

COUNTY OF HUMBOLDT

PLANNING AND BUILDING DEPARTMENT CURRENT PLANNING DIVISION

3015 H Street, Eureka CA 95501 Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: May 6, 2021

To: Humboldt County Zoning Administrator

From: John H. Ford, Director of Planning and Building Department

Subject: MCSD Hiller Solar Panel Array Coastal Development Permit and Conditional Use

Permit Modification

Case Number PLN-2021-16979

Assessor Parcel Number 510-271-015 675 and 795 Hiller Road, McKinleyville

Table of Contents	Page
Agenda Item Transmittal Recommended Action and Executive Summary Draft Resolution	2 3 6
Maps Location Map Topo Map Zoning Map Aerial Map Assessor Parcel Map Site Plan	10 11 12 13 14 15
Attachments Attachment 1: Recommended Conditions of Approval Attachment 3: Applicant's Evidence in Support of the Required Findings Attachment 4: Referral Agency Comments and Recommendations	15 23 26

Please contact Tricia Shortridge, Planner at 268-3704 or by email at, if you have any questions about the scheduled public hearing item.

cc: Applicant, Agent, California Coastal Commission

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
May 6, 2021	Coastal Development Permit and Conditional Use	Tricia Shortridge
	Permit Modification	

Project: A modification to previously approved Coastal Development Permit and Conditional Use Permit (CDP-14-074), to install a 65,000 sq. ft. ground mounted solar array micro-grid within the pond 5 basin of the wastewater treatment plant. The micro-grid would generate 500kW of power used by the wastewater treatment plant (WWTP). No power would be exported off-site. Work is expected to occur over a six-month period commencing in June 2021. Work hours would be Monday-Friday 7:00 a.m. to 7:00 p.m. and possibly an occasional Saturday. Vegetation removal involves the removal of bullrushes that were planted in the pond 5 basin in 2016.

Project Location: The project site is located in Humboldt County, in the McKinleyville area, north of Hiller Road, approximately 500 feet north east from the intersection of Ocean Drive with Hiller Road, on the property known as 675 and 795 Hiller Road.

Present Plan Designation: Residential Estates (RE) McKinleyville Area Plan (MCAP). Density: 0-2 dwelling units per acre. Slope: Relatively Stable.

Present Zoning: Public Facility-Urban with a combining zone for Alquist-Priolo Fault Hazard Area (PF1/G).

Case Number: PLN-2021-16979

Assessor Parcel Number: 510-271-015

ApplicantOwner(s)AgentMcKinleyville Community Services Districtsame as applicantEssential EngineeringGreg Orsini, General ManagerRichard RossPO Box 2037707 Aviation Blvd.McKinleyville, CA 95519Santa Rosa, CA 95403

Environmental Review: As Lead Agency, McKinleyville Community Services District adopted a Notice of Exemption (NOE) on July 29, 2020 citing CEQA Categorical Exemption Sections 15301 (b), 15302 (c).

Pursuant to Section 15096 (Process for a Responsible Agency) of the CEQA Guidelines, Humboldt County Planning and Building Department, as the CEQA Responsible Agency, is obligated to make a CEQA determination regarding the activity that is proposed to be undertaken. The project is exempt from environmental review under CEQA Exemptions: Class 1 15301(b), Class 2 15302(c).

Major Issues:

None

State Appeals Status:

Project is appealable to the California Coastal Commission

MCSD Hiller Sewer Lift Station Upgrades Coastal Development Permit and Conditional Use Permit Modification

Case Number: PLN-2021-16979 Assessor Parcel Number: 510-271-015

Recommended Zoning Administrator Action

- 1. Describe the application as a public hearing,
- 2. Request that staff present the project,
- 3. Open the public hearing and receive testimony; and
- 4. Close the hearing and take the following action:

Adopt the resolution to take the following actions:

- 1. Find the project exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Exemptions, Class 1 15301(b), Class 2 15302(c).
- 2. Make the required findings for approval pursuant to Section 312-17.1 of the Humboldt County Code, and;
- 3. Approve the MCSD Coastal Development Permit and Conditional Use Permit modification.

Executive Summary:

As part of the implementation of a larger project for which MCSD received grant funding for, MCSD proposes to install a solar array microgrid within the pond 5 basin. This microgrid will not involve off-site power export and is accessory to the existing public facilities use. The solar energy generated from the microgrid would provide the power required to operate the wastewater ponds and related equipment. Battery storage would reserve approximately 24 hours of power in the event of a power outage.

The solar array microgrid project site is within the fully developed pond basin 5 which was previously approved as the McKinleyville Wastewater Treatment Plant expansion under Coastal Development Permit and Conditional Use Permit (CDP-14-074 and CUP-15-003). No naturally occurring habitats exist on this site. Site preparation involves the dewatering of the basin, clearing of the vegetation planted in 2016, grading the pond bottom to scrape out approximately 2 feet of surface soils and organic matter, and infill of the graded area with imported base rock. Water from the basin would be drained into the adjacent ponds through the drainage network within the waste treatment plant. Approximately 1,460 cubic yards of soil and organic material would be collected from the basin bottom and stored within a location of the pond 5 basin until a later date where it would be offhauled to a compost facility. Base rock would be imported (1,5137 cubic yards) from a quarry in the Blue Lake area. Traffic control on Hiller Road will not be necessary given the small-scale nature and short duration of the project. Site preparation will also involve trenching for the installation of communications and power fiber utility lines inside conduit to connect the microgrid, microgrid controller, transformer, and battery storage system together. All of this equipment is proposed to be located within the existing equipment infrastructure that operates the waste water treatment plant. If the project is approved all work is scheduled to occur on over a two-month period commencing in June 2021. Hours of operation are anticipated to be from 7:00 a.m. to 7:00 p.m. Monday through Friday with an occasional Saturday.

The project parcel is located in western McKinleyville, east of the lower Mad River surrounded by residential neighborhoods on the north and south, Hiller Park on the east, and open space land and the lower Mad River to the West. Within the 68-acre project parcel, the wastewater treatment plant itself is surrounded on the north, south, east, and west by trees and vegetation.

The proposed project site is within the McKinleyville Coastal Area Plan (MCAP) and the land use designation of Residential Estates (RE). The RE designation does not specifically include wastewater treatment facilities as principally or conditionally permitted uses. Section 3.22B of the McKinleyville Area Plan, "Wastewater Treatment Facilities" indicates that the development of a wastewater treatment facility at this site is consistent with this plan."

The zoning is Public Facilities (Urban) (PF1) with a combining zone of Alquist-Priolo Fault Hazard (G). The wastewater treatment facility is considered an Extensive Impact Civic Use which is conditionally permitted in the PF1 zoning district. This solar array micro-grid project is considered to be part of the improvements within the previous approved facility expansion (CDP-14-074) and the power generated is for the exclusive use of the wastewater treatment plant. No power will be exported offsite. The purpose of the Alquist-Priolo Fault Hazard combining zone is to implement the provisions of the Alquist-Priolo Special Studies Zones Act (Public Resource Code, Section 2621 et seq.). The "Act" applies to all projects or structures intended for human occupancy. The proposed micro-grid project is not subject to the requirements of the "Act".

The project was also reviewed by the Blue Lake Rancheria, the Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe who all concurred with the study results. The study recommended that the standard condition regarding inadvertent discovery be made a condition of approval. For the solar microgrid lift project, the Tribes have recommended the inadvertent discovery protocol language to be included as a condition of approval.

The pond is man-made and no natural habitats remain on this site. However, the site is located adjacent to parks and recreation areas and environmentally sensitive habitat areas. The applicant is proposing avoidance and minimization measures for protection of nesting birds and norther redlegged frogs in order to ensure consistency with the policies of the McKinleyville Area Plan related to development in areas adjacent to sensitive habitat areas and parks and recreation areas.

MCSD is the Lead Agency under CEQA determines that the project is Categorically Exempt from CEQA based on a statement of Environmental Clearance Survey (Transferra March 11, 2021). The survey found that even though a man-made treatment pond is not protected as sensitive habitat under any existing regulatory mechanisms, it is possible that Migratory Birds may utilize the pond on a seasonal basis. Other possible wildlife would include the Sensitive Species of Concern (Northern Red Legged Frog - NRLF). According to the survey the NRLF is more likely to utilize its preferred habitat outside of the treatment plant and within the naturally occurring riparian areas in the Lower Mad River Watershed. Due to the developed nature of the project site, it is not preferred habitat for this species and a survey of the pond did not result in any observances of the NRLF in pond 5. To ensure there are no impacts to wildlife and to ensure consistency with the McKinleyville Area Coastal Plan, conditions of approval include conservation and minimization measures that require preconstruction surveys and a timed work schedule around NRLF breeding season (typically late November to early April). Accordingly, the McKinleyville Community Services District, as Lead Agency under CEQA Guidelines Section 15367, has determined that the project, as proposed and conditioned, will not have a significant effect on the environment and is exempt from environmental review. The Planning Department is a Responsible Agency under CEQA Guidelines Section 15381 and must review and consider the Notice of Exemption adopted by the Lead Agency (McKinleyville Community Services District) and determines there is sufficient evidence to support the Exemption.

Staff Recommendation: Following an on-site inspection, a review of Planning Division reference sources, and a review of comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Coastal Development Permit.

Alternatives: Three (3) alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and refer the application to the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval or; 3) the

Zoning Administrator could deny approval of the requested permits if unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

RESOLUTION OF THE Zoning Administrator OF THE COUNTY OF HUMBOLDT Resolution Number 21-

Record Number PLN-2021-16979 Assessor's Parcel Number: 510-271-015

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the McKinleyville Community Services District Coastal Development Permit and Conditional Use Permit modification.

WHEREAS, Essential Engineering, on behalf of McKinleyville Community Services District, submitted an application on January 29, 2021 requesting approval of a modification to Coastal Development Permit and Conditional Use Permit CDP-14-074 for the development of a 64,000 square foot solar array micro-grid within the pond 5 basin on APN 510-271-015; and

WHEREAS, the McKinleyville Community Services District, as Lead Agency under the CEQA, adopted a *Notice of Exemption* (NOE) citing the Categorical Exemptions Class 1 15301(b), Class 2 15302(c).

WHEREAS, the County of Humboldt, as Responsible Agency per Section 15096 of the CEQA Guidelines, is obligated to make a CEQA determination regarding the activity that is proposed to be undertaken; and

WHEREAS, the Humboldt County Zoning Administrator held a duly noticed public hearing on May 6, 2021, and reviewed, considered, and discussed the application for a Coastal Development Permit and Conditional Use Permit modification and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

1. FINDING

Project Description: A modification to previously approved Coastal Development Permit (CDP-14-074), to install a 65,000 sq. ft. ground mounted solar array micro-grid within the pond 5 basin of the wastewater treatment plant. The micro-grid would generate 500kW of power used by the wastewater treatment plant (WWTP). No power would be exported off-site. Work is expected to occur over a six-month period commencing in June 2021. Work hours would be Monday-Friday 7:00 a.m. to 7:00 p.m. and possibly an occasional Saturday. Vegetation removal involves the removal of bullrushes that were planted in the pond 5 basin in 2016.

EVIDENCE a) Project File: PLN-2021-16979

2. FINDING

CEQA. The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA).

EVIDENCE

- a) The MCSD, as Lead Agency for the project under CEQA, adopted a Notice of Exemption (NOE) citing Categorical Exemptions Class 1 15301(B), Class 2 15302(c).
- b) Humboldt County, as Responsible Agency per CEQA Section 15096, considered the NOE, and finds that the NOE is adequate, that no information of substantial importance that was known at the time as described by the Project Description. All work will be conducted within the existing pond 5 basin and is considered to be negligible or no expansion of use.

C)

The proposed project site is within the fully developed McKinleyvil Wastewater Treatment Management plant. The pond is man-made and no naturally occurring habitat remains on this site. Pond 5 was original created to be a polishing wetland that includes vegetation such as dens tule and cattails. The pond will be dewatered and vegetation removed Condition of approval number 3 incorporates avoidance and minimizatic measures into the project and will ensure the project will have no impact a the Northern Red-legged Frog if any of this species is present in the pond 5 could be used as a nesting site for migratory bird specie Conservation measures have been incorporated into the project a Condition of approval number 2 and will ensure the project will have r impact on avian species.

d)
The Tribes have recommended the inadvertent discovery protocol languag to be included as a condition of approval.

FINDINGS FOR COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT

- **3. FINDING**The project, as conditioned, is consistent with the development policies of the MCAP and the County General Plan.
 - EVIDENCE a) The solar array microgrid is accessory to the primary use of the property which is a wastewater treatment plant. Section 3.22B of the McKinleyville Area Plan, "Wastewater Treatment Facilities" indicates that the development of a wastewater treatment facility at this site is consistent with this plan.
- 4. **FINDING**The proposed microgrid is consistent with the purposes of the existing zone in which the site is located, and conforms with all applicable standards and requirements of these regulations.
 - EVIDENCE a) The subject parcel has been determined to be one legal parcel as described in Coastal Development Permit CDP-14-07, approved March 19, 2015 by the Humboldt County Planning Commission.
 - the microgrid is proposed to be located within pond 5 basin which is part the existing development footprint of the WWTP. The parcel is zoned Public Facility-urban (PF/1) and the minimum yard setbacks are:

Minimum Yard	Location of development
Front: 20 feet	580 feet
Rear: 15 feet	95 feet
Side: 20 feet	over 100 feet

- The project is for the installation of a solar microgrid to power the wastewater treatment plant. The development accessory to the previously approved use and within the previously approved (CDP-14-074, CUP-15-003) development footprint of the wastewater treatment facility. The wastewater treatment facility is an extensive impact civic use which is conditionally permitted in the PF zone and which has received approval of a Conditional Use Permit (CUP-15-003).
- 5. FINDING

 The solar array microgrid 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

The project involves ground disturbance all within the existing development footprint of the wastewater treatment plant and within the confines of pond basin 5. The power generated by the microgrid will be utilized by the WWTP and provide for backup power if there is a power outage.

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 parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

DECISION

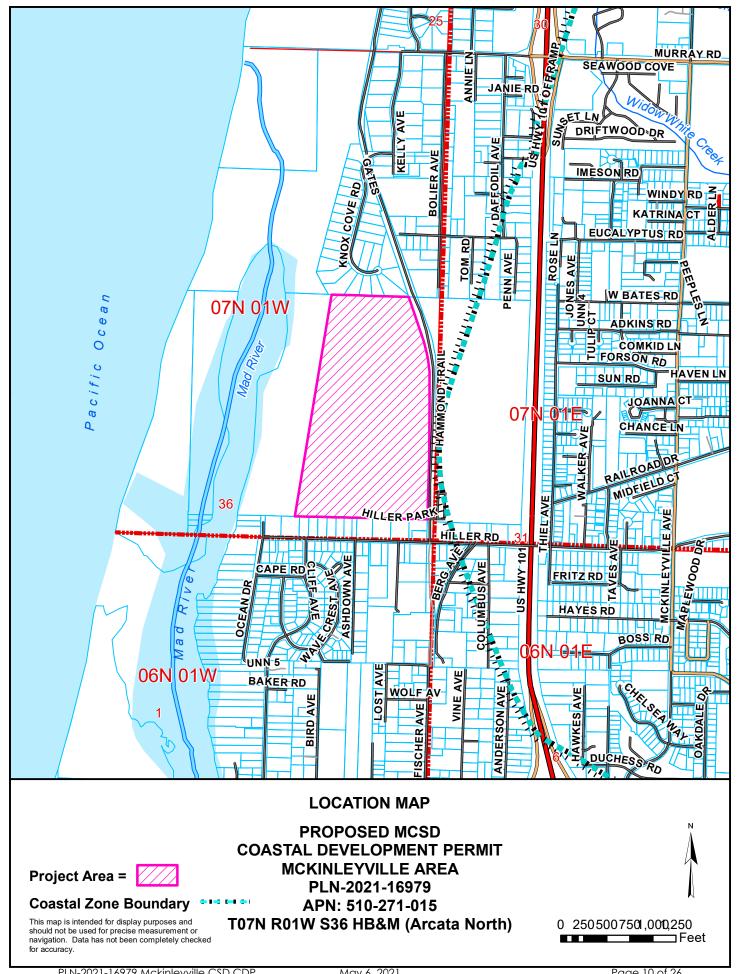
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

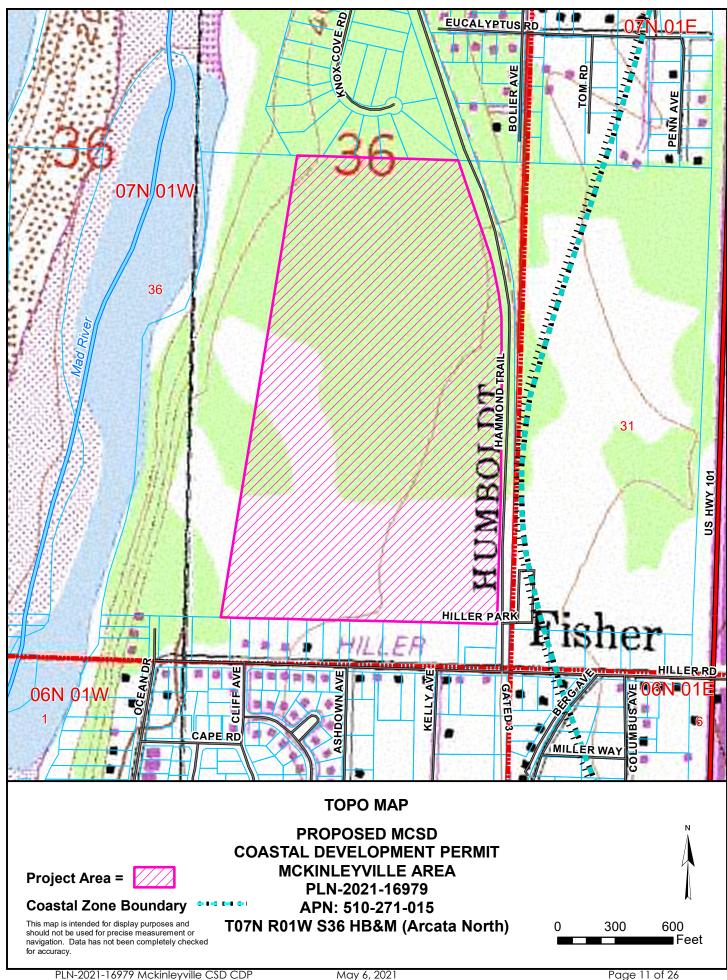
- Adopt the findings set forth in this resolution; and
- Conditionally approves the modification to Coastal Development Permit and Conditional Use Permit PLN-2021-16979, based upon the Findings and Evidence and subject to the conditions of approval attached here to as Attachment 1 and incorporated herein by reference; and

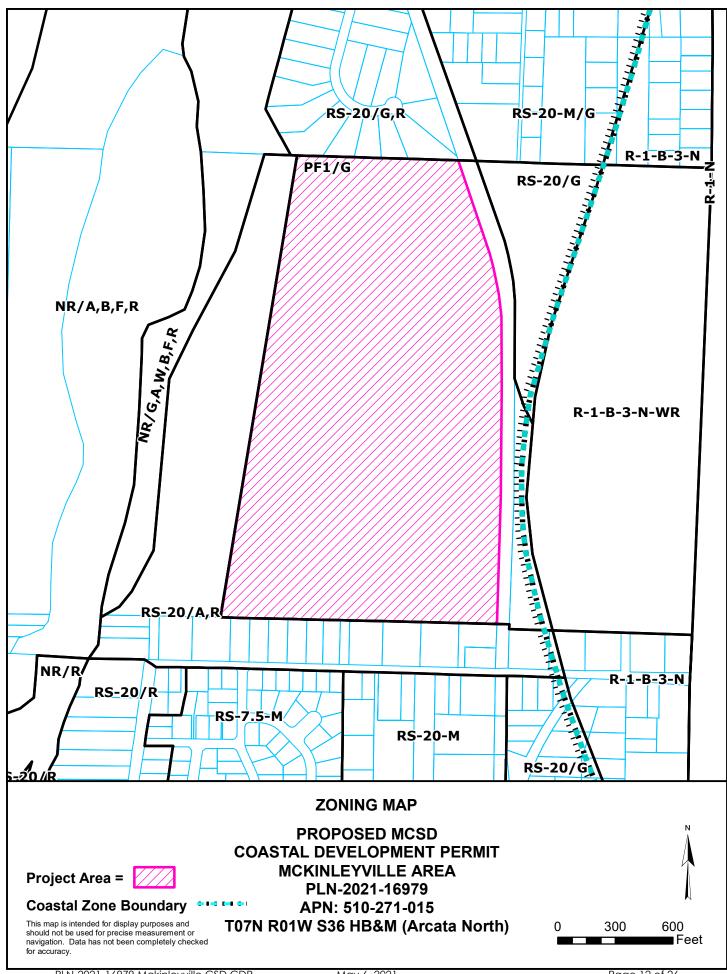
Adopted after review and consideration of all the evidence on May 6, 2021.

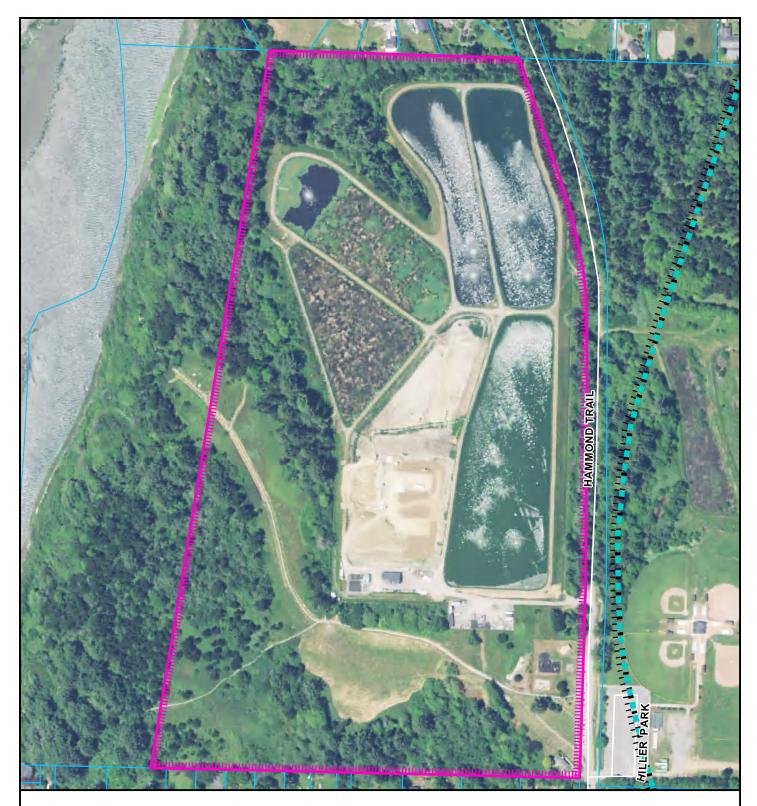
I, John Ford, Zoning Administrator of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Zoning Administrator at a meeting held on the date noted above.

John H. Ford, Zoning Administrator Planning and Building Department









AERIAL MAP

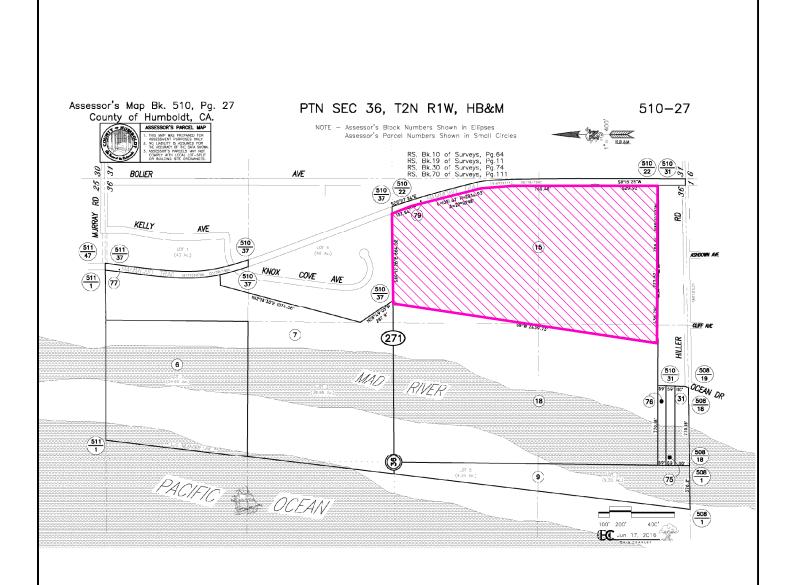
PROPOSED MCSD
COASTAL DEVELOPMENT PERMIT
MCKINLEYVILLE AREA
PLN-2021-16979
APN: 510-271-015

Coastal Zone Boundary

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This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

Project Area =



ASSESSOR PARCEL MAP

PROPOSED MCSD
COASTAL DEVELOPMENT PERMIT
MCKINLEYVILLE AREA
PLN-2021-16979
APN: 510-271-015

Coastal Zone Boundary

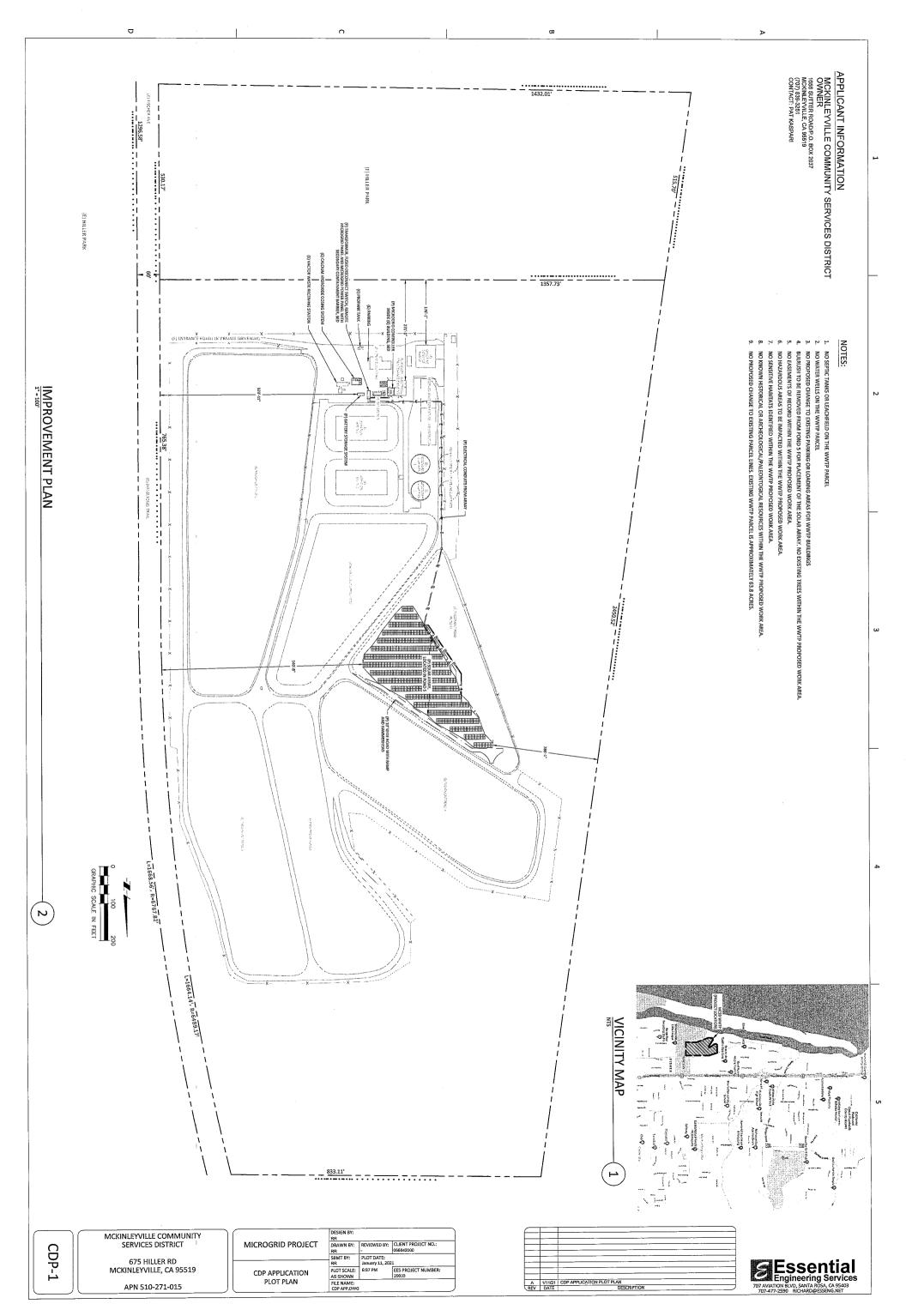
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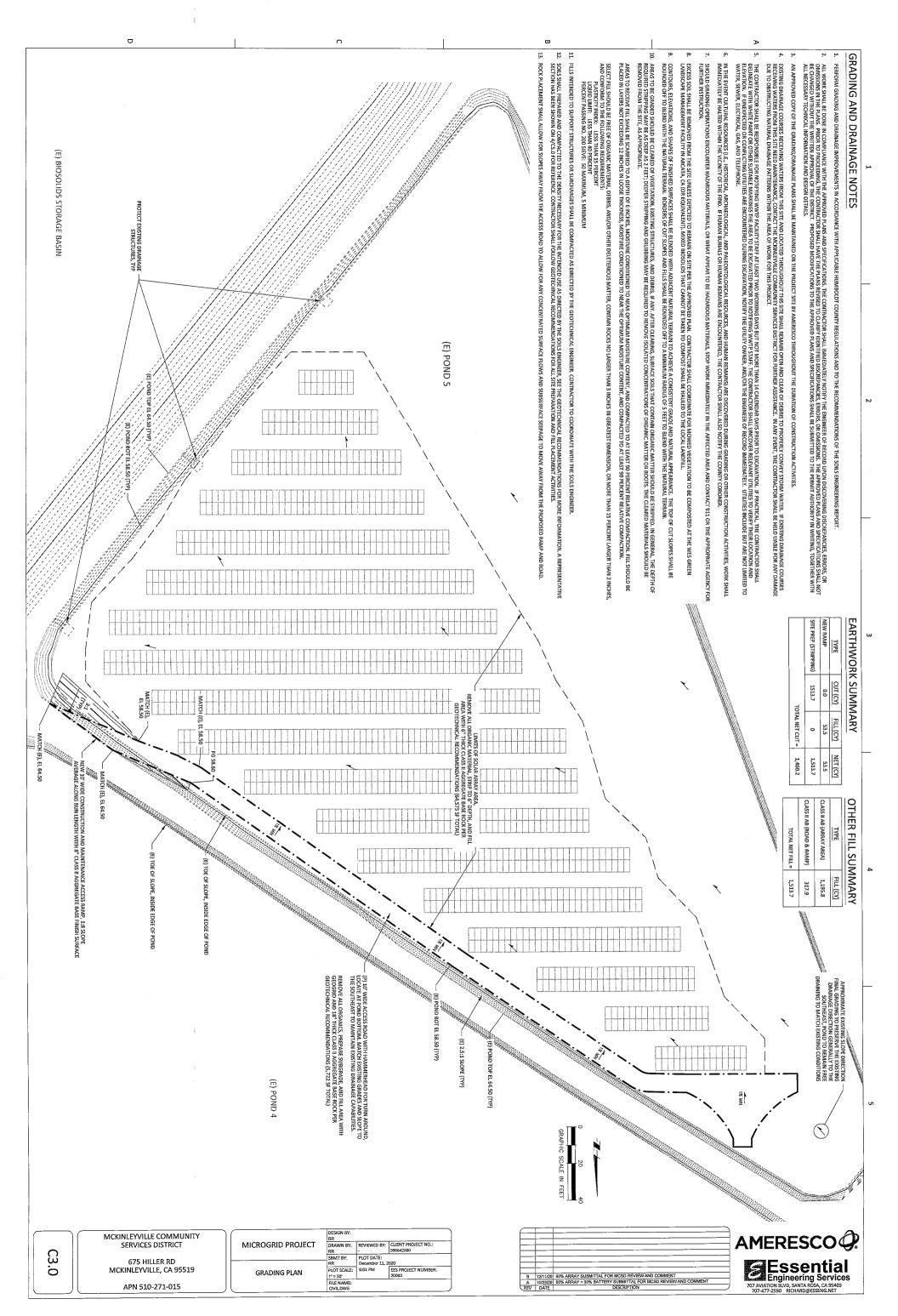
Project Area =

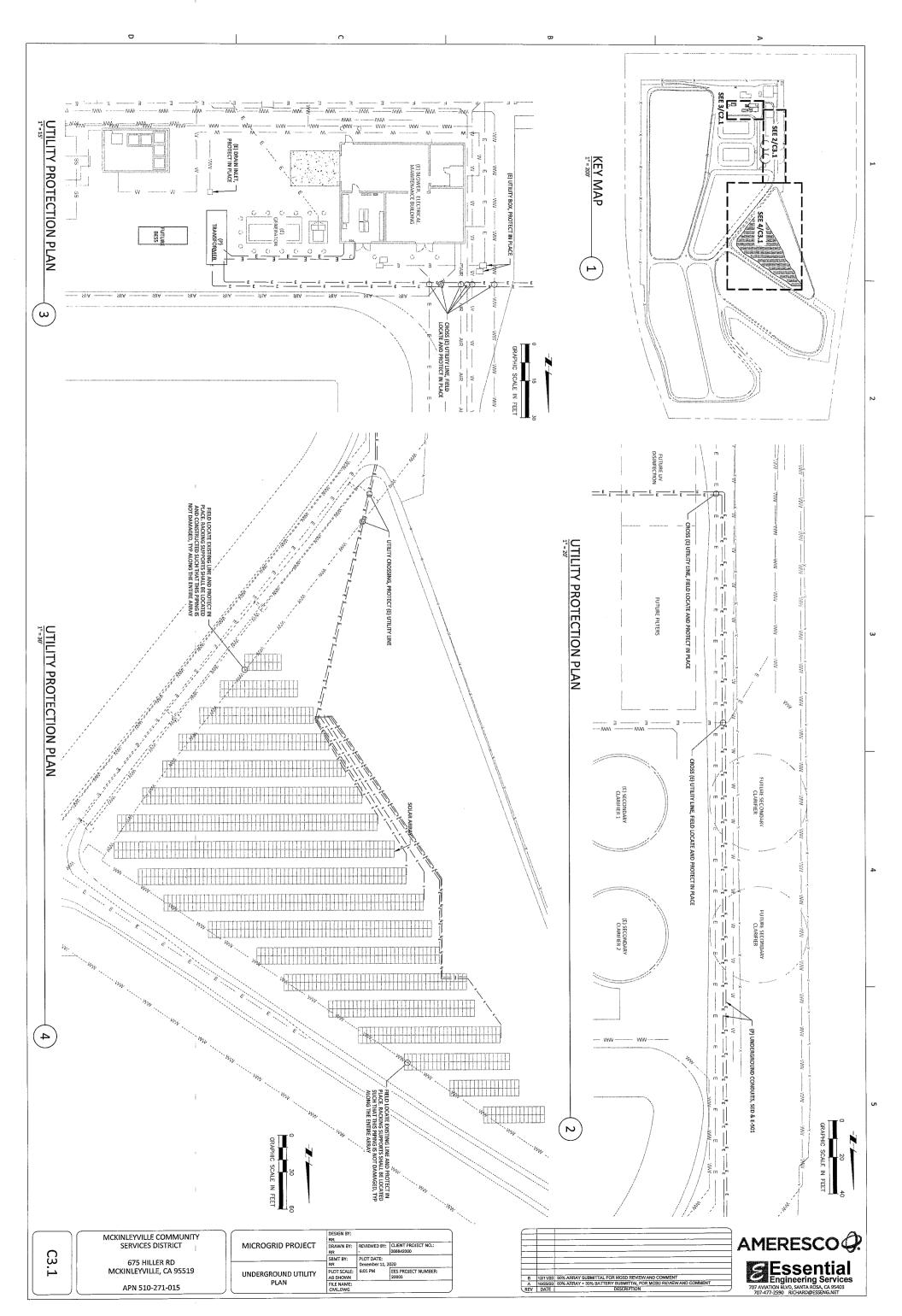
T07N R01W S36 HB&M (Arcata North)

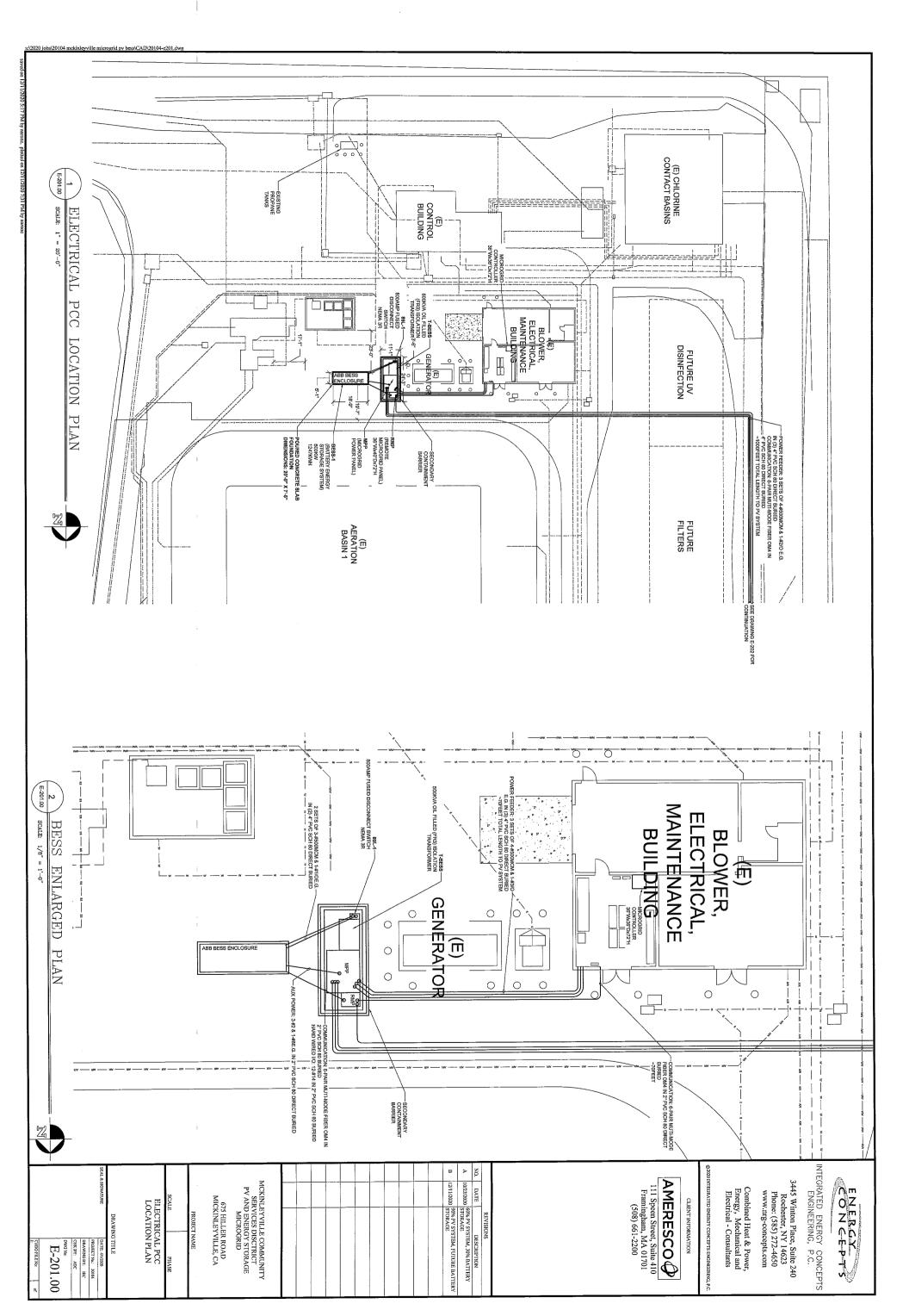


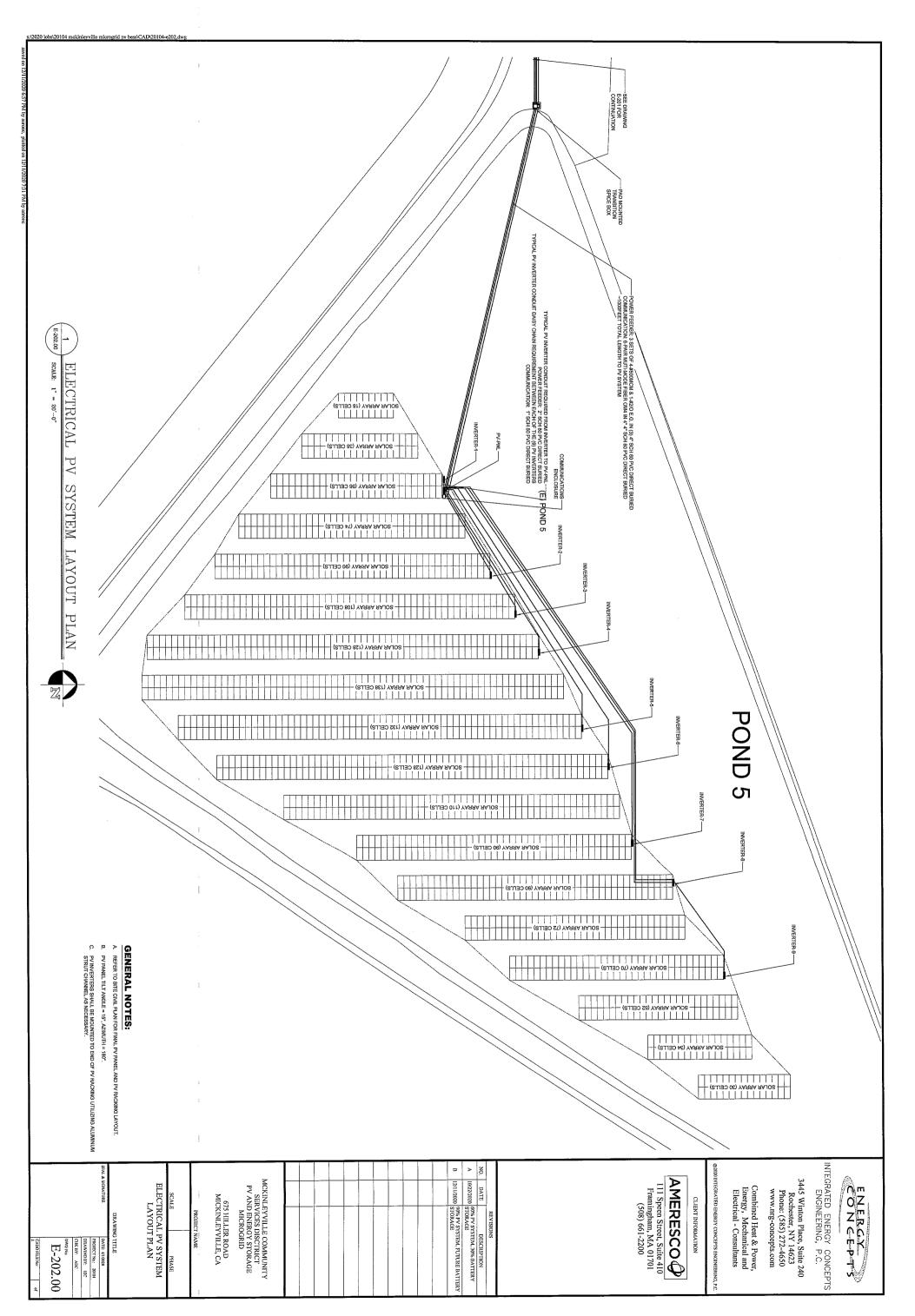
MAP NOT TO SCALE

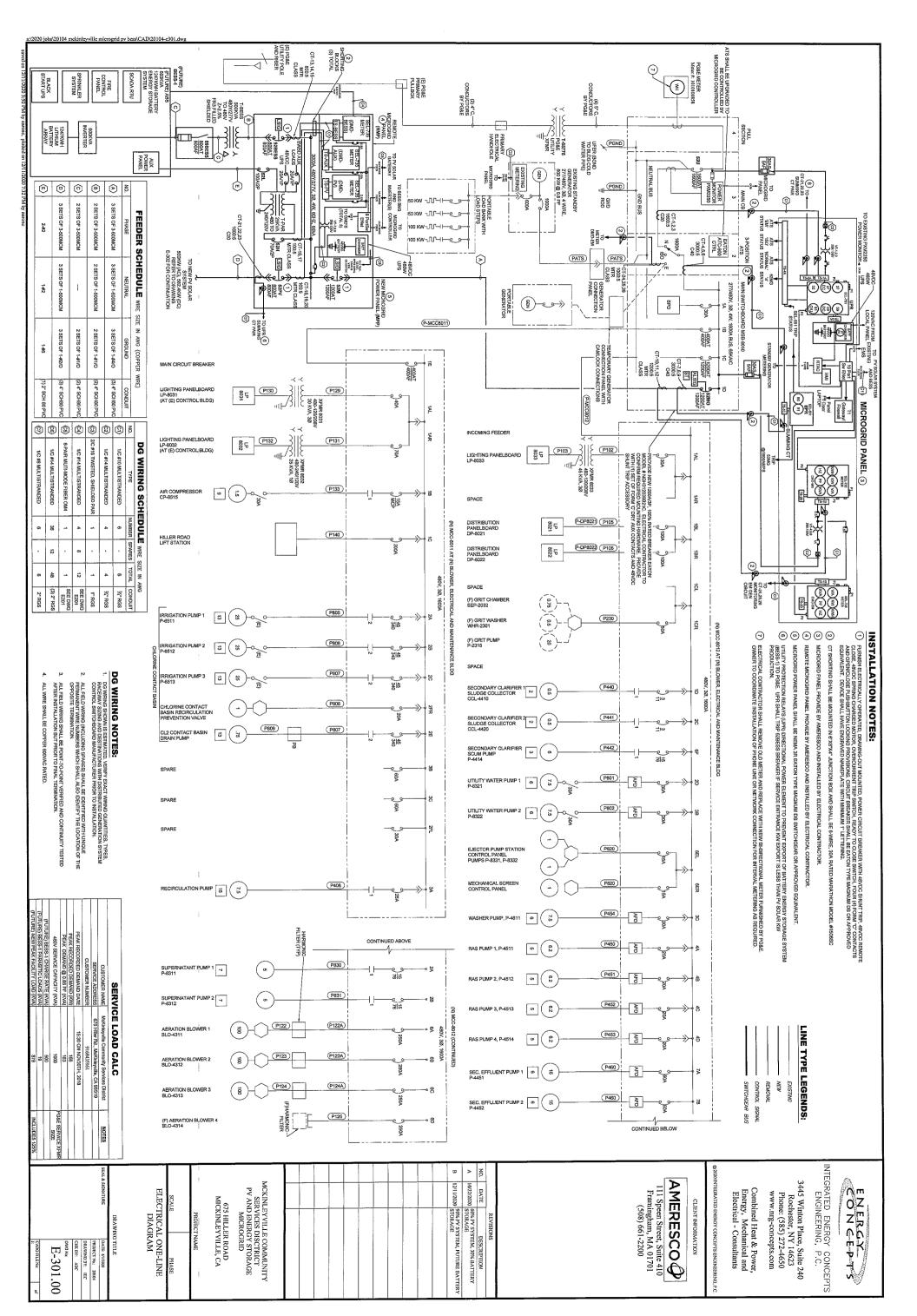












107A, EV MODULES: 182 (SOLECTRIA PAGITUS 450)
107A OF MORPHS 182 (SOLECTRIA PAGITUS 450)
107A OF MORPHS 183 (SO (SOLECTRIA PU-SOTULIS-490)
TOTAL PV MODULES: 182 (9) SUB A ARRAYS (SOLECITRIA PULBOTILUS AND TOTAL PV MODULES: 182 (9) SUB A ARRAYS (SOLEOTRIA PV-SOTILUS ARRAYS SOLAR SYSTEM:
901 TOTAL: 500 KW
910 TOTAL: 500 KW
18 OTT. (5) x 50 KW
18 OTT. (6) x 50 KW
19 OTT. (6) x 50 4-#2CU & 1-#8CU E.G. IN 2" SCH 40 PVC-DIRECT BURIED 100KA 80A/3P 52-PV-8 100A/3P 52.PV-4 90A/3P 52-PV-7 100A/3P 52.PV-8 100A/3P 100A/SP 52-PV-3 90A/3P ONE LINE DIAGRAM - ELECTRICAL INTEGRATED ENERGY CONCEPTS ENGINEERING, P.C. NO. DATE DESCRIPTION

A 10222020 60% PV SYSTEM, 30% DATTERY
B 12/11/2020 90% PV SYSTEM, FUTURE BATTERY
B 12/11/2020 90% PV SYSTEM, FUTURE BATTERY @2020 HYTEGRATED ENERGY CONCEPTS ENGINEERING, P.C. AMERESCO (**)
111 Speen Street, Suite 410
Framingham, MA 01701
(508) 661-2200 MCKINLEYVILLE COMMUNITY SERVICES DISCTRICT PV AND ENERGY STORAGE MICROGRID 3445 Winton Place, Suite 240 Rochester, NY 14623 Phone: (585) 272-4650 www.nrg-concepts.com ENERGY CONCEPTS SCALE PHASE
ELECTRICAL ONE-LINE
DIAGRAM CONT'D Combined Heat & Power, Energy, Mechanical and Electrical - Consultants 675 HILLER ROAD MICKINLEYVILLE, CA CLIENT INFORMATION DATE: 4/1/2020
PROJECT No.: 20104
DRAWING DY: IEC
CIK BY: ADC E-302.00

DC Voltage Drop Calculations Cable Size (AWG) 0.478 0.0000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.0000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.0000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.0000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.0000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.0000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.000 0.0 ARRAY: 1-3-2 —(1) 2" IMC AL FOR (4) DC CIRCUITS FOR ARRAYS: -> 1-2-3, 1-3-1, 1-3-2, 1-3-3 (1) 2" IMC AL FOR (2) DC CIRCUITS FOR ARRAYS-> H-3-2, H-3-3 ARRAY: H-1-2
ARRAY: G-3-3
ARRAY: G-3-3
ARRAY: H-1-1
ARRAY: G-3-3
ARRAY: H-1-1 (1) 2" IMC AL FOR (6) DC CIRCUITS FOR ARRAYS:
-> C-2-1, C-2-2, C-2-3, C-3-1, C-3-2, C-3-3

ARRAY: C-1-2

REAY: B-3-1

(1) 2" SCH 40 PVC FOR (3) DC CIRCUITS FOR ARRAYS:
-> B-3-1, B-3-2, B-3-3 DC CIRCUIT DIAGRAM (1) 2" SCH 40 PVC FOR (1) DC CIRCUITS FOR ARRAYS SCH 40 PVC FOR (1) DC CIRCUITS FOR ARRAYS: -25 ARRAY: F-1-2 ARRAY: D-3-1 ARRAY: D-2-3 ARRAY: D-2-2 ARRAY: B-3-3 ARRAY: C-1-1 INTEGRATED ENERGY CONCEPTS ENGINEERING, P.C. ⊕2020 INTEGRATED ENERGY CONCEPTS ENGINEERING, P.C. AU. DATE
DESCRIPTION
1 10022/2020 60% PV SYSTEM, 30% BATTERY
12711/2020 90% PV SYSTEM, FUTURE BATTERY
12711/2020 STORAGE 3445 Winton Place, Suite 240 Rochester, NY 14623 Phone: (585) 272-4650 www.nrg-concepts.com MCKINLEYVILLE COMMUNITY SERVICES DISCTRICT PV AND ENERGY STORAGE MICROGRID ENERGY CONCEPTS AMERESCO 4 Combined Heat & Power, Energy, Mechanical and Electrical - Consultants PV SYSTEM - DC CIRCUIT DIAGRAM 11 Speen Street, Suite 410 Framingham, MA 01701 (508) 661-2200 675 HILLER ROAD MICKINLEYVILLE, CA CLIENT INFORMATION DRAWING TITLE E-307.00

ATTACHMENT 1 RECOMMENDED CONDITIONS OF APPROVAL

Approval of the Coastal Development Permit modification is conditioned upon the following terms and requirements which must be fulfilled before the use is initiated.

- 1. The project shall be constructed and operated in substantial conformance with the project description, the statement of Environmental Clearance (Transterra, March 11, 2021), and these Conditions of Approval.
- 2. Vegetation clearing, and construction activities shall not occur within the bird breeding season (March 1st August 31st). If work must be conducted during the bird nesting season, within 14 days of the start of construction activities, a qualified biologist shall thoroughly survey the project footprint and within 300 feet of the project footprint boundaries. Construction activities shall avoid nest sites within the project footprint and in consultation with a qualified biologist, these nest sites shall be flagged and avoided until the qualified biologist determines that the young have fledged, or nesting activity has ceased. If nests are documented outside the construction footprint, but within 300 feet of the construction area, buffers will be implemented if deemed appropriate. A buffer for common species is three (3) feet, the buffer for sensitive species is 300 feet, and the buffer for raptors is 500 feet. If development activities lapse for 15 days or longer, supplemental avian surveys shall be conducted within 7 days of recommencement of construction activities.
- 3. Dewatering, vegetation clearing, and grading activities dewatering shall not be conducted during the Northern Red Legged Frog (NRLF) breeding season (November 1 to March 31). Prior to dewatering, vegetation removal and ground disturbance Outside of the NRLF breeding season, no more than one week prior to the commencement of dewatering, vegetation clearing, and ground disturbance, a pre-construction survey for Northern Red-legged Frog shall be conducted by a qualified biologist. The survey shall include areas of work impact located within 50 feet of suitable Norther Red-legged Frog habitat (e.g., pools, ripar4ian areas, damp meadows). If frogs are present, they shall be relocated to a suitable habitat.
- 4. Work hours shall be limited to Monday-Friday 7:00 a.m. to 7:00 p.m. and possibly an occasional Saturday.
- 5. 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 responsible for ensuring compliance with this condition.

On-going Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. Changes to the project, other than Minor Deviations to the Plot Plan as provided in Section 312-11.1 of the Humboldt County Code, shall require modification to the approved Coastal Development Permit.

Informational Notes:

- 1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
- 2. This permit shall expire and become null and void at the expiration of one (1) year 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 be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.

ATTACHMENT 2

Applicant's Evidence In Support of the Required Findings

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

- Application Form [in file]
- Plot Plan/Tentative Map Checklist [in file]
- Transterra statement of Environmental Clearance [in file]
- Notice of Exemption [in file]

ATTACHMENT 3

Referral Agency Comments and Recommendation

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection Division	✓	Approval		✓
Department of Public Works	√	Comments – does not affect any DPW maintained facilities		√
Division of Environmental Health	✓	Approval		✓
McKinleyville Community Services District	✓	Approval		✓
California Coastal Commission	✓	No comment		
Blue Lake Rancheria	✓	Conditional Approval		√
Wiyot Tribe	√	Conditional Approval		√
Bear River Band of the Rohnerville Rancheria	✓	Conditional Approval		√