

COUNTY OF LAKE
MAJOR USE PERMIT, DESIGN REVIEW, AND INITIAL STUDY
PL-25-67

140 SODA BAY FARMS
(APPLICANTS: ANTHONY AND MATSUKI PERKINS)
CONDITIONS OF APPROVAL

EXPIRES IF NOT USED BY: MARCH 26, 2028
VALID UNTIL: MARCH 26, 2036

Pursuant to the approval of the Planning Commission on March 26, 2026, there is hereby granted to 140 Soda Bay Farms a Major Use Permit, PL-25-67 and Development Review, PL-25-67 with the following conditions of approval to allow the following Commercial Cannabis project: two A-Type 3B medium mixed light cultivation permit consisting of 43,200 square feet (sf) of greenhouse canopy; one Type 6 Non-Volatile Manufacturing permit, one Type 11 Distributor Only License, and a Design Review permit. The cultivation site and distribution facility are located at 140 and 270 Soda Bay Road, Lakeport (APNs: 008-001-08 and 09). 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 for the outdoor and mixed light cannabis cultivation sites described above. Approval of this project is based on:
 - a. Property Management Plan received October 3, 2022
 - b. Site Plans, Realm Engineering dated January 12, 2026
 - c. Hydrology and Drought Management Plan, Realm Engineering dated May 20, 2022
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 Permittee shall contact the Lake County Building Safety Division to schedule an inspection(s) to ensure compliance with Public Resource Code sections 4290/4291.
5. Prior to operation, the Permittee 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 in height, the Permittee shall obtain all necessary building permits.
6. If there is a change in the project manager (permit holder representative), the permit holder(s) shall submit notarized written documentation to the Community Development Department for review and approval. Said documentation shall include the following:
 - a) Name of individual and Title
 - b) Contact information (phone, email and address)
 - c) What the 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 transfer of use permit application and 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.
 - d) 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

Initial: _____
Date: _____

annually.

9. Prior to operation, the Permittee 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 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:
 - e) 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.
 - f) 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.
11. Prior to operation, the applicant shall be enrolled in and comply with the State of California Track and Trace program and all requirements Additionally, the applicant shall submit written verification to the Lake County Community Development Department for review and approval.
12. The Permittee 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.
13. The Permittee 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 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.
 - Permittees 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.
 - The Permittee, 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.
14. Prior to operation, all designated responsible parties 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.
15. The Permittee shall provide adequate security measures per 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.
16. Prior to operation, all structure(s) used for commercial cultivation shall meet accessibility standards. Please contact the Lake County Community Development Department's Building Safety Division for more information.
17. Prior to operation, all accessible compliant parking areas, routes of travel, building access, and/ or bathrooms shall meet all California Building Code Requirements.

Initial: _____

Date: _____

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 dedicated ADA 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).
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. 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.
22. The permit holder 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 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. The California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department within five days of approval of the Mitigated Negative Declaration.
24. Prior to operation, the Permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.
25. The operation shall not rely on generator(s) as a primary source of power and shall only allow generator(s) for temporary use in the event of a power outage or emergency that is beyond the applicant's control.
26. The applicant shall adhere to all applicable requirements in the Lake County Zoning Ordinance and the Lake County Municipal Code.

B. AESTHETICS

1. The applicant shall install a minimum 6' tall screening fence around the cultivation area and the processing / drying / manufacturing buildings. Fabric screening shall not be used due to poor durability; the screening material shall be chain link with slats, or a solid wood or metal fence. This shall occur prior to any cultivation occurring on site. *Mitigation Measure AES-1*
2. During construction, all lighting, including security lighting, will be directed downward and consistent with the Lake County regulations for lighting as found within darksky.org. This shall be maintained for the life of the project. *Mitigation Measure AES-2*
3. All greenhouses and transparent or translucent buildings containing interior lighting shall be equipped with blackout screening. No light shall be visible from outside any building that contains interior lighting. *Mitigation Measure AES-3*
4. All indoor lighting shall be fully contained within structures or otherwise shielded to fully contain any light or glare. *Mitigation Measure AES-4*
5. 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-5*
6. The distribution facility shall be designed to remain consistent with the scale, height, and setbacks of surrounding development, utilizing a color palette primarily composed of earth tones on large expanses with contrasting accent colors to highlight architectural details such as trim and entrances. If a modern metal building is utilized, it must incorporate high-quality factory-applied coatings and featuring siding or roofing designed to emulate traditional materials like wood, masonry, or shingles.

Initial: _____

Date: _____

C. AIR QUALITY

1. Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Community Development Department, and is required to submit an Odor Control Plan for review and approval or revision prior to the public hearing. *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 the requirements of the State Air Toxic Control Measures for CI engines. *Mitigation Measure AQ-2*
3. Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be managed by use of water or other acceptable dust palliatives to mitigate dust generation during and after site development. *Mitigation Measure AQ-3*
4. 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 in order to complete an updated Air Toxic emission Inventory. *Mitigation Measure AQ-4*
5. All vegetation removed during site development shall be chipped and spread for ground cover and/or erosion control. The burning of cannabis vegetation, construction debris, including waste material is prohibited. *Mitigation measure AQ-5*
6. 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-6*
7. All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations. *Mitigation measure AQ-7*
8. All buildings containing mature cannabis plants shall be equipped with carbon or similar air filtration systems prior to operation. This includes the two metal buildings and 24 of the greenhouses that will contain mature plants. *Mitigation measure AQ-8*

D. BIOLOGICAL RESOURCES

1. Pesticides and Fertilizer Use
 - a) Pesticide and fertilizer storage facilities shall be located outside of the riparian corridor setbacks for structures.
 - b) Pesticide and fertilizer storage facilities shall not be located within 100 feet of a wellhead, or within 50 feet of identified wetlands.
 - c) Pesticide and fertilizer storage facilities shall be adequate to protect pesticide and fertilizer containers from the weather.
 - d) All bags and boxes of pesticides and fertilizers shall be stored off the ground on pallets or shelves
 - e) If the structure(s) does not have an impermeable floor, store all liquid pesticides and fertilizers on shelves capable of containing spills, or provide appropriate secondary containment.
 - f) Routinely check for leaks and spills.
 - g) Have spill cleanup kit onsite to be able to respond to any leaks or spills.
 - h) Inspect planting stock for pests and diseases prior to planting.
 - i) Avoid planting stock with pests and disease and notify the supplier of the planting stock of the infestation.
 - j) Comply with all pesticide laws and regulations as enforced by the California Department of Pesticide Regulation and County Agricultural Commissioner.
 - k) For pesticides with the signal word CAUTION that have listed food uses, comply with all pesticide label directions as they pertain to personal protective equipment, application method, and rate, environmental hazards, longest

Initial: _____

Date: _____

reentry intervals and greenhouse and indoor use directions.

- l) For all other pesticides, use must comply with all label requirements including site and crop restrictions.
 - m) Prior to the use of any registered pesticide on Cannabis, Operator Identification Number should be obtained from the County Agricultural Commissioner if required.
 - n) Submit monthly pesticide use reports to the County Agricultural Commissioner if required. *Mitigation Measure BIO-1*
2. Enhanced Stormwater and Sheetflow Management for Habitat Protection Prior to any ground-disturbing work, comprehensive stormwater and sheetflow control measures shall be installed. These measures, including but not limited to silt containment fences and fiber rolls strategically placed to intercept and slow diffuse overland flow, shall prevent sedimentation of potential spawning and rearing habitat for Clear Lake hitch by effectively managing and treating sheetflow runoff. *Mitigation Measure BIO-2*
 3. To the extent practicable, construction shall be conducted during the non-rainy season (June through October) and when Manning Creek is dry. *Mitigation Measure BIO-3*
 4. If it is not possible to schedule construction during the non-rainy season (June through October) and when Manning Creek is dry:
 - a) Before construction activities begin, a qualified biologist shall conduct a training session for all construction personnel working within 50 feet of Manning Creek. At a minimum, the training will include a description of Clear Lake hitch and its habitat, the specific measures that are being implemented to protect this species for the Project, and the boundaries within which the Project may be accomplished.
 - b) Immediately prior to all construction activities within 50 feet of Manning Creek, a qualified biologist shall conduct a visual pre-construction survey for Clear Lake hitch 250 feet upstream and 250 feet downstream from the project site. The qualified biologists shall then monitor all construction activities within 50 feet of Manning Creek to ensure impacts to Clear Lake hitch and its habitat are avoided. The qualified biologist will stop work if Clear Lake hitch behavior is affected by Project activities. *Mitigation Measure BIO-4*
 5. All work shall incorporate erosion control measures consistent with the State Water Resources Control Board Order No. WQ 2019-001-DWQ. *Mitigation Measure BIO-5*
 6. Prior to cultivation, the preconstruction surveys below shall be completed:
 - a) A pre-construction survey for plants and special status species shall be performed by a qualified biologist to ensure the special status plants and species are not present.
 - b) If construction activities occur during the nesting season (typically February 15th through August 31st), a pre-construction survey for the presence of Special-Status bird species or any nesting/roosting species shall be conducted by a qualified biologists within 500 feet of the proposed construction site. If active nests are identified in this area, CDFW and /or USFWS shall be consulted to develop protective measures. 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 a qualified biologist has determined the have fledged and are independent of the nest site.
 - c) A pre-construction survey for yellow-legged frog shall be performed by a qualified biologist to ensure the special status species is not present at the time. *Mitigation Measure BIO-6*

E. CULTURAL RESOURCES

1. Prior to future ground disturbance activities, the applicant shall bring a licensed archaeologist on site to map the sensitive area(s). These areas, once mapped, shall be avoided and a 50-foot buffer around the site area(s) shall be established. The applicant shall have a tribal monitor on site during all site disturbance in the event of inadvertent discovery of sensitive items, artifacts, relics or remains occurs. If avoidance of the resource is not possible, then a data recovery program will need to take place to obtain a sample of the information contained in the cultural soils prior to any ground disturbance activity as required by CEQA Guidelines Sections 21083.2 (b1) and 15126.4 *Mitigation Measure CUL-1*

Initial: _____

Date: _____

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. 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-3*
4. 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-4*

F. GEOLOGY & SOILS

1. Prior to any ground disturbance for building construction, the permittee shall submit Erosion Control and Sediment Plans to the Water Resources Department and the Lake County Resources Planner for review and approval. The erosion control and sediment plans shall be engineered, shall indicate the amount of earth to be moved, shall show the method of stormwater retention on site, and 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. *Mitigation Measure GEO-1*
2. 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-2*
3. 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-3*
4. If greater than fifty (50) cubic yards of earth is being 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-4*

G. HAZARDS & HAZARDOUS MATERIALS

1. All equipment shall be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment shall be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment shall occur on an impermeable surface. In an event of a spill or leak, the contaminated soil shall 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, then a Hazardous Materials Inventory Disclosure Statement/ Business Plan shall be submitted and

Initial: _____

Date: _____

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 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 restrooms and hand-wash stations. The restrooms and hand-washing 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 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. *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 with such information to complete an updated Air Toxic Emission Inventory. *Mitigation Measure HAZ-7*
8. The applicant shall obtain an Operator Identification Number from the California Department of Pesticide Regulation prior to using pesticides onsite for cannabis cultivation.

H. HYDROLOGY & WATER QUALITY

1. The production well shall have a meter to measure the amount of water pumped. The permittee shall maintain a record of all data collected and shall provide a report of the data collected and shall provide a report of the date collected to the County annually and/or upon request. *Mitigation Measure HYD-1*
2. A Water Monitoring Program, including a seasonal static water level monitoring and water level monitoring during extraction, shall be followed as described in the Hydrology Report and Drought Management Plan (Attachment 3) prepared by Realm Engineering, dated May 20, 2022. The permittee shall maintain all data collected and shall provide a report of the data collected to the County annually and/or upon request. *Mitigation Measure HYD-2*
3. The Permittee shall adhere to the measures described in the Drought Management Plan during periods of declared drought emergency. *Mitigation Measure HYD-3*
4. Prior to the issuance of any building permit, the Permittee shall provide a Temporary Benchmark to the Community Development Department and prior to the building final compliant Elevation Certificate shall be submitted to the Community Development Department, Building Division. *Mitigation Measure HYD-4*
5. The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water-vending machine, or a retail water facility is prohibited. The utilization of water that has been or is illegal diverted from any lake, springs, wetland, stream, creek, vernal pool and/or river is prohibited. The applicant shall not engage in unlawful or unpermitted drawing of surface water.

I. NOISE

1. All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm 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*

Initial: _____

Date: _____

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*
3. The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 50 dBA from 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.

J. TRIBAL CULTURAL RESOURCES

1. All ground disturbing activities shall be monitored by qualified tribal monitor(s). Ground disturbing activities occurring in conjunction with the Project include, but are not limited to, surveys, testing, concrete pilings, debris removal, rescrapes, punch lists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work, excavations, and ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area. Qualified tribal monitor(s) are defined as qualified individual(s) who have experience with identification, collection, and treatment of tribal cultural resources of value to the Tribes. Such individuals will 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 Native American Monitors/Consultants (2005) (Last visited 3/4/2024. Available at [chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://nahc.ca.gov/wp-content/uploads/2019/04/SB-18-Tribal-Consultation-Guidelines.pdf](https://nahc.ca.gov/wp-content/uploads/2019/04/SB-18-Tribal-Consultation-Guidelines.pdf)); OR
 - b) Members of culturally affiliated tribe(s) who:
 - i. Are culturally affiliated with the project area, as determined by the NAHC; and
 - ii. Have been vetted by tribal officials of the Culturally Affiliated Tribes as having the desired knowledge, skills, abilities, and experience established by the Culturally Affiliated Tribes. *Mitigation Measure TCR-1*
2. The duration and timing of TCR monitoring shall begin at the start of ground disturbing activities and end when ground disturbing activities are completed and final, including the treatment and disposition of any discoveries as outlined in TCR-6 below. *Mitigation Measure TCR-2*
3. All ground disturbing activities shall halt within 100 feet of any Cultural Resource Discovery. All Culturally Affiliated Tribes will be notified of discovery of cultural resources and be provided access to the cultural resource site to allow for identification and further evaluation in determining the cultural resource significance and appropriate treatment or disposition. *Mitigation Measure TCR-3*
4. There shall be at least one Tribal Monitor present for every separate area containing a TCR discovery that is at least 100 feet apart, unless otherwise agreed upon in writing between the Tribes and Permit Holder. *Mitigation Measure TCR-4*
5. All on-site personnel of the Project shall receive Cultural Resource Sensitivity training prior to initiation of ground disturbance activities of the Project. The training must be according to the standards of the NAHC and/or the Culturally Affiliated Tribes (as described in MM TCR-1 above). Training will cover potential exposure of subsurface resources, procedures upon identifying a potential resource, notification of Culturally Affiliated Tribes, protection of discoveries, relevant laws and regulations, protocols for avoidance, consequences of regulatory violations, procedures for pause in construction, procedures for construction setbacks, and confidentiality of discoveries. 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-5*
6. The Project applicant must notify Culturally Affiliated Tribes at least 45 days prior to commencement of any and all ground disturbance activities on the Project Site. All cultural resources unearthed by Project activities shall be evaluated by the Archeologist and monitor(s). The Culturally Affiliated Tribe(s) must be notified and given an opportunity to inspect, determine the nature of the TCR, and determine the best course of action for avoidance, protection, and/or treatment of the resource to the extent permitted by law. If the resource is determined to be a TCR of value to a tribe, that Tribe will coordinate with

Initial: _____
 Date: _____

the Permit Holder to establish measures by which the Tribe may appropriately protect, treat, and dispose of TCR with dignity, which may include preservation and protection in situ or removal from the Project Site. The Permit Holder will allow the Tribes to facilitate treatment and disposition of the TCR to the extent permitted by law. No destructive or intrusive analysis of nor any photographing, video recording, or similar recording of TCRs shall be permitted by the Permit Holder, except as required by law. *Mitigation Measure TCR-6*

K. UTILITIES

1. Prior to the commencement of operations, the applicant shall obtain approval from the Lake County Division of Environmental Health for the installation of an onsite wastewater treatment system that serves the processing facility. This system shall comply with all applicable Lake County standards and regulations for wastewater treatment and disposal. *Mitigation Measure UTL-1*

L. WILDFIRE

1. All access roads shall be widened to a minimum of 20 feet wide, containing a surface that is capable of supporting emergency equipment including a fire apparatus weighing at least 75,000 pounds. *Mitigation Measure WILD-1*
2. Knox Box installation is required at every locked gate for Fire Protection District/ Emergency Medical Services access. *Mitigation Measure WILD-2*
3. Prior to cultivation, the bridge must be rated to withstand at least 75,000 lbs. and will be required to be fitted with engineered siderails. *Mitigation Measure WILD-3*
4. The Distribution Facility and Processing Facility shall have separate and distinct addresses. The Greenhouses shall be identified with individual signage letters, in alphabetical order, to aid in locating for emergency services.
 - a) The address(es) of the proposed cultivation, manufacturing, and distribution operation will be displayed on metal rectangles mounted to metal posts in a location that is visible and legible from at least 100 feet in both directions from Soda Bay Road. The numbers of the address(es) will be reflectorized, of a contrasting color (to the color of the metal rectangle) and have a height of at least 4 inches with 0.5 stroke. *Mitigation Measure WILD-4*
5. Water tanks made of steel, fiberglass, concrete dedicated for fire suppression, shall be located near the Processing Facility and Distribution Facility.
 - a) The water storage tanks dedicated to fire suppression shall be connected to a 2-foot-high hydrants/ fire valves equipped with 4-inch National Hose male thread and cap to be utilized by the Fire District. The location of the hydrant. Fire valve shall be identified with a +3-inch reflectorized blue marker mounted to a 4-foot tall/ high metal post. *Mitigation Measure WILD-5*

M. TIMING & MITIGATION MONITORING

1. The permit holder 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 in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
2. The Permittee shall submit an *Annual Performance Review Report* for review and approval by the Planning Commission. The *Annual Performance Review Report* shall identify the effectiveness of the approved Major 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:
 - The project parcel shall be inspected by the Community Development Department on an annual basis and/or less frequently if approved by the Community Development Director. A copy of the results from said inspection shall be provided to the Permittee for inclusion in their Performance Review Report.
 - A Compliance Monitoring Fee shall be paid by Permittee and accompany the Performance Review Report.
 - A Compliance Monitoring Inspection of the Cultivation Site shall be conducted

Initial: _____
Date: _____

annually during growing season. The Permittee shall contact the Community Development Department to schedule such inspection.

- If there are no violation of the use permit and/or State License during the first five (5) years, the inspections may be reduced by the Community Development Director.
 - Non-compliance by the Permittee by not 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.
3. 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 may result in the expiration of the land use permit. 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.
4. 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: TT

By: _____
Pamela Miles, Office Administrator III

I have read and understand the foregoing Major Use Permit and agree to each and every term and condition thereof.

Date: _____

Applicant or Authorized Agent Signature

Printed Name of Authorized Agent

Initial: _____

Date: _____