STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No. 2010-014  

WHEREAS an application for a twenty-five lot major subdivision was received on May 23, 2008 from Steven Allison for a property located at 5688 Darrah Road, also known as Assessor Parcel Numbers 014-330-010; and

WHEREAS the total project site acreage is 153.06 acres; and

WHEREAS the property is located approximately 2.5 miles north of the intersection of Darrah Road and Highway 49 South; and

WHEREAS the Planning Department circulated the applications among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS a duly noticed public hearing was scheduled for the 6th day of August, 2010; and

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS a Staff Report and an Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing and considered all of the information in the public record, including the Initial Study and Staff Report, testimony presented by the public concerning the application, and the comments of the applicant.

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby adopt a Mitigated Negative Declaration.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve Major Subdivision Application No. 2008-104.

BE IT THEREFORE FINALLY RESOLVED THAT the project is approved based upon the findings set forth in Exhibit 1 with the terms, mitigation measures, and conditions set forth in Exhibit 2.
ON MOTION BY Commissioner Ross, seconded by Commissioner Francisco, this resolution is duly passed and adopted this 6th day of August by the following vote:

AYES: Ross, Francisco, Marsden, Tucker, and Rudzik

NOES: None

EXCUSED: None

ABSTAIN: None

Robert L. Rudzik, Chair
Mariposa County Planning Commission

Attest:

Judy Mueller, Secretary to the
Mariposa County Planning Commission
EXHIBIT 1
PROJECT FINDINGS FOR
MAJOR SUBDIVISION 2008-104

1. FINDING: The site is physically suitable for the type and density of development.

EVIDENCE: Based on site inspection and the proposed division of the existing parcel into 25 lots that are between five and 12 acres in size, the site is physically suited for low-density residential development and appurtenant improvements. The easement roads provide adequate access to the residential lots. The project is located within the Mountain Home zone. The subdivision density is designed in accordance with the Mountain Home zone. The soils on the site are suitable for installation of conventional septic systems on individual lots.

2. FINDING: The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

EVIDENCE: The Initial Study prepared for the project found that based on the approved project description and the proposed mitigation measures, it would have a less than significant effect on the environment. Implementation of mitigation measures as identified in the project's Initial Study will reduce potentially significant impacts of project implementation on wetlands, streams, springs, pond, and nesting birds to less than significant levels. The project is subject to the California Department of Fish and Game filing fees for a mitigated negative declaration as required by AB 3158 and a County Clerk filing fee.

3. FINDING: The design of the subdivision or the proposed improvements is not likely to cause serious public health problems.

EVIDENCE: This subdivision and its subsequent use for low-density residential purposes is not likely to cause serious health problems due to the fact that site soils can support the installation of conventional septic systems on individual lots. Special designed, engineered septic systems will not be necessary for adequate sewage disposal. Future residential uses will be required to comply with all Building Code regulations and Health Department standards for the proper installation of wells and sewage disposal systems. The site soils are suitable for the installation of standard septic systems. The proper location and implementation of these improvements will ensure that serious health problems will not occur on the site. Project roadways and encroachments will be constructed in accordance with all state and local standards that are designed to reduce potentially significant impacts on traffic and roadways to less than significant levels. The realignment of Darrah Road associated with this project will improve sight distance from the southerly access looking to the northeast.
4. **FINDING:** The proposed map is consistent with applicable general and specific plans as specified in Government Code Section 65451.

**EVIDENCE:** With the implementation of required conditions of approval the subdivision is consistent with the goals, policies and implementation measures of the Land Use Element and other applicable standards in Mariposa County General Plan and Title 17, Mariposa County Zoning. The land division is the initial step in the process to help implement the General Plan’s Housing Element. Under Section 6.1 – Housing Objectives, A. Objective One: - Accommodate the County’s Housing Allocation states: “California law requires the Department of Housing and Community Development to provide the County of Mariposa with its ‘fair share’ of regional housing. This Regional Housing Needs Allocation establishes the minimum number of dwelling units per income classification.” C. Objective Three: – Providing Adequate Sites and Services of the Housing Element states: “The County shall provide opportunities for adequate housing sites and new subdivisions to accommodate anticipated population growth and its fair share of regional housing as required by state law.” The land division satisfies these objectives by providing increased housing opportunities. There is no Specific Plan governing this property.

5. **FINDING:** The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

**EVIDENCE:** The minimum lot size proposed by the project is consistent with the Residential land use classification standards contained in the Mariposa County General Plan and Mountain Home zone standards contained in Title 17, Mariposa County Zoning Code. The subdivision design is consistent with the General Plan standard that all new subdivision parcels have safe and adequate access. The project site is not in an area governed by a Specific Plan.

6. **FINDING:** The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

**EVIDENCE:** The project will not conflict with any public easement. Affected utility companies have reviewed the proposed project and have not objected to the proposal.
EXHIBIT 2

PROJECT TERMS, MITIGATION MEASURES, AND CONDITIONS
FOR
MAJOR SUBDIVISION 2008-104

Project Name: Darrah Pines
File Number: Major Sub No. 2008-104

Project Approval Date: August 6, 2010

The following conditions of approval and mitigation measures were approved for this project in order to ensure compliance with county codes and policies, and to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist indicates that the conditions and mitigation measures have been complied with and implemented, and fulfills the County of Mariposa’s Mitigation Monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6)

<table>
<thead>
<tr>
<th>Monitoring Dept.</th>
<th>Verified Implemented</th>
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Sign-Off Checklist for List of Conditions of Approval and Mitigation Measures
**Project Description**

Major Subdivision No. 2008-104 proposes to divide a 153.06 acre parcel into 25 parcels of 5+ acres each.

As part of the project the applicant has proposed to modify the alignment of Darrah Road to give the southerly access proper sight distance to the northeast. The modification shall comply with the site plan submitted showing the proposed realignment.

These improvements will be done in accordance to standards established in the County Improvements Standards and the SRA Fire Safe Regulations. An encroachment permit will be obtained for the work. All proposed improvements will be completed and "signed off" (approved) by CDF and the Public Works Department prior to filing of the parcel map.

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<tr>
<th>CONDITIONS OF APPROVAL / PUBLIC WORKS DEPARTMENT</th>
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| 1. All of the on-site easement roads shall be made 60 feet wide and non-exclusive. Turnaround easements with a radius of 60 feet shall be provided to encompass the required turnaround improvements. Additional easement width may be required to encompass the required road improvements, including turnouts and associated cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. The easement shall be created for the use and benefit of the subject properties. An offer of dedication for public utilities shall be made. The offer shall be non-revocable and specifically state on the parcel map that the dedications are for "public utility purposes."

(Section 16.12.160.B, County Subdivision Ordinance; Road Standard Cross-sections, Road Improvement and Circulation Policy) |

2. The off-site easements shall be, or shall be made at least 60 foot wide and non-exclusive. If the easements are to be created for this project, the easements shall be for use and benefit of the subject properties. Provisions for public utilities within the easement shall be made for the easement.

(Section 16.12.160.B, County Subdivision Ordinance; Road Standard Cross-sections, Road Improvement and Circulation Policy) |

3. The easements (both on-site and off-site) from Darrah Road to Whispering Pines Road and to Darrah Road again (Easement No. 1) shall be improved to a Rural Class II SRA standard and shall meet this standard at the time of filing the final map. The required road

| Public Works |

| Public Works |
improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be approved by the County Engineer at the time of filing of the final map. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

The easement road shall be allowed to be constructed within the open space setback established for the protection of the on-site drainage. If road construction occurs during the rainy season (October 1st through April 1st) a sedimentation control plan designed to keep eroded material from entering the on-site drainage shall be prepared and submitted in accordance with Section 12.3.(G) of the Mariposa County Improvement Standards. The Plan shall include, if deemed necessary by the Mariposa County Public Works Department, temporary sedimentation basins. Sedimentation control facilities are to be installed in conjunction with initial easement road grading operations and maintained throughout the construction period to remove sediments from runoff waters during easement road construction. Easement road construction shall comply with all other applicable requirements of Section 12 – Erosion Control, contained in the Mariposa County Improvement Standards.

(Section 16.12.170, County Subdivision Ordinance; Chart A and Section II.D.2.a, Road Improvement and Circulation Policy; Section 12 – Erosion Control, Mariposa County Improvement Standards)

4. Easement No. 2 is the easement from the intersection of Easement No. 1 to the cul-de-sac on Lots 13, 14, 24 and 25. Easement No. 2 shall be improved to a Rural Class II SRA standard up to the southern boundary of Lot 15 and shall meet this standard at the time of filing the final map. The easement from the eastern boundary of Lot 15 to the cul-de-sac on Lots 13, 14, 24, and 25 shall be improved to a Rural Class I SRA standard and shall meet this standard at the time of filing the final map. The intersection of Easement 2 and Easement No. 1 shall be constructed at or as close to a 90 degree angle as possible or as approved by the County Engineer. The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and
the County Improvement Standards and shall be approved by the County Engineer at the time of filing of the final map. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

(Section 16.12.170, County Subdivision Ordinance; Chart A and Section II.D.2.a, Road Improvement and Circulation Policy)

5. Easement No. 3 is the easement from the intersection of Easement No. 1 to the cul-de-sac on Lots 19, 20, and 22. Easement No. 3 shall be improved to a Rural Class II SRA standard to the eastern boundary of Lot 12 and shall meet this standard at the time of filing the final map. The easement from the eastern boundary of Lot 12 to the cul-de-sac on Lots 19, 20, and 22 shall be improved to a Rural Class I SRA standard and shall meet this standard at the time of filing the final map. The intersection of Easement 3 and Easement No. 1 shall be constructed at as close to a 90 degree angle as possible or as approved by the County Engineer. The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be approved by the County Engineer at the time of filing of the final map. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

(Section 16.12.170, County Subdivision Ordinance; Chart A and Section II.D.2.a, Road Improvement and Circulation Policy)

6. All cut and fill areas required for the construction of the proposed access roads shall be included within the access and utility easement pursuant to the County Improvement Standards, which may necessitate a variable width easement greater than 60 feet in width. As an alternative, cut and fill areas located outside of the 60 foot access and utility easement may be located within slope easements. The location, width, and description of the easements
shall be approved by the County Engineer.

(Public Works Recommendation)

7. A cul-de-sac shall be constructed at the terminus of the required road improvements at the intersection of Lots 19, 20, and 22 and Lots 13, 14, 24, and 25 as shown on the tentative map. The cul-de-sacs shall be improved to meet county standards and shall meet these standards at the time of final map recordation. The required cul-de-sac improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be inspected and approved by the County Engineer at the time of recordation of the final map. At the time of recordation of the final map, the County Engineer shall confirm that this condition has been met.

(Section 11.4(B)(9) County Improvement Standards)

8. The edges or boundaries of the two off-site easements from the project site to Darrah Road shall be staked in the field by the project surveyor prior to the on-site consultation meeting described in **Condition No. 12.** The staking of the roads shall be maintained during road construction activities. The purpose of the staking is to ensure that all required road improvements are contained within the existing easements.

(Planning Department recommendation)

9. Immediately upon completion of the required road and encroachment improvements, the applicant shall re-vegetate all exposed soils and install other erosion control as recommended by the Resource Conservation District (RCD). The applicant shall also contact the RCD for an inspection. Inspection fees shall be the responsibility of the applicant. A letter shall be submitted to the County Surveyor by RCD stating that the re-vegetation and erosion control provisions have been completed prior to the filing of the final map.

(Road Improvement and Circulation Policy)

10. The applicant shall form a road maintenance association. Maintenance shall include, but not be limited to, drainage and
erosion control devices, fuel modification, and upkeep of road surfaces. The Road Maintenance Association provisions shall be developed by the applicant so those lots served by the easement road shall be responsible for road maintenance. These provisions shall be reviewed and approved by the County Engineer prior to filing of the final map and shall:

a. Be in effect for the life of the project unless said maintenance is taken over by the County, a special district, or other government entity.

b. Provide for annual maintenance and the immediate correction of emergency and hazard situations.

c. Include 100% of the lots in the subdivision served by the access roads.

d. Provide a mechanism for the road maintenance association to collect delinquent payments or assessments for the maintenance described above by filing a lien on the delinquent properties.

e. Provide a mechanism for new parcels to be added to the association.

Applicant may join into existing RMA for Whispering Pines for that portion of access.

(Public Works Recommendation; Section II.I, Road Improvement and Circulation Policy)

11. If the easement roads are accepted by the County for public access but not for maintenance, signs stating "THIS ROAD IS NOT COUNTY MAINTAINED" shall be installed at the intersection of Darrah Road and the easement roads. The design and specifications of the sign shall be in accordance with the County Improvement
Standards.

(Section III.A.4, Road Improvement and Circulation Policy)

12. Prior to the commencement of any road improvements, road construction or other road building or maintenance activities required as a condition of approval for this project and prior to issuance of any encroachment permit for the required improvements, a consultation meeting with the Public Works Department, the applicant, the agent, the road contractor, and Cal Fire shall occur. Any and all costs associated with the consultation shall be the responsibility of the applicant. The County engineer shall verify that this condition has been met prior to issuance of any encroachment permit required for this project and prior to the scheduling of any on-site inspection of road improvements.

/Public Works and Mariposa Planning Recommendation/

13. An encroachment permit shall be obtained from the Mariposa County Public Works Department prior to any work being done on or adjacent to Darrah Road, including the proposed realignment. In addition, all grading and road improvement work required as a condition of approval of this project shall comply with the Mariposa County Improvement Standards and all requirements contained therein. The County Engineer shall require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project and for the proposed realignment of Darrah Road. The engineered improvement plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements and realignment.

/Chapter 11, County Improvement Standards/

14. Road name signs for the easement road shall be placed at the intersections of Easement No. 1 and Darrah Road, the intersection of Easement No. 1 and Whispering Pines Road, Easement No. 2 and Easement No. 1, and Easement No. 3 and Easement No. 1. The design and specifications of the sign shall be in accordance with the Mariposa County Improvement Standards.

County Subdivision Ordinance § 16.12.175
| **Resolution 2010–014 – Major Subdivision No. 2008–104, Darrah Pines**
| **Steven Allison, applicant.**
| **August 6, 2010**
| **Page 12 of 35 pages**

15. All required signs shall be installed on metal, break-away type posts. The design and placement of signs shall be approved by the County Engineer prior to installation.

(Public Works Department Recommendation)

16. Stop signs shall be placed at the intersections of Easement No. 1 and Darrah Road, Easement No. 1 and Whispering Pines Road, Easement No. 2 and Easement No. 1, and Easement No. 3 and Easement No. 1 (four stop signs in total). The stop signs shall be installed on metal breakaway type posts prior to map filing. The design and placement of signs shall be approved by the County engineer prior to installation.

(Public Works Recommendation)

17. A Soils Report shall be submitted to the County Planning Department as required by Mariposa County Code Subdivision Ordinance, Section 16.20.220 and by Sections 66490 and 66491 of the Subdivision Map Act. The Soils Report shall be reviewed and approved by the County Engineer prior to final map filing.

(Section 16.20.220, Mariposa County Code)

18. Verification of taxes paid shall be submitted to the County Surveyor prior to final map filing.

(Public Works Recommendation)

| **CONDITIONS OF APPROVAL/CALIFORNIA DEPARTMENT OF FORESTRY & FIRE PROTECTION**

19. Prior to filing of the final map, all applicable State Fire Safe Regulations shall be met, including construction of roadways, cul-de-sac turnarounds, road naming and signage. A letter shall be submitted to the County Surveyor by CDF stating this condition has been met.

(CDF/County Surveyor)

20. The cul-de-sac turnarounds shall be the same surface as the roadway and be constructed with a minimum effective radii of no less than 40 feet (45 feet is recognized as the most restrictive legal standard in Mariposa County) (Public Resources Code Section 1273.05). If parking is anticipated or allowed within the cul-de-sac, the radii of the turnaround must increase proportionately.

(CDF/Public Works)
(Public Resources Code §1273.05)

21. Prior to recordation of the final map, the applicant shall have complied with all applicable SRA Fire Safe Regulations. A letter shall be submitted to the County Surveyor from CalFire to confirm this requirement.

Additionally, a document shall be recorded and referenced on the Final Map that states:

"Future residential development on Lots 1 through 25 as shown on the final map for Darrah Pines filed in Book of Maps at Page ___. Mariposa County Records may be required to conform with all applicable SRA Fire Safe Regulations (Public Resource Code 4290 and 4291). Furthermore, the development of the parcels is subject to all applicable SRA Fire Safe Regulations and the risk of fire hazards shall be reduced through compliance with Public Resource Code 4291, including the requirement to maintain fire protection or firebreaks within 100 feet from buildings or structures or to the property line unless an alternative mitigation measure is approved by CDF at the time of issuance of a residential building permit."

(CalFire Recommendation)

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<th>CONDITIONS OF APPROVAL / MARISOPSA PLANNING</th>
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<td>22. Easement No. 1 from Darrah Road to Whispering Pines Road; Easement No. 2 from Easement No. 1 to the cul-de-sac on Lots 13, 14, 24, and 25; and Easement No. 3 from Easement No. 1 to the cul-de-sac on Lots 19, 20, and 22 shall be named in accordance with the criteria of County Resolution No. 92-541. A Road Name Request application shall be submitted to the Planning Department and be approved by the Planning Director. The name of the roads shall be shown on the final map. If there is potential for the road to serve off-site parcels, the road name must be approved by the Board of Supervisors.</td>
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County Resolution 92-541

| 23. During road grading and/or construction, or any activity that involves ground disturbance necessary to implement project conditions of approval, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning in consultation with a representative of the American Indian Council of | Mariposa Planning |
Mariposa County has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the project applicant to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered. Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains. Should any Native American artifact or human remains be discovered, a representative of the American Indian Council of Mariposa County shall be on-site to monitor the remainder of excavation activities.

(Mariposa Planning Recommendation)

24. Project approval is valid for a period of three years from August 6, 2010. This approval shall expire on August 6, 2013.

(§16.16.090, Mariposa County Subdivision Code)

25. Prior to filing of the final map, evidence that the State Department of Real Estate Public Report process has been commenced shall be submitted to the County Surveyor. Completion of the public report process is not necessary for map filing, but is necessary prior to lot sale.

(Mariposa Planning Recommendation)

26. Prior to filing of the final map, all fees associated with the County's processing of the map and filing of associated documents shall be paid. The Department of Fish and Game filing fee ($2,010.25 as of January 1, 2010) and County Clerk fee ($50 as of January 1, 2010) shall be paid by the applicant within five (5) working days of the approval of the application (by Friday, August 6, 2010), because if the fee is not paid within 5 working days, and the Notice of Determination is not filed with the County Clerk prior to close of business on Friday, August 6, 2010 the environmental determination is not operative, vested, or final (Section 21089(b) Public Resources Code).

The County Clerk requires that one check be submitted to cover both of these fees, for a total of $2,060.25 (effective January 1, 2010), and that it be in the form of a cashiers check or money order payable
to "Mariposa County;" The County Clerk will not accept a personal check for these fees. Submit the check to Mariposa Planning who will file this fee and other required documents with the County Clerk.

NOTE: The filing fees are adjusted annually, effective January 1st of each year, pursuant to Fish and Game Code.

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<th>§16.12.390, Mariposa County Subdivision Code; (California Department of Fish and Game Requirement)</th>
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<tr>
<td>27. The Property Owner (Owner) shall indemnify, protect, defend, and hold harmless the County, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the County, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, any approval of the County, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the County, concerning the project and the approvals granted herein. Actions concerning the project and approvals granted shall include, but not be limited to, the environmental determination made pursuant to the California Environmental Quality Act (CEQA). Furthermore, Owner shall indemnify, protect, defend, and hold harmless the County, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which Owner's project is subject to that other governmental entity's approval and a condition of such approval is that the County indemnify and defend such governmental entity. County shall promptly notify the Owner of any claim, action, or proceeding. County will further cooperate in the defense of the action.</td>
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<td>Mariposa Planning</td>
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An agreement on a form approved by Mariposa County Counsel shall be executed within twenty (20) working days of the date of project action. Non-compliance with this condition may result in revocation of project approval by the county.

(Section 16.36.030, Mariposa County Subdivision Ordinance)

| 28. A declaration shall be filed with the final map and referenced on the final map. The declaration shall state the following: | Mariposa Planning |
"All residential buildings, including mobile homes placed on foundations on Lots 1 through 25 as shown on the Final Map for Darrah Pines Subdivision, filed in Book of Maps at Page _____, Mariposa County Records, shall be constructed in compliance with the special foundation requirements stated in the Soils Investigation Report prepared for the Darrah Pines Subdivision and on file with the County Planning Department. A building permit shall not be issued for residences placed on foundations unless the foundations meet the foundation requirements contained in the Soils Investigation prepared for the subdivision. The foundation requirements must be incorporated in the building plan and permit."

(Mariposa Planning Recommendation)

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<th>29. Prior to the commencement of any easement road construction activities, the project applicant shall obtain from the Regional Water Quality Control Board (RWQCB) a General Permit for Discharges of Storm Water Associated with Construction Activity. A copy of the approved permit shall be submitted to the Mariposa County Public Works Department by the project proponent prior to the pre-construction consultation meeting required by <strong>Condition of Approval No. 12.</strong> All provisions and requirements of the permit shall be completed prior to filing of the final map. The proponent shall submit to the County Surveyor evidence that the permit requirements have been met to the satisfaction of the RWQCB.</th>
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<td>(State Water Quality Control Board Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES))</td>
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<th>30. Subdivision Map Act Section 66434.2 applies to the filing of the final map for this project.</th>
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<td>(Planning Department Recommendation)</td>
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<th>31. Prior to the initiation of any tree removal on the project site, the project applicant shall contact CalFire to determine if a Timberland Conversion Permit as per Public Resources Code (PRC) Section 4621(a) is required. If required the applicant shall apply for and comply with all provisions of the permit. Should a Timber Harvesting Plan be required for the removal of trees in conjunction with the Timber Conversion Permit the Timberland Conversion Permit/Timber Harvest Plan shall be prepared by a Registered Professional Forester as per PRC 752, 4527, and 4571. The project applicant shall provide Mariposa Planning a copy of the Timberland Conversion Permit and approved Timber Harvesting Plan prior to initiation of tree removal.</th>
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<td>Mariposa Planning</td>
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(Planning Department Recommendation)

32. A reciprocal easement shall be created for shared access on Lots 5 and 8 for Lots 4, 5, 8, and 9 to maintain the dam and spillway. A document in the form of a Pond Maintenance Declaration which addresses responsibilities for the shared maintenance of the dam and spillway by the owners of Lots 4, 5, 8, and 9 shall be filed concurrently with the final map and referenced on the final map. The document shall also establish the rights and responsibilities of the owners of these lots to use the pond. The document shall be approved by the Planning Director prior to final map filing.

(Planning Department Recommendation)

33. A declaration shall be filed prior to or concurrent with the final map and referenced as follows:

“Mariposa County makes no representation that there are water rights for the pond located on Lots 4, 5, 8, and 9 as shown on Final Map for Darrah Pines Subdivision, filed in Book of Maps at Page _____, Mariposa County Records. Issues related to use and/or conveyance of water rights are a private matter.”

(Planning Department Recommendation)

CONDITIONS OF APPROVAL/ MARIPOSA COUNTY HEALTH DEPARTMENT

34. The following statement shall be filed with the final map and referenced on the final map:

“Water supplies for residential lands are derived from private wells on Lots 1 through 25 as shown on the Final Map for Darrah Pines Subdivision filed in Book of Maps at Page _____, Mariposa County Records. Mariposa County groundwater supplies are found in fractures in the bedrock. The costs associated with drilling and developing a private well is highly variable because it is unknown how much or if any additional water can be found on these lot. There is no guarantee additional potable water supply of adequate quality or quantity can be found or sustained on any lot shown on this map.”
(Mariposa County General Plan, Section 5.3.02.E(4)).

35. Prior to recordation of the final map the applicant shall demonstrate to the satisfaction of the County Environmental Health Specialist that the minimum required area per Health Department Policy 03-01 is available for use on the lots adjacent to the areas tested. This may include excavating additional profile holes at the discretion of the Health Department. If the Health Department does not approve the pre-tested site then additional percolation tests and soil profile analysis shall be performed on those lots not approved by the Health Department. Any lot not capable of meeting Health Department Policy 03-01 to the satisfaction of the Health Department shall be merged with an adjoining lot(s).

(Health Department Recommendation; Health Dept. Policy 03-01)

36. If the County Environmental Health Specialist approves the sewage disposal areas as required in the above condition then a statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows:

> “Approved percolation tests and soils analysis tests have been performed on lots(s) ____ as shown on the Final Map for Darrah Pines Subdivision, filed in Book of Maps at Page ____ , Mariposa County Records, to verify the feasibility of installing an on-site septic disposal system. A map identifying the location of the approved percolation tests is on file in the County Health Department. If an on-site septic system is proposed for a portion of a parcel that has not had approved percolation tests, additional percolation tests and design recommendations may be required.”

§16.12.330, County Subdivision Ordinance; Health Department Recommendation

37. Proof of water shall be considered to be a well or wells of proven capacity. Proven capacity shall be a well or wells capable of producing one thousand gallons per twelve-hour day for each lot. Proof of production shall be an approved pump test of the well or wells certified by a licensed engineer, hydrogeologist, well driller with a C-57 license, or licensed well pump contractor. The minimum pump testing duration of the well or wells on each lot shall be the following: 3 hours for a well producing 10 gallons per minute (gpm) or more; 24 hours for a well producing 5 gpm to less than 10 gpm;
and 3 days for a well producing less than 5 gpm. Additionally, a report of a completed well shall include a general mineral, physical and inorganic analysis as required under California Code of Regulations, Title 22, for non-transient, non-community water systems, and an analysis for coliform bacteria.

If any proposed lot shall have a well that fails to meet proof of production and proof of production cannot be met on that lot, the lot in question shall be merged with an adjacent lot and the merged lot shall be shown on the final map for this subdivision.

OR

Prior to recordation of the final the applicant shall prove to the satisfaction of the Health Department that Lots 1 through 25 have a supply of potable water meeting requirements for quantity and quality. Proof is as follows:

a. an approved connection from an approved public water provider; or

b. a proposed connection to a shared well which has been pre-approved by the Health Department; or

c. a well, for which appropriate permits and inspections have been approved by the Health Department, has been drilled on the subject property and developed with appropriate casings, and for which improvements may or may not include permanently installed pump equipment; or

d. a demonstration that there can be a source of water capable of producing a sustained potable water supply with storage of at least 1,000 gallons per twelve (12) hour day per dwelling unit, which will be contained within any combination of (a) a potable water storage tank, (b) a static water supply in the well; or

e. other satisfactory proof and wells drilled and tested prior to sale to demonstrate the quantities described in “Section d.” above.

[(Section 16.20.230, Mariposa County Code; Mariposa County General Plan, Section 5.3.02.E (4)]

38. All Health Department fees shall be paid prior to filing of the final map.
(Health Department Recommendation)

39. The applicant shall obtain a land development Burn Permit from the Mariposa County Air Pollution Control District prior to lighting any fires to dispose of brush, grass, trees and other flammable debris generated during ground clearing activities associated with compliance with the conditions outlined for this project.

Mariposa County Air Pollution Control District

<table>
<thead>
<tr>
<th>CEQA MITIGATION MEASURES</th>
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</table>

40. An open space setback fifty (50) feet from the edge of the wetland areas within Lots 1 & 10 and Lot 23, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, shall be established and shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows:

“No structure shall be constructed and no grading or disturbance of any kind shall occur within the open space setbacks on Lots 1 & 10 and Lot 23 as shown on the final map for Darrah Pines filed in Book of Maps at Page _____, Mariposa County Records, unless all required permitting described below is obtained prior to construction, grading, or disturbance.

Depending upon the location and nature of the construction, grading, or disturbance within the setback area, the lot owner may be required to obtain from the Army Corps of Engineers permitting under Section 404 of the Clean Water Act. This agency shall be contacted prior to initiation of any disturbance to the setback area. If required, this permitting process will require a Section 401 Water Quality Certification from the Regional Water Quality Control Board. Prior to any disturbance the lot owner shall also contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State
Fish and Game Code.

These setbacks shall be in perpetuity and shall restrict the use of the land within the setback.”

(Should the subdivision map be modified from the current configuration, the mitigation language relating to lot numbers shall be changed to reflect the modification.)

(Mitigation Measure 4.a.1)

41. An open space setback of fifty (50) feet from the centerline of the stream on Lots 2 and 11, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, which is designed to protect the stream and listed species habitat, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows:

“There is an open space setback of fifty (50) feet from the centerline of the stream on Lots 2 and 11 as shown on the final map for Darrah Pines filed in Book of Maps at Page ______, Mariposa County Records. No structure or improvement shall be constructed within the open space setback except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing, residential driveways and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation shall be allowed within the open space setback, except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.
Residential driveway construction encroaching into the setback area of or crossing the stream on these lots may be subject to a Streambed Alteration Agreement (SAA) with the California Department of Fish and Game. Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

This setback shall be in perpetuity and shall restrict the use of the land within the setback.”

(Mitigation Measure 4.a.2)

| 42. An open space setback fifty (50) feet from the edge of the wetland areas within Lot 3, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, shall be established and shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows: |
| County Surveyor/ Mariposa Planning |

“No structure shall be constructed and no grading or disturbance of any kind shall occur within the open space setbacks on Lot 3 as shown on the final map for Darrah Pines filed in Book of Maps at Page _____, Mariposa County Records, unless all required permitting described below is obtained prior to construction, grading, or disturbance.

Depending upon the location and nature of the construction, grading, or disturbance within the setback area, the lot owner may be required to obtain from the Army Corps of Engineers permitting under Section 404 of the Clean Water Act. This agency shall be contacted prior to initiation of any disturbance to the setback area. If required, this permitting process will require a Section 401 Water Quality Certification from the Regional Water Quality Control Board. Prior to any disturbance the lot owner shall also
contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

These setbacks shall be in perpetuity and shall restrict the use of the land within the setback."

(Should the subdivision map be modified from the current configuration, the mitigation language relating to lot numbers shall be changed to reflect the modification.)

(Mitigation Measure 4.a.3)

43. An open space setback of fifty (50) feet from the centerline of the streams on Lot 3, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, which is designed to protect the wetland area, streams, and listed species habitat, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows:

“There is an open space setback of fifty (50) feet around the wetland/spring area and the centerline of the streams on Lot 3 as shown on the final map for Darrah Pines filed in Book of Maps at Page _____, Mariposa County Records. No structure or improvement shall be constructed within the open space surrounding the streams except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing, residential driveways and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation shall be allowed within the open space setback,
except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.

Residential driveway construction encroaching into the setback area of or crossing the stream on these lots may be subject to a Streambed Alteration Agreement (SAA) with the California Department of Fish and Game. Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

This setback shall be in perpetuity and shall restrict the use of the land within the setback.”

(Mitigation Measure 4.a.4)

| 44. An open space setback of one hundred (100) feet from the edge of the pond/wetland area on Lot 4, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, which is designed to protect the pond/wetland area and listed species habitat, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows: |

| County Surveyor/ Mariposa Planning |

| "There is an open space setback of one-hundred (100) feet from the edge of the pond/wetland area on Lot 4 as shown on the final map for Darrah Pines filed in Book of Maps at Page ___ , Mariposa County Records. No structure or improvement shall be constructed within the open space setback except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing, residential driveways and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a |
determination. No removal of vegetation shall be allowed within the open space setback, except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.

Residential driveway construction encroaching into the setback area of or crossing the stream on these lots may be subject to a Streambed Alteration Agreement (SAA) with the California Department of Fish and Game. Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

Depending upon the location and nature of the construction, grading, or disturbance within the wetland or the setback area surrounding the wetland, the lot owner may be required to obtain from the Army Corps of Engineers permitting under Section 404 of the Clean Water Act. This agency shall be contacted prior to initiation of any disturbance to the setback area. If required, this permitting process will require a Section 401 Water Quality Certification from the Regional Water Quality Control Board.

This setback shall be in perpetuity and shall restrict the use of the land within the setback."

(Mitigation Measure 4.a.5)

45. Open space setbacks of one hundred (100) feet from the eastern edge of the pond/wetland area, and fifty (50) feet from the southeast side of the pond on Lot 5, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, which are designed to protect the pond area and listed species habitat, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with
the final map and referenced on the final map as follows:

“There are open space setbacks of one-hundred (100) feet from the eastern edge of the pond/wetland area and of fifty (50) feet from the southeast side of the pond on Lot 5 as shown on the final map for Darrah Pines filed in Book of Maps at Page _____, Mariposa County Records. No structure or improvement shall be constructed within the open space setbacks except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing, residential driveways and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation shall be allowed within the open space setback, except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.

Residential driveway construction encroaching into the setback area of or crossing the stream on these lots may be subject to a Streambed Alteration Agreement (SAA) with the California Department of Fish and Game. Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

Depending upon the location and nature of the construction, grading, or disturbance within the wetland or the setback area surrounding the wetland, the lot owner may be required to obtain from the Army Corps of Engineers permitting under Section 404 of the Clean Water Act. This agency shall be contacted prior to initiation of any disturbance to the setback area. If required, this permitting process will require a Section 401 Water Quality Certification from the Regional Water Quality Control Board.
This setback shall be in perpetuity and shall restrict the use of the land within the setback.”

(Mitigation Measure 4.a.6)

46. An open space setback of from fifty (50) feet to one hundred (100) feet from the centerline of the stream on Lot 6, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, which is designed to protect the stream and listed species habitat, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows:

“There is an open space setback of from fifty (50) feet to one hundred (100) feet from the centerline of the stream on Lot 6 as shown on the final map for Darrah Pines filed in Book of Maps at Page ___, Mariposa County Records. No structure or improvement shall be constructed within the open space setback except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing, residential driveways and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation shall be allowed within the open space setback, except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.

Residential driveway construction encroaching into the setback area of or crossing the stream on these lots may be subject to a Streambed Alteration Agreement (SAA) with the California Department of Fish and Game. Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and


<table>
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<th>Game Code.</th>
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<tbody>
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<td>This setback shall be in perpetuity and shall restrict the use of the land within the setback.&quot;</td>
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</table>

(Mitigation Measure 4.a.7)

| 47. An open space setback of fifty (50) feet from the edge of the pond on Lots 8 and 9 and from the centerline of the stream on Lot 9, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, which is designed to protect the pond, stream, and listed species habitat, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows: |
| County Surveyor/ |
| Mariposa Planning |

"There is an open space setback of fifty (50) feet from the edge of the pond on Lots 8 and 9 and from the centerline of the stream on Lot 9 as shown on the final map for Darrah Pines filed in Book of Maps at Page ____ , Mariposa County Records. No structure or improvement shall be constructed within the open space setback except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing, residential driveways and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation shall be allowed within the open space setback, except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph. Residential driveway construction encroaching into the setback area of or crossing the stream on these lots may be subject to a Streambed Alteration Agreement (SAA) with the California Department of Fish and Game. Prior to any grading or construction activities occurring within this
setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

This setback shall be in perpetuity and shall restrict the use of the land within the setback.”

(Mitigation Measure 4.a.8)

48. An open space setback of fifty (50) feet from the centerline of the stream on Lots 16 and 17 and fifty (50) feet around the spring on Lot 17, as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008, which is designed to protect the stream, wetland area and listed species habitat, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows:

“There is an open space setback on Lots 16 and 17 as shown on the final map for Darrah Pines filed in Book of Maps at Page ___, Mariposa County Records. The setback is fifty (50) feet from the centerline of the stream on Lots 16 and 17 and fifty (50) feet around the spring on Lot 17. No structure or improvement shall be constructed within the open space setback except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing, residential driveways and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation shall be allowed within the open space setback, except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.
Residential driveway construction encroaching into the setback area of or crossing the stream on these lots may be subject to a Streambed Alteration Agreement (SAA) with the California Department of Fish and Game. Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

Depending upon the location and nature of the construction, grading, or disturbance within the wetland or the setback area surrounding the wetland, the lot owner may be required to obtain from the Army Corps of Engineers permitting under Section 404 of the Clean Water Act. This agency shall be contacted prior to initiation of any disturbance to the setback area. If required, this permitting process will require a Section 401 Water Quality Certification from the Regional Water Quality Control Board.

This setback shall be in perpetuity and shall restrict the use of the land within the setback.”

(Mitigation Measure 4.a.9)

49. The easement road shall be allowed to cross Stream A as shown on the Biological Resources Map included in the Biological Resources Report prepared for the project dated April 2008. Prior to the commencement of any easement road improvements, road construction or other easement road building activities required as a condition of approval for this project, the applicant shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the applicant shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code. A copy of the Stream Alteration Agreement or evidence that such an Agreement is not required shall be submitted to the

Public Works/ County Surveyor
Mariposa County Public Works Department prior to the onsite consultation meeting required as a condition of approval for the project. If an Agreement is required, all provisions and requirements of the Agreement shall be completed prior to the filing of the final map. The applicant shall submit to the County Surveyor evidence that all Agreement requirements have been met to the satisfaction of the Department of Fish and Game.

Prior to initiation of any of the activities listed above, the project applicant shall obtain any required permitting pursuant to Section 404 of the Clean Water Act from the United States Army Corps of Engineers and, if such permitting is required, a Section 401 Water Quality Certification from the Regional Water Quality Control Board – Central Valley Region. The project proponent shall provide a copy of the permit and certification to the Mariposa County Public Works Department prior to the onsite consultation meeting required as a condition of approval for the project or provide evidence from an appropriately qualified professional that no additional permitting is required to the satisfaction of the Planning Director. If such permitting is required all provisions of the Section 404 permit and Section 401 water quality certification shall be completed prior to the filing of the final map. The applicant shall submit to the County Surveyor evidence that all permit and certification requirements have been met to the satisfaction of applicable agencies.

(Mitigation Measure 4.b.1)

50. Temporary fencing a minimum of three feet in height shall be installed on Lot 3 around the edge of the setback for the portion of the wetland area that faces road construction, and on Lot 17 around the edge of the portion of the setback for the spring that faces road construction to ensure that graded and excavated material associated with the construction of the proposed easement road, including cut and fill slopes, does not encroach into these setback areas.

(Mitigation Measure 4.b.2)

51. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map as follows:

"Prior to any grading or construction activities occurring within 25 feet of the centerline of, or construction of residential driveways across, the drainage on Lots 13, 21, County Surveyor/ Mariposa Planning"
23, 24 and 25, as shown on the final map for Darrah Pines Subdivision filed in Book of Maps at Page _____, Mariposa County Records, the owners of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.”

(Mitigation Measure 4.b.3)

52. Any tree removal or pruning that is necessary to implement the project’s conditions of approval relating to easement road construction shall occur between September 15 and January 31, the time-frame which is outside of the general avian nesting season. Should such tree removal or pruning occur between February 1 and September 15 a pre-construction survey conducted by a qualified biologist/botanist shall be required to determine if such removal violates the provisions of Fish and Game Code sections 3503, 3503.5 and 3513. The survey shall be conducted no more than 30 days prior to tree removal or pruning. A copy of the survey shall be submitted to the California Department of Fish and Game, Region 4. If these code sections will be violated by tree removal or pruning between February 1 and September 15, mitigation measures established by the qualified biologist/botanist in consultation with the California Department of Fish and Game shall be implemented to reduce impacts of this tree removal or pruning to less than significant levels. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to such tree removal/pruning on the site.

(Mitigation Measure 4.d.1)

RECOMMENDATION ON OFFERS OF DEDICATION

<table>
<thead>
<tr>
<th>Staff recommends that the Planning Commission recommend that the Public Works Director accept the offers of dedication for public utilities.</th>
<th>Public Works</th>
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<td>Mariposa Planning Recommendation</td>
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### Agency Contact List

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<tr>
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<th>CONTACT</th>
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<tr>
<td>Mariposa Planning</td>
<td>Alvaro Arias</td>
<td>209-742-1218</td>
<td><a href="mailto:aarias@mariposacounty.org">aarias@mariposacounty.org</a></td>
<td>5100 Bullion Street</td>
<td>P.O. Box 2039</td>
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<td>Mariposa CA 95338</td>
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<tr>
<td>Public Works</td>
<td>Cheryl Jay</td>
<td>209-966-5356</td>
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<td>4639 Ben Hur Road</td>
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<tr>
<td>Health Department</td>
<td>Dave Conway</td>
<td>209-966-2220</td>
<td></td>
<td>5100 Bullion Street</td>
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<td>Mariposa County Resource</td>
<td>Dawn Afman</td>
<td>209-966-3431</td>
<td></td>
<td>5009 Fairgrounds Rd</td>
<td>P.O. Box 746</td>
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<tr>
<td>County Assessor</td>
<td>Sarah Wise</td>
<td>966-2332</td>
<td></td>
<td>4982 10th Street</td>
<td>P.O. Box 35</td>
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<tr>
<td>County Fire</td>
<td>Jim Wilson</td>
<td>209-966-4330</td>
<td></td>
<td>5082 Bullion Street</td>
<td>P.O. Box 162</td>
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<td>CalFire</td>
<td>Matt Pimentel</td>
<td>209-966-3622</td>
<td></td>
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### Certificate of Completion:

By signing below, the environmental coordinator confirms that the required conditions of approval and mitigation measures have been implemented as evidenced by the "Schedule of Tasks and Sign-Off Checklist", and that all direct and indirect costs have been paid. This act constitutes the issuance of a Certificate of Completion.

______________________________

Environmental Coordinator

______________________________

Date
Explanation of Headings:

Monitoring Dept: Department or Agency responsible for monitoring a particular mitigation measure.

Verified Implemented: When a mitigation measure has been implemented, this column will be initialed and dated.