

**CONDITIONS OF APPROVAL
FIELD & POND USE PERMIT
ZONE FILE #2015-0018**

ON-GOING OR OPERATIONAL CONDITIONS OF APPROVAL:

PLANNING DIVISION—COMMUNITY SERVICES (530) 666-8850

1. The project shall be developed in compliance with all adopted Conditions of Approval for Zone File #2015-0018. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval as contained herein.
2. Development of the site, including improvements, shall be as described in the staff report for this Use Permit (ZF #2015-0018), as shown in Attachment A, unless specifically modified by the Planning Commission or Board of Supervisors. Improvements to the property include development of a parking area(s) to accommodate at least approximately 75 vehicles; conversion of the existing main home to a five-room bed and breakfast; and conversion of one barn to accommodate indoor/outdoor events (public assembly). Such improvements include grading and graveling parking areas, including any required paved accessible parking, and providing accessibility features and structural upgrades to ensure building occupancies are adequately addressed, including all fire-related codes. Applicant agrees to amend the site plan to relocate parking away from the pond in conformance with General Plan Policy CO-2.22 and Mitigation Measure BIO-3(a) (Condition # 71).
3. The use of permanent structures (including use of the main house and barns) by clients or event guests shall require proper building permits to accommodate any required building occupancy change(s), accessibility features, and applicable fire codes. Use and operation of the main house or any other on-site structure as a bed and breakfast shall not commence until all building occupancy permits have been received from the Building Division.
4. The maximum number of allowed events is limited to 12 per year, subject to all of the other restrictions contained in Condition #67 (Mitigation Measure AG-2(a)).
5. Any modification or expansion of the proposed use, such as an increase in number of events per year and/or number of attendees per event or the construction of new structures, shall be consistent with the purpose and intent of this Use Permit, and shall be approved through an amendment to this Use Permit with a public hearing before the Planning Commission, subject to any environmental review deemed necessary. The facility shall be operated in a manner consistent with the project's approval.
6. This Use Permit shall commence within one year from the date of the Planning Commission's approval, or said permit shall be null and void. The Director of the Department of Community Services may grant an extension of time. However, such an extension shall not exceed a maximum of one year.

7. As soon as reasonably feasible after final approval of the first year of operation, the Planning Commission shall consider a review of the Use Permit to determine whether any changes are necessary to address reasonable concerns.
8. The applicant shall develop a site specific Field & Pond emergency and evacuation plan that identifies, among other things, facility information, owner and local emergency contact information, gathering or refuge locations, fire extinguisher locations, procedures for emergency evacuation, and other pertinent emergency response information. A draft of the emergency and evacuation plan shall be submitted to the Director of the Department of Community Services for review and approval. Once approved, a final copy shall be distributed to all affected emergency agencies, including the Yolo County Sheriff's Department, Winters Fire Department, and CalFire, and posted onsite. Said plan shall be included in any contractual agreement made between the operator of Field & Pond and clientele and any vendors who provided services on site.
9. Any use of outdoor lighting/light fixtures, whether permanent or temporary, shall be low-intensity, shielded and directed away from adjacent properties, the public right-of-way, and the night sky. Lighting fixtures shall use low-glare lamps or other similar lighting fixtures.
10. The applicant shall provide screening in those locations, within 300 feet of adjacent agricultural operations that are not currently protected by landscaping or fencing, where guests are likely to congregate. This may require the installation of mature foliage to ensure that areas adjacent to agricultural operations are minimally affected by spray or drift.
11. The project is required to maintain a minimum 100-foot setback from the two-acre pond and Chickahominy Slough in order to minimize impacts to aquatic and riparian features, including habitat. During scheduled events, maintain a 100-foot buffer around the northern and western portion of the 2-acre pond to prohibit visitor access into the buffer during the blackbird breeding season (March through August). This setback requirement includes any new development or ground disturbing activities such as grading or other construction activities, including installation of new walking trails. Walking paths, except for the brief distance from the existing path leading to the event barn, shall be constructed outside of the 100-foot buffer. Exceptions to this restriction include enhancing the riparian habitat values and hydrologic function of Chickahominy Slough by restoring the stream bank, where needed, and planting riparian vegetation along the slough to fill in vegetation gaps and within the 100-foot buffer to increase the width of the riparian corridor. See also COA #12 and #71 (Mitigation Measure BIO-3) .
12. Project features and use areas shall be consolidated, to the extent possible, to minimize footprint disturbance. Visitor access should be contained to well-defined use areas and disturbance shall be restricted from within 100 feet of the two-acre pond and Chickahominy Slough.
13. If engaging in any future agricultural activities, the applicant is encouraged to take measures to reduce erosion and protect water quality in Chickahominy Slough, such as planting a vegetative buffer between the slough and any new tree crops.
14. To reduce the potential of exposure of visitors to West Nile and Zika virus from mosquitos, the applicant shall implement the best management practices set by Yolo

County and the Sacramento-Yolo Mosquito and Vector Control (see <http://www.yolocounty.org/health-human-services/communityhealth/communicable-disease-investigation-and-control/west-nile-virus>).

15. Hours of operation for the event center shall be from 8:00 am until 12:00 am (midnight), with all amplified music and other amplified noise generating activities ceasing by 10:00 pm.
16. A Business License in good standing shall be maintained by the property owner or operator of Field & Pond.
17. All food served at the event center shall be from a caterer licensed by the County Environmental Health Division. If alcohol is to be served and/or purchased by guests, the event sponsor coordinating the event shall be required to comply with all State ABC requirements and shall obtain a permit prior to the event. The terms of these specific requirements regarding catering and alcohol use shall be included in the standard rental contract to be used by the project. The applicant shall ensure that security is maintained onsite whenever alcohol is served at an event.
18. Any signage posted for the advertisement of Field & Pond, both onsite and offsite, shall comply with the County's Sign Standards regulating the placement, size, and height of such signs (Article 12 of Chapter 2 in Title 8 of the Yolo County Code).
19. Event parking shall be available onsite to accommodate at least 150 guests with additional parking for employees and service providers. No parking areas shall be located on top of leach lines or within 100 feet of Chickahominy Slough or the two-acre pond. All parking areas shall be kept free of weeds, debris, and other flammable materials. Parking is prohibited within the County Road 29 right-of-way.
20. A minimum of three (3) handicapped accessible parking stalls shall be provided for events. At least one (1) of the parking stalls shall be van accessible (9 feet by 18 feet parking stall, with an 8-foot wide loading area). The remaining two parking stalls shall each be 9 feet by 18 feet, with a 5-foot wide loading area. The accessible parking area shall be paved or constructed with a solid surface (such as decomposed granite or other surface approved by the Chief Building Official) and shall be designated with signage and striping (temporary signage and chalking of the spots is acceptable).
21. A total of at least four (4) bathrooms and washroom facilities shall be provided at the site for all scheduled events, provided by bringing portable bathrooms and washroom facilities to the site, unless permanent restroom facilities are constructed under proper permitting for the site. Any portable toilets shall be removed from the site for appropriate disposal the next business day or within three (3) days after each event. At least one (1) of the bathrooms shall be ADA accessible.
22. Noise levels at the nearest residents' property lines shall not exceed 60 dBA during any scheduled event. Speakers shall be turned away from the public right-of-way and closest residences, which are located east and west of the project site. Additionally, any amplified music or other use of amplification shall be prohibited after 10 p.m. To ensure that noise generated by a private party accessing the grounds for an event does not become a source of nuisance to neighboring residents, the terms of the standard rental contract to be used by the project shall contain specific requirements that any private

amplified sound systems operated on the site shall comply with the noise standard of 60 dBA at the nearest residents' property lines. A property representative shall be on call during events to respond to complaints and concerns.

23. Fireworks shall be prohibited.
24. The applicant shall notify adjoining property owners and/or current lease farmers of scheduled events within a range of three weeks to three days of a confirmed event date. This notification shall include all owners and/or residents along County Road 29 from its terminus to County Road 89. In order to accomplish this, the applicant may post a schedule of upcoming events on their public website, if applicable, within the specified time range of a confirmed reservation, as a means of notifying neighbors and vicinity farmers in advance. The applicant agrees that any agricultural operator in the vicinity of the project is not responsible for curtailing operations during a scheduled event. See notification requirement in COA #25 that instructs Field & Pond visitors to yield to agricultural vehicles. This notification process shall also extend to the Yolo County Sheriff's Department, Winters Fire Department, and CalFire authorities for emergency personnel preparation.
25. The applicant/event operator shall distribute a disclaimer and notification statement to all guests and event participants regarding the agricultural practices surrounding the project site. This disclaimer shall reference the County's "Right-to-Farm" Ordinance within the project's standard Agreement Contract that is signed by customers. Notification shall clearly indicate that agricultural equipment has the right-of-way, and that vehicles approaching and departing Field & Pond events must yield to all farming and ranching implements while traveling along County Road 29. For each event, the applicant shall verify with the Director of the Department of Community Services that such a disclaimer has been distributed through evidence of said signed Agreement between the Field & Pond operator and event coordinator or other such responsible person.

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26. County right-of-way shall not be used for events/business operations parking.
27. To bring attention to the rural setting, the applicant shall note in client contracts, informational brochures, project website, and other project information locations, that clients/customers/visitors of Field & Pond should be aware of the rural conditions in transit to and from the project site (e.g., narrow rural road, presence of large farm vehicles, no streetlights, etc.), and that transit may take longer than expected travel times given by Global Positioning Systems (GPS) or other mapping applications.
28. Applicant acknowledges the following: There are no plans for the County to improve or rehabilitate County Road 29 in the future; there can be no assurance that the paved portions of County Road 29 will remain paved, should the County determine that reversion to a gravel surface is appropriate (there are a number of deteriorated, rural, paved roads in Yolo County that have been 'reverted to gravel' because insufficient State funding existed to rehabilitate the paved road surface and provide adequate, ongoing pavement maintenance).

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29. Food service shall be handled by outside approved vendors supplying their own food equipment and potable water.
30. Onsite liquid waste shall be managed by an outside sewage disposal and portable toilet rental company, unless permanent restroom facilities are constructed under proper permits.
31. Garbage (refuse) generated from events shall be stored in containers with secure lids and the refuse shall be removed from the premises within 8 days. The refuse shall not be stored or transported in a manner that allows fly-away garbage or an attractive nuisance to vectors.
32. The applicant shall submit a site map drawn to scale and appropriate fees paid to Yolo County Environmental Health (YCEH) for a site map review and site evaluation of onsite wastewater treatment system(s). The map must show that the proposed project will meet all County Code setbacks to the existing and proposed onsite septic systems and include an identified area for a designated septic replacement area that also meets all required setbacks. Setbacks shall include both horizontal and vertical measurements. The site evaluation with a soil profile, conducted by a Qualified Professional, shall be required to ensure all proposed and/or use of existing onsite wastewater disposal systems can adequately serve the project.
33. Pre-existing well(s) used for potable water must meet construction requirements for a domestic well. Copies of the well construction permit and Well Completion Report must be submitted to Yolo County Environmental Health (YCEH). Source water shall meet water quality and quantity standards. Test results which show the source meets water quality and quantity standards shall be submitted to YCEH. A pre-existing well that does not meet the construction or water quality requirements will not be approved.
34. If the drinking water system serving the project will be a Public Water System, a Domestic Water Supply permit application and appropriate fee must be submitted to Environmental prior to project implementation. A public water system is one that supplies water for human consumption through pipes or other constructed conveyance that has 15 or more service connections or regularly serves 25 individuals daily at least 60 days out of the year. Human consumption means the use of water for drinking, bathing or showering, handwashing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes.
35. The applicant shall submit a hazardous materials business plan and inventory for review and approval by Yolo County Environmental Health Division by the time hazardous materials and/or hazardous wastes are present in reportable quantities on-site, at the facility. Reportable quantities are amounts of hazardous materials that equal or exceed 500 pounds, 55 gallons, 200 cubic feet of gas, or any quantity of hazardous waste.

WINTERS FIRE DEPARTMENT -- (530) 795-4131

36. Changes in the use of existing buildings will require affected building(s) to be brought into compliance with the current California Fire (CFC) and Building Code (CBC). The

applicant shall maintain proper defensible space around all buildings and outdoor venue areas.

37. An automatic fire sprinkler system will be required in all occupancies used for sleeping.
38. Assembly occupancies, as defined by the CBC, with a fire area that exceeds 5000 square feet or an occupant load of 100 or more will require the installation of an automatic fire sprinkler system.
39. An approved water supply for firefighting purposes will be required.
40. An all-weather driving surface meeting the requirements of the CFC shall be provided to within 150 of all sides of all buildings.
41. The applicant shall maintain emergency access through the property, including the event entrance and exit, as required by the Fire Department.
42. Property access in accordance with the CFC shall be required.

BUILDING DIVISION—COMMUNITY SERVICES (530) 666-8775

43. All public access areas shall comply with Chapter 11b in the 2013 California Building Code (CBC) for accessibility.

COUNTY COUNSEL—(530) 666-8172

44. To the extent allowed by law, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attach, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperates fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action.

The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

45. Failure to comply with the Conditions of Approval as approved by the Yolo County Planning Commission or Board of Supervisors may result in the following actions:
 - non-issuance of future building permits;
 - legal action.

PRIOR TO LAND DISTURBANCE OR ISSUANCE OF BUILDING PERMITS:

46. Construction details shall be included in construction drawings, submitted concurrent with any future building permit application for tenant improvements to main house or barn, and are subject to review and approval by the Director of the Community Services Department.
47. Prior to any land disturbance such as grading, contractors shall be notified that they are required to watch for potential archaeological sites and artifacts, and to notify the Yolo County Community Services Director if anything is found. If any cultural resources, such as chipped or ground stone, historic debris, building foundations, or paleontological materials are encountered during grading, all work within 75 feet shall immediately stop and the Community Services Director shall be immediately notified. Any cultural resources found on the site shall be recorded by a qualified archaeologist and the information shall be submitted to the Community Services Department. In accordance with Section 7050.5 of the California Health and Safety Code, if human skeletal remains are encountered during construction, all work within 75 feet shall immediately stop and the County Coroner shall be notified within 24 hours. If the remains are of Native American Heritage origin, the appropriate Native American community, as identified by the Native American Heritage Commission, shall be contacted and an agreement for relocating the remains and associated grave goods shall be developed.
48. During any future construction activities, all disturbed soils and unpaved roads shall be adequately watered to keep soil moist to provide dust control, and comply with YSAQMD requirements listed below.

PUBLIC WORKS DIVISION—COMMUNITY SERVICES (530) 666-8039

49. Prior to the issuance of a grading permit, the applicant shall submit civil improvement plans for the entire project site for review by the Public Works Division. The applicant shall tie-in all new drainage improvements to existing drainage facilities and features, as necessary. The applicant shall not design or re-grade the project site to drain to a public right-of-way (e.g., to a roadside ditch along County Road 29).
50. All applicable permanent post-construction storm water pollution controls for new development (Section 11 of the County of Yolo Improvement Standards) shall be included in the site design, including but not limited to trash storage areas (see Section 11-5.2.7) and parking lots (see Section 11-5.3.5).
51. Applicant shall secure an encroachment permit to install a paved driveway approach with culvert to Yolo County Improvement Standards at two access locations: 1) Parking Entrance and the 2) Maintenance & Fire Dept. Access (contains two existing driveways and culverts). Culvert sizes shall be determined by the County. The driveway approaches and culverts shall be maintained by the applicant or applicant's successor. Work to install the approaches may include roadside ditch grading east and west of the driveways to tie-in the new approaches. The applicant shall reimburse the County for all activities associated with the encroachment permit work (County Zone File No. ZF2015-0018).
52. To bring attention to the rural setting, the applicant shall reimburse the costs (County Zone File No. ZF2015-0018) for County staff to install a W5-1 "ROAD NARROWS" sign

along westbound County Road 29 to current County standards; located approximately 2,500 feet west of County Road 88 along the north side of County Road 29.

53. Construction of the proposed development shall comply with the County of Yolo Improvement Standards that require best management practices to address storm water quality, erosion, and sediment control. If the development disturbs one acre or more of land, the applicant must obtain coverage under California's "National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (State General Permit)" for controlling construction activities that may adversely affect water quality. State General Permit coverage requires preparation of a Storm Water Pollution Prevention Plan (SWPPP). The applicant shall provide Yolo County its State-issued Waste Discharge Identification Number (WDID #), and pay associated fees, prior to issuance of a County building or grading permit.
54. The applicant shall file a Record of Survey, prepared by a licensed surveyor in the State of California, whenever any of the following instances occur:
 - a. A legal description has been prepared that is based upon a new field survey disclosing data that does not appear on any previously filed Subdivision Map, Parcel Map, Record of Survey, or other official map.
 - b. Permanent monuments have been set marking any boundary.

BUILDING DIVISION (530) 666-8775

55. A grading permit shall be required prior to any soil disturbance activity. Unless otherwise authorized by the Community Services Director, grading, excavation, and trenching activities shall be completed prior to November 1st of each year to prevent erosion. A drought-tolerant, weed-free mix of native and non-native grasses or alternate erosion control measures approved by the Community Services Director shall be established on all disturbed soils prior to November 1st of each year.
56. All building, electrical, plumbing, and mechanical plans shall be submitted to the Community Services Department for review and approval in accordance with County Building Standards prior to the commencement of construction or issuance of permits. Permits are required for all new construction, and for all alterations and change of occupancies in accordance with the 2013 California Building Code (CBC).
57. All Fire Code related site and building fire suppression requirements shall be in accordance with the 2013 California Fire Code (CFC).
58. The applicant shall pay all appropriate fees prior to the issuance of Building Permits, including but not limited to the Winters Joint Unified School District, Winters Fire Protection District, and County facility fees.

ENVIRONMENTAL HEALTH DIVISION (530) 666-8646

59. The applicant will be required to obtain approval for any new or modified sewage disposal system(s) from Yolo County Environmental Health prior to final building permit approval for any tenant improvements or other new construction related to event center and lodging operations.

60. Prior to issuance of a building permit, plans for retail food facilities shall be reviewed and approved by Yolo County Environmental Health (YCEH). Payment of the current fee for plan review is required before release of the plan approval letter to the Building Division.
61. Prior to issuance of a building permit, plans for a public pool, spas, or interactive water features shall be reviewed and approved by Yolo County Environmental Health (YCEH). Payment of the current fee for plan review is required before release of the plan approval letter to the Building Division.

YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT—(530) 757-3650

62. The applicant shall acquire any required permits from the Yolo-Solano Air Quality Management District, as appropriate.
63. To reduce tailpipe emissions from diesel-powered construction equipment, all applicable and feasible measures would be implemented, such as:
 - Maximizing the use of diesel construction equipment that meet CARB's 1996 or newer certification standard for off-road heavy-duty diesel engines;
 - Using emission control devices at least as effective as the original factory-installed equipment;
 - Substituting gasoline-powered for diesel-powered equipment when feasible;
 - Ensuring that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation; and
 - Using Tier 2 engines in all construction equipment, if available.
64. To reduce construction fugitive dust emissions, the following dust control measures would be implemented:
 - Water all active construction sites at least twice daily in dry conditions, with the frequency of watering based on the type of operation, soil, and wind exposure;
 - Effectively stabilize dust emissions by using water or other approved substances on all disturbed areas, including storage piles, which are not being actively utilized for construction purposes;
 - Prohibit all grading activities during periods of high wind (over 20 miles per hour);
 - Limit onsite vehicle speeds on unpaved roads to 15 miles per hour;
 - Cover all trucks hauling dirt, sand, or loose materials;
 - Cover inactive storage piles;
 - Post a publicly visible sign with the telephone number and person to contact regarding dust complaints; and
 - Limit the area under construction at any one time
65. The following list of best management practices will be required to control dust:
 - All construction areas shall be watered as needed.
 - All trucks hauling soil, sand, or other loose materials shall be covered or required to maintain at least two feet of freeboard.
 - Unpaved access roads, parking areas, and staging areas shall be paved, watered, or treated with a non-toxic soil stabilizer, as needed.

- Exposed stockpiles shall be covered, watered, or treated with a non-toxic soil stabilizer, as needed.
- Traffic speeds on unpaved access roads shall be limited to 15 miles per hour.
- Any visible soil material that is carried onto adjacent public streets shall be swept with water sweepers, as needed.

THE FOLLOWING MITIGATION MEASURES HAVE BEEN ADOPTED AS CONDITIONS OF APPROVAL

66. Mitigation Measure AG-1:

In order to remain consistent with the property's Williamson Act contract, the project will be prohibited from construction of any new guest rooms, including stand-alone cottages, above and beyond the five-room bed and breakfast accommodations in the main house, until such time as the terms of Successor Agreement #13-47 have completely non-renewed.

67. Mitigation Measure AG-2:

In order to ensure that the temporary or permanent increase in population at the project site does not significantly hinder or impair adjacent agricultural operations, the project will be required to:

- limit operations to a total of 20 total events per calendar year, not to exceed one event per week. A majority of the events shall not exceed a guest list of 150 attendees. Up to but not more than four (4) of the events may include up to but not more than 300 attendees, not to occur more than once per month. Shuttles or vans shall be required for events that exceed 150 attendees. In all instances, the number of trips generated by attendees, service personnel, and other persons associated with the event (car trips and van/shuttle trips) shall not exceed 100 round trips for a single event. The limitations on this mitigation measure do not apply to personal events; and
- implement a notification process, to be submitted and approved by the Community Services Department, that informs potential clients of Field & Pond of the County's Right-to-Farm Ordinance as a way to alert potential and future customers of ongoing agricultural practices and which limits a private property owner's ability to file nuisance complaints against adjoining agricultural land in production. This notification process shall also include a process to notify those adjacent landowners living along CR 29, from its terminus to CR 89, of pending scheduled events at least two weeks advance.

69. Mitigation Measure AG-3:

In order to ensure the adjacent agricultural operations are not further restricted from the introduction of new sensitive uses at the project site, i.e., the presence of multiple non-resident visitors, the applicant shall:

- maintain a 500-foot buffer from adjacent agricultural operations for any newly constructed buildings, such as cottages or guest houses or a new event barn, not including a restored barn, unless a written agreement to reduce the buffer is

obtained between the affected agricultural operator(s) and applicant. Alternatively, the applicant may opt to purchase an easement from adjacent farming operations. If such an option is pursued, the easement shall be recorded and a copy of the recorded document shall be placed on file with the Community Services Department; and

- (b) provide screening in those locations, not currently protected by landscaping or fencing, where guests are likely to congregate. This may require the installation of mature foliage to ensure that areas adjacent to agricultural operations are not affected by spray or drift.

68. Mitigation Measure BIO-1: Valley Elderberry Longhorn Beetle

- (a) Prior to construction at any time of the year, a qualified biologist shall conduct a survey to determine the presence/absence of elderberry shrubs within 100-feet of all ground disturbances (construction areas, parking area, outdoor event areas, and future single-room cottages, pool and cabana).
- (b) For complete avoidance of an elderberry shrub that meets the USFWS definition of potentially occupied VELB habitat (i.e., stems measuring 1.0 inch or greater in diameter at ground level), a 100-foot setback shall be maintained from any project component (USFWS 1999). The location of the shrub shall be identified by installing a temporary fence around the shrub. With approval from the USFWS, the setback can be reduced to 20 feet from the dripline of the shrub as long as other protective measures (e.g., signage, worker training, etc.) and restoration and maintenance of the site are applied according to the USFWS guidance (USFWS 1999). If avoidance is not possible, consultation with the USFWS may be required pursuant to Section 10 of the federal endangered species act. Through preparation of a low-effect habitat conservation plan, the project will be permitted to relocate the shrub out of the construction area. Other mitigation may also be necessary according to USFWS guidelines (USFWS 1999).
- (c) During scheduled events, maintain a 100-foot buffer from the top of the bank of Chickahominy Slough where elderberry bushes are located.

69. Mitigation Measure BIO-2: Swainson's Hawk

If construction occurs during the breeding season (March-September 15), the project applicant shall conduct Swainson's hawk pre-construction surveys no more than 14 days and no less than 7 days prior to initiating construction. A qualified biologist shall conduct the surveys and the surveys shall be submitted to Yolo County Community Services Department for review. The survey area shall include all potential Swainson's hawk and raptor nesting sites located within ½ mile of the project site. If no active nests are found during the surveys, no further mitigation shall be required.

If an active nest used by a Swainson's hawk or other raptor is found sufficiently close (as determined by the qualified biologist) to the construction area to be affected by construction activities, a qualified biologist shall notify the California Department of Fish and Wildlife and a ½ mile construction-free buffer zone shall be established around the nest. Intensive new disturbances (e.g., heavy equipment activities associated with

construction) that may cause nest abandonment or forced fledging shall not be initiated within this buffer zone between March and September unless it is determined by a qualified biologist in coordination with CDFW that the young have fledged and are feeding on their own, or the nest is no longer in active use.

70. Mitigation Measure BIO-3: Tricolored Blackbird

- (a) Relocate any parking areas at least 100 feet away from the 2-acre pond.
- (b) During scheduled events, maintain a 100-foot buffer around the northern and western portion of the 2-acre pond to prohibit visitor access into the buffer during the breeding season (March through August). Walking paths should be outside of the 100-foot buffer. Rail fencing can be used to delineate the buffer. If breeding of tricolored blackbirds is verified in any given season, then this buffer shall be increased to 500 feet, see (e), below.
- (c) Maintenance of cattail growth in the 2-acre pond should not occur during the breeding season (approximately March through August).
- (d) Reduce the number of events per year by implementing Mitigation Measure AG-2.
- (e) The applicant shall hire a qualified biologist to conduct a monitoring survey in the early part of each year for a minimum of 5 years to determine occupancy and breeding status at the 2-acre pond. If breeding is not confirmed during the 5-year period, monitoring can cease. If breeding is confirmed, annual monitoring shall continue until 5 consecutive years of non-breeding is confirmed.

If breeding is not confirmed in any given year, then no further restrictions are necessary. If breeding is confirmed in any given year, then further restrict all activities in the vicinity of the breeding pond during the tricolored blackbird breeding season (March through August) by implementing the 500-foot buffer described below. If breeding occurs, it will most likely occur at the western end of the pond, which is approximately 500 feet from project facilities including the main house and the restored barn. This distance is consistent with most disturbance-related avoidance and minimization measures for this species. If breeding is confirmed, prohibit all visitor access within 500 feet of the nesting location during the breeding season (March through August).

71. Mitigation Measure CUL-1:

Prior to any earth disturbing activities on previously undisturbed soils, including any grading for the construction of additional single-room cottages, a pool, cabana, or new event barn, the applicant shall be required to retain a qualified archaeologist to evaluate the site to determine if archaeological resources are likely to exist. If it is determined that archaeological resources could be present, the Yocha Dehe Wintun Nation shall be consulted to determine the extent of impacts to archaeological resources and to create appropriate mitigation to address any impacts.

72. Mitigation Measure CUL-2:

If, during project construction activities, cultural resource discoveries are made, all activities shall stop and a qualified archaeologist shall be retained and the Yocha Dehe Wintun Nation shall be notified and, in consultation with their designated monitors, the site shall be evaluated for cultural significance and to determine proper disposition of any artifacts or culturally sensitive resources.

73. Mitigation Measure PS-1:

For any event that will exceed 100 attendees, the applicant shall be required to secure the professional services of a parking attendant and/or security guard to facilitate traffic control and parking at the project site. Said service shall also monitor each event that exceeds 100 attendees to ensure proper crowd control management. Event parking shall not be allowed on County Road 29.

74. Mitigation Measure TR-1:

To bring attention to the rural setting, the applicant shall reimburse the costs (County Zone File No. ZF2015-0018) for County staff to install a W5-1 "ROAD NARROWS" sign along westbound County Road 29 to current County standards, located approximately 2,500 feet west of County Road 88 along the north side of County Road 29.

IF THE COUNTY'S STANDARD REQUIREMENTS FOR THIS PROJECT ARE NOT MET OR IF SIGNIFICANT PUBLIC HEALTH OR PUBLIC SAFETY HAZARDS ARE IDENTIFIED IN CONJUNCTION WITH THE PROPOSED PROJECT, A PUBLIC HEARING MAY BE CONDUCTED BY THE YOLO COUNTY PLANNING COMMISSION TO CONSIDER ADDITIONAL CONDITIONS OR TO CONSIDER REVOCATION OF THIS PERMIT TO OPERATE THIS FACILITY.

ACKNOWLEDGMENT of CONDITIONS of APPROVAL for ZONE FILE #2015-0018. I hereby concur with the Conditions of Approval as set forth above, and I further understand that these conditions may be modified by the Planning Commission.

Signature of Applicant:

Dahvie James, Applicant

Date

Signature of Owner:

Philip Watt, Owner

Date