

TM-F22-0014 The Vineyards at El Dorado Hills Unit 1 Conditions of Approval Conformance Verification

The following is the verification of conformance of the proposed The Vineyards at El Dorado Hills Unit 1 Final Map with the approved Tentative Subdivision Map (TM16-1528) and applicable conditions of approval.

Z16-0002/PD16-0001/TM16-1528/Vineyards at El Dorado Hills – As approved by the Board of Supervisors on February 25, 2020

Conditions of Approval

1. **Project Description**

The Vineyards at El Dorado Hills Tentative Subdivision Map and Planned Development are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits D, F-I, N-Q and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

Tentative Subdivision Map and Planned Development for the proposed Vineyards at El Dorado Hills residential development consisting of the following:

- A. A phased Tentative Subdivision Map creating a residential subdivision with total of 42 residential lots;
- B. Planned Development to establish an official Development Plan for The Vineyards at El Dorado Hills Tentative Subdivision Map utilizing a density bonus through the clustering of residential lots.
- C. Design Waiver modifying to Road Standard 101C that would reduce the right-of-way from 50 feet to 30 feet in width, as shown in the Typical Road Section illustrated on the Tentative Subdivision Map.

RESPONSE: Satisfied and on-going. The project and its required improvements have been designed and are being constructed in accordance with the Conditions of Approval and department/agency fully approved Improvement Plans.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

2. Mitigation Monitoring and Reporting Program: The mitigation measures certified in the Vineyards at El Dorado Hills EIR and adopted by resolution are required as conditions of approval to reduce potential significant environmental effects. The Mitigation Measures shall be completed as identified in the adopted Mitigation monitoring and Reporting Program (MMRP) (Exhibit P) prior to each Small-Lot Final Map.

RESPONSE: Satisfied and on-going. The project and its required improvements have been designed and are being constructed in accordance with the Conditions of Approval and department/agency fully approved Improvement Plans. Mitigation Measures have been added to and incorporated into the approved project Improvement Plans.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

Mitigation Measures – 2nd Narrative dated March 21, 2023

3.2-1: *The project proponent shall ensure that no more than 12 acres of ground are worked on at any one time during all proposed project construction activities, or, prior to construction activities, the project applicant shall pay mitigation fees in accordance with the established mitigation fee program*

provided by the El Dorado County AQMD (or such program in another district that is acceptable to the District).

Monitoring Responsibility: El Dorado County Air Quality Management District

Timing: During all proposed construction activities, or prior to construction activities

RESPONSE: The Unit 1 of The Vineyards disturbance areas is < 12 acres. DOT and Planning approval of the IPs warrants compliance with this MM.

Staff Response: This application is for a Final Map which does not grant permission for ground disturbance. Staff will continue to monitor this mitigation through grading permits and building permits to warrant compliance with the approved conditions of approval and mitigation monitoring and Reporting Program.

3.2.2: *At least one of the following measures must be implemented during all project construction activities, including grading, site improvements, and development of all project components (residential and vineyard):*

- *Require the prime contractor to provide an approved plan demonstrating that heavy-duty (i.e., greater than 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor will achieve, at a minimum, a fleet-averaged 15 percent NOx reduction compared to the most recent CARB fleet average. Successful implementation of this measure requires the prime contractor to submit a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. Usually the inventory includes the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. In addition, the inventory list is updated and submitted monthly throughout the duration of when the construction activity occurs.*
- *Require the prime contractor to use an alternative fuel, other than diesel, verified by the California Air Resources Board or otherwise documented through emissions testing to have the greatest NOx and PM10 reduction benefit available, provided each pollutant is reduced by at least 15%.*
- *Require the prime contractor to use aqueous emulsified fuel verified by the California Air Resources Board or otherwise documented through emissions testing to have the greatest NOx and PM1 n reduction benefit available, provided each pollutant is reduced by at least 15%.*

Monitoring Responsibility: El Dorado County Planning Department

Timing: During all project construction activities. Including grading, site improvements, and development of all project components (residential and vineyard)

RESPONSE: Satisfied and On-going. The Contractor reports to the State annually. The attached State Certificate demonstrates compliance through January 1, 2028. (Attachment No. 1)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.2.3: *During construction activities, the project applicant shall implement the following Best Available*

Fugitive Dust Control Measures as outlined in the CEQA Guide to Air Quality Assessment. Determining Significance of Air Quality Impacts under the California Environmental Quality Act (El Dorado County AQM D, 2002).

- 1a. *Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the District; two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations each subsequent four-hour period of active operations; OR 1a-1. For any earth-moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction.*
- 1b. *Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the District; for areas which have an optimum moisture content for compaction of less than 12 percent, as determined by ASTM method 1557 or other equivalent method approved by the District, complete the compaction process as expeditiously as possible after achieving at least 70 percent of the optimum soil moisture content; two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations during each subsequent four-hour period of active operations.*
- 1c. *Conduct watering as necessary to prevent visible emissions from extending more than 100 feet beyond the active cut or mining areas unless the area is inaccessible to watering vehicles due to slope conditions or other safety factors.*
- 2a/b. *Apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any areas which cannot be stabilized, as evidenced by wind driven dust, must have an application of water at least twice per day to at least 80 percent of the unstabilized area.*
- 2c. *Apply chemical stabilizers within 5 working days of grading completion; OR 2d. Take action 3a or 3c specified for inactive disturbed surface areas.*
- 3a. *Apply water to at least 80 percent of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding any areas which are inaccessible due to excessive slope or other safety conditions; OR 3b. Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface; OR 3c. Establish a vegetative ground cover within 21 days after active operations have ceased; ground cover must be of sufficient density to expose less than 30 percent of stabilized ground within 90 days of planting, and at all times thereafter; OR 3d. Utilize any combination of control actions 3a, 3b and 3c such that, in total, they apply to all inactive disturbed surface areas.*
- 4a. *Water all roads used for any vehicular traffic at least once per every two hours of active operations; OR 4b. Water all roads used for any vehicular traffic once daily and restrict vehicle speed to 15 mph; OR 4c. Apply chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface.*
- 5a. *Apply chemical stabilizers; OR 5b. Apply water to at least 80 percent of the surface areas of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust; OR 5c. Install a three-sided enclosure with walls with no more than 50 percent porosity that extends, at a minimum, to the top of the pile.*
- 6a. *Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and width of at least 20 feet;*

OR 6b. Pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and a width of at least 20 feet, and install a track-out control device immediately adjacent to the paved Surface after that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device.

7a. Any other control measures approved by the District.

Monitoring Responsibility: El Dorado County Planning Department

Timing: During construction activities

RESPONSE: Satisfied and on-going. The approved IPs and the Fugitive Dust Control Plan include these requirements and mitigation measures. The Subdivision Improvement Agreement (SIA) and associated bonds guarantee performance under the Contract. (Attachment No. 4)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.2-4: During construction activities in high wind conditions, the project applicant shall implement the following Best Available Fugitive Dust Control Measures as outlined in the CEQA Guide to Air Quality Assessment, Determining Significance of Air Quality Impacts Under California Environmental Quality Act (El Dorado County AQM D, 2002)

- 1a. Cease all active operations, OR 2A. Apply water to soil not more than 15 minutes prior to moving such soil.
- 1b. On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than four consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months; OR 18. Apply chemical stabilizers prior to a wind event; OR 28. Apply water to all unstabilized disturbed areas 3 times per day; if there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of four times per day; OR 38. Take the actions specified in Table 8.6, Item 3c; OR 4B. Utilize any combination of control actions specified in Table I. Items 1B, 2B and 3B. such that, in total, they apply to all disturbed surfaced areas.
- 1c. Apply chemical stabilizers prior to a wind event; OR 2C. Apply water twice per hour during active operation; OR 3C. Stop all vehicular traffic.
- 1d. Apply water twice per hour; OR 2D. Install temporary coverings.
- 1e. Cover all haul vehicles; OR 2E. Comply with the vehicle freeboard requirements of Section 23114 of the California Vehicle Code for operations on both public and private roads.
- 1f. Any other control measures approved by the district.

Monitoring Responsibility: El Dorado County Planning Department

Timing: During construction activities in high wind conditions.

RESPONSE: Satisfied and on-going. The approved IPs and the Fugitive Dust Control Plan include these requirements and mitigation measures. The SIA and associated bonds guarantee performance under the Contract. (Attachment No. 4)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.2-5:** *During construction activities, including during the architectural coatings phase, the project applicant shall project ensure compliance with the most recent version of El Dorado County AQMD Rule 215 (effective beginning January 1, 2018), which limits VOC content for architectural coatings.*

Monitoring Responsibility: El Dorado County Planning Department

Timing: During construction activities, including during the architectural coatings phase.

RESPONSE: Satisfied and on-going. The approved IPs and the Fugitive Dust Control Plan include these requirements and mitigation measures. The SIA and associated bonds guarantee performance under the Contract. Future work that involves home construction will be required to comply as well. (Attachment No. 4)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.3-1:** *The project proponent shall implement the following measures to avoid or minimize impacts on valley elderberry longhorn beetle:*

- *All onsite elderberry shrubs shall be avoided and preserved onsite through site design, as feasible.*
- *All elderberry shrubs that are located adjacent to construction areas shall be fenced and designated as environmentally sensitive areas. These areas shall be avoided by all construction personnel. Fencing shall be placed at least 100 feet from each shrub, unless otherwise approved by USFWS.*
- *No insecticides, herbicides, or other chemicals that might harm the beetle or its host plant shall be used within 100 feet of the elderberry shrubs.*
- *If the shrub(s) cannot be avoided through design, as determined by the El Dorado County Planning Department in conjunction with the project applicant, the project applicant shall mitigate for potential impacts to the shrub(s) by either (1) purchasing VELB conservation credits from a USFWS-approved conservation bank, or (2) transplanting the individual shrub(s) that is not avoided to a suitable mitigation site in a manner consistent with the USFWS'1999 Conservation Guidelines for the VELB. The mitigation shall be overseen by a qualified biologist, approved by the El Dorado County Planning Department and USFWS.*

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to construction during construction, and during the lifetime of the project.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.3-2:** *Prior to construction activities for any phase of the project, a focused survey for western pond turtle shall be conducted by a qualified Biologist no more than 24 hours prior to onset of construction. If no western pond turtles are observed, no further mitigation would be necessary. If this species is observed on or adjacent to the project site, a qualified biologist, in coordination with the CDFW,*

will capture and relocate the turtle to appropriate habitat at a safe distance from the construction site.

Monitoring Responsibility: El Dorado County Planning Department/California Department of Fish and Wildlife

Timing: Prior to construction activities for any phase of the project.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.3-3:** *Prior to construction activities for any phase of the project, conduct a preconstruction CRLF survey a minimum of 48 hours (but no more than two weeks) before the onset of work activities. If any life stage of the CRLF is found on the project site, the USFWS and CDFW shall be contacted and the regulatory agency shall provide the appropriate course of action.*

Monitoring Responsibility: El Dorado County Planning Department/California Department of Fish and Wildlife/US Fish and Wildlife

Timing: Prior to construction activities for any phase of the project.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (See Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.3-4:** *The project proponent shall implement the following measure to avoid or minimize impacts on other protected bird species that may occur on the site: within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area.*

- *If any active nests, or behaviors indicating that active nests are present, are observed. Appropriate buffers around the nest sites shall be determined by a qualified biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.*

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to construction activities for any phase of the project.

RESPONSE: Refer to Response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (See Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental

information that warrant compliance with the approved conditions of approval.

3.3-5: The project proponent shall implement the following measures to avoid or minimize impacts on special -status bats:

- If removal of trees with suitable roost cavities and/or dense foliage must occur during the bat pupping season (April 1 through July 31), surveys for active maternity roosts shall be conducted by a qualified biologist in trees designated for removal. The surveys shall be conducted from dusk until dark.
- If a special-status bat maternity roost is located, appropriate buffers around the roost sites shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from tree removal or other project activities. The size of the buffer shall depend on the species, roost location, and specific construction activities to be performed in the vicinity. No project activity shall commence within the buffer areas until the end of the pupping season (August 1) or until a qualified biologist conforms the maternity roost is no longer active.

Monitoring Responsibility: El Dorado County Planning Department

Timing: If removal of trees with suitable roost cavities and/or dense foliage must occur during the bat pupping season (April 1 through July 31), and if a special-status bat maternity roost is located onsite during the surveys.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.3-6: The project proponent shall implement the following measure to avoid or minimize impacts on special-status plant species:

Before the commencement of ground-disturbing activities, a preconstruction plant survey shall be conducted during the appropriate floristic period. If special-status plant species are found on the site that cannot be avoided during project construction or operation, the County and the appropriate regulatory agency shall be notified to determine the appropriate course of action, which may include transplanting the plants and/or seed bank that would be affected by the project to open space areas within Lots A through E. If the survey(s) do not reveal the presence of these plants, then the project is free to move forward with ground disturbance activities, subject to all permits and other Project mitigation requirements.

Monitoring Responsibility: El Dorado County Planning Department

Timing: Before commencement of ground-disturbing activities.

RESPONSE: 2nd Narrative (03/21/23): Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2) 3rd Narrative (05/23/23): The pre-construction dated 3/29/23 plant survey is provided.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.3-7: Prior to any construction activities that would disturb any portion of the 1.57-acres of onsite "other

waters of the U.S." or any offsite improvements that would disturb any waters of the U.S. (e.g., transportation mitigation measures), the project applicant shall obtain authorization and the appropriate permits from the applicable regulatory agencies (USACE-404 permit, RWQCB-401 certification, 1602 Streambed Alteration Agreement). All requirements of a permit shall be adhered to throughout the construction phase.

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to any construction activities that would disturb any portion of the 1.57 acres of onsite "other waters of the US."

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.3-8: *The project shall be designed in accordance with Section 130.30 030.G.3.d of the County's Site Planning and Project Design Standards, which states that "ministerial development, including single family dwellings and accessory structures, shall be set back a distance of 25 feet of any intermittent stream, wetland or sensitive riparian habitat, or 50 feet from any perennial lake, river or stream. This standardized setback may be reduced, or grading within the setback may be allowed, if a biological resource evaluation is prepared which indicates that a reduced setback would be sufficient to protect the resources." By employing proper best management practices (BMP), the biological resource evaluation prepared for the project has determined that potential encroaching development can be implemented without affecting aquatic resources. The project shall implement the following BMPs during construction and operation:*

- *The use of nutrients, pesticides, fuel, or other potential pollutants shall be prohibited within 50 feet of any aquatic resource.*
- *A qualified biologist shall monitor all construction to ensure that no resource violations related to the U.S. Clean Water Act (CWA), the California Porter- Cologne Act (PCA), or California Fish and Game Code (FCC) occur.*
- *No grading, site construction, or other disturbance shall occur within 10 feet of any aquatic feature at any time.*
- *Disturbance within, but more than 10 feet from, the above- mentioned setbacks shall not occur until silt fencing, fiber rails, or other similar 81" 1P is installed at least 10 feet away and along the perimeter of the encroached feature .*
- *No machinery shall operate closer than 15 feet from an aquatic resource. Required grading between 10 and 15 feet from the resource shall use only hand tools.*
- *Machinery operating between 15 and 25 feet from an intermittent drainage, or between 25 and 50 feet from a perennial drainage, shall be checked daily for fuel or oil discharge and moved outside these setbacks if discharge is found.*
- *No grading shall occur within aquatic resources setbacks for after 14 days following a storm event or 14 days before the next anticipated storm event.*
- *Graded areas shall be covered with straw, mats, or natural wood chips with no artificial dyes or preservatives, or other erosion control measure within 72 hours of exposure.*

- Grading that increases existing slope by more than 10 percent shall include a means for diffusing water velocity at the toe of slope such as a water bar.
- Any site construction that increases the overland runoff coefficient (e.g. pavement) shall incorporate a water bar or other velocity reducing detention solution before runoff can enter an aquatic resource.
- On completion of construction, disturbed areas shall be replanted with locally native seed mix distributed through a hydro-seed applicator and mixed with a tackifier.
- Installed landscaping shall be irrigated with above-ground temporary irrigation equipment and removed once plantings have established. Irrigation timing and flow should be gradually reduced to nat1.1rally occurring rainfall after the first three months. Landscaping shall be conducted under the direction of a qualified landscape designer or landscape architect.
- All construction and erosion control materials shall be removed from the construction site after work is completed unless needed for temporary stabilization. If materials are necessary after construction, contractor or owner's representative shall designate a future removal time.

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to approval of site plans during construction, and during the lifetime of the project.

RESPONSE: Satisfied and on-going. The approved IPs show the aquatic features. All of the construction requirements and restrictions that are noted in the mitigation measure are included on the approved improvement plans. The SIA and associated bonds guarantee performance under the Contract. Future work that involves home construction will be required to comply as well.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.3-9: Deed restrictions shall be placed on the parcels of residential lots 1 9, 20, and 21 to ensure that private residential use of the property does not impact the nearby wetland, as follows:

- A fence shall be installed along the property lines of each of these parcels capable of preventing access to the aquatic features by homeowners, or other individuals.
- A bio-swale with a three-foot minimum width and French drain or similar structure shall be installed inside the residential property along the entire length of fencing in a manner that ensures capture and detention of any irrigation or storm runoff.

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to approval of Improvement Plans.

RESPONSE: 2nd Narrative (03/21/23): A Notice of Restriction (NOR) has been prepared that will be added to the Final Map. A copy of the NOR is included with the narrative. 3rd Narrative (05/23/23): Attention is directed to the Final Map. Since Unit 1 contains Lot 9 the NOR for Unit 1 applies. The NOR for Lot 9 is included and is noted on the FM Sheet 3 as well. Future Phases will incorporate Lot(s) 1, 20, and 21.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.3-10: *The onsite open space areas shall be effectively managed by a Homeowner's Association (HOA) that is capable of creating and enforcing the following conditions, covenants, and restrictions (CC&Rs) in perpetuity and without an option to arbitrarily and unilaterally dilute these CC&Rs in the future. The HOA shall also be required to provide ongoing funding for management and maintenance of wetlands and riparian areas.*

The following shall be employed in order to protect resources while also installing these amenities in a controlled fashion:

- *The HOA shall prepare an approval process for special uses that includes preparation and review of Improvement Plans.*
- *Plans for proposed special uses shall include perimeter buffer zones such as bio-swales or hedge plantings that impede, detain, and filter surface runoff.*
- *Any use of a potential pollutant within designated open space shall be set back from aquatic resources by a minimum of 50 feet and be reviewed by El Dorado County or a qualified professional capable of understanding potential pollutant impacts and reviewing Improvement Plans. Qualified professionals include licensed civil engineers or landscape architects.*
- *Any ground disturbance within open space, regulated under the County's grading ordinance, shall require a permit prior to grading.*
- *Any agricultural use of open space, which as vineyards regulated by the Regional Water Quality Control Board under the irrigated lands program, shall first obtain approval from the agency and abide by any associated requirements, including additional setbacks prior to installation and operation.*

Additionally, the HOA shall be the designated manager of the open space areas and as such shall be ultimately responsible for ensuring that passive uses are carried out in harmony with adjacent aquatic resources. The following measures shall be implemented in order to provide the HOA with the tools it needs to carry out its long-term responsibilities related to these resources.

RESPONSE: Not applicable to Unit 1. No special uses are proposed on the open space in connection with Unit 1.

Staff Response: This condition does not apply currently. Further confirmation of compliance with this condition would occur at a later project phase.

- *Prior to the public use/access of open space areas, a formal Open Space Management Plan shall be prepared by a qualified professional and included with management and maintenance schedules in the HOA CC&Rs.*
- *A qualified biologist shall be annually engaged to monitor the ecological health of these onsite aquatic resources and direct specific maintenance activities to minimize establishment of invasive or nonnative species. The biologist shall also ensure that activities in Open Space areas have not occasioned to affect any wetland or riparian area.*

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to approval of Improvement Plans and during the lifetime of the project.

RESPONSE: Refer to Response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.3-11: Pursuant to El Dorado County's General Plan Policy 7.4.4.4, the project shall mitigate onsite for removed oak woodland canopy using the County's requested ratio of 200 one-gallon oak trees per acre of canopy impacted or 600 locally-sourced acorns per acre of canopy impacted. Replanting shall be consistent with the Woodland Canopy Analysis, Preservation and Replacement Plan for Vineyards at El Dorado Hills and shall include the following measures:

- *Replacement Planting Location: Tree Replacement Area A shall be given priority for replacement planting*
- *Installation Monitoring: The monitoring process will include meeting with the installation staff and verifying the planting plans and plant material, the steps to be followed during the installation, irrigation design and installation, and the site maintenance. Tree or acorn selection and placement shall be in accordance with Appendix B of the Woodland Canopy Analysis, Preservation, and Replacement Plan for Vineyards at El Dorado Hills. Installation of trees or acorns shall be in accordance with the Tree Planting Specifications established in Appendix A of the Woodland Canopy Analysis, Preservation and Replacement Plan for Vineyards at El Dorado Hills.*
- *Acorn Monitoring - Years 1 through 15: The replacement acorns shall be maintained to achieve oak canopy coverage at a density and acreage equal to the canopy coverage removed within 15 years from the date of planting. If the project plants replacement acorns, the project shall be monitored regularly by a qualified professional, with quarterly monitoring for the first year, bi-annual monitoring the second year, and annual monitoring the third year through fifteenth years.*
- *Tree Monitoring - Years 1 through 15: The replacement trees shall be maintained to achieve oak canopy coverage at a density and acreage equal to the canopy coverage removed within 10 years from the date of planting. If the project plants replacement saplings or trees, the project shall be monitored regularly by a qualified professional, with quarterly monitoring for the first year, bi-annual monitoring the second year, and annual monitoring the third year through tenth years.*
- *Monitoring - Significant Events: If any significant events such as a significant storm with large hail, heavy snow, or fire occur during the 10-year (replacement tree) or 15-year (replacement acorn) monitoring period, the site shall be monitored within two weeks of the significant event to check for severity of damage and to implement appropriate measures to maintain or replace trees, if necessary.*
- *Maintenance: Maintenance shall be performed in accordance with Appendix A, Paragraph 10, and Appendix C of the Woodland Canopy Analysis, Preservation, and Replacement Plan for Vineyards at El Dorado Hills.*

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to approval of Improvement Plans.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.3-12** Prior to any construction activities, the project applicant shall develop a detailed tree preservation plan that identifies trees to be retained that incorporates and addresses the tree protection measures identified in Appendices C and D of the Oak Woodland Canopy Analysis, Preservation, and Replacement Plan for Vineyards at El Dorado Hills dated February 28, 2018.

Monitoring Responsibility: El Dorado County Planning Department
Timing: Prior to any construction activities.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.4-1:** Prior to site disturbance, the Live Oak School resource, including Live Oak School and associated features, shall be further examined and fully documented with a historic building report. This effort shall include any data retrieval from areas in the vicinity of the resource that will not be within Lot C (permanent open space), updated site forms prepared to address any additional features identified in association with the resource, and preparation of a map identifying the location of features associated with this resource. The historic building report shall identify the steps necessary to stabilize and preserve the school building by an engineer who specializes in the evaluation and preservation techniques for historic buildings. The historic building report shall be submitted to the County Planning Department for review and approval.

If the County determines, based on the historic building report, that the school building can be feasibly stabilized and preserved, a management plan shall be developed for the resource to address both short-term and long-term effects of the project, including: providing for initial funding to stabilize or restore the building and ongoing funding to maintain the building; identifying methods to secure the building to address potential impacts created by development of the project and from persons in the vicinity of this resource; and establishing a mechanism to manage and oversee the continued maintenance and preservation of the school building. The management plan shall be submitted to the County Planning Department for review and approval.

If the County determines, based on the historic building report, that the school building cannot be feasibly stabilized and preserved, the resource shall be fully documented with the preparation of a Historic American Building Survey report, which shall include large scale photography. The Historic American Building Survey report shall be submitted to the County Planning Department for review and approval.

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to site disturbance.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.4-2:** *Prior to site disturbance, the Coloma Road resource shall be further examined and fully documented with a complete California Department of Parks and Resources site form. This effort shall include re-surveying the old Coloma Road route by qualified archaeologists including use of a metal detector to check for related artifacts or features, preparation of a field map documenting the route and features of the roadway and large-scale photographs of any physical evidence found of the route.*

Monitoring Responsibility: El Dorado County Planning Department/Qualified Archaeologist

Timing: Prior to site disturbance.

RESPONSE: *Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)*

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.4-3:** *Prior to any ground-disturbing activities on the project site, a qualified archaeologist shall conduct pre-construction worker, cultural and paleontological resources sensitivity training. The training session shall focus on the recognition of the types of historical, cultural, including Native American, and paleontological resources that could be encountered on the project site procedures to be followed if resources are found, and pertinent laws protecting these resources. Representatives from the Shingle Springs Band of Miwok Indians and the United Auburn Indian Community shall be invited to attend the training. Representatives from the Shingle Springs Band of Miwok Indians and the United Auburn Indian Community shall be invited to monitor ground-disturbing activities during construction and shall be provided with any safety requirements that shall be followed during any ground-disturbing and construction activities.*

Monitoring Responsibility: El Dorado County Planning Department/Representatives from the Shingle Springs Band of Miwok Indians and the United Auburn Indian community.

Timing: Prior to any ground disturbing activities on the project site.

RESPONSE: *Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)*

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.4-4:** *If any cultural resources, including historic or Native American artifacts, or other indications of archaeological resources are found during site preparation, grading, and construction activities, all work shall be halted immediately within a 200-foot radius of the discovery until an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, has evaluated the find(s) and until the Shingle Springs Band of Miwok Indians and the United Auburn Indian Community have been contacted and invited to review and document the find .*

Work shall not continue at the discovery site until the archaeologist conducts sufficient research

and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR; 3) not a significant Pub/IC Trust Resource; 4) adequate information has been collected to document the resource and the resource may be avoided and preserved in place or removed or reburied under the supervision of a qualified archaeologist; or SJ for Native American finds, that the resource has been reburied (based on the recommendation of the Shingle Springs Band of Miwok Indians during AB 52 I consultation) within the permanent open space lot (Lot A B, C, D, or E) that is closest in location to the find under the supervision of a qualified Native American monitor at the project applicant's expense.

Monitoring Responsibility: El Dorado County Planning Department/Qualified Archaeologist/Representatives from the Shingle Springs Band of Miwok Indians and the United Auburn Indian community.

Timing: If any cultural resources including historic or Native American artifacts or other indications of archaeological resources are found during site preparation, grading and construction activities.

Implement 3.4-3 and 3.4-4

Monitoring Responsibility: See Mitigation Measures 3.4-3 and 3.4-4.

Timing: See Mitigation Measures 3.4-3 and 3.4-4.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.4-5:** If paleontological resources are discovered during the course of construction, work shall be halted immediately within County to directly or indirectly destroy a 50 meters (165 feet) of the discovery, El Dorado County shall be notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. If the paleontological resource is considered significant, it should be excavated by a qualified paleontologist and given to a local agency, State University, or other applicable institution, where they could be curated and displayed for public education purposes.

Monitoring Responsibility: El Dorado County Planning Department/Qualified Paleontologist.

Timing: If paleontological resources are discovered during the course of construction.

RESPONSE: Refer to response from ECORP Consulting Inc. dated March 3, 2023 and included as an attachment to this MM Response Narrative. (Attachment No. 2)

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.4-6:** If human remains are discovered during the course of construction during any phase of the project, work shall be halted at the site and at any nearby area reasonably suspected to overlie adjacent human remains until the El Dorado County Coroner has been informed and has determined that no investigation of the cause of death is required. [If the remains are of Native American origin, either of the following steps will be taken:

- The coroner shall contact the Native American Heritage Commission in order to ascertain

the proper descendants from the deceased individual. The coroner shall make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.

- *The landowner shall retain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs:*
- *The Native American Heritage Commission is unable to identify a descendent.*
- *The descendant identified fails to make a recommendation.*
- *El Dorado County or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.*

Monitoring Responsibility: El Dorado County Planning Department/El Dorado County Coroner/Native American Heritage Commission.

Timing: If human remains are discovered during the course of construction.

RESPONSE: Attention is directed to Construction Note No. 8 as shown on the approved IPs. The approved IPs warrant compliance with this MM. The SIA and associated bonds guarantee performance under the Contract. Future work that involves home construction will be required to comply as well.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.5-1:** *Prior to clearing, grading, and disturbances to the ground such as stockpiling, or excavation, the project proponent shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ amended by 2010-0014-DWQ & 2012-0006-DWQ). The SWPPP shall be designed with Best Management Practices (BMPs) that the RWQCB has deemed as effective at reducing erosion, controlling sediment, and managing runoff. These include: covering disturbed areas with mulch, temporary seeding, soil stabilizers, binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Sediment control BMPs, installing silt fences or placing straw wattles below slopes, installing berms and other temporary nm-on and runoff diversions. Final selection of BMPs will be subject to approval by El Dorado County and the RWQCB. The SWPPP shall be kept on site during construction activity and shall be made available upon request to representatives of the RWQCB.*

Monitoring Responsibility: El Dorado County Planning Department/Regional Water Quality Control Board

Timing: Prior to clearing, grading, and disturbance to the ground such as stockpiling or excavation.

RESPONSE: The project has been assigned WDID#5S09C398916 as shown on the approved IPs. Thus, warranting compliance with this mitigation measure.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.5-3a: *The project applicant shall comply with the following to ensure that the septic system proposed for each residential lot is adequate and can be accommodated on the proposed lot:*

- *Prior to approval and recommendation of the Final Map, the project proponent shall demonstrate to the satisfaction of the County Environmental Health Department that the recommendations of the Septic Feasibility Study are implemented, including additional exploration to be conducted to demonstrate the feasibility of the onsite sewage disposal for each lot in the proposed project area. The project proponent shall demonstrate that the disposal area for each lot is consistent with the sizing requirements identified in the subsequent exploration and that each lot size is adequate to comply with the County's requirements, including setbacks, for an onsite septic system.*
- *Prior to the issuance of a building permit the project proponent shall demonstrate to the satisfaction of the County Environment Health Department that the requirements of the County, including conformance with the County Code and the County's Design Standards for the Site Evaluation and Design of Sewage Disposal Systems are met.*

Monitoring Responsibility: El Dorado County Environment Health Department

Timing: Prior to approval and recommendation of the Final Map and prior to the issuance of a building permit.

RESPONSE: 2nd Narrative (03/21/23): Attention is directed to Youngdahl Consulting Group correspondence dated September 28, 2022 regarding "Supplement Septic Feasibility Study" (Attachment No. 3) 3rd Narrative (05/23/23): CTA sent the "Supplemental Septic Feasibility Study" to EDC Planning on March 21, 2023. It is specific to Unit 1. Traditionally, the standard practice is to submit the Study with the Final Map. However, in response to EDC Planning comments and review of the mitigation measure, Youngdahl Consulting Group has submitted the study to EMD specifically Bryan Vyverberg to insure satisfaction of the County Environmental Health Department. Email correspondence is included.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.7-1: *If any underground septic tanks, fuel tanks, or wells are uncovered from past site uses during construction, the project proponent shall retain an environmental professional to assist with the removal consistent with the El Dorado County Environmental Management Department regulations, including the Underground Storage Tank Ordinance, Underground Storage Tank Closure Application requirements and Well Permit Application requirements. Any well abandonment work shall be completed by a C-57 State licensed well contractor.*

Monitoring Responsibility: El Dorado County Environment Management Department

Timing: If any underground septic tanks or wells are uncovered from past site uses during construction.

RESPONSE: This Mitigation Measure is included on the approved IPs. The approved IPs warrant compliance with this MM. The SIA and associated bonds guarantee performance under the Contract. Future work that involves home construction will be required to comply as well.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

- 3.7-2:** *The applicant shall hire a qualified consultant to perform additional testing prior to the issuance of grading permits or demolition permits for construction activities in areas that have been deemed to have potential hazardous conditions present, which include the schoolhouse, barn, pump house, and associated outbuildings located in the southwest area of the site, and the residence and outbuildings in the southeast area of the site.*

The intent of the additional testing is to investigate whether any of the buildings, facilities, or soils contain hazardous materials. If asbestos-containing materials and/or lead are found in the buildings, a Cal-OSHA certified ACBM and lead based paint contractor shall be retained to remove the asbestos-containing materials and lead in accordance with EPA and California Occupational Safety and Health Administration (Cal/OSHA) standards. In addition, all activities (construction or demolition) in the vicinity of these materials shall comply with Cal/OSHA asbestos and lead worker construction standards. The ACBM and lead shall be disposed of properly at an appropriate offsite disposal facility. If surface staining is found on the project site, a hazardous waste specialist shall be engaged to further assess the stained area.

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to issuance of grading permits or demolition permits for construction activities in areas that have been deemed to have potential hazardous conditions present, which include the schoolhouse, barn, pump house, and associated outbuildings located in the southwest area of the site, and the residence and outbuildings in the southeast area of the site.

RESPONSE: Not applicable to Unit 1.

Staff Response: This condition does not apply currently. Further confirmation of compliance with this condition would occur at a later project phase.

- 3.7-3:** *The applicant shall work with the Home Owners' Association (HOA) or its designee to create a plan for operation of the onsite vineyard which specifies, among other topics, who would be responsible for ensuring that operation of the vineyard complies with all applicable County and State regulations regarding pesticide and herbicide control and application, pest control, runoff management, and any other relevant topics. Potentially applicable regulations, forms, and/or permits which the applicant and/or HOA may need to comply with include: Agricultural Grading Application, Restricted Materials Pesticide Permit, Small Farm Irrigation Rate Application, Agricultural Pest Control Adviser County Registration Form, and Registration and Fieldworker Safety Requirements for Farm Labor Contract. The applicable regulations would depend on the ultimate design and use of the onsite vineyard (i.e., the ultimate size of the vineyard, and the ultimate use of the harvested materials). The operation plan shall be submitted to the El Dorado and Alpine Counties Department of Agricultural Weights and Measures for review and approval. The operation plan may be amended from time to time and shall be submitted to the Agriculture Department for review and approval of any substantive amendments. The HOA formation documents shall require the HOA to implement and abide by the operations plan.*

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to operations of the project.

RESPONSE: There are no current plans to plan vineyards in the open space.

Staff Response: This condition does not apply currently. Further confirmation of compliance with this condition would occur at a later project phase.

3.7-4: *The Wildland Fire Safe Plan (Vineyards at El Dorado Hills Draft EIR, Appendix G.1.) shall be prepared by a qualified professional as approved by the El Dorado County Fire Prevention Officers Association and shall be approved by the local Fire Protection District having jurisdiction and/or California Department of Forestry and Fire Protection. The Wildland Fire Safe Plan shall be adhered to throughout all phases of project construction, development and operation.*

This project shall provide a funding mechanism to ensure the maintenance of all emergency access roadways, gates, and vegetative clearances as required by the Wildland Fire Safe Plan, and any required fire access components.

The Wildland Fire Safe Plan shall provide mitigations that reduce the spread of fire from homes to the wildland and from the wild/and to homes, as well as to protect evacuation routes and emergency firefighting components.

All Improvement Plans submitted for the project shall incorporate the applicable measures of the Wildland Fire Safe Plan, including measures described below or comparable measures.

Grading Plans (site preparation) - All grading plans shall incorporate the requirements of the Wildland Fire Safe Plan. It is noted that the Wildland Fire Safe Plan improvements may be phased and completed in conjunction with grading and site preparation efforts for individual phases of the project, but shall be completed for all open space areas abutting residential lots associated with an individual phase.

Grading and Improvement Plans (individual residential lots). All grading and Improvement Plans shall be consistent with the Wildland Fire Safe Plan and applicable state and local regulations and shall be submitted to the El Dorado Hills Fire Department and El Dorado County for review and approval.

Individual Homeowner Responsibility. All purchasers of residential lots shall be provided with a copy of the Wildland Fire Safe Plan and shall sign an agreement to comply with the requirements of the Wildland Fire Safe Plan and applicable requirements of federal, state, and local regulations. This requirement shall be recorded against the property and shall apply to all subsequent property owners and shall include the following specifications.

- A. Property shall be landscaped and maintained in perpetuity consistent with the fuel clearance and maintenance requirements described in the Wild/and Fire Safe Plan.*
- B. All Improvement Plans. Building permits, grading permits, and any fencing and access improvements (driveways, gates, etc.) shall be consistent with the Wildland Fire Safe Plan and any applicable laws and regulations. Such permits and plans shall be submitted to El Dorado Hills Fire Department and El Dorado County for review for compliance with the Wild/and Fire Safe Plan and applicable laws and regulations.*

Homeowner Association Responsibility. The Homeowner Association, or other entity identified to the satisfaction of the County of El Dorado, shall be responsible for maintaining the flood hazard reduction zones in the common open space areas and along the road. The common open space lots shall be maintained annually consistent with the Wildland Fire Safe Plan and any applicable requirements of state and local law. Maintenance shall include, but not be limited to:

- A. *Annually by June 1st, cut or remove all grass and brush to a 2" stubble within 50' along the inner property lines adjacent to the residential lots and 10' along streets/trails and 100' along Malcolm Dixon Road adjacent to the project perimeter.*
- B. *Remove all gray pines, all dead trees, and all fallen dead trees and dead tree limbs within 100' of all property lines.*
- C. *Remove all dead limbs from live trees that are within 10' of the ground.*
- D. *Limb all trees within 30' of the inner property lines at least 8' above the ground as measured on the uphill side of the tree.*
- E. *Open space areas may be landscaped and irrigated. Natural areas will follow the open space guidelines for fuel treatment.*
- F. *Maintain the oaks in the open space areas as to the following specifications: (a) remove all dead limbs and stems and (b) cut off green stems at 8' above the ground that arch over and are growing down towards the ground. Measure from the uphill side of the tree to determine the appropriate height.*
- G. *Permanent wet areas within the open space lots may be allowed to have a variety of vegetation provided the wet areas are isolated with a fuel hazard reduction zone if outside of an existing fuel hazard reduction zone.*
- H. *The Homeowner Association shall coordinate with the El Dorado Hills Fire Department for review of the Wild/and Fire Safe Plan within five years to determine its adequacy. Any modifications required by the El Dorado Hills Fire Department shall be implemented as necessary.*

Monitoring Responsibility: El Dorado Hills Department and El Dorado County

Timing: Throughout all phases of project construction, development, and operation.

Implement Mitigation Measure 3.5-1 (from Section 3.5 Geology and Soils)

Monitoring Responsibility: See Mitigation Measure 3.5-1

Timing: See Mitigation Measure 3.5-1.

Implement Mitigation Measure 3.5-1 (from Section 35 Geology and Soils) and Mitigation Measure 3.3-7, 3.3-8, and 3.3-9 (from Section 33 Biological Resources)

Monitoring Responsibility: See Mitigation Measure 3.5-1, 3.3-7, 3.3-8, and 3.3-9

Timing: See Mitigation Measure 3.5-1, 3.3-7, 3.3-8, and 3.3-9

RESPONSE: Wildland Fire Safe Plan approved on May 4, 2020 warrants compliance with this mitigation measure.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.9-1: *The construction contractor shall employ noise-reducing construction practices so that construction noise days not exceed construction noise standards specified in County General Plan*

Table 6-5, to the extent feasible.

- *Measures that may be used to limit noise include, but are not limited to, the following:*
- *Prohibiting noise-generating construction activity between the hours of 7:00 p.m. and 7:00 a.m. on weekdays and 5:00 p.m. to 8:00 a.m. on weekends and federally recognized holidays.*
- *locating equipment as far as feasible from noise sensitive uses.*
- *Requiring that all construction equipment powered by gasoline or diesel engines have sound-control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.*
- *Not idling inactive construction equipment for prolonged periods (i.e., more than 2 minutes).*
- *Prohibiting gasoline or diesel engines from having un-muffled exhaust.*
- *Scheduling construction activities and material hauling that may affect traffic flow to off-peak hours and using routes that would affect the fewest number of people.*
- *Using noise-reducing enclosures around noise-generating equipment (minimum 15 dB insertion loss).*
- *Constructing temporary barriers between noise sources and noise-sensitive land uses or taking advantage of existing barrier features (terrain, structures) to block sound transmission.*

The use of these noise-reducing construction practices shall be noted on the project Improvement Plans.

Monitoring Responsibility: El Dorado County Planning Department

Timing: During construction activities

RESPONSE: This Mitigation Measure is included on the approved IPs. The approved IPs warrant compliance with this MM. The SIA and associated bonds guarantee performance under the Contract. Future work that involves home construction will be required to comply as well.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

3.11-1: *Prior to issuance of building permits for the project, the project applicant shall pay the applicable TIM fees towards the improvement of the Green Valley Road at El Dorado Hills Boulevard/Salmon Falls Road intersection (Capital Improvement Program Project #73151)*

Monitoring Responsibility: El Dorado County Planning Department

Timing: Prior to issuance of building permits for the project.

RESPONSE: Issuance of Building Permit(s) after the payment of TIM fees warrants compliance with this mitigation measure.

Staff Response: This condition does not apply currently. Further confirmation of compliance with this condition would occur at a later project phase.

NOTE: Mitigation Measures 3.11-2 and 3.11-3 are not warranted with adoption of Revised Project C Alternative.

As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval.

3. Meter Award Letter: A meter award letter shall be provided by the water purveyor prior to filing the Final Map, except for large lot phasing maps, consistent with Board of Supervisors Resolution 118-92.

RESPONSE: Meter award letter is provided.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

4. Lighting: Street lights, if proposed, shall be shown on the final Improvement Plans. All street lights installed shall be fully-shielded to prevent excess glare and light. A lighting and landscaping district shall be formed to provide for the maintenance of those lights.

RESPONSE: There are no street lights proposed.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

5. Landscaping: The final landscape plan prepared in compliance with the Model Water Efficient Landscape Ordinance, shall be reviewed and approved by the Planning and Building Department Director or designee, prior to issuance of a building permit. Applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity or unless otherwise modified through any future permit. This shall be incorporated as a note on the final subdivision map.

RESPONSE: Landscaping Plans are being prepared in accordance with the COAs. Landscaping consists of Roadside Landscaping, and gated entry and will be maintained by a separate Road Maintenance Association. 3rd Narrative (05/23/23): Attention is directed to Sheet 3 of the Final Map, Note No. 5.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

6. Park Fees: The subdivider shall be subject to a \$150.00 appraisal fee payable to the El Dorado County Assessor for the determination of parkland dedication in-lieu fees.

The subdivision is subject to parkland dedication in-lieu fees based on values supplied by the Assessor's Office and calculated in accordance with Section 120.12.090 of the County Code. The applicant shall provide proof of payment of parkland dedication in-lieu fees to the Planning Department prior to filing the Final Map.

RESPONSE: Transmittal dated 4/5/22 shows satisfaction of \$150.00 payment of appraisal fee. 3rd Narrative (05/23/23): The receipt for the payment of the park in-lieu fee is provided.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

7. Minor Modifications Allowed: Minor changes in the adopted Development Plan may be approved by Planning Services provided that the changes:
- A. Do not change the boundaries of the subject project property;
 - B. Do not change any use as shown on the official development plan; and
 - C. Do not change the intent of the official development plan.

Major changes shall be approved by the Planning Commission in accordance with the requirements of the County Code. A major change in a development plan shall be approved by the Planning Commission.

RESPONSE: Satisfied and on-going. The project and its required improvements have been designed and are being constructed in accordance with the Conditions of Approval and department/agency fully approved Improvement Plans. Mitigation Measures have been added to and incorporated into the approved project Improvement Plans. Unit 1 does not propose modifications.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

8. Archaeological/Cultural Resources: If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.89 of the Public Resources Code. The procedures set forth in Supplementary Document J, Section VIII, of the California Environmental Quality Act (CEQA) Guidelines concerning treatment of the remains shall be followed. If archaeological sites or artifacts are discovered, the subdivider shall retain an archaeologist to evaluate the resource.

If the resource is determined to be important, as defined in Appendix K of the CEQA Guidelines, mitigation measures, as agreed to by the subdivider, archaeologist, and Planning Services shall be implemented. Treatment of Native American remains and/or archaeological artifacts shall be the responsibility of the subdivider and shall be subject to review and approval by the County Director of Development Services.

RESPONSE: Note 44 under the section entitled "Standard General Notes Roadway, Grading, and Drainage" on Sheet 2 coupled with the listing of project COAs on Sheet 3 warrants compliance with this condition.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

9. Conformance Verification: Prior to Final Map recordation, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.

RESPONSE: This letter coupled with the tabbed binder warrants compliance with this condition. Narrative No. 3 was submitted to EDC Planning on May 23, 2023. Narrative No. 1 was submitted to EDC Planning on September 2, 2022. Narrative No. 2 was submitted to EDC Planning on March 21, 2023. Narrative No. 1 – 3 have been blended into this letter/binder.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

10. Map Expiration: This Tentative Subdivision Map shall expire in 36 months from its date of approval unless a timely extension has been filed (Subdivision Ordinance Section I 20.74.020).

RESPONSE: The Tentative Subdivision Map expires on February 25, 2022. Pending recordation of the Large Lot Final Map will extend the expiration date to February 25, 2025.

Staff Response: Recordation of the Unit 1 Final Map will extend the expiration date to February 25, 2031.

11. Hold Harmless: In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

RESPONSE: Fully satisfied re CEQA. No other claims, actions or proceedings are known to have been filed and the statute of limitations within which to timely file a challenge has expired. Acknowledged by applicant.

Staff Response: Applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

Transportation Department - Specific Conditions

12. Road Design Standards: The Project shall construct all roads in conformance with the County Design and Improvements Standard Manual (DISM) modified as shown on the Tentative Map and as presented in Table I (the requirements outlined in Table I are minimums).

ROAD NAME	REFERENCE	ROAD ¹ / RW Width	EXCEPTIONS/ NOTES
Road A, from Malcolm Dixon Road to Road B	Standard Plan 101C	24 feet / 30 feet ²	3" HMA on 8" Class 2 AB Type E Dike as shown on Tentative Map
Via Veritas (private portion)	Standard Plan 101C	24 feet / 30 feet ²	3" HMA on 8" Class 2 AB Type E Dike as shown on Tentative Map
Road A (from Road B to end), Road B, Road C, Road D	Standard Plan 101C	22 feet / 30 feet ²	3" HMA on 8" Class 2 AB Type E Dike as shown on Tentative Map

¹ Road widths are measured from flow line to flow line.

² Subject to fee waiver request

RESPONSE: Road 'A', Road 'C' & Road "D" are not applicable to Phase 1. On-site Via Veritas and the Phase 1 segment of Road 'B' are applicable to Phase 1: DOT approval of the Phase 1 Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to Sheet 6 of that approved IPs. The roadway sections are shown for the Via Veritas and Road B. The roadway widths and Right of Ways (aka Road Lots) meet or exceed the condition. The plan and profiles are shown on Sheets 9 and 10. The DOT

signed the IPs that warrant compliance as well.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

13. Offer of Dedication - Internal Streets: The project shall offer to dedicate, in fee, the rights of way for roadways shown in Table I with the Final Map. Said offer shall include all appurtenant slopes, drainage, pedestrian, public utility, or other public service easements as determined necessary by County.

The offer(s) will be rejected by County, and a Homeowner's Association (or other mechanism approved by County) shall be formed for the purpose of maintaining the private roads and drainage facilities.

RESPONSE: As shown on the Final Map; the Owner offer for dedication of Lot 'R' that includes the on-site Via Veritas warrants compliance with this COA. 3rd Narrative (05/23/23): Attention is directed to Sheet 1 of the Final Map. The Owner's Statement where Lot 'R' is offered and Board Clerk's Statement where the Lot 'R' is rejected.

14. Offer of Dedication - Internal Streets: The project shall offer to dedicate, in fee, the rights of way for Malcolm Dixon Road and for the public portion of Via Veritas Road (aka Chartraw Road), consistent with the Malcom Dixon Area of Benefit Improvements with the Final Map. Said offer shall include all appurtenant slopes, drainage, pedestrian, public utility, or other public service easements as determined necessary by County.

This offer will be accepted by County.

RESPONSE: LL 'R' is dedicated on the BOS approved Large Lot Final Map. Attached LLFM. The IODs for the fee title road area and Public Service Easements which covers the other items in the condition have been recorded. It is at the County discretion to decide when to accept them. Refer to Tab in FM Binder. 3rd Narrative (05/23/23): The recorded Rights-of-Way and PSEs are copied and provided.

15. Offsite Improvements - Mitigation of Project Transportation Impacts:
- a. The Project shall be responsible for design, Plans, Specifications and Estimate (PS&E), utility relocation, right of way acquisition, and construction of the following improvements as identified in the Transportation Impact Study prepared by Kimley-Horn dated Nov. 11, 2016:
1. Green Valley Road two-way left-turn lane (TWLTL) at Loch Way intersection: Construct this improvement concurrent with or prior to any Final Map creating the 11th lot.

Enter into a Road Improvement Agreement (RIA) with the County to construct said improvements. Approval of the Improvement Plans and RIA shall be required prior to or concurrent with that Final Map and associated Subdivision Improvement Agreement (SIA). The SIA shall include a reference to the RIA containing the required mitigation measures.

- b. The construction of the required mitigation measures shall be complete prior to issuance of a Building Permit (for each phase requiring such mitigation measures), or the project shall demonstrate to the County that a contract for the construction has been entered into between the project and a properly licensed contractor, specific to work covered in the RIA, and to include securities for performance and payment under such contract.
- c. The project may be eligible for reimbursement of a portion of the cost of the mitigation measure if the mitigation measure is included in the County's Traffic Impact Mitigation Fee Program.

RESPONSE: Not applicable to Unit 1. 3rd Narrative (05/23/23): Unit 1 consists of 10 Lots. The 11th Lot does not occur until Unit 2. The improvement is required prior to any Final Map

creating the 11th lot.

Staff Response: As verified by DOT, this condition does not apply currently. Further confirmation of compliance with this condition would occur at a later project phase.

16. Malcolm Dixon Area of Benefit (AOB) Improvements:
- a. The Project shall be responsible for design, Plans, Specifications and Estimate (PS&E), utility relocation, right of way acquisition, and construction of the Malcolm Dixon Road Area of Benefit improvements as follows.
 - i. Malcolm Dixon Road from Station 10+00 Station 40+51 - 24 feet wide HMA Type A, plus 3 foot shoulders on both sides.
 - ii. Via Veritas from Malcolm Dixon Road to the project entrance approximately 120 feet north of Malcolm Dixon Road - 24 feet wide HMA Type A, plus 2 foot shoulders on both sides.
 - iii. The New Connection roadway from the entrance to Wilson Estates (TM14-1515) – 36 feet wide, Type 2 Curb and Gutter, 6 foot shoulders on both sides.
 - iv. Structural section of these roadways shall be determined in accordance with Chapters 600-670, "Pavement Engineering" of the Caltrans Highway Design Manual, or equivalent AASHTO methods if approved by County Engineer.
 - v. HMA Dike may be used within the shoulder area on any of the above roads, to be determined at the time the Improvement Plans are prepared.
 - vi. The Malcolm Dixon Road Area of Benefit Improvements shall be contained within a Road Improvement Agreement (RIA), with securities to guarantee performance of the work and payment to suppliers and contractors.
 - vi. Improvement Plans and RIA for the Malcolm Dixon Road Area of Benefit Improvements shall be completed and executed simultaneously with the first Final Map.
 - b. The Project shall be under contract for construction of the Malcolm Dixon Road Area of Benefit Improvements with proper sureties in place prior to issuance of any building permit.

Upon the applicant's request, the County will form and implement, at the applicant's expense, a public improvement financing district for funding or reimbursement of the costs of offsite public improvements to be constructed as identified in the entitled Malcolm Dixon Area Traffic Circulation Plan. The applicant shall prepare and submit for County's approval and adoption a proposed Area of Benefit and supporting Engineers Estimate and Report for the purpose of financing and reimbursement of required offsite land acquisitions, widening and (re)construction of public improvements as may be appropriate. The proposed Area of Benefit shall include but not be limited to parcels APN: 110-020-12, 126-100-18, 19, 23, & 24. The Area of Benefit Engineer's Report shall be prepared and submitted and the proposed public financing district formed prior to the filing of the Final Map. For development projects within the proposed public financing district Area of Benefit, County shall require consent by the land owner to the public financing district and participation in the funding or reimbursement and/or construction of the offsite public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of approval. For development projects which may derive benefit from the public improvements to be constructed as part of the Malcolm Dixon Area Traffic Circulation Plan, County shall require participation in the funding and reimbursement and/or construction of the offsite public improvements for Malcolm Dixon Area Traffic Circulation Plan on a pro rata share of residential lots or equivalent share basis as a condition of project approval.

A private funding agreement may be used in lieu of a public improvement financing district (AOB), provided that a Road Improvement Agreement guaranteeing construction of all required improvements is executed with the first Final Map.

RESPONSE: This condition is satisfied by the fully executed and recorded Malcolm Dixon AOB Private Funding Agreement ("PFA") which was determined by the El Dorado County Community Development to be "substantial conformance" in lieu of public financing district. See September 25, 2017 letter from Roger Trout, El Dorado County Planning Director approving

PFA and compliance issues with the mutual conditions of approval on the MD AOB respective subdivision maps. 3rd Narrative (05/23/23): Roger Trout responded to our September 7, 2017 letter with an acknowledgement signed and dated September 17, 2017; whereby he approved of the proposal to use a private funding agreement to construct Malcolm Dixon Road public improvements.

17. Encroachment Permit(s): The applicant shall obtain an encroachment permit from EDCTD and construct the roadway encroachment from A Drive onto Malcolm Dixon Road to the provisions of County *Standard Plan 103C*.

RESPONSE: Not applicable to Unit 1.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

18. Offsite Improvements (Acquisition): As specified elsewhere in these Conditions of Approval, the applicant is required to perform offsite improvements. If the applicant does not secure, or cannot secure sufficient title or interest for lands where said offsite improvements are required, and prior to filing of any final or parcel map, the applicant shall enter into an agreement with the County pursuant to Government Code Section 66462.5. The agreement will allow the County to acquire the title or interests necessary to complete the required offsite improvements. The Form, Terms and Conditions of the agreement are subject to review and approval by County Counsel.

The agreement requires the applicant: pay all costs incurred by County associated with the acquisition of the title or interest; provide a cash deposit, letter of credit, or other securities acceptable to the County in an amount sufficient to pay such costs, including legal costs; If the costs of construction of the offsite improvements are not already contained in a Subdivision Improvement Agreement or Road Improvement Agreement, the applicant shall provide securities sufficient to complete the required improvements, including but not limited to, direct construction costs, construction management and surveying costs, inspection costs incurred by County, and a 20% contingency; provides a legal description and exhibit map for each title or interest necessary, prepared by a licensed Civil Engineer or Land Surveyor; provides an appraisal for each title or interest to be acquired, prepared by a certified appraiser; Approved Improvement Plans, specifications and contract documents of the offsite improvements, prepared by a Civil Engineer.

RESPONSE: All required ROW has been acquired. 3rd Narrative (05/23/23): Refer to *Condition (Tab) 14*.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

Transportation Department - Standard Conditions

19. Stormwater Management: The project shall construct post construction storm water mitigation measures to capture and treat the ss• 1 percentile 24 hour storm event as outlined in the CA Phase II MS4 Permit and the County's West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan. The Project shall also show detention and/or retention facilities on the project Improvement Plans to fully mitigate any increased runoff peak flows and volumes in accordance with the County Drainage Manual. As an alternative to treating the entire project with a regional treatment system, the project may propose distributed source control measures to be constructed for the roadways, any other impervious surfaces and on each lot with the individual lot building permits to achieve the same effect. In which case, a deed restriction shall be recorded with the Final Map to ensure construction of individual lot source control measures

RESPONSE: Approval of the Unit 1 Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to the Plans. Sheet 16 Post Construction Water Quality Plan and Sheet 14 Grading and Drainage Details; specifically

swales VS-1 and VS-2.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

20. Public Transit: Bus turnouts and shelters shall be constructed at locations required by El Dorado Transit and the appropriate school district.

RESPONSE: Not applicable to Unit 1. 3rd Narrative (05/23/23): Letters from the school districts and the transit district have been provided.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

21. Maintenance Entity: The proposed project must form an entity for the maintenance of private roads and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roads of the current project. Transportation Department shall review the document forming the entity to ensure the provisions are adequate prior to filing of the Final Map. Malcolm Dixon Road Area of Benefit Improvements will be accepted by the County without a Maintenance Entity.

RESPONSE: Submitted CC&Rs. HOA Articles of Incorporation for Vineyards at El Dorado Hills and other formation documents of By-Laws, and budget reflect satisfaction and compliance with this condition are forthcoming. 3rd Narrative (05/23/23): Refer to Condition (Tab) No. 21.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

22. Common Fence/Wall Maintenance: The responsibility and access rights for maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).

RESPONSE: Submitted CC&Rs. HOA Articles of Incorporation for Vineyards at El Dorado Hills and other formation documents of By-Laws, and budget reflect satisfaction and compliance with this condition are forthcoming. 3rd Narrative (05/23/23): Refer to the provided COA Approval Matrix and Articles of Incorporation, Bylaws, and CC&Rs (Condition (Tab) No. 21).

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

23. Consistency with County Codes and Standards: The developer shall obtain approval of project Improvement Plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the Transportation Department and pay all applicable fees prior to filing of the Final Map. Additionally, the project Improvement Plans and grading plans shall conform to the County *Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-Street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).*

RESPONSE: DOT approval of the Improvement Plans warrants compliance with this condition.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

24. Soils Report: At the time of the submittal of the grading or Improvement Plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the Transportation Division. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

RESPONSE: DOT approval of the Improvement Plans warrants compliance with this condition. Soils Report dated October 16, 2015 is provided.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

25. Water Quality Stamp: All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.

RESPONSE: Approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to the Plans. Refer to the DOT and Planning approved Plan Sheet 14 for the "Water Quality Message".

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

26. Regulatory Permits and Documents: All regulatory permits or agreements between the Project and any State or Federal Agency shall be provided to the Transportation Division with the Project Improvement Plans. These project conditions of approval and all regulatory permits shall be incorporated into the Project Improvement Plans.

Improvement Plans for any phase may be approved prior to obtaining regulatory permits or agreements for that phase, but grading/construction of improvements may not proceed until the appropriate permits or agreements are obtained and the grading/Improvement Plans reflect any necessary changes or modifications to reflect them.

Project Conditions of Approval shall be incorporated into the Project Improvement Plans when submitted for review.

RESPONSE: Conditions and Mitigation Measures are shown on Sheet 3 thru 5 of the approved Improvement Plans; thus warranting compliance with this condition.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

27. Electronic Documentation: Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the Transportation Division with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record

drawings in TIF format.

RESPONSE: Acknowledged but not yet due. Construction and inspection/acceptance of all proposed off-site and on-site Improvements coupled with the road maintenance agreements reflect compliance with this condition.

Staff Response: As verified by DOT, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with Conditions of approval 12-14, and 16-27.

El Dorado Hills Fire Department

28. Hydrants: Hydrants shall be spaced at intervals not exceeding 500 feet. The current map does not meet this requirement. Additional hydrants shall be placed at both intersections of Malcolm Dixon Road and Malcolm Dixon Cutoff.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to the Plans. Refer to the DOT and Planning approved Plan Sheet #2 EDH Fire Department Notes (Note 9) and Sheet #8 entitled Fire and Signage Plan.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

29. Hydrant Visibility: To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and mark the roadway with blue reflective marker as specified by the Fire Department and State Fire Safe Regs.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to the Plans. Refer to the DOT and Planning approved Plan Sheet #2 EDH Fire Department Notes (Note 9) and Sheet #8 entitled Fire and Signage Plan.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

30. Annexation: As of 5/7/2014, the project has paid the initial annexation fees and signed the annexation agreement. The project applicant shall make it known that the remainder of the annexation fees of \$500 per legal parcel shall be paid prior to the Fire Department's approval of the Final Map.

RESPONSE: Transmittal dated April 5, 2022 and copy of the check payable to the El Dorado Hills Fire Department warrants compliance with this COA for Phase 1 (10 lots). 3rd Narrative (05/23/23): Email correspondence from EDH FD (Jessica Braddock) to Connie Peach.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

31. Fire Flow: The potable water system with the purpose of fire protection for this residential development shall provide a minimum fire flow of 1,000 gallons per minute with a minimum residual pressure of 20 psi

for a two-hour duration. This requirement is based on a structure up to 6,200 square feet in size, Type V-B construction. All structures shall install fire sprinklers in accordance with NFPA 13D and Fire Department requirements. This fire flow rate shall be more than the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to the Plans. Refer to the DOT and Planning approved Plan Sheet #2: EID Water Note 9 and Fire Department Note 6.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

32. Underground Private Fire Mains: After installation, all rods, nuts, bolts, washers, clamps, and other underground connections and restraints used for underground fire main piping and water supplies, except thrust blocks, shall be cleaned and thoroughly coated with bituminous or other acceptable corrosion retarding material. All private fire service mains shall be installed per NFPA 24, and shall be inspected, tested and maintained per NFPA 25.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 2 Fire Department Note No. 5 and the CC&Rs Approved Matrix.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

33. Fire Department Access: This project will provide a minimum 26-foot wide roadway throughout the project, face of curb to face of curb, and shall provide a minimum 26-foot wide turnout at all fire hydrants. The turnouts shall comply with EDH Fire's standard dimension requirements and shall be approved by the Fire Code official. All roads shall be marked or signed "No Parking - Fire Lane" throughout the project, as required by the Fire Code Official. Phasing may be allowed if all Fire Access requirements are met and approved by the Fire Code Official for each phase. Driveways and roadways shall have unobstructed vertical clearance of 15' and a horizontal clearance providing a minimum 2' on each side of the required driveway or roadway width.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 6 – Roadway cross sections, Sheet 8 Fire & Signage Plan, and the CC&Rs Approved Matrix.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

34. Roadway Surface: Roadways shall be designed to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide all-weather driving conditions. All-weather surfaces shall be asphalt, concrete or other approved driving surface. Project proponent shall provide engineering specifications to support design, if requested by the local AHJ (Authority Having Jurisdiction).

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 6 Roadway cross sections, County Standard 3" AC/8" AB, and the CC&Rs Approved Matrix.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

35. Roadway Grades: The grade for all private roads, streets, lanes and driveways shall not exceed 20%. Pavement/Concrete shall be required on all private roadway grades 12% or greater. For grades of 16% - 20%, a Type II Slurry Seal shall be applied to asphalt surfacing, and concrete roadways and driveways shall be textured to provide a coarse vroom finish to improve vehicular traction.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 9 and 10 and the CC&Rs approved matrix. Max. grade is less than 12% and roadways are paved.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

36. Traffic Calming: This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway. All other proposed traffic calming devices shall require approval by the fire code official.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 3 and 8 and the CC&Rs Approved Matrix. No traffic calming devices are proposed.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

37. Turning Radius: The required turning radius of a fire apparatus access road/driveway shall be determined by the fire code official. Current requirements are 40' inside and 56' outside on through streets, and a minimum 50-foot radius for cul-de-sac and hammerhead turnarounds.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 8 and the CC&Rs Approved Matrix. Cross-hatched fire turn-around that meets Fire.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

38. Gates: All gates shall meet the El Dorado Hills Fire Department Gate Standard B-002. Gate plans shall be submitted and reviewed for compliance by the Fire Code Official.

RESPONSE: Acknowledged and on-going. The gates are under design and are included with the landscape plan that is processing independently with the El Dorado Hills Fire Department. 3rd Narrative (05/23/23): Attention is directed to the Plans: The gates are under design and will be processed for approval. The gate design shall conform to EDH FD Standards as noted on Sheet 2 Fire Department Note #16. This is the normal procedure that is followed.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will

continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

39. Fire Access During Construction: In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003. A secondary means of egress shall be provided prior to any construction or the project may be phased.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 3 and the CC&Rs Approved Matrix. The COAs are included in the plan set.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

40. Fire Service Components: Any Fire Department Connection (FDC) to the sprinkler system and all Fire Hydrant(s) outlets shall be positioned so as not to be obstructed by a parked vehicle.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 3 and the CC&Rs Approved Matrix. The COAs are included in the plan set. Sheet 8 prohibits parking on the street and signage is shown accordingly.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

41. Wildland Fire Safe Plan: This development has completed the WFSP component. An updated WFSP shall be provided to and approved by the El Dorado Hills" Fire Protection Department. Additionally, a slight modification to the text that shall be noted:

- A. Driveways that are 150 feet length or greater shall have a turnout near the midpoint.

RESPONSE: Amendment A to the Wildland Fire Safe Plan approved on May 4, 2020 warrants compliance with this condition. 3rd Narrative (05/23/23): You are correct. After further review, we have requested that the FD allow us to add the provision: Driveways that are 150' in length or greater shall have a turn out near the mid-point. The revised Amendment A is shown as an attachment in the email correspondence that was sent to EDH FD on May 19, 2023. We are currently waiting to hear from EDH FD.

As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

42. Fencing: Lots that back up to wildland open space shall be required to use non-combustible type fencing.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet 3 and the CC&Rs Approved Matrix. The COAs are included in the Plan set. See Section 5.11 entitled Fencing in the CC&Rs.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

43. Parking and Fire Lanes: All parking restrictions as stated in the current California Fire Code and the current El Dorado Hills County Water District Ordinance shall be in effect. All streets with parking restrictions will be signed and marked with red curbs as described in the El Dorado County Regional Fire Protection Standard titled "No Parking-Fire Lane". All curbs in the parking lot(s) that are not designated as parking spaces will be painted red and marked every 25 feet "No Parking - Fire Lane." This shall be white letters on a red background. There shall be a designated plan page that shows all Fire Lanes as required by the El Dorado County Regional Fire Protection Standard B-004 "No Parking-Fire Lane" and the fire code official.

RESPONSE: EDH Fire Department approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is direct to the Plan Sheet and the CC&Rs Approved Matrix. EDH Fire approved No Parking Signs and spacing.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

44. Vegetative Fire Clearances: Prior to June 1st each year, there shall be vegetation clearance around all EVA's (Emergency Vehicle Access), buildings, up to the property line as stated in Public Resources Code Section 4291, Title 19 as referenced in the CA Fire Code, and the conditioned Wildland Fire Safe Plan.

RESPONSE: EDH Fire Department approval of the Improvement Plans and Amendment A to the Wildland Fire Safe Plan warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to the WFSP Amendment A that is incorporated into the CCRs and namely "Fuel Treatment Prescription" and "The Vineyards Fuel Treatment Map".

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

45. Trail Systems and Land-Locked Access: If this project decides on designing a trail-type system, the street curbs adjacent to the trail access point shall be painted red. Trails and multi-use paths need to be constructed so as to ensure a minimum of a 10' drivable width and 14' minimum vegetation clearance, where required by the Fire Code Official (the wildfire safe plan will likely require additional clearance on these paths). The purpose of this requirement is to allow access for ambulances and smaller fire apparatus in case of emergency. If the project contains, or abuts to, open space that is, or will be, land-locked by homes, or other structures, the project shall be conditioned to provide emergency vehicle access (EVA) points, as required by the Fire Code Official. Gates may be installed and locked with a low priority KNOX lock.

RESPONSE: Not applicable to Unit 1. 3rd Narrative (05/23/23): Attention is directed to COA 57 and 58. A trail plan was included in the original approved Planning documents. The conditions state that the HOA shall determine the final trail design and construct the onsite trail system. COA 57 goes on to say that "a trail design shall be provided by the project applicant prior to finalizing the subdivision map". This implies that a trail design will be required at some point prior to the overall "finalizing" of the project, since the project is to be developed over four phases. A HOA will be formed concurrent with the recordation of the Unit 1 Final Map. It would be premature to design a trail plan; notwithstanding the trail plan that was included in the overall Planning documents because the final trail plan will be

a function of whether or not the HOA plans to include Vineyards which would likely determine the trail alignment. Recordation of the Unit 1 Final Map will establish the HOA and allow the trail plan to be determined based on the HOA disposition.

Staff Response: As verified by El Dorado Hills Fire Department, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

County Surveyor's Office

46. Survey Monuments: All survey monuments must be set prior to the filing the Final Map or the developer shall have surety of work to be done by bond or cash deposit. Verification of set survey monuments, or the amount of bond or deposit shall be coordinated with the County Surveyor's office prior to the filing of the Final Map.

RESPONSE: Ck. No. 029767 dated 08/31/22 in the amount of \$12,500 delivered to the County Surveyor's office warrants compliance with this condition. See attached transmittal dated 09/02/22. 3rd Narrative (05/23/23): Attention is directed to the email from Justin Cisneros to Connie Peach dated May 11, 2023.

Staff Response: As verified by El Dorado County Surveyor's office, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

47. Road Names: The roads serving the development shall be named by submitting a completed Road Name Petition, with the County Surveyor's Office, prior to filing the Final Map with the Board of Supervisors. Proof of any signage required by the Surveyor's Office must also be provided prior to filing the Final Map. All associated fees are the responsibility of the owner.

RESPONSE: Approved Road Name Petition dated June 20, 2022 warrants compliance with this condition.

Staff Response: As verified by El Dorado County Surveyor's office, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

Air Quality Management District (AQMD)

48. Fugitive Dust: The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM 10) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction if a Grading Permit is required from the Building Dept. (Rules 223 and 223. I)

RESPONSE: Approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to Plan Sheet 3. The COAs are incorporated and made a part of the IPs and therefore the COA is met with the approval of EDC DOT. In addition, the project has an approved Fugitive Dust Control Plan (FDCP) and Fleet Compliance Report (FCR). The FDCP and FCR are included herein as well. These items were also included with our March 23, 2023 Narrative as well. This is standard procedure.

Staff Response: As verified by Air Quality Management District, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

49. Paving: Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).

RESPONSE: Approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to Plan Sheet 3. The COAs are incorporated and made a part of the IPs and therefore the COA is met with the approval of EDC DOT. In addition, the project has an approved Fugitive Dust Control Plan (FDCP) and Fleet Compliance Report (FCR). The FDCP and FCR are included herein as well. These items were also included with our March 23, 2023 Narrative as well. This is standard procedure.

Staff Response: As verified by Air Quality Management District, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

50. Painting/Coating: The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.

RESPONSE: Approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to Plan Sheet 3. The COAs are incorporated and made a part of the IPs and therefore the COA is met with the approval of EDC DOT. In addition, the project has an approved Fugitive Dust Control Plan (FDCP) and Fleet Compliance Report (FCR). The FDCP and FCR are included herein as well. These items were also included with our March 23, 2023 Narrative as well. This is standard procedure.

Staff Response: As verified by Air Quality Management District, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

51. Open Burning: Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).

RESPONSE: Approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to Plan Sheet 3. The COAs are incorporated and made a part of the IPs and therefore the COA is met with the approval of EDC DOT. In addition, the project has an approved Fugitive Dust Control Plan (FDCP) and Fleet Compliance Report (FCR). The FDCP and FCR are included herein as well. These items were also included with our March 23, 2023 Narrative as well. This is standard procedure.

Staff Response: As verified by Air Quality Management District, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

52. Construction Emissions: During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found at: http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf.

Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.

RESPONSE: Approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to Plan Sheet 3. The COAs are incorporated and made a part of the IPs and therefore the COA is met with the approval of EDC DOT. In addition, the project has an approved Fugitive Dust Control Plan (FDCP) and Fleet Compliance Report (FCR). The FDCP and FCR are included herein as well. These items were also included with our March 23, 2023 Narrative as well. This is standard procedure.

Staff Response: As verified by Air Quality Management District, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

53. New Point Source: Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501 and 523)

RESPONSE: Approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to Plan Sheet 3. The COAs are incorporated and made a part of the IPs and therefore the COA is met with the approval of EDC DOT. In addition, the project has an approved Fugitive Dust Control Plan (FDCP) and Fleet Compliance Report (FCR). The FDCP and FCR are included herein as well. These items were also included with our March 23, 2023 Narrative as well. This is standard procedure.

Staff Response: As verified by Air Quality Management District, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

54. Portable Equipment: All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

RESPONSE: Approval of the Improvement Plans warrants compliance with this condition. 3rd Narrative (05/23/23): Attention is directed to Plan Sheet 3. The COAs are incorporated and made a part of the IPs and therefore the COA is met with the approval of EDC DOT. In addition, the project has an approved Fugitive Dust Control Plan (FDCP) and Fleet Compliance Report (FCR). The FDCP and FCR are included herein as well. These items were also included with our March 23, 2023 Narrative as well. This is standard procedure.

Staff Response: As verified by Air Quality Management District, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

El Dorado County Local Area Formation Commission

55. Annexation: The applicant shall process a request for annexation into the El Dorado Irrigation District for public water, and into the El Dorado Hills Fire Department for fire protection services, prior to filing the Final Map.

RESPONSE: Certificate of Completion was recorded on 3/21/2018.

Staff Response: As verified by the El Dorado County Local Area Formation Commission, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

Board of Supervisors

56. Percolation Tests: Should subsequent onsite wastewater feasibility studies, as required by Mitigation Measure 3.5-3a (Exhibit P), determine that onsite wastewater is unfeasible for a specific parcel, no building permits shall be issued on that parcel, unless said parcel connects to public sewer.

RESPONSE: Satisfied and ongoing. A final on-site wastewater is forthcoming. 3rd Narrative (05/23/23): Attention is directed to the Supplemental Septic Feasibility Study dates September 28, 2022 and that was included in the COA 2 Narrative that was sent to you on March 21, 2023.

Staff Response: As verified by El Dorado County Environmental Management, applicants have submitted and will continue to submit plans and supplemental information that warrant compliance with the approved conditions of approval.

57. Trail Design and Construction: A trail design shall be provided by the project applicant prior to finaling of the subdivision map. The Homeowner's Association (HOA) shall determine final trail design and construct the onsite trail system.

RESPONSE: Not applicable to Unit 1. Refer to response for COA No. 45 above and Condition (Tab) 45.

Staff Response: This condition does not apply currently. Further confirmation of compliance with this condition would occur at a later project phase.

58. Vineyard Setback: The final subdivision map shall establish a 100 foot setback for proposed vineyards from all residential property lines.

RESPONSE: Not applicable to Unit 1. Refer to response for COA No. 45 above and Condition (Tab) 45.

Staff Response: This condition does not apply currently. Further confirmation of compliance with this condition would occur at a later project phase.