

# **CONDITIONS OF APPROVAL**

## **Specific Plan Amendment SP13-0002/Rezone Z13-0002/ Planned Development PD13-0001/Tentative Map TM13-1511/Serrano Village J5/J6 Planning Commission/April 13, 2017**

### **1. Project Description**

The Serrano Village J5/J6 Tentative Subdivision Map and Planned Development, and Design Waivers are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits K-O, Q-T, X 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 Serrano Village J5/ J6 residential development consisting of the following:

- A. A phased Tentative Subdivision Map creating a Class 1 residential subdivision with total of 148 residential lots revising the approved Serrano Village J6 Tentative Subdivision Map/Planned Development (TM08-1479/PD08-0019) and Serrano Village J5, Phase 2 Commercial Planned Development/Tentative Parcel Map (PD08-0020/P08-0029);
- B. Planned Development to establish an official Development Plan for Serrano Village J5/J6 Tentative Subdivision Map with modification to Single-Unit Residential (R1) minimum development standards including lot area, lot width, and yard setbacks;
- C. Design waiver(s) for the following modification to El Dorado County Design and Improvement Standard Manual (DISM) road and improvement standards for the subdivision:
  1. Modification to Standard Plan 101B for the reduction of the Right-of-Way, and road improvement widths, and for the construction of reduced sidewalks (six feet width to four feet in width) on one side of the street:
    - a. Right-of-Way width from 50-feet to 36-feet: A Street- sta. 1+49 to 3+42; C Street- sta. 9+37.84 to sta. 15+33.79, A Court, C Court, D Court, E Court, and F Court.
    - b. Right-of-Way width from 50-feet to 42 feet: A Street- sta. 3+70 to sta. 12+50, B Street, C Street- sta. 3+38.44 to sta. 9+37.84, D Street, and G Street.
  2. Construction of cul-de-sac within reduced right-of-way radius from 60-ft to 45.5-ft and a road width (edge of pavement) radius from 50-ft to 40-ft.

3. Construction of modified Type 1 and 2 curb gutter as shown on the Tentative Map. The gutter pan will be reduced to 12” from face of curb to edge of pavement.
  4. Construction of road encroachment under Standard Plan 110 with modification to allow for an entry gate and landscape median as shown on the Tentative Map.
  5. Construction of A Street (at Lots 13 and 14), C Street (at Lot 96), and D Street (at Lot 116) with reduced 100-foot centerline curve radii to 41’ as shown on the Tentative Map.
  6. Exceed 3:1 lot length-to-width ratio for Lots 13, 14, 110, and 114.
  7. Exceed standard street gradient of 12% for C and E Courts with maximum grade of up to 15 % grade;.
2. **Meter Award Letter:** A meter award letter or similar document 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.
  3. **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.
  4. **Oak Tree Protection:** Grading and construction activities will require compliance with oak tree protection measures under the Specific Plan Section 1.4.1.1 (grading), Appendix 2 Section 2.2 (construction), and Appendix E.
  5. **Landscaping:** The final landscape plan prepared in compliance with the Model Water Efficient Landscape Ordinance, if applicable, shall be reviewed and approved by the Development Services 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.
  6. **Noise:** A masonry or precast concrete paneled noise barrier shall be constructed along Bass Lake Road frontage in a location consistent with the *Environmental Noise Analysis Serrano Village J5 & J6, Bollard Acoustical Consultants, Inc., November 22, 2016* and mechanical ventilation systems within the dwelling units shall be installed prior to final occupancy.
  7. **Park Dedication:** An irrevocable offer of dedication (IOD) shall be made by the applicant to the El Dorado Hills Community Services District for the 2.83 acre passive park site. The IOD shall include conditions under which the District may accept the IOD and assume the maintenance and operational responsibility from the Serrano Master Owners Association for the facility. The IOD shall be in the form and substance provided in agreements provided for previous subdivisions within Serrano. Development Services shall verify the provision of this dedication prior to final occupancy of the first

building permit within the final map phase that creates the park site. The park site shall be maintained in perpetuity.

8. **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.

9. **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.

10. **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.
11. **Map Expiration:** This Tentative Subdivision Map shall expire in 36 months from its date of approval unless a timely extension has been filed.
12. **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.

**Transportation Division- Specific Conditions**

13. **Road Design Standards:** The applicant shall construct all roads in conformance with the Design and Improvements Standard Manual (DISM), and as shown in Table 1 below (the requirements outlined in Table 1 are minimums). The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.

<b>Table 1. Serrano Village J5/J6 Tentative Subdivision Map Road Improvements</b>				
<b>ROAD NAME</b>	<b>DESIGN STANDARD PLAN</b>	<b>ROAD WIDTH<sup>1</sup> / SIDEWALK WIDTH</b>	<b>RIGHT OF WAY</b>	<b>EXCEPTIONS/ NOTES</b>
"A" Street – STA. 1+49 to 3+42 "A" Court "C" Street – STA. 9+37.84 to STA. 15+33.79 "C" Court "D" Court "E" Court "F" Court	Modified Std. Plan 101B (3" AC over 8" AB Min.)	28.66-ft/4-ft sidewalk on one side.	36-ft	Modified Type 1 Curb & Gutter (Modified Type 2 C&G adjacent to open space, landscape lots or parks)
"A" Street - 3+70 to 12+50 "B" Street "C" Street – STA. 3+38.44 to STA. 9+37.84 "D" Street "G" Street	Modified Std. Plan 101B (3" AC over 8" AB Min.)	33-ft /4-ft sidewalk on one side.	42-ft	Modified Type 1 Curb & Gutter (Modified Type 2 C&G adjacent to open space, landscape lots or parks)
NOTES: *Type 2 Vertical Curb and Gutter required adjacent to open space, park and non-frontage of lots. * Sidewalks may meander within Right of Way or pedestrian easements.				

14. **Off-Site Improvements on Bass Lake Rd:** Construct the following improvements generally consistent with the Tentative Map Exhibit entitled "Prelim Planimetrics For:

BLR Frontage Improvements at J6” prepared by REY Engineers, Inc. Final Geometric Design to be determined with the project improvement plans, and may be adjusted and/or modified with approval of County Engineer.

- Extend two (2) northbound lanes on Bass Lake Rd from the Serrano Parkway/Sienna Ridge Rd intersection easterly approximately 750 feet(Station 49+50 to Station 57+00) including: one-half of 16-foot median; two 12-foot lanes; a six (6) foot right shoulder (including gutter pan); Type 2 Vertical Curb and Gutter, and; a six-foot sidewalk.
- Transition from two (2) northbound lanes with median to one (1) northbound lane with no median, Station 57+00 to approximate Station 64+28.
- Construct six (6) foot paved shoulder in lieu of curb and gutter from Station 57+00 to approximate Station 58+87; Construct paved shoulder transition from six (6) foot width to conform to existing pavement at north conform line (approximate Station 64+28).
- Construct two (2) foot gravel (shoulder backing) shoulder from Station 57+00 to north conform line (approximate Station 64+28).
- Construct six (6) foot HMA Side Path Station 57+00 to “B” Street Intersection with Bass Lake Road (approximate Station 71+00).
- Construct Left Turn Pocket on Bass Lake Road at El Dorado Irrigation District (EID) Driveway (approximate Station 56+80).
- Accessible crosswalk at “B” Street.
- Improvements to Bass Lake Road shall be constructed concurrent with the first final map.
- HMA Side Path and “B” Street Crosswalk may be constructed concurrent with the adjacent phase of development.

The Improvements required under this condition may require a Road Improvement Agreement (or equivalent mechanism).

15. **Encroachment Permit(s):** The applicant shall obtain an encroachment permit for the construction of the encroachment on Bass Lake Rd from B-Street.
16. **Offer of dedication (onsite roadways):** An irrevocable offer of dedication, in fee, for the required rights-of-way (R/W) as indicated above, shall be made for the proposed roads, with slope easements where necessary. Said offer shall be rejected at the time of the final map. The offer shall be subject to that agreement between Serrano and the County, recorded as document 98-0015833-00 on March 26, 1998. Subject to the above agreement, all roads are offered in fee to the Master Owner’s Association simultaneously with the filing of the final map.

17. **Drainage Maintenance:** Drainage maintenance shall be the responsibility of the Master Owner's Association. Therefore, all easements for drainage facilities shall be first offered to the County of El Dorado with rejection; the offer shall be subject to that agreement between Serrano and the County recorded as document 98-0015834-00 on March 26, 1998. Pursuant to the terms of said Agreement, upon rejection by the County, all drainage easements will be subsequently offered to the Master Owner's Association simultaneously with the filing of the final map.
18. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.

### **Transportation Division- Standard Conditions**

19. **Public Transit:** Bus turnouts and shelters shall be constructed at locations required by El Dorado Transit and the appropriate school district.
20. **Curb Returns:** All curb returns shall include pedestrian ramps with truncated domes conforming to Caltrans Standard Plan A88A, including a 4 foot sidewalk/landing at the back of the ramp. Alternate plans satisfying the current accessibility standards may be used, subject to review and approval by County.
21. **Maintenance Entity:** The proposed project must form an entity for the maintenance of public and 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 Division shall review the document forming the entity to ensure the provisions are adequate prior to filing of the final map.  
  
Bass Lake Road and Sienna Ridge Rd are existing County maintained roads and will be accepted by County without a Maintenance Entity.
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).
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 Division 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).*

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.
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.
26. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements. This drainage shall be conveyed via closed conduit or open channel, to either a natural drainage course of adequate size or an appropriately sized storm drain system. The Grading and Improvement plans shall show drainage easements for all on-site drainage facilities where required.
27. **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.
28. **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.

### **El Dorado Hills Fire Department**

29. **Fire Flow Requirements:** 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 commercial building 6,200 square feet or less in size, Type V-B construction. This fire flow rate shall be in excess of 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. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
30. **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 a 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. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.

31. **Fire Hydrants:** This development shall install Dry Barrel Fire Hydrants which conform to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 500 feet. The exact location of each hydrant on private roads and on main county maintained roadways shall be determined by the Fire Department. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
32. **Hydrant Enhancements:** In order to enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and State Fire Safe Regulations. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
33. **Construction Safety Measures:** 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. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
34. **Wildland Fire:** This project shall be annexed into the existing Wild Fire Safe Plan (WFSP) for Serrano, as a revised supplement that is approved by the Fire Department as complying with the State Fire Safe Regulations, prior to approval of the Final Map.
35. **Fencing:** Lots that back up to wildland open space shall be required to use non-combustible type fencing. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
36. **Roadway Standards:** Any type of traffic calming device that utilizes a raised bump/dip section of roadway shall be prohibited. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
37. **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. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
38. **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 request by the local AHJ. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.



39. **Roadway Grades:** The grade for all roads, streets, private lanes and driveways shall not exceed 16%. If paved or concrete, grades may be allowed up to 20%. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
40. **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.
41. **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. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
42. **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 can be phased. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
43. **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. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.
44. **Funding Mechanism for Emergency Fire Access Components:** This development shall annex into the existing Serrano HOA funding mechanism to ensure the maintenance of emergency access roadways, gates, vegetative clearances, and other fire access components. Compliance with this condition shall be verified during review of Final Map for the subdivision.
45. **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. Compliance with this condition shall be verified during review of Final Map for the subdivision.
46. **Trail Systems and Land-Locked Access:** The current Tentative Map provides sufficient access from D Court, E Court, F Court, and A Court to the wildland open space. However, if this project decides on designing a trail-type system or contains/abuts to land-locked open space, the department reserves the right to review any changes to the map as it pertains to this design and 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. The street curbs adjacent to the trail access point shall be painted red. All 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 (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. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.

47. **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. Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.

48. **Fire Department Access:** Approved fire apparatus access roads and driveways shall be provided for every facility, building, or portion of a building. The fire apparatus access roads and driveways shall comply with the requirements of Section 503 of El Dorado Hills County Water District Ordinance 36 as well as State Fire Safe Regulations as stated below (but not limited to):

A) Each dead-end road shall have a turnaround constructed at its terminus.

B) Where maximum dead-end road lengths are exceeded, there shall be a minimum of two access roadways allowing for the safe access of emergency apparatus and civilian evacuation concurrently.

1. The combination of D Street and C Street exceed the dead-end road length limit and shall provide a secondary access road approved by the Fire Code Official.

C) 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.

D) The C Street stub-out of J6, which is the future connection to Serrano Village J7 (Village on the eastern border of J6) shall be conditioned as a full access roadway connection into J7. Gates or any other obstructions are and will be prohibited.

Compliance with this condition shall be verified during review of Improvement Plan for the subdivision.

### **County Surveyor’s Office**

49. **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.

50. **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.

### **Air Quality Management District (AQMD)**

51. **Asbestos Review:** Current county records indicate at least a portion of this property is located within the Asbestos Review Area. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2. In the event NOA is discovered during project construction, all work shall cease and an Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to re-start of project construction. (Rules 223 and 223.2) In addition, an *Asbestos Dust Mitigation Plan* application (ADMP), with appropriate fees, shall be submitted to and approved by the AQMD prior to start of project construction.
52. **Pavement:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
53. **Waste Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
54. **Architectural Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Architectural Coatings AQMD (Rule 215).
55. **Diesel Equipment:** 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](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.
56. **Emissions Units:** 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)

57. **Portable Equipment Permits:** 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.

### **Resource Conservation District**

58. **Raptor Nest Survey:** A minimum of 30 days prior to initiating any construction activities during raptor nesting season, February 1 to July 31, the developer shall have a qualified biologist complete a nest survey on the site and within 0.25 mile of any proposed grading and construction areas. The nest survey shall be completed following the California Department of Fish and Game guidelines, and completed copies of the survey report shall be forwarded to Planning Services and the Resource Conservation District.