

**COUNTY OF LAKE
TENTATIVE PARCEL MAP, PM 18-02
MAJOR USE PERMIT, UP 19-57
INITIAL STUDY, IS 18-68
DEVIATION, DV 18-01
TEGTMEIER ASSOCIATES, INC**

**CONDITIONS OF APPROVAL
EXPIRES IF NOT USED BY: OCTOBER 8, 2022**

Pursuant to the approval of the **Lake County Planning Commission on October 8, 2020** there is hereby granted to **Tegtmeier Associates, Inc.**, approval of a **Tentative Parcel Map to divide one (1) parcel into four (4) with Deviation from requirements of the width-to-depth ratio for the panhandle of parcel 4 on property located at 52 Soda Bay Road, Lakeport, CA 95453**, being Assessor Parcel No. **008-001-25** subject to the following conditions.

A. GENERAL CONDITIONS

1. The use hereby permitted shall substantially conform to the ***Tentative Parcel Map prepared by Steve Bellah / Conser Surveying, Lakeport CA, and received March 3, 2020***, and any conditions of approval-imposed Review Authority to allow ***the division of one (1) parcel into four (4) parcels***. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts.
2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency.
3. The permit holder is responsible for ensuring that all project workers are informed of understand, and agree to abide by the approved plans and project conditions.
4. The permit holder shall comply, and maintain all necessary permits from the Lake County Environmental Health Department and Special Districts regarding the use of onsite well(s) and onsite waste management systems (septic).
5. The configuration of the final parcel map may include minor amendments, provided that all proposed parcels comply with the zoning ordinance and general plan, and the modification does not result in any increased environmental impact. Any modification shall be subject to approval by the Community Development Director and the Department of Public Works.
6. **Prior to recordation of the final map**, all parcel corners and right-of-way angle points shall be monumented, subject to the approval of the County Surveyor.
7. All existing and proposed easements shall be shown on the final parcel map.
8. Sewer, water and PG&E service will be addressed through either public utility easements dedications or shown as private easements on the final map.
9. **Prior to recordation of the final parcel map**, all taxes due shall be paid, and all estimated taxes for the subject property shall be pre-paid to the County Tax Collector.
10. A grant deed conveying Parcel 4 to the Lake County Land Trust will be recorded concurrently with the final map.
11. **The following note shall be placed on a supplemental map sheet that is recorded with the final map:** Prior to any development on Lot 3, the permit holder shall apply for a site evaluation for onsite wastewater treatment system. Additionally, the applicant shall demonstrate potable water. If a well is going to be installed, a C-57 licensed well drive shall be obtained and all necessary fees paid for a water well permit. Typically connection to an existing public sewer system is required if it is within 200 feet.

12. **Prior to recordation of the final map**, the permit holder shall indicate the location of the existing well.
13. All future development shall adhere to the requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.
14. All future development shall comply with all of the requirements of the Lakeport Fire Protection District.
15. All future construction shall be reviewed and approved by a *California-Licensed Professional Civil Engineer or Architect*, and be constructed to those specifications, subject to review and approval of the Community Development Department.
16. The permit holder is responsible for ensuring that all project workers are informed of understand, and agree to abide by the approved plans and project conditions.

B. AIR QUALITY:

1. Work practices shall minimize vehicular and fugitive dust to reduce the impact of fugitive dust emissions to a less than significant level in staging areas, work areas, and adjoining roads by use of water, paving or other acceptable dust palliatives to ensure that dust does not leave the property. Access to project areas shall be limited to authorized vehicles. *(Mitigation Measure AQ-1)*
2. Vehicles and equipment shall be well maintained and in compliance with State emission requirements. The permit holder shall obtain all necessary for any diesel generators or diesel engines installed as operating, support, or emergency backup equipment for the Lake County Air Quality Management District. *(Mitigation Measure AQ-2)*
3. Vegetation that is removed for any development must be properly disposed. The permit holder shall chip vegetation and spread the material for erosion control. *(Mitigation Measure AQ-3)*
4. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. *(Mitigation Measure AQ-4)*
5. Construction and/or work practices that involved masonry, gravel, grading activities, vehicular and fugitive dust shall be management by use of water or other acceptable dust palliatives to maintain two inches of visibly-moist soil in the project area and to ensure that dust does not leave the property.
6. All roads, trails and access routes shall be paved and/or adequately surfaces to prevent dust generation. Surfacing shall occur prior to the construction and/or occupancy to minimize dust generation and track out issues.
7. Vegetative waste shall be composed and chipped for erosion control. Burning vegetative waste is prohibited.

C. BIOLOGICAL RESOURCES:

1. **Prior to recordation of final map**, the California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department within five days of approval of the mitigated negative declaration

2. **The following note shall be placed on a supplemental map sheet that is recorded with the final map:**

- a. Prior to construction, a special-status plant survey shall be conducted in April, May and July to determine presence or absence. If special-status plants are observed, their location and extent shall be mapped and information regarding their population shall be documented in the CNDDDB report. The special-status shall be avoided. If avoidance is impossible, a restoration plan shall be drafted by a qualified biologist to describe activities to mitigate the impacts and a restoration plan shall be submitted to the County staff for approval. (*Mitigation Measure BIO-1*)
- b. To avoid potential impacts to breeding bird species, as recommended by WRA that tree/vegetation removal and initial ground disturbance occur from August 16 to January 31, outside of the general bird nesting season. If tree/vegetation removal during this time is not feasible, a pre-construction nesting bird survey shall be performed by a qualified biologist no more than 14 days prior to the initiation of tree removal or ground disturbances. (*Mitigation Measure BIO-2*)
- c. Any tree removal, to avoid impacts to bat species, shall be performed from September through March, outside of the general bat maternity season. (*Mitigation Measure BIO-3*)
- d. For Pallid bats (*Antrozous pallidus*), Townsend's western big-eared bats (*Corynorhinus townsendii townsendii*), Silver-haired bats (*Lasionycteris noctivagans*), construction activities shall be conducted outside of the bat maternity (April 1-August 31) or hibernation (November 1-March 31) periods. Should construction activities take place during these periods, bat surveys should be conducted. If maternity roosting bats are discovered during surveys, an exclusion-buffer would be required about the roost(s). (*Mitigation Measure BIO-4*)
- e. For Pacific (western) pond turtle (*Actinemys marmorata*) (WPT), avoid construction within 300 feet of Manning Creek. If avoidance is not possible, a qualified biologist shall conduct surveys to determine if WPT is present or likely to nest in the area. If present, avoid WPT. (*Mitigation Measure BIO-5*)
- f. Impacts to riparian vegetation and riparian corridors shall be protected and avoided and shall meet all required setbacks per zoning. (*Mitigation Measure BIO-6*)
- g. For Tricolored blackbird (*Agelaius tricolor*), Purple Martin (*Progne subis*), White-tailed Kite (*Elanus leucurus*) and Grasshopper sparrow (*Ammodramus savannarum*), construction activities shall occur between September 1-January 31. If construction activities must take place outside this window. Pre-construction breeding surveys are recommended within 14 days of vegetation removal during breeding bird season (Feb 1-August 31). If breeding pair(s) are discovered, an avoidance-buffer would be required around the nest(s). (*Mitigation Measure BIO-7*)

D. CULTURAL & TRIBAL RESOURCES:

1. **The following note shall be placed on a supplemental map sheet that is recorded with the final map:**

- a. Should any archaeological, paleontological, or cultural materials be discovered during development on the parcel, all activity shall be halted in the vicinity of the find(s), the local overseeing Tribe shall be notified, and a qualified archaeologist shall be retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. (*Mitigation Measure CUL-1*)
- b. If human remains of any type are encountered it is recommended that the project sponsor contact a qualified archaeologist to assess the situation and legal procedures shall be followed in case of accidental discovery of human remains during excavation or construction. (*Mitigation Measure CUL-2*)

E. GEOLOGY/SOILS & HYDROLOGY/WATER QUALITY:

1. **The following note shall be placed on a supplemental map sheet that is recorded with the final map:**
 - a. Prior to any ground disturbance, the permit holder shall submit Erosion Control and Sediment Plans to the Water Resource Department and the Community Development Department for review and approval. Said Erosion Control and Sediment Plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing and the planting of native vegetation on all disturbed areas. No silt, sediment or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after development. *(Mitigation Measure GEO-1)*
 - b. Erosion control materials shall be available on site at all times in the form of straw, wattles, sand bags, or other erosion control materials adequate to cover areas of disturbed soils or incipient erosion events. This method will also be used in an event of a forecast storm to prevent any potential runoff to any natural drainages. *(Mitigation Measure GEO -2)*
 - c. Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director. *(Mitigation Measure GEO -3)*
2. **The following note shall be placed on a supplemental map sheet that is recorded with the final map.** If development/grading activities are greater than one (1) acre of new development, the project shall require coverage under a Construction General Permit for Storm Water Management, including a Storm water Pollution Prevention Plan (SWPPP). Said plans shall be submitted to the Community Development Department and the Lake County Department of Water Resources for review and approval, **prior to the issuance of any permits**. The applicant shall contact the Central Valley Regional Water Quality Control Board at (916) 464-4812 for further information.
3. **The following note shall be placed on a supplemental map sheet that is recorded with the final map.** A grading permit shall be obtained from the Lake County Community Development Department for the importation of fill for road construction if necessary.

F. HAZARDS & HAZARDOUS MATERIALS

1. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.
2. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state and federal regulations.
3. All hazardous waste shall not be disposed of on-site without review or permits from Environmental Health Department, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material.
4. The storage of potentially hazardous materials shall be located at least 100 feet from any existing water well. These materials shall not be allowed to leak onto the ground or contaminate surface waters. Collected hazardous or toxic materials shall be recycled or

disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.

5. If the operation includes storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.
6. Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from the creek; vehicles and equipment shall receive proper and timely maintenance.
7. The project design shall incorporate appropriate BMPs consistent with County and State storm water drainage regulations to prevent or reduce discharge of all construction or post-construction pollutants and hazardous materials offsite or into the creek. The site shall be monitored during the rainy season (October 15-April 15) and erosion controls maintained.
8. Brush shall be cut and removed and grasses shall be mowed in the staging areas.
9. Vehicles and equipment shall be maintained and operated in a manner to prevent hot surfaces, sparks or any other heat sources from igniting grasses, brush or other highly combustible material.
10. Hazardous waste (including industrial waste) must be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on-site without review or permits from EHD, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.
11. Industrial Wastewater or any other classification of waste shall not be disposed on-site without review or permits from the Environmental Health Division, the Regional Water Quality Control Board and/or the Air Quality Board.
12. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.

G. ROAD IMPROVEMENTS

1. **Prior to recordation of final map**, all public utility easements shall be shown on the final map, and offered for dedication if necessary. Utility companies should be contacted for width(s) of easement(s). In addition, a minimum of 30' from the centerline of Soda Bay Road shall be dedicated as a public roadway and public utility easement if necessary.
2. **Prior to any development**, the permit holder shall obtain the necessary permits from the Lake County Department of Public Works and/or Caltrans for any work within the right-of-way.

H. UTILITIES and SERVICE SYSTEMS:

1. The parcel map is subject to a refuse enclosure design review or a refuse/litter control plan if any commercial improvements is proposed. For further information, please contact the Lake County Public Services at (707) 262-1618.
2. Devices which generate electromagnetic interference shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon

which the device is located. Public utilities shall comply with all applicable state and federal regulations.

I. MITIGATION MONITORING AND EXPIRATION

1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
2. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
3. This approved map shall expire on **October 8, 2022** unless an extension has been granted consistent with the subdivision ordinance and the Subdivision Map Act.
4. After the approval by the Planning Commission of the tentative map of any subdivision, the subdivider shall furnish the following information to the Department of Public Works. No final map shall be submitted to the Board of Supervisors for consideration until the improvement plans have been approved by the Director of Public Works.
5. Prior to the filing of the Final Map the subdivider shall file with the Clerk of the County of Lake, certification from the official computing redemptions, showing that according to the records of his office there are no liens against the subdivision or any part thereof for unpaid State, County, Municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable.
6. **Prior to recordation of the final map**, the permit holder shall submit a summary response in writing establishing compliance with the approved conditions of approval, including dates of compliance and referencing documents and/or other evidence of compliance to the Community Development Department and County Surveyor for review and approval, including scheduling an inspection with the Community Development Department to ensure that all conditions of approval have been met.

Scott DeLeon
Interim Community Development Director

Prepared by: HAM

By: _____
Kate Lewis, Office Assistant III

Acceptance

I have read and understand the foregoing Conditionals of Approval and agree to each and every term and condition thereof.

Date: _____

Signature of applicant or authorized agent

Printed name of applicant or authorized agent