

ATTACHMENT 1A

Conditions of Approval

APPROVAL OF THE KARUK TRIBAL HOUSING AUTHORITY PLANNED
DEVELOPMENT PERMIT
IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

Conditions of Approval:

1. A Caltrans encroachment permit shall be obtained prior to constructing driveway improvements onto State Route 96 that are required to meet Caltrans standards for a commercial driveway, and to provide accommodating width of 12 feet across the frontage to allow for the pending pedestrian path which is an approved Caltrans project that is to be constructed.
2. A separate water meter dedicated to the Orleans Community Services District shall be installed for each home at a cost of \$5,000 each plus labor and fees. However, since the Karuk Tribal Housing Authority states that it will pay monthly water bills and that the single existing water meter should be sufficient, this condition may be waived if the Orleans CSD agrees.
3. The project may be subject to the CalFire “Less-Than-3-Acre Conversion Exemption” and shall apply per CalFire’s permitting process.
4. The development shall provide an irrigated and maintained lawn in the open area on the west half of the project site; existing trees will be retained where possible; and a combination slide and swing set playground will be installed.
5. Biological Resources:
 - a. Amphibians:
 - If construction commences during the wet season and active dispersal period for these species (between approximately October 15 and May 14, depending on the precipitation year), preconstruction surveys for Del Norte salamander would be conducted in the Study Area no more than two weeks prior to the initiation of construction activities to ensure that Del Norte salamander are not actively using the Study Area or adjacent areas as a dispersal corridor. Preconstruction surveys would be conducted by a qualified biologist familiar with all life stages and would cover all terrestrial and aquatic habitats on and immediately adjacent to the Study Area that are suitable for Del Norte salamander dispersal.
 - If any life stage of Del Norte salamander (e.g., egg, juvenile, or adult) is detected within the Study Area during any surveys or monitoring for the project during construction or decommissioning, USFWS and CDFW shall be notified within 48 hours. The biologist shall monitor the animal to make sure it is not harmed and that it leaves the site on its own. Construction activities will not be allowed within 100-feet of the animal.

Handling of listed species without a take permit pursuant to the FESA is not allowed.

- Clearing within the Study Area shall be confined to the minimal area necessary to facilitate construction. To ensure that construction equipment and personnel do not affect sensitive habitat outside of designated work areas, orange barrier fencing shall be erected to clearly define the habitat to be avoided. This will delineate the Environmentally Sensitive Area (ESA) on the project. The integrity and effectiveness of ESA fencing and erosion control measures shall be inspected daily. Corrective actions and repairs shall be carried out immediately for fence breaches and ineffective erosion control BMPs.
- Standard construction BMPs shall be implemented throughout construction, to avoid and minimize adverse effects to the water quality within the Study Area. Appropriate erosion control measures shall be used (e.g., hay bales, filter fences, vegetative buffer strips or other accepted equivalents) to reduce siltation and contaminated runoff from leaving the Study Area and entering the riparian corridor or the Klamath River. The integrity and effectiveness of the BMPs shall be inspected daily by the resident engineer or site foreman. Corrective actions and repairs shall be carried out immediately.
- Construction by-products and pollutants such as petroleum products, chemicals, or other deleterious materials should not be allowed to enter the Klamath River. A plan for the emergency clean-up of any spills of fuel or other materials should be available when construction equipment is in use.
- Equipment shall be re-fueled and serviced at designated construction staging areas. All construction material and fill shall be stored and contained in a designated area that is located away from channel areas to prevent transport of materials into adjacent streams. The preferred distance is 100-feet from the wetted width of the Klamath River. In addition, a silt fence shall be installed to collect any discharge, and adequate materials should be available for spill clean-up and during storm events.
- Construction vehicles and equipment shall be monitored and maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease. Leaking vehicles and equipment shall be removed from the site.
- Building materials storage areas containing hazardous or potentially toxic materials such as herbicides and petroleum products shall be located outside of the 100-year flood zone, have an impermeable membrane between the ground and the hazardous material, and shall be bermed to prevent the discharge of pollutants to ground water and runoff water. The bermed area shall at a minimum have the capacity to store the volume of material placed in it.
- All disturbed soils shall undergo erosion control treatment prior to October 15 and/or immediately after construction is terminated.

Appropriate erosion control measures shall be used (e.g., hay bales, filter fences, vegetative buffer strips or other accepted equivalents) to reduce siltation and contaminated runoff from leaving the Study Area. Erosion control blankets shall be installed on any disturbed soils steeper than a 2:1 slope or steeper.

- During Project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
- No monofilament plastic shall be used for erosion control.

b. Bald Eagle, Osprey, Northern Spotted Owl, Other Raptors, and Migratory Birds:

- If project (construction) ground-disturbing or vegetation clearing and grubbing activities commence during the avian breeding season (February 1 through August 31), a qualified biologist should conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities and again immediately prior to construction. The survey area should include suitable raptor nesting habitat within 500-feet of the project boundary (inaccessible areas outside of the study area can be surveyed from the site or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season should be re-surveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the California Department of Fish and Wildlife should be consulted to determine appropriate nest buffer zones and the following measure should be implemented:
- A suitable buffer (e.g., 500-feet for raptors; 100-feet for passerines) should be established by a qualified biologist around active nests and no construction activities within the buffer should be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer should be monitored by a qualified biologist to determine whether nesting birds are being impacted.

c. Bats:

- If trees or abandoned structures are to be removed within the Study Area, they should be removed during periods of seasonal bat activity. Tree removal should occur during late fall or early spring when maternal roost areas are generally naturally empty. This approach avoids periods when young and newly born bats are typically present. Prior to tree or structure removal, a qualified biologist should conduct a night emergence and daytime roosting survey for bat species within 14 days prior to removal. If no signs of bats are observed, then a letter report should be prepared to document the survey and provided to the project proponent and no additional measures are recommended. If removal does

not commence within 14 days of the clearance survey, or halts for more than 14 days, an additional survey is required prior to resuming or starting work.

- If special-status bats are present and roosting in the Study Area, no trees or structures should be removed until the biologist has determined that a roost site is no longer active, and no bats are present.

6. To better accommodate circulation and siting of future building sites, minor adjustments to the design of the planned development site plan (driveway & road locations, etc.) may be performed, subject to review and approval by the Planning Division and Public Works Land Use Division.
7. Prior to issuance of building permits, the Applicant shall make payment for all outstanding Humboldt County Planning Department fees. Cost report will be made available at the Humboldt County Planning Department.
8. Prior to issuance of building permits, the applicant shall submit at least three (3) copies of a Development Plan to the Planning Division for review and approval. The map shall be drawn to scale and give detailed specifications as to the development and improvement of the site, and shall include the following site development details:

A. Mapping:

- (1) Topography of the land in 50-foot contours.
- (2) Parcel boundaries, roads, section corners, and other physical identifying features.
- (3) The location of all easements.
- (4) Details showing conformance with provisions of the State & Local Fire Safe Regulations, including but not limited to:
 - a. Road and driveway access standards (i.e., road width, roadway surface, roadway grades, roadway structures, etc.)
 - b. Signing and building numbering standards (i.e., road name signs, building address signs, etc.)
 - c. Emergency water standards (i.e., placement of fire hydrants, 2,500-gallon individual emergency water supply, etc.)
 - d. Fuel modification standards (i.e., setbacks for structure defensible space of at least 30 feet, greenbelts, etc.).

B. Notes to be placed on the Development Plan:

3. The term of the approved Planned Development Permit shall be 24 months from the effective date of the action except where otherwise provided by law. An extension may be requested prior to the date in accordance with Section 326-21 and 312-11.3 of the Humboldt County Code.