

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 22-071**

**Record Number: PLN-2018-15260**

**Assessor's Parcel Number: 107-054-036**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Highpoint Honeydew Farm LLC, Special Permit request**

**WHEREAS, Highpoint Honeydew Farm, LLC,** submitted an application and evidence in support of approving a Special Permit for the operation of a proposed 23,616 square foot light deprivation cannabis operation with appurtenant propagation and processing activities;

**WHEREAS,** the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) 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 previous 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 3, 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:** The application is a Special Permit to allow for a 23,616 square foot (SF) light deprivation cannabis cultivation operation with appurtenant propagation and processing activities. Power is provided by PG&E with a backup generator. Water for irrigation will be provided by an existing permitted groundwater well.

**EVIDENCE:** a) Project File: PLN-2018-15260
- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to the Environmental Impact Report (EIR) 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.

d) The applicant submitted a Biological Reconnaissance Assessment prepared by ETA Humboldt, which includes recommendations to minimize potential impacts on biological resources. Biologist

recommendations have been included as recommended conditions of approval.

- e) The applicant submitted an Aquatic Resources Delineation prepared by Kyle Wear, which concluded that there are no wetlands on site, although it did note that the pond on site proposed for cultivation activities is connected to surface water. The pond is not proposed for cannabis activities.
- f) The property is accessed via a category 4 County maintained road. The project was referred to the Department of Public Works for review and comments. The Department of Public Works recommended approval of the project with conditions.
- g) The project is located in the Bear River Band and Sinkyone Aboriginal Ancestral Territories. The project was referred to Northwest Information Center, Bear River Band, and Sinkyone tribe. The Bear River Band Rancheria recommended the applicant to survey the project site for cultural resources. The applicant submitted a Cultural Resource Investigation prepared by Archaeological Resource and Supply Company dated August 2022 documenting no identified cultural resources.

**3. FINDING**

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

**EVIDENCE**

- a) General agriculture is a use type permitted in Residential Agriculture (RA) 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 AE zone in which the site is located.

**EVIDENCE**

- a) The Agricultural Exclusive Zone or AE Zone is intended to be applied to areas of the County in which general agriculture is an allowable use for AE zones. The parcel is also zoned as a Special Building Site (B-6) which is intended to be combined with any principal zone in which sound and orderly planning indicate that lot area and yard requirements should be modified.
- b) All general agricultural uses are principally permitted in the AE zone.
- c) Humboldt County Code section 314-55.4.6 allows cultivation of up to 43,560 square feet of new outdoor cannabis and up to 43,560 square feet of new mixed-light cannabis on a parcel over 5 acres subject to approval of a Special Permit. The application for 23,616 square feet of light deprivation cultivation on a 47-acre parcel is consistent with this.

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

- EVIDENCE**
- a) The CCLUO allows new cannabis cultivation to be permitted in areas zoned AE (HCC 314-55.4.6.1.1).
  - b) The parcel was created in compliance with all applicable state and local subdivision regulations. Per LLA-11-17 the subject parcel has been determined to be one legal parcel (lot B) as shown on Parcel Map recorded in Book 35 of Parcel Maps page 33
  - c) The project will obtain water from a non-diversionary water source.
  - d) The property is accessed via private driveway from Mattole Road, a category 4 County maintained road.
  - e) The slope of the land where cannabis will be cultivated is less than 15%.
  - f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, or Tribal Cultural Resource.

**6. FINDING** The cultivation of 23,616 square feet of outdoor light deprivation cannabis cultivation and the 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 property is accessed via Mattole Road, a County maintained category 4 road.
  - b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. 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 is more than 300 feet from the nearest off-site residence.
  - d) Irrigation water will not be supplied by a diversionary water source. It has been demonstrated that the well not adversely effect an onsite spring or any surface water associated with the spring based upon screening interval of the well and distance of the well from the spring.

**7. FINDING** The use of the well will not be detrimental to the public health, safety or welfare, or to biological or water resources in the vicinity.

- EVIDENCE**
- a) The well proposed for cannabis has been reviewed by a Licensed Professional Geologist who concluded that the well is drawing from a groundwater aquifer that likely has no hydraulic connection to

surface waters. Additionally, the use of the well would not deplete surface waters of necessary water to support healthy stream flows due to the low withdrawal rate compared to the amount of water infiltrating to groundwater from rainfall. The subject property is 47 acres in size and the cultivation requires approximately 201,390 gallons of water annually for irrigation. According to the USGS publication Fine-scale hydrologic modeling for regional landscape applications: the California Basin Characterization Model development and performance. Flint, 2013, a property of this size in our region is capable of providing 25 million gallons of water to recharge the subsurface aquifer in an average rainfall year of 57.7 inches, assuming any particular year is only half of average rainfall, the property is still capable of recharging as much as 12.5 million gallons to groundwater. This indicates that the withdrawal of 201,390 gallons from the groundwater well would be as little as 1.6% of the total potential recharge to groundwater that would occur on the property even if only 50% of average annual rainfall is received. Accordingly, impacts to groundwater from the use of this well would be negligible.

**8. 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**

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element.

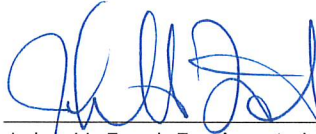
## DECISION

**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 Permit for Highpoint Honeydew Farm 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 3, 2022**

I, John H. 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 1A

### CONDITIONS OF APPROVAL

#### APPROVAL OF THE SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROJECT MAY BEGIN OPERATING

##### A. General Conditions

1. The 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 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 Planning and Building Department will provide a bill to the applicant after the 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.
3. 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.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, the greenhouses, one (1) commercial processing building, and all other structures with a nexus to cannabis. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
6. The applicant shall submit a Notice of Applicability of Notice of Receipt as proof of enrollment in the State Water Resources Control Board's (SWRCB) General Order (No. WQ 2019-0001-DWQ) for Waste Discharge Requirements and Water Quality. The applicant shall prepare and submit to the Planning Department a Site Management Plan within 90 days of enrollment to outline on-site measures required to meet the standards of the SWRCB's General Order.
7. The applicant shall submit to the Planning Department a letter from the CDFW stating that no Lake or Streambed Alteration Agreement (LSAA) is required for the project, and in the event that one is needed, the applicant shall submit the Final LSAA to the Planning Department.
8. The applicant shall ensure all fences and gates are located out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the

County right of way. Confirmation from the Department of Public Works that the work has been done will satisfy this condition.

9. The applicant shall pave the surface of the intersection where Mattole Road meets the private driveway for a minimum of 18 feet and a length of 50 feet. Final signoff from the Department of Public Works will satisfy this condition.
10. The applicant shall ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). Final signoff from the Department of Public Works will satisfy this condition.
11. The Applicant shall provide the final Site Management Plan (SMP) report to the department when available. The applicant shall implement all corrective actions detailed in the Site Management Plan developed for the parcel, prepared pursuant to enrollment under the State Water Resource Control Board (SWRCB) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). A letter or similar communication from the State Water Board verifying that all their requirements have been met will satisfy this condition.
12. The applicant shall complete relevant mitigation recommendations outlined in the Biological Assessment listed as follows:
  - a. The applicant shall conduct nesting bird surveys if tree or shrub removal or habitat alteration is planned within the nesting bird season. Use appropriate distance buffers where appropriate for any discovered nests.
  - b. Conduct seasonally appropriate floristic (botanical) surveys for rare plants if any ground disturbance for further development is proposed.
13. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
14. The applicant shall install 1 1/2", or 2 1/2" fire hose connections in water infrastructure pursuant to Honeydew VFC referral recommendations.
15. Processing activities must be supported by an approved onsite wastewater treatment system. The applicant shall obtain a permit for, and install, an approved wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.
16. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
17. The static ground water of the well shall be measured and reported to the Planning and Building department in even numbered years. Prior to the inspection the applicant shall hire a qualified professional to measure the static water level and provide that to Planning and Building at the time of annual inspection.
18. Power for the operation shall be purchased from a renewable portfolio, of either PG&E or another source approved by Planning and Building.

19. Generators are not an authorized source of primary power. Power is to be provided by PG&E. If the existing facility does not have sufficient grid power, then any additional power use will be from a renewable onsite source.

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

1. Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through 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; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall 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.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., 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.
4. The applicant shall maintain defensible space with vegetation management along ingress routes and 100 feet from structures. Defensible space shall be achieved utilizing methods recommended by CAL FIRE, including, as appropriate, removal of all dead plants, grass, and weeds, removal of dead or dry leaves/pine needles, cutting or mowing annual grass down to a maximum height of 4 inches, creating horizontal and vertical space between grass, shrubs, and trees, and trimming or pruning of trees. No tree removal is authorized with the approval of this permit.
5. The applicant shall follow relevant mitigation recommendations outlined in the Biological Assessment listed as follows:
  - a. All cultivation activities shall be conducted to minimize potential runoff from the project sites.
  - b. Any fertilizers or pesticides shall be used in strict accordance with the manufacturer's directions.
  - c. All fertilizers, pesticides, and other cultivation related products shall be properly stored to prevent exposure to precipitation events and to prevent access to wildlife.
  - d. Generators shall be housed inside insulated enclosures to muffle noise and adhere to noise thresholds of the CCLUO.
6. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.



7. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
8. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
9. The use of anticoagulant rodenticide is prohibited.
10. 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.
11. 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.
12. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
13. 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.
14. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
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, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, 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 log books 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 the MCRSA, Health and Safety Code Section 19322(a)(9), 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 Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO 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. 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 Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
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:**

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.