

EXHIBIT A

CITY OF CLEARLAKE CONDITIONS OF APPROVAL LAKE TRANSIT AUTHORITY CUP 2026-06

Pursuant to the approval of the Planning Commission on September 29, 2026, a Conditional Use Permit, CUP 2026-06 is hereby granted to Lake Transit Authority to allow the development and operation of a Bus Depot located at 7180 South Center Drive, Clearlake, CA 95422, further described as Assessors Parcels Number 010-043-57. This approval is subject to the following terms and conditions.

SECTION A - GENERAL CONDITIONS:

1. The use shall substantially conform to the site plan(s), and project description submitted with the application dated May 27, 2026, and any conditions of approval imposed by the above permit and Review Authority as shown on the approved site plan and project description for this action dated September 29, 2026.

2. **Prior to operation**, the applicant shall obtain and maintain all required permits and comply with all applicable federal, state, and local agency requirements (i.e. Lake County Air Quality Management District, City of Clearlake, CA Department of Fish and Wildlife, Lake County Fire Protection District, Lake County Special Districts, local water district, etc.).

3. **Prior to operation, the following requirements shall be met:**
 - **Trash Enclosure** shall be installed in accordance with the City Municipal Codes and Adopted Design Standards.
 - Apply for and maintain an active Business License with the City. Said license shall be applied for through the Online Permitting System at <https://clearlakeca.portal.opengov.com/>.
 - **Construct Curb, Gutter, and Sidewalk Improvements** along the project parcel frontage on South Center Drive and Dam Road Extension in accordance with all applicable City Standards and Specifications. Said plans shall be prepared, stamped, and signed by a California Licensed Civil Engineer and submitted to the City for review/approval. The applicant is responsible for obtaining all necessary permits, including an encroachment permit, and for ensuring that all required inspections are completed in compliance with the City of Clearlake Municipal Code.
 - **Driveways and Parking Areas** shall be improved with all-weather material, such as asphalt, concrete, or a similar material approved by the Community Development Director. All improvements shall comply with all applicable federal, state, and local agency requirements.
 - All accessible parking areas, routes of travel to and from all buildings, parking areas, structures and building access and bathrooms shall conform to the California Accessibility Codes/Standards (Chapters 11A and 11B).

4. **Prior to the installation of any signage**, the applicant shall apply for and secure a Sign Permit. All signs shall adhere to the City Municipal Codes and Adopted Design Standards.
5. **Prior to the removal of any Oak Trees**, the applicant shall secure a Tree Removal Permit in accordance with City Municipal Code.
6. **Prior to any ground disturbance**, the applicant shall submit and obtain a Grading Permit from the Department of Public Works in accordance with the City of Clearlake Municipal Code(s).
7. All outdoor lighting shall be directed downward and shielded to illuminate only the project site, not adjacent properties. All lighting shall comply with applicable Federal, State, and local requirements, including the standards outlined in DarkSky.org.
8. The operation shall adhere to all requirements in Chapter 18, Section 18-22 - Performance Standards of the City Municipal Code (*i.e. Noise, Vibrations, Air Containments, Odors, Solid Waste, Flammable Material, etc.*).
9. Any conditions established pursuant to these regulations shall be met before the use is established, except that the Community Development Director/designee, Planning Commission or on appeal, the City Council, may establish a schedule for certain conditions to be met after the establishment of the use. Continuance of the use shall then be contingent on complying with the schedule for meeting the deferred conditions.

SECTION B – BIOLOGICAL RESOURCES:

1. ***Mitigation Measure BIO-1:*** Prior to construction, including tree removal or trimming, Lake Transit shall have a qualified biologist conduct a Habitat Assessment for special-status bats, focusing on the trees to be removed. Survey methodology shall include visual examination of suitable habitat areas for signs of bat use and may utilize ultrasonic detectors to determine if special status bat species utilize the vicinity. Removal of trees that potentially support a bat maternity roost should only occur between September 1 and October 15, after the young have learned to be self-sufficient but before hibernation. Trees supporting bats should not be removed while bats are hibernating between October 15 and March 15 or otherwise while bats are present. If a special-status bat species is found, or if suspected day roosts for special-status bats are identified, then the Habitat Assessment shall identify suitable performance measures for avoiding impacts to roosts, which may include, but would not be limited to:
 - Consultation with the California Department of Fish and Wildlife to determine appropriate measures for protecting bats with young/babies if present, and for implementing measures to exclude non-breeding bat colonies during construction process.
 - Phased removal of trees where selected limbs and branches not containing cavities are removed using chainsaws on the first day, with the remainder of the tree removed using chainsaws or other equipment on the second day.
 - If no bat utilization or roosts are found, then no further study or action is required.

2. **Mitigation Measure BIO-3** Contractors shall attempt to remove trees and other vegetation that could potentially contain nesting birds outside the bird nesting season (March 1 - August 15) to avoid direct effects on special status and protected birds. If vegetation removal occurs outside the bird nesting season, no further mitigation is necessary.

- If work must be performed during the avian nesting season (March 1 – August 15), a qualified biologist shall conduct pre-construction surveys within construction footprint and 300 feet of a tree, to check for bird nesting activity and to evaluate the site for presence of special-status bird species. The biologist shall conduct a minimum of one day pre-construction survey within the 7-day period prior to vegetation removal or ground-disturbing activities. If ground disturbance and vegetation removal work lapses for seven days or longer during the breeding season, a qualified biologist shall conduct a supplemental avian pre-construction survey before project work is reinitiated. If active nests are detected within the construction footprint or within 300 feet of construction activities, the biologist shall flag a buffer around each nest. Construction activities shall avoid nest sites until the biologist determines that the young have fledged or nesting activity has ceased.
- If nests are documented outside of the construction (disturbance) footprint, but within 300 feet of the construction area, buffers will be implemented as needed. In general, the buffer size for common species would be determined on a case-by-case basis in consultation with CDFW. Buffer sizes will take into account factors such as (1) noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity; (2) distance and amount of vegetation or other screening between the construction site and the nest; and (3) sensitivity of individual nesting species and behaviors of the nesting birds.
- If active nests are detected during the survey, the qualified ornithologist shall monitor all nests at least once per week to determine whether birds are being disturbed. Activities that might, in the opinion of the qualified ornithologist, disturb nesting activities (e.g., excessive noise), shall be prohibited within the buffer zone until such a determination is made. If signs of disturbance or distress are observed, the qualified ornithologist shall immediately implement adaptive measures to reduce disturbance. These measures may include, but are not limited to, increasing buffer size, halting disruptive construction activities in the vicinity of the nest until fledging is confirmed, placement of visual screens or sound dampening structures between the nest and construction activity, reducing speed limits, replacing and updating noisy equipment, queuing trucks to distribute idling noise, locating vehicle access points and loading and shipping facilities away from noise-sensitive receptors, reducing the number of noisy construction activities occurring simultaneously, and/or reorienting and/or relocating construction equipment to minimize noise at noise-sensitive receptors.

SECTION C – CULTURAL RESOURCES:

1. *Mitigation Measure CR-1:* Lake Transit shall ensure the following procedures are followed. If archaeological materials are encountered during initial ground-disturbing activities, work within 100 feet of a discovery shall be halted until a qualified archaeologist assesses the find, consults with the appropriate tribes and agencies, and makes recommendations for the treatment of the discovery to protect the integrity of the resource and ensure that no additional resources are affected. Upon completion of the assessment, the archaeologist shall prepare a report to document the methods and results of the assessment. The report shall be submitted to the City or County (as appropriate), appropriate tribes, and the Northwest Information Center upon completion. Following initial ground disturbance, in the event that any subsurface archaeological features or deposits, including locally darkened midden soil, are discovered during later construction-related earth-moving activities, all ground-disturbing activity in the vicinity of the resource shall be halted, a qualified professional archaeologist shall be retained to evaluate the find, and the appropriate tribal representative(s) shall be notified. If the find qualifies as a historical resource, unique archaeological resource, or tribal cultural resource as defined by CEQA, the archaeologist, in consultation with tribes, shall develop appropriate measures to protect the integrity of the resource and ensure that no additional resources are affected. In considering any suggested measures proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the City or County (as applicable), in consultation with applicable Native American tribes, shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, Project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery, reburial at another location within the site) shall be instituted. Work may proceed on other parts of the Project while mitigation for unique archaeological resources is being carried out.

2. *Mitigation Measure CR-2:* Lake Transit shall ensure the following measures are implemented to protect human remains. If human remains, associated grave goods, or items of cultural patrimony are encountered during construction, work shall halt within 100 feet of the find, and the County Coroner shall be notified immediately. The following procedures shall be followed as required by Public Resources Code §5097.9 and Health and Safety Code § 7050.5. If the human remains are determined to be of Native American origin, the coroner shall notify the Native American Heritage Commission within 24 hours of the determination. The Native American Heritage Commission shall then notify the Most Likely Descendant (MLD). The MLD shall complete an inspection and make its MLD recommendation for disposition of the remains within 48 hours of receiving access to the site. Lake Transit and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects. Said determination may include avoidance of the human remains, reburial on-site, or reburial on tribal or other lands that will not be subject to future disturbance. Any reburial of human remains shall be accomplished in compliance with the California Public Resources Code Sections 5097.98(a) and (b). Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed.

SECTION D– GEOLOGY AND SOILS

1. *Mitigation Measure GEO-1:* In the event that fossils are encountered during construction (i.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants), construction activities shall be diverted away from the discovery within 50 feet of the find, and a professional paleontologist shall be notified to document the discovery as needed, to evaluate the potential resource, and to assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue, or recommend salvage and recovery of the material, if it is determined that the find cannot be avoided. The paleontologist shall make recommendations for any necessary treatment that is consistent with currently accepted scientific practices. Any fossils collected from the area shall then be deposited in an accredited and permanent scientific institution where they will be properly curated and preserved.

SECTION E – HAZARDS & HAZARDOUS MATERIALS

1. *Mitigation Measure HAZ-1:* Prior to construction, Lake Transit and its contractor(s) shall remove and/or clear away dry, combustible vegetation from the construction site. Grass and other vegetation less than 18 inches in height above the ground shall be maintained where necessary to stabilize the soil and prevent erosion. Vehicles shall not be parked in areas where exhaust systems contact combustible materials. Fire extinguishers shall be available on the construction site to assist in quickly extinguishing any small fires, and the contractors shall have on site the phone number for the local fire department.

SECTION F – TRIBAL RESOURCES

1. *Mitigation Measure TCR-1:* No less than five working days before the start of any ground-disturbing construction activity, the contractor shall notify the Habematolel Pomo Cultural Resources Department, Koi Nation, and the Robinson Rancheria of Pomo Indians about the start date of ground disturbing activities. The tribes will be given the opportunity to send a tribal monitor to inspect the subsurface soils once during the first five days of ground disturbing activity on the project. Should the tribes choose not to send a monitor to perform the inspection within the first five days, work can continue as long as the notice was provided and documented. Should a tribe choose to send a monitor, Lake Transit shall enter into a Monitoring Agreement with the tribe prior to the start of ground disturbing activities.
2. *Mitigation Measure TCR-2:* Implement Habematolel Pomo of Upper Lake's Treatment Protocol during Construction Lake Transit shall implement the Habematolel Pomo of Upper Lake's Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Habematolel Pomo of Upper Lake during Project construction.

SECTION G - NOISE :

1. *Mitigation Measure (NOI-1):* For construction activities at the site, Lake Transit shall require construction contractors to comply with the following measures:
 - *Construction activities shall be limited to the hours between 7:00 am and 7:00 pm, Monday through Friday in accordance with the Lake County General Plan, unless permission is granted with a development permit or other planning approval.*
 - *Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.*
 - *Prohibit unnecessary idling of internal combustion engines.*
 - *Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers*

to screen stationary noise-generating equipment when located near adjoining sensitive land uses.

- *Utilize “quiet” air compressors and other stationary noise sources where technology exists.*
- *Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.*

SECTION H – TIMING AND MONITORING

1. This Conditional Use Permit does not abridge or supersede the regulatory powers and permits requirements of any federal, state, or local agency requirements. The applicant shall obtain and maintain permits as may be required from each agency.
2. The review authority may revoke or modify the Conditional Use Permit upon a finding that the permitted use is detrimental to the public health, safety, comfort, or general welfare; constitutes a public nuisance; that the permit was obtained or is being exercised through fraud or misrepresentation; or that one or more conditions of approval have not been complied with or have been violated. Prior to any action to revoke or modify the said permit, the permittee shall be provided notice of the alleged violation(s) and an opportunity to respond, in accordance with applicable law(s) and Municipal Code Procedures.
3. Any modification to the approved project shall be subject to review and determination by the City Manager, Community Development Director, or designee as either a minor amendment or major amendment to the approved project, in accordance with the applicable provisions of the City’s Municipal Code. Minor amendments may be approved administratively, while major amendments shall require review and approval by the appropriate review authority at a duly noticed public hearing.
4. The developer/operator shall agree to indemnify, defend, and hold harmless the City or its agents, officers and employees from and against any and all claims, actions, demands or proceeding (including damage, attorney fees, and court cost awards) against the City or its agents, officers, or employees to attach, set aside, void, or annul an approval of the City, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. In providing any defense under this Paragraph, the applicant, business operator, property owner, developer shall use counsel reasonably acceptable to the City. The City shall promptly notify the applicant, business operator, property owner, developer of any claim, action, demands or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the developer/operator of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the developer/operator shall not thereafter be responsible to defend, indemnify, or hold the City harmless as to that action. The City may require that the developer/operator post a bond, in an amount determined to be sufficient, to satisfy the above indemnification and defense obligation. The developer/operator understands and acknowledges that City is under no obligation to defend any claim, action, demand or proceeding challenging the City’s actions with respect to the permit or entitlement.

5. Said Conditional Use Permit shall be subject to revocation and/or modification by the review authority if the review authority finds:
- *Noncompliance with any of the foregoing conditions of approval.*
 - *The City Manager/Community Development Director or designee finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the approved use. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to the City of Clearlake Municipal Code.*
 - *The Planning Commission finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to people or property in the vicinity/neighborhood of said use. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to the City of Clearlake Municipal Code. 15.*

To be Completed by Authorized Representative/Applicant

ACCEPTANCE

I have read and understand the foregoing Conditional Use Permit and agree to each term and condition of approval and/or mitigation measure(s) thereof.

Name: _____

Signature: _____

Date: _____

To Be Completed by City Authorized Personnel

Name: _____

Signature: _____

Title: _____

Date: _____