

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMIT (12088) IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS.

A. Conditions subject to the compliance agreement must be satisfied before the provisional cannabis cultivation permit is no longer considered provisional. This section also includes conditions that must be completed within specified time frames or completed prior to commencing cultivation.

1. Within 60 days of the effective date of permit approval, the permittee shall execute a Compliance Agreement with the Humboldt County Planning and Building Department described under Conditions of Approval **A.8** through **A.16**. All activities described in 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.
2. Within two weeks of project approval, no later than December 15, 2024, and prior to diverting water for the project, the applicant shall work with CDFW to obtain a new Lake & Streambed Alteration Agreement (LSAA). All required work associated with the LSAA must be completed prior to October 15, 2026.
3. As soon as practicable and before cultivating in 2025, the permittee shall install and utilize a water meter to continuously demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the specified point of diversion and the amount of water available in storage tanks filled from said point of diversion. The water tracking log shall be provided annually prior to or during the annual inspection.
4. Within 60 days of the effective date of project approval, the permittee 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 and Building Department.
5. Within 60 days of the effective date of project approval, the permittee shall obtain a will serve letter from the Fire Protection District OR cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.

6. Within 60 days of the effective date of project approval, the permittee shall pay 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. The permittee is responsible for costs for post-approval review for determining project conformance with conditions. Payment shall be made to the Humboldt County Planning Division, 3015 H Street, Eureka. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection.
7. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded 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. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed. No use of artificial lighting is authorized by this permit until the applicant can demonstrate compliance with this standard. Verification from Planning Division staff is required.
8. The permittee shall obtain grading permits for all existing, unpermitted grading associated with the existing cannabis operation and for any grading required by the relocation site. No grading of slopes greater than 15% is authorized.
9. The permittee shall obtain permits or exemptions for all structures associated with the cannabis operation.
10. As requested by the Department of Public Works The applicant shall cause to be improved the intersection of Kings Peak Road and the driveway, by:
 - a. If Kings Peak Road has a gravel surface at the location of the access driveway, the applicant shall the driveway apron for a minimum width of 18 feet and a length of 50 feet to the current standards for a commercial driveway,
 - b. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County-maintained right-of-way.

This condition 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.

11. The applicant shall ensure that the improvements described in the Road Evaluation prepared by DTN Engineering on March 31, 2019, are implemented. These improvements include but are not limited to:

- a. Regrade the road to create positive drainage, clean ditches, and re-establish roadside ditches.
- b. Install waterbars and rolling dips in accordance with Appendix D Rural Roads: A Construction and Maintenance Guide for California Landowners.
- c. Unclog culverts.
- d. Install culverts at recommended locations.
- e. Mow grass along the roadside in order to expose turnouts.
- f. Remove abandoned cars.
- g. Remove the downed tree identified in Photo 151 of the Road Evaluation.

A signed statement from an appropriate engineer shall serve as verification of completion of these improvements. Culverts shall not be constructed in such a way that would entrap amphibians or reptiles.

12. The applicant shall complete all improvements and comply with all requirements of the Lake and Streambed Alteration Agreement (LSAA). Correspondence from CDFW confirming completion and compliance shall be provided by the applicant to the Planning and Building Department.

- a. All work associated with the LSAA must be completed by October 15, 2026, otherwise the permit will be scheduled for revocation.

13. The applicant shall remove from the site and properly dispose of all cannabis cultivation associated waste, including unused water lines. All compost piles shall be properly contained.

14. The applicant shall construct noise containment structures for all generators used on the parcel, as well as all operation-related water pumps and fans. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW), and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on

stable surfaces with a minimum 200 foot buffer from Class I and Class II streams, per the requirements of CDFW. In addition, fire-resistant materials shall be utilized for construction of the generator containment structures. No generator use is authorized by this permit until the applicant can demonstrate compliance with this standard. Verification from Planning Division staff is required.

15. The applicant shall demonstrate that the private driveway meets California Department of Forestry and Fire Protection (CalFIRE) State Responsibility Area (SRA) Minimum Fire Safe Regulations within two years of project approval. A letter or similar documentation from CalFIRE or a licensed engineer shall satisfy this requirement.
16. The applicant shall submit a Less than Three Acre Conversion Evaluation prepared by a Registered Professional Forester (RPF) that evaluates the conversion areas on the subject parcel. The report shall include recommendations to bring the site into compliance with the Forest Practices Rules as applicable. Continuous compliance with the report's recommendations and associated permits supported by the report is required per Condition C.32.

B. General Conditions

1. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
2. The plan states that no employee housing is onsite and insufficient information is available in the plans to assess or approve the potential for employee housing. If, at any point in the future, the project changes such that employee housing is proposed, then the project will require approval of a Modification before the housing is built or receives Building Permits.
3. 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 the applicant is responsible for this cost to the project.
4. Per the recommendations of the Biological Resource Report, activities that may cause disturbance, such as construction, should be avoided during breeding season for birds, which in most cases spans from February 1 to September 1. If construction must occur during the breeding season, nesting bird surveys shall be conducted by a qualified biologist no more than one week prior to commencement of project activities. Condition C.12 describes additional details regarding nesting birds.
5. 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.

6. 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 to keep the permit valid.
7. 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. 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.
8. If operating pursuant to a written approved compliance agreement, the 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.

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

1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public

Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

2. Trimming is allowed onsite only if it complies with Departmental Policy Statement (DPS) 21-02 OR takes place onsite within a commercially rated (F-1 Occupancy) building, the requirements from DPS 21-02 are listed below for convenience:
 - a. No use of employees for any onsite cannabis activity; AND
 - b. Takes place within a permitted residence or residential accessory structure; AND
 - c. Is for trimming no more than 10,000 square feet of canopy; AND
 - d. No structural, electrical, or plumbing alterations are necessary which are not customarily found in dwellings or residential accessory structures; AND
 - e. All building permits have been issued and finalized for the residence or residential accessory structure where trimming will occur; AND
 - f. Trimming will only be performed by residents of the onsite residence who are permit holders.

Processing activities cannot begin in a processing structure in accordance with this condition until an onsite wastewater treatment system (OWTS) permit is provided and the cultivation permit is modified to include processing activities.

3. Prior to any vegetation removal or ground disturbing activities, the applicant must have the area surveyed by a qualified biologist to assess the potential presence of special status species. If any special status species are identified onsite, the applicant must adhere to the biologist's recommendations. If any special status species are identified in the work area, the applicant must work with CDFW and the Planning Division and modify the project as necessary prior to continuing development.
4. All compost, imported soils, and discarded soils shall be fully contained in a manner that prevents runoff.
5. Ensure any generators are located on stable surfaces with a minimum 200-foot buffer from all waterways measured horizontally from the outer edge of the riparian drip zone per the requirements of CDFW.
6. The combination of background, generator and greenhouse fan 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. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels and also should be operated such that they do not interfere with daytime or nighttime activities of mammals, including bats. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation. No generator use is authorized by this permit until the applicant can demonstrate compliance with this standard. Verification from Planning Division staff is required.

7. The generator shall not be utilized except in emergency situations, defined as sudden, unexpected occurrences demanding immediate action.
8. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. To ensure compliance with CDFW recommendations, the applicant shall monitor lit structures on a daily basis to ensure no artificial lighting escapes through the light pollution control equipment. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed. No use of artificial lighting is authorized by this permit until the applicant can demonstrate compliance with this standard. Verification from Planning Division staff is required.
9. Should the Humboldt County Planning Division receive complaints that any lighting or noise associated with the permit is not complying with the standards listed above in this permit, then within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
10. The applicant shall adhere to all recommendations included in the Preliminary Biological Resource Report prepared by Olofson Environmental, Inc. and Emerald Hills Environmental, LLC in March 2019. Included in said recommendations are requirements for surveys prior to any new construction, ground disturbance, or vegetation removal. Conditions C.11 through C.14 describe additional recommendations from the Biological Resource Report that should continuously be followed, but do not describe all recommendations from the report.

11. Per the recommendations of the Biological Resource Report, if roosting bats are found on site, species-appropriate exclusion buffers should be determined by a qualified biologist and shall be implemented by the applicant.
12. Per the recommendations of the Biological Resource Report, if nesting birds are found on site, species-appropriate exclusion buffers should be determined by a qualified biologist and shall be implemented by the applicant. Project activities shall not occur within the buffer until the nest is no longer active, as determined by a biologist.
13. Per the recommendations of the Biological Resource Report, roads and pathways shall not be constructed in a way that would present barriers to travel for migrating amphibians.
14. Per the recommendations of the Biological Resource Report, pesticides should be applied only when winds are low, in order to minimize drift that could affect sensitive habitats.
15. No ground-disturbing activities shall occur during the breeding season of Northern Spotted Owls (NSO), February 1 through July 9.
16. Prohibition of the 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.
17. The water tracking log shall be provided annually prior to or during the annual inspection. The water use for cultivation is limited to the use of the specified point of diversion and the amount of water available in storage tanks filled from said point of diversion. The water tracking log shall include measured water diversion and measured water use at daily, weekly, or monthly intervals.
18. Water diversion for the purposes of the cannabis project is prohibited between April 1st and October 31st of each year, in accordance with the forbearance period established by the State Water Resources Control Board (SWRCB).
19. The proposed hydroelectric system shall not be installed until CDFW permits it and said permit is provided to the Planning and Building Department for verification. If permitted, dip-net and egg mass surveys should be conducted at and around the

proposed point of installation to determine the presence of sensitive amphibian species.

20. In accordance with the mitigation measures for development within a streamside management area described in Humboldt County Code Section 314-61.1.10, the following mitigations are required: Snags shall be retained, with removal exceptions based on other agency's regulations or for public health and safety reasons if approved by the Planning and Building Director. Felled snags shall be left on the ground if consistent with fire protection regulations and the required treatment of slash or fuels. Live trees shall be retained if they have visible evidence of current or historical use as nesting sites by hawks, owls, eagles, osprey, herons, kites, or egrets. Any materials associated with installation or maintenance of the point of diversion and hydroelectric system, such as silt, organic and earthen material from sediment basins, and excess material from construction itself shall be disposed of out of the streamside management area.
21. The applicant shall annually provide an invoice or equivalent documentation to the Planning Department confirming the continual use of portable toilets used to serve the needs of the cultivation staff. Alternatively, the applicant may provide a written assessment to the Environmental Health Division (DEH), prepared by a qualified septic consultant (REHS, PG, or PE), that confirms a Tier 0 status for the existing onsite wastewater treatment system serving the dwelling. Written confirmation from DEH that the assessment is adequate will resolve this condition.
22. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
23. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
24. The use of anticoagulant rodenticide is prohibited.
25. 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.
26. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of

Operations, the CMMLUO, 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.

27. 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.
28. 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).
29. The applicant is required to adhere to and implement the requirements contained in the California State Water Resources Control Board's (SWRCB) Cannabis Cultivation Policy, the General Order, and the Site Management Plan. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) or Monitoring Log(s) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
30. The applicant is required to 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.
31. The applicant is required to comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Agreement obtained from the California Department of Fish and Wildlife (CDFW). Reporting requirements shall be submitted to the Planning Department at 3015 H St and to the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
32. 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.

33. In accordance with Humboldt County Code section 314-55.4.12.2.5, no water shall be trucked to the property, except for emergencies, which are defined as a sudden, unexpected occurrence demanding immediate action.
34. 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.
35. 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. At time of issuance, that agency is the Department of Cannabis Control (DCC).
36. 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).
37. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. All fuels, fertilizers, pesticides, fungicides, rodenticides, and herbicides must be stored in secondary containment within structures.
38. Pay all applicable fees associated with application review for conformance with conditions and annual inspections.
39. 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.
40. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
41. 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

42. 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."

43. 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).
44. 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.
45. 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.

46. 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,

47. 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.

48. 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.

The permit holder and subject property owner are to allow 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.

49. 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.

50. Acknowledgments 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.

51. 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. Acknowledgment of full responsibility for complying with the existing permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.