

ATTACHMENT 1A

CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

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. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #8. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity. 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.
7. The applicant will implement all corrective actions outlined in the Mitigation Report of the *Site Management Plan*, which is listed below. A final effectiveness report documenting the completion of each item shall be submitted to the Planning Department for review. The report shall include photos or other applicable attachments to show the work has been completed. A sign-off from the Planning Department shall fulfill this requirement.

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 01	-123.635858 40.06844	Permanent	X	X	X	Prior to 10/15/23 pending the approval of any required permits	
Current Condition: Existing 24-inch diameter metal culvert crossing of a Class III watercourse. It is rusted and under sized for the 100 year peak streamflow. A rut has developed down the centerline along the southeast approach.						Prescribed Action: Ensure that the culvert inlet is clear and free of any obstructions at all times. Upgrade this crossing by replacing it with a 42-inch diameter, 30-foot long culvert consistent with the recently submitted CDFW LSA Notification No. EPIMS HUM-22462. Upgrade should take place prior to 10/15/22 if feasible. Work in a stream, such as culvert replacement, also requires applying for and receiving Water Quality Certification under the Statewide Cannabis General Order. Along the southeast approach grade the road surface to eliminate the centerline rut and shape the road to crowned surface with surface lead-outs.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 02	-123.637394 40.069705	Permanent	X	X	X	Prior to 10/15/23 pending the approval of any required permits	
Current Condition: Runoff from upslope at Site 04 reaches the permanent road inside ditch, causing ditch erosion from Site 02 to the existing ditch relief culvert at Site 06.						Prescribed Action: At Site 02, install a 30-inch diameter, 30-foot long culvert consistent with the recently submitted CDFW LSA Notification No. EPIMS HUM-22462. Upgrade should take place prior to 10/15/22 if feasible to avoid potential further ditch erosion. Work in a stream, such as culvert replacement, also requires applying for and receiving Water Quality Certification under the Statewide Cannabis General Order.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 03	-123.637645 40.069006	Seasonal	X	X	-	Prior to 10/15/22	
Current Condition: Runoff from off property to the west reaches the seasonal road inside ditch at Site 03, causing minor ditch erosion from Site 03 to the existing ditch relief culvert at Site 04 (approximately 120 feet). This site was described in the recently submitted CDFW LSA Notification No. EPIMS HUM-22462.						Prescribed Action: Rock armor the inside ditch from Site 03 to the inlet of the ditch relief culvert at Site 04.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 04	-123.637664 40.069368	Seasonal	X	X	-	Prior to 10/15/22	
Current Condition: Site 04 is an existing 12-inch diameter ditch relief culvert. It appears that minor erosion below the outlet occurred following its installation.						Prescribed Action: Hand place a small amount of rock armor below the outlet to prevent further minor erosion and for energy dissipation.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 05	-123.637689 40.068384	Seasonal	X	X	-	As soon as feasible, but no later than 10/15/22	
Current Condition: Site 05 is a point on the seasonal road. Minor rutting down the road surface is taking place. There is a small build up of road material and grass along the outside edges that impede runoff and block existing lead-out locations.						Prescribed Action: From Site 05 south to the Cultivation Area, grade the surface and outside edge so that it is outsloped and runoff can shed off towards the west. From Site 05 north to the intersection with the permanent road, grade the road to a crowned surface so that runoff can shed off each side of the road. Along the length of this seasonal road, re-open all of the existing lead-out locations so runoff can leave the surface. Alternatively, install water breaks (waterbars) annually prior to 10/15 of each year.	

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 06	-123.636499 40.069089	Permanent	X	X	-	As soon as feasible, but no later than 10/15/22	
Current Condition: Existing 12-inch diameter ditch relief culvert. The inlet was partially blocked. The proposed culvert at Site 02 will reduce most of the ditch flow to this point.						Prescribed Action: Clean out both ends of the culvert. If it is found to be rusted out, replace it with a new culvert.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 07	-123.634397 40.067697	Permanent	X	X	-	As soon as feasible, but no later than 10/15/22	
Current Condition: Existing 12-inch diameter ditch relief culvert. The inlet was partially blocked.						Prescribed Action: Clean out both ends of the culvert. If it is found to be rusted out, replace it with a new culvert.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 08	-123.633807 40.067352	Permanent	-	X	-	As required	
Current Condition: Site 08 is a point along the inside ditch. The spot was marked with a recent flagging labeled "proposed DRC" by unknown person.						Prescribed Action: Monitor the site. The ditch from Site 08 to 07 appeared to be functioning. Installing a ditch relief culvert at this site didn't appear to be crucial, but is a suitable location for a cross drain.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 09	-123.633609 40.066865	Permanent	-	X	-	As required	
Current Condition: The road surface becomes nearly outloped from this point extending south.						Prescribed Action: Monitor the road segment from this point, south to the property line. Maintain the outloped road surface so runoff is not impeded by a build up of berm material along the outboard edge.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 10	-123.633851 40.067828	Seasonal	X	X	-	As required	
Current Condition: The seasonal road surface from Site 10 through Site 14 lacked water breaks (waterbars), had minor surface ruts, and was not well drained on the day of the assessment. Following discussions on the site assessment, the cultivator installed several water breaks along this road.						Prescribed Action: Monitor the recently installed water breaks following the first rains after their installation. Provide maintenance as needed during the winter period and annually prior to 10/15.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11	-123.633818 40.06808	Seasonal	X	X	-	As required	
Current Condition: The seasonal road surface from Site 10 through Site 14 lacked water breaks (waterbars), had minor surface ruts, and was not well drained on the day of the assessment. Following discussions on the site assessment, the cultivator installed several water breaks along this road.						Prescribed Action: Monitor the recently installed water breaks following the first rains after their installation. Provide maintenance as needed during the winter period and annually prior to 10/15.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 12	-123.633759 40.068141	Seasonal	X	X	-	As required	
Current Condition: The seasonal road surface from Site 10 through Site 14 lacked water breaks (waterbars), had minor surface ruts, and was not well drained on the day of the assessment. Following discussions on the site assessment, the cultivator installed several water breaks along this road.						Prescribed Action: Monitor the recently installed water breaks following the first rains after their installation. Provide maintenance as needed during the winter period and annually prior to 10/15.	

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 13	-123.633552 40.068295	Seasonal	X	X	-	As required	
<p>Current Condition: The seasonal road surface from Site 10 through Site 14 lacked water breaks (waterbars), had minor surface ruts, and was not well drained on the day of the assessment. Following discussions on the site assessment, the cultivator installed several water breaks along this road.</p>						<p>Prescribed Action: Monitor the recently installed water breaks following the first rains after their installation. Provide maintenance as needed during the winter period and annually prior to 10/15.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 14	-123.633504 40.068436	Seasonal	X	X	-	As required	
<p>Current Condition: The seasonal road surface from Site 10 through Site 14 lacked water breaks (waterbars), had minor surface ruts, and was not well drained on the day of the assessment. Following discussions on the site assessment, the cultivator installed several water breaks along this road.</p>						<p>Prescribed Action: Monitor the recently installed water breaks following the first rains after their installation. Provide maintenance as needed during the winter period and annually prior to 10/15.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Water Tanks: Site 15, Site 16, Site 17	-123.633452 40.067117	-	-	X	-	As soon as feasible, but no later than 10/15/22	
<p>Current Condition: Site 15 are three, 5,000 gallon water tanks connected to the POD as part of its infrastructure. Site 16 are four 3,000 gallon water tanks. These tanks are not sited correctly and are planned to be relocated and used for cannabis irrigation water storage. Site 17 are four tanks totaling 13,000 gallons to be used for cannabis irrigation.</p>						<p>Prescribed Action: Relocate the tanks at Site 16 to level, compacted, stable ground. See Cannabis Cultivation Policy, Att. A, Sec. 2, Term 91 that is attached.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Cultivation Area	-123.637566 40.067384	Cultivation Area	X	X	-	As soon as feasible, but no later than 10/15/22	
<p>Current Condition: Minor tire ruts along the west side of the cultivation area caused by wet weather vehicle use.</p>						<p>Prescribed Action: Smooth off the tire tracks on the surface and apply rock as necessary to maintain a stable surface.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Past Cultivation Area	-123.63373 40.068734	Past Cultivation Area	-	X	-	-	
<p>Current Condition: At the area shown as Past Cultivation Area on the Site Map, there was remnant cultivation materials such as wood, plastic, metal, soil, waterlines, and planter bags remaining at the site during the site assessment on 1-26-2022. The area did not require any recontouring. Following the site assessment and before this Site Management Plan was finalized, the cultivator remediated the site by removing and disposing of the remnant cultivation materials at this site. Seed and straw was generously applied to bare soils created during clean-up. Cultivation waste was hauled off to the Redway Transfer Station. Photographs were taken and are attached to this report.</p>						<p>Prescribed Action: Per Cannabis Cultivation Policy, Att. A, Term 119, Cannabis cultivators shall contain and regularly remove all debris and trash associated with cannabis cultivation activities from the cannabis cultivation site. Cannabis cultivators shall only dispose of debris and trash at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations. Cannabis cultivators shall not allow litter, plastic, or similar debris to enter the riparian setback or waters of the state. Cannabis plant material may be disposed of onsite in compliance with any applicable CDFA license conditions.</p>	

8. Trimming and packaging may occur onsite by family members, within permitted residential structure or a residential accessory structure. The applicant will complete the building and permitting of any such structure within 2 years of permit approval, otherwise, the applicant will discontinue trimming and packaging onsite and process offsite at a licensed third-party processing facility.
9. The applicant shall adhere to the following recommendations made by the Department of Public Works Land Use Division:

- a) The applicant shall improve and maintain visibility where Jewett Road intersects with Bell Springs Road in accordance with the County's Sight Visibility Ordinance. Photo documentation will satisfy this requirement. Visibility will be assessed at the applicant's annual inspection.
- b) If Bell Springs Road has a paved surface at the location of the intersection with Jewett Road, the applicant shall obtain an encroachment permit and pave Jewett Road for a minimum width of 20 feet and a length of 50 feet.

A letter or similar communication from the Department of Public Works stating the work has been completed to their satisfaction will satisfy this condition.

10. The applicant will adhere to the referral response by the Building Department and submit a revised site plan reflecting the following:
 - a) The accurate amount of water tanks existing onsite; and
 - b) The percent gradient of the access roads on the property that are used in the operation.
11. 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.

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

1. The applicant will forbear from the use of the spring diversion from April 1st to October 31st of each year.
2. The combination of background, generator, or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
3. Project related 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.
4. 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.

5. Ensure all generators be located on stable surfaces with a minimum 200 feet buffer from all waterways measured horizontally from the outer edge of the riparian drip zone, per CDFW referral comments received January 4, 2018.
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 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 CMMLUO 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 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 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.
37. 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.

Informational Notes:

1. Pursuant to Section 314-55.4.11 (a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in the Ongoing Requirements/Development Restrictions, above.