

**Mitigation Monitoring Program: City of Carmel-by-the-Sea -- Sale of Flanders Mansion Project -- Lease Alternative**

Mitigation Number	Mitigation Measure	Compliance or Monitoring Actions to be performed.  Where applicable, a certified professional is required for action to be approved.	Implementation Responsibility	Verification Responsibility	Timing
<b>4.1 Aesthetics</b>					
<b>4.1-1</b>	In order to minimize potential impacts to the two (2) public viewing areas located adjacent to the Flanders Property, the City of Carmel-by-the-Sea shall provide additional trail access to these viewing locations from either the Doolittle or Mesa Trails. Appropriate trail signage and public amenities shall also be provided (e.g., benches, picnic tables, or similar), subject to the review and approval of the Forest and Beach Commission.	Design new trail and provide other signage and/or amenities  Construct trail and amenities	Plan approval by Forest and Beach Commission  Public Works & City Forester	City Forester	Prior to occupancy of the Flanders Mansion
<b>4.1-2</b>	In order to ensure the long-term preservation of existing scenic vistas within the Mission Trail Nature Preserve and adjacent to the Flanders Mansion parcel, the City of Carmel-by-the-Sea shall permanently preserve these locations through scenic deed restrictions or easements. The area of the scenic easements shall include the adjacent meadow area located south/southwesterly from the Flanders property as well as the two (2) viewing areas identified in Figure 4.1-5.	Prepare and record scenic deed restrictions or easements	Planning Director & City Attorney	City Administrator	Prior to occupancy of the Flanders Mansion
<b>4.1-3</b>	In order to minimize potential indirect impacts to the two (2) public viewing areas located adjacent to the Flanders Property, future exterior changes shall preserve the existing tree line surrounding the Flanders property, except as may be required to implement the Historical Preservation Plan for the building and grounds in conformance with Mitigation Measure 4.3-1. Prior to any tree removal and/or the issuance of any building permit associated with future use of the Mansion, the lessee shall submit detailed plans, including elevations, site plans, tree removal plans, and similar documentation to the City of Carmel-by-the-Sea for review and approval. All tree removals shall be performed in accordance with the City's existing tree removal ordinance and standards. Any exterior architectural changes shall also be in conformance with Mitigation Measure 4.3-1. This mitigation measure shall be incorporated as a condition of the lease agreement.	Submit plans  Review and approve plans, and tree trimming/removal permits	Lessee as Applicant  City Forester and Forest and Beach Commission	City Forester	Prior to any tree removal, tree trimming &/or issuance of any building permit





**Mitigation Monitoring Program: City of Carmel-by-the-Sea -- Sale of Flanders Mansion Project -- Lease Alternative**

Mitigation Number	Mitigation Measure	Compliance or Monitoring Actions to be performed.  Where applicable, a certified professional is required for action to be approved.	Implementation Responsibility	Verification Responsibility	Timing
4.2-2	<p>In order to ensure that the ESHA are not impacted as a result of the proposed project, following any proposed construction and/or demolition, disturbed areas in proximity to ESHA shall be:</p> <ul style="list-style-type: none"> <li>provided erosion-control measures, implemented to assure that disturbed areas do not erode (potentially impacting off-site resources). These erosion control measures shall be presented as a component of a larger Mitigation Monitoring and Restoration Plan, specific to the project to be implemented. The plan shall specify that no land clearing or grading shall occur on the project site between October 15 and April 15 unless protection to resources is demonstrated, subject to the approval of the Community Planning &amp; Building Department. Any areas near construction that are identified as ESHA shall be provided protection from construction impacts through approved erosion-control measures; protection shall be demonstrated prior to issuance of building permits, subject to the review and approval of the Community Planning &amp; Building Department.</li> <li>revegetated using appropriate native species and erosion control grass seed in consultation with a qualified botanist (this type of mitigation may be included within the conditions of a Coastal Development Permit).</li> <li>provided protective fencing, placed to keep construction vehicles and personnel from impacting any vegetation adjacent to the project site (i.e. Lester Rowntree Arboretum to the east, mesic-meadow to the south). Any trees or vegetation within the API not required for removal shall be provided appropriate protection from impacts of construction activity. This includes fencing off shrubby vegetation and protective wood barriers for trees. Any areas near construction that are identified as ESHA, including trees which are located close to any construction site(s) shall be protected from inadvertent damage from construction equipment by protective flagging to avoid the site. In particular, for trees, requirements shall include wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Community Planning &amp; Building Department.</li> </ul>	<p>Submit plans for revegetation, erosion control, timing and ESHA protection</p> <p>Review and approve plans for revegetation, erosion control, timing and ESHA protection</p> <p>Inspect site for construction fencing and/or barriers</p>	<p>Lessee as Applicant using Contractor</p> <p>City Forester and Building Official</p> <p>City Forester</p>	<p>Building Official</p> <p>Planning Director and City Forester</p> <p>Building Official</p>	<p>Prior to the issuance of any building permit</p> <p>Following construction, demolition activities and/or vegetation removal along ESHA interface</p> <p>Prior to the issuance of any building permit</p>

**Mitigation Monitoring Program: City of Carmel-by-the-Sea -- Sale of Flanders Mansion Project -- Lease Alternative**

<b>Mitigation Number</b>	<b>Mitigation Measure</b>	<b>Compliance or Monitoring Actions to be performed.</b>  <b>Where applicable, a certified professional is required for action to be approved.</b>	<b>Implementation Responsibility</b>	<b>Verification Responsibility</b>	<b>Timing</b>
<b>4.2-3</b>	Monarch butterfly: In order to avoid potential impacts to Monarch butterfly, vegetation removal in the vicinity of the Lester Rowntree Arboretum (eastern portion of the site) shall be limited. No vegetation shall be removed during the overwintering period (October-February) until a lepidopterist or qualified biologist determines the presence/absence of an overwintering population of Monarch butterflies at the place of occurrence reported to the CNDDB.	Conduct survey and implement recommendations	Lessee as Applicant using Qualified Biologist approved by City	City Forester and Planning Director	Prior to any vegetation removal during the overwintering period (October-February)
<b>4.2-4</b>	Monterey dusky-footed woodrat: Prior to the initiation of any construction-related activities, pre-construction woodrat surveys shall be conducted. The survey shall be conducted no more than 30-days prior to construction. If woodrat nests are documented as being present within the construction area, the appropriate authority (i.e., CDFG) shall be contacted. No activities on the project site shall impact the stick-nest observed behind the Flanders Mansion Property within an ESHA, unless prior authorization is obtained from the appropriate authority (i.e., CDFG). If permitted, the removal of the known woodrat nest shall be conducted according to the steps outlined in the attached Biological Assessment.	Conduct survey and implement recommendations	Lessee as Applicant using Qualified Biologist approved by City	City Forester and Planning Director	Prior to initiation of any construction-related activities
<b>4.2-5</b>	Nesting raptors (and other avian species): Pre-construction surveys shall be conducted for nesting avian species (including raptors) if any construction or demolition is to be initiated after mid-March (March 15 to August 1). If nesting raptors or any other nesting birds are identified during pre-construction surveys, the appropriate steps shall be taken as outlined in the 2008 Biological Assessment. If project activities cannot avoid the nesting season (generally March 1 – August 31), the applicant shall retain a qualified biologist to conduct focused pre-construction surveys for nesting birds within 30 days of the commencement of construction activities to avoid impacts to any nesting birds present. The pre-construction surveys shall be conducted in all areas that may provide suitable nesting habitat within 300 feet of the construction area. If active nests are found, the biologist shall establish a suitable construction buffer until the young have fledged. For construction activities that occur outside of the nesting season (generally September 1 through February 28), pre-construction surveys are not required.	Conduct survey and implement recommendations	Lessee as Applicant using Qualified Biologist approved by City	City Forester and Planning Director	Prior to initiation of any construction activities if construction is to occur between March 15 to August 1
<b>4.2-6</b>	Bats: In the event that tree limbing and/or removal is authorized for any future project (after lease of the property), bat surveys shall be conducted by a qualified biologist to assess the potential for the actual impact area to support the bat species discussed in the Biological Assessment. If it is determined that potential bat habitat may be negatively impacted, steps shall be taken as outlined in the Biological Survey. This should be done prior to any tree removal on the project site.	Conduct survey and implement recommendations	Lessee as Applicant using Qualified Biologist approved by City	City Forester and Planning Director	Prior to initiation of any construction-related activities

**Mitigation Monitoring Program: City of Carmel-by-the-Sea -- Sale of Flanders Mansion Project -- Lease Alternative**

Mitigation Number	Mitigation Measure	Compliance or Monitoring Actions to be performed.  Where applicable, a certified professional is required for action to be approved.	Implementation Responsibility	Verification Responsibility	Timing
<b>4.3 Cultural Resources</b>					
<b>4.3-1</b>	<p>The terms of any lease shall be subject to recordation of a historic preservation easement, or similar legally-binding document which shall run with the land and be binding upon the City as owner and upon all lessees, requiring the adherence to a comprehensive Preservation Plan for the Flanders Mansion historic resource consistent with the Secretary of Interior Standards and the Carmel-by-the-Sea Municipal Code historic preservation provisions. The easement shall encompass the entirety of the 1.4 acre historic resource as documented in the National Register of Historic Places nomination papers and shall apply to the owner and lessees of the property contained therein. The Preservation Plan shall require approval by the City's Historic Resources Board. In general, the Preservation Plan shall identify changes to the property that could reasonably be expected to occur and make recommendations so that the changes would not disrupt the historic integrity of the resource. The Preservation Plan shall be prepared by a qualified professional and shall provide practical guidance to the owner and lessees of the Flanders Mansion historic resource. Said Preservation Plan shall include: 1) a history of the Flanders Mansion; 2) an assessment of the current condition of the property (building and grounds) and detailed descriptions of the character-defining features; and 3) recommendations following the Secretary's Standards for the appropriate treatment of these features. Specific standards and requirements of the plan follow:</p> <p>A qualified specialist who meets the Secretary of the Interior's Professional Qualification Standards shall prepare the preservation plan that shall, at a minimum, include the following information:</p> <ul style="list-style-type: none"> <li>• A detailed history of the Flanders Mansion;</li> <li>• A discussion of its historical significance (i.e., why the resource is listed in the National Register);</li> <li>• A comprehensive list of the features of the building and grounds that contribute to its historical significance;</li> <li>• A detailed description of the current condition of the building and grounds and its integrity relative to the National Register criteria;</li> <li>• A discussion of the Secretary of the Interior's Standards for the Treatment of Historic Properties;</li> <li>• Specific standards and recommendations for the care and treatment of the Flanders Mansion building and grounds. These standards in this section of the plan should be based on the identified character-defining features and include relevant standards outlined by the Secretary of the Interior, and the Secretary's guidelines in applying these standards.</li> </ul> <p>It should be noted that for this project, additional mitigation measures have been incorporated which require that specific lease terms be implemented consistent with the recorded easement that the building and grounds be maintained in a historic fashion per required standards.</p>	<p>Prepare and record Easement</p> <p>Prepare and submit to City the Preservation Plan</p> <p>Review and approve Preservation Plan.</p> <p>Implement Preservation Plan</p> <p>Monitor and inspect construction activity</p>	<p>City Attorney &amp; Planning Director</p> <p>Lessee as applicant using qualified professional approved by the City</p> <p>Approval by Historic Resources Board</p> <p>Lessee as applicant using qualified professionals</p> <p>Department of Community Planning and Building</p>	<p>City Administrator</p> <p>Planning Director</p> <p>City Administrator and Planning Director</p>	<p>Prior to lease of the Flanders Mansion</p> <p>Within 12 months of signing the lease</p> <p>Complete rehabilitation within 48 months after City approval.</p> <p>Through life of Building Permit</p>

**Mitigation Monitoring Program: City of Carmel-by-the-Sea -- Sale of Flanders Mansion Project -- Lease Alternative**

Mitigation Number	Mitigation Measure	Compliance or Monitoring Actions to be performed.  Where applicable, a certified professional is required for action to be approved.	Implementation Responsibility	Verification Responsibility	Timing
<b>4.3-2</b>	Prior to the preparation of the comprehensive Preservation Plan, required by Mitigation 4.3-1, the City of Carmel-by-the-Sea shall document the Flanders Mansion so that a record of the property as it exists today is preserved. To accomplish this, the City shall hire a qualified cultural resources specialist to document the Flanders Mansion (house and grounds) with a historical narrative and large format photographs in a manner consistent with the Historic American Buildings Survey (HABS). Copies of the narrative and photographs shall be distributed to appropriate local repositories (libraries, planning department) and concerned groups (historical societies, preservation groups). The preparation of the HABS documentation shall follow standard National Park Service procedures. There would be three main tasks: gather data; prepare photographic documentation; and prepare written historic and descriptive reports. The photographic documentation shall consist of large-format photography conforming to HABS standards. Photographic documentation shall include 4-by-5-inch negatives in labeled sleeves, 8-by-10-inch prints mounted on labeled photo cards, and an index to the photographs. In addition, the documentation shall include photographic reproduction of any building blueprints, if available.	Documentation, survey and written historic and descriptive reports  File Documentation with City Clerk and provide copies of narrative to local repositories	Department of Community Planning and Building using Qualified Cultural Resource Specialist	City Administrator	Prior to preparation of the Preservation Plan
<b>4.3-3</b>	If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during ground-disturbing activities, the following steps must be followed: stop work in that area and within 50 meters of the find; notify the City of Carmel Building Official; and retain a qualified archaeologist to assess the significance of the find and, if necessary, to develop appropriate treatment measures in consultation with the State Historic Preservation Office.	Stop work.  Evaluate find.	Lessee as Applicant using Qualified Archaeologist	Department of Community Planning and Building	Ongoing
<b>4.3-4</b>	If human remains of Native American origin are discovered during ground-disturbing activities, it is necessary to comply with State laws relating to the disposition of Native American burials, which falls within the jurisdiction of NAHC (Pub. Res. Code §5097). If human remains of any origin are discovered or recognized in any location other than a burial site, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: <ul style="list-style-type: none"> <li>• the county coroner has been informed and has determined that no investigation of the cause of death is required; and</li> <li>• if the remains are of Native American origin, the descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98, or</li> <li>• NAHC was unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified by NAHC.</li> </ul>	Stop work.  Evaluate Find.	Building Official  Lessee as Applicant using Qualified Professional	City Administrator	Ongoing

**Mitigation Monitoring Program: City of Carmel-by-the-Sea -- Sale of Flanders Mansion Project -- Lease Alternative**

Mitigation Number	Mitigation Measure	Compliance or Monitoring Actions to be performed.  Where applicable, a certified professional is required for action to be approved.	Implementation Responsibility	Verification Responsibility	Timing
<b>4.4 Land Use</b>					
<b>4.4-1</b>	In order to minimize potential land use conflicts associated with potential future use of the Flanders Mansion Property, the City of Carmel-by-the-Sea shall require, through conditions of lease, that any future use of the Property be restricted to single-family residential use consistent with the original, historical use of the property. If the City considers any future use of the property that would represent an intensification of use, that use shall be subject to additional environmental review in accordance with CEQA, including the provisions of CEQA Guidelines §15162 and §15163, as applicable and shall require the preparation of a Traffic Impact Analysis. The traffic analysis shall be provided to the County of Monterey Public Works Department for review and comment.	Prepare Conditions of Lease  Prepare and provide any needed traffic analysis to County Public Works Department	City Attorney  Community Planning and Building Department	City Administrator	Prior to signing a lease  Ongoing
<b>4.6-1</b>	In order to ensure that adequate public parking is provided, the City of Carmel-by-the-Sea shall provide additional public parking to facilitate visitor access to the surrounding Preserve and Arboretum consistent with the policies of the Mission Trail Nature Preserve Master Plan, prior to the lease and occupancy of the Flanders Mansion Property. Prior to the lease and occupancy of the Flanders Mansion, the City shall develop a parking plan to provide at least 3 parking spaces along the existing driveway within the Mission Trail Nature Preserve as demonstrated in Figure 4.6-2. This site shall be surfaced with appropriate materials such as wood chips or other materials appropriate to the site, as approved by the Forest and Beach Commission. Paved surfaces, such as asphalt or similar, shall be prohibited. Construction shall minimize disturbance to the natural surroundings. Appropriate landscape treatments shall be provided to minimize views of parking from Hatton Fields neighborhood. Landscape screening with native vegetation shall be provided along the edge of the parking area to minimize visibility from surrounding residences. In the event that grading and/or vegetation-removal activities are required use of non-impervious materials shall be required. All disturbed areas shall be replanted with appropriate native vegetation.	Prepare parking area design  Approve Design Review and Required Permits.  Installation and inspection.	Community Planning and Building Department  Forest and Beach Commission  Department of Public Works & City Forester	City Administrator  City Forester  Building Official	Prior to the occupancy of the Flanders Mansion
<b>4.6-2</b>	In order to ensure that potential impacts to biological resources are avoided during the construction of additional parking, the City of Carmel-by-the-Sea shall arrange for pre-construction wildlife surveys (raptors, bats, and woodrats) to be conducted by a qualified biological professional, prior to the initiation of any construction-related activities. In the event that any special-status species are observed within the construction area or within the immediate vicinity, the proper resource agency (i.e., CDFG or USFWS) shall be contacted. No work shall commence until such time that CDFG or USFWS has been contacted and appropriate removal or protective measures have been identified.	Pre-construction wildlife surveys  Contact proper resource agency (if necessary)	Planning Director using Qualified Biologist	City of Carmel-by-the-Sea, CDFG & USFWS (if necessary)	Prior to construction of replacement parking identified in Mitigation Measure 4.6-1
<b>4.6-3</b>	Mitigation Measure 4.4-1 of Section 4.4 Land Use.				