

CONDITIONS OF APPROVAL

APPROVAL OF THE GENERAL PLAN CONFORMANCE REVIEW AND SPECIAL PERMIT 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 shall comply with recommendations from the Humboldt County Department of Public Works in their comments dated December 13, 2023, as follows:
 - a. **Encroachment Permit:** The applicant must apply for and obtain an encroachment permit for all work performed within the County road right of way including but not limited to removal and replacement of water mains within the County maintained road right of ways of Alderpoint Road and Redwood Drive. In addition, an encroachment permit is required to provide an ADA compliant urban driveway apron and surfaced driveway to County standards [reference: County Code §411-11 (a)(b)].
 - b. **Traffic Control Plan:** The applicant shall be responsible for all traffic control and safety at all work locations in a manner satisfactory to the Department of Public Works. Traffic control operations shall conform to California Manual on Uniform Traffic Control Devices for Streets and Highways (FHWA's MUTCD 2009 Edition, as amended for use in California), March 30, 2021, or latest edition, and to the satisfaction of the Department of Public Works. Warning and flagging of motorists at work locations shall be conducted AT ALL TIMES by properly trained personnel.

The applicant shall use Caltrans 2022 Standard Plan T13 with T9 for a traffic control plan, when applicable, for closing one traffic lane. Permittee shall use CAMUTCD Figure 6H-6, Titled "Shoulder Work with Minor Encroachment (TA-6)", when applicable, for working outside of the travelway and not affecting normal vehicle traffic.

Conditions requiring a traffic control plan other than Caltrans T13 with T9 or Fig 6H-6 will require submittal and Public Works approval of a traffic control plan prepared by a Registered Civil Engineer (or Traffic Engineer). 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.

- c. **Construction plans:** Unless otherwise approved in writing by the Department all watermains and waterlines 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.
 - d. **Access Roads:** Intersections of utility access roads with the County maintained road shall be surfaced to County standards. Intersections of abandoned utility access roads shall be blocked and returned to natural conditions.
 - e. Site visibility must be maintained at all construction entrances and utility access locations with County maintained roads.
 - f. The applicant shall be responsible to correct any involved drainage problems on the County road as a direct result of the project to the satisfaction of this Department. The applicant shall minimize the transport of sediment to drainage courses during construction. The County Inspector shall be notified by applicant for review and approval of installed erosion control measures within County right of way.
 - g. During construction, roadways shall be periodically cleaned of mud, soil, rock, and debris. California Storm Water Quality Association (CASQA) BMPs shall be used to prevent the tracking of material onto County roads. The following BMPs shall be used at a minimum: stone wash pad; rumble racks; sweeping roads on a daily basis.
 - h. No construction materials or debris shall be placed within the County road right of way during the project, unless permitted through an encroachment permit. All fueling, equipment maintenance, staging, and construction management shall be located outside the County road right of way.
3. 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.

4. The applicant shall apply for and record a Notice of Merger and Certificate of Subdivision Compliance for APNs: 032-211-011 and APN: 032-211-035 with the Humboldt County Planning Department for the conveyance associated with the Hurlbutt Tank site.
5. 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.

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. 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.
2. Under California Health and Safety Code, Section 25404 et seq., any business that contains on-site more than 55 gallons, 500 pounds, or 200 cubic feet of a hazardous material, or generates hazardous waste as part of their business activity, must report these activities and be inspected. Contact Humboldt County Environmental Health's Hazardous Materials Unit at 707-268-2220 or mwoveland@co.humboldt.ca.us if there will be hazardous materials stored above these quantities or if hazardous waste is generated.
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.