

**COUNTY OF LAKE
MAJOR USE PERMIT UP 14-09
HIDDEN VALLEY LAKE HOA / HARTMANN COMPLEX**

Expires if not used by: April 8, 2023

Pursuant to the approval of the Lake County Planning Commission on **April 8, 2021**, there is hereby granted to **Hidden Valley Lake Homeowner's Association**, a **Major Use Permit to allow the construction of a 12,483 sq. ft., restaurant and pro shop, a 3,200+ sq. ft. covered patio, the demolition of an existing 7,200 sq. ft. restaurant and pro shop, and to all the and relocation of tees for hole #1 on the golf course** on property located at **19210 Hartmann Road, Hidden Valley Lake, CA**, further described as Assessor Parcel Number **141-371-01**, subject to the following terms and conditions.

Conditions:

A. GENERAL:

1. The use hereby permitted shall substantially conform to the following:
 - **Drainage Study / Hydrology Analysis, November 9, 2020**
 - **Revised Site Plans / Erosion Control Plans, received November 17, 2020**
 - **Building Elevations, received November 17, 2020**
 - **Landscape Plan, received November 17, 2020**
 - **Cultural Resource Assessment, Helix Environmental, June 2020**
 - **Asbestos Report, Adam Laboratories, January 29, 2020**

Except as modified herein, and any conditions of approval imposed by the Planning Commission. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts.

2. All necessary permits shall be obtained from applicable State and County agencies having jurisdiction over this project prior to commencement of any construction activities including but not limited to, all building, plumbing, mechanical and electrical modifications.
3. This Major Use Permit approval shall not become effective, operative, vested or final until the California Department of Fish and Wildlife filing fee required or authorized by Section 711.4 of the Fish and Wildlife Code is submitted by the property owner to the Community Development Department. Said fee shall be paid within 5 days of final approval. Failure to pay said fee within 30 days of the date of final decision may result in this use permit being revoked by the County.

B. LAND USE AND AESTHETICS:

1. All exterior elements, lighting, and trash storage areas shall be installed in accordance to the conditions of approval and approved plans and maintained for the life of the project unless modified herein by the Planning Commission. The Community Development Director or authorized representative may approve in writing, minor modifications that do not result in increased environmental impacts.
2. All landscaping and irrigation plans shall be submitted, installed and maintained for the life of the project as shown on the submitted plans. All Landscaping shall be consistent with the regulations and standards of Section 41.9 of the Lake County Zoning Ordinance and the Model Water Efficient Landscaping Ordinance (Government Code Section 65591 et. Seq).
3. All lighting shall be directed downwards onto the project site and not onto adjacent roads or properties. Lighting equipment shall be consistent with that which is recommended on the website: www.darksky.org and provisions of Section 21.41.8 of the Zoning Ordinance.

C. AIR QUALITY RESOURCES:

1. The following control measures shall be implemented during construction:
 - a) During construction, emissions of fugitive dust from any active operation, open storage pile, or disturbed surface area, shall be controlled so that dust does not remain visible in the atmosphere beyond the boundary line of the emission source.
 - b) When wind speeds result in dust emissions crossing property lines, and despite the application of dust control measures, grading and earthmoving operations shall be suspended and inactive disturbed surface areas shall be stabilized.
 - c) Fugitive dust generated by active operations, open storage piles, or from a disturbed surface area shall not result in such opacity as to obscure an observer's view to a degree equal to or greater than does smoke as dark or darker in shade as that designated as No. 2 on the Ringlemann Chart (or 40 percent opacity).
 - d) All exposed soils shall be watered as needed to prevent dust density as described above and in order to prevent dust from visibly exiting the property.
 - e) Any visible tracked out dirt on a paved road where vehicles enter and exit the work area must be removed at the end of the workday or at least one time per day. Removal shall be accomplished by using wet sweeping or a HEPA filter equipped vacuum device. Dirt from vehicles exiting the site shall be removed through the use of a gravel pad, a tire shaker, a wheel wash system, or a pavement extending for not less than 50 feet from the intersection with the paved public road.
 - f) All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
 - g) All vehicle speeds on unpaved roads shall be limited to 25 mph.
 - h) During construction the contractor shall, where feasible, utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators.
 - i) 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]). Clear signage shall be provided for construction workers at all access points. Signs shall be posted in the designated queuing areas of the construction site to remind off-road equipment operators that idling time is limited to a maximum of 5 minutes.

D. BIOLOGICAL RESOURCES:

1. Should work commence during the nesting season (February 15 to September 15), a preconstruction nesting bird survey shall be conducted by a qualified biologist no more than five days prior to the start of ground disturbing activities. Areas within 500 feet of construction shall be surveyed as possible for active nests. Should an active nest be identified, a "disturbance-free" buffer shall be established by the qualified biologist based on the needs of the species identified. The buffer shall remain in place until the biologist determines that the nest is no longer active. Should construction cease for a period of five days or more, an additional pre-construction nesting bird survey shall be conducted.
2. Prior to removal of trees with a diameter at breast height (dbh) exceeding six inches, a qualified biologist shall conduct a survey of trees to determine whether trees with potential bat roosts are scheduled for removal. If trees scheduled for removal do not have roost habitat, then no further mitigation is necessary. If trees scheduled for removal are observed with roost habitat, the trees shall be removed over a two-day process as outlined below:
 - a) Removal shall occur while bats are not actively utilizing the potential roost tree. Removal shall occur as possible outside of maternity season. The maternity roosting season for bats is approximately February 1 through

September 1 (but varies due to rainfall and temperature). The best time for removal of structures that may support maternity roosting is between February 1 and April 15.

- b) On day 1, branches and small limbs not containing potential bat roost habitat (cavities, crevices, exfoliating bark, etc.) shall be removed using chainsaws only.
 - c) On day 2, the remainder of the tree shall be removed.
3. A pre-construction survey for FYLF shall be conducted by a qualified biologist within five days of initiating ground disturbing activities. Surveys shall cover between left and right bankfull at least 500 feet upstream and 500 feet downstream of the work area as accessible. Surveys shall extend up to 30 feet above bankfull within 100 feet of work areas when suitable, accessible habitat is present.

Work within 100 feet of Coyote Creek shall occur during the dry months (July 1 through October 31) as possible. Timing shall also occur outside of the FYLF breeding season (March 1 to June 30) to the extent possible. If work must occur between October 31 and June 30, a monitor shall be present, or FYLF shall be excluded from active work areas by an exclusionary fence that is at least 24 inches tall and has a no-climb barrier installed along the top. Prior to commencement of work, a qualified biologist will inspect the fence and work area to ensure proper installation and clearance of FYLF. These measures shall be implemented in the following manner:

- If a work area is within 100 feet of Coyote Creek, a monitor will be present during work and will ensure that no FYLF are impacted. Observed FYLF will be avoided by construction activities by at least 50 feet unless the monitor is positioned between the FYLF and the construction activity.
- Work areas can alternatively be separated from Coyote Creek by exclusionary fencing as described above and no monitoring would be required. If exclusionary fencing is utilized, fencing must extend the length of the active work area plus 100 feet downstream and upstream, unless impeded by Hartmann Road.
- If a FYLF is found in a work area and cannot be avoided, the qualified biologist will coordinate with CDFW to develop an acceptable relocation strategy.

E. CULTURAL / TRIBAL / GEOLOGICAL (HISTORIC) RESOURCES:

1. Prior to the initiation of ground-disturbing activities all construction personnel shall be trained in the protection of cultural resources, the recognition of buried cultural remains, and the notification procedures to be followed upon the discovery of archaeological materials, including Native American burials. The training shall be presented by an archaeologist who meets the Secretary of Interior's Standards for Prehistoric and Historic Archaeology and by a Native American representative and should include recognition of both prehistoric and historic resources. Personnel shall be instructed that unauthorized collection or disturbance of artifacts or other cultural materials is illegal, and that violators will be subject to prosecution under the appropriate state and federal laws. Supervisors shall also be briefed on the consequences of intentional or inadvertent damage to cultural resources.
3. Impacts to surface and subsurface cultural resources not previously identified shall mitigated through the implementation of a monitoring program during demolition and construction grubbing, grading, and excavation. Native American consultation shall also be undertaken as part of this mitigation measure. The monitoring program shall include the following:
 - Retention of a Qualified Archaeologist. A qualified archaeologist shall be retained to implement a monitoring and recovery program during all ground-disturbing activity associated with the Project, including grubbing, grading, and excavation. The qualified archaeologist shall meet the Secretary of Interior's Professional Standards for prehistoric and historic archaeology.

- Preconstruction Briefing. Construction personnel shall be briefed by the qualified archaeologist on procedures to be followed in the event that unique archaeological resources, historical resources, or human remains are encountered during construction. The qualified archaeologist shall be required to provide a telephone number where they can be reached by the construction contractor, as necessary.
- Construction Monitoring. An archaeological monitor working under the supervision of the qualified archaeologist shall observe all initial ground-disturbing activities associated with the project, including grubbing, grading, and excavations. The monitor shall be authorized to halt construction, if necessary, in the immediate area where buried cultural remains are encountered.
- Monitoring Report. A complete set of the daily monitoring logs shall be kept on site throughout the earth-moving activities and be available for inspection. The daily monitoring log shall be keyed to a location map to indicate the area monitored, date, assigned personnel, and results of monitoring, including the recovery of archaeological material, sketches of recovered materials, and associated geographic site data. Within 90 days of the completion of the archaeological monitoring, a monitoring report shall be submitted to Lake County and filed with the NWIC.

F. GEOLOGIC RESOURCES:

1. In the event of any inadvertent discovery of paleontological resources, all work within a 50-foot radius of the find shall be halted and the County shall be notified. Workers shall avoid altering the materials until a professional paleontologist can evaluate the significance of the find and make recommendations to the County on the measures that shall be implemented to protect the discovered resources.

E. HAZARDS AND HAZARDOUS MATERIALS:

1. An accidental spill prevention and response plan shall be developed which will include a list of all hazardous materials used and/or stored on the Project Site during construction activities; appropriate information about initial spill response, containment, and cleanup strategies; and a list of appropriate County contact information. The spill prevention and response plan shall be included as a component of the SWPPP described in Mitigation Measure HYD-1. The plan shall require containment equipment and sufficient supplies to combat spills of oil or hazardous substances shall be on site at all times during construction.
2. Materials containing asbestos shall be properly removed in accordance with State OSHA and Federal regulations (CCR & CFR) by a licensed Asbestos Abatement Contractor certified by the State of California Division of Occupational Safety and Health, prior to any renovation and/or demolition that may disturb asbestos containing material. Containment and disposal of asbestos-containing material shall be in accordance with the Local EPA Air Quality Management District.
3. During construction, staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a fire break. Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.

F. HYDROLOGY AND WATER QUALITY:

1. The Project Applicant shall obtain coverage under the NPDES Construction General Permit prior to initiation of construction activities. The State Water Resources Control Board (SWRCB) requires that construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water

Act (CWA). To comply with the NPDES permit, a Notice of Intent shall be filed with the SWRCB.

A SWPPP shall be approved prior to construction. The SWPPP shall include a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills) including a description of the type and location of erosion and sediment control BMPs to be implemented at the Project Site; and a BMP monitoring and maintenance schedule to determine the amount of pollutants leaving the Project Site. A copy of the SWPPP shall be kept on the Project Site. Water quality BMPs identified in the SWPPP may include, but are not limited to, the following:

- Areas where ground disturbance occurs shall be identified in advance of construction and limited to approved areas.
- Vehicular construction traffic shall be confined to the designated access routes and staging areas.
- Equipment maintenance and cleaning shall be confined to staging areas. No vehicle maintenance shall occur on-site during construction.
- Supervisory construction personnel shall be informed of environmental concerns, permit conditions, and final project specifications. Said personnel shall be responsible for instructing on-site work to meet the requirements of the SWPPP including making sure work is conducted outside of protected trees' drip lines to the extent possible.
- Disturbed areas shall be restored to pre-construction contours to the extent possible.
- Hay/straw bales and silt fences shall be used to control erosion during stormwater runoff events.
- The highest quality soil shall be salvaged, stored, and used for native re-vegetation/seeding.
- Drainage gaps shall be implemented in topsoil and spoil piles to accommodate/reduce surface water runoff.
- Sediment control measures shall be in place prior to the onset of the rainy season and will be maintained until disturbed areas have been re-vegetated. Erosion control structures shall be in place and operational at the end of each day if work activities occur during the rainy season.
- Fiber rolls shall be placed along the perimeter of disturbed areas to ensure sediment and other potential contaminants of concern are not transported off-site or to open trenches. Locations of fiber rolls will be field adjusted as needed and according to the advice of the certified SWPPP inspector.
- Vehicles and equipment stored in the construction staging area shall be inspected regularly for signs of leakage. Leak-prone equipment will be staged over an impervious surface or other suitable means will be provided to ensure containment of any leaks. Vehicle/equipment wash waters or solvents will not be discharged to surface waters or drainage areas.
- During the rainy season (dates to be specified in the SWPPP), soil stockpiles and material stockpiles will be covered and protected from the wind and precipitation. Plastic sheeting will be used to cover the stockpiles and straw wattles will be placed at the base for perimeter control.

Contractors shall immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. Leaks and spills shall be reported to the designated representative of the lead contractor and shall be evaluated to determine if the spill or leak meets mandatory SWPPP reporting requirements. Contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.

G. NOISE

- 1. All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.
- 2. Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.

H. TIMING & MITIGATION MONITORING:

- 1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic 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. Prior to issuance of development permits, the applicant shall pay an annual compliance monitoring fee until all conditions are met.
- 3. This permit shall be null and void if not used within a two year period from the date of final approval, or if the use is abandoned for a period of two (2) years.
- 4. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Scott DeLeon, Director
COMMUNITY DEVELOPMENT DEPARTMENT

Prepared by: EJP

By: _____
Kerrian Marriott, Office Assistant III

ACCEPTANCE

I have read and understand the foregoing Major Use Permit and agree to each and every term and condition thereof.

Date:_____

Applicant or Authorized Agent

Printed Name of Authorized agent