

## CONDITIONS OF APPROVAL

Approval of the Coastal Development Permit and Special Permits is conditioned upon the following terms and requirements which must be fulfilled.

1. All work shall be consistent with the Site Plans and Project Description received by the Planning Division on July 31, 2024. No trees other than what is located within the proposed project boundaries, as shown on the Site Plans, and identified in the Project Location Tree Data and Assessor's Parcel Number Table, are authorized to be removed by this permit. No deviations shall be permitted without prior written authorization from the Planning Division. Major changes may necessitate an amendment of this permit.
2. All activities related to the removal of trees under this permit shall be conducted in strict conformance with the following:
  - a. Vegetation Management – Activity Specific Erosion and Sediment Control Plan
  - b. PG&E Best Management Practices for all Vegetation Management Activities
  - c. Multi-Region HCP Measures – General Field Protocols
  - d. Cultural Resources Summary (on file and confidential)
3. Tree removal and any vegetation clearing must be conducted outside of the bird breeding season (generally March 1<sup>st</sup> – August 15<sup>th</sup>) to avoid 'take' as defined and prohibited by Fish and Game Code (FGC) §3503m 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 US Code 703 *et seq.*). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid a take.
4. The use of herbicides is prohibited under this permit.
5. Any work authorized under the Annual Encroachment Permit requires notifying the Department of Public Works PRIOR to commencement of work - per County Code Section 411-11 (k) and (l).

6. During tree work operations authorized under this permit, the Applicant shall be responsible for keeping the County road surface and drainage system clear of organic debris. The road shall be maintained in passable condition throughout the tree work operations.
7. Warning and flagging of motorists at work locations shall be conducted AT ALL TIMES by properly trained personnel. Traffic control staff must be able to effectively communicate oral instructions to the public.
8. 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. The applicant 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.
9. Hours of operation shall be Monday through Friday (excluding federal holidays), during daylight hours for a maximum of 7:00 a.m. to 7:00 p.m. during the longer daylight season. Weekend operation may be acceptable to the County, provided the request is forwarded for review to the County a minimum of forty-eight (48) hours in advance.
10. The portion of County right of way utilized during the tree work operations shall be restored to like or better condition upon completion of tree work operations. The applicant shall clean and shape existing drainage ditch line upon completion of project, if disturbed. The applicant shall be responsible for any and all damage to the roadway caused by the tree work operations within the County right of way. Any damage to existing County road improvements (i.e., adjacent curb and gutter, drainage structures, road surface, etc.) shall be repaired or replaced by the applicant to the satisfaction of the Department of Public Works. Damages shall be reported promptly to the Department of Public Works.
11. Any work within State right-of-way will require an Encroachment Permit from the California Department of Transportation (Caltrans). Encroachment permit applications are reviewed for consistency with State standards and are subject to Department approval. To streamline the permit review process, applicants are advised to consult with Caltrans Permit staff prior to submitting an application. Requests for permit applications 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 Encroachment Permit Manual and Standard Application is available online at:

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

12. Any debris hauled off site shall be tarped or contained within an enclosed space. Any debris, dirt, mud, or rocks that are tracked out onto the street shall be removed from the street daily.
13. Prior to the removal or pruning of any trees covered under this permit, the landowners whose property over which the Pacific Gas and Electric Easement lies shall be notified, with at least one notification in writing a minimum of ten days prior to the action.
14. Pacific Gas and Electric shall promptly chip and haul away or lop and scatter all less than 4-inch diameter material from the project site. Wood greater than 4 inches in diameter shall be left for private use unless removal is requested and authorized by the property owner. On site chipping and grinding activities, including land application of processed materials, are acceptable for management of wood waste provided they do not create a nuisance, or public health and safety hazard. On site burial of wood waste and slash is not permitted by state and local regulations. There may be situations where PG&E is unable to relocate or haul wood due to safety, environmental or accessibility concerns.

#### **Informational Notes:**

1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies. 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 periods within which construction or use must be commenced may be extended as provided by Section 312-10.5 of the Humboldt County Code.
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 Department will provide a bill to the applicant after the decision. 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. If cultural resources are encountered during project-related 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, ground stone 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.**