

**COUNTY OF LAKE
MAJOR USE PERMIT AND INITIAL STUDY, PL-25-243
EAST SIDE FARM EXPANSION
EAST SIDE FARMS INC. / ROSS CUNNINGHAM
CONDITIONS OF APPROVAL**

**EXPIRES IF NOT USED: JULY 09, 2028
VALID UNTIL: JULY 09, 2036**

Pursuant to the approval of the Planning Commission on July 09, 2026, County of Lake hereby grants to East Side Farms Inc./ Ross Cunningham a Major Use Permit amendment, PL-25-243, with the following conditions of approval to allow the following Commercial Cannabis Cultivation License: A-Type 1C License Types (maximum of 7,500 square feet of canopy) to the existing A-Type 3, with a total combined aggregate cannabis canopy of 50,560 square feet within outdoor cultivation area totaling 119,146 square feet. The cultivation site is located at 23071-23143 Jerusalem Grade, Middletown (APNs 013-015-36, 013-015-38, 013-015-39, 013-015-40, 013-015-43, and 013-015-57). The project is subject to the following terms and conditions of approval:

A. GENERAL CONDITIONS:

1. The use hereby permitted shall substantially conform to the Site Plans, Project Description, Hydrology Analysis, Property Management Plan and any conditions of approval imposed by the Major Use Permit and Review Authority to add a maximum of 7,500 square feet of canopy to the existing cannabis operation. The Community Development Director may approve minor modifications that do not result in increased environmental impacts. The permittee shall be in substantial conformance of the following:
 - a. Property Management Plan
 - b. Site plans
 - c. Attachments to the Staff Report July 09, 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 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. Permanent structures intended for use as cannabis processing, drying, and/or storage facilities will require an accessible restroom with the minimum fixtures as outlined in the current edition of the California Plumbing Codes for F1 and S1 occupancies.

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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 directed downward onto the project site and not onto adjacent properties. All lighting equipment shall comply with the recommendations of www.darksky.org. (Mitigation Measure AES-1)
2. All indoor lighting shall be fully contained within structures or otherwise shielded to fully contain any light or glare. 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. (Mitigation Measure AES-2)

C. AIR QUALITY

1. Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District (LCAQMD) and obtain an Authority to Construct (A/C) and Serpentine Dust Permit for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions. Or provide proof that a permit is not needed. (Mitigation Measure AQ-1 and AQ-9)
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 such information in order to complete an updated Air Toxic emission Inventory. (Mitigation Measure AQ-3)
4. All vegetation 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. The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt, or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited. (Mitigation Measure AQ-5)
6. All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel, chip seal, asphalt, or an equivalent, all weather surfacing. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations. (Mitigation Measure AQ-6)
7. All grading shall be done in accordance with the Applicant's Property Management Plan and Lake County's Grading Ordinance. (Mitigation Measure AQ-7)
8. Processing building(s) shall be equipped with carbon or similar air filtration systems to minimize odor drift prior to cultivation activities. (Mitigation Measure AQ-8)

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9. The applicant shall pay the Lake County Air Quality Management District (LCAQMD) Major Use Permit evaluation fee and the CALEEMOD maintenance fee. The applicant shall run CALEEMOD to determine the air quality impacts of project construction and operation, and shall submit the results to LCAQMD for review. Should construction be approved and permits issued, the applicant shall pay LCAQMD indirect source fees determined by LCAQMD. Should grading be required, the applicant shall pay a grading fee determined by LCAQMD. As the project site is located within mapped serpentine soils, the applicant shall obtain a Serpentine Dust Control Plan, if applied for at least 30 days in advance of the need for the plan; applications submitted less than 30 days in advance shall be subject to an additional late application fee. The applicant shall implement dust control measures during both construction and long-term operation of the facility. Asphaltic paving or an alternative durable surfacing/dust control measure is recommended, and chip seal or paving shall be required in areas subject to higher traffic volumes. The applicant shall contact LCAQMD should any generator be proposed for site operations, as air emissions control systems may require permits. The applicant shall provide clear and complete ventilation plans for LCAQMD review, including details on building ventilation, venting to outside air, and air filtration equipment; the submitted plans shall clearly depict the ventilation layout and the potential pathway(s) for venting to outside air. Should any existing building require remodel, renovation, or demolition, the applicant shall conduct an asbestos survey and provide the required notification to LCAQMD, and shall contact LCAQMD for specific survey and notification requirements. Additional air quality requirements may be imposed by LCAQMD upon receipt and review of supplemental project description details, building ventilation plans, and CALEEMOD modeling results.

D. BIOLOGICAL RESOURCES

1. Populations of Colusa layia, shown in Figure 2 of the Biological Resource Assessment dated March 10, 2026, shall be avoided. These populations are not in proposed development areas and it shall be possible to keep vehicle traffic to the existing roadbed. Avoidance buffers shall be established around all populations and demarcated with construction fencing or stakes connected with ropes. Buffers shall be set back at least 5 feet in all directions from the locations staked with yellow flags. If any individuals of Colusa layia are observed in proposed development areas in the future, including expansion or maintenance of the north side of the road on parcel 013-015-57, they shall not be disturbed until a mitigation plan has been prepared by a qualified biologist. The mitigation plan for this annual plant involves collecting seed and sowing seed in another suitable location onsite under the supervision of a biological monitor, and monitoring the establishment of the new populations for a period of time. The mitigation plan shall contain quantitative performance criteria, adaptive management strategies, and shall be approved by relevant regulatory agencies including CDFW. (Mitigation Measure BIO-1)
2. Several populations of Hoover's lomatium were found including in areas that are likely to be impacted by project related activities. Avoidance buffers shall be established around all populations and demarcated with construction fencing or stakes connected with ropes. Buffers shall be set back at least 5 feet in all directions from the locations staked with yellow flags. If avoidance is not feasible, then a mitigation plan for this perennial species shall be prepared by a qualified biologist. The mitigation plan involves transplanting the affected individuals to another suitable location onsite under the supervision of a biological monitor, and monitoring them for a period of time. Collection of seeds and dispersal of seeds near the transplanted individuals shall be a part of any transplanting scheme to account for transplant mortality. The mitigation plan shall contain quantitative performance criteria, adaptive management strategies, and shall be approved by relevant regulatory agencies including CDFW. (Mitigation Measure BIO-2)
3. Several populations of native grassland with greater than 80% cover of native grasses were observed in the locations shown in Figure 2 of the Biological Resource Assessment dated March 10, 2026. These areas shall not be disturbed since they are not located near any potential or existing cultivation areas. If disturbance of these areas is required in the future such as for road widening, a mitigation plan shall be developed by a qualified biologist that involves collecting seed of affected individuals and dispersal into suitable habitat onsite that is not proposed to be disturbed. The mitigation plan shall contain quantitative performance criteria, adaptive management strategies, and shall be approved by relevant regulatory agencies including CDFW. (Mitigation Measure BIO-3)
4. If construction activities occur during the nesting season for birds (February 1 to October 31), a pre-construction nesting bird survey shall be performed by a qualified biologist within 500 feet of proposed construction areas to ensure that no active nests of protected bird species are present. The survey shall take place no more than 7 days prior to the onset of construction activities. If active nests are identified, the California Department of Fish and Wildlife and/or the U.S. Fish and Wildlife Service shall be consulted to develop measures to avoid a "take" of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site. (Mitigation Measure BIO-4)

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5. Due to the recent listing of several bumble bee species as candidate endangered species under CESA, and the observation of unidentified bumble bees and suitable nesting habitat in the project area, a preconstruction survey for bumble bee nests shall be performed on APN 013-015-40 prior to ground disturbance according to CDFW (2023) protocols. The survey shall be performed prior to significant disturbance including vegetation removal or grading, and shall take place between April and August. If active nests of any protected species are found, appropriate disturbance setbacks shall be established based on the known requirements of the species observed, in coordination with CDFW. (Mitigation Measure BIO-5)
6. Minimize dust production during construction and any project related activities to reduce the risk of exposure to serpentine dust. Dust mitigation measures shall include spraying all exposed surfaces with water while work is being performed, and stabilizing any spoils piles with tarps. (Mitigation Measure BIO-6)
7. During and after project implementation, deploy appropriate erosion control best management practices (BMPs) to the greatest extent practicable such that no sediment is discharged to waters of the State or waters of the U.S. and dust and sediment escape from the work areas is minimized. All work shall incorporate erosion control measures consistent with the engineered Erosion and Sediment Control Site Plan submitted, Lake County Grading Regulations, and the State Water Resources Control Board's Cannabis General Order. Anywhere revegetation after disturbance is required, only native vegetation from local genotypes shall be used. (Mitigation Measure BIO-7)

E. CULTURAL RESOURCES:

1. Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the culturally affiliated Tribe, and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the culturally affiliated Tribe, 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-1)
2. All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally affiliated Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such findings. (Mitigation Measure CUL-2)

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 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. The permit holder shall receive and comply with the Lake County Zoning Ordinance, Chapter 30 Stormwater and Grading. Additionally, Permit holder shall follow the best management practices depicted in the submitted erosion and sediment control plan. (Mitigation Measure GEO-3)
4. A native grass seed mixture and certified weed-free straw mulch shall be applied at a rate of two tons per acre to all areas of exposed soil outside of the proposed cultivation areas, prior to November 15th of each year, until permanent stabilization has been achieved.
5. In the event that paleontological resources are discovered during ground disturbing activities, the County shall require that grading and construction work within 100 feet of the find shall be suspended until the significance of the features can be determined by a qualified paleontologist. The County shall require that a qualified professional paleontologist make recommendations for measures necessary to protect the find; or to undertake data recovery, excavation, analysis, and curation of paleontological materials, as appropriate.

G. HAZARDS & HAZARDOUS MATERIALS

1. All equipment shall 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

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leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations. (Mitigation Measure HAZ-1)

2. With the storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, a Hazardous Materials Inventory Disclosure Statement and 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-2)
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. (Mitigation Measure HAZ-3)
4. Prior to operation, all employees shall have access to portable restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements. (Mitigation Measure HAZ-4)
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. (Mitigation Measure HAZ-5)
6. All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area shall be deposited in trash containers with an adequate lid or cover to contain trash. All food waste shall be placed in a securely covered bin and removed from the site weekly to avoid attracting animals. (Mitigation Measure HAZ-6)
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 such information to complete an updated Air Toxic Emission Inventory. (Mitigation Measure HAZ-7)

H. HYDROLOGY & WATER QUALITY

1. The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring began at least three months before the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request. (Mitigation Measure HYD-1)
2. The applicant shall adhere to the measures described in their Drought Management Plan during periods of declared drought emergency. (Mitigation Measure HYD-2)

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. (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

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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.
 8. The permit holder shall implement dust control measures in addition to those required for building and construction phase mitigations during dry and dusty times of year by spraying water on roadways and/or using "dust off" and similar products as needs arise.

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 would address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training would 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 would 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 TRC-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 TRC-2)
3. Prior to commencement of ground disturbing activities, the permittee shall submit documentation to the Community Development Department demonstrating that they have engaged with the culturally affiliated tribe(s) and that cultural sensitivity training has been provided to site workers. (Mitigation Measure TRC-3)
4. If At least 45 days prior to ground disturbing activities, the culturally affiliated Tribe shall be notified. A qualified tribal monitor(s) is defined as qualified individual(s) who have experience with identification, collection, and treatment of Tribal Cultural Resources of value to the Tribes. Such individuals would include those who:
 - A. Possess the desired knowledge, skills, abilities, and experience established by the Native American Heritage Commission (NAHC) through the NAHC's Guidelines for

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Native American Monitors/ Consultants (2005) OR

- B. Members of culturally affiliated tribe(s) who:
- C. Are culturally affiliated with the project area, as determined by the NAHC; and
- D. Have been vetted by tribal officials of the culturally affiliated tribe(S) as having the desired knowledge, skills, abilities, and experience established by the NAHC's Guidelines for Native American Monitors (as cited in TCR-1(a), above).

(Mitigation Measure TRC-4)

L. WILDFIRE

- 1. Grading and construction activities shall not occur during a red flag warning (per the local fire department and/or National Weather Service) when there is an increased risk of wildfire spread should equipment create a spark. (Mitigation Measure WDF-1)
- 2. A water tender shall be present onsite during earth work to reduce risk of wildfire and fugitive dust mitigation. (Mitigation Measure WDF-2)
- 3. The applicant shall create and maintain at least 100 feet of defensible space around the commercial structures and associated infrastructure. (Mitigation Measure WDF-3)
- 4. The interior driveway shall be improved to meet the Public Resource Code Sections 4290 and 4291, road safety standards for interior roadways serving commercial uses, including turnarounds every 400 feet or less for emergency vehicles. (Mitigation Measure WDF-4)
- 5. In the event of wildfire and damages incurred to the site, the applicant shall re-install the erosion and sediment control measures identified in their Property Management Plan as soon as possible following a wildfire emergency affecting the project property. (Mitigation Measure WDF-5)

M. 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 July 09, 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.
- 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.*

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- *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.*

6. 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 the 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.*

7. 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: PG

by: _____
Planning Technician as 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: _____