

COUNTY OF LAKE
MAJOR USE PERMIT (PL-25-68) for (UP 23-09)
INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION, (IS 23-29)

Attachment 2

POVERTY FLATS RANCH
KURT AND BOBBY BARTHEL
CONDITIONS OF APPROVAL

EXPIRES IF NOT USED: May 22, 2027
VALID UNTIL: May 22, 2035

Pursuant to the approval of the Planning Commission on May 22, 2025 there is hereby granted Poverty Flats Ranch (Kurt and Bobby Barthel), a Major Use Permit (PL-25-68) for (UP 23-09) with the following Conditions of Approval to allow the following Commercial Cannabis Cultivation Licenses: Five (5) A-Type 3 – Outdoor Cultivation, three (3) A-Type 2 – Small Outdoor Cultivation and one (1) Type 13 Distribution License, Self-transport only, for a total of 247,800 square feet of canopy area located at 10535 High Valley Road, Clearlake Oaks, CA (APN: 006-004-22), 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 Outdoor Cannabis Cultivation of 247,800 square feet of canopy area. This approval includes a Type 13 Self- Distribution License. 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 (dated May 2024)
 - b. Revised Site Plans (updated October 25, 2024)
 - c. Support documentation contained within the Staff Report
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 (permit holder representative), the permit holder shall submit notarized 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 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.

Initials: _____
Date: _____

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 (7) 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 it 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 applicants and/or employees, including private contractors, 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 will 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. Said security plan shall be reviewed and approved by the Lake County Sheriff's Office.
17. Prior to operation, all structure(s) used for commercial cultivation shall meet accessibility standards. Please contact the Lake County Community Development Department's Building Division for more information.
18. Prior to operation, all accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements.
19. Prior to operation, all employees shall have access to restrooms and hand-washing stations. The restrooms and hand wash stations shall meet all accessibility requirements.

Initials: _____

Date: _____

20. All handicap parking areas, routes of travel, building access, and bathrooms shall meet the Americans with Disabilities Act (ADA) requirements and be subject to review and approval of a Certified Accessibility Access Specialist (CAsp).
21. 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.
22. 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.
23. 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.
24. 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.
25. The applicant shall adhere to all applicable requirements in the Lake County Zoning Ordinance and the Lake County Code.

B. AESTHETICS

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) and provisions of Section 21.48 of the Zoning Ordinance. Security lighting shall be shaded, facing downward, and motion activated. (Mitigation Measure AES-1)
2. The cultivation area shall be screened from the public view by a 6' tall fence. Methods of screening shall be solid (opaque) fencing. Fabric screening is not permitted due to poor durability
3. All indoor lighting shall be fully contained within structures or otherwise shielded to fully contain any light or glare. Artificial light shall be completely shielded between sunset and sunrise
4. Security lighting shall be motion activated, and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.

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 compression ignition engines. Additionally, all engines must notify LCAQMD prior to beginning construction activities and prior to engine use. (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 LCAQMD 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)

Initials: _____

Date: _____

D. BIOLOGICAL RESOURCES

- 1. If Project activities occur during the bird nesting season (February through August), a qualified biologist shall conduct a pre-construction survey for the presence of special-status bird species or any nesting bird species within 500 feet of the proposed construction areas.

If the qualified biologist identifies any active nests within 500 feet of the proposed construction areas, CDFW and/or USFWS, as applicable, shall be consulted to develop appropriate measures to avoid “take” of active nests and establish appropriate avoidance measures. (Mitigation Measure BIO-1)
- 2. All work shall incorporate erosion control measures consistent with the Lake County Grading Regulations and the State Water Resources Control Board Order No. WQ 2019-001-DWQ. (Mitigation Measure BIO-2)

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. Excavation, filling, 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 BIO-2 and GEO-1)
- 2. The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed. (Mitigation Measure GEO-2)
- 3. If greater than fifty (50) cubic yards of soils 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 BIO-2 and GEO-3)
- 4. If paleontological resources are encountered during implementation of the Project, ground disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist shall be retained by the developer to make an evaluation of the findings. 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-4)
- 5. If grading is proposed in the future for any of the cultivation activities (including shed placement), prior to any ground disturbance, the permittee shall submit erosion control and sediment plans to the Water Resource Department and the Community Development Department for review and

Initials: _____
Date: _____

approval. Said erosion control and sediment plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and the planting of native vegetation on all disturbed areas. No silt, sediment, or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation.

- 6. Prior to operation, all buildings, accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements.
- 7. Prior to operation, all structure(s) used for commercial cultivation shall meet accessibility and CALFIRE standards.

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 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)
- 2. All equipment will be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.
- 3. Prior to operation, the applicant shall schedule an inspection with the Lake County Code Enforcement Division within the Community Development Department to verify adherence to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.
- 4. Prior to operation, all employees shall have access to ADA-accessible restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.
- 5. 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.
- 6. 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.
- 7. 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 to complete an updated Air Toxic Emission Inventory.

H. HYDROLOGY & WATER QUALITY

- 1. The applicant shall conduct seasonal static water level monitoring. The water level in each of the used wells shall be measured and recorded once in the Spring, prior to cultivation activities, and once in the fall, after cultivation is complete for the season. Records shall be kept and reported to the County and state agencies as part of the Project’s annual reporting requirements. (Mitigation Measure HYD-1)
- 2. The applicant shall have a meter to measure the amount of water pumped on each well. The applicant shall take weekly recordings of the amount of water used during extraction. In addition, water levels of each well shall be monitored weekly during well usage. Records of weekly water levels in each well shall be kept, and elevations shall be reported to the County and state agencies as part of the Project’s annual reporting requirements. If water levels are dropping significantly, a revised Water Management Plan, including a revised water budget and water mitigation strategies, shall be prepared and submitted to the County for review and approval prior to continuing operation. (Mitigation Measure HYD-2)

Initials: _____
Date: _____

3. The applicant shall adhere to the measures described in the Drought Management Plan (Hydrology Report, 2023) 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 (1) reduce the amount of cultivation and/or length of cultivation season, as appropriate, (2) install additional water storage, (3) implement a rainwater catchment system, or (4) develop an alternative, legal water source in coordination with Lake County and Water Resource agencies. In no event shall water be diverted from surface waters. (Mitigation Measure HYD-3)

I. 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. This mitigation does not apply to night work. (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)

J. 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.

Initials: _____
Date: _____

K. 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 will address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training will 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. Tribal monitors will be required to participate in any necessary environmental and/or safety awareness training prior to engaging in any tribal monitoring activities for the project. (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)

L. UTILITIES

- 1. The applicant shall conduct seasonal static water level monitoring. The water level in each of the used wells shall be measured and recorded once in the Spring, prior to cultivation activities, and once in the fall, after cultivation is complete for the season. Records shall be kept and reported to the County and state agencies as part of the Project’s annual reporting requirements. (Mitigation Measure HYD-1)
- 2. The applicant shall have a meter to measure the amount of water pumped on each well. The applicant shall take weekly recordings of the amount of water used during extraction. In addition, water levels of each well shall be monitored weekly during well usage. Records of weekly water levels in each well shall be kept, and elevations shall be reported to the County and state agencies as part of the Project’s annual reporting requirements. If water levels are dropping significantly, a revised Water Management Plan, including a revised water budget and water mitigation strategies, shall be prepared and submitted to the County for review and approval prior to continuing operation. (Mitigation Measure HYD-2)
- 3. The applicant shall adhere to the measures described in the Drought Management Plan (Hydrology Report, 2023) 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 (1) reduce the amount of cultivation and/or length of cultivation season, as appropriate, (2) install additional water storage, (3) implement a rainwater catchment system, or (4) develop an alternative, legal water source in coordination with Lake County and Water Resource agencies. In no event shall water be diverted from surface waters. (Mitigation Measure HYD-3)

M. WILDFIRE

- 1. Prior to operation, the applicant shall improve the interior driveway to meet Public Resource Code 4290 and 4291 commercial driveway standards. The applicant shall arrange a site inspection by the County Building Official (Fire Marshal) to confirm that the interior driveway is Public Resource Code 4290 and 4291 compliant, including gate width. (Mitigation Measure WDF-1)
- 2. Any vegetation removal or manipulation will take place in the early morning hours before relative humidity drops below 30 percent.
- 3. During construction, a Water tender will be present on-site during earth work to reduce the risk of wildfire and dust.
- 4. Prior to cultivation, a minimum of 2,500-gallon water tank made of steel or fiberglass shall be made available to Fire Protection services to use in the event of a wildfire. The tank shall be fitted with connectors that will allow emergency service vehicles to connect to the tank using standard fire-fighting equipment.
- 5. As part of the proposed project, all water storage tanks will be equipped with 2.5-inch fire equipment hose connectors to ensure efficient and effective fire suppression.

N. TIMING & MITIGATION MONITORING

Initials: _____
Date: _____

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 May 22, 2027, 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. Prior to this use permit becoming valid, effective, or operative, the applicant shall coordinate with the Community Development Department and enter into an Indemnification Agreement with the County. The Indemnification Agreement holds harmless the County and its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained, by any person or property resulting from the issuance of the permit and the conduct of the activities authorized under said permit.
4. 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.
5. Prior to Operation, the applicant(s) shall submit to the Lake County Community Development Department a summary response in writing establishing compliance with these conditions of approval, as well as documenting their compliance with all obligations of the Property Management Plan, including dates of compliance and referencing documents or other evidence of compliance.
6. The applicant shall contact the Community Development Department to schedule an annual Compliance Monitoring Inspection during the cultivation season. Prior to schedule said inspection, the applicant shall pay the established compliance monitor fee approved by the Board of Supervisors.
 - *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.*
7. The applicant shall submit a Performance Review Report each year from their initial date of approval by the review authority on May 22, 2025, 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.*

Initials: _____

Date: _____

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 May 22, 2035, 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: MS

by: _____
Danae LoDolce, 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

Initials: _____
Date: _____