# INITIAL STUDY/NEGATIVE DECLARATION

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

LEAD AGENCY: San Joaquin County Community Development Department

# PROJECT APPLICANT: Provost & Pritchard

# PROJECT TITLE/FILE NUMBER(S): PA-2100209

PROJECT DESCRIPTION: <u>A Site Approval application to install a manure only digester and biogas facility on an</u> <u>8.5-acre portion of a 444.68-acre parcel with an existing dairy, the Douma Dairy. The digester processes manure</u> <u>waste through a gas collection and water filtration system to convert greenhouse gases (GHG) to Renewable</u> <u>Natural Gas (RNG) and to convert filtration by-products to fertilizer. The components of the proposed project</u> <u>include a digester system, 3 natural gas gensets, 2 Livestock Water Recycling systems, backup/emergency flare,</u> <u>biogas upgrading equipment, fire suppression water supply tank, and a 1,500 square foot utility/maintenance</u> <u>shop.</u>

The digester will process manure from the onsite dairy and from a second dairy under the same ownership located 25.5 miles east of the project site in Stanislaus County. It is estimated there will be 11 daily supply trips from the offsite dairy. The RNG will be trucked away an estimated 7 days per week. The resulting separated solids from the project will be sold as fertilizer and trucked offsite 2 times daily. The parcel will be served by an on-site water well, a septic system for waste water disposal, and natural storm drainage. The facility proposes to operate 24 hours per day, 7 days per week with 14 truck trips per day, an additional 3 truck trips per week, and 1 employee arriving on site in a personal vehicle during normal daytime business hours 8 am to 5 pm, 5-days a week, as well as a maintenance truck onsite once per week. The project site has an existing access driveway on S. Kasson Road. (Use Types: Agricultural Waste; Utility Services - Major).

<u>The project site is located on the northeast side of the intersection of S. Kasson Rd. and E. Linne Rd., south of the cities of Manteca and Lathrop, and east of the city of Tracy.</u>

ASSESSORS PARCEL NO(S).: 241-380-02

ACRES: <u>444.68 acres</u>

GENERAL PLAN: A/G and OS/RC

ZONING: <u>AG-40</u>

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S): <u>An 8.5 acre area containing structures totaling 5,700 square feet and digester components and equipment for use</u> <u>in a manure only digester system and biogas facility at an existing dairy that is composed of approximately</u> <u>484,000-square-feet in barn and shade structures, and 5 residences totaling 16,000-square-feet.</u>

# SURROUNDING LAND USES:

# NORTH: Agricultural with scattered residences; San Joaquin River; City of Manteca; City of Lathrop

SOUTH: Agricultural with scattered residences; Vernalis; New Jerusalem

EAST: Agricultural with scattered residences; San Joaquin River; Red Bridge Slough

WEST: Agricultural with scattered residences; Banta Carbona Canal, City of Tracy

# **REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:**

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application. Copies of these reports can be found by contacting the Community Development Department.

# PA-2100209 (SA) - Initial Study

# TRIBAL CULTURAL RESOURCES:

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

# No California Native American tribes have requested consultation.

# **General Considerations:**

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

Yes 🗙 No

Nature of concern(s):

2. Will the project require approval or permits by agencies other than the County?

X	Yes	No	)
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Agency name(s): <u>Central Valley Regional Water Quality Control Board; San Joaquin Air Pollution Control</u> <u>District</u>

3. Is the project within the Sphere of Influence, or within two miles, of any city?

	Yes	X	No
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City:

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

Aesthetics	Agriculture and Forestry Resources	Air Quality
Biological Resources	Cultural Resources	Energy
Geology / Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials
Hydrology / Water Quality	Land Use / Planning	Mineral Resources
Noise	Population / Housing	Public Services
Recreation	Transportation	Tribal Cultural Resources
Utilities / Service Systems	Wildfire	Mandatory Findings of Significance

Determination: (To be completed by the Lead Agency) On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE **DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION 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 "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

elvia Conlect

1-4-2022 Date

X

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

<u>I. Aesthetics.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
Except as provided in Public Resources Code Section 21099, would the project:					
<ul> <li>Have a substantial adverse effect on a scenic vista?</li> </ul>			×		
<ul> <li>Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</li> </ul>			×		
c) In non-urbanized 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 publically accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			×		

a) San Joaquin County is set within the greater San Joaquin Valley, with the delta and large expanses of generally flat, agricultural lands and urban development framed by the foothills of the Diablo Range to the west and the foothills of the Sierra Nevada to the east. According to the County's General Plan, scenic resources within the County include agricultural expanses, waterways, hilltops, and oak groves (County of San Joaquin 2035).

The project site is located on S. Kasson Road, approximately one mile from the San Joaquin River, on a 444.68-acre parcel, in a generally flat area, surrounded by agricultural uses and scattered residences. It is currently the site of the Duoma Dairy, and the proposed digester and biogas facility is intended to reduce the greenhouse gases produced by the dairy. The project would expand the developed area of the parcel with 8.5-acres of structures and equipment areas. Adding to the existing dairy would not further obstruct views of scenic resources within the vicinity of the project site. Although the viewshed that the project site is located within contains expansive views of agricultural lands, the project site is already developed with a dairy and the expansion is unlikely to further affect any local scenic resources. Therefore, the project would have a less-than-significant impact associated with scenic vistas.

b) There are two officially designated state scenic highways in San Joaquin County: I-580 and I-5 (County of San Joaquin 2035). I-580 is located approximately 15 miles west of the project site. I-5 is located approximately 5 miles northwest of the project site. Due to distance, the project site is not visible from 1-580 or I-5.

In addition, the County has designated 26 roadways within the County as local scenic routes (County of San Joaquin 2035). The nearest locally designated scenic route is Austin Road, located approximately 5 miles southeast of the project site, which, due to distance, does not have a view of the project site. Therefore, the project would have a less-than-significant impact associated with scenic resources within a state- or locally-designated scenic highway.

c) The project parcel is 444.68 acres in size and is located in a generally flat area surrounded by agricultural uses and scattered residences. The existing dairy is developed on the street side portion of the parcel on approximately 95

acres. The proposed project will require an additional 8.5 acres for development and will be located behind the dairy, away from the street, screened from view from S. Kasson Road. Therefore, the project would have a less-thansignificant impact associated with the existing visual quality or character of the site or its surroundings.

d) The existing lighting and glare conditions in the project area are typical of a rural agricultural area. New lighting would consist of downward-facing, photo-sensor security lighting at all locations that are serviced at night. Therefore, the project is expected to have a less than significant impact from new sources of light or glare on day or nighttime views in the area.

Potentially	Less Than Significant with	Less Than		Analyzed
Significant	Mitigation	Significant	No	In The
Impact	Incorporated	Impact	Impact	Prior EIR

# 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?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 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))?
- d) Result in the loss of forest land or conversion of forest land to non-forest use?
- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

# Impact Discussion:

- a) The portions of the project parcel utilized by the dairy and planned for the digester and biogas facility is designated as Semi-Agricultural and Rural Commercial Land as well as Confined Animal Agriculture on maps provided by the California Department of Conservation's Farmland Mapping and Monitoring Program. Therefore, the project is not expected to have a significant impact on the conversion of Prime Farmland, Unique Farmland, or Farmland of State Importance to nonagricultural use.
- b) The project site is zoned AG-40 (General Agriculture, 40 acre minimum). San Joaquin County classifies a digester and biogas facility as Agricultural Waste and Utility Services Major uses. Both uses may be conditionally permitted in the AG-40 zone with an approved Site Approval application, therefore, the project will not conflict with existing zoning. The parcel is currently under Williamson Act contract No. WA-71-C1-0264 and is subject to the provisions of the contract which restricts development to uses that are compatible with the Williamson Act. Pursuant to Development Title Section 9-

	×		
		×	
		×	
		X	
		X	

1805, *Agricultural Waste* and *Utility Service – Major* are both compatible uses on land under a Williamson Act contract. Therefore, the project will not conflict with existing zoning or a Williamson Act contract.

- c-d) There are no forest resources or zoning for forestlands or timberland, as defined by Public Resources Code and Government Code, located on or near the project site, therefore, the project will have no impact on corresponding zoning or conversion of such land.
  - e) The proposed project, a digester and biogas facility, does not conflict with any existing uses as the zoning and General Plan designations will remain the same. The expansion will not interfere with any agricultural activity on the parcel as the project site is not planted in crops. Furthermore, it has been previously determined that the uses are conditionally permitted uses in the AG-40 (General Agriculture, 40 acre minimum) zone with a conditionally approved Site Approval application. Therefore, the project would have no impact on farmland and forest land conversion.

<u>III.</u>	<u>Air Quality.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analyzed No In The Impact Prior EIR
the cor	nere available, the significance criteria established by e applicable air quality management or air pollution ntrol district may be relied upon to make the following erminations. Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?			×	
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?			×	
c)	Expose sensitive receptors to substantial pollutant concentrations?			×	
d)	Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?			×	

a-c) The proposed project is a digester and biomass facility intended to reduce the greenhouse gases produced by the existing dairy. The project site is located within the San Joaquin Valley Air Basin which lies within the jurisdiction of the San Joaquin Valley Air Pollution Control District (APCD). APCD is the local agency established by the State to regulate air guality sources and minimize air pollution.

The project was referred to APCD for review on October 5, 2021. APCD issued a response dated November 2, 2021 stating that, having reviewed the project, the agency had determined that project specific pollutant emissions from project construction and operation are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (Sox), 15 tons per year of particulate matter of 10 microns or less in size (PA10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Although project construction air emissions are not expected to exceed the District's significance thresholds, the District recommends that the County consider incorporating into the project a recommendation to utilize clean off-road construction equipment, including the latest tier equipment as feasible to further lessen air quality impacts from diesel exhaust emissions.

District Rules and Regulations are intended to reduce a project's impacts on air quality through compliance with regulatory requirements. APCD District Rules 2010 and 2201 are related to stationary source emissions including any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. The District has determined the project is subject to Rule 2010 requiring that a finalized Authority to Construct permit be issued to the project proponent to determine the estimated number of emission units produced by the project. The project is also subject to Rule 2201 requiring that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT).

With implementation of the District Rules' requirements and implementation of recommendations, the project's impact on air quality is expected to be less than significant.

d) The proposed project site is the location of an existing dairy with lagoons for dairy waste, the odor from which will be reduced with this project. The lagoon odor is mostly created by biological activity in the lagoon which will now take place in a contained digester. Additionally, manure particles will be removed from the water post digestion which will also remove a source of odors from the dairy lagoons. Therefore, the project is not expected to have a significant negative effect on odor emission.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
		X			
n / n			X		
r t r			X		

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# 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?
- 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 US Fish and Wildlife Service?
- 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?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

# Impact Discussion:

a) The California Department of Fish and Wildlife Natural Diversity Database lists anthicus sacramento (Sacramento anthicid beetle), Buteo Swainsoni (Swainson's hawk), Great Valley Cottonwood, Sylvilagus bachmani riparius (riparian brush rabbit), Eryngium racemosum (Delta button-celery), Coccyzus americanus occidentalis (western yellow-billed cuckoo), Neotoma fuscipes riparia (San Joaquin Valley woodrat) and cirsium crassicaule (slough thistle) as rare, endangered, or threatened species or habitat located on or near the site for the proposed project. Referrals have been sent to the San Joaquin Council of Governments (SJCOG), the agency responsible for verifying the correct implementation of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), which provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. Pursuant to the Final EIR/EIS for SJMSCP, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

SJCOG responded to this project referral in a letter dated October 6, 2021, that the project is subject to the SJMSCP. The applicant has confirmed that he will participate in SJMSCP. With the applicant's participation, the proposed project is consistent with the SJMSCP and any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than-significant.

- (b-c) The subject property is located adjacent to the San Joaquin River to the north and the proposed site for this project is approximately one mile from the river. Parallel to any natural bank of a waterway, a natural open space for riparian habitat and waterway protection must be maintained to provide nesting and foraging habitat and to protect the waterway quality. The minimum width of said open space is 100 feet, measured from the mean high water level of the natural bank or 50 feet back from the existing riparian habitat, whichever is greater. No construction or land disturbance is proposed for that area, therefore the proposed project is not expected to have a significant impact on riparian habitat or wetlands.
  - (d) The project's impact on resident or migratory wildlife corridors will be reduced to less than significant because the project applicant will participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.
  - (e) The project's impact on protected biological resources will be reduced to less than significant because the project applicant will participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant and the project will not conflict with any local policies or ordinances protecting biological resources
  - (f) The project's impact on the provisions of an adopted Habitat Conservation Plan, natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, are expected to be less than significant because the project applicant will participate in the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

<u>V.</u>	<u>Cultural Resources.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No	Analyzed In The Prior EIR
Wo	ould the project:					
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to§ 15064.5?			×		
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			×		
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?			×		

a-c) The proposed project is a digester and biogas facility at an existing dairy. All development is proposed within the existing disturbed areas on site, which have been utilized as a dairy since 1994. As a result, no impact on cultural resources is anticipated. In the event human remains are encountered during any portion of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). At the time of development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e), of the California State Code of Regulations.

<u>VI. Energy.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No	Analyzed In The Prior EIR
Would the project:					
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X		
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			×		

(a-b) The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed project, and will be triggered at the time of building permit application, ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy.

The proposed project is a manure only digester and biogas facility at an existing dairy. The facility will be digesting existing manure product, taking the gas emissions, and producing energy. The end product of the digester is Renewable Natural Gas (RNG) which is then trucked off site to be used in other applications. This is an energy-producing project.

Less Than Potentially Less Than Significant with Significant Significant Mitigation Impact Incorporated Impact X

No

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X

Х

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X

Analyzed In The Impact Prior EIR

# 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:
  - i) Rupture of a known earthquake fault, as delineated on the most recent Alguist-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.
  - Strong seismic ground shaking? ii)
  - iii) Seismic-related ground failure, including liquefaction?
  - iv) Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil and create direct or indirect risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- Directly indirectly f) or destroy а unique paleontological resource or site or unique geologic feature?

# Impact Discussion:

a) According to the California Department of Conservation's California Geological Survey, the project site is not located within an earthquake fault zone. However, similar to other areas located in seismically active Northern California, the project area is susceptible to strong ground shaking during an earthquake, although the site would not be affected by ground shaking more than any other area in the region.

The Project would be required to comply with the most recent version of the California Building Code (CBC), which contains universal standards related to seismic load requirements and is codified within the San Joaquin County Ordinance Code under Section 8-1000. In addition, a soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report will be incorporated into the construction drawings. As a result, impacts associated with seismic ground shaking or possible ground liquefaction are expected to be less than significant.

The project site is located in an area that is relatively flat and does not contain any slopes that could result in landslides. Therefore, impacts associated with landslides are expected to be less than significant.

- b) The project applicant is required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity", including the provisions of the California Water Boards Storm Water Program's Construction General Permit (CGP). The CGP requires the development of a Storm Water Pollution Prevention Plan (SWPPP) which will require implementation of temporary and post-construction best management practices and measures to prevent erosion and reduce sediment and pollutants in discharges from the construction site. Therefore, impacts associated with soil erosion are expected to be less than significant.
- c) As part of the project design process, a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. As a result of these grading recommendations, which are required by the California Building Code (CBC), the project would not be susceptible to the effects of any potential lateral spreading, subsidence, or liquefaction. Compliance with the CBC and the engineering recommendations in the site-specific soils report would ensure structural integrity in the event that seismic-related issues are experienced at the project site. Therefore, impacts associated with unstable geologic units are expected to be less than significant.
- d) The Soil Survey of San Joaquin County classifies the project site soil as expansive. Expansive soils are characterized by their potential shrink/swell behavior. As a result, engineering specifications to reduce the potential for damage to the planned structures, required by the California Building Code (CBC) specifically for expansive soil, will ensure that the effects of expansive soil on the project buildings are less than significant.
- e) The Project would include an on-site septic tank and associated leach field to treat wastewater. Septic tanks installed in the County are subject to San Joaquin County Ordinance Code Section 9-1105 which requires issuance of a Sanitation Permit by the San Joaquin County Environmental Health Division for the construction of a private septic system and sets forth requirements for the siting and construction of private septic systems. Prior to issuance of a Sanitation Permit, the San Joaquin County Environmental Health Department will review the proposed septic system to ensure on-site soils would be capable of supporting such a system. Compliance with this process will ensure that adverse impacts associated with on-site soils and septic systems do not occur. Therefore, impacts associated with the soils' ability to support septic systems are expected to be less than significant.
- f) If the project is approved and any paleontological resources not previously uncovered during any prior disturbance are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site. In this way, any adverse change to a paleontological resource is expected to be less than significant.

VIII. Greenhouse Gas Emissions.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analyzed In The Prior EIR
viii. Greennouse Gas Linissions.				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			×	

(a-b) Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO2) and, to a lesser extent, other GHG pollutants, such as methane (CH4) and nitrous oxide (N2O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO2 equivalents (MTCO2e/yr).

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for constructionrelated GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As such, the analysis herein is limited to discussion of long-term operational GHG emissions.

As noted previously, the proposed project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the Guidance for Valley Land- use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA and the District Policy- Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency.<sup>11</sup> The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002- 2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternativefueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy- efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures. This will reduce the impact of GHG emissions to a level of less than significant.

<sup>11</sup> San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA.* December 17, 2009.San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency.* December 17, 2009.

Potentially Significant	Less Than Significant with Mitigation
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# 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?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- Impair implementation of or physically interfere with f) an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

# Impact Discussion:

- The proposed project is a digester and biogas facility at an existing dairy. Pursuant to the Hazardous Materials a-c) Disclosure Survey submitted with the application, the facility will handle or store hazardous materials on site. To store or handle hazardous materials onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) and must comply with all applicable federal, state, and local regulations pertaining to the storage of hazardous materials. In this way, impacts related to the use, transport, or disposal of hazardous materials are expected to be less than significant.
  - d) The project site is not listed as a hazardous materials site on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, the project is not expected to create a significant hazard to the public or the environment.
  - The project site is located in Zone 8 (AIA) of the New Jerusalem Airport, 1.4 miles from the runway. The project, a e) digester and biogas facility, is an automated system that doesn't require constant operations personnel on site. Only routine weekly maintenance and other occasional weekly visits are required. Therefore, the project's risk of exposing

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people residing or working in the project area to safety hazards or excessive noise from an airport is expected to be less than significant.

- f) The project site is located in a rural area south of the cities of Manteca and Lathrop and east of the city of Tracy in San Joaquin County. According to the County's emergency evacuation brochure for the area in which the project is sited, the emergency evacuation route is Kasson Road south to Durham Ferry Road west. The project would not affect these routes, and moreover, the project would not affect the County's ability to implement its Emergency Operations Plan in the event of an emergency. Therefore, impacts associated with emergency response or evacuation plans are expected to be less than significant.
- g) The project location is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

Potentially Significant Impact

Less Than Less Than Significant with Significant Mitigation Incorporated

No Impact

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# 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?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 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:
  - result in substantial erosion or siltation on- or offi) site;
  - ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
  - 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?
- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

# Impact Discussion:

- The proposed project is a digester and biogas facility at an existing dairy. The Central Valley Water Board's authority to regulate waste discharges that could affect the quality of the waters of the State, which includes both surface water and groundwater and the prevention of nuisances, is found in the Porter-Cologne Water Quality Control Act (California Water Code Division 7). In regulating discharges of waste, the Central Valley Water Board implements State laws and regulations. The Central Valley Water Board adopted General Order No. R5-2010-0130 (Digester General Order of Dairies), a permitting process for dairy digester facilities to provide for the protection of the beneficial uses of surface and groundwater. The General Order requires the applicant to submit a complete Notice of Intent (NOI) to comply with the General Order, and a Facility Information Report (FIR). With the Central Valley Water Board's oversight, the project's impact on water quality standards or waste discharge requirements is expected to be less than significant.
- b) The proposed project is a digester and biogas facility at an existing dairy. Water is used in the digester cycles and is collected at various stages of the process to be reused for each cycle, reducing the overall water usage by the project. Additionally, the project will utilize 8.5 acres, leaving more than 300 acres in crop production. With the practice of water reuse and by leaving the majority of the parcel in agriculture, the project is expected to have a less than significant

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impact on groundwater supplies and recharging.

- c) The construction of the proposed project would result in grading and soil-disturbing activities and the installation of new impervious surfaces. Some modification of the existing on-site drainage pattern would occur to accommodate the structures and related infrastructure. However, most of the site would be preserved in agriculture and existing drainage patterns would be largely retained. A grading permit will be required which requires plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan must show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the California Building Code (CBC). The plans must also show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the CDC. In this way, any impacts to the existing drainage pattern of the site will be less than significant.
- d) The project site is in flood Zone AE which is an area of special flood hazard subject to a 1% annual chance of a 100-year flood. Plans for the equipment pad specify raising the pad above the FEMA flood zone elevation of 32 feet. Likewise, perimeter roads for the lagoon and the project site will also be raised above 32 feet. The project site is not in a tsunami or seiche zone. Therefore, the risk of release of pollutants due to inundation of the project site will be less than significant.
- e) The applicant will be required to comply with the San Joaquin Valley Water Board's Basin Plan and Water Quality Control Plan to protect surface and groundwater on site and to insure that the project doesn't conflict or obstruct a water quality control plan or sustainable groundwater management plan.

<u>XI.</u>	Land Use and Planning.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact		Analyzed In The Prior EIR
Wc	ould the project:					
a)	Physically divide an established community?				X	
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?			×		

- a) This proposed project is a digester and biogas facility at an existing dairy. The project does not include construction of any feature that would impair mobility within an existing community nor does it include removal of a means of access between a community and outlying area. Currently, the project site is not used as a connection between established communities. Instead, connectivity with the area surrounding the project is facilitated via local roadways. Therefore, the project will not result in dividing an established community.
- b) The project site is located within unincorporated San Joaquin County and is subject to the County's General Plan and Development Title. The County's General Plan Land Use map designates the Project site as Resource Conservation (OS/RC) and General Agriculture (A/G). The zoning map identifies the site as AG-40 (General Agriculture with a 40 acre minimum size) which is an implementing zone for the OS/RC and A/G land use designations.

According to the County's General Plan, the Resource Conservation designation provides for areas with significant natural resources and may be applicable to any area that is essentially unimproved and planned to remain open in character. In the case of the project site, the San Joaquin River borders the north side of the property, and has a riparian zone which is designated as a natural open space for riparian habitat and waterway protection. An open space with a minimum width of 100 feet, measured from the mean high water level or the natural bank, or 50 feet back from the existing riparian habitat, whichever is greater, must be maintained to provide nesting and foraging habitat and protect waterway quality. No development other than water-dependent uses are permitted in this open space. The A/G designation is meant to provide for large-scale agricultural production and associated processing, sales, and support uses. The AG-40 zone is intended to preserve agricultural lands for the continuation of commercial agricultural enterprises. According to Development Title Section 9-605.2, the use types assigned to this project, *Agricultural Waste* and *Utility Service – Major*, would be permitted within the AG-40 zone with a conditionally approved Site Approval application. Therefore, the project is consistent with the County General Plan and Development Title and impacts associated with applicable land use plans, policies, and regulations are expected to be less than significant.

<u>XII.</u>	. Mineral Resources.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analyzed In The Prior EIR
Wc	puld the project:				
a)	Result in the loss of availability of a known_mineral resource that would be of value to the region and the residents of the state?			×	
b)	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			×	

a-b) Pursuant to the San Joaquin County General Plan Background Report, Chapter 10-Mineral Resources, the primary extractive resource in San Joaquin County is sand and gravel, with the principal areas of sand and gravel extraction located in the southwestern part of the county and along the Mokelumne, Calaveras, and Stanislaus rivers in the eastern portion of the county. The project site is located in the southeastern part of the county and categorized by the State Mining and Geology Board (SMGB), the project site is not located in an area designated for its mineral deposits of regional or statewide significance. Therefore, the project's impact on the loss of mineral resources or mineral resource recovery sites within the region is expected to be less than significant.

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# 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?
- b) Generation of excessive groundborne vibration or groundborne noise levels?
- c) For a project 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?

# Impact Discussion:

a) The proposed project is a digester and biogas facility at an existing dairy. The project site is located 2,372 feet (0.44 miles) from S. Kasson Road, and is currently developed with 5 farm employee houses, in additional to the dairy. The parcels surrounding the project parcel are in agricultural production, with scattered residences. The nearest residence that is not on the project site is located adjacent to the west side of the project parcel, approximately 2,400 feet (0.45 miles) east of the site for the proposed facility.

The digester and biogas facility, like the existing dairy, will operate 24-hours per day, 7-days per week. Pursuant to Development Title Section 9-1025.9(b), Part II, proposed projects that would create new stationary noise sources are required to mitigate the noise levels so as not to exceed noise level standards. The noise-generating component of the project are the 3 power-generating gensets. Each genset will be housed in a container that will result in noise level of 65 dBA at 33 feet. The stationary noise standard for daytime (7:00 a.m. – 10 p.m.) is 70dB; for nighttime (10:00 p.m. – 7:00 a.m.) it is 65 dB. Therefore, the project's likelihood of generating substantial temporary or permanent increases in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance are expected to be less than significant.

- b) The project does not include any operations that would result in excessive ground-borne vibrations or other noise levels therefore, the project will not have any impact on vibrations or other noise levels.
- c) The project site is located in Zone 8 (AIA) of the New Jerusalem Airport, 1.4 miles from the runway. However, the project, a digester and biogas facility, is an automated system that doesn't require constant operations personnel on site. Only routine weekly maintenance and other occasional weekly visits are required. Therefore, the project's risk of exposing people residing or working in the project area to safety hazards or excessive noise from an airport is expected to be less than significant.



XIV. Population and Housing.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact		Analyzed In The Prior EIR
Would the project:					
<ul> <li>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)?</li> </ul>				×	
<ul> <li>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</li> </ul>				X	

a-b) The project site is located in unincorporated San Joaquin County, south of the cities of Manteca and Lathrop and east of the city of Tracy. The proposed project is a digester and biogas facility at an existing dairy. The project will not induce substantial population growth in the area either directly or indirectly because the project is not anticipated to result in a substantial increase in the number of jobs available. The proposed project would not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because there are no residences on the project site and the zoning will remain the same if the project is approved. Therefore, the project would have no impact on population and housing.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
n substantial adverse physical e provision of new or physically ies, need for new or physically ties, the construction of which vironmental impacts, in order vice ratios, response times or tives for any of the public					

# XV. Public Services.

a) Would the project result in impacts associated with the altered governmental facilitie altered governmental faciliti could cause significant env to maintain acceptable serv other performance objecti services:

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

# Impact Discussion:

a) The project site is located in unincorporated San Joaquin County, south of the cities of Manteca and Lathrop and east of the city of Tracy. The area is serviced by the South San Joaquin County Fire Authority, the San Joaquin County Sheriff, and the New Jerusalem School District and Tracy High School. The South San Joaquin County Fire Authority operates 7 fire stations each staffed with 3 personnel and provides fire protection services and emergency medical services to the City of Tracy. The District's service boundary covers approximately 170 square miles. Police protection services are provided to the project site by the San Joaquin County Sheriff's Office. The Sheriff's Office employs over 800 sworn and support personnel. The project site is located within the New Jerusalem Elementary School district which serves students in kindergarten through 8th grade and Tracy High School. There are no public recreation facilities near the project site.

The public service agencies listed above were provided with the project proposal and invited to respond with any project concerns or conditions. Comments were received from the South San Joaquin Fire Authority with a list of current California Fire Codes that will be applicable to the project. Other responses were not received, indicating there were no concerns about significant impacts resulting from the project. Therefore, the project is not expected to have a significant impact on, or will not significantly affect, the ability of these service providers to maintain current levels of service.

X

XVI. Recreation.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact		Analyzed In The Prior EIR	
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?				X		
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?				×		

(a-b) The proposed project is a digester and biogas facility at an existing winery. The project would not result in an increase in demand for neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, because the project will not generate any new residential units and the project, an expansion of an existing winery, is not expected to result in an increased demand for recreational facilities. Therefore, the project will have no impact on recreation facilities.

# XVII. Transportation.

Would the project:

a)	Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?			X				
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X				
C)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X				
d)	Result in inadequate emergency access?			×				
lmp	npact Discussion:							

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- a) The proposed project is a digester and biogas facility at an existing dairy located in a rural, agricultural area south of the cities of Manteca and Lathrop and east of the city of Tracy. Regional access to the site is provided by Interstate 5, a north-south highway. South Kasson Road and west Durham Ferry Road are local roads that provide access to the project site. The project was referred to the Department of Public Works on October 5, 2021. The Department of Public Works determined that a traffic study is not required because the proposed project is not expected to exceed 50 vehicle trips during any hour and would have less than significant traffic impacts.
- b) The proposed project is a Site Approval for a manure-only digester and biogas facility application at an existing dairy. According to the Technical Advisory on Evaluating Transportation Impacts in CEQA, as published by the California Office of Planning and Research (OPR) in December 2018, an agency can utilize Map-Based Screening to "illustrate areas that are currently below threshold VMT" for non-retail projects. If a project is located in such an area, it "would likely result in a similar level of VMT" and allow the project to be screened out from needing further VMT analysis. As this project is located in a Traffic Analysis Zone (TAZ) that has been analyzed and determined to be 15% or more below the County's unincorporated VMT baseline, it is considered to cause a less-than-significant transportation impact.
- The proposed project will not be making any changes to local roadways, therefore, the project's impact on transportation C) hazards is expected to be less than significant. Additionally, a digester and biogas facility is a permitted use in the general agricultural zones making the project compatible with the surrounding area.
- d) The project site is accessed from S. Kasson Road and access into the site is provided by a 25 foot wide private driveway that must meet the San Joaquin County Fire Chiefs' Association guidelines for providing fire apparatus access as required by the California Fire Code (CFC). Therefore, site access would provide adequate space for fire trucks and emergency vehicles to enter and turn around, and the project is not expected to result in inadequate emergency access.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR	
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ia al in			X			
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# 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 section 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:
  - 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

# Impact Discussion:

#### a)

- i) The project site is developed with a 5 farm employee houses and a dairy. No buildings on the site are listed on the State Office of Historic Preservation California Register or the National Register of Historic Places. Therefore, the project will not result in a substantial adverse change in the significance of a historical resource as defined by CEQA.
- ii) The project site is approximately 8.5 acres in size and is located on a 444.68-acre parcel in a rural, agricultural area south of the cities of Manteca and Lathrop and east of the city of Tracy. The northern border of the property is adjacent to the San Joaquin River. A project referral was mailed October 5, 2021 to the California Native American Heritage Commission, the Buena Vista Rancheria, the California Tribal TANF Partnership, the North Valley Yokuts Tribe, and the United Auburn Indian Community. No requests for consultation were received in response to the project referral.

If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines for California Environmental Quality Act.

Based on the absence of responses to the project referral, and with the above guidelines in place, the project's impact on a significance tribal cultural resource is expected to be less than significant.

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otentially ignificant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR

# 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?
- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 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?
- 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?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

# Impact Discussion:

- a) The proposed project is a digester and biogas facility at an existing dairy, located in a rural area south of the cities of Manteca and Lathrop and east of the city of Tracy. The project will utilize an existing private well, a new onsite wastewater treatment system, and existing storm water retention. Therefore, the project will be served by private, onsite services and will not require relocation of existing facilities or require new facilities.
- b) The project would be served by an existing private well. Groundwater is used and recycled for the digester process and impacts on water supplies are expected to be less than significant.
- c) The project would utilize an onsite sewage disposal system to be constructed under an Environmental Health Department permit and is subject to the onsite wastewater treatment system regulations that will ensure compliance with the standards of San Joaquin County.
- d-e) The proposed project is a digester and biogas facility at an existing dairy. As proposed, the project is not anticipated to generate solid waste in excess of State and local standards and will be able to comply with all regulations related to solid waste.

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR	
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# 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?
- 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?
- 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?
- 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 Discussion:

a-d) The project location is in a rural, agricultural area south of the cities of Manteca and Lathrop and east of the city of Tracy. The area is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

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?

XXI. Mandatory Findings of Significance.

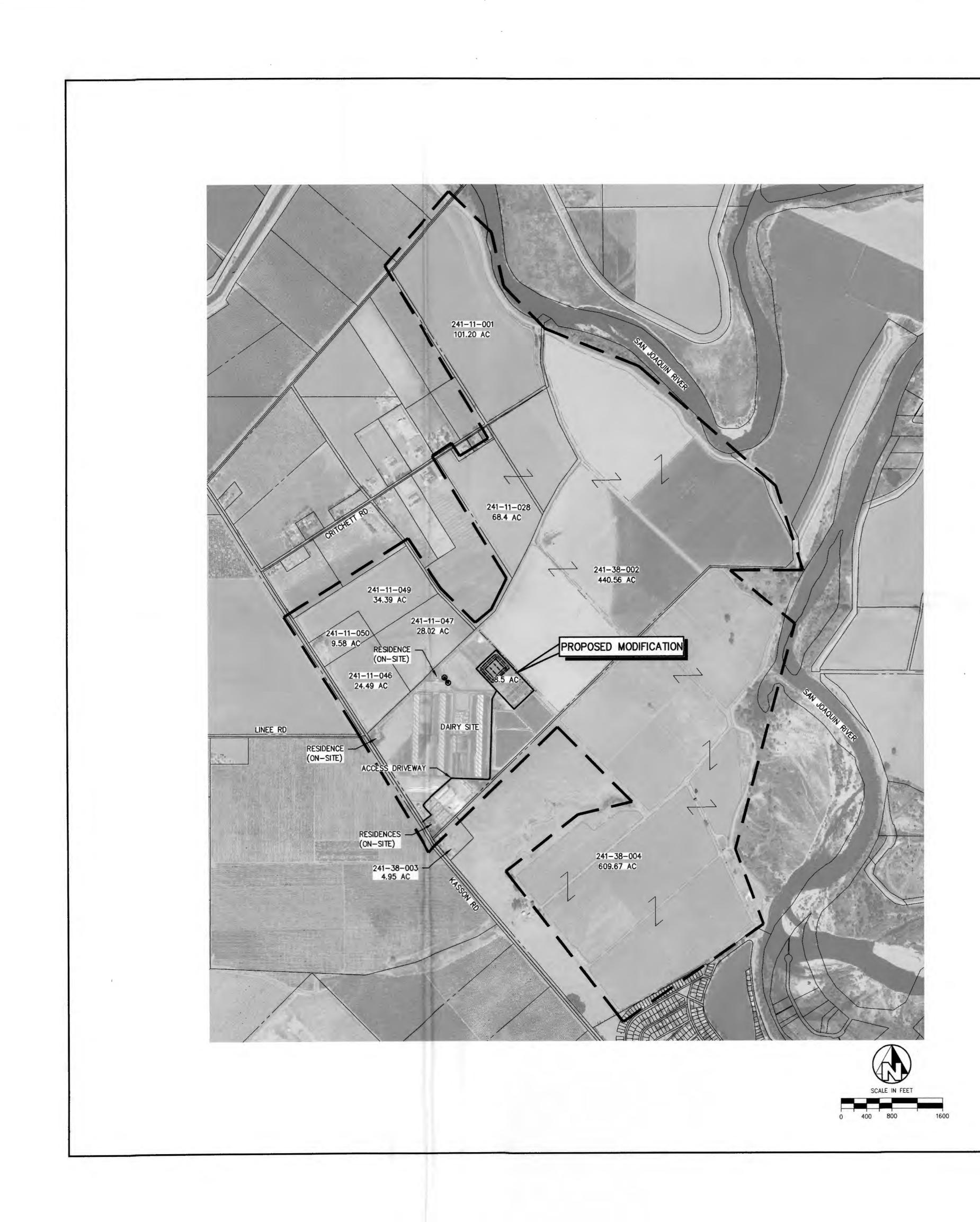
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

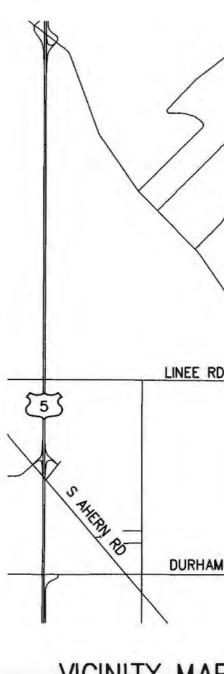
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

# Less Than Potentially Less Than Analyzed Significant with Significant Significant In The No Mitigation Impact Impact Prior EIR Incorporated Impact Х X Х

# Impact Discussion:

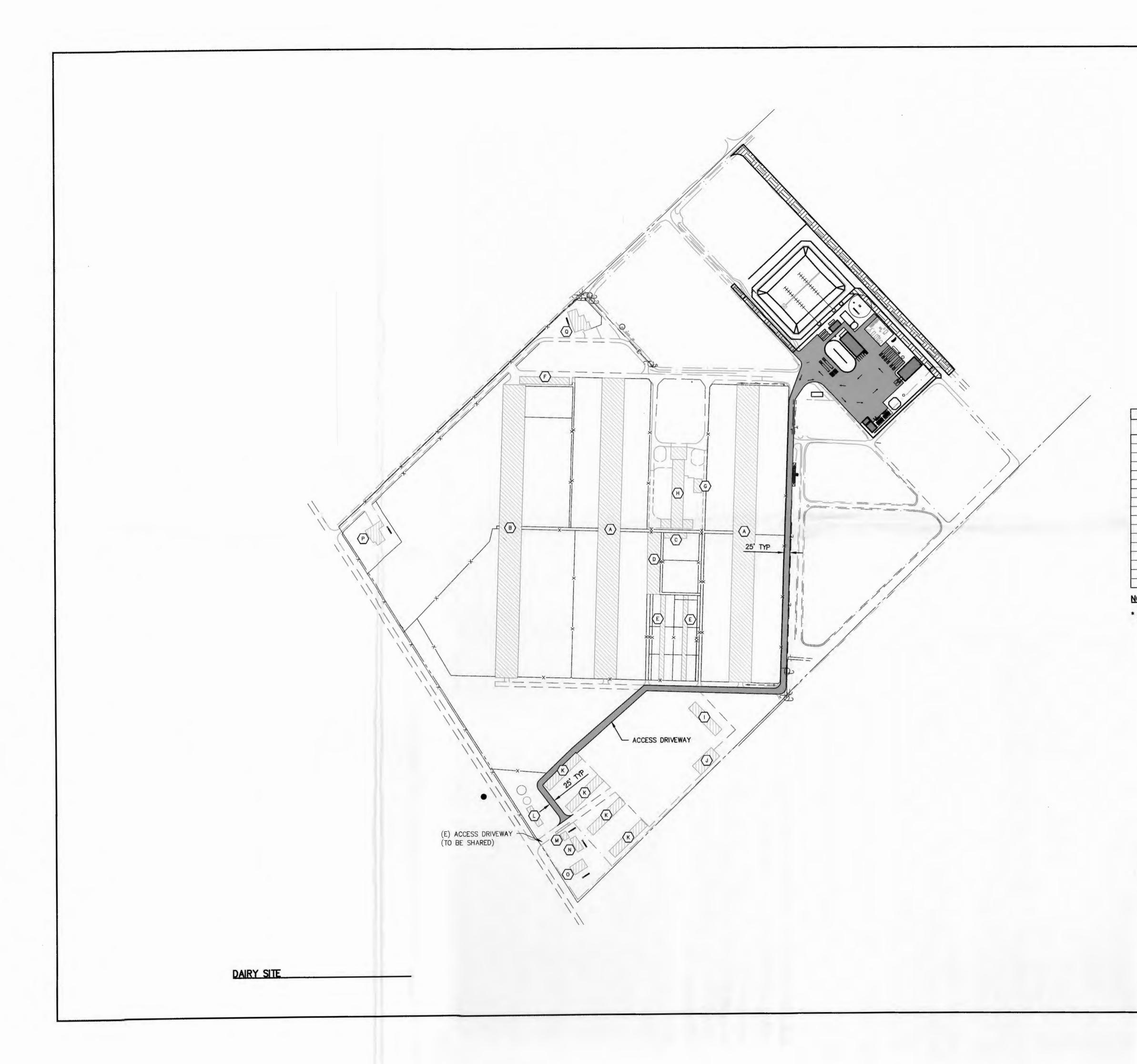
a-c) Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or surrounding area. Mitigation measures have been identified in areas where a potentially significant impact has been identified and these measures, included as conditions of approval, will reduce these impacts to a less than significant level.

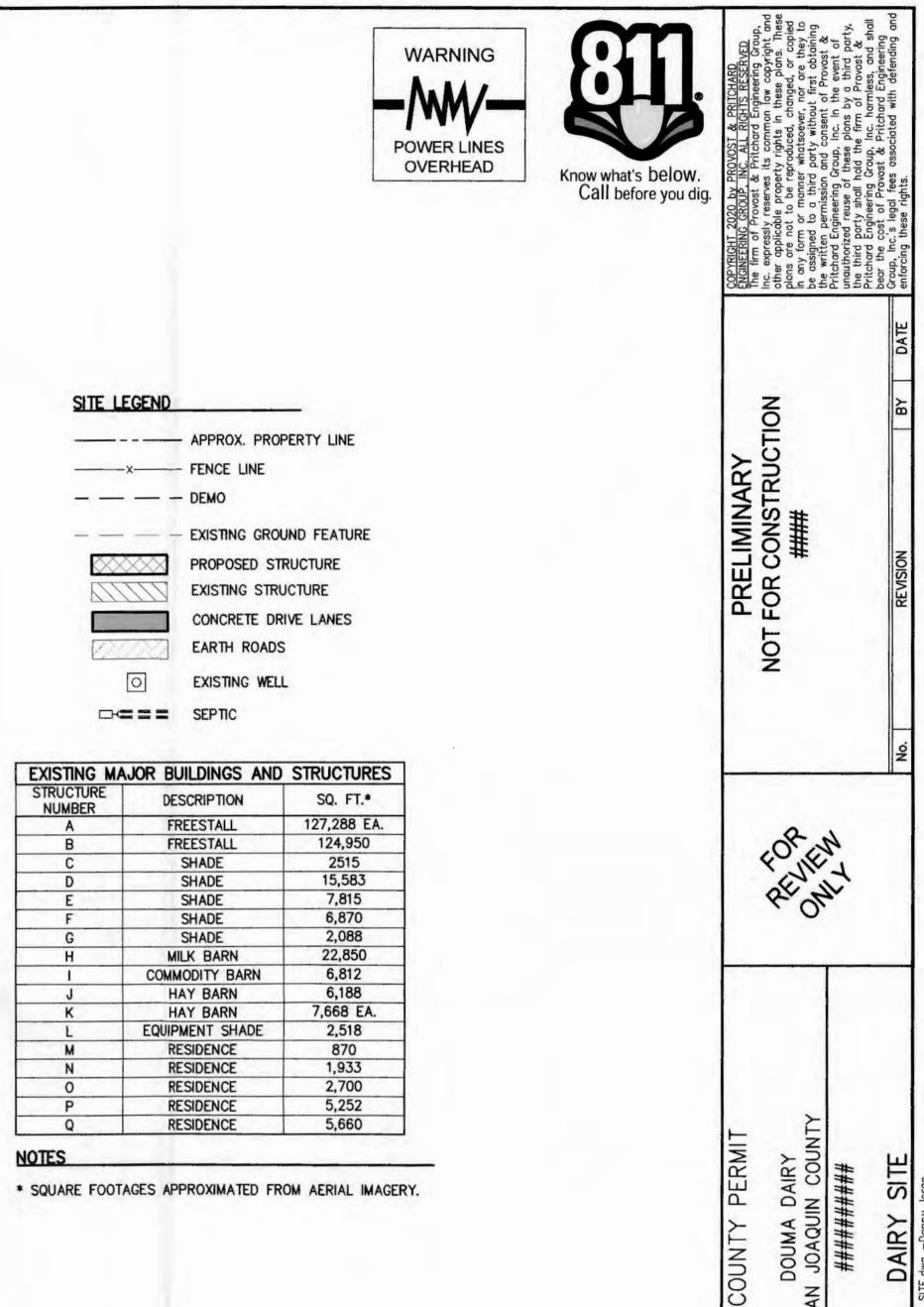


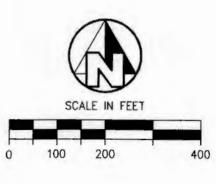


VICIN SCALL

	WARNING 	Know what's below. Call before you dig.	COPYRICHT 2020 by PROVOST & PRITCHARD ENCINEERING GROUP, INC. ALL RIGHTS RESERVED The firm of Provost & Pritchard Engineering Group, Inc. expressly reserves its common law copyright and ather applicable property rights in these plans. These plans are not to be reproduced, changed, or copied in any form or manner whatsoever, nor are they to be assigned to a third party without first obtaining the written permission and consent of Provest &	Pritchard Engineering Group, Inc. In the event of unouthorized reuse of these plans by a third porty, the third party shall hold the firm of Provast & Pritchard Engineering Group, Inc. harmless, and shall bear the cost of Provost & Pritchard Engineering Group, Inc.'s legal fees associated with defending and
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			PE OT	
			COUNTY PERMIT DOUMA DAIRY SAN JOAQUIN COUNTY	۱ AND IISF







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DESIGN ENGINEER: ----LICENSE NO:

DRAFTED BY: CHECKED BY: DPJ SCB

DATE: 9/07/2021

0\_\_\_\_\_1" ORIGINAL SCALE SHOWN IS ONE INCH. ADJUST SCALE FOR REDUCED OR ENLARGED PLANS.

OF 3

JOB NO: ----

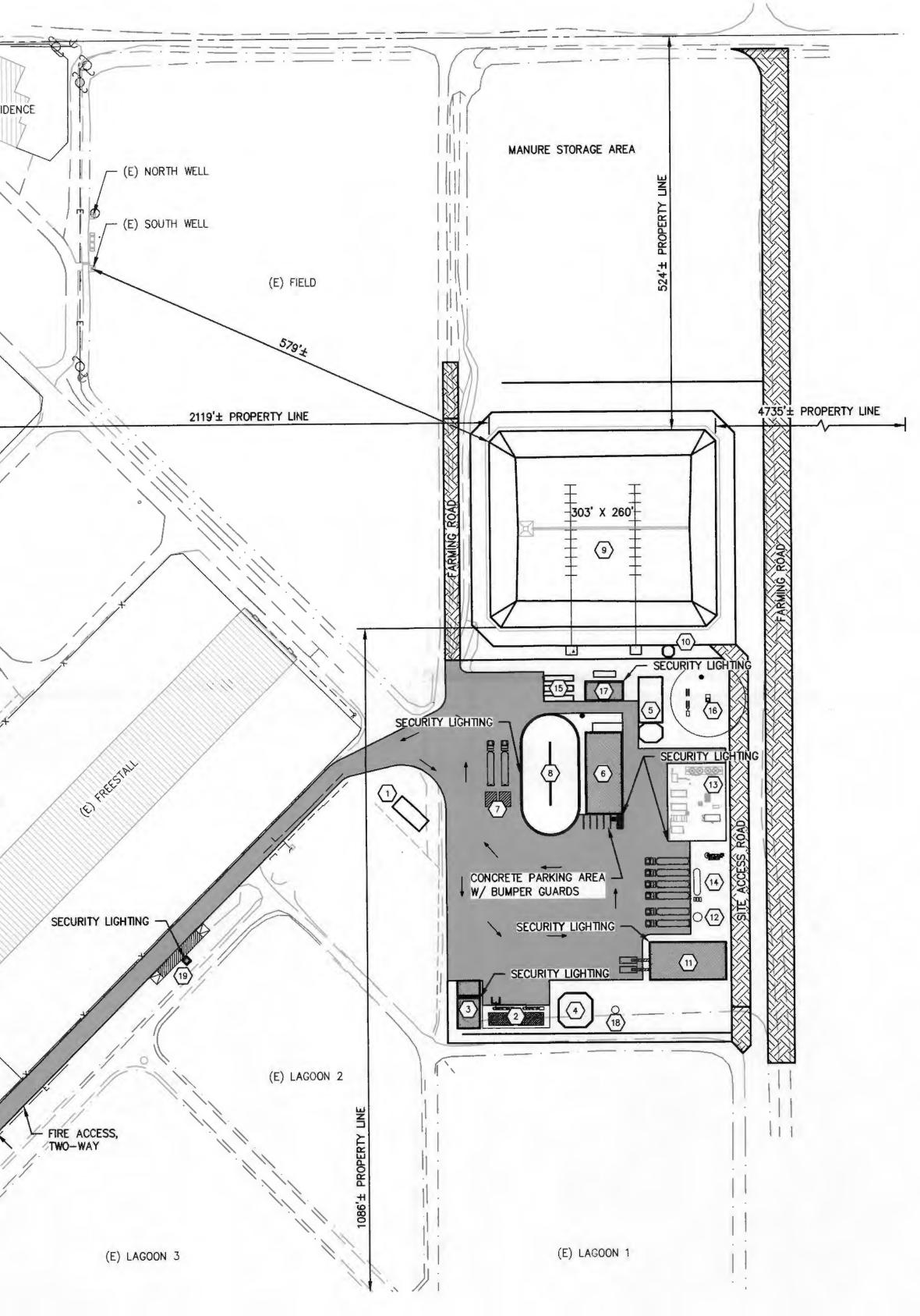
PROJECT NO:

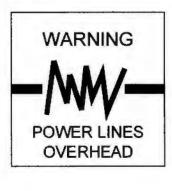
SHEET 2

PHASE:

11 \_\_\_\_\_X \_\_\_\_\_ \_\_\_\_\_X-\_\_\_\_ -x--(E) RESIDENCE (E) RÉSIDENCE NORTH WEST CORNER: RESIDENCE 131 - (E) SHOP 25' TYP (E) EQUIPMENT + STORAGE (E) HAY BARN (E) ACCESS DRIVEWAY (TO BE SHARED) TRUCK SCALE 13:10  $(\mathbf{E})$ (E) HAY BARN (E) RESIDENCES S. KASSON Des (E) HAY BARN 103, SOUTH WEST CORNER: RESIDENCES DAIRY SITE

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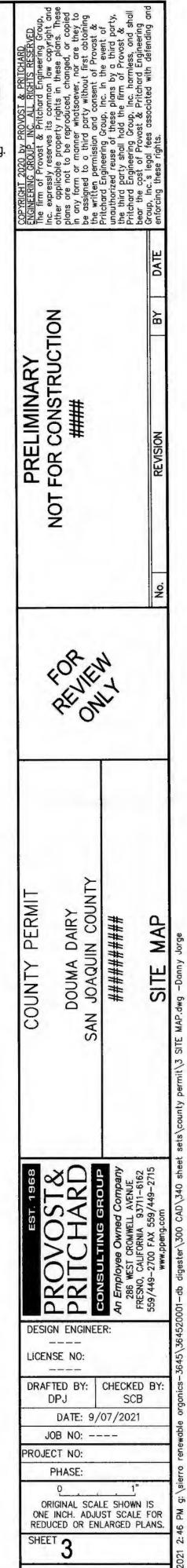
Know what's below. Call before you dig.

# SITE LEGEND ----- APPROX. PROPERTY LINE — — — — DEMO XXX 0

- --- - EXISTING GROUND FEATURE PROPOSED STRUCTURE EXISTING STRUCTURE CONCRETE DRIVE LANES EARTH ROADS EXISTING WELL

MAJOR BUILDINGS AND STRUCTURES							
STRUCTURE NUMBER	DESCRIPTION	ENCLOSED/ OUTDOOR	SQ. FT.	BUILDING HEIGHT	OCCUPANCY		
1	COLLECTION PIT	OUTDOOR	144	GRADE	NO OCCUPANCY		
2	SCREEN SEPARATORS	OUTDOOR	2,700	30'	AUTONOMOUS EQUIPMENT		
3	BEDDING DRYING	ENCLOSED	1,900	24'	AUTONOMOUS EQUIPMENT		
4	FLUSH PIT	OUTDOOR	1,990	GRADE	NO OCCUPANCY		
5	PROCESS & EQUALIZATION PITS	OUTDOOR	2,760	GRADE	NO OCCUPANCY		
6	LWR FIRST WAVE	COVERED	5,500	24'	AUTONOMOUS EQUIPMENT		
7	MANURE RECEIVING	OUTDOOR	1,480	20'	NO OCCUPANCY		
8	HYDROLIZER	OUTDOOR	11,825	12'	NO OCCUPANCY		
9	DISGESTER	OUTDOOR	57,600	9'	NO OCCUPANCY		
10	DIGESTER OUTLET	OUTDOOR	170	9'	NO OCCUPANCY		
11	LWR FIRST WAVE	COVERED	5,100	24'	AUTONOMOUS EQUIPMENT		
12	COLLECTION POINT DIGESTATE	OUTDOOR	113	20'	NO OCCUPANCY		
13	GAS UPGRADE EQUIPMENT	OUTDOOR	11,000	30'	AUTONOMOUS EQUIPMENT		
14	GAS SHIPMENT	OUTDOOR	81	20'	AUTONOMOUS EQUIPMENT		
15	GENSETS	OUTDOOR	1,400	15'	AUTONOMOUS EQUIPMENT		
16	EMERGENCY FLARE	OUTDOOR	7,850	20'	NO OCCUPANCY		
17	SHOP	ENCLOSED	1,500	20'	USAGE		
18	FIRE SUPPRESSION WATER SUPPLY TANK	OUTDOOR	78	20'	NO OCCUPANCY		
19	TRUCK SCALE	OUTDOOR	800	10'	AUTONOMOUS EQUIPMENT		

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OF 3