

RECOMMENDED CONDITIONS OF APPROVAL
Ananda Village Comprehensive Master Plan Update
Z15-001, MIS16-0009, U15-002, MGT15-004, MGT15-005, MGT17-0004, MI15-005, LLA16-0008,
LLA16-0014 & EIS15-003

A. NEVADA COUNTY PLANNING DEPARTMENT

1. Project Approvals. This approval authorizes existing uses and structures on the site that have obtained previous permits, and authorizes the following new uses and structures, as described in more detail in the Planning Commission staff report dated April 27, 2017:

- **A Use Permit** for a Comprehensive Master Plan (U15-002) in substantial conformance with what is shown on the approved, final Comprehensive Master Plan map and Proof of Concept plans, as follows:

Residential uses: Increase the residential cap from 87 units to the General Plan maximum density of 195 units within seven existing clusters and up to eight new clusters. Each residential unit may build accessory structures as allowed under County codes and within identified building envelopes labeled “proposed new development construction limits” on Exhibit L, but accessory dwelling units will be counted toward the residential unit cap. Dwelling units may be attached or detached. Eight units previously constructed but not counted toward the residential unit total shall be included in the residential unit total, bringing the total number of new units that may be constructed under U15-002 to 100 units. The existing structures that will now be counted as residences include five existing “pods” (freestanding bedroom/sitting room structures without full kitchens), one existing staff/guest residence, and two existing residences. The new residential units shall be limited to 100 of the 120 potential residential unit sites shown on the Comprehensive Master Plan map.

Non-residential uses: New non-residential uses as follows:

- Village Center: Maintenance building (1,680 sf) and vehicle repair shop (1,156 sf), both located under and as part of a solar shade structure; an office building (1,500 sf); a fire engine garage (864 sf); and market kitchen remodel/expansion (536 sf).
- Rajarshi Park: New office/warehouse building (4,800 sf).
- Expanding Light Retreat Center: New temple (11,000 sf), yoga hall and offices (4,300 sf), yoga classroom/hall (1,000 sf), dormitory lodge (1,200 sf), administrative office (1,500 sf), 20 guest tent platforms/tent cabins (150 sf each for a total of 3,000 sf), 2 shower houses (500 sf each for a total of 1,000 sf), 10 RV parking spaces, dining pavilion (2,826 sf), memorial area and pergola (approx. 700 sf).
- Living Wisdom School: A preschool/administrative building (1,976 sf) and classroom building (3,000 sf) previously approved under U08-013.

Events: The following events which have been ongoing would be covered under the Use Permit application:

- Village Center: Annual Harvest Festival, a Halloween event, and a Fourth of July celebration, with up to 200 people per event.

- Expanding Light Retreat Center: Classes, concerts, lectures, dramatic performances, and Sunday services, with up to 200 guests per event.
- Amphitheater: Concerts, lectures, dramatic performances, and Sunday services, with up to 400 people.
- Crystal Hermitage: Weddings, wedding receptions, and guest accommodations for weddings with up to 50 people; tulip garden open house up to 5 weeks in the spring, 7 days/week, 9 hours/day, with up to 800 people per day.
- **Petition for Exceptions** (MI15-005) to the Nevada County Road Standards to allow a 100-foot section of the proposed extension of Village Drive to exceed the 16 percent standard, up to 18 percent road grade, and to allow exceptions to road width in the Expanding Light Retreat area in order to avoid landmark oaks and oak woodlands.
- **Wetland Habitat Management Plan** (MGT15-004) to reduce impacts from encroachment into the water feature buffer.
- **Oak Habitat Management Plan** (MGT15-005) to reduce impacts to landmark oak groves and trees.
- **Steep Slopes Management Plan** (MGT17-0004) to reduce impacts to slopes over 30 percent for the construction of an approximately 400-foot section of Brindaban Way to access Cluster M.
- **Lot Line Adjustments** (LLA16-0008, LLA16-0014) (two non-concurrent) to reconfigure parcel boundaries to meet applicable building setbacks and site development standards for individual lots.

Any intensification of use, which includes any modification that could result in a direct or indirect impact on the physical environment such as changes associated with privacy, aesthetics, noise, and onsite activity, shall require additional environmental review to ensure compatibility with adjacent uses. This Comprehensive Master Plan shall be the overriding planning document for the site, encompassing and incorporating all previous approvals, including structures approved but not constructed under the school use permit U08-013. The applicant shall comply with the original conditions of approval/mitigation measures for construction of the school uses under Use Permit U08-013.

2. Legislative Actions. The approvals for U15-002, MI15-005, MGT15-004, MGT15-005, MGT17-0004, LLA16-0008, and LLA16-0014 are contingent on final approval of the Board of Supervisors on the Zoning Map Amendment (Z15-001) and the Development Agreement (MIS16-0009), both of which take effect 30 days from final action.
3. Development Agreement. Pursuant to Land Use and Development Code Section L-II 5.18, the project applicant shall apply for an annual review of the Development Agreement by the Planning Commission, during which the Commission shall review, based on substantial evidence, whether the property owner has demonstrated good-faith compliance with the terms and conditions of the Development Agreement. A finding of good-faith compliance shall conclude the review, while a finding that the applicant has not complied with the terms and conditions of the Development Agreement shall result in a hearing before the Board of Supervisors, who will determine in another publicly noticed hearing whether the Agreement will be amended or cancelled.
4. Final Plan Revisions. Final plans shall be revised as follows:

- a. Prior to issuance of any improvement, grading, or building permit, the Comprehensive Master Plan map shall be revised to show the following:
 - Location of oak mitigation areas, labeled as non-disturbance, no-build areas.
 - Location of landmark oak trees.
 - Location of RV parking and future dump station.
 - Location of Sages Road re-alignment.
 - Location of overflow parking.
 - b. Prior to issuance of any improvement, grading, or building permit, Exhibit E-2A/B shall be revised to show the following:
 - Label memorial area/ pergola as proposed.
 - Label dining pavilion as proposed.
 - Location of RV parking and future dump station.
5. Processing of Subsequent Permits. To construct the structures allowed by the Comprehensive Master Plan, the following processes shall be applied:
- a. *Residential:* The County will process the proposed development of a residential cluster or portion of a cluster with a building permit review. Building permit applications will include detailed site plans which shall be substantially conforming with the approved Proof of Concept plans and Comprehensive Master Plan, as well as the Fire Protection Plan, Oak Habitat Management Plan, Wetlands Habitat Management Plan, and Steep Slopes Management Plan. The County will track all residential development using a tracking system such as the Building Inventory and New Development Tracking Sheet provided by the applicant to record address, building square footage, build date, and permit number. This information will ensure that the number of residential units constructed and siting of the units is consistent with approvals.
 - b. *Non-residential:* The County will process non-residential construction with an Administrative Development Permit (ADP) review. The ADP application will include all requirements on the County's standard ADP application checklist unless otherwise already provided in the Use Permit U15-002 for the Comprehensive Master Plan. Requirements include but may not be limited to building plans, floor plans, elevations, lighting and signage plans, a final landscaping plan, and a site plan. The detailed site plans shall be substantially conforming with the approved Proof of Concept plans and Comprehensive Master Plan and the conceptual landscaping, lighting, and signage plans, as well as the Fire Protection Plan, Oak Habitat Management Plan, Wetlands Habitat Management Plan, and Steep Slopes Management Plan.
6. Residential Cluster Infrastructure Requirements. For economy of scale and to prevent inconvenience and disturbance to future residents, the applicant is encouraged to install all infrastructure necessary to serve each cluster prior to issuance of occupancy permits for the first building permit in each cluster. However, the applicant is not required to construct all units within a cluster simultaneously. If not all units within a cluster are constructed, then

prior to issuance of occupancy permits, the applicant shall install all access, fire-safe turnaround, septic, water, utility, and other infrastructure necessary for the proposed units to ensure that the unit(s) being constructed can function independently of any future development and is designed to connect to any future development that could occur under the approved Comprehensive Master Plan. The applicant shall construct all infrastructure and roadway improvements in accordance with the project approvals, unless any State and/or Federal laws, County ordinances, resolutions, policies or actions adopted or pursued by the County in order to comply with preemptory State and/or Federal laws in effect at the time of construction supersede the project approvals. Any such new requirements shall only apply to new road and infrastructure construction.

7. Setbacks. All new development shall occur outside a 100-foot setback from the exterior property lines. Interior property line setbacks shall comply with reduced Rural setbacks for the AG-PD-SP zoned areas; Light Industrial (M1) setbacks for the PD-SP zoned areas; and Commercial setbacks for the C1-PD-SP zoned areas.
8. Parking. Required parking areas shall be constructed in accordance with the design standards of Section L-II 4.2.9 of the Land Use and Development Code, including surfacing, curbing, slope, drainage, backout area, driveway/aisle widths, parking stall sizes, and accessibility standards. Non-residential building permits shall provide parking in substantial conformance with Exhibit E2-a for the Expanding Light Retreat and Exhibit E-3 for the Village Center, and parking shall be maintained for the life of the project. Prior to occupancy of any residential building permit, the applicant shall demonstrate that there are a minimum of two 9'x18' parking spaces per residential unit within 50 feet of the residence in conformance with residential building standards. Overflow parking for special events is not required to be built to be parking standards.
9. Landscaping. Preliminary landscape plans consistent with approved conceptual plans shown in the approved UPA sheets shall be submitted with each Administrative Development Permit application for each non-residential structure. Prior to issuance of any grading or building permits for site-specific non-residential development, the applicant shall submit a Final Landscape Plan prepared, signed and stamped by a licensed landscape architect, to the Planning Department for review and approval, including the following:
 - a. All details depicted on the preliminary conceptual plans; and
 - b. Street buffer landscaping is not required given that all non-residential use areas to which parking applies are accessed from internal roads. Residential buffers are not required because they are provided by the 100-foot buffer surrounding the entire site and are not needed for the single-owner master planned village concept; however, the applicant shall provide landscaping around the base of and/or in front of non-residential structures consistent with what is shown in the approved UPA sheets; and
 - c. The location of all required plant materials for each planting area, dispersed within interior parking lot landscaping, to provide the shade requirements of Land Use and Development Code Section L-II 4.2.7.E.2.g; and
 - d. A note on the plan, certified by a licensed landscape architect, landscape designer, or horticulturalist, that trees are located on the plan so as to cover 40% of the parking area with tree canopies within 15 years, consistent with Land Use and Development Code Section L-II 4.2.7.E.2.g; and

- e. A legend listing the type, number and size of plant materials, indicating both the both the required number and the provided number of each plant type. List plants for each required landscaped area. Include a listing of water usage type, or hydrozone, for each plant type. List plant materials in groupings of trees, shrubs, and ground cover plants. Show both common names and botanical names. New native vegetation plantings or retention of existing native vegetation must be included in all required plantings pursuant to subsection L-II 4.2.7.E.2.b of the Land Use and Development Code; and
- f. Irrigation plan per subsection L-II 4.2.7.E.3.c of the Land Use and Development Code; and
- g. The design of all parking lots shall visually blend with the surrounding natural features so as to avoid abrupt transitions that would distinguish the parking lot from the natural surroundings. This integration shall be achieved by using gravel surfaces, retaining mature native trees, and avoiding the use of curbing both around the parking areas and in parking islands. Interior parking lot landscaping requirements for numbers of trees and shrubs, minimum size and frequency of landscaped islands, and curbing requirements may be modified to achieve this integration provided that the Planning Department finds that the plan achieves the same overall effect consistent with L-II 4.2.7.E.2; and
- h. A note that “All plantings and irrigation shall be maintained by the property owner and in any case where a required planting has not survived the property owner shall be responsible for replacement with equal or better plant materials.”

Prior to final occupancy for the site-specific non-residential development, the landscape architect or property owner shall verify that all plant materials have been established for said building and parking area(s) pursuant to the approved plan.

- 10. Signage. The project signage shall be consistent with the conceptual sign plan and with Section L-II 4.2.12 of the Land Use and Development Code. This approval is for the existing signs and new interior directional and informational signs as needed on the site, consistent with the existing signage.
- 11. Road Names. Prior to building occupancy for each new area of development served by a new road, the applicant shall name and post the roads serving that applicable area, pursuant to the road naming standards of Chapter VII of the Land Use and Development Code.
- 12. Recreation Fees. Prior to each residential building permit issuance, the applicant shall pay the recreation mitigation fee in effect at the time of permit issuance. Fees shall be paid to the Planning Department to be deposited for the Oak Tree Park/Twin Ridges Benefit Zone in the amount of \$747 per residential unit.
- 13. Lot Line Adjustments.
 - a. Prior to issuance of building permits for any development that does not meet setbacks to existing parcel lines within the Expanding Light Retreat area and residential clusters D, E, and G, within APNs 61-170-12, 61-170-34, 61-180-02 and 61-180-03, LLA16-0008 shall be recorded to ensure that all development will meet applicable setbacks on internal property lines.

- b. Prior to issuance of building permits for any development that does not meet setbacks to existing parcel lines within proposed residential clusters K, L, M, N, and O, within APNs 61-210-19, 61-210-20, 61-230-06, and 61-240-02, LLA16-0014 shall be recorded to ensure that all development will meet applicable setbacks on internal property lines.
14. **Transient Occupancy Tax.** The Nevada County Treasurer-Tax Collector collects transient occupancy tax (TOT) at a rate of 10 percent for accommodations at camping and lodging facilities. This tax is collected from lodging facilities where the lodger stays for 30 days or less, and is remitted to the County on a quarterly or monthly basis. This tax applies to any structure, or any portion of any structure which is occupied by transients for dwelling, lodging, or for sleeping purposes and includes any camp, camp trailer, campground, campsite, lodging house, and other houses. For all uses that to which the TOT would apply, the applicant shall notify the Nevada County Treasurer-Tax Collector's office and pay the appropriate taxes.
15. **Timber Harvest.** Any timber harvest that will be conducted as preparation for development shall be submitted to the Planning Department prior to issuance of improvement permits. The applicant shall employ a California Licensed Timber Operator to conduct of timber operations compliance with the Forest Practice Act and Rules. Prior to issuance of improvement permits, the applicant shall submit to the Planning Department a Timberland Conversion Permit or applicable exemption in compliance with the Forest Practice Act and Rules.
16. **Indemnification Agreement.** Within 15 days after project approval the applicant shall sign and file with the Nevada County Planning Department a Defense and Indemnification Agreement, in a form approved by County Counsel. No further permits or approvals shall be issued for the project, including without limitation a grading permit, building permit or final map approval, unless and until the applicant has fully complied with this condition. The standard Defense and Indemnification Agreement shall be attached to the approval letter.
17. **Add Visual Resource Protections to the Comprehensive Master Plan Design Guidelines (Mitigation Measure 1A):** Prior to issuance of any grading or improvement permits, the following shall be added to the Comprehensive Master Plan Design Guidelines to provide visual resource protections:
 1. All outdoor light fixtures for both residential and non-residential uses shall be fully shielded and downward-facing to prevent the light source or lens from being visible from offsite properties and roadways. Fixtures shall have high-efficiency lamps. Mercury vapor light fixtures, floodlights and spotlights shall be prohibited. Lighting shall be turned off between 11 p.m. and sunrise except for the following: security lighting which operates with the use of motion or heat sensors, those businesses operating during these hours, and lighting at the Village Center and Rajarshi Park which has a demonstrated safety and security need. Security lighting fixtures shall be shielded and aimed so that illumination is directed only to the designated area. Improvement plans for non-residential structures shall depict the location, height and

- positioning of all light fixtures and shall provide a description of the type and style of lighting proposed.
2. Residential buildings within Clusters L, M, N, and O shall be subdued earth tone colors. High visibility or reflective colors and materials, such as bright white body color or shiny metal roofing, are prohibited.
 3. Non-residential buildings (with the exception of the new temple) shall be subdued colors similar to the tones found on nearby buildings. High visibility or reflective colors and materials are prohibited.
 4. Clearing of trees for building site views shall be limited to a 30-degree corridor as measured from the edges of the building.

The Final Comprehensive Master Plan and Design Guidelines shall be kept on file in the Planning Department for future reference in site plan reviews.

Timing: *Prior to issuance of grading and improvement permits*

Reporting: *Revision of CMP and Design Guidelines prior to approval of any permits*

Responsible Agency: *Planning Department*

18. **Avoid and Reduce Impacts to Nesting Raptors and Migratory Birds (Mitigation Measure 4A):** If tree removal is proposed outside the nesting season (August 1-February 28), no further mitigation is required. If tree removal is proposed during the nesting season (March 1- July 31) for any project construction, including road and infrastructure improvements, a Nevada County-approved qualified biologist shall conduct a pre-construction survey to verify that the construction and potential disturbance zones do not support nesting migratory birds. The surveys shall incorporate the following procedures:

1. Tree removal shall not take place during the breeding season (March 1 – July 31), unless supported by a report from a qualified biologist verifying that birds, including raptors, are not nesting in the trees proposed for removal or disturbance.
2. An additional survey may be required if periods of construction inactivity (e.g., gaps of activity during grading, tree removal, road building, or structure assembly) exceed two weeks, an interval during which bird species, in the absence of human or construction-related disturbances, may establish a nesting territory and initiate egg laying and incubation.
3. Surveys shall be conducted no more than two weeks prior to the initiation of construction activities or other site disturbances.
4. Should any active nests or breeding areas be discovered, a buffer zone (protected area surrounding the nest, the size of which is to be determined by a qualified biologist) and monitoring plan shall be developed for the review and approval of CDFW. Nest locations shall be mapped and submitted, along with a report stating the survey results, to the Nevada County Planning Department within one week of survey completion.

A qualified wildlife biologist shall monitor the progression of reproductive stages of any active nests discovered during the preconstruction survey until a determination is made that nestlings have fledged and that a sufficient time for fledgling dispersal has elapsed; construction activities shall be prohibited within the buffer zone until such determination is made.

Timing: *Prior to issuance of the grading, improvement, and building permits*

Reporting: *Agency approval of permits*

Responsible Agency: Planning Department

19. **Avoid and Reduce Impacts to Special-status Bat Species (Mitigation Measure 4B):** If removal of trees 24 inches dbh or larger (“potential roost trees”) is conducted between September 16 and March 31, or if trees to be removed at any time are smaller than 24 inches dbh, acoustical surveys for bats are not required. If trees 24 inches dbh or larger are to be removed for project construction between April 1 to September 15, acoustical surveys for the presence or absence of Yuma myotis and Pale Townsend’s big-eared bat shall be performed by a biologist with experience in this type of survey. If these bat species are not detected within the project site, then no further mitigation is required. If these bat species are detected acoustically within the site, then no trees 24 inches dbh or larger shall be removed until either follow-up acoustical surveys demonstrate that the bats are no longer foraging within the site; or each potential roost tree that is either designated to be removed or is located within a 50-foot radius of a tree to be removed is determined definitively not to contain a hollow suitable for bat roosting use; or until the period of September 16 to March 30, during which trees of any size may be removed without impacts to bats.

Timing: Prior to issuance of the grading, improvement, and building permits

Reporting: Agency approval of permits

Responsible Agency: Planning Department

20. **Establish Non-disturbance Buffers (Wetland Habitat Management Plan) (Mitigation Measure 4C):** Establish non-disturbance buffers around sensitive wet areas as follows:

1. Prior to the start of construction, the applicant shall establish the seasonal wetlands, riparian areas, and ponds that occur in close proximity to project-related work activities as non-disturbance buffers during construction. These include areas mapped as “SW”, “P”, and “R” in Figures 3 and 4 of the Wetland Habitat Management Plan prepared by Beedy Environmental Consulting (dated April 2016) that occur within 100 feet of development, including road widening and road improvements. Work shall not begin until the buffers are delineated on the ground with orange safety netting or signage under the supervision of a qualified biologist. The buffer area signs shall be installed wherever activity will occur within 100 feet of these resources and remain in place for the entire duration of construction. Staging areas as well as fueling and maintenance activities shall be a minimum of 66 feet from onsite ponds (St Francis, Nandi, Pubble, Dairy, Incense, Turtle, and Lotus). Spoil areas, staging areas, access roads, parking, and equipment refueling & maintenance areas shall be located a minimum of 30 feet from the upstream or upslope side of the wetlands, ponds, riparian areas, and upland swales. Any construction activity that occurs within 20 feet of any water resource shall be marked with orange safety netting. No earth-moving activities, vegetation removal, vehicles, heavy equipment, material storage, equipment maintenance or refueling, or other construction activities shall be permitted within the ESA buffers. The boundaries of all work areas shall be clearly marked on all final grading and construction drawings.
2. Prior to issuance of the first occupancy permit, the applicant shall install signage at points around the perimeter of areas mapped as seasonal wetland, ponds, or riparian areas in the Biological Inventory, where these areas share a boundary with roads, trails, or development. The signage shall inform residents about the potential presence of nesting migratory birds and other sensitive wildlife in these areas during the breeding season (March 1 through July 31).

Timing: *Prior to issuance of grading and improvement permits and prior to first occupancy permit*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

21. **Implement Best Management Practices (Wetland Habitat Management Plan) (Mitigation Measure 4D):** To protect water quality, habitat values, and wildlife in the wetlands, ponds, streams, and riparian areas, the project work shall implement BMPs during and after construction as described in the Wetland Habitat Management Plan prepared by Beedy Environmental Consulting (April 2016). These include areas mapped as “SW”, “P”, and “R” in Figures 3 and 4 of the Wetland Habitat Management Plan that occur within 100 feet of development, including road widening and road improvements, as well as the reaches of upland “swales” that would be directly affected by road crossings or widening in development clusters “L” and “K”. These standard BMPs include but are not limited to the following, which are summarized here. More detailed specifications are provided in the Wetland Habitat Management Plan:

1. Pre-Construction Planning. These measures shall be implemented prior to the start of any earthwork activities.
 - a. Minimize the amount of soil and vegetation disturbance to the minimum necessary through site design and construction practices.
 - b. Prior to the start of work that will disturb soil within 50 feet of wetlands, ponds, or riparian areas, including any vegetation removal, install silt-fencing, straw bales, sediment catch basins, straw or coir logs or rolls, or other sediment barriers to keep erodible soils and other pollutants from entering the adjacent wetlands, ponds, or riparian areas outside the permitted work area.
 - c. Prior to the start of construction, medium to large and/or dense infestations of Scotch broom, goat grass, and yellow star thistle within or adjacent to the 100-foot non-disturbance buffers shall be marked with signage and/or temporary safety netting.
 - d. Provide copies of “After the Storm: A Citizen’s Guide to Understanding Stormwater” (Appendix B of the Wetland Habitat Management Plan) to residents living within or near the construction area.
 - e. Prevent alteration of the surface drainage patterns that support streams, wetlands, ponds, and riparian areas by maintaining existing drainage patterns in the design of road ditches, culverts, and development runoff drainage plans.
2. Construction Measures. These measures shall be implemented and shown as notes on all grading and improvement plans.
 - a. Construction activity within 100 feet of the wet areas shall occur only during dry weather.
 - b. All ESAs and work areas, including spoil areas, staging areas, access roads, parking, and equipment refueling and maintenance areas, shall be clearly marked on all final grading and construction drawings. The applicant shall prepare a spill prevention and clean-up plan.
 - c. Before the first heavy rains and prior to removing the barriers, soil or other sediments or debris that accumulates behind the barriers shall be removed.
 - d. The contractor shall exercise every reasonable precaution to protect the wetlands, ponds, and riparian areas from accidental pollution with fuels, oils, bitumen, and other harmful materials. The contractor shall immediately contain and clean up any

- petroleum or other chemical spills with absorbent materials such as sawdust or cat litter.
- e. All disturbed areas shall be graded or smoothed to minimize surface erosion and siltation; disturbed and bare soils shall be stabilized as soon as possible after the soil disturbance is completed and before any rain event. Specific measures apply to Lotus Lake.
 - f. Bare soils shall be stabilized with a combination of locally native grass seed and/or plugs or tightly woven fiber netting or similar material biodegradable mats to anchor the seeding and mulch on any steeper faces. Plastic sheeting and plastic mono-filament matting may not be used for erosion control due to the possibility of California red-legged frog entrapment. This limitation shall be communicated to the contractor through use of special provisions included in the bid solicitation package.
 - g. On slopes greater than 3:1, heavy erosion control blankets shall be used and installed according to manufacturer's directions.
 - h. If straw is used for mulch or for erosion control, only certified weed-free straw shall be used to minimize the risk of introducing noxious weeds.
 - i. Contractors shall be instructed to wash or otherwise remove any seed or stolons from the tires, tracks and undercarriage of heavy equipment and any other vehicles entering the project site.
 - j. Sediment and other pollutant control measures, and erosion control measures shall be inspected regularly, and repaired and/or installed no less than 24 hours before a forecast storm or rain event.
 - k. Extra sediment, pollutant, and erosion control materials shall be stockpiled onsite to address any unanticipated rain events, problems and emergencies.
3. **Operational Measures.** These measures shall be implemented on an ongoing basis after construction and for the life of project operations, except as noted.
- a. Prevent the direct discharge of development runoff into ponds, wetlands, and riparian areas by pre-treating the runoff in constructed vegetated swales upstream of these features. These swales shall be constructed as part of the grading and improvement plans for the applicable areas and shall be maintained for the life of the project.
 - b. Protect water quality in the seasonal wetlands and riparian areas surrounding the proposed Village Center PD-SP zone during ongoing operations by insuring that all operations involving petroleum based products (refueling, lubrication, engine maintenance etc.) or other chemicals take place on covered cement pads or indoors to prevent any potential contamination of runoff.

Timing: *Prior to issuance of the grading and improvement permits and during operation of the project*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

22. **Maintain an Educational Program for Village Residents and Visitors (Wetland Habitat Management Plan) (Mitigation Measure 4E):** In order to minimize impacts to wildlife and habitat values, the applicant shall maintain an educational program for Village residents and visitors that focuses on the following during the ongoing operation of the project:

1. Any dogs brought onto the property by neighbors, visitors, and guests shall be kept on a leash at all times. Residents and visitors shall not walk dogs in areas mapped as seasonal wetland, ponds or riparian areas.
2. Educate residents about the impacts of human disturbance to wildlife (“flushing,” light pollution, etc.) and about cat predation on wildlife, especially ground-nesting species, and encourage spaying and neutering of cats. Homeowners shall be encouraged to keep their cats indoors at night.
3. Educate residents about the impacts of night-time lighting to wildlife and the CMP requirements to shield light fixtures to direct lighting away from natural areas; use the proper amount of light for the job (don’t overlight); and turn off lights (either manually or with motion sensors) when there is no one around to use them. Advocate to residents how these simple steps will also result in both reduction of light pollution and conservation of energy.
4. Prohibit the dumping of private yard trash, landscape maintenance trash (including grass clippings), or littering; require residents to keep trash cans and compost bins in fenced areas to avoid attracting wildlife and to prevent nuisance wildlife.
5. Educate residents on how to deter brown-headed cowbirds by the following measures: use feeders that are made for smaller birds, such as tube feeders that have short perches, smaller ports, and no catch basin on the bottom. Avoid platform trays, and do not spread food on the ground; avoid using cowbirds preferred feed (sunflower seeds, cracked corn, and millet) and instead offer nyjer seeds, suet, nectar, whole peanuts, or safflower seeds; clean up seed spills on the ground below feeders, and avoid searching for or visiting a nest if cowbirds are in the area.
6. Implement fuels management guidelines in the Ananda Village Forest Management Plan (Whitlock 2013).
7. Locate trails and other recreational facilities away from seasonal wetland, pond, and riparian areas and other Environmentally Sensitive Areas, maintaining a buffer of 25 feet or more from the perimeter of these habitats.

Timing: *Prior to issuance of the grading and improvement permits and during project operation*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

23. **Provide Copies of Mitigation Measures to Contractors (Mitigation Measure 4F):** To ensure the proper and timely implementation of all mitigation measures contained in this report, as well as the terms and conditions of any other required permits, the applicant shall distribute copies of the project mitigation measures and any other permit requirements to the contractors and to members of the Ananda Village Board of Directors prior to grading and construction. These measures shall also be included as notes on all plans and permits.

Timing: *Prior to issuance of the grading, improvement, and building permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

24. **Minimize Impacts to California Red-legged Frogs (Mitigation Measure 4G):** Prior to any construction activities and issuance of any grading or improvement permits on the property, the following shall be completed as noted. The term “construction activities” refers to all construction activities, including road improvements and road construction, anything that requires ground disturbance such as campground expansion, septic-field construction, parking-lot construction, stone-wall construction, etc., and anything that

requires use of heavy equipment anywhere within 300 feet of a pond. Restrictions apply to all or specified ponds regardless of whether they are inundated at the time of construction.

1. Pre-Construction Planning. These measures shall be implemented prior to the start of any earthwork activities.
 - a. Resumes of all biologists proposed to capture or handle red-legged frogs or to provide construction monitoring and training shall be submitted to the Service for approval no fewer than 30 days prior to the start of construction.
 - b. For all projects that take place within 300 feet of any pond, a qualified biologist approved by the U.S. Fish and Wildlife Service (Service-approved biologist) shall train all project staff, contractors, and other work crews regarding habitat sensitivity, identification of California red-legged frogs and their breeding and non-breeding habitats, and required practices before the start of any construction activity taking place within 300 feet of any pond. The training shall include the general measures that are being implemented to conserve this species, the penalties for non-compliance, and the boundaries of the project area. A fact sheet or other supporting materials containing this information shall be prepared and distributed. Upon completion of training, employees shall sign a form stating that they attended the training and understand all of the conservation and protection measures. The training shall be effective for one year and must be retaken after one year.
 - c. For all construction activities taking place within 150 feet of any pond, a pre-construction survey for California red-legged frogs shall be conducted within 24 hours prior to the beginning of construction. The Service-approved biologist shall carefully search all obvious potential hiding spots for red-legged frogs, such as large downed woody debris, the perimeter of pond or wetland habitat, and the riparian corridor associated with streams and drainages. Any red-legged frog found shall be captured by a Service-approved biologist and held for the minimum amount of time necessary to release it in suitable habitat outside of the project area. All project construction access areas and routes shall be included in preconstruction surveys and, to the maximum extent possible, shall be established in locations disturbed by previous activities to prevent adverse effects.
 - d. A buffer of 150 feet shall be flagged as a non-disturbance buffer during all construction activities around Lotus Lake, Nandi Pond, Incense Pond, and Pubble Pond. Sensitive habitat areas shall be delineated with high visibility flagging or fencing to prevent encroachment of construction personnel and equipment into any sensitive areas during project work activities.
 - e. Where construction activities will take place more than 150 feet from pond edges, such as at the residence east of School Circle (west of St Francis Pond), the parking area south of Turtle Pond, the septic field southwest of Pubble Pond, the single residence west of Nandi Pond, and any peripheral structures around Lotus Lake, the boundaries of the construction site itself shall be flagged, outside of which construction activities may not take place.
2. Construction Measures. These measures shall be implemented and shown as notes on all grading and improvement plans.
 - a. Within the 150-foot buffer, construction activities shall not take place without the presence of a Service-approved biologist. The Service-approved biologist shall monitor all ground-disturbing activity. After ground-disturbing activities are complete, the Service-approved biologist shall train an individual to act as the on-site construction monitor. The onsite construction monitor shall have attended the required red-legged frog training. Both the Service-approved biologist and the

construction monitor shall have the authority to stop and/or redirect project activities if any of the requirements associated with these terms and conditions are not being fulfilled and to ensure protection of California red-legged frogs. The Service-approved biologist and construction monitor shall complete a daily log summarizing activities and environmental compliance. The construction monitor shall not have authority to capture or handle California red-legged frogs.

- b. If a California red-legged frog is encountered during construction work, activities shall cease immediately until the animal is removed and relocated by a Service-approved biologist. California red-legged frogs found within construction areas shall be captured and released well away from construction. California red-legged frogs shall not be captured or handled by anyone other than a Service-approved biologist. Suitable release sites for any captured California red-legged frogs shall be approved by the Service prior to the start of construction activities. Nets or bare hands may be used to capture red-legged frogs. Service-approved biologists will not use soaps, oils, creams, lotions, repellents, or solvents of any sort on their hands within two hours before and during periods when they are capturing and relocating red-legged frogs. To avoid transferring disease or pathogens between aquatic habitats during the course of surveys or handling of red-legged frogs, Service-approved biologists will follow the Declining Amphibian Populations Task Force's "Code of Practice." Service-approved biologists shall limit the duration of handling and captivity of red-legged frogs. While in captivity, individuals of these species shall be kept in a cool, moist, aerated environment, such as a bucket containing a damp sponge. Containers used for holding or transporting adults will not contain any standing water.
- c. All construction activities shall be conducted outside the "wet season," which in the Sierra begins with the first frontal system that results in at least 0.25 inches of precipitation after October 15 (as measured from the closest published location and elevation by the National Weather Service) and continues until April 15.
- d. All construction within 300 feet of aquatic sites will be completed as quickly as possible. For any lapses longer than one week on construction within 150 feet of a pond edge, a new preconstruction survey for the presence of CRLFs shall be completed prior to the re-initiation of construction.
- e. Permanent and temporary construction disturbances and other types of project-related disturbance to red-legged frog habitat shall be minimized to the maximum extent possible and confined to the project site. To minimize temporary disturbances, all project-related vehicle traffic shall be restricted to established roads, construction areas, and other designated areas. These areas shall be established in locations disturbed by previous activities to prevent further adverse effects.
- f. A vehicle speed limit of 10 miles per hour shall be posted and enforced on all non-public access roads during construction. Construction crews shall be given weekly tailboard instruction to travel only on designated and marked existing, cross country, and project-only roads.
- g. Because dusk and dawn are often the times when red-legged frogs and tiger salamanders are most actively foraging and dispersing, all construction activities shall cease one-half hour before sunset and shall not begin prior to one-half hour before sunrise.
- h. Tightly woven fiber netting or similar material shall be used for erosion control or other purposes at the project site to ensure that the red-legged frogs do not get trapped. This limitation shall be communicated to the contractor through use of

special provisions included in the bid solicitation package. Coconut coir matting is an acceptable erosion-control material. No plastic mono-filament matting will be used for erosion control.

- i. The Sacramento Fish and Wildlife Office (SFWO) shall be notified within one working day of the finding of any dead listed species or any unanticipated take of the California red-legged frog.
- j. Staging areas as well as fueling and maintenance activities shall be a minimum of 66 feet from riparian or aquatic habitats. The applicant shall prepare a spill prevention and clean-up plan.
- k. To prevent inadvertent entrapment of wildlife, all excavated, steep-walled holes or trenches will be covered at the end of each work day with plywood or similar materials. If this is not possible, one or more escape ramps constructed of earth fill or wooden planks will be established in the hole. These holes will be inspected for trapped animals prior to the start of construction each day. Before such holes or trenches are filled, they will be thoroughly inspected for any animals. If at any time a red-legged frog is found trapped or injured in these holes, work will cease until the Service is contacted for further guidance.

Timing: *Prior to issuance of the grading and improvement permits and during project operation*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

25. **Minimize Impacts to Resident and Migratory Deer Populations (Mitigation Measure 4H):** The project applicant shall enforce existing guidelines for protecting resident and migratory deer populations, as follows:

1. Cluster development to concentrate access and services and preserve open space
2. Preserve standing oaks and oak groves to the extent possible
3. Maintain open meadows and clear brush within forests for fire safety
4. Remove old agricultural fences and discourage installation of new fencing (except to protect gardens from deer)
5. Enforcing the rule against dogs (generally, no resident dogs, visiting dogs must be on a leash) and hunting within Ananda Village.

These measures shall be incorporated into the Comprehensive Master Plan narrative for the project, which shall be updated prior to the issuance of any grading or improvement permits for the property.

Timing: *Prior to issuance of the grading and improvement permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

26. **Protect Landmark Oaks and Other Large Diameter Trees from Accidental Harm during Construction (Oak Habitat Management Plan) (Mitigation Measure 4I):** To ensure that no accidental harm comes to landmark oaks and other trees that have been designated as trees to be left undisturbed, the following measures shall be implemented with the timing shown. The measures shall be incorporated into the grading and construction plans and specifications for all new construction projects, including individual structure construction, septic system construction, and road and driveway construction.

1. Prior to issuance of any grading, improvement, or building permits for the project, the applicant shall submit a final Comprehensive Master Plan map that identifies the location of all landmark oak trees and groves as mapped in the project biological reports, and identifies the location of the potential Sages Road re-alignment for the benefit of the neighbors to the east.
2. Prior to any tree or vegetation removal, grading, or construction activities, the applicant shall survey the development areas and flag landmark oak trees, large diameter snags, and acorn granary trees that will be left undisturbed. Other large diameter trees (e.g., greater than 18 inches diameter) shall be flagged and preserved wherever possible, with preference for the larger diameter trees. Whenever possible, landmark oak trees and other trees 36 inches diameter or greater shall not be removed and impacts to them minimized.
3. Precise surveyed locations of the trees to be left undisturbed shall be shown on improvement, grading, and building plans, and identified within non-disturbance buffers. The boundary of the non-disturbance buffer for landmark oak groves shall be established at the dripline of the protected groves. The boundary of the non-disturbance buffer for landmark oak trees shall be established at a distance that is equal to 1.5 times the radius of the dripline. No soil grading, placement of fill, soil compaction, paving or hardscaping, irrigation, or changes in drainage patterns shall occur within that non-disturbance area. Only non-irrigated plantings shall be permitted within that buffer.
4. Where buffers occur within 50 feet of any work activity, they shall be delineated on the ground, prior to construction, with temporary orange construction fencing or flagging spaced at 20-foot intervals and signage.
5. Soil surface removal greater than one foot located within the driplines of groves and trees, fill placement within five feet of their trunks, impervious paving (asphalt, concrete, etc.) laid within the dripline of groves and trees shall be considered as disturbances, and the impact will require mitigation as specified in Mitigation Measure 4J. Underground utility line trenching shall not be placed within the dripline of non-mitigated trees. If necessary to install underground utilities within the driplines of oak trees, the trench shall not be placed within five feet of the trunk.
6. The applicant is encouraged to implement these or similar measures for trees that they wish to preserve but that may be indirectly impacted by encroachment within the designated non-disturbance buffers; however, any trees that may be impacted by buffer encroachment must be compensated for potential long-term, indirect impacts, under Mitigation Measure 4J.
7. A qualified professional biologist shall periodically monitor onsite construction and grading activities occurring near all identified oak tree protection zones to ensure that damage to the protected oak trees does not occur. Prior to final inspection, the biologist shall provide a memo to the Planning Department indicating whether any oaks were damaged during construction that need to be added to the compensation totals.
8. Contractors shall stay within designated work areas. No vehicles, construction equipment, mobile offices, or materials shall be parked or located within the established non-disturbance buffers.

Timing: *Prior to issuance of grading, improvement, and building permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

27. **Provide Compensation for Impacted Landmark Oaks and Oak Groves (Oak Habitat Management Plan) (Mitigation Measure 4J):** For all oak woodlands and landmark oaks and madrones that are impacted either directly or indirectly by new development and ground disturbance, including road and infrastructure construction, compensation shall be provided in the following ratios. In currently undeveloped woodlands: 1.5:1 ratio; infill development areas and leach field construction: 0.5:1 ratio. Compensation shall be provided prior to the finalization of any grading, improvement, or building permits. Compensation shall be implemented by the enhancement and restoration of oak woodlands as described in the Oak Habitat Management Plan, including retaining a Registered Professional Forester to conduct the management prescriptions outlined in Appendix B of the Oak Habitat Management Plan. The management prescriptions are summarized below:

1. Conduct all large-scale tree and shrub removal in the non-breeding season (August 1-February 28).
2. Promote growth of larger trees through thinning and fuels reduction.
3. Preserve representations of all tree species present on the site.
4. Encourage structural diversity; retain a variety of size and age classes of understory trees; and retain a variety of habitat types, including large and small patches of shrubby species, small trees, dense patches of conifers, and existing open areas and canopy openings.
5. Leave Himalayan blackberry patches along streams for wildlife cover and foraging.
6. Protect the mitigation area streams (including ephemeral headwater reaches) and riparian habitat (including Himalayan blackberry scrub) as Environmentally Sensitive Areas during construction and fuels management activities.
7. Construct trails away from stream corridors and riparian vegetation.
8. Preserve large standing dead trees and leave some large logs on the ground.
9. Remove and control existing medium to large Scotch broom infestations from the forest understory.
10. Implement measures to minimize the introduction of new weed species or the spread of weeds into new areas on infested vehicles and equipment.

Timing: *Prior to finalization of grading, improvement, and building permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

28. **Educate Residents and Guests on Oak Habitat Management (Oak Habitat Management Plan) (Mitigation Measure 4K):** On an ongoing basis following approval of the Comprehensive Master Plan, the applicant shall implement the following:

1. Educate residents about the goals and objectives of the Oak Habitat Management Plan.
2. Enforce dog leash policy and requirements to discourage wildlife from garbage feeding.
3. Educate residents about permitted and prohibited activities in mitigation areas and infill areas.
4. Encourage residents' participation in the management of oak mitigation areas and commons.
5. Educate residents in oak woodland management for maintaining the health of adjacent oaks, managing for fire-safety, and minimizing disturbance to wildlife.

Timing: *On an ongoing basis*

Reporting: *Enforced through code compliance process*

Responsible Agency: *Planning Department and Code Compliance Division*

29. **Preserve the Oak Habitat Mitigation Areas in Perpetuity (Oak Habitat Management Plan) (Mitigation Measure 4L):** Prior to issuance of any grading or building permits, the applicant shall designate 54 acres of oak mitigation areas as identified in the Oak Habitat Management Plan as non-disturbance and non-buildable areas on the Comprehensive Master Plan, with a note that these areas are to be preserved in perpetuity. No uses requiring grading or building permits shall be allowed within these areas. Commercial harvesting may not occur in the Oak Mitigation Areas (except as forest products are produced in the course of performing prescribed mitigation treatments) and will be guided only by the overall goals listed in the Oak Habitat Management Plan (Beedy 2016). This condition shall run with the land and shall be noted on the face of the final approved Comprehensive Master Plan map and within the Comprehensive Master Plan narrative.

Timing: *Prior to issuance of grading, improvement, and building permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

30. **Halt Work and Contact the Appropriate Agencies if Human Remains or Cultural Materials Are Discovered during Project Construction (Mitigation Measure 5A):** All equipment operators and persons involved in any form of ground disturbance at any phase of project improvements shall be advised of the possibility of encountering subsurface cultural resources. If such resources are encountered or suspected, work shall be halted immediately within 200 feet of the suspected resource and the Nevada County Planning Department shall be contacted. A professional archaeologist shall be retained by the developer and consulted to assess any discoveries and develop appropriate management recommendations for archaeological resource treatment. If bones are encountered and appear to be human, California Law requires that the Nevada County Coroner and the Native American Heritage Commission be contacted and, if Native American resources are involved, Native American organizations and individuals recognized by the County shall be notified and consulted about any plans for treatment. A note to this effect shall be included on the grading and construction plans for each phase of this project.

Timing: *Prior to issuance of the grading and improvement permits*

Reporting: *Agency approval of permits*

Responsible Agency: *Planning Department*

31. **Limit Construction Activities to Reduce Noise Impacts (Mitigation Measure 12B):** Hours of operation for construction activities shall be limited to the hours of 7 a.m. to 7 p.m. Monday through Saturday. These limited hours of operation shall be noted on all grading, improvement, and construction plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

Timing: *Prior to issuance of grading, improvement, and building permits*

Reporting: *Permit issuance*

Responsible Agency: *Nevada County Planning Department*

32. **Appropriately Dispose of Vegetative and Toxic Waste (Mitigation Measure 17A):** Neither stumps nor industrial toxic waste (petroleum and other chemical products) are accepted at the McCourtney Road transfer station and if encountered, shall be properly

disposed of in compliance with existing regulations and facilities. This mitigation measure shall be included as a note on all grading and improvement plans, which shall be reviewed and approved by the Planning Department prior to permit issuance.

Timing: *Prior to issuance of grading and improvement permits*

Reporting: *Agency approval of permits and plans*

Responsible Agency: *Nevada County Planning Department*

B. DEPARTMENT OF PUBLIC WORKS

1. Road Improvements:

- a. New roads and road segments constructed as part of the Use Permit approval shall be improved in conformance with minimum Fire Safe Road standards in effect at the time the road is constructed. Road improvements shall be completed prior to occupancy permits for residential and non-residential construction.
- b. *Residential Road Improvements:* Residential access road improvements shall be completed as follows prior to the issuance of the first building permits for any residential construction within the specified cluster, except as otherwise noted.
 - i. Any Cluster: Prior to issuance of the first residential building permit under the updated Master Plan, the applicant must complete construction of the secondary access road extending Almora Way from existing Cluster B to Sages Road. Construction completion consists of applying for a grading permit and receiving County approval, with engineer's certification, that the road meets the all-weather, compacted surface and load requirements for a Fire Safe Road.
 - ii. Cluster A: Ranikhet Way shall be extended to Ayodhya Way.
 - iii. Clusters I and J: Village Drive shall be improved from the Village Center to Almora Way, and Kashi Court to Varanasi Drive shall be developed.
 - iv. Cluster K: Village Drive shall be improved from Almora Way to Cluster K, and Puri Lane developed.
 - v. Cluster L: No further improvements to Almora Way will be required once Almora Way is extended to Sages Road for emergency access. Brindaban Way shall be extended from the Almora Way extension toward Clusters M and N, together with a hammerhead turnaround, for those dwellings within Cluster L that need Brindaban Way for access.
 - vi. Cluster M: Brindaban Way shall be improved from Ayodhya Way to the Almora Way extension, and Brindaban Circle shall be developed.
 - vii. Cluster N: Rishi Road shall be improved and either 1) Brindaban Way shall be improved from Ayodhya Way to Rishi Road or 2) Brindaban Way shall be improved from Almora Way to Rishi Road. That portion of Sages Road needed for access to Cluster N as identified in Proof of Concept plan POC-5 shall be improved.
 - viii. Cluster O: Gangotri Way shall be improved from Ayodhya Way, and Badrinath Drive from Gangotri Way to the point needed for dwelling unit access.
 - ix. Cluster P: Janaka Circle shall be constructed.

- c. *Non-residential Road Improvements:* Non-residential access road improvements shall be completed as follows to Fire Safe Road standards:
 - i. UPA #1: Living Wisdom School: Access shall be according to the approved Use Permit U08-013 site plan as shown on Exhibit E-1. No further improvements are required.
 - ii. UPA #2: Village Center: Access shall remain as existing. No further improvements are required.
 - iii. UPA #3: Rajarshi Business Park: The addition to Rajarshi Park requires the development of Janaka Circle to Fire Safe Road standards, as a one-way loop, in conformance with the Proof of Concept plans on Exhibit POC-7.
 - iv. UPA #4: Expanding Light Retreat: The new temple shall require improvements to Assisi Hill Drive and associated parking areas, connecting with the existing loop off Expanding Light Drive. The office building (Building #12) and guest accommodations (Building #16) shall require improvements to Assisi Hill Drive connecting with the existing loop off Expanding Light Drive, if not already completed with construction of the temple improvements. The yoga hall (Building #11) does not require road improvements. The shower house, dormitory lodging, and tent cabins (Buildings #8, 9, 10) shall require improvements to Dharma Drive from the Expanding Light Drive to the County standard hammerhead immediately southeast of Lotus Lake. The shower houses, tent cabins, and yoga hall (Buildings #9, 10, and 18) shall require the development of Dharma Drive from Assisi Hill to the County standard hammerhead.
2. Improvement Plans. Improvement plans for each building area, prepared by a licensed engineer, shall be submitted to and approved by the Department of Public Works prior to issuance of building permits within that building area. These plans shall include the design of onsite drainage and stormwater runoff, road, driveway, and utility improvements. If portions of residential clusters or non-residential use areas are constructed, the applicant shall install all access and fire-safe turnaround infrastructure prior to issuance of building permits for that portion to ensure that the unit(s) being constructed can function independently should no further development within that cluster occur, and to ensure that the construction is designed to connect to future development allowed under the approved Comprehensive Master Plan.
3. Utilities. Utilities, including water, sewage disposal, electrical, and telephone shall be extended to each new residential cluster and non-residential uses prior to building occupancy as needed to serve the structures as they are developed. All new electric power and telephone lines shall be shown on the detailed site plans associated with the respective building and grading permits, and shall be installed underground unless utilizing existing aboveground poles.
4. Road Maintenance. All roads shall be maintained to the standards set forth herein for the life of the project.
5. Engineer's Certification. The applicant's engineer shall certify that the required improvements were constructed in conformance with the approved plans.

6. Road Improvement Fee. A Road Improvement Fee in accordance with Nevada County Ordinance No. 1829, creating and establishing the authority for imposing and charging a Road Improvement Fee with the unincorporated territory of Nevada County, will be levied at the issuance of building permits and will be based on the latest fee schedule adopted by the Nevada County Board of Supervisors.

7. Lot Line Adjustments (LLA16-0008 and LLA-0014)

a. The boundary line adjustments LLA16-0008 and LLA-0014 shall not be recorded concurrently but shall be recorded separately prior to issuance of building permits for their respective areas.

b. Each boundary line adjustment is not effective until recorded in the Office of the County Recorder. Upon recordation of each boundary line adjustment, all pre-existing lot lines are deemed erased by the newly recorded adjustment. Documents used to record the boundary line adjustment shall be submitted to the County Surveyor for review and recordation and shall include the transfer deeds that reflect the new property descriptions, executed by all affected owners of record. **Any existing deeds of trust shall be revised to reflect the new property descriptions and shall be approved by the beneficiaries of said deeds of trust.** Boundary line adjustments shall be reflected in recorded documents in one of the two following ways:

i. The boundary description for the recorded documents that are used to legally convey the property for this boundary line adjustment shall be signed and sealed by a land surveyor or civil engineer licensed to practice land surveying in California and be in compliance with Subdivision Map Act, Section 66412(d). The boundary description shall include the following wording, unless the entire resulting parcel is described:

“NOTE: The herein described land area has not been approved as a separate building site, and is created as an approved boundary line adjustment for the express purpose of being combined with, and used in conjunction with, adjoining lands.”

ii. If a Record of Survey is not prepared for the boundary line adjustment, the document used to convey the property shall be accompanied by a sketch map depicting the adjusted boundaries which shall be submitted to the County Surveyor for review and recordation along with the transfer deeds and description. The sketch map shall be signed and sealed by a licensed land surveyor or civil engineer and shall include: 1) a statement that the record of survey is not required in conformance with Section 8762 of the Business and Professions Code; 2) the County File Number, LLA16-0008/LLA16-0014; and 3) the following statement:

Approved by Nevada County: _____
Date

By: _____

Title: _____

Nevada County Department of Public Works

- c. The following information shall appear on the exhibit map or Record of Survey map that is recorded for this adjustment:
 - i. Approval of this boundary line adjustment does not constitute approval nor guarantee sewage disposal or water availability on these parcels.
 - ii. All pre-existing lot lines shall be considered erased or merged by this boundary line adjustment.
- d. A Tax Clearance Certificate from the Nevada County Tax Collector shall be provided to the Nevada County Department of Public Works prior to recording each boundary line adjustment.
- e. Documents used to complete each lot line adjustment shall ensure that:
 - i. The grantor's name(s) are the same as they currently hold title to the parcel; and
 - ii. The grantee's name(s) and vesting are the same as for the parcel with which the boundary line adjustment portion will be combined.

C. NEVADA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

Sewage Disposal:

1. The applicant has conducted soils testing to identify appropriate locations of new sewage disposal areas. These areas where soil test pits were opened for inspection and where percolation testing was conducted and submitted for review of the Environmental Health Department appear as available for appropriately scaled sewage disposal systems. All proposed sewage disposal systems shall be designed, permitted, and constructed according to standards and requirements of the current Nevada County (On-Site) Sewage Disposal Ordinance and its implementing regulations. Centralized systems with more than five connection shall not require the formation of a public entity pursuant to page A1 of the Centralized (On-Site Sewage) Disposal System Design Package Guidebook. The applicant shall obtain final approval of the sewage disposal system permits prior to issuance of building permits for uses requiring sewage disposal. Prior to approval of occupancy, the applicant shall obtain final approval for the sewage disposal system permitted installation.
2. The applicant shall provide a site plan(s) that shows relevant and proximate existing development features such as existing sewage disposal systems, water system components, and any other structures, together with all proposed development, with each Wastewater System Construction Permit application. The intent is that relevant setback requirements pertaining to the water supply system and others can be reviewed prior to permit issuance.
3. An aspect of the nonresidential component is an intended inclusion of an RV dump station for Expanding Light Retreat guests. Prior to permitting of a holding tank to accommodate this wasteflow, the applicant shall submit a plan for review and approval of the Environmental Health Department that references the existing Use Permit. Until such time

as an appropriate sewage disposal facility is permitted for this, no dumping of RV waste shall be permitted onsite.

4. Parcels within the Master Plan area where septic system elements cross parcel lines as configured now, or in the future, are required to submit a notarized, recorded Declaration(s) with surveyed boundary descriptions, obligating at time of sale/transfer the creation of a sewage disposal easement(s), that provide understanding to a future property owner the existence of such elements and entitled constraints on property use.
5. The applicant shall comply with the Land Use and Development Code Ordinance and Regulations governing on-site sewage disposal for special events, which include festivals within the Village Center; Spiritual Renewal Week, concerts, performances at the amphitheater area; and weddings and tulip garden open house at the Crystal Hermitage. Portable toilets use shall only be permitted for the special events and not for permanent residential and non-residential uses. Prior to the first building permit issuance, the applicant shall submit a site plan showing the location and required number of portable toilets for the various proposed events onsite, in compliance with all Environmental Health setbacks.
6. Annual fees for operating permits for the existing and future centralized sewage disposal fields will be billed on a time and materials basis.

Water Supply:

7. Water Supply Thresholds. Because development may occur over an extended time, in order to ensure an adequate water supply as development occurs, the applicant shall submit data and make necessary well and infrastructure improvements when specified Water Supply Thresholds are met, as set forth in Condition C.8. The thresholds are triggered either by completion of a certain number of residential units or by water usage reaching a certain Maximum Day Demand, whichever comes first. Once a threshold has been reached, prior to issuance of building permits for any further development, applicant shall provide adequate water storage and water infrastructure, and adaptive groundwater management considering sustainable well capacity, as set forth in the Condition C.8.
 - a. Threshold 1 is triggered after the earliest of 1) the completion of 36 new residential units (for a total of 123 total dwelling units on the project site) or, 2) if Maximum Day Demand (MDD) in the previous year exceeds 86 gpm. Once Threshold 1 is triggered, further review of the water system is required as outlined in Condition of Approval C.8.
 - b. Threshold 2 is triggered after the earliest of 1) the construction of an additional 36 new units (for a total of 159 total dwelling units on the project site), or, 2) if MDD in the previous year exceeds 112 gpm. Once Threshold 2 is triggered, further review of the water system is required as outlined in Condition of Approval C.8 for the remaining development allowed under the Master Plan.
 - c. Note that there are currently 85 units of the site: two more units may be constructed under previous approvals (87 units total) before new units associated with the Use Permit will begin to be counted toward Threshold 1.
 - d. Notwithstanding the number of units constructed, Developer agrees and warrants that the dwelling units shall be capped at, and shall not exceed 195 dwelling units.

8. **Provide Adequate Water Supply for New Development (Mitigation Measure 9B):** Prior to issuance of building permits for each phase as specified below, the applicant shall provide adequate water storage and sustainable well capacity as required by State Waterworks standards. Storage and capacity requirements may change if system maximum daily demand (MDD)/unit changes.

1. The thresholds defined in Condition A.7 relate to three “phases” of development, which are defined herein for the purpose of water supply and demand monitoring. Phase 1 is defined as all development up until Threshold 1 is reached. Phase 2 is defined as all development up until Threshold 2 is reached. Phase 3 is defined as all development after Threshold 2 up to full build out.
2. Prior to issuance of permits for each phase of development defined in Condition C.7, the applicant shall submit a plan check for the review and approval of the Environmental Health Department. Additional sources and/or storage shall not be connected to the potable water system without prior approval. The applicant shall demonstrate that the water system has sufficient source capacity and infrastructure to meet the storage/source requirements, including any dedicated fire storage requirements, prior to initiating development of the next phase of the referenced project per CCR Title 22, Section 64554.
3. Prior to issuance of the first building permit for Phases 2 and 3, the applicant shall provide monitoring data and documentation to the Environmental Health Department to demonstrate current water use and the resultant need for source capacity and storage required for buildout of that phase. The entire source capacity and storage required for the next phase will be permitted and added to the water system prior to occupancy of any buildings in the next phase. If sufficient water supply does not exist for any units up to the maximum allowed in the respective phase, those units may not be constructed until such time as sufficient supply is permitted by the County.
4. The applicant shall keep all wells active, to potable water standards, and perform all the required water quality testing for each well that is used to demonstrate the source capacity for each phase of the project they are currently in and all prior phases.

Timing: *Prior to issuance of building permits for each phase*

Reporting: *Permit approval*

Responsible Agency: *Nevada County Environmental Health Department*

9. **Implement an Adaptive Groundwater Management Program (Mitigation Measure 9C):** An Adaptive Groundwater Management Program, as detailed in Section 6.4 of the Source Capacity Planning Study (Knibb 2014) shall be implemented during project operations to provide the data needed to prove adequate water supply prior to each Threshold of development and to provide adaptive measures as needed during project operations. Measures include the following:

1. Manage Monitoring:
 - a. Water levels shall be recorded via pressure transducers and dataloggers at least every 45 minutes (more frequently if warranted). Data from the transducers shall be downloaded at least monthly. In peak irrigation periods, from June 1 to October 31, data shall be downloaded more frequently (twice monthly to weekly), depending on the perceived need for closer monitoring.

- b. Pumping volumes shall be measured daily at all operating wells.
 - c. Water samples shall be collected from each well and analyzed for general physical properties and mineral and inorganic constituents, as required by the California Department of Public Health for public domestic water supplies.
 - d. Precipitation shall be monitored from the Grass Valley climatological station, as well as from several local, unofficial sources.
 - e. Ananda shall consult annually with a certified hydrogeologist to verify the integrity of monitoring systems and equipment, and to analyze the data described above. The hydrogeologist shall identify trends and recommend adjustments to operating procedures, as needed, to ensure achievement of these goals.
 - f. Raw data shall be sampled for a variety of parameters, including maximum and minimum depth-to-water in a 24-hour period, number of daily pumping cycles, recovery levels and rates between pumping cycles, and proximity of water levels to water-producing fractures. Water quality sampling results shall be reviewed for consistency with historical sampling at the same wells.
 - g. Data shall be presented graphically, when appropriate, to allow easy interpretation and comparison, including the display of historical data with current readings. A number of key parameters shall also be generated for each download period to allow a quick check on the water system as shown in sample hydrographs in Appendix 3 of the Source Capacity Planning Study.
 - h. All monitoring data shall be stored in digital files that are backed up to at least two locations.
2. Manage Groundwater Pumping:
 - a. Manage pumping to maintain water levels above the fractures identified in the well driller's report for each well. The initial goal for each well will be that the maximum depth-to-water is always at least five feet above a major producing fracture. This goal may be modified as more data becomes available for each well.
 - b. Manage pumping to ensure that recovery patterns and rates remain in the range observed in historical data, which have proven to be sustainable. Daily recovery levels (maximum water level measured in a 24-hour period) shall be compared with previously observed values of this parameter for that date. Wells that lack historic data will be phased in gradually until a "normal" recovery range is established. In addition, each well shall periodically be taken out of service long enough to allow full water level recovery, while recovery levels and rates are monitored. Deviation from previously observed recovery rates and levels could signal the need for modification of the pumping regime. Pumping shall be managed so water level recovery stays within the ranges established for each well.
 - c. Adjust pumping if monitoring shows that water levels have exceeded the depth-to-water threshold for a well, or a change is observed in the behavior or water quality of a well from historic patterns. Management options include redistributing pumping among the wells to reduce demand on the affected well and reducing system demand (for example, coordinating large irrigation uses to avoid unnecessary peaks in demand or instituting the drought contingency plan described below). If monitoring or onsite observations result in a significant change in water quality, water data shall be monitored more frequently until the affected constituents stabilize.
 3. Manage Supply and Demand:

- a. When or if additional source capacity is needed, Ananda shall shift summer irrigation demand from potable systems to other known but undeveloped or underutilized sources; and or develop new sources of supply.
- b. The applicant shall track water consumption within the Village and use the data to manage demand (e.g., managing MDD and implementing drought contingency measures).
- c. During times of drought, conservation measures shall be used as appropriate and when needed to manage groundwater supply.

Timing: Ongoing

Reporting: As needed

Responsible Agency: Nevada County Environmental Health Department

Food Facilities:

10. The applicant shall submit a retail food plan check to Nevada County Environmental Health Department prior to the Village Market kitchen remodel.

Hazardous Materials:

11. The applicant shall maintain a hazardous waste permit with CUPA and comply with all applicable laws and regulations regarding the handling and storage of hazardous waste. The applicant shall obtain the appropriate permits from the Environmental Health Department for hazardous materials generation and storage for the proposed vehicle repair shop and any other facilities using or handling hazardous materials. Prior to building occupancy, if any quantity of hazardous material is to be stored onsite, or any quantity of hazardous waste is to be generated or stored onsite, the applicant shall contact the Nevada County Environmental Health Department. If required, complete plans and specifications pertaining to any hazardous material materials storage, or hazardous waste generation, storage, and/or disposal shall be prepared, subject to the approval of the Environmental Health Department.

12. **Physically Close any Encountered Mine Features (Mitigation Measure 6D).** Mining features such as open or partially-collapsed shafts, tunnels or pits may present physical hazards and may not be suitable for support of structures, roads or other improvements. Therefore, if mining features are encountered near proposed development areas, they shall be physically closed in accordance with recommendations developed as part of a design-level geotechnical investigation, which may include recommendations for shallow mining excavations such as excavation to reveal the underlying, competent native soil and rock, and then backfilling with engineered fill; and for deeper features, plugging with concrete or foam in accordance with an engineered plan and under the oversight of the local building department.

Timing: If encountered during construction

Reporting: Agency approval of permits

Responsible Agency: Environmental Health Department

13. **Characterize the Chemical Properties of any Encountered Mine Waste (Mitigation Measure 6E).** Mine waste (including soil and rock in exploratory spoils piles, mine waste rock, and processed mine tailings) may contain heavy metals and metalloids such as

mercury, lead and arsenic that present a health hazard in the case of dust inhalation, ingestion or dermal contact. Therefore, if mine waste is encountered, soil sampling and analysis shall be conducted to determine whether the mine waste presents a potential health risk. Exposure to mine waste shall be avoided, and mine waste shall not be disturbed without prior permitting and approval of the Nevada County Environmental Health Department (NCDEH). If mine waste is found to present a potential health risk, neutralization, removal, or encapsulation shall be conducted as determined appropriate by NCDEH, to levels that do not represent a potential health or other environmental risk.

Timing: If encountered during construction

Reporting: Agency approval of permits

Responsible Agency: Environmental Health Department

D. NEVADA COUNTY BUILDING DEPARTMENT

1. The applicant shall submit complete construction, utility, grading, drainage and erosion control plan for review at the time of building/grading submittal in conformance with Nevada County Land Use and Development Code Chapter V.
2. Two sets of wet stamped/signed complete geotechnical evaluation reports shall be submitted at the time of building/grading permit submittal.
3. All improvements are required to meet the current California Building Standards Codes that are in effect at time of plan submittal for each project improvement.
4. **Implement the Recommendations of a Geotechnical Evaluation for Project Grading and Structural Work (Mitigation Measure 6A):** Prior to issuance of grading, improvement, and building permits, a design-level geotechnical report shall be prepared by a licensed engineer and submitted to Nevada County and recommendations therein followed for all subsequent grading and structural work. The final report shall provide recommendations that ensure that any highly erodible soils, if present, are accounted for in the grading design and structural specifications for the site. Performance standards shall include the following:
 1. All grading and structural work shall meet the performance standards of applicable CBC regulations;
 2. Construction methods shall be used which minimize risks to structures and do not increase the risk to the site, or to adjacent properties and their structures, from the geologic hazard;
 3. Development shall not increase instability or create a hazard to the site or adjacent properties, or result in a significant increase in sedimentation or erosion;
 4. Site planning shall minimize disruption of existing topography and vegetation;
 5. Excavation and grading shall be minimized to the greatest extent practicable; and
 6. Any limitations to site disturbance, such as clearing restrictions, imposed as a condition of development approval shall be marked in the field and approved by the county prior to undertaking the project.

Timing: Prior to issuance of grading, improvement, and building permits

Reporting: Approval of permits

Responsible Agency: Building Department

5. **Prepare and Implement an Erosion and Sediment Control Plan (Mitigation Measure 6B).** Prior to issuance of grading and improvement permits for all project-related grading, said permits or plans shall incorporate, at a minimum, the following erosion and sediment control measures:

1. During construction, Best Management Practices (BMPs) for temporary erosion control shall be implemented to control any pollutants that could potentially affect the quality of storm water discharges from the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in accordance with California State Water Resources Control Board (SWRCB) requirements. This SWPPP includes the implementation of BMPs for Erosion Control, Sediment Control, Tracking Control, Wind Erosion Control, Waste Management and Materials Pollution Control.
2. If applicable, topsoil shall be removed and stockpiled for later reuse prior to excavation activities. Topsoil shall be identified by the soil-revegetation specialist who will identify both extent and depth of the topsoil to be removed.
3. Upon completion of grading, stockpiled topsoil shall be combined with wood chips, compost and other soil amendments for placement on all graded areas. Revegetation shall consist of native seed mixes only. The primary objectives of the soil amendments and revegetation is to create site conditions that keep sediment on site, produce a stable soil surface, resist erosion and are aesthetically similar to the surrounding native forest ecosystem.
4. Geo-fabrics, jutes or other mats may be used in conjunction with revegetation and soil stabilization.

Timing: *Prior to issuance of grading and improvement permits*

Reporting: *Approval of grading and improvement permits*

Responsible Agency: *Building Department*

6. **Limit the Grading Season (Mitigation Measure 6C):** Grading plans shall include the time of year for construction activities. No grading shall occur after October 15 or before May 1 unless the Chief Building Inspector or his/her authorized agent determines project soil conditions to be adequate to accommodate construction activities. This condition shall be noted on all grading plans.

Timing: *Prior to issuance of grading permits*

Reporting: *Approval of grading permits*

Responsible Agency: *Building Department*

7. **Minimize Impacts to Steep Slopes (Mitigation Measure 6F):** The following mitigation measures shall be implemented for disturbance of all slopes 30 percent and greater, according to the timing noted in each item. The following shall also be shown as notes on all grading and improvement plans:

1. Soil disturbance is strictly prohibited within steep slopes during the wet season, between October 15 and April 15 of each year.
2. Roadway fills shall be compacted to minimum 90 percent relative compaction and surfaced with 4 inches aggregate base (or asphalt if over 16 percent grade). Roadside ditches shall be lined with 8 inches minus riprap in areas over 12 percent slope.

3. Best management practices shall be used for site development. Soil disturbance to graded areas shall be limited. Sediment traps such as straw bale barriers or fiber rolls shall be properly installed downhill of soil disturbance areas. The applicant shall implement periodic cleanup of work areas. All sediment devices shall be maintained until a vegetative ground cover is established.
4. A fiber roll or barrier (or a row of straw bales) shall be installed on an even contour (barrier may be staggered with about 5 feet of horizontal overlap) as close to the limit of activity as practical (the road area plus about 10 feet for circulation and access, plus any additional length to stay on an even contour). The erosion barrier shall be located on the fall line downhill from the construction activity and shall be wider than the construction area by about 5 feet.
5. Both temporary and permanent erosion control measures shall be used. Vegetative ground covers shall be established on all disturbed areas prior to October 15 of each year. A minimum of 10 pounds per acre of creeping wild rye (*Leymus triticoides*), California brome (*Melica californica*), red fescue (*Festuca rubra*), and California melic (*Melica californica*) shall be applied, and cover shall be watered until established. Seed shall be reapplied as necessary to establish a cover for disturbed areas, and the ground cover shall be maintained on a permanent basis.
6. The applicant shall inspect erosion control measures on a regular basis and after the first rains and shall remedy any areas which develop erosion by appropriate measures as listed in this mitigation measure.
7. Interceptor drains with 8 inches minus riprap lining shall be incorporated above all cut and fill slopes where the ditch slope is 12 percent or greater, to direct drainage around such slopes.
8. All slopes created shall be 2:1 or less in steepness.
9. Road cross slope shall direct runoff away from fill slopes.
10. In areas of 30 percent slope disturbance, it may be necessary to reduce the slope height by using a retaining wall. This will be determined on a case-by-case basis with an onsite inspection by the project engineer to make the final determination.
11. Construction shall be completed within 24 months.

Timing: *Prior to issuance of grading and improvement permits*

Reporting: *Approval of grading and improvement permits*

Responsible Agency: *Building Department*

8. **Avoid Increased Stormwater Runoff (Mitigation Measure 9A):** Prior to issuance of permits for each development area, the applicant shall provide a drainage report prepared by a registered civil engineer that demonstrates no net stormwater runoff from the proposed project. The drainage report shall include an analysis of net runoff from the project site and design for 1-year, 10-year, and 100-year storms. All stormwater drainage shall be designed by a registered civil engineer, and the designer shall utilize County standard plans and specifications. No additional net stormwater runoff offsite shall be permitted.

Timing: *Prior to issuance of grading, improvement, and building permits*

Reporting: *Permit approval*

Responsible Agency: *Nevada County Building Department*

E. NEVADA COUNTY CODE COMPLIANCE

1. **Limit Exterior Property Line Noise Levels to County Noise Standards (Mitigation Measure 12A):** Exterior property line noise levels generated by the approved discretionary uses shall not exceed the Rural standards of Section L-II 4.1.7 of the Nevada County Land Use and Development Code at the time of the given noise generation. This condition shall be enforced through a complaint-driven process through the Nevada County Code Compliance Division.
Timing: During project operation
Reporting: As needed
Responsible Agency: Nevada County Code Compliance

F. NEVADA COUNTY FIRE MARSHAL'S OFFICE

1. All roads serving this project shall meet the minimum requirements of a Fire Standard Access Road as set forth in the Department of Public Works conditions of approval. Strategically placed turnouts as shown in project plans shall be constructed to improve access and egress while providing protection for heritage oak trees and topographic features. Exceptions to the Fire Safe Road Standard are permitted as follows:
 - a. Service Drive #1 from Expanding Light to the hammerhead shown just east of the Lotus Lake Dam and also immediately west of Lotus Lake Dam to Dharma Drive.
 - i. In areas of the existing and proposed roadway that are impeded by landmark oaks or oak groves, the roadway may narrow for that specific section as to not adversely affect those specific trees.
 - ii. Any area where it is agreed by the applicant and the Nevada County Fire Marshal's Office that it is infeasible to meet the width requirements, turnouts shall be utilized that meet the Public Resources Code 4290.
 - b. Dharma Drive from Service Drive #1 to Assisi Hill Drive. For areas that do not meet the standard of two 9-foot traffic lanes due to landmark oaks and oak groves, the roadway may narrow for that specific section as to not adversely affect those specific trees.
 - c. The loop off of the southernmost point of Dharma Drive. This loop will be shown to only have one-way traffic due to roadway width.
 - d. Village Drive. The extension of Village Drive may have a 100-foot section with up to an 18 percent grade. All other roadway standards shall apply.
2. No dead-end roadway serving residential development shall be in excess of 1,320 feet in length.
3. A 10-foot wildland fire fuel modification area shall be provided on both sides of all roads. This area shall be maintained in a fire safe condition at all times, including removal of brush, 20-foot spacing between trees, and limbing of all tree branches to not less than 6 feet off the ground. Vertical clearance, over the driving surface, shall be not less than 15 feet.

4. The Fire District has adopted development fees for new construction and fees for services provided by the Fire Prevention Bureau. Fees for services provided by the Fire Prevention Bureau are based on an hourly rate. Fees for service provided by the Fire Prevention Bureau shall be paid at the time services are rendered. The Fire District's approval of this application is not valid until all plan review fees have been paid.
5. All meetings and inspections require a minimum of 48-hours advance request.
6. Maintenance of vegetation clearance around structures shall meet the minimum requirements of Public Resources Code Section 4291. Structures shall have a maintained fuel reduction zone by removing and clearing away all brush, flammable vegetation or combustible growth no less than 100 feet from structures or to the property line, whichever is closer. Such clearing does not apply to individual isolated trees, ornamental shrubbery or similar plants, which are used for ground cover unless such vegetation forms a means of rapidly transmitting fire from ground vegetation to canopy trees.
7. Fire Hydrants. Service Drive #1, a fire hydrant will be placed near Building #9 East of Lotus Lake Dam.
 - a. The hydrant will be located in between Buildings #9 and #10 and will be located within 10 feet of the roadway on the North side.
 - b. The specific location will be agreed upon by the Applicant and the Office. The location will be determined by operational need and suitability of topography.
8. The existing water storage and delivery system is compliant with the National Fire Protection Association (NFPA) 1142 and is comprised of a 30,000-gallon storage tank in an elevated location on the Ananda grounds. This tank pressurizes and feeds four-inch distribution lines to fire hydrants strategically placed throughout the development. The hydrants are capable of delivering 250 gallons of water per minute for a minimum of two hours. A draft style fire hydrant is also in place at an approved turnout near the pond on the southwest portion of the development. This draft fire hydrant can provide a minimum of an additional 30,000 gallons of water to be pumped by Fire Department personnel and equipment. All future identified development will continue to be served by the 30,000-gallon water storage tank. Additional distribution lines will feed fire hydrants located at appropriate locations approved by the Fire Marshal's Office and will be compliant with NFPA 1142 and CCR-Title 14. Plans shall be submitted to the Fire Marshal's Office and approved prior to any work on the system.
9. All construction shall be reviewed by the Fire Marshal's Office at the time of building permit to determine the need for smoke and fire detection and sprinkler system requirements.
10. All items stored within the new warehouse building shall comply with the 2013 California Fire Code, Section 315.
11. Fire Safety During Construction and Demolition: All applicable sections of the 2013 California Fire Code, Chapter 33 will be enforced.

12. All residential driveways shall meet the driveway standards of Land Use and Development Code Section L-XVI 3.2.
13. All gates installed on the Almora Way emergency access road are subject to standards of Nevada County Ordinance 2310, which include the following:
 - a. At no time shall a gate on an emergency access road be locked.
 - b. The following standard signage shall be required on all gates on emergency access roads: “Emergency Access Only. This Gate Shall Remain Unlocked.”
 - c. Pursuant to the enforcement powers established by the Nevada County Land Use and Development Code Section L-XVII 8.3 and 8.4, the County, or an agent of the County, reserves the right to remove locks from gates or to remove other encumbrances, including but not limited to boulders, ditches, and berms, that inhibit the use of an emergency access road for its intended purpose.

G. NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT

1. If any source of air contaminants is included in the project (such as a diesel generator, spray booth, boiler exceeding 3 million BTUs/hour), the applicant shall contact the Northern Sierra Air Quality Management District regarding the potential need for an Authority to Construct/Permit to Operate and shall obtain any required permits as needed.
2. **Reduce Emissions during Construction (Mitigation Measure 3A):** The following measures shall be included as notes on all plans prior to issuance of all grading, improvement, and building permits. In addition to these measures, all statewide air pollution control regulations shall be followed, including diesel regulations (which may be accessed at www.arb.ca.gov/diesel/diesel.htm).
 1. Alternatives to open burning of vegetative material shall be used to dispose of site-cleared vegetation. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel.
 2. Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.
 3. At least 50% of the mobile off-road construction equipment in use at any time on the project shall be equipped with Tier 1 engines (or cleaner).
 4. All architectural coatings shall comply with the California Air Resources Board’s 2007 Suggested Control Measure for Architectural Coatings (available at www.arb.ca.gov/coatings/arch/Approved_2007_SCM.pdf).
 5. Construction equipment idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]) and all construction equipment shall also be maintained and properly tuned in accordance with manufacturer’s specifications.” Clear signage shall be provided for construction workers at all access points.

Timing: Prior to issuance of grading, improvement, and building permits

Reporting: Agency approval grading, improvement, and building permits

Responsible Agency: Northern Sierra Air Quality Management District

3. **Implement a Dust Control Plan (Mitigation Measure 3B):** Prior to issuance of any grading or improvement permits proposing disturbance of topsoil, the applicant shall submit a dust control plan for the review and approval of the Air Pollution Control Officer. For the purpose of this regulation, the disturbance of topsoil includes any clearing, grubbing or grading. The Dust Control Plan requirement shall be fulfilled by clearly phrased and enforceable conditions included on the project grading and improvement plans with their own descriptive heading, such as “Dust Control.” The following set of dust control measures would constitute an approvable Plan:

1. The applicant (or other responsible party, which should be indicated) shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of project development and construction.
2. All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering shall occur at least twice daily in active areas during dry weather, including once before initial morning disturbance.
3. All areas with vehicle traffic shall be watered or have dust palliative applied as necessary for minimizing dust emissions.
4. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads.
5. All land clearing, grading, earth moving, or excavation activities on a project shall be suspended as necessary to prevent windblown dust from leaving the property boundary when winds are expected to exceed 20 mph.
6. All inactive portions of the development site shall be covered, seeded, or watered until a suitable cover is established. Alternatively, the applicant shall be responsible for applying County-approved non-toxic soil stabilizers (according to manufacturers’ specifications) to all inactive construction areas (previously graded areas which remain inactive for 96 hours) in accordance with the local grading ordinance.
7. All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance, and there must be a minimum of six (6) inches of freeboard in the bed of the transport vehicle.
8. Paved streets adjacent to the project shall be swept or washed at the end of each day, or more frequently if necessary to remove excessive accumulations of silt and/or mud which may have resulted from activities at the project site.
9. Prior to final occupancy, the applicant shall re-establish ground cover on the site through seeding and watering in accordance with the local grading ordinance.

Timing: *Prior to issuance of grading or improvement permits*

Reporting: *Approval of grading or improvement permits*

Responsible Agency: *Northern Sierra Air Quality Management District*

4. **Limit Wood Stoves (Mitigation Measure 3C):** The project shall include no more than one wood-fired heat source in any residential unit, which may be a pellet stove or an EPA-certified wood stove, and open fireplaces shall not be permitted within this project. Each residence shall also be equipped with a non-woodburning source of heat. This mitigation shall be implemented prior to the issuance of residential building permits.

Timing: *Prior to issuance of residential building permits*

Reporting: *Agency approval of building permits*

Responsible Agency: *Northern Sierra Air Quality Management District*

5. **Mitigate any Asbestos Discovered during Construction (Mitigation Measure 3D):** If serpentine, ultramafic rock or naturally occurring asbestos are discovered during construction or grading, the applicant shall notify the Northern Sierra Air Quality Management District within 24 hours and comply with specific requirements contained in Section 93105 of Title 17 of the California Code of Regulations.

Timing: During construction

Reporting: As needed

Responsible Agency: Northern Sierra Air Quality Management District

6. **Provide Energy-efficient Utilities (Mitigation Measure 7A):** Residential improvement plans shall include documentation that they comply with the following measures prior to issuance of building permit:

1. The project shall use energy efficient lighting (includes controls) and process systems beyond Title 24 requirements where practicable (e.g. water heating, furnaces, boiler units, etc.)
2. The project shall utilize water heating featuring low-NOx water heating burners if electric water heating is not used.
3. The project shall use energy efficient, automated controls for air conditioning beyond Title 24 requirements where practicable.

Timing: Prior to issuance of the residential building permits

Reporting: Agency approval of building permits

Responsible Agency: Northern Sierra Air Quality Management District

H. NEVADA JOINT UNION HIGH SCHOOL DISTRICT

1. A school impact fee will be levied at the time of issuance of building permits for residential and commercial buildings as authorized under Education Code Section 17620 et seq. The applicable fee amounts shall be consistent with the most recent fees in effect as levied by the Nevada Joint Union High School District, which are currently \$3.36 per square foot of living space for residential units, and \$0.54 per square feet for commercial buildings.

I. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

1. Pursuant to Section 21089 of the California Public Resource Code and Section 711.4 et. seq. of the California Fish & Game Code, a fee in the amount of \$2,216.25 must be paid as a condition of filing the Notice of Determination for this project. This fee must be submitted to the Planning Department within 10 days of the permit approval with the check made payable to the County Clerk, County of Nevada. Without payment of this fee, the 30-day Statute of Limitations on court challenges to this project's approved environmental document will remain open, which could affect the permit validity. This fee is required to be collected on behalf of the State Department of Fish & Wildlife; it is not for County purposes.