

Exhibit B
MITIGATION MEASURES AND CONDITIONS OF APPROVAL
Forest Springs Mobilehome Community Phase IV Expansion
GP13-004; Z13-006; MGT14-003; U13-008 and, EIS13-007

A. PLANNING DEPARTMENT

1. This Use Permit (U13-004) authorizes the use of a 21-acre portion of Assessor's Parcel 23-230-23 to be developed as Phase IV of the Forest Springs Mobilehome Community. Of the 21-acre site, approximately 13-acres will be designated for the use of a Mobilehome Park 62-unit, age-restricted (55 or older) mobilehome spaces. The remaining 8-acres of the site will be designated and retained as open space. This Use Permit approval is predicated upon the approval of the General Plan Land Use Map Amendment (GP13-004) and Rezone Application (Z13-006) by the Nevada County Board of Supervisors. The approved project shall be consistent with the final stamped set of plans which contain the site plan, and associated pages. The final plans shall be kept on file with the Planning Department.
2. Pursuant to the requirements of the Land Use and Development Code, you are hereby notified that this use permit is not valid until the expiration of thirty (30) days from the date of the Board of Supervisors final action on the project Rezone (Z13-006).
3. Construction pursuant to this permit approval must be completed and the use commenced thereon within three (3) years from the effective date of the approval of the Use Permit (U13-006) (i.e. Final Project Action), unless an extension of time for reasonable cause is requested prior to the expiration date, and granted by the Planning Commission pursuant to Section 5.10 of the Nevada County Land Use and Development Code. If no extension is granted, the permit shall become null and void, as to the portion of the approved use not completed.
4. As established by the Nevada County Land Use and Development Code Section L-II 4.2.8, the following lighting standards are required to minimize nighttime light pollution and energy waste:
 - a. All outdoor light fixtures shall be fully shielded to prevent the light source or lens from being visible from adjacent properties and roadways.
 - b. All light fixtures will use high efficiency lamps. High pressure sodium and mercury vapor light fixtures are prohibited.
5. The project shall fully comply with state permitting and construction standards for Mobilehome Parks as required by the California Mobilehome Parks Act (Health and Safety Code, Division 13, Part 2.1). The owner of the Mobilehome Park shall also maintain a valid permit to operation with the Department of Housing and Community Development.

6. The parking area shall be maintained consistent with the preliminary site plan. Parking areas shall be constructed in accordance with the design standards of Section L-II 4.2.9 of the Land Use and Development Code, including surfacing, curbing, slope, drainage, backout area, driveway/aisle widths, and parking stall sizes. A minimum of 27 parking spaces, including disabled parking, shall be provided in substantial conformance with approved site plans and maintained for the life of the project.
 - a. Off-street tandem parking is permitted on each mobilehome space within an area where the Mobilehome Parks Combining District (MH) has been applied.
7. The Final Landscaping Plan shall be maintained consistent with the preliminary landscape plan, with the modifications required by Mitigation Measure 1A to incorporate replacement plantings, and shall comply with the requirements of Sec. L-II 4.2.7 of the Land Use and Development Code. Landscaping shall be provided in accordance with County standards. Prior to issuance of any grading or building permits, the applicant shall submit a Final Landscape Plan, prepared, signed and stamped by a licensed landscape architect, to the Planning Department for review and approval, including the following:
 - a. All details depicted on the preliminary plans (including the substitution of native and drought tolerant species for non-native, water-demanding species) and any modifications included by these conditions of approval; and
 - b. The location of all required plant materials, evenly dispersed within each required planting area (interior parking lot landscaping and residential buffers); and;
 - c. A legend listing the type, number and size of plant materials, indicating both the both the required number and the provided number of each plant type. List plants for each required landscaped area. Include a listing of water usage type, or hydrozone, for each plant type. List plant materials in groupings of trees, shrubs, and ground cover plants. Show both common names and botanical names. Native vegetation must shall be included in all required plantings pursuant to subsection L-II 4.2.7.E.2.b of the Land Use and Development Code; and
 - d. Irrigation plan per subsection L-II 4.2.7.E.3.c of the Land Use and Development Code; and
 - e. A note on the plan, certified by a licensed landscape architect, landscape designer, or horticulturalist, that trees are located on the plan so as to cover 40% of the parking area with tree canopies within 15 years, consistent with Land Use and Development Code Section L-II 4.2.7.E.2.g; and
 - f. A note that “All plantings and irrigation shall be maintained by the property owner and in any case where a required planting has not survived the property owner shall be responsible for replacement with equal or better plant materials.”

Exhibit B - Mitigation Measures and Conditions of Approval
Forest Spring Mobilehome Community Phase IV Expansion Project

- g. Prior to the placement of any Mobilehome units on the project site, the landscape architect/property owner shall verify that all plant materials have been established for said building and parking area(s) pursuant to the approved plan.
- 8. The soundwall to be constructed along the western edge of the project boundary shall be designed and constructed of materials and colors that complement the existing soundwall which was installed by Caltrans as a part of the State Route 49/La Barr Meadows Road Widening Project. The wall shall be extended easterly at the point where it reaches the proposed emergency access road along the southern boundary Lot 52 until it reaches Road 'A'.
- 9. The developer shall provide road names consistent with the policies established by Section L-VII 2.4 of the Land Use and Development Code for the internal roadways within new development prior to the issuance of any grading or improvement permits the developer shall provide road names.
- 10. The 8.3-acres located at the southern portion of the project site shall be retained as open space that shall be maintained by the property owner in accordance with the submitted Fuels Reduction & Open Space Maintenance Plan for Forest Springs Mobilehome Park Phase IV which requires pruning and the creation of defensible space within the open space area, the annual removal of Scotch broom, and erosion control seeding along the stormwater detention swale.
- 11. Prior to placement of any Mobilehome units, the applicant shall contact the Planning Department for a final inspections to verify that all conditions, mitigations measures, and ordinance requirements have been satisfied. Fees for such inspections shall be applicable at the time of request.
- 12. A final set of plans shall be submitted to the Planning Department for review and inspection purposes.
- 13. Payment of all applicable recreation mitigation fees shall be made to the Bear River Recreation and Park District prior to the issuance of any building permits.
- 14. Within 15 days after project approval the applicant shall sign and file with the Nevada County Planning Department an indemnity agreement, in a form approved by County Counsel, which shall be substantially in the form provided below. No further permits or approvals shall be issued for the project, including without limitation a grading permit, building permit or final map approval, unless and until the applicant has fully complied with this condition.
 - a. The applicant shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, and employees to attack, set aside, void, or annul this approval or any prior or subsequent project-related approvals or conditions imposed by the County or any of its agencies, departments, commissions, agents,

officers or employees concerning this project, or to impose personal liability against such agents, officer, or employees resulting from their involvement in the project, which claim, action, or proceeding is brought within the time providing by law, including any claim for private attorney general fees claimed by or awarded to any party from County. The County shall not be required to but may, within its unlimited discretion participate in the defense of any such claim, action, or proceeding in good faith at its own expense. The applicants shall not be required to pay or perform any settlement of such claim, action, or proceeding unless the settlement is approved by the applicants. The applicants' obligations under this condition shall apply regardless of whether any permits or entitlements are or have been issued under this project.

15. Planting of Trees along the Interior of the Sound Wall (Mitigation Measure 1A).

The applicant will submit a revised landscaping plan in accordance with Land Use and Development Code L-II 4.2.7 that includes the planting of the appropriate tree species, to be approved by the Planning Department, along the interior of the sound wall which is at the rear boundary line of mobilehome park spaces 38-52. The tree species shall have a potential height which exceeds the height of the sound wall by a minimum of 5 feet. The required trees may not be removed unless identified by a qualified professional as being in a hazardous condition presenting immediate danger to health and property. The following measures shall be implemented for the landscaping plan:

1. One tree shall be planted at the rear boundary of mobilehome lots 38, 39, 49, and 50.
2. Two trees shall be planted, evenly spaced, at the rear boundary of mobilehome lots 40-48, 51, and 52.

Timing: *Prior to Issuance of the Grading Permits or Improvement Plans*

Reporting: *Approval of the Grading Permit or Improvement Plans*

Responsible Agency: *Planning Department*

16. Avoid Impacts to Nesting Raptors and Migratory Birds (Mitigation Measure 4A).

This project shall avoid impacts to potentially nesting raptors and migratory birds by scheduling such activities for the non-breeding season (March 1– August 31). The following measures shall be implemented to protect nesting birds and shall be noted on the grading and construction plans for this project:

1. Tree removal shall be avoided during the breeding season (March 1 – August 31)

Alternatively, the developer could initiate pre-construction surveys, conducted to verify that the construction zone area and those trees designated for removal do not support nesting migratory birds. In this alternative, the following measures shall be implemented to protect nesting birds and shall be shown on the proposed grading and construction plans for this project:

2. If tree removal must occur during the nesting season, surveys for nesting raptors and migratory birds are required prior to any construction-related activities or other site

disturbances initiated during the breeding season (March 1 – August 31). These surveys should be accomplished within 7 days prior to commencement of grading activities.

3. An additional survey may be required if periods of construction inactivity (e.g., gaps of activity during grading, vegetation removal) exceed a period of three weeks, an interval during which bird species, in the absence of human or construction-related disturbances, may establish a nesting territory and initiate egg laying and incubation.
4. Should any active nests or breeding areas be discovered, a buffer zone (protected area surrounding the nest) and monitoring plan, if needed shall be developed. Nest locations shall be mapped and submitted along with a report stating the survey results, to the Planning Department within one week of survey completion. A qualified wildlife biologist shall monitor the progression of reproductive states of any active nests until a determination is made that nestlings have fledged and that a sufficient time for fledging dispersal has elapsed; construction activities shall be prohibited within the buffer zone until such determination is made.

Timing: Prior to issuance of the Grading Permits or Improvement Plans

Reporting: Agency approval of Permits or Plans

Responsible Agency: Planning Department

17. **Protect Landmark Oak Grove from Construction Impacts (Mitigation Measure 4B).** To avoid accidental harm to the preserved Landmark Oak Grove during construction of the drainage swale, the following mitigation measure shall be implemented during the construction phase of the development:

1. Establish the Landmark Oak Grove and the one identified Landmark Oak Tree as Environmentally Sensitive Areas (ESAs) during construction. The boundary of the oak ESA shall be established as the dripline of the oaks or oak groves and delineated on the ground with temporary construction fencing and shown on all improvement, building and grading permit site plans.
2. Plans and specifications shall clearly state protection procedures for the Landmark Oak Grove that will be preserved on the project site. These specifications should also require contractors to stay within designated work areas. For the construction of the detention swale, an ingress/egress route should be designated for travel by heavy construction equipment moving to and from the site.
3. If possible, do not disturb the Protected Root Zone (PRZ) of trees to be preserved. The PRZ is defined by its "critical root radius," and it is a more accurate measure than the drip line for determining the adequate protection area for trees growing in forests or those with narrow growth habits. To calculate critical root radius, measure the tree's diameter at breast height (DBH), which is 4.5 feet above the ground. Measure in inches, and for each inch, allow for 1 to 1.5 feet of critical root radius. High visibility fencing shall be installed around the PRZ of any tree or cluster of trees with overlapping canopy that are identified on an approved grading plan as needing

protection. Fencing should be four-feet high and bright orange with steel t-posts spaced 8 feet apart. Do not grade, cut, fill or trench within the PRZ.

4. No vehicles, construction equipment, mobile offices, or materials should be parked or located within the Landmark Oak Grove.
5. Soil surface removal greater than one foot shall not occur within the driplines of oaks to be retained. No cuts or trenching shall occur outside of the designated construction area for the detention swale.
6. Soils from the excavation for the detention swale will be removed immediately from the area and not stored within the Landmark Oak Grove.
7. Paving should not be placed within the dripline of oaks to be retained, except for those trees marked for mitigation.
8. No irrigation or ornamental plantings requiring irrigation shall be installed within the Landmark Oak Grove or the perimeter area of the detention swale.

Timing: Prior to issuance of Grading Permit or Improvement Plans

Reporting: Agency Approval of Permits or Plans

Responsible Agency: Planning Department

18. **Mitigation Measure 4C. Management of Landmark Oak Grove.** The developer shall fulfill the recommendations of the March 5, 2014 Management Plan and Addendum for the Forest Springs Mobilehome Community, prepared by Costella Environmental Consulting (MGT14-003). This fulfillment shall be representative of the identified 5-acre Landmark Oak Grove located within the 8.3-acres of designated open space. Said fulfillment shall incorporate the Management Plan (Section 4.1) including active management and fuels reduction, recommended procedure for pruning oak trees, and on-going selective thinning of trees. A qualified biologist shall prepare a report on the success of the On-Site Management Plan and submit a copy to the Planning Department prior to final approval of site grading permits.

Timing: Prior to final of Grading Permits

Reporting: Agency approval of Permits or Plans

Responsible Agency: Planning Department

19. **Oak Tree Replacement (Mitigation Measure 4D).** To compensate for direct, indirect and cumulative impacts to oaks, every black oak tree removed within the identified Landmark Oak Grove and the one identified Landmark Oak to be removed within the development area, shall be mitigated at a ratio of 3:1 through oak tree replacement plantings on Assessor's Parcel 23-230-23 or on a site otherwise approved by the Planning Director. To ensure thorough implementation of this mitigation measure the developer shall submit the following:

1. A revised landscape plan showing the location of the replacement oaks onsite; and

2. A revised, or additional, management plan that provides for the long-term maintenance of the replacement black oaks.

Timing: *Prior to issuance of Grading Permit or Improvement Plans*

Reporting: *Agency Approval of Permits or Plans*

Responsible Agency: *Planning Department*

20. **Replacement Oak Planting Protocol (Mitigation Measure 4E).** The following measures will be taken to ensure the maximum survival rate of replacement black oak tree plantings:

1. Only containerized stock grown from a local nursery will be used for oak tree replacement. Containerized stock must be inspected prior to planting to ensure health; stock determined to be root bound or in poor health will not be used in the planting effort.
2. No replacement oak trees shall be planted within 15 feet of the driplines of existing oak trees on the onsite or offsite mitigation areas, or within 15 feet of a building or other existing development.
3. Planting sites will be identified based on the suitability of the soil, slope, aspect, and micro-habitat. These locations shall be flagged by a certified arborist prior to planting.
4. Plantings shall be made in the late fall or early winter to permit plant establishment in the cool months and maximize survival of the plantings.
5. Water basins made of loose soil shall be built around the outside of the root ball of each planting.
6. Periodic removal of competing vegetation will be required until plantings are well-established. Integrated Pest Management (IPM) removal techniques will be followed, which will typically require that removal be completed manually, unless otherwise approved by the project arborist.

Timing: *Prior to final inspection of Grading Permits or Improvement Plans*

Reporting: *Agency Final of Permits or Plans*

Responsible Agency: *Planning Department*

21. **Implement Noxious Weed Management Measures (Mitigation Measure 4F).** To prevent the inadvertent spread of noxious weeds the following measures shall be implemented:

- a. Flag all populations of Scotch broom with 5 or more plants and show these areas on all improvement, building and grading site plans.

- b. To avoid spreading the seed bank through the contamination of graders and other equipment working within the infestation, the flagged Scotch broom populations should be avoided whenever possible.
- c. If flagged populations of Scotch broom cannot be avoided, the seed contaminated soil will be disposed of in a local landfill according to the guidelines from the local Agricultural Commissioner. To remove the seed contaminated soil, the upper few inches of soil will be scraped within and around the infestation, pile, and covered with heavy duty black plastic to heat-treat the seeds until removed for disposal. Alternatively, seed contaminated soil may be retained onsite to be used on the 13-acres of developed land area with no contaminated soil being used for off-site purposes or within the designated open space.
- d. All vehicles and equipment working in the infested areas shall clean tires, tracks and undercarriages of seed and plant parts before leaving the property.

Timing: *Prior to issuance of Grading Permit or Improvement Plans*

Reporting: *Agency Approval of Permits or Plans*

Responsible Agency: *Planning Department*

22. **Provide Copies of Permit Conditions/Mitigation Measures to Contractors (Mitigation Measure 4G).** To ensure that proper and timely implementation of all mitigation measures contained in this report, as well as the terms and conditions of any other permit, the developer shall distribute copies of these mitigation measures and any other permit requirements to the contractors prior to grading and construction. The contractor or a designated crew supervisor shall be on site during any constructions and shall be completely familiar with the required mitigation measures.

Timing: *Prior to issuance of Grading Permit or Improvement Plans*

Reporting: *Agency Approval of Permits or Plans*

Responsible Agency: *Planning Department*

23. **Pathway Location, Construction and Maintenance (Mitigation Measure 4H).** To ensure that the proposed pathways are located, constructed and maintained in a way to not further impact the Landmark Oak Grove within the designated open space, the following measures shall be implemented:

- 1. Prior to the issuance of any development permits, the developer shall submit a revised Fuels Reduction and Open Space Maintenance Plan with trail location, construction and an ongoing maintenance program for the proposed pathways.
- 2. The proposed pathways shall follow the design guidelines established by the Western Nevada County Non-Motorized Recreation Trails Master Plan. Specifically, the proposed pathways shall meet the design standards for a single-use pedestrian trail.
- 3. Wherever possible, pathways shall be located within existing areas of disturbance. The main portion of the pathway system shall be located within the area of

disturbance that will occur as a result of the construction of the drainage detention swale.

4. If further ground disturbance or tree removal is required as a result of pathway construction, an addendum to the existing Management Plan will be required which may warrant further environmental review.

Timing: *Prior to issuance of Grading Permit or Improvement Plans*

Reporting: *Agency Approval of Permits or Plans*

Responsible Agency: *Planning Department*

24. **Encountering Subsurface Cultural Resources (Mitigation Measure 5A).** All equipment operators and employees involved in any form of ground disturbance shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work 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 and the Native American Heritage Commission be contacted and, 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. A note to this effect shall be included on the grading and construction plans for each phase of this project.

Timing: *Prior to issuance of the Grading Permits or Improvement Plans*

Reporting: *Agency approval of Permits or Plans*

Responsible Agency: *Planning Department*

25. **Discovery of Paleontological Resources (Mitigation Measure 5B).** All equipment operators and employees involved in any form of ground disturbance shall be advised of the remote possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work 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 and the Native American Heritage Commission be contacted and, 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. A note to this effect shall be included on the grading and construction plans for each phase of this project.

Timing: *Prior to issuance of the Grading Permits or Improvement Plans*

Reporting: *Agency approval of Permits or Plans*

Responsible Agency: *Planning Department*

26. Clearing and Grading (Mitigation Measure 6B).

1. Clearing and Grubbing: Areas proposed for fill placement, paved areas, and building pads should be cleared and grubbed of vegetation and other deleterious materials as described below:
 - a. Strip and remove organic surface soil containing shallow vegetation and any other deleterious materials. Organic soil can be stockpiled onsite and used in landscape areas but is not suitable for use as fill. The actual depth of stripping may vary across the site. Areas of deeper organic surface soil may be encountered in drainage swales and low lying areas.
 - b. Over excavate any loose fill, debris and /or other onsite excavations to underlying, competent material. Possible excavations include exploratory trenches, glory holes. Mantles or soil test pits, tree stump holes and abandoned drainage improvements.
 - c. Remove rocks greater than 8 inches in greatest dimension (oversized rock) by scarifying to a depth of 12 inches or to resistant weathered rock, if shallower, in proposed building pads and areas to support pavement, slabs-on-grade, and other flatwork. Oversized rock should be placed in deep fill per the recommendations of the project geotechnical engineer, stockpiled for later use in landscape areas, drainage features, or stacked walls, or placed outside areas of proposed improvements.
 - d. Vegetation, tree stumps and exposed root systems, and any other deleterious materials and oversized rocks not used in landscape areas should be removed from areas of proposed improvements.
2. Preparation for Fill Placement: Upon completion of site clearing, grubbing and over excavation, the exposed native soil should be observed by the project geotechnical engineer prior to placement of fill at the project site. Fill placed on the slopes steeper than 5:1, H:V, should be benched and keyed into the existing slope to allow placement of fill in horizontal lifts.
3. Fill Placement: Fill should be placed according to the following guidelines:
 - a. Material used for fill construction should consist of uncontaminated predominantly granular, non-expansive native soil or approved import soil. Rock used in fill should be no larger than 8 inches in diameter. Rocks larger than 8 inches are considered oversized material and should be placed in deep fill per the recommendations of the project geotechnical engineer, stockpiled for use in landscape areas or rock walls, or removed from the site.
 - b. Imported fill material should be predominantly granular, non-expansive and free of deleterious or organic material.
 - c. Potentially expansive clay soil, if encountered, is typically not suitable for use in building pads or beneath pavements without mitigation. Options to mitigate potentially expansive soil include over excavation and replacement with predominantly granular soil, mixing with suitable material, project specific moisture conditioning and compaction specifications, and the use of mitigative foundation design.

- d. Fill should be uniformly moisture conditioned and placed in maximum 8-inch thick loose lifts (layers) prior to compacting.
 - e. The moisture content, density and relative compactions of fill needs to be confirmed by routine testing and observation during placement.
4. Slope Grading:
- a. Cut and fill slopes should generally be no steeper than 2:1, H:V. Based on our experience in the area, steeper cut slopes gradients will be feasible in areas that have significant rock structure. Steeper cut slope gradients must be verified based on results of laboratory testing and observation of slope conditions. Steeper fill slope gradients may be feasible with the use of geotextile reinforcement, increased compaction specifications, or the use of rock buttressing or facing.
 - b. Fill slopes should be constructed by overbuilding the slope face then cutting it back to the design slope gradient. Fill slopes should not be constructed or extended horizontally by placing soil on an existing slope face and/or compacted by track walking.
 - c. Benching during placement of fill on an existing slope must extend through loose surface soil into firm material, and be performed at intervals such that no loose soil is left beneath the fill.
5. Excavation: Rock outcrops have been observed onsite. These areas of moderately or slightly weathered rock can be difficult to excavate with conventional grading equipment during grading or trenching. Pre-ripping, blasting, or splitting may be required in these areas. The scope of future design-level investigations should include excavation of exploratory trenches along proposed road and utility trench alignments to allow for observation of subsurface soil and rock conditions.

Timing: *Prior to issuance of the Grading Permits or Improvement Plans*

Reporting: *Agency approval of Permits or Plans*

Responsible Agency: *Building Department and Planning Department*

27. **Limits on the Grading Season (Mitigation Measure 6C).** Grading plans shall include the time of year for construction activities. No grading shall occur after October 15 or before May 1 unless the Chief Building Inspector or his/her authorized agent determines project soil conditions to be adequate to accommodate construction activities.

Timing: *Prior to issuance of the Grading Permits or Improvement Plans*

Reporting: *Agency approval of Permits or Plans*

Responsible Agency: *Building Department and Planning Department*

28. **Erosion and Sediment Control (Mitigation Measure 6D).** Prior to issuance of grading permits or improvement plans for all project related grading including road construction and drainage improvements, said permits or plans shall incorporate, at a minimum, the following erosion and sediment control measures:

1. Erosion Control: Best Management Practices (BMP's) for temporary erosion control shall be implemented to control any pollutants that could potentially affect the quality of storm water discharges from the site. Graded portions of the site should be seeded

following grading to allow vegetation to become established prior to and during the rainy season. In addition, grading which results in greater than one acre of soil disturbance or in sensitive areas may require a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be prepared in accordance with California State Water Resources Control Board (SWRCB) requirements and include the implementation of BMP's for Erosion Control, Sediment Control, Tracking Control, Wind Erosion Control, Waste Management and Materials Pollution Control. At minimum, the following controls should be installed prior to and during grading to reduce erosion:

- a. Prior to commencement of site work, fiber rolls should be installed down slope of the proposed area of disturbance to reduce migration of small rocks from the site.
- b. Soil exposed in permanent slope faces should be hydroseeded or hand seeded/strawed with an appropriate seed mixture compatible with the soil and climate conditions of the site as recommended by the Nevada County Resource Conservation District or other local agency.
- c. Following seeding, jute netting or erosion control blankets should be placed and secured over graded slopes steeper than 2:1, H:V, to keep seeds and straw from being washed or blown away. Tackifiers or binding agents may be used in lieu of jute netting.
- d. Surface water drainage ditches should be established as necessary to intercept and redirect concentrated surface waters away from cut and fill slope faces. Surface waters should not be directed over slope faces. The intercepted water should be discharged into natural drainage courses or into other collection and disposal structures.
- e. Geo-fabrics, jutes or other mats may be used in conjunction with revegetation and soil stabilization.

Timing: *Prior to issuance of the Grading Permits or Improvement Plans*

Reporting: *Agency approval of Permits or Plans*

Responsible Agency: *Building Department and Planning Department*

29. **Slope Management Plan (Mitigation Measure 6E).** Based on the presence of steep slopes within the project area, a Management Plan will be required for any ground disturbance that encroaches into slopes exceeding 30%.

Timing: *Prior to issuance of the Grading Permits or Improvement Plans*

Reporting: *Agency approval of Permits or Plans*

Responsible Agency: *Planning Department*

30. **Construction of Noise Barriers (Mitigation Measure 12A).** To comply with the noise criteria that are established by the Nevada County General Plan Noise Element and Land Use and Development Code Section L-II 4.1.7, the following construction practices shall be included in the project design:

1. In order to comply with the 60 dBA Ldn noise level standard, a property line barrier 7-feet in height shall be required along the western property lines of Spaces 42 through 52 (including the parking area), and increasing to 8 feet in height from Spaces 38 through 41.

2. In order to comply with the conditionally acceptable exterior noise level standard of 65 dBA Ldn and block the line of sight to all noise sources, a barrier height of 6 feet shall be required along the remainder of the western property line/project boundary south to Lady Jane Road.
31. **Limits on the Hours of Construction Activities (Mitigation Measure 12B).** To offset the adverse impacts associated improvements including grading, road construction and vegetation clearance on surrounding residential properties, the hours of operation for construction activities shall be limited to the hours of 7:00 am. to 7:00 p.m., Monday through Friday. Grading and improvement plans shall reflect the limited hours of operation.
Timing: Prior to issuance of the Grading Permits or Improvement Plans
Reporting: Agency approval of Permits or Plans
Responsible Agency: Planning Department
32. **Location of Fixed Equipment During Infrastructure Construction (Mitigation Measure 12C).** Fixed construction equipment, including compressors and generators, shall be located as far as feasibly possible from residential properties. All noise-generating tools shall be shrouded or shielded, and all intake and exhaust ports on power construction equipment shall be muffled or shielded.
Timing: Prior to issuance of the Grading Permits or Improvement Plans
Reporting: Agency approval of Permits or Plans
Responsible Agency: Planning Department
33. **Verification of Wastewater Disposal and Treatment Capacity (Mitigation Measure 17A).**
 1. Prior to the issuance of a grading permit for the project, the owner shall obtain the following:
 - a. Written acknowledgement form the Central Valley Regional Water Quality Control Board that an expansion can be completed without updating the Waste Discharge Requirements, or;
 - b. Acknowledgement of a completed Report of Waste Discharge if updated Waste Discharge Permits are required.*Timing: Prior to issuance of the Grading Permits*
Reporting: Approval of Grading Permits
Responsible Agency: Planning Department
34. Fencing along the southern boundary of the project site, located along Lady Jane Road, shall be constructed of a recognized wildlife friendly fencing, such as three strands of barbless wire or a comparable equivalent and shall meet standard building setbacks and requirements as set forth in Sections L-II 4.2.6 of the Land Use and Development Code which shall be reflected on the final approved site plan.

B. BUILDING DEPARTMENT

1. **Mitigation Measure 6A. Determining Presence of Expansive Clay Soil.** The scope of future, design-level geotechnical investigations at the site will include the excavation of exploratory trenches and laboratory testing to determine the presence of potentially expansive soil and derive project specific mitigation.
Timing: Prior to issuance of the Grading Permits or Improvement Plans
Reporting: Agency approval of Permits or Plans
Responsible Agency: Building Department and Planning Department
2. **Closure of Nearby Mining Features (Mitigation Measure 6F).** If onsite mining features are located near proposed development areas, the mining features must be physically closed in accordance with recommendations developed as part of the design-level geotechnical investigation. Shallow mining excavations are typically excavated to reveal underlying competent native soil and rock, and then backfilled with engineered fill. Deeper features are commonly plugged with concrete or foam in accordance with an engineered plan and under the oversight of the Nevada County Building Department.
Timing: During Construction
Reporting: Agency Final of Permits
Responsible Agency: Building Department/Environmental Health Department
2. **Subsurface Drainage (Mitigation Measure 9B).** If grading is performed during or immediately following the rainy season, seepage will likely occur. If groundwater or saturated soil conditions are encountered during grading, it is anticipated that dewatering may be possible by gravity or by temporary installation of sump pumps in excavation.
 1. Control of subsurface seepage at the base of fill areas can typically be accomplished by placement of an area drain. Underlying saturated soil is typically removed and replaced with free draining, granular drain rock enveloped in geotextile fabric to an elevation above the encountered groundwater. Fill soil can be placed over the granular rock. The project geotechnical engineer shall review proposed drainage improvements with regard to the site conditions prior to construction.
Timing: Prior to issuance of the Grading Permits or Improvement Plans
Reporting: Agency approval of Permits or Plans
Responsible Agency: Building Department

C. DEPARTMENT OF PUBLIC WORKS

1. Project applicant shall pay all applicable regional and local traffic mitigation fees.
2. The streets within the Mobilehome Park shall provide adequate vehicular circulation for the development and for the area in which it is located, including adequate width, radii and access for emergency vehicles. All Department of Public Works requirements shall be complied with, including, but not limited to, base and paving improvements.

3. **Surface Drainage (Mitigation Measure 9C).** Proper surface water drainage is important to the successful development of the project. The following measures are typically adopted to reduce surface water drainage patterns:

1. Slope final grade adjacent to structural areas so that surface water drains away from building pad finish subgrades at a minimum 2 percent slope for a minimum distance of 10 feet. Where interior slabs-on-grade are proposed, the exterior subgrade must have a minimum slope of 4 percent away from the structure for a minimum distance of 10 feet. Additional drainage and slab-on-grade construction recommendations will be provided in a design-level geotechnical report.
2. Compact and slope all soil placed adjacent to building foundations such that water is not retained to pond or infiltrate. Backfill should be free of deleterious material.
3. Direct rain-gutter downspouts to a solid collector pipe which discharges flow to positive drainage and away from building foundations.

Timing: *Prior to issuance of grading or improvement permits.*

Reporting: *Approval of the Project Improvement Plans*

Responsible Agency: *Department of Public Works*

4. **Avoid Increased Stormwater Runoff (Mitigation Measure 9D).** Drainage facilities for this project shall utilize County Standard Plans and Specifications and be designed by a registered civil engineer. Onsite storm drainage facilities shall be constructed in substantial compliance with the design and analysis provided in the project specific Revised Preliminary Drainage Report dated December 2014, which is to be kept on file with the Department of Public Works. Additionally, measures shall be incorporated into the improvement plans that reduce the offsite drainage flows to pre-project conditions as any additional net increase in stormwater runoff from the project site is prohibited. Features shall also be incorporated into the plans that minimize the discharge of pollutants in conformance with General Plan Policy 11.6A, which include, but is not limited to, the use of curbs and gutters, and the use of oil, grease and silt traps.

Timing: *Prior to issuance of grading or improvement permits.*

Reporting: *Approval of the Project Improvement Plans*

Responsible Agency: *Department of Public Works*

D. NEVADA COUNTY CONSOLIDATED FIRE DISTRICT

1. Fire hydrants capable of supplying a minimum fire flow of 1,000 gallons per minute will be required. Average spacing between fire hydrants shall be no more than 500 feet.
2. Provide the District for review and approval a traffic plan showing the direction that the traffic flows along with the parking areas and number of vehicles that can park in these areas.

E. NEVADA COUNTY OFFICE OF THE FIRE MARSHAL

1. Approved Address numbers shall be provided for this project in such a manner as to be clearly visible and legible from the street associated with the address. The numbers shall be light reflective and shall sharply contrast with their background, be a minimum of 4 inches in height, and mounted on a non-combustible surface. If the address sign is mounted on a post, the post shall also be non-combustible.
2. In accordance with the Land Use and Development Code Section L-II 4.3.18.C.2, maintenance of vegetation clearance around structures shall meet the minimum requirements of Public Resources Code Section 4291. Structures shall have a maintained fuel reduction zone by removing and clearing away all brush, flammable vegetation or combustible growth no less than 100 feet from structures or to the property line, whichever is closer. Such clearing does not apply to individual isolated trees, ornamental shrubbery or similar plants, which are used for ground cover unless such vegetation forms a means of rapidly transmitting fire from ground vegetation to canopy trees.
3. The gate on the emergency access from Lady Jane Road shall meet the following requirements:
 - a. Gate entrances shall be at least two (2) feet wider than the width of the traffic lanes serving the gate;
 - b. All gates providing access from a road to another road shall be located at least 30 feet away from the primary right-of-way or easement and shall open to allow a vehicle to stop without obstructing traffic on that primary road;
 - c. At no time shall a gate on an emergency access road be locked;
 - d. Standard signage shall be required on all gates on emergency access road: "Emergency Access Only. This Gate Shall Remain Unlocked."
 - e. Pursuant to the enforcement powers established by Section L-XVII 8.3 and 8.4 of the Nevada County Land Use and Development Code, the County, or an agent of the County, reserves the right to remove locks from gated or to remove other encumbrances that inhibit the use of the emergency access road for its intended purpose.

F. CALIFORNIA DEPARTMENT OF TRANSPORTATION

1. No net increase to 100-year storm even peak discharge may be realized within the State's Right-of-Way and/or Caltrans drainage facilities as a result of the project. The developer must maintain or improve existing drainage patterns and/or facilities affected by the proposed project to the satisfaction of the State and Caltrans.

2. Any work or traffic control that would encroach onto the State Right-of-Way requires an encroachment permit issued by Caltrans.

G. NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT

1. **Reduce Short-term Air Quality Impacts (Mitigation Measure 3A).** Prior to the approval of any grading and building permits, to reduce impacts of short-term construction, all future development permits shall comply with the following standards to the satisfaction of the NSAQMD, which shall be noted on all construction plans:
 1. Due to the close proximity of the project to sensitive receptors, alternatives to open burning of vegetation material on the project site shall be used by the project applicant unless deemed infeasible to the Air Pollution Control Officer (APCO). Among suitable alternatives is chipping, mulching, or conversion to biomass fuel.
 2. The applicant shall implement all dust control measures in a timely manner during all phases of project development and construction.
 3. All material excavated, stockpiled or graded shall be sufficiently watered, treated or converted to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.
 4. All areas (including unpaved roads) with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.
 5. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph.
 6. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.
 7. All inactive disturbed portions of the development site shall be covered, seeded or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying non-toxic soil stabilizers to all inactive construction areas.
 8. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance.
 9. Paved streets adjacent to the project shall be swept or washed at the end of each day, or as required to remove excessive accumulation of silt and/or mud which may have resulted from activities at the project site.
 10. If serpentine or ultramafic rock is discovered during grading or construction the District must be notified no later than the next business day and the California Code of Regulations, Title 17, Section 9315 applies.

Timing: *Prior to Issuance of the Grading Permits or Improvement Plans*

Reporting: *Approval of the Grading Permit or Improvement Plans*

Responsible Agency: *Northern Sierra Air Quality Management District*

2. **Dust Control Plan (Mitigation Measure 3B).** Prior to clearing, grading or other soil disturbance, a Dust Control Plan must be submitted to, and approved by, the Northern Sierra Air Quality Management District.

Timing: *Prior to Clearing, Grading or Other Soil Disturbance*

Reporting: *Approval of the Grading Permit or Improvement Plans*

Responsible Agency: *Northern Sierra Air Quality Management District*

H. CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

1. **Obtain Appropriate Stormwater Permit (Mitigation Measure 9A).** The construction and grading permits shall comply with the applicable NPDES regulations. Obtain a General Permit for Storm Water Discharges Associated with the construction activity. Grading plans shall include verification that an NPDES permit, issued by the State Water Resources Board, has been issued for this project. To protect water quality, the contractor shall implement standard Best Management Practices during and after construction.

Timing: *Prior to issuance of the Grading Permits or Improvement Plans*

Reporting: *Agency approval of Permits or Plans*

Responsible Agency: *Central Valley Regional Water Quality Control Board*

J. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

1. Pursuant to Section 21089 of the California Public Resource Code and Section 711.4 et. seq. of the California Fish & Game Code, a fee in the amount of \$2,210.00 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 10 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; it is not for County purposes.

K. NEVADA JOINT UNION HIGH SCHOOL DISTRICT

1. The project applicant shall be responsible for the payment of school mitigation fees pursuant to Government Code Section 53080 or any fees required by state law or District policy.