



AGREEMENT BETWEEN THE CAMBRIA COMMUNITY SERVICES DISTRICT AND THE FRIENDS OF THE FISCALINI RANCH PRESERVE REGARDING THE FISCALINI RANCH LINKING BOARDWALK PROJECT

This Agreement (“Agreement”) is made this 11th day of April, 2024, by and between the Cambria Community Services District (the “District”), a California special district, and the Friends of the Fiscalini Ranch Preserve (“FFRP”), a 501(c)(3) Non-Profit Organization; collectively referred to herein as the “Parties,” and individually as a “Party.”

WITNESSETH:

WHEREAS, the District owns the Fiscalini Ranch Preserve (“Ranch”) and the FFRP is a non-profit organization dedicated to the preservation and protection of the Ranch and holds a permanent conservation easement that protects and restores the natural resources on the Ranch and maintains access as a public trust; and

WHEREAS, the FFRP assists in managing the Ranch for the public by organizing volunteers to remove invasive plants, maintain trails, plant native species to restore natural habitats, improve accessibility, and raises funds from public and private sources for projects on the Ranch; and

WHEREAS, the FFRP has developed a project to establish safe passage between the Bluff Trail and the Marine Terrace Trail on the Ranch (the “Linking Boardwalk Project” or “Project”). The goal of the Linking Boardwalk Project is to improve safety and access with a multi-use trail for walkers and people using wheelchairs, strollers, and electric mobility-assistance vehicles at the Ranch and the FFRP has secured funding, developed design and construction plans, and obtained approvals from San Luis Obispo County for the Project; and

WHEREAS, the FFRP now proposes to build the Project and provide construction management services, at its own expense, and this Agreement is intended to set forth the terms and conditions related to construction of the Project on the District owned Ranch.

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. PROJECT COORDINATION

(a) District. The General Manager will be the representative of the District for all purposes under this Agreement, and the District’s Facilities and Resources Manager is hereby designated the “District Project Manager” and shall coordinate and supervise performance of this Agreement and all aspects of the progress of the Project.

(b) FFRP. The FFRP Executive Director, Kitty Connolly, will supervise the performance of this Agreement and the progress of the Project for the FFRP (the “Project Director”). If circumstances or conditions subsequent to the execution of this Agreement require a substitute Project Director for any reason, then the FFRP will notify the District within ten (10) business days after the substitution.

2. DUTIES OF THE FFRP

(a) The FFRP will be responsible for management of the Project, including the Project schedule, budget, and roles and responsibilities of the FFRP, its contractors and subcontractors and will be solely responsible for payment of all Project costs.

(b) The FFRP will ensure that the Project is constructed in conformance with all permits issued by San Luis Obispo County and any other agency, including, but not limited to, Conditional Substantial Conformance Determination for Project Modification MOD2022-00050 to Minor Use Permit DRC2010-00026 and Permit Number CBLD 2023-00027, and the Plans and Specifications labeled 20230918, consisting of 13 pages, all of which are attached hereto as Exhibits A, B and C, respectively, and are incorporated herein by reference.

(c) The FFRP will retain a licensed contractor to perform construction of the Project and will be fully responsible for all contract payments to the contractor. The FFRP will provide evidence satisfactory to the District of the contractor’s acknowledgement that the District will not be a party to the Project construction contract and has no obligation or liability thereunder. The Project construction contract will require that the contractor provide a faithful performance bond and a labor and materials bond in an amount equal to the contract price, both bonds written by a surety acceptable to the District and in the form prescribed by law.

(d) The FFRP will not permit any lien or encumbrance to be placed on the Ranch, or any Stop Notice to be filed with the District (“Stop Notice”), related to the FFRP’s construction of the Project under this Agreement, including any lien, encumbrance, or Stop Notice filed by the contractor, any other contractor, or subcontractor of the contractor or any other party who may furnish labor or materials for construction of the Project. If the FFRP is informed of the existence of any such lien, encumbrance, or Stop Notice, the FFRP will promptly arrange for the discharge or dismissal of such lien, encumbrance, or Stop Notice by payment, bonding, or otherwise within sixty (60) days after the recording or filing of a lien, encumbrance, or Stop Notice. If the FFRP fails to have any such lien, encumbrance, or Stop Notice discharged or dismissed within that time, then the District at its option may arrange for the discharge or dismissal by payment, bonding, or otherwise, without any obligation to inquire into the validity of lien, encumbrance, or Stop Notice, and the FFRP will indemnify and hold harmless the District for any loss, cost, or expense incurred by the District in having such lien, encumbrance, or Stop Notice discharged or dismissed.

(e) The Project is subject to prevailing wage requirements that are applicable to construction of public projects, pursuant to Labor Code section 1770, et seq.

The FFRP will also observe and comply with all applicable federal, State, and local laws, ordinances, codes, and regulations in the performance of its duties and obligations under this Agreement and will perform all services under this Agreement in accordance with these laws, ordinances, codes, and regulations. The FFRP will defend, indemnify, and hold harmless the District, its directors, officers, agents, and employees from any and all damages, liabilities, penalties, fines, and all other consequences from the FFRP's noncompliance or violation of any laws, ordinances, codes, or regulations in any way related to the Project.

(f) Upon notice from the FFRP that the Project is complete in accordance with the approved plans and specifications, the District will, within ten (10) business days after such notice, perform a final inspection. Upon the District's inspection and decision to accept the work, the District will, no later than seven (7) days from such decision to accept the Project, prepare a letter of final acceptance (the "Acceptance Letter") addressed to the FFRP. The Acceptance Letter shall be deemed the acceptance by the District of the Project and the District's release of the FFRP from further responsibility under this Agreement, except as to any provisions of this Agreement that survive the expiration or termination of this Agreement.

(g) The FFRP will deliver the Project free of all liens and claims and will provide the District executed waivers and releases from the contractor and any subcontractors of all mechanics' liens against the District. Upon delivery of the Project to the District, the FFRP will assign to the District any warranties or guaranties received from its contractor and subcontractors under its contracts with the contractor and subcontractors. The FFRP will also assign to the District the right to any available remedies for latent defects.

3. INSURANCE

The FFRP shall maintain, prior to the beginning of and for the duration of this Agreement, insurance coverage as specified in Exhibit "D," attached hereto and incorporated herein as though set forth in full. FFRP contractors shall maintain, prior to the beginning of and for the duration of this Agreement, insurance coverage as specified in Exhibit "E," attached hereto and incorporated herein as though set forth in full.

4. INDEMNIFICATION.

On April 24, 2003, CCSD granted to FFRP the Deed of Conversation Easement recorded as Document No. 2003076713 by the San Luis Obispo County—Clerk/Recorder. Neither CCSD nor FFRP intend to amend, alter or change in any way the indemnification provisions set

forth within the Deed of Conservation Easement. As application only to this Agreement, the FFRP will defend, indemnify, and hold harmless the District and its officers, agents, and employees from any and all loss, expense, damage, injury, liability, and claims thereof for injury to or death of a person or loss of or damage to property, resulting directly or indirectly from any activity or use under this Agreement, except and to the extent where such loss, damage, injury, liability, or claim is the direct result of any act of or any omission to perform some duty imposed by law or agreement on the District its agents, or employees, or is the direct result of the negligence, gross negligence, or willful misconduct of the District, its officers, agents, or employees. In addition to the FFRP's obligation to indemnify the District pursuant to this Agreement, the FFRP specifically acknowledges and agrees that it has an immediate and independent obligation to defend the District from any claim that actually or potentially falls within this indemnification provision. The obligations of the FFRP to indemnify the District under this paragraph will survive the expiration or termination of this Agreement as to obligations arising during the term of this Agreement.

5. NOTICES

Any notice which either party may desire to give to the other party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by a reputable document delivery service, such as, but not limited to, Federal Express, which provides a receipt showing date and time of delivery, or (iii) mailing in the United States Mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below or at any other address as that party may later designate by notice:

To District: Matthew McElhenie, District Manager
Cambria Community Services District
PO Box 65
Cambria, CA 93428

Copy to: Timothy J. Carmel, District Counsel
Carmel & Naccasha, LLP
694 Santa Rosa Street
San Luis Obispo, CA 93401

To FFRP: Friends of Fiscalini Ranch Preserve
PO Box 1664
Cambria, CA 93438

6. ASSIGNMENT

The FFRP shall not assign the performance of this Agreement, nor any part thereof, without the prior written consent of the District.

7. GOVERNING LAW

The District and the FFRP understand and agree that the laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in the superior or federal district court with jurisdiction over the Cambria Community Services District.

8. ENTIRE AGREEMENT

This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations, and statements, or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

9. CONSTRUCTION

The parties agree that each has had an opportunity to have their legal counsel review this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendments or exhibits thereto. The captions of the sections are for convenience and reference only, and are not intended to be construed to define or limit the provisions to which they relate.

10. AMENDMENTS

Amendments to this Agreement shall be in writing and shall be made only with the mutual written consent of the parties to this Agreement.

11. COUNTERPARTS

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, including signature by facsimile, but all of which shall constitute one and the same instrument.

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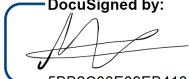
12. AUTHORITY TO EXECUTE THIS AGREEMENT


The person or persons executing this Agreement warrant and represent that he/she has the authority to execute this Agreement and has the authority to bind that party to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed the day and year first above written.

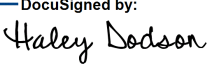
CAMBRIA COMMUNITY SERVICES

FRIENDS OF FISCALINI RANCH PRESERVE

DocuSigned by:

By: _____
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Matthew McElhenie, District Manager


DocuSigned by:

By: _____
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Kitty Connolly, Executive Director

ATTEST:

DocuSigned by:


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Haley Dodson, Confidential Administrative Assistant

Approved As To Form:

DocuSigned by:


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Timothy J. Carmel, District Counsel

EXHIBIT A

Conditional Substantial Conformance Determination for Project Modification MOD2022-00050
to Minor Use Permit DRC2010-00026



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

TREVOR KEITH *DIRECTOR OF PLANNING & BUILDING*

VIA ELECTRONIC MAIL: Brandi Cummings <brandi.cummings@swca.com>

August 12, 2022

SWCA Environmental Consultants
1422 Monterey Street Suite B200
San Luis Obispo, CA. 93401

SUBJECT: Conditional Substantial Conformance Determination for Project Modification
MOD2022-00050 to Minor Use Permit DRC2010-00026 for Cambria Community
Services District.

Dear Ms. Cummings,

This letter relates to the Project Modification Application MOD2022-00050 for Minor Use Permit DRC2010-00026 for Cambria Community Services District. Based on the information provided, the Planning and Building Department has determined that the proposed changes are in substantial conformance with the approved development and County Code Section 23.02.038. A review of the proposed changes and reason for the determination are provided below.

Description of Proposed Changes:

The proposed changes include modification to the previously approved land use entitlement to allow for improvements and additions to the existing trail system on the West Fiscalini Ranch Preserve (FRP) and East FRP, management and restoration of resources on the FRP, and development of a community Park on the East FRP.

Basis for Substantial Conformance Determination:

1. The proposed replacement and relocation of the Meander Trail do not result in any new or increased environmental impacts. The trail replacement and relocation will not increase environmental impacts because:
 - a. The proposed project would not include improvements that would result in more severe impacts to wetlands than those recognized in the 2009 FEIR.
 - b. The proposed trail reconstruction is consistent with identified potential impacts to terrestrial species including American badger and Monterey dusky-footed woodrat. Implementation of pre-construction surveys (BIO/mm-14) would reduce the impact to less than significant, therefore the proposed project is consistent with the 2009 FEIR.
 - c. Implementation of pre-construction surveys (BIO/mm-25 and BIO/mm-26) would reduce the potential impacts to nesting birds from noise to less than significant.

- d. The proposed project would result in approximately 400 square feet of ESHA impacts. The 2009 FEIR requires mitigation for impacts to a wetland habitat at a 2:1 ratio, which would be achieved and exceeded with revegetation of the existing trail.
 - e. The project would not disturb any of the 15 known archaeological sites, and would be subject to a monitoring plan, and the presence of an archaeologist and Native American monitor during all earth disturbing activities to address discovery of any previously unknown subsurface cultural materials.
2. The proposed changes do not result in the need to modify any of the Conditions of Approval.
 - a. The proposed changes are consistent with the approved development as stated in the Conditions of Approval.
 3. The proposed changes do not result in any changes to the project that were specifically considered by the review authority.
 - a. The proposed changes are in conformance with the approved project.

Special Requirements:

The proposed modifications shall comply with all original conditions from Minor Use Permit DRC2010-00026, as well as the following requirements:

1. **Prior to commencing activities**, the applicant shall demonstrate compliance with the Conditions of Approval associated with the Minor Use Permit DRC2010-00026.
 2. **At the time of application for any future construction permits**, this letter and a copy of the Conditions of Approval from the Minor Use Permit DRC2010-00026 (Attachment A) shall be printed on the construction drawings.
 3. **Indemnification**, the applicant shall, as a condition of approval of this land use permit application, defend, hold harmless and indemnify, at his or her sole expense (including attorney's fees, with Counsel approved by the County), any action brought against the County of San Luis Obispo, its present or former officers, agents, or employees, by a third party challenging either its decision to approve this land use permit or the manner in which the County is interpreting or enforcing the conditions of this land use permit, or any other action by a third party relating to approval or implementation of this land use permit. The applicant shall reimburse the County for any court costs and attorney fees that the County may be required by a court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition. Upon request of the County, the applicant shall also enter into a separate agreement with the County (the "Indemnity Agreement"), in a form approved by County Counsel, agreeing to defend, indemnify, save and hold harmless the County, its present or former officers, agents, or employees, against actions by a third party challenging either its decision to approve this land use permit or the manner in which the County is interpreting or enforcing the conditions of this land use permit, or any other action by a third party
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relating to or arising out of the approval or implementation of this land use permit. The agreement shall provide that the applicant will indemnify the County and reimburse it for any costs and/or attorney's fees which the County incurs as a result of such action, and that the County's participation or non-participation in any such litigation shall not relieve the applicant of his or her obligations under this condition or the agreement. The applicant shall also provide sufficient guarantees for the obligations hereunder as determined by County Counsel. Any violation of this condition, including the applicant's failure to execute the Indemnity Agreement or breach thereof, or failure to provide sufficient guarantees, is grounds for the County to rescind and/or revoke its approval of this land use permit. These defense and indemnity obligations shall survive any rescission, revocation and/or set aside of this land use permit.

If you have any questions regarding this determination, please contact me at kmorais@co.slo.ca.us or (805) 781-5136.

Sincerely,

Kip Morais, Planner II



Attachments

Attachment A – Conditions of Approval

Attachment B – Revised Site Plan

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EXHIBIT C - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes implementation of the Public Access and Management Plan and the proposed Community Park Master Plan for the Fiscalini Ranch Preserve (FRP). The project includes:
 - Improvements and additions to the existing trail system on the West FRP and East FRP (see Table A for list of specific trails);
 - Management and restoration of resources on the FRP;
 - Development of a community park on the East FRP.
 - The community park plan includes one sports field (supporting 4 games), a children's playground, dog park, paths, natural areas, and picnic areas.
 - Each proposed trail will be designed for a specific use or multiple uses, including hiking, biking, equestrian, and American Disabilities Act (ADA) accessibility.
 - Restoration projects throughout the FRP, but primarily on the West FRP, including riparian and wetland habitat restoration, bluff and gully stabilization, eradication of weeds and invasive plants, and maintenance of grassland.
 - Signage throughout the FRP to educate and inform the public regarding sensitive natural resources and restoration projects.
 - This Development Plan is a phased project and must be vested within twelve (12) years from the date of approval as further defined in Condition 112. Time extensions past 12 years shall not be granted.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

Services

5. **At the time of application for construction permits**, the applicant shall provide a letter from Cambria Community Services District stating they are willing and able to service the property.

Drainage

6. **At the time of application for any required construction permits**, the applicant shall submit complete drainage plans and erosion and sedimentation control plans for review and approval in accordance with Title 23 of the Land Use Ordinance.

Development Plan DRC2010-00026 /Cambria Community Services District

Mitigation Measures

7. AES/mm-4 Upon application for construction permits from the County, and prior to site disturbance, proposed trail and road design plans shall include the following standards and concepts:
 - a. All boardwalks, bridges, retaining structures, edge stops, railing and other visible features shall be made of natural or natural appearing materials that have low reflective qualities and do not visually contrast with the natural colors of the adjacent landcover.
 - b. All path and access road surfaces, including emergency and maintenance vehicle roads shall match the color of the adjacent native earth. Decomposed granite and polymer surfaces, "all-weather surfaces," American Disabilities Act (ADA) compliant stable surfaces, and compacted imported earth surfaces shall be designed and constructed to match the color of the adjacent soil. This requirement shall also apply to all road-related culverts, rock slope protection, and drainage systems.
 - c. All trail and road design shall minimize grading by following the natural contours of the land as much as possible. Where grading is unavoidable, all slopes shall include slope-rounding to reduce the engineered appearance of the earthwork.
8. AES/mm-5 Upon application for construction permits from the County, and prior to site disturbance, a signage plan shall be prepared, and shall include the following standards and concepts:
 - a. All signs shall be made of natural or natural appearing materials that have low reflective qualities and do not visually contrast with the natural colors of the adjacent landcover. Exceptions shall be made in keeping with applicable ADA and safety standards.
 - b. All signs shall be the minimum size necessary for their intended purpose, in keeping with applicable ADA and safety standards.
 - c. All signs shall be placed in the least visually obtrusive location possible consistent with their intended purpose, without blocking views of the Pacific Ocean or other scenic resources, and in keeping with applicable ADA and safety standards.
 - d. The proposed signage plan shall be developed by the CCSD and Friends of the Fiscalini Ranch Preserve, and incorporated into the Management Plan prior to submittal to the County.
9. AES/mm-8 Upon application for construction permits from the County, and prior to site disturbance to establish the Highway 1 central staging area, the CCSD or its designee shall provide a comprehensive visual impact assessment to the County of San Luis Obispo Department of Planning and Building for review and approval. This plan shall incorporate the following elements:
 - a. Visual screening from Highway 1, location of any structures to minimize views from Highway 1.

Development Plan DRC2010-00026 /Cambria Community Services District

- b. Shielded lighting (if lighting is proposed).
 - c. Appropriate colors and materials consistent with the County of San Luis Obispo Community Plan, County Design Guidelines, and *Public Access and Management Plan*.
10. AES/mm-10 Upon application for construction permits from the County for the community park, the CCSD or its designee shall provide a comprehensive visual impact assessment of proposed buildings and associated structural improvements to the County of San Luis Obispo Department of Planning and Building for review and approval. Proposed structures shall comply with the following performance standards:
 - a. The proposed design shall include elements consistent with the rural character of Cambria.
 - b. Colors and materials shall consist of earthtone, muted colors consistent with surrounding natural vegetation.
 - c. Roof materials shall be non-reflective.
11. AES/mm-11 Upon application for construction permits from the County for the community park, the CCSD or its designee shall provide a security lighting plan showing shielded fixtures and the use of motion sensors. Exterior lighting shall be limited to security lighting on the community center restrooms, bridge, playground, and parking area. All exterior lighting shall be shielded and directed to the ground. All exterior lighting shall not be directed towards the sky, a structure wall, or towards the property boundary.
12. AES/mm-12 Upon application for construction permits from the County to relocate the CCSD water works or County storage yard, the CCSD or its designee shall submit design plans including, but not limited to, the following elements:
 - a. The proposed design shall include elements consistent with the rural character of Cambria.
 - b. Colors and materials shall consist of earthtone, muted colors consistent with surrounding natural vegetation.
 - c. Landscape screening, consisting of native (native to the FRP), drought-tolerant plant and shrub species, shall provide a minimum of 50 percent screening from the park area.
 - d. Stored and stockpiled materials shall be shielded from view by solid fencing and/or native vegetation, or the proposed structures.
13. AES/mm-13 Upon application for construction permits from the County to relocate the CCSD water facility or County storage yard, the CCSD or its designee shall provide a comprehensive Visual Impact Assessment to the County of San Luis Obispo Department of Planning and Building for review and approval.
14. AG/mm-1 Upon application for construction permits from the County of San Luis Obispo for development of the *Community Park Master Plan*, the CCSD or its designee shall submit grading plans incorporating soil capping of potentially productive agricultural soils, where feasible.
15. AQ/mm-1 Upon application for construction permits and prior to site disturbance, a Dust Control Plan shall be prepared and submitted to the APCD for approval prior to commencement of construction activities. The Dust Control Plan shall:
 - a. Use APCD approved BMPs and dust mitigation measures;

Development Plan DRC2010-00026 /Cambria Community Services District

- b. Provide provisions for monitoring dust and construction debris during construction;
 - c. Designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Duties should include holiday and weekend periods when work may not be in progress;
 - d. Provide the name and telephone number of such persons to the APCD prior to construction commencement.
 - e. Identify compliant handling procedures.
 - f. Fill out a daily dust observation log.
16. AQ/mm-3 Upon application for construction permits and prior to site disturbance, the following mitigation measures shall be shown on all project plans and implemented during the appropriate grading and construction phases to reduce PM₁₀ emissions during earth moving activities:
 - a. Reduce the amount of the disturbed area where possible.
 - b. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible.
 - c. All dirt stockpile areas shall be sprayed daily as needed.
 - d. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed (native to the FRP) and watered until vegetation is established.
 - e. All disturbed soil areas not subject to re-vegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - f. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible after initial site grading. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - g. Vehicle speed for all construction vehicles shall be posted to not exceed 15 mph on any unpaved surface at the construction site.
 - h. All trucks hauling dirt, sand, or other loose materials are to be covered or shall maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC § 23114.
 - i. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
 - j. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used when feasible.
 - k. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities.
17. AQ/mm-5 Upon application for construction permits and prior to site disturbance, the applicant shall submit grading plans and a construction schedule demonstrating that soil material would not be moved at a rate more than 53,500 cubic yards (cy) in a quarter or 2,000 cy in a day. If material would be moved at this rate (or greater), the applicant shall implement the following standard APCD mitigation measures for the project's construction equipment:

Development Plan DRC2010-00026 /Cambria Community Services District

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications.
 - b. Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, grader, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with Air Resources Board (ARB) certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
 - c. Maximize to the extent feasible, the use of diesel construction equipment meeting the ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.
 - d. All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas to remind drivers and operators of the 5 minute idling limit.
 - e. Electrify equipment where feasible.
 - f. Substitute gasoline-powered for diesel-powered equipment where feasible.
 - g. Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas (CNG) liquefied natural gas (LNG), propane, or biodiesel.
 - h. Best Available Control Technology (BACT - implementation of DOCs or CDPFs) for construction equipment shall be required and the applicant shall provide the grading amounts and schedule to the APCD Planning Division as soon as they are available so that the appropriate level of BACT can be defined.
 - i. At least 3 months prior to construction, the construction company awarded the contract shall contact the APCD Planning Division (805-781-5912) to coordinate the implementation of this mitigation measure. This company will also provide the APCD with proof that the Standard (a-h above) and BACT mitigation measures have been implemented prior to the start of construction activity. These measures shall be shown on all grading and construction plans prior to issuance of construction permits.
18. AQ/mm-6 Upon application for construction permits and prior to site disturbance, the applicants shall:
- a. Conduct a geologic analysis to ensure the presence/absence of serpentine rock onsite. The geologic analysis shall identify if naturally occurring asbestos is contained within the serpentine rock onsite; and,
 - b. If naturally occurring asbestos is found at the project site, the applicant must comply with all requirements outlined in the Asbestos Airborne Toxic Control Measures (ATCM). In addition, the applicants shall work with the APCD to prepare an APCD-approved Asbestos Health and Safety Program and an Asbestos Dust Control Plan prior to development plan approval. The Asbestos Health and Safety Program and Asbestos Dust Control Plan may include, but is not limited to, the following:
 1. Equipment operator safety requirements: protective clothing, breathing apparatuses to prevent inhalation of airborne asbestos fibers,
 2. Dust mitigation measures: continually water site to prevent airborne dust migration, cover all vehicle that haul materials from the site

Development Plan DRC2010-00026 /Cambria Community Services District

3. Identification of APCD-approved disposal areas for all excavated materials.
 4. If naturally-occurring asbestos is not present, an exemption request must be filed with the APCD.

19. BIO/mm-1 Upon application for construction permits from the County, for site disturbance within jurisdictional areas, the CCSD, or its designee, shall obtain all necessary permits, approvals, and authorizations from jurisdictional agencies. These may include, but may not be limited to: (1) Army Corps of Engineers Section 404 Nationwide Permit or Individual Permit for impacts to Army Corps of Engineers jurisdictional wetlands or other waters; (2) Regional Water Quality Control Board Section 401 Water Quality Certification for discharges "Waters of the U.S." and/or "Waters of the State;" (3) California Department of Fish and Game Section 1602 Streambed Alteration Agreement for activities within the tops of banks or outer edges of riparian canopies (whichever extends furthest from the streambeds) of drainages; (4) U.S. Fish and Wildlife Service consultation; and (5) NOAA Fisheries consultation.

20. BIO/mm-3 Upon application for construction permits from the County, and site disturbance, the CCSD or its designee shall prepare a Storm Water Pollution Prevention Plan (SWPPP) consistent with guidelines, which shall include detailed sediment and erosion control plans consistent with any required Habitat Mitigation Monitoring Plan (HMMP). The SWPPP shall specifically address protection of drainages, and riparian and wetland resources on and adjacent to the project site. Compliance shall be verified by the project environmental monitor through submission of compliance reports.

21. BIO/mm-4 Upon application for construction permits from the County, and prior to site disturbance, all riparian and wetland areas shall be shown on all construction plans. The riparian/wetland areas shown on grading plans shall be based on the field data collected and presented in the Environmental Impact Report or from any subsequent survey work. All riparian vegetation planned for removal shall be specified on construction plans. Except for activities requiring removal of riparian trees and associated understory vegetation that are specified on construction plans, all ground disturbances and vegetation removal shall be prohibited within the outer edge of the riparian canopy of any drainage onsite.

22. BIO/mm-10 Prior to application for construction permits from the County and prior to trail construction in areas known to contain sensitive plant species or native habitats, the CCSD or its designee shall retain a qualified botanist/biologist to conduct focused surveys during the appropriate flowering periods within the specific areas proposed for disturbance. Surveys will focus on those plants and habitats noted as present or as having a high potential for occurrence. Based on the survey results, trail locations shall be altered where possible to minimize disturbance or loss of identified plants and habitats.

23. BIO/mm-13 Prior to application for construction permits from the County and prior to trail construction within sensitive areas, the CCSD or its designee shall ensure that all resources are considered and avoided where feasible. If conflicts arise, the CCSD shall consult with appropriate agencies to resolve the conflicts (e.g., California Department of Fish and Game, California Coastal Commission, Army Corps of Engineers, Office of Historic Preservation, County of San Luis Obispo).

24. CULT/mm-1 Upon preparation of grading and construction plans for the Ridge Trail, Forest Loop Trail, Meander Trail, Creek to Forest Trail, Santa Rosa Creek Trail (west),

Development Plan DRC2010-00026 /Cambria Community Services District

and Creek to Ridge Trail and prior to application for construction permits from the County of San Luis Obispo for these trails, the CCSD or its designee shall submit plans showing the avoidance of known archaeological sites. The plan shall note the boundaries of the site as an "Environmentally Sensitive Area" (ESA), and shall include a 50-foot buffer around the ESA. No grading, storage of materials or equipment, or use of equipment shall occur within the ESA or ESA buffer.

- a. If due to other significant environmental constraints, any known archaeological sites (ESAs) cannot feasibly be avoided, the CCSD or its designee shall retain a County-approved, qualified subsurface archaeologist to conduct a Phase II subsurface survey. The Phase II subsurface survey shall provide recommendations, if necessary, for further study, which may include a Phase III data recovery program. The CCSD or its designee shall implement the recommendations proposed in the Phase II subsurface survey report.
25. CULT/mm-2 Prior to application for construction permits from the County of San Luis Obispo (or prior to approval of final plans by the CCSD) for trail construction on the FRP, the CCSD or its designee shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the County Environmental Coordinator. If a County permit is not required, the plan shall be approved by the CCSD. The monitoring plan shall be integrated with other required site specific monitoring plans and the SWPPP (BIO/mm-1, BIO/mm-2, and BIO/mm-3) and shall include at a minimum with regard to cultural resources:
- a. List of qualified cultural resources personnel involved in the monitoring activities;
 - b. Description of how the cultural resources monitoring shall occur;
 - c. Description of frequency of monitoring (e.g., full-time, part time, spot checking);
 - d. Description of what resources are expected to be encountered;
 - e. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);
 - f. Description of procedures for halting work on the site and notification procedures;
 - g. Description of monitoring reporting procedures.
26. CULT/mm-5 Prior to preparation of grading and construction plans for the Victoria Lane Trail, Wallbridge Trail, and Terrace to Ridge Trail and prior to application for construction permits from the County of San Luis Obispo for these trails, the CCSD or its designee shall submit plans showing the avoidance of known archaeological sites. The plan shall note the boundaries of the site as an ESA and shall include a 50-foot buffer around the ESA. No grading, storage of materials or equipment, or use of equipment shall occur within the ESA.
27. GEO/mm-2 Upon application for construction permits from the County of San Luis Obispo, prior to site disturbance, and during management of the Fiscalini Ranch Preserve (FRP), the CCSD or its designee shall implement the following measures:
- a. Implement soil stabilization and erosion prevention measures identified in the *Public Access and Management Plan* (RRM, 2003) for the Seacliff Gully and portions of the Bluff Trail.
 - b. Plans in conjunction with the Natural Resources Conservation Service (NRCS) shall be developed for the Warren/Trenton Gully.
 - c. The streambank restoration project along Santa Rosa Creek west of Highway 1 shall be monitored and evaluated to determine its effectiveness.
 - d. Additional restoration and bank stabilization efforts within Santa Rosa Creek shall be implemented based on consultation with the Natural Resource Conservation

Development Plan DRC2010-00026 /Cambria Community Services District

- Service (NRCS) or Resource Conservation District (RCD); additional regulatory agency consultation shall be implemented within federal and state jurisdictional areas including the California Department of Fish and Game (CDFG), Regional Water Quality Control Board (RWQCB), and Army Corps of Engineers (ACOE).
- e. Streambank restoration plans shall be developed to control bank erosion on the Santa Rosa Creek east bank upstream of the previously restored bank.
28. GEO/mm-3 Upon application for construction permits to the County of San Luis Obispo, prior to site disturbance, and during management of the Fiscalini Ranch Preserve (FRP), the CCSD or its designee shall implement the following measures:
 - a. Implement soil stabilization and erosion prevention measures identified in the *Public Access and Management Plan* (RRM, 2003).
 - b. If proposed, final design plans for the Creek to Ridge Trail shall demonstrate that the trail alignment is located over less steep areas, and shall include the use of water bars where needed.
 29. GEO/mm-4 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, for development of the Terrace to Ridge Trail and maintenance of the Creek to Ridge Trail, the CCSD or its designee shall implement appropriate construction methods (i.e., avoid saturated areas, install bridges or raised boardwalks, maintain drainage patterns, etc.) where trails cross wet, boggy areas below springs and seeps.
 30. GEO/mm-5 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall prepare trail plans showing the use of boardwalks or engineered base along the trails where severely cracked soils are present. Any asphalt concrete pavement (if proposed) shall be designed with sufficient base material and depth to prevent effects of expansive soils. If construction of boardwalks or engineered base is not feasible, the CCSD or its designee shall prepare and implement a site specific maintenance plan to ensure safe trail surfaces. The plan shall identify the person(s) responsible and schedule for maintenance, and proposed activities for trail improvements.
 31. GEO/mm-8 Upon application for construction permits for the Santa Rosa Creek Trail, and prior to site disturbance, the CCSD or its designee shall implement the following measures:
 - a. Runoff from Highway 1 shall be conveyed away from the Santa Rosa Creek Trail by tightlining a drain pipe to the base of the stream bank.
 - b. For the portion of the trail crossing located under Highway 1, the trail design shall provide adequate head clearance for hikers, and a stable crossing over the rip-rap, pursuant to regulatory and responsible agency requirements, including but not limited to the California Department of Transportation and California Department of Fish and Game.
 32. GEO/mm-9 Upon application for construction permits to implement the *Community Park Master Plan* and prior to site disturbance, the CCSD or its designee shall consult with the County of San Luis Obispo to stabilize the offsite drainage swale in the vicinity of Piney Way. The applicant shall also implement the storm-drain system described in the *Community Park Master Plan Grading and Drainage Concept* (Firma, 2006) to capture runoff from both watersheds in this area and convey runoff across the site to

Development Plan DRC2010-00026 /Cambria Community Services District

Santa Rosa Creek. The condition of the hillside vegetation shall be monitored prior to finalizing plans for the storm-drain system.

33. GEO/mm-10 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall retain a County-approved, qualified geologist to prepare and submit a Probabilistic Seismic Hazard Analysis. The analysis shall determine the design-basis earthquake parameters for the building sites proposed in the *Community Park Master Plan*. Recommendations and requirements presented in the analysis shall be incorporated into construction plans.
34. GEO/mm-11 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall retain a County-approved, qualified geologist to prepare and submit a subsurface investigation of the site. The investigation report shall assess the potential for liquefaction. Building design parameters shall be based on the results of the subsurface investigation. Building foundations shall be founded on competent, native material, not subject to liquefaction.
35. GEO/mm-12 Prior to site disturbance and during management of the FRP, the CCSD, or its designee, shall implement stream bank restoration projects within Santa Rosa Creek. Restoration efforts shall be based on consultation with the Natural Resources Conservation Service and all other applicable resource agencies including the California Department of Fish and Game, Regional Water Quality Control Board, and Army Corps of Engineers.
36. HM/mm-1 Prior to application for construction permits, and prior to site disturbance, the CCSD shall coordinate with the Sheriff's Department to incorporate "Crime Prevention through Environmental Design" standards to the facility and amenity design, where applicable.
37. HM/mm-4 Upon application for a construction permit to develop the community park sports fields, the CCSD shall prepare an Integrated Pest Management (IPM) plan to reduce the need for fertilizers, herbicides, and other chemicals. IPM guidelines are provided by the State Green California Best Practices Manual (www.green.ca.gov). The plan shall include, but not be limited to, the following elements:
 - a. Cultural control, including the selection of disease-resistant plant varieties; proper irrigation, fertilization, and pruning; and planting at the right time of year.
 - b. Physical control, including changing physical conditions (i.e., temperature, light, or humidity) to prevent pest problems, such as using landscape fabric to shade out weeds and pruning dense plants to allow better air circulation and thus prevent disease.
 - c. Mechanical control, including managing pests through manual labor or simple objects, devices, or equipment such as using handheld propane flaming units that cook weeds, installing mowing strips and underlayments, and fastening copper bands around tree trunks or planters to exclude snails and slugs.
 - d. Biological control, including the use of beneficial organisms to reduce pest populations. Beneficial organisms include parasitic insects, and predaceous insects, mites, and spiders; bats; birds; amphibians and reptiles.

Development Plan DRC2010-00026 /Cambria Community Services District

- e. Reduced-risk pesticides don't endanger living organisms or the environment. Ideally, they break down easily, have narrow specificity, do not kill natural enemies, and do not volatilize around people. Examples of reduced-risk pesticides used for landscaping include the microbial insecticide, *Bacillus thuringiensis*, herbicides and insecticides that contain mint or clove oil, potassium bicarbonate for plant mildews, horticultural oil for sucking insects, and if absolutely necessary, spot-sprayed conventional herbicides.
38. HYD/mm-2 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance for development of the East FRP, the CCSD or its designee shall submit preliminary grading and drainage plans incorporating the use of bioswales (or a similar method) to facilitate the flow of stormwater towards Santa Rosa Creek. The bioswales (or similar method) shall include best management practices to avoid erosion and scour, and shall include a method for filtering hydrocarbons, sediment and other potential pollutants from stormwater runoff.
 39. HYD/mm-3 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall submit plans demonstrating that no buildings shall be located within the 100-year flood zone, or that any structures would be located one foot above the 100-year flood zone.
 40. N/mm-2 Upon application for construction permits from the County of San Luis Obispo, the CCSD or project developer shall submit a Noise Reduction Plan prepared by a qualified acoustical consultant for review and approval by the County Planning Department. The Noise Reduction Plan shall include but is not limited to the following standards:
 - a. Limit all phases of construction to the hours of 7:00 AM to 9:00 PM Monday through Friday as required by County ordinance;
 - b. Regular notification of all existing and future residences within 1,000 feet of the site boundary concerning the construction schedule;
 - c. Shield especially loud pieces of stationary construction equipment;
 - d. Locate portable generators, air compressors, etc. away from sensitive noise receptors;
 - e. Limit grouping major pieces of equipment operating in one area to the greatest extent feasible;
 - f. Place heavily trafficked areas such as the maintenance yard, equipment, tools, and other construction oriented operations in locations that would be the least disruptive to surrounding sensitive noise receptors;
 - g. Use newer equipment that is quieter and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer;
 - h. Conduct worker-training meetings to educate and encourage noise awareness and sensitivity. This training should focus on worker conduct while in the vicinity of sensitive receptors (i.e., minimizing and locating the use of circular saws in areas adjacent to sensitive receptors and being mindful of shouting and the loud use of attention drawing language); and,
 - i. Notify surrounding residences in advance of the construction schedule when unavoidable construction noise and upcoming construction activities likely to produce an adverse noise environment are expected. Noticing shall provide phone number of the project manager, construction foreman, and any other pertinent project team members. This notice shall be given one week in advance, and at a minimum of one

Development Plan DRC2010-00026 /Cambria Community Services District

day in advance if anticipated activities have changed (i.e., notice in local publication, temporary signage postings, etc.). Project representative shall verbally notify all surrounding residential owners if one day advance notice is given.

41. N/mm-3 Upon application for a construction permits from the County of San Luis Obispo, the CCSD shall incorporate the following operational standards into the *Community Park Master Plan*:
 - a. All loudspeakers and or amplification of sound shall be prohibited.
 - b. The volume of any event should be limited to the immediate area of the event and shall not exceed a maximum noise level of 70 dBA as measured from the property line.
 - c. The CCSD shall avoid the use of gas-powered turf mowers, and shall encourage the use of electric mowers for turf maintenance.
42. PSU/mm-1 Upon application for construction permits, and prior to site disturbance for trail development, the trail system on the West FRP shall be clearly marked with signs denoting the trail name, number, and mileage from the trailhead to allow visitors to quickly and easily inform responders of their whereabouts in the event of an emergency. Signage shall be developed in accordance with the FRP signage plan, and in consultation with the Fire Chief.
43. PSU/mm-5 Upon application for construction permits and prior to site disturbance for trail development, the FRP sign program shall include signage stating the following, or similar language: "No fire of any kind shall be allowed on the FRP." Signage shall be placed within parking areas and at trailheads informing users of the rules and regulations pertaining to fire related hazards.
44. PSU/mm-7 Upon application for construction permits from the County for the Community Park on the East FRP, the CCSD or its designee shall submit a lighting plan showing the use of security lighting. Parking areas throughout the FRP shall be designed consistent with the County Sheriff's Department publication "Crime Prevention through Environmental Design" (CPTED) where applicable.
45. TC/mm-1 Upon application for construction permits from the County, and prior to site disturbance for trail improvements, the Master Plan shall include the installation of bike racks at selected trailheads at the boundary of the West FFRP to encourage alternative transportation methods. Selected trailheads shall include, but not be limited to, the Bluff Trail, Ridge Trail, Wallbridge Trail, and Santa Rosa Creek Trail.
46. TC/mm-4 Upon application for construction permits from the County, and prior to site disturbance for trail improvements, the Master Plan shall include a parking signage program in consultation with the County Public Works Department. The signage program shall guide visitors regarding appropriate parking, and shall be reviewed for concurrence by the Friends of the Fiscalini Ranch Preserve as part of the FRP signage plan.
47. TC/mm-5 Upon application for construction permits from the County, and prior to site disturbance to implement the *Community Park Master Plan*, the CCSD or its designee shall show the installation of bike racks within the Community Park on construction plans. The bike racks shall be installed upon the first phase of development.

Development Plan DRC2010-00026 /Cambria Community Services District

48. TC/mm-8 Upon application for construction permits from the County, the CCSD shall contribute to the North Coast Road Improvement Fund.
49. WS/mm-1 Upon application for construction permits from the County for development of sports fields, construction of restrooms, and installation of landscaping, and prior to site disturbance, the CCSD or project developer shall prepare plans showing the use of indoor and outdoor water conservation strategies and techniques to help offset the proposed anticipated water demand. These measures include but are not limited to:
 - a. Landscape plans shall show the extent of permeable and impervious landscape materials, the use of low-water use plant materials selected from an approved County plant list, and a landscape irrigation plan indicating the method for achieving low volume, high efficiency irrigation (i.e., drip irrigation systems with automatic controllers and auto rain shut-off devices).
 - b. If natural turf is proposed, the CCSD shall submit plans showing the use of an evaporative control system (or similar method) for irrigation.
 - c. Incorporate use of pit toilets or composting toilets in restrooms, portable restrooms, or closure of restrooms during drought periods.
 - d. Incorporate the use of hand sanitizers to avoid the use of water for restroom sinks.
50. WS/mm-3 Prior to CCSD Board approval of the *Community Park Master Plan*, if onsite wells are proposed for the water source, the CCSD shall identify which wells would be utilized (existing and/or proposed), consistent with the adopted Deed of Conservation Easement.
51. WS/mm-4 Prior to CCSD Board approval of construction plans for implementation of the *Community Park Master Plan*, if onsite wells are proposed for the water source, the CCSD shall develop plans for a new well from riparian water sources on the East FRP. Proposed plans shall be reviewed and approved by the Friends of the Fiscalini Ranch Preserve and State Coastal Conservancy, and the *Management Plan* shall be amended prior to well development. The well shall be designed to avoid stream flow impacts, and plans shall include a sanitary seal to a clay bed below the elevation of the creek bed, at least 20 feet in depth and a minimum of 150 feet from the creek bank. The well shall be pump tested during extended drought conditions (e.g., 75 percent or less of average rainfall for a minimum period of two years) to document whether there would be any potential effects to stream flow from during operation of the well. Use of on-site wells shall be prohibited if tests demonstrate any affect on stream-flow.
52. WS/mm-5 Upon application for construction permits from the County for development of the sports fields, if natural turf is proposed, the CCSD shall demonstrate how recycled water would be treated to ensure that it would not increase the groundwater salinity beyond background concentrations (e.g.; use of low pressure reverse osmosis as part of the recycled water effluent treatment process, onsite infrastructure plans demonstrating how treatment of irrigation water would occur to lower concentrations (250 parts per million) of sodium and chloride). The CCSD shall submit a proposed water monitoring and testing program to be conducted for the life of the project.

Conditions to be completed prior to issuance of a construction permit

Development Plan DRC2010-00026 /Cambria Community Services District

Fees

53. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Drainage

54. **Prior to issuance of any required construction permits**, the applicant shall provide evidence satisfactory to the Department of Planning and Building that the Army Corps of Engineers and the California Department of Fish and Game environmental permits have either been secured or that the regulatory agency has determined that their permit is not required.

Mitigation Measures

55. BIO/mm-2 Prior to construction, the CCSD or its designee shall prepare a project-specific environmental monitoring plan coordinated with mitigation measures within this EIR, and shall provide funding for a qualified environmental monitor for the construction phases of the project to ensure compliance with EIR mitigation measures, and any applicable agency permit conditions. The monitor shall be responsible for (1) ensuring that procedures for verifying compliance with environmental mitigations are followed; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmentally sensitive areas; (5) authority to stop work; and (6) action to be taken in the event of non-compliance. Monitoring shall be at a frequency and duration determined by the affected agencies (e.g., Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game, California Coastal Commission, and the County of San Luis Obispo).
56. BIO/mm-14 Prior to initiation of construction activities, including trail improvements requiring ground disturbance and/or use of heavy equipment, the CCSD or its designee shall retain a qualified biologist to conduct a pre-activity survey for active nests, dens, or burrows. The survey shall be conducted within 30 days prior to proposed site disturbance and construction activities. Results of the survey shall immediately be submitted to the CDFG as necessary. The survey report shall include the date of the survey, methods of inspection, and findings. Disturbance of any active nest, den, or burrow shall be prohibited.
- a. If active burrows of Monterey dusky-footed woodrats are found within proposed development areas during the survey, the biologist shall establish an appropriate buffer area to protect the nest(s). No site disturbance shall occur within the buffer area until a Memorandum of Understanding (MOU) is obtained from CDFG. An alternative to buffer area is to disassemble nests by hand outside of the nesting season (February through September) and allow the woodrats to leave the site.
 - b. If the pre-construction survey finds potential American badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. If a fiber optic scope is not available, occupation of the den can be determined by partially obscuring the den entrance with sticks and leaves to indicate animal passage into and out of the den and dusting the den entrance with a fine layer of dust or tracking material for three consecutive nights and examining the following mornings for footprints. Inactive dens may be excavated by hand with a shovel to prevent re-use

Development Plan DRC2010-00026 /Cambria Community Services District

of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. If badger dens are found on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

57. BIO/mm-16 At least two weeks prior to start of trail or bridge construction within or adjacent to Santa Rosa Creek (within 100 feet), the CCSD shall retain a qualified biologist to conduct pre-construction surveys within the construction areas to determine the presence of special-status aquatic species. In the event that special-status species are observed within the project site, the appropriate agencies shall be contacted for further consultation. If any life stage of steelhead, California red-legged frog, tidewater goby, or Southwestern pond turtle is found and these individuals are likely to be killed or injured by work activities, the approved biologist(s) shall be allowed sufficient time to move them from the site before work activities begin. The biologist(s) shall relocate any steelhead, California red-legged frog, tidewater goby, or Southwestern pond turtle the shortest distance possible to a location that contains suitable habitat that will not be affected by the activities associated with the proposed project. The biologist(s) shall maintain detailed records of any individuals that are moved (i.e., size, coloration, any distinguishing features, photographs [digital preferred]) to assist him or her in determining whether translocated animals are returning to the point of capture. Only United States Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Game-approved biologists working under proper permit authority shall participate in any activities associated with the capture, handling, and monitoring of steelhead, California red-legged frog, tidewater goby, or Southwestern pond turtle.
58. BIO/mm-17 Prior to construction, an approved biologist(s) shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of steelhead, California red-legged frog, tidewater goby, and Southwestern pond turtle and their habitat; the specific measures that are being implemented to conserve the species for the current project; and the boundaries within which the project may be accomplished. Members of the construction crews shall understand all terms, constraints, and special conditions provided by, but not limited to, United States Fish and Wildlife Service, National Marine Fisheries Service, Army Corps of Engineers, California Department of Fish and Game, California Coastal Commission, and Regional Water Quality Control Board. Upon completion of this review and understanding, each construction crew member shall sign a worker training form. This form shall be provided with the completion report upon completion of project construction.
59. BIO/mm-23 Prior to any work within creek channels containing flowing water, a stream diversion and dewatering plan for each stream location shall be prepared and approved by National Marine Fisheries Service, Army Corps of Engineers, and California Department of Fish and Game, and the streambed within the work area shall be dewatered. The form and function of the diversion and all pumps included in the dewatering strategy shall be designed to ensure a dry work environment and minimize impacts to aquatic species. The stream diversion and dewatering effort shall be conducted under the direct and continuous supervision of a qualified biologist to ensure the proper form and function of the diversion.

Development Plan DRC2010-00026 /Cambria Community Services District

60. BIO/mm-25 Prior to construction, if construction activities, use of heavy equipment, or tree pruning or removal are scheduled to occur during the typical bird nesting season (February 15 to September 1) a qualified biologist shall be retained to conduct a preconstruction survey (approximately one week prior to construction) to determine presence/absence for tree-nesting birds within riparian corridors and woodland areas, and ground-nesting birds within annual grasslands onsite. If no nesting activities are detected within the proposed work area, noise-producing construction activities or tree removals may proceed. If nesting activity is confirmed during preconstruction nesting surveys or at any time during the monitoring of construction activities, work activities shall be delayed within 500 feet of active nests until the young birds have fledged and left the nest. In addition, the results of the surveys will be passed immediately to the California Department of Fish and Game, possibly with recommendations for buffer zone changes, as needed, around individual nests. Tree removal shall be monitored for nesting birds and documented by the biological monitor regardless of time of year.
61. BIO/mm-26 Prior to initiation of construction activities, including trail improvements requiring ground disturbance and/or use of heavy equipment, the CCSD or its designee shall retain a qualified wildlife biologist to conduct a pre-activity survey for burrowing owl. The survey shall be conducted within 30-days prior to site disturbance. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. Results of the survey shall be documented in a report and shall include the date of the survey, methods of inspection, and findings. The report shall be submitted to the California Department of Fish and Game (CDFG). If no burrowing owls are found to occupy the site at that time, no further measures would be necessary unless burrowing owls are subsequently observed at the project site, in which case the following mitigation measure would be implemented.

If burrowing owls are found within the area proposed for disturbance, the CCSD or its designee shall immediately contact the CDFG and implement all measures identified in the "Staff Report for Mitigating Impacts to the Burrowing Owl" (CDFG, 1995), and any additional measures required by CDFG. Burrowing owl burrows shall be avoided. No disturbance shall occur within 50 meters of occupied burrowing owl burrows during the non-breeding season (September 1 through January 31) or within 75 meters during the breeding season (February 1 through August 31).
62. CULT/mm-3 Prior to site disturbance, the applicant shall retain a qualified archaeologist (approved by the CCSD and County Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.
63. CULT/mm-7 Prior to site disturbance associated with the Creek to Forest Trail, Santa Rosa Creek Trail (west), and Creek to Ridge Trail, the applicant shall retain a qualified historical archaeologist (approved by the CCSD and County Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Development Plan DRC2010-00026 /Cambria Community Services District

Conditions to be completed during project construction

64. AES/mm-6 All maintenance work within the FRP shall comply with the visual appearance requirements of the various sections of the *Public Access and Management Plan*. Special attention shall be given to paint and finish colors, imported fill and surfacing materials, replacement plants, and soil disturbance.
65. AES/mm-9 During restoration activities associated with the Seacliff gully, all topsoil and fill material used for gully repair and exposed to view shall be similar in color and brightness to the soil of the adjacent native ground.
66. AQ/mm-2 Prior to site disturbance, the applicant shall:
 - a. Obtain a compliance review with the APCD prior to the initiation of any construction activities;
 - b. Provide a list of all heavy-duty construction equipment operating at the site to the APCD. The list shall include the make, model, engine size, and year of each piece of equipment. This compliance review will identify all equipment and operations requiring permits and will assist in the identification of suitable equipment for the catalyzed diesel particulate filter; and,
 - c. Apply for an Authority to Construct from the APCD.
67. AQ/mm-4 During construction, the applicant shall maintain monthly compliance checks throughout the construction phase, verifying that all equipment and operations continue to comply with the APCD requirements.
68. BIO/mm-5 To avoid erosion and downstream sedimentation, and to avoid impacts to aquatic species, no work within or immediately adjacent to on-site drainages (within fifty feet) shall occur during the rainy season (October 15 through April 30), unless authorized by an affected agency (e.g., Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game, California Coastal Commission, and the County of San Luis Obispo).
69. BIO/mm-6 Equipment access and construction shall be conducted from the banks rather than from within creeks and drainages unless approved otherwise by 404/401/1602 permit conditions. No equipment shall be staged and no temporary placement of fill shall occur in creeks and drainages.
70. BIO/mm-7 Soil stockpiles shall not be placed in areas that have the potential for significant runoff during the rainy season. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be on-site at all times during construction. Cleaning and refueling of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to standard Best Management Practices applicable to attaining zero discharge of stormwater runoff. No maintenance, cleaning, or fueling of equipment shall occur within wetland or riparian areas, or within fifty feet of such areas. At a minimum, all project equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.
71. BIO/mm-8 Impacts to wetland or riparian habitats resulting from project construction shall be mitigated through restoration/enhancement of adjacent wetland and riparian areas at a minimum of a 2:1 ratio (two square feet of restored habitat for each square

Development Plan DRC2010-00026 /Cambria Community Services District

foot of disturbed habitat) or greater, or as required by any applicable state or federal permit. Restoration/enhancement shall consist of exotic species removal, revegetation with suitable native species (native to the FRP), and maintenance and monitoring of the enhanced areas per the conditions of agency permits obtained for the project. A Habitat Revegetation and Restoration Plan for the project shall be prepared in consultation with the California Department of Fish and Game and the Army Corps of Engineers. A qualified restoration biologist and/or horticulturalist approved by the CCSD shall be retained by the CCSD or its designee to prepare the Habitat Revegetation and Restoration Plan. The Plan shall include success criteria goals and a five-year monitoring schedule. The qualified biologist shall supervise site preparation, timing, species utilized, planting installation, maintenance, monitoring, and reporting of the revegetation/restoration efforts.

72. BIO/mm-9 Following completion of ground-disturbing activities within or immediately adjacent to riparian or wetland areas, all disturbed and barren areas shall be immediately revegetated with appropriate native vegetation to reduce the risk of erosion, per the requirements of the Habitat Revegetation and Restoration Plan and the Storm Water Pollution Prevention Plan. Areas experiencing temporary disturbance should be replanted with native species that are characteristic of habitats in the project site area.
73. BIO/mm-11 If disturbance of special-status plants or native habitats located on site cannot be completely avoided through design modification, impacts shall be quantified by number of individuals and by area disturbed, and a Rare Plant Mitigation Plan shall be prepared by a qualified biologist that specifically addresses impacts to and appropriate mitigation and conservation measures for those impacts. The Plan shall identify areas on the project site suitable for sensitive species habitat restoration and revegetation, and shall include planting methods, maintenance and monitoring requirements, and success criteria. Depending on the species at issue, measures may include preservation of areas containing significant populations, potential transplanting of individual plants, and plant propagation and revegetation within appropriate on-site habitats. Removal or pruning of Monterey pine trees required for hazard reduction or fire safety purposes shall not require mitigation under this measure, but pruning shall follow accepted procedures to avoid harm to the tree.
74. BIO/mm-12 A qualified biological monitor shall be retained consistent with BIO/mm-2 to ensure that remaining plants and habitats are not inadvertently disturbed during construction activities. Prior to any project-related ground disturbance, all contractors associated with the construction phases of the proposed project shall be trained by the biological monitor on the identification and biology of sensitive plant species and habitats known in the vicinity of the project area. Work areas should also be clearly delineated and flagged to limit vehicular and foot access to only those areas necessary for project completion. These areas should be designated by the biological monitor to avoid/discourage unnecessary damage to sensitive species and habitats within and near the project area.
75. BIO/mm-15 To the extent practicable, construction activities within or adjacent to Santa Rosa Creek (within 100 feet) shall be conducted during the dry season (May 15 through October 15).
76. BIO/mm-18 In order to minimize the possibility of injuring special-status species and other wildlife, herbaceous and small woody vegetation within the project impact area shall be removed by hand with portable motorized equipment (i.e., chainsaws, etc.), prior to the use of heavy equipment or machinery. A qualified biologist shall be on-site to provide clearance for special-status species immediately prior to vegetation removal

Development Plan DRC2010-00026 /Cambria Community Services District

activities. The biological monitor shall have general knowledge of the natural resources of the area and shall also be experienced in the identification of special-status wildlife species (e.g., California red-legged frog, western pond turtle). In the event of a red-legged frog take, the United States Fish and Wildlife Service shall be notified as soon as is reasonably possible. In the event of a steelhead take, National Marine Fisheries Service shall be contacted and the steelhead shall be removed from the project site and kept in a freezer until further direction from National Marine Fisheries Service.

77. BIO/mm-19 The number of access routes, size of staging areas, and the total area of activity shall be limited to the minimum necessary to achieve the project goal. Environmentally Sensitive Areas shall be established to confine access routes and construction areas to the minimum area necessary to complete construction and minimize the impact to steelhead, California red-legged frog, and Southwestern pond turtle habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable.
78. BIO/mm-20 During project activities adjacent to Santa Rosa Creek, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
79. BIO/mm-21 All refueling, maintenance, and staging of equipment and vehicles shall occur at designated locations at least 100 feet from riparian areas. Fueling locations shall have spill containment measures and materials present at all times. The monitor shall ensure contamination of habitat does not occur during such operations. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take shall a spill occur.
80. BIO/mm-22 Project areas disturbed by construction shall be revegetated with an assemblage of native riparian, wetland, and upland vegetation native to the area. Locally collected plant materials shall be used to the extent practicable. Invasive non-native plants within disturbed areas shall be controlled to the maximum extent practicable.
81. BIO/mm-24 To control sedimentation during and after project implementation, the contractor shall implement Best Management Practices (BMPs) outlined in any authorizations or permits issued under the authorities of the Clean Water Act for the project. If BMPs are ineffective, the contractor shall attempt to remedy the situation immediately, in consultation with the environmental monitor and the CCSD.
82. CULT/mm-9 In the event archaeological or historical resources are unearthed or discovered during any construction activities, the following shall apply:
 - a. Construction activities shall cease, and the CCSD or its designee, the County Environmental Coordinator, and County Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist or historian (as applicable), and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the CCSD,

Development Plan DRC2010-00026 /Cambria Community Services District

County Environmental Coordinator, and County Planning Department so proper disposition may be accomplished.

c. Implement CULT/mm-1 through CULT/mm-8 as applicable.

83. GEO/mm-7 Prior to site disturbance and during trail and resource management within the Fiscalini Ranch Preserve (FRP), the CCSD or its designee shall implement the following measures:
- a. Implement Santa Rosa Creek bank stabilization measures identified in the *Public Access and Management Plan* (RRM, 2003).
 - b. Streambank restoration plans shall be developed to control bank erosion on the Santa Rosa Creek east bank upstream of the previously restored bank.
84. HYD/mm-1 During restoration activities within the Seaclift Gully, soil stabilization measures shall be implemented to ensure that sedimentation or debris do not move downstream and reduce the drainage capacity of the 36-inch culvert beneath Windsor Boulevard.
85. N/mm-1 During construction activities, the use of equipment shall be limited to allowed work hours as defined in the existing *County Noise Ordinance*, 7:00 A.M. to 9:00 P.M. (Monday through Friday) and 8:00 A.M. to 5:00 P.M. (Saturday and Sunday).

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

86. AES/mm-7 Upon implementation of the *Public Access and Management Plan*, short-term actions of phased improvements shall include the following concept:
- Install and maintain visual screen planting where feasible at areas identified in the *Management Plan* and subsequent visual assessments as areas likely to require screening in the future.
87. BIO/mm-27 For the life of the project, no vehicular parking shall be allowed on the Fiscalini Ranch Preserve, with the exception of: existing American Disabilities Act (ADA) parking located at the northern terminus of the Marine Terrace Trail / Bluff Trail; the existing turn-out at the Highway 1 staging area; parking included in the approved Community Park Master Plan on the East Fiscalini Ranch Preserve; and, maintenance and emergency vehicles and equipment.
88. CULT/mm-4 Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the CCSD and County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
89. CULT/mm-6 Upon implementation of proposed trail and amenity improvements, the CCSD or its designee shall implement a sign program for the protection of environmental resources. Signage shall include the following, or similar, language: "Please stay on designated trails. Disturbance of sensitive biological habitats and collection of artifacts such as arrowheads, old bottles, and other materials is extremely damaging". At a minimum, signage shall be placed at trailheads.

Development Plan DRC2010-00026 /Cambria Community Services District

90. CULT/mm-8 Upon completion of all monitoring/mitigation activities, the consulting historical archaeologist shall submit a report to the CCSD and County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
91. GEO/mm-1 Any additional improvements or additions to the Bluff Trail shall be set back from the bluff top a minimum of 25 feet based on site investigations, Coastal Commission and San Luis Obispo County Department of Planning and Building requirements and guidelines, and to the extent feasible considering protection of wetland resources.
92. GEO/mm-6 The CCSD shall create a plan for evacuation based on the NWS warning guidance and the San Luis Obispo County *Tsunami Emergency Response Plan*. In the event of an anticipated tsunami, the CCSD or ranch manager shall post NWS warnings at each trailhead.
93. HM/mm-2 To reduce the potential for wildland fire, the CCSD shall implement the Fire Management and Prevention strategies included in the Management Plan, including, but not limited to:
 - a. Creating a defensible zone of 50-300 feet adjacent to the Lodge Hill neighborhood;
 - b. Prohibiting smoking and fires of any kind within the FRP;
 - c. Clearing dead standing trees, dense underbrush and tree limbs up to six feet above ground;
 - d. Posting red flags at staging areas to warn visitors to be careful extra vigilant periods of high fire hazards; and,
 - e. Coordinating all ranch maintenance activities with the CFD.
94. HM/mm-3 Prior to operation of the community park, the CCSD shall submit a Hazardous Materials Business Plan to the County Division of Environmental Health.
95. PSU/mm-2 Trails proposed for emergency access, including the Marine Terrace Trail and Santa Rosa Creek (West) Trail shall be maintained to ensure function and emergency access throughout the FRP.
96. PSU/mm-3 The Cambria CSD Fire Department shall use existing vehicles and trucks capable of carrying rescue personnel and their equipment as well as individual victims, throughout the FRP.
97. PSU/mm-4 Immediately following use of an emergency vehicle on non-emergency access roads on the FRP, the FRP manager shall inspect the trail and implement erosion control measures and site restoration as necessary.
98. PSU/mm-6 The Cambria CSD Fire Department shall continue to engage in annual fuel reduction activities, especially in the urban/wildland interface areas on the north and boundaries of the West FRP, as outlined in the *Public Access and Resource Management Plan*.
99. PSU/mm-8 Turn-outs and other areas not approved for vehicle parking shall be appropriately signed to inform visitors of the no camping and no parking limitations of the FRP.

Development Plan DRC2010-00026 /Cambria Community Services District

100. PSU/mm-9 During management of the FRP, the CCSD or ranch manager shall monitor trash quantity and determine if additional trash and recycling receptacles and trash pick-up days are necessary. Trash receptacles shall be placed at major trailheads at the boundary of the ranch, and adjacent to all parking areas.
101. TC/mm-2 The CCSD or FRP Manager shall continue to coordinate with the Cambria Trolley service to determine appropriate days of service and trolley stop locations on and in the immediate vicinity of the West FRP.
102. TC/mm-3 Upon preparation of informational publications regarding the West FRP, the CCSD shall include a description of and encourage alternative transportation methods to access the FRP, including trolley stops, bicycle routes, and pedestrian walkways.
103. TC/mm-6 During operation of the sports fields, the CCSD shall implement a field rotation program. The program shall ensure that during organized sporting events, no more than four sports fields are in operation at one time.
104. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection / establishment of the use. If bonded for, landscaping shall be installed within 60 days after final building. All landscaping shall be maintained in a viable condition in perpetuity.
105. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
106. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

Roads

107. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.
108. **On-going condition of approval (valid for the life of the project)**, the CCSD shall be responsible for operation and maintenance of public road frontage sidewalks, landscaping, street lighting, parking lots and pedestrian amenities in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by another public agency.
109. **On-going condition of approval (valid for the life of the project)**, Individual traffic impacting improvements (not limited to but including: parking lots, parking spaces, pedestrian amenities alongside roadways), shall require a Traffic Engineer's Report to establish necessary mitigations unless waived by the County Public Works Director.

Fees

110. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the

Development Plan DRC2010-00026 /Cambria Community Services District

Department of Public Works the appropriate North Coast Road Improvement Fees for each future building permitted in the amount prevailing at the time of payment.

Drainage

111. **On-going condition of approval (valid for the life of the project)**, the project's various developments shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Equestrian usage

112. A. Equestrians are limited by the Management Plan to using the following trails: Marine Terrace (2), Ridge (3), Creek to Forest (7), West Santa Rosa Creek (8), and Creek to Ridge (9) Trails. The number of equestrians using the Fiscalini Ranch Preserve cannot exceed 6 per day not to exceed 12 per week. Equestrians shall not ride in the creek or within riparian areas. There shall be no off trail riding or crossing beneath Highway 1. All trails shall include signage to notify users of these restrictions.
- B. The applicant shall submit for Planning Department approval a revised trail plan consistent with the changes as shown on exhibit D presented at the Planning Commission hearing.
- C. County approved barriers shall be installed on either side of Santa Rosa creek to prevent equestrian use in the creek.

General

113. Annual monitoring reports shall be submitted to the County Planning Department consistent with the mitigation measures.
114. CCSD will provide adequate timely notification to the County and the public before projects commence by including them on the CCSD Board of Directors agenda.
115. This land use permit is a phased project as described in condition 1. The land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed within the time period outlined in Condition 1. In this case, this land use permit is considered to be vested once one of the projects (not listed as "complete") from Table A is implemented and constructed.
116. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

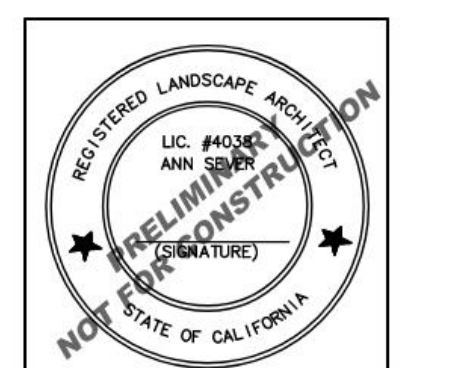


CONCEPTUAL ADA PATH NOTES

1. THE ALIGNMENT AND ELEVATIONS SHOWN ARE SUITABLE FOR CONCEPTUAL EVALUATION AND WILL NEED ADJUSTMENTS WHEN CONSTRUCTION DRAWINGS ARE PREPARED BASED ON SURVEYED TOPOGRAPHY.
2. TOPOGRAPHIC INFORMATION SHOWN WAS PROVIDED BY OTHERS BASED ON A GPS DRONE FLIGHT AND IS NOT BASED ON SURVEY.
3. THIS CONCEPTUAL LAYOUT ASSUMES THAT THE BOARDWALK WILL BE CONSTRUCTED ABOVE OF THE EXISTING GRADE AND THAT EXISTING DRAINAGE PATTERNS WILL BE MAINTAINED BELOW THE BOARDWALK.
4. THE MAJORITY OF THE NEW BOARDWALK WILL BE APPROXIMATELY 12" ABOVE GRADE EXCEPT WHERE IT MEETS WITH THE EXISTING GRAVEL FIRE ROAD AND WHERE NOTED ON THE PLAN.
5. THE DETAIL BELOW IS TO ASSIST IN DEFINING THE CONCEPT USED IN DEVELOPING THE BOARDWALK LAYOUT.
6. THE ESHA AREAS DISTURBED BY THE BOARDWALK (APPROXIMATELY 400 SQ FT) WILL NEED TO BE MITIGATED FOR. IT IS ASSUMED THAT AREAS IN THE EXISTING DIRT PATH THAT IS BEING ABANDONED WILL SERVE AS MITIGATION AREAS.
7. THE TOTAL LENGTH OF THE CONCEPTUAL BOARDWALK IS APPROXIMATELY 1,070-FEET AND THE WIDTH IS 6-FEET.
8. TO MEET ADA REQUIREMENTS THE BOARDWALK MUST BE A MINIMUM OF 4-FOOT CLEAR WIDTH, AND CONSTRUCTED OF SURFACING THAT MEETS CALIFORNIA ACCESSIBLE STANDARDS, INCLUDING:
 - FIRM AND UNYIELDING
 - SLIP RESISTANT
 - HORIZONTAL GAPS LESS THAN 1/2-INCH MAXIMUM IN THE DIRECTION OF TRAVEL
 - VERTICAL STEPS BETWEEN PLANKS LESS THAN 1/4-INCH
 - DIRECTION OF TRAVEL SLOPE NO MORE THAN 4.5%
 - CROSS SLOPE NO MORE THAN 1.5%
9. REFER TO THE FISCALINI RANCH MANAGEMENT PLAN FOR THE OVERALL SITE ACCESSIBILITY PLAN.



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 SURVEYING / GIS SOLUTIONS
 WATER RESOURCES



SIGNATURE _____
 DATE SIGNED _____

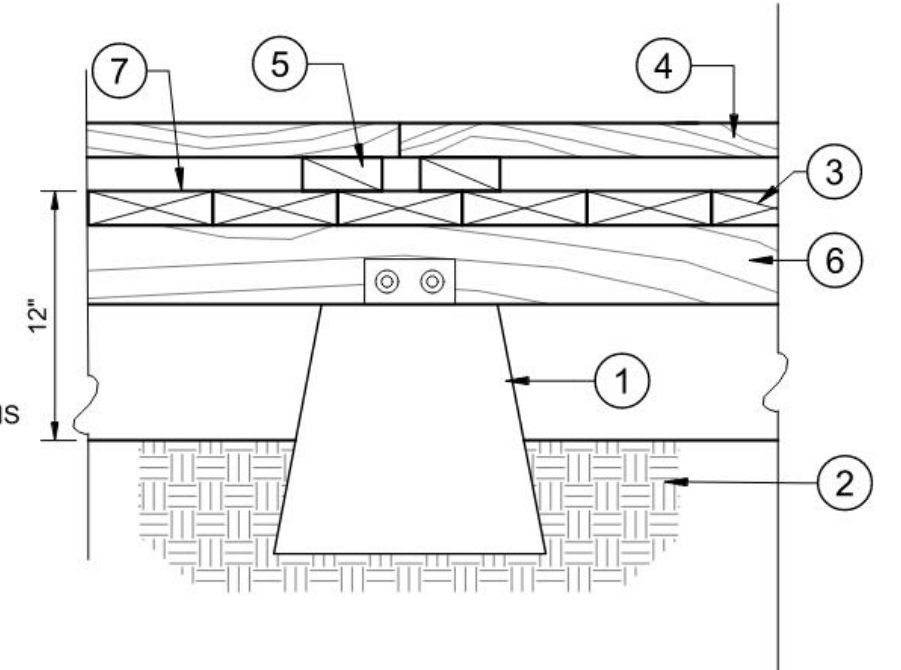
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SITE DEVELOPMENT

SYMBOL	NOTES	QTY
	EXISTING ESHA AREA - BIOLOGIST MAPPED	310,214 sf

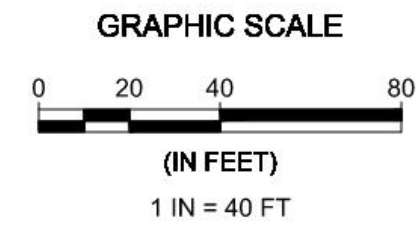
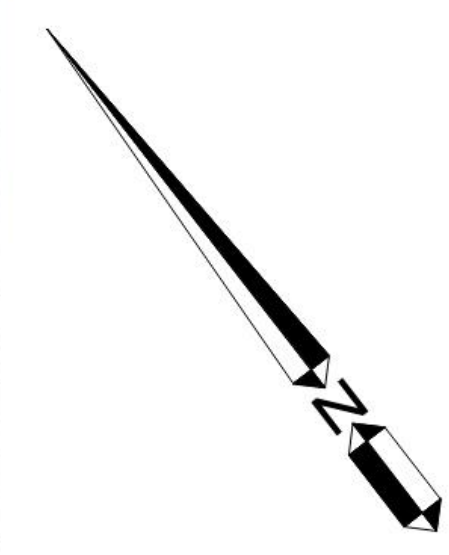
LEGEND

- 1 11" TALL CONCRETE PIER - BURY 5" INTO EXISTING GRADE
- 2 EXISTING GRADE, MINIMIZE DISTURBANCE
- 3 2X6 DECKING, REFER TO MATERIALS SCHEDULE AND PLANS
- 4 2X4 RAIL LOCATE ALONG OUTSIDE EDGES OF BOARDWALK
- 5 2X4X4 BLOCK - ONE EACH END OF RAILS
- 6 4x4 BEAM @ 36" O.C. MAX., PRESSURE TREATED DOUGLAS FIR
- 7 WALKING SURFACE OF BOARDWALK



- NOTES:
 A. ALL DECKING TO BE SECURED WITH HIDDEN FASTENING SYSTEM.
 B. ALL HARDWARE SHALL BE HOT-DIPPED GALVANIZED
 C. REFER TO PLAN FOR BOARDWALK DIMENSIONS
 D. NOMINAL DIMENSIONS ARE INDICATED FOR FINISH LUMBER BASED ON U.S. LUMBER SIZES. SUBMIT SHOP DWGS. TO MEET DESIGN REQUIREMENTS SHOWN USING LUMBER SIZES EQUIVALENT TO OR STRONGER THAN U.S. LUMBER SIZES SUCH AS REDWOOD OR CEDAR

1 12" RAISED BOARDWALK
 1 1/2" = 1'-0"
 063016.13-04



**FRIENDS OF THE FISCALINI RANCH
 ADA CONNECTOR BOARDWALK
 CONCEPTUAL LAYOUT**

JOB #: 1659-0001
 DESIGNER: CAC
 DRAWN BY: EAS
 DATE: 10/8/2021
DRAWING NO.
 L-1
 1 OF 1 SHEETS

EXHIBIT B

Permit Number CBLD 2023-00027





COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
PLAN REVIEW SUMMARY
CBLD2023-00027, SUBMITTAL #1 (PLAN CHECK, COMMERCIAL BUILDING)

PLAN REVIEW STATUS: **Requires Re-submit** **PRINT DATE:** 09/13/2023

APPLICANT: CAMBRIA COMMUNITY SERVICES DISTRICT **OCCUPANCY:** U Utility/Misc Structures

FIRE SPRINKLERS: N/A **CONSTRUCTION TYPE:** V-B

SEISMIC DESIGN: N/A **FIRE SEVERITY ZONE:** N/A

WASTE WATER: N/A **NUMBER OF STORIES:** N/A

DESCRIPTION: Commercial New Structure, Bridge

BOARDWALK FOR "FISCALINI RANCH PRESERVE" (1215 LF) ABANDON PORTION OF EXISTING EARTHEN TRAIL, WITH ACCESSIBILITY

Applicable Ordinances and Codes

County Building and Construction Ordinance - Title 19
County Land Use Ordinance - Title 22
2022 California Code of Regulations Title 24

County Coastal Zone Land Use Ordinance - Title 23
County Fire Code Ordinance - Title 16

Instructions

- Please refer to the following plan review comments for items requiring changes or clarification. This list includes comments from all applicable reviewing agencies. This may not be a complete list of comments, depending on the level of completeness of the submitted plans - incomplete plans may generate additional comments upon resubmittal. All changes to the plans shall be "cloud and delta".
- The initial building plan review fee covers the costs of Submittal #1 and Submittal #2. If further comments are required on Submittal #3 or further subsequent reviews, additional plan review fees will be charged at the current adopted fee for plan review per hour until the plans are ultimately approved.
- Indicate if you have made any design changes to your original plans that are **NOT** a result of the following comments on this list (check one):

YES* NO

***If YES, complete a "Change Order to Permit Application" form.**

Planning Reviewers

Planning Review

For questions, please contact Ana Luvera at aluvera@co.slo.ca.us or 805-781-5600

1. See comments.

Pursuant to the approved Modification letter MOD2022-00050, Special Requirement item 2., please include a copy of the approved Modification Letter printed on the construction drawings (not attached).

This is the only outstanding correction item at this time, however, please refer to the planning conditions which requires prior to issuance of the permit that the indemnification condition be implemented between the County and Applicant.

Conditions of Approval

Legend - Description of Letter Code in Condition Title

C = Due at or before the plan correction return **I** = Due at or before permit issuance **S** = Required at or before foundation inspection
R = Required at or before framing inspection **F** = Required before final inspection

Prior to Corrections

Status

BLD-Floor Plan for Assessor-C

NOT MET

The scale copy shall be in sufficient detail to allow the assessor to determine the square footage of the building and, in the case of a residential building, the intended use of each room. Any change orders made during the construction process, which require the submittal of a plan set by the property owner, require a copy to be provided to the Assessor.

BLD-P.W. Stormwater Waiver-C

NOT MET

This project is subject to post-construction stormwater requirements (PCRs) due to its location within an MS4 storm water management area. However, < 2,500 sf of impervious area added or replaced.

Please fill out and sign the Public Works PCRs Waiver Request Form. You may find the form on our website: (<https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Development-Services/Drainage,-Flood,-And-Stormwater.aspx>)

You may email the completed form to Christina Hinson at Public Works (chinson@co.slo.ca.us) to satisfy this condition.

BLD-Consent of Owner-C

MET

Written consent of the land owner or proof of ownership is required prior to issuance of permit.

Note: A copy of the property owner's driver's license, form notarization, or other acceptable verification is required to be presented when the permit application is submitted to verify the property owner's signature.

Prior to Issuance

Status

BLD-Biological Easement-I

NOT MET

Prior to Issuance**Status**

Please disregard stock condition name "BLD-Biological Easement - I Prior to issuance", the Indemnification Condition shall be implemented between the County and the Applicant.

3. Indemnification, the applicant shall, as a condition of approval of this land use permit application, defend, hold harmless and indemnify, at his or her sole expense (including attorney's fees, with Counsel approved by the County), any action brought against the County of San Luis Obispo, its present or former officers, agents, or employees, by a third party challenging either its decision to approve this land use permit or the manner in which the County is interpreting or enforcing the conditions of this land use permit, or any other action by a third party relating to approval or implementation of this land use permit. The applicant shall reimburse the County for any court costs and attorney fees that the County may be required by a court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition. Upon request of the County, the applicant shall also enter into a separate agreement with the County (the "Indemnity Agreement"), in a form approved by County Counsel, agreeing to defend, indemnify, save and hold harmless the County, its present or former officers, agents, or employees, against actions by a third party challenging either its decision to approve this land use permit or the manner in which the County is interpreting or enforcing the conditions of this land use permit, or any other action by a third party relating to or arising out of the approval or implementation of this land use permit. The agreement shall provide that the applicant will indemnify the County and reimburse it for any costs and/or attorney's fees which the County incurs as a result of such action, and that the County's participation or non-participation in any such litigation shall not relieve the applicant of his or her obligations under this condition or the agreement. The applicant shall also provide sufficient guarantees for the obligations hereunder as determined by County Counsel. Any violation of this condition, including the applicant's failure to execute the Indemnity Agreement or breach thereof, or failure to provide sufficient guarantees, is grounds for the County to rescind and/or revoke its approval of this land use permit. These defense and indemnity obligations shall survive any rescission, revocation and/or set aside of this land use permit.

BLD-CWMP-Recycling Review-I**NOT MET**

A Construction Waste Management Plan will need to be submitted for your project, 75% of your construction waste will need to be recycled at an IWMA approved facility or provide the detailed Form for recycling.

BLD-Owner/Builder Verification-I**NOT MET**

Owner must read the Owner/Builder Notice, complete and submit the Owner/Builder Verification Form PRIOR to permit being issued - UNLESS the permit is being issued to a licensed contractor.

BLD-Verify Contractor's License-I**NOT MET**

Verify Contractor's License-I

Prior to Final**Status****BLD-CWMP Recycle Compliance-F****NOT MET**

PRIOR to the final building inspection, the permittee must provide documentation to show compliance with the 75% recycling requirement. To avoid delaying Final Approval, submit ORIGINAL waste handling and recycling receipts at least 7 working days prior to requesting a Final Inspection. Questions may be directed to Michael Byrd at (805) 781-1537. Failure to provide all receipts or to achieve the 75% recycling requirement will prevent the finaling of your project. You can email the receipts to pl_building-recyclingreceipts@co.slo.ca.us. Please be aware they will need to be readable, clear, and preferably in PDF format, otherwise a printed copy will be needed. Printed copies may be mailed or hand delivered to 976 Osos St., RM 300, San Luis Obispo, CA 93408. Permit number must be included, or receipts will be discarded.

BLD-Dev. Review Inspection-F**NOT MET**

Prior to final building inspection, the applicant shall demonstrate compliance with the conditions of approval associated with MUP DRC2010-0026 as well as the approved MOD, MOD2022-00050, special requirements 1-3 including the Indemnification requirement. Compliance can be demonstrated through a combination of documentation that conditions/mitigation measures have been completed (i.e., pre-construction surveys, proof of contracts with qualified individuals, completion reports, as well as providing pre and post photos to the project planner, Ana Luvera, via email at aluvera@co.slo.ca.us demonstrating compliance with the land use entitlement/permit conditions of approval and any mitigation measures, and with the approved project plans. An in-person site inspection by the project planner may be deemed necessary if site compliance cannot be determined from site photos and other support materials supplied by the applicant/agent/contractor.

EXHIBIT C

Plans and Specifications labeled 20230918



FISCALINI RANCH PRESERVE LINKING BOARDWALK

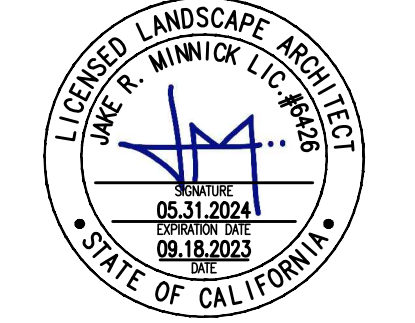
CAMBRIA, CA



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design
group

rrmdesign.com | (805) 543-1794
3765 SOUTH HIGUERA STREET, SUITE 102
SAN LUIS OBISPO, CA 93401

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PROJECT DIRECTORY

OWNER
Cambria Community Services District
1316 Tamsen Street, Suite 201 Phone: (805) 927-6220
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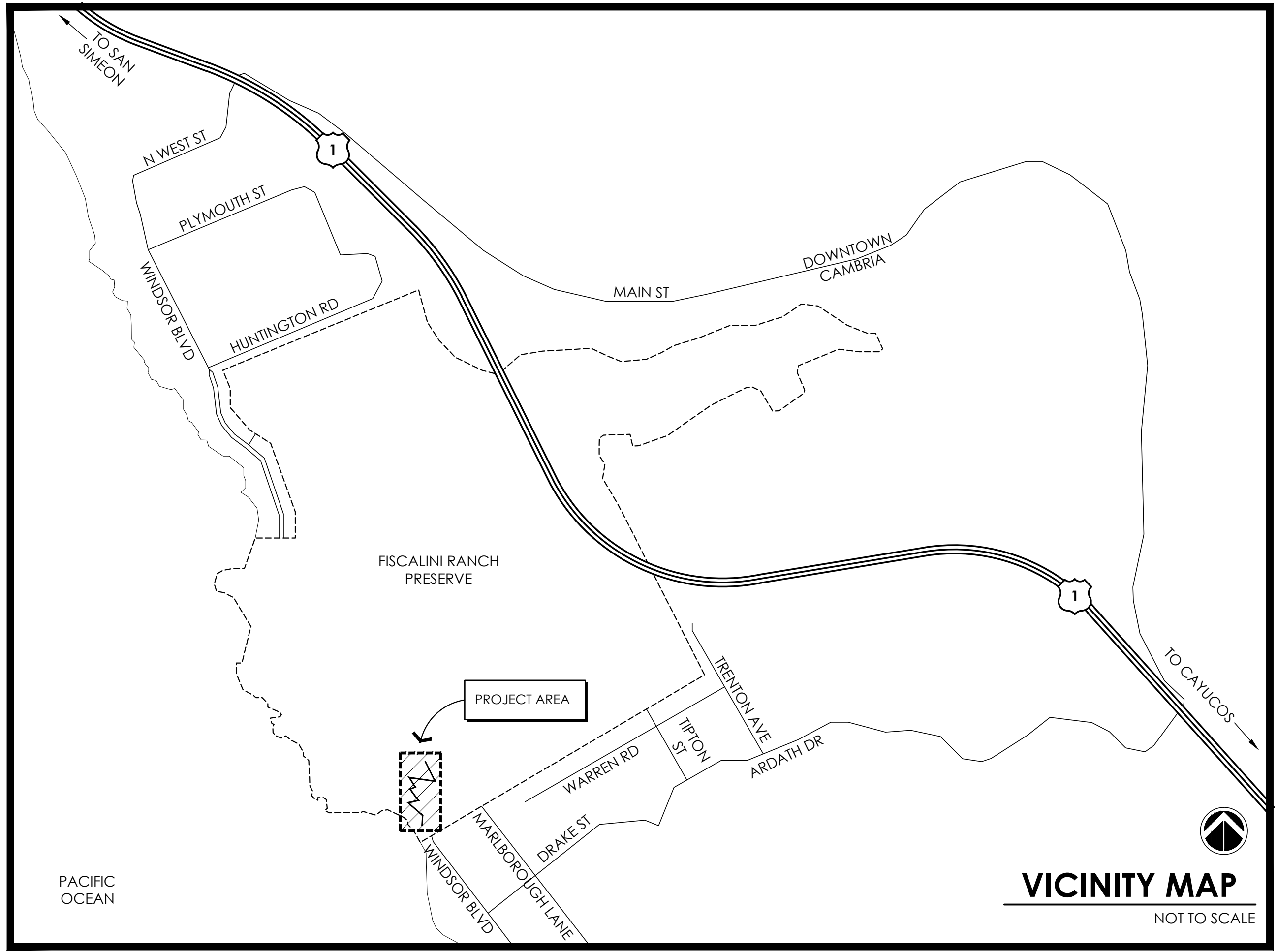
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San Luis Obispo, CA, 93401
Craig Crozier - kcrozier@geosolutions.net

PROJECT DESCRIPTION

- THE PROJECT GENERALLY CONSISTS OF THE CONSTRUCTION OF APPROXIMATELY 1,215 LINEAR FEET OF NEW WOODEN BOARDWALK AND ABANDONMENT OF A PORTION OF EXISTING EARTHEN TRAIL THIS BOARDWALK IS DESIGNED TO REPLACE. THE PROPOSED BOARDWALK IS DESIGNED TO COMPLY WITH CURRENT ACCESSIBILITY CODES TO THE EXTENT FEASIBLE. PULL-OFF AREAS ARE PROPOSED IN APPROXIMATELY EQUALLY SPACED INTERVALS AND ARE DESIGNED FOR TRAIL USERS TO REST AS THEY TRAVERSE THE BOARDWALK.
- ALL IMPROVEMENTS SHALL MEET THE 2022 CALIFORNIA BUILDING CODE

NOTES

- THE APPROVAL OF THESE PLANS AND SPECIFICATIONS DOES NOT PERMIT THE VIOLATION OF ANY SECTION OF THE BUILDING CODE, MUNICIPAL ORDINANCES, OR STATE LAWS.
- THESE PLANS AND RELATED DOCUMENTS MUST BE AVAILABLE AT THE JOB SITE DURING AT ALL TIMES DURING CONSTRUCTION.



SHEET INDEX

G001	TITLE SHEET
G002	GENERAL NOTES AND ABBREVIATIONS
G003	PROJECT CONDITIONS OF APPROVAL
G004	PROJECT CONDITIONS OF APPROVAL
G005	CONSTRUCTION STAGING AND ACCESS ROUTE
G006	PROJECT SUBSTANTIAL CONFORMANCE DETERMINATION
LC100	SITE REFERENCE PLAN
LC101	CONSTRUCTION PLAN
LC102	CONSTRUCTION PLAN
LC103	CONSTRUCTION PLAN
LC501	CONSTRUCTION DETAILS
LC502	CONSTRUCTION DETAILS
L-701	LANDSCAPE SPECIFICATIONS

DIG ALERT
DIAL TOLL FREE



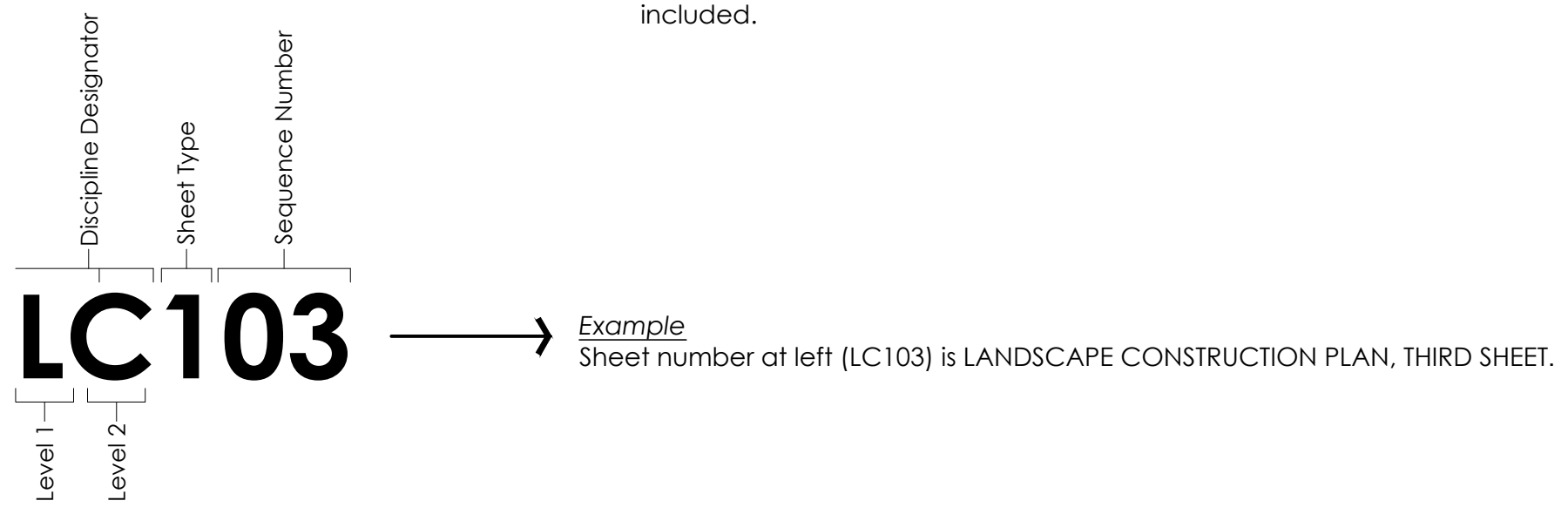
AT LEAST 2 DAYS BEFORE YOU DIG

KEY TO SHEET NUMBERING

DRAWING SHEET NUMBERING AND ORGANIZATION IS ADAPTED FROM THE UNITED STATES NATIONAL CAD STANDARD.

DISCIPLINE DESIGNATORS - LEVEL 1 (Partial List)		DISCIPLINE DESIGNATORS - LEVEL 2 (Partial List)		SHEET TYPES	
G	General	D	Demolition	0	General: Symbol legend, abbreviations, general notes.
R	Resource (Existing Conditions)	S	Site	1	Plans
H	Hazardous Materials	G	Grading	2	Elevations
V	Survey/Mapping	E	Erosion Control	3	Sections
B	Geotechnical	U	Utilities	4	Large Scale Drawings: plans, elevations, sections (not details)
C	Civil	C	Construction	5	Details
L	Landscape	I	Irrigation	6	Schedules and Diagrams
S	Structural	P	Planting	7	User Defined
A	Architectural	L	Lighting	8	User Defined
E	Electrical	W	Stormwater	9	3D Drawings: isometric, perspective, photos
Z	Contractor/Shop Drawings	H	Horizontal Control		

Dash is substituted when Level 2 is not included.



**FISCALINI RANCH PRESERVE
LINKING BOARDWALK**

TITLE SHEET

NO.	REVISION	DATE
▲	PLAN CHECK 1	09/18/23
▲		
▲		
▲		
▲		
▲		

PROJECT MANAGER
JM

DRAWN BY DK **CHECKED BY** JM

DATE
SEPTEMBER 18, 2023

PROJECT NUMBER
2938-01-RC22

SHEET
G001

ABBREVIATIONS

Table of abbreviations and their corresponding full names, including symbols like @, &, and various letters and numbers.

GENERAL NOTES

- 1. NO CONSTRUCTION SHALL BE STARTED WITHOUT PLANS APPROVED BY THE COUNTY OF SAN LUIS OBISPO... 19. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION SURVEYOR THREE WORKING DAYS PRIOR TO THE NEED FOR CONSTRUCTION SURVEY STAKES...

- FOR INSTALLATION OF APPLICABLE IMPROVEMENTS DELINEATED HEREON. 19. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION SURVEYOR THREE WORKING DAYS PRIOR TO THE NEED FOR CONSTRUCTION SURVEY STAKES...

GENERAL GRADING AND PAVING NOTES

- 1. THE CONTRACTOR SHALL ACCEPT THE SITE IN ITS PRESENT CONDITION AND SHALL DEMOLISH AND/OR REMOVE FROM THE AREA OF DESIGNATED PROJECT EARTHWORK ALL STRUCTURES, BOTH SURFACE AND SUBSURFACE TREE...

STORM WATER POLLUTION PREVENTION NOTES

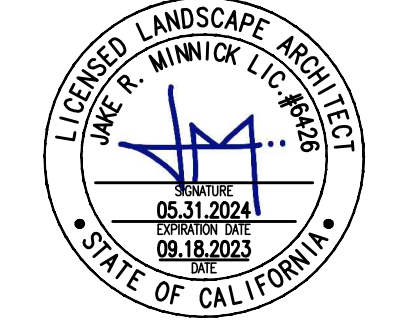
- 1. CONTRACTOR SHALL PREPARE A STORM WATER POLLUTION PREVENTION PLAN, OBTAIN A NOTICE OF INTENT AND NOTICE OF TERMINATION, IF APPLICABLE, IN ACCORDANCE WITH NPDES REQUIREMENTS...

DUST CONTROL NOTES

- 1. THE CONTRACTOR SHALL EMPLOY ALL LABOR, EQUIPMENT, AND METHODS REQUIRED TO PREVENT THEIR OPERATIONS FROM PRODUCING DUST IN AMOUNTS

DAMAGING TO PROPERTY, CULTIVATED OR NATIVE VEGETATION, AND DOMESTIC AND NON-DOMESTIC ANIMALS OR CAUSING A NUISANCE TO PERSONS OCCUPYING BUILDINGS IN THE VICINITY OF THE JOB SITE.

rrm design group logo and contact information: rrmdesign.com | (805) 543-1794



Project title: FISCALINI RANCH PRESERVE LINKING BOARDWALK. Includes a table for revisions, project manager, date (SEPTEMBER 18, 2023), and sheet number G002.

N:\3800\2938\01\RC23\Fiscalini-Preserve-Boardwalk\Landscape-Architecture\Task 12-ConfDocs\Sheet-Files\C-2938-01.dwg, G002, Sep 18, 2023 9:11 am, jminnick

Development Plan DR202101-00026 (Cambria Community Services District)

EXHIBIT C - CONDITIONS OF APPROVAL

Approved Development

- 1. This approval authorizes implementation of the Public Access and Management Plan and the proposed Community Park Master Plan for the Fiscalini Ranch Preserve (FRP). The project includes:
a. Improvements and additions to the existing trail system on the West FRP and East FRP (see Table A for list of specific trails);
b. Management and restoration of resources on the FRP;
c. Development of a community park on the East FRP...

Conditions required to be completed at the time of application for construction permits

Site Development

- 2. At the time of application for construction permits plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all lighting. All lighting shall be shielded so that neither the lamp or the reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

- 4. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.
5. At the time of application for construction permits, the applicant shall provide a letter from Cambria Community Services District stating they are willing and able to service the property.

Drainage

- 6. At the time of application for any required construction permits, the applicant shall submit complete drainage plans and erosion and sedimentation control plans for review and approval in accordance with Title 23 of the Land Use Ordinance.

Mitigation Measures

- 7. AESSm-4 Upon application for construction permits from the County, and prior to site disturbance, proposed trail and road design plans shall include the following standards and concepts:
a. All boardwalks, bridges, retaining structures, edge steps, railing and other visible features shall be made of natural or natural appearing materials that have low reflective qualities and do not visually contrast with the natural colors of the adjacent landcover.
b. All path and access road surfaces, including emergency and maintenance vehicle roads shall match the color of the adjacent native earth. Decomposed granite and polymer surfaces, "all-weather" surfaces, American Disabilities Act (ADA) compliant stable surfaces, and compacted imported earth surfaces shall be designed and constructed to match the color of the adjacent soil. This requirement shall also apply to all road-related curbs, rock slope protection, and drainage systems.
c. All trail and road design shall minimize grading following the natural contours of the land as much as possible. Where grading is unavoidable, design slopes shall include slope-rounding to reduce the engineered appearance of the earthwork.
8. AESSm-5 Upon application for construction permits from the County, and prior to site disturbance, a signage plan shall be prepared, and shall include the following standards and concepts:
a. All signs shall be made of natural or natural appearing materials that have low reflective qualities and do not visually contrast with the natural colors of the adjacent landcover. Exceptions shall be made in keeping with applicable ADA and safety standards.
b. All signs shall be the minimum size necessary for their intended purpose, in keeping with applicable ADA and safety standards.
c. All signs shall be placed in the least visually obtrusive location possible consistent with their intended purpose, without blocking views of the Pacific Ocean or other scenic resources, and in keeping with applicable ADA and safety standards.
d. The proposed signage plan shall be developed by the CCSD and Friends of the Fiscalini Ranch Preserve and incorporated into the Management Plan prior to submission to the County.
9. AESSm-8 Upon application for construction permits from the County, and prior to site disturbance to establish the Highway 1 central staging area, the CCSD or its designee shall provide a comprehensive visual impact assessment to the County of San Luis Obispo Department of Planning and Building for review and approval. This plan shall incorporate the following elements:
a. Visual screening from Highway 1, location of any structures to minimize views from Highway 1.
b. Shielded lighting (if lighting is proposed).
c. Appropriate colors and materials consistent with the County of San Luis Obispo Community Plan, County Design Guidelines, and Public Access and Management Plan.
10. AESSm-10 Upon application for construction permits from the County for the community park, the CCSD or its designee shall provide a comprehensive visual impact assessment of proposed buildings and associated structural improvements to the County of San Luis Obispo Department of Planning and Building for review and approval. Proposed structures shall comply with the following performance standards:
a. The proposed design shall include elements consistent with the rural character of Cambria.
b. Colors and materials shall consist of earthen, muted colors consistent with surrounding natural vegetation.
c. Roof materials shall be non-reflective.
11. AESSm-11 Upon application for construction permits from the County for the community park, the CCSD or its designee shall provide a security lighting plan showing shielded fixtures and the use of motion sensors. Exterior lighting shall be limited to security lighting on the community center restrooms, bridge, playground, and parking area. All exterior lighting shall be shielded and directed to the ground. All exterior lighting shall not be directed towards the sky, a structure wall, or towards the property boundary.
12. AESSm-12 Upon application for construction permits from the County to relocate the CCSD water works or County storage yard, the CCSD or its designee shall submit design plans including, but not limited to, the following elements:
a. The proposed design shall include elements consistent with the rural character of Cambria.
b. Colors and materials shall consist of earthen, muted colors consistent with surrounding natural vegetation.
c. Landscape screening, consisting of native (native to the FRP), drought-tolerant plant and shrub species, shall provide a minimum of 50 percent screening from the park and storage yard.
d. Stored and stockpiled materials shall be shielded from view by solid fencing and/or native vegetation, or the proposed structures.
13. AESSm-13 Upon application for construction permits from the County to relocate the CCSD water facility or County storage yard, the CCSD or its designee shall provide a comprehensive Visual Impact Assessment to the County of San Luis Obispo Department of Planning and Building for review and approval.
14. AQIm-1 Upon application for construction permits from the County of San Luis Obispo for development of the Community Park Master Plan, the CCSD or its designee shall submit grading plans incorporating soil capping of potentially productive agricultural soils, where feasible.
15. AQIm-1 Upon application for construction permits and prior to site disturbance, a Dust Control Plan shall be prepared and submitted to the APCD for approval prior to commencement of construction activities. The Dust Control Plan shall:
a. Use APCD approved BMPs and dust mitigation measures;

- b. Provide provisions for monitoring dust and construction debris during construction;
c. Designate persons or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Duties should include holiday and weekend periods whenever plant material is being moved;
d. Provide the name and telephone number of such persons to the APCD prior to construction commencement;
e. Identify compliant handling procedures;
f. Fill out a daily dust observation log.
16. AQIm-3 Upon application for construction permits and prior to site disturbance, the following mitigation measures shall be implemented during earthmoving activities:
a. Reduce the amount of the disturbed area where possible.
b. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible.
c. All dirt stockpile areas shall be sprayed daily as needed.
d. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed (native to the FRP) and watered until vegetation is established.
e. All disturbed soil areas not subject to re-vegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
f. Roadways, driveways, and parking areas, etc. to be paved should be completed as soon as possible after initial site grading. In addition, building pads shall be laid as soon as possible after grading unless seeding soil binders are used.
g. Vehicle speed for all construction vehicles shall be posted to not exceed 15 mph on any unpaved surface at the construction site.
h. All trucks hauling dirt, sand, or other loose materials are to be covered or shall maintain a least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC § 23114.
i. Wheel washers shall be installed where vehicles enter and exit unpaved areas onto streets or other paved areas.
j. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.
k. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities.
17. AQIm-5 Upon application for construction permits and prior to site disturbance, the applicant shall submit grading plans and a construction schedule demonstrating that soil material would not be moved at a rate more than 53,500 cubic yards (cy) in a quarter or 2,000 cy in a day. The applicant shall also submit a plan to implement the following standard APCD mitigation measures for the project's construction equipment:
a. Maintain all construction equipment in proper tune according to manufacturer's specifications.
b. Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, grader, cranes, loaders, scrapers, backhoes, generator sets, auxiliary power units, water pumps, and other equipment with EPA certified motor vehicle diesel fuel (non-retarded version suitable for use off-road).
c. Maximize the use of electric equipment. Use of diesel construction equipment meeting the ARB's 1995 or newer certification standard for off-road heavy-duty diesel engines.
d. All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signage shall be posted at all idling areas to remind drivers and operators of the 5 minute idling limit.
e. Electricity equipment where feasible.
f. Use gasoline-powered for diesel-powered equipment where feasible.
g. Use alternatively fueled construction equipment onsite where feasible, such as compressed natural gas (CNG) liquefied natural gas (LNG), propane, or bio-diesel.
h. Best Available Control Technology (BACT - implementation of DOCs or CDFPs) for construction equipment shall be required and the applicant shall provide the geologic analysis to stabilize the off-site drainage area in the vicinity of the project.
i. At least 3 months prior to construction, the construction company awarded the contract shall contact the APCD Planning Division (805-781-5012) to coordinate the implementation of this mitigation measure. This company will also provide the APCD with proof that the Standard (a-h above) and BACT mitigation measures are implemented prior to the start of construction activity. These measures shall be shown on all grading and construction plans prior to issuance of construction permits.
18. AQIm-6 Upon application for construction permits and prior to site disturbance, the applicants shall:
a. Conduct a geologic analysis to ensure the presence/absence of serpentine rock onsite. The geologic analysis shall identify if naturally occurring asbestos is contained within the serpentine rock onsite; and
b. naturally occurring asbestos is found at the project site, the applicant must comply with all requirements outlined in the Asbestos Airborne Toxic Control Measures (ATCM). In addition, the applicants shall work with the APCD to prepare an APCD-approved Asbestos Health and Safety Program and an Asbestos Dust Control Plan prior to development plan approval. The Asbestos Health and Safety Program and Asbestos Dust Control Plan may include, but is not limited to, the following:
1. Equipment operator safety requirements: protective clothing, breathing apparatuses to prevent inhalation of airborne asbestos fibers.
2. Dust mitigation measures: continually water site to prevent airborne dust migration, cover all vehicle that haul materials from the site
3. Identification of APCD-approved disposal areas for all excavated materials.
4. If naturally-occurring asbestos is not present, an exemption request must be filed with the APCD.
19. BIOIm-1 Upon application for construction permits from the County, for site disturbance within jurisdictional areas, the CCSD, or its designee, shall obtain all necessary permits, approvals, and authorizations from jurisdictional agencies. These may include, but may not be limited to: (1) Army Corps of Engineers Section 404 Nationwide Permit or Individual Permit for impacts to Army Corps of Engineers jurisdictional wetlands or other waters; (2) Regional Water Quality Control Board Section 401 Water Quality Certification for discharges "Waters of the U.S." and/or "Waters of the State"; (3) California Department of Pesticide Regulation Streambed Alteration Agreement for activities within the tops of banks or outer edges of riparian canopies (whichever extends further from the streambeds); (4) U.S. Fish and Wildlife Service consultation; and (5) NOAA Fisheries consultation.
20. BIOIm-3 Upon application for construction permits from the County, and site disturbance, the CCSD or its designee shall prepare a Storm Water Pollution Prevention Plan (SWPPP) consistent with guidelines, which shall include detailed sediment and erosion control plans consistent with any required Habitat Mitigation Monitoring Plan (HMP). The SWPPP shall specifically address protection of drainages, and riparian and wetland resources on or adjacent to the project. Compliance shall be verified by the project environmental monitor through submission of compliance reports.
21. BIOIm-4 Upon application for construction permits from the County, and prior to site disturbance, the riparian/wetland areas shown on grading plans shall be based on the field data collected and presented in the Environmental Impact Report or from any subsequent survey work. All riparian and wetland areas shall be specified on construction plans. Except for activities requiring removal of riparian trees and associated understory vegetation that are specified on construction plans, all ground disturbance and vegetation removal shall be prohibited within the outer edge of the riparian canopy of any drainage canal.
22. BIOIm-10 Prior to application for construction permits from the County and prior to trail construction in areas known to contain sensitive plant species or rare habitats, the CCSD or its designee shall retain a qualified biologist to conduct focused surveys during the appropriate flowering periods within the specific areas proposed for disturbance. Surveys will focus on native plant species that are present or at having a high potential for occurrence. Based on the survey results, trail locations shall be altered where possible to minimize disturbance or loss of identified plants and habitats.
23. BIOIm-13 Prior to application for construction permits from the County and prior to trail construction within sensitive areas, the CCSD or its designee shall ensure that all resources are considered and avoided where feasible. If a resource cannot be avoided, the CCSD shall consult with appropriate agencies to resolve the conflicts (e.g., California Department of Fish and Game, California Coastal Commission, Army Corps of Engineers, Office of Historic Preservation, County of San Luis Obispo).
24. CUL7Im-1 Upon preparation of grading and construction plans for the Ridge Trail, Forest Loop Trail, Meander Trail, Creek to Forest Trail, Santa Rosa Creek Trail (west),

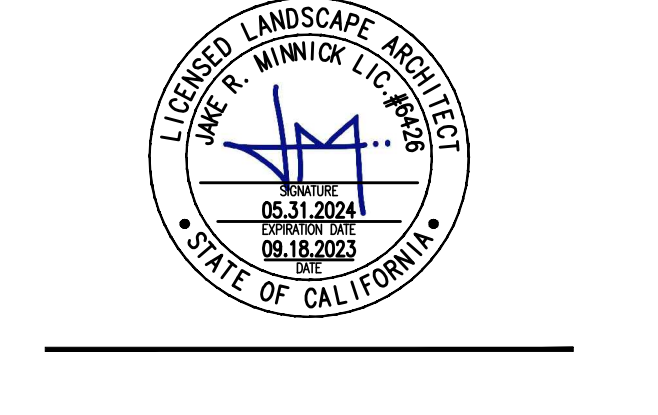
- and Creek to Ridge Trail and prior to application for construction permits from the County of San Luis Obispo for these trails, the CCSD or its designee shall submit plans showing avoidance of known archaeological sites. The plan shall note the boundaries of the site as an "Environmentally Sensitive Area" (ESA), and shall include a 50-foot buffer around the ESA. No grading, storage of materials or equipment, or use of equipment shall occur within the ESA or ESA buffer.
a. If due to other significant environmental constraints, any known archaeological sites (ESA) cannot feasibly be avoided, the CCSD or its designee shall retain a County-approved, qualified subsurface archaeologist to conduct a Phase I subsurface survey. The Phase I subsurface survey shall provide recommendations, if necessary, for further study, which may include a Phase III data recovery program. The CCSD or its designee shall implement the recommendations proposed in the Phase II subsurface survey report.
25. CUL7Im-2 Prior to application for construction permits from the County of San Luis Obispo (or prior to approval of final plans by the CCSD) for trail construction on the FRP, the CCSD or its designee shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the County Environmental Coordinator. If a County permit is not required, the plan shall be approved by the CCSD. The monitoring plan shall be integrated with other required site specific monitoring plans and the SWPPP (BIOIm-1, BIOIm-2, and BIOIm-3) and shall include at a minimum with regard to cultural resources:
a. List of qualified cultural resources personnel involved in the monitoring activities;
b. Description of how the cultural resources monitoring shall occur;
c. Description of frequency of monitoring (e.g., full-time, part time, spot checking);
d. Description of what resources are expected to be encountered;
e. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);
f. Description of procedures for halting work on the site and notification procedures;
g. Description of monitoring reporting procedures.
26. CUL7Im-5 Prior to preparation of grading and construction plans for the Victoria Lane Trail, Walbridge Trail, and Terrace to Ridge Trail and prior to application for construction permits from the County of San Luis Obispo, the CCSD or its designee shall submit plans showing the avoidance of known archaeological sites. The plan shall note the boundaries of the site as an ESA and shall include a 50-foot buffer around the ESA. No grading, storage of materials or equipment, or use of equipment shall occur within the ESA.
27. GEOIm-2 Upon application for construction permits from the County of San Luis Obispo, prior to site disturbance, the CCSD or its designee shall implement the following measures:
a. Implement soil stabilization and erosion prevention measures identified in the Public Access and Management Plan (PRM, 2003) for the Seacrest Gully and portions of the Bluff Trail.
b. Plans in conjunction with the Natural Resources Conservation Service (NRCS) shall be developed for the Warren/Trenton Gully.
c. The streambank restoration project along Santa Rosa Creek west of Highway 1 shall be monitored and evaluated to determine its effectiveness.
d. Additional restoration and bank stabilization efforts within Santa Rosa Creek shall be implemented based on consultation with the Natural Resources Conservation Service (NRCS) or Resource Conservation District (RCD); additional regulatory agency consultation shall be implemented within federal and state jurisdictional areas including the California Department of Fish and Game (CDFG), Regional Water Quality Control Board (RWQCB), and Army Corps of Engineers (ACEO).
e. Streambank restoration plans shall be developed to control bank erosion on the Santa Rosa Creek east bank upstream of the previously restored bank.
28. GEOIm-3 Upon application for construction permits from the County of San Luis Obispo, prior to site disturbance, the CCSD or its designee shall implement the following measures:
a. Implement soil stabilization and erosion prevention measures identified in the Public Access and Management Plan (PRM, 2003).
b. If proposed, final design plans for the Creek to Ridge Trail shall demonstrate that the trail alignment is located over less steep areas, and shall include the use of water bars where needed.
29. GEOIm-4 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall implement appropriate construction methods (i.e., avoid saturated areas, install berms or raised boardwalks, maintain drainage patterns, etc.) where trails cross wet, boggy areas below springs and seeps.
30. GEOIm-5 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall prepare plans showing the use of boardwalks or engineered base along the trails where severely cracked soils are present. Any asphalt concrete pavement (if proposed) shall be designed with sufficient base material and depth to prevent effects of expansive soils. If construction of boardwalks or engineered base is not feasible, the CCSD or its designee shall prepare and implement a site specific maintenance plan to ensure safe trail surfaces. The plan shall identify the person's responsible and schedule for maintenance, and proposed activities for trail improvements.
31. GEOIm-8 Upon application for construction permits for the Santa Rosa Creek Trail, prior to site disturbance, the CCSD or its designee shall implement the following measures:
a. Runoff from Highway 1 shall be conveyed away from the Santa Rosa Creek Trail by lighting a drain pipe to the base of the stream bank.
b. For the portion of the trail crossing located under Highway 1, the trail design shall provide adequate head clearance for trucks, and a stable crossing over the rip-rap, pursuant to regulatory and responsible agency requirements, including but not limited to the California Department of Transportation and California Department of Fish and Game.
32. GEOIm-9 Upon application for construction permits to implement the Community Park Master Plan and prior to site disturbance, the CCSD or its designee shall consult with the County of San Luis Obispo to stabilize the off-site drainage area in the vicinity of Pinyon Way. The applicant shall also implement the storm-drain system described in the Community Park Master Plan Grading and Drainage Concept (Firma, 2006) to capture runoff from both watersheds in this area and convey runoff across the site to Santa Rosa Creek. The condition of the hillside vegetation shall be monitored prior to finalizing plans for the storm-drain system.
33. GEOIm-10 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall retain a County-approved, qualified geologist to prepare and submit a Probabilistic Seismic Hazard Analysis. The analysis shall determine the design-basis earthquake parameters for the building sites proposed in the Community Park Master Plan. Recommendations and requirements presented in the analysis shall be incorporated into construction plans.
34. GEOIm-11 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall retain a County-approved, qualified geologist to prepare and submit a subsurface investigation of the site. The investigation report shall assess the potential for liquefaction. Building foundations shall be based on the results of the subsurface investigation. Building foundations shall be founded on competent, native material, not subject to liquefaction.
35. GEOIm-12 Prior to site disturbance and during management of the FRP, the CCSD, or its designee, shall implement stream bank restoration projects within Santa Rosa Creek. Restoration efforts shall be based on consultation with the Natural Resources Conservation Service and all other applicable resource agencies including the California Department of Fish and Game, Regional Water Quality Control Board, and Army Corps of Engineers.
36. HMIm-1 Prior to application for construction permits, and prior to site disturbance, the CCSD shall coordinate with the Sheriff's Department to incorporate "Crime Prevention Through Environmental Design" standards to the facility and amenity design, where applicable.
37. HMIm-4 Upon application for a construction permit to develop the community park sports fields, the CCSD shall prepare an Integrated Pest Management (IPM) plan to reduce the need for fertilizers, herbicides, and other chemicals. IPM guidelines are provided by the State Green Best Practices Manual (www.green.ca.gov). The plan shall include, but not be limited to, the following elements:
a. Cultural control, including the selection of disease-resistant plant varieties; proper irrigation, fertilization, and pruning; and planting at the right time of year.
b. Physical control, including changing physical conditions (i.e., temperature, light, humidity) to prevent pest problems, such as using landscape fabric to shade out weeds and pruning dense plants to allow better air circulation and thus prevent disease.
c. Mechanical control, including managing pests through manual labor or simple objects, devices, or equipment such as using hand-held propane flaming units that cook weeds, installing mowing strips and underlays, and fastening cork bands around tree trunks or planters to exclude snails and slugs.
d. Biological control, including the use of beneficial organisms to reduce pest populations. Beneficial organisms include parasitic wasps and predaceous insects, mites, and spiders; birds, amphibians and reptiles.

- e. Reduced-risk pesticides don't endanger living organisms or the environment. Ideally, they break down easily, have narrow specificity, do not kill natural enemies, and do not volatilize around people. Examples of reduced-risk pesticides used for landscaping include the microbial insecticide, Bacillus thuringiensis, herbicides and insecticides that contain nit or clove oil, potassium bicarbonate for plant mildew, horticultural oil for sucking insects, and if absolutely necessary, spot-sprayed conventional herbicides.
38. HYDim-2 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall submit plans showing the avoidance of known archaeological sites. The plan shall note the boundaries of the site as an "Environmentally Sensitive Area" (ESA), and shall include a 50-foot buffer around the ESA. No grading, storage of materials or equipment, or use of equipment shall occur within the ESA or ESA buffer.
39. HYDim-3 Upon application for construction permits from the County of San Luis Obispo, and prior to site disturbance, the CCSD or its designee shall submit plans demonstrating that no buildings shall be located within the 100-year flood zone, or that any structures would be located one foot above the 100-year flood zone.
40. NIm-2 Upon application for construction permits from the County of San Luis Obispo, the CCSD or project developer shall submit a Noise Reduction Plan prepared by a qualified acoustical consultant for review and approval by the County Planning Department. The Noise Reduction Plan shall include but is not limited to the following standards:
a. Limit all phases of construction to the hours of 7:00 AM to 9:00 PM Monday through Friday as required by County ordinance.
b. Regular notification of adjacent residential residences within 1,000 feet of the site boundary concerning the construction schedule.
c. Shield especially loud pieces of stationary construction equipment.
d. Locate portable generators, air compressors, etc. away from sensitive noise receptors.
e. Limit grouping major pieces of equipment operating in one area to the greatest extent feasible.
f. Place heavily trafficked areas such as the maintenance yard, equipment, tools, and other construction oriented operations in locations that would be least disruptive to surrounding sensitive noise receptors.
g. Use newer equipment to ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose other than the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer.
h. Conduct worker-training meetings to educate and encourage noise awareness and sensitivity. This training should focus on worker conduct while in the vicinity of sensitive receptors (i.e., minimizing and locating the use of circular saws in areas adjacent to sensitive receptors and being mindful of shouting and the loud use of attention drawing language), and.
i. Notifying surrounding residents in advance of the construction schedule when unavoidable construction noise and upcoming construction activities likely to produce an adverse noise environment are expected. Notifying shall provide phone number of the project manager, construction foreman, and any other pertinent project team members. This notice shall be given one week in advance, and at a minimum of one day in advance if anticipated activities have changed (i.e., notice in local publication, temporary signage postings, etc.). Project representative shall verbally notify all surrounding residential owners if one day advance notice is given.
41. NIm-3 Upon application for a construction permit from the County of San Luis Obispo, the CCSD shall incorporate the following operational standards into the Community Park Master Plan:
a. All loudspeakers and or amplification of sound shall be prohibited.
b. The volume of any event should be limited to the immediate area of the event and shall not exceed a maximum noise level of 70 dBA as measured from the property line.
c. The CCSD shall avoid the use of gas-powered turf mowers, and shall encourage the use of electric mowers for turf maintenance.
42. PSUIm-1 Upon application for construction permits, and prior to site disturbance for trail development, the trail system on the West FRP shall be clearly marked with signs denoting the trail name, number, and mileage from the trailhead to allow visitors to quickly and easily find responses of their whereabouts in the event of an emergency. Signage shall be developed in accordance with the FRP signage plan, and in consultation with the Fire Chief.
43. PSUIm-5 Upon application for construction permits and prior to site disturbance for trail development, the FRP sign program shall include signage stating the following, or similar language: "No fire of any kind shall be allowed on the FRP." Signage shall be placed within parking areas and at trailheads informing users of the rules and regulations pertaining to fire related hazards.
44. PSUIm-7 Upon application for construction permits from the County for the Community Park on the East FRP, the CCSD or its designee shall submit a lighting plan showing the use of security lighting. Parking areas throughout the FRP shall be designed consistent with the County Sheriff's Department publication "Crime Prevention through Environmental Design" (CPTED) where applicable.
45. TCIm-1 Upon application for construction permits from the County, and prior to site disturbance for trail improvements, the Master Plan shall include a parking signage program in consultation with the County of San Luis Obispo. The signage program shall guide visitors regarding appropriate parking, and shall be reviewed for concurrence by the Friends of the Fiscalini Ranch Preserve as part of the FRP signage plan.
46. TCIm-4 Upon application for construction permits from the County, and prior to site disturbance for trail improvements, the Master Plan shall include a parking signage program in consultation with the County of San Luis Obispo. The signage program shall guide visitors regarding appropriate parking, and shall be reviewed for concurrence by the Friends of the Fiscalini Ranch Preserve as part of the FRP signage plan.
47. TCIm-5 Upon application for construction permits from the County, and prior to site disturbance to implement the Community Park Master Plan, the CCSD or its designee shall show the installation of bike racks along the trail system. The bike racks shall be installed upon the first phase of development.
48. TCIm-8 Upon application for construction permits from the County, the CCSD shall contribute to the North Coast Road Improvement Fund.
49. WSIm-1 Upon application for construction permits from the County for the development of sports fields, construction of restrooms, and installation of landscaping, and prior to site disturbance, the CCSD or its designee shall prepare plans showing the use of indoor and outdoor water conservation strategies and techniques to help offset the proposed anticipated water demand. These measures include but are not limited to:
a. Landscape plans shall show the extent of permeable and impervious landscape materials. The use of low-water-use plant materials selected from an approved County plant list, and a landscape irrigation plan indicating the method for achieving low volume, high efficiency irrigation (i.e., drip irrigation systems with automatic controllers and auto rain shut-off devices).
b. If natural turf is proposed, the CCSD shall submit plans showing the use of an evaporative control system (or similar method) for irrigation.
c. Incorporate use of pit toilets or composting toilets in restrooms, portable restrooms, or closure of restrooms during drought periods.
d. Incorporate the use of hand sanitizers to avoid the use of water for portable sinks.
50. WSIm-3 Prior to CCSD Board approval of the Community Park Master Plan, if onsite wells are proposed for the water source, the CCSD shall identify which wells would be utilized (existing and/or proposed), consistent with the adopted Depth of Conservation Easement.
51. WSIm-4 Prior to CCSD Board approval of construction plans for implementation of the Community Park Master Plan, the CCSD or project developer shall prepare plans showing the CCSD shall develop plans for a new well from riparian water sources on the East FRP. Proposed plans shall be reviewed and approved by the Friends of the Fiscalini Ranch Preserve and State Coastal Conservancy, and the Management Plan shall be amended prior to well development. The well shall be designed to avoid stream flow impacts, and plans shall include a sanitary seal to a clay bed below the elevation of the creek bed, at least 20 feet in depth and a minimum of 150 feet from the creek bank. The well shall be pumped during extended drought conditions (e.g., 75 percent or less of average rainfall for a minimum period of two years) to document whether there would be any potential effects to stream flow from during operation of the well. Use of on-site wells shall be prohibited if tests demonstrate any affect on stream-flow.
52. WSIm-5 Upon application for construction permits from the County for the development of the sports fields, if natural turf is proposed, the CCSD shall demonstrate how recycled water would be treated to ensure that it would not increase the groundwater salinity beyond background concentrations (e.g., use of low pressure reverse osmosis as part of the recycled water effluent treatment process, onsite infrastructure plans demonstrating treatment of irrigation water, or use of lower concentrations (250 parts per million) of sodium and chloride). The CCSD shall submit a proposed water monitoring and testing program to be conducted for the life of the project.

Conditions to be completed prior to issuance of a construction permit

- Fees
53. Prior to issuance of a construction permit, the applicant shall pay all applicable school and public facilities fees.
54. Drainage
54. Prior to issuance of any required construction permits, the applicant shall provide evidence satisfactory to the Department of Planning and Building that the Army Corps of Engineers and the California Department of Fish and Game environmental permits have either been secured or that the regulatory agency has determined that their permit is not required.
Mitigation Measures
55. Prior to construction, the CCSD or its designee shall prepare a project-specific environmental monitoring plan coordinated with mitigation measures within this EIR, and shall provide funding for a qualified environmental monitor for the construction phases of the project to ensure compliance with EIR mitigation measures, and any applicable agency permit conditions. The monitor shall be responsible for (1) ensuring that procedures for verifying compliance with environmental mitigations are followed; (2) lines of communication and reporting methods; (3) daily and weekly compliance of compliance; (4) construction crew training regarding environmentally sensitive areas; (5) authority to stop work; and (6) action to be taken in the event of non-compliance. Monitoring shall be at a frequency and duration determined by the affected agencies (e.g., Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game, California Coastal Commission, and the County of San Luis Obispo).
56. BIOIm-14 Prior to initiation of construction activities, including trail improvements requiring ground disturbance and/or use of heavy equipment, the CCSD or its designee shall retain a qualified biologist to conduct a pre-activity survey for active nests, dens, or burrows. The survey shall be conducted within 10 days prior to proposed start of disturbance and construction activities. Results of the survey shall immediately be submitted to the CDFG as necessary. The survey report shall include the date of the survey, methods of inspection, and findings. Disturbance of any active nest, den, or burrow shall be prohibited.
a. If active burrows of Montezuma dusky-footed woodrats are found within proposed development areas during the survey, the biologist shall establish an appropriate buffer area to protect the nest(s). No site disturbance shall occur within the buffer area until a Memorandum of Understanding (MOU) is obtained from CDFG. An alternate buffer area is to disseminate nests by hand outside of the nesting season (February through September) and allow the woodrats to leave the site.
b. If the pre-construction survey finds potential American badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely excavate, a fiber optic scope shall be used to examine the den to the end. If a fiber optic scope is not available, occupation of the den can be determined by the biologist by the use of a camera. If a badger den is located, it shall be indicated animal passage into and out of the den and during the den entrance with a fine layer of dust or tracking material for footprints. Consecutive nights and examining the following mornings for footprints. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. If badger dens are located on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.
57. BIOIm-16 At least two weeks prior to start of trail or bridge construction within or adjacent to Santa Rosa Creek (within 100 feet), the CCSD shall retain a qualified biologist to conduct a pre-construction survey to determine whether the presence of special-status aquatic species. In the event that special-status species are observed within the project site, the appropriate agencies shall be contacted for further consultation. If any life stage of steelhead, California red-legged frog, Iowater goby, or Southwestern pond turtle is found and these individuals are likely to be killed or injured by work activities, the approved biologist(s) shall be allowed sufficient time to move them from the site before work activities begin. The biologist(s) shall also identify any individuals that are likely to be injured or killed by work activities, and shall provide a list of distinguishing features, photographs (digital preferred) to assist him or her in determining whether translocated animals are returning to the point of capture. Only United States Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Game-approved biologists working under proper permit authority shall participate in any activities associated with the capture, handling, and monitoring of steelhead, California red-legged frog, Iowater goby, or Southwestern pond turtle.
58. BIOIm-17 Prior to construction, an approved biologist(s) shall conduct a training session for all construction personnel. At a minimum, the training shall include a presentation of steelhead, California red-legged frog, Iowater goby, and Southwestern pond turtle and their habitat; the specific measures that are being implemented to conserve the species for the current project; and the boundaries within which the project may be accomplished. Members of the construction team shall understand the terms, constraints, and special conditions provided by, but not limited to, United States Fish and Wildlife Service, National Marine Fisheries Service, Army Corps of Engineers, California Department of Fish and Game, California Coastal Commission, and Regional Water Quality Control Board. Upon completion of this review and understanding, each construction crew member shall sign a worker training form. This form shall be provided with the completion report upon completion of project construction.
59. BIOIm-23 Prior to any work within creek channels containing flowing water, a stream diversion and dewatering plan for each stream location shall be prepared and approved by National Marine Fisheries Service, Army Corps of Engineers, and California Department of Fish and Game, and the stream within the work area shall be dewatered. The form and function of the diversion and all pumps included in the dewatering strategy shall be designed to ensure a dry work environment and minimize impacts to aquatic species. The diversion and dewatering plan shall be implemented as conducted under the direct and continuous supervision of a qualified biologist to ensure the proper form and function of the diversion.
60. BIOIm-25 Prior to construction, if construction activities, use of heavy equipment, or tree pruning or removal are scheduled to occur during the typical bird nesting season (February 15 to September 1) a qualified biologist shall be retained to conduct a preconstruction survey (approximately one week prior to construction) to determine presence/absence for tree-nesting birds within riparian corridors and wooded areas, and ground-nesting birds within annual grasslands onsite. If no nesting activities are detected within the proposed work area, noise-producing construction activities or tree removals may proceed. If nesting activity is confirmed during preconstruction nesting surveys or at any time during the monitoring of construction activities, work activities shall be delayed within 500 feet of active nests until the young birds have fledged and left the nest. In addition, the results of the surveys will be passed immediately to the California Department of Fish and Game, possibly with recommendations for buffer zone changes, as needed, around individual nests. Tree removal shall be monitored for nesting birds and documented by the biological monitor regardless of time of year.
61. BIOIm-26 Prior to initiation of construction activities, including trail improvements requiring ground disturbance and/or use of heavy equipment, the CCSD or its designee shall retain a qualified wildlife biologist to conduct a pre-activity survey for burrowing owl. The survey shall be conducted within 30-days prior to site disturbance. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. Results of the survey shall be documented in a report and shall include the date and time of the survey, locations, and findings. The report shall be submitted to the California Department of Fish and Game (CDFG). If no burrowing owls are found to occupy the site at that time, no further measures would be necessary unless burrowing owls are subsequently observed at the project site, in which case the following mitigation measure would be implemented:
If burrowing owls are found within the area proposed for disturbance, the CCSD or its designee shall immediately contact CDFG and immediately implement all measures identified in the "Staff Report for Mitigating Impacts to the Burrowing Owl" (CDFG, 1995), and any additional measures required by CDFG. Burrowing owl burrows shall be avoided. No disturbance shall occur within 50 meters of human remains or human burrows. Burrows of non-breeding season (September 1 through January 31) or within 75 meters during the breeding season (February 1 through August 31).
62. CUL7Im-3 Prior to site disturbance, the applicant shall retain a qualified archaeologist (approved by the CCSD and County Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resource or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individual. The applicant shall implement the mitigation as required by the Environmental Coordinator.
63. CUL7Im-7 Upon application for construction permits from the County to relocate the Santa Rosa Creek Trail (west), Creek to Ridge Trail, the applicant shall retain a qualified historical archaeologist (approved by the CCSD and County Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resource or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individual. The applicant shall implement the mitigation as required by the Environmental Coordinator.

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Friends of the Fiscalini Ranch Preserve
CAMBRIA COMMUNITY SERVICES DISTRICT

FISCALINI RANCH PRESERVE LINKING BOARDWALK PROJECT CONDITIONS OF APPROVAL

Table with 3 columns: NO., REVISION, DATE. Includes entries for PLAN CHECK 1 dated 09/18/23 and PROJECT MANAGER JM.

N:\2938-01-RC22-Fiscalini-Reserve Boardwalk\Landscape-Architective\Task 12-Conditions\Sheet-Files\C-2938-01.dwg, C:\G03, Sep 18, 2023 9:11 am, jmmirack

Conditions to be completed during project construction

- 64. AES/mmm-6 All maintenance work within the FRP shall comply with the visual appearance requirements of the various sections of the Public Access and Management Plan. Special attention shall be given to paint and finish colors, imported fill and surfacing materials, replacement plants, and soil disturbance.
- 65. AES/mmm-9 During restoration activities associated with the Seacrift gully, all topsoil and fill material used for gully repair and exposed to view shall be similar in color and brightness to the soil of the adjacent native ground.
- 66. AQ/mmm-2 Prior to site disturbance, the applicant shall:
 - a. Obtain a compliance review with the APCD prior to the initiation of any construction activities;
 - b. Provide a list of all heavy-duty construction equipment operating at the site to the APCD. The list shall include the make, model, engine size, and year of each piece of equipment. This compliance review will identify all equipment and operations requiring permits and will assist in the identification of suitable equipment for the catalyzed diesel particulate filter; and
 - c. Apply for an Authority to Construct from the APCD.
- 67. AQ/mmm-4 During construction, the applicant shall maintain monthly compliance checks throughout the construction phase, verifying that all equipment and operations continue to comply with the APCD requirements.
- 68. BIO/mmm-5 To avoid erosion and downstream sedimentation, and to avoid impacts to aquatic species, no work within or immediately adjacent to on-site drainages (within fifty feet) shall occur during the rainy season (October 15 through April 30), unless authorized by an affected agency (e.g., Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game, California Coastal Commission, and the County of San Luis Obispo).
- 69. BIO/mmm-6 Equipment access and construction shall be conducted from the banks rather than from within creeks and drainages unless approved otherwise by 404/401/1602 permit conditions. No equipment shall be staged and no temporary placement of fill shall occur in creeks and drainages.
- 70. BIO/mmm-7 Soil stockpiles shall not be placed in areas that have the potential for significant runoff during the rainy season. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be on-site at all times during construction. Cleaning and refueling of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to standard Best Management Practices applicable to attaining zero discharge of stormwater runoff. No maintenance, cleaning, or refueling of equipment shall occur within wetland or riparian areas, or within fifty feet of such areas. At a minimum, all project equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.
- 71. BIO/mmm-8 Impacts to wetland or riparian habitats resulting from project construction shall be mitigated through restoration/enhancement of adjacent wetland and riparian areas at a minimum of a 2:1 ratio (two square feet of restored habitat for each square foot of disturbed habitat) or greater, or as required by any applicable state or federal permit. Restoration/enhancement shall consist of exotic species removal, revegetation with suitable native species (native to the FRP), and maintenance and monitoring of the enhanced areas per the conditions of agency permits obtained for the project. A Habitat Revegetation and Restoration Plan for the project shall be prepared in consultation with the California Department of Fish and Game and the Army Corps of Engineers. A qualified restoration biologist and/or horticulturalist approved by the CCSD shall be retained by the CCSD or its designee to prepare the Habitat Revegetation and Restoration Plan. The plan shall include success criteria goals and a five-year monitoring schedule. The qualified biologist shall supervise site preparation, timing, species utilized, planting installation, maintenance, monitoring, and reporting of the revegetation/restoration efforts.
- 72. BIO/mmm-9 Following completion of ground-disturbing activities within or immediately adjacent to riparian or wetland areas, all disturbed and barren areas shall be immediately revegetated with appropriate native vegetation to reduce the risk of erosion, per the requirements of the Habitat Revegetation and Restoration Plan and the Storm Water Pollution Prevention Plan. Areas experiencing temporary disturbance should be replanted with native species that are characteristic of habitats in the project site area.
- 73. BIO/mmm-11 If disturbance of special-status plants or native habitats located on site cannot be completely avoided through design modification, impacts shall be quantified by number of individuals and by area disturbed, and a Rare Plant Mitigation Plan shall be prepared by a qualified biologist that specifically addresses impacts to and appropriate mitigation and conservation measures for those impacts. The Plan shall identify areas on the project site suitable for sensitive species habitat restoration and revegetation, and shall include planting methods, maintenance and monitoring requirements, and success criteria. Depending on the species at issue, measures may include preservation of areas containing significant populations, potential transplanting of individual plants, and plant propagation and revegetation within appropriate on-site habitats. Removal or pruning of Monterey pine trees required for hazard reduction or fire safety purposes shall not require mitigation under this measure, but pruning shall follow accepted procedures to avoid harm to the tree.
- 74. BIO/mmm-12 A qualified biological monitor shall be retained consistent with BIO/mmm-2 to ensure that remaining plants and habitats are not inadvertently disturbed during construction activities. Prior to any project-related ground disturbance, all contractors associated with the construction phases of the proposed project shall be trained by the biological monitor on the identification and biology of sensitive plant species and habitats known in the vicinity of the project area. Work areas should also be clearly delineated and flagged to limit vehicular and foot access to only those areas necessary for project completion. These areas should be designated by the biological monitor to avoid/discourage unnecessary damage to sensitive species and habitats within and near the project area.
- 75. BIO/mmm-15 To the extent practicable, construction activities within or adjacent to Santa Rosa Creek (within 100 feet) shall be conducted during the dry season (May 15 through October 15).
- 76. BIO/mmm-18 In order to minimize the possibility of injuring special-status species and other wildlife, herbaceous and small woody vegetation within the project impact area shall be removed by hand with portable motorized equipment (i.e., chainsaws, etc.), prior to the use of heavy equipment or machinery. A qualified biologist shall be on-site to provide clearance for special-status species immediately prior to vegetation removal activities. The biological monitor shall have general knowledge of the natural resources of the area and shall also be experienced in the identification of special-status wildlife species (e.g., California red-legged frog, western pond turtle). In the event of a red-legged frog take, the United States Fish and Wildlife Service shall be notified as soon as is reasonably possible. In the event of a steelhead take, National Marine Fisheries Service shall be contacted and the steelhead shall be removed from the project site and kept in a freezer until further direction from National Marine Fisheries Service.
- 77. BIO/mmm-19 The number of access routes, size of staging areas, and the total area of activity shall be limited to the minimum necessary to achieve the project goal. Environmentally Sensitive Areas shall be established to confine access routes and construction areas to the minimum area necessary to complete construction and minimize the impact to steelhead, California red-legged frog, and Southwestern pond turtle habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable.
- 78. BIO/mmm-20 During project activities adjacent to Santa Rosa Creek, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
- 79. BIO/mmm-21 All refueling, maintenance, and staging of equipment and vehicles shall occur at designated locations at least 100 feet from riparian areas. Fueling locations shall have spill containment measures and materials present at all times. The monitor shall ensure contamination of habitat does not occur during such operations. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take shall a spill occur.
- 80. BIO/mmm-22 Project areas disturbed by construction shall be revegetated with an assemblage of native riparian, wetland, and upland vegetation native to the area. Locally collected plant materials shall be used to the extent practicable. Invasive non-native plants within disturbed areas shall be controlled to the maximum extent practicable.
- 81. BIO/mmm-24 To control sedimentation during and after project implementation, the contractor shall implement Best Management Practices (BMPs) outlined in any authorizations or permits issued under the authorities of the Clean Water Act for the project. If BMPs are ineffective, the contractor shall attempt to remedy the situation immediately, in consultation with the environmental monitor and the CCSD.
- 82. CULT/mmm-9 In the event archaeological or historical resources are unearthed or discovered during any construction activities, the following shall apply:
 - a. Construction activities shall cease, and the CCSD or its designee, the County Environmental Coordinator, and County Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist or historian (as applicable), and disposition of artifacts may be recorded in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the CCSD,

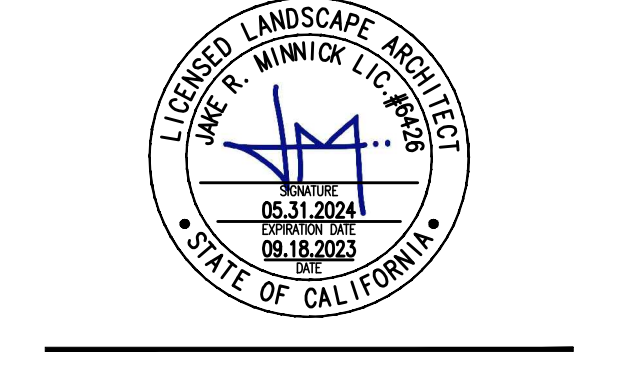
- County Environmental Coordinator, and County Planning Department so proper disposition may be accomplished.
 - c. Implement CUL/mmm-1 through CUL/mmm-8 as applicable.
 - 83. GEO/mmm-7 Prior to site disturbance and during trail and resource management within the Fiscalini Ranch Preserve (FRP), the CCSD or its designee shall implement the following measures:
 - a. Implement Santa Rosa Creek bank stabilization measures identified in the Public Access and Management Plan (RRM, 2003).
 - b. Streambank restoration plans shall be developed to control bank erosion on the Santa Rosa Creek east bank upstream of the previously restored bank.
 - 84. HYD/mmm-1 During restoration activities within the Seacrift Gully, soil stabilization measures shall be implemented to ensure that sedimentation or debris do not move downstream and reduce the drainage capacity of the 36-inch culvert beneath Windsor Boulevard.
 - 85. N/mmm-1 During construction activities, the use of equipment shall be limited to allowed work hours as defined in the existing County Noise Ordinance, 7:00 A.M. to 9:00 P.M. (Monday through Friday) and 8:00 A.M. to 5:00 P.M. (Saturday and Sunday).
- Conditions to be completed prior to occupancy or final building inspection/establishment of the use**
- 86. AES/mmm-7 Upon implementation of the Public Access and Management Plan, short-term actions of phased improvements shall include the following concept:
 - Install and maintain visual screen planting where feasible at areas identified in the Management Plan and subsequent visual assessments as areas likely to require screening in the future.
 - 87. BIO/mmm-27 For the life of the project, no vehicular parking shall be allowed on the Fiscalini Ranch Preserve, with the exception of existing American Disabilities Act (ADA) parking located at the northern terminus of the Marine Terrace Trail / Bluff Trail; the existing turn-out at the Highway 1 staging area; parking included in the approved Community Park Master Plan on the East Fiscalini Ranch Preserve; and, maintenance and emergency vehicles and equipment.
 - 88. CULT/mmm-4 Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the CCSD and County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
 - 89. CULT/mmm-6 Upon implementation of proposed trail and amenity improvements, the CCSD or its designee shall implement a sign program for the protection of environmental resources. Signage shall include the following, or similar, language: "Please stay on designated trails. Disturbance of sensitive biological habitats and collection of artifacts such as arrowheads, old bottles, and other materials is extremely damaging". At a minimum, signage shall be placed at trailheads.
 - 90. CULT/mmm-8 Upon completion of all monitoring/mitigation activities, the consulting historical archaeologist shall submit a report to the CCSD and County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
 - 91. GEO/mmm-1 Any additional improvements or additions to the Bluff Trail shall be set back from the bluff top a minimum of 25 feet based on site investigations, Coastal Commission and San Luis Obispo County Department of Planning and Building requirements and guidelines, and to the extent feasible considering protection of wetland resources.
 - 92. GEO/mmm-6 The CCSD shall create a plan for evacuation based on the NWS warning guidance and the San Luis Obispo County Tsunami Emergency Response Plan. In the event of an anticipated tsunami, the CCSD or ranch manager shall post NWS warnings at each trailhead.
 - 93. HM/mmm-2 To reduce the potential for wildland fire, the CCSD shall implement the Fire Management and Prevention strategies included in the Management Plan, including, but not limited to:
 - a. Creating a defensible zone of 50-300 feet adjacent to the Lodge Hill neighborhood;
 - b. Prohibiting smoking and fires of any kind within the FRP;
 - c. Clearing dead standing trees, dense underbrush and tree limbs up to six feet above ground;
 - d. Posting red flags at staging areas to warn visitors to be careful extra vigilant periods of high fire hazards; and,
 - e. Coordinating all ranch maintenance activities with the CFD.
 - 94. HM/mmm-3 Prior to operation of the community park, the CCSD shall submit a Hazardous Materials Business Plan to the County Division of Environmental Health.
 - 95. PSU/mmm-2 Trails proposed for emergency access, including the Marine Terrace Trail and Santa Rosa Creek (West) Trail shall be maintained to ensure function and emergency access throughout the FRP.
 - 96. PSU/mmm-3 The Cambria CSD Fire Department shall use existing vehicles and trucks capable of carrying rescue personnel and their equipment as well as individual victims, throughout the FRP.
 - 97. PSU/mmm-4 Immediately following use of an emergency vehicle on non-emergency access roads on the FRP, the FRP manager shall inspect the trail and implement erosion control measures and site restoration as necessary.
 - 98. PSU/mmm-6 The Cambria CSD Fire Department shall continue to engage in annual fuel reduction activities, especially in the urban/wildland interface areas on the north and boundaries of the West FRP, as outlined in the Public Access and Resource Management Plan.
 - 99. PSU/mmm-8 Turn-outs and other areas not approved for vehicle parking shall be appropriately signed to inform visitors of the no camping and no parking limitations of the FRP.
 - 100. PSU/mmm-9 During management of the FRP, the CCSD or ranch manager shall monitor trash quantity and determine if additional trash and recycling receptacles and trash pick-up days are necessary. Trash receptacles shall be placed at major trailheads at the boundary of the ranch, and adjacent to all parking areas.
 - 101. TC/mmm-2 The CCSD or FRP Manager shall continue to coordinate with the Cambria Trolley service to determine appropriate days of service and trolley stop locations on and in the immediate vicinity of the West FRP.
 - 102. TC/mmm-3 Upon preparation of informational publications regarding the West FRP, the CCSD shall include a description of and encourage alternative transportation methods to access the FRP, including trolley stops, bicycle routes, and pedestrian walkways.
 - 103. TC/mmm-6 During operation of the sports fields, the CCSD shall implement a field rotation program. The program shall ensure that during organized sporting events, no more than four sports fields are in operation at one time.
 - 104. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection / establishment of the use. If bonded for, landscaping shall be installed within 60 days after final building. All landscaping shall be maintained in a viable condition in perpetuity.
 - 105. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/safety measures.
 - 106. Prior to occupancy of any structure associated with this approval, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
- On-going conditions of approval (valid for the life of the project)**
- Roads**
- 107. On-going condition of approval (valid for the life of the project), and in accordance with County Code Section 13.05, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage, tree planting, fences, etc without a valid Encroachment Permit issued by the Department of Public Works.
 - 108. On-going condition of approval (valid for the life of the project), the CCSD shall be responsible for operation and maintenance of public road frontage sidewalks, landscaping, street lighting, parking lots and pedestrian amenities in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by another public agency.
 - 109. On-going condition of approval (valid for the life of the project), individual traffic impacting improvements (not limited to but including: parking lots, parking spaces, pedestrian amenities alongside roadways), shall require a Traffic Engineer's Report to establish necessary mitigations unless waived by the County Public Works Director.
- Fees**
- 110. On-going condition of approval (valid for the life of the project), and in accordance with Title 13.01 of the County Code the applicant shall be responsible for paying to the

- Department or public works the appropriate north Coast road improvement fees for each future building permitted in the amount prevailing at the time of payment.
- Drainage**
- 111. On-going condition of approval (valid for the life of the project), the project's various developments shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et. sec.
- Equestrian usage**
- 112. A. Equestrians are limited by the Management Plan to using the following trails: Marine Terrace (2), Ridge (3), Creek to Forest (7), West Santa Rosa Creek (8), and Creek to Ridge (9) Trails. The number of equestrians using the Fiscalini Ranch Preserve cannot exceed 6 per day not to exceed 12 per week. Equestrians shall not ride in the creek or within riparian areas. There shall be no off trail riding or crossing beneath Highway 1. All trails shall include signage to notify users of these restrictions.
 - B. The applicant shall submit for Planning Department approval a revised trail plan consistent with the changes as shown on exhibit D presented at the Planning Commission hearing.
 - C. County approved barriers shall be installed on either side of Santa Rosa creek to prevent equestrian use in the creek.
- General**
- 113. Annual monitoring reports shall be submitted to the County Planning Department consistent with the mitigation measures.
 - 114. CCSD will provide adequate timely notification to the County and the public before projects commence by including them on the CCSD Board of Directors agenda.
 - 115. This land use permit is a phased project as described in condition 1. The land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed within the time period outlined in Condition 1. In this case, this land use permit is considered to be vested once one of the projects (not listed as "complete") from Table A is implemented and constructed.
 - 116. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

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 rrmdesign.com | (805) 543-1794
 3765 SOUTH HIGUERA STREET, SUITE 102
 SAN LUIS OBISPO, CA 93401



FISCALINI RANCH PRESERVE LINKING BOARDWALK

PROJECT CONDITIONS OF APPROVAL

NO.	REVISION	DATE
▲	PLAN CHECK 1	09/18/23
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PROJECT MANAGER
JM

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DATE
SEPTEMBER 18, 2023

PROJECT NUMBER
2938-01-RC22

SHEET
G004



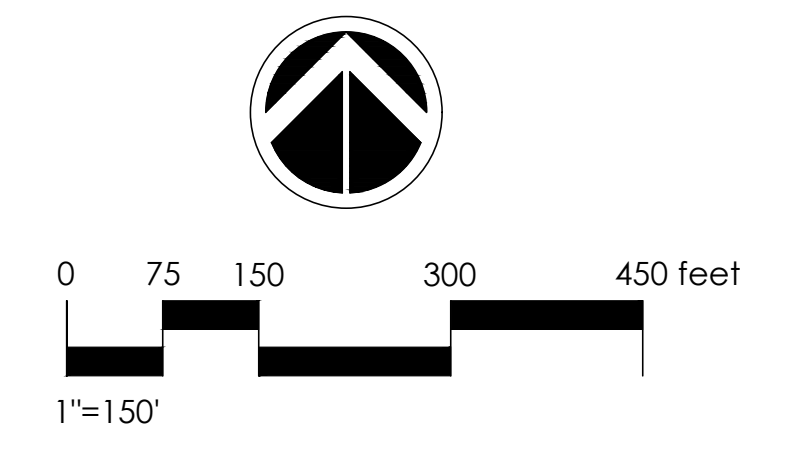
FISCALINI RANCH PRESERVE

SYMBOL LEGEND

SYMBOL	DESCRIPTION
	CONSTRUCTION STAGING ROUTE
	APPROXIMATE PROJECT LIMIT OF WORK

NOTES

1. CONTRACTOR SHALL HOLD A PRECONSTRUCTION MEETING ONSITE WITH A REPRESENTATIVE FROM EACH SUBCONTRACTOR AND THE OWNER'S REPRESENTATIVES SEVEN DAYS BEFORE COMMENCEMENT OF CONSTRUCTION TO DISCUSS CONSTRUCTION STAGING, ACCESS, AND WORKER CONDUCT
2. OWNER TO SUPPLY CONTRACTOR WITH ACCESS TO SWING GATES AT ENTRANCE A & B DURING THE TIME OF CONSTRUCTION
3. CONTRACTOR TO PROVIDE A SECURE STAGING AREA FOR STORAGE OF MATERIALS AND EQUIPMENT. TEMPORARY CHAIN LINK FENCING SHALL BE INSTALLED AND THE ENTRANCE SHALL REMAIN LOCKED AT ALL TIMES UNLESS OCCUPIED BY THE CONTRACTOR OR AN AUTHORIZED REPRESENTATIVE



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FISCALINI RANCH PRESERVE LINKING BOARDWALK

CONSTRUCTION STAGING AND ACCESS ROUTE

NO.	REVISION	DATE
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DATE
SEPTEMBER 18, 2023

PROJECT NUMBER
2938-01-RC22

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VIA ELECTRONIC MAIL: Brandi Cummings <brandi.cummings@swca.com>

August 12, 2022

SWCA Environmental Consultants
1422 Monterey Street Suite B200
San Luis Obispo, CA. 93401

SUBJECT: Conditional Substantial Conformance Determination for Project Modification
MOD2022-00050 to Minor Use Permit DRC2010-00026 for Cambria Community
Services District.

Dear Ms. Cummings,

This letter relates to the Project Modification Application MOD2022-00050 for Minor Use Permit
DRC2010-00026 for Cambria Community Services District. Based on the information provided,
the Planning and Building Department has determined that the proposed changes are in
substantial conformance with the approved development and County Code Section 23.02.038. A
review of the proposed changes and reason for the determination are provided below.

Description of Proposed Changes:

The proposed changes include modification to the previously approved land use entitlement to
allow for improvements and additions to the existing trail system on the West Fiscalini Ranch
Preserve (FRP) and East FRP, management and restoration of resources on the FRP, and
development of a community Park on the East FRP.

Basis for Substantial Conformance Determination:

- 1. The proposed replacement and relocation of the Meander Trail do not result in any new or
increased environmental impacts. The trail replacement and relocation will not increase
environmental impacts because:
a. The proposed project would not include improvements that would result in more severe
impacts to wetlands than those recognized in the 2009 FEIR.
b. The proposed trail reconstruction is consistent with identified potential impacts to
terrestrial species including American badger and Monterey dusky-footed woodrat.
Implementation of pre-construction surveys (BIO/mm-14) would reduce the impact to less
than significant, therefore the proposed project is consistent with the 2009 FEIR.
c. Implementation of pre-construction surveys (BIO/mm-25 and BIO/mm-26 would reduce the
potential impacts to nesting birds from noise to less than significant.

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www.sloplanning.org | planning@co.slo.ca.us

Substantial Conformance Request - Minor Use Permit DRC2010-00026 Cambria CSD

- d. The proposed project would result in approximately 400 square feet of ESHA impacts. The
2009 FEIR requires mitigation for impacts to a wetland habitat at a 2:1 ratio, which would
be achieved and exceeded with revegetation of the existing trail.
e. The project would not disturb any of the 15 known archaeological sites, and would be
subject to a monitoring plan, and the presence of an archaeologist and Native American
monitor during all earth disturbing activities to address discovery of any previously
unknown subsurface cultural materials.
2. The proposed changes do not result in the need to modify any of the Conditions of Approval.
a. The proposed changes are consistent with the approved development as stated in
the Conditions of Approval.
3. The proposed changes do not result in any changes to the project that were specifically
considered by the review authority.
a. The proposed changes are in conformance with the approved project.

Special Requirements:

The proposed modifications shall comply with all original conditions from Minor Use Permit
DRC2010-00026, as well as the following requirements:

- 1. Prior to commencing activities, the applicant shall demonstrate compliance with the
Conditions of Approval associated with the Minor Use Permit DRC2010-00026.
2. At the time of application for any future construction permits, this letter and a copy of
the Conditions of Approval from the Minor Use Permit DRC2010-00026 (Attachment A)
shall be printed on the construction drawings.
3. Indemnification, the applicant shall, as a condition of approval of this land use permit
application, defend, hold harmless and indemnify, at his or her sole expense (including
attorney's fees, with Counsel approved by the County), any action brought against the
County of San Luis Obispo, its present or former officers, agents, or employees, by a third
party challenging either its decision to approve this land use permit or the manner in
which the County is interpreting or enforcing the conditions of this land use permit, or
any other action by a third party relating to approval or implementation of this land use
permit. The applicant shall reimburse the County for any court costs and attorney fees
that the County may be required by a court to pay as a result of such action, but such
participation shall not relieve the applicant of his obligation under this condition. Upon
request of the County, the applicant shall also enter into a separate agreement with the
County (the "Indemnity Agreement"), in a form approved by County Counsel, agreeing to
defend, indemnify, save and hold harmless the County, its present or former officers,
agents, or employees, against actions by a third party challenging either its decision to
approve this land use permit or the manner in which the County is interpreting or
enforcing the conditions of this land use permit, or any other action by a third party

Substantial Conformance Request - Minor Use Permit DRC2010-00026 Cambria CSD

relating to or arising out of the approval or implementation of this land use permit. The
agreement shall provide that the applicant will indemnify the County and reimburse it
for any costs and/or attorney's fees which the County incurs as a result of such action,
and that the County's participation or non-participation in any such litigation shall not
relieve the applicant of his or her obligations under this condition or the agreement. The
applicant shall also provide sufficient guarantees for the obligations hereunder as
determined by County Counsel. Any violation of this condition, including the applicant's
failure to execute the Indemnity Agreement or breach thereof, or failure to provide
sufficient guarantees, is grounds for the County to rescind and/or revoke its approval of
this land use permit. These defense and indemnity obligations shall survive any rescission,
revocation and/or set aside of this land use permit.

If you have any questions regarding this determination, please contact me at kmorais@co.slo.ca.us
or (805) 781-5136.

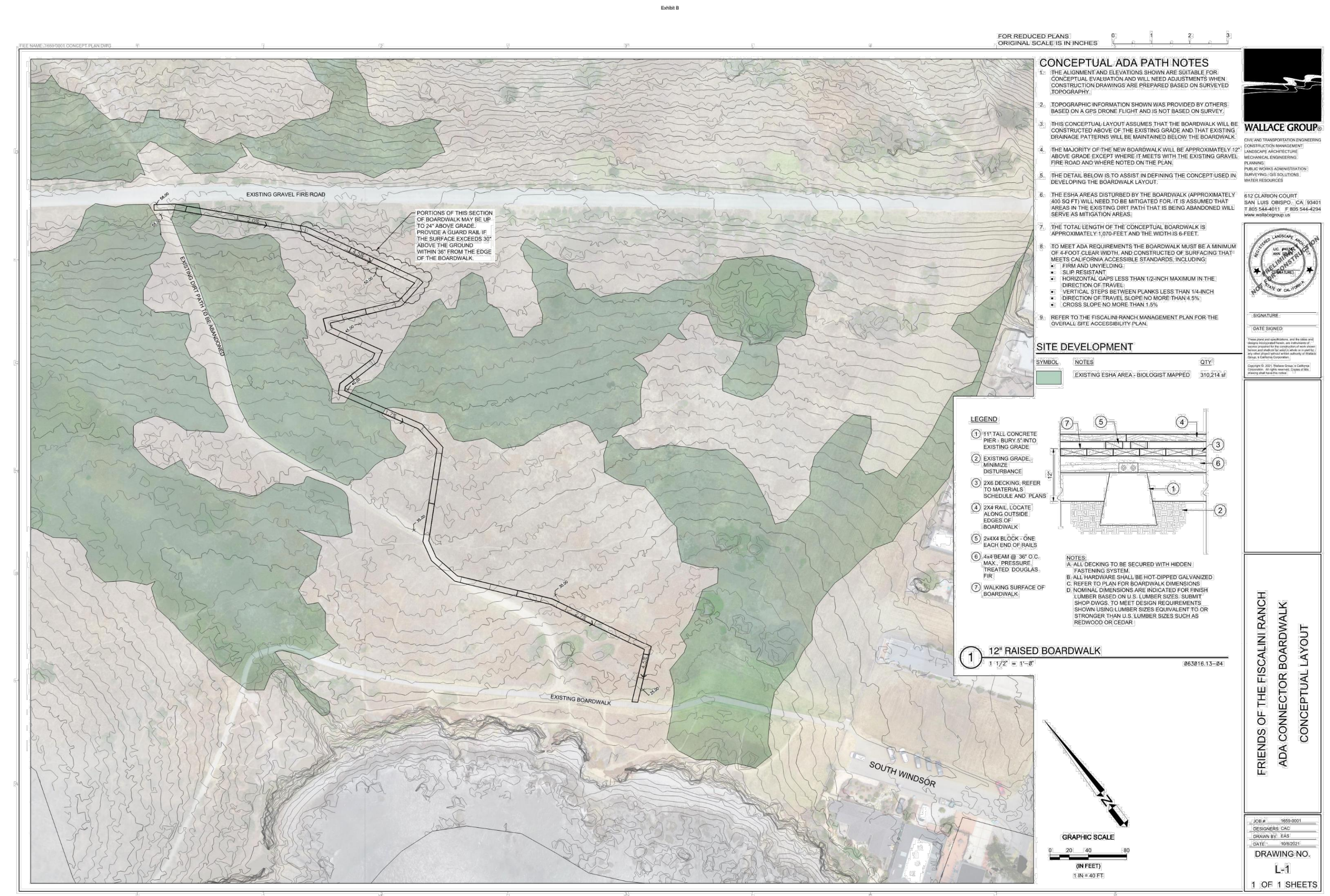
Sincerely,

Kip Morais, Planner II

[Signature]

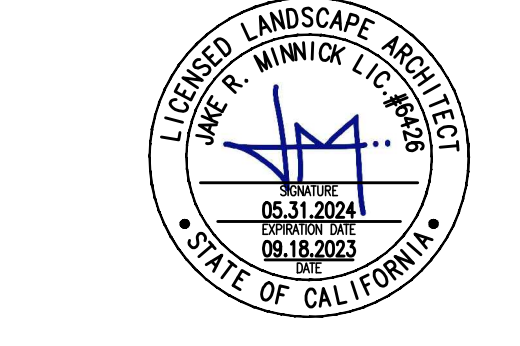
Attachments

- Attachment A - Conditions of Approval
Attachment B - Revised Site Plan



NOTES

- 1. SEE "CONDITIONS OF APPROVAL," SHEETS G003-G004
2. SEE "REVISED SITE PLAN," THIS SHEET



FISCALINI RANCH PRESERVE LINKING BOARDWALK
PROJECT SUBSTANTIAL CONFORMANCE DETERMINATION

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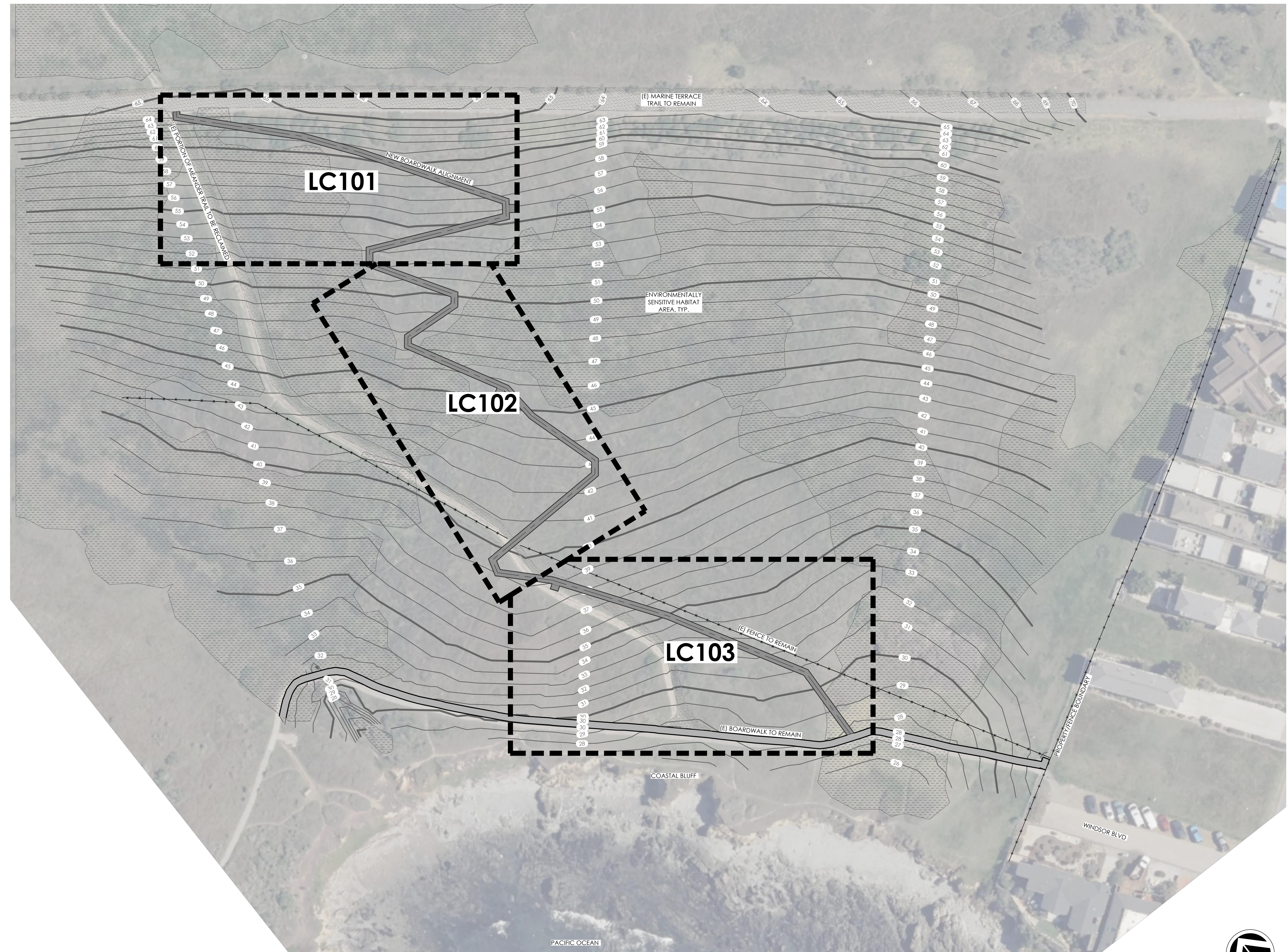
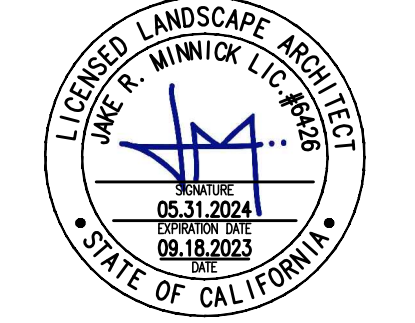
PROJECT MANAGER: JM
DRAWN BY: JM CHECKED BY: JM
DATE: SEPTEMBER 18, 2023
PROJECT NUMBER: 2938-01-RC22
DRAWING NO.: L-1
1 OF 1 SHEETS

G006

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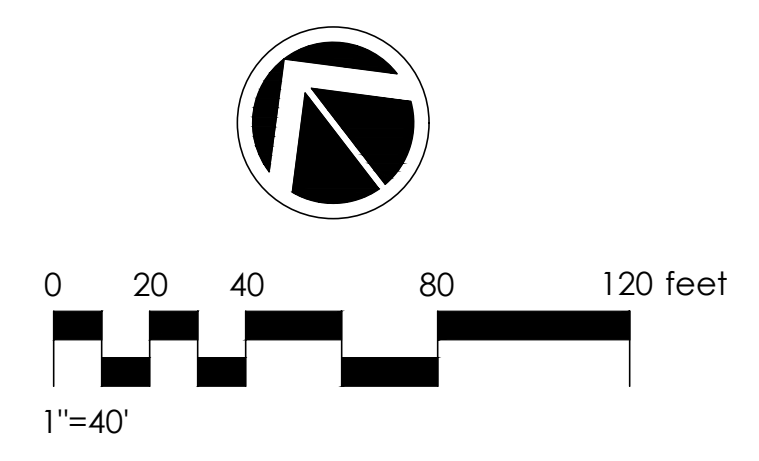


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FISCALINI RANCH PRESERVE LINKING BOARDWALK SITE REFERENCE PLAN

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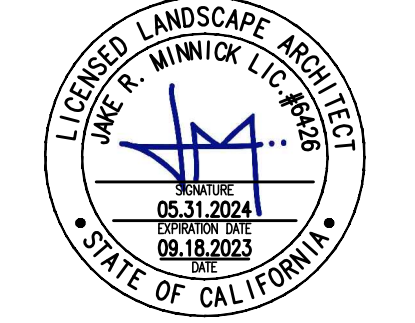
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DATE
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PROJECT NUMBER
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LC100



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MATCHLINE, SEE SHEET LC103

FISCALINI RANCH PRESERVE LINKING BOARDWALK CONSTRUCTION PLAN

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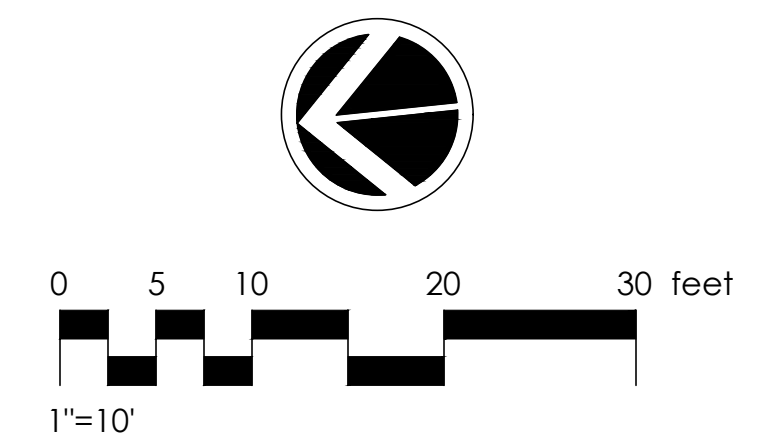
LC102

NOTES

- APPROXIMATELY 1,215 LF OF BOARDWALK IS PROPOSED
- BOARDWALK GRADIENT SHALL NOT EXCEED 5% IN THE DIRECTION OF TRAVEL OR 2% PERPENDICULAR TO THE PATH OF TRAVEL
- BOARDWALK HEIGHT SHALL NOT EXCEED 30" MEASURED FROM ADJACENT FINISH GRADE WITHIN 3' OF THE WALKING SURFACE
- APPROXIMATE CUMULATIVE AREA OF PERMANENT ESHA IMPACTS: 630 FT²
- APPROXIMATE AREA OF RECLAIMED TRAIL TO BE USED AS MITIGATION FOR ESHA IMPACTS (2:1 REQUIRED): 4,660 FT²

SYMBOL LEGEND

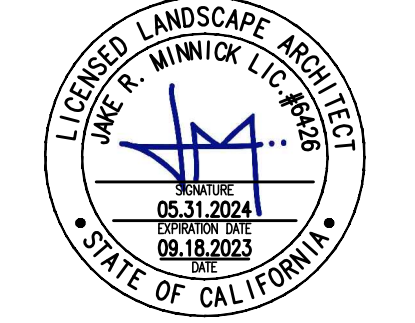
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	SECTION CALLOUT, WHERE 'X' IS THE SECTION NUMBER AND 'Y' IS THE PAGE NUMBER	-
	BIOLOGIST MAPPED ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA)	-
	WOODEN BOARDWALK	1 LC501
	BOARDWALK CENTERLINE	-



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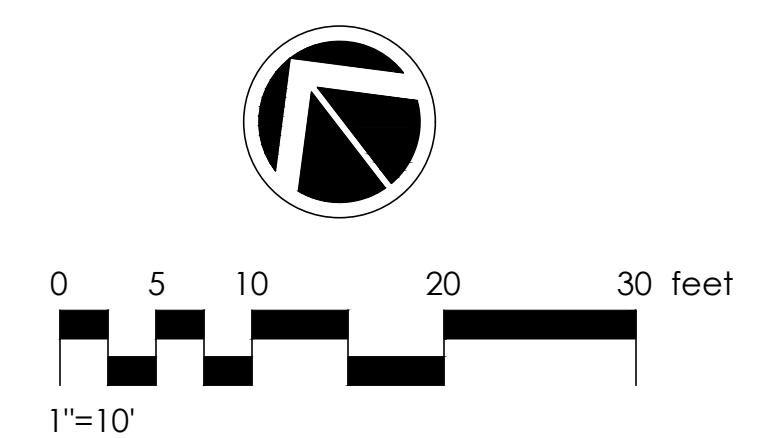
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NOTES

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	BIOLOGIST MAPPED ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA)	-
	WOODEN BOARDWALK	1 LC501
	BOARDWALK CENTERLINE	-



FISCALINI RANCH PRESERVE LINKING BOARDWALK CONSTRUCTION PLAN

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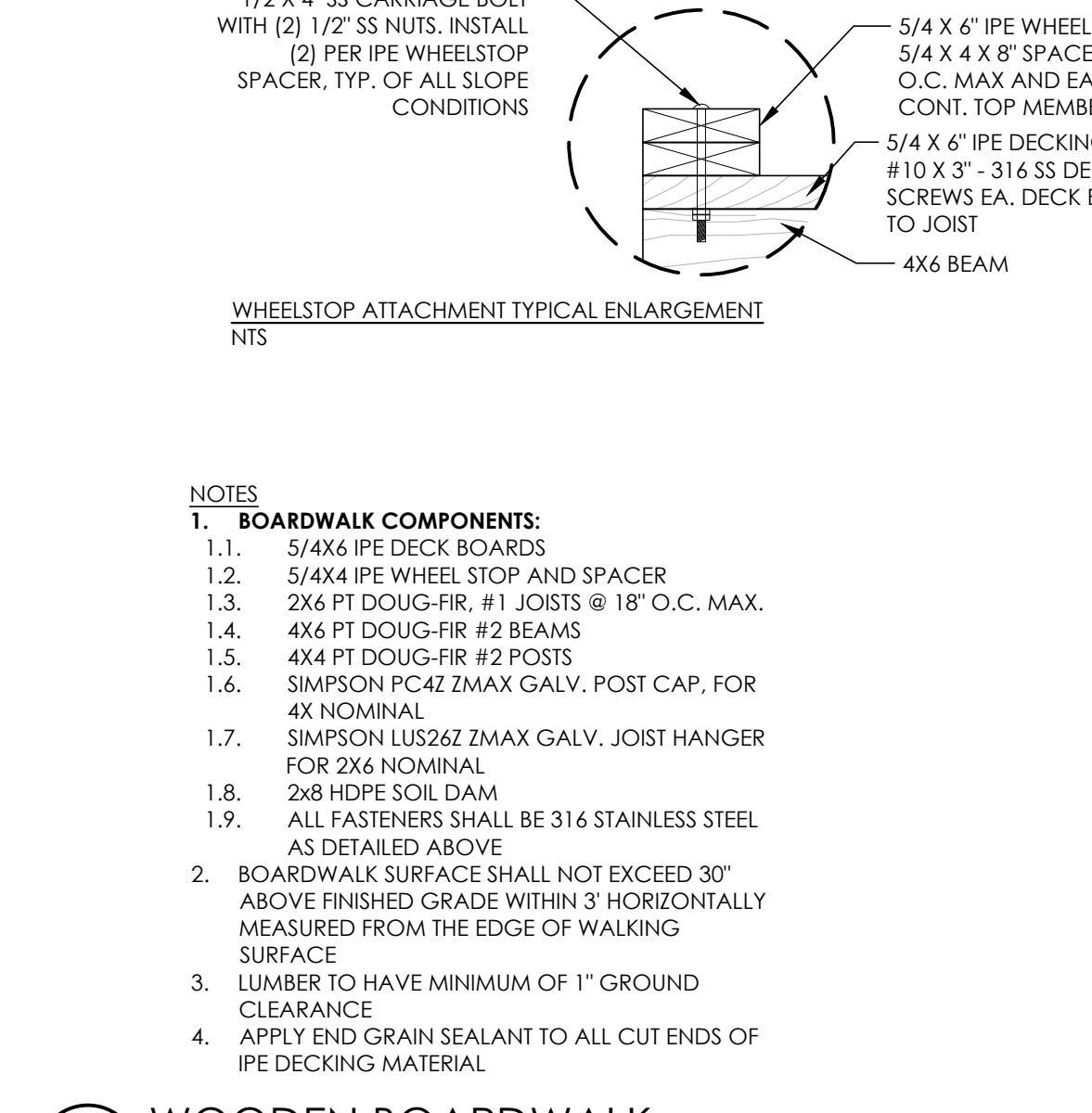
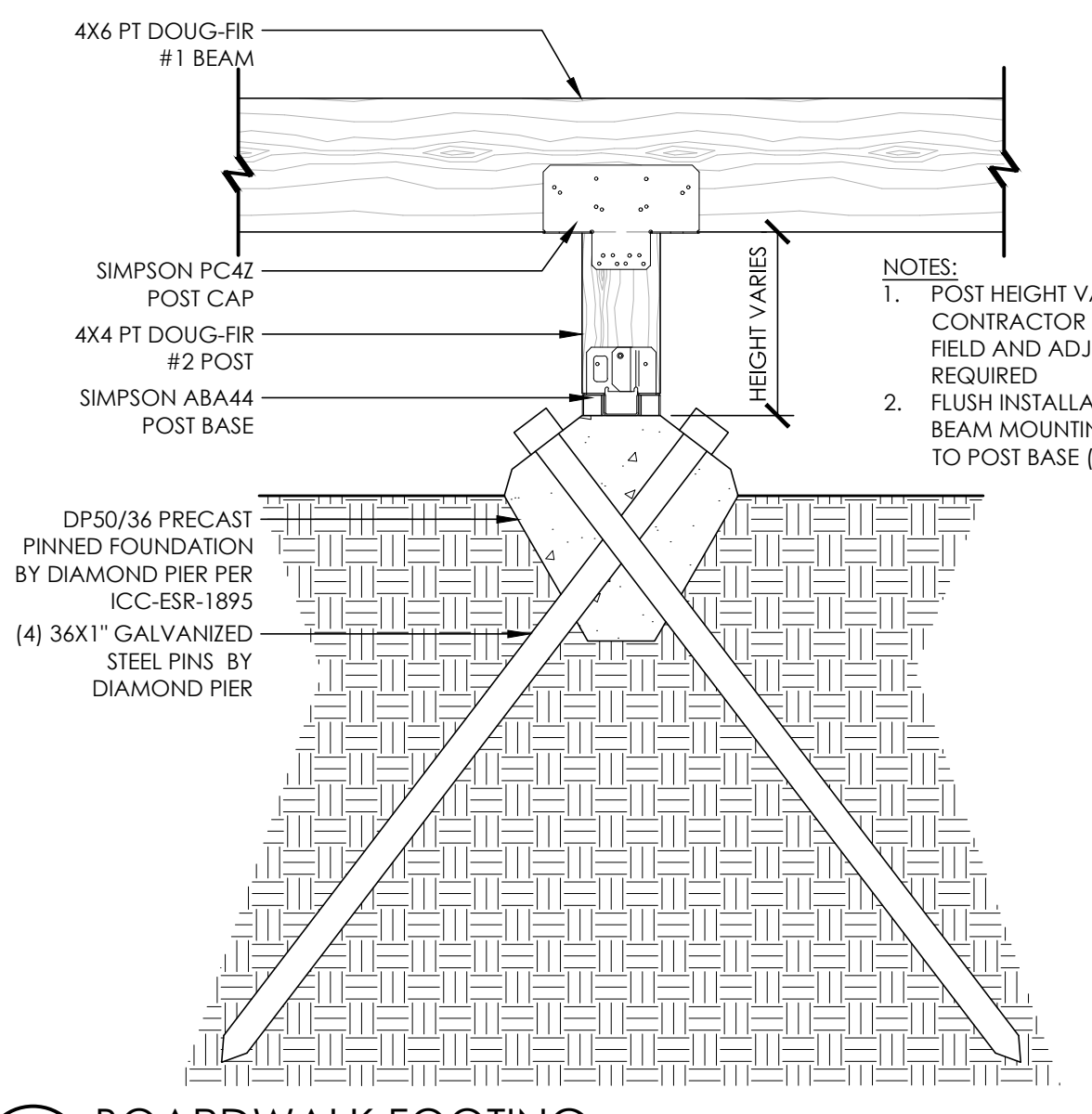
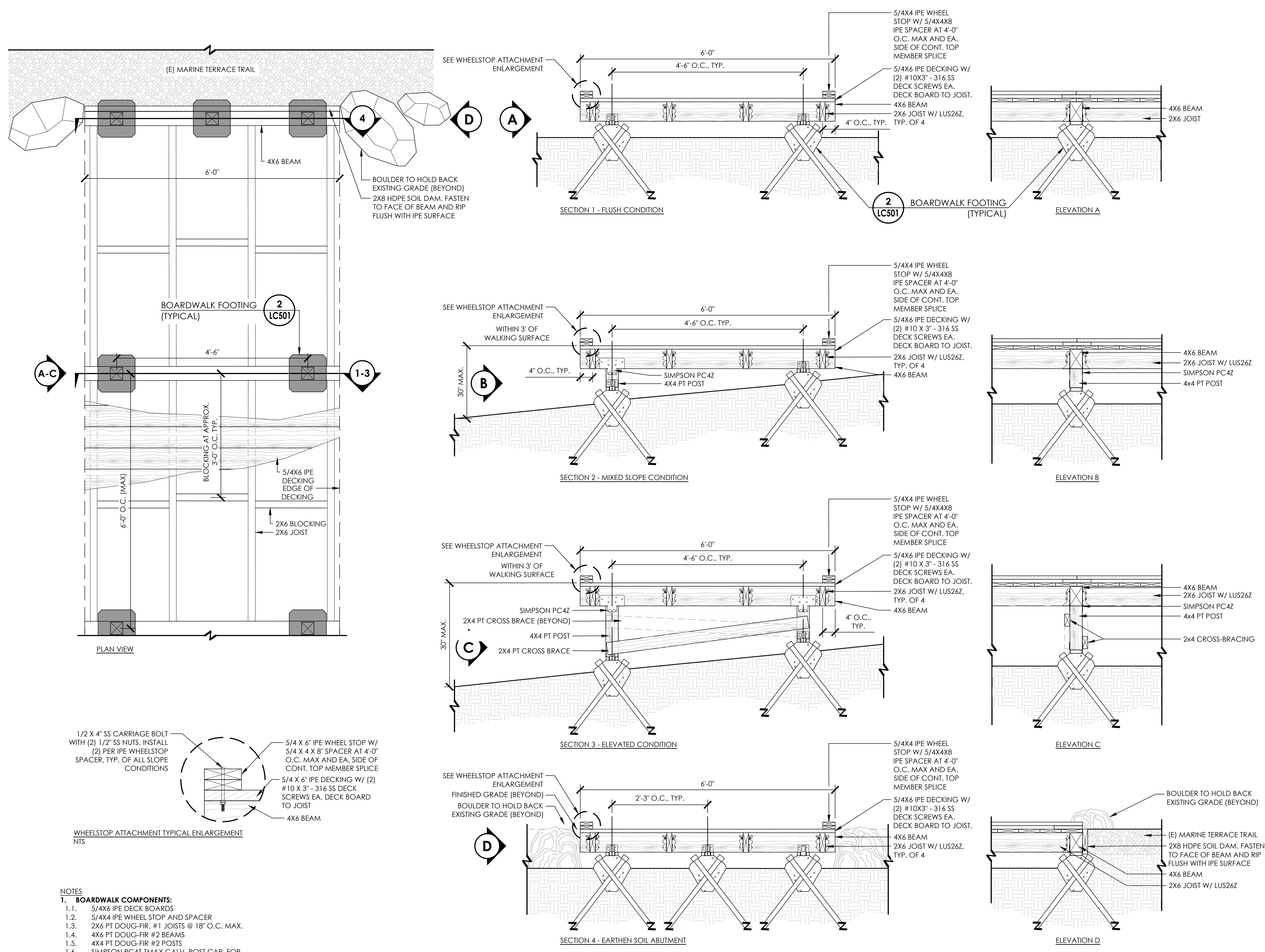
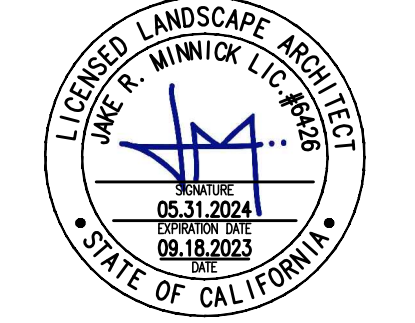
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- NOTES**
- BOARDWALK COMPONENTS:**
 - 5/4x6 IPE DECK BOARDS
 - 5/4x4 IPE WHEEL STOP AND SPACER
 - 2x6 PT DOUG-FIR #1 JOISTS @ 18" O.C. MAX.
 - 4x6 PT DOUG-FIR #2 BEAMS
 - 4x4 PT DOUG-FIR #2 POSTS
 - SIMPSON PC4Z ZMAX GALV. POST CAP, FOR 4X NOMINAL SIMPSON LUS26Z ZMAX GALV. JOIST HANGER FOR 2X6 NOMINAL
 - 2x8 HDPE SOIL DAM
 - ALL FASTENERS SHALL BE 316 STAINLESS STEEL AS DETAILED ABOVE
 - BOARDWALK SURFACE SHALL NOT EXCEED 30° ABOVE FINISHED GRADE WITHIN 3' HORIZONTALLY MEASURED FROM THE EDGE OF WALKING SURFACE
 - LUMBER TO HAVE MINIMUM OF 1" GROUND CLEARANCE
 - APPLY END GRAIN SEALANT TO ALL CUT ENDS OF IPE DECKING MATERIAL

- NOTES:**
- POST HEIGHT VARIES, CONTRACTOR TO VERIFY IN FIELD AND ADJUST HEIGHTS AS REQUIRED
 - FLUSH INSTALLATION REQUIRES BEAM MOUNTING DIRECTLY TO POST BASE (NO POST)

FISCALINI RANCH PRESERVE LINKING BOARDWALK CONSTRUCTION DETAILS

NO.	REVISION	DATE
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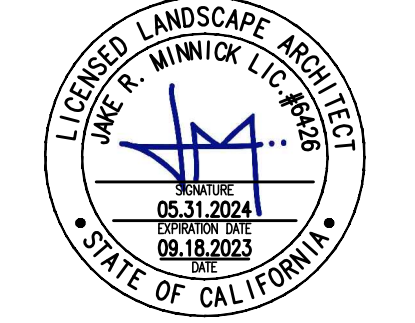
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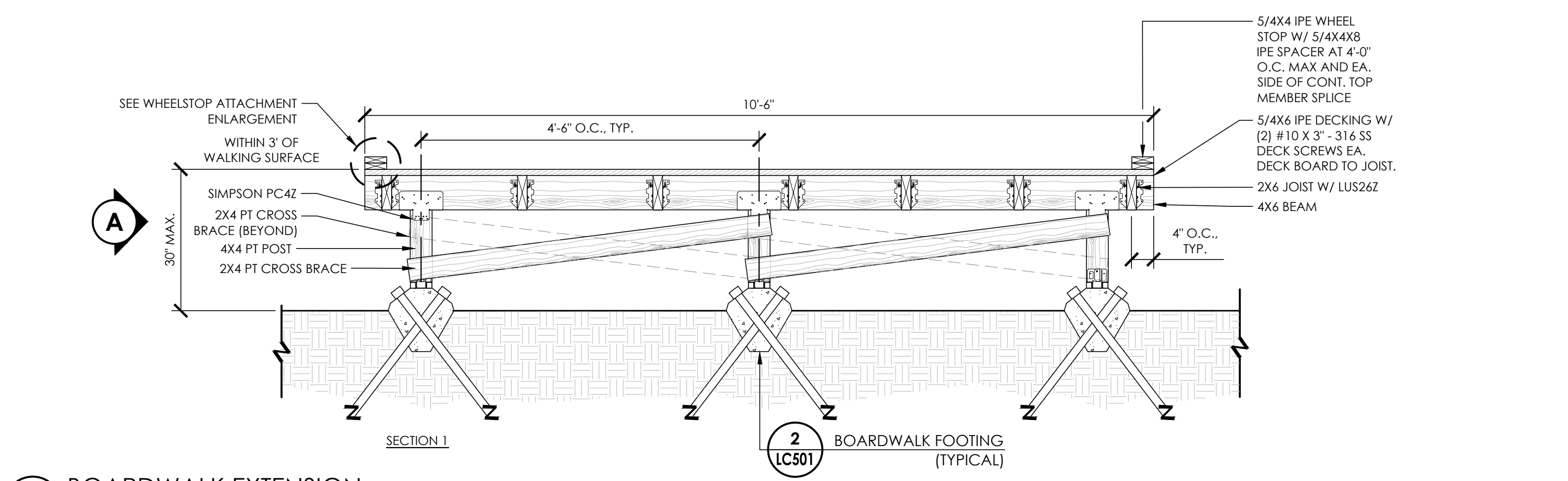
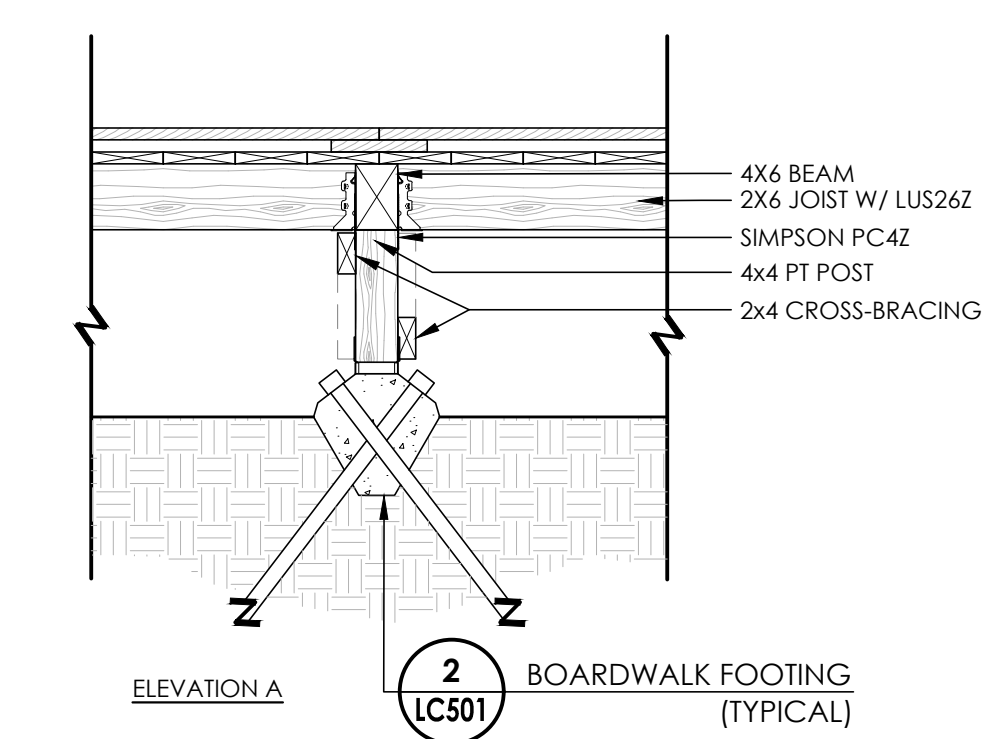
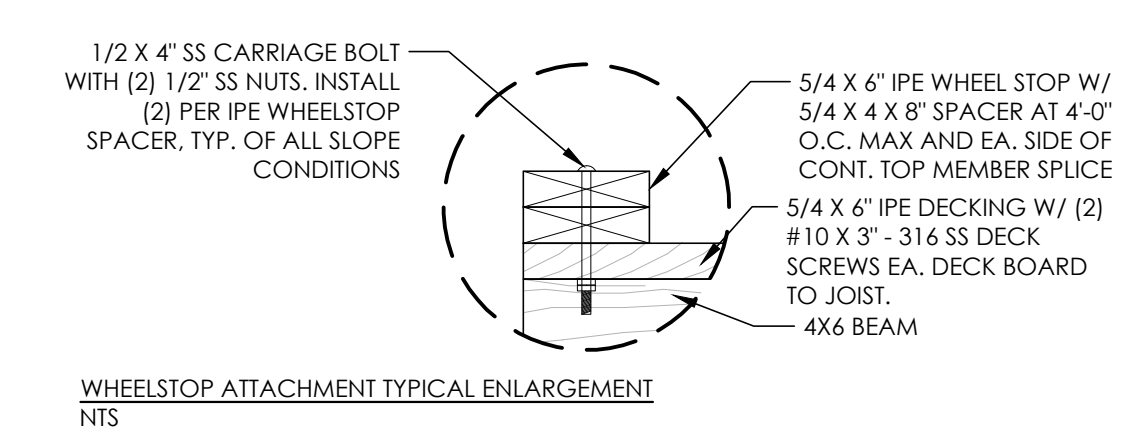
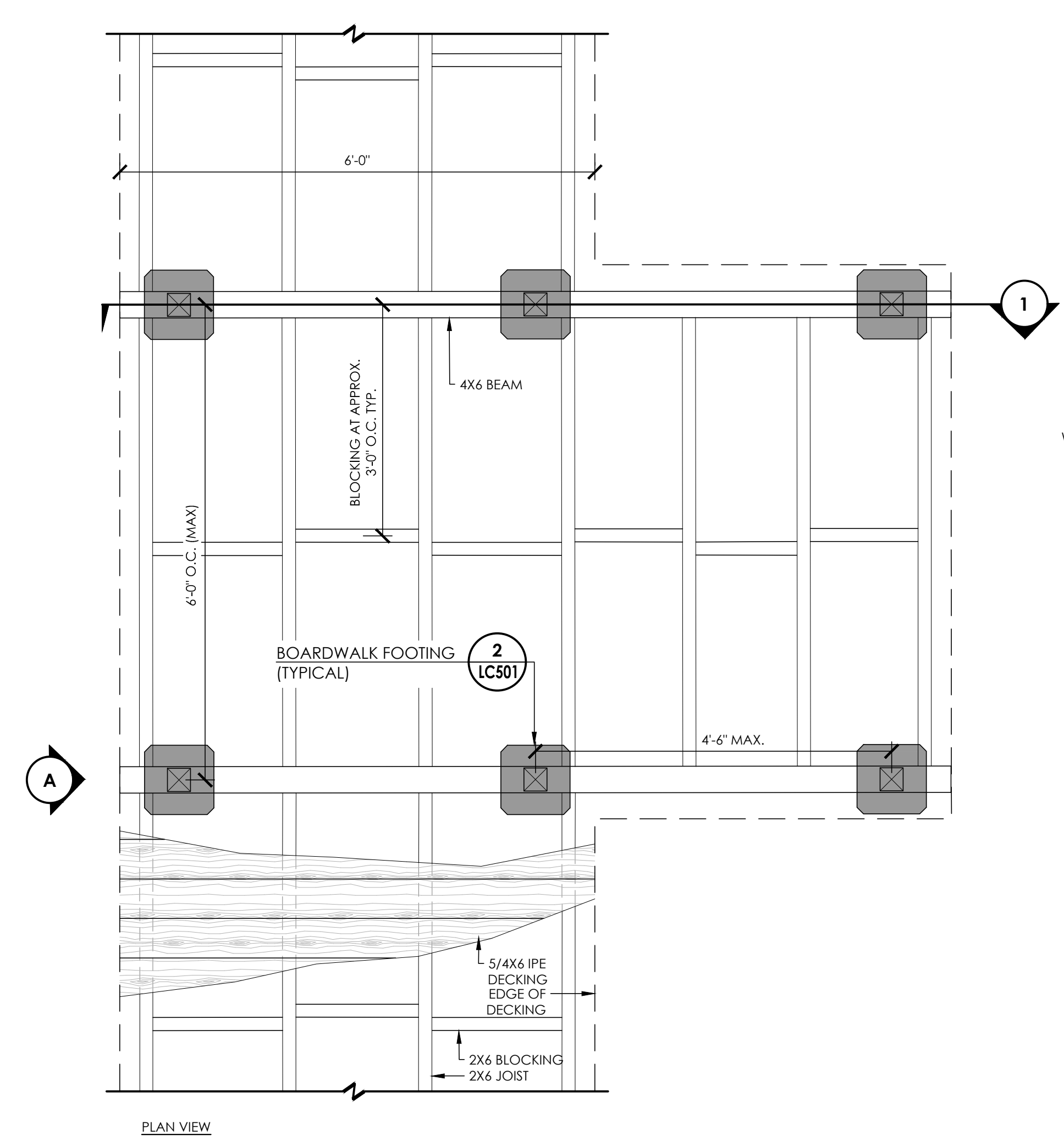
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- NOTES
- BOARDWALK EXTENSION COMPONENTS:**
 - 5/4x6 IPE DECK BOARDS
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 - LUMBER TO HAVE MINIMUM OF 1" GROUND CLEARANCE
 - APPLY END GRAIN SEALANT TO ALL CUT ENDS OF IPE DECKING MATERIAL



1 BOARDWALK EXTENSION
3/4" = 1'-0"

RRM-2900-2938-01-03

FISCALINI RANCH PRESERVE LINKING BOARDWALK CONSTRUCTION DETAILS

NO.	REVISION	DATE
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SEPTEMBER 18, 2023

PROJECT NUMBER
2938-01-RC22

SHEET LC502

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I. CLEARING AND GRUBBING

A. GENERAL

1. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT FOR CLEARING AND GRUBBING OPERATIONS PERFORMED IN ADVANCE OF GRADING OPERATIONS.
2. CLEARING AND GRUBBING SHALL CONSIST OF REMOVING ALL NATURAL AND ARTIFICIAL OBJECTIONABLE MATERIALS WITHIN THE LIMITS OF CONSTRUCTION.
3. EXCEPT AS INDICATED ON THE DRAWINGS, MATERIALS REMOVED SHALL NOT BE INCORPORATED IN THE PROJECT.
4. DEPRESSIONS CAUSED BY THE REMOVAL OF OBJECTIONABLE MATERIALS SHALL BE BACKFILLED AND COMPACTED WITH MATERIALS EQUAL TO THE SURROUNDING SOIL. PRESERVATION OF PROPERTY
5. COSTS INCURRED DUE TO REPAIR OR REPLACEMENT OF EXISTING IMPROVEMENTS WHICH ARE NOT DESIGNATED FOR REMOVAL AND WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION OPERATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
6. REPLACEMENTS SHALL BE AT LEAST EQUAL TO THE CONDITIONS WHEN CONTRACTOR ENTERED UPON THE WORK, AND SHALL MATCH THEM IN FINISH AND DIMENSION. PLANT MATERIAL SHALL BE REPLACED WITH THE SAME SPECIES, SIZE, AND IN THE ORIGINAL LOCATION (UNLESS OTHERWISE DESIGNATED).

B. REMOVAL AND DISPOSAL OF MATERIAL

1. ALL MATERIALS REMOVED SHALL BE DISPOSED OF OFF-SITE. BURNING SHALL NOT BE PERMITTED. NO ACCUMULATION OF FLAMMABLE MATERIAL SHALL REMAIN ON OR ADJACENT TO THE PROJECT SITE.
2. ABANDONED PIPES SHALL BE CAPPED OR PLUGGED.

II. EARTHWORK/FINE GRADING

A. GENERAL

1. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND EQUIPMENT TO PERFORM ALL EARTHWORK OPERATIONS AS INDICATED ON THE DRAWINGS AND SPECIFIED HEREIN.
2. IT IS THE INTENT OF THE DRAWINGS THAT THE GRADING BE A BALANCED CUT AND FILL OPERATION. IF, DURING GRADING OPERATIONS AN EXCESS OR DEFICIENCY OF EARTH BECOMES APPARENT, CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER OR LANDSCAPE ARCHITECT.
3. THE CONTRACTOR SHALL PROVIDE ALL LINES AND GRADES NECESSARY TO PROPERLY CARRY ON THE WORK. ANY WORK WHICH IS NOT FOUND TO COMPLY WITH THE LINES AND GRADES SHOWN ON THE DRAWINGS SHALL BE ALTERED OR REMOVED AND REPLACED BY, AND AT THE EXPENSE OF, THE CONTRACTOR.
4. ALL BENCH MARKS, MONUMENTS AND OTHER REFERENCE POINTS SHALL REMAIN UNDISTURBED.

B. PROTECTION OF PROPERTY

1. COSTS INCURRED DUE TO REPAIR OR REPLACEMENT OF EXISTING IMPROVEMENTS WHICH ARE NOT DESIGNATED FOR REMOVAL AND WHICH ARE DAMAGED AS A RESULT OF CONSTRUCTION OPERATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

C. GRADING OPERATIONS

1. FINISHED SURFACES IN ALL CASES SHALL CONFORM TO THE LINES, GRADES, CROSS SECTIONS AND DIMENSIONS INDICATED ON THE DRAWINGS.
2. EARTHEN FINISH GRADES SHALL BE WELL COMPACTED, REASONABLY SMOOTH, INSURING POSITIVE DRAINAGE, FREE OF ABRUPT GRADE CHANGES, IRREGULARITIES, WATER POCKETS OR DISCONTINUITIES IN SURFACE LEVEL.
3. NO GRADING SHALL BE DONE WHEN THE MOISTURE CONTENT OF THE SOIL IS SO GREAT THAT EXCESSIVE COMPACTION WILL OCCUR, NOR WHEN IT IS SO DRY THAT DUST WILL FORM IN THE AIR OR THAT CLODS WILL NOT BREAK READILY.
4. GRADING SHALL BE COMPLETED PRIOR TO WEED ABATEMENT OPERATIONS AND SOIL PREPARATION.

D. EXCAVATION

1. EXCAVATIONS SHALL BE TO THE DIMENSIONS AND ELEVATIONS INDICATED ON THE DRAWINGS, OF SUFFICIENT WIDTH TO PROVIDE CLEARANCES FOR SETTING OF FORMS AND INSPECTION OF THE VARIOUS CLASSIFICATIONS OF WORK.
2. CONCRETE FOR FOOTINGS SHALL BE PLACED AGAINST NATIVE GRADE OR CERTIFIED COMPACTED SUBGRADE WHICH HAS BEEN THOROUGHLY WETTED.
3. BOTTOM OF EXCAVATIONS SHALL BE LEVEL, FREE FROM LOOSE MATERIAL, AND FREE FROM STANDING WATER.

E. COMPACTED FILL

1. FILL MATERIAL SHALL BE COMPOSED OF SATISFACTORY EXCAVATED MATERIAL OR APPROVED IMPORTED SOIL AND SHALL BE EVENLY SPREAD IN UNIFORM CONTINUOUS HORIZONTAL LAYERS NOT MORE THAN SIX INCHES (6") DEEP OF UNCOMPACTED THICKNESS.
2. EACH UNCOMPACTED LAYER SHALL BE MOISTENED OR AERATED AS NECESSARY TO OBTAIN AN EVEN MOISTURE DISTRIBUTION WITHIN THREE PERCENT (3%) OF OPTIMUM MOISTURE CONTENT.
3. EACH LIFT AND THE UPPER SIX INCHES (6") OF NATIVE SOIL SHALL BE COMPACTED TO AT LEAST EIGHTY FIVE PERCENT (85%) OF MAXIMUM DENSITY OBTAINABLE IN AREAS DESIGNATED FOR PLANTING AND AT LEAST NINETY PERCENT (90%) MAXIMUM DENSITY OBTAINABLE IN AREAS DESIGNATED TO RECEIVE STRUCTURES.

F. BACKFILL

1. EXCAVATED MATERIAL, APPROVED FOR BACKFILLING, SHALL BE FREE FROM LARGE CLODS, STONES AND OTHER OBJECTIONABLE MATERIALS, EXCEEDING THREE INCHES (3") IN DIAMETER, AND DEPOSITED IN ACCORDANCE WITH THE REQUIREMENTS FOR COMPACTED FILL AS SPECIFIED HEREIN.
2. TRENCHES THAT SETTLE BELOW GRADE SHALL BE REOPENED TO A DEPTH REQUIRED FOR PROPER COMPACTION, REFILLED AND COMPACTED TO INDICATED SURFACE ELEVATION.

III. NON-VEGETATIVE SITE MATERIALS

A. GENERAL

1. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND EQUIPMENT FOR FURNISHING, SPREADING AND COMPACTING SUBBASE MATERIALS AS INDICATED ON THE DRAWINGS AND AS SPECIFIED HEREIN.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING SUBGRADE, PROVIDING DRAINAGE, AND PERFORMING WEED ABATEMENT OPERATIONS PRIOR TO PLACEMENT OF SUBBASE MATERIALS.
3. SUBBASE MATERIALS SHALL BE SPREAD WITH A SUFFICIENT MOISTURE CONTENT TO OBTAIN A RELATIVE COMPACTION OF NOT LESS THAN NINETY PERCENT (90%). MOISTURE CONTENT SHALL BE UNIFORMLY DISTRIBUTED THROUGHOUT THE MATERIAL.
4. MATERIAL SHALL BE OF SUCH NATURE THAT IT CAN BE COMPACTED READILY UNDER WATERING AND ROLLING TO FORM A FIRM, STABLE BASE THAT IS SPREAD IN ONE (1) OPERATION, FREE FROM POCKETS OF LARGE OR FINE MATERIAL.

B. AGGREGATE SUBBASE MATERIAL

2. AGGREGATE SUBBASE MATERIAL SHALL BE AS SPECIFIED IN THE PROJECT GEOTECHNICAL REPORT OR CONSIST OF CRUSHED ROCK AND ROCK DUST, UNIFORMLY GRADED WITH NINETY PERCENT (90%) PASSING THREE-QUARTER INCH (3/4") SIEVE SIZE AND FIFTY PERCENT (50%) TO EIGHTY PERCENT (80%) PASSING THREE-EIGHTHS INCH (3/8") SIEVE SIZE, FREE FROM VEGETABLE MATTER AND OTHER DELETERIOUS MATERIAL.

IV. CONCRETE

A. GENERAL

1. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND EQUIPMENT TO CONSTRUCT CONCRETE ITEMS AS INDICATED ON THE DRAWINGS AND SPECIFIED HEREIN.
2. CONCRETE SHALL CONSIST OF PORTLAND CEMENT, FINE AGGREGATE (SAND), COARSE AGGREGATE AND WATER, PROPORTIONED AND MIXED TO ATTAIN A TWENTY-EIGHT (28) DAY COMPRESSIVE STRENGTH OF AT LEAST 2,500 POUNDS PER SQUARE INCH WITH A SLUMP NOT TO EXCEED THREE INCHES (3"). CONCRETE SHALL NOT CONTAIN REACTIVE AGGREGATE OR CALCIUM CHLORIDE.
3. IN ADDITION TO COMPLYING WITH ALL PERTINENT CODES AND REGULATIONS OF LOCAL GOVERNING AGENCIES, CONTRACTOR SHALL COMPLY WITH ALL PERTINENT RECOMMENDATIONS CONTAINED IN "RECOMMENDED PRACTICE FOR CONCRETE FORMWORK", PUBLICATION #347-78 OF THE AMERICAN CONCRETE INSTITUTE.

B. MATERIALS

1. CEMENT SHALL BE TYPE II LOW ALKALI PORTLAND CEMENT CONFORMING TO ASTM C-150. CEMENT SHALL BE OF THE SAME BRAND AND TYPE USED THROUGHOUT THE PROJECT.
2. SAND SHALL CONSIST OF NATURAL OR MANUFACTURED GRANULAR MATERIAL, FREE OF DELETERIOUS AMOUNTS OF ORGANIC MATERIAL, MICA, LOAM, CLAY, AND OTHER SUBSTANCES NOT SUITABLE FOR PORTLAND CEMENT CONCRETE. SAND SHALL BE THOROUGHLY AND UNIFORMLY WASHED.
3. COARSE AGGREGATE SHALL BE COMPOSED OF GRAVEL OR A BLENDED MIXTURE OF CRUSHED ROCK AND GRAVEL CONTAINING NO MORE THAN FIFTY (50) PERCENT OF CRUSHED ROCK PARTICLES HAVING ALL FACES FRACTURED AND NOT LESS THAN TWENTY-FIVE (25) PERCENT OF GRAVEL. AGGREGATES SHALL NOT EXCEED A DIAMETER OF ONE AND ONE-HALF INCHES (1 1/2"). BLENDING SHALL PRODUCE A UNIFORM, CONSISTENT PERCENTAGE OF EACH. ROCK PRODUCTS SHALL BE CLEAN, HARD, SOUND, DURABLE, UNIFORM IN QUALITY AND FREE OF ANY DETRIMENTAL QUANTITY OF SOFT, FRIABLE, THIN, ELONGATED OR LAMINATED PIECES, DISINTEGRATED MATERIAL, ORGANIC MATTER, OIL, ALKALI, OR OTHER DELETERIOUS SUBSTANCES.
4. WATER SHALL NOT CONTAIN DELETERIOUS SUBSTANCES OR ANY AMOUNT OF IMPURITIES THAT WILL CAUSE A CHANGE IN THE TIME OF SETTING. THE AMOUNT OF WATER USED IN THE MIXTURE SHALL NOT EXCEED THE AMOUNT NECESSARY TO PERMIT MATERIAL PLACEMENT AND CONSOLIDATION.

C. REINFORCEMENT

1. REINFORCEMENT SHALL CONFORM TO THE DIMENSIONS AND DETAILS SHOWN ON THE DRAWINGS AND SHALL BE CLEANED THOROUGHLY OF ALL RUST, MILL SCALE, MORTAR, OIL, DIRT, OR COATING OF ANY CHARACTER WHICH WOULD BE LIKELY TO DESTROY OR IMPAIR ITS PROPER BONDING WITH THE CONCRETE.
2. REINFORCING STEEL, WHERE INDICATED ON THE DRAWINGS, SHALL BE GRADE 40 OR GRADE 60 BILLET STEEL, CONFORMING TO ASTM A-615.
3. WIRE MESH REINFORCEMENT, WHERE INDICATED ON THE DRAWINGS, SHALL CONFORM TO ASTM A-185.

D. TRANSIT MIXERS

1. MIXING SHALL BE COMMENCED AS SOON AS POSSIBLE AFTER THE CEMENT IS PLACED IN CONTACT WITH AGGREGATES BUT IN NO EVENT SHALL THE INTERVENING TIME PERIOD EXCEED THIRTY (30) MINUTES.
2. MIXING AND DELIVERY OF READY-MIXED CONCRETE SHALL CONFORM TO ASTM C-94.
3. ADEQUATE CONTROL OF READY-MIXED CONCRETE SHALL PROVIDE FOR ADDITIONAL WATER TO BE ADDED AND MIXED INTO THE BATCH AT THE PROJECT SITE. AMOUNT WITHHELD SHALL NOT EXCEED TWO AND ONE-HALF (2 1/2) GALLONS OF WATER PER CUBIC YARD OF MIX.
4. THE TOTAL ELAPSED TIME BETWEEN THE ADDITION OF WATER AT THE BATCH PLANT AND DISCHARGING AT PROJECT SITE SHALL NOT EXCEED NINETY (90) MINUTES.

E. PLACING CONCRETE

1. INSTALL EMBEDDED ITEMS ACCURATELY IN THEIR PROPER LOCATIONS, SECURED AGAINST DISPLACEMENT, PRIOR TO PLACING CONCRETE.
2. CONCRETE SHALL BE PLACED ON NATIVE GRADE, CERTIFIED COMPACTED SUBGRADE, OR SUBBASE MATERIAL, FREE OF ALL LOOSE AND EXTRANEIOUS MATERIAL, SUFFICIENTLY DAMPENED TO ENSURE THAT NO MOISTURE WILL BE ABSORBED FROM THE FRESH CONCRETE.
3. CONCRETE SHALL BE DISTRIBUTED UNIFORMLY AND THOROUGHLY VIBRATED IN A MANNER THAT WILL ENCASE THE REINFORCEMENT, FILL THE FORMS AND BRING THE SURFACE TRUE TO GRADE AND CROSS-SECTION.

F. FINISHING

1. CONCRETE SURFACES SHALL BE FLOATED PRIOR TO STEEL TOWELING.
2. CONCRETE FINISHES SHALL BE AS INDICATED ON THE DRAWINGS AND SPECIFIED HEREIN.
3. NO ADVERTISING IMPRESSIONS, STAMP OR MARK OF ANY DESCRIPTION WILL BE PERMITTED ON SURFACE OF CONCRETE.

V. ROUGH CARPENTRY

A. GENERAL

1. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND EQUIPMENT TO CONSTRUCT WOODEN STRUCTURES CONFORMING TO THE DIMENSIONS AND DETAILS INDICATED ON THE DRAWINGS AND AS SPECIFIED HEREIN.

B. MATERIALS

1. LUMBER SHALL BE STRAIGHT, FREE FROM LARGE, LOOSE OR UNSOUND KNOTS OR KNOT CLUSTERS, SCARS, DECAY, HOLES, INSECT DAMAGE, AND OTHER DEFECTS OR IMPERFECTIONS THAT WOULD MATERIALLY IMPAIR THE STRENGTH OR DURABILITY. SPLITS SHALL BE NO LONGER THAN THE BUTT DIMENSION. NO CRACKS WILL BE PERMITTED. NO NAILS, SPIKES, OR OTHER METAL SHALL BE PRESENT.
2. DOUGLAS FIR, WHERE INDICATED ON THE DRAWINGS, SHALL CONFORM IN ALL PARTICULARS TO THE STANDARD GRADING RULES FOR WESTERN LUMBER PUBLISHED BY THE WESTERN WOOD PRODUCTS ASSOCIATION.
3. HARDWARE SHALL CONFORM TO MISCELLANEOUS METALS SECTION.

C. TREATMENTS AND PRESERVATIVES

1. TYPE OF PRESSURE TREATMENT OR PRESERVATIVE SHALL BE AS INDICATED ON THE DRAWINGS AND SHALL CONFORM WITH THE APPLICABLE STANDARDS CONTAINED IN THE MANUAL OF RECOMMENDED PRACTICE OF THE AMERICAN WOOD PRESERVERS ASSOCIATION.
2. WHERE A PARTICULAR METHOD OF PRESSURE TREATMENT IS NOT INDICATED ON THE DRAWINGS, THE LUMBER SHALL BE CONDITIONED, SEASONED, PREPARED AND TREATED BY THE EMPTY CELL PRESSURE PROCESS WITH PENTACHLOROPHENOL WITH SIX-TENTHS (0.60) POUNDS PER CUBIC FOOT RETENTION. PENETRATION SHALL BE DETERMINED BY THE PENTOR CHECK METHOD.
3. WHERE PRACTICAL, TREATED WOOD SHALL BE CUT TO FINAL SIZE AND TRIMMED PRIOR TO TREATMENT. IF SITE SAWING OR DRILLING IS NECESSARY, CUT SURFACES SHALL BE THOROUGHLY BRUSHED WITH TWO (2) COATS OF THE SAME KIND OF PRESERVATIVE IN CONFORMANCE WITH AWPFA SPECIFICATION M-4.

D. WORKMANSHIP

1. FRAMING SHALL BE TRUE AND EXACT. ALL LUMBER SHALL BE CUT AND FRAMED TO A CLOSE FIT AND SHALL HAVE EVEN BEARING OVER THE ENTIRE CONTACT SURFACE. SHIMMING WILL NOT BE PERMITTED.
2. LUMBER SHALL BE WELL NAILED OR BOLTED TOGETHER AS INDICATED ON THE DRAWINGS. NAILS SHALL NOT BE DRIVEN CLOSER TOGETHER THAN ONE-HALF (1/2) THEIR LENGTH. CARE SHALL BE TAKEN TO AVOID HAMMER MARKS, MOONS, OR SAW CUTS.
3. LUMBER SHALL BE STORED NEATLY IN PILES ON SKIDS IN SUCH MANNER THAT THEY MAY BE READILY INSPECTED, AND SHALL BE HANDLED IN A MANNER THAT WILL AVOID INJURY OR BREAKAGE.

VI. PAINTING, STAINING, AND SEALING

A. GENERAL

1. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIAL, TOOLS, EQUIPMENT AND INCIDENTALS FOR SANDING, PRIMING, PAINTING, STAINING AND SEALING OF IMPROVEMENTS AS INDICATED ON THE DRAWINGS AND SPECIFIED HEREIN.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, ALIGNMENT, LAYOUT, DIMENSIONS AND APPLICATION OF PAINT AND STAINS.
3. COSTS INCURRED FOR REPAIR OR REPLACEMENT OF DEFECTIVE OR DAMAGED WORK, REJECTED MATERIALS OR WORKMANSHIP SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

B. MATERIALS

1. PAINTS, STAINS, AND SEALERS SHALL BE OF COLORS AND TINTS AS INDICATED ON THE DRAWINGS, AND SHALL BE APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND THESE SPECIFICATIONS. CONTRACTOR SHALL SUBMIT COLOR SAMPLES TO THE CITY FOR APPROVAL BEFORE APPLYING ANY PAINT MATERIALS.
2. PAINT SHALL BE HOMOGENEOUS, FREE OF CONTAMINANTS AND OF A CONSISTENCY SUITABLE FOR USE IN THE CAPACITY FOR WHICH IT IS SPECIFIED. FINISHED PAINT SHALL BE WELL GROUND AND THE PIGMENT SHALL BE PROPERLY DISPERSED IN THE VEHICLE ACCORDING TO THE REQUIREMENTS OF THE PAINT. THE DISPERSION SHALL BE OF SUCH NATURE

- THAT THE PIGMENT DOES NOT SETTLE APPRECIABLY, DOES NOT CAKE OR THICKEN IN THE CONTAINER OR BECOME GRANULAR OR CURDLED. PAINTS SHALL POSSESS PROPERTIES WHICH IN ALL RESPECTS EFFECT SATISFACTORY APPLICATION, ADHESION AND CURING. THINNING WILL NOT BE PERMITTED.
3. PAINT SHALL BE DELIVERED TO THE PROJECT SITE IN NEW, UNOPENED, ROUND, AIRTIGHT CONTAINERS, APPROPRIATELY IDENTIFIED WITH THE MANUFACTURER'S NAME, DATE OF MANUFACTURE, TYPE OF MATERIAL AND LOT OR BATCH NUMBER.

C. WORKMANSHIP AND PROTECTION

1. PAINT SHALL BE APPLIED ON THOROUGHLY DRY SURFACES AND DURING PERIODS OF FAVORABLE WEATHER.
 2. SURFACES BEING COVERED SHALL BE FREE FROM MOISTURE, DUST, GREASE OR OTHER DELETERIOUS SUBSTANCE WHICH WOULD PREVENT BONDING.
 3. PAINTING SHALL BE DONE IN A NEAT AND WORKMANLIKE MANNER, APPLIED BY BRUSH, ROLLER OR SPRAY METHODS. FINISHED SURFACES SHALL BE UNIFORM, FREE OF BRUSH MARKS, ROLLER STIPPLE TEXTURE, RUNS OR SKIPS. EACH APPLICATION OF PAINT SHALL BE THOROUGHLY CURED AND ANY SKIPS, HOLIDAYS, THIN AREAS OR OTHER DEFICIENCIES CORRECTED BEFORE THE SUCCEEDING APPLICATION.
 4. CONTRACTOR SHALL PROTECT ALL ADJACENT IMPROVEMENTS AGAINST DISFIGUREMENT AS A RESULT OF PAINTING OPERATIONS.
- D. PAINTING WOOD SURFACES**
1. WOOD SURFACES SHALL BE PREPARED FOR PAINTING BY REMOVING ANY FOREIGN MATTER BY WIRE BRUSHING, SCRAPING OR SANDING. ALL SURFACES SHALL BE WIPED OR DRY BRUSHED TO REMOVE ANY DUST OR CHALKY RESIDUE RESULTING FROM PREPARATION OPERATIONS.
 2. PAINTS, STAINS, OR SEALERS SHALL BE APPLIED PRIOR TO ASSEMBLING.

VII. MISCELLANEOUS METAL

A. GENERAL

1. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT TO FURNISH AND INSTALL MISCELLANEOUS METAL ITEMS AS INDICATED ON THE DRAWINGS AND AS SPECIFIED HEREIN.

B. WORKMANSHIP

1. WORKMANSHIP AND FINISH SHALL BE EQUAL TO THE BEST GENERAL PRACTICE IN STEEL FABRICATING SHOPS.
2. PORTIONS OF WORK EXPOSED TO VIEW SHALL BE FINISHED NEATLY. ALL SHARP CORNERS AND EDGES THAT ARE MARRED, CUT OR ROUGHENED DURING ERECTION SHALL BE SLIGHTLY ROUNDED.

C. MATERIALS

1. ALL MATERIALS, PRIOR TO FABRICATIONS, SHALL BE THOROUGHLY WIRE BRUSHED AND CLEANED OF ALL SCALE AND RUST. FINISHED MEMBERS SHALL BE FREE FROM TWISTS, BENDS OR OPEN JOINTS.
2. MISCELLANEOUS METAL ITEMS SHALL CONFORM TO THE DIMENSIONS AND DETAILS AS INDICATED ON THE DRAWINGS. STEEL BARS, PLATES AND SHAPES SHALL CONFORM TO ASTM A-36.

D. BOLTS, NUTS AND FASTENERS

1. UNLESS SPECIFIED OTHERWISE IN THE DETAILS ON THE DRAWINGS, FASTENERS SHALL BE 316 STAINLESS STEEL.
2. BOLTS SHALL BE LONG ENOUGH TO EXTEND ENTIRELY THROUGH THE NUT BUT NOT MORE THAN ONE-QUARTER INCH (1/4") BEYOND. UNLESS OTHERWISE SPECIFIED ON THE DRAWINGS, BOLTS, NUTS AND LAG SCREWS SHALL BE 316 STAINLESS STEEL. CARRIAGE BOLTS SHALL HAVE TRUSS HEADS WITH SQUARE SHOULDER. WASHERS SHALL BE OVER-SIZED OF "CUT" TYPE. HOLES SHALL BE EITHER PUNCHED FULL SIZE, DRILLED FULL SIZE, OR SUB-PUNCHED AND REAMED.

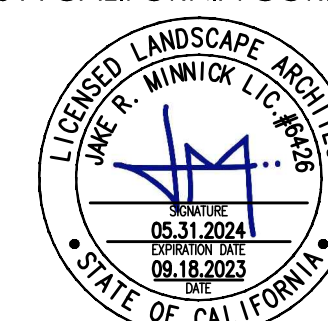
VIII. SOIL PREPARATION FOR PLANTING

A. GENERAL

1. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND EQUIPMENT FOR SOIL PREPARATION IN ADVANCE OF PLANTING BY OTHERS AS INDICATED ON THE DRAWINGS AND AS SPECIFIED HEREIN.
 2. CONTRACTOR SHALL COORDINATE SOIL PREPARATION WITH OTHER SITE IMPROVEMENTS. UNLESS OTHERWISE SPECIFIED, STRUCTURAL IMPROVEMENTS SHALL BE INSTALLED PRIOR TO PLANTING OPERATIONS.
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND STAKING EXISTING SEWER, WATER AND UTILITY LINES ABOVE OR BELOW GRADE THAT MIGHT BE DAMAGED AS A RESULT OF SOIL PREPARATION OPERATIONS. CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE AND FOR REPLACEMENT OF AFOREMENTIONED UTILITIES.
- B. SOIL PREPARATION - RECLAIMED TRAIL AREAS**
1. AREAS TO RECEIVE "SOIL PREPARATION" INCLUDE THOSE TO BE REVEGETATED BY OTHERS.
 2. EXISTING TRAILS TO BE RECLAIMED ARE INDICATED ON THE DRAWINGS. TRAIL SURFACES SHOULD BE TILLED TO A MINIMUM DEPTH OF 12" AT A WIDTH THAT EXTENDS 24" BEYOND THE TRAIL TREAD.



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THE INCLUDED DRAWINGS, SPECIFICATIONS, LOCAL ORDINANCES AND ARRANGEMENTS REPRESENTED THEREIN ARE AND SHALL REMAIN THE PROPERTY OF RRM DESIGN GROUP AND ANY PART THEREOF SHALL BE COPIED, REPRODUCED OR OTHERWISE USED IN CONNECTION WITH ANY WORK OR PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED. NEITHER THE FIRM NOR ANY OF ITS OFFICERS, EMPLOYEES OR AGENTS SHALL BE RESPONSIBLE FOR THE DESIGN OR SPECIFICATIONS SHALL CONSTITUTE OR BE TAKEN AS AN ACCEPTANCE OF THE DESIGN OR SPECIFICATIONS. RRM DESIGN GROUP SHALL NOT BE CONSIDERED AS A PARTY TO THE CONTRACT OR AS A PARTY TO THE CONTRACT. RRM IS A CALIFORNIA CORPORATION



FISCALINI RANCH PRESERVE LINKING BOARDWALK

LANDSCAPE SPECIFICATIONS

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EXHIBIT D

INSURANCE REQUIREMENTS

Prior to the beginning of and throughout the duration of the Project, FFRP will maintain insurance in conformance with the requirements set forth below. FFRP will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth here, FFRP agrees to amend, supplement or endorse the existing coverage to do so. FFRP acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to District in excess of the limits and coverage required in this agreement and which is applicable to a given loss, will be available to District.

FFRP shall provide the following types and amounts of insurance:

Commercial General Liability Insurance using Insurance Services Office “Commercial General Liability” policy from CG 00 01 or the equivalent. Defense costs must be paid in addition to limits. There shall be no cross liability exclusion for claims or suits by one insured against another. Limits are subject to review but in no event less than \$1,000,000 per occurrence.

Insurance procured pursuant to these requirements shall be written by insurer that are admitted carriers in the state California and with an A.M. Bests rating of A- or better and a minimum financial size VII.

General conditions pertaining to provision of insurance coverage by FFRP. FFRP and District agree to the following with respect to insurance provided by FFRP:

1. FFRP agrees to have its insurer endorse the third party general liability coverage required herein to include as additional insureds District, its officials employees and agents, using standard ISO endorsement No. CG 2010 with an edition prior to 1992 or current equivalent. FFRP also agrees to require all consultants and subcontractors to do likewise.

2. No liability insurance coverage provided to comply with this Agreement shall prohibit FFRP, or FFRP’s employees, or agents, from waiving the right of subrogation prior to a loss. FFRP agrees to waive subrogation rights against District regardless of the applicability of any insurance proceeds, and to require all consultants and subcontractors to do likewise.

3. All insurance coverage and limits provided by FFRP and available or applicable to this agreement are intended to apply to the full extent of the policies. Nothing contained in this Agreement or any other agreement relating to the District or its operations limits the application of such insurance coverage.

4. None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to District and approved of in writing.

5. No liability policy shall contain any provision or definition that would serve to eliminate so-called “third party action over” claims, including any exclusion for bodily injury to an employee of the insured or of any consultant or subcontractor.

6. All coverage types and limits required are subject to approval, modification and additional requirements by the District, as the need arises. FFRP shall not make any reductions in scope of coverage (e.g., elimination of contractual liability or reduction of discovery period) that may affect District's protection without District's prior written consent.

7. Proof of compliance with these insurance requirements, consisting of certificates of insurance evidencing all of the coverages required and an additional insured endorsement to FFRP's general liability policy, shall be delivered to District at or prior to the execution of this Agreement. In the event such proof of any insurance is not delivered as required, or in the event such insurance is canceled at any time and no replacement coverage is provided, District has the right, but not the duty, to obtain any insurance it deems necessary to protect its interests under this or any other agreement and to pay the premium. Any premium so paid by District shall be charged to and promptly paid by FFRP or deducted from sums due FFRP, at District option.

8. Certificate(s) are to reflect that the insurer will provide 30 days' notice to District of any cancellation of coverage. FFRP agrees to require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, or that any party will "endeavor" (as opposed to being required) to comply with the requirements of the certificate.

9. It is acknowledged by the parties of this agreement that all insurance coverage required to be provided by FFRP or any subcontractor, is intended to apply first and on a primary, noncontributing basis in relation to any other insurance or self insurance available to District.

10. FFRP agrees to ensure that subcontractors, and any other party involved with the project that is brought onto or involved in the project by FFRP, provide the same minimum insurance coverage required of FFRP. FFRP agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. FFRP agrees that upon request, all agreements with subcontractors and others engaged in the project will be submitted to District for review.

11. FFRP agrees not to self-insure or to use any self-insured retentions or deductibles on any portion of the insurance required herein and further agrees that it will not allow any consultant, subcontractor, Architect, Engineer or other entity or person in any way involved in the performance of work on the project contemplated by this agreement to self-insure its obligations to District. If FFRP's existing coverage includes a deductible or self-insured retention, the deductible or self-insured retention must be declared to the District. At the time the District shall review options with the FFRP, which may include reduction or elimination of the deductible or self-insured retention, substitution of other coverage, or other solutions.

12. The District reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the FFRP ninety (90) days advance written notice of such change. If such change results in substantial additional cost to the FFRP, the District will negotiate additional compensation proportional to the increase benefit to District.

13. For purposes of applying insurance coverage only, this Agreement will be deemed to have been executed immediately upon any party hereto taking any steps that can be deemed to be in furtherance of or towards performance of this Agreement.

14. FFRP acknowledges and agrees that any actual or alleged failure on the part of District to inform FFRP of non-compliance with any insurance requirements in no way imposes any additional obligations on District nor does it waive any rights hereunder in this or any other regard.

15. FFRP will renew the required coverage annually as long as District, or its employees or agents face an exposure from operations of any type pursuant to this agreement. This obligation applies whether or not the agreement is canceled or terminated for any reason. Termination of this obligation is not effective until District executes a written statement to that effect.

16. FFRP shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Proof that such coverage has been ordered shall be submitted prior to expiration. A coverage binder or letter from FFRP's insurance agent to this effect is acceptable. A certificate of insurance and/or additional insured endorsement as required in these specifications applicable to the renewing or new coverage must be provided to District within five days of the expiration of the coverages.

17. The provisions of any workers' compensation or similar act will not limit the obligations of FFRP under this agreement. FFRP expressly agrees not to use any statutory immunity defenses under such laws with respect to District, its employees, officials and agents.

18. Requirements of specific coverage features or limits contained in this section are not intended as limitations on coverage, limits or other requirements nor as a waiver of any coverage normally provided by any given policy. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue, and is not intended by any party or insured to be limiting or all-inclusive.

19. These insurance requirements are intended to be separate and distinct from any other provision in this Agreement and are intended by the parties here to be interpreted as such.

20. The requirements in this Section supersede all other sections and provisions of this Agreement to the extent that any other section or provision conflicts with or impairs the provisions of this Section.

21. FFRP agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge District or FFRP for the cost of additional insurance coverage required by this agreement. Any such provisions are to be deleted with reference to District. It is not the intent of District to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against District for payment of premiums or other amounts with respect thereto.

22. FFRP agrees to provide immediate notice to District of any claim or loss against FFRP arising out of the work performed under this agreement. District assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve District.

EXHIBIT E

Insurance Requirements and Indemnification

- A. General: The Contractor shall procure and maintain for the duration of the Contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder, by the Contractor, his agents, representatives, employees or Subcontractors.
- B. Minimum Scope of Insurance: Coverage shall be at least as broad as:
1. ISO CGL coverage ("Occurrence," Form CG-0001).
 2. ISO CGL Endorsement Form (ISO CG 20 10 11 85).
 3. Course of Construction insurance covering for all risks of loss.
- C. Minimum Limits of Insurance: The Contractor shall maintain limits no less than \$1,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- D. Other Insurance Provisions: The policies are to contain, or to be endorsed to contain, the following provisions:
1. GENERAL LIABILITY COVERAGE:
 - a. The District, its officials, employees, agents and volunteers; are to be covered as insured as respects liability arising out of activities performed by or on behalf of the Contractor, including but not limited to blanket contractual liability, broad form property damage, explosion, collapse and underground hazard coverage, products and completed operations of the Contractor, or premises owned, leased or used by the Contractor, or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the District, its officials, employees or volunteers, and shall protect them from claims for personal injury, death or property damage suffered by third persons or by officers, agents and employees of Contractor and arising out of or in connection with the work which is the subject of this Contract.
 - b. The Contractor's insurance coverage shall be primary insurance as respects the District, its officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the District, its officials, employees, agents or

volunteers; shall be in excess of the Contractor's insurance, and shall not contribute with it.

- c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the District, its officials, employees, agents or volunteers.
- d. Coverage shall state that the Contractor's insurance shall apply separately to each insured against who claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. EMPLOYERS' LIABILITY COVERAGE:

The insurer shall agree to waive all rights of subrogation against the District, its officials, employees, agents, and volunteers for losses arising from work performed by the Contractor for the District.

3. ALL COVERAGE:

- a. Each insurance policy required by this Section shall be in effect on the date the work is commenced and shall expire no sooner than one (1) year after the date on which the work is accepted by the District. Each insurance policy required by this Section shall be endorsed using ISO Form (CG 20 10 11 85) to state that coverage shall not be suspended, voided, canceled, reduced in coverage or in limits, except after thirty (30) days prior written notice by Certified Mail, Return Receipt Requested has been given to the District.
- b. Insurance is to be placed with insurers with a Best Rating of no less than A-V and who are admitted to write policies in the State of California and contribute to the state guaranty fund.
- c. Contractors shall furnish the District with certificates of insurance and with original endorsements affecting coverage required by this Section (actual policy). The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on forms provided by the District and are to be received and approved in writing by the District before work commences. The District reserves the right to require complete, certified copies of all insurance policies, including endorsements affecting the coverage required by these Special Provisions at any time.
- d. The Contractor shall include all Subcontractors as named insured under his policies, or shall furnish separate certificates and endorsements for each

Subcontractor. All coverage for Subcontractors shall be subject to all of the requirements stated herein.

- e. The Contractor shall indemnify, defend, and hold harmless the District, and its officers, officials, employees and agents, from and against any and all claims asserted, liability, loss, damage, expense, costs (including without limitation costs and fee of litigation) of every nature arising of, directly or indirectly, or in connection with this Contract or the acts or omissions of Contractor, contractor's subcontractors, employees, representatives, agents and invitees including, but not limited to, performance of the work hereunder or failure to comply with any of the obligations contained herein, except such loss or damage which was caused by the established active negligence of District or the established sole negligence or willful misconduct of District, its officers, officials, employees and agents. Said indemnification and hold harmless provisions shall be in full force and effect regardless of whether or not there shall be insurance policies covering and applicable to such liability, loss, damage, expense or cost. The Contractor agrees that the use of any and all public streets and improvements which are part of or subject to this Contract shall be at all times, prior to the final acceptance by the District, the sole and exclusive risk of the Contractor. The Contractor further specifically agrees that he shall indemnify and hold the District free of any liability for any accident, loss, or damage to the work, which is the subject of this Contract prior to its completion and acceptance by the District.