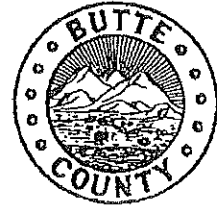


Butte County Department of Development Services
TIM SNELLINGS, DIRECTOR | PETE CALARCO, ASSISTANT DIRECTOR

7 County Center Drive
Oroville, CA 95965
(530) 538-7601 Telephone
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www.buttecounty.net/dds



ADMINISTRATION * BUILDING * PLANNING

April 26, 2013

South Oroville Land Development Co
Attn: Scott Perkins
2227 Myers Street, Suite A
Oroville, CA 95965

Re: Tentative Parcel Map -- TPM08-0007 (Valencia Estates); APN: 027-230-002 and 027-230-110

Dear Mr. Perkins:

At the regular meeting of the Butte County Planning Commission held April 25, 2013, your request for a Tentative Parcel Map to divide two parcels totaling approximately 732 acres into 28 parcels ranging in size from 20 acres to 52 acres was approved with conditions. With regard to the two exception requests, the Planning Commission granted both exceptions requests. Should you desire to appeal any of the conditions imposed by the Planning Commission, you must do so in writing, prior to 5:00 p.m., Monday, May 6, 2013 to the:

Clerk of the Board of Supervisors
25 County Center Drive
Oroville, California, 95965

The appeal fee of \$450.00 must be paid at that time. If you do not appeal, and if there are no other appeals within the 10 calendar-day appeal period, the action of the Planning Commission is final.

Should you desire to appeal any of the conditions imposed as part of the approval by the Planning Commission, you have up to one (1) year from the approval date (Butte County Code 20-66 (d)), and it must be in writing to the same appeal address shown above. This appeal fee is also \$450.00.

APPROVAL OF PROJECT SUBJECT TO PAYMENT OF ALL APPLICABLE FEES

Payment of all applicable outstanding processing fees (see attached invoice) is required as a condition of approval for your project. Prompt payment of invoiced amounts will expedite the approval process in satisfying this condition.

The **conditions of approval must be met within twenty-four (24) months** from the date of approval by the Butte County Planning Commission or the approval will be considered null and void. If you are unable to complete all conditions of approval prior to the twenty-four months, you can apply for a map extension, prior to map expiration, for up to an additional 60 months (Butte County Code 20-67).

Should you have any questions regarding this matter, please contact me at (530) 538-7376, or by email at mmichelena@buttecounty.net between 8:00 a.m. and 4:00 p.m., Monday through Friday.

Sincerely,



Mark Michelena, Senior Planner

Enc.

cc. County Department of Public Works – Land Development Division
Butte County Environmental Health Department
Cal Fire/Butte County Fire

EXHIBIT A

Tentative Parcel Map for South Oroville Land Development LLC, on APN 027-230-002 & 110; File # TPM08-0007:

An application for a Tentative Parcel Map to divide two parcels (732 acres) into 28 parcels ranging in size from 20 to 52 acres. The site is zoned A-5 (Agricultural, 5-acre minimum parcel size) and has a General Plan land use designation of Agricultural Residential (AR).

I. CONDITIONS OF APPROVAL:

Planning Division

1. Mitigation Measure #1:

The following measures shall apply to all development activities (excluding normal agricultural operations) on the project site. Additionally, a note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: "Dust generated by the development activities shall be kept to a minimum and retained on-site. Follow the air quality control measures listed below:

Control Dust

- a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
- c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- d. On-site construction vehicles shall be limited to a speed of 15 mph on unpaved roads.
- e. Haul vehicles transporting soil into or out of the property shall be covered.
- f. Existing roads and streets adjacent to the project shall be cleaned at least once per day if dirt or mud from the project site has been tracked onto these roadways, unless conditions warrant a greater frequency.
- g. Other measures may be required as determined appropriate by the BCAQMD or Department of Public Works in order to control dust.

Post Contact Information

- h. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the Butte County Air Quality Management District shall be visible to ensure compliance with BCAQMD Rule 200 & 205 (Nuisance and Fugitive Dust Emissions).

Other Construction Practices

- i. Maintain all construction equipment in proper tune according to manufacturer's specification.
- j. Where feasible, give preference to utilizing the following equipment:

- e Electric equipment
- e Substitute gasoline-powered for diesel-powered equipment
- e Alternatively fueled construction equipment on site such as compressed natural gas (CNG), liquid natural gas (LNG), propane, or biodiesel.
- e Equipment that has Caterpillar pre-chamber diesel engines, as practical.
- e Diesel construction equipment meeting the CARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.

k. Construction workers shall park in designated parking area(s) to help reduce dust emissions."

Plan Requirements: The note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. This note shall also be placed on all building and site development plans.

Timing: Requirements of the condition shall be adhered to throughout all grading and construction periods.

Monitoring: The Butte County Department of Development Services and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. Building inspectors shall spot check and shall ensure compliance on-site. Butte County Air Pollution Control District inspectors shall respond to nuisance complaints.

2. **Mitigation Measure #2 (50' No Disturbance Area around Vernal Pools/Seasonal Wetlands):**

Show on a separate document which is to be recorded concurrently with the map or on an additional map sheet a "Vernal Pool/Seasonal Wetland Buffer/Protection Area" measured not less than 50-feet from the outer edge of the wetlands to be maintained on site. Construction activities on and around the wetland buffer area shall be restricted based on USACE requirements. Restrictions may include establishment of avoidance buffer zones, installation of silt fences, or on-site containment of all on-site generated sediments.

Plan Requirements: State and federal permits for any proposed modifications to vernal pools/seasonal wetlands shall be completed prior to recordation of the parcel map. No vegetation removal, grading, road construction, or other earthwork shall be permitted until the 50-foot no disturbance buffer area, consistent with state and federal requirements, if any, around the vernal pool/seasonal wetlands has been established around wetlands consistent with state and federal requirements, to the satisfaction of the Development Services Director.

Timing: Requirements of the condition shall be satisfied prior to any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans on the parcels.

Monitoring: The Butte County Department of Development Services and Department of Public Works shall ensure that the vernal pool/seasonal wetland buffer area and related note are placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. At the time of septic, well, or building permit application, the Development Services Department will reference this requirement on any grading, building, septic, or well permit site plans. Butte County building inspectors shall ensure compliance on-site.

3. Mitigation Measure #3 (Waters of the U.S.):

To the extent practicable, the discharge of dredged or fill material into "waters of the U.S." shall be avoided (this also includes waters not subject to USACE jurisdiction, but subject to the Regional Water Quality Control Board (RWQCB) jurisdiction. This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, a no net loss of wetlands policy shall be employed and the appropriate permits (i.e.; Section 404 permit) shall be obtained prior to recordation of the final map. In addition, the project applicant shall obtain a Section 401 certification from the RWQCB, as necessary. The project shall comply with all permit conditions and employ best management practices and measures (established by the USACE and other regulatory agencies) to minimize and compensate for potential impacts to any jurisdictional waters or habitat areas. Furthermore, the following measures shall be implemented:

- 1) Prior to any discharge of dredged or fill material into "waters of the U.S." authorization under a Nationwide Permit shall be obtained from the USACE. For any features determined to not be subject to USACE jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.
- 2) Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks, notification of streambed alteration shall be submitted to the CDFG and, if required, a streambed alteration agreement shall be obtained.
- 3) Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion. Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales and/or covered).
- 4) Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the USACE or RWQCB).
- 5) Loss of "other waters" shall be compensated through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mitigation. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the USACE and the applicant during the permitting process.
- 6) As required, any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. USACE, RWQCB and CDFG) shall be implemented and completed. As required, all measures contained in the permits or associated with agency approvals shall be implemented.

Plan Requirements: Vegetation removal, grading, road construction, or other earthwork shall be in compliance with state and federal regulations. If avoidance of wetland fill cannot be achieved, then the project shall comply with all permit conditions and employ best management practices and

measures (established by the USACE and other regulatory agencies) to minimize and compensate for potential impacts to any jurisdictional waters or habitat areas.

Timing: Requirements of the condition shall be satisfied prior to any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans on the parcels.

Monitoring: The Butte County Department of Development Services and Department of Public Works shall ensure that appropriate permits, if required, from state and federal agencies have been obtained prior to recordation of the parcel map. At the time of septic, well, or building permit application, the Development Services Department will reference this requirement on any grading, building, septic, or well permit site plans and verify the requirements of the state and federal regulations, if required, have been completed and submitted to the Director of Development Services. Butte County building inspectors shall ensure compliance on-site.

4. **Mitigation Measure #4 (50' No Disturbance Setback from Streams):**

Show/Depict on a separate document, which is to be recorded concurrently with the map or on an additional map sheet, a "50-foot No Development Area" along seasonal streams.

Plan Requirements: The recorded parcel map must show the 50' no disturbance setback around the vernal pool/seasonal wetlands sites and seasonal streams.

Timing: The requirements of this mitigation measure shall be adhered to at all times. The note shall be recorded prior to final map.

Monitoring: The Planning Division and the Public Works Department shall ensure that recorded parcel map identifies seasonal streams with 50' setbacks. The Department of Development Services shall ensure that the note is placed on all affected building and site plans.

5. **Mitigation Measure #5 (Protection of Vernal Pools during Construction):**

Prior to land disturbance, a development barrier around seasonal swales and vernal pools shall be established. A "no disturbance" buffer zone (50 feet) shall be established around the vernal pools/seasonal wetlands and clearly identified. During construction activities, the vernal pools/seasonal wetlands and seasonal swales shall be protected with the installation of storm wattles, silt fencing or other sediment catching materials, along with orange construction fencing designating the outer limit of the 50-foot buffer zone to prevent disturbance of these areas.

Plan Requirements: No development is permitted within 50' of vernal pool sites/seasonal wetlands as depicted on the final map.

Timing: The requirements of this mitigation measure shall be adhered to at all times during development/land disturbance.

Monitoring: To avoid sediment or other materials from building up along the protection measures, the sediment or other materials will be removed way from the protected area routinely and/or prior to a storm event.

6. **Mitigation Measure #6 (Pre-construction Surveys for Raptors):**

If construction activities occur between March 1 and July 31, preconstruction surveys shall be conducted. A pre-construction shall be conducted no more than 14 days prior to the construction activities during the early part of the breeding season (March – April) and no more than 30 days prior to the initiation of the construction activities during late breeding season (May – July). During this survey, the qualified wildlife biologist shall inspect all trees in and immediately adjacent to the impact area for raptor and migratory bird nests. If the survey does not identify any nesting raptor

species on or near the construction site, further mitigation is not required. If any raptor species are found nesting on or near the construction site (within 500 feet of construction activities), the following shall be implemented:

Prior to the disturbance, grading or construction, the project applicant, in consultation with California Department of Fish & Game (CDFG) and Butte County Planning, shall avoid all birds of prey or migratory bird nest sites located in the construction area during breeding season while the nest is occupied with adult and/or eggs or young. The occupied nest shall be monitored by a qualified wildlife biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a no disturbance buffer zone around the nest site. The size of the buffer zone shall be determined in consultation with the CDFG. Highly visible temporary construction fencing shall delineate the buffer zone.

Plan Requirements: The applicant/developer shall provide the Department of Development Services a copy of the pre-construction survey prior to construction.

Timing: The requirements of this mitigation measure shall be adhered to at all times. This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Planning Division shall require submittal and review of the pre-construction survey prior to construction/land disturbance.

7. **Mitigation Measure #7 (Map Note requiring Pre-construction Surveys for Raptors):**

Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: "If construction activities occur between March 1 to July 31, preconstruction surveys shall be conducted. A pre-construction shall be conducted no more than 14 days prior to the construction activities during the early part of the breeding season (March – April) and no more than 30 days prior to the initiation of the construction activities during late breeding season (May – July). During this survey, the qualified wildlife biologist shall inspect all trees in and immediately adjacent to the impact area for raptor and migratory bird nests."

Plan Requirements: This note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet and shall be shown on all site development and building plans.

Timing: The requirements of this mitigation measure shall be adhered to at all times. This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Planning Division and the Public Works Department shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. The Department of Development Services shall ensure that the note is placed on all building and site plans. Building inspectors shall spot check and shall ensure compliance on-site.

8. **Mitigation Measure #8 (Oak Mitigation Plan):**

Prior to road construction or recordation of the parcel map, an Oak Mitigation Implementation Plan shall be prepared by a certified arborist, registered professional forester, botanist or landscape architect to the satisfaction of the Director of Development Services or his/her designee for the removal of approximately 100 oak trees 5 inches dbh or larger. The applicant shall minimize the removal of oak trees deemed suitable for retention. The removal of any oak trees 5 inches or more in diameter at breast height shall be mitigated by one or more of the following: replanting and maintaining oak trees, establishing conservation easements, contributing funds for off-site oak woodlands conservation, and/or other mitigation measures developed by Butte County. **Replanting**

oak trees cannot account for more than one-half of the mitigation. The Plan shall be prepared in accordance with the following:

- 1) A replanting schedule and diagram for trees removed or encroached upon by permit activities consistent with PRC §21083.4(b)(2), applicable mitigation measures, and Butte County Ordinance, if any, shall be submitted to and approved by the Director of Development Services or his/her designee.
 - a. A minimum of 3 native blue oak trees of 5 gallons or larger size shall be planted for each blue oak tree removed that is greater than or equal to 5-inches diameter at breast height (DBH) and a minimum of 3 native live oak trees of 5 gallons or larger size shall be planted for each live oak tree removed that is greater than or equal to 5-inches diameter at breast height (DBH).
 - b. Replanted trees shall be planted in areas deemed appropriate by the Plan, considering future lot development, interference with foundations, fencing, roadways, driveways, and utilities.
 - c. Trees planted shall be protected from livestock and other animals.
- 2) Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted. A bond shall be posted for replanting of the trees and/or other terms established for their maintenance.
- 3) Oak Tree protection measures for trees to be retained within the project site shall be included in construction specifications.
 - a. Oak tree to be preserved shall be surrounded by a tree zone identified by the drip line of the tree.
 - b. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil unless authorized by Oak Tree Mitigation Plan.
 - c. An orange plastic fence or other suitable type of fence shall be used to identify the tree zone during construction activities.
- 4) If adequate oak tree mitigation consistent with PRC §21083.4(b)(2) cannot be established onsite, mitigation shall be completed by one or more of the following: establishing conservation easements, contributing funds for off-site oak woodlands conservation (i.e. Oak Woodlands Conservation Fund administered by the California Wildlife Conservation Board), and/or other mitigation measures developed by Butte County.

Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the Director of Development Services or his/her designee.

Plan Requirements: No map shall be recorded and no vegetation removal, grading, road construction, or other earthwork shall be permitted until the tree plan is submitted and approved.

Timing: Requirements of the condition shall be satisfied prior to recordation of the map or any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans on the parcels.

Monitoring: Staff in the Department of Development Services will require Mitigation Implementation Plan prior to recordation. At the time of septic, well, or building permit application,

the Development Services Department will reference this requirement on any grading, building, septic, or well permit site plans and verify that the terms of the Mitigation Implementation Plan have been met. Butte County building inspectors shall ensure compliance on-site.

9. Mitigation Measure #9 (Map Note requiring Blue Oak Retention and Protection):

Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: "Prior to any development activity or the issuance of any permit or approval that involves removing or encroaching upon oak trees on the project site (this generally includes the canopy drip-line of trees within the area of ground disturbance and trees subject to changes in hydrologic regime) an Oak Tree Mitigation Plan prepared by a certified arborist, registered professional forester, botanist or landscape architect shall be submitted for review and approval by the Director of Development Services or designee that includes:

- 1) A replanting schedule and diagram for trees removed or encroached upon by permit activities consistent with PRC §21083.4(b)(2), applicable mitigation measures, and Butte County Ordinance, if any, shall be submitted to and approved by the Director of Development Services or his/her designee. Replanting oak trees cannot account for more than one-half of the mitigation.
 - a. A minimum of 3 native blue oak trees of 5 gallons or larger size shall be planted for each blue oak tree removed that is greater than or equal to 5-inches diameter at breast height (DBH) and a minimum of 3 native live oak trees of 5 gallons or larger size shall be planted for each live oak tree removed that is greater than or equal to 5-inches diameter at breast height (DBH).
 - b. Replanted trees shall be planted in areas deemed appropriate by the Plan, considering future lot development, interference with foundations, fencing, roadways, driveways, and utilities.
 - c. Trees planted shall be protected from livestock and other animals;
- 2) Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted. A bond shall be posted for replanting of the trees and/or other terms established for their maintenance.
- 3) Oak Tree protection measures for trees to be retained within the project site shall be included in construction specifications.
 - a. Oak tree to be preserved shall be surrounded by a tree zone identified by the drip line of the tree.
 - b. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil unless authorized by Oak Tree Mitigation Plan.
 - c. An orange plastic fence or other suitable type of fence shall be used to identify the tree zone during construction activities.
- 4) If adequate oak tree mitigation consistent with PRC §21083.4(b)(2) cannot be established onsite, mitigation shall be completed by one or more of the following: establishing conservation easements, contributing funds for off-site oak woodlands conservation (i.e. Oak Woodlands Conservation Fund administered by the California Wildlife Conservation Board), and/or other mitigation measures developed by Butte County.

Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the Director of Development Services or his/her designee.

Plan Requirements: This note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet and shall be shown on all site development and building plans. No vegetation removal, grading, road construction, or other earthwork shall be permitted until the tree plan is submitted and approved.

Timing: Requirements of the condition shall be satisfied prior to any development activity or the issuance of any grading, building, septic, or well permit, or the approval of any improvement plans on the parcels.

Monitoring: At the time of septic, well, or building permit application, the Development Services Department will reference this requirement on any grading, building, septic, or well permit site plans and verify that an Oak Tree Mitigation Plan has been submitted to and approved by the Director of Development Services or his/her designee. The applicant is to maintain a Mitigation Monitoring Fee deposit account to offset the departments' inspection costs. Butte County building inspectors shall ensure compliance on-site.

10. Mitigation Measure #10 (Building Envelopes):

Place a note on a separate document which is to be recorded concurrently with the parcel map or on an additional map sheet which states: "Prior to site clearance and development, with regards to individual lot development, building envelopes, not more than three acres in size, shall be indentified to maintain and protect identified vernal pools/seasonal wetlands and to limit impacts on oak trees on the project site.

Plan Requirements: This note shall be placed on a separate document which is to be recorded concurrently with the parcel map or on an additional map sheet and all building and site development plans.

Timing: Requirements of the condition shall be satisfied prior to, or in conjunction with, recordation of the map.

Monitoring: The Department of Development Services shall ensure that the building envelopes are included as part of development permits. The Planning Division shall ensure compliance through the building permit process and routine inspection and review.

11. Mitigation Measure #11 (Mitigation Monitoring Costs):

The Department of Development Services (DDS) is responsible for monitoring the landowner's compliance with all conditions of approval, conservation measures, and mitigation measures. As the cost of ongoing monitoring of Measures and Conditions of Approval is not included in the County's Tentative Parcel Map application fees, at the discretion of the Director of DDS (Director), the cost of DDS staff and consultant time directly related to the monitoring of compliance with conditions of approval will be billed to and borne by the landowner at the current established DDS Planning Division hourly rate. The current fee amount established in Butte County Code and implementing resolutions for Measure and Condition of Approval Monitoring (currently a \$978.00 deposit against which time is billed) shall be paid within 30 days of the date of project approval. Regarding the monitoring of relevant measures and conditions of approval after approval and/or recordation of the map, the landowner shall maintain this fee with DDS in an amount (not to exceed the established maximum) at a level determined by the Director to ensure adequate ongoing measure and condition of approval monitoring. Mechanisms which may be used by the County to address failure by the landowner to maintain the adequate fee amount may include but are not limited to "stop work"

orders, denial of building permits and/or certificates of occupancy, revocation of project approval and imposition of performance bonds at the discretion of the Director of DDS.

Plan Requirements: Construction monitoring reports shall meet protocol requirements of US Fish and Wildlife Service and/or California Department of Fish and Game.

Timing: This measure shall be implemented during grading, excavation, and compaction of soils, during construction within or near ditches, and as determined necessary by the site monitor.

Monitoring: On site inspectors and mitigation monitors for the project will periodically monitor as needed to ensure that the requirements of the Measures are adhered to throughout grading, excavation, and construction periods.

12. Mitigation Measure #12:

Place a note on a separate document which is to be recorded concurrently with the Final Map or on an additional map sheet that states: "Should grading activities reveal the presence of prehistoric or historic cultural resources (e.g. artifact concentrations, including arrowheads and other stone tools or chipping debris, cans glass, etc.; structural remains; human skeletal remains) work within 50 feet of the find shall immediately cease until a qualified professional archaeologist can be consulted to evaluate the find and implement appropriate mitigation procedures. Should human skeletal remains be encountered, State law requires immediate notification of the County Coroner. Should the County Coroner determine that the remains are in an archaeological context, the Native American Heritage Commission in Sacramento shall be notified immediately, pursuant to State Law, to arrange for Native American participation in determining the disposition of such remains." The provisions of this note shall be followed during construction of all subdivision improvements, including land clearing, road construction, utility installation, and building site development.

Plan Requirements: This note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet and shall be shown on all site development and building plans.

Timing: This measure shall be implemented during all site preparation and construction activities.

Monitoring: The Department of Development Services and/or Public Works Department shall ensure the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. Should cultural resources be discovered, the landowner shall notify the Planning Division and a professional archaeologist. The Planning Division shall coordinate with the developer and appropriate authorities to avoid damage to cultural resources and determine appropriate action. State law requires the reporting of any human remains.

13. Mitigation Measure #14:

Place the following note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: "To reduce construction-generated noise the developer shall implement the following measures to mitigate construction noise throughout all construction periods:

1. Limit construction activity to daytime hours (7:00 a.m. to 6:00 p.m.) with no construction activity on Sundays or holidays;
2. Use best available noise suppression devices and properly maintain and muffle diesel engine-driven construction equipment;
3. Construction equipment shall not be idled for long periods of time;

4. Locate stationary equipment as far as possible from sensitive receptors;
5. Designate a Disturbance Coordinator and post the name and phone number of this person conspicuously at the entrance(s) to the project site so it is clearly visible to nearby residents most likely to be affected by construction noise. This person would manage complaints resulting from construction noise. The Disturbance Coordinator shall contact noise sensitive receptors and advise them of the schedule of construction."

Plan Requirements: This note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet and shall be shown on all site development and building plans.

Timing: The mitigation shall be applicable during all construction activities.

Monitoring: The developer and the Disturbance Coordinator shall be responsible for ensuring compliance with this mitigation and shall respond to all complaints of noise. Department of Development Services shall investigate all complaints of excess construction-related noise.

Public Works

14. Prior to or concurrently with the recordation of the parcel map, provide a fully executed road maintenance agreement for all non-publicly maintained access roads on the county approved form. A note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet of the parcel map stating: "In accordance with Civil Code Section 845, maintenance of the road as shown hereon shall be shared by those properties with a legal interest in it."
15. All access rights shall be reserved by deed per county ordinance, offered for dedication, and depicted on the parcel map. Place the following note on the parcel map: "approved road name is a non-exclusive easement for ingress, egress, road and public services purposes, to be reserved in deeds and is hereby offered for dedication to the County of Butte."
16. Prior to recordation of the parcel map, provide street name signs per requirements of the Department of Public Works. Street names shall be reviewed by the county address coordinator and one name for each new street shall be recommended to the Board of Supervisors for approval prior to recordation of the parcel map. A minimum of five alternate names for each new street shall be submitted.
17. Prior to final road inspection, install all necessary traffic safety signs including stop signs. For all non-publicly maintained access roads, a note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet of the parcel map stating: "No public entity shall be responsible for the maintenance of the traffic safety signs including stop signs. In accordance with Civil Code Section 845, maintenance of the traffic safety signs shall be shared by those properties with a legal interest in them."
18. Prior to recordation of the parcel map, obtain an encroachment permit and improve all new and existing driveway approaches to publicly maintained roads as specified in the county improvement standards and the terms of the encroachment permit.
19. Provide cul-de-sacs designed and constructed as specified in the county improvement standards. The parcel map shall show the cul-de-sacs.
20. Prior to recordation of the final map, construct or provide a performance bond and labor and material bond for the construction of a full street section on Cox Lane to an RS-3B county improvement

standard with no curb, gutter, and sidewalk, 3" AC, 12" AB, prime coat, fog seal and 95 % relative compaction from the intersection of Wayne Charles Way to the easterly boundary of parcels to be divided. Submit design to the Land Development Division for approval prior to construction. "R" value determination and other data may be required to support the section design. Form a zone of benefit or other approved maintenance entity within the county's permanent road division for operation and maintenance of street and storm drain facilities.

Alternative Condition #20 per Applicant's exception request

20. Prior to recordation of the final map, construct or provide a performance bond and labor and material bond for the construction of a full street section on Cox Lane to a county improvement standard similar to RS-8 LD-II, 27 feet wide with 4" of CL II aggregate base and double sealcoat from the intersection of Wayne Charles Way to the easterly boundary of parcels to be divided. Submit design to the Land Development Division for approval prior to construction. "R" value determination and other data may be required to support the section design. Form a zone of benefit or other approved maintenance entity within the county's permanent road division for operation and maintenance of street and storm drain facilities.
21. Prior to recordation of the parcel map, provide approved access to each parcel from a county maintained road or from a state highway. Construct new parcel frontage roads to RS-8 LD-II county improvement standard, 20 feet wide with 4" of CL II aggregate base and single sealcoat. Construct or provide a performance bond and labor and material bond for the construction prior to recordation of the parcel map.

Alternative Condition #21 per Applicant's exception request

21. Prior to recordation of the parcel map, provide approved access to each parcel from a county maintained road or from a state highway. Construct new parcel frontage roads to RS-8 LD-II county improvement standard, 20 feet wide with 4" of CL II aggregate base, single sealcoat not required. Construct or provide a performance bond and labor and material bond for the construction prior to recordation of the parcel map.
22. Prior to grading, a construction storm water permit will be required by the State Water Resources Control Board if the project results in a disturbance (including clearing, excavation, filling, and grading) of one or more acres. The permit must be obtained from the State Water Resources Control Board prior to construction. If a construction storm water permit is required, place a note on an additional map sheet that states: "The development of this parcel map required a construction storm water permit. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. Development of individual lots may require an additional permit(s)."
23. Show all easements of record on the parcel map.
24. Prior to or concurrently with the recordation of the parcel map, pay in full any and all delinquent, current and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code commencing with Section 66492.
25. Pay the recording fees in effect at the time the deeds and related documents are recorded.

Environmental Health Division

- X 26. Place a note on a separate document attached to the waiver of parcel map deed, to be recorded concurrently with the deed stating: "Lots within this division have not been evaluated to determine if

they are suitable for onsite wastewater systems. No development requiring sewage disposal shall be permitted on any parcel until it has been verified to meet the requirements, in effect at the time permits are requested, of Chapter 19, Butte County Code, and related Wastewater Manual."

27. Place a note on the parcel map or additional map sheet to be recorded stating: "Individuals interested in purchasing and/or developing parcels included in this map are advised that reports and other documents that may include conditions of map approval, and a list of current County Requirements for building sites are on file and available for review in the Butte County Department of Development Services and Butte County Public Health Department Environmental Health Division files. These documents may include specific information regarding wastewater system and domestic water supply requirements and availability."
28. Prior to development of each lot within this division, a site evaluation shall be completed to verify soil depth and characteristics, to provide for design and installation of required wastewater treatment and dispersal systems. Wastewater system design shall include provision of supplemental treatment and dispersal systems as necessary to comply with vertical separation requirements included in Section 19-10 of the Butte County Code.

Butte County Fire/Cal-Fire

29. Mitigation Measure #13:

Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: "Construction, installation or development of structures and/or roads, driveways, gates and bridges on the parcels/lots shall comply with the latest California Fire Safe Regulations, Public Resources Code 4290/4291 and current Butte County Improvement Standards, whichever is stricter, or as approved by the Advisory Agency."

Plan Requirements: The note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map. All requirements shall be shown on building plans.

Timing: Requirements of the mitigation shall be adhered to when applying for building permits.

Monitoring: The Butte County Fire Department and the Department of Development Services shall ensure that submitted building plans are consistent with appropriate codes.

30. Mitigation Measure #15:

Place a note on a separate document which is to be recorded concurrently with the map or on an additional map sheet that states: "Fire suppression sprinkler systems shall be installed in all new residential structures in accordance with the National Fire Protection Association (NFPA) Standard 13D, unless a pressurized community water system with hydrants that meet Fire Department specifications serves the parcels." A note stating: "Automatic Fire Sprinklers conforming to NFPA Standard 13D or 13R is required" is to be added to all affected building plans or, as amended by code, or to the satisfaction of the Fire Chief."

Plan Requirements: The note shall be placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet and on all building and site development plans.

Timing: Interior fire sprinkler systems shall be installed in all new residential structures at the time of building construction.

Monitoring: The Department of Public Works and the Department of Development Services shall ensure that the note is placed on a separate document which is to be recorded concurrently with the map or on an additional map sheet. Building Division plan checkers shall ensure that the building plans for residential structures include interior fire sprinkler systems. Building inspectors shall ensure all residential structures have a functioning interior fire sprinkler system prior to the final inspection, by conducting an on-site inspection.

31. Applicant shall provide a minimum of three improved nine (9) foot wide lanes for a total improved roadway of not less than 27 feet along Cox Lane, to the beginning of the cul-de-sac (Wayne Charles Road intersection). Roads shall be all-weather surface capable of sustaining a 40,000 lb. load. This provides the same practical effect of meeting the length of cul-de-sac requirements for a moderate rated fire hazard severity zone.
32. Applicant shall provide emergency physical access to the north, as shown on the tentative parcel map. Emergency access may be gated. Construct emergency access in conformance with county improvement standard RS-8 LD-I
33. Prior to building construction, provide an all weather access of at least 10 feet wide and vertical clearance of 15 feet that will allow for ingress and egress and accommodate a 40,000-pound fire apparatus to within 150 feet of all structures.

Processing Fees

34. Prior to recordation of the deeds, pay any outstanding project-related processing fees.




II. NOTATION

- A. Minor changes may be approved administratively by the Directors of Development Services, Environmental Health, or Public Works upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department or Division that the modification is consistent with the application, fees paid and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application for amendment.

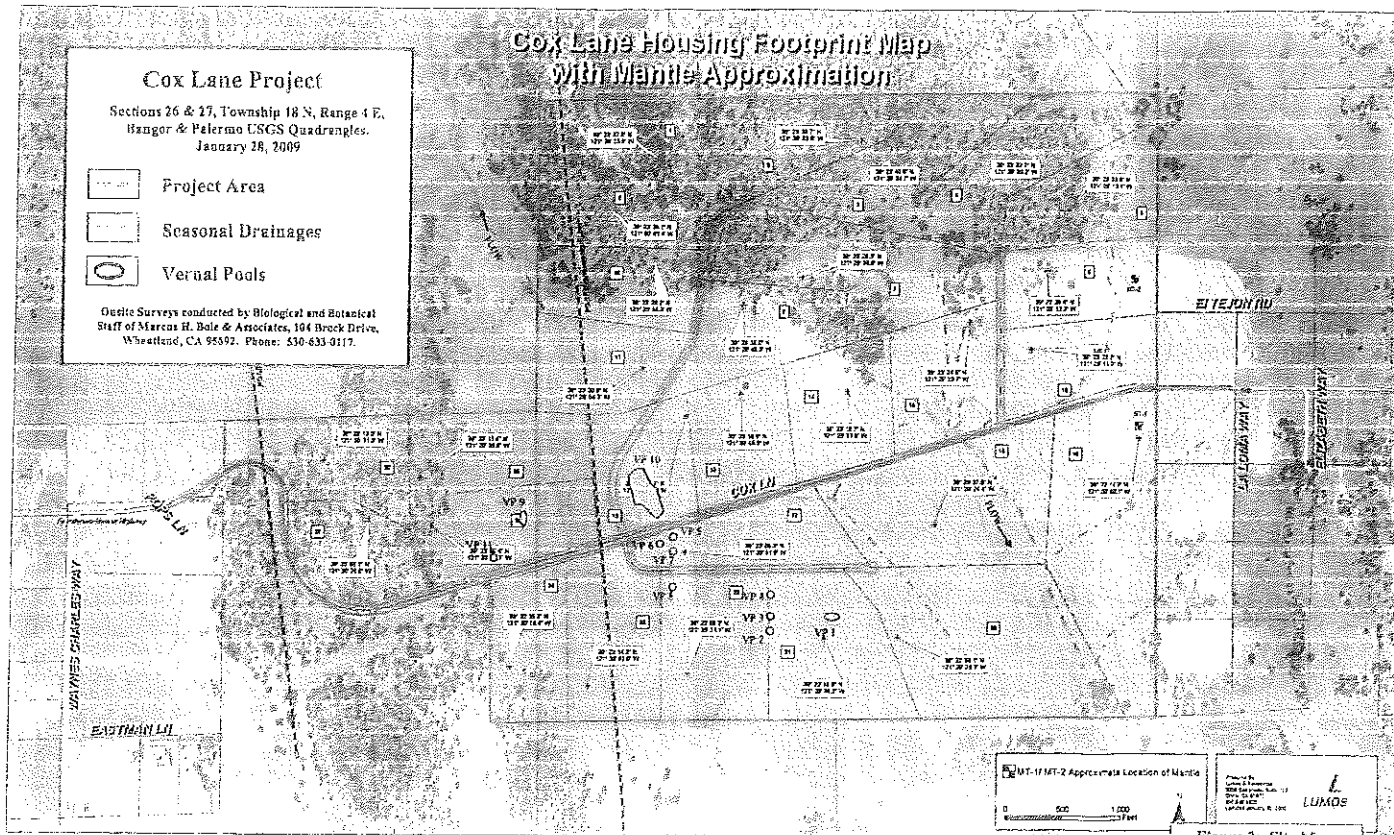
Cox Lane Housing Footprint Map With Mantle Approximation

Cox Lane Project

Sections 26 & 27, Township 18 N, Range 4 E,
Hanger & Pelermo USGS Quadrangles,
January 28, 2009

-  Project Area
-  Seasonal Drainages
-  Vernal Pools

Onsite Surveys conducted by Biological and Botanical
Staff of Marcus H. Bale & Associates, 104 Brock Drive,
Wheatland, CA 95692. Phone: 530-633-0117.

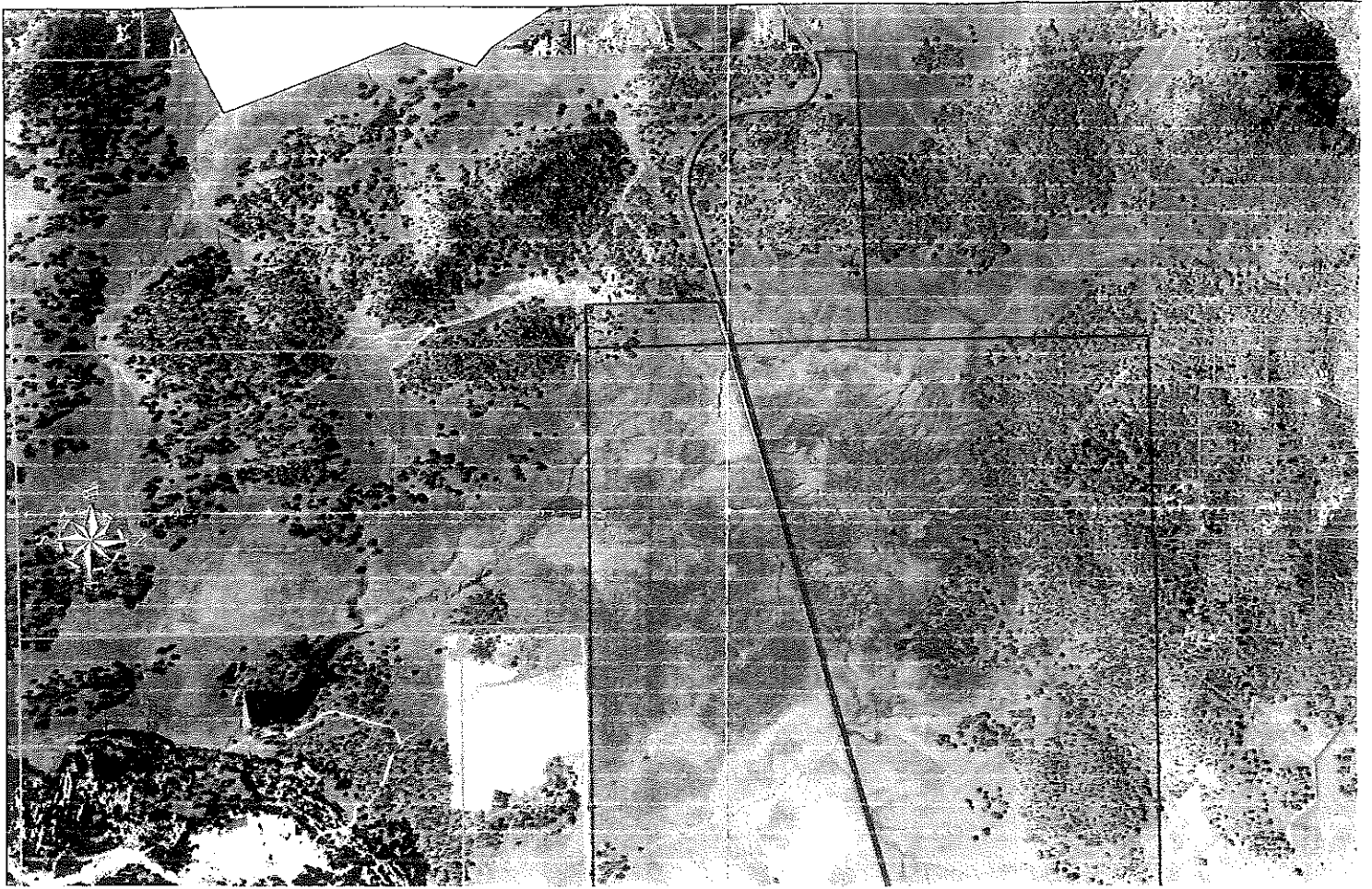


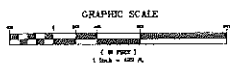
UT-11 MT-2 Approximate Location of Mantle

0 500 1000 Feet

Prepared by:
LUMOS

Figure 2: Site Map
with Seasonal Wetlands
Updated 28 January, 2009



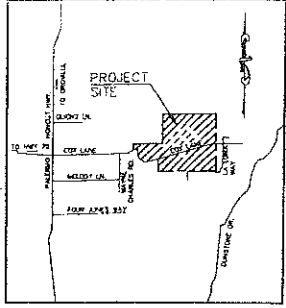
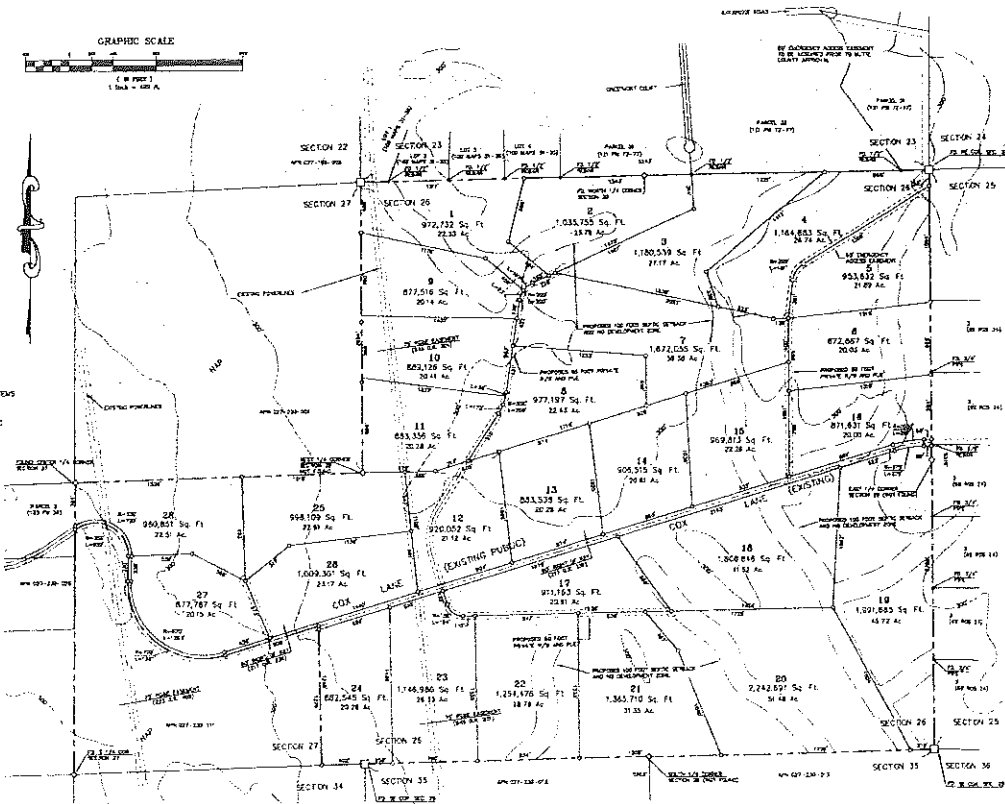


GENERAL NOTES:

1. CONTAINS ARE TAKEN FROM 1995 TIA WEIGHT QUANTAGE MAPS. CONTINUOUS DISTANCE = 50 FEET.
2. EROSION CONTROL, SWALES AND HYDROLOGICAL ARE PROVIDED TO MAINTAIN A 100 FOOT DEVELOPMENT SET BACK AND NO DEVELOPMENT EDGE.
3. AREAS WITH BLENDERS IN EXCESS OF 1000 GPM MUST BE SIZED FOR SERVICE DISPOSAL PURPOSES.

OWNER: SOUTH ORVILLE LAND DEVELOPMENT, LLC
 APN #1: 027-230-002 & 010
 SEWER: INDIVIDUAL SEPTIC SYSTEMS
 WATER: INDIVIDUAL WELLS
 ELECTRICAL: PNEUMATIC GAS AND ELECTRIC COMMUNICATION AT-AT

ENVIRONMENTAL PLAN DESIGNATION: A-1 - AGRICULTURAL, RESIDENTIAL USE
 CURRENT ZONING: A-1 - AGRICULTURAL, RESIDENTIAL USE
 FLOOD ZONE: B - OUTSIDE 500 YEAR FLOOD ZONE
 FIRE HAZARD: 000000000
 SERVICE PANEL SIZE: 400 AMP
 28 LOTS TOTAL



VICINITY MAP N.T.S.

LOCATION MAP

LEGEND

- PROPERTY BOUNDARY
- CENTERLINE
- LOT LINE
- EXISTING LOT LINE
- EXISTING EDGE OF ROAD
- 100 FOOT SEPTIC SETBACK
- P.U.E. PUBLIC UTILITY EASEMENT
- R.O.W. RIGHT OF WAY
- EASEMENT
- TRAIL MARKER AS NOTED
- CALCULATED POINT
- SECTION CORNER
- ◇ 1/4 CORNER
- EXISTING POWER LINES

VALENCIA ESTATES TENTATIVE PARCEL MAP

BEING ALL OF SECTION 26 AND A PORTION OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 4 EAST, M.D.B. & M. LINDS IN THE UNINCORPORATED AREA OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA

FOR SOUTH ORVILLE LAND DEVELOPMENT, LLC



THIS TENTATIVE PARCEL MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION.
 BY: KESTY E. GRANT, A.C.S. 3148
 DATED: 11/21/12

