation, all proposed easements shown on tentative Final Map including the 15 foot wide trail easement along Banner Quaker Hill Road and access and utilities shall be recorded.
9. Prior to map recordation, written notification from the Board of Forestry documenting that it has given final approval to the conversion, is required to be provided to the Planning Department before the parcels are removed from the Timberland Production Zone.
10. Prior to map recordation, the applicant shall provide written confirmation from the Nevada County Tax Collector to the Planning Department that payment for a tax recoupment fee in accordance with Cal. Gov't Code § 51142 has been made by the owner of the land qualifying for immediate rezoning.
11. Prior to recordation, the following note shall be placed on the Tentative Final Map: “Lot 3 is not eligible for further subdivision”.
12. **Mitigation Measure 4A: Nesting raptors, migratory birds, and Birds of Conservation Concern.** The following mitigation measure shall be required and shall be included as a note on the supplemental data sheets that record concurrently with the Final Map:

The following note shall be added to all improvement/grading/construction plans:

Construction or disturbance activities during the breeding season could disturb or remove occupied nests of raptors and/or protected bird species and would require the implementation of a pre-construction survey within and adjacent to any proposed disturbance area within the Project area for nesting raptors and other protected bird species within seven (7) days prior to disturbance. The nesting survey radius around the proposed disturbance would be identified prior to the implementation of the protected bird nesting surveys by a CDFW qualified biologist and would be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat.

If any nesting raptors or protected birds are identified during such pre-construction surveys, trees or shrubs or grasslands with active nests should not be removed or disturbed and a no-disturbance buffer should be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified wildlife biologist determines that the young have fledged. The extent of these buffers would be determined by a CDFW qualified wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors should be analyzed by a qualified wildlife biologist to make an appropriate decision on buffer distances based on the species and level of disturbance proposed in the vicinity of an active nest.

***Timing:** Prior to map recordation and prior to issuance of grading/improvement/building permits*

***Reporting:** Approval of the Final Map for recordation and future permit issuance*

***Responsible Agency:** Planning Department*

13. **Mitigation Measure 4B: Establish Building Envelopes to Minimize Impacts to Oak Species, Resident and Migratory Deer Populations, and Aquatic Resources.** Delineate building envelopes and show setbacks from watercourses, in accordance with the approved tentative map. The building envelopes shall be shown on the supplemental data sheets to be recorded concurrently with the Final Map and on all future grading/improvement/building permit plans, with a Note stating: "All structures shall be limited to the building envelopes identified on each of the parcels; this restriction does not apply to underground utility placement."

***Timing:** Prior to map recordation and prior to issuance of grading/improvement/building permits*

***Reporting:** Approval of the Final Map for recordation and future permit issuance*

***Responsible Agency:** Planning Department*

14. **Mitigation Measure 4C: Protect and Facilitate the Free Movement of Wildlife.** The Supplemental Data Sheet for the recorded map shall include the following note: To protect agricultural and domestic use of this property while still facilitating the free movement of wildlife, no solid fence shall be placed on any parcel except around the single-family dwelling, cultivated areas and animal enclosures. Perimeter fencing shall be limited to three or four-strand barbed-wire type, open material, with the lowest strand being barb-less and a minimum of 18" from the ground.

***Timing:** Prior to map recordation*

***Reporting:** Approval of the Final Map for recordation*

**Responsible Agency:** *Planning Department*

15. **Mitigation Measure 4D: Best Management Practices for Seasonal Drainages.** The following measures shall be noted on the map and shall apply to the development of the shaded fuel break proposed on parcel 3 that follows along the southern property line of parcels 4, 5, and 6.
- a. No fill or dredge material will enter or be removed from the seasonal drainage;
  - b. Use appropriate machinery and equipment to limit disturbance in this area;
  - c. Placement of straw and/or other soil erosion control devices between the seasonal drainages and the areas where vegetation removal will occur to limit potential runoff and sedimentation into the seasonal drainage;
  - d. No dewatering of the seasonal drainage will occur as part of the proposed construction; and
  - e. Implement Best Management Practices during development of the shaded fuel break

**Timing:** *Prior to map recordation and prior to issuance of grading/improvement/building permits*

**Reporting:** *Approval of the Final Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department*

16. **Mitigation Measure 4E: Special Status Species Survey:** The following note shall be included on the Supplemental Data Sheet of the Final Map:

Prior to the implementation of future ground disturbing activities within the naturally vegetated areas within the Project area, an additional special status plant survey would be required to identify the presence of the five (5) special-status plants (chaparral sedge, Red Hills soaproot, Cantelow's lewisia, Sierra blue grass, and showy golden madia) and any others with the potential to occur between April to June in those areas of the Project area. If the Project will not include the removal of native vegetation, then no additional special-status plant surveys would be required.

However, if any special-status plant species is documented within or directly adjacent to areas proposed for disturbance within the Project area that contain native vegetation and that are CNPS list 1A, 1B, 2A, or 2B per CEQA Guidelines Section 15380, or are listed under the ESA and/or CESA, protection of such plants would include complete avoidance, transplantation, and/or on- or offsite restoration of the special status plant species that could be impacted by such site disturbance.

**Timing:** *Prior to map recordation and prior to issuance of grading/improvement/building permits*

**Reporting:** *Approval of the Final Map for recordation and future permit issuance*

**Responsible Agency:** *Planning Department*

17. **Mitigation Measure 5A: Halt Work and Contact the Appropriate Agencies if Human Remains, Cultural Resources or Paleontological Resources are Discovered during Project Construction.** The following mitigation measure shall be required and shall be included as a note on the supplemental data sheets that record concurrently with the Final Map: All grading and construction plans shall include a Note outlining the requirements provided below to ensure that any cultural resources discovered during project construction are properly managed. These requirements including the following: All equipment operators and employees involved in any form of ground disturbance shall be trained to recognize potential archeological resources and advised of the remote possibility of encountering subsurface cultural resources during grading activities. If such resources are encountered or suspected, work within 100 feet shall be halted immediately and the Nevada County Planning Department shall be contacted. A professional archaeologist shall be retained by the developer and consulted to access any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner be contacted. Should the discovery include Native American human remains, in addition to the required procedures of Health and Safety Code Section 7050.5, Public Resources Code 5097.98 and California Code of Regulations Section 15064.5(e), all work must stop in the immediate vicinity of the find and the Nevada County Coroner must be notified. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in California Environmental Quality Act Sections 15064.5(d) and (e) shall be followed. If Native American resources are involved, Native American Organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment.

*Timing:* Prior to map recordation and issuance of grading/improvement/building permits and throughout construction

*Reporting:* Planning Department Approval of Grading and Construction Permits

*Responsible Agency:* Planning Department

18. **Mitigation Measure 13A. Limit construction work hours to 7:00 AM to 7:00 PM:** The following note shall be included on the Supplemental Data Sheet of the Final Map: During grading and construction, work hours shall be limited from 7:00 AM to 7:00 PM, Monday - Saturday. Prior to issuance of grading and building permits, improvement plans shall reflect hours of construction.

*Timing:* Prior to map recordation and prior to issuance of grading/improvement/building permits

*Reporting:* Agency approval of permits or plans

*Responsible Agency:* Planning Department

19. **Mitigation Measure 18A: Unanticipated Tribal Cultural Resources.** The following mitigation measure shall be required and shall be included as a note on the supplemental data sheets that record concurrently with the Final Map: If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074).

The Tribal Representative will make recommendations for further evaluation and treatment as necessary. Tribal Representatives act as a representative of their Tribal government and are qualified professionals that have the authority and expertise to identify sites or objects of cultural value to Native American Tribes and recommend appropriate treatment of such sites or objects. If human remains, or suspected human remains, are discovered the appropriate state and federal laws shall be followed.

Preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. When avoidance is infeasible, the preferred treatment by UAIC is to record the resource, minimize handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location nearby where they will not be subject to future impacts.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of CEQA have been satisfied.

**Timing:** *Prior to map recordation and issuance of grading/improvement/building permits and throughout construction*

**Reporting:** *Planning Department Approval of Grading and Construction Permits*

**Responsible Agency:** *Planning Department*

20. **Mitigation Measure 19A: Appropriately Dispose of Vegetative and Toxic Waste.** The following mitigation measure shall be required and shall be included as a note on the supplemental data sheets that record concurrently with the Final Map: Neither stumps nor industrial toxic waste (petroleum and other chemical products) are accepted at the McCourtney Road transfer station and if encountered, shall be properly disposed of in compliance with existing regulations and facilities.

**Timing:** *Prior to map recordation and prior to issuance of grading/improvement/building permits*

**Reporting:** *Agency approval of permits or plans*

**Responsible Agency:** *Planning Department*

## **B. DEPARTMENT OF PUBLIC WORKS**

### **PRIOR TO RECORDING THE FINAL MAP, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:**

1. Final Map Recordation
  - a) The applicant shall submit to the County Surveyor for review and approval a final map pursuant to Subdivision Map Act 66433-66443.
  - b) The applicant shall offer for dedication to the County the 60-foot right-of-way for Red Dog Road and Red Dog Crossing Road pursuant to the County Road Standards for a Minor Collector Road and depicted in County Std Dwg. A-2. Banner Quaker Hill Road has already been offered to the County per Deed Doc. No. 99-036604 and shown on the Record of Survey Map in Book 12 at Page 175.

- c) The applicant shall prepare a Supplemental Data Sheet for all information not affecting record Title interest.
  - d) The applicant shall show all easements of record on the Final Map.
  - e) The applicant shall pay in full any and all delinquent, current, and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code commencing with Section 66492. A tax certificate is to be provided to the Nevada County Surveyor prior to recording.
  - f) The applicant shall pay the recording fees in effect at the time the final map and related documents are recorded.
2. Road Improvements: Prior to recordation of the Final Map, project roadways shall be improved to the following standards and shall meet Sections 16.10.040 Design Geometrics and 16010.050 Structural Section Design:
- a) Banner Quaker Hill Road, Red Dog Road and Red Dog Crossing Road are classified as Minor Collector Roads and shall be improved to these standards per County Std. Dwg. A-2. If the existing roads meets these standards, the Engineer of Record may submit a plan and certification verifying these standards.
3. Driveway Improvements: Driveway Improvements will be required at the time of building permit issuance for any future residences or accessory dwelling units. The following notes shall be included on the Supplemental Data Sheet for the Final Map:
- a) All Driveways shall conform to County Standard Drawings C-2, B-8, A-6 and Fire Safe Driveway Standards for width, grades, curves, sight distance and all applicable Code requirements at the time of Building Permit. Driveway design shall be shown on the Residential Site/Grading Plan and approved by the Fire Marshall and Building Department prior to the issuance of any Building Permit.
  - b) All Driveways are subject to a County Encroachment Permit issued by the Public Works Department (DPW) and shall be applied for and issued by DPW prior to the issuance of any Building Permit.
4. Engineers Certification: The subdivider's engineer shall certify that any Road Improvements have been completed in conformance with the applicable standards as noted in B.2.a above.
5. Encroachment Permit: Prior to any work within the right of way, the applicant shall obtain an encroachment permit from the County, which includes a Traffic Control Plan showing all public roadways where work is to be performed and indicates each stage of work, closure dates for street and section of closure (if necessary and otherwise allowed by local jurisdiction), signage, flaggers, and any other pertinent information. The Traffic Control Plan shall be reviewed and approved by the County before the contractor begins work.
6. Offers of Dedication: With map recordation, the applicant shall offer for Dedication to the County of Nevada, for Public Road, Public Utility and Emergency Access purposes, a 60-foot-

wide right-of-way for Red Dog Road and Red Dog Crossing Road, along the entire project frontage. This dedication can be made utilizing record information and need not be based on a current survey of the road.

7. Deferral of Improvements: If the applicant desires to record the Final Map prior to completion of the grading and improvements as shown on the approved grading and improvement plans, the applicant shall enter into an agreement to complete the grading and public improvements; and shall post sufficient surety guaranteeing the construction of all of the improvements, in accordance with the County's Land Use and Development Code and the California Subdivision Map Act. The applicant must supply the County with a cost estimate, prepared by a licensed Civil Engineer, for all improvements shown on the grading/improvement plans. The cost estimate must be approved by the Engineering Division. The County will then prepare an agreement which will require Board of Supervisors approval and will be required to be recorded prior to Final Map approval.
8. Traffic Mitigation Fees: Current traffic impact fees will be required at the time of building permit issuance for any future residences or accessory dwelling units. The following note shall be included on the Supplemental Data Sheet for the Final Map:

“A Road Improvement Fee in accordance with Nevada County Ordinance No. 1829, creating and establishing the authority for imposing and charging a Road Improvement Fee with the unincorporated territory of Nevada County, will be levied at the issuance of building permits for each parcel created by the map, and will be based on the latest fee schedule adopted by the Nevada County Board of Supervisors.”

**PRIOR TO ISSUANCE OF A GRADING PERMIT FOR ANY ROAD IMPROVEMENTS, THE FOLLOWING CONDITIONS SHALL BE SATISFIED OR NOTED ON THE IMPROVEMENT PLANS:**

9. The applicant shall submit to the Department of Public Works for review and approval, an improvement and grading plan prepared by a Registered Civil Engineer; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway/parking lot slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street/parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with County improvement standards.
10. The Road Improvement Plans shall include the following notes:
  - a. All trees to be saved shall be enclosed by a construction barrier placed around the dripline zone of the tree. The construction barrier shall consist of four-foot tall mesh safety fencing in a bright color. The fencing shall be tied to six-foot tall metal poles spaced a maximum of twenty feet apart. Each pole shall be placed with two feet below the surface of the ground.



- b. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer's contractor shall notify both the Building Department and Public Works Department of the intent to begin grading operations. Prior to notification, all grade stakes shall be in place identifying limits of all cut and fill activities. After notification, Building Department and Public Works Department staff shall be provided the opportunity to field review the grading limits to ensure conformity with the approved improvement and grading plans. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.
  - c. The developer shall keep adjoining streets free and clean of project dirt, mud, materials, and debris during the construction period.
  - d. No trucks may transport excavated material off-site unless the loads are adequately wetted and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches to the top of the cargo compartment. Also, all excavated material must be properly disposed of in accordance with the County's Standard Specifications.
  - e. The contractor shall comply with all Occupational Safety & Health Administration (OSHA) requirements.
11. If trees to be removed are 6" or greater in diameter, are classified to be in Group A or B per the California Forest Practice Rules, and are on timberland, the applicant shall obtain one of the following harvest document(s) from the California Department of Forestry and Fire Protection and submit a copy of the approved document to the County:
- a. Less Than 3 Acre Conversion Exemption. Any project with less than 3 acres of land disturbance may qualify (see 14 CCR 1104.1 (a)(2) for conditions).
  - b. Timberland Conversion (PRC4621) and Timber Harvest Plan (PRC.4581). Any project with 3 acres or greater or that do not meet the conditions in 14 CCR 1104.1 (a)(2).
12. (If over 1 acre of disturbed area) The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the County for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the state, to the Building Department.
13. An Improvement Performance Security shall be submitted (if a subdivision improvement agreement is not in place). The amount of the security shall be for the sum of: 1) 100% of the cost of public improvements necessary to restore the public right of way back to existing conditions or the cost of the public improvements, whichever is less; 2) 10 % of the cost of erosion and sedimentation control necessary to stabilize the site; 3) 10% of the cost of tree replacement; and 4) 100% of the cost to address any features which could cause a hazard to the public or neighboring property owners if left in an incomplete state. The minimum security amount shall be \$500.00. The cost estimate shall be provided to the Public Works Department for review and approval as a part of plan submittal. All costs shall include a ten (10) percent contingency.

14. That prior to any work being conducted within the State, County or City right-of-way, the applicant shall obtain an Encroachment Permit from the appropriate Agency.
15. Placement of construction fencing around all trees designated to be preserved in the project.

**PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR ANY RESIDENTIAL OR ACCESSORY UNIT(s), THE FOLLOWING CONDITIONS SHALL BE SATISFIED:**

16. The applicant shall pay Traffic Impact Development fees in accordance with the current Public Works Department Traffic Impact Development Fee Schedule as approved and adopted by the Nevada County Board of Supervisors.

**C. ENVIRONMENTAL HEALTH DEPARTMENT**

**NCDEH has the following Conditions of Approval for this 11-lot subdivision to be completed prior to map recordation:**

1. Proposed lots 7, 8, 10, and 11 as depicted on sheet "C1.1" dated January 2025, shall go through the OSSE process as described in Section A-014 of the Local Area Management Plan (LAMP) in order to designate required MUSDAs. Departmental Findings Reports shall be generated before the OSSE permits are finalized and before the MUSDAs are recorded on the supplemental data sheet. This work is required to be completed prior to map recordation.
2. OSSE permit EH21-0664 shall be finalized by submitting any required pending documents to NCDEH Land Use Division. Please contact the Land Use Division at [landusedivision@nevadacountyca.gov](mailto:landusedivision@nevadacountyca.gov) for any questions on how to bring this permit to conclusion. The associated Departmental Findings Reports are required to be generated prior to map recordation.
3. Provide both a copy of the referenced NID water service agreement, an updated NID "will serve" letter and clarification on exactly which proposed lots will be served treated drinking water from NID. Provide information clarifying exactly which lots will have private water wells drilled and provide to NCDEH information on the feasibility of drilling said water wells.
4. Per the Nevada County Local Area Management Plan (LAMP) and the Nevada County Land Use and Development Code the supplemental map/data sheet recorded concurrently with the final record map must delineate a Minimum Useable Sewage Disposal Area (MUSDA) for each proposed parcel. The MUSDA site shall meet all applicable setback distances and shall be established via the OSSE process listed in Section A-014 of the LAMP. This plot shall be a scaled map or drawing in compliance with Sections 66434 (f), 66434.2, and 66445 (g) of the Subdivision Map Act.
5. Prior to final map approval, the consultant of record must approve the representation of all pertinent soils test locations and the MUSDA locations.

6. The supplemental map shall include the following statement “The MUSDAs represent a 3 bedroom installation. Any larger systems may require additional testing.”
7. The supplemental map/data sheet shall identify easements and other development encumbrances specified in the title report. MUSDA(s) shall:
  - a. Not include any area identified as environmentally sensitive, or otherwise restricted from disturbance.
  - b. Correspond to the approved soil testing, in terms of minimum required area set-aside, and soil test pit and percolation hole locations to be shown at/inside this area, with soil test pits and percolation holes shown and numbered to be consistent with original field reporting.
  - c. Be exclusive of the designated building envelope; where the entire MUSDA is available for sewage disposal.
  - d. Be referenced from the closest survey monument(s), by compass bearing from/to proposed corner and measured distance from/to it.
  - e. Labeled with necessary sewage design-type as characterized by soil testing (gravity standard/special design/ treatment, according to Findings), and reflecting soil, setback and surface feature limitations.

Lots failing to demonstrate adequate MUSDA must be combined with adjacent lots. A field review to verify the adequacy of all proposed MUSDA(s) may - subsequent to data sheet submittal - be required to be field-checked by this department.

8. The Supplemental Data Sheet, to be recorded concurrently with the Final Map, shall bear the statement that “there is no guarantee that sewage can be disposed of on any lot or parcel of the recorded map”.
9. The Supplemental Data Sheet, to be recorded concurrently with the Final Map, shall bear the statement that “there is no guarantee that water is available on any lot or parcel on the recorded map.”

Please be advised of the following land development requirements:

- Permits shall be obtained from NCDEH for any water wells drilled in accordance with Land Use and Development Codes.
- All county setbacks shall be met.

**D. NEVADA COUNTY CONSOLIDATED FIRE DISTRICT**

1. Concurrently or prior to recordation of the map, the developer shall offer for dedication to the Nevada County Consolidated Fire District or its successor, Lot 7, a 4.2-acre parcel, for the use as a future fire station. There is no specific time frame for when or if Nevada County Consolidated Fire District will develop the new fire station. At time of this submittal, the proposed fire station is intended to include the following:
  - Location for engine and equipment storage
  - Quarters for NCCFD personnel
  - Helipad

If Lot 7 is not developed as a fire station, the district may use Lot 7 for another use deemed to benefit the public.

2. Lots 1, 2, and 11 will be required to have one centralized, above-ground water storage tank (or series of tanks) located on Lot 1, totaling 10,000 gallons of water storage for emergency fire suppression purposes. The proposed water storage will be located within 750' of Lots 1, 2, and 11. Prior to map recordation, a separate maintenance agreement shall be established between Lots 1, 2, & 11 to maintain and share responsibility for the proposed emergency suppression water storage on lot 1. Deed restrictions reflecting the maintenance agreement shall be reviewed by Planning and recorded concurrently or prior to recordation of the map.

If required by Nevada County Consolidated, Lot 10 shall also be served by the centralized water storage system and be included on the maintenance agreement described above.

3. A 30-foot fuel break shall be established on lot 3 as shown on the parcel map. This fuel break will be the responsibility of the property owner to complete upon recordation of the subdivision map. A deed restriction requiring the maintenance of the fuel break on Lot 3 shall be provided to Planning and recorded concurrently or prior to map recordation.
4. Parcels 3-6 will be required to maintain a minimum of 200 feet of defensible space from all structures or up to the property line. A deed restriction for these parcels, which states that 200 feet of defensible space will be maintained around the residences, shall be recorded concurrently or prior to map recordation.

**E. NEVADA COUNTY OFFICE OF THE FIRE MARSHAL**

1. Prior to map recordation, the existing structures located on all developed parcels shall comply with the following:
  - a. Vegetation clearance around structures shall meet the minimum requirements of Public Resources Code Section 4291. Structures shall have a maintained Defensible Space/Fuel Reduction Zone by removing, limbing, and/or thinning trees, brush, flammable vegetation or combustible growth no less than 100 feet from structures or to the property line, whichever is closer to prevent the transmission of fire. This is not a requirement to clear all vegetation from the property. Such thinning or removal of vegetation does not apply to individual isolated trees, ornamental shrubbery or ground cover plants unless such vegetation forms a means of rapidly transmitting fire from ground vegetation to canopy trees.
2. The applicant shall contact the Fire Marshal's Office at 530-265-1714 to obtain any additional information needed and to schedule an inspection upon completion of item #1.

**F. NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT**

1. **Mitigation Measure 3A: Reduce emissions during construction.** The following are the minimum recommended mitigation measures designed to help reduce project emissions related to construction, which shall be included as a note on all plans prior to issuance of all grading, improvement, and building permits. In addition to these measures, all statewide air pollution control regulations shall be followed, including diesel regulations (which may be accessed at [www.arb.ca.gov/diesel/diesel.htm](http://www.arb.ca.gov/diesel/diesel.htm)). This note shall be included on the Supplemental Map.
  1. At least 50% of the mobile off-road construction equipment in use at any time on the project shall be equipped with Tier 1 engines (or cleaner).
  2. All architectural coatings shall comply with the California Air Resources Board's 2007 Suggested Control Measure for Architectural Coatings (available at [www.arb.ca.gov/coatings/arch/Approved\\_2007\\_SCM.pdf](http://www.arb.ca.gov/coatings/arch/Approved_2007_SCM.pdf)).
  3. Construction equipment idling times shall be minimized either by shutting equipment off when not in use, or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]) and all construction equipment shall also be maintained and properly tuned in accordance with manufacturer's specifications." Clear signage shall be provided for construction workers at all access points.
  4. The applicant shall use reasonable precautions to minimize dust generation. Reasonable precautions may include watering exposed soils, as well as any stockpiled material, and limiting traffic speeds. Such methods shall be noted on improvement plans prior to approval.

*Timing:* Prior to map recordation and prior to issuance of grading/improvement/building permits  
*Reporting:* Agency approval of the Final Map recordation and future permit issuance  
*Responsible Agency:* Planning Department / NSAQMD
2. **Mitigation Measure 3B: Comply with open burning prohibitions.** Use alternatives to open burning of vegetative material on the project site, unless deemed infeasible by the Air Pollution Control Officer. Treat cleared vegetation by legal means other than open burning, such as chipping, shredding, grinding, use as firewood, and conversion to biomass fuel. Open burning of site-cleared vegetation shall be permitted only upon Northern Sierra Air Quality Management District (NSAQMD) approval of documentation showing alternatives are unobtainable or economically infeasible. Obtain an approval letter from NSAQMD prior to approval of improvement or grading plans for road, driveway or future residential construction indicating the approved method of cleared vegetation disposal. Note such methods on any project plans prior to approval. At no time shall open burning of materials generated by this project occur at another site unless approved in advance by the NSAQMD.

*Timing:* Prior to map recordation and prior to issuance of grading/improvement/building permits  
*Reporting:* Agency approval of the Final Map recordation and future permit issuance  
*Responsible Agency:* Planning Department / NSAQMD
3. **Mitigation Measure 3C: Provide energy-efficient utilities.** Residential improvement plans shall include documentation that they comply with the following measures prior to issuance of building permit. This mitigation shall be included as a note on the Supplemental Map prior to recordation.

1. The project shall use energy efficient lighting (includes controls) and process systems beyond Title 24 requirements where practicable (e.g. water heating, furnaces, boiler units, etc.)
2. The project shall utilize water heating featuring low-NOx water heating burners if electric water heating is not used.
3. The project shall use energy efficient, automated controls for air conditioning beyond Title 24 requirements where practicable.

**Timing:** Prior to map recordation and prior to issuance of the residential building permits

**Reporting:** Agency approval of the Final Map recordation and building permits

**Responsible Agency:** Planning Department / NSAQMD

4. **Mitigation Measure 3D: Limit wood stoves.** The project shall include no more than one wood-fired heat source in any residential unit, which may be a pellet stove or an EPA-certified wood stove, and open fireplaces shall not be permitted within this project. Each residence shall be equipped with a non-woodburning source of heat. This mitigation shall be included as a note on the Supplemental Map prior to recordation and implemented prior to the issuance of residential building permits.

**Timing:** Prior to map recordation and prior to issuance of grading/improvement/building permits

**Reporting:** Agency approval of the Final Map recordation and future permit issuance

**Responsible Agency:** Planning Department / NSAQMD

5. **Mitigation Measure 3E: Mitigate any asbestos discovered during construction.** If serpentine, ultramafic rock or naturally occurring asbestos are discovered during construction or grading, the District shall be notified within 24 hours, and specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations must be strictly complied with.

**Timing:** Prior to map recordation and prior to issuance of grading/improvement/building permits

**Reporting:** Agency approval of the Final Map recordation and future permit issuance

**Responsible Agency:** Planning Department / NSAQMD

6. **Mitigation Measure 3F: Dust Control Plan.** A Dust Control plan shall be required if more than one acre of soil is disturbed at any one time. This mitigation shall be included as a note on the Supplemental Map prior to recordation.

**Timing:** Prior to map recordation and prior to issuance of grading/improvement/building permits

**Reporting:** Agency approval of the Final Map recordation and future permit issuance

**Responsible Agency:** Planning Department / NSAQMD

7. Prior to recordation, a note shall be included on the map stating that any future construction projects less than one acre must adhere with dust mitigation measures in Northern Sierra Air Quality Management District's Rule #226.

8. Prior to recordation, a note shall be included on the map stating that a dust control plan is required if more than one acre of soil is disturbed at any one time.

9. If any existing structures will be demolished, advance demolition notification must be submitted to the Environmental Protection Agency. The form can be found at this website: <https://ww2.arb.ca.gov/our-work/programs/asbestos-neshap-program/asbestos-neshapnotification-renovation-or-demolition> .

**G. NEVADA IRRIGATION DISTRICT**

1. The District and the property owner (Paye) shall complete the water service agreement that would allow service to 7 lots which will front the treated water mainline. Prior to recordation of the map, the agreement shall be finalized and signed.
2. The following note shall be included on the subdivision map and on future improvement plans: Any new construction, bridges, roadways, fences or pipelines (culverts) that involve Nevada Irrigation District facilities will require prior approval and an encroachment permit from the District. If there are any questions concerning the required easements, please contact the District's Right of Way Department at (530) 273-6185.
3. Updated easements are required for any District facilities that traverse the property. Adequate easements will also be required for roads the District has been utilizing to access its facilities. The developer shall provide easements, insured by a title company, for all District facilities prior to recordation of the map. Onsite easements can be provided on the subdivision map, but recordation will be required before facilities within the subdivision can be conveyed to the District. Existing easements shall be shown on the final map. Any offsite easements must be obtained separately, in advance of final District approval of the map.
4. The District does not assume liability or responsibility for the provision or supply of water for fire protection; however, the District has existing treated water infrastructure including hydrants which are available for fire protection. Review of fire flow requirements is not an assumption of liability or responsibility for fire flow design criteria.

**H. CALIFORNIA DEPARTMENT OF FISH & WILDLIFE**

1. Pursuant to Section 21089 of the California Public Resource Code and Section 711.4 et. seq. of the California Fish & Wildlife Code, a fee in the amount of \$2,968.75 must be paid as a condition of filing the Notice of Determination for this project. This fee must be submitted to the Planning Department within 5 days of the permit approval with the check made payable to the County Clerk, County of Nevada. Without payment of this fee, the 30-day Statute of Limitations on court challenges to this project's approved environmental document will remain open, which could affect the permit validity. This fee is required to be collected on behalf of the State Department of Fish & Wildlife, and is subject to change.