

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 23-051

Application Number PLN-2023-18108

Assessor's Parcel Numbers:

033-271-007, 033-271-009, 033-271-008, 033-271-004, 033-271-005, and 033-271-015

**RESOLUTION BY THE PLANNING COMMISSION OF THE COUNTY OF
HUMBOLDT CERTIFYING COMPLIANCE CONDITIONALLY APPROVING
EXTENSION AND MODIFICATION OF A PREVIOUSLY APPROVED
CONDITIONAL USE PERMIT (CUP-12-017)**

WHEREAS, MATEEL COMMUNITY CENTER, INC. submitted an application and evidence in support of approving an extension and modification of a previously approved Conditional Use Permit authorizing two annual special events, a two-day event and a three-day event; and

WHEREAS, the extension request proposes that the term of the permit be renewed for five (5) years (through 2027); and

WHEREAS, the modification request proposes that the attendance limit for the three-day event be extended to 8,000 persons; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the Planning and Building Department considered all the comments made by other departments and agencies and evaluated the application in light of the Humboldt County General Plan and Zoning Ordinance and formulated a recommendation supporting approval of the application; and

WHEREAS, the project requires a Extension and Modification of a Conditional Use Permit. In order to approve the Conditional Use Permit extension and modification the following findings must be made:

1. The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.
2. The proposed development is consistent with the purposes of the existing zone in which the site is located.
3. The proposed development is consistent with the applicable standards and requirements of the Zoning Ordinance.

4. The project and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Now, **THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Project Description:** Renewal and modification of a Conditional Use Permit to allow for two music festivals to be held annually in the Cooks Valley area. Both events feature live music, camping and various vendors, including cannabis-related concessions and consumption within discrete areas on the properties. The County Line Ranch and Cooks Valley Campground span both Humboldt and Mendocino Counties and will serve as the principal venue for all events. One event is the Summer Arts and Music Festival which occurs over two days and is ordinarily held during the third weekend in June. The event was first operated at the County Line Ranch in 2022 and the applicant is seeking to increase attendance from 4,000 to 5,000 persons under the modification request. The second event is Reggae on the River, which ordinarily occurs over three days and is held during the first weekend in August. The Reggae on the River event has not occurred since 2018 and is planned to be held annually beginning in 2024. The event will not be held in 2023. The applicant is seeking to expand attendance at this event to 8,000 persons.

EVIDENCE: a) Project File: PLN-2021-18108

- 2. FINDING:** The proposed project is consistent with the County General Plan, Open Space Plan, and open Space Action Program

EVIDENCE: a) The project is consistent with the General Plan policies supporting commercial and economic development and providing services to both local and regional populations.

- b) The property is host to a mixture of land use designations. Portions of the property associate with past surface mining activity are planned Industrial, Resource (IR) related while the remainder of the property is planned Timberland (T). All commercial timberland is situated on the east side of the property on the opposite side of the South Fork Eel River from the area where events occur.

- c) Portions of the event footprint are located within the 100-year floodplain. The project involves temporary use of the area outside of the wet season for approximately 7 days per year. No permanent structures are proposed to be developed and the property remains available for agriculture use during the remainder of the year.
- d) The project site has a “high” fire hazard rating according to the General Plan Flooding and Fire Hazard Map. The applicant is required to provide fire prevention and protection measures as identified in the *Plan of Operations*. A detailed emergency plan containing checklists and direct contact information will be finalized following consultation with fire, medical, and law enforcement personnel, who are contacted prior to each event.
- e) The project involves the performance of amplified instrumental and vocal music. Exposure to attendees is voluntary and is not at severe levels. The orientation of the performance staging and speakers direct the amplified music away from the highway. Surrounding landforms (steep cliffs) serve to buffer and attenuate noise exposure off-site. Significant ambient noise levels pre-exist from traffic on Highway 101. The proposed modification to the permit includes increasing attendance of both events. This change is not expected to affect the established noise levels that are customary to these events. The site has a history of hosting festival type events featuring live music. Since this creates the potential for nuisance to residents and surrounding landowners, the project includes a Condition designed to provide for facilitate communication between dedicated event staff and concerned local residents and landowners. An email/phone hotline will be established and advertised 2 weeks prior to the festival and monitored by dedicated staff before and during the event. The Condition also requires the applicant to take noise measurements at the property lines, and agree to implement adaptive measures to reduce, minimize, or resolve the issue(s) identified, including but not limited to: changes to speaker or stage positioning, amplification levels, or other measures to limit or control noise.
- f) The solid waste and recycling component of the *Plan of Operations* contains detailed specifications for the collection, storage, and proper disposal of solid waste and recyclable materials.
- g) The *Plan of Operations* contains detailed specifications for the layout of parking, camping, and other use areas adjacent to the South Fork Eel River. The event is structured and designed to avoid, prevent and/or intercept potential sources of water pollution before they enter the river. The Water component of the Plan identifies the water storage infrastructure used for the event. The County Line Ranch sources

potable water from a well located on the eastern side of the property. The well water is pumped and stored into a series of tanks totaling approximately 110,000 which are located on the northwest side of the property. Water is then distributed across the property from this location. Non-potable water for dust control and fire protection is sourced from an existing pond on the Cooks Valley Campground property.

Mitigation measures are included to offset event-related potable water use. These include reducing water demand on the Cooks Valley Campground property commensurate with event-related water use, and forbearance from use of the well at the County Line Ranch after September 1st, for the life of the permit. Total expected water usage for all events is approximately 448,000 gallons, approximately 250,000 gallons are tied to events being considered under this permit modification.

- h) The subject parcel is located along the South Fork Eel River and adjacent to the Humboldt Redwoods State Park. A recent Initial Biological Assessment was conducted in January of this year. Site visits have been performed by the biological consultant, as well as staff from the planning and building department & CDFW. Much of the areas utilized for event infrastructure have a long history of use as such and are very domesticated with little chance of hosting rare plants or animals. Provided the event is conducted in accordance with the *Plan of Operations and required Mitigation Measures*, potentially significant impacts to sensitive habitats are not anticipated to occur as a result of this project. Conditions of approval require all the same mitigation measures be applied to the proposed events. Consultation with Fish & Wildlife has been performed and it was agreed that the changes proposed serve to lessen potential environmental effects since installation of the seasonal bridge is no longer required and parking of vehicles on the riverbar will not be occurring during this year's events. A suite of mitigation measures has been included in the Draft Mitigated Negative Declaration and are designed to help protect biological resources from harm through survey, protection, and avoidance.
- i) During review of earlier events, both the Northwest Information Center and the Public Works Department - Natural Resources Division indicated that there was a low possibility of historical resources in the area and did not recommend further study. The proposed modifications to the event do not involve expansion of the festival footprint nor do they increase the amount of ground disturbance expected to occur. The County Line Ranch has been used periodically throughout the years for parking associated with the Reggae on the River Festival during earlier configurations of the event.

3. FINDING: The proposed development is consistent with the purposes of the existing zoning district in which the site is located.

EVIDENCE: a) The proposed modification of the Use permit requests authorization to increase the attendance of both events. These changes are being presented for consideration in concert with a separate proposal to allow a similar number of events at the site operated by a different applicant (the Northern Nights Music Group). Collectively, it is not expected that the temporary use of the site for a total of 4 events per year would conflict with or preclude other uses consistent with the purpose of the mixture of zones applied to the property (agriculture and timber production).

b) Assemblages of persons and vehicles are allowed in any zone provided a Conditional Use Permit is secured and the use is consistent with the General Plan. The existing permit was previously renewed for 5 additional years, through the year 2022, with continued requirements for event monitoring and post-event annual reports. Monitoring conducted by staff during the 2022 event and the post event report submitted by the applicant both confirm that the permit is being operated in a responsible fashion, consistent with the operational commitments made by the applicant as well as the required mitigation measures and permit conditions of approval. Increasing the allowed attendance of both events is appropriate given the nature of the site and the past performance by the applicant.

4. FINDING: The proposed development complies with the development standards and requirements of the Zoning Ordinance.

EVIDENCE: a) Past use of the CLR site has demonstrated that it is capable of accommodating parking of 2,500 vehicles. The 2022 post event report provided by the applicant show that of the 2,815 vehicles brought to the event, 1,573 vehicles were parked in Humboldt County. The event was attended by 6,587 persons, resulting in a ratio of 1 car for every 0.43 attendees. With a total of 10,000 attendees being proposed under the permit modification request, a total of approximately 4,273 would be required based on current patterns. VMT and GHG reduction mitigation measures will likely further reduce the projected amount of parking needed through incentivizing carpooling, increasing use of shuttles and bussing programs. Nevertheless, sufficient space is available for the projected number of vehicles that could appear under a “worst case scenario”. The Cooks Valley Campground and southern portions of the County Line Ranch in Mendocino County are able to accommodate a total of 3,144 vehicles, which is 1,371 more spaces than would likely be needed under the worst case scenario.

- b) Because the French's Camp site will no longer be used for events, approval of a Special Permit for installation of the seasonal flat-car bridge is no longer required. Parking of vehicles on the river bar will continue but does not result in permanent "development" subject to specialized permitting under the County Streamside Management Area and Wetlands Ordinance (SMAWO). Nevertheless, standard conditions of approval and mitigation measures prescribing vehicle and campsite setbacks from the wetted edge of the river will remain applicable and be subject to monitoring and enforcement under the permit terms and commitments made by the applicant. The California Department of Fish & Wildlife views these setbacks as acceptable, when coupled with inspection of vehicles for leaks and prohibition of leaking vehicles from parking on the riverbar.

5. FINDING: The project and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE: a) The submitted application contains evidence that the proposed project will not be detrimental to the public health, safety and welfare nor materially injurious to adjacent properties. All responding referral agencies have approved or conditionally approved the proposed project design. Additionally, the prior environmental impact reports and current Draft Mitigated Negative Declaration provide substantial evidence that all the potentially significant environmental impacts of the project are reduced to less than significant levels. The project as proposed and conditioned is consistent with the general plan and zoning regulations and has been mitigated so it will not cause significant environmental damage.

6. FINDING: The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE: a) The proposed project involves a site historically used for hosting the music festival and does not propose any new residences on the subject parcel. The festival site occurs on a property zoned AE and TPZ with a designated land use of T and IR. The parcel is not included in the Housing Inventory.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approve the requested extension and modification (PLN-2023-18108) to the previously approved Conditional Use Permit (CUP-12-017) for the Mateel Community Center, Inc subject to the conditions of approval attached hereto as Attachment A and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **May 18, 2023**.

The motion was made by COMMISSIONER Brian Mitchell and second by COMMISSIONER Thomas Mulder and the following ROLL CALL vote:

AYES: COMMISSIONERS: Iver Skavdal, Noah Levy, Thomas Mulder, Peggy O'Neill
Brian Mitchell

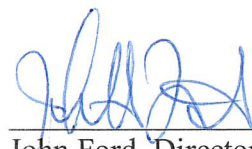
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Sarah West, Lonyx Landry

ABSTAIN: COMMISSIONERS:

DECISION:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.



John Ford, Director
Planning and Building Department

CONDITIONS OF APPROVAL

Approval of the Conditional Use Permit Modification and acceptance of the Post Event Report is conditioned on the following terms and requirements.

A. Conditions of Approval

1. The project shall be conducted in accordance with the approved 2023-27 Operations Plan and event mapping (found under Attachments 4A and 2B).
2. The applicant shall obtain approval of a special events permit from the County Department of Public Works, if required by that Department. The applicant shall submit a letter from the Department of Public Works stating they have no objections to the event being held that year.
3. By May 1st of each year, the applicant shall provide written factual evidence demonstrating that Fire Protection Services for each event has been secured through Garberville, Redway, Briceland Fire Protection District, or Piercy or Sprowel Creek Volunteer Fire Department or a similarly capable outfit, and that the proposed fire prevention equipment and personnel to be provided on-site throughout the event are sufficient for fire protection according to CalFire.
4. For each year of the event, vehicle parking throughout the event, including off-site parking, shall adhere to the approved mitigation plan and the minimum requirements of CDFW provided below, which involves screening vehicles for leaking oil, parking suspect vehicles off the river bar and placing oil absorbing pads under the vehicles. CDFW shall be allowed to inspect all the parking areas after the event, and additional mitigation measures may be required pending the findings of the post event report. Additional mitigation may include relocating all parking from the active gravel bars for all future events. Other alternatives may be approved by the Planning Commission if the finding can be made that the alternative mitigation will have the same efficacy toward protecting the river from petrochemical contaminants from vehicles.

Minimum requirements of CDFW to allow parking on active gravel bars during each event:

- A. Dedicate staff to pollution prevention, both at the access point and follow-up within the venue for the duration of each event
- B. Identify “problem” vehicles (i.e. leaking, etc.) before they enter the venue
- C. Intercept “problem” vehicles that are leaking through either visual inspection, odor and/or by asking the driver about the working condition of their vehicle.
- D. Quarantine vehicles that are known to be leaking by providing parking off the river bar.
- E. Create a Best Management Plan/Contingency Plan for leaking vehicles discovered within the venue, such as providing absorbent pads effective to contain leaks until proper disposal after the event.

F. Dedicate staff for clean-up and remediation of spots/spills during and after the event.

G. Report the post clean-up findings to CDFW after each event.

Lastly, CDFW requests the opportunity to evaluate river bar condition after each festival, at their discretion. Access will be coordinated with the designated Project Point of Contact.

5. A trash management strategy shall be implemented within all on and off-site parking areas. The food and trash management strategy shall be operated to the satisfaction of the California Department of Fish & Wildlife and describe how all garbage from the event will be kept in covered containers that prevent access by corvids, or contained in predator-proof trash receptacles that prevent access by corvids; and that the entire site is cleaned of garbage and food immediately after the event. Any approved food and trash management strategy shall become part of the required Plan of Operation for the event each year.
6. Whenever the applicant requests an increase in attendance levels as part of their annual report, the report submitted by the applicant must include additional focused analysis of the efficacy of the parking plan for the previous year and include factual documentation that supports a finding that the requested increase in attendance levels will not lead to insufficient on-site parking.
7. **Within five (5) working days of the effective date of this permit approval,** the applicant shall submit a check to the Planning Division payable to the Humboldt County Recorder in the amount of \$2,764.00. Pursuant to Section 711.4 of the Fish and Game Code, the amount includes the Department of Fish and Game (DFG) fee plus a \$50 document handling fee. This fee is effective through December 31, 2023 at such time the fee will be adjusted pursuant to Section 713 of the Fish and Game Code. Alternatively, the applicant may contact DFG by phone at (916) 651-0603 or through the CDFW website at www.dfg.ca.gov for a determination stating the project will have *no effect* on fish and wildlife. If CDFW concurs, a form will be provided exempting the project from the \$2,764.00 fee payment requirement. In this instance, only a copy of the DFG form and the \$50.00 handling fee is required.

Note: If a required filing fee is not paid for the project, the project will not be operative, vested or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the State Fish and Game Code).

8. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. Within three days of the effective date of permit approval the Planning and Building Department will file the NOD and will charge this cost to the project.
9. Pursuant to Public Resources Code §21089, the applicant is subject to cost reimbursement to the lead agency for expenses associated with the preparation of environmental review documentation, mitigation assessment, and monitoring program reports.

10. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
11. Each year of the event, the applicant shall include in the annual report an analysis of the performance of each off-site parking area (if used), describing the number of vehicles using the site, shuttle service, and movement of people between the off-site parking areas and the event site. The Planning Commission may disallow the use of any of the off-site parking areas based on the recommendations of the California Highway Patrol (CHP).
12. The applicant shall coordinate with law enforcement personnel from the Humboldt County or Mendocino County Sheriff's office. This includes providing financial compensation for services rendered during any oversight and management of the event.
13. All executed contracts ensuring public health and safety shall be provided to the Planning Department at least two weeks prior to each event, including contracts for portable toilets, fire suppression equipment and personnel and law enforcement. Failure to present these executed contracts shall be grounds for the County to cancel the events.
14. All equipment necessary for public health and safety shall be on-site at least one day prior to each event. This equipment includes all the required portable toilets, fire suppression equipment and traffic safety assets.
15. Where required, on or before May 1 of each year of the event, the applicant shall obtain a Special Event Permit from the California Department of Parks and Recreation (CDPR). The applicant shall coordinate with visitor services staff from the North Coast Redwoods District. This requirement includes providing financial compensation for services rendered, facilities or land rented, and/or personnel overtime required during oversight and management of the event. A section regarding the CDPR Special Event Permit shall be included in all future post event reports, to document compliance with the conditions of the permit and identify any refinements needed to the event's operations plan to resolve issues with permit conditions that were noted the prior event year.
16. Post Event Reports and Operations Plans shall include a section in the report with a comprehensive list of all other permits required by various agencies, and their status. Agencies include but are not limited to: The Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish & Wildlife, CalTrans, Cal-FIRE, California Highway Patrol, Humboldt County Public Works, Humboldt County Environmental Health, and California Department of Parks and Recreation.

17. On or before May 1 of each year of the event, the applicant shall provide evidence that all of the the following agencies have been notified of events for that year and shall provide feedback from these agencies where received:

- Humboldt County Division of Environmental Health
- Humboldt County or Mendocino County Sheriff
- CalTrans
- California Highway Patrol
- Cal-FIRE
- Department of Fish and Game (CDFW), and
- Regional Water Quality Control Board
- California Department of Parks and Recreation – North Coast Redwoods District

This information shall also be included in the annual report.

18. At least two weeks prior to each event, submit a water quality testing plan for sampling the South Fork Eel River at the site before, during and after the event. The report shall be prepared by a registered professional. Water quality sampling and testing shall be conducted by a qualified professional.

19. If the Mateel Community Center ceases to be the organization with primary responsibility for the event, the conditional use permit shall expire automatically, unless the new partner or party is operating in conjunction with and under the express written consent of the Mateel Community Center, the entity that holds the festival permit and is party to the site lease. The Planning Director shall have the authority to determine if the use permit has expired by operation of this paragraph. The Planning Director's determination shall be appealable to the Board of Supervisors.

20. To provide for adaptive management of the event, including control of unique issues which arise or are observed, the applicant shall perform and implement the following actions and protocols, which are designed to help ensure the event is conducted in a way that avoids becoming a nuisance to neighboring land uses and residents.

A. The following measures shall be completed **at least two weeks prior** to the event:

- i. The applicant shall establish a number of channels for soliciting community feedback **before** and **during** operation of the festival, including but not limited to:
 - a. a dedicated local landline with voicemail, answering machine, or equivalent messaging service for receiving feedback, concerns, suggestions, and complaints.
 - b. a dedicated email address for receiving feedback, concerns, suggestions, and complaints.
 - c. A dedicated staff person or team shall be designated and tasked with regularly monitoring communication received through these channels including:

1. responding to / contacting reporting parties to acknowledge receipt of communication as well as discussion and development of ways to effectively address the issue; and
 2. coordinating implementation of adaptive measures to reduce, minimize, or resolve the issue(s) identified.
- ii. Notification shall be provided to community members (including neighboring property owners/residents, and others). The notice shall include the festival dates and daily hours of operation and list the phone/email hotline where community members may ask questions, express concerns, or provide feedback related to the event. Notice shall be provided at minimum through the following means:
 - a. Flyers shall be posted and handbills left at community message boards and similarly appropriate locations in the Piercy, Cooks Valley, Benbow, and Garberville areas. Flyers should explain that the hotline will be monitored and used to respond to event-related questions and concerns from local residents.
 - b. Hotline information shall be included within event-related PSA's or paid announcements on local radio stations
 - iii. The email account and phone number shall be monitored during the festival as well as the 2-week period leading up to the event. At a minimum, monitoring of these channels shall be performed hourly during the festival and on a daily basis during the period preceding the first day of the event.
- B. The following measures shall be implemented **during** the event:
- i. To characterize and better understand noise levels from the event, a noise meter shall be used to measure and monitor noise levels at the boundaries of the event properties during each night of an event (between 7pm and 2am). Noise measurements shall be collected at the property lines nearest each of the cardinal directions (north, south, east, and west) from the center of the event.
 - ii. The applicant agrees to adaptively manage concert noise throughout the course of each event, striving to incorporate measures which reduce, minimize, or resolve noise-related issues or similar concerns should complaints or other constructive feedback be received from community members during the festival. This includes but is not limited to: speaker or stage positioning, amplification levels, or other measures to limit or control noise.
- C. The following measures shall be implemented **following** the event:
- i. Each post-event report shall include information discussing compliance with the requirements of this condition, including public outreach and input received, noise level measurements, and adaptive management measures taken.
21. Fire Department personnel shall patrol the Piercy Community immediately prior to and following the event, as well as during the event, as needed. Patrols shall inspect for evidence of hazardous activities, fires, or potential sources of ignition.
22. The pond located on the Arthur Property (French's Camp) shall be completely drained annually (40° 0'29.76"N, 123°47'2.02"W). Draining of the pond must be completed by September 1st

of each year. Before draining may occur, a plan for discharge of stored water from the pond shall be submitted to the California Department of Fish & Wildlife for review and approval. The plan shall identify the timing, volume, and areas where release of water is proposed. Water from the pond shall not be discharged directly into the South Fork of the Eel River, or its tributaries.

**Where authorized by the California Department of Fish & Wildlife (CDFW), during years with extreme fire danger, water from the pond may be drained at a later date, to preserve it remaining available for use as water for fire protection (*added by the Planning Commission)*

B. Operational Restrictions/Ongoing Requirements Which Must Be Satisfied For The Life Of The Project:

1. The project is subject to the following annual reporting and review requirements:
 - a. By December 31st of each year, the applicant shall prepare and submit a post-event annual report discussing that year's events. The annual report shall be reviewed by the Planning Commission or their Designee, and shall include comment letters from the CHP, CalTrans, California State Parks, and other relevant agencies commenting or reporting on the efficacy of the mitigation measures, identifying any refinements to the mitigation needed for the event the following year, and setting the attendance levels approved under the permit. All costs to the County for the review of the annual report shall be paid by the applicant prior to May 1st of each year.
 - b. Within 120 days of its receipt, the Planning Division shall complete review of the annual report. Requests for increases to the attendance levels from the previous year shall require explicit Planning Commission approval.
 - c. To address area concerns that may arise, the applicant shall hold a minimum of one (1) community meeting in the Garberville, Redway, Cooks Valley, or Piercy area within 90 days of the last event. This meeting may be waived by the Planning Director if no significant community issues have been reported.
2. The Applicant (Mateel Community Center) is exclusively responsible for ensuring annual compliance with Mitigation Measure BIO-2, included in the most recent environmental document prepared for the project (SCH #2023040570). Compliance can occur in a number of ways including but not limited to: use of the stored water in the pond for irrigation and dust control by the property owner, use of stored water in the pond for irrigation and dust control associated with future concert events or similar temporary uses, or draining of the pond by the Applicant into an authorized area with the consent of the property owner and CDFW.

Mitigation Measure BIO-2 (Bullfrog Management – Arthur Pond): *The pond located on the Arthur Property (French's Camp) shall be completely drained annually. Draining of the pond must be completed by September 1st of each year. Before draining may occur, a plan for discharge of stored water from the pond shall be submitted to the California Department of Fish & Wildlife (CDFW) for review and approval. The plan shall identify*

the timing, volume, and areas where release of water is proposed. Water from the pond shall not be discharged directly into the South Fork of the Eel River, or its tributaries.

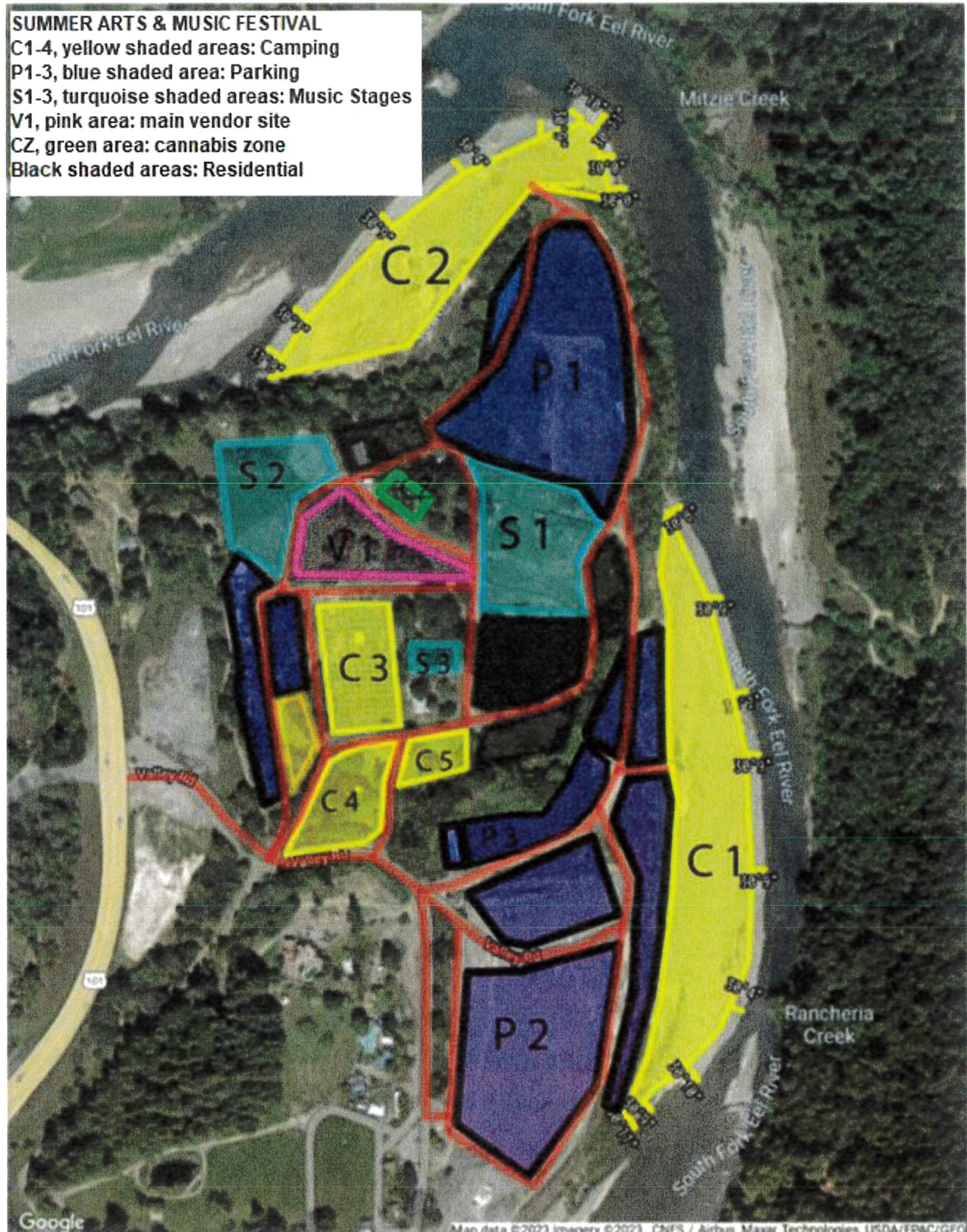
C. Information Notes:

1. All storage, handling, and disposal of hazardous materials, solid waste, and recyclable materials must conform to applicable laws and regulations. Contact the Humboldt County Department of Public Health - Division of Environmental for additional information.
2. The project involves site access and occupation along and across a public right-of-way and subject to regulatory authority by various state agencies including: the California Department of Transportation (state highways), California Department of Fish and Game (streambed alterations). The applicant is responsible for obtaining and securing all required permits and authorizations from these agencies prior to conducting each event.
3. Though the project site is not located near or within an area where known cultural resources have been located, there remains the possibility that undiscovered cultural resources may be encountered during ground disturbing activities, the following mitigation measures are required under state and federal law:

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.

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 Section 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 Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code Section 5097.98. Violators shall be prosecuted in accordance with Public Resources Code Section 5097.99.

EVENT MAPS



EVENT MAPS

