

Exhibit 1A

Recommended Conditions of Approval

APPROVAL OF THE FINAL MAP SUBDIVISION AND COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE TRACT MAP MAY BE FILED WITH THE COUNTY RECORDER:

Conditions of Approval:

1. All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the parcel or final map to satisfy this condition. This requirement will be administered by the Department of Public Works.
2. Unless otherwise modified by the Planning Commission, all of the conditions on the enclosed Department of Public Works referral dated **November 8, 2023**, shall be completed or secured to the satisfaction of that department. Prior to performing any work on the improvements, contact the Land Use Division of the Department of Public Works.
3. The Planning Division requires that two (2) copies of the Final Map be submitted for review and approval, said map to identify net and gross acreage for each parcel.
4. Prior to the filing of the Final Map, the applicant shall submit a letter from the McKinleyville Community Services District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
5. Prior to the filing of the Final Map, the applicant shall submit a letter from the Arcata Fire Protection District stating that the project meets their requirements. This condition shall be administered by the Department of Public Works.
6. Prior to the filing of the Final Map, the applicant shall submit a letter from Pacific Gas and Electric Company stating that the project meets their requirements. This requirement shall be administered by the Department of Public Works.
7. Prior to the filing of the Final Map, the applicant shall submit a letter from Caltrans stating that the plan and design for stormwater detention meets their requirements. This requirement shall be administered by the Department of Public Works.
8. Prior to the filing of the Final Map, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. A Cost report will be made available at the Humboldt County Planning Department.
9. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$129.00 per parcel) as required by the County Assessor's Office shall be paid to the County Planning Division, 3015 H Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
11. A Condition & Mitigation Monitoring deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750.00)

shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note #1 below for suggestions to reduce the cost for this review.

12. Parkland dedication fees of \$14,772.01 shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. Parkland fees to be paid were based on the number of new units that could be developed on each parcel; with a total of 12 new residential units spread across 6 parcels. Parkland dedication in-lieu fees were calculated by the Assessor's Office to be \$160,000/acre. The dedication fee calculation per Section 314-110 of the Humboldt County Code is as follows: $12(130 \times 2.578/43,560) \times \$160,000 = \$14,772.01$

13. The property currently includes several dense thickets of blackberry, as well as a few small orchard trees and some ornamental cherries, all of which could serve as nesting habitat for migratory birds. Vegetation removal shall be done outside of the nesting bird season (generally March 15 – August 15). Vegetation removal may only occur during the nesting bird season if a qualified biologist has surveyed for active bird nests no more than seven days prior to the start of any project-related activities with the potential to impact nesting birds. If an active nest is found, the permittee must consult with the California Department of Fish & Wildlife (CDFW) regarding appropriate site-specific avoidance measures and buffer distances. Additionally, if during the nesting season there is a lapse in project-related activities of seven days or more, a biologist must re-survey the area before work may potentially resume.

14. The applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include the following site development details:

A. Mapping

- (1) Topography of the land in 1-foot contours.
- (2) Proposed access, parking lanes and pedestrian ways, easements
- (3) Two (2) off-street parking spaces on both lots consistent with Section 314-109.1 Humboldt County Code.
- (4) Parcels 3 and 4 shall show areas where construction and ground disturbance may occur without restriction, as well as the perimeter of the area that is sensitive for potential discovery and disturbance of tribal cultural resources and where ground disturbance is prohibited without prior consultation and approval from the County Planning & Building Department and local tribal representatives.

B. Notes to be Placed on the Development Plan:

Prohibition on New Ground Disturbance

- (1) "Portions of Parcels 3 and 4 are sensitive for discovery of tribal cultural resources. Prior to conducting any new ground disturbance in the identified buffer area, the owner must first contact the Humboldt County Planning & Building Department. An authorized representative from the Department will then engage in consultation with representatives from the Wiyot Tribe, Blue Lake Rancheria, and Bear River Band of the Rohnerville Rancheria.

During consultation, tribal representatives may request to conduct a site visit and/or that further survey for cultural resources be performed by a qualified consultant. Other

mitigation may include use of a tribal cultural monitor during future ground disturbing activities and avoidance of specific areas refined during re-survey.

These provisions are binding on the property owner(s) and tenant(s), as well as their successors and assigns. The property owner is responsible for providing payment to cover county staff time accrued during consultation and facilitation with the local tribes."

Inadvertent Discovery Protocol

- (2) "Should the parcel(s) be cleared for ground disturbance without requiring use of a cultural monitor, there always exists the possibility that undiscovered cultural resources may be encountered during construction activities. The following mitigation measures are required under state and federal law:

If archaeological resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

The applicant and successors are ultimately responsible for ensuring compliance with this condition."

- (3) "The project is located in a designated non-attainment area for the state's health-based particulate matter (PM10) air quality standard. As such, additional emission from the project (construction potential single family residences) could exacerbate air quality problems, including non-attainment of ambient air quality standards. In order to address potential effects to air quality the District recommends:
- Prohibition of open fireplaces.
 - Heating should be provided using clean fuels (electricity or natural gas), when feasible.
 - If wood heating must be used, only US Environmental Protection Agency (EPA) certified heating appliances should be permitted in new construction."
- (4) "Construction activities shall be restricted to hours between 7:00 a.m. and 6:00 p.m. Monday through Friday. All proposed uses must comply with the noise standards identified in Figure 3-2 of the General Plan."
- (5) "The parcel is located within the Coastal Zone. Development of residential units is subject to first securing a Coastal Development Permit."

- (6) "Please note that the information and requirements described and/or depicted on this Development Plan are current at the time of preparation but may be superseded or modified by changes to the laws and regulations governing development activities. Before commencing a development project, please contact the Planning Division to verify if any standards or requirements have changed."
15. The applicant shall cause to be recorded a "Notice of Development Plan" on forms provided by the Humboldt County Community Development Services—Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently **\$445.00** plus applicable recordation fees) will be required. The Development Plan shall also be noticed on the Final Map.
16. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors shall be paid to the Humboldt County Community Development Services—Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate. Please see Informational Note 1 below for suggestions to minimize the cost for this review.
17. The applicant shall reimburse the Planning Division for any processing costs that exceed the application deposit.

Informational Notes:

1. If archaeological resources are encountered during construction activities, the contractor or operator on-site shall cease all work in the immediate area within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at (916)653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at (707)445-7242. If the Coroner determines the remains to be Native American, the NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

The applicant and successors are ultimately responsible for ensuring compliance with this condition.

2. To minimize costs the applicant is encouraged to bring in written evidence* of compliance with all of the items listed as conditions of approval in this Exhibit that are administered by the Planning Division. The applicant should submit the listed item(s) for review as a package as early as possible before the desired date for final map checking and recordation. Post application assistance by the Assigned Planner, with prior appointment, will be subject to a Special Services Fee for planning services billed at the County's current burdened hourly rate.

Copies of all required forms and written instructions are included in the final approval packet.

- Each item evidencing compliance except legal documents to be recorded should note in the upper right-hand corner:

Assessor's Parcel No. _____, Condition _____.
(Specify) (Specify)

3. Under state planning and zoning law (CGC §66000 *et seq.*), a development project applicant who believes that a fee or other exaction imposed as a condition of project approval is excessive or inappropriately assessed may, within 90 days of the applicable date of the project's approval, file a written statement with the local agency stating the factual basis of their payment dispute. The applicant may then, within 180 days of the effective date of the fee's imposition, file an action against the local agency to set aside or adjust the challenged fee or exaction.
4. The Final Map Subdivision and Coastal Development Permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see Effective Date). This approval may be extended in accordance with the Humboldt County Code.