

COUNTY OF LAKE
MAJOR USE PERMIT, UP 22-15
INITIAL STUDY, IS 22-14

JOEL MICHAELY GROW
CONDITIONS OF APPROVAL

EXPIRES IF NOT USED BY: OCTOBER 10, 2026
VALID UNTIL OCTOBER 10, 2034

Pursuant to the approval of the Planning Commission on October 10, 2024, there is hereby granted to Joel Michaely Grow, a Major Use Permit, UP 22-15 with the following conditions of approval to allow a two-stage Commercial Cannabis Cultivation consisting of (25) A-Type 3 licenses, 12 A-Type 3b Mixed-light licenses, Type 6 Non-Volatile Manufacturing, and Type 13 Self Distribution-transport only license. at 10850 Clayton Creek Rd, 17445 Morgan Valley Rd., 11450 and 11474 Spruce Grove Road, Lower Lake (APNs: 012-045-41; 42; 012-059-10; and 11), and is subject to the following terms and conditions of approval:

A. GENERAL

1. The use hereby permitted shall substantially conform to the *Revised Site Plan(s)*, *Revised Project Description* and *Revised Property Management Plan* and any conditions of approval imposed by the Major Use Permit and Review Authority. Stage 1 consists of twenty-five A Type 3 (medium outdoor) cultivation licenses consisting of 25 acres of outdoor canopy, replacement of a 4,500 square foot barn to be used for cannabis drying/ processing, construction of a 3,840 sf (48' x 80') building for processing, and Type 6 non-volatile manufacturing. Stage II includes the conversion of the outdoor cannabis canopy area to 12.5 acres for (25) A-Type 3B mixed-light licenses consisting of (127) 30' x 150' greenhouses with Type 6 Non-Volatile Processing license and an A-Type 13 Cannabis Distributor Transport Only, 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. Revised Property Management Plan dated December 2022
 - b. Revised Site Plans, prepared by Northpoint Consulting, dated December 12, 2022
 - c. Revised Project Description dated December 12, 2022
 - d. Hydrology Study, prepared by Northpoint Consulting, dated March 8, 2022
 - e. Cultivation Area Grading Plan, Northpoint Consulting, dated March 8, 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 Permittee shall obtain permits as may be required from each agency.
3. Prior to construction and operation, the Permittee shall record a deed restriction on Assessor Parcel Numbers (012-045-39, 012-045-40, 012-045-43, 012-059-12, 012-059-13, 012-059-14) restricting cultivation from occurring on the 'clustering lots.'
4. Prior to construction and operation, the Permittee shall record a deed restriction for Assessor Parcel Numbers (012-045-41, 012-045-42, 012-059-10, and 012-059-11), restricting the individual sale of cultivating parcels. Should any individual parcel with deed restrictions be sold, the permittee shall remove all cultivation related structures at minimum, 100 feet from the property line within the approved cultivation area.
5. Prior to operation and construction, the Permittee shall obtain permits from all necessary Federal, State, and local agencies for the construction/development of any infrastructure.
6. Prior to operation, the Permittee shall contact the Lake County Building Department to schedule an inspection(s) to ensure compliance with Public Resource Code sections 4290/4291.
7. 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.
8. 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)

Initial _____

- What that individual is authorized to do.
9. 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.
 10. If the subject properties have a change of ownership, the Permittee 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.
 11. 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.
 12. 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.
 13. 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 Permittee 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.
 14. Prior to operation, the Permittee 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 Permittee shall submit written verification to the Lake County Community Development Department for review and approval.
 15. 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.
 16. A 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 a Permittee 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.
 - 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 Permittee. Permittees shall also provide and deliver copies of such documents to the County upon request.
 - A Permittee, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the Permittee pursuant to this section, has engaged in a violation of this article.
 17. Prior to operation, all current and future Permittees 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.
 18. The Permittee 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,

Initial _____

protect private property, and prevent damage to the environment. Said security plan shall be reviewed and approved by the Lake County Sheriff's Office.

19. 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.
20. Prior to operation, all accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements.
21. 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.
22. All 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).
23. 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.
24. The Permittee shall pay the cannabis cultivation tax to the Lake County Tax Collector in accordance with the cannabis billing cycle. The Permittee 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.
25. 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.
26. 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.
27. Within five days of the date of this decision, the Permittee shall pay the Fish and Wildlife fee. Check to be paid at the Lake County Planning Department and made out to 'County of Lake'.
28. The Permittee shall adhere to all applicable requirements in the Lake County Zoning Ordinance and the Lake County Code.

B. AESTHETICS

1. The Permittee shall install a minimum 6' tall screening fence around the cultivation areas. Fabric screening shall not be used; the screening material shall be chain link with slats, or a solid wood or metal fence. This shall occur prior to cultivation occurring on site. *Mitigation Measure AES-1*
2. All greenhouses shall incorporate blackout screening so that no light is visible from outside each greenhouse. Blackout covers shall in place a half an hour prior to sunset and a half an hour after sunrise. *Mitigation Measure AES-2*
3. 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-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*

C. AIR QUALITY

1. Prior to obtaining the necessary permits and/or approvals for any Stage, Permittee shall contact the Lake County Air Quality Management District (LCAQMD) and obtain an Authority to Construct (A/C) permit for all operations and for any diesel-powered equipment and/or other equipment with

Initial _____

potential for air emissions. Alternatively, the Permittee may provide proof that an Authority to Construct permit is not needed by the LCAQMD. *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 (CI) engines. Additionally, the Permittee must notify the Lake County Air Quality Management District prior to beginning construction activities and prior to engine use. *Mitigation Measure AQ-2*
3. The Permittee 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 be provided to the Lake County Air Quality Management District if needed 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 Permittee 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. Permittees shall regularly use and/or maintain graveled areas to reduce fugitive dust generations. *Mitigation Measure AQ-6*
7. All grading shall be done in accordance with the Grading Plan, prepared by Northpoint Consulting Services (Sheet no. C0). Palliatives shall be applied to the soil during all grading activities to minimize dust, and inspections shall occur during certain intervals of the site preparation. *Mitigation Measure AQ-7*
8. Prior to cultivation, all greenhouses and processing / manufacturing buildings shall be equipped with carbon or similar air filtration systems to minimize odor drift prior to cultivation activities. *Mitigation Measure AQ-8*

D. BIOLOGICAL RESOURCES

1. Prior to cultivation, an 'in season' biological survey of the cultivation area and the area surrounding the cultivation area is required. If sensitive specie(s) are discovered, they shall be avoided, and the area(s) containing sensitive specie(s) shall be fenced off from the cultivation area(s).
 - a) A pre-construction survey for special status species shall be performed by a qualified biologist to ensure the special statues species are not present,
 - b) If construction activities would occur during the nesting season (typically February through August 31st), a pre-construction survey for the presence of Special-Status bird species or any nesting bird 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 biologists has determined the have fledged and are independent of the nest site. *Mitigation Measure BIO-1*
2. All culvert upgrades/installations shall be completed in accordance with a California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreement (LSAA) for Stage II of development. These activities shall be performed when the streams are dry adhering to requirements within the Lake Streambed Alteration Agreement (LSAA) and other required permits, as necessary. *Mitigation Measure BIO-2*

E. CULTURAL RESOURCES

1. All employees shall be trained in recognizing potentially significant archaeological, paleontological, or cultural materials artifacts 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

Initial _____

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 in the vicinity of within 100 feet of the find(s), the Permittee shall notify the culturally affiliated Tribe(s), and a professional archaeologist certified by the Registry of Professional Archeologists (RPA) shall be notified and qualified archaeologist shall to evaluate the find(s) and recommend mitigation procedures, if necessary. The findings and mitigation measures shall be reviewed and approved by the, subject to the approval of the Lake County Community Development Director prior to commencing work. *Mitigation Measure CUL-2*
3. Should any human remains be encountered, the Permittee 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*
4. Prior to cultivation, the Permittee shall stake out the archaeologically sensitive site and avoid ground disturbance in this area. Avoidance of this site shall occur over the life of the project. *Mitigation Measure CUL-4*

F. GEOLOGY AND SOIL RESOURCES

1. Prior to any ground disturbance for building construction, the permittee shall submit erosion control and sediment plans to the Water Resource Department and the Community Development Department for review and approval in conjunction with a Grading Permit application. 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. *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 Lake County 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*

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 the event of a spill or leak, the contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.
2. 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 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.
3. 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.
4. 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.
5. 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

Initial _____

waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.

6. The Permittee 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 Permittee shall not use the above ground pod/water bladder for cannabis irrigation purposes. *Mitigation Measure HYD-1.*
2. The Permittee shall maintain all necessary permits from the Central Valley Regional Water Quality Control Board and submit written verification to the Community Development Department. A copy of all permits shall be included in the Annual Performance Report.
3. The Permittee shall have a legal water source on the premises, and shall obtain and maintain all necessary Federal, State or local permits required to utilize the water source. If the permitted activity utilizes a shared source of water from another site, such source shall be a legal source, have all Federal, State or local permits required to utilize the water source, and have a written agreement between property owner of the site where the source is located and the permitted activity agreeing to the use of the water source and all terms and conditions of that use.
4. 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 illegally diverted from any lake, springs, wetland, stream, creek, vernal pool and/or river is prohibited. The Permittee shall not engage in unlawful or unpermitted drawing of surface water.
5. The applicant shall adhere to the measures described in the Drought Management Plan during periods of a declared drought emergency

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. All deliveries and/or pickups shall be delivered during the hours Monday through Saturday from 7:00 A.M. to 7:00 P.M. and Sundays from 12:00 A.M. to 5:00 P.M.
2. Prior to this use permit having any force or effect, the applicant shall comply with Public Resources Code 4290 and 4291 Fire Safe Requirements.
3. Facilities constructed or utilized for new development shall comply with County standards in order to minimize initial and subsequent maintenance costs.
4. 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.
5. 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.

Initial _____

6. 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.*
7. 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.
8. 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.

K. 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 Mitigation Measure 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 must 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 Permittee must notify all 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 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*

L. WILDFIRE

1. The interior roadway improvements shall meet PRC 4290 and 4291 Road Standards for commercial use. A one-way road shall be at least 12 feet wide, include turnarounds every 400 feet or less, and shall be rated for a minimum of 75,000 pounds for emergency vehicles access. A Knox box is required on all gated entrances for emergency services to access the property. *Mitigation Measure WDF-1*
2. The Permittee shall maintain 100' of defensible space around all structures for the life of the project. Clearing these areas shall occur prior to a building permit being issued. Trees do not need to be removed but need to be limbed up to a height of 8' above grade. Brush and grass removal is permitted. *Mitigation Measure WDF-2*
3. Construction activities will not take place during a red flag warning (per the local fire department and/or national weather service) and wind, temperature and relative humidity will be monitored in order to minimize the risk of wildfire. Scraping would not occur on windy days that could increase the risk of wildfire spread should the equipment create a spark. Any vegetation removal or manipulation will take place in the early morning hours before relative humidity drops below 30 percent. *Mitigation Measure WDF-3*
4. A Water tender will be present on-site during earth work to reduce the risk of wildfire and dust. *Mitigation Measure WDF-4.*
5. The permittee shall designate a total of 32,000 gallons of water exclusively for fire protection. The tank shall be made of steel or fiberglass and shall have 2.5" couplings connectors for access by fire protection emergency services and shall be made of a material that meets the specifications of the applicable Fire Code. *Mitigation Measure WDF-5*

M. TIMING & MITIGATION MONITORING

1. The permittee 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 August 22, 2024, 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 Permittee 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 Permittee shall enter into a Site Restoration Agreement subject to the approval of the Community Development Director or their designee.
5. Prior to Operation, the Permittee(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 Permittee shall contact the Community Development Department to schedule an annual Compliance Monitoring Inspection during the cultivation season. Prior to scheduling said

Initial _____

inspection, the Permittee 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 Permittee 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 Permittee 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 Permittee 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.*

8. The Permittee(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 (ADD DATE HERE that is six months prior to expiration) may result in the expiration of the permits. The Permittee 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 Permittee is still qualified to be a Permittee.*
- *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.*

8. *If a violation is determined upon inspection, the Permittee 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.*

9. This permit may be revoked if the use for which the permit was granted is conducted as 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

Initial _____

Prepared by: TT

By: _____
Ruby Mitts, Office Assistant III

ACCEPTANCE

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

Date: _____

Permittee or Authorized Agent Signature

Printed Name of Authorized Agent

Initial _____