

**COUNTY OF LAKE  
MAJOR USE PERMIT PL-25-354  
INITIAL STUDY PL-254**

**OSPREY FARM  
ALFRED FONTANA, IV  
CONDITIONS OF APPROVAL**

**EXPIRES IF NOT USED: APRIL 9, 2028  
VALID UNTIL: APRIL, 2036**

Pursuant to the approval of the Planning Commission on April 9, 2026, there is hereby granted to Osprey Farm / Alfred Fontana, IV, a Major Use Permit, PL-25-354 with the following Conditions of Approval to allow Commercial Cannabis Cultivation of 89,620 square feet (sf) outdoor cannabis canopy and Type 13 Distribution, Self-transport only located at 7255 Boggs Lane & 7314 Adobe Creek Road, Kelseyville, California 95451 (APNs 007-021-21 and 007-021-16) and is subject to the following terms and conditions of approval:

**A. GENERAL CONDITIONS:**

1. The use hereby permitted shall substantially conform to the Site Plan(s), Project Description and Property Management Plan, and any conditions of approval imposed by the Major Use Permit and Review Authority to allow Cultivation of 86,308 square feet (sf) outdoor cannabis canopy area. This approval includes Type 13 Distribution, Self-transport only. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts. The Applicant shall be in substantial conformance with the following:
  - a. Property Management Plan
  - b. Site plans dated Northpoint Consulting Group, Inc, 2025
  - c. Attachments to the Staff Report April 9, 2026
2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district, or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency.
3. Prior to operation and construction, the applicant shall obtain permits from all necessary Federal, State, and local agencies for the construction/development of any infrastructure.
4. Prior to operation, the applicant shall contact the Lake County Building Department to schedule an inspection(s) to ensure compliance with Public Resource Code sections 4290/4291.
5. Prior to operation, the applicant shall provide adequate security on the premises. All fencing installed shall be a minimum of six (6) feet in height and cannot exceed eight (8) feet in height. If the fencing exceeds eight (8) feet height, the applicant shall obtain all necessary building permits.
6. If there is a change in the project manager (site operator), the permit holder shall submit written documentation to the Community Development Department for review and approval. Said documentation shall include the following:
  - Name of Individual and Title
  - Contact Information (Phone, email, and address)
  - What that individual is authorized to do.
7. If there is a change in the use permit holder(s), the new permit holder(s) shall submit notarized written documentation that they are formally taking over said permit to the Community Development Department for review and approval, including submitting submit the required application and appropriate fees.
8. If the subject properties have a change of ownership, the applicant shall obtain written approval from all property owner(s), which authorize the tenant(s) or lessee(s) to cultivate cannabis at the project site(s). Said written verification containing the property owner's (s) signature shall be notarized. A copy of the written approval shall be maintained by the tenant or lessee and made available for review upon request. Written approvals shall be renewed annually.
9. Prior to operation, the applicant is responsible for ensuring that all project workers are informed of, understand, and agree to abide by the approved plans and project conditions.

10. Prior to operation, all necessary permits shall be obtained from all applicable federal, state, and county agencies having jurisdiction over this project. Said permits shall be maintained for the life of the project.
11. Prior to this use permit being valid, vested, or operative, all necessary permits shall be obtained from all applicable federal, state and county agencies having jurisdiction over this project including but not limited to the Department of Cannabis Control, Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, Department of Public Health, and Department of Consumer Affairs. Said permits shall be maintained for the life of the project:
  - A copy of said permits shall be submitted to the Lake County Community Development Department for review and approval. If permits are not required, the applicant shall obtain written documentation from each agency and submit said documentation to the Community Development Department.
  - If there is a change in name of the permit operator(s), the new permit operator(s) shall be responsible for ensuring all applicable permits are up to date.
12. Prior to operation, the applicant shall be enrolled in and comply with the State of California Track and Trace program and all requirements, including having all cannabis plants properly tagged. Additionally, the applicant shall submit written verification to the Lake County Community Development Department for review and approval.
13. The applicant shall not sell, transfer and/or give cannabis or cannabis products, nor allow into the cultivation area, nor employ or retain any persons under the age of 21.
14. An applicant shall keep accurate records of commercial cannabis activity. All records related to commercial cannabis activity as defined by the State Licensing Authorities shall be maintained for a minimum of seven years. Said records shall be made available upon request at any given time.
  - The County may examine the books and records of an applicant and inspect the premises of a permittee when the County deems necessary to perform its duties under this division. All inspections shall be conducted during standard business hours of the permitted facility or at any other reasonable time.
  - Applicants shall keep records identified by the County on the premises of the location permitted and the County may make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request.
  - An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the applicant pursuant to this section, has engaged in a violation of this article.
15. Prior to operation, all current and future permit holders and/or employees shall undergo and pass a background check by the Lake County Sheriff Department. Pursuant to California Business and Professions Code, Section 26057. If an individual who has failed a background check becomes involved in any aspect of the cultivation process, or if any employee is involved with the cultivation who has not undergone a background check, the use permit may be brought before the Planning Commission for consideration of revocation. A list of all employees, including private contractors, shall be made available upon request.
16. The applicant shall provide adequate security measures per Article 27 of the Lake County Zoning Ordinance to minimize criminal activity, provide for safe and secure working environments, protect private property, and prevent damage to the environment.
17. Prior to operation, all accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements.
18. Prior to operation, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand-wash stations shall meet all accessibility requirements.
19. All accessible parking areas, paths of travel, building access, and bathrooms shall meet the accessibility requirements of the current edition of the California Building Code Chapter 11B and be subject to review and approval of a Certified Accessibility Access Specialist (CASp).
20. The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.
21. The applicant shall pay the cannabis cultivation tax to the Lake County Tax Collector in accordance with the cannabis billing cycle. The applicant shall submit proof of payment to the

Lake County Community Development Department within thirty (30) days of receiving payment confirmation. Failure to pay said cultivation tax will result in the initiation of permit revocation proceedings. For further details on cultivation taxes, please contact the Lake County Tax Collectors Office at (707) 263-2234.

22. Prior to operation, the applicant(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The applicant shall contact the Lake County Division of Environmental Health for details.
23. All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area should be deposited in trash containers with an adequate lid or cover to contain trash. All food waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.
24. The applicant shall adhere to all applicable requirements in the Lake County Zoning Ordinance and the Lake County Code.
25. All work shall incorporate erosion control measures consistent with the Site Plans submitted, the Lake County Grading Regulations, and the State Water Resources Control Board Order No. WQ 2019-001-DWQ.

**B. AESTHETICS**

1. AES-1: All outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that would not broadcast light or glare beyond the boundaries of the subject property. All lighting equipment shall comply with the recommendations of the International Dark-Sky Association ([www.darksky.org](http://www.darksky.org)) and provisions of Section 21-41.8 of the Zoning Ordinance. Security lighting shall be shaded, facing downward, and motion activated. (Mitigation Measure AES-1)

**C. AIR QUALITY**

1. The applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit, as applicable, prior to commencing construction operations, or demonstrate that a permit is not needed. (Mitigation Measure AQ-1)
2. All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet all Federal, State, and local requirements, including the requirements of the State Air Toxic Control Measures for CI engines. (Mitigation Measure AQ-2)
3. The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District with such information in order to complete an updated Air Toxic emission Inventory. (Mitigation Measure AQ-3)
4. Any vegetation removed during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited. (Mitigation Measure AQ-4)
5. All driveways and parking areas shall be surfaced with non-white rock gravel, chip seal, asphalt, or other all-weather surfacing to reduce fugitive dust generation. The applicant shall regularly maintain any graveled areas to reduce fugitive dust generations. The use of white rock as a road base or surface material is prohibited. (Mitigation Measure AQ-5)

**D. BIOLOGICAL RESOURCES**

1. All work should incorporate erosion control measures consistent with the State Water Resources Control Board Order No. WQ 2019-001-DWQ. (Mitigation Measure BIO-1)

**E. CULTURAL RESOURCES:**

1. All employees shall be trained in recognizing potentially significant archaeological, paleontological, or cultural materials that may be discovered during ground disturbance. Prior to ground disturbing activities, the Permittee shall submit a Cultural Resources Plan, identifying methods of sensitivity training for site workers, procedures in the event of an accidental discovery, and documentation and reporting procedures. Prior to ground disturbing activities, the Permittee shall submit verification that all site workers have reviewed the Cultural Resources Plan and received sensitivity training. (Mitigation Measure CUL-1)

2. Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100 feet of the find(s). A professional archaeologist certified by the Registry of Professional Archeologists (RPA) shall be notified and shall evaluate the find(s) and recommend mitigation procedures, if necessary. The findings and mitigation measures shall be reviewed and approved by the Lake County Community Development Director prior to commencing work. (Mitigation Measure CUL-2)
3. Should any human remains be encountered, the applicant shall halt all work within 100 feet, notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.. (Mitigation Measure CUL-3)

**F. GEOLOGY & SOILS**

1. Vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director. (Mitigation Measure GEO-1)
2. The permit holder shall monitor the site during the rainy season (October 15 – April 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed. (Mitigation Measure GEO-3)
3. If greater than fifty (50) cubic yards of soil are moved, a Grading Permit shall be required as part of this Project. The Project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures, and other measures in accordance with Chapters 29 and 30 of the Lake County Code.. (Mitigation Measure GEO-3)
4. If paleontological resources are encountered during implementation of the Project, ground disturbing activities would be temporarily redirected from the vicinity of the find. A qualified paleontologist shall be retained by the developer to make an evaluation of the finding. If a significant paleontological resource(s) is discovered on the property, the qualified paleontologist / archaeologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find. (Mitigation Measure GEO-5)

**G. HAZARDS & HAZARDOUS MATERIALS**

1. If the storage of hazardous materials is equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted via the California Electronic Reporting System (CERS) and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site. (Mitigation Measure HAZ-1)

**J. HYDROLOGY & WATER QUALITY**

1. The permittee shall conduct seasonal static water level monitoring. The water level in the cannabis irrigation well shall be measured and recorded once in the Spring, prior to commencing cultivation activities, and once in the Fall, after cultivation is complete for the season. Records shall be kept and reported to the County as part of the Project's annual reporting requirements. (Mitigation Measure HYD-1)
2. The permittee shall conduct water level monitoring each cultivation season. During extraction, the water level shall be monitored at least twice per week and that the frequency be adjusted as needed depending on the impact the pumping rate has on well water levels. The permittee shall work with a well expert to determine the appropriate methodology and equipment to measure the water level in their well(s). (Mitigation Measure HYD-2)
3. The permittee shall adhere to the measures described in the Drought Management Plan during periods of a declared drought emergency. In addition, in the event that a well is unable to supply required water for the Project, the applicant shall either

- a. Reduce the amount of cultivation and/or length of cultivation season, as appropriate,
- b. Install additional water storage,
- c. Implement a rainwater catchment system, or
- d. Develop an alternative, legal water source in coordination with Lake County and Water Resource agencies. (Mitigation Measure HYD-3)

**K. NOISE**

1. All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00 a.m. and 7:00 p.m., and Saturdays from 12:00 noon to 5:00 p.m. to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. (Mitigation Measure NOI-1)
2. Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines. (Mitigation Measure NOI-2)

**L. TRANSPORTATION & TRAFFIC**

1. Prior to this use permit having any force or effect, the applicant shall comply with Public Resources Code 4290 and 4291 Fire Safe Requirements.
2. Facilities constructed or utilized for new development shall comply with County standards in order to minimize initial and subsequent maintenance costs.
3. Prior to operation, the applicant shall provide a minimum of one (1) parking space per employee on the shift having the largest number of employees as well as one (1) ADA-compliant parking space.
  - Parking spaces shall be a minimum of nine (9) feet in width and not less than twenty (20) feet in length (9' x 20')
  - ADA parking shall be a minimum of fourteen (14) feet and a minimum length of twenty (20) feet (14' x 20').
  - Each loading space shall be not less than thirty-five (35) feet in length and twelve (12) feet in width and have an overhead clearance of at least fourteen (14) feet.
4. The applicant shall comply with the State of California Weights and Measures requirements found in the California Food and Agriculture Code, California Code of Regulations, and the California Business and Professions Code.
5. The project site(s) shall have access to a public road or a recorded easement that allows for, but is not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions. Driveway encroachments onto county-maintained roadways shall be constructed to current county standards and shall be constructed with an encroachment permit obtained from the Lake County Department of Public Works.
  - a) *All driveways shall be constructed and maintained to prevent road surface and fill material from discharging to any surface water body*
  - b) *The design of all access to and driveways providing access to the site where the cannabis-related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district.*
  - c) *Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes. A Knox Box is required on all gated entrances.*
6. All driveway encroachments onto state and/or county-maintained roadways shall be maintained to current federal, state, or local standards and shall be constructed with an encroachment permit. If an encroachment permit is needed, the applicant shall submit a copy of the said permit to the Lake County Community Development Department within 30 days of obtaining such permit.
7. All-access roads, yards, and parking areas shall be properly maintained for the life of the project to prevent a source of contamination where cannabis products are handled or transported.

**M. TRIBAL CULTURAL RESOURCES**

1. All on-site personnel of the project shall receive Tribal Cultural Resource Sensitivity Training prior to initiation of ground disturbance activities on the project. The training must be according to the standards of the NAHC or the culturally affiliated Tribe(s). Training shall address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training

shall also provide a process for notification of discoveries to culturally affiliated Tribes, protection, treatment, care and handling of tribal cultural resources discovered or disturbed during ground disturbance activities of the Project. Confirmation of training shall be sent to the Community Development Department prior to commencement of cultivation activities. (Mitigation Measure TCR-1)

2. If previously unidentified Tribal Cultural Resources are encountered during the project altering the materials and their stratigraphic context shall be avoided, and work shall halt immediately. Project personnel shall not collect, move, or disturb cultural resources. A representative from a locally affiliated Tribe(s) shall be contacted to evaluate the resource and prepare a Tribal Cultural Resources plan to allow for identification and further evaluation in determining the Tribal Cultural Resource significance and appropriate treatment or disposition. (Mitigation Measure TCR-2)

#### **N. TIMING & MITIGATION MONITORING**

1. The applicant shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary to assure that the activity is performed under the authority of this permit is under the terms and conditions prescribed herein.
2. This permit shall be null and void if not used by April 9, 2028, or if the use is abandoned for two (2) years. Once activated, this permit is valid for 10 years unless the use is discontinued for two years or if this permit is revoked due to non-compliance with these conditions.
3. The site shall be restored to its original state within six (6) months of the expiration of the use permit, termination of use, or abandonment of the site. The applicant shall enter into a Site Restoration Agreement subject to the approval of the Community Development Director or their designee.
4. The permittee or designee shall be present for the Community Development Department's scheduled annual Compliance Monitoring Inspection during the cultivation season. Prior to schedule said inspection, the applicant shall pay the established compliance monitoring fee approved by the Board of Supervisors on June 01 of the calendar year.
  - *If there are no violations of the County permit or state license during the first five years, the inspection frequency may be reduced by the Director to not less than once every five years.*
5. The applicant shall submit a Performance Review Report each year from their initial date of approval by the review authority on June 01 of the calendar year, for review and approval by the Lake County Planning Commission. The Planning Commission may delegate the review of the Performance Review Report to the Community Development Director at the time of the initial hearing or at any time thereafter.
  - Performance Review Report shall identify the effectiveness of the approved Use Permit, Operations Manual, Operating Standards, and Conditions of Approval, as well as the identification and implementation of additional procedures deemed necessary. In the event the Planning Commission identifies issues with the Annual Performance Review Report, it may lead to revocation of the approved use, and/or the Planning Commission may require the submittal of more frequent Performance Review Reports. Additionally, the Performance Review Report shall include the following:
    - *A copy of the results from said inspection shall be provided to the applicant for inclusion in their Performance Review Report.*
    - *Compliance monitoring fees pursuant to the County's adopted master fee schedule shall be paid by the permittee and accompany the "Performance Review Report" for costs associated with the review of the report by County staff.*
    - *Non-compliance by the applicant in allowing the inspection by the Community Development Department or refusal to pay the required fees or noncompliance in submitting the "Annual Performance Review Report" for review by the Planning Commission shall be deemed grounds for a revocation of the development permit or use permit and subject the holder of the permit(s) to the penalties outlined in this Code.*
    - *A record of all complaints and resolution of complaints shall be kept. Said record shall include a tally and summary of the issues and be provided.*
    - *All wells shall be monitored for monthly usage, and a report by month shall be included within the Annual Report.*
    - *The results of the previous year's Annual Compliance Monitoring Inspection shall be included in the following year's Performance Review Report.*
    - *If a violation is determined upon inspection, the applicant shall correct said violation is the amount determined by the Community Development Director or their designee. An additional, site inspection(s) may be required to confirm that said violation(s) have been corrected.*

8. The applicant(s) shall submit an application for renewal of the authorized use to the Lake County Community Development Department a minimum of 180 days prior to the expiration date of said use. Failure to apply for renewal by six months prior to expiration date may result in the expiration of the permits. The applicant shall submit the required application, associated fees, and the following additional information which may include but is not limited to:
- *A copy of all licenses, permits, and conditions of such licenses or permits related to the project from state agencies as appropriate including, but not limited to the Department of Cannabis Control, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, and the Department of Public Health.*
  - *A copy of all reports provided by the County and State agencies as determined by the Director.*
  - *A list of all employees on the premises during the past year and a copy of the background checks certification for each individual.*
  - *Documentation that the applicant is still qualified to be an applicant.*
  - *Any proposed changes to the use permit or how the site will be operated.*
  - *Payment of all fees as established by resolution by the Board of Supervisors.*
9. This permit may be revoked if the use for which the permit was granted is concluded to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Mireya G. Turner, Director  
 COMMUNITY DEVELOPMENT DEPARTMENT

Prepared by: MC

by: \_\_\_\_\_  
 Pamela Miles, Office Assistant III

ACCEPTANCE

I have read and understood the foregoing Major Use Permits and agree to each term and condition thereof.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Applicant or Authorized Agent Signature

\_\_\_\_\_  
 Printed Name of Authorized Agent