

S03-0005-R-3/El Dorado Hills Community Dog Park – As approved by the Planning Commission on July 24, 2014

Conditions of Approval

Planning Services

1. This Revised Special Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit E	Site Plan
Exhibit F	Vicinity Map
Exhibit G	Site Plan Detail
Exhibit H	Site Cross Section
Exhibit I	EDH Community Park Master Plan/Airphoto Overlay

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.

The project description is as follows:

Approval of Special Use Permit Revision S05-0003-R-3 allows development of new park facilities within the El Dorado Hills Community Park, located within the existing 39.5-acre parcel identified by Assessor's Parcel Number 125-110-09, and consisting of the following:

A community dog park to be located west of New York Creek and east of the baseball fields to be accessed by a paved trail from the northern parking lot and from a native surface trail connecting to the main parking lot adjacent to the teen center. Hours of operation shall be from 7 am to sunset.

The following uses were previously approved by S03-0005, S03-0005-R, and S03-0005-R-2:

- a. One (1) basketball court
- b. Four (4) batting/pitching cages
- c. One (1) picnic area
- d. A multi-use trail that parallels the eastern park boundary and along New York Creek
- e. A pedestrian bridge for general/ADA access from the northern parking lots across New York Creek
- f. A 4-stall restroom has been added adjacent the parking lot near the northernmost baseball field

- g. Skate Park
- h. Class I Bike Path
- i. Expanded Parking
- j. New Parking
- k. Public Restroom
- l. Teen Center
- m. Maintenance Building
- n. Temporary Administration Building

Minor modifications may be approved by the Director of Development Services. Major modifications are subject to approval by the Planning Commission.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Conditions from Previous Approvals

Air Quality and Hazardous Materials Mitigation Measures

2. A Fugitive Dust Prevention and Control Plan and Contingent Asbestos Hazard Dust Mitigation Plan shall be submitted to and approved by the El Dorado County Air Quality Management District prior to beginning project construction. The plan shall comply with the requirements of the California Code of Regulation “Title 17 Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations” Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 of the El Dorado County Air Quality Management District.
3. A Health Risk Assessment shall be prepared for the project, which must identify airborne toxic pollutants expected to be generated by the project, and must determine if the project site is located in an area that may impact existing or planned schools, or facilities with the potential to emit toxic or hazardous pollutants. The applicant shall assist the District in preparing a public notice, in which the proposed project for which an application for a permit is made is fully described, and complies to Health and Safety Code 42301.6.
4. The project shall comply with Title 17 section 93105 et seq., for Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surfacing Mining Operations. Additionally, the El Dorado County Air Quality Management District’s Air Pollution Control Officer may require air monitoring.

5. A geologist should periodically observe excavation work to check for visible asbestos. Where asbestos containing rock and/or soil is disturbed and mitigated, or if air monitoring for asbestos is performed, an asbestos management and mitigation report should be prepared. This report should document where asbestos was found, where it was placed, any mitigation measures that were used, and provide the results of air monitoring (if applicable) (Youngdahl Consulting Group Inc., 2003).

Soils Mitigation Measures

6. Review and approval of the erosion control and revegetation plan required by the El Dorado County Resource Conservation District prior to construction activities if required. The plan requires complete revegetation and stabilization of all disturbed areas from construction activities.
7. Project compliance with the County Grading, Erosion, and Sediment Control Ordinance, including review and approval of a final drainage plan by the El Dorado County Department of Transportation, prior to issuance of a commercial grading permit.
8. Project compliance with the mitigation measures identified in the geotechnical report prepared by Anderson Geotechnical Consultants, Inc. Wherever the dark grey clay exists within 2 feet of the finished grade of a building pad, or within 2 feet of the finished subgrade in a pavement area, it be completely removed and replaced with granular soil or weathered rock (Anderson Geotechnical Consultants, Inc., 1985).
9. Any tan or light brown clay uncovered during the native soil scarification process should be thoroughly mixed with the surrounding granular soil. After scarification and mixing (if necessary), the soil should be moisture conditioned and recompact to a minimum of 90 percent relative compaction at or near optimum moisture content. Compaction requirements are based on ASTM D1557-78 specification for the determination of maximum dry density.
10. Clay soils encountered during earthwork should be thoroughly mixed with on-site granular soils during fill placement, and not used as fill within the upper foot of building pads or those subgrades supporting exterior flatwork (Wallace-Kuhl & Associates Inc., 2003).

Water Quality Mitigation Measures

11. Project compliance with El Dorado County Department of Transportation (DOT) conditions of approval, regarding stormwater treatment requirements and grading activities, including compliance with the County Grading, Erosion, and Sediment Control Ordinance. DOT approval of a final drainage plan prior to issuance of any County permits for the project, to ensure no net increase of runoff off-site through the use of stormwater detention basins or other appropriate facilities indicated in the DOT conditions of approval for the project.

12. Project coordination with the California Regional Water Quality Control Board regarding stormwater discharge regulatory/permitting requirements and associated mitigation.
13. Mitigation Measure GEO-01: Sedimentation and Erosion Control Measures

The contractor shall prepare and implement an erosion control plan and Stormwater Pollution Prevention Plan (SWPPP) to ensure erosion and sedimentation from the project is kept to a minimum. For all activities disturbing greater than one acre, the contractor will be required to obtain a Statewide General Construction Stormwater Discharge Permit (RWQCB, 2009). The contractor shall prepare and implement the SWPPP, and standard erosion and sediment control best management practices will be used during and after construction to control accelerated soil erosion and sedimentation and ensure there will be no adverse affect on local drainages.

Straw bales, silt fence, coir rolls, and other erosion protection devices will be used in areas of bare soil, and in drainages near all areas of disturbance to reduce surface runoff velocities and to prevent sediment from entering drainages. Maintenance of erosion and sediment control measures during the construction phase will be conducted on a weekly basis.

Revegetation of all graded and disturbed areas of bare soil will completed within six months, or prior to the rainy season. Native seed mixes will be used to replicate the naturally occurring vegetation.

Mitigation Measure GEO-01 Implementation Responsible Party: El Dorado Hills Community Services District will require the contractor to develop and implement the Stormwater Pollution and Prevention Plan (SWPPP) and revegetate the site.

Timing: During and immediately after construction activities.

Monitoring and Reporting Program: The recording and evaluation of the SWPPP and erosion control practices will be conducted by El Dorado Hills Community Services District and kept on file at the El Dorado Hills Community Services District offices. Standards of Success: Minimize on and off site erosion and prevent introduction of significant amounts of sediment into any stream or drainage.

14. Mitigation Measure HYD-01: Avoid/Minimize Potential Impacts from Construction Material Release.

Prior to construction the contractor shall develop a Spill Prevention and Contingency Plan for any grading activities that impact greater than one acre.

Containment and cleanup equipment (e.g., absorbent pads, mats, socks, granules, drip pans, shovels, and lined clean drums) will be at the staging areas and construction site for use, as needed.

Staging areas where refueling, storage, and maintenance of equipment occur will not be located within 100 feet of drainages or the creek bed to reduce the potential contamination by spills.

Construction equipment will be maintained and kept in good operating condition to reduce the likelihood of line breaks or leakage.

No refueling or servicing will be done without absorbent material (e.g. absorbent pads, mats, socks, pillows, and granules) or drip pans underneath to contain spilled material. If these activities result in an accumulation of materials on the soil, the soil will be removed and properly disposed of as hazardous waste.

If a spill is detected, construction activity will cease immediately and the procedures described in the Spill Prevention and Contingency Plan will be immediately enacted to safely contain and remove spilled materials.

Simultaneous to implementing the containment measures, construction crews will contact El Dorado County and other appropriate resource agency personnel.

Spill areas will be restored to pre-spill conditions, as practicable.

Spills will be documented and reported to El Dorado County appropriate resource agency personnel.

Responsible Party: El Dorado Hills Community Services District will require the construction contractor to develop and implement a Spill Prevention and Contingency Plan for all activities in the vicinity of drainages associated with the project area. For grading activities impacting larger than one acre, a SWPPP will also be developed.

Timing: The BMPs and Plans will be implemented prior to and during all phases of construction.

Monitoring and Reporting: Evaluation of BMPs and Spill Prevention and Contingency Plan (and SWPPP) will be conducted by El Dorado Hills Community Services District. Reports of spills will be documented and kept on file at El Dorado Hills Community Services District offices.

Standard of Success: Prevention of construction material spills in drainages near the project area.

15. Mitigation Measure HYD-02: Implement Construction-Related Best Management Practices.

El Dorado Hills Community Services District will implement multiple erosion and sediment control BMPs in areas with potential to drain into any nearby waterway. The BMPs to be implemented would include the following:

Temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, grassy swales and temporary revegetation or other ground cover) will be employed to control erosion from disturbed areas.

Vegetative cover will be established on the construction staging area as soon as possible after disturbance to minimize erosion potential. Vegetative cover will consist of a seed mix containing grasses either native to the area or non-invasive.

Mitigation Measure HYD-02 Implementation Responsible Party: El Dorado Hills Community Services District will require the construction contractor to develop and implement erosion control BMPs and develop a SWPPP for grading in areas greater than one acre.

Timing: The BMPs and Plans will be implemented prior to and during all phases of construction.

Monitoring and Reporting: Evaluation of BMPs and SWPPP will be conducted by El Dorado Hills Community Services District. Reports of spills will be documented and kept on file at El Dorado Hills Community Services District offices.

Standard of Success: Prevention erosion and significant sediment laden runoff in drainages near the project area.

Noise Mitigation Measures

Skate Park Mitigation Measures

16. Community Services District Policy 1140.180 requires that radios, tape players, musical instruments or other noise making devices shall not be played at excessive noise levels. Signs shall be posted informing park users of this restriction.
17. Facility operations shall be closed by 10:00pm. The facility shall be fenced and the gates locked to prevent after hours skating.

Community Park Mitigation Measures

18. Monitor the site for compliance with the County's Noise Performance Standards and nuisance noise. Upon commencement of activities at the skate park, conduct reviews of

the facilities to ensure that they do not become a source of nuisance noise for the nearby residential areas. Reviews shall be conducted seasonally for the first two years of operation. All activity areas within Community Park shall comply with the County's Noise Standards (Tables 6.1 and 6.2 of the El Dorado County General Plan).

The periodic reviews may include discussions with neighbors, observations of skate park usage and, if necessary, unannounced follow-up noise monitoring of the facility. If it is determined by the collection of ambient noise data that the users of the skate park or the teen center are creating nuisance noise, the following measures shall be considered by the District to mitigate excessive noise:

1. The hours and days of park usage could be restricted.
 2. The maximum number of occupants could be limited (requires supervision).
 3. Persons causing noise complaints could be restricted from future use of the facility (requires supervision).
19. Minimize noise disturbance during construction. Hours of operation for construction activities shall be limited to the hours of 7 a.m. to 9 p.m. during weekdays, and 8 a.m. to 6 p.m. on Saturdays; no work shall be permitted on Sundays. Additional noise mitigation could be accomplished through the installation of noise reduction equipment (mufflers) and regular maintenance of construction vehicles. Equipment staging areas shall be located as far away as possible from residences and Oak Ridge High School. The location for the staging areas shall be approved by the County Planning Department prior to construction activity.
20. Public notification of blasting activity. Should blasting be required as part of the construction related earthmoving activities, adjacent residences should be notified in advance of the proposed blasting schedule, and all such blasting activities should take place during daytime hours. In addition, the company responsible for conducting the blasting operations should design and set the charges in such a manner as to minimize the potential for adverse public reaction from the neighbors.

Biological Mitigation Measures

21. Mitigation Measure BIO-01: Pre-construction Raptor and Migratory Bird Nesting Surveys.

If construction is proposed during breeding season (March-August), a pre-construction raptor and migratory nest survey shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to the California Department of Fish and Game (CDFG) and the Planning Department. If no active nests are found during the preconstruction survey, no further mitigation is required. If active nests are found, construction shall not occur within 500 feet of an active nest until the young have fledged, as determined by a qualified biologist, or until the project applicant receives written authorization from the CDFG to proceed. If project related activities

within the temporary nest disturbance buffer are determined to be necessary during the nesting season (approximately March 1 and August 15), then an onsite biologist/monitor experienced with raptor behavior shall be retained by the project proponent to monitor the nest, and shall along with the project proponent, consult with the CDFG to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed within the temporary nest disturbance buffer if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated on-site biologist/monitor shall be on-site daily while construction related activities are taking place and shall have the authority to stop work if raptors are exhibiting agitated behavior. In consultation with the CDFG and depending on the behavior of the raptors, over time it may be determined that the on-site biologist/monitor may no longer be necessary due to the raptors acclimation to construction related activities.

Mitigation Measure BIO-01 Implementation: Responsible Party: El Dorado Hills Community Services District would require that the surveys be implemented by a qualified biologist and will be responsible to ensure that no protected raptors or migratory birds are impacted by the project.

Timing: Surveys to be conducted no more than 30 days from the beginning of construction, if construction occurs during the nesting season (March 1 – August 15).

Monitoring and Reporting Program: El Dorado Hills Community Services District will require the qualified biologist to conduct the survey and submit a monitoring report.

CONDITIONS

El Dorado County Transportation Division

22. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion, and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. A commercial permit is required.
23. The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to commencement of any work performed.
24. The applicant shall provide a soils report at time of grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential and pavement section based on TI and R values. Any export to be deposited within El Dorado County shall require an additional grading permit.

25. The applicant shall provide a drainage report at time of grading permit application addressing storm water runoff increases, impacts to downstream facilities and properties to the satisfaction of the Department of Transportation. Mitigation of any significant impacts shall be included in the report and in the project design. The report shall include water quality facilities (BMP's), oil/grease separators, etc. The report shall discuss the necessity of storm water detention as mitigation to identified significant impacts. The project shall include any recommended detention facilities in the construction design. Parking lot storm drainage shall include facilities to separate oils and grits from storm water in accordance with the recommendations of the Storm Water Quality Task Force's *California Storm Water Best Management Practices Handbook (1993)*. Flows through landscaped areas or grassy swales are the preferred approach to storm water quality enhancement.
26. Access roads and aisles shall be a minimum of 24 feet in width for two way travel and 12 feet wide for one-way travel and shall be paved. Parking maneuvering space shall be 24 feet. Access lane near the entrance shall be set back a sufficient distance to prevent storage of vehicles from blocking vehicular or pedestrian access along Harvard Avenue.
27. The applicant shall be subject to encroachment permits, standard plan 103G for the easterly driveway access, and modified standard plan 103G to accommodate right turn in and right turn out for the westerly driveway access on Harvard Way along the south-central portion of APN 112-120-23.
28. The existing project access driveway onto Harvard Way shall be relocated easterly approximately 60-feet to improve sight distance to the satisfaction of the Department of Transportation. In addition, this driveway shall be for right turn in and right turn out only, and the project improvement plans shall include traffic delineation to accomplish same.
29. The most easterly project access driveway onto Harvard Way shall be aligned with the existing most westerly access driveway to Oakridge High School. Project improvement plans shall include installation of an all-way stop at this location in Harvard Way including appropriate striping, crosswalk, and signage to the satisfaction of the Department of Transportation. In addition, improvement plans shall also reflect re-curb no parking, with signage for "NO STOPPING ANY TIME" and "NO PARKING", along the north side of Harvard Way from Clermont westerly to 50-feet westerly of the relocated westerly project access.
30. Applicant shall align the proposed pedestrian walkway within the on-site parking lot to direct pedestrians to the project's most easterly driveway location. In addition, on-site improvement plans shall incorporate landscaping, mounding, and possibly decorative fencing to channelize pedestrians to appropriate crosswalk on Harvard Way.

El Dorado County Environmental Management Division

31. Project construction may involve road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
32. Burning of wastes that result from “Land Development Clearing” must be permitted through the District. Only vegetative waste materials may be disposed of using an open outdoor fire.
33. The project construction may involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.
34. Heavy equipment and mobile source mitigation measures:
 - a. Use low emission on-site mobile construction equipment.
 - b. Retard diesel engine injection timing by two to four degrees.
 - c. Use reformulated low-emission diesel fuel.
 - d. Use catalytic converters on gasoline powered equipment.
 - e. Substitute electric and gasoline powered equipment for diesel powered equipment where feasible.
 - f. Schedule construction activities and material hauls that affect traffic flow to off-peak hours.
 - g. Configure construction parking to minimize traffic interference.
 - h. Develop a construction traffic management plan that includes, but is not limited to: providing temporary traffic control during all phases of construction activities to improve traffic flow; rerouting construction trucks off congested streets; and provide dedicated turn lanes for movement of construction trucks and equipment on and off-site.
35. Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, boilers, internal combustion engines, etc.), authority to construction applications shall be submitted to the District. Submittal of application shall include facility diagram(s), equipment specifications and emission factors.
36. If and when the District establishes an air pollution mitigation measure trust fund to provide assistance in mitigating measurements to reduce air pollution, the project applicant would contribute a pro-rata share to the air pollution mitigating measurement trust fund to help improve the air quality of the District.
37. Under the CUPA programs, the existing hazardous materials business plan for the site must be amended to include the maintenance facility and all reportable quantities of hazardous materials stored and generated therein.

38. The applicant shall comply with the standard storm water runoff Best Management Practices to minimize the impact to the creek bordering the site.
39. Solid waste enclosures in adequate number, as determined by the Environmental Health Division, to meet the needs of the project shall be provided. Adequate space shall be provided within each solid waste enclosure to accommodate both mixed solid waste and recyclable bins.

El Dorado Hills Fire Department

40. The potable water system for the purpose of fire protection for these commercial buildings within this project shall provide a minimum fire flow that is determined by the Fire Department. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the Fire Department for review and approval.
41. All buildings within this project shall be fire sprinklered in accordance with El Dorado Hills Fire Department requirements.
42. Every building within the project shall be provided with a fire lane access roadway within 150 feet of every portion of a building's extension wall as required by the Uniform Fire Code.
43. A Wildland Fire Safe Plan shall be developed for the non-irrigated open space areas within this project.
44. All emergency vehicle access points shall be placed where possible for ambulance access. Locations to be determined by the fire department.
45. All shade structures shall be NFPA 701 compliant or equivalent.

El Dorado County Resource Conservation District

46. Prior to grading operations, the applicant shall contact the RCD for approval of an erosion control plan.
47. Complete revegetation and stabilization of all disturbed areas, both within and outside of County rights-of-way, will be required. All road cuts and fills will have a maximum slope of 2:1. If cuts expose subsurface rock, the project engineer should identify stabilization measures that will be required.
48. Revegetation of all disturbed soils will be accomplished with approved amounts and types of vegetative species, mulch, and fertilizer material as stated in the "El Dorado County Erosion Control Requirements and Specifications".

49. Mitigation of sediment runoff beyond project boundaries will be addressed in the erosion control plan.
50. Areas involving extensive grading and shaping will require stockpiling/re-use of topsoil to provide for adequate revegetation.
51. Erosive velocities in water conveyance structures will be identified by the project engineer. Where necessary, riprap or similar practices will be required.

El Dorado County Planning Division

52. If complaints about noise emanating from the dog park are received from multiple residences adjacent to the dog park, the applicant shall be required to submit an acoustical analysis to Planning Services for review as a condition of approval. If the analysis shows that noise levels within the active use areas are not consistent with the General Plan Noise Element the applicant shall be required to modify the dog park fencing in order to ensure that noise sources are a sufficient distance from adjacent residences to meet the required decibel levels.
53. An approved permit is valid for a period of twenty-four (24) months, except as otherwise provided for in conditions of approval or other provisions of Title 17.22.250 of County Code, unless one of the following has occurred:
 1. The permit has been implemented by satisfaction of conditions prerequisite to construction and a building permit has been issued and at least one inspection has been conducted and approved by the Building Official; or
 2. The permit has been implemented by satisfaction of conditions prerequisite to establishment of a use not requiring a building permit and the use has been established on the site and is in operation; or
 3. An extension of time has been granted pursuant to subsection C of this section.
54. All outdoor lighting is subject to all applicable requirements of Section 17.14.170 of County Code.
55. Project Conformance: Project improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibits E to I-7. Minor variations are allowed, however, any major changes in any element of the approved project shall require review and approval by the Development Services Director. The Director shall decide if the changes can be approved administratively or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit. This review shall always occur prior to any approved project modifications.

56. Conditions Compliance: Prior to issuance of a building permit or commencement of any use authorized by this permit, 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. The applicant shall also schedule an inspection by Planning Services prior to Building Permit final for any Building Permit for verification of compliance with applicable Conditions of Approval.

57. Hold Harmless Agreement: 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.

The developer and land owner 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 Special Use Permit.

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

58. Archeological Resources: The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archeological resource”, contingency funding and a time allotment sufficient to allow recovering an archeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

59. Human Remains: The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

El Dorado County Building Division

60. Project facilities shall be subject to a building permit from the El Dorado County Building Services.

California Regional Water Quality Control Board

61. A NPDES General Permit for Storm Water Discharges Associated with Construction Activities, Order No. 99-28-DWQ is required when a project involves clearing, grading, disturbances to the ground, such as stockpiling, or excavation. Construction activity that involves soil disturbances on construction sites one acre or greater, or which are part of a larger common plan of development or sale require a construction storm water permit. A Storm Water General Permit must be obtained prior to construction.