

CONDITIONS OF APPROVAL

APPROVAL OF THE COASTAL DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT, GENERAL PLAN CONFORMANCE REVIEW, AND SPECIAL PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

A. General Conditions

1. The project shall be conducted in accordance with the Site Plans and Construction Plans. Minor deviations shall be permitted as provided by Humboldt County Code Section 312-11; however, all other changes shall require modification of this permit.
2. The applicant will be responsible for obtaining all necessary Federal, State and Local permits, including Building Permits from the County of Humboldt Building Division to facilitate demolition and construction.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. Vegetation removal shall occur outside the nesting bird season (March 15 - August 15 for most species) to avoid impacts to resident and migratory birds. If project activities are proposed during the nesting bird season a qualified biologist shall survey for active bird nests no more than seven days prior to tree removal or significant trimming. If an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.

B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. Before any digging or excavation occurs, the applicant shall contact Underground Service Alert (USA) by dialing 811 a minimum of two working days prior to commencing any work to ensure that all existing underground utilities are identified and marked on-site.

Informational Notes:

1. The applicant is advised that the referral response from PG&E in Attachment 4 may be applicable to their project.
2. This permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see "Effective Date") except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must commence may be extended as provided by Section 312-11.3 of the Humboldt County Code.
3. If cultural 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 is ultimately responsible for ensuring compliance with this condition.