



Draft Initial Study/ Mitigated
Negative Declaration

Conditional Use Permit Application No. 20-05

Holm Ranch

Lemoore, California

Draft Initial Study/ Mitigated Negative Declaration

Conditional Use Permit
Application No. 20-05

Foster Farms - Holm Ranch

Prepared for:

**Kings County Community
Development Agency**

1400 West Lacey Boulevard
Building #6
Hanford, CA 93230



May 2021

Table of Contents

1.0	MITIGATED NEGATIVE DECLARATION.....	1-1
1.1	Project Name	1-1
1.2	Project Location.....	1-1
1.3	Project Description	1-1
1.4	Mailing Address and Phone Number of the Applicant	1-1
1.5	Findings.....	1-1
1.6	Mitigation Measures included in the Project to Avoid Potentially Significant Effects	1-2
2.0	INTRODUCTION	2-1
2.1	Project Overview	2-1
2.2	Project Planning Background	2-1
2.3	CEQA Compliance.....	2-1
2.4	Impact Terminology	2-2
2.5	Document Organization and Contents	2-2
2.6	Incorporated by Reference	2-3
3.0	PROJECT DESCRIPTION	3-1
3.1	Existing Site Conditions.....	3-1
3.1.1	<i>Surrounding Land Use</i>	3-1
3.1.2	<i>Buildings</i>	3-1
3.1.3	<i>Landscaping</i>	3-1
3.1.4	<i>Lighting</i>	3-1
3.1.5	<i>Signage</i>	3-12
3.1.6	<i>Access/Circulation and Parking</i>	3-2
3.1.7	<i>Security</i>	3-2
3.1.8	<i>Storm Water Protection</i>	3-2
3.1.9	<i>Water Usage</i>	3-2
3.1.10	<i>Fire Suppression and Safety Proposals</i>	3-2
3.2	Proposed Project.....	3-2
3.2.1	<i>Infrastructure</i>	3-3
3.2.2	<i>Landscaping</i>	3-3
3.2.3	<i>Access/Circulation and Parking</i>	3-3
3.2.4	<i>Security</i>	3-3
3.2.5	<i>Storm Water Protection</i>	3-3
3.2.6	<i>Water Usage</i>	3-3
3.2.7	<i>Truck Trips</i>	3-3
3.2.8	<i>Employees Trips</i>	3-4
3.2.9	<i>Poultry Barns and Outdoor Poultry Pens</i>	3-4
3.2.10	<i>Hours of Operation</i>	3-4
3.3	Construction Activities and Schedule.....	3-4
3.4	Required Permits and Approvals.....	3-4
4.0	ENVIRONMENTAL CHECKLIST.....	4-1
4.1	General Information	4-1

4.2	Environmental Factors Potentially Affected	4-2
4.3	Determination	4-3
4.4	Evaluation of Environmental Impacts	4-4
I.	<i>Aesthetics</i>	4-4
II.	<i>Agriculture and Forestry Resources</i>	4-7
III.	<i>Air Quality</i>	4-10
IV.	<i>Biological Resources</i>	4-18
V.	<i>Cultural Resources</i>	4-25
VI.	<i>Energy</i>	4-28
VII.	<i>Geology and Soils</i>	4-30
VIII.	<i>Greenhouse Gas Emissions</i>	4-34
IX.	<i>Hazards and Hazardous Materials</i>	4-37
X.	<i>Hydrology and Water Quality</i>	4-41
XI.	<i>Land Use and Planning</i>	4-47
XII.	<i>Mineral Resources</i>	4-49
XIII.	<i>Noise</i>	4-51
XIV.	<i>Population and Housing</i>	4-55
XV.	<i>Public Services</i>	4-56
XVI.	<i>Recreation</i>	4-58
XVII.	<i>Transportation</i>	4-59
XVIII.	<i>Tribal Cultural Resources</i>	4-63
XIX.	<i>Utilities and Service Systems</i>	4-65
XX.	<i>Wildfire</i>	4-69
XXI.	<i>Mandatory Findings of Significance</i>	4-71
5.0	LIST OF PREPARERS	5-1
6.0	REFERENCES	6-1
7.0	APPENDICES	7-1

Attachments

APPENDIX A - MITIGATION MONITORING AND REPORTING PROGRAM

APPENDIX B – CALEEMOD OUTPUTS

APPENDIX C – BIOLOGICAL RESOURCES SURVEY

**APPENDIX D - NATIVE AMERICAN TRIBE CONSULTATION (SANTA ROSA
RANCHERIA TACHI YOKUT TRIBE)**

APPENDIX E – FIRE DEPARTMENT COORDINATION

APPENDIX F – KINGS COUNTY DEPARTMENT OF PUBLIC HEALTH COMMENTS

APPENDIX G – PUBLIC WORKS COMMENT SHEET

**APPENDIX H – CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD
COMMENTS**

**APPENDIX I – CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)
COMMENTS**

**APPENDIX J – CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
COORDINATION**

List of Figures

Figure 3-1: Holm Ranch Aerial	3-6
Figure 3-2: Holm Ranch Vicinity Map	3-7
Figure 3-3: Holm Ranch Layout	3-8
Figure 4-1: National Wetlands Inventory	4-21

List of Tables

Table 4-1: SJVAPCD CEQA Thresholds of Significance.....	4-12
Table 4-2: Land Use Data for CalEEMod Input	4-13
Table 4-3: Emissions Summary and Significance Evaluation.....	4-14
Table 4-4: Greenhouse Gas Emissions - Unmitigated Operational	4-35
Table 4-5: Logarithmic Addition of Noise Decibels	4-52
Table 4-6: Noise Levels with Increase in Poultry at 1.5 meters	4-52
Table 4-7: Proposed Trip Generation (ADT).....	4-60
Table 4-8: Total Daily VMT Comparison - Operations	4-61

List of Acronyms and Abbreviations

ADT	Average Daily Trips
af	Acre-feet
APN	Assessor's Parcel Number
ATV	All-Terrain vehicle
BAAQMD	Bay Area Air Quality Management District
BAU	Business-as-Usual
BPS	Best Performance Standards
CAA	Clean Air Act
CDA	Kings County Community Development Agency
CGS	California Geological Survey
CalEEMod	California Emissions Estimator Model®
CalFire	California Department of Forestry and Fire Protection
CAP	Clean Air Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CCAP	Climate Change Action Plan
CCR	California Code of Regulations
CDA	[Kings County] Community Development Agency
CDFA	California Department Food and Agriculture
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CH ₄	Methane
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CO ₂ e	Carbon Dioxide Equivalent
CUP	Conditional Use Permit
DOC	Department of Conservation
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
FHSZ	Flood Hazard Severity Zone
GHG	Greenhouse Gas
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
HMBP	Hazardous Materials Business Plan
HSC	Health and Safety Code

HVAC	Heating, Ventilation, and Air Conditioning
IS	Initial Study
IPaC	Information for Planning and Consultation
KWRA	Kings Waste and Recycle
LED	Light-emitting diode
LOS	Level of Service
LST	Localized Significance Threshold
MLC	Mineral Land Classification
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
MRP	Monitoring and Reporting Program
MT	Metric ton
NOA	Notice of Availability
N ₂ O	Nitrous Oxide
NO _x	Oxides of Nitrogen
O ₃	Ozone
PG&E	Pacific Gas and Electric Company
PM _{2.5}	Particulate Matter Less Than 2.5 Microns in Size
PM ₁₀	Particulate Matter Less Than 10 Microns in Size
RMP	Risk Management Planning
ROG	Reactive Organic Gas
SCAQMD	South Coast Air Quality Management District
sf	Square Foot
SGMA	Sustainable Groundwater Management Act of 2014
SIP	State Implementation Plan
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SOP	Standard Operating Procedure
SO _x	Oxides of Sulfur
SR	State Route
SRA	State Responsibility Area
TAC	Toxic Air Contaminant
U.S. EPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
VMT	Vehicle Miles Travelled
WDR	Waste Discharge Requirement

1.0 MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), Kings County reviewed the Project described below to determine whether it could have a significant effect on the environment. In accordance with CEQA Guidelines Section 15382, “Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

1.1 Project Name

Conditional Use Permit No. 20-05 for the proposed Foster Farms Poultry Farm (known as Holm Ranch).

1.2 Project Location

The proposed Foster Farms Holm Ranch is located at 16395 19th Avenue, approximately 2 miles south of Lemoore, CA, in an unincorporated portion of Kings County. The Holm Ranch layout arrangement is shown in Figure 3-3 and the general vicinity of the Ranch is shown in Figure 3-2.

Holm Ranch is located on an approximately 40-acre parcel [Assessor’s Parcel Number (APN) 024-170-020] at the northeast corner of 19th Avenue and Java Road.

1.3 Project Description

Foster Farms, LLC (Foster Farms) proposes to operate a poultry ranch on the non-operational Holm Ranch to grow turkeys and chickens to meet market demand in the poultry industry. Foster Farms would like the ability to place a maximum of 166,154 chickens or 54,000 turkey onsite per flock for grow out operations, with the type of bird raised subject to market demands. For turkey brooding, up to 120,000 poults (baby turkeys) at any one time. The number of flocks per year will range from a minimum of 4 to a maximum of 8 flocks per year depending on the type of bird and desired harvest weight.

See Chapter 3.0 for details of the components of the Proposed Project.

1.4 Mailing Address and Phone Number of the Applicant

Justin M. Kosta
Director, Environmental Affairs
1333 Swan Street
Livingston, CA 95334
Office: 209-394-6934

1.5 Findings

The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see Chapter 4.0 Environmental Checklist) identified no potentially significant effects on the environment. The Lead Agency, Kings County Community Development Agency, finds that there is no substantial evidence that this Proposed Project would have a significant effect on the environment with mitigation incorporated, and therefore, a Mitigated Negative Declaration (MND) is the appropriate level of environmental documentation for this Proposed Project.

1.6 Mitigation Measures included in the Project to Avoid Potentially Significant Effects

AES-1: Lighting Standard

Any exterior lighting shall be hooded so as to be directed only on-site. Pursuant to Section 418.E of the Kings County Development Code, exterior lighting shall be designed to be compatible with the architectural and landscape design of the project. New lighting that is part of residential, commercial, industrial or recreational development shall be oriented away from sensitive uses, and shall be hooded, shielded, and located to direct light pools downward and prevent glare.

AQ-1: Odor Management Plan

Foster Farms shall implement an Odor Management Plan during operations of the poultry ranch, which will include, but is not limited to, procedures for proposed mortality management, emergency mortality management, and litter clean out. The Proposed Project will comply with the 72-hour outdoor staging time limit for waste (manure) removal and with litter cleanout procedures and mortality management proposed in CUP No. 20-05 as a CUP condition, but on a year-round basis. This standard operating procedure (SOP) will prevent generation of significant odors throughout the year. Thus, any incremental change in odors due to operation of the facility with two types of poultry will be minimized such that a considerable number of persons would not be affected.

CUL-1: Pre-Construction Briefing

The project proponent shall provide a pre-construction briefing to construction staff via video training provided by the Santa Rosa Rancheria Cultural Staff regarding the discovery of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found.

CUL-2: Cultural Resources/Tribal Cultural Resources Stop Work in the Event of Unanticipated Discoveries

In the event that archaeological resources or tribal cultural resources, are discovered during ground disturbance, ground disturbing activities shall stop within 25 feet of the find, and a qualified archaeologist (as defined by Secretary of the Interior's Standards and Guidelines for Professional Qualifications Standards) or Native American monitor shall be consulted to determine whether the resource requires further study. The qualified archaeologist/Native American monitor shall determine the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5 of the CEQA Guidelines. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing, and data recovery, among other options as is considered appropriate based on the type of resource found. Any previously undiscovered resources found during construction within the Project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.

CUL-3: Tribal Cultural Resource Unanticipated Discovery

Upon discovery of cultural resources that have been appropriately identified as a tribal cultural resource and recorded by the qualified archaeologist/Native American Monitor in CUL-2, the

Kings County Community Development Agency, along with other relevant agency or Tribal officials, shall be contacted to begin coordination on the disposition of the find(s), and treatment of any significant cultural resource shall be undertaken.

CUL-4: Disposition of Cultural Resources

Upon coordination with the Kings County Community Development Agency, any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded long-term preservation per the recommendation of the qualified archaeologist. Documentation for the work by a qualified archaeologist shall be provided to the County and Tribe (if applicable) in accordance with applicable cultural resource laws and guidelines.

CUL-5: Unanticipated Discovery of Human Remains

If human remains are discovered during construction activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

HAZ-1: Hazardous Materials Business Plan

Foster Farms shall submit to Kings County Department of Environmental Health Services, a Hazardous Materials Business Plan (HMBP) pursuant to Health and Safety Code Chapter 6.95, sections 25500 to 25520. The HMBP shall outline the types and quantities of hazardous materials used onsite and indicate onsite safety measures to ensure such materials are properly handled and stored.

HYD-1: Poultry General Order

The project applicant shall comply with the Poultry General Order by adhering to the 72-hour outdoor staging time limit for waste (manure) removal as a CUP condition on a year-round basis.

2.0 INTRODUCTION

2.1 Project Overview

Foster Farms, LLC (Foster Farms) purchased the Holm Ranch (Site), located at 16395 19th Avenue, south of Lemoore, CA, in late 2019.

Foster Farms proposes to operate a poultry ranch to grow turkeys and chickens as part of CUP No. 20-05. Foster Farms proposes to place a maximum of 166,154 chickens or 54,000 turkey onsite per flock for grow out operations. For turkey brooding, up to 120,000 poults (baby turkeys) at any one time. The number of flocks per year will range from a minimum of 4 to a maximum of 8 flocks per year depending on the type of bird and desired harvest weight.

2.2 Project Planning Background

Foster Farms, LLC purchased the Holm Ranch site, located at 16395 19th Avenue Lemoore, California in late 2019. Zacky Farms previously operated a turkey ranch at the site under Conditional Use Permit (CUP) No. 1494 approved by the Kings County Planning Commission in 1989. The change in ownership allowed Foster Farms to apply for building permit No. 2006-056 to cover various improvements on the site under this previous CUP. The permit was issued in mid-2020 and, in conformance with County ordinances, allowed a 20,000-gallon water tank and associated piping/plumbing, two propane tanks per barn (for a total of 8,000-gallons) and associated piping, foggers, feed silos, and feeders to be installed on the site. In addition, it allowed for lighting on the exteriors of the barns to be replaced with LED shielded fixtures. Under coverage of this previous CUP, Foster Farms was also able to install by-right, the company sign that replaces the former Zacky Farms sign at the entrance of the ranch, a 4.5" gate valve for Fire Department use, and bio-security risk signs along the property's fence line.

The purpose of Foster Farms applying for a new CUP (No. 20-05) is to request the County's approval in operating as a mixed poultry farm (chickens and turkeys) since the previous CUP (No. 1494) only allowed for turkeys. CUP No. 20-05 requests this mixed poultry operations approval, along with the approval for the installation and use of outdoor poultry pens adjacent to each barn on the site.

2.3 CEQA Compliance

The California Environmental Quality Act (CEQA) [Public Resources Code §21000 et seq. and Title 14 California Code of Regulations (CCR) §15000 et seq.] requires that the environmental impacts of proposed projects be evaluated and that feasible methods to reduce, avoid, or eliminate significant adverse impacts of these projects be identified and implemented. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment (Public Resources Code §21067). The Proposed Project requires discretionary approval from the Kings County Community Development Agency (CDA) for the approval of a new CUP; therefore, it is subject to the requirements of CEQA. Because the Kings County CDA has the primary responsibility for evaluating the potential impacts of the Project, it is the most appropriate public agency to act as lead agency [CEQA Guidelines §15051(b)].

In accordance with CEQA Guidelines §15002(a), the basic purposes of CEQA are to inform public agency decision-makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects through the use of mitigation measures

or alternatives to the project, and disclose to the public the reasons why a government agency approved the project if significant environmental effects are involved.

To fulfill the purpose and intent of CEQA, this Draft Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to address the potential adverse environmental impacts associated with the Proposed Project. An IS/MND for a project subject to CEQA is prepared when an initial study identifies potentially significant effects but revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, [CEQA Guidelines §15070(b)(1)]. As discussed in Chapter 4.0 Environmental Checklist, the Proposed Project is not expected to result in any significant adverse environmental impacts with mitigation incorporated and therefore, an IS/MND is the appropriate CEQA document.

Chapter 4 presents the analysis and discussions for the following areas per the 2021 CEQA guidelines: aesthetics, agricultural/forestry resources, air quality, biological resources, cultural resources, energy, geology/soils, greenhouse gas (GHG) emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation, tribal cultural resources, utilities/service systems, and wildfires. The Proposed Project was determined not to have the potential for significant impacts with incorporation of mitigation measures.

2.4 Impact Terminology

The following terminology is used to describe the level of significance of impacts.

- A finding of “no impact” is appropriate if the analysis concludes that the project would not affect a topic area in any way.
- An impact is considered “less than significant” if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered “less than significant with mitigation incorporated” if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered “potentially significant” if the analysis concludes that it could have a substantial adverse effect on the environment.

2.5 Document Organization and Contents

This document has been prepared pursuant to CEQA Guidelines Section 15071, which outlines the required components of a Negative Declaration. The report contains the following Chapters:

- Chapter 1 – Mitigated Negative Declaration: This chapter provides a brief introduction to the project, findings, and mitigation measures of the IS/MND.
- Chapter 2 – Introduction: This chapter provides an overview of CEQA requirements, intended uses of the IS/MND, document organization, and a list of regulations that have been incorporated by reference.

- Chapter 3 – Project Description: This chapter describes the Proposed Project and provides a details on the existing site conditions.
- Chapter 4 – Environmental Checklist: This chapter contains the evaluation of the environmental resource topics as outlined by CEQA Guidelines Appendix G. Each resource topic is analyzed to determine whether the Proposed Project would have an impact. If any of the evaluations results in a finding of an unavoidable and significant impact, then an Environmental Impact Report (EIR) will be required.
- Chapter 5 – List of Preparers: This chapter identifies the individuals who prepared the IS/MND.
- Chapter 6 – References: This chapter contains a full list of references that were used in the preparation of the IS/MND.
- Chapter 7 – Appendices: This appendix contains supporting documentation for the preparation of this IS/MND.

2.6 Incorporated by Reference

The following documents and/or regulations are incorporated into this IS/MND by reference:

- 2035 Kings County General Plan
- 2035 Kings County General Plan Final Environmental Impact Report
- Kings County Development Code- Article 4. Agricultural Zoning Districts

3.0 PROJECT DESCRIPTION

3.1 Existing Site Conditions

The approximately 40-acre ranch was previously owned by Zacky Farms, which operated a turkey brooding facility beginning in 1989. The ranch was vacated by Zacky Farms and acquired by Foster Farms in 2019. The site has been a non-operational ranch since that time (See Figure 3-2). The site's existing conditions includes physical buildings and infrastructure from Zacky Farm's operation of the site as well as additional infrastructure that has been installed since Foster Farm's ownership of the site.

3.1.1 Surrounding Land Use

As shown in Figure 3-1, the ranch is surrounded by agricultural lands in all directions, with residences present on farms to the west and southwest of the site. The nearest school is Central Union School, located 1-mile northeast of the facility. There are no airports within 2 miles of the project Site. Specifically, within a 1-mile radius of the ranch there is a commercial solar field, a commercial crop duster operation with landing strip for said operation, a calf raising operation directly north of the site, dairy operations, another poultry facility, a church, and a gun club.

3.1.2 Buildings

The Proposed Project area is generally square with nominal dimensions of approximately ~1,320 feet by approximately ~1,320 feet, comprising approximately 40 acres. The buildings on-site consist of:

- Four (4) 50-foot by 500-foot poultry shelters (barns) [25,000 square feet (sf) each];
- Two (2) ranch staff residential dwellings (houses);
- One office/storage building of 530 sf;
- One storage shed of 380 sf;
- One water station/pesticide storage of 530 sf; and
- One perimeter road which connects the entrance of the Ranch to all buildings on-site.

3.1.3 Landscaping

Landscaping currently consists of oleander shrubs and trees located along the south Site boundary along Java Avenue and adjacent to one of the Site's residential dwellings.

3.1.4 Lighting

Lighting upgrades included replacing all the fluorescent lights inside the barns with equivalent light emitting diode (LED) fixtures and replacing the outside barn lights with 11-watt shielded LEDs. This is for energy savings purposes, an approximate 80% reduction in total lighting load over the long term. This installation was approved under permit number 2006-056.

3.1.5 Signage

Zacky Farms signage has been replaced with a smaller, less visually impactful Foster Farms company sign (less than 24 square feet in size) by right under existing entitlement. The main purpose of the new sign (similar to a normal street sign) will be to identify the Ranch entrance for delivery truck drivers and temporary workers. The entrance gates and various places along the security fence has had small signs stating the bio-security risk installed.

3.1.6 Access/Circulation and Parking

There is one combined entrance and exit for the ranch, which is located at the southwest corner of the Ranch near the intersection of Java Avenue and 19th Avenue. Another combined entrance/exit exists on Java Avenue, just southeast of the barns. An internal access road begins at the southwest entrance along 19th Avenue, extends along the west side of the barns, and is completed by a 150-foot (45-meter) diameter truck turnaround which is also adequate for emergency vehicles. All frequently used roads are surfaced with road base aggregate to control fugitive dust and provide wet-weather drivability. Parking on the site is unpaved, and located on the west side of the access road encircling the east, south, and west side of the barns, nearest 19th Avenue and along both sides of the access road nearest the main gate along Java Avenue (See Figure 3-3).

3.1.7 Security

There is existing fencing around the ranch in the form of 4.5-foot high stock fencing topped with three strands of barbed wire. Metal fence posts are placed every 10 feet on center. The entrance gate is a 6-foot high cyclone fence topped with three strands of barbed wire.

3.1.8 Storm Water Protection

Existing grading at the property allows runoff of rainwater away from buildings. An underground piping and drain system is installed to carry the water to the 10-acre storm water collection pond. Storm water does not discharge from the Site.

3.1.9 Water Usage

Non-potable water is currently provided by two on-site ranch supply wells which use electric pumps. The newest well is the primary well was installed under issued permit number 2006-056 from Kings County and the existing older well serves as a backup well. Both poultry operations and the residences rely on these wells for non-potable water.

3.1.10 Fire Suppression and Safety Proposals

The new primary on-site well has a 4.5-inch gate valve isolated and identified for Kings County Fire Department use per request of the Fire Department (see 7.0 Appendices, Appendix E). A 20,000-gallon prefabricated steel water tank was installed under permit number 2006-056 from Kings County. The project site will be in full compliance with City and County fire protection regulations.

3.2 Proposed Project

Foster Farms proposes the placement of up to 166,000 chickens or 54,000 turkeys on-site per flock for grow-out operations (i.e. a maximum bird occupancy of up to 1,328,000 chickens per year or

432,000 turkeys per year). For turkey brooding, Foster Farms has requested a maximum flock size of up to 120,000 poult (young turkeys) at any given time. The number of flocks will range from four to eight flocks per year depending on the type of bird and desired harvest weight. The potential chicken shipping weights will range from 4 pounds to 8.5 pounds depending on the market type. Turkeys may be shipped out at weights ranging from 4 pounds to 55 pounds. The larger the bird, the lower the number of birds placed and the longer it takes to grow the birds (less flocks per year for large birds, more flocks per year for small birds). The type of bird flock (chicken or turkey) would be subject to market conditions, and Foster Farms is requesting the flexibility to operate with either.

3.2.1 Infrastructure

Foster Farms had installed two 1,000 gallon propane tanks per barn (8,000 gallons total) and associated piping (fuel gas) as well as feeder tanks, silos, and foggers under permit number 2006-056.

3.2.2 Landscaping

No changes to the existing landscaping is currently anticipated.

3.2.3 Access/Circulation and Parking

No changes to access/circulation or parking on the Ranch are proposed. The combined entrance/exit on Java Avenue, just southeast of the barns, would be used on a limited, lower frequency basis for clean out trucks (a full clean out occurs once every two years).

3.2.4 Security

No changes to fencing/security on the Ranch are proposed.

3.2.5 Storm Water Protection

No changes to stormwater drainage are proposed. Cleanout areas would be managed in compliance with the State's Poultry General Order to prevent the generation of contaminated storm water runoff (See 7.0 Appendices, Appendix H).

3.2.6 Water Usage

Non-potable water usage for poultry operations and the on-site residences would rely on the two on-site wells, one of which will serve as a backup well. Bottled water would be provided for human consumption on the Ranch. Annual maximum water usage for poultry operations would be approximately 6 to 7.2 million gallons, or about 16,400 to 19,700 gallons per day.

3.2.7 Truck Trips

Ranch operations would necessitate up to 100 heavy-duty truck trips per month. This number would not be evenly distributed throughout the month, but rather would be dependent upon on-site operations throughout any given month. Round-trip distance is estimated to be a maximum of 200 miles, with an average of 100 miles, depending on origin, purpose, and destination.

3.2.8 Employees Trips

Four permanent employees would reside on site in the two caretaker residences. During bird placements, removals, litter cleanouts, and other periodic operations, the maximum number of temporary workers could reach 50. This would occur about four to eight times per year for about one week between flocks. Round-trip distance is estimated to be a maximum of 4 miles and mostly local.

3.2.9 Poultry Barns and Outdoor Poultry Pens

The project does not propose any expansion of the existing enclosed poultry barns; total enclosed barn space will remain at approximately 100,000 sf. Minor modifications to the barns would be necessary for the poultry to access the outdoor pens, which would be closed at night when the birds are young; these modifications include 6 small cutouts per side of the barns (approximately 1ft by 2ft) and accompanying ramps that are approximately 1 foot above the ground.

The Project proposes to construct 25 feet by 500 feet outdoor poultry pens totaling 100,000 sf to be located in between the existing barns. Approximately, 75,000 sf on-site will be unirrigated, and 25,000 sf will be irrigated to maintain vegetative cover, as required for organic certification. The pen fencing would be steel mesh, 4 feet in height, with steel support posts placed 10 feet on center. The Ranch layout is shown in Figure 3-3.

3.2.10 Hours of Operation

The four employees, including a ranch manager, would live at the ranch and would be on-call 24 hours per day, 7 days per week, when flocks are present.

3.3 Construction Activities and Schedule

The project includes construction of up to 100,000 sf of outdoor poultry pens installed between the existing poultry barns (See Figure 3-3:). No clearing, grading or excavation is anticipated, and no use of heavy equipment will be necessary. Fence post holes for the pens will be dug with a power hand auger (or a small tractor-mounted auger). Pen construction is anticipated to take about 1 or 2 weeks (up to 10 working days), with 2 contractors anticipated to come to the site in 1 to 2 vehicles to complete this work.

3.4 Required Permits and Approvals

The Proposed Project would require the following permits and approvals:

- Approval of CUP No. 20-05 by the Kings County Community Development Agency (CDA) to allow for the different types and numbers of poultry to be grown on-site;
- Building permit No. 2006-056 was issued in 2020 for the lighting fixture replacements (electrical), the 20,000-gallon water tank and associated piping (plumbing), the replacement of the large propane tank with two 1,000-gallon propane tanks per barn (8,000 gallons total) and associated piping (fuel gas), and additions of feed silos, feeders, and foggers in the barns;
- Modification Notification to the Central Valley Regional Water Quality Control Board (CVRWQCB) for coverage under the Waste Discharge Requirements (WDRs) General Order for Poultry Operations, Order No. R5-2016-0087-01 and accompanying Monitoring

and Reporting Program as limited coverage facilities via a new Notice of Intent for expanded facilities. Adoption of this IS/MND is required by CEQA before a new CUP can be issued and the coverage under the General Order for Poultry Operations can be revised through a new NOI.

Figure 3-1: Holm Ranch Aerial



Figure 3-2: Holm Ranch Vicinity Map

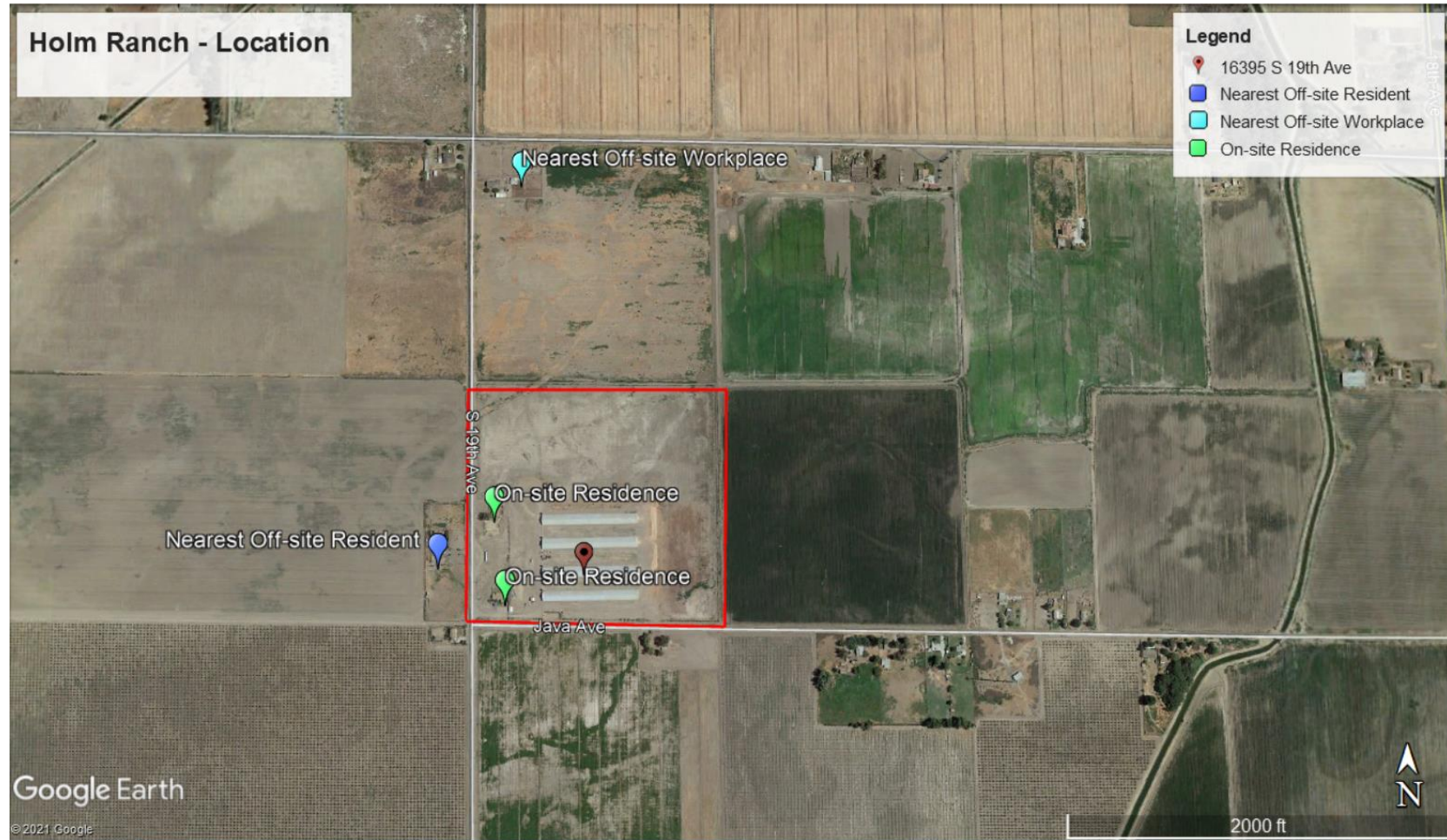
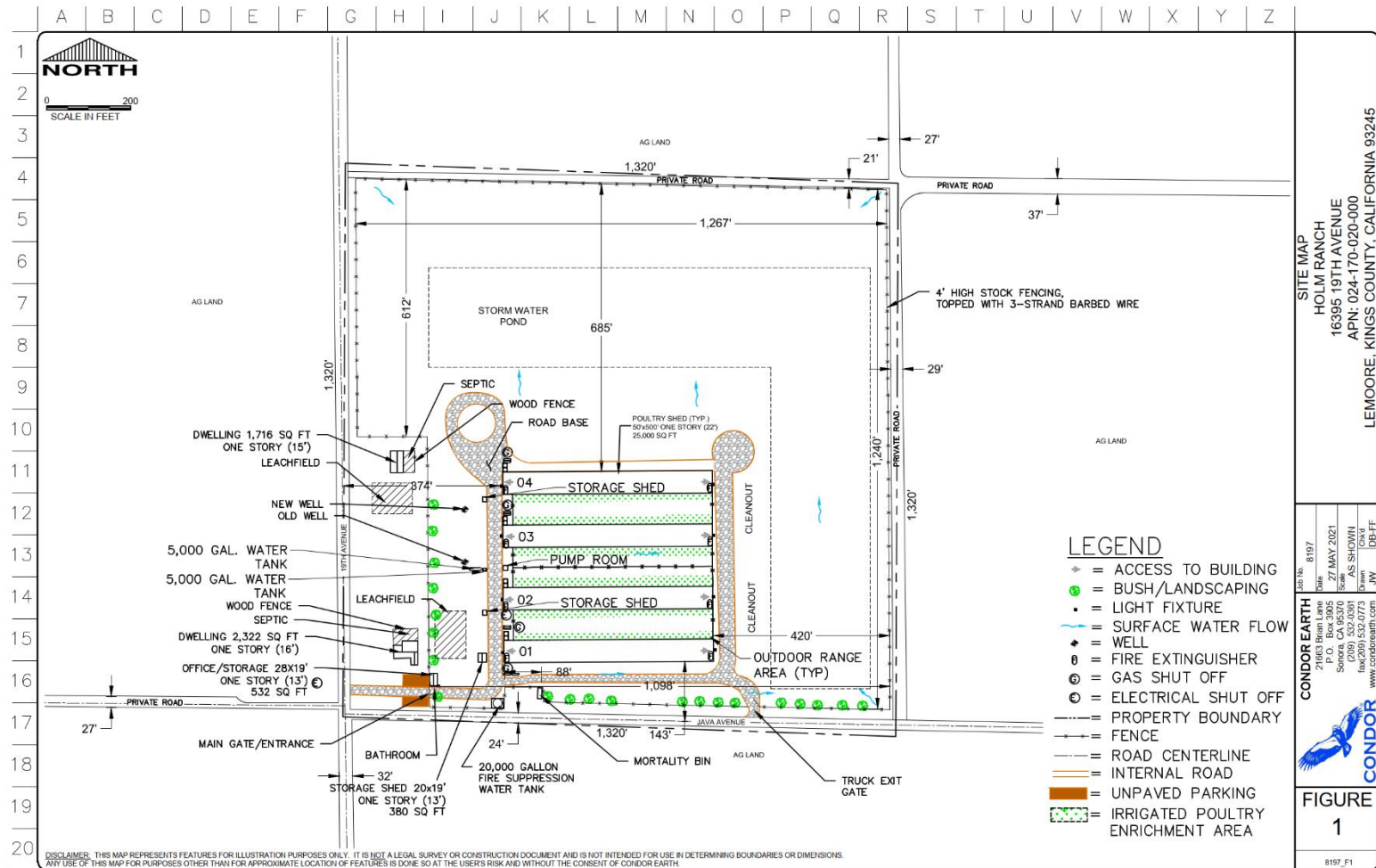


Figure 3-3: Holm Ranch Layout



4.0 ENVIRONMENTAL CHECKLIST

The environmental checklist provides a standard evaluation tool to identify a project's adverse environmental impacts. This checklist identifies and evaluates potential adverse environmental impacts that may be created by the Proposed Project.

4.1 General Information

Project Title:	CUP No. 20-05 for Foster Farms Holm Ranch Poultry Operation
Lead Agency:	Kings County Community Development Agency 1400 W. Lacey Blvd., Building #6 Hanford, CA 93230
Contact Person and Phone Number:	Chuck Kinney, Deputy Director- Planning Division (559) 852-2670
Project Location:	16395 19 th Avenue, Lemoore, CA, APN 024-170-020
Applicant:	Foster Farms, LLC 1333 Swan Street P.O. Box 306 Livingston, CA 95334
Contact Person and Phone Number:	Mr. Justin Kosta Director of Environmental Affairs Work: (209) 394-6934 Cell: (510) 378-0689 E-mail: Justin.Kosta@FosterFarms.com
General Plan Designation:	General Agriculture- 20 Acre per 2035 Kings County General Plan (County 2010)
Zoning Designation:	General Agricultural- 20 District (AG-20)
Description of Project:	See Chapter 3
Surrounding Land Uses and Setting:	Within a mile radius of the ranch there is a commercial solar field, a commercial crop duster operation with landing strip for said operation, a calf raising operation directly north of the site, dairy operations, another poultry facility, a church, and a gun club.
Parking and Access	See Section 3.2.4
Landscaping	See Section 3.2.1
Electric Utility Service	Pacific Gas & Electric Company (PG&E)
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to PRC Section 21080.3.1? If so, has consultation begun?	Yes, consultation with the Santa Rosa Rancheria Tachi Yokut Tribe was initiated.
Other Public Agencies Whose Approval is Required	Regional Water Quality Control Board (Waste Discharge Requirements [WDR] Permit)

4.2 Environmental Factors Potentially Affected

The following environmental impact areas have been assessed to determine their potential to be adversely affected by the Proposed Project. As indicated by the checklist on the following pages, environmental topics marked with a “✓” may be adversely affected by the Proposed Project. An explanation relative to the determination of impacts can be found following the checklist for each area.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture/Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials |
| <input checked="" 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 | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

4.3 Determination

On the basis of this initial evaluation:

- ☐ I find the proposed project COULD NOT have a significant effect on the environment, and that 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 significant effects in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
- ☐ I find that the proposed project MAY have a "potentially significant 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: 1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards; and 2) 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: _____



Date: _____

6-10-21

Chuck Kinney
Deputy Director – Planning Division
Kings County Community Development Agency

4.3 Determination

On the basis of this initial evaluation:

- ☐ I find the proposed project COULD NOT have a significant effect on the environment, and that 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 significant effects in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
- ☐ I find that the proposed project MAY have a “potentially significant 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: 1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards; and 2) 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: _____

Date: _____

Chuck Kinney
Deputy Director – Planning Division
Kings County Community Development Agency

4.4 Evaluation of Environmental Impacts

As outlined in Chapter 3, the Proposed Project involves the approval of a CUP application for Foster Farms to operate a poultry farm on the site. Article 4, Section 407 of the Kings County Development Code, Table 4-1 lists poultry raising or keeping, exceeding 500 chickens and 50 turkeys, as a conditional use subject to Kings County Planning Commission approval in the General Agricultural (AG-40) zone district. No topical areas on the CEQA environmental checklist were found to have unmitigated impacts exceeding applicable thresholds of significance; hence, no mitigation measures would be needed for the Proposed Project. All topics on the checklist were determined to have Less Than Significant Impacts or No Impacts, as discussed below.

I. Aesthetics

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) *Have a substantial adverse effect on a scenic vista?*

Impact: No Impact

The Project Site is located in rural Kings County, California and is surrounded by agricultural lands on all sides (See Figure 3-1: Holm Ranch Aerial). The Open Space

Element of the 2035 Kings County General Plan identifies Agricultural land within Kings County as the predominant open space landscape throughout the unincorporated territory of the County. Within the Open Space Element, several scenic resources that represent the aesthetic visual character of the County are identified, including: the waterways that traverse the northern edge of the County (Kings River and Cross Creek), the foothills and mountains along the southwest edge of the County (Kettleman Hills and Coast Ranges), and the viewsheds along the southern portions of State Route (SR) 41, between SR33 and the county line. The Land Use Element classifies the Ranch within the General Agricultural – 20 acre land use designation. It is not located nearby or within any scenic resources as identified in the 2035 Kings County General Plan. Therefore, the Project would not result in any adverse effects on any scenic vistas.

Mitigation Measures: None

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Impact: No Impact

The 2035 Kings County General Plan Open Space Element identifies a portion of SR-41, commencing at the intersection of SR-33, as eligible for designation as a State Scenic Highway under Caltrans (Open Space Element: Figure OS-7 Potential Scenic Highway). The Project site is approximately 30 miles northeast of this junction. No other designated state scenic highways exist within the County. Therefore, the Project would have no impact on damaging scenic resources within a state scenic highway since all improvements would be within the boundaries of the parcel.

Mitigation Measures: None

c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Impact: Less than Significant

Holm Ranch is located in a non-urbanized (i.e., rural) area, surrounded by agricultural land uses. Since the Project proposes to operate on a site that previously functioned as a poultry ranch and that is zoned under an Agricultural designation, the Proposed Project would not have a significant impact on the existing visual character of the area. Specifically, the current visual character of the Ranch would remain generally the same because no new buildings or significant landscaping are proposed. The only new construction will be the 4-foot high outdoor poultry pens adjacent to the poultry barns. Other work done at the Ranch would refurbish and improve the existing facility for the proposed operations through additions of feed silos, feeders, and foggers. Therefore, the Proposed Project would have a less than significant impact on the existing visual character and quality of public views of the site and its surroundings.

Mitigation Measures: None

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Impact: Less than Significant with Mitigation Incorporated

Except for the energy-conserving replacement of conventional lighting fixtures (e.g., fluorescent, incandescent) with new LED fixtures, no other changes to facility lighting are planned. The new outdoor LED lighting fixtures of commercial design will meet County requirements to prevent glare or other visual nuisances through shielding (per Kings County Development Code Article 4, Agricultural Zoning Districts, Section 418 Additional Standards and Development Regulations, (E) Exterior Lighting)(AES-1 Lighting Standard). Therefore, the proposed project would have less than significant impacts with mitigation incorporated on creating a new source of substantial light or glare that would adversely affect views in the area.

Mitigation Measures:

AES-1: Lighting Standard

Any exterior lighting shall be hooded so as to be directed only on-site. Pursuant to Section 418.E of the Kings County Development Code, exterior lighting shall be designed to be compatible with the architectural and landscape design of the project. New lighting that is part of residential, commercial, industrial or recreational development shall be oriented away from sensitive uses, and shall be hooded, shielded, and located to direct light pools downward and prevent glare.

II. Agriculture and Forestry Resources

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. Agriculture and Forestry Resources. 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture 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 Resources Board. Would the project:				
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 nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 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?*

Impact: No Impact

The Site is not designated as prime, unique, or important farmland per the Department of Conservation's Farmland Mapping and Monitoring Program (FMMP)'s California Important Farmland Finder online map (2018)¹. The southern half of the 40-acre parcel is classified as "Confined Animal Agriculture" and the northern half of the parcel is classified as "Grazing Land". The Proposed Project would have no impact on conversion of agricultural resources and proposes to continue to operate as an agricultural use.

Mitigation Measures: None

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Impact: No Impact

Per Article 4, Section 407 of the Kings County Development Code Table 4-1, the land use regulations for "General Agriculture-20 (AG-20)" district allows "animal keeping: raising of birds exceeding 50 animals" as a conditional use subject to approval of a CUP. No changes to the existing agricultural zoning (i.e., AG-20) are proposed with implementation of the Proposed Project. The Ranch is not subject to a Williamson Act (California Land Conservation Act of 1965) contract per the Kings County Cultural Preserves 2013 Williamson Act and Farmland Security Zone Properties map². Therefore, the Proposed Project would have no impact or conflict with existing zoning or a Williamson Act contract.

Mitigation Measures: None

- c) *Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

Impact: No Impact

There are no forests or timberlands in the vicinity of the Ranch per Kings County 2035 General Plan Land Use Category Map³. Therefore, the Proposed Project would have no impact.

Mitigation Measures: None

¹ Department of Conservation, Farmland Mapping and Monitoring Program, Accessed January 2021
<https://gis.data.ca.gov/datasets/8ab78d6c403b402786cc231941d1b929>

² Kings County, Kings County Cultural Preserves 2013 Williamson Act and Farmland Security Zone Properties Map, October 2013 <https://www.countyofkings.com/home/showpublisheddocument?id=3168>

³ Kings County, 2035 General Plan - Land Use Element, Figure LU-3 Land Use Category Map,
<https://www.countyofkings.com/home/showpublisheddocument/15995/636302054199570000>

d) Result in the loss of forest land or conversion of forest land to non-forest use?

Impact: No Impact

There are no forests or timberlands in the vicinity of the Ranch per Figure LU-11 Kings County Land Use Map of the 2035 Kings County General Plan. Therefore, the Proposed Project would have no impact.

Mitigation Measures: None

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?

Impact: No Impact

The Proposed Project will not change the existing use of the Ranch; therefore, the Proposed Project would not involve changes in the existing environment, which could result in conversion of Farmland to non-agricultural use. There are no forest lands in the vicinity per Fig. LU-11 Kings County Land Use Map of the 2035 Kings County General Plan.

Mitigation Measures: None

III. Air Quality

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality. Where available, the significance criteria established by the applicable air quality management district 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Kings County is part of the San Joaquin Valley Air Basin (SJVAB), which is defined by the Sierra Nevada to the east, the Coast Ranges to the west, and the Tehachapi mountains to the south. The SJVAB includes eight counties in California's Central Valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and western Kern County. The surrounding topographic features restrict air movement through and out of the basin and, as a result, the SJVAB is highly susceptible to pollutant accumulation over time⁴.

The Proposed Project proposes a maximum of 100 truck trips per month, or 3.3 ADT, for the placement and removal of birds. Trips from four full-time on-site employee and up to 50 temporary workers are not anticipated to exceed 300 trips per month, or 10 ADT. The total ADT for the Project is anticipated to not exceed 13.3 ADT. No major construction is proposed for the Ranch; new construction would be limited to the installation of the outdoor pens, which involves hand installation of fence posts. Frequency of trips are

⁴ Kings County, 2035 General Plan Final Environmental Impact Report, 2010

anticipated to follow the development rates of the poults⁵, with trips anticipated to be concentrated during drop off and pick up of the birds.

Operations of the poultry farm are subject to San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations, including Regulation VIII (Fugitive PM₁₀ Prohibitions), Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), Rule 4102 (Nuisance), Rule 4570 (Confined Animal Facilities), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations)⁶.

Significance Thresholds

The SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts contains established significance thresholds that projects within the District could use to evaluate a project's impact on air quality. For this evaluation, the Proposed Project would be considered to have a significant effect on the environment if it would exceed the following thresholds listed in Table 4-1.

⁵ 45-day average for chickens and 90-135 days for turkeys with a range of four to eight flocks per year

⁶ San Joaquin Valley Air Pollution Control District, Rules and Regulations, Accessed January 26, 2021
<https://www.valleyair.org/rules/1ruleslist.htm>

Table 4-1: SJVAPCD CEQA Thresholds of Significance

Pollutant	Project Operation (tons/year)
ROG	10
NO _x	10
CO	100
SO _x	27
PM ₁₀	15
PM _{2.5}	15
TACs (including carcinogens and non-carcinogens)	Maximally Exposed Individual Risk equals or exceeds 20 in one million
	Acute Hazard Index equals or exceeds 1 for the Maximally Exposed Individual
	Chronic Hazard Index equals or exceeds 1 for the Maximally Exposed Individual
GHGs	Implement Best Performance Standards (BPS)
	Reduce Project GHG Emissions by 29% over Business As Usual (BAU)
Source: San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). Website (https://www.valleyair.org/transportation/GAMAQI_12-26-19.pdf) accessed October 14, 2020. San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015a. Air Quality Thresholds of Significance – Criteria Pollutants. Website (http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf) accessed October 14, 2020. San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015b. Air Quality Thresholds of Significance – Toxic Air Contaminants. Website (http://www.valleyair.org/transportation/0714-GAMAQI-TACs-Thresholds-of-Significance.pdf) accessed October 14, 2020.	

Project Emissions Estimation

The Proposed Project operational emissions analysis was performed using the California Emissions Estimator Model[®] (CalEEMod) version 2016.3.2. CalEEMod is the official statewide land use computer model designed to provide a uniform platform for estimating potential criteria pollutant and GHG emissions associated with land use projects under CEQA. The model quantifies direct emissions from mobile equipment and vehicle use, as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The mobile source emission factors used in the model – published by the California Air Resources Board (CARB) – include the Pavley standards and Low Carbon Fuel Standard. The model also identifies project design features, regulatory measures, and available mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from the selected measures. CalEEMod was developed by the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the SJVAPCD, South Coast Air Quality Management District (SCAQMD), the Bay Area Air Quality Management District (BAAQMD), and other California air districts. Default land use data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) were provided by the various California air districts to account for local requirements and conditions. As the official assessment

methodology for land use projects in California, CalEEMod was relied upon for operational emissions quantification, which forms the basis for the impact analysis.

Based on information received from Foster Farms (Applicant), land use data for CalEEMod input is presented in Table 4-2: The Proposed Project area for CalEEMod input is 100 units of 1,000 sf (i.e., 100,000 sf) or 2.3 acres of poultry barn area (i.e. the parts of the site accommodating the barns and operations of the ranch). This size metric of 100 units was used to compute operational truck trip rates and vehicle miles traveled (VMT), along with estimated electric power usage. Estimated propane usage for operations is 97,600 gallons per year, which is equivalent to approximately 8.5 million cubic feet of natural gas. Also input to CalEEMod were calculated emissions from various on-site off-road vehicles. Since there will be no substantial construction other than hand-auguring of post holes for the pens, default equipment counts were set to zero in CalEEMod.

Table 4-2: Land Use Data for CalEEMod Input

Land Use Type	Land Use Subtype	Unit Amount	Size Metric	Lot Acreage (footprint)	Square Feet (est.)
Industry	General Light Industry	100	1,000 sf	2.3	100,000
Project Site				2.3*	100,000
Source: Foster Farms 2020, CalEEMod version 2016.3.2.					
<u>Notes:</u>					
Utility – Pacific Gas & Electric, Climate Zone 3					
1 acre = 43,560 square feet					
*2.3 acres allocated for poultry barn area; total property area is 40 acres.					

Criteria Pollutants from Project Activities

The use of gasoline or diesel fueled equipment and vehicles causes emissions of the criteria pollutants nitrogen oxides (NO_x), reactive organic gases (ROGs), carbon monoxide (CO), sulfur oxides (SO_x), and 10- and 2.5-micron particulate matter (PM₁₀ / PM_{2.5}). Diesel engines also emit diesel particulate matter (DPM) in the form of PM₁₀. Use of architectural coatings (paints) and other materials such as sealants may also emit ROGs.

Since no heavy equipment will be used for on-site construction (i.e., no earthmoving, grading, or building construction), the Proposed Project will result in no substantial construction emissions (e.g., use of an auger for fence post holes) since pens will be installed by contractors arriving in 1 to 2 vehicles over a 10 day period and since only a minimal number of contractor trips⁷ will be required to bring construction materials in; therefore, construction emissions are not quantified for this analysis.

Project operation refers to the range of activities that can or may generate criteria pollutant and GHG emissions when a project is functioning in its intended use. Stationary sources

⁷ Contractor trips for pen installation is assumed to be two trucks per day travelling to and from the site (2 trips), for ten days for a total of 40 trips, conservatively, which would not generate a substantial amount of emissions. This is covered under the CalEEMod calculations which conservatively estimates up to 50 temporary worker trips over the year.

include combustion of natural gas in equipment such as water heaters, boilers, process heaters, and furnaces and mobile sources include on-road vehicles and off-road equipment burning fuels. CEQA significance thresholds address the impacts of operational emissions sources on local and regional air quality.

Results of Operational Criteria Emissions Analyses

Estimated operational emissions from on-road vehicles (trucking), on-site off-road utility vehicles, and propane gas combustion (brood heaters, domestic use, etc.) were calculated using CalEEMod, and the CalEEMod outputs are provided in Section 7.0 Appendices, Appendix B. Table 4-3 shows unmitigated criteria pollutant operational emissions and evaluates these emissions against SJVAPCD significance thresholds. For Holm Ranch operations, the following CalEEMod input variables were calculated:

- On-road vehicles (diesel fuel): 239,279 VMT (vehicle miles traveled) per year;
- Off-road vehicles (diesel fuel): “Mule” ATV (all-terrain vehicle) 24 hours per year, tractors 606 hours per year, forklifts 726 hours per year; and
- Propane usage: 97,600 gallons per year (approximately 8.5 million cubic feet of natural gas).

As shown in Table 4-3, unmitigated emissions of criteria pollutants from Project operation are below applicable SJVAPCD significance thresholds, i.e., Less Than Significant.

Table 4-3: Emissions Summary and Significance Evaluation

Pollutant	SJVAPCD Operation Threshold (tons/year)	Proposed Facility (tons/year)	Exceeds Threshold?
NO _x	10	0.67	No
ROG	10	0.52	No
PM ₁₀	15	0.15	No
PM _{2.5}	15	0.08	No
SO _x	27	0.005	No
CO	100	0.90	No

Sources: CalEEMod version 2016.3.2, San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015a. Air Quality Thresholds of Significance – Criteria Pollutants. Website (<http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>) accessed October 14, 2020.

Notes:
Tons per year are annual emissions for planned land use.
PM₁₀/PM_{2.5} comprises fugitive dust plus engine exhaust.

Discussion:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Impact: Less Than Significant

San Joaquin Valley Air Basin (SJVAB) is in nonattainment with State and federal ozone and PM_{2.5} standards and State PM₁₀ standards. Due to this nonattainment status, the

SJVAPCD periodically updates the *San Joaquin Valley Clean Air Plan* (CAP) to meet State and federal requirements and/or to incorporate the latest technical information. The CAP is the District's contribution to the State Implementation Plan (SIP), which is submitted to the United States Environmental Protection Agency (U.S. EPA) for approval under the Clean Air Act (CAA).

The SJVAPCD has adopted two plans:

- The 2016 Plan for the 2008 8-hour Ozone Standard – This plan addresses strategies and actions necessary to improve the Valley's air quality and meet the federal air quality standards for ozone; and
- The 2018 Plan for the 1997, 2006, and 2012 PM_{2.5} Standards – This plan addresses strategies and actions necessary to improve the valley's air quality and meet the newest federal air quality standards for PM_{2.5}.

The operation of the Proposed Project would not conflict with the SJVAPCD air quality planning goals because the Project would be required to comply with all applicable SJVAPCD rules and California Air Resources Board (CARB) regulations during operations (e.g., permitting requirements, visible emissions, nuisance, fugitive dust, architectural coatings, gas-fired heating equipment, etc.).

The Proposed Project does not include major construction on the ranch that could cause emissions that would conflict with standards included in the applicable air quality plans. Emissions from poultry pen construction would be less than significant and would have a negligible impact on air quality.

As part of the CUP approval, control measures for the management of fugitive dust during operations would be implemented by Foster Farms and would further reduce the potential for the Project to conflict with standards adopted to achieve PM reduction goals. These measures include but are not limited to, irrigating 25 to 75 percent of the outdoor poultry pen areas regularly during operations to maintain vegetative cover to reduce dust disturbance. Applicable conditions per Rule 8011 General Requirements: Regulation VIII (Fugitive PM₁₀ Prohibitions) and Rule 8081 Agricultural Sources of the Rules and Regulations of the SJVAPCD may be also assigned by the County as a Condition of Approval (COA) of the CUP, which would further reduce PM emissions. As detailed in Table 4-3 above, the generation of ozone would be nominal and would not conflict with applicable standards. Therefore, the Proposed Project would not conflict with or obstruct implementation of the applicable air quality plan, and the overall impact would be less than significant.

Mitigation Measures: None

b) 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?

Impact: Less Than Significant

The Proposed Project would not substantially increase criteria pollutant emissions for which the project region is nonattainment under an applicable federal or State ambient air quality standard. Operational emissions were calculated using CalEEMod, Version 2016.3.2. The main source of operation emissions would be from vehicle trips and day-to-day maintenance work (See Table 4-3). However, the emissions from the operation of this facility will not contribute to a cumulatively considerable net emissions increase as part of a rural agricultural community with a relatively low amount of emissions generated by operations and therefore would have a less than significant impact.

Mitigation Measures: None

c) Expose sensitive receptors to substantial pollutant concentrations?

Impact: Less than Significant Impact

According to the SJVAPCD 2015 Guidance for Assessing and Mitigating Air Quality Impacts, sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants. There are two ranch manager residences on-site approximately 50 meters (160 feet) from the barn area. The nearest off-site resident (i.e., sensitive receptor) is approximately 120 meters (400 feet) to the west, across 19th Avenue from the Ranch entrance, which is a substantial distance for pollutants to disperse. As described above in (a) and (b), pollutant concentrations generated are not significant and therefore, there would be a less than significant impact to sensitive receptors in proximity to the Ranch.

Mitigation Measures: None

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Impact: Less than Significant Impact with Mitigation Incorporated

While odors rarely cause physical harm, they can be unpleasant, often generating citizen complaints. A land use project with the potential to frequently expose the public to odors in violation of SJVAPCD Regulation 4, Rule 4102: Nuisance, would be deemed to have a significant impact. Although paragraph 3.1 of Rule 4102 specifically exempts agricultural operations engaged in the growing of crops or raising of fowl or animals, the Project would have the potential to produce odors through operation as a poultry ranch and from diesel exhaust from delivery vehicles. Beside the on-site ranch operators, there are other residences in the area within a short distance from the existing poultry barns; however, the overall area around the facility is sparsely populated, i.e., agricultural fields, and not inhabited by a considerable number of persons within a 1 mile radius of the ranch. Approximately less than 10 single family-type residences are located within 1 mile of the ranch, which based on the inhabitants of the proposed ranch, would translate to no more than 20 people within a 1 mile radius.

The California Regional Water Quality Control Board (RWQCB 2016), Central Valley Region (aka Central Valley Water Board or Board) has enacted Order R5-2016-0087-01,

Waste Discharge Requirements General Order for Poultry Operations, commonly referred to as the “Poultry General Order”⁸. Section 4(iv) of the Order requires that:

“The facility either stores all waste in a roofed structure with features to limit the entrance of precipitation or, throughout the year, removes all waste within 14 days of removal from such a roofed structure. During the wet season (October through May), waste stored outside such a roofed structure must either be removed from the facility within 72 hours of being deposited outdoors or covered with a weatherproof covering, except for times when wind events remove the covering, not to exceed 24 hours per event.”

Foster Farms shall implement an Odor Management Plan through mitigation measure AQ-1 during operations of the poultry ranch, which will include, but is not limited to, procedures for proposed mortality management, emergency mortality management, and litter clean out. The Proposed Project will comply with the 72-hour outdoor staging time limit for waste (manure) removal and with litter cleanout procedures and mortality management proposed in CUP No. 20-05 as a CUP condition, but on a year-round basis. This standard operating procedure (SOP) will prevent generation of significant odors throughout the year. Thus, any incremental change in odors due to operation of the facility with two types of poultry will be minimized such that a considerable number of persons would not be affected.

Although there are some residents within the odor distance threshold of 1 mile, the compliance with Chapter 13 Solid Waste Collection and Disposal Section 13-12 Health and safety issues of the Kings County Code of Ordinances to reduce the impact of odors to the surrounding area while complying with applicable standards would result in a less than significant impact as it relates to odors. In addition, the relatively low amount of trips generated by the arrival and departure of trucks throughout the month would be unlikely to generate noticeable objectionable odors from diesel as the overall area around the facility is composed of open space and able to disperse the odor of diesel before reaching the sensitive receptors.

Mitigation Measures:

AQ-1: Odor Management Plan

Foster Farms shall implement an Odor Management Plan during operations of the poultry ranch, which will include, but is not limited to, procedures for proposed mortality management, emergency mortality management, and litter clean out. The Proposed Project will comply with the 72-hour outdoor staging time limit for waste (manure) removal and with litter cleanout procedures and mortality management proposed in CUP No. 20-05 as a CUP condition, but on a year-round basis. This standard operating procedure (SOP) will prevent generation of significant odors throughout the year. Thus, any incremental change in odors due to operation of the facility with two types of poultry will be minimized such that a considerable number of persons would not be affected.

⁸ California Regional Water Quality Control Board Central Valley Region (RWQCB). 2016. Order R5-2016-0087-01, Waste Discharge Requirements General Order for Poultry Operations. Website (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0087-01.pdf) accessed November 48, 2020.

IV. Biological Resources

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources. Would the project:				
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Coordination with CDFW

Kings County submitted a request for comment on CUP No. 20-05 to the California Department of Fish and Wildlife (CDFW), as a responsible agency under CEQA (See Section 7.0 Appendices, Appendix J).

The CDFW responded with concerns regarding potential occurrences of Swainson's Hawk (SWHA) to nest within and near the site due to the presence of large trees seen through a desktop review of aerial imagery. The CDFW had concerns that Project as proposed will involve noise and movement of workers that could affect nests and has the potential to result in nest abandonment, significantly impacting local nesting SWHA. Without appropriate avoidance and minimization measures for SWHA, potential significant impacts that may result from Project activities include nest abandonment, loss of nest trees, loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality.

In addition, their desktop review of aerial imagery resulted in a concern that bordering agricultural fields may support suitable habitat features for Burrowing Owls (BUOW) and these features may also be present within the site leading to potential habitat and species being present. BUOW inhabit open grassland or adjacent canal banks, right of way (ROW), vacant lots, etc. containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. The Project site is bordered by some of the only remaining undeveloped land in the vicinity. Therefore, subsequent ground-disturbing activities associated with the Project have the potential to significantly impact local BUOW populations. Potentially significant direct impacts associated with subsequent activities include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Methodology

A desktop database review was conducted to identify historical records of special status plant and wildlife species on the Ranch, and to determine their potential to occur in the present day. The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) planning tool and California Natural Diversity Database (CNDDB) were reviewed to identify any species or biological resources requiring consideration.

A reconnaissance survey was conducted on January 21, 2021, by one field biologist familiar with the region in which the Project is located. The survey was performed throughout the entire approximately 40-acre Ranch.

The resources investigated during the January 2021 survey effort included: land cover/land use, suitable habitat for burrowing owl (BUOW) (*Athene cunicularia*), Swainson's hawk (SWHA) (*Buteo swainsoni*) and/or other raptor nests, and habitat for other special status species.

Discussion of Results

Land Cover

In general, the overall physical characteristics of the Ranch provide unsuitable habitat for special status plant and wildlife species with potential to occur in the region. Lands adjacent to the Ranch are farmed for row crops or livestock and tilled regularly for weed, pest, and fire-control purposes. Land cover on the Ranch is primarily composed of desert scrub, shrub steppe and grassland habitats. (See 7.0 Appendices, Appendix C for the full biological reconnaissance survey memorandum, including site photos).

The Ranch is within an agricultural landscape and primarily consists of invasive and salt tolerant grassland plant species. Soils on site are highly alkaline and plant species are mostly dominated by salt-tolerant plants such as saltbush (*Atriplex* spp.), alkali goldenbush (*Isocoma acradenia*) and iodine bush (*Allenrolfea occidentalis*). Disturbance tolerant plants on site include Russian thistle (*Kali tragus*) and spreading alkaliweed (*Cressa truxillensis*). Given the time of year, many of the grasses and forbs were dormant.

Special Status Plants and Wildlife

No plants or wildlife of special status or concern were observed during the January 2021 survey. Suitable burrows or habitat do not exist within the Ranch for species known to occur in the area, such as San Joaquin kit fox (*Vulpes macrotis*), Tipton kangaroo rat (*Dipodomys nitratoideus*), or American badger (*Taxidea taxus*).

The dense patches of vegetation and unstable soil make most of the site relatively unsuitable for burrowing owl. Soils on site are characterized as highly friable and likely not conducive for burrowing owl nesting. No burrowing owl individuals, burrows or secondary sign was observed during the January 2021 survey.

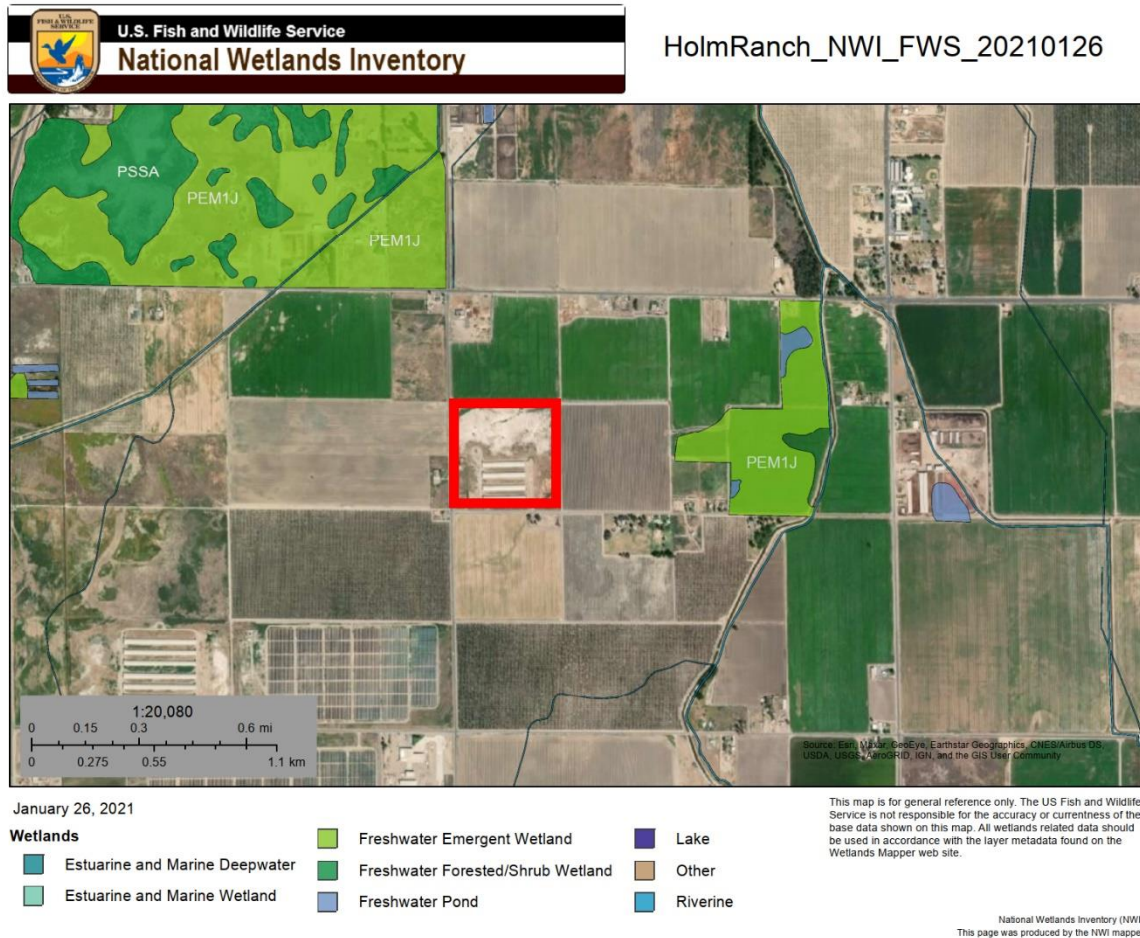
Hawk and raptor species are known to occur in the area, but no species of special status or concern were observed at the time of the survey. While there are no trees on the parcel, several trees are present immediately south and west of the Site that may be suitable for raptor or hawk foraging habitat (See Appendix C for site photos). The biologist noted an Athel pine (*Tamarix aphylla*) stand outside of the southeastern corner of the Ranch, along Java Avenue. Upon closer inspection, no large stick nests, or nests of any kind, were noted in the tree stand. Additionally, a lone eucalyptus tree (*Eucalyptus* spp.) on the western edge of the Ranch was observed and did not contain any nests. It is important to note that breeding season for special species did not overlap with the January 2021 survey.

Common wildlife observed on the Ranch included Ferruginous hawk (*Buteo regalis*), red-tailed hawk (*Buteo jamaicensis*), common raven (*Corvus corax*), and song sparrow (*Melospiza melodia*).

Wetlands and Surface Waters

According to USFWS, no wetlands or surface waters exist on the Ranch.

Figure 4-1: National Wetlands Inventory



- 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?*

Impact: Less than Significant Impact

No plants or wildlife of special status or concern were observed during the January 2021 survey. Although trees on adjacent parcels were present and noted during field reconnaissance, lands adjacent to the Ranch are farmed for row crops or livestock and tilled regularly for weed, pest, and fire-control purposes. Any species present in the area would have been active or nested while these land uses were ongoing and would therefore be unlikely to be disturbed by a continuation of operations at the adjacent site. The survey also noted that no suitable burrows or habitat exist within the Ranch for species known to occur in the area. The Project proposes to operate a poultry farm on a disturbed agricultural

site. Implementation of the project would not require any ground disturbing activities typically associated with construction, including but not limited to, clearing, grubbing, excavation, operation of heavy machinery, etc. The Project would install outdoor pens between the existing barns, which would be limited to posts installed by hand auger. The Project would therefore not trigger CDFW concerns that noise and movement of workers could affect SWHA nests and that ground-disturbing activities could cause burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

In conclusion, the Proposed Project would not adversely affect 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, and impacts would be less than significant.

Mitigation Measures: None

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife [CDFW] or U.S. Fish and Wildlife Service [USFWS]?

Impact: No Impact

The Ranch contains a 9.92-acre L-shaped storm water pond at the northern and eastern portions of the parcel, as noted by the site reconnaissance survey. At the time of the January 2021 site visit (see Appendix C), there was no water present in this pond or any natural communities present on the Site. The Ranch is not identified in an area classified as a riparian habitat or sensitive natural community by the Kings County 2035 General Plan Resource Conservation Element or by CDFW and USFWS databases. Therefore, the Proposed Project would have no impact for this criterion.

Mitigation Measures: None

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Impact: No Impact

According to the USFWS⁹, the Ranch is not located in or adjacent to waters of the U.S., including wetlands, or waters of the State. No drainages or outlets occur off of the Ranch, and runoff would not reach nearby surface water features since it would flow to the on-site stormwater retention ponds before being leached into the ground. No other surface water features were observed on the Ranch during the site reconnaissance survey. Therefore, the Project would have no impact for this criterion.

⁹ U.S. Fish and Wildlife Service, National Wetlands Inventory, <https://www.fws.gov/Wetlands/data/Mapper.html>

Mitigation Measures: None

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?

Impact: No Impact

Per discussion in (b) and (c) above, no surface water features or suitable habitat that can act as a wildlife corridor or nursery site exists on or adjacent to the Ranch. Since the Project proposes poultry farm operations within the boundaries of a disturbed Ranch, there would be no impact to these resources from operations of the Project.

Mitigation Measures: None

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact: Less than Significant

The Proposed Project would comply with applicable local biological resource conservation and protection policies. The 2035 Kings County General Plan Resource Conservation Element contains several policies aimed at protecting natural plant and animal habitats, including threatened and endangered species. These include:

- Goal D1: Preserve land that contains important natural plant and animal habitats. The objective of this goal is to require that development in or adjacent to important natural plant and animal habitats minimize the disruption of such habitats;
- Goal D2: Maintain the quality of existing natural wetland areas as required by the California Department of Fish and Game, the United States Fish and Wildlife Service and the United States Army Corp of Engineers. The objective of this goal is to maintain compatible land uses in natural wetland habitats designated by state and federal agencies;
- Goal D3: Protect and manage riparian environments as valuable resources. The objective of this goal is to ensure that, in development decisions affecting riparian environments, the conservation of fish and wildlife habitat and the protection of scenic qualities are balanced with other purposes representing basic health, safety, and economic needs; and
- Goal E1: Balance the protection of the County's diverse plant and animal communities with the County's economic needs. The objective of this goal is to require mitigation measures to protect important plant and wildlife habitats.
- Policy D1.1.1 and E.1.1 essentially require that land use applications evaluate the potential for impacts to specially listed species and habitats.

The Project evaluated the potential for impacts to special-status species and their habitats per Policy D1.1.1 and E.1.1. and Goals D1 through E1 above. The project would not conflict with any local policies or ordinances protecting biological resources.

Mitigation Measures: None

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?

Impact: No Impact

There are no HCPs applicable to the Ranch. The Project would be consistent with the policies of the 2035 Kings County General Plan Resource Conservation Element, as identified above in (e). Therefore, there would be no impact.

Mitigation Measures: None

V. Cultural Resources

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) *Cause substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Impact: Less than Significant Impact with Mitigation Incorporated

The Proposed Project will have minimal ground disturbing activities, such as the use of augers to install fence posts for outdoor pens. The depth of this disturbance is extremely unlikely to result in the discovery of any unanticipated resources, especially on a recently active agricultural site. There are no known significant historical resources (of national, state, or local significance) present on the Ranch, per the Resource Conservation Element of the 2035 Kings County General Plan (Figure RC- 24 Kings County Historical Sites) and the 2035 General Plan environmental impact report (EIR). In addition, according to the County's Assessors database, the residence on the site was built in 1989¹⁰, which does not meet the minimum qualifications of the National Register of Historic Places (NRHP) or California Register of Historic Places (CRHP) standards to be considered eligible to be considered a historic resource. Although, it is unlikely that construction activities could result in the exposure of historical resources, any potentially significant project impacts to historic resources in the event of discovery would be reduced to a less than significant level through the implementation of the mitigation measures listed below.

Mitigation Measures:

CUL-1: Pre-Construction Briefing

The project proponent shall provide a pre-construction briefing to construction staff via video training provided by the Santa Rosa Rancheria Cultural Staff regarding the discovery

¹⁰ Parcel Quest, Kings County Assessor, APN 024-170-020-000, <https://assr.parcelquest.com/Home/Details/0>

of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found.

CUL-2: Stop Work in the Event of Unanticipated Discoveries

In the event that archaeological resources, paleontological resources or unique geologic features are discovered during ground disturbance, ground disturbing activities shall stop within 25 feet of the find, and a qualified archaeologist (as defined by Secretary of the Interior's Standards and Guidelines for Professional Qualifications Standards) shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall determine the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5 of the CEQA Guidelines. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing, and data recovery, among other options as is considered appropriate based on the type of resource found. Any previously undiscovered resources found during construction within the Project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.

CUL-3: Tribal Cultural Resource Unanticipated Discovery

Prior to any ground disturbance, the applicant shall enter into an agreement with the Santa Rosa Rancheria Tachi Yokut Tribe ("Tribe") regarding cultural resources and burial treatment and protection ("Plan"), which shall be in a form acceptable to the Tribe. Upon discovery of cultural resources that have been appropriately identified as a tribal cultural resource and recorded by the qualified archaeologist in CUL-1, the Kings County Community Development Agency, along with other relevant agency or Tribal officials, shall be contacted to begin coordination on the disposition of the find(s), and treatment of any significant cultural resource shall be undertaken pursuant to the Plan. In the event of any conflict between this mitigation measure and the Plan, the stipulations of the Plan shall control.

CUL-4: Disposition of Cultural Resources

Upon coordination with the Kings County Community Development Agency, any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded long-term preservation per the recommendation of the qualified archaeologist. Documentation for the work by a qualified archaeologist shall be provided to the County and Tribe (if applicable) in accordance with applicable cultural resource laws and guidelines.

b) Cause substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Impact: Less than Significant Impact with Mitigation Incorporated

The Proposed Project will have minimal ground disturbing activities, which although unlikely, could potentially impact undiscovered resources. There are no known significant

archaeological resources present on-site, per the Resource Conservation Element of the 2035 Kings County General Plan and the 2035 General Plan EIR. The depth of the project's planned ground disturbance is extremely unlikely to result in the discovery of any unanticipated resources. The 2035 General Plan EIR states that a majority of significant archaeological sites are located near the Tulare Lake region of the County; in addition, "it is likely that agricultural activities have [already] disturbed most of the archaeological resources [...] located in the upper three feet of the subsurface". The project proposes minimal ground disturbance (only for the installation of fence posts) which would disturb no more than 1-2 feet in depth and less than 1 foot in width. The depth of this disturbance is extremely unlikely to result in the discovery of any unanticipated resources, especially on a recently active agricultural site. Although, it is unlikely that construction activities could result in the exposure of archaeological resources, potential impacts to archaeological resources would be reduced to a less than significant level through the implementation of the mitigation measures listed above under criterion (a). Therefore, the Proposed Project would have a less than significant impact with mitigation incorporated..

Mitigation Measures: See criterion (a) for CUL-1 through CUL-4.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Impact: Less than Significant Impact with Mitigation Incorporated

There are no known human remains or dedicated cemeteries present on-site per the Resource Conservation Element of the 2035 Kings County General Plan. Although, it is unlikely that construction activities could result in the exposure of human remains, the Santa Rosa Rancheria Tachi Yokut Tribe have historically inhabited the lands nearby the Ranch which may result in unanticipated finds of burial areas. This potentially significant project impact to human remains would be reduced to a less than significant level through the implementation of the mitigation measures listed under criterion (a).

Mitigation Measures:

CUL-5: Unanticipated Discovery of Human Remains

If human remains are discovered during construction activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

VI. Energy

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy?

Impact: Less than Significant

Proposed Project operations at this ranch would not utilize energy resources in a wasteful, inefficient, or unnecessary manner. Poultry farms use electricity and propane for their operational needs. Farms raising heavier birds tend to incur higher annual electricity than those raising lighter birds¹¹. The Project proposes continuing agricultural operations at a site with existing ranch infrastructure. In addition to electric power, estimated propane usage for chicken operations is 97,600 gallons per year, which is equivalent to approximately 8.5 million cubic feet of natural gas. According to the National Propane Gas Association, rural farms have an average propane usage of 100,000 gallons/year¹². Thus, the Project is within industry standards of propane usage. Energy usage from the primary water well pump motor will meet current energy efficiency standards (i.e., upper-range power factor) and the installation of new high-efficiency LED lighting would further reduce inefficient energy usage. Therefore, the Project would not result in significant environmental impacts from energy consumption.

Mitigation Measures: None

¹¹ University of Arkansas System, Division of Agriculture, Energy Conservation Poultry Farm Energy Use Evaluation Program, Accessed January 27, 2021

¹² National Propane Gas Association, Propane in the Agriculture Market, https://www.eia.gov/petroleum/heatingoilpropane/workshop/2016/pdf/2016_shopp_workshop_caldarera.pdf

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact: Less than Significant

The Project does not conflict with the energy policies of the Resource Conservation Element of the 2035 Kings County General Plan.

These policies include:

- Objective G1.3 “Conserve energy to lower energy costs and improve air quality”
- Policy G1.3.3 “Participate, to the extent feasible, in local and State programs that strive to reduce the consumption of energy”

The Project proposes to increase energy efficiency and reduce emissions through replacing all the fluorescent lights inside the barns with equivalent light emitting diode (LED) fixtures and replacing the outside barn lights with 11-watt LEDs.

Mitigation Measures: None

VII. Geology and Soils

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*

- 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.*
- ii. *Strong seismic ground shaking?*
- iii. *Seismic-related ground failure, including liquefaction?*
- iv. *Landslides?*

Impact: No Impact

Based on maps from the Department of Conservation's California Earthquake Hazards Zone Application ("EQ Zapp") and CGS Information Warehouse Regulatory Maps, the Ranch is not located in a known Alquist-Priolo zone, fault zone, liquefaction zone, or landslide zone. More specifically, the 2035 Kings County General Plan Health and Safety Element states that Kings County has no known major fault systems within its boundaries. The greatest potential for geologic disaster in Kings County is posed by the San Andreas Fault, which is located approximately four miles west of the Kings County line boundary with Monterey County. The potential for ground shaking varies from 20-30 percent probability of exceeding peak ground acceleration (% g) in the northeast third of the county, including the city of Lemoore. Figure HS-2 Seismic Safety Map of the Health and Safety Element also identifies Lemoore to be in an area that would experience minimal effects of ground shaking in the event of an earthquake due to relative distance from the fault systems nearest the County. The County has also identified in its Health and Safety Element that the risk and danger of liquefaction and subsidence occurring within the County is considered to be minimal. In addition, the Figure HS-3 California Landslide Hazards Map of the 2035 Kings County General Plan Health and Safety Element designates Kings County as having "Low" (less than 1.5 percent of area involved) for landslide incidents. The Project proposes poultry operations on a site with existing agricultural infrastructure, and therefore would not result in substantial adverse impacts related to the listed factors.

Mitigation Measures: None

b) *Result in substantial soil erosion or the loss of topsoil?*

Impact: No Impact

Implementation of the Proposed Project would not include grading or excavation. On-site construction will be minimal (i.e., fence post holes) and not include quantifiable excavation of topsoil. The Ranch is also relatively flat, equipped with a stormwater run-off capture system, with no apparent off-site discharge locations. The Proposed Project will not cause substantial soil erosion or loss of topsoil because no ground disturbing activities would be implemented, and vegetative ground cover on the areas of the outdoor poultry pens would be maintained to prevent erosion.

Mitigation Measures: None

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?

Impact: No Impact

The Proposed Project is located in a flat rural agricultural area, and would not propose excavation or ground disturbing activities that could cause soil instability. The Proposed Project is not located on a geological unit or on unstable soils that have the potential to result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. According to the 2035 Kings County General Plan Health and Safety Element, the Project Site is located on a moderately thick section of marine and continental sedimentary deposits overlying the granitic basement complex which has a low potential for liquefaction, subsidence, and landslides, as discussed under (a).

Mitigation Measures: None

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact: No Impact

The site is not located in an area of expansive soils as shown in Figure HS-4 of the Health and Safety Element of the 2035 Kings County General Plan. Thus, the Project would not be affected by expansive soil that has the potential to create substantial direct or indirect risks to life or property.

Mitigation Measures: None

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?

Impact: Less than Significant Impact

The project Ranch currently has an existing operational septic system serving the on-site residences and office building. The septic system is compliant with Municipal Code Section 5-82 of Kings County Ordinance No. 567.4, which outlines requirements for septic

tank installations. The site is located on “Saline - Alkali Soils with Perched Water Table in Basins and on low Alluvial Fan” according to the 2035 General Plan EIR’s Figure 4.6-2 Generalized Soils Map -- “The Lethent, Lethent-Garces-Panoche, and Lethent-Excelsior soil associations are found in these Basins and low Alluvial Fan areas. Soils of these associations typically have loam, clay loam, or sandy clay loam surface soils and clay, clay loam, or silt loam subsurface soils”. Per the Kings County soil survey¹³, these soils are moderately well-drained and permeability of this soil is very slow which can cause septic tank absorption fields to fail. Increasing the size of the absorption area helps to compensate for this limitation. As the project would rely on the existing septic tank that drains to a large ponding area and would not be adding new tanks, there would be a less than significant impact from having soils incapable of supporting septic tank usage.

Mitigation Measures: None

f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

Impact: No Impact

The Ranch is a previously disturbed non-operational ranch in its existing condition. Excavations for the pen installation would not extend beyond the base soil horizon (reaching 1-2 feet in depth only) – and certainly not into native geologic formations. Except for fence post holes dug with an auger and preparation of the water tank pad, no extensive excavation or grading is planned for the Proposed Project. There are no known paleontological resources or unique geological features located on the Ranch per the 2035 General Plan. Thus, the project would likely not directly or indirectly destroy a unique paleontological resource or site or a unique geological feature.

Mitigation Measures: None

¹³ U.S. Department of Agriculture, Soil Conservation Service, Soil Survey for Kings County, California: 139-Lethent clay loam. https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/CA031/0/kings.pdf

VIII. Greenhouse Gas Emissions

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Greenhouse Gas Emissions from Project Operation

GHGs – primarily carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O), collectively reported as carbon dioxide equivalents (CO₂e) – are directly emitted from stationary source combustion of natural gas in equipment such as water heaters, boilers, process heaters, and furnaces. Operational GHGs are also emitted from mobile sources such as on-road vehicles and off-road equipment burning fuels such as gasoline, diesel, biodiesel, propane, or natural gas (compressed or liquefied). Indirect GHG emissions result from electric power generated elsewhere (i.e., power plants) used to operate process equipment, lighting, and utilities at a facility. Also included in GHG quantification is electric power used to pump the water supply (e.g., aqueducts, wells, pipelines) and disposal and decomposition of municipal waste in landfills¹⁴.

Using CalEEMod, direct on-site and off-site GHG emissions were estimated for project operation, and indirect off-site GHG emissions were estimated to account for electric power used by the Proposed Project, water conveyance, and solid waste disposal.

Results of Greenhouse Gas Emissions Analysis

Using CalEEMod, direct on-site and off-site GHG emissions were estimated for project operation, and indirect off-site GHG emissions were estimated to account for electric power used by the Proposed Project, water conveyance, and solid waste disposal.

Table 4-4 shows unmitigated GHG emissions from operations.

Although the SJVAPCD does not have numeric significance thresholds for GHG emissions, the guidance does allow that thresholds in other areas can be used for evaluating impacts. Therefore, GHG emissions were compared to the significance threshold of 10,000

¹⁴ California Air Resources Board (CARB). 2017. California's 2017 Climate Change Scoping Plan. Website (<https://ww3.arb.ca.gov/cc/scopingplan/scopingplan.htm>) accessed October 14, 2020.

metric tons (MT) of CO₂ per year, which are the thresholds for industrial projects (stationary sources) in the SCAQMD and BAAQMD, as well as other air districts. The estimated GHG emissions from this project are well below that threshold, and hence considered less than significant.

Table 4-4: Greenhouse Gas Emissions - Unmitigated Operational

	Facility Operations (MT/year)
CO _{2e}	1,136
Sources: SJVAPCD, b, CalEEMod version 2016.3.2.	
<u>Notes:</u> Comprises annual operational emissions (non-zero).	

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact: Less than Significant

The Project proposes to operate a poultry ranch on an existing non-operational agricultural site, which would not result in generating GHG emissions from construction. The Project's operation would not lead to a significant increase in GHG emissions as compared to the 10,000 MT threshold for CO_{2e} through a CalEEMod based analysis, and therefore would have a less than significant impact.

Mitigation Measures: None

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact: Less than Significant

Determination of the significance of GHG emissions impacts is predicated upon a project's consistency with a GHG Reduction Plan or applicable strategy for Kings County or, in the absence of such a plan, compliance with AB 32.

The SJVAPCD's 2009 Climate Change Action Plan (CCAP)¹⁵ outlines a plan to reduce the impacts of project specific GHG emissions on global climate change. The control measures are categorized based upon the economic sector framework used by CARB for the AB 32 Scoping Plan Update. The Scoping Plan requires ARB and other state agencies to adopt regulations and other initiatives reducing GHGs. In the case of the SJVAPCD, the BPS adopted for the District was used as the applicable significance standard for the Project, and as detailed in (a), the Project is consistent with this standard.

¹⁵ San Jose Valley Air Pollution Control District, 200 Climate Change Action Plan, December 2009
<https://www.valleyair.org/Programs/CCAP/12-17-09/1%20CCAP%20-%20FINAL%20CEQA%20GHG%20Staff%20Report%20-%20Dec%2017%202009.pdf>

In addition, the Air Quality Element of the 2035 Kings County General Plan includes policies specifically intended to limit, mitigate, and reduce GHG emissions in Kings County. These include:

- Policy C1.1.2 “Assess and mitigate project greenhouse gas/climate change impacts using analysis methods and significance thresholds as defined or recommended by the SJVAPCD, KCAG or California Air Resources Board (ARB) depending on the type of project involved.”
- Policy G1.1.1 “ARB’s Climate Change Adopted Scoping Plan (December 2008), the County establishes an initial goal of reducing greenhouse gas emissions from its internal governmental operations and land use activities within its authority to be consistent with ARB’s adopted reduction targets for the year 2020.”

Since the Proposed Project would maintain the County’s agricultural zoning on the site and was determined by the analysis that greenhouse gas emissions would not be significant, it can be concluded that the Project would be consistent with the County’s Sustainable Communities Strategy and Air Quality Element.

Therefore, the Project would not conflict with applicable plans, policies, or regulations of an agency adopted for the purpose of reducing the emissions of GHGs, and there would be a less than significant impact.

Mitigation Measures: None

IX. Hazards and Hazardous Materials

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hazards and Hazardous Materials. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Create significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Impact: Less than Significant Impact with Mitigation Incorporated

Operation of a poultry ranch would involve the routine transport, use, and disposal of relatively small amounts of common hazardous materials and wastes such as pesticides, cleaners, disinfectants, lubricating oils and greases, paints, solvents, spent batteries, and used fluorescent tubes. Minimal amounts of common commercial hazardous materials would not cause a hazard to the public or impact the environment because waste management procedures will be conducted in compliance with applicable Articles (topics) of the California Health and Safety Code (HSC), Division 20, Miscellaneous Health and Safety Provisions, Chapter 6.5, Hazardous Waste Control. In addition, conditions included as part of the CUP No.20-05 would serve to manage nuisances related to hazardous materials.

Prior to commencement of operations, the Foster Farms shall submit to Kings County Department of Environmental Health Services, a Hazardous Materials Business Plan (HMBP) pursuant to Health and Safety Code Chapter 6.95, sections 25500 to 25520 per mitigation measure HAZ-1. The HMBP shall outline the types and quantities of hazardous materials used onsite and indicate onsite safety measures to ensure such materials are properly handled and stored. A copy of the approved HMBP shall be submitted to the Kings County Community Development Agency. Therefore, the Project would have a less than significant impact with mitigation incorporated.

Mitigation Measures:

HAZ-1: Hazardous Materials Business Plan

Foster Farms shall submit to Kings County Department of Environmental Health Services, a Hazardous Materials Business Plan (HMBP) pursuant to Health and Safety Code Chapter 6.95, sections 25500 to 25520. The HMBP shall outline the types and quantities of hazardous materials used onsite and indicate onsite safety measures to ensure such materials are properly handled and stored.

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?

Impact: Less than Significant Impact with Mitigation Incorporated

Proposed Project operation would not cause significant hazard to the public or the environment through release of hazardous materials into the environment. The existing large 10,000-gallon (40,000-pound) propane tank will be replaced with two 1,000-gallon propane tanks per barn (8 tanks; 4,000 pounds each tank; 32,000 pounds total), reducing potential impacts of an accidental spill or ignition. Pursuant to Section 112(r) of the 1990 Clean Air Act, codified as 42 U.S.C. 7412(r), and implemented by Code of Federal Regulations (CFR), Title 40, Part 68, the federal Risk Management Planning (RMP) threshold quantity for propane is 10,000 pounds on-site. The reduced amount of propane stored on-site in eight separate tanks will lower the hazard to the public and the environment because the maximum quantity of a single-tank release would be reduced by 90 percent.

In addition, as described in (a) above, the handling and transport of hazardous materials onsite would be performed in accordance with all applicable federal, state, and local laws and regulations per Foster Farms best management practices and HMBP (HAZ-1).

Mitigation Measures: See criterion (a) for HAZ-1.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Impact: No Impact

The nearest school is approximately 1 mile (1,600 meters) from the ranch. Thus, Proposed Project operation will not have an impact on schools because the nearest school is well beyond the 0.25-mile (400-meter) sensitive receptor distance criteria.

Mitigation Measures: None

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code 65962.5 and as a result, would it create a significant hazard to the public or the environment?

Impact: No Impact

According to a search conducted on January 21, 2021 of the California Department of Toxics Substances Control (DTSC) Envirostor database, the Proposed Project is not located on a site that is included on the Cortese List. In addition, according to the Regional Waterboards Geotracker database, no sites of known hazardous waste are located on the Ranch or within a mile of the Ranch.

Mitigation Measures: None

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 or excessive noise for people residing or working in the project area?

Impact: No Impact

Lemoore Naval Air Station is 9 miles northwest of the project Ranch. The Proposed Project is not located within the Kings County Airport Land Use Compatibility Plan (County of Kings, 1994) or within 2 miles of a public airport or public use airport; thus, there is no impact from civilian aircraft operations on people residing or working near the Ranch.

Mitigation Measures: None

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact: No Impact

Due to the relatively low volume of facility-associated truck traffic (about three to four trucks per day on average), the Proposed Project would not restrict traffic in the area and would not interfere with an adopted emergency response plan or emergency evacuation plan through any modifications to existing area roadways, and would not add significant amounts of traffic that would interfere with emergency response or evacuation. According to the Evacuation Routes identified within the Health and Safety Element of the 2035 Kings County General Plan (Figure HS-20 Evacuation Routes), the proposed project is not located along a State Highway or designated arterial, which is used as an emergency evacuation route. The nearest designated evacuation route is Kansas Avenue, located approximately 1.7 miles to the south of the Ranch.

Mitigation Measures: None

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Impact: No Impact

According to California Department of Forestry and Fire Protection (CalFire) Fire Hazard Severity Zone (FHSZ) maps, the Ranch is not located within the vicinity of wildlands or in an identified zone having a fire hazard. A FHSZ is a mapped area that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., moderate, high, and very high). FHSZ maps evaluate wildfire hazards, which are physical conditions that create a likelihood that an area will burn over a 30- to 50-year period¹⁶. Therefore, there would be no impact related to wildland fires.

Mitigation Measures: None

¹⁶ CalFire, Fire Hazard Severity Map, January 2020
<https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>

X. Hydrology and Water Quality

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Hydrology and Water Quality. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Impact: Less than Significant

The Central Valley Regional Water Quality Control Board regulates most discharges by prescribing waste discharge requirements or by issuing conditional waivers. All Poultry Operations (as defined in Cal. Code Regs., tit. 27, § 20164) are subject to the Board's regulatory authority under Order R5-2016-0087-01, Waste Discharge Requirements (WDR) General Order for Poultry Operations and the supporting Monitoring and Reporting Program (MRP). The MRP establishes specific surface and groundwater monitoring, reporting, and electronic data deliverable requirements for owners and/or operators (Dischargers) subject to and enrolled under Waste Discharge Requirements General Order for Poultry Operations. The Central Valley Regional Water Quality Control Board (CVRWQCB)¹⁷ was notified of this project during the CUP development process and would categorize the Project as a Low Threat Operation or Full Coverage operation based on review of the NOI that would be submitted after adoption of this CEQA document.

Facilities that qualify as Low Threat Operations pose a low threat to water quality if:

- the facility exports all manure/litter offsite;
 - All litter and manure will be exported off-site within 72 hours for sale as a soil amendment or further processing as a fertilizer, soil amendment, or compost.
- if the only wastewater generated by the facility consists of storm water, and any storm water that may have contacted more than a de minimis amount of manure and may pose a threat to water quality, is retained in a pond in conformance to the requirements of Pond Specifications C.1 and C.10.b;
 - On the site, an underground piping and drain system exists to carry storm water to a storm water collection pond (9.92 acres). Storm water does not discharge from the site and cleanout areas are managed in compliance with the Poultry General Order to prevent the generation of wastewater.
- the facility houses birds inside roofed structures with features to limit the entrance of precipitation into the poultry house
 - The facility either stores all waste in a roofed structure with features to limit the entrance of precipitation or, throughout the year, removes all waste within 14 days of removal from such a roofed structure.
- composting of manure, litter, or poultry carcasses is conducted under a roofed structure with features to limit the entrance of precipitation and on concrete or an equivalent low permeability surface and free liquids are not released during the composting process;

¹⁷ Regional Water Quality Control Board, Letter from Dale E. Essary, Senior Engineer, to Justin M. Kosta on June 22, 2020

- Deceased birds will be removed from the housing units and placed in a mortality bin for daily pickup and disposal at the Darling Ingredients, Inc. rendering facility located in Crows Landing, California.
- and if animals do not spend more than an aggregate of twenty percent of the time outdoors per year.
 - Poultry flocks will be allowed to roam freely from shelters into the outdoor pens until they are transported offsite. Vegetation within and bordering these pens will be irrigated to maintain vegetative cover and any stormwater runoff would be directed to the on-site storm water retention ponds.

Therefore, there would be less than significant impacts to violating standards or requirements or otherwise the degradation of surface or groundwater water quality since the ranch is likely to qualify as a low-threat operation and the ranch will implement various BMPs to avoid impacts.

Mitigation Measures: None

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Impact: Less than Significant

Tulare Lake Basin groundwater is pumped from both shallow and deep aquifers, depending on the type of land use. The shallow aquifer provides agricultural water supplies for irrigation of crops. The water in the shallow aquifer in Kings County is generally of a quality that is inappropriate for potable use. Domestic water supply is from wells that pump water from the deeper aquifer, but only where water quality meets drinking water standards for human consumption¹⁸. Per the 2035 Kings County General Plan Resource Conservation Element, a major portion of Kings County has been identified by the California Department of Water Resources as having a critical groundwater overdraft condition. Approximately thirty-two percent of the 1.4 million-acre feet of water used annually in Kings County for all purposes is obtained from groundwater.

Foster Farms estimates on-site water use of approximately 1 to 1.2 million gallons per flock, which includes domestic use, outdoor pen vegetative cover (turf grass) irrigation, and bird consumption where the larger organic chickens will range in weight from 6.5 to 8.5 pounds. Thus, at a maximum of 8 flocks per year, annual maximum water usage would be approximately 7.2 to 9.6 million gallons, or about 19,700 to 26,000 gallons per day. Potable water would be provided in the form of bottled water and would not impact groundwater supplies. No addition of impervious surfaces is proposed as part of the Project and stormwater runoff would continue to recharge through the onsite stormwater retention pond.

¹⁸ Kings County, 2035 General Plan Final Environmental Impact Report, Section 4.15 Utilities and Service Systems

Water is currently provided by an onsite private ranch supply well. The well is supplied by the Tulare Lake Basin Aquifer, which has an estimated capacity of 17 million acre-feet of groundwater¹⁹. The Proposed Project's annual water usage would be equivalent to approximately 29 acre-feet (af) per year, which is equal to approximately 0.0000017 percent of the aquifer's total capacity.

Therefore, impacts to groundwater supplies or recharge would be less than significant.

Mitigation Measures: None

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i. *result in a substantial erosion or situation on- or off-site;*
 - ii. *substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;*
 - iii. *create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*
 - iv. *Impede or redirect flood flows?*

Impact: No Impact

The Proposed Project does not include any clearing, grading or excavation. Therefore, it would not alter the existing drainage pattern of the Ranch or area in a manner that will result in substantial erosion, increase surface runoff, contribute runoff water that exceeds the capacity of existing or planned stormwater drainage and retention systems, or impede or redirect flood flows. No excavation or grading is planned for the addition of the outdoor poultry pens, and the installation of the 20,000-gallon water tank would only slightly increase the areas of impervious surfaces. The outdoor pens will be planted with vegetative cover (turf grass) and irrigated to maintain the cover and control fugitive dust generation. No significant water runoff from operations or precipitation is anticipated.

Mitigation Measures: None

- d) *In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?*

Impact: Less than Significant Impact With Mitigation Incorporated

According to the Flood Hazards Area map (Figure HS-7 Dam Inundation Areas) included in the Health and Safety Element of the 2035 Kings County General Plan, the Ranch is

¹⁹ Department of Water Resources, California's Groundwater Bulletin 118: San Joaquin Valley Groundwater Tulare Lake Subbasin, 2006 https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/5_022_12_TulareLakeSubbasin.pdf

located within the Pine Flat Dam inundation zone. If Pine Flat Dam failed while at full capacity, its floodwaters would arrive in Kings County within approximately five hours²⁰.

The Proposed Project operation will not lead to a release of pollutants due to project inundation. The Proposed Project will comply with the Poultry General Order by adhering to the 72-hour outdoor staging time limit for waste (manure) removal as a CUP condition on a year-round basis. This standard operating procedure (SOP) will prevent accumulation of wastes and thus substantially prevent the release of pollutants due to project inundation.

Mitigation Measures:

HYD-1: Poultry General Order

The project applicant shall comply with the Poultry General Order by adhering to the 72-hour outdoor staging time limit for waste (manure) removal as a CUP condition on a year-round basis.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact: Less than Significant

The Proposed Project is located within the jurisdiction of the South Fork Kings Groundwater Sustainability Agency (GSA) which administers the Groundwater Sustainability Plan (GSP) for the Lemoore area²¹. The GSP is a requirement of the Sustainable Groundwater Management Act (SGMA) of 2014. This State law requires all high- and medium-priority groundwater basin GSAs develop and implement a GSP. Basins designated as medium- or high-priority and critically over drafted were required to complete a GSP by January 31, 2020. SGMA defines a basin as critically over drafted “when continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts.” As a designated high-priority and critically over drafted basin, the South Fork Kings GSA must correct an estimated 38,000 acre-feet of annual overdraft occurring within its service area.

Sustainability under SGMA requires avoidance of six “undesirable results”, five of which affect the South Fork Kings GSA: chronic lowering of groundwater levels, reduction of groundwater storage, degraded water quality, land subsidence, and surface water depletion from interconnected streams. The GSP establishes measurable objectives and minimum thresholds to avoid these undesirable results. Groundwater pumping allocations may be considered by the South Fork Kings GSA Board if supply-side and efficiency projects are not enough to mitigate groundwater overdraft. However, installing meters on privately-owned wells is not a requirement at this time. A metering policy would be required if the South Fork Kings GSA Board determines that a groundwater credit and trading program is needed to meet sustainability goals.

²⁰ Kings County, 2035 General Plan Health and Safety Element, 2016

²¹ South Fork Kings Groundwater Sustainability Agency, Groundwater Sustainability Plan Frequently Asked Questions. Website (<https://southforkkings.org/board-of-directorsdocuments/groundwater-sustainability-plan-faqs/>)

As part of the Proposed Project, Foster Farms will voluntarily install flow meters on the primary and backup water wells. Well registration and output data will be logged for annual reporting to the GSA, if required. Foster Farms is presently complying with groundwater basin-specific GSPs in areas of the State where its operations are located.

The Proposed Project will not conflict with or obstruct implementation of any water quality control plan or sustainable groundwater management plan, and therefore will have a less than significant impact.

Mitigation Measures: None

XI. Land Use and Planning

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Land Use and Planning. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Physically divide an established community?

Impact: No Impact

The Ranch is located in an unincorporated rural area of Kings County, about two miles south of the Lemoore city limits that is mainly surrounded by agricultural land uses and scattered residences. The Proposed Project would operate within the boundaries of the existing poultry farm and therefore would not physically divide an established community.

Mitigation Measures: None

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Impact: Less than Significant

The Proposed Project would continue agricultural operations consistent with County zoning and would not cause a significant environmental impact due to a conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Consistent with the 2035 Kings County General Plan Land Use Element, Table LU-2 Kings County Land Use Summary and Figure LU-11 Kings County Land Use Map, the Proposed Project area is zoned General Agriculture-20 Acre (AG-20: General Agricultural Zoning District). The southern half of the 40-acre parcel is classified as “Confined Animal Agriculture” and the northern half of the parcel is classified as “Grazing Land”. The Proposed Project would be consistent with the following policies of the 2035 Kings County General Plan Land Use Element adopted for the purpose of protecting agricultural lands:

- Section III.A.1 “Agriculture Designations”
- Section IV.B “Agriculture Open Space”

- Goal B2 “Supporting Agricultural Production and Enhancement”
- Objective B2.1 “Recognizing Agriculture as the highest and best use of agricultural designated land” of the Land Use Element of the 2035 Kings County General Plan
- Policy B2.1.3 “Right to Farm Ordinance”

Additionally, the Project would also comply with the Kings County Development Code. Article 4, Section 407 of the Kings County Development Code, which states that Table 4-1 prescribes the land use regulations for “Agricultural” districts. Table 4-1 lists poultry raising or keeping, exceeding 500 chickens and 50 turkeys, as a conditional use subject to Kings County Planning Commission approval in the General Agricultural (AG-40) zone district. Therefore, approval of a conditional use permit (CUP) would be required in order for the proposed use to comply with Section 407 and Table 4-1. Foster Farms has submitted CUP No. 20-05 for review with the County and is awaiting approval with adoption of this environmental document. Therefore, the Project would have a less than significant impact due to conflict with applicable land use plans, policies, and regulations adopted to avoid or mitigate environmental effects.

Mitigation Measures: None

XII. Mineral Resources

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Mineral Resources. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

Impact: No Impact

California's Surface Mining and Reclamation Act of 1975 (SMARA) requires the State Geologist to classify land into mineral resource zones based on the known or inferred mineral resource potential of that land. The primary goal is to ensure that important mineral resources do not become inaccessible due to uninformed land-use decisions. The California Geological Survey (CGS) performs objective Mineral Land Classification (MLC) studies to assist in the protection and wise development of California's mineral resources. The MLC process is based solely on geology, without regard to existing land use or land ownership. According to the CGS, there are no known mineral resources at the Ranch, and therefore, the Proposed Project would not impact mineral resources.²²

Mitigation Measures: None

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?

Impact: No Impact

According to the 2035 Kings County General Plan Resource Conservation Element, the Ranch is not located in a delineated area of known locally important mineral resources. The County has only three sites of active mining and mineral extraction as a conditional use where land use conflicts are avoided, environmental resources are not substantially degraded, and proper reclamation is assured consistent with the requirements of the Kings

²² California Department of Conservation (DOC). 2020. CGS Information Warehouse Mineral Land Classification. Website (<https://maps.conservation.ca.gov/cgs/informationwarehouse/mlc/>) accessed October 28, 2020.

County SMARA Ordinance. Therefore, implementation of the Proposed Project would not result in the loss of minerals availability.

Mitigation Measures: None

XIII. Noise

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Noise. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?*

Impact: Less than Significant

The Ranch is surrounded by agricultural lands in all directions. The nearest school is Central Union School, located 1-mile northeast of the facility. There are two ranch manager residences on-site approximately 50 meters (160 feet) from the barn area. The nearest off-site resident (i.e., noise receptor) is approximately 120 meters (400 feet) to the west, across 19th Avenue from the Ranch entrance, which is a substantial sound attenuation distance.

Noise levels during normal farm operations (an average standard) range from 44 to 63 decibels (dB), at a distance of 15 to 20 meters from the nearest building²³. This is comparable to noise generated in a suburban area at night or the noise level heard during a

²³ Management of Noise on Poultry Farms, Ministry of Agriculture and Food, August 1999 - https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/farm-management/structures-and-mechanization/300-series/384200-11_management_of_noise_on_poultry_farms.pdf.

normal conversation²⁴. Based on attenuation standards (i.e. the rate at which noise dissipates as it travels), noise levels from poultry farms would drop off at a rate of 6 dB per doubling of distance in a scenario in which there are no intervening buildings in between these reference points. For example, if the noise level measured at a reference point 20 meters from the barns is 63 dB, at 120 meters the noise meter would read 47 dBA due to noise dissipating with that increase in distance. This is calculated using $LP = 20 \log (P/P_o)$, where the “LP” is the calculated noise level drop off at distance, “P” is the distance to the reference noise level (20 meters), “Po” is the distance to where the noise level is being calculated (120 meters). In the case of the proposed outdoor pens, the noise levels would reduce at a rate of approximately 15 dBA from the nearest outdoor pens to the nearest residence 120 meters away. Outdoor pens containing poultry would have maximum noise level reading of 70 dBA at 1.5 meters from the pens²⁵. A poultry pen’s maximum noise level generation would be 80 dBA²⁶ (comparable to a telephone dial tone²⁷), regardless of the number of birds within the pen, because noise is measured on a logarithmic scale (See Table 4-5). Given the established rate (for the proposed project’s scenario) of a maximum noise reading of 70-dBA poultry noise level at 1.5 meters from the pens, the noise levels would drop off by 28 to 29 dBA at 120 meters, resulting in levels below 55 dBA at the nearest residence (See Table 4-6).

Table 4-5. Logarithmic Addition of Noise Decibels

When Two Decibels Differ by:	Increase to Higher dB	Example:
0 or 1 dB	3 dB	70+69 = 73 dB
2 or 3 dB	2 dB	74+71 = 76 dB
4 to 9 dB	1 dB	78+70 = 79 dB
10 dB or more	0 dB	80+70= 80 dB

Table 4-6. Noise Levels with Increase in Poultry at 1.5 meters

dB	Poultry Noise at 1.5 Meters (dBA)	Increase in Higher Noise Level(dBA)	Total Noise Level with both sources at 1.5 Meters (dBA)
70	70	3	73
73	70	2	75

²⁴ Yale University, Decibel Level Comparison Chart, <https://ehs.yale.edu/sites/default/files/files/decibel-level-chart.pdf>

²⁵ Foreman, Patricia, The 7 False Myths about Urban Chickens, https://www.rupehort.com/_ccLib/attachments/pages/Urban+Chicken+Info_7+False+Myths+About+Urban+Chickens_110214.pdfWSP

²⁶ WSP Calculation adding the 70 dBA noise levels of 100 Poles together.

²⁷ Yale University, Decibel Level Comparison Chart, <https://ehs.yale.edu/sites/default/files/files/decibel-level-chart.pdf>

75	70	1	76
76	70	1	77
77	70	1	78
78	70	1	79
79	70	1	80
dB = decibels dBA = weighted decibels Source: WSP USA, April 2021			

Poultry farms by nature would not create high noise levels. Key sources of noise on a poultry farm primarily come from the arrival, operation and departure of trucks²⁸. Operational noise from the Proposed Project is expected to mainly originate from on-road and off-road vehicles, which would be used intermittently throughout a typical day for agricultural purposes. These uses include truck trips to the operations and the transfer of poultry to processing facilities in the area. No customers or visitors are permitted on the ranch due to biological risks and security restrictions and would therefore not contribute to truck trips and noise. Truck traffic would be, at most, 3.3 truck trips a day. During day to day operations there would be four full-time workers on site. Periodically, there may be up to 50 temporary workers on-site for bird placement, removals, litter cleanouts and other periodic operations. These temporary workers would be from local community and many will come by car or van pool. This temporary work would be less than a week at a time and would not exceed 10 trips per day. Operation of the facility would not generate noise levels above the existing levels in the project area as minimal equipment would be utilized and project is within an area of similar and compatible agricultural land uses. The increase in traffic to the ranch on a daily basis will be minimal, adding at most 10 passenger vehicles and 3.3 truck trips to the existing roadways in the area. The noise generated from the workers and trucks to the ranch and operations on the property will be consistent with the County's 2035 General Plan Noise Element, Noise Ordinance, and Right-to-Farm Ordinance.

Specifically, the Kings County General Plan Noise Element Policy C1.2.2.A exempts "agricultural activities, operations and facilities conducted or used for commercial agricultural purposes in a manner consistent with proper and accepted customs and standards. The Kings County Right To Farm Ordinance establishes this exemption for agricultural land use protection within the County."

Noise Element Table N-7, *Noise Standards for New Uses Affected by Transportation Noise Sources*, contains a 65 dB Community Noise Equivalent Level (CNEL) outdoor standard for residences in agricultural zones, e.g., near rural roads. However, Noise Element Table N-8, *Non-Transportation Noise Standards*, contains no standards for agricultural operations. The Proposed Project would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance.

²⁸ British Columbia Ministry of Agriculture and Food, Poultry Factsheet: Management of Noise on Poultry Farms, August 1999.

The light construction work comprising installation of the outdoor poultry pens, i.e., fencing, will require less than one month and will not utilize heavy diesel-powered construction equipment. The most utilized mechanical aid for fence post installation will be a small power hand auger (or a small tractor-mounted auger). Each fence post hole will require only a few minutes to auger. Construction noise will be performed in daytime hours, will be temporary, and will permanently cease upon completion of work.

Therefore, there would be a less than significant impact on generating noise levels in excess of local ambient noise standards.

Mitigation Measures: None

b) Generation of excessive groundborne vibration or groundborne noise levels?

Impact: No Impact

The Proposed Project would not be expected to generate excessive groundborne vibration or groundbourne noise levels since no heavy equipment would be used and no ground disturbance would occur during construction of the poultry pens nor would any heavy equipment be utilized during operations of the farm.

Mitigation Measures: None

c) For a project located within the vicinity of a private airstrip or 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 level?

Impact: No Impact

The closest non-military airfield is approximately 10 miles south of the site located in Stratford²⁹ (Jones Farm Airport-CA49) and a private air strip is located 0.5 miles south of the project site on the southwest corner of Kent and 19th Avenue, although the project site does not fall under coverage of an airport noise compatibility plan. As detailed under threshold (a), the Ranch would not expose people residing or working in the project area to excessive noise levels.

Mitigation Measures: None

²⁹ Federal Air Administration, Airport Contacts Information, County of Kings, [https://www.faa.gov/airports/airport_safety/airportdata_5010/menu/contacts.cfm?Region=&District=&State=CA&County=KINGS&City=&Use=&Certification](https://www.faa.gov/airports/airport_safety/airportdata_5010/menu/contacts.cfm?Region=&District=&State=CA&County=KINGS&City=&Use=&Certification;); Google Maps, accessed May 7, 2021.

XIV. Population and Housing

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. Population and Housing. Would the project:				
a) Induce substantial unplanned 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Induce substantial unplanned 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)?

Impact: No Impact

The Project proposes to include no more than four workers that will live on the ranch in two existing residence on the site to manage the daily operations of the poultry farm. Temporary workers (up to 50) with non-specialized skillsets sourced from the local labor market, would be commuting from the adjacent communities within Kings County and will not be residing on the site, and therefore no substantial unplanned population growth within the County is anticipated from implementation of the Project.

Mitigation Measures: None

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Impact: No Impact

The Project proposes to implement poultry farm operations on an existing agricultural site and does not propose the displacement of any people or housing. The two employee residences on-site would accommodate the anticipated four on-site workers.

Mitigation Measures: None

XV. Public Services

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Public Services. Would the project:				
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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:*

Fire Protection?

Police Protection?

Schools?

Parks?

Other Public Facilities?

Impact: No Impact

Fire Protection

The Project proposes the operation of a poultry farm on a disturbed site and proposes no construction of new or physically altered fire protection facilities or require a need for new or altered facilities.

Police Protection

The Project proposes the operation of a poultry farm on a disturbed site and proposes no construction of new or physically altered police facilities or require a need for new or altered facilities.

Schools

The Project proposes the operation of a poultry farm on a disturbed site and proposes no construction of new or physically altered educational facilities or require a need for new or altered facilities.

Parks

The Project proposes the operation of a poultry farm on a disturbed site and proposes no construction of new or physically altered parks facilities or require a need for new or altered facilities.

Other Public Facilities

The Project proposes the operation of a poultry farm on a disturbed site and proposes no construction of new or physically altered public facilities or require a need for new or altered facilities.

Therefore, there would be no impacts associated with construction of new or altered public facilities that would cause environmental impacts for this criterion.

Mitigation Measures: None

XVI. Recreation

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Recreation.				
a) Would the project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Would the project 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?

Impact: No Impact

According to the 2035 Kings County General Plan Open Space Element, Kings County presently owns and maintains three parks (Burris, Hickey, and Kingston), which are located in the north portions of the County and surrounded by agricultural areas (See Figure OS - 13 Recreational Areas).

The Proposed Project would operate a poultry farm on an existing disturbed site and would not create additional demand for recreation or park facilities. The temporary workers arriving at the farm to work on a monthly basis would not live on the Ranch, and therefore would not use nearby County recreational facilities.

Mitigation Measures: None

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Impact: No Impact

No new or expanded recreational facilities are planned to be constructed or expanded related to this Project. The Project will operate on an existing agricultural site.

Mitigation Measures: None

XVII. Transportation

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing Roadway Conditions

The Ranch is located at the northeast corner of Java Avenue and South 19th Avenue, in an unincorporated area of Kings County. The entrance to the site is located along 19th Avenue, and local access to the site is provided via 19th Avenue and Java Avenue. Regional access is provided via State Route (SR) 41 / 20th Avenue to the west, and SR 198 to the north.

Both 19th Avenue and Java Avenue are undivided two-lane roadways under existing conditions. SR 41 / 20th Avenue is an undivided two-lane highway just west of the Ranch, and transitions into a divided four-lane highway near the SR 198 interchange, approximately 3.5 miles north of the Ranch. SR 198 is a divided four-lane highway.

Proposed Future Trip Generation

Semi- trucks will be used for the transport of poultry from the Ranch, and the Project is anticipated to generate approximately 90 to 100 truck trips per month, or about three to four trips per day. The trucks would be coming from Foster Farm's headquarters in Livingston, approximately 110 miles from the Ranch, and would return to Livingston or Fresno (approximately 40 miles from the Ranch) for processing. There will be four full-time employees living on site. Periodically, there may be up to 50 temporary workers on-site for bird placement, removals, litter cleanouts and other periodic operations. These temporary workers will commute from nearby local communities. Employees will use pick-up trucks, automobiles, or vans to travel to and from the ranch. This temporary work will be less than a week at a time and will not occur on a weekly or monthly basis. This

analysis assumes a conservative trip generation of no more than 300 trips per month, or about 10 trips per day.

Average Daily Trips

As shown in Table 4-7, the anticipated average daily trip (ADT) for the Proposed Project operations are estimated to be 13.3.

Table 4-7: Proposed Trip Generation (ADT)

Process	Truck Type	Amount	Frequency	ADT
Poultry pick up and delivery	Semi	100 trips per month	Annually	3.3
Full-Time On-Ranch Employee Trips	Standard pick-up or autos	120 trips per month	Annually	4*
Temporary Worker Trips	Standard pick-up or autos	180 trips per month	Seasonal	6*
Total	-	-	-	13.3
Notes: - = N/A ADT = Average Daily Trips * Assumes worst case				

a) *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Impact: Less than Significant

The 2035 Kings County General Plan Circulation Element designates a peak-hour level of service (LOS) of “D” as the threshold for acceptable traffic operations for the Kings County road network (C Policy A1.3.1). Specifically, the 2035 Kings County General Plan Circulation Element lists the following policies adopted for the purpose of avoiding or mitigating an environmental effect:

- Policy A1.1.1 “Coordination with the Kings County Association of Governments”
- C Policy A1.2. “Coordinate land use planning with planned transportation facilities”
- C Objective A1.3 “Maintain an adequate Level of Service operation for County roadways and ensure proper maintenance occurs along critical routes for emergency response vehicles”

The Proposed Project anticipates the generation of approximately 400 trips per month annually (See Table 4-7), which translates to approximately 13.3 ADT. The Circulation Element does not indicate the annual average daily traffic (AADT) volume and corresponding LOS for 19th Avenue and Java Avenue. However, based on Table C-4 in the Circulation Element, 18th Avenue, a parallel route to 19th Avenue a mile to the east, indicates 1,690 AADT with LOS “B” in year 2006, and projected 2,650 AADT with LOS “B” in year 2035. Based on the similarities in roadway configuration and the general land use in the vicinity, it is reasonable to assume that 19th Avenue and Java Avenue would experience similar traffic conditions as 18th Avenue. As shown in Table C-3 of the County

Circulation Element, the threshold for LOS “B” for a two-lane facility is 4,200 ADT.³⁰ The addition of 13 ADT from the project to 1,690 or 2,650 ADT would not cause a change in LOS from “B” to “D”. Therefore, there would be a less than significant impact in conflict with an applicable program, plan, ordinance, or policy addressing the circulation system.

Mitigation Measures: None

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

Impact: Less than Significant

The Proposed Project is located in a rural area and is not within ½ mile of either an existing major transit stop or a stop along an existing high-quality transit corridor.

The Proposed Project is anticipated to generate 3.3 truck trips per day, and 10 employee travel trips per day during days with the highest number of activities. The truck trips have an average one-way traveling distance of 100 miles between the ranch and the processing plant in Livingston, California. The employee trips are generally local, as the closest residential area outside of the ranch is in Lemoore, just two miles north of the Ranch. The Proposed Project is anticipated to generate approximately 700 daily vehicle miles travelled (VMT) during the highest activity period.

As noted, the Proposed Project area is designated as General Agriculture under the Kings County 2035 General Plan, and had previously operated as a poultry farm. Agricultural land use within the county has a trip generation rate of 3.40 daily person trips per employee³¹, and the average truck trip distance within the San Joaquin Valley is 65 miles³². Based on this, the daily VMT threshold is estimated to be 1,768. As summarized in Table 4-8 below, the Proposed Project is anticipated to generate less daily VMT than 1,768, therefore, the Project impact would be considered less than significant.

Table 4-8. Total Daily VMT Comparison - Operations

	Daily Trip Rate	Trip Distance (Round Trip)	Total Daily VMT
Current General Plan Designation	3.40 per employee ¹	130 miles ²	1,768
Project			
Truck Trips	3.3 total	200 miles	660
Worker Trips	10 total	4 miles	40

³⁰ County of Kings 2035 General Plan Circulation Element, January 2010

³¹ Table 6, KCAG Person Trip Generation Rates. Kings County Association of Governments, 2008 Model Update, Model Documentation and Validation Report, December 14, 2009

³² Documentation for the Three-County Model (MCAG, SJCOG, StanCOG) to Meet the Requirements of SB 375, November 2012

Project Total			700
Difference			1,068
Sources: (1): Table 6, KCAG Person Trip Generation Rates. Kings County Association of Governments, 2008 Model Update, Model Documentation and Validation Report, December 14, 2009 (2): Documentation for the Three-County Model (MCAG, SJCOG, StanCOG) to Meet the Requirements of SB 375, November 2012			

Mitigation Measures: None

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Impact: No Impact

The Proposed Project would not introduce any physical changes to the existing roadways or propose new roads and therefore no impacts for this criterion.

Mitigation Measures: None

d) Result in inadequate emergency access?

Impact: No Impact

As noted in Section 3.1.6, there is only one entrance and exit for the Ranch, which is located at the southwest corner. An access road begins at the southwest entrance along 19th Avenue, extends along the west side of the barns, and is completed by a 150-foot (45-meter) truck turnaround which is also adequate for emergency vehicles. No facilities are proposed as part of the Proposed Project that would change emergency access to the site or that would affect access to nearby uses. Impacts related to emergency access are expected to be minimal given the open areas and truck turnaround features.

Mitigation Measures: None

XVIII. Tribal Cultural Resources

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. Tribal Cultural Resources.				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Through AB52 consultation, the County identified the Santa Rosa Rancheria Tachi-Yokut Tribe (Tribe) as being the only Tribe that would be involved in projects within Kings County. The County initiates consultation with tribes through a project Review – Consultation Notice once the Conditional Use Permit application is submitted. The Tribe has been notified of their right to request consultation pursuant to Public Resources Code section 21080.3.1. See Section 7.0 Appendices for the coordination with the Tribe per AB 52.

- a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature,*

place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Impact: Less than Significant Impact with Mitigation Incorporated

According to the 2035 Kings County General Plan Resource Conservation Element, no known cultural sites exist on the Ranch or within the vicinity. See discussion under Section V. Cultural Resources under thresholds (a) and (b) for a discussion of resources eligible or listed in the CRHP or is locally significant. The Proposed Project would occur entirely within the current disturbed 40-acre Ranch and would not involve excavation or grading. Except for shallow fence post holes dug with an auger and preparation of the water tank pad, no substantial excavation or grading is planned for the Proposed Project. Although it is unlikely that project construction would result in unanticipated discoveries of tribal cultural resources, there would be a less than significant impact with mitigation on tribal cultural resource discovery with implementation measures CUL-1 through CUL-5.

Mitigation Measures:

See Section V. Cultural Resources, mitigation measures CUL-1 through CUL-5.

XIX. Utilities and Service Systems

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Impact: No Impact

The Proposed Project will not result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or

telecommunication facilities. The Proposed Project will utilize the existing stormwater drainage system including the approximately 10-acre storm water collection pond. The Project would not necessitate that the local water providers expand their facilities because of the Project (See Section X Hydrology and Water Quality). Wastewater is not generated or treated on-site because compliance with RWQCB Order R5-2016-0087-01, the Poultry General Order, requires that all manure be exported off-site within 72 hours. An existing septic system serves the on-site housing and office, which will remain unchanged and compliant with Section 5-82 of Kings County Ordinance No. 567.4. There are no emergency generators on-site. If supplemental electric power would be needed for a predicted heat wave, a CARB-registered portable generator would be rented or brought from a neighboring ranch. Therefore, there would be no need for relocation or construction of new or expanded facilities that could cause environmental effects. Implementation of the Project would have no impact under this criterion.

Mitigation Measures: None

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Impact: Less than Significant

The Ranch has a new primary well and an older secondary well for backup. The wells have been tested and produce sufficient water for future operations during normal, dry, and multiple dry years³³. See discussion under Section X Hydrology and Water Quality for more detail regarding impacts on groundwater supplies, which was determined to be less than significant.

Mitigation Measures: None

c) Result in a determination by the wastewater treatment provider, which 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?

Impact: No Impact

The existing septic system on-site is expected to continue to be adequate for the existing number of continuously on-site employees (four total) needed for operation of the ranch, and would not result in a determination by a wastewater treatment provider that there is inadequate capacity. No upgrades of the septic system would be required to serve the project.

Mitigation Measures: None

³³ Foster Farms, Operations Department, February 2021

- d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Impact: Less than Significant

Proposed Project operation will not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or impair the attainment of solid waste reduction goals per local service provider, Kings Waste and Recycling Authority (KWRA)'s Integrated Waste Management Plan Five Year Permit Review for the Avenal Regional Landfill (2021³⁴).

Per the 2035 Kings County General Plan Final EIR, the KWRA operates one solid waste disposal facility (Avenal Regional Landfill Facility) with an adequate capacity to serve the communities through 2056³⁵. The Avenal Regional Landfill Facility (No. 16-AA-0004) is averaging the disposal of 950-1000 tons/day³⁶, with a permitted design capacity of 36.3 million cubic yards (mcy)³⁷. Foster Farms would make use of poultry manure generated onsite as a marketable product for use as fertilizer, soil amendments, or compost on other agricultural properties. It is anticipated that there would be an average of 260 to 300 tons per year of manure removed from the site that would be reused in this manner. All manure would be transported to a Foster Farms composting facility or a third-party bulk manure processing/composting operation between each flock annually, and a full cleanout would occur once every two years. Therefore, manure would not contribute to exceeding capacity at the KWRA's landfill facilities.

The two dwellings on the site would dispose of garbage into a 2 cubic yard bin that would be picked up by a KWRA truck weekly. In addition, a singular roll-off 50 cubic yard would likely be filled and removed 3 times per year from the site. This amount of domestic waste generation would be consistent with typical generation of a household and the land use permitted with the zone – therefore, waste generation would not exceed projections or be inconsistent with those identified for the County. Therefore, Project would have a less than significant impact on the generation of solid waste in excess of state or local standards and would not impair the attainment of local solid waste reduction goals.

Mitigation Measures: None

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Impact: Less than Significant

³⁴ Kings Waste and Recycling Authority, Board of Directors Regular Meeting, February 24, 2021, <https://www.countyofkings.com/home/showpublisheddocument?id=25620>

³⁵ Kings County, Department of Public Health, Public Notice of Permit Modification Avenal Regional Landfill, November 17, 2020, <https://www.countyofkings.com/home/showpublisheddocument?id=24851>

³⁶ CalRecycle - SWIS Facility/Site Inspection Details: Avenal Regional Landfill Facility (No. 16-AA-0004) <https://www2.calrecycle.ca.gov/SolidWaste/SiteInspection/Details/319864>, March 2021

³⁷ Kings County, Department of Public Health, Public Notice of Permit Modification Avenal Regional Landfill, November 17, 2020, <https://www.countyofkings.com/home/showpublisheddocument?id=24851>

The Proposed Project will comply with all applicable federal, state, and local management and reduction statutes and regulations related to solid waste, such as Chapter 13 of the Kings County Municipal Code, Article II Waste Management Regulations. Consistent with RWQCB Order R5-2016-0087-01, the Poultry General Order, all manure will be exported off-site within 72 hours for sale as a soil amendment or further processing as a fertilizer, soil amendment, or compost. Any field mortality will be collected daily and transported under permit to a California Department Food and Agriculture (CDFA) licensed rendering facility or alternative facility that is approved by the CDFA.

Mitigation Measures: None

XX. Wildfire

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Wildfire. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

Impact: No Impact

The nearest areas to the Ranch that could be considered non-farm wildlands are 19 miles to the southwest of the project Ranch. Thus, the Proposed Project would not impair an adopted emergency response plan or emergency evacuation plan since it is not located in or near a State Responsibility Area (SRA) or a very high fire hazard severity zone.

Mitigation Measures: None

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Impact: No Impact

Not applicable, see (a) above.

Mitigation Measures: None

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

Impact: No Impact

Not applicable, see (a) above.

Mitigation Measures: None

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Impact: No Impact

Not applicable, see (a) above.

Mitigation Measures: None

XXI. Mandatory Findings of Significance

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. Mandatory Findings of Significance.				
a) Does the project have the potential to substantially 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, substantially 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) Does the project have the potential to substantially 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, substantially 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?

Impact: Less than Significant Impact with Mitigation Incorporated

Through the evaluations presented in the Sections above, the Proposed Project is not expected to substantially degrade the quality of the environment, have significant impacts on biological resources, or affect important cultural resources (in the event of an unanticipated discovery) with implementation of mitigation measures. As detailed in Section IV Biological Resources above and within 7.0 Appendices (Appendix C), the Ranch is devoid of any suitable habitat or plant or animal communities that could be impacted by the minor construction proposed or the operations of the site. In addition, per the discussion in Section V Cultural Resources, no known resources in the County would be impacted by the implementation of the Project. Therefore, there would be a less than significant impact with mitigation implemented in the event that unanticipated cultural resources are encountered. These mitigation measures, CUL-1 through CUL-5 would appropriately identify, document, and mitigate for any unanticipated resources discovered on the site.

Mitigation Measures:

CUL-1 through CUL-5.

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.)

Impact: Less than Significant

CEQA Guidelines Section 15065(a) states 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. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects.

As described in the impact analyses in Sections I through XX above, potential impacts to resources are less than significant with implementation of mitigation measures to reduce impacts. Due to the nature of the Project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The Proposed Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc.).

All other pending, approved, and completed projects in the vicinity of the Proposed Project would be subject to review in separate environmental documents and required to conform to the 2035 Kings County General Plan, the Kings County Development Code, mitigate for project-specific impacts, and provide appropriate engineering to ensure the development meets all applicable federal, State and local regulations and codes. As currently designed, and by complying with applicable codes and regulations, the Proposed Project would not contribute to a cumulative impact. Thus, the cumulative impacts of pending, approved, and completed projects would be less than cumulatively considerable and therefore less than significant.

Mitigation Measures: None

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Impact: Less than Significant Impact with Mitigation Incorporated

The ways in which people can be subject to adverse effects from the project include possible exposure to biohazards (due to the Project purpose as a poultry ranch). Through implementation of HAZ-1, potential impacts to the environment that could cause substantial adverse effects on human beings would be managed by the HMBP. In addition, implementation of mitigation measure HYD-1 would ensure that the Poultry General Order is complied with and would reduce the potential for impacts from pollutant release to adversely affect humans in the event that project inundation occurs. The analyses of environmental issues contained in this IS/MND indicate that the project is not expected to have probable or substantial impacts on human beings, either directly or indirectly, and would therefore have a less than significant impact.

Mitigation Measures:

HAZ-1: Hazardous Materials Business Plan

HYD-1: Poultry General Order

5.0 LIST OF PREPARERS

Kings County Community Development Agency

Victor Hernandez, County Planner

Chuck Kinney, Planning Division Deputy Director

Foster Farms, Inc.

Justin Kosta, Environmental Affairs Director

6.0 REFERENCES

British Columbia Ministry of Agriculture and Food, Poultry Factsheet: Management of Noise on Poultry Farms, August 1999.

California Air Resources Board (CARB). 2017. California's 2017 Climate Change Scoping Plan. Website (<https://ww3.arb.ca.gov/cc/scopingplan/scopingplan.htm>) accessed October 14, 2020.

California Department of Conservation (DOC). 2020. EQ Zapp: California Earthquake Hazards Zone Application - Earthquake Zones of Required Investigation. Website (<https://maps.conservation.ca.gov/cgs/EQZApp/app/>) accessed January 21, 2021. California Department of Conservation (DOC). 2020. CGS Information Warehouse Regulatory Maps. Website (<https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/>) accessed January 21, 2021.

California Department of Conservation (DOC). 2020. CGS Information Warehouse Mineral Land Classification. Website (<https://maps.conservation.ca.gov/cgs/informationwarehouse/mlc/>) accessed October 28, 2020.

California Department of Fish and Wildlife (CDFW). 2020a. State and Federally Listed Endangered and Threatened Animals of California. Website (<https://www.dfg.ca.gov/wildlife/nongame/list.html>) accessed October 28, 2020.

California Department of Fish and Wildlife (CDFW). 2020b. Special Animals List. Website (<https://www.dfg.ca.gov/wildlife/nongame/list.html>) accessed October 28, 2020.

California Department of Forestry and Fire Protection (CalFire). 2020. Fire Hazard Severity Zone (FHSZ) Maps. Website (<https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>) accessed January 21, 2021.

California Department of Toxics Substances Control (DTSC). 2020. Hazardous Waste and Substances Site List (Cortese). Website (<https://calepa.ca.gov/sitecleanup/corteselist/>) accessed October 28, 2020.

California Department of Toxics Substances Control (DTSC). 2021. EnviroStor Database. Website (<https://www.envirostor.dtsc.ca.gov/public/>) accessed January 21, 2021.

California Emissions Estimation Model[®] (CalEEMod). 2016. Version 2016.3.2. Website (<http://www.caleemod.com/>) accessed October 14, 2020.

California Energy Commission (CEC). 2019. Building Energy Efficiency Program. Website (<http://www.energy.ca.gov/title24/>) accessed October 14, 2020.

California Office of Environmental Health Hazard Assessment (OEHHA). 2015. Air Toxics Hot Spots Program, Risk Assessment Guidelines, Guidance Manual for Preparation of Health Risk Assessments. Website (<http://oehha.ca.gov/air/cmr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0>) accessed October 14, 2020.

California Regional Water Quality Control Board Central Valley Region (RWQCB). 2016. Order R5-2016-0087-01, Waste Discharge Requirements General Order for Poultry Operations. Website

(https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0087-01.pdf) accessed November 48, 2020.

County of Kings (County). 2010. 2035 Kings County General Plan. Website (<https://www.countyofkings.com/departments/community-development-agency/information/2035-general-plan>) accessed October 28, 2020.

County of Kings (County). 2009. 2035 Kings County General Plan Final Environmental Impact Report. Website (<https://www.countyofkings.com/home/showpublisheddocument?id=5897>) accessed January 21, 2021.

County of Kings (County). April 2020. Code of Ordinances Kings County, California. Accessed January 2021. https://library.municode.com/ca/kings_county/codes/code_of_ordinances

County of Kings (County). 2013. Cultural Preserves 2013 Williamson Act and Farmland Security Zone Properties Map, October 2013. <https://www.countyofkings.com/home/showpublisheddocument?id=3168>

Department of Conservation, Farmland Mapping and Monitoring Program, Accessed January 2021 <https://gis.data.ca.gov/datasets/8ab78d6c403b402786cc231941d1b929>

Department of Water Resources. 2006. California's Groundwater Bulletin 118: San Joaquin Valley Groundwater Tulare Lake Subbasin. https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/5_022_12_TulareLakeSubbasin.pdf

National Propane Gas Association, Propane in the Agriculture Market, https://www.eia.gov/petroleum/heatingoilpropane/workshop/2016/pdf/2016_shopp_workshop_caldarera.pdf

Kings County Association of Governments, 2018 Regional Transportation Plan, Appendix F: Lemoore

Kings Waste and Recycling Authority (KWRA). 1995. Integrated Waste Management Plan.

San Joaquin Valley Air Pollution Control District (SJVAPCD), Rules and Regulations, Accessed January 26, 2021 <https://www.valleyair.org/rules/1ruleslist.htm>

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2019. Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). Website (https://www.valleyair.org/transportation/GAMAQI_12-26-19.pdf) accessed October 14, 2020.

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015a. Air Quality Thresholds of Significance – Criteria Pollutants. Website (<http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>) accessed October 14, 2020.

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015b. Air Quality Thresholds of Significance – Toxic Air Contaminants. Website (<http://www.valleyair.org/transportation/0714-GAMAQI-TACs-Thresholds-of-Significance.pdf>) accessed October 14, 2020.

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2009a. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for new Projects under CEQA. Website (<http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20>

[%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf](#)) accessed October 14, 2020.

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2009b. Final Staff Report Appendix J: GHG Emission Reduction Measures - Development Projects. Website (<https://www.valleyair.org/Programs/CCAP/bps/Appendix%20J%20-%20Dec%2017%202009.pdf>) accessed October 14, 2020.

San Jose Valley Air Pollution Control District, 2009c. Climate Change Action Plan. <https://www.valleyair.org/Programs/CCAP/12-17-09/1%20CCAP%20-%20FINAL%20CEQA%20GHG%20Staff%20Report%20-%20Dec%2017%202009.pdf>

South Fork Kings Groundwater Sustainability Agency (GSA). 2020. Groundwater Sustainability Plan Frequently Asked Questions. Website (<https://southforkkings.org/board-of-directorsdocuments/groundwater-sustainability-plan-faqs/>) accessed October 28, 2020.

United States Environmental Protection Agency (EPA). 2016. AERSCREEN User's Guide. EPA-454/B-16-004. December 2016. Website (https://www3.epa.gov/scram001/models/screen/aerscreen_userguide.pdf) accessed October 14, 2020.

United States Environmental Protection Agency (EPA). 2011. Haul Road Workgroup Final Report. December 6, 2011. Website (https://www3.epa.gov/scram001/reports/Haul_Road_Workgroup-Final_Report_Package-20120302.pdf) accessed October 14, 2018.

United States Fish & Wildlife Service (USFWS). 2020. Migratory Bird Treaty Act Protected Species (10.13 List). Website (<https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>) accessed October 28, 2018.

U.S. Fish and Wildlife Service, National Wetlands Inventory, <https://www.fws.gov/Wetlands/data/Mapper.html>

United States Geological Survey (USGS). 2020. Quaternary Fault and Fold Database of the United States. Website (https://www.usgs.gov/natural-hazards/earthquake-hazards/faults?qt-science_support_page_related_con=4#qt-science_support_page_related_con) accessed October 28, 2018.

University of Arkansas System, Division of Agriculture, Energy Conservation Poultry Farm Energy Use Evaluation Program, Accessed January 27, 2021

7.0 APPENDICES

APPENDIX A - MITIGATION MONITORING AND REPORTING PROGRAM

Measure No.	Description	Responsibility	Timing	Date	Initial
AES-1	Lighting Standard. Any exterior lighting shall be hooded so as to be directed only on-site. Pursuant to Section 418.E of the Kings County Development Code, exterior lighting shall be designed to be compatible with the architectural and landscape design of the project. New lighting that is part of residential, commercial, industrial or recreational development shall be oriented away from sensitive uses, and shall be hooded, shielded, and located to direct light pools downward and prevent glare.	Foster Farms/Kings County CDA	During CUP site plan review		
AQ-1	Odor Management Plan Foster Farms shall implement an Odor Management Plan during operations of the poultry ranch, which will include, but is not limited to, procedures for proposed mortality management, emergency mortality management, and litter clean out. The Proposed Project will comply with the 72-hour outdoor staging time limit for waste (manure) removal and with litter cleanout procedures and mortality management proposed in CUP No. 20-05 as a CUP condition, but on a year-	Foster Farms	During Project Operations		

	round basis. This standard operating procedure (SOP) will prevent generation of significant odors throughout the year. Thus, any incremental change in odors due to operation of the facility with two types of poultry will be minimized such that a considerable number of persons would not be affected.				
CUL-1	<p>Pre-Construction Briefing</p> <p>The project proponent shall provide a pre-construction briefing to construction staff via video training provided by the Santa Rosa Rancheria Cultural Staff regarding the discovery of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found.</p>	Foster Farms/Santa Rosa Rancheria Cultural Staff	Pre-construction		
CUL-2	<p>Stop Work in the Event of Unanticipated Discoveries</p> <p>In the event that archaeological resources, paleontological resources or unique geologic features are discovered during ground disturbance, ground disturbing activities shall stop within 25 feet of the find, and a qualified archaeologist (as defined by Secretary of the Interior's Standards and Guidelines for Professional Qualifications Standards) shall be consulted to determine whether the resource</p>	Contractors/Foster Farms/Qualified Archaeologist	In the event of discovery during construction		

	requires further study. The qualified archaeologist shall determine the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5 of the CEQA Guidelines. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing, and data recovery, among other options as is considered appropriate based on the type of resource found. Any previously undiscovered resources found during construction within the Project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.				
CUL-3	Tribal Cultural Resource Unanticipated Discovery Prior to any ground disturbance, the applicant shall enter into an agreement with the Santa Rosa Rancheria Tachi Yokut Tribe (“Tribe”) regarding cultural resources and burial treatment and protection (“Plan”), which shall be in a form acceptable to the Tribe. Upon discovery of cultural resources that have been appropriately identified as a tribal cultural resource and recorded by the qualified archaeologist in CUL-1, the Kings County Community Development Agency, along with	Foster Farms/Santa Rosa Rancheria Cultural Staff/Kings County CDA	In the event of discovery during construction		

	other relevant agency or Tribal officials, shall be contacted to begin coordination on the disposition of the find(s), and treatment of any significant cultural resource shall be undertaken pursuant to the Plan. In the event of any conflict between this mitigation measure and the Plan, the stipulations of the Plan shall control.				
CUL-4	<p>Disposition of Cultural Resources</p> <p>Upon coordination with the Kings County Community Development Agency, any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded long-term preservation per the recommendation of the qualified archaeologist. Documentation for the work by a qualified archaeologist shall be provided to the County and Tribe (if applicable) in accordance with applicable cultural resource laws and guidelines.</p>	Foster Farms/Santa Rosa Rancheria Cultural Staff/Kings County CDA	In the event of discovery during construction		
CUL-5	<p>Unanticipated Discovery of Human Remains</p> <p>If human remains are discovered during construction activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication</p>	Foster Farms/County Coroner/Santa Rosa Rancheria Cultural Staff	In the event of discovery during construction		

	outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.				
HAZ-1	Hazardous Materials Business Plan Foster Farms shall submit to Kings County Department of Environmental Health Services, a Hazardous Materials Business Plan (HMBP) pursuant to Health and Safety Code Chapter 6.95, sections 25500 to 25520. The HMBP shall outline the types and quantities of hazardous materials used onsite and indicate onsite safety measures to ensure such materials are properly handled and stored.	Foster Farms	With finalized CUP Application		
HYD-1	Poultry General Order The project applicant shall comply with the Poultry General Order by adhering to the 72-hour outdoor staging time limit for waste (manure) removal as a CUP condition on a year-round basis.	Foster Farms	During Project Operations		

This page was left intentionally blank.

APPENDIX B -- CALEEMOD OUTPUTS

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

Foster Farms: Holm Ranch
San Joaquin Valley Air Basin, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Light Industry	100.00	1000sqft	2.30	100,000.00	0

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.7	Precipitation Freq (Days)	45
Climate Zone	3			Operational Year	2021
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MW hr)	641.35	CH4 Intensity (lb/MW hr)	0.029	N2O Intensity (lb/MW hr)	0.006

1.3 User Entered Comments & Non-Default Data

Construction Phase - There will be no construction as Foster Farms will use the facilities from a pre-existing ranch.

Vehicle Trips - Assumes 4 workers daily, 50 temporary employees for 1 week and 6 times a year, and 100 trips per month to the processing plant

Operational Off-Road Equipment - Off-road vehicles (diesel fuel): "Mule" ATV (all-terrain vehicle) 24 hours per year, tractors 606 hours per year, forklifts 726 hours per year

Stationary Sources - Process Boilers - - Estimated propane usage for chicken operations (in addition to normal operations) is 97,600 gallons per year, which is equivalent to approximately 8.5 million cubic feet of natural gas

Energy Mitigation - - Planning to install LED lights for the barn (estimated 80% reduction)

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	0.00
tblConstructionPhase	NumDays	220.00	0.00

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

tblConstructionPhase	NumDays	20.00	0.00
tblConstructionPhase	NumDays	6.00	0.00
tblConstructionPhase	NumDays	10.00	0.00
tblConstructionPhase	NumDays	3.00	0.00
tblFleetMix	HHD	0.11	0.25
tblFleetMix	LDA	0.51	0.50
tblFleetMix	LDT1	0.03	0.25
tblFleetMix	LDT2	0.17	0.00
tblFleetMix	LHD1	0.02	0.00
tblFleetMix	LHD2	5.3740e-003	0.00
tblFleetMix	MCY	5.3070e-003	0.00
tblFleetMix	MDV	0.12	0.00
tblFleetMix	MH	7.9200e-004	0.00
tblFleetMix	MHD	0.02	0.00
tblFleetMix	OBUS	1.7970e-003	0.00
tblFleetMix	SBUS	9.6900e-004	0.00
tblFleetMix	UBUS	1.6230e-003	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	0.00
tblOperationalOffRoadEquipment	OperDaysPerYear	260.00	365.00
tblOperationalOffRoadEquipment	OperDaysPerYear	260.00	365.00
tblOperationalOffRoadEquipment	OperDaysPerYear	260.00	365.00
tblOperationalOffRoadEquipment	OperHoursPerDay	8.00	2.00
tblOperationalOffRoadEquipment	OperHoursPerDay	8.00	0.10
tblOperationalOffRoadEquipment	OperHoursPerDay	8.00	1.70
tblOperationalOffRoadEquipment	OperOffRoadEquipmentNumber	0.00	1.00

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

tblOperationalOffRoadEquipment	OperOffRoadEquipmentNumber	0.00	1.00
tblOperationalOffRoadEquipment	OperOffRoadEquipmentNumber	0.00	1.00
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblStationaryBoilersUse	AnnualHeatInput	0.00	8,500.00
tblStationaryBoilersUse	NumberOfEquipment	0.00	1.00
tblTripsAndVMT	WorkerTripNumber	0.00	10.00
tblTripsAndVMT	WorkerTripNumber	15.00	18.00
tblTripsAndVMT	WorkerTripNumber	8.00	5.00
tblVehicleTrips	CC_TL	6.60	200.00
tblVehicleTrips	CC_TTP	28.00	25.00
tblVehicleTrips	CNW_TL	6.60	0.00
tblVehicleTrips	CNW_TTP	13.00	0.00
tblVehicleTrips	CW_TL	14.70	4.00
tblVehicleTrips	CW_TTP	59.00	75.00
tblVehicleTrips	DV_TP	5.00	0.00
tblVehicleTrips	PB_TP	3.00	0.00
tblVehicleTrips	PR_TP	92.00	100.00
tblVehicleTrips	ST_TR	1.32	0.13
tblVehicleTrips	SU_TR	0.68	0.13
tblVehicleTrips	WD_TR	6.97	0.13

2.0 Emissions Summary

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

2.1 Overall Construction

Unmitigated Construction

[illegible]

Mitigated Construction

[illegible][illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
		Highest		

2.2 Overall Operational**Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.4602	1.0000e-005	9.2000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.7900e-003	1.7900e-003	0.0000	0.0000	1.9100e-003
Energy	0.0113	0.1023	0.0859	6.1000e-004		7.7800e-003	7.7800e-003		7.7800e-003	7.7800e-003	0.0000	367.9542	367.9542	0.0137	4.4400e-003	369.6214
Mobile	0.0166	0.3303	0.2564	1.7500e-003	0.0985	1.7400e-003	0.1003	0.0264	1.6500e-003	0.0281	0.0000	163.8455	163.8455	4.4500e-003	0.0000	163.9566
Offroad	0.0137	0.1332	0.1480	2.0000e-004		8.4400e-003	8.4400e-003		7.7600e-003	7.7600e-003	0.0000	17.6550	17.6550	5.7100e-003	0.0000	17.7978
Stationary	0.0229	0.1020	0.4083	2.5000e-003		0.0317	0.0317		0.0317	0.0317	0.0000	453.6001	453.6001	8.6900e-003	0.0000	453.8175
Waste						0.0000	0.0000		0.0000	0.0000	25.1709	0.0000	25.1709	1.4876	0.0000	62.3598
Water						0.0000	0.0000		0.0000	0.0000	7.3365	36.4016	43.7381	0.7552	0.0181	68.0211
Total	0.5247	0.6677	0.8996	5.0600e-003	0.0985	0.0496	0.1482	0.0264	0.0489	0.0753	32.5074	1,039.4582	1,071.9655	2.2753	0.0226	1,135.5760

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.4602	1.0000e-005	9.2000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.7900e-003	1.7900e-003	0.0000	0.0000	1.9100e-003
Energy	0.0113	0.1023	0.0859	6.1000e-004		7.7800e-003	7.7800e-003		7.7800e-003	7.7800e-003	0.0000	305.1173	305.1173	0.0109	3.8500e-003	306.5383
Mobile	0.0166	0.3303	0.2564	1.7500e-003	0.0985	1.7400e-003	0.1003	0.0264	1.6500e-003	0.0281	0.0000	163.8455	163.8455	4.4500e-003	0.0000	163.9566
Offroad	0.0137	0.1332	0.1480	2.0000e-004		8.4400e-003	8.4400e-003		7.7600e-003	7.7600e-003	0.0000	17.6550	17.6550	5.7100e-003	0.0000	17.7978
Stationary	0.0229	0.1020	0.4083	2.5000e-003		0.0317	0.0317		0.0317	0.0317	0.0000	453.6001	453.6001	8.6900e-003	0.0000	453.8175
Waste						0.0000	0.0000		0.0000	0.0000	25.1709	0.0000	25.1709	1.4876	0.0000	62.3598
Water						0.0000	0.0000		0.0000	0.0000	7.3365	36.4016	43.7381	0.7552	0.0181	68.0211
Total	0.5247	0.6677	0.8996	5.0600e-003	0.0985	0.0496	0.1482	0.0264	0.0489	0.0753	32.5074	976.6213	1,009.1287	2.2725	0.0220	1,072.4929

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.05	5.86	0.12	2.61	5.56

3.0 Construction Detail**Construction Phase**

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/25/2021	1/24/2021	5	0	
2	Site Preparation	Site Preparation	2/20/2021	2/19/2021	5	0	
3	Grading	Grading	2/25/2021	2/24/2021	5	0	
4	Building Construction	Building Construction	3/5/2021	3/4/2021	5	0	
5	Paving	Paving	1/7/2022	1/6/2022	5	0	
6	Architectural Coating	Architectural Coating	1/21/2022	1/20/2022	5	0	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 150,000; Non-Residential Outdoor: 50,000; Striped Parking Area: 0
(Architectural Coating – sqft)

OffRoad Equipment

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	0	8.00	81	0.73
Demolition	Rubber Tired Dozers	0	8.00	247	0.40
Demolition	Tractors/Loaders/Backhoes	0	8.00	97	0.37
Site Preparation	Graders	1	8.00	187	0.41
Site Preparation	Scrapers	1	8.00	367	0.48
Site Preparation	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Cranes	1	8.00	231	0.29
Building Construction	Forklifts	2	7.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45
Paving	Cement and Mortar Mixers	1	8.00	9	0.56
Paving	Pavers	1	8.00	130	0.42
Paving	Paving Equipment	1	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Paving	Tractors/Loaders/Backhoes	1	8.00	97	0.37
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Architectural Coating	1	8.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	8	42.00	16.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Demolition	0	10.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	18.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	3	5.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2021

Unmitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.2 Demolition - 2021

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.2 Demolition - 2021

Mitigated Construction Off-Site

[illegible]

3.3 Site Preparation - 2021

Unmitigated Construction On-Site

[illegible]

3.3 Site Preparation - 2021

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.3 Site Preparation - 2021

Mitigated Construction Off-Site

[illegible]

3.4 Grading - 2021

Unmitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.4 Grading - 2021

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

3.4 Grading - 2021

Mitigated Construction Off-Site

[illegible]

3.5 Building Construction - 2021

Unmitigated Construction On-Site

[illegible]

3.5 Building Construction - 2021

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.5 Building Construction - 2021

Mitigated Construction Off-Site

[illegible]

3.6 Paving - 2022

Unmitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.6 Paving - 2022

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.6 Paving - 2022

Mitigated Construction Off-Site

[illegible]

3.7 Architectural Coating - 2022

Unmitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.7 Architectural Coating - 2022

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

3.7 Architectural Coating - 2022**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0166	0.3303	0.2564	1.7500e-003	0.0985	1.7400e-003	0.1003	0.0264	1.6500e-003	0.0281	0.0000	163.8455	163.8455	4.4500e-003	0.0000	163.9566
Unmitigated	0.0166	0.3303	0.2564	1.7500e-003	0.0985	1.7400e-003	0.1003	0.0264	1.6500e-003	0.0281	0.0000	163.8455	163.8455	4.4500e-003	0.0000	163.9566

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
General Light Industry	13.30	13.30	13.30	256,584	256,584
Total	13.30	13.30	13.30	256,584	256,584

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
General Light Industry	4.00	200.00	0.00	75.00	25.00	0.00	100	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
General Light Industry	0.500000	0.250000	0.000000	0.000000	0.000000	0.000000	0.000000	0.250000	0.000000	0.000000	0.000000	0.000000	0.000000

5.0 Energy Detail

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

Historical Energy Use: N

5.1 Mitigation Measures Energy

Install High Efficiency Lighting

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	193.7470	193.7470	8.7600e-003	1.8100e-003	194.5062
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	256.5839	256.5839	0.0116	2.4000e-003	257.5893
NaturalGas Mitigated	0.0113	0.1023	0.0859	6.1000e-004		7.7800e-003	7.7800e-003		7.7800e-003	7.7800e-003	0.0000	111.3703	111.3703	2.1300e-003	2.0400e-003	112.0321
NaturalGas Unmitigated	0.0113	0.1023	0.0859	6.1000e-004		7.7800e-003	7.7800e-003		7.7800e-003	7.7800e-003	0.0000	111.3703	111.3703	2.1300e-003	2.0400e-003	112.0321

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
General Light Industry	2.087e+006	0.0113	0.1023	0.0859	6.1000e-004		7.7800e-003	7.7800e-003		7.7800e-003	7.7800e-003	0.0000	111.3703	111.3703	2.1300e-003	2.0400e-003	112.0321
Total		0.0113	0.1023	0.0859	6.1000e-004		7.7800e-003	7.7800e-003		7.7800e-003	7.7800e-003	0.0000	111.3703	111.3703	2.1300e-003	2.0400e-003	112.0321

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
General Light Industry	2.087e+006	0.0113	0.1023	0.0859	6.1000e-004		7.7800e-003	7.7800e-003		7.7800e-003	7.7800e-003	0.0000	111.3703	111.3703	2.1300e-003	2.0400e-003	112.0321
Total		0.0113	0.1023	0.0859	6.1000e-004		7.7800e-003	7.7800e-003		7.7800e-003	7.7800e-003	0.0000	111.3703	111.3703	2.1300e-003	2.0400e-003	112.0321

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
General Light Industry	882000	256.5839	0.0116	2.4000e-003	257.5893
Total		256.5839	0.0116	2.4000e-003	257.5893

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
General Light Industry	666000	193.7470	8.7600e-003	1.8100e-003	194.5062
Total		193.7470	8.7600e-003	1.8100e-003	194.5062

6.0 Area Detail

6.1 Mitigation Measures Area

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.4602	1.0000e-005	9.2000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.7900e-003	1.7900e-003	0.0000	0.0000	1.9100e-003
Unmitigated	0.4602	1.0000e-005	9.2000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.7900e-003	1.7900e-003	0.0000	0.0000	1.9100e-003

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0695					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3906					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	9.0000e-005	1.0000e-005	9.2000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.7900e-003	1.7900e-003	0.0000	0.0000	1.9100e-003
Total	0.4602	1.0000e-005	9.2000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.7900e-003	1.7900e-003	0.0000	0.0000	1.9100e-003

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0695					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.3906					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	9.0000e-005	1.0000e-005	9.2000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.7900e-003	1.7900e-003	0.0000	0.0000	1.9100e-003
Total	0.4602	1.0000e-005	9.2000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.7900e-003	1.7900e-003	0.0000	0.0000	1.9100e-003

7.0 Water Detail**7.1 Mitigation Measures Water**

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	43.7381	0.7552	0.0181	68.0211
Unmitigated	43.7381	0.7552	0.0181	68.0211

7.2 Water by Land Use**Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
General Light Industry	23.125 / 0.4	43.7381	0.7552	0.0181	68.0211
Total		43.7381	0.7552	0.0181	68.0211

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
General Light Industry	23.125 / 0	43.7381	0.7552	0.0181	68.0211
Total		43.7381	0.7552	0.0181	68.0211

8.0 Waste Detail**8.1 Mitigation Measures Waste****Category/Year**

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	25.1709	1.4876	0.0000	62.3598
Unmitigated	25.1709	1.4876	0.0000	62.3598

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
General Light Industry	124	25.1709	1.4876	0.0000	62.3598
Total		25.1709	1.4876	0.0000	62.3598

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
General Light Industry	124	25.1709	1.4876	0.0000	62.3598
Total		25.1709	1.4876	0.0000	62.3598

9.0 Operational Offroad

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
Forklifts	1	2.00	365	89	0.20	Diesel
Off-Highway Tractors	1	0.10	365	124	0.44	Diesel
Tractors/Loaders/Backhoes	1	1.70	365	97	0.37	Diesel

UnMitigated/Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Equipment Type	tons/yr										MT/yr					
Forklifts	5.9000e-003	0.0538	0.0533	7.0000e-005		3.8200e-003	3.8200e-003		3.5100e-003	3.5100e-003	0.0000	6.1270	6.1270	1.9800e-003	0.0000	6.1766
Off-Highway Tractors	5.7000e-004	5.8400e-003	7.0700e-003	1.0000e-005		2.8000e-004	2.8000e-004		2.6000e-004	2.6000e-004	0.0000	0.9418	0.9418	3.0000e-004	0.0000	0.9494
Tractors/Loaders/Backhoes	7.2600e-003	0.0735	0.0877	1.2000e-004		4.3300e-003	4.3300e-003		3.9900e-003	3.9900e-003	0.0000	10.5862	10.5862	3.4200e-003	0.0000	10.6718
Total	0.0137	0.1332	0.1480	2.0000e-004		8.4300e-003	8.4300e-003		7.7600e-003	7.7600e-003	0.0000	17.6550	17.6550	5.7000e-003	0.0000	17.7978

10.0 Stationary Equipment**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
Boiler	1	0	8500	0	CNG

User Defined Equipment

Foster Farms: Holm Ranch - San Joaquin Valley Air Basin, Annual

Equipment Type	Number
----------------	--------

10.1 Stationary Sources

Unmitigated/Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Equipment Type	tons/yr										MT/yr					
Boiler - CNG (0 - 2 MMBTU)	0.0229	0.1020	0.4083	2.5000e-003		0.0317	0.0317		0.0317	0.0317	0.0000	453.6001	453.6001	8.6900e-003	0.0000	453.8175
Total	0.0229	0.1020	0.4083	2.5000e-003		0.0317	0.0317		0.0317	0.0317	0.0000	453.6001	453.6001	8.6900e-003	0.0000	453.8175

11.0 Vegetation

APPENDIX C – BIOLOGICAL RESOURCES SURVEY



Memorandum

To: Justin M. Kosta, Director of Environmental Affairs, Foster Farms, LLC

From: Erin Bench, Biologist, WSP USA Inc.

Date: January 27, 2021

Subject: Site Reconnaissance for Biological Resources for the Holm Ranch Project

cc: Stephanie Whitmore and Annie Lee, WSP USA Inc.

On behalf of Foster Farms, LLC, WSP USA Inc. (WSP) prepared this memorandum detailing results of a site reconnaissance survey focused on biological resources within the proposed Holm Ranch Project (Project) Area.

This reconnaissance survey provides Foster Farms with a summary of current site conditions with respect to biological resources.

Project Description

Foster Farms, LLC purchased the Holm Ranch (Site), located at 16395 19th Avenue Lemoore, California (APN: 024-170-020) in late 2019. Zacky Farms previously operated a turkey ranch at the Site under Conditional Use Permit (CUP) No. 1494 approved by the Kings County Planning Commission in 1989. The site is roughly 37 acres of privately owned land.

Foster Farms, LLC is seeking approval of a new CUP to operate a poultry ranch to raise turkeys or chickens and to have the ability to adjust operations to meet market demand in the poultry industry, while maintaining compliance with all applicable local, State, and federal regulations. The Project does not include any new construction or grading activities. The creation of new outdoor pens would entail the use of hand augers for post installation.

Methodology

WSP conducted a desktop database review to identify historical records of special status plant and wildlife species in the proposed Project Area, and to determine if the species have the potential to occur today. The U.S. Fish and Wildlife Service (USFWS) *Information for Planning and Consultation* (IPaC) planning tool and *California Natural Diversity Database* (CNDDDB) were reviewed to identify any species or biological resources requiring consideration.

A reconnaissance survey was conducted on January 21, 2021, by one field biologist familiar with the region where the Project is located. The survey was performed throughout the entire 37-acre Project Area.

The site reconnaissance survey entailed traversing the Project Area by foot to generally characterize the current site conditions. The surveyor walked meandering transects throughout the Project to investigate for ground burrows and other biological resources. Additionally, the surveyor scanned nearby adjacent land using binoculars to identify any biological resources. These surveys were not intended to fulfill requirements of a pre-construction survey and were not intended to support permitting, pre-construction monitoring, compliance with mitigation measures, or other agency-required analyses.

The resources investigated during the January 2021 survey effort included: land cover/land use, suitable habitat for burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*) and/or other raptor nests, and habitat for other special status species.

Results

Land Use

The approximately 37-acre site is rectangular with approximate dimensions of 1,280 feet by 1,260 feet and is surrounded by agricultural lands on all sides. In general, the overall physical characteristics of the Project Area provide unsuitable habitat for special status plant and wildlife species with potential to occur in the region. Lands adjacent to the Project Area are farmed for row crops or livestock and tilled regularly for weed, pest, and fire-control purposes. Land cover in the Project Area is primarily composed of desert scrub, shrub steppe, and grassland habitats.

The site contains a 9.92-acre L-shaped storm water pond at the northern and eastern portions of the parcel (see Figure 1). At the time of the January 2021 site visit, there was no water present in this pond. The built environment on-site consists of four 50-foot by 500-foot poultry shelters (25,000 square feet each), two residential dwellings, and several small storage sheds. Additionally, there are utility poles along the parcel edges and transmission lines on steel and wooden poles along 19th Avenue and Java Avenue.

The Project Area is within an agricultural landscape and primarily consists of invasive and salt-tolerant grassland plant species. Soils on-site are highly alkaline and plant species are mostly dominated by salt-tolerant plants such as saltbush (*Atriplex spp.*), alkali goldenbush (*Isocoma acradenia*), and iodine bush (*Allenrolfea occidentalis*). Disturbance-tolerant plants on-site include Russian thistle (*Kali tragus*) and spreading alkaliweed (*Cressa truxillensis*). Given the time of year, many of the grasses and forbs were dormant.

Special Status Plants and Wildlife

No plants or wildlife of special status or concern were observed during the January 2021 survey. Suitable burrows or habitat do not exist within the Project Area for species known to occur in the area, such as San Joaquin kit fox (*Vulpes macrotis*), Fresno (*Dipodomys nitratoide*s) or Tipton kangaroo rat (*Dipodomys nitratoide*s *nitratoide*s), or American badger (*Taxidea taxus*).

The dense patches of vegetation and unstable soil make most of the Site relatively unsuitable for the burrowing owl. Soils on-site are characterized as highly friable and likely not conducive for burrowing owl nesting. No burrowing owl individuals, burrows, or secondary sign was observed during the January 2021 survey.

Hawk and raptor species are known to occur in the area, but no species of special status or concern were observed at the time of the survey. While there are no trees on the Project parcel, several trees are present immediately south and west of the Project Area that may be suitable for raptor or hawk foraging habitat (see Figure 1). The biologist noted an Athel pine (*Tamarix aphylla*) stand outside of the southeastern corner of the Project Area, along Java Avenue. Upon closer inspection, no large stick nests, or nests of any kind, were noted in the tree stand. Additionally, a lone eucalyptus tree (*Eucalyptus* spp.) on the western edge of the Project Area was observed and did not contain any nests. It is important to note that breeding season for special status species did not overlap with the January 2021 survey.

A CNDDDB search concluded that there is suitable habitat for western snowy plover (*Charadrius alexandrinus nivosus*) and Tipton kangaroo rat (*Dipodomys nitratoide*s *nitratoide*s) located within a few miles outside of the Project Area (see Attachment A). However, no suitable habitat, nor any individuals of special concern, were found on Site.

Common wildlife observed within the Project Area included Ferruginous hawk (*Buteo regalis*), red-tailed hawk (*Buteo jamaicensis*), common raven (*Corvus corax*), and song sparrow (*Melospiza melodia*).

References

California Natural Diversity Database (CNDDDB). 2021. "California Natural Diversity Database." RareFind 5 [Internet]. California Department of Fish and Wildlife. Accessed online at: <https://wildlife.ca.gov/Data/CNDDDB>. Accessed in January 2021.

U.S. Fish and Wildlife Service (USFWS). 2021. Information for Planning and Conservation (IPaC). Accessed online at: <http://ecos.fws.gov/ipac/>. Accessed in January 2021.







\\drillup\external\farm\Maps\MapX\MXD\FosterFarms_FieldData.mxd

wsp



Sources: WSP 2020, ESRI 2017.
Imagery Acquisition Date: 08/20/2019



-  Tree
-  Photo Location
-  Storm Water Pond
-  Project Boundary

0 250 500 750
Feet

Figure 1
Field Data

Foster Farms

Kings County, California
January, 2021

Representative Site Photos



Photo 1: Storm water pond, facing northwest.



Photo 2: Project site, facing west.



Photo 3: Storm water pond, facing northwest.



Photo 4: Storm water pond, facing south towards poultry shelters.



Photo 5: Project site, facing south towards poultry shelters.



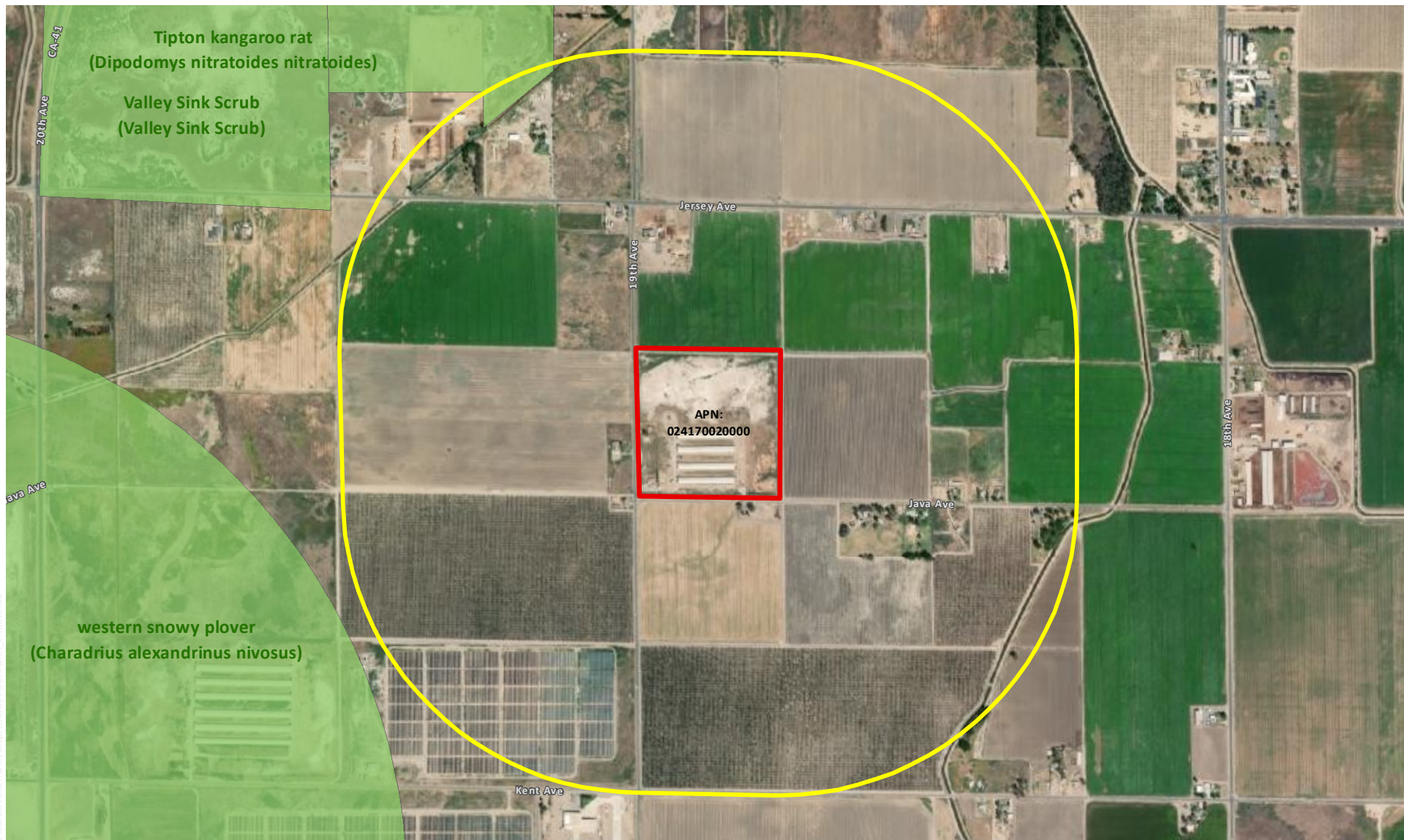
Photo 6: Project site, facing east.



Photo 7: Project site, facing northeast



Photo 8: Athel pine stand on Java Avenue, facing south.



L:\Info\Info\FosterFarms\Mapa\CNDDB\FosterFarms_CNDDb.mxd



Sources: WSP 2020, ESRI 2017, CNDDb 2020.
Imagery Acquisition Date: 08/20/2019



- Project Boundary
- Project Area Half Mile Buffer
- California Natural Diversity Database

0 250 500
Feet

Attachment A CNDDb Results

Foster Farms

Kings County, California
January, 2021

**APPENDIX D - NATIVE AMERICAN TRIBE CONSULTATION (SANTA ROSA
RANCHERIA TACHI YOKUT TRIBE)**

Hernandez, Victor

From: Leist, Toni
Sent: Thursday, May 28, 2020 2:38 PM
To: Hernandez, Alex; Yang, Kao Nou; Yun, Anthony; Hernandez, Victor
Subject: FW: CUP 20-05 Request for Comments (Foster Farms Holm Ranch)

From: Shana Powers
Sent: Thursday, May 28, 2020 2:37 PM
To: Leist, Toni
Cc: Samantha McCarty
Subject: RE: CUP 20-05 Request for Comments (Foster Farms Holm Ranch)

Dear Toni,

Thank you for contacting Santa Rosa Rancheria Tachi Yokut Tribe about CUP 20-05 Foster Farms Holm Ranch. We recommend an archaeological survey of the property. The Tribe wants to be notified of any discoveries. The Tribe is requesting that the applicant and any construction/management staff be given a Cultural Presentation for the discovery of human remains and cultural by the Tribe as a requirement for the Conditional Use Permit. Please let me know if you have any further questions.

From: Leist, Toni <Toni.Leist@co.kings.ca.us>
Sent: Thursday, May 28, 2020 11:22 AM
To: AgStaff <AG.Staff@co.kings.ca.us>; Borba, Destiny <Destiny.Borba@co.kings.ca.us>; Maldonado, Michelle <Michelle.Maldonado@co.kings.ca.us>; McKay, Kristina <Kristina.McKay@co.kings.ca.us>; Verdegaal, Darren <Darren.Verdegaal@co.kings.ca.us>; Hommerding, Troy <Troy.Hommerding@co.kings.ca.us>; Johnson, Lee <Lee.Johnson@co.kings.ca.us>; Levy, Rick <Rick.Levy@co.kings.ca.us>; Hawkins, Mike <Mike.Hawkins@co.kings.ca.us>; Dow, Angie <Angie.Dow@co.kings.ca.us>; Pedreiro, Mark <Mark.Pedreiro@co.kings.ca.us>; Kings Mosquito Abatement Dist. – Steve Gilles (gilles@kingsmosquito.net) <gilles@kingsmosquito.net>; SJVUAPCD – (CEQA@valleyair.org) <CEQA@valleyair.org>; Salyer, Jay <Jay.Salyer@co.kings.ca.us>; cfbf@cfbf.com; Greg Cuara <GCuara@tachi-yokut-nsn.gov>; Robert G. Jeff (RJeff@tachi-yokut-nsn.gov) <RJeff@tachi-yokut-nsn.gov>; Santa Rosa Rancheria Ruben Barrios (RBarrios@tachi-yokut-nsn.gov) <RBarrios@tachi-yokut-nsn.gov>; Santa Rosa Rancheria Tachi Yokut Tribe (EThomas@tachi-yokut-nsn.gov) <EThomas@tachi-yokut-nsn.gov>; Shana Powers <SPowers@tachi-yokut-nsn.gov>; U. S. FISH & WILDLIFE - Tim Ludwick (timothy_ludwick@fws.gov) <timothy_ludwick@fws.gov>; U.S. FISH & WILDLIFE <justin_sloan@fws.gov>; California Resources Corporation-Michelle A. Rafiq - California Resources Corporation (Michelle.Rafiq@crc.com) <Michelle.Rafiq@crc.com>; California Resources Corporation ,Leanna Carskaddon (Leanna.Carskaddon@crc.com) <Leanna.Carskaddon@crc.com>; U. C. COOP - Kevin Day - U. C. COOP - Kevin Day (krday@ucanr.edu) <krday@ucanr.edu>; Lorena Mendibles (lorena.mendibles@dot.ca.gov) <lorena.mendibles@dot.ca.gov>; CalTrans Michael Navarro (michael.navarro@dot.ca.gov) <michael.navarro@dot.ca.gov>; Regional Water Control Board -Fresno Office - Regional Water Control Board -Fresno Office (centralvalleyfresno@waterboards.ca.gov) <centralvalleyfresno@waterboards.ca.gov>; Dept of Fish & Game-CEQA (R4CEQA@wildlife.ca.gov) <R4CEQA@wildlife.ca.gov>
Cc: Hernandez, Victor <Victor.Hernandez@co.kings.ca.us>
Subject: CUP 20-05 Request for Comments (Foster Farms Holm Ranch)

Please see the attachment: CUP 20-05 Request for Comments (Foster Farms Holm Ranch)

Thank you,

Toni Leist



Toni R. Leist Permit Tech II
559-852-2652
559-584-8989 fax
1400 W. Lacey Blvd. Bld. #6
Hanford, CA 93230

APPENDIX E – FIRE DEPARTMENT COORDINATION

KINGS COUNTY FIRE DEPARTMENT
Community Risk Reduction Bureau
Education-Engineering-Enforcement



Fire Chief Clay Smith
Battalion Chief Rick Levy, Fire Marshal

FIRE DEPARTMENT COMMENT SHEET

Project Name:
Project Number:
Address:

☐ The Fire Department requires a supply of firefighting water available in a storage tank on the site. The amount of water required will be in accordance with NFPA 1142, and is dependent on building volume, construction type, and exact use.

☐ The tank must be equipped with a pressure system and float valve device to keep the tank full at all times.

☐ The tank is to have a minimum 4 ½ inch pipe installed in a manner to permit fire apparatus to be connected and draft water from the tank. Connection for fire apparatus to be in an area easily accessible in all weather conditions and shall be protected from obstruction. Fire department connection shall be 4 ½ inch male national standard hose thread and be provided with a cap.

☐ Spacing for fire hydrants shall be no more than 500 feet.

☐ No structure shall be more than _____ feet from a fire hydrant.

☐ Fire hydrants shall have two, two and one half inch outlets and one four and one half inch outlet. Outlets shall be equipped with national hose standard thread. All outlets shall be provided with caps to prevent debris from accumulating within the hydrant.

☐ Fire hydrants shall have a minimum of 36 inches of clear space around the hydrant and shall be a minimum of 6 inches above grade.

☐ Fire hydrants or water tank, and roads of an all weather surface capable of supporting heavy fire apparatus, shall be in place before combustible construction materials begin to accumulate.

☐ All weather access roads capable of supporting heavy fire apparatus, of not less than twenty feet width and thirteen feet six inches of vertical clearance, must be provided. Roads must comply with the California Fire Code.

☐ A _____ fire extinguisher is required to be located in plain sight not more than "_____" feet from any point in the structure. The location of fire extinguishers must be easily

- ☐ Employees should be familiar with the use of fire safety equipment.
- ☐ A set of building plans must be reviewed by the Kings County Fire Department.
- ☐ The plot plan is inadequate to make a determination and the applicant should meet with the Kings County Fire Department for further information.
- ☐ The fire protection system, if provided, must be up to date on required inspections and tests and be approved by the Kings County Fire Department.
- ☐ All plans shall comply with the California Fire Code and all regulations of the Kings County Fire Department.
- ☐ Building must meet CFC requirements for emergency responder radio coverage. (CFC 510.1)
- ☐ Property must be equipped with a Knox Box for Fire Department access.
- ☐ Adjustment "shall not interfere with fire department access. No structure or future structure shall be farther than 150 feet from fire apparatus access. Access roads and adequate turnaround provisions shall be provided if fire apparatus access distance is exceeded.

☐ Any future development must comply with applicable Fire Code, including rural firefighting water supply requirements.

☐ Other specifically:

Promote, Preserve and Protect Public Safety

**APPENDIX F – KINGS COUNTY DEPARTMENT OF PUBLIC HEALTH
COMMENTS**

Hernandez, Victor

From: Hommerding, Troy
Sent: Wednesday, June 17, 2020 1:50 PM
To: Hernandez, Victor
Subject: Conditional Use Permit No. 20-05 (Foster Farms- Holm Ranch)

Thank you for the opportunity to comment on this project. Our office offers the following comments:

1. Holm Ranch currently maintains a Hazardous Material Business Plan (HMBP) on the California Electronic Reporting System (CERS). The HMBP for this facility has not been updated since February 2018 and as such, must be updated within 30 days of the new operation. All HMBP related reporting must now occur online at <http://cers.calepa.ca.gov>. For further assistance please contact our office at (559) 584-1411.

Troy Hommerding
Kings County Department of Public Health
Division of Environmental Health Services
330 Campus Drive | Hanford, CA | 93230
Phone: (559)852-2627 | Fax: (559)584-6040
www.countyofkings.com/ehs



CONFIDENTIALITY NOTICE: This e-mail communication and any attachments may contain confidential and privileged information for the use of the designated recipients. If you are not the intended recipient, (or authorized to receive for the recipient) you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution or copying of it or its contents is prohibited. If you have received this communication in error, please destroy all copies of this communication and any attachments and contact the sender by reply e-mail or telephone 559.584.1411.

APPENDIX G – PUBLIC WORKS COMMENT SHEET

PUBLIC WORKS DEPARTMENT COMMENT SHEET

Project: CUP 20-05
Comments by: MRH
Date: 200601

General

	No Comments
X	That all requirements required hereafter conform to the Kings County Improvement Standards.
X	That all other alternatives to Public Works requirements must be approved by the Kings County Public Works Department.
	That a Deferred Improvement Agreement be entered into with the Kings County Public Works Department for completion of the following improvement(s):
	<u>NO BUILDING PERMITS OR ZONING PERMIT SHALL BE ISSUED UNTIL RIGHT-OF-WAY HAS BEEN DEDICATED</u>
	All improvements shall be constructed to meet City of Hanford standards. A copy of improvement drawings are to be sent to the City of Hanford.
X	Applicant shall secure an encroachment permit for any work in county r/w.
X	Applicant shall provide asphalt concrete drive approach(es) AT ALL INGRESS/EGRESS LOCATIONS

Tentative Maps

	All proposals of the applicant are conditions of approval unless otherwise mentioned.
	A parcel map is required.
	A final map is required.
	A field survey may be required.
	Payment or Segregation required for Assessment district

	Road Right-of-Way and Access
	That access to the site from a public road must be provided, and must be approved by the County.
	Additional right-of-way shall be dedicated. Right-of-way, access lanes and easements shall be cleared of all obstructions. The clearing of all right of way obstructions shall be at the expense of the owner.
	If dedication is not made within 30 days of approval of project <u>any</u> zoning permits shall be revoked.
	R/W shall be dedicated at the following location(s):
	Traffic ingress and egress shall be _____.
	On site traffic circulation and parking shall be _____.
	Right-of-way will be dedicated to the County on behalf of the public and will not be accepted into the County maintained mileage.
	Maintenance of roads must be provided for in accordance to the Kings County Improvement Standard.
	Durable and dustless drive shall be constructed.

Street Appurtenances

	Curbs and gutters must be constructed in accordance with Design Tables 2011 and 2012 of the Kings County Improvement Standards.
	Curbs and gutters shall be installed, but may be deferred until installation becomes feasible. In the interim, however, the developer shall provide for drainage water by containment on site.
	Sidewalks shall be constructed along _____, as shown in Design Table 2011 and 2012 of the Kings County Improvement Standards.
	That the developer must furnish and place _____ sign(s) installed in accordance with the Kings County Public Works Department.
	That the applicant is required to construct road in accordance with Section 302 of the Kings County Improvement Standards and it shall be _____.
	Developer shall provide a 100% Performance Bond for work done in the right-of-way when the value of the work is \$10,000 or more, except when a) the work consists of only a drive approach or b) the work is covered under a subdivision improvement agreement. The value of the work will be determined by an

	Engineer's Estimate provided by the developer's engineer, and approved by the County. Said bond will be provided on a form approved by the county and submitted prior to the granting of a building or zoning permit.
--	---

Drainage

	All drainage shall be contained on-site in accordance with Section 404-C. The plan must be submitted for approval by the Public Works Department.
	That drainage for the site be into the storm drain system of the community.
	Developer shall be required to design and furnish drainage systems in accordance with Article 4 of the Kings County Improvement Standards.
	Drainage shall be into an existing ditch or slough as required in Section 404-A.
	Where there is no storm drainage system available, the development will be required to comply with the following: <ul style="list-style-type: none"> a) Drainage water will be contained on site in a private basin or sump in conforming to design standards set forth in Kings County Improvement Standards. b) Curbs, gutters, drainage fees and sidewalks shall be required, but shall be deferred in accordance with Section 110 of the Improvement Standards. The developer shall enter into an agreement with the County to install these improvements when a drainage system is available.

	Public Utilities
	The applicant is required to connect to the public agency (district) water supply system.
	The applicant is required to connect to the public agency (district) waste disposal system.
	Street lights shall be installed at the following location(s) and shall conform to:

Miscellaneous

	Environmental issues
	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 the mitigation measures described on an attached sheet have been added to the project. A negative declaration will be 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 significant effect(s) 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, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." 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, there will not be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Solid Waste – Recycling – For establishment or expansion of a commercial operation.

X	The applicant is required to acknowledge receipt of Notice of State Mandatory Organic and Commercial Requirement
X X	The applicant is to submit the County of Kings Public Works Department Commercial/Organics Recycling Form
	The applicant is to submit the County of Kings Request for Exemption from Mandatory Commercial/Organics Recycling Form if they are not making provision for commercial and/or organic recycling

APPENDIX H – CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD COMMENTS

Central Valley Regional Water Quality Control Board

22 June 2020

Foster Farms, LLC (owner/operator)
c/o Justin Kosta
1333 Swan Street
Livingston, CA 95334

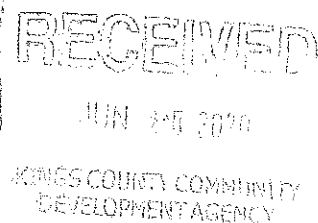
NOTICE FOR SUPPLEMENTAL INFORMATION, FOSTER FARMS POULTRY FACILITIES IN KINGS COUNTY

Central Valley Water Quality Control Board staff have received notification from the Kings County Community Development Agency that several of your Poultry facilities that are currently enrolled under the Waste Discharge Requirements General Order for Poultry Operations, Order No. R5-2016-0087-01 (Poultry General Order) and accompanying Monitoring and Reporting Program (MRP) as limited coverage facilities are intending to expand the flock size and/or footprint of facilities.

Provision H.6 of the Poultry General Order requires submission of a new Notice of Intent in accordance with Water Code section 13260 at least 140 days prior to any material change or proposed change in the character, location, or volume of the discharge, including any expansion of the facility.

If you intend to expand any Limited Coverage Facility's flock size beyond the permitted flock size under the Poultry General Order, then the following items are needed for each proposed expansion 140 days prior to any physical changes to a facility:

- Evidence that the Facility has complied with the provisions of the California Environmental Quality Act (CEQA) in the form of a certified Environmental Impact Report, Negative Declaration, or justification for a CEQA exemption; and
- A new Notice of Intent (Attachment A to the Poultry General Order) indicating the new proposed flock size of the facility.

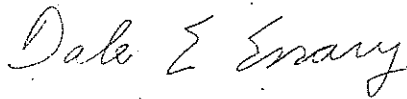


KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

If you have any questions regarding the coverage under the Poultry General Order for your facilities, you can find the information at

https://www.waterboards.ca.gov/centralvalley/water_issues/confined_animal_facilities/program_regs_requirements/poultry/

or contact Lewis Lummen at (559) 445-5561 or at lewis.lummen@waterboards.ca.gov.



DALE E. ESSARY
Senior Engineer

cc: Kings County Community Development Agency, Hanford
Kings County Health & Human Services Agency, Hanford

**APPENDIX I – CALIFORNIA DEPARTMENT OF TRANSPORTATION
(CALTRANS) COMMENTS**

Hernandez, Victor

From: Isla, Nicholas@DOT <Nicholas.Isla@dot.ca.gov>
Sent: Thursday, June 4, 2020 11:54 AM
To: Hernandez, Victor
Cc: Mendibles, Lorena@DOT
Subject: Conditional Use Permit #20-05 Foster Farm-Holm Ranch

Hello Victor,

We've reviewed the above mentioned CUP and have no comments.

Thank you

Nicholas Isla
Transportation Planner
California Department of Transportation
1352 West Olive Avenue
(559) 444-2583

APPENDIX J – CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE COORDINATION



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Ave
Fresno, California 93710
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



June 11, 2020

Alex Hernandez
Project Planner
Kings County Community Development Agency
1400 West Lacey Boulevard, Building 6
Hanford, California 93230

Subject: Conditional Use Permit No. 20-05 Foster Farms Holm Ranch

Dear Mr. Hernandez:

The California Department of Fish and Wildlife (CDFW) received a Conditional Use Permit (CUP) from Kings County Community Development Agency for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Alex Hernandez, Project Planner
Kings County Community Development Agency
June 11, 2020
Page 2

need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians, reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. CDFW prohibits and cannot authorize take of any fully protected species.

PROJECT DESCRIPTION SUMMARY

Proponent: Justin Kosta; Foster Poultry Farms

Objective: The objective of the Project is to update the existing CUP to include chickens as well as turkeys on the property and increase poultry numbers. Primary Project activities include an addition of an outdoor poultry pen of 100,000 square feet with irrigation, incorporating chickens to the CUP, and increasing poultry population/flock sizes. Currently, only poults are on the CUP and limits 100,000 per flock with 6.5 flocks a year with the proposed change the CUP would have 166,154 chickens or 54,000 turkeys per flock with an increase of 4 to 8 flocks per year and have 120,000 poults for turkey brooding.

Location: 16395 19th Avenue, Lemoore, California 93245. Assessor's Parcel Number: 024-170-020

Timeframe: Unspecified

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Kings County Community Development Agency in adequately identifying and/or mitigating the

Alex Hernandez, Project Planner
Kings County Community Development Agency
June 11, 2020
Page 3

Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

There is potential for many special-status resources present in and adjacent to the Project area. These resources may need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities or land use changes. The CUP does not indicate if there are potential significant impacts on biological resources. CDFW is concerned regarding potential impacts to special-status species including, but not limited to: the state threatened Swainson's hawk (*Buteo swainsoni*) and the State species of special concern burrowing owl (*Athene cunicularia*). In order to adequately assess any potential impacts to biological resources, focused biological surveys should be conducted by a qualified wildlife biologist during the appropriate survey period(s) in order to determine whether any special-status species and/or suitable habitat features may be present within the Project area. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol-level surveys, especially in the areas not in irrigated agriculture, and to identify any Project-related impacts under CESA and other species of concern.

I. Project Description and Related Impact Shortcoming

Would the Project 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 CDFW or the United States Fish and Wildlife Service (USFWS)?

COMMENT 1: Swainson's Hawk (SWHA)

Issue: SWHA have the potential to nest within and near the Project site. The California Natural Diversity Database (CNDDDB) documents SWHA occurrences near the Project site (CDFW 2020). Review of the aerial imagery shows large trees are in the Project vicinity that may serve as potential nesting sites.

Specific impacts: Without appropriate avoidance and minimization measures for SWHA, potential significant impacts that may result from Project activities include nest abandonment, loss of nest trees, loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality. Any take of SWHA without appropriate incidental take authorization would be a violation of Fish and Game Code.

Evidence impact is potentially significant: SWHA exhibit high nest-site fidelity year after year and lack of suitable nesting habitat in the San Joaquin Valley limits

Alex Hernandez, Project Planner
Kings County Community Development Agency
June 11, 2020
Page 4

their local distribution and abundance (CDFW 2016). The Project as proposed will involve noise and movement of workers that could affect nests and has the potential to result in nest abandonment, significantly impacting local nesting SWHA.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW recommends conducting the following evaluation of the Project site, editing the CUP to include the following measures specific to SWHA, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 1: SWHA Surveys

To evaluate potential impacts, CDFW recommends that a qualified wildlife biologist conduct surveys for nesting SWHA following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000) prior to project implementation. The survey protocol includes early season surveys to assist the project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities.

Recommended Mitigation Measure 2: SWHA No-disturbance Buffer

If ground-disturbing Project activities are to take place during the normal bird breeding season (March 1 through September 15), CDFW recommends that additional pre-activity surveys for active nests be conducted by a qualified biologist no more than 10 days prior to the start of Project implementation. CDFW recommends a minimum no-disturbance buffer of ½-mile be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

Recommended Mitigation Measure 3: SWHA Take Authorization

CDFW recommends that in the event an active SWHA nest is detected during surveys and the ½-mile no-disturbance buffer around the nest cannot feasibly be implemented, consultation with CDFW is warranted to discuss how to implement the project and avoid take. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

COMMENT 2: Burrowing Owl (BUOW)

Issue: BUOW may occur near the Project site (CDFW 2020). BUOW inhabit open grassland or adjacent canal banks, ROWs, vacant lots, etc. containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover.

Alex Hernandez, Project Planner
Kings County Community Development Agency
June 11, 2020
Page 5

Review of aerial imagery indicates that most of the Project site is bordered by agricultural fields that may support suitable habitat features and these features may also be present within the Project site.

Specific impact: Potentially significant direct impacts associated with subsequent activities include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: BUOW rely on burrow habitat year-round for their survival and reproduction. Habitat loss and degradation are considered the greatest threats to BUOW in California's Central Valley (Gervais et al. 2008). The Project site is bordered by some of the only remaining undeveloped land in the vicinity. Therefore, subsequent ground-disturbing activities associated with the Project have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to BUOW, CDFW recommends conducting the following evaluation of the Project site, incorporating the following mitigation measures into the CUP prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 4: BUOW Surveys

CDFW recommends that a qualified biologist assess if suitable BUOW habitat features are present within or adjacent to the Project site (e.g., burrows). If suitable habitat is present, CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium's "Burrowing Owl Survey Protocol and Mitigation Guidelines" (CBOC 1993) and CDFW's Staff Report on Burrowing Owl Mitigation" (CDFG 2012). Specifically, CBOC and CDFW's Staff Report suggest three or more surveillance surveys conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season (April 15 to July 15), when BUOW are most detectable.

Recommended Mitigation Measure 5: BUOW Avoidance

CDFW recommends no-disturbance buffers, as outlined in the "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), be implemented prior to and during any ground-disturbing activities. Specifically, CDFW's Staff Report recommends that

Alex Hernandez, Project Planner
 Kings County Community Development Agency
 June 11, 2020
 Page 6

impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Recommended Mitigation Measure 6: BUOW Passive Relocation and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

II. Editorial Comments and/or Suggestions

Nesting birds: CDFW encourages that Project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends

Alex Hernandez, Project Planner
Kings County Community Development Agency
June 11, 2020
Page 7

that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be

Alex Hernandez, Project Planner
Kings County Community Development Agency
June 11, 2020
Page 8

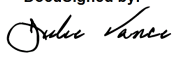
operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the CUP to assist Kings County Community Development Agency in identifying and mitigating Project impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Please see the enclosed Mitigation Monitoring (MMRP) table which corresponds with recommended mitigation measures in this comment letter. Questions regarding this letter or further coordination should be directed to Aimee Braddock, Environmental Scientist at (559) 243-4014 extension 243 or aimee.braddock@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...
Julie A. Vance
Regional Manager

Attachment

cc: Office of Planning and Research, State Clearinghouse, Sacramento

Alex Hernandez, Project Planner
Kings County Community Development Agency
June 11, 2020
Page 9

REFERENCES

California Burrowing Owl Consortium. 1993. Burrowing owl survey protocol and mitigation guidelines. April 1993.

CDFG. 2012. Staff Report on Burrowing Owl Mitigation. California Department of Fish and Game.

CDFW. 2016. Five Year Status Review for Swainson's Hawk (*Buteo swainsoni*). California Department of Fish and Wildlife. April 11, 2016.

CDFW. 2020. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed May 28, 2020.

Gervais, J.A., D.D. Rosenberg, and L.A. Comrack. Burrowing Owl (*Athene cunicularia*) in Shuford, W.D. and T. Gardali, editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento, California, USA.

Swainson's Hawk Technical Advisory Committee (SWHA TAC). 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. Swainson's Hawk Technical Advisory Committee, May 31, 2000.

Attachment 1**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)****PROJECT: Conditional Use Permit No. 20-05 Foster Farms Holm Ranch**

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure 1: SWHA Surveys	
Mitigation Measure 2: SWHA No-disturbance Buffer	
Mitigation Measure 3: SWHA Take Authorization	
Mitigation Measure 4: BUOW Surveys	
Mitigation Measure 6: BUOW passive Relocation and Mitigation	
<i>During Construction</i>	
Mitigation Measure 5: BUOW Avoidance	