

# ATTACHMENT E

## CONDITIONS OF APPROVAL

### Condition #1

**COMPLIANCE WITH LOCAL, STATE AND/OR FEDERAL LAWS:** The permittee and future project owner(s) shall comply with all of the latest adopted local, state and federal laws, regulations, standards and requirements including Tehama County's Building and Safety Code. ***Tehama County Planning Department***

### Condition #2

**COMPLIANCE WITH AGENCY REQUIREMENTS:** The Permittee shall obtain any and all local, state and/or federal permits, licenses, and/or other approvals for the construction and/or operation of the Project. This shall include, but not be limited to, local requirements by Tehama County Environmental Health Department, Tehama County Planning Department, Tehama County Building and Safety Department, Tehama County Air Pollution Control District, Tehama County Public Works Department, Tehama County Cooperative Fire Protection, and Tehama County Sheriff/Coroner's office. Permittee shall likewise comply with all such permit requirements. ***Tehama County Planning Department***

### Condition # 3

**SEPTIC.** If installing a Septic System, it must be permitted through the Environmental Health Department. ***Tehama County Environmental Health Department.***

### Condition #4

**EMERGENCY ACCESS.** Parcel shall allow for emergency access that shall meet or exceed TCO Section 9.14.020 to 9.14.031. ***Tehama County Cooperative Fire Protection***

- A. The entrance shall be a minimum of 14 feet horizontal width and provide a minimum of 15 feet vertical clearance.
- B. An approved turnaround shall be required at the facility.

### Condition #5

**KNOX BOX.** Access through gates and all structures shall be provided through an approved Fire Department locking system such as Knox Box. (California Fire Code (CFC) Section 506). ***Tehama County Cooperative Fire Protection***

### Condition #6

**ADDRESSING:** Addressing of the parcel shall meet or exceed TCC Title 9, Article III, Section 9.14.048 to 9.14.050. ***Tehama County Cooperative Fire Protection***

### Condition #7

**AUTOMATIC SPRINKLER SYSTEM.** An approved automatic sprinkler system complying with CFC Section 903 shall be installed.

**OR**

An approved fire alarm system complying with CFC Section 907 shall be installed. This fire alarm system shall be connected to a central reporting station which alerts the local fire department of a fire. (CFC Table 903.2.11.6) ***Tehama County Cooperative Fire Protection***

**Condition #8**

**FIRE EXTINGUISHERS.** Fire Extinguishers shall be installed and maintained at a location approved by TCFD. A minimum of one Class 2A-10BC rated fire extinguisher shall be provided. If the travel distance to the extinguisher exceeds 75 feet, additional fire extinguishers will be required. (CFC 906.3) ***Tehama County Cooperative Fire Protection***

**Condition #9**

**FIRE FLOW.** Fire Flow shall be required in accordance with 14 CCR §1275. Fire Flow shall be installed in accordance with TCC 9.14.060 through 9.14.064 and with the most current edition of National Fire Protection Association (NFPA) 1142, *Standard on Water Supplies for Suburban and Rural Fire Fighting*. ***Tehama County Cooperative Fire Protection***

**Condition #10**

**EXIT SIGNAGE.** Exit Signage shall be installed in accordance with CFC Section 1013. ***Tehama County Cooperative Fire Protection***

**Condition #11**

**DEFENSIBLE SPACE.** Defensible space is required to be maintained at all times, whenever flammable vegetative conditions exist. One hundred feet (100 ft.) of defensible space clearance shall be maintained around all structures. (14 CCR §1299.03 and Title 9 TCC 9.05.080). ***Tehama County Cooperative Fire Protection***

**Condition #12**

**FIRE INSPECTION.** This project will be subject to final and annual "Fire Safety Inspection", per the California Fire Code. ***Tehama County Cooperative Fire Protection***

**Condition #13**

**FUTURE STRUCTURES.** Any future structures shall be laid out to allow setback for structure defensible space in accordance to TCO 2023, Article V, Section 9.14.071. (a) "All parcels 1 acre or larger within the county shall provide a minimum 30' foot setback for buildings and accessory buildings from all property lines and/or the center of a road". ***Tehama County Cooperative Fire Protection***

**Condition #14**

**FUTURE DEVELOPMENT.** Any building additions, future structures, occupancy type classification changes or operating plan modifications may require further conditioning and shall be subject to the requirements set forth in the currently adopted edition of the California Fire Code. All work shall comply with the latest adopted local, state, and federal laws and ordinances whether shown on these documents or not and a notation to that effect shall be placed upon the final statement of conditions. ***Tehama County Cooperative Fire Protection***

**Condition #15**

**STRUCTURAL ENGINEERING.** Submit structural engineering, energy calculations and complete construction plans (including complete foundation, floor, lateral and roof framing plan) showing compliance with 2022 Title 24 code editions. Additional corrections may be required subsequent to your submittal. ***Tehama County Department of Building and Safety.***

**Condition #16**

**COVER SHEET.** Indicate the address of the building, accessor's parcel number (APN), zoning, the name, address and phone numbers of owner(s) and person(s) preparing the plans of the cover sheet of the plans. ***Tehama County Department of Building and Safety.***

**Condition #17**

**OCCUPANCY TYPE.** Indicate the occupancy type, type of construction, square footage and current Code Editions - 2022 CRC, CBC, CEC, CPC, CGBSC and the 2019 Energy Code. ***Tehama County Department of Building and Safety.***

**Condition #18**

**SIGNATURE.** Please provide a signature on each sheet of the individual responsible for the preparation of the sheet. Number all sheets and provide a sheet index on the cover page. ***Tehama County Department of Building and Safety.***

**Condition #19**

**BUILDING PERMITS.** Separate building permits are required for photovoltaic systems, fire sprinklers (submit to fire marshal), retaining walls, swimming pools, demolition. ***Tehama County Department of Building and Safety.***

**Condition #20**

**TRUSS CALCULATIONS.** Submit digitally stamped truss calculations for review including a digitally stamped/signed review and approval letter from the projects design professional (architect and/or engineer) stating that they have reviewed the truss calculations, and they are in conformance with their structural design. ***Tehama County Department of Building and Safety.***

**Condition #21**

**ALTERNATE MATERIALS/METHODS FORM.** Alternate materials/methods form shall be filled out and submitted to Tehama County Building Department. ***Tehama County Department of Building and Safety.***

**Condition #22**

**SITE PLAN. Site Plan:** Provide fully dimensioned site plan to scale. Provide north arrow. Show property lines, easements, and new building locations. Dimension front, side and rear distances to property lines and between buildings. Indicate finish and existing ground slope grades. Clearly show the locations of sizes of water lines, gas lines, sewer lines and electrical service and/or feeders. Indicate the location of the water and electrical meters. All structures and improvements on the parcel shall be shown with their uses accurately noted on the site plan. ***Tehama County Department of Building and Safety.***

**Condition #23**

**DEVELOPMENT FEE APPLICATION.** Compliance with the District's Indirect Source Fee Program (Rule 2:11D) is required for any construction project that needs a permit from a local building department. ***Tehama County Air Pollution Control District***

**Condition #24**

**AUTHORITY TO CONSTRUCT.** An Authority to Construct application must be submitted for any new or existing equipment on-site, such as backup generators. ***Tehama County Air Pollution Control District***

**Condition #25**

**LAND DEVELOPMENT STANDARDS:** The Developer/Applicant shall comply with the following; ***Tehama County Department of Public Works.***

- A. All the pertinent requirements of Title 16, Subdivisions, Chapters 16.04 thru 16.40 of the Tehama County Code, the Tehama County Land Development and Engineering Design Standards (TCLD&EDS), and the Subdivision Map Act, as amended.
- B. The requirements of the Regional Water Quality Control Board (RWQCB) regarding storm water permitting via Storm Water Pollution Prevention Plan (SWPPP).

**Condition #26**

**ENCROACHMENT AND ENCROACHMENT PERMIT:** Applicant shall obtain an encroachment permit from the Tehama County Public Works Department and modify the existing encroachment to Farquar Rd. (Co. Rd. #472) and construct in accordance with the current Standard Drawing No. 0916-Typical Driveway Encroachment with Culvert. The roadway entrance shall be 20 foot in width to comply with Tehama County Code § 9.14.011, § 9.14.021. ***Tehama County Department of Public Works.***

**Condition #27**

**GRADING PERMIT:** The Developer/Applicant shall submit a Grading Plan and obtain a Grading Permit from Tehama County Public Works prior to the start of any work related to construction of access or building. Developer/Applicant shall submit a Site Development Plan to scale showing all temporary and permanent improvements, preliminary grading, drainage, any piping, tanks, parking areas or other appurtenances directly related to this project and how they meet the TCLD&EDS. ***Tehama County Department of Public Works.***

**Condition #28**

**WATER QUALITY PERMIT:** Applicant shall obtain a General Construction Activity Permit from California Regional Water Quality Control Board prior to the start of any work related to road construction of access road, grading, or building construction if total disturbed area is greater than one (1) acre. ***Tehama County Department of Public Works.***

**Condition #29**

**KENNEL DESIGN.** The kennels shall be designed to allow for a minimum square footage of floor space as follows: ***Tehama County Division of Animal Services***

- a. Small dogs, up to 20 pounds: minimum 25 square feet per dog
- b. Medium dogs, up to 50 pounds: minimum 50 square feet per dog
- c. Large dogs, 51 pounds or more: minimum 100 square feet per dog
- d. Females with nursing puppies must be provided with a minimum of 5% additional floor space per puppy in the litter.
- e. Outdoor kennel access may be utilized to meet square footage requirements, provided this access securely confines the dogs separately from other animals, and prevents contact with other roaming or stray animals and wildlife.

**Condition #30**

**KENNEL HEIGHT.** Kennel enclosures shall be a minimum of six feet in height. ***Tehama County Division of Animal Services***

**Condition #31**

**KENNEL FLOOR AND WALLS.** Kennel floors and walls shall be constructed of non-porous materials which can be easily cleaned and sanitized. Wire flooring of any kind, coated or otherwise, is not permitted, even as temporary means. ***Tehama County Division of Animal Services***

**Condition #32**

**VENTILATED.** Kennel housing areas must be sufficiently ventilated at all times to provide for health and well-being of dogs, minimize odors, drafts, ammonia levels, humidity and condensation and prevent the spread of airborne viruses. ***Tehama County Division of Animal Services***

**Condition #33**

**TEMPERATURE.** Animals must be provided with cool air if the ambient temperature is above 85 degrees Fahrenheit, and heat if the temperature falls below 45 degrees Fahrenheit. ***Tehama County Division of Animal Services***

**Condition #34**

**LIGHTING.** Facility must be lit well enough to allow safe and easy access for feeding, cleaning, monitoring of dogs, and inspection. ***Tehama County Division of Animal Services***

**Condition #35**

**EXERCISE AREA.** An exercise area must be provided, with a minimum square footage equal or greater than double the square footage of the largest kennel. ***Tehama County Division of Animal Services***

**Condition #36**

**ISOLATION/QUARANTINE AREAS.** Isolation/quarantine areas must have separate ventilation and drainage from other kennels, including separate access to an exercise area with square footage double that of the isolation area. ***Tehama County Division of Animal Services***

**Condition #37**

**DRAINAGE SYSTEMS.** Drainage systems must be designed to allow for rapidly eliminating excess water from indoor housing, in addition to preventing accumulation of water, mud, debris, or excrement. ***Tehama County Division of Animal Services***

**Condition #38**

**POTABLE WATER.** Adequate running potable water must be available for cleaning, drinking, washing, and other requirements. ***Tehama County Division of Animal Services***

**Condition #39**

**LAUNDRY AREA.** Laundry areas- General hygiene and anti-bacterial disinfecting washing facilities with hot and cold running water must be available and readily accessible for dog caretakers. ***Tehama County Division of Animal Services***

**Condition #40**

**INDOOR AREAS.** All indoor housing areas must meet the minimum safety requirements pertaining to fire extinguishers and fire suppression equipment as set forth by the local fire departments and Tehama County code. ***Tehama County Division of Animal Services***

**If outdoor housing is to be utilized in any capacity:**

**Condition #41**

Outdoor housing areas must provide:

1. Sufficient shelter to protect dogs from extreme temperatures and weather conditions.
2. Access to a smaller shelter, doghouse, or indoor kennel must be available to each adult dog, which must have clean and dry bedding material.
3. Areas of shade large enough to shield animals from direct sunlight. Additionally, outdoor housing areas containing puppies must have tops completely covered, in addition to side covers as needed to provide shelter from the sun, rain, and strong winds at all times of day. ***Tehama County Division of Animal Services***

**Condition #42**

**NESTING BIRDS.** While the referral packet indicates tree removal is not anticipated, please note that the project area contains suitable habitat for nesting birds. In the instance that tree removal is anticipated, nesting migratory birds, if present, could be directly or indirectly impacted by construction, land modification and vegetation removal activities. Direct effects could include mortality resulting from vegetation removal and/or construction equipment operating in an area containing an active nest with eggs or chicks. Indirect effects could include nest abandonment by adults in response to loud noise levels, human encroachment, or a reduction in the amount of food available to young birds due to changes in feeding behavior by adults.

Implementation of nest season surveys, outlined below, would ensure that impacts to nesting birds are less than significant.

To avoid impacts to nesting birds protected under Fish & Game Code Sections 3503 and 3503.5 and the federal Migratory Bird Treaty Act, one of the following should be implemented:

- a) Vegetation removal should occur between September 1 and January 31, when birds are not anticipated to be nesting; or
- b) If vegetation removal occurs during the nesting season, a pre-construction nesting bird survey should be conducted by a qualified biologist to identify active nests in and adjacent to the Project area.

Surveys should begin prior to sunrise and continue until vegetation and nests have been sufficiently observed. The survey should consider acoustic impacts and line of sight Project disturbances to determine a sufficient survey radius to maximize observations of nesting birds. A nesting bird survey report should be prepared and, at a minimum, the report should include a description of the area surveyed, date and time of the survey, ambient conditions, bird species observed, a description of any active nests observed, any evidence of breeding behaviors (e.g., courtship, carrying nest materials or food, etc.), and a description of any outstanding conditions that may have impacted the survey results (e.g., weather conditions, excess noise, presence of predators).

If an active nest is located during pre-construction surveys, a non-disturbance buffer should be established around the nest by a qualified biologist in consultation with CDFW and U.S. Fish and Wildlife Service to comply with Fish & Game Code Sections 3503 and 3503.5 and the Migratory Bird Treaty Act. Compliance measures may include, but are not limited to, exclusion buffers, sound-attenuation measures, seasonal work closures based on the known biology and life history of the species identified during the survey, as well as ongoing monitoring by biologists.

Nesting bird surveys should be conducted no more than one week prior to the initiation of construction. If construction activities are delayed or suspended for more than one week after the pre-construction nesting bird survey, the site should be resurveyed. **California Department of Fish and Wildlife**

#### **Condition #43**

**FENCING.** CDFW understands fences are essential for controlling trespass however, inappropriately designed or placed fencing may create serious hazards and/or barriers for wildlife. Therefore, CDFW strongly encourages perimeter fencing be designed and implemented to alleviate potential hazards to wildlife. This resource may provide useful information about wildlife friendly fencing techniques: A Landowners Guide to Wildlife Friendly Fences. **California Department of Fish and Wildlife**

#### **Condition #44**

**LIGHTING.** Studies have shown that artificial lighting has adverse effects on wildlife and plant species. The effects may include, but are not limited to, alteration of flowering, photosynthesis, foraging, reproduction, navigation (being attracted to or deterred from), migration patterns (including movement barriers of light) and predator-prey dynamics. To minimize adverse effects of artificial light on wildlife, CDFW recommends that lighting fixtures associated with the Project be downward facing, fully shielded, and designed and installed to minimize light-pollution and spillover of light onto adjacent wildlife habitat. Studies have found that it's best to use lower-intensity, warmer-colored lighting that may also be lower on the light spectrum (lower Kelvin values with fewer short-wavelength blue light emissions) (Gaston et al., 2017). ***California Department of Fish and Wildlife***

#### **Condition #45**

**HUMAN-WILDLIFE CONFLICT.** CDFW understands the public often seeks to control small mammals, like ground squirrels, due to their potential to damage crops, landscaping, and infrastructure. There are several attractants that will cause wildlife to occupy your property such as easy access to food, water and suitable habitat. If you have attractants on your property, removing the attractants completely is always the best course of action. Additionally, it is important to avoid using chemical and poisons as these can harm the environment, non-target wildlife species, pets, or livestock. Chemical methods may also lead to contamination of soil and water sources. A 2023 CDFW report found that roughly 88% of raptors and 90% of pumas tested were exposed to the poisons. Non-lethal and humane alternatives, such as visual deterrents, sound deterrents, scent deterrents, and/or humane exclusion are recommended to help maintain ecological balance while protecting both wildlife and the environment. For more information, please access CDFW's Human-Wildlife Conflicts Toolkit. ***California Department of Fish and Wildlife***

#### **Condition #46**

**NATIVE VEGETATION IN LANDSCAPING.** The Project includes landscaping, thus, CDFW encourages landscaping with vegetation native to the local area. Benefits of utilizing native vegetation in landscaping are numerous and include providing vital resources for native wildlife such as hummingbirds and other beneficial pollinators, conserving water, reducing pesticide use, and reducing landscaping maintenance. The California Native Plant Society (CNPS) website includes a variety of useful information and tools to help determine which native species occur in a particular area, information on care and maintenance of native species, and contacts for purchasing native plants or seeds. The CNPS tool Calscape generates a list of native plants that grow in an area based on a specific address and can be used to develop a planting palette for landscaping plans. For more information regarding the importance of using native species in landscaping, please refer to the CNPS Guidelines for Landscaping to Protect Native Vegetation from Genetic Degradation. ***California Department of Fish and Wildlife***

#### **Conclusion**

CDFW looks forward to continued and regular consultation with the Lead Agency regarding biological resources and is eager to begin collaboration early in the Project development process. CDFW encourages the Lead Agency, or the Project proponent, to engage with CDFW staff for further technical assistance, if necessary. If you have any questions, please

contact Erika Iacona, Senior Environmental Scientist, Specialist by email at [R1CEQARedding@wildlife.ca.gov](mailto:R1CEQARedding@wildlife.ca.gov).

**Condition #47**

**CULTURAL RESOURCES.** Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted, before construction continues. The qualified archaeologist could require the following: including but not limited to, researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains. ***Tehama County Planning Department***

**Condition #48**

**INDEMNIFICATION.** As a condition and in consideration of the approval of this Use Permit, the Permittee shall defend, indemnify, and hold harmless, at the Permittee's sole expense, the County of Tehama and its employees, officers, contractors, and agents (the "County Indemnitees") from and against any claim, action, or judicial or administrative proceeding brought against the County Indemnitees, or any of them, to attack, set aside, void, annul, or otherwise challenge the County's decision to issue this Use Permit to the Permittee, any environmental review or absence thereof associated with the proposed project, or the manner in which the County interprets or enforces the terms and conditions of this Use Permit at any time. The Permittee shall further pay all losses, liabilities, damages, penalties, costs, awards, judgments, fees (including reasonable attorney's fees) and expenses arising from such claim, action, or judicial or administrative proceeding. Counsel for the County Indemnitees in any such legal defense shall be selected by the County. Upon request of the County, the Permittee shall execute a formal written agreement containing the foregoing terms, but the Permittee's obligations hereunder shall be fully operative and enforceable regardless of whether such an agreement is executed. ***Tehama County Planning Department***