



**San Joaquin Valley Unified
Air Pollution Control District**

Barnhart Ranch

Project Number N-1143814

Stanislaus County

**Initial Study and Final
Mitigated Negative Declaration**

September 2016

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GOVERNING BOARD 2016**

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INITIAL STUDY AND FINAL MITIGATED NEGATIVE DECLARATION

Barnhart Ranch

Project Number: N-1143814

September 2016

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A. INTRODUCTION

The San Joaquin Valley Unified Air Pollution Control District (District) has received an Authority to Construct (ATC) application package from Barnhart Ranch to expand its existing egg laying hen ranch operation by constructing three (3) new cage free barns resulting in an increase in capacity of 1,098,000 hens. In addition, Barnhart Ranch will construct a 77,318 square foot processing facility with parking, a 17,000 square foot cold and dry storage building and a 3,200 square foot electrical building to support expansion of the egg laying hen ranch. Barnhart Ranch also plans to further expand its existing egg laying hen ranch by constructing two (2) more cage free barns resulting in an increase in the capacity of 732,000 hens.

The project evaluated under this environmental document is the construction of five (5) cage free barns resulting in a total increase in housing capacity of 1,830,000 hens, a 77,318 square foot processing facility with parking, a 17,000 square foot cold and dry storage building with a 3,200 square foot electrical building to support expansion of the egg laying hen ranch (Project). The proposed Project will be located at the existing Barnhart Ranch facility in Ceres, California. As presented in this environmental document, the District has conducted an Initial Study and concludes that, with mitigation, the Project will have a less than significant environmental impact.

B. PURPOSE AND AUTHORITY

The District has discretionary approval power over the Project, pursuant to District Rule 2010 (Permits Required) and District Rule 2201 (New and Modified Stationary Source Review Rule). The District determined that no other agency has broader discretionary approval power over the Project. As such, the District is the public agency having principal responsibility for approving the project and serves as Lead Agency (CCR §15367).

The California Environmental Quality Act (CEQA) requires each public agency to adopt objectives, criteria, and specific procedures consistent with CEQA Statutes and the CEQA Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents. The District adopted its *Environmental Review Guidelines* (ERG) in 2001. The ERG was prepared to comply with this requirement and is an internal document used to comply with CEQA.

The basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.



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- Prevent significant, avoidable damage to the environment by requiring changes in projects through use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
 - Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Under CEQA the Lead Agency is required to:

- Conduct preliminary reviews to determine if applications are subject to CEQA [CCR §15060].
- Conduct review to determine if projects are exempt from CEQA [CCR §15061].
- Prepare Initial Studies for projects that may have adverse environmental impacts [CCR §15063].
- Determine the significance of the environmental effects caused by the project [CCR §15064].
- Prepare Negative Declarations or Mitigated Negative Declarations for projects with no significant environmental impacts [CCR §15070].
- Prepare, or contract to prepare, EIRs for projects with significant environmental impacts [CCR §15081].
- Adopt reporting or monitoring programs for the changes made to projects or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment [PRC §21081.6 & CCR §15097].
- Comply with CEQA noticing and filing requirements.

C. PROJECT BACKGROUND INFORMATION

Project Description

Barnhart Ranch is an existing egg laying hen ranch operation in Ceres, California. The proposed Project includes multiple stationary source equipment that is subject to District permitting requirements. One of the major District requirements is that new and modified stationary source equipment that has air contaminant emissions must satisfy the requirements of New Source Review (NSR). The main requirements of NSR are to require the installation of Best Available Control Technology (BACT) if certain thresholds are exceeded to minimize emission increase from such equipment, and to mitigate emission increases over certain thresholds by providing emission reductions either by limiting the use of existing equipment or by providing emission offsets.

The District has received an ATC application package from Barnhart Ranch to expand its existing egg laying hen ranch operation in Ceres, California by constructing three (3) new cage free barns resulting in an increase in capacity of 1,098,000 hens. In addition, Barnhart Ranch will construct a 77,318 square foot processing facility with parking, a



17,000 square foot cold and dry storage building and a 3,200 square foot electrical building to support the expansion of the egg laying hen ranch. Barnhart Ranch also plans to further expand its existing egg laying hen ranch by constructing two (2) more cage free barns resulting in an increase in the capacity of 732,000 hens. Therefore, the ATC application package submitted, and future expansion is evaluated under this environmental document.

Process Description

Poultry Ranch

The primary function of Barnhart Ranch is the production and packing of eggs for human consumption. These eggs may be sold as shell eggs (table eggs), or may be used in the production of liquid, frozen, or dehydrated eggs. Laying hens reach sexual maturity and begin laying eggs between 16 and 20 weeks of age, depending on breed. Before the onset of egg production, these birds are referred to as pullets. Pullets that are about to start egg production are known as starter pullets. The hens at Barnhart Ranch typically have a production life of 83 to 90 weeks. The hens are usually replaced within 90 weeks because the natural decreasing rate of egg production becomes inadequate to cover feed costs. At this point, laying hens become spent hens and are typically rendered offsite to recover any remaining value.

Layer Housing Practices

Laying hens at Barnhart Ranch will be kept in cage-free houses with automated feed distribution and egg collection. Each hen house will be approximately 640 feet long by 193 feet wide by 30 feet high, with capacity for 366,000 hens. The houses are separated lengthwise into two 73 food bird chambers each with a capacity of 183,000 hens. The houses are separated vertically into two different levels with a wooden floor for access to level 2.

On each level there are five rows, each with three tiers of birds. The rows are separated with enough room for employees to walk the length of the house to monitor the birds.

Figure 1: Level 1 of Poultry House





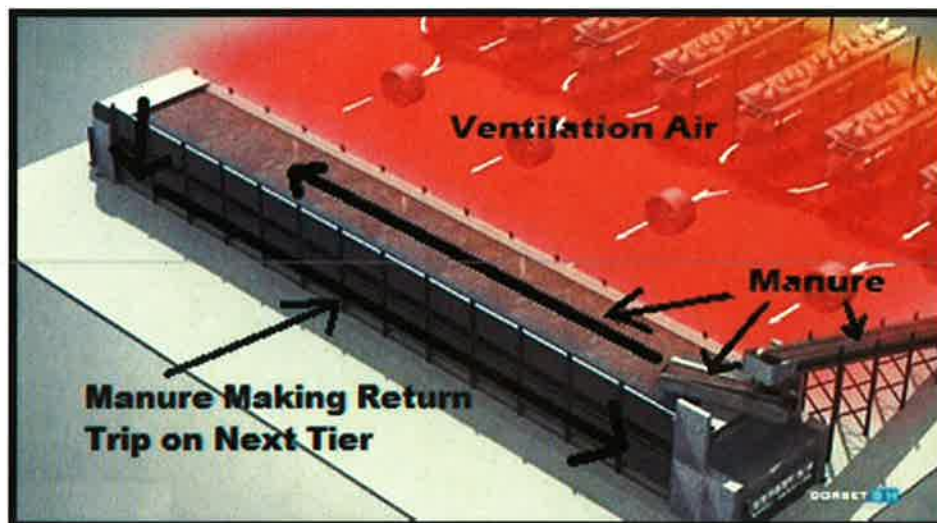
Each of the houses will be mechanically ventilated to remove moisture and carbon dioxide produced by respiration. Exhaust fans on the north and south sides of each house draw air out of the building which is cooled using water and cooling cells. Approximately 55% of the exhaust air will be used to dry manure in the adjacent manure drying. The remaining air is exhausted into the atmosphere.

Manure Management

The manure from each house will be removed using a belt removal system, a manure dryer, and a series of conveyors. Below each tier of hens is a moveable belt which is capable of traveling the entire length of each deck, from west to east. Each belt collects the manure from the birds directly above. As the belt moves east to the end of the deck, the manure on each belt drops to a conveyor located just below ground level on level 1. Thus, there are seven moving belts per row (four belts on the first level and three belts on the top level) which drop manure onto the conveyor. The belts are operated for only one hour each day, which equates to traveling one-third the length of the deck per day. Therefore, manure on the western one-third of the house will stay on the belt for three days before dropping onto the conveyor, whereas manure on the eastern one-third of the house will drop onto the conveyor daily.

Once on the conveyor, the manure is transported the top of one of the two manure drying tunnels that is located within the poultry house, but separated from where the hens are caged. Each dryer is 16 feet by 312 feet, and consists of 8 tiered conveyor belts. Once manure is dropped onto the top tier, the manure will slowly be drawn along the length of the dryer. As manure is slowly conveyed, exhaust air from the ventilation fans serving the house will be vented to the dryers. The hen houses are maintained at approximately 75 °F average temperature. Therefore, since the air is heated as it passes through the bird chamber, the exhaust air will be slightly higher than the average of 75 °F (see Figure 2 for a general sample of the manure drying process).

Figure 2: Manure Drying Process





Once the manure on the top tier reaches the end of the dryer, it will drop to the tier directly below for additional drying. This process is completed over the course of 8 tiers, but the dryer does not run continuously. It takes approximately five days for manure to exist the dryer once it is loaded. As new manure is added each day, the existing manure already on the dryer will be pushed further along. However, the ventilation fans operate throughout the drying process. Additionally, the ventilation fans will operate twenty-four (24) hours per day, and the air flow will be provided by 30 fans from each half of the house. The 16 tiered dryers in the existing poultry house are shown in Figure 3 below.

Figure 3: 18 Tiered Manure Dryer



Once the manure has completed the drying process (after five days on the dryer), it is conveyed to a covered storage area located the back of each house. Manure is stored in stockpiles until it is ready to be hauled offsite or applied to cropland.

Feed Storage and Handling

Each poultry house is connected to a series of six silos used to receive and store chicken feed. The feed is loaded through a screw auger, and then sent to the poultry houses through a network of enclosed augers and pipes. The facility receives feed six days per week and each house receives 39 tons of feed per day. Therefore, between the four poultry houses, the facility receives approximately 156 tons of feed per day.



Project Location

The Project will be located at the existing Barnhart Ranch facility at 718 Barnhart Road in Ceres, California. The total site for the Barnhart Ranch egg laying hen ranch facility consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres. The Barnhart Ranch facility is located within the boundaries of Stanislaus County, which is in the San Joaquin Valley Air Basin (see Figure 4 below). As such, Figures 5 and 6 present the Project site and layout of the Project.

Table 1 –Project Location

Assessor's Parcel Number	Section	Township	Range
041-048-008-000	33	4	9 East

Figure 4: The San Joaquin Valley Air Basin

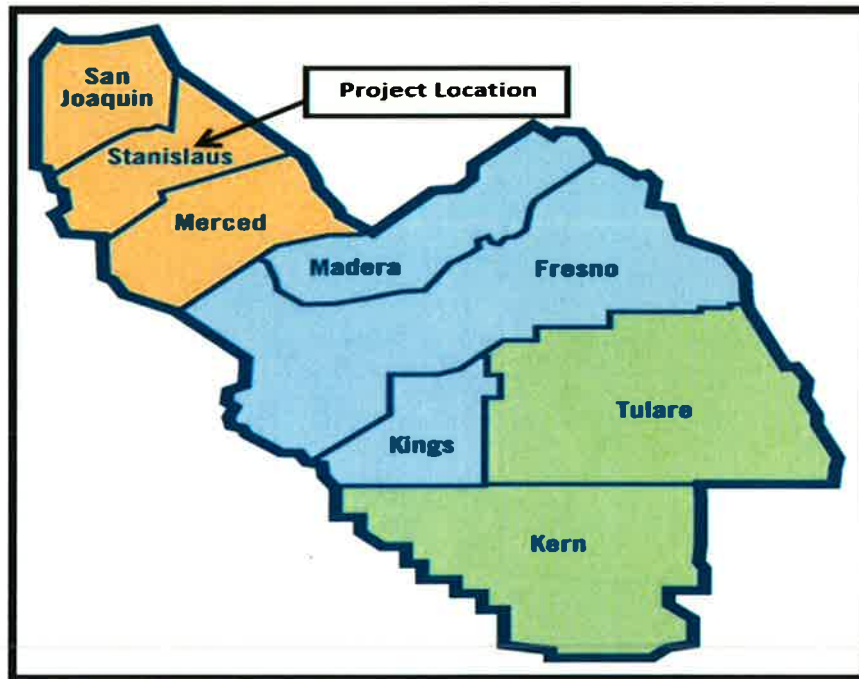
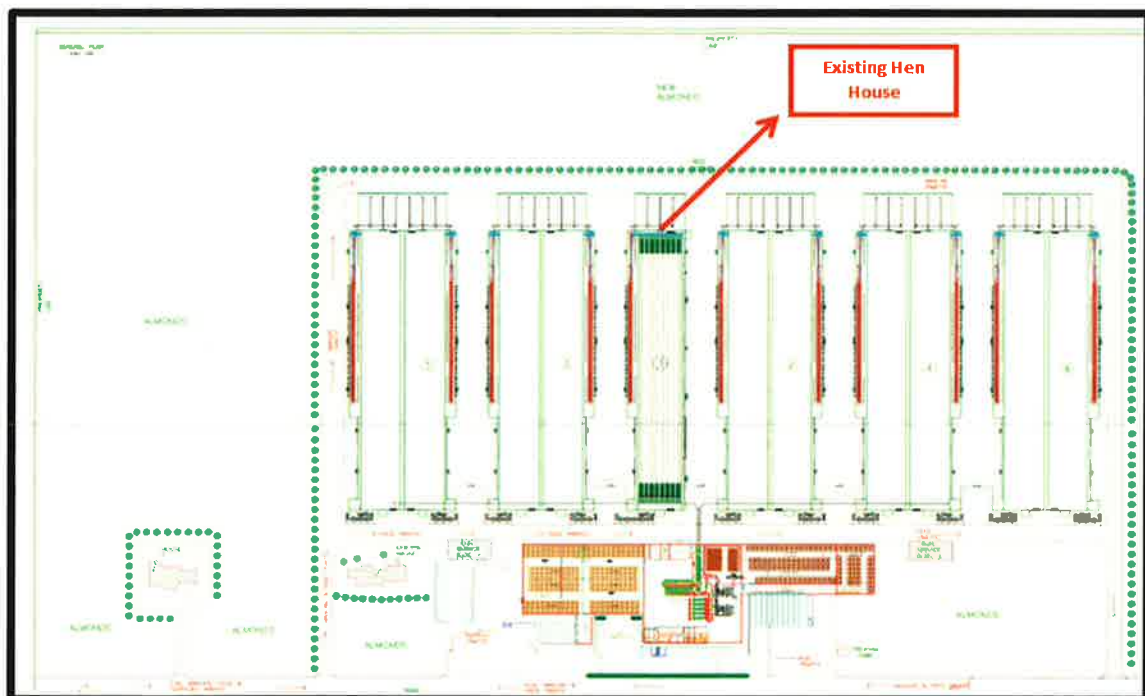




Figure 5: Barnhart Ranch Project Site



Figure 6: Project Site Map





General Plan Designation and Zoning

The Project site is currently designated as General Agriculture (A-2) in the Stanislaus County General Plan. Table 2 below identifies the Stanislaus County General Plan designation and zoning for the Project.

Table 2: Stanislaus County General Plan Land Use Designation and Zoning

Assessor's Parcel Number	General Plan Designation	Zoning
041-048-008-000	Agriculture	General Agriculture (A-2)

Surrounding Land Uses and Setting

The area immediately to the South, East and West of the Project site is currently active agricultural land consist of grape and almond orchards (see Figures 7-10 below). The area immediately to the North consists of almond orchards and an existing wine storage facility (see Figure 10 below). The District has verified that the Project is not within 1,000 feet of a school's outer boundary; therefore, the public notification requirement of the California Health and Safety Code 42301.6 is not applicable to the Project.

Figure 7: View South of the Project Site





Figure 8: View East of the Project Site



Figure 9: View West of the Project Site





Figure 10: View North of the Project Site



Other Public Agencies Whose Approval Is Required

The District has identified the following agencies as having approval authority for the Project.

County of Stanislaus

Prior to construction of the cage free barns, a building permit is required from the County of Stanislaus.

D. DECISION TO PREPARE A MITIGATED NEGATIVE DECLARATION

Consistent with CEQA requirements, the District prepared an Initial Study that evaluated potential environmental effects of the Project. The District issued a Notice of Intent to adopt a Mitigated Negative Declaration that was made available for public review and comment from July 8, 2016 to August 8, 2016. The District received comments from the Stanislaus County Department of Environmental Resources (SCDER) and is addressed herein. The District has determined with mitigation, the Project would have a less than significant impact on the environment. The District concludes that a Mitigated Negative Declaration would be appropriate for the Project. Project design elements and mitigation measures that reduce the Project's impact on environment would be enforced through mitigation and District permits.



E. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

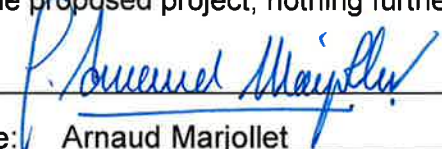
The environmental factors checked below would be potentially affected by the proposed Project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated", as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

F. DETERMINATION

I certify that the Project was independently reviewed and analyzed and that this document reflects the independent judgment of the District.

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION has been prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: 
 Printed Name: Arnaud Marjollet

Date: SEP 19 2016

Title: Director of Permit Services



G. ENVIRONMENTAL IMPACT CHECKLIST

I. Aesthetics Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including, but not limited to trees, rock, outcroppings, and historic buildings within a state scenic highway?				✓
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				✓
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

I. AESTHETICS

Scenic Vistas and Visual Character (a-d)

Conclusion: The Project will not have a substantial effect on scenic vistas, damage scenic resources, degrade visual character in and around the sites, or create new sources of light or glare.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses. There are no scenic vistas or scenic resources such as trees, rock, outcroppings, or historic buildings on the Project site or adjacent properties. The absence of these features on or nearby the Project site precludes the possibility of any potential adverse impacts. Minimal lighting impacts may occur during construction activities associated with the proposed cage free barns however, it will be temporary in nature as construction activities are not expected to occur over a long period of time. During operations, lighting will be installed as part of the project design however it will be installed in accordance with the California Building Code and County of Stanislaus building standards. Therefore, the District concludes that there is no substantial evidence of record to support a conclusion that the Project would have a detrimental impact on aesthetics.

Mitigation: None required.



References

California Department of Transportation. *Officially Designated State Scenic Highways*.
 Website: http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm

County of Stanislaus. *General Plan*. Website:
<http://www.stancounty.com/planning/pl/general-plan.shtm>.

Galvez, Miguel. Stanislaus County Planning, Senior Planner. Electronic Communication.

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

Gemperle, Stephen, Project Development and Operation Specialist. Electronic and Telephone Communication.

II. Agricultural Resources	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resource Board.</p> <p>Would the Project</p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>				✓
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>			✓	



II. Agricultural Resources (continued) Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

II. AGRICULTURAL RESOURCES

Farm and Forest Lands (a-e)

Conclusion: The Project will not conflict with existing zoning and will not have an impact on agricultural and forest lands as identified in the above.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it and is not designated as Prime Farmland, Unique Farmland, or of Statewide importance. The Project will not convert farm or forest lands to non-farm or non-forest uses, and furthermore, no forest lands are located within the existing boundaries of the Project site.

The Project site is currently under active Williamson Act Contract (No. 1977-2982). However, the County of Stanislaus has determined the use of the site is compatible for an egg laying hen ranch operation as a continuation of an agricultural use. Therefore, the District concludes that there is no substantial evidence of record to support a conclusion that the Project would have a detrimental impact on agricultural resources.

Mitigation: None required.



References

California Department of Conservation. Farmland Mapping & Monitoring Program. Website: <http://www.conservation.ca.gov/DLRP/fmmp/Pages/Index.aspx>.

California Legislative Information. California Government Code Section 51243 (a). Website: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=51243

County of Stanislaus. Stanislaus County General Plan Agricultural Element. Website: <http://www.stancounty.com/planning/pl/gp/gp-ag-element.pdf>

County of Stanislaus. Stanislaus County Code, Zoning Ordinance. Website: <http://qcode.us/codes/stanislauscounty/>

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

County of Stanislaus. *General Plan*. Website: <http://www.stancounty.com/planning/pl/general-plan.shtm>.

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Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

Gemperle, Stephen, Project Development and Operation Specialist. Electronic and Telephone Communication.



III. Air Quality	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
Would the Project: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?		✓		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
d) Expose sensitive receptors to substantial pollutant concentrations?			✓	
e) Create objectionable odors affecting a substantial number of people?			✓	

III. AIR QUALITY

Air Quality Plans (a)

Conclusion: The Project, with the incorporation of mitigation measures, will have a less than significant impact on air quality.

Discussion: The District is tasked with implementing programs and regulations by the Federal Clean Air Act and the California Clean Air Act and has prepared plans to attain federal and state Ambient Air Quality Standards (AAQS). The District has established thresholds of significance for criteria pollutant emissions, which are based on federal and District New Source Review (NSR) offset requirements for stationary sources. Stationary sources in the District are subject to some of the toughest regulatory requirements in the nation.

The significance of the impacts of the emissions from construction, operational non-permitted equipment and activities, and operational permitted equipment and activities are evaluated separately. The thresholds of significance are based on an annual year basis. For construction emissions, the annual emissions are evaluated on a consecutive 12-month period. A project would be determined to have a significant impact on air quality if the emission sum for any criteria pollutant exceeds its respective threshold of significance. The District's thresholds of significance for criteria pollutant emissions are presented below in Table 3.



Table 3: District Thresholds of Significance for Criteria Pollutants

Pollutant	Construction Emissions Threshold (*tpy)	Permitted Operational Emissions Threshold (tpy)	Non-Permitted Operational Emissions Threshold (tpy)
NOx	10	10	10
SOx	27	27	27
PM ₁₀	15	15	15
**PM _{2.5}	15	15	15
CO	100	100	100
ROG (VOC)	10	10	10

* tpy = tons per year
 ** PM2.5 emissions are a subset of PM10, and therefore are included and addressed in PM10 emissions.
 Note: For construction emissions, the annual emissions are evaluated on a consecutive 12-month period.

Project Details

Barnhart Ranch is proposing to construct five new cage free barns resulting in an increase in housing 1,830,000 hens. In addition, Barnhart Ranch will construct a 77,318 square foot processing facility with parking, a 17,000 square foot cold and dry storage building and a 3,200 square foot electrical building to support the expansion of the egg laying hen ranch. The Project is located at 718 Barnhart Road in Ceres, California.

Construction Emissions

Construction of the Project is expected to begin in August 2016. Construction activities associated with the Project include site preparation, minor trenching, paving, worker trips, and the erection of the metal buildings. The Project is expected to be built out in phases, with completion expected 4th quarter of year 2019.



Table 4: Project Construction Emissions

Construction Emissions (12-month period)	Annual Emissions (tons)				
	ROG (VOC)	NOx	CO	SO2	PM10
Year 2016/2017	0.4425	3.4464	2.8409	0.0046	0.3930
Year 2017/2018	0.1104	0.8565	0.8040	0.0014	0.1069
Year 2018/2019	0.1625	1.3681	1.2652	0.0022	0.1465
Year 2019	0.1028	0.8229	0.8267	0.0015	0.7499
District Threshold of Significance	10	10	100	27	15
Exceed District Thresholds of Significance?	No	No	No	No	No

The construction emissions are assessed on a consecutive 12-month period with construction anticipated to begin August 2016. As shown in Table 4 above, construction emissions will not exceed the District’s thresholds of significance for criteria pollutants. Therefore, the District concludes that Project construction emissions will have a less than significance impact on air quality and mitigation measures are not required.

Operational Emissions

Operational Non-Permitted Activities – Employee Mobile Sources: At full build-out the Project will require 22 employees. The employees are anticipated to travel approximately 12 miles roundtrip. To assess the Project impacts at worst-case scenario from employee mobile sources, 100% of the employee trips were assumed Light Duty Truck – 2 (LDT-2), and assuming the facility is fully operational in year 2016.

Operational Non-Permitted Activities –Trucks: At full build-out the Project will result in 51 feed trucks trips per week, 36 manure truck trips per week, and 35 egg truck trips per week for an average of 17.4 daily truck trips per day. At worst case scenario, the feed trucks will travel approximately 19 miles roundtrip, the manure trucks will travel approximately 40 miles roundtrip, and the egg trucks will travel approximately 80 miles roundtrip. To assess the Project impacts at worst-case scenario from non-permitted



activities, 100% of the truck trips were assumed Heavy-Heavy Duty Trucks (HHDT), and assuming the facility is fully operational in year 2016.

As shown below in Table 5, operational non-permitted source emissions will not exceed the District's thresholds of significance for criteria pollutants. Therefore, the District concludes that Project non-permitted source emissions will have a less than significant impact on air quality.

Table 5: Project Operational Non-Permitted Source Emissions

	Annual Emissions (tons/year)				
	ROG (VOC)	NOx	CO	SO2	PM10
Year 2016	7.7	3.24	2.41	0.01	0.29
District Thresholds of Significance	10	27	15	100	10
Exceed District Thresholds of Significance?	No	No	No	No	No

Operational Permitted Equipment – Stationary Source Emissions: At full build-out the Project will consist of constructing five new cage free barns resulting in an increase in housing 1,830,000 hens. Currently the District has received an ATC application for three cage free barns, however, the applicant will submit ATC applications in the future for the remaining two cage free barns consistent with the proposed construction schedule of the Project.

As presented below in Table 6-Project Stationary Source Operational Emissions, at full build-out the Project will exceed the District's thresholds of significance. The engineering evaluation for the three cage free barns demonstrates that permitted stationary source emissions are below the District's thresholds of significance. However as future ATC applications for the remaining two cage free barns are submitted to the District, project stationary source operational emissions are expected to exceed the District's thresholds of significance. District implementation of District Rule 2201 (New Source Review Rule) ensures that there are no net increase in emissions above the District thresholds of significance from new and modified stationary sources for all nonattainment pollutants and their precursors. As such, emission increases will be mitigated through offsetting requirements in accordance with District Rule 2201. By surrendering offsets, the Project stationary source operational emissions will be mitigated to below the District thresholds of significance. Therefore, the District concludes that through a combination of project design features, permit conditions and



mitigation measures, Project related stationary source emissions will be mitigated to a less than significant impact.

Table 6. Project Stationary Source Operational Emissions

	Annual Emissions (tons/year)					
	NOx	SOx	PM ₁₀	CO	ROG (VOC)	NH ₃
Total Emissions for Five Cage Free Barns	0	0	7.59	0	13.73	213.20
District Thresholds of Significance	10	27	15	100	10	n/a
Exceed District Threshold of Significance?	No	No	No	No	Yes	No
After surrendering ERCs will the Project exceed District Thresholds of Significance?	No	No	No	No	No	No

Air Quality Plans

As presented in Table 4 and 5, Project related construction and operational non permitted source emissions are below the Districts thresholds of significance. Furthermore as presented in Tables 6, operational stationary source emissions will be mitigated to below the District’s significance thresholds through compliance with District Rule 2201. As such, the Project does not conflict with the implementation strategy of the District’s air quality plans (*2008 PM 2.5 Plan; 2007 8-Hour Ozone Plan and Request for Redesignation; 2007 PM10 Maintenance Plan; 2012 PM2.5 Plan, 2013 Plan for the Revoked 1-Hour Ozone Standard; 2015 Plan for the 1997 PM2.5 Standard; 2016 Plan for the 2008 8-Hour Ozone Standard*). Therefore, the Project will have a less than significant impact with mitigation measures.

Mitigation: To ensure compliance with District Rule 2201 (New Source Review Rule) requirements for offsetting operational emissions, Barnhart Ranch shall surrender emission reduction credits (ERCs) to completely offset operational emissions as required by District New Source Review requirements. The following measures will be made conditions of Project approval and will be included in the Project ATCs:



- **AIR-1** : The Permittee is required to comply with District Rule 2201 (New Source Review), to ensure offsetting operational stationary source emissions when/if Project stationary source emissions exceed the District's thresholds of significance. When required, the permittee shall surrender ERCs sufficient to offset operational stationary source emissions as required through District Rule 2201 requirements.

Air Quality Violation (b)

Conclusion: The Project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Discussion: When assessing the significance of project-related impacts on air quality, it should be noted that the impacts may be significant when emission increases from construction and operational activities exceed 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures. Under such circumstance, the District recommends an ambient air quality analysis (AAQA) be performed. An AAQA uses air dispersion modeling to determine if emission increases from a project will cause or contribute to a violation of the ambient air quality standards. For this Project, the Project will not exceed the 100 pounds per day screening level. Therefore, the Project is not expected to result in a violation of an air quality standard and the impact will be less than significant.

Mitigation: None required.

Cumulative Impacts of Criteria Pollutants (c)

Conclusion: The Project emissions will have a cumulatively less than significant impact on air quality.

Discussion: By its very nature, air pollution has a cumulative impact. The District's nonattainment status is a result of past and present development within the SJV Air Basin. Furthermore, attainment of ambient air quality standards can be jeopardized by increasing emissions-generating activities in the region. No single project would be sufficient in size, by itself, to result in nonattainment of the regional air quality standards. Instead, a project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present and future development within the San Joaquin Valley Air Basin.

The District's thresholds of significance for criteria pollutants are based on District Rule 2201 (New Source Review) offset requirements. Furthermore, New Source Review (NSR) is a major component of the District's attainment strategy. NSR provides mechanisms, including emission trade-offs, by which ATC such sources may be granted, without interfering with the attainment or maintenance of ambient air quality standards. District implementation of NSR ensures that there are no net increase in



emissions above specified thresholds from new and modified Stationary Sources for all nonattainment pollutants and their precursors. In fact, permitted emissions above offset thresholds equivalent to the District's thresholds of significance for criteria pollutants are mitigated to below the thresholds, and the District's attainment plans show that this level of emission increase will not interfere with attainment or maintenance of ambient air quality standards.

The District's attainment plans demonstrate that project-specific net emissions increase below NSR offset requirements will not prevent the District from achieving attainment. Consequently, emission impacts from sources permitted consistent with NSR requirements are not individually significant and are not cumulatively significant.

As discussed above, the Project construction and operational non-permitted sources will not exceed any of the significance thresholds. The Project operations will comply with all District rules and regulations. Therefore, the Project emissions will have a cumulatively less than significant impact on air quality.

Mitigation: None required.

Sensitive Receptors (d)

Discussion: Under the Clean Air Act, toxic air contaminants (TACs) are airborne pollutants that may be expected to result in an increase in mortality or serious illness or which may pose a present or potential hazard to human health. Potential health impacts from TACs include long-term health effects such as cancer, birth defects, neurological damage, or genetic damage; or short-term effects such as eye watering, respiratory irritation, throat pain and headaches. TACs may also be referred to as hazardous air pollutants (HAPs). There are currently more than seven hundred (700) substances classified by the US EPA and California Air Resources Board (CARB) as TACs. Air Quality problems occur when sources of TACs and sensitive receptors are located in proximity to one another.

TACs can be separated into carcinogens and non-carcinogens based on the nature of the physiological degradation associated with exposure to the pollutant. For regulatory purposes, carcinogens are assumed to have no safe threshold below which health impacts would not occur. Cancer risk is expressed as excess cancer cases per one million exposed individuals.

Non-carcinogens differ in that there is generally assumed to be a safe level of exposure below which no negative health impact would occur. These levels are determined on a pollutant-by-pollutant basis. Acute and chronic exposure to non-carcinogens is expressed by using a Hazard Index, which is the ratio of expected exposure levels to acceptable health-acceptable exposure levels.



The District's thresholds of significance for determining whether project emissions would expose sensitive receptors to substantial pollutant concentrations are:

- Carcinogens: Probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds twenty (20) in one million.
- Non-Carcinogens: Ground Level concentrations of non-carcinogenic TACs would result in a Hazard Index greater than one (1) for the MEI.

The threshold of significance listed above may be modified in the future due to changes proposed by the Office of Environmental Health Hazard Assessment (OEHHA) in the method for calculating risk.

The District performed an HRA to determine possible health impacts from the Project's stationary and non-stationary source emissions to surrounding sensitive receptors. The HRA demonstrates that for each unit, the acute and chronic hazard indices are both below one (1) and the maximum individual cancer exposure risk associated with the Project is less than the 20 in a million threshold. Specific conditions will be placed into the permit to ensure that human health risks will not exceed the District allowable levels. Therefore, the District concludes that there is no substantial evidence of record to support a conclusion that the Project would expose sensitive receptors to significant health risks. Therefore, the Project will have a less than significant impact on sensitive receptors.

Mitigation: None required.

Objectionable Odors (e)

Discussion: While offensive odors rarely cause any physical harm, they can be very unpleasant leading to considerable distress among the public and often generating citizen complaints to local governments and the District. Any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, there is no quantitative or formulaic methodologies to determine if potential odors would have a significant impact. Rather, projects must be assessed on a case-by-case basis.

The District's *Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI)* defines a significant odor impact as either:

- More than one (1) confirmed complaint per year averaged over a three (3) year period, or
- Three (3) unconfirmed complaints per year averaged over a three (3) year period.



A review of the District's compliance database revealed that there have been no odor complaints received against the existing Barnhart Ranch facility. Furthermore, the proposed Project will be constructed with state of the art technology, which will not result in significant odor impacts. Therefore, the District concludes that there is no substantial evidence of record to support a conclusion that the Project would create objectionable odors affecting a substantial number of people. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

References

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San Joaquin Valley Unified Air Pollution Control District. June 2016. *Draft Authority to Construct: Application Review*, Applicant Number N-9091, Project Number N-1143814. Available at San Joaquin Valley Air Pollution Control District. 1990 E. Gettysburg Avenue, Fresno, CA 93726-0244.

San Joaquin Valley Unified Air Pollution Control District. March 2015. *Guidance for Assessing and Mitigating Air Quality Impacts*. Website: http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf

San Joaquin Valley Unified Air Pollution Control District. June 2016. *Risk Management Review*. Barnhart Ranch Project # N-1143814. Available at San Joaquin Valley Air Pollution Control District. 1990 East Gettysburg Avenue, Fresno, CA 93726-0244.



IV. Biological Resources Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

IV. BIOLOGICAL RESOURCES

Candidate, Sensitive and Special Status Species (a)

Conclusion: The Project will have no impact on candidate, sensitive, or special status species.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise



thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

ICF International was retained to conduct a Reconnaissance-Level Biological Survey (RLB Survey) for the Project. ICF International reviewed existing information including the California Department of Fish and Wildlife's California Natural Diversity Data Base (CNDDDB) and assessed the existing biological conditions on the Project site and a surrounding 0.25-mile area. The study area was established to determine if suitable habitat for special status plant and wildlife species had previously been documented.

ICF International identified several special-status species as having the potential to occur in the study area, which includes: the state-listed swainson hawk, the state-listed burrowing owl, the state-listed tricolored blackbird, and the federally-listed valley elderberry longhorn beetle. The CNDDDB reports occurrences for two special-status species within five (5) miles of the Project site, which includes: one Swainson hawk nesting located approximately 4.5 miles east of the Project site, and three tricolored blackbird nesting colony located approximately 3 miles southwest of the Project site.

No special-status plant or wildlife species were observed during the field survey and there is not suitable nesting habitat for either Swainson's hawk (tall trees) or tricolored blackbird (marshes). There are no elderberry shrubs which are habitat for the valley elderberry longhorn beetle. Suitable habitat for burrowing owls was identified adjacent to the Project site, including berms around the lagoon ponds and farm roads, however, no signs (burrows with whitewash or pellets) were observed on the Project site during the survey. Species observed during the field survey included: red-tailed hawk (*Buteo jamaicensis*), northern mockingbird (*Mimus polyglottos*), American crow (*Corvus brachyrhynchos*), and cliff swallows (*Petrochelidon pyrrhonota*). There were numerous Botta's gopher mounds (*Thomomys bottae*) and small mammal burrows throughout the survey area. Furthermore, no suitable habitat for special-status plants were observed during the field visit and none have been reported in the study area (CNDDDB).

The Project site and surrounding study area do not currently support any sensitive biological resources including suitable habitat for special-status plants or wildlife species, waters of the United States/waters of the State, or sensitive natural communities. While there is potential habitat for burrowing owls to use the Project site, none were observed during the field survey and implementation of the Project would not likely have an effect on the species. The disturbed nature of the Project site and ongoing agricultural practices make it highly unlikely that there would be any effect on sensitive biological resources during Project implementation. Therefore, the District concludes the Project will have no impact on candidate, sensitive, or special status species.



Riparian Habitats, Sensitive Natural Communities, Wetlands and Migratory Corridors (b, c, d)

Conclusion: The Project will have a less than significant impact on riparian habitats, sensitive natural communities or federally protected wetlands.

Discussion: The Project site currently consists of an existing egg laying hen ranch. Per the RLB Survey conducted and the served of CNDDDB records, the Project site does not contain wetlands or natural waterways that could qualify as waters of the United States/waters of the State. Furthermore, the Project site does not contain any natural habitat or other native community or riparian habitat. Therefore, the District concludes the Project will have no impact.

Mitigation: None required.

Policies, Ordinances and Conservation Plans (e-f)

Conclusion: The Project will not conflict with local policies or ordinances and will not conflict with provisions of any adopted conservation plans.

Discussion: There are no local plans, ordinances, Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans applicable to this Project.

Mitigation: None required.

References

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

Gemperle, Stephen, Project Development and Operation Specialist. Electronic and Telephone Communication.

Google Maps, July 2015.

ICF International. Results of Reconnaissance-Level Biological Survey for Gemperle Farms, August 4, 2015.



V. Cultural Resources Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			✓	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?		✓		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
d) Disturb any human remains, including those interred outside of formal cemeteries?		✓		

V. CULTURAL RESOURCES

Historical Resources (a)

Conclusion: The Project will have a less than significant impact on historical resources.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and one half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses. A search of records was conducted by the *Central California Information Center (CCIC)* to identify if there were any potential historical resources that have been discovered on or near the Project site. The results of the search identified no prehistoric or historic archaeological resources or historic properties have been reported within the Project site. Only one forty-five (45) year old historical building was identified; however, it was determined to be outside the boundaries of the Project site. Furthermore, CCIC search results identified no known prehistoric or historic archaeological resources have been reported within the Project site to have value to local cultural groups. Therefore, the District concludes that the Project would have a less than significant impact on historical resources.

Mitigation: None required.



Archaeological Resources (b)

Conclusion: The Project will have a less than significant impact with mitigation on archaeological resources.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and one half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses. Ground-disturbing work such as site preparation and minor trenching may potentially impact archaeological resources. A search of records was conducted by the CCIC to identify any potential archaeological resources that have been discovered on or near the Project site. The results of the search identified no prehistoric or historic archaeological resources that have been reported within the Project site. The CCIC search results identified no prehistoric or historic archaeological resources known within the Project site have been reported to have value to local cultural groups. The Project site is designated to have a low sensitivity for possible discovery of prehistoric and archeological resources, due to the lack of natural water sources in the area. To minimize impacts to archaeological resources, mitigation measure CUL-1 has been incorporated into the Project should any archaeological resources be unearthed during ground-disturbing activities. Therefore, the District concludes that the Project would have a less than significant impact with mitigation.

Mitigation: See below.

- **CUL-1** – In the event that archaeological resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified archaeologist to assess and provide an evaluation of the significance of the find. A qualified archaeologist shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Stanislaus County and the Native American Heritage Commission (NAHC). In addition, should archaeological resources be discovered, Permittee shall provide the District a written report in relation to the nature of the find. [*Public Resources Code 21000-21177: California Environmental Quality Act*]



Paleontological Resources (c)

Conclusion: The Project will have a less than significant impact with mitigation on paleontological resources.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and one half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses. During ground-disturbing related activities, there's a possibility paleontological resources may be uncovered during construction related activities such as: site preparation, and minor trenching. Therefore, to minimize any potential impacts on paleontological resources, mitigation measures have been incorporated into the Project should any be uncovered during construction related activities. Therefore, the District concludes that the Project would have a less than significant impact with mitigation.

Mitigation: See below.

- **CUL-2** – In the event that paleontological resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified paleontologist to assess and provide an evaluation of the significance of the find. A qualified paleontologist shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Stanislaus County and the Native American Heritage Commission (NAHC). In addition, should paleontological resources be discovered, Permittee shall provide the District a written report in relation to the nature of the find. [*Public Resources Code 21000-21177: California Environmental Quality Act*]

Human Remains (d)

Conclusion: The Project will have a less than significant impact with mitigation on human remains.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and one half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen



ranch and is consistent with current and surrounding land uses. No cemeteries, burial sites, or archaeological deposits containing human remains have been identified within the Project site or vicinity. In the event of an unanticipated discovery of human remains during the construction or operation of the Project, mitigation measure CUL-3 has been incorporated into the Project to address the possibility that human remains might be unearthed during any ground-disturbance activities. Therefore, the Project will have a less than significant impact with mitigation.

Mitigation: See below.

- **CUL-3** – In the event that human remains are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the discovery shall immediately be reported to the County Coroner (CC) and Native American Heritage Commission (NAHC) for further assessment. Permittee shall identify appropriate measures for treatment or disposition of the remains in consultation with the CC and NAHC. In addition, should human remains be discovered during ground-disturbing activities, Permittee shall provide the District a written report in relation to the nature of the find. [*Public Resources Code 21000-21177: California Environmental Quality Act*]

References

Central California Information Center, California Historical Resources Information System. February 2015. Electronic Documentation.

County of Stanislaus. Stanislaus County Code, Zoning Ordinance. Website: <http://qcode.us/codes/stanislauscounty/>.

County of Stanislaus. *General Plan*. Website: <http://www.stancounty.com/planning/pl/general-plan.shtm>.

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

Gemperle, Stephen, Project Development and Operation Specialist. Electronic and Telephone Communication.



VI. Geology / Soils Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. 				✓
<ul style="list-style-type: none"> ii) Strong seismic ground shaking? 				✓
<ul style="list-style-type: none"> iii) Seismic-related ground failure, including liquefaction? 				✓
<ul style="list-style-type: none"> iv) Landslides? 				✓
b) Result in substantial soil erosion or the loss of topsoil?			✓	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			✓	

VI. GEOLOGY/SOILS

Seismic Activity and Geological Stability (a, c, d)

Conclusion: The Project will not have a substantial effect on exposing people or structures to potential risks of loss, injury, or death resulting from strong seismic activity, unstable or expansive soils, and ground failure.



Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site for the Barnhart Ranch egg laying hen ranch facility consists of seventy-seven and one half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

According to the Stanislaus County General Plan Safety Element, several faults are known to exist west of Interstate Highway 5. The Project site is located approximately thirteen (13) miles east of Interstate Highway 5 where no faults are known to exist. Furthermore, the Project is not located within an Alquist-Priolo Earthquake Fault Zone as published by the California Department of Conservation. Also, the Project site is not located in a liquefaction hazard area. The Project is located on an existing agricultural use site consisting of moderate to flat terrain used for an existing egg laying hen ranch operation, and is not located near areas that have the potential to cause a landslide.

The Project will be constructed in accordance with all building code requirements, including those pertaining to excavations, grading, and foundations. Adherence to the California Building Code (CBC) requirements and compliance with California seismic design requirements would ensure that the Project would not expose persons or property to substantial risk of loss, injury or death resulting from seismic activity. Therefore, the District concludes that there is no substantial evidence of record to support a conclusion that the Project would result in significant risks to life and property as a result of impacts to geologic and soil resources.

Expansive soils are soils that swell and contract depending on the amount of water that is present. Expansive soils contain minerals such as smectite clays that are capable of absorbing water. When they absorb water they increase in volume. The more water they absorb, the more their volume increases. Expansions of ten percent or more are not uncommon. This change in volume can exert enough force on a building or other structure to cause damage. According to the United States Geological Survey, Swelling Clays Map of Conterminous United States identified geological units that contain swelling clays, and within broad limits, categorized the units according to their swelling potential (see Figures 11-13).



Figure 11: Swelling Clays Map of the Conterminous United States

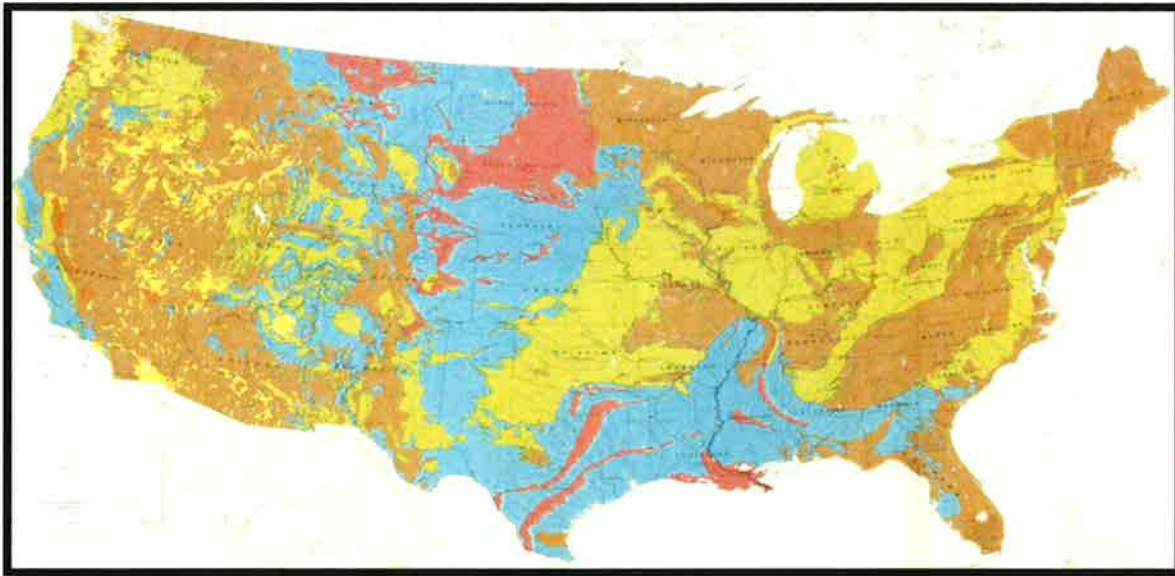


Figure 12: Swelling Clays Map of the Conterminous United States (Project Area)

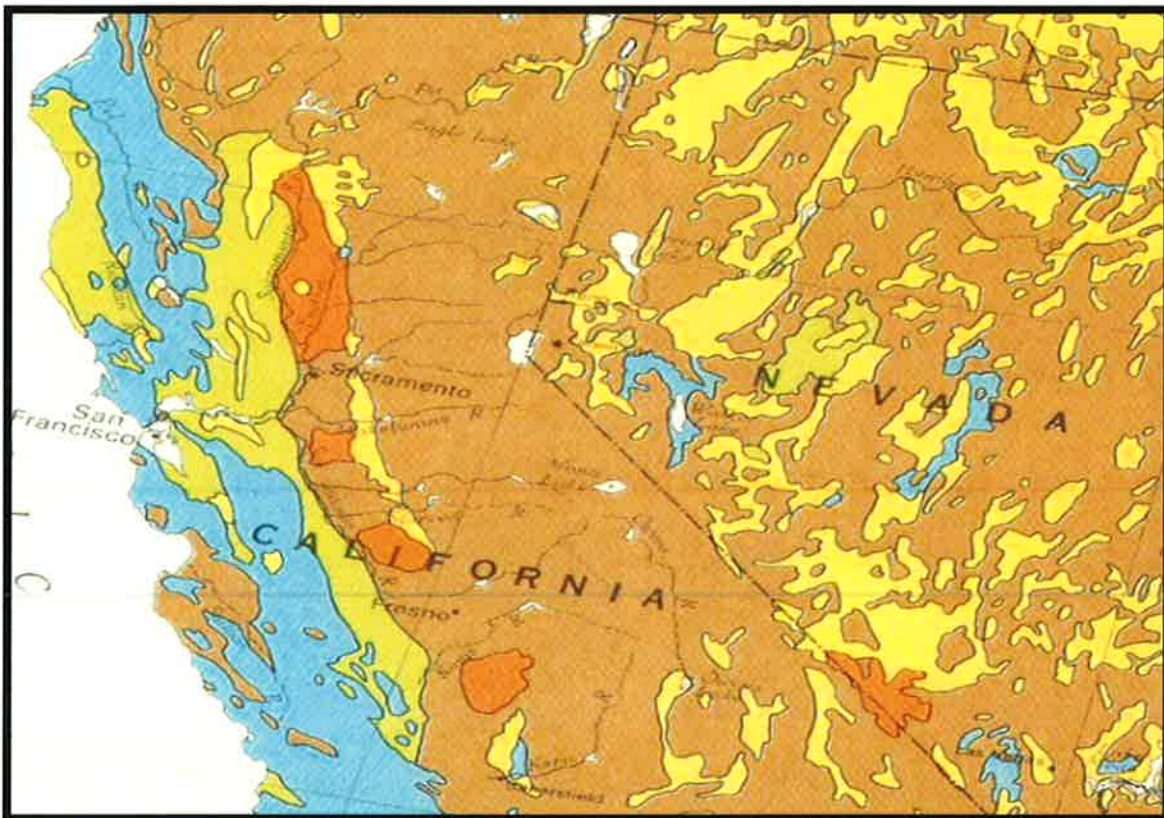
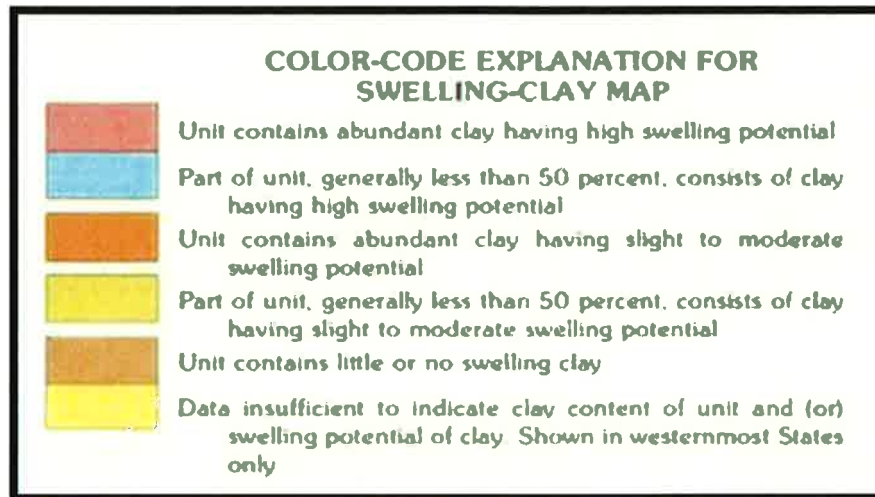




Figure 13: Color-Coded Explanation for Swelling Clay Map



Based on the Swelling Clays Map of the Conterminous United States prepared by the United States Geological Survey, the soil in Stanislaus County contains little or no swelling potential. Therefore, there will be no impact on expansive soil.

Mitigation: None required.

Soil Erosion (b)

Conclusion: The Project will not result in substantial soil erosion or the loss of topsoil, and impacts are less than significant.

Discussion: The construction of the Project will occur within the existing boundaries of Barnhart Ranch. Construction activities associated with the Project include site preparation, minor trenching, paving, worker trips, and erection of metal buildings. Minor underground utilities will be installed to support operational activities. As such, the Project will result in soil erosion and topsoil removal. Any potential impacts to soil erosion will be reduced by complying with the requirements of the Stanislaus County Planning and Community Development Department. Therefore, impacts are considered to be less than significant.

Mitigation: None required.

Soil Capacity for Wastewater (e)

Conclusion: The Project will have a less than significant impact on wastewater disposal.



Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and one half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

A septic tank will be included as part of the Project to support employee restrooms. Water run-off from the Project will be kept free of fecal contamination through a designed drainage plan which will allow for natural percolation of water into the landscaped grounds or adjacent company owned orchards. In addition, the Project site will be equipped with proper drainage swales and depressions to ensure the proper drainage of any potential water or wastewater. Furthermore, the Project will be equipped with a “processing machine” which contains technologies to greatly reduce solids, and fats in waste water. The “processing machine” is equipped with a Clean In Place (CIP) technology that reduces the amount of wash water from the Project. Minimal wash water from the operations of the Project (i.e. – leaking and broken eggs) will have minimal solids, fats and inorganic chemicals. This water will go through a series of settling and treatments, and later, will be applied to landscaping on-site grounds or adjacent company owned orchards as part of the Nutrient Management Plan. Therefore, the Project will not impact the soil or its capacity to support potential wastewater disposal.

Mitigation: None required.

References

California Department of Conservation, California Geological Survey. *Fault Parameters-Alquist Priolo Earthquake Fault Zones*. Website:
<http://www.conservation.ca.gov/cgs/rghm/ap/Pages/Index.aspx>

California Department of Conservation, California Geological Survey. *Seismic Shaking Hazards in California*. Website:
<http://redirect.conservation.ca.gov/cgs/rghm/pshamap/pshamain.html>

California Department of Conservation, Earthquake, Landslide and Liquefaction Fault Zones. *Regulatory Maps*. Website:
<http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>

California Department of Conservation, *Landslide Maps*. Website:
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VII. Greenhouse Gas Emissions	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
Would the Project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

VII. GREENHOUSE GAS EMISSIONS

Greenhouse Gas Emissions (a, b)

Conclusion: Project related greenhouse gas (GHG) emissions will not conflict with any applicable plans or policies to reduce GHG emissions and will not have a significant impact on global climate change.

Discussion: The Project will be located on a parcel zoned General Agriculture (G-2) within the existing Barnhart Ranch egg laying hen ranch which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and one half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

GHGs are gases that absorb and emit radiation within the thermal infrared range, trapping heat in the earth’s atmosphere. There are no “attainment” concentration standards established by the Federal or State governments for GHGs. In fact, GHGs



are generally not thought of as traditional air pollutants because GHGs, and their impacts, are global in nature, while traditional “criteria” air pollutants affect the health of people and other living things at ground level, in the general region of their release to the atmosphere. Some GHGs are created and emitted solely through human activities. The principal GHGs that enter the atmosphere because of human activities are carbon dioxide (CO₂) methane (CH₄), nitrous oxide (N₂O), and fluorinated carbons. Additional information on GHGs and global climate change can be found in the District staff report titled: *Addressing Greenhouse Gas Emissions Impacts Under the California Environmental Quality Act*.

Assembly Bill 32 (AB 32)

Assembly Bill 32 (California Global Warming Solutions Act of 2006) is a key piece of California’s effort to reduce its GHG emissions. AB 32 was adopted establishing a cap on statewide GHG emissions and sets forth the regulatory framework to achieve the corresponding reduction in statewide emission levels. AB 32 requires the CARB to establish regulations designed to reduce California’s GHG emissions to 1990 levels by 2020. In executing its legislative mandate under AB 32, the CARB developed a Scoping Plan that contains the main strategies California will use to reduce GHG from Business-as-Usual (BAU) emissions projected from 2020 levels back down to 1990 levels. BAU is the projected emissions caused by growth, without any GHG reduction measures. CARB determined that a 29% reduction from BAU is necessary to achieve the 1990 GHG emission level. On December 11, 2008, ARB adopted its AB 32 Scoping plan, setting forth the framework for future regulatory action on how California will achieve the goal of reducing GHG emissions to 1990 levels.

Cap & Trade

The AB 32 Scoping Plan identifies a Cap and Trade program as one of the strategies California will employ to reduce the GHG emissions that cause climate change. The Cap and Trade program is implemented by the California Air Resources Board (CARB) and caps GHG emissions from the industrial, utility, and transportation fuels sectors – which account for roughly 85% of the state’s GHG emissions.

The program works by establishing a hard cap on about 85% of total statewide GHG emissions. The cap starts at expected BAU emissions levels in 2012, and declines 2-3% per year through 2020. Fewer and fewer GHG emissions allowances are available each year, requiring covered sources to reduce their emissions or pay increasingly higher prices for those allowances. The cap level is set in 2020 to ensure California complies with AB 32’s emission reduction target of returning to 1990 GHG emission levels.

The scope of GHG emission sources subject to Cap and Trade in the first compliance period (2013-2014), include:



-
- All electricity generated and imported into California. The first deliverer of electricity into the state is the capped entity (the one that will have to purchase and surrender allowances).
 - Large industrial facilities emitting more than 25,000 metric tons of GHG pollution/year. Examples include oil refineries and cement manufacturers.

The scope of GHG emission sources subject to Cap and Trade during the second compliance period (2015-2017), expands to include distributors of transportation fuels (including gasoline and diesel), natural gas, and other fuels. The regulated entity will be the fuel provider that distributes the fuel upstream (not the gas station). In total, the Cap and Trade program is expected to include roughly 350 large businesses, representing about 600 facilities. Individuals and small businesses will not be regulated. Under the program, companies do not have individual or facility-specific reduction requirements. Rather, all companies covered by the regulation are required to turn in allowances in an amount equal to their total greenhouse gas emissions during each phase of the program. The program gives companies the flexibility to either trade allowances with others or take steps to cost-effectively reduce emissions at their own facilities. Companies that emit more will have to turn in more allowances. Companies that can cut their emissions will have to turn in fewer allowances. Furthermore, as the cap declines, total emissions are reduced.

On October 20, 2011, CARB's Board adopted the final Cap and Trade regulation and Resolution 11-32. As part of finalizing the regulation, the Board considered the related environmental analysis and, consistent with CEQA requirements, approved CARB's functionally equivalent document (FED).

CEQA Requirements

In December, 2009, the California Natural Resources Agency (NRA) amended the CEQA Guidelines to include Global Climate Change, which is now generally accepted by the scientific community to be occurring and caused by GHG emissions. The amendments address analysis and mitigation of the potential effects of GHG emissions in CEQA documents. In their *Final Statement of Reasons for Regulatory Action*, NRA recognizes that the analysis of GHG emissions in a CEQA document presents unique challenges to lead agencies. NRA amended section 15064(h)(3) of the CEQA guidelines to add compliance with plans or regulations for the reduction of GHG emissions to the list of plans and programs that may be considered in a cumulative impacts analysis. In their *Final Statement of Reasons for Regulatory Action*, NRA discusses that AB 32 requires CARB to adopt regulations that achieve the maximum technologically feasible and cost effective GHG reductions to reach the adopted state-wide emissions limit. NRA goes on to state that a lead agency may consider whether CARB's GHG reduction regulations satisfy the criteria in existing subdivision (h)(3).



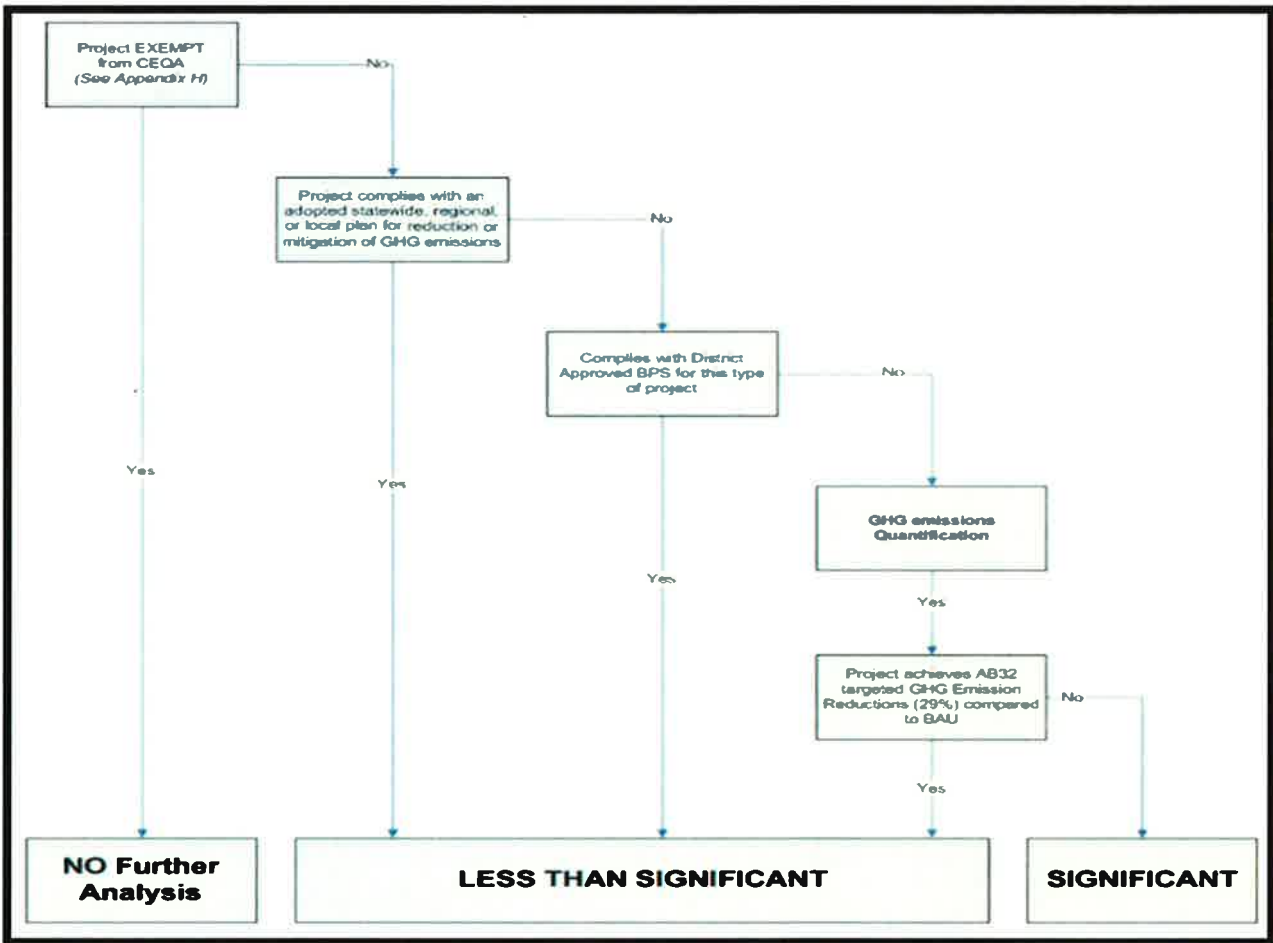
District CEQA Policy

CEQA requires each public agency to adopt objectives, criteria, and specific procedures consistent with CEQA Statutes and the CEQA Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents. On December 17, 2009, the District adopted the policy "*District Policy (APR 2005) – Addressing GHG Emissions Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*" and approved the District's guidance document for use by other agencies when addressing GHG impacts as lead agencies under CEQA. The policy applies to all District permitting projects that have an increase in GHG emissions, regardless of the magnitude of the increase. Under this policy, the District's determination of significance of project-specific GHG emissions is founded on the principal that projects with GHG emission reductions consistent with AB 32 emission reduction targets are considered to have a less than significant impact on global climate change.

As illustrated below in Figure 14, the District's board-adopted policy for determining significance of project-specific GHG emissions employs a tiered approach. Of specific relevance to Cap and Trade is the provision that: "Projects complying with an approved GHG emission reduction plan or GHG mitigation program, which avoids or substantially reduces GHG emissions within the geographic area in which the project is located, would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the lead agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the lead agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement best performance standards BPS." Projects that do not comply with such a plan or program must incorporate BPS or undergo a project-specific analysis demonstrating that GHG emissions would be reduced by at least 29%, as compared to BAU.



Figure 14: Determination of Significance for Stationary Source Projects



Determination of Significance of GHG Emissions for Projects Subject to an Approved GHG Emissions Reduction Plan

The NRA amended the CEQA Guidelines to include Global Climate Change and added compliance with plans or regulations to reduce GHG emissions to the list of plans and programs that should be considered in a cumulative impacts analysis. In their *Final Statement of Reasons for Regulatory Action*, NRA discusses that AB 32 requires the CARB to adopt regulations that achieve the maximum technologically feasible and cost effective GHG reductions to reach the adopted state-wide emissions limit. NRA goes on to state that a lead agency may consider whether CARB’s GHG reduction regulations satisfy the criteria in section 15064(h)(3).

The District’s board-adopted policy determines that “Projects complying with an approved GHG emission reduction plan or GHG mitigation program, which avoids or substantially reduces GHG emissions within the geographic area in which the project is located would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or



approved by the lead agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the lead agency.”

AB 32, and the AB 32 scoping plan adopted by CARB, is a GHG reduction plan for CEQA purposes. It is directly and wholly responsible for meeting the GHG reduction targets of the State of California and is supported by an environmental review process that has been successfully defended in court as equivalent to, and compliant with, CEQA requirements. However, there are some sources of GHG emissions that are discussed in the AB 32 scoping plan that are not required to mitigate emissions via implementation of the plan, and some of the plan is devoted to implementing regulations that address existing emissions, and will have only minimal impact on increases in emissions. Since it is these increases that must be addressed under CEQA, the District conducts its own analysis to determine whether compliance with AB 32 and its scoping plan are adequate to conclude that a particular GHG emissions increase is less than significant.

Determination of Significance of GHG Emissions for Projects Subject to CARB's GHG Cap and Trade Regulation

One regulation proposed in the AB 32 scoping plan that does address increases in GHG emissions is the Cap and Trade regulation discussed above. Facilities subject to the Cap and Trade regulation are subject to an industry-wide cap on overall GHG emissions, and any growth in emissions must be accounted for under that cap, so that a corresponding and equivalent reduction in emissions must occur to allow any increase. Further, the cap decreases over time, resulting in an overall decrease in GHG emissions. It is therefore reasonable to conclude that facilities subject to and in compliance with CARB's Cap and Trade requirements will not, and in fact, cannot, contribute significantly towards any global GHG emissions growth. While this inherent mitigation process is not a necessary component of a finding that compliance with a plan for the reduction of greenhouse gas emissions may be considered in a cumulative impact analysis [(CCR §15064(h)(3)], the fact that all growth in emissions at covered sources is mitigated provides a certainty that compliance with the Cap and Trade program eliminates any potential for significant impacts from those GHG emissions.

Determination of Significance of GHG Emissions for Projects Achieving AB 32 Targeted GHG Emission Reduction (29%) Compared to BAU and Projects Covered Under Cap and Trade Regulation

Since the facility's stationary source emissions are not a covered entity under the Cap and Trade regulation, and BPS has not been established for the source category, the District has conducted an assessment of GHG emissions associated with the Project.

On November 4, 2008, California voters passed Proposition 2 (Standards for Confining Farm Animals Initiative) on the ballot. Proposition 2 required calves raised for veal, egg-laying hens, and pregnant pigs be confined in ways that allow these animals to lie



down, stand up, fully extend their limbs and turn around freely. As such, the California Department of Food and Agriculture adopted Section 1350 (Shell Egg Food Safety) of Title 3 of the California Code of Regulations which lists stocking density guidelines for all hens whose eggs are sold in California.

Table 7 below presents the minimum floor space per number of hens in an enclosure.

Table 7: Hens per Enclosure

Number of Hens	1	2	3	4	5	6	7	8	≥9
Square Inches/Hens	322	205	166	146	135	127	121	117	116

Barnhart Ranch is designed in accordance with the stocking densities required by Section 1350, which went into effect on January 1, 2015. As such, the Project provides five poultry house for 1,830,000 hens. By complying with Proposition 2 Section 1350, the District determined the Project is expected to generate a total of 3,142 metric tons of CO₂eq/year.

However, if Barnhart Ranch were operating in the BAU baseline period of 2002-2004 as identified in CARB’s Scoping Plan, there were not stocking density requirements such as those required now by Proposition 2. As such, Barnhart Ranch would be capable of housing more hens in the same amount of space. Based on pre-Proposition 2 standards, Barnhart Ranch would be capable of housing 598,284 hens per house, for a total of 2,991,420 hens in five poultry houses. Therefore under pre-Proposition 2 standards, Barnhart Ranch would generate a total of 5,136 metric tons of CO₂eq/year of GHG emissions.

Based on the pre and post Proposition 2 standards described above, Project stationary source emissions result in approximately 38.8% reduction compared to BAU. As such, the District concludes that the Project stationary source emissions achieve the AB 32 targeted GHG emission reductions of 29% compared to BAU.

Although Barnhart Ranch is not considered a covered entity under the Cap and Trade regulation, the regulation now includes distributors of transportation fuels (including gasoline and diesel), natural gas, and other fuels. This accounts for combustion of fossil fuels including transportation fuels used in California (on and off road including locomotives). As such, mobile sources, and off-road sources associated with the Project are covered under the Cap and Trade regulation. Therefore, the District finds that compliance with AB 32 targeted GHG emission reductions of 29% compared to BAU and compliance with ARB’s Cap and Trade regulation, the Project will have a less than significant individual and cumulative impact on global climate change.



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VIII. Hazards and Hazardous Materials Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?			✓	
f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?			✓	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

VIII. HAZARDS & HAZARDOUS MATERIALS

Hazardous Materials and Exposure to the Public (a-d)

Conclusion: The Project will not expose the public to hazardous materials, and impacts will have a less than significant impact to no impact.



Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

The areas immediately surrounding the Project are zoned General Agriculture and is currently operating as active farmland. The Project is not located on a site that meets the definition of Government Code Section 65962.5, which requires specific hazardous waste facilities to submit required information to the Department of Toxic Substances Control (DTSC). The closest sensitive receptor is a residence located approximately 1,350 feet from the Project site. The District has conducted a risk screening analysis indicating that the Project would not pose a significant risk to the nearest receptor. Therefore, the Project will not expose the public to hazardous materials or substances.

The Project is not expected to create any hazardous materials that may need to be disposed of, and as such nor will transportation of hazardous be expected. In the event hazardous materials will be handled and need to be disposed of, it will be done in accordance with Federal, State and local regulations (such as the Solid Waste Management Act, the Hazardous Materials Transportation Act, and the Hazardous Waste Control Act). Also, the California Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) is responsible for developing and enforcing safety standards and assuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA obligates many businesses and facilities to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle, if need be.

As such, impacts resulting from the accidental release of hazardous materials from the Project are not expected to have a significant impact on the environment. Therefore, there is no substantial evidence of record to support a conclusion that accidental release of hazardous materials, and the transportation use, or disposal of hazardous materials would have a significant hazard impact to the public.

Mitigation: None required.

Airports and Airstrips (e, f)

Conclusion: The Project will have a less than significant impact on the safety of people working or residing in the Project area due to its proximity to airports or airstrips.

Discussion: The Project site is not located within two (2) miles of a private airport, public airport or public use airport. The nearest active public airports are the Modesto



City-co-harry Sham Fld and the Modesto City-County Airport which are located approximately six (6) miles from the Project site. Therefore the District concludes that there is no substantial evidence of record to support a conclusion that the Project's location near airports or airstrips would pose a risk to people residing or working in or near the Project area.

Mitigation: None required.

Emergency Response (g)

Conclusion: The Project will not interfere with emergency response.

Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use from operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

The Safety Element within the Stanislaus County General Plan provides goals, policies and implementation measures which outline the appropriate departments responsible for responding to potential emergency situations. In Stanislaus County, the County Office of Emergency Services is the department responsible for ensuring proper evacuation in case of an emergency situation. In case of an emergency situation, the Project site is properly equipped with adequate circulation systems (i.e – access roads) and furthermore, no County or State designated emergency evacuation routes are identified near the Project site.

Construction of the Project will be temporary in nature consisting of site preparation, minor trenching, paving, worker trips, and the erection of metal buildings. Construction activities are not anticipated to span out to public roads causing any potential lane closure. For operations, since the Project site will be properly equipped with circulation systems and access roads, it will not impair or physically interfere with the implementation of adopted emergency response and evacuation plans. The Project will not demolish any existing public roadways and would not interfere with existing emergency response or evacuation plans. Therefore, the District concludes that there is no substantial evidence of record to support a conclusion that the Project would interfere with emergency response.

Mitigation: None required.



Fire Protection (h)

Conclusion: The Project would not expose people or structures to significant risk of loss due to a potential wildlife fire.

Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use from operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

According to California Fire (CAL Fire), the Project site is located in an “unzoned” fire hazard severity zone in a Local Responsibility Area (LRA). The Keyes Fire District is located approximately six (6) miles from the Project site and is the responsible primary provider for fire suppression and prevention services for the Project. Potential fire risks associated with the Project for construction will be very “low” because the site will be prepped with minor trenching for utilities, and a concrete foundation pad for erection of the cage free barns which will comprise of metal buildings. Construction of the Project will be in accordance with the California Building Code and County of Stanislaus building requirements. For operations, the Project will not include hazardous materials that may result in a potential wildfire. Therefore, the District concludes there is no substantial evidence of record to support a conclusion the Project would expose people or structures to significant risk or loss due to a potential wildfire.

Mitigation: None required.

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IX. Hydrology / Water Quality Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			✓	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?			✓	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			✓	
f) Otherwise substantially degrade water quality?			✓	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j) Inundation by seiche, tsunami, or mudflow				✓



IX. HYDROLOGY / WATER QUALITY

Water Quality and Waste Discharge (a)

Conclusion: The Project will not violate any water quality standards or waste discharge requirements, therefore impacts are less than significant.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

Construction of the Project includes site preparation, minor trenching, paving, worker trips, and the erection of the metal buildings. In addition, drainage swales and proper drainage will be constructed to allow for water run-off. For operations of the Project, sufficient water supply is provided from existing company owned wells on the Project site. The Project anticipates consuming approximately 77,000 gallons of water per day. Water run-off from the Project will be kept free of fecal contamination through a designed drainage plan which will allow for natural percolation of water into the landscaped grounds or adjacent company owned orchards. In addition, the Project site will be equipped with a proper drainage swales and depressions to ensure the proper drainage of any potential water or wastewater. Furthermore, the Project will be equipped with a “processing machine” which contains technologies to greatly reduce solids, and fats in waste water. The “processing machine” is equipped with a Clean In Place (CIP) technology that recues the amount of wash water from the Project. Minimal wash water from the operations of the Project (i.e. – leaking and broken eggs) will have minimal solids, fats and inorganic chemicals. This water will go through a series of settling and treatments, and later, will be applied to landscaping on-site grounds or adjacent company owned orchards as part of the Nutrient Management Plan. Therefore, the District concludes the Project will have a less than significant impact on water quality and water discharge.

Mitigation: None required.

Groundwater Supplies (b)

Conclusion: The Project will have a less than significant impact on groundwater supplies and groundwater recharge.

Discussion: Operation of the Project will require the use of water with peak consumption occurring in the summer period for approximately three (3) months. The Project anticipates consuming approximately 77,000 gallons of water per day. Each



cage free barn will contain cooling cells, which are used to filter water to regulate the temperature inside each cage free barn. By regulating the temperature within each cage free barn, it enables Barnhart Ranch to maximize efficiency in egg production. Any excess water is filtered through the cooling cells, is then filtered into a tank and recycled. The Project maintains sufficient water supply which is provided by existing company owned wells on the Project site and will not substantially deplete ground water supplies. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

Alter Existing Drainage Patterns Resulting in Erosion/Siltation (c)

Conclusion: The Project does not have the potential to substantially alter existing drainage patterns resulting in substantial erosion or siltation. As such, impacts are less than significant.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. No streams or rivers are located on the Project site. The Project site will be equipped with proper drainage swales and depressions to allow for the flow of surface run-off, which would inhibit any erosion or siltation from occurring on- or off-site. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

Alter Existing Drainage Patterns Resulting in Flooding (d)

Conclusion: The Project does not have the potential to substantially alter existing drainage patterns resulting in flooding, as such, impacts are less than significant.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. No streams or rivers run through the Project site. Water activities occurring during construction activities or precipitation at the Project site is rarely sufficient to cause flooding. For operations, the Project site will be equipped with proper drainage swales and depressions to ensure the proper drainage of any potential water or waste water. Furthermore, the Project will be equipped with a “processing machine” which contains technologies to greatly reduce solids, and fats in waste water. The “processing machine” is equipped with a Clean In Place (CIP) technology that reduces the amount of wash water from the Project. Minimal wash water from the operations of the Project (i.e. – leaking and broken eggs) will have minimal solids, fats and organic



chemicals. This water will go through a series of settling and treatments, and later, will be applied to landscaping on-site grounds or adjacent company owned orchards as part of the Nutrient Management Plan.

Each cage free barn will contain cooling cells, which are used to filter water to regulate the temperature inside each cage free barn. By regulating the temperature within each cage free barn, it enables Barnhart Ranch to maximize efficiency in egg production. Any excess water is filtered through the cooling cells, is then filtered into a tank and recycled. The Project does not have the potential to cause significant flooding. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

Contribute Water Runoff (e)

Conclusion: The Project does not have the potential to substantially alter existing drainage patterns resulting in flooding, as such, impacts are less than significant.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. Water run-off during construction will be captured in drainage swales and depressions to allow for surface run-off. Construction activities are temporary in nature, as such, water activities or precipitation at the Project site is rarely sufficient to cause run-off. For operations, the Project site will be equipped with proper drainage swales and depressions to ensure the proper drainage of any potential water or waste water. Furthermore, the Project will be equipped with a “processing machine” which contains technologies to greatly reduce solids, and fats in waste water. The “processing machine” is equipped with a Clean In Place (CIP) technology that reduces the amount of wash water from the Project. Minimal wash water from the operations of the Project (i.e. – leaking and broken eggs) will have minimal solids, fats and organic chemicals. This water will go through a series of settling and treatments, and later, will be applied to landscaping on-site grounds or adjacent company owned orchards as part of the Nutrient Management Plan.

Each cage free barn will contain cooling cells, which are used to filter water to regulate the temperature inside each cage free barn. By regulating the temperature within each cage free barn, it enables Barnhart Ranch to maximize efficiency in egg production. Therefore, the impact will be less than significant.

Mitigation: None required.



Degrade Water Quality (f)

Conclusion: The Project does not have the potential to substantially degrade water quality, as such, impacts are less than significant.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. Construction and operational activities associated with the Project may potentially affect water quality, however, the Project will be equipped with proper drainage swales so that water run-off is properly disposed of. Existing on-site water wells maintain a sufficient supply of water for the Project, thus minimizing the potential for existing water supply to be degraded. Furthermore, each cage free barn contains cooling cells which filter water to cool the outer layers of the building. Any excess water filtered through the cooling cells, is then filtered into a tank and recycled. Therefore, the Project is not anticipated to degrade water quality, and as such, impacts are less than significant.

Mitigation: None required.

Flood Hazard Area (g)

Conclusion: The Project will not place housing within 100-year flood hazard area, therefore the Project will have no impact.

Discussion: The Project does not include the construction of any housing units and is not located within 100-year flood zone as mapped on the Flood Insurance Rate Maps; nor is the Project located in a Flood Hazard Safety Zone as designated by Stanislaus County. Therefore, the Project will have no impact.

Mitigation: None required.

Impede or Redirect Flood Flows (h)

Conclusion: The Project is not located in a 100-year flood hazard area. As such, the Project will not impede or redirect flood flow. Therefore, the Project will have no impact.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses. The Project site is not located within the 100-year flood zone as mapped on



the Flood Insurance Rate Maps nor is the Project located in a Flood Hazard Safety Zone as designated by Stanislaus County. Therefore, the Project will have no impact.

Mitigation: None required.

Expose People or Structures to Significant Risk (i)

Conclusion: The Project will not expose people or structures to a significant risk, injury or death as a result of failure of a levee or dam. Therefore, the Project will have no impact.

Discussion: The Project site will not place people or structures within any area that is subject to flooding through any cause, including as a result of failure of a levee or dam. According to the Federal Emergency Management Agency (FEMA) – Flood Hazard Areas, the Project site is designated as “moderate to low risk” for flooding. There will not be any habitable structures proposed for construction. Therefore, the Project will have no impact.

Mitigation: None required.

Inundation by seiche, tsunami or mudflow (j)

Conclusion: The Project will not result in an inundation by seiche, tsunami, or mudflow. Therefore, the Project will have no impact.

Discussion: The Project site is not within a county that is identified in the Tsunami Inundation Maps prepared by the California Geological Survey. Therefore, the Project will have no impact.

Mitigation: None required.

References

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

Gemperle, Stephen, Project Development and Operation Specialist. Electronic and Telephone Communication.

California Department of Conservation, California Geological Survey. Website:
<http://www.consrv.ca.gov/cgs/Pages/Index.aspx>

California Department of Conservation, Official Tsunami Inundation Maps. Website:
http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Pages/Statewide_Maps.aspx



County of Stanislaus. *General Plan*. Website:
<http://www.stancounty.com/planning/pl/general-plan.shtm>.

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

Google Maps. June 2015.

X. Land Use / Planning Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

X. LAND USE/PLANNING

Land Use/Planning, Habitat Conservation and Natural Community Plans (a, b, c)

Conclusion: The Project will not physically divide an established community, nor conflict with any established land use planning, zoning requirements, habitat conservation or natural community conservation plans.

Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) which consists of an expansion to the existing egg laying hen ranch. The proposed Project is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use operating as an egg laying hen ranch and is consistent with current and surrounding land uses. The areas in the immediate surrounding area are actively farmed and zoned for agricultural uses.

There is no established community that may be physically divided due to this Project. Thus, the District concludes that the Project will not divide an established community and will not conflict with any applicable land use or habitat conservation plans.



Therefore, the Project will have no environmental impacts on land use/planning and Habitat/Natural Community Plans.

Mitigation: None required.

References

California Department of Fish and Wildlife. *Natural Community Conservation Planning*. Website: <http://www.dfg.ca.gov/habcon/nccp/>.

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

County of Stanislaus. Stanislaus County Code, Zoning Ordinance. Website: <http://qcode.us/codes/stanislauscounty/>

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

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United States Fish and Wildlife Service. *Conservation Plans and Agreements Database*. Website: http://ecos.fws.gov/conserv_plans/public.jsp.

United States Fish and Wildlife Service. *Habitat Conservation Plans*. Website: <http://www.fws.gov/angered/what-we-do/hcp-overview.html>.



XI. Mineral Resources Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

XI. MINERAL RESOURCES

Mineral Resources (a, b)

Conclusion: The Project will have no impact on loss of availability of a regional, state, or locally important mineral resource.

Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Surface Mining and Reclamation Act of 1975 (SMARA) mandated the initiation by the State Geologist of mineral land classification in order to help identify and protect mineral resources in areas within the State subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB) to designate lands containing mineral deposits of regional or statewide significance. Construction aggregate was selected by SMBG to be the initial commodity target for classification because of its importance to society, its unique economic characteristics, and the imminent threat that continuing urbanization poses to that resource.

According to the California Geological Survey's Aggregate Availability Map, the Project is not located in or within the vicinity of a site being used for aggregate production. As such, the Project has no potential to result in the loss of availability of a known resource. Furthermore, the Project has been determined by the County of Stanislaus to be a continuation of an agricultural use operating as an egg laying hen ranch and is consistent with current and surrounding land uses. Therefore, the District concludes that there is no substantial evidence of record to support a conclusion that the Project would result in the loss of known mineral resources.

Mitigation: None required.



References

California Department of Conservation, California Geological Survey. *Mineral Resources*. Website: http://www.conservation.ca.gov/cgs/geologic_resources/mineral_resource_mapping/Pages/Index.aspx.

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

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XII. Noise Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?			✓	
d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?			✓	
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?				✓
f) For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?				✓



XII. NOISE

Exposure of Persons to Noise (a)

Conclusion: The Project may result in the exposure of persons to increased levels of noise in the Project vicinity; however, the potential impacts are less than significant.

Discussion: The Stanislaus County General Plan Noise Element identifies the following land uses as noise sensitive:

- Schools
- Hospitals
- Convalescent Homes
- Churches

The Project may result in a slight increase in ambient noise levels. However, noise types and volumes associated with the Project will be consistent with current land use and existing egg laying hen ranch operations. The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The nearest sensitive receptor is a residence to the Project and is located approximately 1,350 feet from the Project site. Furthermore, there are no schools, hospitals, convalescent homes and churches within the immediate vicinity of the Project. As such, the Project would not expose persons to noise levels in excess of standards established in the Noise Element for Agricultural projects in the Stanislaus County General Plan. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

Exposure of Persons to Excessive Groundborne Noise (b)

Conclusion: The Project may result in the exposure of persons to excessive groundborne noise levels in the Project vicinity; however, the potential impacts are less than significant.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The Project may result in a slight increase in groundborne vibration or groundborne noise levels during construction and operation. However, groundborne vibration and noise levels associated with these activities are expected to be minor and will not exceed decibel levels established by Stanislaus County. Therefore, the Project will have a less than significant impact.

Mitigation: None required.



Permanent Increase in Ambient Noise Levels (c)

Conclusion: The Project may result in a slight increase in ambient noise levels in the Project vicinity; however, the potential impacts are less than significant.

Discussion: The Project may result in a permanent increase in ambient noise levels. However, noise types and volumes will be consistent with current land use and existing egg laying hen ranch operations. The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. State and federal standards set by the U.S. Department of Labor Occupational Safety and Health Administration (OSHA) regulate the amount of time workers may be exposed to sound levels above 90 decibels (dBA). However, the County of Stanislaus has identified 60 dBA as an interior noise threshold for development projects. As such, the Project will comply with all Stanislaus County noise requirements consistent with the Noise Element in the Stanislaus County General Plan which has a less stringent dBA than OSHA. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

Temporary or Periodic Increase in Ambient Noise Levels in Project Vicinity (d)

Conclusion: The Project may result in a slight increase in ambient noise levels in the Project vicinity; however, the potential impacts are less than significant.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The County of Stanislaus has identified 75 dBA as "Normally Unacceptable" for Agricultural land uses. During construction activities, noise levels are expected to be elevated. However, the elevation in noise is temporary and will subside once construction of the Project is complete. Noise types and volumes during operations will be consistent with current land use and existing egg laying hen ranch operations. Furthermore, the Project will be consistent with the exterior noise exposure for agricultural land uses established by the County of Stanislaus. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

Located within an Airport Land Use Plan/Exposing People in Project Area (e)

Conclusion: The Project will have no impact on people residing or working in the Project area.

Discussion: The Project site is not located within two (2) miles of a public airport. The nearest public airports are the Modesto City-co-harry Sham Fld and the Modesto City-



County Airport which are located approximately six (6) miles from the Project site. Therefore, the Project will have no noise impact on people residing or working in the Project area.

Mitigation: None required.

Located within a Private Airstrip resulting in Excessive Noise Levels (f)

Conclusion: The Project may result in a slight increase in ambient noise levels in the Project vicinity; however, the potential impacts are less than significant.

Discussion: The Project site is not located within the vicinity of a private airport. Therefore, the Project will have no impact on people residing or working in the Project area.

Mitigation: None required.

References

County of Stanislaus. *General Plan*. Website:
<http://www.stancounty.com/planning/pl/general-plan.shtm>.

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

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XIII. Population / Housing Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

XIII. POPULATION AND HOUSING

Population and Housing (a, b, c)

Conclusion: The Project will not result in a displacement or replacement in housing or a substantial growth in population.

Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use operating as an egg laying hen ranch and is consistent with current and surrounding land uses. The Project does not include the development of homes or businesses, nor does it include the extension of roads or infrastructure. The Project will require twenty-two (22) employees when built-out to full capacity and thus will not increase substantial population growth in the area, nor displace a substantial number of existing housing, or necessitating the construction of replacement housing elsewhere. Therefore, the District concludes that the Project is not growth inducing and will have no impact on population/housing.

Mitigation: None needed.

References

County of Stanislaus. *General Plan*. Website: <http://www.stancounty.com/planning/pl/general-plan.shtm>.

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>



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XIV. Public Services Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?				✓
ii) Police protection?				✓
iii) Schools?				✓
iv) Parks?				✓
v) Other public facilities?				✓

XIV. PUBLIC SERVICES

Fire Protection (a,i)

Conclusion: The Project will not result in an increased demand for fire protection services.

Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use for operating as an egg laying hen ranch and is consistent with current and surrounding land uses.

The Project is located in a Local Responsibility Area (LRA) for fire protection. CAL Fire has determined the Project is located in a fire hazard severity zone designated as “unzoned” and is under the response of the Keyes Fire District in case of an emergency. The Project will be constructed to conform to the requirements of the California Building Code, California Fire Code and Federal Safety standards. As such, construction and



operation of the Project in accordance with these standards will minimize the potential for a fire. The Keyes Fire District is located approximately six (6) miles from the Project site. No new or altered police protection facility would be necessary. No additional increase in fire protection demand is anticipated as a result of the Project. Therefore, there is no substantial evidence of record to support a conclusion that the Project would have a negative impact on existing fire protection services.

Mitigation: None required.

Police Protection and Other Public Facilities (a.ii – a.v)

Conclusion: The Project will not result in an increased demand for police protection or other public facilities, nor will the Project result in a decrease in response times.

Discussion: The Stanislaus County Sherriff's Department is the nearest police station located approximately three (3) miles from the Project site. The Project will include twenty-two (22) employees at full build-out. It will not increase the population in the surrounding area nor require additional schools, parks, or other public facilities. As such, a lack of substantial increase in population precludes the possibility of the Project having a negative impact on police services, local schools and parks, or other public facility. Therefore, there is no substantial evidence of record to support a conclusion that the Project would have a significant impact on public facilities and services.

Mitigation: No mitigation is required.

References

California Fire. Fire Hazard Severity Zones in Local Responsibility Areas for Stanislaus County. Website: http://frap.fire.ca.gov/webdata/maps/stanislaus/fhszl06_1_map.50.pdf

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

County of Stanislaus Consolidated Fire. County/Fire District Map. Website: <http://www.scfpd.us/index.cfm?Section=1&pagenum=205&titles=0>

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

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Google Maps. April 2015.



XV. Recreation Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

XV. RECREATION

Recreational Facilities (a, b)

Conclusion: The Project will not have an impact on neighborhood or regional parks, or any other local recreational facilities.

Discussion: The Project will be located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The total site consists of seventy-seven and half (77.52) acres, however, the proposed Project will only comprise thirty (30) acres of it. The Project has been determined by the County of Stanislaus to be a continuation of an agricultural use operating as an egg laying hen ranch and is consistent with current and surrounding land uses. The Project area currently does not contain a recreational facility nor does the Project propose or require the construction or expansion of recreational facilities. No increase in the use of existing recreational facilities or deterioration would occur. Construction and operation of the Project will not increase population of the surrounding area and therefore will not increase demand for recreation.

Mitigation: None required.

References

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

County of Stanislaus. *General Plan*. Website: <http://www.stancounty.com/planning/pl/general-plan.shtm>.



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XVI. Transportation / Traffic Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			✓	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e) Result in inadequate emergency access?				✓
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				✓



XVI. TRANSPORTATION / TRAFFIC

Conflict with Transportation, Transit Plans or Circulation Systems (a)

Conclusion: The Project will not conflict with any circulation plans or circulation systems.

Discussion: The Project site is located within the sphere and circulation systems of Stanislaus County, and as such, the Stanislaus County General Plan Circulation Element strives to include circulation systems that are designed to minimize traffic congestion, while also maintaining traffic safety. Stanislaus County implements a policy to maintain Level of Service (LOS) C for all County roadways and intersections, except within the sphere of influence of a city with an adopted lower LOS standard (than the city standard shall apply). LOS is ranked from A to F, with A being the best and F being the worst. LOS A being the best is identified as “free flow traffic, low volumes and densities; little or no restriction on maneuverability or speed; and no delays.” LOS F as being the worst is identified as “forced traffic flow; speed and flow may drop to zero with high densities; and considerable delays.” An LOS C indicates that traffic can move relatively freely without any traffic congestion. California State Highway 99 is located to the east of the Project site and serves as the main local access road. East Keyes Road connects to California State Highway 99 and runs west, before connecting to Bystrum Road to access the Project site. At full build-out the Project will generate approximately twenty-two (22) employee vehicle trips and seventeen (17) truck trips per day during operations, however it will not delay or result in congestion of intersections or roadways. The Project site is located in the unincorporated area of Stanislaus County where access roads do not include bike lanes or sidewalks. Existing transit circulation systems will not be altered during Project activities, as only authorized personnel will have access to the Project site. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

Conflict with an Applicable Congestion Management Program (b)

Conclusion: The Project related traffic will not conflict with an applicable Congestion Management Program.

Discussion: The Stanislaus County Congestion Management Plan (CMP) establishes Level of Service (LOS) D as the standard for Stanislaus County and cities within the region. LOS is a qualitative measure that represents the collective factors of speed, travel time, traffic interruptions, freedom of maneuver, safety, driving comfort and convenience, and operating costs provided by a highway facility under a particular volume condition. LOS is ranked from A to F, with A being the best and F being the worst. LOS A being the best is identified as “free flow traffic, low volumes and densities; little or no restriction on maneuverability or speed; and no delays.” LOS F as being the



worst is identified as “forced traffic flow; speed and flow may drop to zero with high densities; and considerable delays.” The access roads to the Project site are California State Highway 99, East Keyes Road, Barnhart Road and Bystrum Road which are not expected to exceed the LOS D standard. California State Highway 99 serves as the preferred route to the main access road of East Keyes, Barnhart Road and Bystrum Road in order to access the Project site. The daily traffic generated by this project is minimal at twenty-two 22 employee trips and seventeen (17) truck trips. As such, the Project will not conflict with the Stanislaus County CMP. Therefore, the Project will have a less than significant impact.

Mitigation: None required.

Change Traffic Patterns (c)

Conclusion: The Project will not result in a change in air traffic patterns that results in substantial safety risks.

Discussion: The Project site is not located within two (2) miles of a private or public airport. The nearest public airports are the Modesto City-co-harry Sham Fld and the Modesto City-County Airport which are located approximately six (6) miles from the Project site. Project construction and operation will not result in a change in air traffic patterns and thus, would not result in safety risks. Therefore, the Project will have no impact on air traffic patterns.

Mitigation: None required.

Increase Hazards Due to Design Features (d)

Conclusion: The Project will not increase hazards due to design features (i.e – sharp curves or dangerous intersections) or incompatible uses (i.e – farm equipment).

Discussion: The Project will not include the construction of new public roads or alterations to existing public roads or intersections. The only road to be constructed is to connect the facility parking lot to the main frontage access road. As such, the Project will not result in hazards due to design features such as sharp curves, dangerous intersections, or incompatible uses. All main access roads to the Project site are existing. Therefore, the Project will have no impact.

Mitigation: None required.



Emergency Access (e)

Conclusion: The Project will not result in inadequate emergency access.

Discussion: The Project site and surrounding roadway network do not have any conditions that would restrict or delay emergency vehicle access to the Project site. The Project site is accessible via California State Highway 99, East Keyes Road. Furthermore, the Stanislaus County Safety Element requires new development to be designed with adequate access for emergency vehicles. Therefore, the Project will have no impact on emergency access.

Mitigation: None required.

Conflict with Adopted Policies, Plans, or Programs for Safety (f)

Conclusion: The Project will not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities that would decrease the performance of safety.

Discussion: The Project site is located in the unincorporated area of Stanislaus County where access roads do not include bike lanes or sidewalks for pedestrian access. Also, no existing roadways will be altered during Project activities. No new roads will be newly constructed, only Barnhart Road and Bystrum will undergo minor improvements. The Project will have restricted access and unauthorized bicyclists and pedestrians will not have access to the Project site. Therefore, the Project will not conflict with any existing adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities. The Project will have no impact.

Mitigation: None required.

References

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

County of Stanislaus. *Congestion Management Process for the Stanislaus County Region*. Website: <http://www.stancog.org/cmp.shtm>

County of Stanislaus. *General Plan*. Website: <http://www.stancounty.com/planning/pl/general-plan.shtm>.

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.



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Google Maps. June 2015.

XVII. Utilities / Service Systems Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e) Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?			✓	
f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?				✓
g) Comply with federal, state, and local statutes and regulations related to solid waste?				✓



XVII. UTILITIES / SERVICE SYSTEMS

Wastewater Treatment and Facilities (a, b, e)

Conclusion: The Project will not exceed wastewater treatment requirements or result in the construction of a wastewater treatment facility, thus impacts will be less than significant.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. The facility receives water from existing company owned wells on the Project site with the potential to consume approximately 77,000 gallons of water per day

Water run-off from the Project will be kept free of fecal contamination through a designed drainage plan which will allow for natural percolation of water into the landscaped grounds or adjacent company owned orchards. In addition, the Project site will be equipped with proper drainage swales and depressions to ensure the proper drainage of any potential water or wastewater. Furthermore, the Project will be equipped with a “processing machine” which contains technologies to greatly reduce solids, and fats in waste water. The “processing machine” is equipped with a Clean In Place (CIP) technology that recues the amount of wash water from the Project. Minimal wash water from the operations of the Project (i.e. – leaking and broken eggs) will have minimal solids, fats and inorganic chemicals. This water will go through a series of settling and treatments, and later, will be applied to landscaping on-site grounds or adjacent company owned orchards as part of the Nutrient Management Plan.

The Project will not generate any water or wastewater that would require construction of a wastewater treatment facility. Since the Project will not require the construction of a wastewater treatment facility, it will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. Currently, any groundwater is recharged for irrigation of the property through a nutrient management plan. Furthermore, the Project is for the expansion of an existing egg laying egg hen ranch and does not involve wastewater treatment facilities. Therefore, the District concludes the Project will have a less than significant impact on wastewater treatment providers.

Mitigation: None required.

Storm Water Drainage Facilities (c)

Conclusion: The Project would not require the construction of new storm water drainage facilities.



Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. However, the Project site will be equipped with proper drainage channels since it will be constructed in accordance with County and California Building Code requirements. Precipitation at the Project is rarely sufficient to cause runoff. Any runoff would either percolate near the Project site or runoff to natural drainage channels. As such, the existing egg laying hen ranch will not require construction of new storm water drainage facilities and therefore will have no impact.

Mitigation: None required.

Water Supply (d)

Conclusion: The Project has sufficient existing water supplies, and no new or expanded entitlements are required.

Discussion: The Project is located on a parcel zoned General Agriculture (A-2) within the existing Barnhart Ranch egg laying hen ranch facility which is a permitted by-right use pursuant to the County of Stanislaus Zoning Ordinance. Water supply is currently provided by existing company owned wells on the Project site. At full build-out the Project will consume approximately 77,000 gallons of water per day. As such, since existing water supplies are sufficient for the Project, no new or expanded entitlements are required. Therefore, the Project will have a less than significant impact on water supplies.

Mitigation: None required.

Solid Waste Disposal (f)

Conclusion: The Project will not impact existing landfills as sufficient capacity exists to dispose of potential solid waste.

Discussion: The Fink Road Sanitary Landfill is owned by Stanislaus County and is operated by the Department of Environmental Resources. The Landfill has been providing municipal solid waste services to Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and the unincorporated areas of Stanislaus County since opening in 1973. Solid waste will be generated as part of the Project, however Barnhart estimates that approximately 90% of the waste generated is recycled and hauled off-site. As such, only minimal waste will be disposed of by the waste providers who serve the Project site and unincorporated area of Stanislaus County. Therefore, the Landfill will be sufficient to accommodate the Project's solid waste disposal needs and as such, will have no impact.

Mitigation: None required.



Compliance with Federal, State and Local Solid Waste Regulations (g)

Conclusion: The Project will comply with all federal, state, and local regulations related to solid wastes.

Discussion: Solid waste that is generated during construction and operation will be stored and handled with all federal and state regulations for solid waste. Therefore, the Project will have no impact.

Mitigation: None required.

References

County of Stanislaus. Environmental Resources, Landfill. Website:
<http://www.stancounty.com/ER/landfill-division.shtm>

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

County of Stanislaus. *General Plan*. Website:
<http://www.stancounty.com/planning/pl/general-plan.shtm>.

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

Gemperle, Stephen, Project Development and Operation Specialist. Electronic and Telephone Communication.

Google Maps. June 2015.



XVIII. Mandatory Findings of Significance Would the Project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively Considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?		✓		
c) Does the Project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		✓		

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Impacts on the Environment and Special Status Species (a)

Conclusion: The Project will have a less than significant impact with mitigation.

Discussion: As demonstrated within the Initial Study, a RLB Survey has been conducted and demonstrates the Project will not result in significant impacts to special plant and animal species. In addition, with incorporation of permit conditions and mitigation measures outlined in the Initial Study, the Project will have a less than significant impact with mitigation on the environment.

Mitigation: See Mitigation Measure AIR-1, and CUL-1 through CUL-3.



Cumulative Impacts (b)

Conclusion: The Project with the incorporation of mitigation measures will not have a cumulatively significant impact on the environment.

Discussion: CEQA Guidelines state that a Lead Agency shall consider whether the cumulative impact of a Project is significant and whether the effects of the project are cumulatively considerable (CCR §15065). The assessment of significance of the cumulative effects of the Project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probably future projects. Due to the nature and location of the Project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The Project is not a part of any larger planned developments. Therefore, the Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., an increase in population that could lead to an increase need to housing, increase in traffic, air pollutants, etc.). The Project will have a less than significant impact with mitigation.

Mitigation: See Mitigation Measures AIR-1, and CUL-1 through CUL-3.

Impacts on Humans (c)

Conclusion: The Project with the incorporation of mitigation measures will not result in significant environmental impacts that would cause substantial adverse effects on human beings.

Discussion: The analyses of environmental issues contained in this Initial Study indicate that the Project is not expected to have a substantial impact on human beings, either directly or indirectly. Project design elements and mitigation measures have been incorporated into the Project to reduce all potentially significant impacts to less than significant.

Mitigation: See Mitigation Measures AIR-1, and CUL-1 through CUL-3.

References

Central California Information Center, California Historical Resources Information System. February 2015. Electronic Documentation.

Gemperle, Michael, Vice President of Gemperle Farms. Electronic and Telephone Communication.

Gemperle, Stephen, Project Development and Operation Specialist. Electronic and Telephone Communication.



Google Maps, July 2015.

ICF International. Results of Reconnaissance-Level Biological Survey for Gemperle Farms, August 4, 2015.

County of Stanislaus. Stanislaus County Geographic Information Systems. Stanislaus County Online GIS Mapping. Website: <http://gis.stancounty.com/giscentral/>

Google Maps. July 2015.

San Joaquin Valley Unified Air Pollution Control District. June 2016. *Draft Authority to Construct: Application Review*, Applicant Number N-9091, Project Number N-1143814. Available at San Joaquin Valley Air Pollution Control District. 1990 E. Gettysburg Avenue, Fresno, CA 93726-0244.

San Joaquin Valley Unified Air Pollution Control District. June 2016. *Risk Management Review*. Barnhart Ranch Project # N-1143814. Available at San Joaquin Valley Air Pollution Control District. 1990 East Gettysburg Avenue, Fresno, CA 93726-0244.

H. APPENDICES

- Appendix A. Acronyms and Abbreviations
- Appendix B. Mitigation Monitoring and Reporting Program
- Appendix C. Construction Emissions
- Appendix D. Draft Engineering Evaluation
- Appendix E. Risk Management Review
- Appendix F. Reconnaissance-Level Biological Survey
- Appendix G. Comments Received on the Draft Mitigated Negative Declaration and District Response to Comments



Appendix A. Acronyms and Abbreviations

AAQA	Ambient Air Quality Analysis
AAQS	Ambient Air Quality Standards
AB 32	Assembly Bill 32 – California Global Warming Solutions Act of 2006
ATC	Authority to Construct
BACT	Best Available Control Technology
BAU	Business as Usual
BPS	Best Performance Standards
Cal/OSHA	California Department of Industrial Relations - Division of Occupational Safety and Health Administration
CARB	California Air Resources Board
CBSC	California Building Standards Code
CC	County Coroner
CCIC	Central California Information Center
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CH ₄	Methane
CIP	Clean In Place
CMP	Congestion Management Plan
CNDDB	California Natural Diversity Data Base
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
dBA	Decibel
District	San Joaquin Valley Unified Air Pollution Control District
DTSC	California Department of Toxic Substances Control
ERC	Emission Reduction Credit
ERG	Environmental Review Guidelines
FED	Functionally Equivalent Document
FEMA	Federal Emergency Management Agency
GAMAQI	Guidance for Assessing and Mitigating Air Quality Impacts
GHG	Greenhouse Gas
HAP	Hazardous Air Pollutant
HHDT	Heavy-Heavy Duty Truck
HRA	Health Risk Assessment
LDT-2	Light Duty Truck-2
LOS	Level of Service
LRA	Local Responsible Agency
MEI	Maximally Exposed Individual
NAHCP	Native American Heritage Association
NO _x	Oxides of Nitrogen



NRA	California Natural Resources Agency
NSR	New Source Review
OEHHA	Office of Environmental Health Hazard Assessment
PM ₁₀	Particulate Matter 10 microns in diameter
PM _{2.5}	Particulate Matter 2.5 microns in diameter
ROG	Reactive Organic Gases
RWQCB	Regional Water Quality Control Board
SMARA	Surface Mining and Reclamation Act of 1975
SMGB	State Mining and Geology Board
SO _x	Sulfur Oxides
TAC	Toxic Air Contaminant
TPY	Tons Per Year
USFWS	US Fish and Wildlife Service
VOC	Volatile Organic Compound



Appendix B. Mitigation Monitoring and Reporting Program

Impact	Significance Prior to Mitigation	Measure Number	Mitigation Measure	Enforcement Agency	Significance After Mitigation
<p>Project stationary source operational emissions will exceed the District's thresholds of significance.</p>	<p>Significant</p>	<p>AIR-1</p>	<p>For ATC Project N-1143814:</p> <ul style="list-style-type: none"> The Permittee is required to comply with District Rule 2201 (New Source Review), to ensure offsetting operational stationary source emissions when/if Project stationary source emissions exceed the District's thresholds of significance. When required, the permittee shall surrender ERCs sufficient to offset operational stationary source emissions as required through District Rule 2201 requirements. 	<p>San Joaquin Valley Air Pollution Control District</p>	<p>Less than Significant</p>
<p>The project could have an impact on archaeological resources, paleontological resources, or human remains.</p>	<p>Significant</p>	<p>CUL-1</p>	<ul style="list-style-type: none"> In the event that archaeological resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified archaeologist to assess and provide an evaluation of the significance of the find. A qualified archaeologist shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Stanislaus County and the Native American Heritage Commission (NAHC). In addition, should archaeological resources be discovered, Permittee shall provide the District a written report in relation to the nature of the find. <i>[Public Resources Code 21000-21177: California Environmental Quality Act]</i> 	<p>San Joaquin Valley Air Pollution Control District</p>	<p>Less than Significant</p>



San Joaquin Valley Unified Air Pollution Control District
Initial Study and Final Mitigated Negative Declaration
Barnhart Ranch (N-1143814)

September 19, 2016

Impact	Significance Prior to Mitigation	Measure Number	Mitigation Measure	Enforcement Agency	Significance After Mitigation
		CUL-2	<ul style="list-style-type: none"> In the event that paleontological resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified paleontologist to assess and provide an evaluation of the significance of the find. A qualified paleontologist shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Stanislaus County and the Native American Heritage Commission (NAHC). In addition, should paleontological resources be discovered, Permittee shall provide the District a written report in relation to the nature of the find. <i>[Public Resources Code 21000-21177: California Environmental Quality Act]</i> 		
		CUL-3	<ul style="list-style-type: none"> In the event that human remains are discovered during ground disturbing activities, all work within 100 feet of the find shall cease and the discovery shall immediately be reported to the County Coroner (CC) and Native American Heritage Commission (NAHC) for further assessment. Permittee shall identify appropriate measures for treatment or disposition of the remains in consultation with the CC and NAHC. In addition, should human remains be discovered during ground-disturbing activities, Permittee shall provide the District a written report in relation to the nature of the find. <i>[Public Resources Code 21000-21177: California Environmental Quality Act]</i> 		



Appendix C. Construction and Non-Permitted Operational Emissions

Available Upon Request at District Office:

San Joaquin Valley Air Pollution Control District
Central Region
1990 E. Gettysburg Ave.
Fresno, CA 93726
(559) 230-6000



Appendix D. Draft Engineering Evaluations

Available Upon Request at District Office:

San Joaquin Valley Air Pollution Control District
Central Region
1990 E. Gettysburg Ave.
Fresno, CA 93726
(559) 230-6000



Appendix E. Risk Management Review

Available Upon Request at District Office:

San Joaquin Valley Air Pollution Control District
Central Region
1990 E. Gettysburg Ave.
Fresno, CA 93726
(559) 230-6000



Appendix F. Reconnaissance-Level Biological Survey

Available Upon Request at District Office:

San Joaquin Valley Air Pollution Control District
Central Region
1990 E. Gettysburg Ave.
Fresno, CA 93726
(559) 230-6000



Appendix G. Comments Received on the Draft Mitigated Negative Declaration and District Response to Comments



The San Joaquin Valley Air Pollution Control District (District) provided a Notice of Intent to adopt a Mitigated Negative Declaration for Barnhart Ranch project. The Initial Study and the Mitigated Negative Declaration were made available for public review and comment from July 8, 2016 to August 8, 2016. All comments were considered and addressed in preparation of the Final Mitigated Negative Declaration (MND).

The following party provided written comments:

- Stanislaus County Department of Environmental Resources (SCDER)

A copy of the comment letter is incorporated into this document as *Attachment 1*. Summaries of the comments received are addressed below.

Comment 1: SCDER provides internal instructions to various County departments for review of the Draft Mitigated Negative Declaration.

Response 1: No response required. This is a cover sheet used by SCDER.

Comment 2: SCDER recommends the property be fully investigated (via Phase 1 study and Phase II study if necessary) prior to the issuance of a grading permit. In addition, SCDER recommends research be conducted to determine if pesticides were used on the proposed development site; if confirmed, suspect site areas should be tested for organic pesticides and metals. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of SCDER.

Response 2: The project proponent consulted with SCDER to address those and any other concerns related to the comment. The project proponent is already working with the County and is in the process of obtaining a Phase 1 study in order to receive a grading permit from the County.

Comment 3: SCDER recommends the applicant contact them regarding appropriate permitting requirements for hazardous materials and/or wastes. In addition, SCDER lists various potential operations that may result in the handling of hazardous waste materials.

Response 3: The project proponent consulted with SCDER to address those and any other concerns related to the comment. The project proponent will obtain a Hazardous Materials Business Plan for the Project.



Attachment 1

	DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT		
	1010 10 th Street, Suite 3400, Modesto, CA 95354 Phone: 209.525.8330 Fax: 209.525.5911		
STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE REFERRAL			
DATE: July 11, 2016			
TO: Agricultural Commissioner – Dan Bernack Chief Executive Office – Patrick Cavanah Cooperative Extension - Theresa Spozzano County Counsel - Thomas E. Boze Environmental Resources - Bolla Badal	Hazardous Materials - Beronia Beniamine Stanislaus Fire Prevention Bureau – Randy Crook Public Works - Angie Halverson Sheriff Dept. - Lt. Mike Radford		
FROM: Department of Planning and Community Development – Miguel Galvez			
SUBJECT: ENVIRONMENTAL REFERRAL – SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT – PUBLIC NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION.			
<div style="border: 1px solid black; padding: 5px;"> <p>Stanislaus County has established an Environmental Review Committee, which consists of representatives of the Departments of Public Works, Planning and Community Development, Environmental Resources, Fire Safety, County Counsel, and the Chief Executive Office. The ERC meets every other Wednesday at 9:30 AM in the Planning Department Conference Room at 1010 10th Street, Modesto. The primary purpose of the ERC is to provide a unified County review and response to environmental issues associated with projects which are referred to the County. The Planning Department has been designated as the County Agency responsible for coordinating the review process. This referral may also be forwarded to you as part of the California Environmental Quality Act (CEQA) review process.</p> <p>Each agency should review the projects from the point of view of impacts on its own areas of responsibility. Please be as specific as possible in the expected degree of impacts including costs of providing services and possible methods of mitigating the impacts to acceptable levels including mitigation fees. Please complete the attached response form or provide a written response within two weeks.</p> <p>The California Environmental Quality Act establishes very tight time frames for review. For that reason it is very important that a prompt response be provided. It is our hope that all County responses can be sent to the referring agencies as a package. However, in some instances the time for review does not permit that to happen. Some responses will have to go directly to the agency, with a copy to County Planning, while others can come back to Planning. Please note below the date responses are needed and where to send them. PLEASE SEND THE ORIGINAL OF ANY COMMENTS YOU MAY HAVE DIRECTLY TO THE AGENCY LISTED BELOW AND A COPY TO THE STANISLAUS COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. Please contact me if you have any questions.</p> </div>			
PROJECT AGENCY San Joaquin Valley Air Pollution Control District 1990 East Gettysburg Avenue Fresno CA 93726-0244	<table border="0"> <tr> <td data-bbox="802 1549 1094 1667"> RESPOND TO Mark Montelongo Senior Air Quality Specialist Phone: (569) 230-6000 Fax: (559) 230-6061 </td> <td data-bbox="1094 1549 1279 1591"> RESPONSE DATE August 8, 2016 </td> </tr> </table>	RESPOND TO Mark Montelongo Senior Air Quality Specialist Phone: (569) 230-6000 Fax: (559) 230-6061	RESPONSE DATE August 8, 2016
RESPOND TO Mark Montelongo Senior Air Quality Specialist Phone: (569) 230-6000 Fax: (559) 230-6061	RESPONSE DATE August 8, 2016		
FULL DOCUMENT AVAILABLE FOR REVIEW IN THE PLANNING DEPARTMENT.			
<small>J:\P\1143814\ERC\REFERRAL LETTERS\2016\07\11\NAPCD\ERC-16 SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT - PUBLIC NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION.doc</small>			
STRIVING TO BE THE BEST COUNTY IN AMERICA			



Jul 21, 2016 12:37PM

Stan County Env Resources

No. 9119 P. 2



July 21, 2016

TO: SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT
FROM: AMBER MINAMI, STANISLAUS COUNTY HAZARDOUS MATERIALS DIVISION

SUBJECT: ENVIRONMENTAL REFERRAL – SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT – BARNHART RANCH PROJECT (N-1143814) PUBLIC NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

The Stanislaus County Hazardous Materials Division has reviewed the information available on the subject project. The Department provides the following conditions of approval to be implemented:

The applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER) that the property has been fully investigated (via Phase I study, and Phase II study if necessary) prior to the issuance of a grading permit. DER recommends research be conducted to determine if pesticides were used on the proposed development site; if confirmed, suspect site areas should be tested for organic pesticides and metals. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.

The applicant should contact the Department of Environmental Resources (DER) regarding appropriate permitting requirements for hazardous materials and/or wastes. Applicant and/or occupants handling hazardous materials or generating hazardous wastes must notify the Department of Environmental Resources relative to the following: (Calif. H&S, Division 20)

- A. Permits for the underground storage of hazardous substances at new or the modification of an existing tank facilities
- B. Requirements for registering as a handler of hazardous materials in the County.
- C. Submittal of hazardous materials Business Information into CERS by handlers of materials in excess of 55 gallons, 500 pounds of a hazardous material, or of 200 cubic feet of compressed gas.
- D. The handling of acutely hazardous materials may require the preparation of a Risk Management Prevention Program which must be implemented prior to operation of the facility. The list of acutely hazardous materials can be found in SARA, Title III, Section §302.
- E. Generators of hazardous waste must notify the Department relative to the: (1) quantities of waste generated; (2) plans for reducing wastes generated; and (3) proposed waste disposal practices. Generators of hazardous waste must also use the CERS data base to submit chemical and facility information to the DER.
- F. Permits for the treatment of hazardous waste on-site will be required from the hazardous materials division
- G. Medical waste generators must complete and submit a questionnaire to the department for determination if they are regulated under the Medical Waste Management Act.

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