

Mariposa County
Planning Department
P.O. Box 2039
Mariposa, CA 95338-2039

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution

No. 2007-24

A resolution conditionally approving Land Division Application No. 2006-230, Richard and Karl Hundchen, applicants. Assessor Parcel Number 014-330-059.

WHEREAS an application for division of a 21 acre parcel was received on July 18, 2006 from Richard and Karl Hundchen for a property located at 5737 Cascade Creek Falls in Lushmeadows, also known as Assessor Parcel Number 014-330-059; and

WHEREAS staff wrote the applicant on July 26, 2006 requesting additional information; and

WHEREAS the additional information requested from the applicant was provided on August 14, 2006; and

WHEREAS staff wrote no further letter of completeness within thirty days of that date and therefore the application was automatically deemed complete for processing on September 14, 2006 as per California Government Code Section 65493; and

WHEREAS therefore the application was processed in accordance with the provisions of the 1981 General Plan for Mariposa County; and

WHEREAS the project as presented to the Planning Commission on June 15, 2007 proposes a division of the project site into three lots, with Parcel A being 8.3 acres, Parcel B being 7.5 acres, and Parcel C being 5.2 acres, to be accessed by a private access from Cascade Creek Falls; and

WHEREAS the Planning Department circulated the application among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS a duly noticed public hearing was scheduled for the 15th day of June, 2007; and

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS a Staff Report and an Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Initial Study and

Staff Report, testimony presented by the public concerning the application, and the comments of the applicant,

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve a Mitigated Negative Declaration; and

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve Land Division Application No. 2006-230; and

BE IT THEREFORE FURTHER RESOLVED THAT the project is approved based upon the findings set forth in Exhibit 1 with the terms and conditions set forth in Exhibit 2 and the mitigation monitoring program set forth in Exhibit 3.

ON MOTION BY Commissioner DeSantis, seconded by Commissioner Skyrud, this resolution is duly passed and adopted this June 15, 2007 by the following vote:

AYES: Commissioners DeSantis, Hagan, Ross, Rudzik, and Skyrud

NOES: None

EXCUSED: None

ABSTAIN: None


Robert L Rudzik, Chair
Mariposa County Planning Commission

Attest:

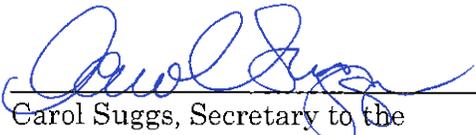

Carol Suggs, Secretary to the
Mariposa County Planning Commission

EXHIBIT 1
PROJECT FINDINGS
FOR
Land Division Application No. 2006-230

1. **FINDING:** The site is physically suitable for the type and density of development.

EVIDENCE: Based on site inspection and the proposed division of the existing parcel into three parcels of greater than five acres each, the site is physically suited for low-density homes and appurtenant improvements such as septic systems provided that the conditions of approval regarding the septic systems and approved locations, wells, and access roads are met. The proposed project is located within the Mountain Home zone and the Residential Land Use Classification. The subdivision density is designed in accordance with the Mountain Home zone and Residential classification.

2. **FINDING:** The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

EVIDENCE: The Initial Study prepared for the project found that based on the approved project description and the proposed mitigation measures, it would have a less than significant effect on the environment. According to the Department of Fish and Game's Natural Diversity Data Base and Areas of Special Biological Importance Map for Mariposa County, there are no special, rare, or endangered animal or plant species, or wildlife resources located on the project site and the surrounding area that would be affected by approval of this project. The land is currently and will continue to be used primarily for residential purposes. The project is subject to the California Department of Fish and Game filing fees of (\$1,800) for a mitigated negative declaration as required by California Fish and Game Code §711.4(d)(4) and a County Clerk fee of (\$50).

3. **FINDING:** The design of the subdivision or the proposed improvements is not likely to cause serious public health problems.

EVIDENCE: This land division and its subsequent use for low-density residential purposes are not likely to cause serious health problems. Future residential uses will be required to comply with all Building Code regulations and Health Department standards for the proper installation of wells and sewage disposal systems. The proper location and implementation of these improvements will ensure that serious health problems will not occur on the site. Additionally, all future residential uses will be required to comply with the State Fire Safe Standards as mandated by California Public Resource Code Sections 4290 and 4291, which will eliminate any potential health and safety issues related to fire protection.

4. **FINDING:** The proposed map is consistent with applicable general and specific plans as specified in Government Code Section 65451.

EVIDENCE: The land division is the initial step in the process to help accomplish the General Plan's Housing Element overall goal to "...provide an adequate supply of sound, affordable housing units in a safe and satisfying environment for the present and future residents of the County..." The land division satisfies the following Housing Element Policy: "to ensure that there are adequate sites and facilities available to support future housing needs." There is no specific plan governing this property.

5. **FINDING:** The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

EVIDENCE: The minimum parcel size proposed by the project is consistent with standards contained in the General Plan and the Zoning Ordinance. The land division's design complies with the County Subdivision Ordinance's maximum 4:1 length to width ratio for parcel configuration. The project site is not in an area governed by a Specific Plan.

6. **FINDING:** The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

EVIDENCE: The project will not conflict with any public easement. The project will cause no permanent conflict with public access rights. Affected utility companies have reviewed the proposed project and have not objected to the proposal.

EXHIBIT 2
CONDITIONS OF APPROVAL AND MITIGATION MEASURES
FOR
Land Division Application No. 2006-230

Project Name: Richard and Karl Hundchen

File Number: LDA No. 2006-230

Project Approval Date: June 1, 2007

The following conditions of approval and mitigation measures were approved for this project in order to ensure compliance with county codes and policies, and to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist indicates that the conditions and mitigation measures have been complied with and implemented, and fulfills the County of Mariposa's Mitigation Monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6)

Sign-Off Checklist for List of Conditions of Approval and Mitigation Measures

	Monitoring Dept.	Verified Implemented
CONDITIONS OF APPROVAL / PUBLIC WORKS DEPARTMENT		
1. The onsite easement from Cascade Creek Falls to the cul-de-sac on Parcel C shall be made 60 feet wide and non-exclusive. A cul-de-sac easement with a radius of 60 feet shall be provided to encompass the required cul-de-sac improvements. Additional easement width may be required to encompass the required road improvements, including turnouts and associated cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. The easements shall be offered for dedication to the County of Mariposa. The offers of dedication shall be non-revocable and specifically state on the parcel map that the dedications are for "public road and utility purposes." (Section 16.12.160.B, County Subdivision Ordinance; Road Standard Cross-sections, Road Improvement and Circulation Policy). §16.20.160.B, County Subdivision Ordinance; Road Standard Cross-sections and Section II.A.3, Road Improvement and Circulation Policy.	Public Works	
2. An encroachment permit shall be obtained from Public Works prior to any work being done on or adjacent to Cascade Creek Falls Road, including any work done on the encroachment for the onsite easement road. All encroachment improvements shall be completed as required by Public Works. Evidence that the encroachment permit has been	Public Works	

<p>completed to the satisfaction of Public Works shall be submitted to the County Surveyor by the applicant prior to recordation of the parcel map.</p> <p>Chapter 11, County Improvement Standards</p>		
<p>3. The proposed onsite easement road shall be improved to a Rural Class IA SRA standard from the intersection of Cascade Creek Falls Road to the cul-de-sac on Parcel C; the road shall meet this standard at the time of parcel map recordation. All portions of the onsite easement road that exceed 12% grade shall be paved. The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be approved by the County Engineer at the time of the recordation of the parcel map. The County Engineer may require engineered improvement plans for any grading or road improvement work required as a condition of approval for this project. The plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.</p> <p>§16.12.170, County Subdivision Ordinance; Chart A and Section II.D.2.a, Road Improvement and Circulation Policy.</p>	<p>Public Works</p>	
<p>4. A cul-de-sac shall be constructed at the terminus of the required road improvements for the onsite easement road, located on Parcel C. The cul-de-sac shall be improved to meet county standards and shall meet these standards at the time of parcel map recordation. The required cul-de-sac improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be inspected and approved by the County Engineer prior to recordation of the parcel map. At the time of recordation of the parcel map, the County Surveyor shall confirm that this condition has been met.</p> <p>Section 11.4(B)(9) County Improvement Standards</p>	<p>Public Works</p>	
<p>5. A road maintenance association shall be formed to provide for the maintenance of the onsite easement road. Maintenance shall include, but not be limited to, drainage and erosion control devices, fuel modification, and upkeep of road surfaces. The Road Maintenance Association provisions shall be developed by the applicant so those parcels served by the easement roads shall be responsible for road maintenance. These provisions shall be reviewed and approved by the County Engineer prior to recordation of the final map and shall:</p> <ul style="list-style-type: none"> a. Be in effect for the life of the project unless said maintenance is taken over by the County, a special district, or other governmental entity. b. Provide for annual maintenance and the immediate correction of emergency and hazard situations. c. Include 100% of the parcels in the subdivision served by the 	<p>Public Works</p>	

<p>access roads.</p> <p>d. Provide a mechanism for the road maintenance association to collect delinquent payments or assessments for the maintenance described above by filing a lien on the delinquent properties with the power of sale.</p> <p>e. Provide a mechanism for new parcels to be added to the association.</p> <p>Public Works Recommendation</p>		
<p>6. Prior to the commencement of any road improvements, road construction or other road building or maintenance activities required as a condition of approval for this project, a consultation meeting with the Public Works Department, the California Department of Forestry and Fire Protection, the applicant, and the road contractor shall occur. This meeting shall be conducted onsite. This consultation meeting shall be set up by the applicant and/or agent. Any and all costs associated with the consultation shall be the responsibility of the applicant. Public Works shall verify that this condition has been met prior to construction of any road improvements required for this project and prior to the scheduling of any onsite inspection of road improvements.</p> <p>Public Works Recommendation</p>	Public Works	
<p>7. Immediately upon completion of the required road and encroachment improvements, the applicant shall re-vegetate all exposed soils and install other erosion control as recommended by the Resource Conservation District (RCD) or the Public Works Department. The applicant shall also contact the RCD for an inspection. Inspection fees shall be the responsibility of the applicant. A letter shall be submitted to the County Surveyor by RCD stating that the re-vegetation and erosion control provisions have been completed.</p> <p>§15.28.120, Mariposa County Buildings and Construction Code</p>	Public Works	
<p>8. All signs required by the conditions of approval for this project shall be installed on metal, break-away type posts prior to map recordation. The design and placement of signs shall be approved by the County Engineer prior to installation.</p> <p>Public Works Recommendation</p>	Public Works	
<p>9. A stop sign shall be placed onsite at the intersection of Cascade Creek Falls Road and the onsite easement road. The stop sign shall be installed on a metal breakaway type post prior to map recordation. The design and placement of signs shall be approved by the County Engineer prior to installation.</p> <p>Public Works Recommendation</p>	Public Works	
<p>10. A sign stating "THIS ROAD IS NOT COUNTY MAINTAINED"</p>	Public Works	

<p>shall be installed onsite at the intersection of Cascade Creek Falls Road and the onsite easement road prior to map recordation. The design and specifications of the sign shall be in accordance with the County Improvement Standards and shall be approved by the County Engineer prior to installation.</p> <p>Section III.A.4, Road Improvement and Circulation Policy</p>		
<p>11. A road name sign for the on-site easement shall be placed at the intersection of Cascade Creek Falls Road and the onsite easement road prior to map recordation. The design and specifications of the sign shall be in accordance with the Mariposa County Improvement Standards and shall be approved by the County engineer prior to installation.</p> <p>§16.12.175, Mariposa County Subdivision Code</p>	Public Works	
<p>12. A Verification of Taxes Paid Form, acquired no sooner than 30 days prior to the recordation of the final map, shall be submitted to the County Surveyor.</p> <p>§16.12.395, Mariposa County Subdivision Code</p>	Public Works	
CONDITION OF APPROVAL / MARIPOSA PLANNING		
<p>13. Project approval is valid for a period of three years from June 15, 2007. This approval shall expire on June 15, 2010.</p> <p>§16.12.430, Mariposa County Subdivision Code</p>	Mariposa Planning	
<p>14. The onsite easement road shall be named in accordance with the criteria of County Resolution No. 92-541. A Road Name Request application shall be submitted to the Planning Department and be approved by the Planning Director. The name of the road shall be shown on the parcel map.</p> <p>County Resolution No. 92-541</p>	Mariposa Planning	
<p>15. Prior to recordation of the parcel map, all fees associated with the County's processing of the map and filing of associated documents shall be paid. The Department of Fish and Game filing fee (\$1,800) and County Clerk fee (\$50) shall be paid by the applicant within five (5) working days of the approval of the application, because if the fee is not paid within 5 working days, the environmental determination is not operative, vested, or final (Section 21089(b) Public Resources Code).</p> <p>The County Clerk requires that one check be submitted to cover both of these fees, for a total of \$1,850.00, and that it be in the form of a cashiers check or money order payable to "Mariposa County;" The County Clerk will not accept a personal check for these fees. Submit the check to Mariposa Planning who will file this fee and other required documents with the County Clerk.</p>	Mariposa Planning	

<p>§16.12.390, Mariposa County Subdivision Code</p>		
<p>16. The Property Owner (Owner) shall indemnify, protect, defend, and hold harmless the County, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the County, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, any approval of the County, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the County, concerning the project and the approvals granted herein. Actions concerning the project and approvals granted shall include, but not be limited to, the environmental determination made pursuant to the California Environmental Quality Act (CEQA). Furthermore, Owner shall indemnify, protect, defend, and hold harmless the County, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which Owner's project is subject to that other governmental entity's approval and a condition of such approval is that the County indemnify and defend such governmental entity. County shall promptly notify the Owner of any claim, action, or proceeding. County will further cooperate in the defense of the action.</p> <p>An agreement on a form approved by Mariposa County Counsel shall be executed within twenty (20) working days of the date of project action. Non-compliance with this condition may result in revocation of project approval by the county.</p> <p>§16.36.030, Mariposa County Subdivision Ordinance</p>	<p>Mariposa Planning</p>	
<p>CONDITIONS OF APPROVAL/ MARIPOSA COUNTY HEALTH DEPARTMENT</p>		
<p>17. The applicant shall demonstrate to the satisfaction of the Mariposa County Health Department that the qualified minimum sewage disposal area for Parcels A, B and C meets all required setbacks and that any road or driveway construction does not and will not create cuts that would preclude installation of a septic system within the qualified disposal area. The location of the approved qualified disposal area shall be staked out by the consultant or his representative and shown on a map provided by the surveyor. The Mariposa County Health Department must approve the qualified disposal area prior to scheduling the onsite preconstruction meeting. Additional testing may be required if the boundaries of the approved qualified disposal area are more than 50 feet from the tests already conducted.</p> <p>Health Department Recommendation</p>	<p>Environmental Health</p>	
<p>18. Additional percolation and soils analysis tests shall be performed on Parcel C. A minimum of 2 tests per area (Upper and Lower) must be conducted within the proposed qualified disposal area. The results of those tests shall be submitted to and approved by the Mariposa County</p>	<p>Environmental Health</p>	

<p>Health Department.</p> <p>§ 16.12.330, County Subdivision Ordinance</p>		
<p>19. In the event that the qualified disposal area cannot meet minimum required setbacks from proposed property lines, the property lines shall be adjusted or parcels merged to insure that the minimum setbacks are available. In the event that road construction on the project eliminates some or all of the qualified disposal area for one or more parcels, the parcels shall be tested in another area. Minimum testing requirements are percolation testing with at least four percolation tests, and soil profiles. In the event that soils testing does not demonstrate a new area meeting the requirements of Health Department Policy 03-01, then the parcel shall be merged with adjoining parcels prior to recordation of the parcel map.</p> <p>Health Department Policy 03-01</p>	<p>Environmental Health</p>	
<p>20. Provided the applicant is able to meet all the required Health Department conditions, the County Environmental Health specialist shall provide a letter to the County Surveyor stating that all requirements have been met. Additionally, a statement shall be recorded in Official Records concurrently with the parcel map and referenced on the parcel map as follows:</p> <p>"Approved percolation tests and soils analysis tests have been performed on Parcels A, B & C as shown on the Parcel Map for _____, filed in Book _____ of Parcel Maps at Page _____, Mariposa County Records, to verify the feasibility of installing an on-site septic disposal system. A map identifying the location of the approved percolation tests is on file in the County Health Department. If an on-site septic system is proposed for a portion of a parcel that has not had an approved percolation tests, additional tests and design recommendations may be required."</p> <p>Health Department Recommendation</p>	<p>Environmental Health</p>	
<p>CONDITIONS OF APPROVAL/CALIFORNIA DEPARTMENT OF FORESTRY & FIRE PROTECTION</p>		
<p>21. Prior to recordation of the parcel map, all applicable State Fire Safe Regulations shall be met. A letter shall be submitted to the County Surveyor by CDF stating this condition has been met.</p> <p>California Public Resource Code Section 4290</p>	<p>CDF</p>	
<p>CEQA MITIGATION MEASURES</p>		
<p>22. A building setback of fifty [50] feet from the centerline of the seasonal creek shall be located on Parcel B. A statement shall be recorded in Mariposa County Official Records concurrently with the parcel map, referenced on the parcel map, and made appurtenant to Parcel B as follows:</p> <p>"There is a building setback of fifty [50] feet from the centerline of the onsite seasonal drainage on Parcel B as shown on the Parcel Map for</p>	<p>Mariposa Planning</p>	

<p>_____ filed in Book ___ of Parcel Maps at Page ___, Mariposa County Records. No structures shall be constructed within the building setback. No portions of a sewage disposal system shall be constructed within the building setback, with the exception of sewage transmission lines or pipes across the creek, if the County Sanitarian determines their necessity. No grading shall be allowed within the setback. No removal of vegetation shall be allowed within the setback, except as necessary to comply with State Fire Safe Regulations. A well or wells, water pipes, underground and above ground power lines, fencing, and other similar structures or improvements may be constructed within the setback subject to approval by California Department of Fish and Game."</p>		
<p>Mitigation Measure 4.b.1</p> <p>23. Prior to recordation of the parcel map, the applicant shall submit an Oak Tree Identification and Preservation Plan to the Mariposa County Planning Department. This Plan shall show all trees of the genus Quercus located onsite within fifty feet of the centerline of the onsite easement road that are 5" or larger in diameter at breast height, with breast height being 4 1/2' above natural grade. All trees identified as Quercus that will be removed for construction shall be identified on this Oak Tree Site Plan. All oak trees identified for removal on the project site shall be replaced at a ratio of three to one of a like species of oak, minimum of 10-gallon size, purchased from a nursery that has stock compatible for project site conditions, except as described below. This Plan shall be prepared by a certified professional arborist, licensed landscape architect, registered professional forester, qualified botanist, or other qualified professional as approved by the Mariposa County Planning Department. This Plan shall specify maintenance requirements, costs, and procedures to ensure the viability of the replacement trees. If no trees are removed for purposes of road construction, the applicant may waive this requirement. If the qualified professional preparing this survey suggests an alternative to replacing the trees to be removed, that alternative suggestion shall be evaluated by the Mariposa County Planning Department and if determined to be acceptable, shall be implemented. The Plan shall be completed and approved by the Planning Department prior to scheduling the onsite road construction meeting required as a condition of project approval.</p> <p>Mitigation Measure 4.e.1</p>	<p>Mariposa Planning</p>	
<p>RECOMMENDATION ON OFFERS OF DEDICATION</p>		
<p>Staff recommends that the Planning Commission recommend that the Public Works Director accept the offer of dedication for public utilities for the onsite easement road.</p> <p>Mariposa Planning Recommendation</p>	<p>Public Works</p>	

Agency Contact List				
AGENCY	CONTACT	PHONE NUMBER EMAIL	SITE ADDRESS	MAILING ADDRESS
Mariposa Planning	Megan Tennermann	209-742-1219 mtennermann@mariposacounty.org	5100 Bullion Street Mariposa CA 95338	P.O. Box 2039 Mariposa CA 95338
Public Works	Cheryl Jay	209-966-5356	4639 Ben Hur Road Mariposa CA 95338	Same as site
Health Department	Dave Conway	209-966-2220	5100 Bullion Street Mariposa CA 95338	P.O. Box 5 Mariposa CA 95338
Regional Water Quality Control Board	JoAnne Kipps	559-445-5035	1685 E Street Fresno CA 93706	Same as site
Mariposa County Resource Conservation District	Jerry Progner	209-966-3431	5009 Fairgrounds Rd Mariposa CA 95338	P.O. Box 746 Mariposa CA 95338
County Assessor	Becky Crafts	966-2332	4982 10th Street Mariposa CA 95338	P.O. Box 35 Mariposa CA 95338
County Fire	Jim Middleton	209-966-4330	5082 Bullion Street Mariposa CA 95338	P.O. Box 162 Mariposa CA 95338
CalFire	Paul Alvarez	209-966-3622	5366 Highway 49 North Mariposa CA 95338	Same as site

Certificate of Completion:

By signing below, the environmental coordinator confirms that the required conditions of approval and mitigation measures have been implemented as evidenced by the "Schedule of Tasks and Sign-Off Checklist", and that all direct and indirect costs have been paid. This act constitutes the issuance of a *Certificate of Completion*.

 Environmental Coordinator

 Date

Explanation of Headings:

Monitoring Dept: Department or Agency responsible for monitoring a particular mitigation measure.

Verified Implemented: When a mitigation measure has been implemented, this column will be initialed and dated.

EXHIBIT 3
MITIGATION MEASURES AND MONITORING PROGRAM
FOR
Land Division Application No. 2006-230

Mitigation Measure 4.b.1.

A building setback of fifty [50] feet from the centerline of the seasonal creek shall be located on Parcel B. A statement shall be recorded in Mariposa County Official Records concurrently with the parcel map, referenced on the parcel map, and made appurtenant to Parcel B as follows:

"There is a building setback of fifty [50] feet from the centerline of the seasonal drainage on Parcel B as shown on the Parcel Map for _____, filed in Book ____ of Parcel Maps at Page ____, Mariposa County Records. No structures shall be constructed within the building setback. No portions of a sewage disposal system shall be constructed within the building setback, unless the Health Department has previously approved the location as the only suitable location for sewage disposal. No grading shall be allowed within the setback. No removal of vegetation shall be allowed within the building setback. A well or wells, water pipes, underground and above ground power lines, fencing, and other similar structures or improvements may be constructed within the building setback subject to approval by California Department of Fish and Game."

Monitoring for Mitigation Measure 4.b.1: The applicant shall have the setback shown on the recorded parcel map and shall prepare a declaration with the above statement. The parcel map and declaration shall be submitted to the County Surveyor and shall be approved prior to recordation of the parcel map.

Mitigation Measure 4.e.1:

Prior to recordation of the parcel map, the applicant shall submit an Oak Tree Identification and Preservation Plan to the Mariposa County Planning Department. This Plan shall show all trees of the genus *Quercus* located onsite within fifty feet of the centerline of the onsite easement road that are 5" or larger in diameter at breast height, with breast height being 4 ½' above natural grade. All trees identified as *Quercus* that will be removed for construction shall be identified on this Oak Tree Site Plan. All oak trees identified for removal on the project site shall be replaced at a ratio of three to one of a like species of oak, minimum of 10-gallon size, purchased from a nursery that has stock compatible for project site conditions, except as described below. This Plan shall be prepared by a certified professional arborist, licensed landscape architect, registered professional forester, qualified botanist, or other qualified professional as approved by the Mariposa County Planning Department. This Plan shall specify maintenance requirements, costs, and procedures to ensure the viability of the replacement trees. If no trees are removed for purposes of road construction, the applicant may waive this requirement. If the qualified professional preparing this survey suggests an alternative to replacing the trees to be removed, that alternative suggestion shall be evaluated by the Mariposa County Planning Department and if determined to be acceptable, shall be implemented. The Plan shall be completed and approved by the Planning Department prior to scheduling the onsite road construction meeting required as a condition of project approval.

Monitoring for Mitigation Measure 4.e.1: Prior to construction of the onsite easement road, the applicant shall prepare the plan showing all oak trees within fifty feet of the centerline of the easement road, and shall submit this plan to the Planning Department. When the plan has been reviewed and approved by the Planning Department, Planning shall submit a letter to the County Surveyor confirming that this requirement has been met. This requirement shall be met before the applicant schedules the onsite road preconstruction meeting.