

Conditions of Approval

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS.

A. Conditions which must be satisfied before the provisional cannabis cultivation permit can be finalized and no longer considered provisional (unless otherwise indicated).

1. All development shall conform to the approved site plan.
2. Vegetation removal should occur outside of nesting season (generally March 15 – August 15) to avoid impacts to native resident and migratory birds. If that's not feasible, a qualified biologist shall survey for active bird nests no more than seven days prior to tree removal or significant trimming. If an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.

B. General and Ongoing Requirements Which Must be Satisfied for the Life of the Project:

1. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

2. The project shall be developed, operated, and maintained as described in the Project Description, site plan, and as conditioned herein. Changes in the project other than Minor Deviations from the Plot Plan as provided in Humboldt County Code Sec. 312-11.1 shall require a modification of this permit.

3. The Applicant shall incorporate Best Management Practices (BMPs) for erosion and sediment control as set forth in the County's Grading Ordinance (HCC Section 331-12.H.6(c)) during any grading activities.
4. The applicant must clean-up all brush and debris on-site. On-site chipping and grinding activities, including land application of processed materials, are acceptable for management of wood waste provided that they do not create a nuisance, or public health and safety hazard. On-site burial or disposal of wood waste and slash is not permitted by State and local regulations.
5. The project shall maintain compliance with State Minimum Fire Safe Regulations.
6. The proposed project shall adhere to all the applicable provisions set forth in Section 313-69.05.3 of Humboldt County Code.
7. All new and existing outdoor lighting shall be directed within the property boundaries.
8. New utilities shall be installed underground, when feasible.
9. Alteration to natural landforms shall be minimized.
10. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
11. Once the structure has been built, CDFW recommends that the applicant get on the waiting list for connection to the Westhaven CSD. The new water treatment plant may be able to support some new connections, primarily limited to existing residences. CDFW also encourages the applicant to reach out to the General Manager of Westhaven CSD to discuss the challenges of shallow groundwater wells and possibly receive some suggestions.
12. This permit shall expire and become null and void at the expiration of two (2) years after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
13. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after

the Planning Commission decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.