

## ATTACHMENT 2C

### RECOMMENDED 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 Zone Reclassification must be approved by the Board of Supervisors. Following this, western portions of the site must be reclassified as Heavy Commercial with the Streamside Management Area and Wetlands Combining Zone (C-3/WR) while eastern portions of the property must be zoned Heavy Commercial (C-3).
3. The General Plan Amendment redesignating eastern (non-wetland) portions of the property as Industrial General (IG) must be approved by the Board of Supervisors.
4. 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.
5. The applicant is responsible for completing and implementing all mitigation measures outlined within the Mitigation Monitoring & Reporting Program (MMRP) which shall be completed as required within the MMRP and shall the applicant/developer/responsible party shall provide all reporting as required in the MMRP.
6. The applicant shall record a Notice of Development Plan and prepare and file a Development Plan with the Department. The Development Plan shall clearly identify the boundaries of the wetland area (existing vegetation) and label it as "unbuildable".

##### 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.

##### 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. Requestes 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.