

EXHIBIT B - CONDITIONS OF APPROVAL
DRC2015-00016 / Friends of Fiscalini Ranch and Cambria Community Services District

Authorized Use

1. This Minor Use Permit / Coastal Development Permit authorizes implementation of the Fiscalini Ranch Preserve Monterey Pine Forest Fuel Reduction and Forest Restoration Project. Tree removal shall comply with the avoidance, minimization, and monitoring measures identified in the Fuel Reduction and Forest Restoration Project Description, dated December 10, 2015, and the following:
 - a. Live trees shall only be removed for the purpose of thinning stands of small overcrowded trees. No live tree over 8" diameter at breast height (DBH) shall be removed.
 - b. Trees larger than 8" DBH shall only be removed when they are dead or dying as determined by a registered professional forester.
 - c. Large trees that could damage adjacent healthy trees shall be brought down in sections.
 - d. All work shall be done by ground crews using chainsaws.
 - e. No heavy equipment, other than chippers, shall be used.
 - f. Access for the project shall be on existing service roads only. No new road grading shall occur.
 - g. All pile burns shall be conducted only on permissive burn days, permitted through the San Luis Obispo Air Pollution Control District and Supervised by Cal Fire.
 - h. All work shall be completed with five years of the final effective date of this permit.

2. This Minor Use Permit / Coastal Development Permit finalizes emergency permit ZON2014-00693 authorizing the removal of up to 300 hazardous trees on CCSD properties.

Conditions to be met during site disturbing activities

Wetlands

3. Site disturbing activities shall avoid the small season wetland identified in the December 10, 2015 Project Description. This wetland shall be fenced off with sturdy, highly visible fencing.

Cultural Resources

4. Site disturbing activities shall avoid areas containing sensitive cultural resources identified in the December 10, 2015 Project Description and Fiscalini Ranch Management Plan Final EIR. Project staff and volunteers shall be instructed to use prescribed access routes which avoid these resources for transit between project treatment areas.

Invasive Species Control

5. Tools and equipment shall be inspected for contamination by invasive plant seeds and shall be cleaned before they are brought into the project area. All plant materials shall be inspected upon delivery and any weeds removed. Invasive plants removed with seed heads shall be disposed of in a dumpster to be taken to a landfill. Project staff and

volunteers shall be instructed to inspect their clothing for weed seeds before accessing non-infested areas.

Pollutant Control

6. Cleaning, fueling and maintenance of equipment and vehicles shall be performed offsite or at designated staging areas located near street entrances at Windsor, Trenton, Tipton or Warren. All herbicide mixing and filling shall be performed offsite or within designated staging areas as well. The staging areas shall conform to standard Best Management Practices applicable to attaining zero discharge of stormwater runoff. No maintenance, cleaning, or fueling of equipment shall occur within the seasonal wetland or Trenton gully, or within fifty feet of such areas. At a minimum, all project equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be on-site at all times during construction.

Monarch Butterfly Overwintering Sites

7. Fuel reduction activities shall not occur in the Monarch butterfly overwintering sites identified in the butterfly survey (Leong, Kingston; February 20, 2015). Trees surrounding the grove help buffer storm winds and should only be removed if deemed hazardous.
8. Winter sites at Fiscalini Ranch shall be managed for overwintering monarch butterflies, by monitoring environmental conditions in the groves and using the information gained to guide selective planting and pruning to improve habitat.

Conditions of approval originating from the Fiscalini Ranch Preserve Management Plan Final EIR

The following mitigation measures from the Fiscalini Ranch Preserve Management Plan Final EIR are applicable to the proposed project and are included as conditions of approval. In some instances, the language of the mitigation measures was modified to apply to the proposed project. For example, references to construction work were replaced with reference to the proposed restoration activities.

9. **BIO/mm-10:** Prior to site disturbing activities, the applicant or its designee shall retain a qualified botanist/biologist to conduct focused surveys during the appropriate flowering periods within the specific areas proposed for disturbance. Surveys will focus on those plants and habitats noted as present or as having a high potential for occurrence. Based on the survey results, areas containing sensitive plants shall be avoided to the maximum extent feasible.
10. **BIO/mm-11:** If disturbance of special-status plants or native habitats located on site cannot be completely avoided through design modification, impacts shall be quantified by number of individuals and by area disturbed, and a Rare Plant Mitigation Plan shall be prepared by a qualified biologist that specifically addresses impacts to and appropriate mitigation and conservation measures for those impacts. The Plan shall identify areas on the project site suitable for sensitive species habitat restoration and revegetation, and shall include planting methods, maintenance and monitoring requirements, and success criteria. Depending on the species at issue, measures may include preservation of areas containing significant populations, potential transplanting of individual plants, and plant propagation and revegetation within appropriate on-site habitats. Removal or pruning of Monterey pine trees required for hazard reduction or fire

safety purposes shall not require mitigation under this measure, but pruning shall follow accepted procedures to avoid harm to the tree.

11. **BIO/mm-12:** A qualified biological monitor shall be retained consistent with BIO/mm-2 to ensure that remaining plants and habitats are not inadvertently disturbed during site disturbing activities. Prior to any project-related ground disturbance, all field crews shall be trained by the biological monitor on the identification and biology of sensitive plant species and habitats known in the vicinity of the project area. Work areas should also be clearly delineated and flagged to limit vehicular and foot access to only those areas necessary for project completion. These areas should be designated by the biological monitor to avoid/discourage unnecessary damage to sensitive species and habitats within and near the project area.

12. **BIO/mm-14:** Prior to initiation of site disturbing activities, the applicant shall retain a qualified biologist to conduct a pre-activity survey for active nests, dens, or burrows. The survey shall be conducted within 30 days prior to proposed site disturbance and construction activities. Results of the survey shall immediately be submitted to the CDFW as necessary. The survey report shall include the date of the survey, methods of inspection, and findings. Disturbance of any active nest, den, or burrow shall be prohibited.
 - a. If active burrows of Monterey dusky-footed woodrats are found within proposed activity areas during the survey, the biologist shall establish an appropriate buffer area to protect the nest(s). No site disturbance shall occur within the buffer area until a Memorandum of Understanding (MOU) is obtained from CDFW. An alternative to buffer area is to disassemble nests by hand outside of the nesting season (February through September) and allow the woodrats to leave the site.
 - b. If the pre-construction survey finds potential American badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. If a fiber optic scope is not available, occupation of the den can be determined by partially obscuring the den entrance with sticks and leaves to indicate animal passage into and out of the den and dusting the den entrance with a fine layer of dust or tracking material for three consecutive nights and examining the following mornings for footprints. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. If badger dens are found on the property during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices.

13. **BIO/mm-18:** In order to minimize the possibility of injuring special-status species and other wildlife, herbaceous and small woody vegetation within the project impact area shall be removed by hand with portable motorized equipment (i.e., chainsaws, etc.), prior to the use of heavy equipment or machinery. A qualified biologist shall be on-site to provide clearance for special-status species immediately prior to vegetation removal activities. The biological monitor shall have general knowledge of the natural resources of the area and shall also be experienced in the identification of special-status wildlife

species (e.g., California red-legged frog, western pond turtle). In the event of a red-legged frog take, the United States Fish and Wildlife Service shall be notified as soon as is reasonably possible. In the event of a steelhead take, National Marine Fisheries Service shall be contacted and the steelhead shall be removed from the project site and kept in a freezer until further direction from National Marine Fisheries Service.

14. **BIO/mm-25:** Prior to site disturbance, if site disturbance is scheduled to occur during the typical bird nesting season (February 15 to September 1), a qualified biologist shall be retained to conduct a preconstruction survey (approximately one week prior to construction) to determine presence/absence for tree-nesting birds within riparian corridors and woodland areas, and ground-nesting birds within annual grasslands onsite. If no nesting activities are detected within the proposed work area, noise-producing tree removals may proceed. If nesting activity is confirmed during preconstruction nesting surveys or at any time during the monitoring of construction activities, work activities shall be delayed within 500 feet of active nests until the young birds have fledged and left the nest. In addition, the results of the surveys will be passed immediately to the CDFW, possibly with recommendations for buffer zone changes, as needed, around individual nests. Tree removal shall be monitored for nesting birds and documented by the biological monitor regardless of time of year.

On-going conditions of approval (valid for the life of the project)

15. All work shall be completed with five years of the final effective date of this permit.
16. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.