APPENDIX M

County of Orange Covered Activities

The County of Orange Covered Activities are described as; **(1)** construction and operation related to the County's 1,530–acre Prima Deshecha Landfill (IWMD) and related improvements as set forth in the Prima Deshecha General Development Plan (GDP) (see *Part IV, Figure 163-M*); **(2)** construction relating to the widening and extension of Avenida La Pata from Ortega Highway through the Prima Deshecha Landfill to link to the existing Avenida La Pata in the City of San Clemente (see *Part IV, Figure 165-M*); and **(3)** future mitigation actions associated with the Prima Deshecha Landfill GDP operations and construction of Avenida La Pata, including invasive species control within the San Juan Creek portion of Caspers Wilderness Park and on-site mitigation as needed within the Prima Deshecha Supplemental Open Space as follows;

(1) A copy of the Prima Deshecha General Development Plan (GDP) is included as an attachment to this Appendix (Attachment M-1) and sets forth all activities associated with operation of the Prima Deshecha Landfill that are proposed to be Covered Activities in this NCCP/MSAA/HCP.

(2) *Part IV, Figure 165-M* depicts the conceptual alignment for the widening and extension of Avenida La Pata from Ortega Highway to existing Avenida La Pata in the City of San Clemente. The project includes the improvement of an approximately four-mile long segment of Avenida La Pata Avenue and an approximately one-quarter mile segment of Del Rio. Avenida La Pata will be improved between Ortega Highway and Prima Deshecha Landfill from a two lane plus southbound climbing lane to four lanes plus a southbound climbing lane. A new four-lane extension of Avenida La Pata Avenue will be constructed through the landfill to the existing intersection of Avenida La Pata and Calle Saluda in the City of San Clemente. The proposed alignment of Avenida La Pata will follow the existing La Pata Avenue between Ortega Highway and Prima Deshecha Landfill. South of the Landfill the alignment parallels the utility tower easement on the east until just north of the Talega residential development, where it crosses the utility easements diagonally from east to west to join the existing intersection of Avenida La Pata and Calle Saluda. The project also includes the extension of Del Rio as a four-lane facility from its existing terminus in the Forster Ranch community in the City of San Clemente to the proposed Avenida La Pata Avenue. The proposed Avenida La Pata Avenue alignment will require right-of-way and slope easements from Rancho Mission Viejo and from the Whispering Hills development north of the Landfill. Within the Landfill, additional right-of-way and slope easements will be required from the Orange County Integrated Waste Management Department. Approximately 4.6 acres of right-of-way and approximately 9.8 acres of slope easement will be required from the Talega Development south of the Landfill. These areas within the Talega Development are

currently City of San Clemente owned property. The proposed Avenida La Pata alignment will likely include the relocation of wooden pate structures used for electrical transmission and one steel electrical transmission tower due to stabilization and grading constraints. Furthermore, the proposed Avenida La Pata alignment is proposed to extend over 100 feet of municipal solid waste (Waste Management Unit No, 2) at the northern entrance to the Prima Deshecha Landfill. The project may need to over excavate, remove the landfill waste, and/or compact the bottom elevations through Deep Dynamic Compaction and/or surcharge the fill. The design of the proposed Avenida La Pata and Del Rio extension meets current County road and grading design criteria. These design criteria includes design speed, site distances, grades, horizontal curvature, etc.

(3) A copy of the Prima Deshecha/Avenida La Pata Mitigation Program is included as an attachment to this Appendix (Attachment M-2) and sets forth all activities associated with mitigation for impacts resulting from operation of Prima Deshecha Landfill and construction of Avenida La Pata extension that are proposed to be Covered Activities in this NCCP/MSAA/HCP.

Prima Deshecha/Avenida La Pata Mitigation Program

Onsite and offsite mitigation approaches are summarized below.

Onsite Mitigation

Mitigation for impacts to upland habitats will occur onsite within appropriate portions of landfill open space areas (Exhibit M-1). Onsite mitigation will include southern needlegrass grassland, and mesic /xeric coastal sage scrub restoration and creation, and special status plant species relocation. Native grassland, and mesic/ xeric coastal sage scrub creation will occur on north, west, and east facing slopes that currently support annual grassland and invasive plant species (primarily mustard (*Brassica nigra*) and artichoke thistle (*Cynara cardunculus*)). Existing thread-leaved brodiaea (TLB) plants will be relocated to appropriate receptor sites located along the western boundary of the landfill property. The receptor sites consist of a clay substrate, are located on a 3:1 southeast-facing slope, and currently support annual grassland; these are conditions that are similar to those that exist at the existing brodiaea population site.

The conceptual design of the onsite pre-mitigation plan was based on the following goals:

- **Maximize On-site Restoration and Opportunities:** Mitigation for coastal sage scrub, southern needlegrass grassland, and special status plant species impacted by the ultimate build-out of Prima Deshecha Landfill can be accommodated within onsite open

space areas outside of current and future landfilling operations and any potential future alignment of La Pata Avenue.

- **Locate Pre-Mitigation Sites in Disturbed Areas:** The proposed pre-mitigation sites occur within areas of the landfill that have been disturbed by previous grazing activities and landslide remediation activities. These areas support annual grassland and non-native invasive species.

- **Maximize Accessibility and Contiguity:** Pre-mitigation sites are located in areas that are accessible by existing maintenance roads to maximize efficient installation, maintenance, and monitoring performance. The proposed pre-mitigation sites are located immediately adjacent to the existing Landslide Remediation bio-mitigation sites as well as existing native coastal sage and riparian habitat resources to maximize site-wide habitat contiguity. Additionally, the proposed pre-mitigation areas will provide enhanced regional habitat connectivity to the Talega Development riparian and upland habitat mitigation sites and other permanent open space areas to the south and east of the PDL.

- **Enhance Sensitive Species Habitat:** The pre-mitigation plan will enhance the long-term habitat values for the California gnatcatcher and least Bell's vireo as well as other sensitive and non-sensitive plant and wildlife species through restoration and creation activities within and adjacent to habitats that support these species.

- **Incorporate Viewshed Protection Elements:** The pre-mitigation plan will incorporate viewshed protection requirements from City/County Memorandum of Understanding (MOU) and agreements with adjacent landowners by siting native shrubs and trees in a manner that does not alter the natural appearance of existing ridge lines.

Offsite Mitigation

Mitigation for impacts to all riparian resources (USACE and CDFG jurisdictional areas) will occur offsite within the County-owned Ronald M. Caspers Regional Park (Exhibit M-2). Mitigation will consist of the systematic eradication of non-native, invasive species including giant reed (*Arundo donax*), salt cedar (*Tamarix ramossisima*), and other non-native species that occur within a section of the San Juan Creek corridor that extends between the northeastern and southwestern borders of Caspers Regional Park. Offsite pre-mitigation for impacts to riparian resources will consist of a total of 24 acres of invasive species eradication.

The conceptual design of the offsite pre-mitigation plan was based on the following goal:

- **Improve Habitat Functions and Values:** The riparian habitat within the San Juan Creek corridor is currently threatened by increasing establishment of giant reed. The offsite eradication program will remove and eradicate 24 acres of giant reed, as well as other invasive species, over a ten year period, thereby enhancing the quality of the existing riparian habitat and increasing it's value to sensitive riparian bird species such as least Bell's vireo and southwestern arroyo toad.

Responsibilities

The long term success of the pre-mitigation program is dependent upon the cooperative efforts of the OCIWMD, the County Monitor, a qualified onsite Landscape Contractor, and a qualified Biological Monitor.

- The Biological Monitor will have a minimum of five years of experience with habitat restoration planning and monitoring in Southern California, and will be responsible for monitoring onsite pre-mitigation implementation. This will include: monitoring initial installation activities, long term maintenance activities, and performance; identifying appropriate remedial measures in coordination with the Landscape Contractor, the County Monitor, and OCIWMD landfill staff; and facilitating compliance with the resource agency permit requirements. The Biological Monitor will also be responsible for coordinating with the Landscape Contractor, the County Monitor, OCIWMD, and the Resource Agencies regarding site status.

- The County Monitor will have oversight responsibilities for ensuring compliance with all project requirements, as well as compliance with resource agency permits for both onsite and offsite pre-mitigation areas. The County Monitor, in coordination with the Biological Monitor, OCIWMD landfill staff, and the Landscape Contractor, will modify mitigation planning and implementation procedures using an "Adaptive Management" strategy.

- The Restoration Landscape Contractor (RLC) will have a minimum of five years of experience with habitat restoration installation and maintenance procedures and will have successfully completed installation/maintenance at a minimum of two native habitat creation/restoration sites that are at least 10 acres in size. The RLC will be responsible for performing all onsite pre-mitigation installation and site maintenance procedures. The RLC will also be responsible for coordinating with the Biological Monitor, the County Monitor, and OCIWMD landfill staff regarding site status.

IMPLEMENTATION

Pre-mitigation program implementation will consist of initial installation/eradication activities, long-term site maintenance, and long-term site monitoring. Pre-mitigation program implementation will emphasize an 'adaptive management' approach. Adaptive management consists of ongoing site evaluation procedures and identification of appropriate remedial maintenance action items based on current site conditions; this includes adjustments to initial management guidelines and specifications (within limits of permit requirements) based on dynamics of developing site conditions as well as new technical information to more effectively achieve successful habitat establishment and overall resource management goals.

Onsite pre-mitigation program implementation will be initiated in three separate phases. It is anticipated that implementation will be completed by 2011. It should be noted that Phase 1 (17.2 acres) was installed in 2004 and is currently being maintained and monitored as part of the five year program. Phases 2 and 3 will be initiated in Fall 2005 and 2006, respectively. Initiation of offsite mitigation/eradication procedures will occur upon coordination with CNF and initiation of control efforts upstream within the CNF by CNF as described in *Part I, Chapter 7.*

ATTACHMENT M-1

Prima Deshecha General Development Plan (GDP)

ATTACHMENT M-2

Prima Deshecha/Avenida La Pata Mitigation Program