

ATTACHMENT 1A

CONDITIONS OF APPROVAL

APPROVAL OF THE COASTAL DEVELOPMENT PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE COASTAL DEVELOPMENT PERMIT CAN BE FINALIZED.

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 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 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 Division, 3015 "H" Street, Eureka.
3. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.

Project Specific Conditions:

4. Natural drainage courses, including ephemeral streams, will be retained and protected from development which would impede the natural drainage pattern or have a significant adverse effect on water quality or wildlife habitat.
5. Encroachment Permit: Applicant must apply for and obtain an encroachment permit for the replacement of the water main line within the County maintained road rights-of-way of Westhaven Drive, 6th Avenue, Kahlstrom Avenue, Kay Avenue, and Driver Road.
6. Traffic Control Plan: A traffic control plan prepared by a civil engineer or traffic engineer is required. Traffic control shall be conducted in a manner that provides the least inconvenience to motorists as possible. Emergency vehicles shall be allowed to pass through the controlled areas at all times. One travel lane shall be available for through traffic at all times. Permittee shall notify the Department of Public Works 48 hours prior to conducting any traffic control that requires closures of both travel

lanes for longer than 5 minutes. Closure of both travel lanes for longer than 5 minutes requires prior written approval by the Director of Public Works. The California Highway Patrol and the Humboldt County Sheriff's Office shall also be notified of any traffic control that requires closure of both travel lanes at least 48 hours in advance.

7. Storm Water Quality: Storm Drain inlets tributary to the work area shall be protected from storm water pollution. The discharge of non-storm water (flushing of the new water lines) into the County storm drain system will require approval from the State of California Water Quality Control Board.
8. Construction plans: Unless otherwise approved in writing by the Department all watermains not in use shall be removed from the public right of way. Construction plans shall state whether the existing water main is to be removed or abandoned in place (if approved by the Department). If the line is to be abandoned in place, the line shall be slurry-filled and the construction plans shall clearly show the location of the line.
9. Applicant shall be responsible to correct any involved drainage problem related to the project construction within the County Road right of way to the satisfaction of this Department.

The Disinfection Byproduct Reduction Project, the Water Diversion Infrastructure Upgrades and Maintenance Project, the Wells and Water Line Replacement Project, the Water Loss Reduction Project

10. Stormwater outfalls, culverts, gutters, and the like, shall be dissipated, and where feasible, screened;
11. The release rate of stormwater runoff to adjacent wetlands shall not exceed the natural rate of stormwater runoff for a 50-year storm of 10-minute duration;
12. Areas disturbed during construction, grading, etc., within 100 feet of the boundary of the wetland shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area;
13. Development and construction shall minimize cut-and-fill operations and erosion and sedimentation potential through construction of temporary and permanent sediment basins, seeding or planting bare soil, diversion of runoff away from grading areas and areas heavily used during construction, and, when feasible, avoidance of grading during the rainy season (November through April);
14. Equipment and construction personnel should stay within the approved work area during construction;

15. Temporary fencing should be installed around the permitted construction work area, to prevent accidental incursion into wetlands or streams;
16. If impacts to special-status resources cannot be avoided while still accomplishing project objectives, these impacts should be mitigated at a ratio or in a manner to be determined by consultation with the appropriate regulatory agency;
17. Minor impacts from project-related activities at the well site to the surrounding special-status natural communities could be mitigated through the removal of invasive species such as English ivy;
18. Where project construction activities occur within close proximity, to special-status resources, as defined in the Humboldt County General Plan and the Trinidad Area Plan, these resources should be demarcated by high visibility construction fencing during the project construction period in a manner sufficient to avoid unintentional impacts. If revegetation is needed as part of the project, native plant species should be used;
19. Best management practices identified in the project description should be incorporated during construction to prevent runoff and potential discharge into wetland and OHWM areas;
20. To avoid potential impacts to nesting birds, in accordance with the Migratory Bird Treaty Act, one of the following shall be implemented:
21. Conduct vegetation removal and other ground disturbance activities associated with any construction activities between late August and mid-March, when birds are not typically nesting, or
22. If vegetation removal or ground-disturbing activity is to take place during the nesting season (March 15 to August 15 for most birds), a qualified biologist shall conduct a pre-construction nesting bird survey. Pre-construction surveys for nesting pairs, nests, and eggs shall occur within the construction limits and within 100 feet (200 feet for raptors) of the construction limits. If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the USFWS and CDFW and implemented to prevent abandonment of the active nest.
23. Project activities near the riparian area at the WTP site that provides amphibian habitat should occur from July 15 through October 31, to minimize potential impacts to these species;

24. If excavation that requires dewatering occurs as part of project activities, dewatering pump intakes should be fitted with a filter basket or screen to prevent impacts to aquatic wildlife that may have entered the excavated area; and
25. Retain large stumps and snags for wildlife habitat (e.g. roosting bats).
26. Clearly mark the edge of the project footprint/work area (e.g., gravel access roads, building envelope) to avoid unnecessary impacts to adjacent forest. Pull back any gravel fill or other materials that may have “crept” outside those limits. Replant disturbed areas with sword fern (*Polystichum munitum*) or other redwood forest understory species.
27. Continue to implement and maintain basic erosion and sediment control Best Management Practices (e.g., straw wattles).
28. Continue to manage invasive species such as English ivy (*Hedera helix*), holly (*Ilex aquifolium*), *Crocosmia*, and cherry laurel (*Prunus laurocerasus*).
29. If some alder trees ultimately need to be removed as hazard mitigation, replant the area with locally appropriate riparian shrubs that are less likely to pose a threat to infrastructure in the future. Good options include evergreen huckleberry (*Vaccinium ovatum*), red huckleberry (*Vaccinium parviflorum*), thimbleberry (*Rubus parviflorus*), and salmonberry (*Rubus spectabilis*). Sword fern and other understory species like false lily of the valley (*Maianthemum dilatatum*) would also be appropriate.

Emergency Intertie

30. Where the waterline crosses Westhaven Drive to connect with the Water Treatment Plant, it may be necessary to use horizontal direction drilling (HDD) to avoid impacts to the seasonal creek and reach the required depth of 36 inches (the existing roadbed above the culvert may be too shallow). If this is the case, wait until the dry season (mid-June at the earliest) to begin this component of the project. Install and maintain appropriate erosion and sediment control as you would for any excavation or ground disturbance close to an aquatic feature. This would also apply to the flushing hydrant near the gated gravel driveway to the east.
31. Native plant communities shall be adequately protected and construction should be kept to the existing roadways, County rights-of-way, and already developed rural residential properties.
32. All staged equipment and materials outside of the rights-of-way shall be restricted to clearly marked areas shown on construction documents and clearly marked in the field. The Class II streams (Jolan Creek, tributary of Luffenholtz Creek, and Luffenholtz

Creek) and associated riparian buffer areas shall be identified on construction documents.

33. Riparian buffers shall be placed at the tree drip line at each stream crossing along Westhaven Drive and no work shall extend beyond this point. Additionally, the construction contractor and/or District shall provide straw wattles adjacent to open trenching between the adjacent open trenching and the stream courses.
34. No heavy equipment shall be allowed beyond the wattle installations. It is further recommended that construction occur during the late spring to fall dry season.
35. Additionally, a breeding bird survey shall be conducted prior to construction if operations occur between March 15 and August 15. If an active native bird nest is found in proposed staging areas, then a qualified biologist shall determine if the nest is no longer active prior to construction disturbance at nest location(s).
36. Per the Department of Public Works Memo dated April 19, 2023:
 1. Encroachment Permit: Applicant must apply for and obtain an encroachment permit for the replacement of the water main line within the County maintained road right of ways of Westhaven Drive, 6th Avenue, Kahlstrom Avenue, Kay Avenue, and Driver Road. [reference: County Code §411-11 (a)(b)]
 2. Traffic Control Plan: A traffic control plan prepared by a civil engineer or traffic engineer is required. Traffic control shall be conducted in a manner that provides the least inconvenience to motorists as possible. Emergency vehicles shall be allowed to pass through the controlled areas at all times. One travel lane shall be available for through traffic at all times. Permittee shall notify the Department of Public Works 48 hours prior to conducting any traffic control that requires closures of both travel lanes for longer than 5 minutes. Closure of both travel lanes for longer than 5 minutes requires prior written approval by the Director of Public Works. The California Highway Patrol and the Humboldt County Sheriff's Office shall also be notified of any traffic control that requires closure of both travel lanes at least 48 hours in advance.
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place (if approved by the Department). If the line is to be abandoned in place, the line shall be slurry filled and the construction plans shall clearly show the location of the line.

5. Applicant shall be responsible to correct any involved drainage problem related to the project construction within the County road right of way to the satisfaction of this Department.

Informational Notes:

1. 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 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.

2. Public Works Plan

- a. During construction, roadways shall be periodically cleaned of mud, soil, rock, and debris.
- b. No construction materials or debris shall be placed within the County road right of way during the project, unless permitted through an encroachment permit.
- c. All special districts providing or authorized to provide sewer or water services, including all County Service Areas providing or authorized to provide these services, and all private providers of such services with 20 or more residential-equivalent connections, shall annually submit to the County Planning Commission a Public Works Plan consisting of: five-year projection of service growth and a specific plan, if any, for system expansion in the following year. The Commission, after public hearing, shall recommend approval or disapproval of the plan to the Board of Supervisors, based on criteria of Section 3.12 B2c. Where an approved expansion plan does not exist, no permit will be issued by

the County for any work contributing to the extension of services outside the serviceable area, or to expansion of system capacity above the capacity above the capacity needed to provide services in the serviceable area. Where Public Works Plan has been approved, all permitted work on said utility shall conform to the Plan.

A Public Works Plan may be amended by the Planning Commission, up to three times in a year; and any such amendment shall be based on the criteria of Section 3.21B 2c:

Criteria for approval of a Public Works Plan shall be:

- (1) That the public works plan will provide services consistent with the proposed scale and pattern of development shown in the Area Plan within the Urban Limit.
 - (2) That provision of service to all lots in the expanded portion of the serviceable area, for uses permitted in the Area Plan, will not remove capacity necessary to serve future development of undeveloped lots in the Urban Limit area to the uses permitted in the Area Plan.
 - (3) That no assessments, readiness to serve fees, or other costs or encumbrances, including bonded indebtedness, related to water or sewer expansion, will be assessed against lands designated Agriculture Exclusive.
3. Notification for a Lake and Streambed Alteration Agreement is unlikely to be necessary for the Trinidad Emergency Intertie Project provided the work avoids all impacts to the bed, bank and channel of the seasonal drainage, but CDFW may notify the applicant if an LSAA is required.