

CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT IS GRANTED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE USE MAY BE INITIATED AND FOR THE LIFE OF THE PROJECT

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses and for meeting all requirements set forth by other regulatory agencies.
2. The applicant shall secure a building permit for installation of the manufactured home.
3. The applicant shall secure a permit through the Division of Environmental Health prior to installation of the proposed new well.
4. The applicant shall secure a permit through the Division of Environmental Health for the proposed new on-site waste treatment system (OWTS).
5. The applicant is required to pay for permit processing on a time-and-materials basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building 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 and Building Department, 3015 H Street, Eureka.
6. According to Caltrans, encroachment permits on record for APN 204-121-004 were issued to Superior Timber Company in 1951. The applicant shall obtain a valid Encroachment Permit from Caltrans to construct, upgrade, own, and operate road approaches to the State highway system.
7. Prior to issuance of the building permit for the residence the applicant shall submit the Well Completion Report for review by the Groundwater Sustainability Administrator to ensure that the use of the well does not conflict with the Groundwater Basin Plan or be otherwise detrimental to the Groundwater Basin.

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

1. The applicant shall implement the Inadvertent Discovery Protocol. In the event of the accidental discovery of historical artifacts or human remains, a qualified professional archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities. If the applicant proposes new development outside of the area that was surveyed by a certified archaeologist, a new archaeological survey covering the proposed development area will be required.
2. The applicant shall operate and manage the property at all times in accordance with the applicable land use covenant (2022-020574) held by the Regional Water Quality Control Board, which limits development and use of the property to industrial, commercial, and/or office space and includes prohibitions on hospitals, schools, and community centers.

Restrictions on installation of new wells and excavation work are also restricted under the covenant, and subject to compliance with the Soil and Groundwater Management Plan (SGMP) prepared by GHD, Inc.

C. Informational Notes:

1. Any activities being conducted within the Caltrans right-of-way such as vegetation removal, drainage modifications, parking, widening of existing or creation of new access points to Highway 36, installation of new signage, among others will require an approved encroachment permit. Permit applications are reviewed for consistency with the State standards and are subject to Department approval. Requests for Caltrans encroachment permit application forms can be sent to Caltrans District 1 Permits Office, P.O. Box 3700, Eureka, CA 95502-3700, or requested by phone at (707)445-6389. For additional information, the Caltrans Permit Manual is available online at <https://dot.ca.gov/programs/traffic-operations/ep/ep-manual>
2. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the 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 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 (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.