

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite #100
Sacramento, California 95814
(916) 874-6458

April 2, 2008

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: **OAK AVENUE INVESTORS - ANNEXATION TO**
CITRUS HEIGHTS WATER DISTRICT (03-08)
[CEQA: ADDENDUM TO THE CERTIFIED NEGATIVE
DECLARATION PREPARED BY THE LEAD AGENCY –
SACRAMENTO COUNTY]

Contact: **Don Lockhart, AICP, Assistant Executive Officer [(916) 874-2937]**
Don.Lockhart@SacLAFCo.org

RECOMMENDATION

1. Consider the Addendum, together with the Mitigated Negative Declaration and Mitigation Monitoring Plan, previously certified by the County of Sacramento as the CEQA lead agency, as adequate and complete for the project cited above and direct the Executive Officer to file the Notice of Determination with the County Clerk.
2. Approve the **Oak Avenue Annexation to Citrus Heights Water District (08-03)** and **waive Conducting Authority proceedings**, due to one-hundred percent consent of affected landowners and subject agencies.

FPPC Disclosure

No parties to this reorganization have declared any contributions to any members of the Commission.

Project Proponent

The chief petitioner and legal owner is:

Bill Hunt, President
Suncreek Development, Inc.
8146 Greenback Lane, Ste. 101
Fair Oaks, CA 95628

Project Description

The affected territory consists of 9+ acres, located at 8833 Oak Avenue, between Beech St. and Hazel Ave., in the unincorporated community of Orangevale. The site is vacant.

Assessor's Parcel Number (APNs)	Assessed Value
224-0770-034	\$ 400,000
224-0990-001	180,000
227-0990-032	180,000
224-0990-001	180,000
227-0990-032	<u>260,000</u>
TOTAL \$	1,200,000

The proposal is a 100% landowner consent application for annexation to the Citrus Heights Water District, to secure water service, as required for development

The affected territory is an island within the service boundary of the Citrus Heights Water District and within its Sphere of Influence. There are no registered voters in the proposal territory.

100% Consent

Staff recommends that the protest proceedings be waived. The affected territory is owned solely by the Chief Petitioner. The adjacent neighborhood associations, affected property owners, and landowners within 500 feet of the project site, have been notified of the date, time and place of the hearing on this proposal. No protest has been received.

Sacramento County

The County has approved this 4 way lot split consistent with the General Plan and Zoning. The General Plan Land Use Category of the proposal is Ag-Residential, zoned AR-2. The project is not located within a Redevelopment Area.

The Housing Element of the County General Plan encourages providing a range and variety of housing types to all residents of the County. A goal of the Housing Element is to continue to address the housing needs of all, including move-up homeowners, first time homebuyers, low-income renters, seniors, disabled persons and others with special needs.

Affected Agencies

The following districts were notified and have taken a position of no opposition to the proposed annexation:

- Sacramento County
- Sacramento County Metropolitan Fire District
- Orangevale Recreation and Park District
- Sylvan Cemetery District

Sacramento Metropolitan Fire District commented that the proposed annexation may enhance life safety delivery capabilities to the affected territory. Citrus Heights Water

District and Sacramento Metropolitan Fire District (SMFD) will review the project plans for the placement of fire protection facilities and will approve same prior to construction.

Citrus Heights Water District

The Citrus Heights Water District has provided the following comments:

Citrus Heights Water District's role in providing water service to the project referenced above is as follows:

Service Territory

Citrus Heights Water District (CHWD) provides water service to portions of the following communities:

<u>Community</u>	<u>Water Service Count</u>
City of Citrus Heights *	15,280
Orangevale	2,067
Fair Oaks	1,461
Carmichael	325
Placer County	242
City of Roseville	116
Total CHWD Services	<u>19,491</u>

*CHWD serves approximately 63% of the City of Citrus Heights

Residential Services	18,373
Non-Residential Services	1,118
Total Services	<u>19,491</u>

The average annual water use in acre feet for District users is estimated as follows:

	Services	Water Use af	Use per Service af
Residential Services	18,373	14,343	0.78
Non-Residential Services	1,118	4,472	4.00
Total	<u>19,491</u>	<u>18,815</u>	<u>0.96</u>

Service Territory Proposed for Annexation

The territory proposed for annexation is an island within the external boundary of Citrus Heights Water District and is therefore within the District's Sphere of Influence and service boundary. The District's 1993 Master Services Element anticipated service to this area. Furthermore, the territory is within the wholesale service area of San Juan Water District (SJWD), the agency from which Citrus Heights Water District purchases surface water.

The proposal has not been initiated under the provisions of the District Reorganization Act of 1965. The proposal was initiated by the landowner seeking water service.

Water requirements for the 9+ acre site are estimated to be 20 acre feet per year for the proposed 5 rural residential parcels. The water services to this site will be metered and billed at metered rates.

Water Supply

Surface water will be the primary source of water for the affected territory. Surface water comprises approximately 95% of the water supply delivered annually by the District. SJWD has anticipated CHWD serving this territory utilizing the water resources available through SJWD. SJWD has sufficient water supply and treatment plant capacity to provide wholesale water to CHWD to serve the affected territory.

The total water supply presently available to the District is estimated to be 25,500 acre feet annually. The District's components of water use for the past five years are as follows:

Year	Surface Water		Groundwater		Total af
	af	%	af	%	
2007	16,537	99.41	98	0.59	16,635
2006	18,692	99.47	100	0.53	18,792
2005	18,934	99.47	100	0.53	19,034
2004	19,754	93.62	1,347	6.38	21,101
2003	17,938	96.90	573	3.10	18,511
5 Year Average	18,371	97.64%	444	2.36%	18,815

Two additional groundwater wells are being designed/constructed that will augment the District's availability of groundwater by approximately 1,500 acre feet by the end of Calendar Year (CY) 2008. Groundwater resources are used for peaking, emergencies, drought and environmental needs.

CHWD is among the signatories of the landmark Water Forum Memorandum of Understanding to protect the environmental benefits of the Lower American River and provide for reliable regional water supplies. CHWD has remained engaged in the ongoing efforts to implement the pact. These elements include researching appropriate river flows for fish, developing new upstream diversion agreements, organizing groundwater management programs, implementing water conservation programs, providing consistency in land use

planning that impacts water supplies, and drafting potential recreational improvements at Folsom Lake. Since its inception, the Water Forum effort has been nationally recognized as a model of good public planning, providing an effective solution to related issues that affect a wide spectrum of interests.

Water Quality

Surface water and groundwater supplied to Citrus Heights Water District customers is routinely sampled and tested in accordance with California Department of Public Health (CDPH) requirements. District water quality consistently meets or exceeds CDPH standards.

Water Conservation Programs

The District has ongoing water conservation programs which encourage customers to use water wisely and to make good water conservation habits a way of life. The District's Water Demand Management (Conservation) Program addresses a variety of water conservation "best management practices" including: offering free water use reviews for residential, commercial and institutional customers; distributing low-flow showerheads and other plumbing retrofit devices; public information and school education programs; rebates for ultra-low-flush toilets; conservation pricing for metered water consumption; and many others.

The District's budget for Water Demand Management activities is \$398,709 for 2008.

The District was fully metered at the end of CY 2007.

Infrastructure

There are not any significant costs in extending water service to the proposed area. The water distribution system necessary to serve the site has been designed by the developer's engineer and reviewed and approved by the District. The developer's contractor, at the developer's expense, will construct the water distribution system to District specifications.

The District operates a 12-inch water main along the northerly side of Oak Avenue along the full frontage of the site. The developer will connect to this water main and install an 8-inch water main northerly through the site to include metered domestic water services and fire hydrants to serve the proposed development.

Fire Protection Facilities

Citrus Heights Water District and Sacramento Metropolitan Fire District (SMFD) have reviewed the project plans for the placement of fire protection facilities and have approved same prior to construction. CHWD and SMFD personnel confer routinely to discuss planning and construction issues.

Fees and Charges

Citrus Heights Water District is an "enterprise district" in that its revenue sources are based on user service charges and fees. The District receives no property tax revenues. Water rates are now calculated on a metered basis for all accounts.

CHWD assesses fees and charges for developer-constructed projects in several categories with anticipated revenues for 2007 and 2008 as follows:

Development and Construction (2007):		
Plan Check Charges	(paid)	\$ 425.00
Construction Water	(estimated)	\$ 600.00
Inspection Charges	(due)	\$ 2,690.00
Capacity Fees	(due)	\$ 7,189.00
Meter Set Charges	(due)	\$ 2,448.00
Annexation Fees	(due)	\$ 12,935.34
Water Service (2008)		
1-inch metered residential services (5)		\$ 5,842.00

District Action to Date

The Board of Directors of Citrus Heights Water District has not taken formal action on this matter. Typically the District adopts a resolution accepting an annexation after approval by LAFCo.

Environmental Determination

The Commission is a responsible agency for compliance with CEQA. The County of Sacramento, as lead agency, certified a Negative Declaration for the 8833 Oak Avenue Tentative Parcel Map and Lot Size Exception project on August 3, 2007. LAFCo prepared an Addendum to the Negative Declaration dated February 22, 2008 to amend the project description to include annexation to the Citrus Heights Water District. Based on the recent certification of the environmental document, review of the certified Negative Declaration, and field review of the area proposed for annexation by Commission staff on February 22, 2008, the Sacramento Local Agency Formation Commission finds that the project under LAFCo's consideration is the same as that assessed in the certified Negative Declaration, and that no changes have occurred with respect to the environment of the project or its circumstances that would give rise to any of the conditions set forth in §15162 of the CEQA Guidelines that would require preparation of an additional supplemental environmental document. Your Commission will consider the certified Negative Declaration, together with the Addendum, in its evaluation of the 8833 Oak Avenue project annexation to the Citrus Heights Water District project. No mitigation measures within the jurisdiction or authority of the Commission to implement were identified in the Negative Declaration. Based on the foregoing, it is recommended that your Commission direct the Executive Officer to file a Notice of Determination with the County Clerk Recorder.

RECOMMENDATION

Citrus Heights Water District is the most logical and efficient water purveyor to provide water service to the affected territory. Therefore, I recommend your Commission approve the Oak Avenue Annexation to Citrus Heights Water District and authorize your Executive Officer to waive the conducting authority proceeding pursuant to Government Code Section 56663.

Respectfully,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

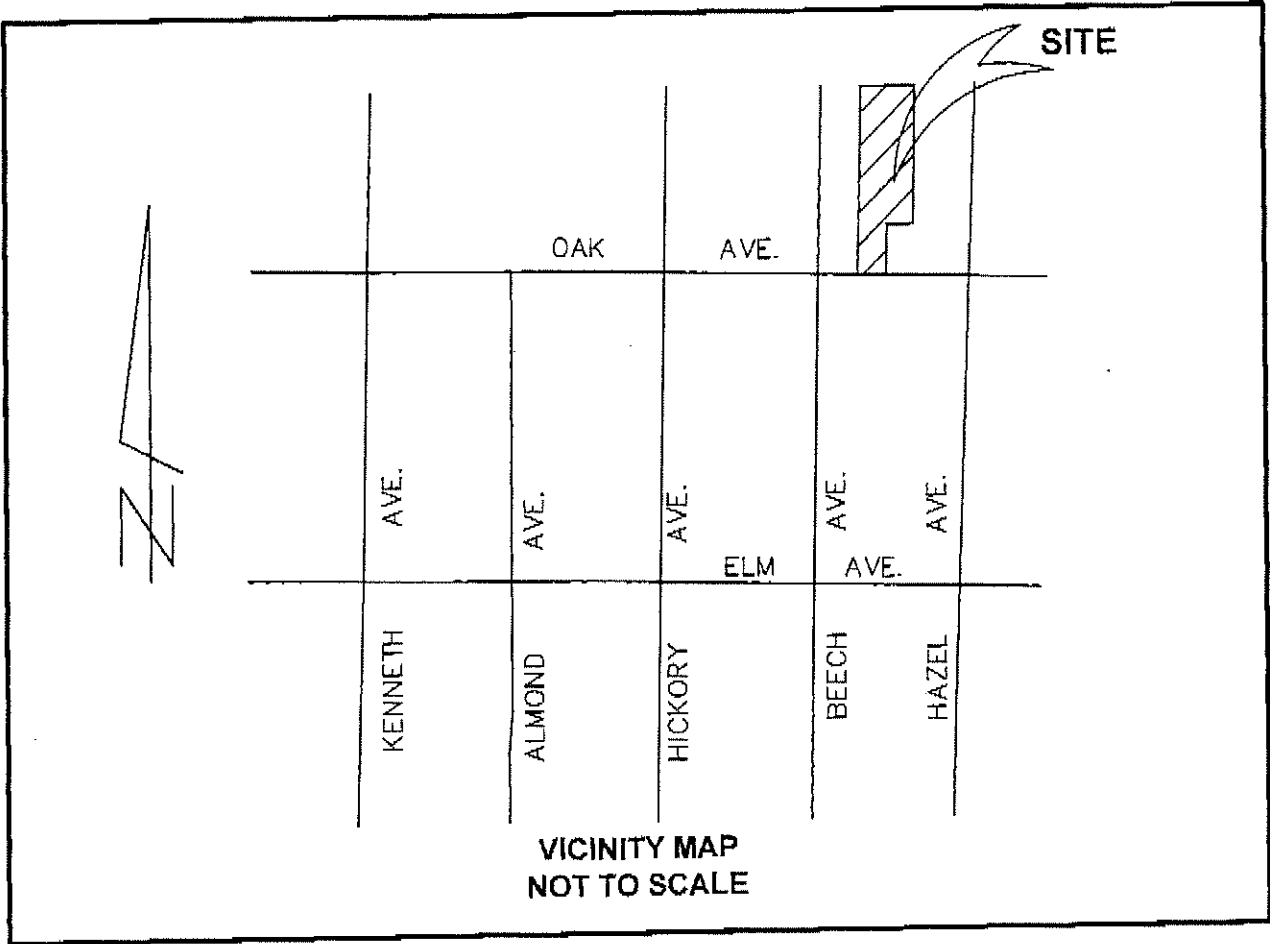


Peter Brundage
Executive Officer

DL:dl

Attachments:

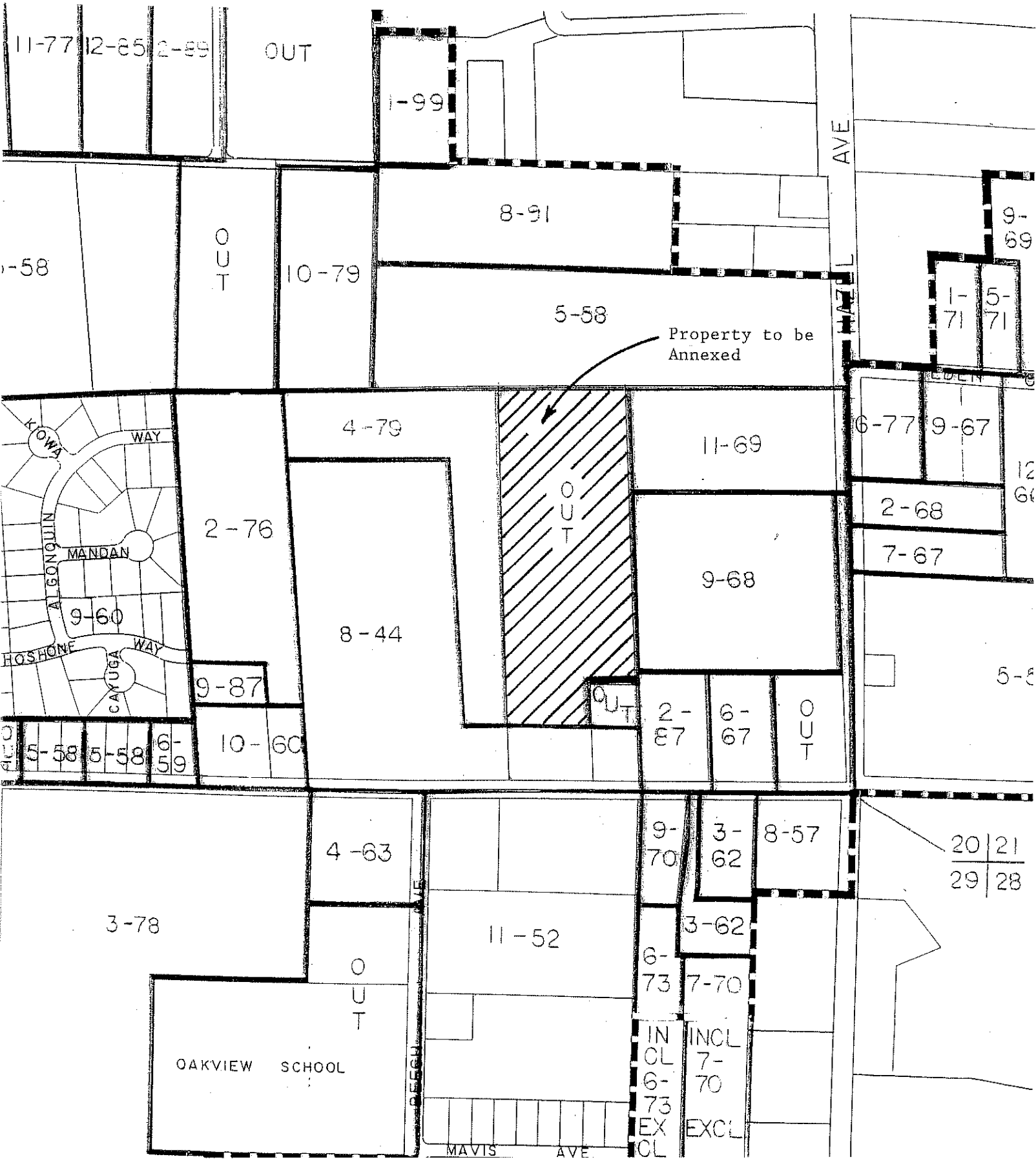
CEQA Addendum and Mitigated Negative Declaration
Vicinity Map



VICINITY MAP
NOT TO SCALE

COUNTRY OAKS LANE ANNEXATION TO CITRUS HEIGHTS WATER DISTRICT

EXHIBIT C CITRUS HEIGHTS WATER DISTRICT BOUNDARY MAP



Parcel Map

PARCEL 'C' OF THE PARCEL MAP FILED
IN BOOK II OF PARCEL MAPS AT PAGE 36
COUNTY OF SACRAMENTO CALIFORNIA
SEPTEMBER 1981
FRANK Y. BAKER, INC.
SHEET 1 OF 1

Property to be
Annexed

SURVEYOR'S CERTIFICATE
THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS
BASED UPON A FILED SURVEY IN CONFORMANCE WITH THE REQUIREMENTS
OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF
L. BAY CLOVER IN JUNE, 1981. I HEREBY STATE THAT THIS PARCEL MAP
REPRESENTS THE TRUE AND CORRECT POSITION OF THE APPROVED TENTATIVE MAP, IF ANY.



Ted F. Stevens
TED F. STEVENS
L.S. 4888

COUNTY SURVEYOR'S CERTIFICATE
THIS MAP SHOWS THE LOCATION OF THE PROPERTY TO BE ANNEXED TO THE
CITY OF CITRUS HEIGHTS.

DATE 7/14/81
COUNTY SURVEYOR

RECORDER'S CERTIFICATE 143499
FILED THIS 14TH DAY OF SEPTEMBER, 1981, AT 11:58
A.M., IN BOOK 1434 OF PARCEL MAPS AT PAGE 36
OF FRANK Y. BAKER, INC.

TITLES TO THE LAND INCLUDED IN THIS PARCEL MAP BEING VESTED AS PER
CERTIFICATE NO. 143499 ON FILE IN THIS OFFICE.
BY: *[Signature]*
COUNTY RECORDER

IMPROVEMENT REQUIREMENTS:
THE FOLLOWING PUBLIC IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE
WITH THE COUNTY OF SACRAMENTO IMPROVEMENT STANDARDS WITHIN A REASONABLE
TIME FOLLOWING THE APPROVAL OF THE PARCEL MAP AND PRIOR TO THE ISSUANCE
OF AN OTHER GRANT OF APPROVAL FOR DEVELOPMENT OF THE FOREGOING
SUBDIVIDED PARCEL.
STREETS: CLASS C
SEWER: REQUIRED
COST: LIGHTS: NONE
DRAINAGE: NONE

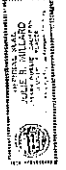
BASIS OF BEARINGS:
THE BASIS OF BEARINGS OF THIS SURVEY IS IDENTICAL WITH THE EAST LINE
OF PARCEL 'C' AS SHOWN ON THAT PARCEL MAP FILED IN BOOK II OF PARCEL
MAPS, AT PAGE 36, ESTABLISHED BETWEEN MONUMENTS FOUND AS BOOK 1, AND
PAGE 10 OF 17 OF '81.

CIC 378/224.5

OWNER'S CERTIFICATE
THE UNDERSIGNED HEREBY CONSENT TO THE
PREPARATION AND RECORDATION OF THIS
PARCEL MAP

[Signature]
FRANK Y. BAKER, INC.
REGISTERED SURVEYOR

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO
I, Frank Y. Baker, Inc., of the County of Sacramento, State of California, do hereby certify that I am the owner of the above described property and that I am executing this instrument and acknowledging to be that they executed the same.
BY COMMISSIONER OF THE STATE
[Signature]
COUNTY PUBLIC CLERK AND RECORD



FOUND MONUMENT AS NOTED
SET 5/8" REBAR TAGGED 'L.S. 4487'
NOTHING FOUND OR SET
FENCELINE

38 PM 411

END 1/4" REBAR TAGGED 'L.S. 3887'

END 3/4" REBAR TAGGED 'L.S. 2866'

END 3/4" REBAR TAGGED 'L.S. 2865'

END 3/4" REBAR TAGGED 'L.S. 2864'

END 3/4" REBAR TAGGED 'L.S. 2863'

END 3/4" REBAR TAGGED 'L.S. 2862'

END 3/4" REBAR TAGGED 'L.S. 2861'

END 3/4" REBAR TAGGED 'L.S. 2860'

END 3/4" REBAR TAGGED 'L.S. 2859'

END 3/4" REBAR TAGGED 'L.S. 2858'

END 3/4" REBAR TAGGED 'L.S. 2857'

END 3/4" REBAR TAGGED 'L.S. 2856'

END 3/4" REBAR TAGGED 'L.S. 2855'

END 3/4" REBAR TAGGED 'L.S. 2854'

END 3/4" REBAR TAGGED 'L.S. 2853'

END 3/4" REBAR TAGGED 'L.S. 2852'

END 3/4" REBAR TAGGED 'L.S. 2851'

END 3/4" REBAR TAGGED 'L.S. 2850'

END 3/4" REBAR TAGGED 'L.S. 2849'

END 3/4" REBAR TAGGED 'L.S. 2848'

END 3/4" REBAR TAGGED 'L.S. 2847'

END 3/4" REBAR TAGGED 'L.S. 2846'

END 3/4" REBAR TAGGED 'L.S. 2845'

END 3/4" REBAR TAGGED 'L.S. 2844'

END 3/4" REBAR TAGGED 'L.S. 2843'

END 3/4" REBAR TAGGED 'L.S. 2842'

END 3/4" REBAR TAGGED 'L.S. 2841'

END 3/4" REBAR TAGGED 'L.S. 2840'

END 3/4" REBAR TAGGED 'L.S. 2839'

END 3/4" REBAR TAGGED 'L.S. 2838'

END 3/4" REBAR TAGGED 'L.S. 2837'

END 3/4" REBAR TAGGED 'L.S. 2836'

END 3/4" REBAR TAGGED 'L.S. 2835'

END 3/4" REBAR TAGGED 'L.S. 2834'

END 3/4" REBAR TAGGED 'L.S. 2833'

END 3/4" REBAR TAGGED 'L.S. 2832'

END 3/4" REBAR TAGGED 'L.S. 2831'

END 3/4" REBAR TAGGED 'L.S. 2830'

END 3/4" REBAR TAGGED 'L.S. 2829'

END 3/4" REBAR TAGGED 'L.S. 2828'

END 3/4" REBAR TAGGED 'L.S. 2827'

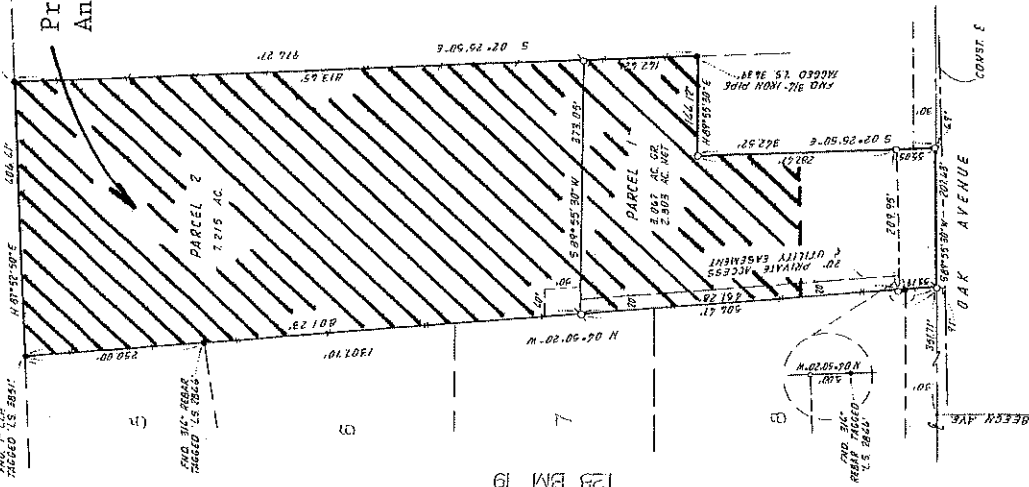
END 3/4" REBAR TAGGED 'L.S. 2826'

END 3/4" REBAR TAGGED 'L.S. 2825'

END 3/4" REBAR TAGGED 'L.S. 2824'

END 3/4" REBAR TAGGED 'L.S. 2823'

END 3/4" REBAR TAGGED 'L.S. 2822'



COUNTRY OAKS LANE
ANNEXATION TO CITRUS HEIGHTS WATER DISTRICT
EXHIBIT D
PARCEL MAP: BOOK 66, PAGE 32

66/32

ATLANTIC ENGINEERING INC.

**8833 OAK AVENUE INVESTORS
ANNEXATION TO
THE CITRUS HEIGHTS WATER DISTRICT**

LAFCO PROJECT NO. 03-08

**ADDENDUM TO
THE CERTIFIED NEGATIVE DECLARATION
PREPARED BY THE LEAD AGENCY –
SACRAMENTO COUNTY**

MARCH 26, 2008

This document is prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code 21000 *et seq.*) as an Addendum to the April 6, 2007 Initial Study / Negative Declaration for the 8833 Oak Avenue project consisting of a Tentative Parcel Map and Lot Size Exception, certified by Sacramento County, as lead agency, on August 3, 2007. As a Responsible Agency for the project, the Sacramento Local Agency Formation Commission (LAFCo) is preparing this Addendum as the appropriate CEQA document because revisions to the proposed project entail minor technical changes that do not constitute the conditions identified in CEQA Guidelines §15162 that would require preparation of a subsequent environmental document.

CEQA Guidelines (§15164(a) and §15162) allow a responsible agency to prepare an Addendum to a previously certified Negative Declaration if all of the following conditions are met:

1. Changes to the project do not require major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Changes with respect to the circumstances under which the project is undertaken do not require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
3. No new information of substantial importance is available which shows: (a) new significant effects; (b) significant effects substantially more severe than previously discussed; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or (d) mitigation measures or alternatives which are considerably different from those analyzed in the Negative Declaration would reduce significant effects on the environment.

The Initial Study / Mitigated Negative Declaration prepared for the 8833 Oak Avenue project addressed the potential environmental effects associated with development of the property with single-family residential uses, including the provision of public services necessary to serve the project. No adverse effects to due to water supply, treatment or distribution were identified in the Initial Study / Mitigated Negative Declaration.

As assessed by the Negative Declaration, the proposed project did not include annexation of the project area to the Citrus Heights Water District among the list of entitlements or actions necessary to approve the project. LAFCo is unable to approve the annexation without consideration of an environmental document prepared in compliance with CEQA. Therefore, LAFCo is amending the Initial Study / Negative Declaration via this Addendum as set forth below to add the proposed LAFCo action as an entitlement evaluated in the Negative Declaration.

Following is LAFCo's assessment of the 8833 Oak Avenue Tentative Parcel Map and Lot Size Exception Initial Study / Negative Declaration pursuant to §§15162 and 15164 of the CEQA Guidelines.

Changes to the Proposed Project

Annexation to the Citrus Heights Water District – Annexation to the Citrus Heights Water District is necessary to provide potable and emergency water service to the site. Since the area proposed to be annexed is the same as that for the proposed development project evaluated in the County's Negative Declaration, no significant impacts not previously identified in the Negative Declaration would result and no additional mitigation not previously identified would be necessary. Thus, the proposed change would meet the requirements of criterion 1 set forth above.

Changes in Project Circumstances – Field review of the project area on February 22, 2008 indicated that environmental conditions within the area to be annexed have not been modified from those described in the Initial Study / Negative Declaration certified by the Sacramento County on August 3, 2007 (Field review by Robert D. Klousner, February 22, 2008). No regulations governing environmental conditions or uses within the project area have been modified since the certification of the document by the County. As set forth above, there have been no changes in project circumstances that would result in any new significant environmental effects, nor would any changes result in an increase in the severity of previously identified effects. Therefore, the requirements of criterion 2 set forth above are met.

New Significant Information – No information has been submitted to LAFCo by any party regarding the environmental effects of the proposed 8833 Oak Avenue project that would result in the identification of: (a) new significant effects; (b) significant effects substantially more severe than previously discussed; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or (d) mitigation measures or alternatives that are considerably different from those analyzed in the

Negative Declaration would reduce significant effects on the environment. Thus, the requirements of criterion 3 set forth above are met.

Conclusion – As set forth above, none of the conditions set forth in CEQA Guidelines §15162 (set forth as criteria 1 – 3 above) exist that would require preparation of a subsequent or supplemental Initial Study / Negative Declaration. Therefore, preparation of an Addendum to the Initial Study / Negative Declaration certified by the County of Sacramento is sufficient to permit LAFCo to consider the 8833 Oak Avenue project as modified to include annexation to the Citrus Heights Water District, and to meet the requirements of CEQA consistent with §15164 of the CEQA Guidelines. LAFCo will consider the results of this Addendum, together with the 8833 Oak Avenue project Initial Study / Negative Declaration, prior to taking action on the proposed annexation to the Citrus Heights Water District project.

**8833 OAK AVENUE INVESTORS
ANNEXATION TO
THE CITRUS HEIGHTS WATER DISTRICT**

LAFCO PROJECT NO. 03-08

**ADDENDUM TO
THE CERTIFIED NEGATIVE DECLARATION
PREPARED BY THE LEAD AGENCY –
SACRAMENTO COUNTY**

MARCH 26, 2008

This document is prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code 21000 *et seq.*) as an Addendum to the April 6, 2007 Initial Study / Negative Declaration for the 8833 Oak Avenue project consisting of a Tentative Parcel Map and Lot Size Exception, certified by Sacramento County, as lead agency, on August 3, 2007. As a Responsible Agency for the project, the Sacramento Local Agency Formation Commission (LAFCo) is preparing this Addendum as the appropriate CEQA document because revisions to the proposed project entail minor technical changes that do not constitute the conditions identified in CEQA Guidelines §15162 that would require preparation of a subsequent environmental document.

CEQA Guidelines (§15164(a) and §15162) allow a responsible agency to prepare an Addendum to a previously certified Negative Declaration if all of the following conditions are met:

1. Changes to the project do not require major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Changes with respect to the circumstances under which the project is undertaken do not require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
3. No new information of substantial importance is available which shows: (a) new significant effects; (b) significant effects substantially more severe than previously discussed; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or (d) mitigation measures or alternatives which are considerably different from those analyzed in the Negative Declaration would reduce significant effects on the environment.

The Initial Study / Mitigated Negative Declaration prepared for the 8833 Oak Avenue project addressed the potential environmental effects associated with development of the property with single-family residential uses, including the provision of public services necessary to serve the project. No adverse effects due to water supply, treatment or distribution were identified in the Initial Study / Mitigated Negative Declaration.

As assessed by the Negative Declaration, the proposed project did not include annexation of the project area to the Citrus Heights Water District among the list of entitlements or actions necessary to approve the project. LAFCo is unable to approve the annexation without consideration of an environmental document prepared in compliance with CEQA. Therefore, LAFCo is amending the Initial Study / Negative Declaration via this Addendum as set forth below to add the proposed LAFCo action as an entitlement evaluated in the Negative Declaration.

Following is LAFCo's assessment of the 8833 Oak Avenue Tentative Parcel Map and Lot Size Exception Initial Study / Negative Declaration pursuant to §§15162 and 15164 of the CEQA Guidelines.

Changes to the Proposed Project

Annexation to the Citrus Heights Water District – Annexation to the Citrus Heights Water District is necessary to provide potable and emergency water service to the site. Since the area proposed to be annexed is the same as that for the proposed development project evaluated in the County's Negative Declaration, no significant impacts not previously identified in the Negative Declaration would result and no additional mitigation not previously identified would be necessary. Thus, the proposed change would meet the requirements of criterion 1 set forth above.

Changes in Project Circumstances – Field review of the project area on February 22, 2008 indicated that environmental conditions within the area to be annexed have not been modified from those described in the Initial Study / Negative Declaration certified by the Sacramento County on August 3, 2007 (Field review by Robert D. Klousner, February 22, 2008). No regulations governing environmental conditions or uses within the project area have been modified since the certification of the document by the County. As set forth above, there have been no changes in project circumstances that would result in any new significant environmental effects, nor would any changes result in an increase in the severity of previously identified effects. Therefore, the requirements of criterion 2 set forth above are met.

New Significant Information – No information has been submitted to LAFCo by any party regarding the environmental effects of the proposed 8833 Oak Avenue project that would result in the identification of: (a) new significant effects; (b) significant effects substantially more severe than previously discussed; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or (d) mitigation measures or alternatives that are considerably different from those analyzed in the

Negative Declaration would reduce significant effects on the environment. Thus, the requirements of criterion 3 set forth above are met.

Conclusion – As set forth above, none of the conditions set forth in CEQA Guidelines §15162 (set forth as criteria 1 – 3 above) exist that would require preparation of a subsequent or supplemental Initial Study / Negative Declaration. Therefore, preparation of an Addendum to the Initial Study / Negative Declaration certified by the County of Sacramento is sufficient to permit LAFCo to consider the 8833 Oak Avenue project as modified to include annexation to the Citrus Heights Water District, and to meet the requirements of CEQA consistent with §15164 of the CEQA Guidelines. LAFCo will consider the results of this Addendum, together with the 8833 Oak Avenue project Initial Study / Negative Declaration, prior to taking action on the proposed annexation to the Citrus Heights Water District project.

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

NOTICE is hereby given that the County of Sacramento, State of California intends to adopt a Negative Declaration for the project described below.

TITLE:

8833 OAK AVENUE TENTATIVE PARCEL MAP AND LOT SIZE EXCEPTION

CONTROL NUMBER:

06-PMR-EXR-0634

LOCATION:

The project site is located at 8833 Oak Avenue, on the north side of Oak Avenue, 800± feet west of Hazel Avenue, in the Orangevale community.

APN:

224-0770-027 thru 028

GENERAL DESCRIPTION:

A **Tentative Parcel Map** to divide 8.28± acres into four (4) lots in the AR-2 zone.

A **Lot Size Exception** to allow proposed Parcel 1 to be less than the minimum 2 gross acres allowed in the AR-2 zone.

REVIEW:

The review period for the Negative Declaration begins on April 6, 2007 , and ends on April 26, 2007 . The Negative Declaration may be reviewed at the following location:

**Sacramento County
Department of Environmental
Review and Assessment
827 7th Street, Room 220
Sacramento, California 95814
(916) 874-7914**

Comments regarding the Negative Declaration should be directed to the Sacramento County Environmental Coordinator and emailed to DERA@saccounty.net or mailed to 827 7th Street, Room 220, Sacramento, California, 95814. Failure to do so will not preclude your right to testify at a future public hearing for the proposed project. The date, time, and place of the public hearing is presently unknown. A notice providing the date, time, and place of the public hearing will be provided by the hearing body authorized to conduct the public hearing for the proposed project.

NEGATIVE DECLARATION

Pursuant to Division 6, Title 14, Chapter 3, Article 6, Sections 15070 and 15071 of the California Administrative Code and pursuant to the Procedures for Preparation and Processing of Environmental Impact Reports adopted by the County of Sacramento pursuant to Sacramento County Ordinance No. SCC-116, the Environmental Coordinator of Sacramento County, State of California, does prepare, make, declare, publish, and cause to be filed with the County Clerk of Sacramento County, State of California, this Negative Declaration re: The Project described as follows:

1. **Control Number:** 06-PMR-EXR-0634
2. **Title and Short Description of Project:** 8833 OAK AVENUE TENTATIVE PARCEL MPA AND LOT SIZE EXCEPTION
A **Tentative Parcel Map** to divide 8.28± acres into four (4) lots in the AR-2 zone.
A **Lot Size Exception** to allow proposed Parcel 1 to be less than the minimum 2 gross acres allowed in the AR-2 zone.
3. **Assessor's Parcel Number:** 224-0770-027 thru 028
4. **Location of Project:** The project site is located at 8833 Oak Avenue, on the north side of Oak Avenue, 800± feet west of Hazel Avenue, in the Orangevale community.
5. **Project Applicant:** Oak Avenue Investors, LP
6. Said project will not have a significant effect on the environment for the following reasons:
 - a) It will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
 - b) It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
 - c) It will not have impacts, which are individually limited, but cumulatively considerable.
 - d) It will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.
7. As a result thereof, the preparation of an environmental impact report pursuant to the Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.
8. The attached Initial Study has been prepared by the Sacramento County Department of Environmental Review and Assessment in support of this Negative Declaration. Further information may be obtained by contacting the Department of Environmental Review and Assessment at 827 Seventh Street, Room 220, Sacramento, California, 95814, or phone (916) 874-7914.

Joyce Horizumi
ENVIRONMENTAL COORDINATOR OF
SACRAMENTO COUNTY, STATE OF CALIFORNIA

RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO:

NAME: DERA

COUNTY MAIL CODE: 01-220

No Fee--For the Benefit of
Sacramento County (Code
6103)

TS
DANIELLE
9/14/07

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

COUNTY OF SACRAMENTO
DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT
MITIGATION MONITORING AND REPORTING PROGRAM

CONTROL NUMBER: 06-PMR-EXR-0634

NAME: 8833 Oak Avenue Tentative Parcel Map and Lot Size Exception

LOCATION: The project site is located at 8833 Oak Avenue, on the north side of Oak Avenue, 800± feet west of Hazel Avenue, in the Orangevale community.

ASSESSOR'S PARCEL NUMBER: 224-0770-027, -028 (portion)

OWNER:

Oak Avenue Investors, LP
Attention: Bill Hunt

ENGINEER:

Area West Engineers, Inc.
Attention: Richard Rozumowicz

PROJECT DESCRIPTION:

1. A **Tentative Parcel Map** to divide 8.28± acres into four (4) lots in the AR-2 zone.
2. A **Lot Size Exception** to allow proposed Parcel 1 to be less than the minimum 2 gross acres allowed in the AR-2 zone.

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).


IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this 29th day of November, 2007.

OWNER(S):

Oak Avenue Investors, LP
Suncreek Development, INC., General Partner
William J. Hunt Jr., President
(Type name and/or title above)

[Signature]
(Signature above)
Resigned

ALL PURPOSE ACKNOWLEDGEMENT

<p>State of California</p> <p>County of Sacramento</p> <p>On <u>29th</u> day of <u>November</u>, 20<u>07</u> before me, <u>Patricia A. Johnson, Notary Public</u> (name, title of officer), personally appeared <u>William J. Hunt Jr., President</u></p> <p><input type="checkbox"/> personally known to me -or- <input type="checkbox"/> proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) <u>is</u> are subscribed to the within instrument and acknowledged to me that <u>he</u> <u>she</u> <u>they</u> executed the same in <u>his</u> <u>her</u> <u>their</u> authorized capacity(ies), and that by <u>his</u> <u>her</u> <u>their</u> signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <div style="border: 2px solid black; padding: 5px; width: fit-content;">  </div> <p style="text-align: center;">WITNESS my hand and official seal.</p> <p style="text-align: center;"><u>Patricia A. Johnson</u> Signature</p>	<p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="checkbox"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="checkbox"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____</p> <p><input checked="" type="checkbox"/> PARTNER(S) _____ PARTNERSHIP _____</p> <p><input type="checkbox"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____</p> <p><input type="checkbox"/> TRUSTEE(S) _____ TRUST _____</p> <p><input type="checkbox"/> OTHER _____ TITLE(S) _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED _____</p>
---	--

W. J. Hunt Jr.

From: "Danielle Hecox" <Danielle@areawesteng.com>
To: "W. J. Hunt Jr." <wjhcpa@quiknet.com>
Sent: Thursday, November 29, 2007 1:20 PM
Attach: 06-0634 8833 Oak Avenue MMRP.pdf
Subject: Country Oaks Lane - MMRPs were lost at the county...

Hi Bill,

I received word from the county that they lost the original MMRPs we submitted with the fees. Could you please re-sign the attached MMRPs with a notary and return them to our office? I'll then hand deliver them to the county again.

I apologize for the inconvenience. Please give me a call if you have any questions.

Thanks,
Danielle
(06026/07055)

Danielle Hecox
Office Manager
Area West Engineers, Inc.
7478 Sandalwood Drive, Suite 400
Citrus Heights, CA 95621
(916) 725-5551
(916) 725-5808 Fax

DECLARATION OF AGREEMENT

This Mitigation Monitoring and Reporting Program applies to certain real property, a Legal Description of which is attached as Exhibit A. I (We) the undersigned agree that this Mitigation Monitoring and Reporting Program applies to the real property described in Exhibit A. I (We) the undersigned am (are) the legal owner(s) of that property, and agree to comply with the requirements of this Mitigation Monitoring and Reporting Program (Summary and Mitigation Measures attached).

IN WITNESS WHEREOF, this declaration is hereby executed by the undersigned named legal owner(s) of the subject property on this 14th day of September, 2007.

OWNER(S):
 Oak Avenue Investors, LP
 Sun Creek Development, Inc., General Partner
William J. Hunt Jr., President
 (Type name and/or title above)

[Signature]
 (Signature above)

ALL PURPOSE ACKNOWLEDGEMENT

<p>State of California</p> <p>County of Sacramento</p> <p>On <u>14th September 2007</u> before me, <u>Patricia A. Johnson, Notary Public</u> (name, title of officer), personally appeared <u>William J. Hunt, Jr. President</u>, <input checked="" type="checkbox"/> personally known to me -or- <input type="checkbox"/> proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) <u>(is)</u> are subscribed to the within instrument and acknowledged to me that <u>he/she/they</u> executed the same in <u>(his)/her/their</u> authorized capacity(ies), and that by <u>his/her/their</u> signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>PATRICIA A. JOHNSON Commission # 1699045 Notary Public - California Sacramento County My Comm. Expires Oct 15, 2010</p> </div> <p>WITNESS my hand and official seal.</p> <p><u>Patricia A. Johnson</u> Signature</p>	<p>CAPACITY CLAIMED BY SIGNER</p> <p><input type="checkbox"/> INDIVIDUAL(S) SIGNING FOR ONESELF/THEMSELVES</p> <p><input type="checkbox"/> CORPORATE OFFICER(S) _____ TITLE(S) _____ COMPANY _____</p> <p><input checked="" type="checkbox"/> PARTNER(S) _____ PARTNERSHIP _____</p> <p><input type="checkbox"/> ATTORNEY-IN-FACT _____ PRINCIPAL(S) _____</p> <p><input type="checkbox"/> TRUSTEE(S) _____ TRUST _____</p> <p><input type="checkbox"/> OTHER _____ TITLE(S) _____ _____ TITLE(S) _____ ENTITY(IES) REPRESENTED _____ ENTITY(IES) REPRESENTED _____</p>
---	--

TABLE OF MEASURES

<input type="checkbox"/>	MITIGATION MEASURE A: OAK TREE PROTECTION	8
<input type="checkbox"/>	MITIGATION MEASURE B: OAK TREE COMPENSATION.....	11
<input type="checkbox"/>	MITIGATION MEASURE C: CULTURAL RESOURCES	14

PURPOSE AND PROCEDURES

Pursuant to Section 21081.6 of the Public Resources Code and Chapter 20.02 of the Sacramento County Code, a Mitigation Monitoring and Reporting Program has been established for the project entitled **8833 Oak Avenue Tentative Parcel Map and Lot Size Exception (Control Number: 06-PMR-EXR-0634)**.

PURPOSE

The purpose of this program is to assure diligent and good faith compliance with the Mitigation Measures which have been recommended in the environmental document, and adopted as part of the project or made conditions of project approval, in order to avoid or mitigate potentially significant effects on the environment.

NOTIFICATION AND COMPLIANCE

It shall be the responsibility of the project applicant to provide written notification to the Environmental Coordinator, in a timely manner, of the completion of each Mitigation Measure as identified on the following pages. The Department of Environmental Review and Assessment (DERA) will verify that the project is in compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). Any non-compliance will be reported to the project applicant, and it shall be the project applicant's responsibility to rectify the situation by bringing the project into compliance and re-notifying the Environmental Coordinator. Any indication that the project is proceeding without good-faith compliance could result in the imposition of administrative, civil and/or criminal penalties upon the project applicant in accordance with Chapter 20.02 of the Sacramento County Code.

PAYMENT

It shall be the responsibility of the project applicant to reimburse the County for all expenses incurred in the implementation of the Mitigation Monitoring and Reporting Program (MMRP), including any necessary enforcement actions. The initial estimate of County monitoring costs for this project is **\$3,300.00**, which must be paid to the Department of Environmental Review and Assessment **prior to recordation of the MMRP or review of any plans by the DERA**. If actual County monitoring costs are less than the initial estimate, the difference will be refunded to the applicant; and if the actual County monitoring costs exceed the initial estimate, a supplemental bill will be submitted to the applicant.

RECORDATION

In order to record the adopted Mitigation Monitoring and Reporting Program with the County Recorder as required by Section 20.02.050(b)(2) of the Sacramento County Code, the project applicant shall provide to the Department of Environmental Review

and Assessment a Legal Description for the real property that is the subject of the project.

COMPLETION

Pursuant to Section 20.02.060 of the Sacramento County Code, upon the determination of the Environmental Coordinator that compliance with the terms of the approved Mitigation Monitoring and Reporting Program has been achieved, and that there has been full payment of all fees for the project, the Environmental Coordinator shall record and issue a Program Completion Certificate for the project.

PROPERTY TRANSFER

The requirements of this adopted Program run with the real property that is the subject of the project, as described in Exhibit Successive owners, heirs and assigns of this real property are bound to comply with all of the requirements of the adopted Program.

Prior to any lease, sale, transfer or conveyance of any portion of the real property that is the subject of the project, the record owner(s) at the time of the application for the project, or his or her successor's in interest, shall provide a copy of the adopted Program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

PENALTIES

Chapter 20.02 of the Sacramento County Code permits civil remedies and criminal penalties to be imposed in the event of non-compliance with an adopted Mitigation Monitoring and Reporting Program. The civil remedies, which are found in Section 20.02.090 of the Sacramento County Code, include injunctive relief, stop work orders, revocation of any special permit granted concurrently with the approval of a Program, and the abatement of any resulting nuisance. The criminal penalties, which are found in Section 20.02.080 of the Sacramento County Code, include a fine not to exceed five hundred dollars or imprisonment in the County jail not to exceed six months, or both.

Plans that are inconsistent with the adopted Mitigation Measures will not be approved.

In the event of an ongoing, serious non-compliance issue, the Department of Environmental Review and Assessment may call for a "stop work order" on the project.

STANDARD PROVISIONS

Page one of all Project Plans must include the following statement in a conspicuous location:

“All Plans associated with this project are subject to the conditions of Mitigation Monitoring and Reporting Program (06-PMR-EXR-0634). For any questions regarding compliance with the MMRP document, contact MMRP staff at (916) 874-7914.”

All Project Plans and any revisions to those Plans shall be in full compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP). The project applicant shall submit one copy of all such Plans and any revisions to the Department of Environmental Review and Assessment prior to final approval by the Sacramento County Building Inspection Division (BID). If the Department of Environmental Review and Assessment determines that the Plans are not in full compliance with the adopted MMRP, the Plans shall be returned to the project applicant with a letter specifying the items of non-compliance, and instructing the applicant to revise the Plans, and then resubmit one copy of the revised Plans to the Department of Environmental Review and Assessment, for determination of compliance, prior to final approval by BID.

Additionally, the project applicant shall notify the Department of Environmental Review and Assessment **no later than 48 hours** prior to the start of construction and no later than 24 hours after its completion. The applicant shall notify the Department of Environmental Review and Assessment no later than 48 hours prior to any/all Final Inspection(s) by the County of Sacramento.

MITIGATION MEASURE A: OAK TREE PROTECTION

With the exception of the oak trees approved for removal and compensated through Mitigation Measure B, below, all healthy native oak trees that are 6 inches dbh or larger on the project site and all off-site native trees which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

- 1) A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.
- 2) Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."
- 3) Prior to initiating construction, temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees in order to avoid damage to the tree canopies and root systems.
- 4) Any removal of paving or structures (i.e. demolition) that occurs within the dripline of a protected oak tree shall be done under the direct supervision of a certified arborist. To the maximum extent feasible, demolition work within the dripline protection area of the oak tree shall be performed by hand. If the certified arborist determines that it is not feasible to perform some portion(s) of this work by hand, then the smallest/lightest weight equipment that will adequately perform the demolition work shall be used.
- 5) No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.
- 6) No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees.
- 7) No grading (grade cuts or fills) shall be allowed within the driplines of protected trees. Except for the minor amount proposed for the private roadway.
- 8) Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.

- 9) No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.
- 10) The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per County standard detail shall be installed under the supervision of a certified arborist.
- 11) No sprinkler or irrigation system shall be installed in such a manner that it sprays water or requires trenching within the driplines of the native oak tree. An above ground drip irrigation system is recommended.
- 12) Landscaping beneath the native oak tree may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species, which shall be planted within the driplines of oak trees, are those which are tolerant of the natural semi-arid environs of the trees. A list of such drought-tolerant plant species is available from the Department of Environmental Review and Assessment. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

Implementation and Notification (Action by Project Applicant):

1. Comply fully with the above measure.
2. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

1. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
2. Monitor compliance during periodic site inspections of the construction work.
3. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

□ MITIGATION MEASURE B: OAK TREE COMPENSATION

In the event that street improvements are required along Oak Avenue that impact native oak trees #s 71-24.5" dbh, #73-17.5" aggregate dbh, #74-18" dbh, and #76-28" dbh, which result in tree removal or dripline encroachment of over 20%, the impacts shall be compensated by planting native oak trees (valley oak/*Quercus lobata*, interior live oak/*Quercus wislizenii*, and blue oak/*Quercus douglasii*) equivalent to the total dbh inches of the impacted trees, based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. The number of inches of compensation required shall be calculated as: (1) the percentage of encroachment multiplied by the diameter (dbh) of the tree, for 20 to 49 percent encroachment; or (2) the entire diameter of the tree, for 50 percent or greater encroachment or tree removal.

Equivalent compensation based on the following ratio is required:

- one deepot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh

Prior to the approval of Improvement Plans or building permits, a Replacement Oak Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the Environmental Coordinator for approval. The Replacement Oak Tree Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings;
2. Method of irrigation;
3. The Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
4. Planting, irrigation, and maintenance schedules;
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive during that period.

No replacement tree shall be planted within 15 feet of the drip lines of existing oak trees or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement oak trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single family lots (including front yards), and roadway medians.

If oak tree replacement plantings are demonstrated to the satisfaction of the Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

Implementation and Notification (Action by Project Applicant):

3. Comply fully with the above measure.
4. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

4. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
5. Monitor compliance during periodic site inspections of the construction work.
6. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____

MITIGATION MEASURE C: CULTURAL RESOURCES

Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at (916) 874-7914.

At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

Implementation and Notification (Action by Project Applicant):

5. Comply fully with the above measure.
6. Include the above measure verbatim as a Construction Note and incorporate it into all Plans and Specifications for the project, and submit one copy to the Department of Environmental Review and Assessment for review and approval prior to the start of any construction work (including clearing and grubbing).

Verification (Action by the Department of Environmental Review and Assessment):

7. Review the Project Plans prior to the start of construction. Approve Project Plans that are determined to be in compliance with all required mitigation.
8. Monitor compliance during periodic site inspections of the construction work.
9. Participate in any Final Inspection(s) as necessary.

Comments:

Completion of Mitigation Verified:

Department of Environmental Review and Assessment

Signature: _____ Date: _____