

**SUPPLEMENTAL INFORMATION  
NUMBER:**

For Zoning Administrator Agenda of:

Consent Agenda Item	Item Number:
Continued Hearing Item	Item Number:
Public Hearing Item	Item Number:
Department Report	Item Number:
Old Business	Item Number:

Re:

Record Number:

Assessor's Parcel Number (APN):

Area:

Attached for the Zoning Administrator's record and review is the following supplementary information:

# Bar 7K Farms LLC.

## Cultivation Operation Addendum

Due to recent concerns from using ground water, Bar 7K Farms LLC, would like to propose moving to all rainwater catchment as a water source for cannabis cultivation upon approval.

Bar 7K Farms LLC will convert 4 proposed greenhouses to rain catchment structures, 2-20'x100' and 2-20'x105' will have gutters added. This will give the project 8,200 sq ft of additional rain catchment surface to the already proposed rain catchment tanks. 550 gallons of water is expected to be collected for every 1,000 sq ft per 1 inch of rain. And based on the average rainfall of 46.75 inches per year over the last 21 years according to the national weather service. See table below.

**Monthly Total Precipitation for SCOTIA, CA**  
Click column heading to sort ascending, click again to sort descending.

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2000	10.11	11.79	2.54	2.62	1.64	0.51	0.03	0.01	0.39	3.49	3.16	3.17	39.46
2001	7.14	6.65	5.02	3.12	0.23	0.68	0.08	0.08	0.11	1.44	9.41	12.45	46.41
2002	6.35	3.88	4.84	2.74	0.83	0.04	0.02	T	0.08	0.02	5.02	27.44	51.26
2003	5.13	4.25	7.38	13.95	1.27	0.10	0.01	0.13	0.30	0.20	4.98	12.90	50.38
2004	8.02	14.41	2.72	1.33	1.45	0.06	0.00	0.21	M	6.46	1.85	9.92	M
2005	7.60	3.98	8.36	5.96	4.64	2.77	0.01	0.00	0.03	1.48	7.32	M	M
2006	11.66	6.65	15.20	5.21	1.46	0.14	0.01	0.00	0.24	0.55	7.65	9.46	38.23
2007	1.70	12.31	2.91	3.61	0.82	0.46	0.67	0.02	0.31	3.62	1.89	10.72	39.04
2008	14.64	5.13	2.35	2.38	0.05	0.24	0.02	M	M	M	6.38	5.39	M
2009	1.94	10.05	M	1.31	2.76	0.06	0.02	0.01	0.45	4.33	4.59	4.58	M
2010	16.23	6.20	5.53	7.97	3.21	1.55	0.00	0.17	0.53	4.16	4.94	14.02	64.51
2011	M	5.70	M	3.89	2.34	1.11	0.24	0.01	0.19	M	4.29	1.07	M
2012	M	4.20	13.39	M	0.91	1.03	0.76	0.02	0.00	M	M	14.44	M
2013	3.02	1.47	3.45	1.61	M	M	0.00	M	3.78	0.03	0.88	0.64	M
2014	0.87	M	7.25	0.94	0.81	0.18	0.06	0.00	2.46	5.60	3.99	11.67	M
2015	1.22	11.92	2.30	3.66	0.33	0.02	0.19	0.28	0.50	0.68	4.85	14.81	M
2016	15.17	3.45	12.25	2.74	1.36	0.07	0.06	T	0.06	10.39	8.19	7.32	M
2017	16.33	16.84	7.80	M	1.01	0.46	0.11	M	0.56	0.98	6.58	1.21	M
2018	M	M	8.90	4.00	0.90	0.27	0.00	0.02	0.47	1.24	5.70	6.26	M
2019	10.80	17.62	6.66	2.98	4.78	0.00	0.03	M	1.00	0.76	2.04	11.06	M
2020	8.01	0.74	2.34	1.86	3.72	0.49	0.00	0.05	0.29	0.14	2.94	3.95	24.53
2021	9.50	5.08	4.88	0.66	0.22	0.30	0.08	0.00	0.76	4.57	M	M	M
<b>Mean</b>	8.18	7.62	6.30	3.63	1.65	0.50	0.11	0.06	0.63	2.64	4.83	9.12	46.75
<b>Max</b>	16.33	17.62	15.20	13.95	4.78	2.77	0.76	0.28	3.78	10.39	9.41	27.44	64.51
<b>Min</b>	0.87	0.74	2.30	0.66	0.05	0.00	0.00	0.00	0.02	0.88	0.64	24.53	2010
	2014	2020	2015	2021	2008	2019	2020	2021	2012	2002	2013	2013	2020

This will give the project an estimated 210,842.5 gallons of collected rain water per year. This will provide an adequate amount of water for the estimated 150,000 gallons estimated to be used for the growing year.

The proposed water storage will cover the estimated water needed for the operation. Bar 7K Farms LLC will only cultivate the square footage that they have the adequate water supply for, until they reach the full amount of storage needed to cultivate the full 20,000 square feet.

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 21-  
Record Number PLN-2019-16116  
Assessor's Parcel Numbers: 216-154-024 and 216-141-001**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Bar 7 K Farms, LLC, Special Permits.**

**WHEREAS, Bar 7 K Farms, LLC,** submitted an application and evidence in support of approving a Special Permit for 20,000 square feet of new outdoor commercial cultivation including appurtenant propagation of 1,000 square feet.

**WHEREAS,** the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the Environmental Impact Report. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

**WHEREAS,** the Humboldt County Zoning Administrator held a duly noticed public hearing on November 18, 2021, and reviewed, considered, and discussed the application for a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED,** that the Zoning Administrator makes all the following findings:

- 1. FINDING:**                    **Project Description:** A Special Permit for 20,000 square feet of new outdoor commercial cannabis cultivation with up to two harvest cycles using light deprivation. Solar panels provide electricity and an existing well rainwater catchment provides irrigation. The annual water usage is 150,000 gallons with 50,000 gallons of storage. ~~Within two years, a~~ Rainwater catchment tanks totaling 100,000 gallons will be constructed to increase storage to 150,000 gallons, and reduce reliance on the well. There will be at least one employee with a maximum of two employees at peak operation. An ancillary nursery of 1,000 square feet is also proposed. Drying will occur onsite and all other processing will occur offsite.

**EVIDENCE:**            a) Project File: PLN-2019-16116

**CEQA**

- 2. FINDING:**                    The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to and Environmental Impact Report prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

**EVIDENCE:**            a) Addendum Prepared for the proposed project.

b) The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines

c) A biological Assessment dated May 18, 2020 was provided. The assessment concluded that no sensitive natural communities or plant species of special

concern are at risk from the project proposal. The assessment recommends implementing an invasive species management plan and using only manual rodent traps which have been incorporated in the conditions of approval.

- d) A January 2020 Cultural Resources Investigation was provided. The survey located two previously recorded sites and concluded this project will not affect significant prehistoric resources if mitigation measures are followed. The Bear River Tribal Historic Preservation Officer recommended standard inadvertent discovery protocol which is included as a condition of approval.
- e) A road evaluation was conducted in December 2019 and a road assessment performed in March 2020. The evaluation concluded that the 1.5 access road segment is developed to the equivalent of a road category 4 standard. The road assessment made recommendations to improve drainage which are included in the conditions of approval.
- f) The applicant provided a Noise Assessment conducted in June of 2021. The project is conditioned so noise sources associated with the cannabis operation do not exceed three decibels of continuous noise above existing ambient noise levels.

#### **FINDINGS FOR SPECIAL PERMIT**

**3. FINDING** The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.

**EVIDENCE** a) The parcel has split designations of Agricultural General (AG) and Timberland (T). ~~But for the existing irrigation well,~~ The proposed cultivation site will be located within the AG designation. General agriculture is a use type permitted in the AG land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

**4. FINDING** The proposed development is consistent with the purposes of the existing Agricultural Exclusive (AE) zone in which the site is located.

**EVIDENCE** a) The parcel is split zoned with Timber Production Zone (TPZ) and Agricultural Exclusive (AE). the proposed cultivation site will be located within the AE zone. The AE Zone is intended to be applied to areas of the County in which general agriculture uses are the desirable predominant uses.  
b) All general agricultural uses are principally permitted in the AE zone.

**5. FINDING** The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

**EVIDENCE** a) The CCLUO (HCC 314-55.4.6) allows new cannabis cultivation to be permitted in areas zoned Agricultural Exclusive (AE).  
b) The parcel was created in compliance with all applicable state and local subdivision regulations because it qualifies for a Certificate of Compliance pursuant to section 66499.35 of the Subdivision Map Act because 216-154-

024 and a portion of 216-141-001 comprise Patent 1010 issued on October 7, 1893.

- c) The project will obtain water from a non-diversionary water source.
- d) A road evaluation provided evidence that the road segments evaluated were found to be functionally appropriate for the expected traffic. A road assessment provided recommendations to improve drainage of the road which are included in the project conditions of approval.
- e) The slope of the land where cannabis will be cultivated is less than 15%
- f) The cultivation of cannabis will not result in the net conversion of timberland.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. (a.-f.). It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 270 feet from any adjacent undeveloped separately owned parcel, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.
- h) The project will not emit light pollution through the implementation of measures described in the operations plan.
- i) Power will be provided by solar panels.

**6. FINDING**

The cultivation and appurtenant uses and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE**

- a) The site is located on road that has been evaluated to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size varies. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation sites are more than 300 feet from the nearest off-site residence and 270 feet from any adjacent undeveloped separately owned parcel.
- d) Irrigation water will come from ~~a permitted groundwater well and~~ rain catchment in accordance with necessary permits and standards.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

**7. FINDING**

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

**EVIDENCE**

The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element and does not currently have an existing residence. The approval of cannabis cultivation on this parcel will not conflict with the

ability to construct a residence if one is proposed in the future..

**8. FINDING**

Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds

**EVIDENCE**

The project site is located in the Middle Main Eel Planning Watershed, which under Resolution 18-43 is limited to 360 permits and 125 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 76 permits and the total approved acres would be 33.86 acres of cultivation.

**DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special for Bar 7 K Farms, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **November 18, 2021**.

I, John Ford, Zoning Administrator of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Zoning Administrator at a meeting held on the date noted above.

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John H. Ford, Zoning Administrator,  
Planning and Building Department

## ATTACHMENT 1

### REVISED RECOMMENDED CONDITIONS OF APPROVAL

#### APPROVAL OF THE SPECIAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

##### **A. Conditions which must be satisfied before the cannabis operations may be initiated (unless otherwise indicated).**

1. ~~Within two years of permit approval~~Prior to cultivating, the applicant shall obtain building permits as needed for, and install 100,000 gallons total rainwater catchment tanks. ~~Once constructed, the applicant shall provide an addendum to the operations plan that includes an update water budget. Per the operations plan addendum, applicant will only cultivate an amount in square feet for which they have an adequate water supply until they reach the full amount of storage needed to cultivate 20,000 square feet.~~
2. Prior to initiating cultivation operations, applicant must install an approved septic system or provide portable toilets to cultivation areas.
3. Prior to initiating cultivation operations, applicant must implement the recommending action of lengthening the culvert for Unique Point #8 as described in the site management plan.
4. Per Exhibit A of the recommendations from Public Works these conditions shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
  - a. Applicant must apply for and obtain an encroachment permit from the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches. If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for minimum width of 18 feet and a length of 50 feet (or to break in slope) where it intersects the County road.
  - b. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
5. Prior to initiating cultivation operations, the applicant must implement the nine recommendations on pages 3 and 4 of the March 13, 2020 road assessment conducted by Timberland Resource Consultants.
6. Prior to initiating cultivation operations, the applicant must provide a revised plot plan depicting emergency vehicle turnaround(s) in location(s) that conform to section 1273.05 (Turnarounds) of the fire safe regulations.
7. Prior to initiating cultivation operations, the applicant must obtain an after the fact grading permit for the grading that occurred in the southeast location containing the main cultivation area.

##### **B. General Conditions**

1. Applicant is responsible for obtaining all necessary County and State permits and licenses and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as

adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

3. A Notice of Determination will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. Within three days of the effective date of permit approval, the Department will file the Notice of Determination and will charge this cost to the project.
4. The applicant shall install monitoring device(s) on each irrigation source (e.g. well, rainwater catchment, and dehumidifier recapture tanks). Applicant shall maintain water usage logs from each source for the life of the project and make logs available for inspection upon request.
5. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. Ongoing proof of compliance with this condition shall be required at each annual inspection to keep the permit valid.
- ~~6. Per the project operations plan, the applicant will voluntarily forbear use of the well between August 1<sup>st</sup> and October 31<sup>st</sup>.~~

**C. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:**

1. The combination of background or other operational equipment created noise must not exceed more than three decibels above ambient noise as measured in the June 2021 noise assessment. Specifically, noise may not exceed 43 decibels at any property line.
2. Cultivation sites must be at least 600 feet from the recorded sites referenced in the January 2020 Cultural Resources Investigation and must not be disturbed. 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.

3. The applicant shall adhere to the Invasive Species and Soils Management Plan for the life of the project.
4. Artificial light is limited to the ancillary propagation greenhouse. No artificial light may be used in association with the outdoor cultivation. All artificial lighting shall be fully contained within structures such that no light escapes (i.e., through the use of blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program (refer to <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>). Standards include but are not limited to: Light shall 1) be shielded and downward facing, 2) consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less, and 3) only placed where needed.



5. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
6. Per the operations plan, no generator will be used for any purpose associated with the cannabis operation.
7. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
8. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
9. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
10. The use of anticoagulant rodenticide is prohibited. Per the recommendation in the biological assessment, only manual traps may be used.
11. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
12. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
13. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO as applicable to the permit type.
14. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
15. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
16. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other

place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).

17. Maintain enrollment in Tier 1 or 2 certification with State Water Resources Control Board Order WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
18. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
19. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
20. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
21. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
22. Pay all applicable application, review for conformance with conditions and annual inspection fees.
23. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
24. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
25. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

#### Performance Standards for Cultivation and Processing Operations

26. Pursuant to Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
27. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
28. Cultivators engaged in processing shall comply with the following Processing Practices:
  - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
  - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - d. Employees must wash hands sufficiently when handling cannabis or use gloves.

29. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and
    - (3) Poison control contacts.
  - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
30. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
  - b. Location where processing will occur
  - c. Number of employees, if any
  - d. Employee Safety Practices
  - e. Toilet and handwashing facilities
  - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
  - g. Drinking water for employees
  - h. Plan to minimize impact from increased road use resulting from processing
  - i. On-site housing, if any
31. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
32. Inspections. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.

33. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
34. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
35. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new owner(s) and management as required in an initial permit application;
  - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
  - c. The specific date on which the transfer is to occur;
  - d. Acknowledgement of full responsibility for complying with the existing permit; and
  - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
36. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

**Informational Notes:**

None