

**SUPPLEMENTAL INFORMATION**

**NUMBER:**

For Zoning Administrator Agenda of:

- |                                     |                        |   |
|-------------------------------------|------------------------|---|
| <input checked="" type="checkbox"/> | Consent Agenda Item    | Item Number: <input type="text" value="C-6"/> |
| <input type="checkbox"/>            | Continued Hearing Item | Item Number: <input type="text"/>             |
| <input type="checkbox"/>            | Public Hearing Item    | Item Number: <input type="text"/>             |
| <input type="checkbox"/>            | Department Report      | Item Number: <input type="text"/>             |
| <input type="checkbox"/>            | Old Business           | Item Number: <input type="text"/>             |

Re:

Record Number:

Assessor's Parcel Number (APN):

Area:

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

Attachment 1: Revised Conditions of Approval: General Condition #6

## ATTACHMENT 1

### REVISED CONDITIONS OF APPROVAL

**APPROVAL OF THE SPECIAL PERMIT 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 filing 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 #14. 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. **Prior to commencing cultivation activities, the applicant shall permit the new well and submit evidence to the satisfaction of the Planning Director that the well is hydrologically disconnected from surface water features, and capable of producing 99,040 gallons of water per year. A well completion report or well log from a well professional shall be used to make this determination.**
  - a) **If the applicant does not provide this evidence or based on a review of the provided evidence the Department finds the well is hydrologically connected to surface waters, the applicant shall install a rainwater catchment system with water storage equal to atleast the projected annual water usage.**

- ~~6. Prior to the 2022 cultivation season, the applicant shall complete one of the following actions:
  - ~~a. Adhere to the recommendation of the Division of Environmental Health and provide evidence that the well has an approved permit, destroy the well, legalize the well through installation of a new sanitary surface seal, or provide compelling evidence that the well was installed prior to February 1973.~~
  - ~~b. The applicant shall permit the new well and shall submit evidence to the satisfaction of the Planning Director that the well is hydrologically disconnected from surface water features, and capable of producing 99,040 gallons of water per year. A well completion report or well log from a well professional shall be used to make this determination.~~
  - ~~c. If the applicant does not provide this evidence or based on a review of the provided evidence the Department finds the well is hydrologically connected to surface waters, the applicant shall implement rainwater catchment or provide documentation of enrollment with the State Water Resources Control Board Division of Water Rights. The applicant shall install sufficient hard tank water storage to meet forbearance requirements as specified by the State Water Resources Control Board, subject to Planning Department review.~~~~
7. A metering device shall be installed at the point of withdrawal from the well used for irrigation. The applicant shall maintain a weekly record of water used for cultivation. A copy of these records shall be stored and maintained at the cultivation site and kept separately or differentiated from any record of water use for domestic, fire protection, or other irrigation purposes. Irrigation records shall be kept onsite and made available at the applicant's annual inspection.
8. The applicant shall submit a Remediation Plan for the two historical cultivation areas that have been previously remediated to the Planning Department for review and approval. The Remediation Plan shall include photo documentation and a list of remediation measures that have been completed.
9. Until such time that a permitted wastewater treatment system is installed the applicant will provide receipt of portable toilets to the Division of Environmental Health on an annual basis. These records shall also be made available during the applicant's annual inspection.
10. The applicant shall implement all road improvements recommended within the *Engineers Road Evaluation Report* which includes but is not limited to constructing turnouts and maintaining culverts and vegetation. A letter from a qualified engineer stating the work has been completed shall satisfy this condition.
11. The shed, in its' current configuration, cannot be used for trimming and/or packaging. These types of activities must take place in a F1 Occupancy Type commercial structure with an accessible restroom and accessible parking. The owner must secure permits and complete any building of such structure within the 2-year provisional period. Alternatively, the operator may discontinue this use and process at an off-site licensed third-party facility.
12. The applicant shall assign numbers to greenhouses and other related structures per CALFIRE recommendation. Compliance will be assessed during annual inspections.
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 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.