

**SAN JOAQUIN VALLEY AIR POLLUTION CONTROL  
DISTRICT**

---

**SUN PACIFIC/CALIFIA FARMS  
JUICE PROCESSING FACILITY AND STEAM BOILER**

**Project Number S-1104037  
State Clearinghouse Number: 2011011086**

**Initial Study and Final  
Mitigated Negative Declaration**

**March 2011**

---

# Initial Study/Final Mitigated Negative Declaration

## Sun Pacific/Califia Farms Juice Processing Facility and Steam Boiler

March 2011

**Lead Agency:**

San Joaquin Valley Air Pollution Control District  
1990 East Gettysburg Avenue  
Fresno, CA 93726-0244

**Agency CEQA Contact:**

Dan Barber, Ph.D., Supervising Air Quality Specialist  
Phone: (559) 230-6000

Mark Montelongo, Air Quality Specialist

Phone: (559) 230-6000

**Agency Permit Contact:**

Leonard Scandura, P.E.  
Phone: (661) 392-5500

**Project Sponsor:**

Sun Pacific/Califia Farms  
33374 Lerdo Hwy  
Bakersfield, CA 93308

**Project Contact:**

Randy Kinder, Operator/Manager  
Phone: (559) 799-0673

Travis Crawford, Senior Environmental Planner  
Quad Knopf, Inc. (Consultant)  
Phone: (559) 733-0440

# TABLE OF CONTENTS

## ***Section One - Introduction***

1.1	Introduction .....	1-1
1.2	Purpose and Authority .....	1-1
1.3	Intended Uses of the Mitigated Negative Declaration.....	1-2
1.4	Document Organization and Contents.....	1-3

## ***Section Two - Project Description***

2.1	Project Location and Background .....	2-1
2.2	Project Description .....	2-1

## ***Section Three – Evaluation of Environmental Impacts***

	Environmental Checklist and Discussion .....	3-1
3.1	Aesthetics.....	3-5
3.2	Agriculture and Forest Resources.....	3-7
3.3	Air Quality .....	3-10
3.4	Biological Resources .....	3-16
3.5	Cultural Resources.....	3-19
3.6	Geology/Soils .....	3-20
3.7	Greenhouse Gas Emissions .....	3-23
3.8	Hazards/Hazardous Materials.....	3-25
3.9	Hydrology/Water Quality .....	3-28
3.10	Land Use/Planning .....	3-32
3.11	Mineral Resources .....	3-33
3.12	Noise.....	3-34
3.13	Population and Housing.....	3-37
3.14	Public Services .....	3-38
3.15	Recreation.....	3-40
3.16	Transportation/Traffic .....	3-41
3.17	Utilities/Service Systems.....	3-43
3.18	Mandatory Findings of Significance .....	3-45

## LIST OF TABLES

<b>Table No.</b>	<b>Title</b>	<b>Page No.</b>
3.3-1	Estimated Construction and Stationary Source Project Emissions .....	3-12
3.12-1	Estimated Construction Noise Levels.....	3-35
3.12-2	Permissible Noise Exposure .....	3-35

## LIST OF FIGURES

<b>Figure No.</b>	<b>Title</b>	<b>Page No.</b>
2-1	Regional Location.....	2-2
2-2	Project Area .....	2-3
2-3	Site Plan.....	2-4
3.2-1	Agricultural Vicinity Map .....	3-9
3.9-1	FEMA Map.....	3-31

**SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT  
GOVERNING BOARD 2011**

CHAIR: J. STEVEN WORTHLEY  
Supervisor, Tulare County

VICE CHAIR: ANN JOHNSTON  
Mayor, City of Stockton

MEMBERS:

TONY BARBA  
Supervisor, Kings County

WILLIAM O'BRIEN  
Supervisor, Stanislaus County

JUDITH G. CASE  
Supervisor, Fresno County

LEROY ORNELLAS  
Supervisor, San Joaquin County

RONN DOMINICI  
Supervisor, Madera County

JOHN G. TELLES, M.D.  
Appointed by Governor

HENRY JAY FORMAN, Ph.D  
Appointed by Governor

CHRIS VIERRA  
Mayor, City of Ceres

MIKE LANE  
Councilmember, City of Visalia

HUB WALSH  
Supervisor, Merced County

RANDY MILLER  
Mayor, City of Taft

RAYMOND A. WATSON  
Supervisor, Kern County

Vacant  
Small City Representative, Kings County

***AIR POLLUTION CONTROL OFFICER***

SEYED SADREDIN

**SECTION ONE**  
**INTRODUCTION**

# SECTION ONE – INTRODUCTION

## 1.1 Introduction

The San Joaquin Valley Air Pollution Control District (District) has received an Authority to Construct Application from Sun Pacific / Califia Farms (Sun Pacific). Sun Pacific is proposing to construct and operate a new 48,300 square foot juice processing facility and associated 12.6 MMBtu/hr gas-fired boiler, to be located on 6.8 acres adjacent to an existing packing facility at 33374 Lerdo Highway, Bakersfield, CA (Project).

## 1.2 Purpose and Authority

The District has discretionary approval power over the Project via its Permits Required Rule (Rule 2010) and New and Modified Stationary Source Review Rule (Rule 2201). No other Agency is known to have discretionary approval over the Project. As such, the District will act as the Lead Agency for this Project pursuant to the *California Environmental Quality Act (CEQA)* and the *CEQA Guidelines*.

Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an Initial Study to determine whether a discretionary project will have a significant effect on the environment. The purposes of an Initial Study, as listed under Section 15063[c] of the CEQA Guidelines, include:

- (1) *Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR [Environmental Impact Report] or a Negative Declaration;*
- (2) *Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;*
- (3) *Assist in the preparation of an EIR, if one is required, by:*
  - (A) *Focusing the EIR on the effects determined to be significant;*
  - (B) *Identifying the effects determined not to be significant;*
  - (C) *Explaining the reasons for determining that potentially significant effects would not be significant; and*
  - (D) *Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.*
- (4) *Facilitate environmental assessment early in the design of a project;*
- (5) *Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;*
- (6) *Eliminate unnecessary EIRs; and*
- (7) *Determine whether a previously prepared EIR could be used with the project.*

Regardless of the type of CEQA document that must be prepared, the basic purpose of the CEQA process as set forth in the CEQA Guidelines Section 15002(a) is to:

- (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities;
- (2) Identify ways that environmental damage can be avoided or significantly reduced;
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

According to Section 15070(b), a Mitigated Negative Declaration is appropriate if it is determined that:

- (1) 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; and
- (2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

The Initial Study contained in Section Three of this document demonstrates that with implementation of the identified mitigation measures, project design elements and District permit conditions the environmental impacts are less than significant.

### **1.3 Intended Uses of the Mitigated Negative Declaration**

This Mitigated Negative Declaration is an informational document that is intended to inform decision-makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed project. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the District must balance any potential environmental effects against other public objectives, including economic and social goals.

The District, as the Lead Agency, has determined that the environmental review for the proposed application can be completed with a **Mitigated Negative Declaration**. The District prepared and circulated a Proposed Mitigated Negative Declaration that was released for a 30-day public and agency review period from January 28, 2011 to February 26, 2011. It was also made available via the District's website. The 30-day review period provides an opportunity for responsible agencies that may have discretionary approval authority over the project and trustee agencies having



jurisdiction over natural resources to provide comments. As such, comments received by the District are available in Appendix E of this document.

## **1.4 Document Organization and Contents**

The Mitigated Negative Declaration is organized as follows:

**Section I. Introduction** presents an introduction to the entire report. This section identifies contact persons involved in the process, scope of environmental review and environmental procedures.

**Section II. Project Description** describes the proposed project and project design features.

**Section III. Environmental Evaluation** contains the environmental checklist and Initial Study form. The checklist form presents results of the environmental evaluation for the proposed project and those issue areas that would either have a potentially significant impact, a less than significant impact, or no impact.

**Section IV. Mitigation Monitoring Plan**

**Section V. Persons and Documents Consulted**

**Section VI. List of Preparers**

**SECTION TWO**  
**PROJECT DESCRIPTION**

## **SECTION TWO – PROJECT DESCRIPTION**

### **2.1 Project Location and Background**

The proposed Project is located at 33374 Lerdo Highway, approximately 0.8 miles east of Highway 99 and north of the City of Bakersfield (Figure 2-1) in Kern County, California, which is in the San Joaquin Valley Air Basin (SJVAB). The Project is located in Section 11, Township 28 South, Range 26 East, Mount Diablo Base and Meridian (MDB&M), within the Famoso U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle. The current General Plan designation is Extensive Agriculture (minimum 80 acres) and the site is zoned A (80) Agriculture. Adjacent land uses include vineyards to the north, south and east boundaries. To the west of the Project site is an existing fruit packing facility (Figures 2-2 and 2-3). At present, the site has been graded. Replacement of the agriculturally productive vineyard on the site with the proposed fruit processing and shipping operation is considered by the County as a continuation of agricultural use of the site, and therefore is an allowed activity under Kern County.

According to the Kern County General Plan and Zoning Ordinance, the existing and proposed facilities are considered agricultural use, as the business processes, stores, and ships locally grown fruit and juice products.

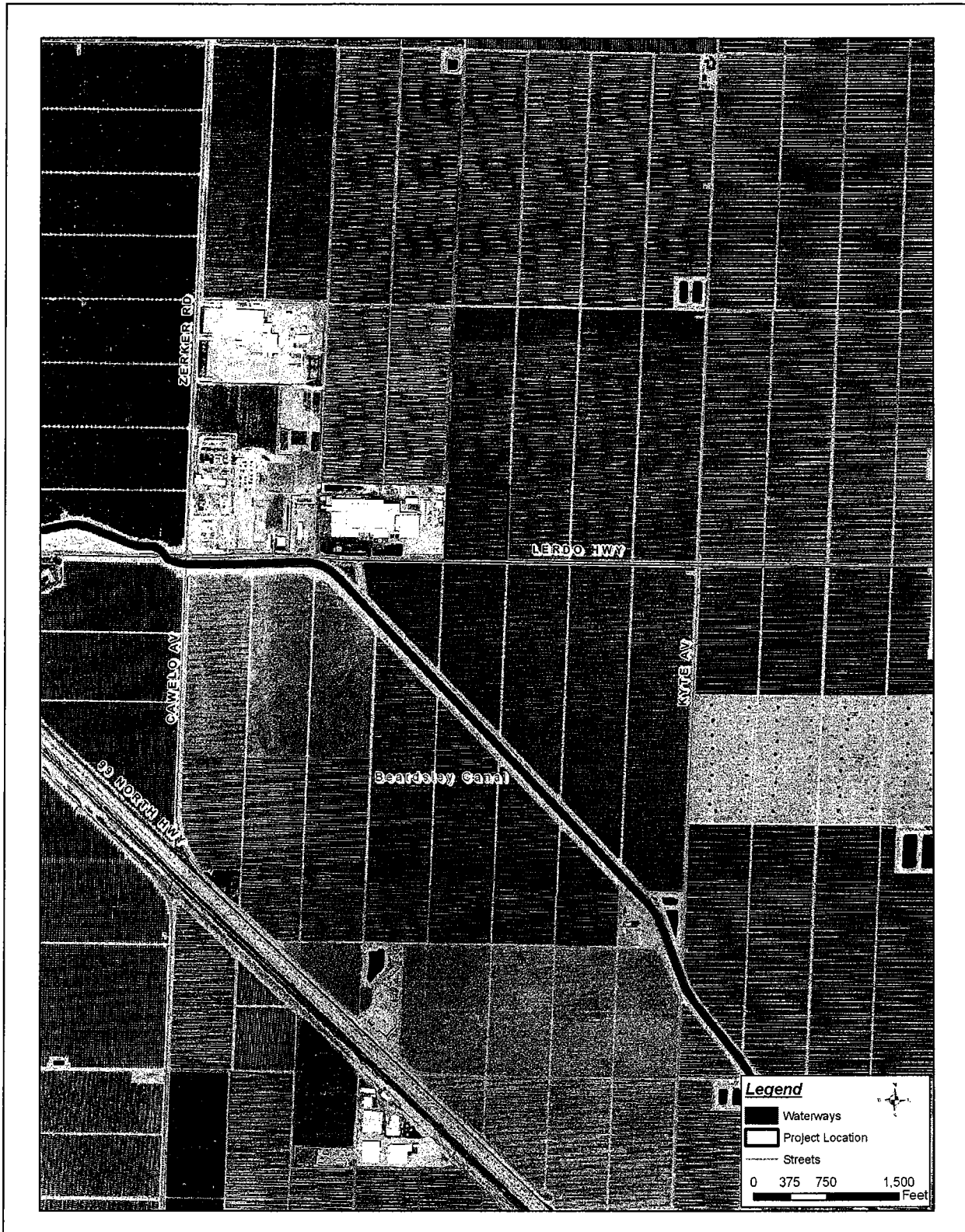
### **2.2 Project Description**

Sun Pacific grows table grapes and oranges, which are processed and shipped at the existing site. The company plans to expand in order to provide an additional facility to process the fruits into juices. In order to expand the facility, table grapes, irrigation equipment, and vineyard equipment were removed from the company owned, 6.8 acre site to the east of the existing facility, and this site has been graded for construction.

Sun Pacific intends to construct a 40,000 square foot processing and packaging facility, and a 5,700 square foot maintenance/mechanical and 2,600 office space structure on the adjacent 6.8 acre site. The warehouse-type structure, which will house the processing and packaging facility, will be constructed of cement, tilt up walls with metal framing for the roof structure. The smaller, maintenance/mechanical and office structure will be an engineered, prefabricated metal building. The total square footage of the expanded facilities will be 48,300. The site will also include an on-site retention basin, paved parking for 88 vehicles, concrete paving, and a large gravel pad (Figure 2-3).

The new facility will include a 300 HP steam boiler, which is required for the new juice process. It is anticipated that the new steam boiler will operate on a full time basis (24 hours a day). Construction will include equipment to meet Best Performance Standards (BPS) for water and air quality. The equipment is described as a 300 HP Hurst 4-pass boiler, equipped with a non-FGR, Power Flame NVC9-G-30 (12.6 MMBTU/Hr) Ultra Low NOx Burner. This burner will produce 7 ppm/NOx emissions and sub 50 ppm CO emissions (corrected to 3 percent O<sub>2</sub>), which is below emission limits established pursuant to State air quality Rule 4320. The standard boiler





 Quad Knopf	<h2>PROJECT AREA</h2>	<b>Figure</b> <b>2 - 2</b>
---	-----------------------	-------------------------------



package will satisfy an 84 percent minimum efficiency standard. It is Sun Pacific's plan to equip the Hurst Boiler Package with first stage and second stage Stack Economizer to satisfy the BPS requirements. All motors associated with the Boiler/Burner/Feedwater System will be equipped with NEMA Rated, Premium Efficiency motors and variable speed drives. As required by the State Air Resources Board (CARB) Rules 4305 and 4306, NOx, CO, and O2 concentrations will be monitored.

The Project will add approximately 32 new employees to the operation (over 3 shifts). The Project will also result in an average of 25 additional round trip truck trips per day. However, the Project will also result in fewer overall miles traveled, as the proposed facility will serve the existing adjacent facility which currently ships fruit to other Valley juice processors. The proposed facility will also receive fruit from packing houses in closer proximity than other Valley juice processors, thereby reducing total miles traveled.

The construction and operation of the new facility is on land zoned for agricultural use. The new facility will be located approximately 1,800 feet from the nearest residence and approximately 1,200 from the nearest business. The Friant-Kern Canal is located to the south of the Project site, as well as the Lerdo Highway and several rows of agricultural fields. No other resources are known to exist within or adjacent to the Project area that would be impacted by the proposed Project.

The project will produce approximately 104 acre/ft. per year of process water. The process water is delivered to a mixing pond where it is mixed with wash water from the existing packing plant and storm water. The pond has a mixing pump which aerates the pond. The resulting discharge from the mixing pond is pumped to two irrigation ponds with a storage volume totaling 12 acre/ft. where it is mixed with canal and/or well water. The water is used to irrigate approximately 600 acres of table grapes. The total volume of process water from both facilities is approximately 8.9% of the total irrigation demand for the 600 acres.

The applicant is currently preparing an anti-degradation analysis for the proposed project. Once in operation, if it is required that further technology is necessary to reduce waste concentrations to acceptable levels in accord with RWQCB requirements, such technology will be evaluated and implemented. Actual levels cannot be determined until the plant is operational, however, it is expected that the BOD range will be between 2,000 – 5,000 mg/L.

**SECTION THREE**  
**EVALUATION OF ENVIRONMENTAL IMPACTS**



## SECTION THREE – EVALUATION OF ENVIRONMENTAL IMPACTS

### *Environmental Checklist and Discussion*

1. **Project title:** Sun Pacific/Califia Farms Juice Processing Facility and Steam Boiler
2. **Lead agency name and address:**  
San Joaquin Valley Air Pollution Control District  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244
3. **Contact person and phone number:**  
  
**Mark Montelongo**  
(559) 230-6000
4. **Project location:** 33374 Lerdo Highway, Bakersfield, CA 93308
5. **Project sponsor's name and address:**  
Sun Pacific / Califia Farms  
33374 Lerdo Hwy  
Bakersfield, CA 93308
6. **General plan designation:** Extensive Agriculture (Min. 80 acres)
7. **Zoning:** A (80) Agricultural – minimum 80 acres
8. **Description of project:** Sun Pacific intends to construct a 40,000 square foot processing and packaging facility, and a 5,700 square foot maintenance/mechanical and 2,600 office space structure on a 6.8 acre site. The warehouse-type structure, which will house the processing and packaging facility, will be constructed of cement, tilt up walls with metal framing for the roof structure. The smaller, maintenance/mechanical and office structure will be an engineered, prefabricated metal building. The total square footage of the facility will be 48,300. The site will also include an on-site retention basin with a holding capacity of 1.49 acre-feet with a drainage swale and chain link fencing for safety. The site will also include paved parking for 88 vehicles, concrete paving, and a large gravel pad used for loading and unloading produce, a fruit dumping ramp and a tanker dump/loading ramp.

The new facility will include a 300 HP steam boiler, which is required for the new juice process. It is anticipated that the new steam boiler will operate on a full time basis (24 hours a day) equipped with Best Performance Standards (BPS) for reducing greenhouse gases and Best Available Control Technology (BACT) for air quality. The operation will also include equipment to meet Best Performance Standards (BPS) for water, including maintenance of boiler temperatures, a Boiler Feedwater Pre-Heater, a Boiler Stack Economizer System, Premium Efficiency Motors and Variable Speed Drives. The Project

will add approximately 32 new employees to the operation (over 3 shifts). The Project will also result in an average of 25 additional round trip truck trips per day.

The project will produce approximately 104 acre/ft. per year of process water. The process water is delivered to a mixing pond where it is mixed with wash water from the existing packing plant and storm water. The pond has a mixing pump which aerates the pond. The resulting discharge from the mixing pond is pumped to two irrigation ponds with a storage volume totaling 12 acre/ft. where it is mixed with canal and/or well water. The water is used to irrigate approximately 600 acres of table grapes. The total volume of process water from both facilities is approximately 8.9% of the total irrigation demand for the 600 acres.

The applicant is currently preparing an anti-degradation analysis for the proposed project. Once in operation, if it is required that further technology is necessary to reduce waste concentrations to acceptable levels in accord with RWQCB requirements, such technology will be evaluated and implemented.

The table below provides flow characteristics. It should be noted that the table presented below is a worst case projected scenario and is based on evaluation of four similar existing juice plants. Actual levels cannot be determined until the plant is operational, however, it is expected that the BOD range will be between 2,000 – 5,000 mg/L.

**Table 3.1  
Estimated Process Water Flow Rates**

TABLE 2		New Juice Building						data from chemical supplier								
Month	d/month	flow	flow	pH	EC	TN	BOD	Na	Cl	SO4	Ca	Mg	NO3	P	K	
		(gpd)	Ac-ft/month	(mg/L)	umhos/cm	(mg/L)	(mg/L)	(mg/L)	(mg/L)	(mg/L)	(mg/L)	(mg/L)	(mg/L)	(mg/L)	(mg/L)	(mg/L)
Jan	24	135,000	9.94	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Feb	23	135,000	9.53	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Mar	26	135,000	10.77	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Apr	25	135,000	10.36	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
May	26	135,000	10.77	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Jun	25	65,000	4.99	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Jul	26	65,000	5.19	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Aug	26	65,000	5.19	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Sep	25	65,000	4.99	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Oct	26	70,000	5.59	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Nov	24	125,000	9.21	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Dec	24	130,000	9.58	5.50	1,278	30	5,000	154	7	0.65	44	10	30	13.00	18.8	
Average	25	105,000	8.01	5.50	1,278	30	5,000	154	7	1	44	10	30	13.00	18.8	
Annual	300	31,310,000	96.09													
Max	26	135,000	10.77	5.50	1,278	30	5,000	154	7	1	44	10	30	13.00	18.8	
Min	23	65,000	4.99	5.50	1,278	30	5,000	154	7	1	44	10	30	13.00	18.8	

9. **Surrounding land uses and setting:** The proposed Project is located at 33374 Lerdo Highway, approximately 0.8 miles east of Highway 99 and north of the City of Bakersfield (Figure 2-1) in Kern County, California. The Project is located in Section 11, Township 28 South, Range 26 East, Mount Diablo Base and Meridian (MDB&M), within the Famoso U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle. The current General Plan designation is Extensive Agriculture (minimum 80 acres) and the site is zoned A (80) Agriculture. Adjacent land uses include vineyards to the north, south

and east boundaries. To the west of the Project site is an existing fruit packing facility (Figures 2-2 and 2-3).

10. **Other public agencies whose approval or consultation is required** (e.g., permits, financing approval, participation agreements):

- **Kern County:** Grading and building permits.
- **California Regional Water Quality Control Board:** The applicant is currently seeking a waste discharge permit.
- **California Department of Transportation:** Not applicable.
- **California Department of Fish & Game:** Not applicable.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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.

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

**DETERMINATION:**

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 has been prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

MAR 10 2011



Signature:

\_\_\_\_\_  
Date

David Warner, Director of Permit Services

**Environmental Checklist and Discussion**

3.1 AESTHETICS	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Response:**

**Scenic Resources and Visual Character (a, b, c):** The proposed project is located in southern Central Valley, in a broad, flat, agriculturally productive area. The project is surrounded by vineyards to the north, south, and east of the site, with Lerdo Highway to the immediate south. Sun Pacific’s existing processing and shipping facility is located to the immediate west. The proposed construction and operation of the 48,300 square foot structure is similar in character to the existing adjacent facility and is typical of fruit processing facilities in agricultural landscapes.

**Conclusion:** The Project area includes agriculturally productive lands, an adjacent processing and shipping facility, and parking for employees, trucks, and visitors. No scenic resources occur on the site. The project is consistent with the visual character of surrounding land uses. Thus, the construction and operation of the proposed facility will not adversely affect a scenic vista or other visual resource. Impacts to visual resources will be *less than significant*.

**Light and Glare (d):** The facility will be in operation 24 hours a day and therefore will require nighttime outdoor lighting (security lighting, parking lot lighting, etc.). Outdoor lighting is present at the adjacent, existing facility, and similar lighting will be installed outside the proposed facility. The nearest residence is located approximately 1,800 feet from the facility and no significant impacts are anticipated as a result of the Project. Lighting plans shall be designed in accord with the Kern County General Plan to ensure that exterior lighting is hooded and directed on site to prevent glare affecting surrounding properties and roadways.

**Conclusion:** Given the existing lighted conditions and the rural nature of the location, impacts resulting from light and glare are considered *Less Than Significant*.

**Mitigation Measures:** None are required.

### 3.2 AGRICULTURE AND FOREST 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
---	--	---	----------------------

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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?                                | <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 12229(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by GC 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"/> |

**Response:**

**Farmland Conversion and Zoning Conflicts (a, b, e):** The project site is designated by the Kern County General Plan as Extensive Agriculture and is zoned Agriculture. The project site and surrounding lands are considered Prime Farmland by the State Natural Resources Agency (Figure 3.2-1). Replacement of the agriculturally productive vineyard on the site with the proposed fruit processing and shipping operation is considered by the County as a continuation of agricultural use of the site, and therefore, the proposed project does not convert farmland to a non-agricultural use. The proposed use does not conflict with the agricultural zoning designation. The project site is currently under an active Williamson Act contract, however, as stated above, the use of the site as a fruit processing facility is considered a continuation of agricultural use of the site.

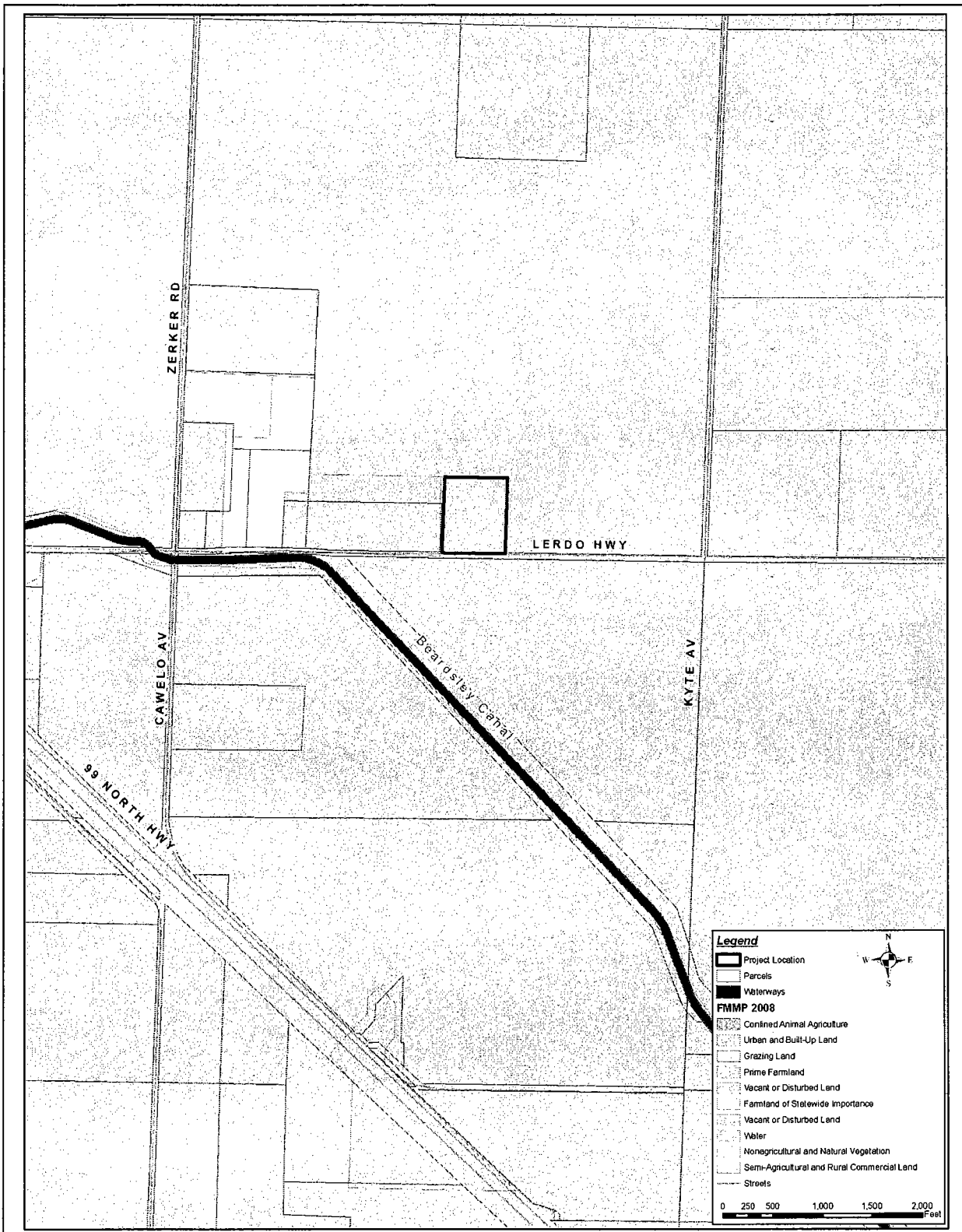
**Conclusion:** The proposed continuation of agricultural use will have *no impact* to farmland conversion and zoning on the site.

**Mitigation Measures:** None are required.

**Forest Land Conversion or Loss (c, d, e):** No forest lands exist on the proposed project site. No rezoning of or conversion of forestland, as defined under Public Resource Code or General Code, as referenced above, will occur as a result of the project.

**Conclusion:** *No impacts* will occur to forest resources.





AGRICULTURAL VICINITY MAP

Figure 3.2 - 1

**3.3 AIR QUALITY**

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
--	---	--	---	----------------------

Where available, the significance criteria established by the applicable air quality management of 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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations or hazardous emissions?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Response:**

The District is tasked with implementing programs and regulations required by the Federal Clean Air Act and the California Clean Air Act. In that capacity, the District has prepared plans to attain federal and state ambient air quality standards. The District has established thresholds of significance for criteria pollutant emissions, which are based on federal offset requirements for stationary sources. The District Thresholds of Significance for determining whether project emissions would have a significant adverse impact on air quality are: 10-ton per year reactive organic gases (ROG), which includes emissions of volatile organic compounds (VOC); 10-ton per year oxides of nitrogen (NOx), and 15-ton per year particulate matter smaller than 10 micrometers (PM10).

Stationary sources in the District are subject to some of the toughest regulatory requirements in the nation. Emission reductions achieved through implementation of federal offset requirements are a major component of the District's air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to "Not conflict or obstruct implementation of the District's air quality plans."

Sun Pacific intends to construct and operate a 48,300 square foot juice processing and packaging facility. The new facility will include a 300 HP steam boiler, which is required for the new juice process. Construction and mobile source operational air quality impacts were calculated using URBEMIS 2007 v.9.2.4. The URBEMIS results and projected employee and truck trip assumptions/calculations are included in Appendix A. The District has performed an Engineering Evaluation (EE), incorporated herein by reference, which evaluates operational emissions from the permitted steam boiler.

#### Construction Impacts:

Construction related emissions occur during site preparation and construction of the proposed facility. Construction activities are short-term, thus construction emission impacts are evaluated separate from operational emission impacts, which result from long-term activities. If the sum of all construction emissions is below the District's thresholds of significance, construction emission impacts are less than significant.

The project will encompass approximately 6.8 acres and construction is expected to occur for approximately 7 months (October 2010 through April 2011). The types of equipment and operating hours were estimated for the construction activities utilizing the construction fleet defaults in the URBEMIS program. Both fugitive dust and construction exhaust impacts were considered. As shown in Table 3.3-1, construction impacts would be less than significant.

#### Operational Impacts:

Operational impacts on air quality result from mobile and stationary source emissions. Mobile sources consist of light-duty employee vehicles and heavy-duty delivery vehicles. Project specific stationary sources consist of a new steam boiler. If the sum of mobile and stationary source emissions is below the District's significance thresholds, operational impacts are less than significant.

*Employees:* The new facility will be operating 24 hours per day and is estimated to employ 32 full time workers over 3 shifts. It is anticipated that the employees will be commuting from Shafter, Bakersfield, or another nearby community.

*Truck Trips:* It is anticipated that the new facility will generate an average of 25 round trip truck trips per day, and for estimating purposes, the facility intends to be operating an average of 360 days per year. Truck trips will vary depending on the season (between 10 and 40 trips per day). Truck loads will consist of inbound fruit/ingredients, outbound commodity/packaged good shipments and outbound byproduct used for cattle feed. It should be noted that it is anticipated that the Project will also result in fewer overall miles traveled, as the proposed facility will serve the existing adjacent facility which currently ships fruit to other areas for processing. The

proposed facility will also receive fruit from packing houses in closer proximity than other processing facilities, thereby reducing total miles traveled. However, for the purpose of air emission calculations, this anticipated reduction in miles was not calculated in URBEMIS.

*Steam Boiler:* The equipment is described as a 300 HP Hurst 4-pass boiler, equipped with a non-FGR, Power Flame NVC9-G-30 (12.6 MMBTU/Hr) Ultra Low NOx Burner. This burner will produce 7 ppm/NOx emissions and sub 50 ppm CO emissions (corrected to 3 percent O<sub>2</sub>), which exceeds State air quality Rule 4320. It is anticipated that the new steam boiler will operate on a full time basis (24 hours a day). The standard boiler package will satisfy an 84 percent minimum efficiency standard. It is Sun Pacific's plan to equip the Hurst Boiler Package with first stage and second stage Stack Economizer to satisfy the District's BPS requirements. All motors associated with the Boiler/Burner/Feedwater System will be equipped with National Electric Manufacturer's Association (NEMA) Rated, Premium Efficiency motors and variable speed control. As required by the State Air Resources Board (CARB) Rules 4305 and 4306, NOx, CO, and O<sub>2</sub> concentrations will be monitored.

The District has discretionary approval power for installation and operation of the boiler via its Permits Rule (Rule 2010) and New Source Review Rule (Rule 2201). Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. Rule 2201 requires that operators of new and modified stationary sources to reduce emissions by using best available control technology (BACT). If after applying BACT, the project's criteria pollutant emissions still equal or exceed two lb/day, the applicant is required to offset the project's emissions to below the significance threshold using Emission Reduction Credits (ERCs).

The District has imposed permit conditions requiring the applicant to meet BACT. Furthermore, the boiler will be equipped with Best Performance Standards (BPS) to address potential increases in GHG emissions. The EE demonstrates that after implementing BACT, boiler criteria pollutant emissions will not equal or exceed two lb/day, thus ERCs are not required.

**Table 3.3-1  
Estimated Construction and Stationary Source Project Emissions**

<b>Project Emissions</b>	<b>ROG (tons/year)</b>	<b>NOx (tons/year)</b>	<b>PM10 (tons/year)</b>
Construction Year 2010	0.14	0.78	0.32
Construction Year 2011	0.68	0.84	0.06
Area and Operational	0.31	4.00	0.22
Stationary Sources	N/A.	0.40	0.38
Significance Threshold	10.00	10.00	15.00
<i>Exceed Threshold?</i>	No	No	No

**Conflict with or obstruct implementation of any applicable air quality plan? (a):** As summarized in Table 3.3-1, the criteria pollutant emissions associated with the Project construction and operation are below the District's Thresholds of Significance. The proposed project will have a less than significant impact on air quality and thus, does not conflict with the implementation strategy of the San Joaquin Valley Regional Air Quality Management Plans (2008 PM2.5 Plan; 2007 8-Hour Ozone Plan; 2007 PM10 Maintenance Plan; 2006 PM10 SIP; 2004 1-Hour Ozone SIP; and 2003 PM10 SIP), as well as the ARB Carbon Monoxide Plans.

**Conclusion:** There will be *less than significant* impacts.

**Mitigation Measures:** None are required.

**Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (b):** Determination of whether project emissions would violate any ambient air quality standard is largely a function of air quality dispersion modeling. If project emissions would not exceed state and federal ambient air quality standards at the project's property boundaries, the project would be considered to not violate any air quality standard or contribute substantially to an existing or projected air quality violate.

The District conducted a Health Risk Assessment (HRA) and an Ambient Air Quality Analysis (AAQA) for project. Modeling was conducted for the following three scenarios: 1) Support of District Authority to Construct (ATC) [stationary source only], 2) New Juice Facility [all sources], 3) Sun Pacific [increase in truck traffic]. The District modeled the three scenarios using EPA's AERMOD dispersion model with five years of meteorological data from the Bakersfield Meadows Field Airport from 2005-2009. When establishing modeling parameters for both the Sun Pacific and the Califia Farms juicing facilities, the District made conservative assumptions on the truck routes to ensure a worst case scenario was evaluated. An ambient air quality analysis was conducted, incorporated herein by reference, which demonstrates the operation of the new juice processing facility will not cause a significant impact or cause/contribute to an exceedance of a federal or state ambient air quality standard.

**Conclusion:** There will be *less than significant impacts*.

**Mitigation Measures:** None are required.

**Result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (c):** By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development. Future attainment of state and federal ambient air quality standards is a function of successful implementation of District's attainment plans. Consequently, the District's application of thresholds of significance for criteria pollutants is relevant to the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality. If a project's emissions would be less than the thresholds of significance for criteria pollutants the project would not be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the District is in non-attainment under applicable federal or state ambient air quality standards.

As discussed above, the project emissions are below the District's Thresholds of Significance. Therefore, project related emissions would have a less than cumulatively significant impact on air quality.

**Conclusion:** There will be *less than significant impacts*.

**Mitigation Measures:** None are required.

**Expose sensitive receptors to substantial pollutant concentrations? (d):**

Under the Clean Air Act, toxic air contaminants (TACs) are airborne pollutants that may be expected to result in an increase in mortality or serious illness or which may pose a present or potential hazard to human health. Potential health impacts from TACs include long-term health effects such as cancer, birth defects, neurological damage, or genetic damage; or short-term effects such as eye watering, respiratory irritation, throat pain, and headaches. TACs may also be referred to as hazardous air pollutants (HAPs). There are currently more than 900 substances classified as TACs by US EPA and ARB. Air Quality problems occur when sources of TACs and sensitive receptors are located in proximity to one another.

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

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

The Air Toxics “Hot Spots” Information and Assessment Act (AB 2588, 1987, Connelly) was enacted in 1987, and requires stationary sources to report the types and quantities of certain substances routinely released into the air. The goals of Air Toxics “Hot Spots” Act are to collect emission data, to identify facilities having localized impacts, to ascertain health risks, to notify nearby residents of significant risks, and to reduce those significant risks to acceptable levels. AB 2588 requires air districts to establish the prioritization score threshold at which facilities are required to prepare a health risk assessment. In establishing priorities, an air district must consider potency, toxicity, quantity, and volume of hazardous materials released from the facility, the proximity of the facility to potential receptors, and any other factors that the district determines may indicate that the facility may pose a significant risk.

In implementing its responsibilities under AB 2588, the District Governing Board adopted notification procedures, including prioritization score thresholds, for notifying the public of significant carcinogenic and non-carcinogenic health risks. The District concludes that use of the existing prioritization score thresholds to establish thresholds of significance under CEQA Guidelines section 15064.7 is an appropriate and effective means of promoting consistency in significance determinations within the environmental review process. The District Thresholds of Significance for determining whether project emissions would expose sensitive receptors to substantial pollutant concentrations are:

**Carcinogens:** Probability of contracting cancer for the Maximally Exposed Individual exceeds 10 in one million.

Non-Carcinogens: Ground Level concentrations of non-carcinogenic toxic air contaminants would result in a Hazard Index greater than 1 for the Maximally Exposed Individual.

Construction and operation of the new facility is on land zoned for agricultural use and is considered a continuation of agricultural use. The new facility will be located approximately 1,800 feet from the nearest residence and approximately 1,200 from the nearest business. The Friant-Kern Canal is located to the south of the Project site, as well as the Lerdo Highway and several rows of agricultural fields. No other resources are known to exist within or adjacent to the Project area that would be impacted by the proposed Project. A health risk assessment was conducted, incorporated herein by reference, which demonstrates that the probability of contracting cancer for the Maximally Exposed Individual does not exceed 10 in one million and that ground-level concentrations of non-carcinogenic toxic air contaminants would not result in a Hazard Index greater than 1 for the Maximally Exposed Individual.

**Conclusion:** There will be *less than significant impacts*.

**Mitigation Measures:** None are required.

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

The intensity of an odor source's operations and its proximity to sensitive receptors influences potential significance of odor emissions. The Project is located adjacent to an existing fruit packaging facility and is not anticipated to produce new odors beyond what is already experienced in the area. It is not anticipated that the project will emit objectionable odors associated with stationary source operations, as processing will occur within the warehouse facility. The new facility will be located approximately 1,800 feet from the nearest residence and approximately 1,200 from the nearest business. The Friant-Kern Canal is located to the south of the Project site, as well as the Lerdo Highway and several rows of agricultural fields. No other resources are known to exist within or adjacent to the Project area that would be impacted by the proposed Project.

**Conclusion:** There will be *less than significant impacts*.

**Mitigation Measures:** None are required.

**3.4 BIOLOGICAL RESOURCES**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>



- |    |   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>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"/> |

**Response:**

**Protected Species(a):** Quad Knopf, Inc. was retained to conduct a biological survey and to prepare a biological report. The results of the survey are contained in full in Appendix B and are summarized herein.

The project area is currently an active construction site which has been fully enclosed by chain link fencing and recently graded to bare mineral soil. The project location is void of any vegetation or habitat, and is bordered by a citrus packing house to the west, Lerdo Highway to the south and active vineyards to north and south. Although grading of the site has already occurred, replacement of the agriculturally productive vineyard on the site with the proposed fruit processing and shipping operation is considered by the County as a continuation of agricultural use of the site, and therefore is an allowed activity according to Kern County.

A search of the California Department of Fish and Game (CDFG) California Natural Diversity Database (CNDDDB 2010) was conducted to identify reported historical occurrences of special-status plant and wildlife species and sensitive habitats within the Famoso USGS 7.5-minute topographic quadrangle, as well as, eight surrounding quadrangles (Oildale, Rosedale, Rio Bravo, Wasco, Pond, McFarland, Deepwell Ranch, and North of Oildale). The results of the CNDDDB inquiry were subsequently reviewed to evaluate the potential for occurrence of special-status species within or near the proposed project area. The California Native Plant Society's (CNPS) Online Inventory of Rare and Endangered Plants (CNPS 2010) was also reviewed to provide information on rare plants anticipated to occur in the nine quadrangles.

In addition to the review of pertinent literature, a Quad Knopf environmental scientist conducted the field survey of the proposed project area and a 250-foot buffer zone on December 6, 2010. Although species-specific surveys were not conducted as part of this project, the reconnaissance-level field survey was conducted in an attempt to identify known, occupied, and potential San Joaquin kit fox dens on the site and within a 250-foot buffer zone. The field survey was also conducted to identify sign or presence of other special-status plant and wildlife species. No sign of (e.g., dens, scat, tracks, dry plant remains, small or large mammal burrows, prey remains etc.) any special-status species as observed during the field survey.

CNDDDB records indicate sensitive plant species within 5-miles of the project site, however, no plant species or its remnants were identified during the survey. Although the proposed project will occur within an area that does not contain habitat for listed sensitive species and direct impacts to listed wildlife species are not expected to occur, the San Joaquin kit fox has been

known to live in areas of heavy disturbance and human inhabitation. The project site does not contain riparian habitat or wetlands.

**Conclusion:** Although the site is void of signs of sensitive or protected plants and species, based on historical occurrences of San Joaquin kit fox and the fact that kit foxes can occupy highly disturbed and developed urbanized areas such as the project site, it is recommended that a pre-construction biological survey be conducted prior to any additional ground disturbance. The impact is *less than significant with mitigation incorporation*.

**Mitigation Measure #3.4-1:** A pre-construction biological survey shall be conducted prior to any additional ground disturbance. This survey should be completed within 30 days prior to any ground disturbing activities and in accordance with measures outlined by the USFWS in the *Standardized Recommendations for the Protection of the San Joaquin Kit Fox Prior to Ground Disturbance*. In addition to implementing these standardized recommendations, the current chain link fencing will be inspected by a qualified biologist to identify any openings that could potentially allow kit fox to enter the site unimpeded. If such openings are identified, repairs will be made or additional fencing will be installed based on recommendations made by the biologist. If San Joaquin kit fox are identified during this pre-construction survey, USFWS and CDFG will be notified for further guidance.

**Protected Riparian or Sensitive Habitat, Wetlands, and Migratory Corridors (b), (c), (d):** The project site has been impacted by recent agricultural activity. As noted above, the biological survey, and CNDDDB records indicate that the site did not contain any natural habitat or other native community, or riparian habitat or wetlands.

**Conclusion:** As no sensitive habitat, riparian habitat, or wetlands exist on the proposed site, the proposed Project will have *no impact*.

**Mitigation Measures:** None are required.

**Conflict with policies and plans (e) and (f):** There are no local plans, ordinances, Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans applicable to this project.

**Conclusion:** The proposed Project will have *no impact*.

**Mitigation Measures:** None are required.

### 3.5 CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.385?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Response:

**Disturbance of Cultural Resources (a - d):** A Cultural Resources Records Search conducted in December 2010 (see Appendix C) revealed that no archaeological or historical sites have been recorded on the Project site. Southern San Joaquin Valley Information Center, which provided the cultural resource research report, notes in their report that no known or recorded cultural resources are situated within the Project area. There are no unique geological features or paleontological resources in the Project vicinity. Although no cultural resources have been recorded in the vicinity of the project area, and it is unlikely that resources will be encountered, there is the potential for disturbance or destruction of unknown, subsurface archaeological resources or human remains resulting from the activities associated with the project. Should cultural or historical resources be encountered during ground disturbance during construction, Sun Pacific shall be required to comply with the goals, policies and implementation measures related to cultural resources identified in the Kern County General Plan.

**Conclusion:** Any archaeological or historic resources revealed in the survey will be recorded and evaluated by a qualified archaeologist. Should any unidentified skeletal remain or Native American burial grounds be found during project construction or operation, appropriate procedures will be followed to assure that Native American burial sites encountered are avoided, treated in accordance with the recommendations of the most likely descendant (for Native American remains), or relocated. The impact is *less than significant*.

**Mitigation Measures:** None are required.

**3.6 GEOLOGY/SOILS**

Would the project:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Expose people or structures to 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems when sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Response:**

**Seismic Effects (a-i through a-iii):** The proposed project is located in Kern County, which is one of the more seismically active areas of California. An unnamed fault is located approximately 5 to 10 miles east of the proposed site, and other, more major faults are located further east (approximately 25 miles) and to the south (approximately 50 miles). As with other areas of the County, the site may be subject to moderate to severe ground shaking. The area is not subject to liquefaction. Planned structures will have metal framing and metal or cement siding in compliance with the Kern County General Plan Policies and State and County building codes.

**Conclusion:** Any potential impacts of seismic activity will be reduced to a *less than significant* level by compliance with the Kern County General Plan Policies and State and County building codes.

**Mitigation Measures:** None are required.

**Soil Erosion (b):** The soils of the site will accommodate the development. Construction on the site will require the removal of vineyards on the 6.8 acre site, which will also result in the removal of top soil. Sun Pacific will comply with County and State requirements regarding storm drainage, so that no impacts from potential erosion will occur.

**Conclusion:** Any potential impacts to soil erosion will be reduced to a *less than significant* level by compliance with the Kern County General Plan Policies and State and County building codes.

**Mitigation Measures:** None are required.

**Landslides, Subsidence, Liquefaction, and Expansive Soils (a-iv, c, d):** According to the Kern County General Plan, this agricultural land, located within the broad flat San Joaquin Valley, is not in an area subject to landslides, subsidence, liquefaction, or expansive soils.

**Conclusion:** There is a *less than significant* potential for landslides, subsidence, liquefaction or expansive soils to occur on the site.

**Mitigation Measures:** None are required.

**Wastewater Disposal (e):** The Project will result in additional wastewater (up to 130,000 gallons per day during peak processing times). Sun Pacific is currently applying to amend the existing Waste Discharge Requirement (WDR) agreement that is currently held for the adjacent facility. The WDR is administered by the California Regional Water Quality Control Board (RWQCB).

Fruit processing facilities utilize chemicals in the washing process and on processing equipment. Water used to wash (drench) fruits is recycled until the end of each day. The water must then be treated before being discharged to the wastewater system. Sun Pacific intends to apply the wastewater to the adjacent vineyards (after sufficient treatment as authorized by the RWQCB).

**Conclusion:** Sun Pacific is required to discharge additional wastewater in accord with RWQCB requirements. Therefore, the impact is *less than significant* impact resulting from additional wastewater.

**Mitigation Measures:** None are required.

<b>Potentially Significant <u>Impact</u></b>	<b>Less Than Significant With Mitigation <u>Incorporation</u></b>	<b>Less Than Significant <u>Impact</u></b>	<b>No <u>Impact</u></b>
--	---	--	-----------------------------

**3.7 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"/> |

**Response:**

**Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (a):** Assembly Bill (AB) 32 was adopted establishing a cap on statewide greenhouse gas emissions and sets forth the regulatory framework to achieve the corresponding reduction in statewide emissions levels. In executing its legislative mandate under AB32, the California Air Resources Board (CARB) developed a Scoping Plan. The Scoping Plan contains the main strategies California will use to reduce greenhouse gases (GHG) from Business-as-Usual (BAU) emissions projected from 2020 levels back down to 1990 levels. Business-as-Usual is the projected emissions in 2020 from the 2002-2004 baseline year, including increases in emissions caused by growth, without any greenhouse gas reduction measures. CARB determined that a 29% reduction from BAU is necessary to achieve the 1990 GHG emissions level.

On December 17, 2009, the District adopted a policy “*District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as Lead Agency*”. The policy was developed to assist Lead Agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project specific GHG emissions on global climate change.

The approach in the policy relies on the use of Best Performance Standards (BPS) that would be applicable to projects that result in increased GHG emissions. Use of BPS is a method of streamlining the CEQA process of determining significance and is not a required emission reduction measure. Projects implementing BPS would be determined to have a less than cumulatively significant impact. Otherwise, demonstration of a 29 percent reduction in GHG emissions, from BAU, is required to determine that a project would have a less than cumulatively significant impact consistent with GHG emission reduction targets established in the Air Resources Board’s AB 32 Scoping Plan.

For this project, GHG emissions in the form of CO<sub>2</sub> will result from short-term construction activities (engine exhaust emissions) and long-term operation the project (vehicular exhaust emissions and combustion exhaust emissions from the boiler). BPS has not been established for construction equipment therefore, construction related GHG emissions were quantified. Given the uncertainty in predicting the environmental half-life of atmospheric CO<sub>2</sub>, construction related GHG emissions were amortized over an assumed 25-year life of the project and added to long-term operational GHG emissions

BPS has been established for boilers and the project proponent has proposed to implement BPS. For this project, the burner will produce 7 ppm/NO<sub>x</sub> emissions and sub 50 ppm CO emissions (corrected to 3 percent O<sub>2</sub>), which exceeds State air quality Rule 4320. The standard boiler package will satisfy an 84 percent minimum efficiency standard. Sun Pacific will equip the Hurst Boiler Package with first stage and second stage Stack Economizer. All motors associated with the Boiler/Burner/Feedwater System will be equipped with National Electric Manufacturer’s Association (NEMA) Rated, Premium Efficiency motors and variable speed control. As required by the State Air Resources Board (CARB) Rules 4305 and 4306, NO<sub>x</sub>, CO, and O<sub>2</sub> concentrations will be monitored. Therefore, it is determined that the project meets BPS and boiler operational emissions will have a less than cumulatively significant impact on global climate change.

Long term CO<sub>2</sub> emissions associated with vehicular use (including construction emissions amortized over 25 years) are currently approximately 553.62 tons/year (502.24 metric tons). As previously discussed, it is anticipated that this project will result in an overall reduction in vehicle miles traveled (VMT) as compared to the current situation. Project GHG emission reductions attributable to VMT reductions are an estimated 430.44 tons/year (390.49 metric tons) CO<sub>2</sub>e per year. As demonstrated below, the project will result in a net GHG increase of 123.18 tons/year (111.75 metric tons) CO<sub>2</sub>e.

Facility GHG Emissions	502.24 metric tonsCO <sub>2</sub> e/year
VMT GHG Emission Reductions	<u>- 390.49 metric tonsCO<sub>2</sub>e/year</u>
Net Increase in Project GHG Emissions =	111.75 metric tonsCO <sub>2</sub> e/year

Project specific greenhouse gas emissions less than or equal to 230 metric tonsCO<sub>2</sub>e/year are considered to be equivalent to zero, per District Policy (APR-2015). Therefore, it is reasonable to conclude GHG emissions for the project will have a less than cumulatively significant impact.

**Conclusion:** There will be *less than significant impacts*.

**Mitigation Measures:** None are required.

**Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (b):** The County of Kern has not adopted a greenhouse gas Climate Action Plan yet but this project will not conflict with the goals and policies of the Kern County General Plan, and local ordinances. As discussed above, the project would also not interfere with the implementation of AB32 because it would be consistent with the GHG emission reduction targets identified by CARB in their AB32 Scoping Plan.

**Conclusion:** There will be *less than significant impacts*.

**Mitigation Measures:** None are required.



**3.8 HAZARDS/HAZARDOUS MATERIALS**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 Section 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant <u>Impact</u>	Less Than Significant With Mitigation <u>Incorporation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Response:**

**Hazardous Materials (a, b):** The project will not involve the use or transport of more than small amounts of hazardous materials (such as fuel, solvents, and surfacing materials) during construction. There are no known hazardous waste sites within one mile of the project area.

**Conclusion:** With the compliance of Federal and state laws, this impact will be reduced to *less than significant*.

**Mitigation Measures:** None are required.

**Hazardous Emissions (c, d):** There are no schools, existing or proposed, within one-quarter mile of the project site. A search of the State Environmental Protection Agency Cortese Lists revealed that the project site is not included on any list of hazardous material sites and would not create a significant hazard to the public or the environment.

**Conclusion:** There are *no impacts*.

**Mitigation Measures:** None are required.

**Airport Land Use (e, f):** The project is not located within an airport land use plan. The project is not located in the vicinity of a private airstrip. Shafter-Minter Field is located approximately 2.7 miles to the northwest of the proposed project area, and to the west of Highway 99.

**Conclusion:** There are *no impacts*.

**Mitigation Measures:** None are required.

**Adopted Emergency Response Plan or Emergency Evacuation Plan and Wildfires (g, h):** The Project site is located in a rural section of the County where few businesses and residences are found. The area is primarily agricultural, with lands around the site in vineyard production. The proposed facilities will be constructed of metal and cement to lower the risk of fire, and will not expose people to a significant risk of fire. Sun Pacific is in the jurisdiction of the Kern County Fire Department, with the closest fire station located in Shafter, approximately 11 miles from the site. The site is not located in the Kern County Hazardous Fire Area, which is

comprised primarily of uncultivated, mountainous and hilly lands. The project will not interfere with or impair the County Emergency Response Plan.

**Conclusion:** Impacts would be *less than significant*.

**Mitigation Measures:** None are required.

**3.9 HYDROLOGY/WATER QUALITY**

Would the project:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**Water Quality (a):** The project may degrade the quality of groundwater. Water quality objectives are met through the adherence to requirements described in permits, such as the Regional Water Quality Control Board requirements for waste water discharge. Therefore, the project proponent is required to submit an application for Waste Discharge Requirements to the Central Valley Water Quality Control Board. If the project will degrade groundwater, then the proponent must effect best practical treatment or control, must show that the remaining degradation is consistent with the maximum benefit to the people of the State, and the degradation will not cause a condition of pollution.

**Conclusion:** Impacts will be *less than significant with mitigation incorporated*.

**Mitigation Measure #3.9-1:** Prior to ground disturbance activities, the project proponent shall submit an application for Waste Discharge Requirements to the Central Valley Water Quality Control Board. The application must include a technical report forecasting whether the project will degrade the quality of the underlying groundwater. If the project will degrade groundwater, the project proponent must adhere to best practical treatment or control to ensure the degradation will not cause a condition of pollution.

**Groundwater (b):** The proposed Project will use between 50,000 gallons/day during the slower seasons and 130,000 gallons/day during peak season operations. Sun Pacific currently extracts water from an existing, on site agricultural well. Water will continue to be extracted from the well and Sun Pacific may also obtain water from the City of Shafter.

**Conclusion:** Impacts will be *less than significant*.

**Mitigation Measures:** None are required.

**Surface Water, erosion, runoff and stormwater drainage (c, d, e):** The 6.8 acre, level site was previously under agricultural production of table grapes and the soils naturally absorbed rainfall. The proposed project includes the installation of two structures with concrete and paving on outdoor surfaces. The proposed project includes the installation of a retention pond to avoid runoff and erosion from the site. The retention pond will store 1.49 acre-feet, approximately .12 acre feet more than required.

**Conclusion:** The proposed project will alter the existing drainage pattern at the completion of the project; however, erosion, siltation, and/or increased runoff from the site will not result from the project. There is a *less than significant* impact.

**Mitigation Measures:** None are required.

**Water Quality (f):** The Project will not otherwise substantially degrade water quality. Waste water produced during the processing of fruit and similar operations, and water used for operation of the boiler will be treated in compliance with the requirements of the Regional Water Quality Control Board permits. Surface water on the site will be stored in a retention pond on-site, designed to hold 1.49 acre-feet of water, and will also be subject to the Regional Water Quality Control Board requirements.

**Conclusion:** *No impacts* will result.

**Mitigation Measures:** None are required.

**Flood Hazard (g, h, i):** According to the Flood Insurance Rate Map (2009), the Project area is not in Zone A, the 100-year flood zone (Figure 3.9-1).

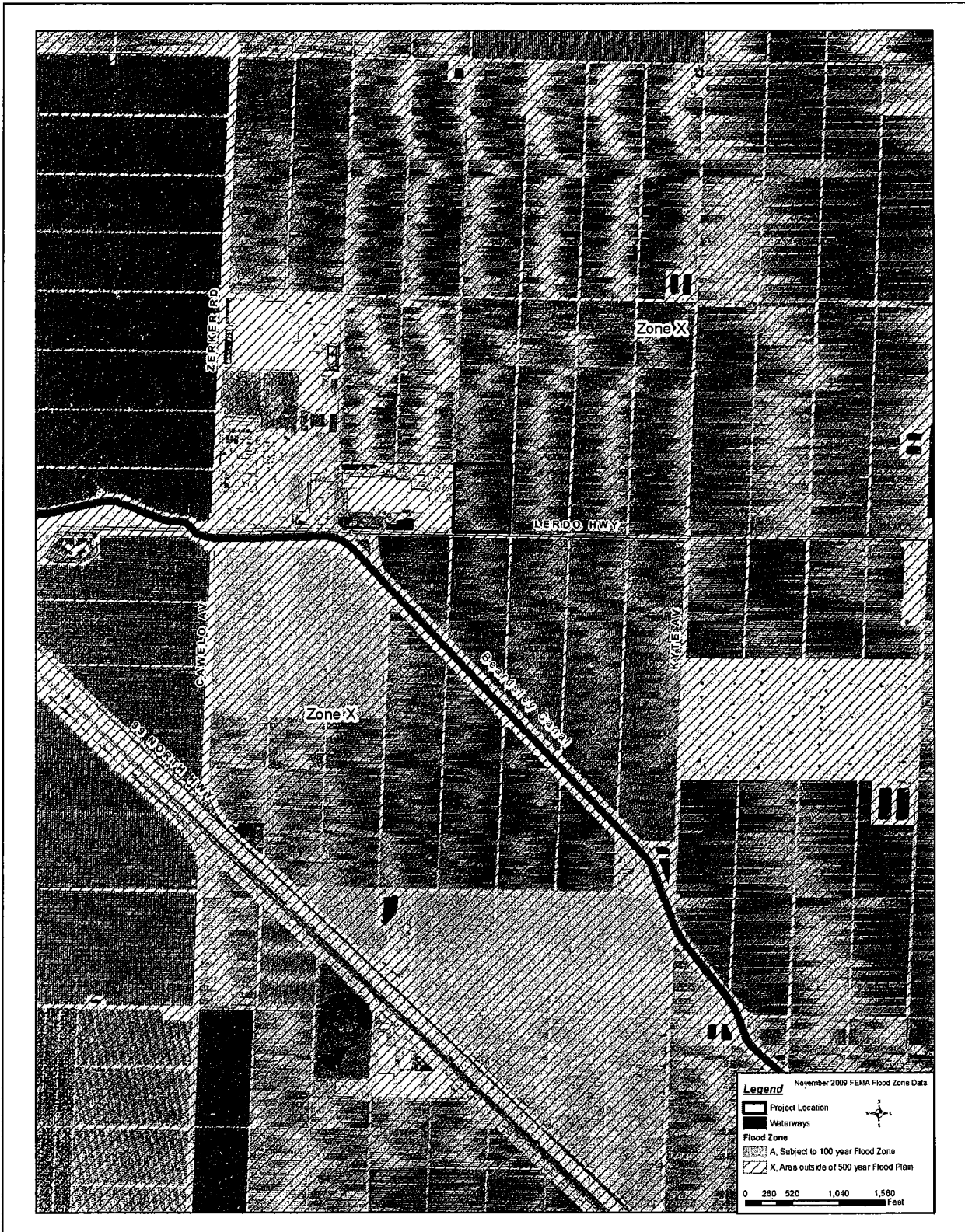
**Conclusion:** There are *no impacts*.

**Mitigation Measures:** None are required.

**Seiche/Tsunami (j):** There is no potential for seiche or tsunami due to the lack of a significant water body near the site. The likelihood for a mudflow will not be increased because of, or as a result of, construction on the Project site.

**Conclusion:** There are *no impacts*.

**Mitigation Measures:** None are required.



FEMA MAP

Figure 3.9 - 1

**3.10 LAND USE/PLANNING**

Would the project:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**Divide Established Community (a):** The Project is located in a rural area. Development at this site will not result in any surrounding land use change, including the division of a community.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.

**Conflicts with Land Use and Zoning (b):** The site is designated agriculture by the Kern County General Plan and is zoned for agricultural use. The project does not involve any change to, or conflict with, applicable land use plans, policies, or regulations. The proposed facility is considered an agriculture use by Kern County.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.

**Conservation Plan (c):** There are no habitat conservation plans applicable to the proposed project.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.



**3.11 MINERAL RESOURCES**

Would the project:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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?	<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"/>

**Response:**

**Mineral Resources (a, b):** The most important minerals in the County, for economic purposes, include petroleum and related products, borax, cement products, sand and gravel, and other construction and gem-like minerals. No mining occurs in the project area or in the nearby vicinity. The project will not result in a loss of mineral resources.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.

**3.12 NOISE**

Would the project result in:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Response:**

**Permanent and Temporary Ambient Noise Levels (a, b, c, d):** Construction will create short-term noise above those deemed by the County as acceptable in noise-sensitive areas. Because the project area is not in a noise-sensitive area, County restrictions to noise levels above 65 dBA L<sub>dn</sub> in residential areas do not apply. Attenuation (decrease) in noise levels is estimated to be approximately 20 dBA inside a building, so that employees in the adjacent facility will not

typically experience noise levels in excess of 45 dBA when inside. Excessive generation of groundborne vibration or groundborne noise will not occur during construction.

Typical construction equipment would include tractors, forklifts, and miscellaneous equipment (e.g., pneumatic tools, generators, and portable air compressors). Noise levels generated by this type of construction equipment at various distances from the noise source are shown in Table 3.12-1.

**Table 3.12-1  
Estimated Construction Noise Levels**

<b>Construction Equipment</b>	<b>Typical Noise Level dBA (Distance from source)</b>		
	<b>50 feet</b>	<b>100 feet</b>	<b>1.0 mile</b>
Pneumatic tools	85	79	45
Truck (e.g., dump, water)	88	82	48
Concrete mixer (truck)	85	79	45
Scraper	88	82	48
Bulldozer	87	81	47
Backhoe	85	79	45
Portable air compressor	81	75	41

Cal/OSHA is the State body, under the Department of Industrial Relations, that is responsible for establishing and maintaining safety and health standards for all places of employment in the state. Cal/OSHA has established exposure limits for noise levels (using dBA), listed in Table 3.12-2. Both noise and vibration levels generated during operations within the facility are similar to other fruit processing and shipping operations, and will not exceed levels specified by Cal/OSHA. More specifically, the boiler manufacturer (Hurst) states that the boiler equipment to be installed will not produce objectionable vibrations or noise. Permissible noise levels, according to the General Industry Safety Orders, Subchapter 7, Group 15, Article 105, Section 5096, as utilized by Cal/OSHA, are described in Table 3.12-2.

**Table 3.12-2  
Permissible Noise Exposure**

<b>Sound Level (dBA)</b>	<b>Permitted Duration in Hours Per Workday</b>	<b>Sound Level (dBA)</b>	<b>Permitted Duration in Hours Per Workday</b>
90	8.0	91	6.96
92	6.06	93	5.28
94	4.60	95	4.0
96	3.48	97	3.03
98	2.63	99	2.30
100	2.0		
105	1.0		
110	.50		
115	.25		

**Conclusion:** Construction activities will be temporary in nature and will occur only during daytime hours. Operations noise will remain at levels no higher than those required by Cal/OSHA. Temporary and permanent noise impacts will be *less than significant* with the restriction to daytime construction activities.

**Mitigation Measure:** None are required.

**Airport Noise (e, f):** The project site is not located near a public or private airport.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.

**3.13 POPULATION AND HOUSING**

<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
---	--	---	----------------------

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Response:**

**Population Growth and Displacement (a, b, c):** Construction and operation of the proposed facilities will not induce a substantial population growth, as the increase in approximately 32 employees is expected to be filled by persons already living in Shafter, Bakersfield, and other surrounding communities. The project will not displace existing housing or people.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.

**3.14 PUBLIC SERVICES**

	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
--	---	--	---	----------------------

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 impact, in order to maintain acceptable service ratios for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

**Response:** Kern County recently completed a Public Facilities Impact Fee Study. A draft of the study was released in May 2009. The study summarizes an analysis of the need for public facilities and capital improvements to support future development in the County through 2030. It is the County's intent that a public facilities fee be imposed on all new development. The public facilities and improvements to be included are sheriff's department, fire facilities, library facilities, animal control facilities, park facilities, waste management facilities, public health facilities, and general government facilities. Some fees differ by need in the County, and therefore three fee zones were established. The proposed project is located in the Valley Zone. Some fees are not applicable to non-residential projects, including library, animal control, community parks, and regional parks fees. Sun Pacific will be responsible for non-residential, industrial fees for all other applicable fees to ensure that the project will not result in adverse impacts to service levels.

**Fire Protection Services (a):** Fire suppression support is provided by the Kern County Fire Department in this unincorporated area of the County. Sun Pacific will be responsible for applicable fees to ensure that the project will not result in adverse impacts to service levels.

**Conclusion:** There will be a *less than significant* impact.

**Mitigation Measures:** None are required.

**Police Protection (a):** Law enforcement and protection services are provided by the Kern County Fire Department in this unincorporated area of the County. Sun Pacific will be responsible for applicable fees to ensure that the project will not result in adverse impacts to service levels.

**Conclusion:** There will be a *less than significant* impact.

**Mitigation Measures:** None are required.

**School Facilities (a):** Primary educational services are provided by the Richland School District, located in Shafter, California. The closest school to the proposed Project site is Shafter High School, a distance of 6.9 miles from the site. The project will not adversely impact or require additional school facilities.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.

**Park Facilities (a):** The proposed project does not include the construction of residential uses that would require new parks. Existing park facilities will not be impacted by this project.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.

**Other Public Facilities (a):** The proposed project does not include any other impacts to public facilities.

**Conclusion:** There is *no impact*.

**Mitigation Measures:** None are required.

**3.15 RECREATION**

<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
---	--	---	----------------------

Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <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"/> |

**Response:**

**Recreational Facilities (a, b):** The project will not increase the use or construction of existing parks or require construction of recreational facilities.

**Conclusion:** The proposed project does not include the construction of residential uses which would require new parks. Existing park facilities will not be impacted by this project. There is *no impact*.

**Mitigation Measures:** None are required.



**3.16 TRANSPORTATION/TRAFFIC**

Would the project:

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

**Response:**

**Conflict with plans or programs (a, b):** The new facility will be operating 24 hours per day and is estimated to employ 32 full time workers over 3 shifts. It is anticipated that the employees will be commuting from Shafter, Bakersfield, or another nearby community. The facility will also generate an average of 25 round trip truck trips per day, and for estimating purposes, the facility intends to be operating an average of 360 days per year. Truck trips will vary depending on the season (between 10 and 40 trips per day). Truck loads will consist of inbound fruit/ingredients, outbound commodity/package good shipments and outbound byproduct used for cattle feed.

The proposed Project will not conflict with the County's General Plan Elements, or any applicable ordinance or policy regarding the circulation system. The Project will not require construction of new streets or otherwise effect mass transit or bicycle paths. The County's General Plan recognizes several circulation issues along the Lerdo Highway, but all occur to the west of Highway 99 and not in or around the project area. This area of the County does, however, experience both slow moving agriculture-related traffic and faster, large truck transit and personal vehicle transportation. No congestion management plan exists for this rural section of the County.

**Conclusion:** *Less than significant impact.*

**Mitigation Measures:** None are required.

**Air Traffic Patterns (c):** The nearest airport is the Shafter Minter Field located approximately 6.25 air miles northwest of the proposed site. The project site is not located in close proximity to an airport; therefore, the proposed project will not change or effect any air traffic patterns or airport land use plan.

**Conclusion:** There are *no impacts*.

**Mitigation Measures:** None are required.

**Hazards, Emergency Access and Parking (d, e):** Short-term parking during the construction phase is available on site. Parking for trucks hauling fruit to the facilities and for those departing with shipments will also be available. No hazards will be created at point of entry or egress from the facility or from incompatible uses.

**Conclusion:** *Less than significant impact.*

**Mitigation Measures:** None are required.

**Alternative Transportation (f):** The project is not in conflict with alternative transportation policies, adopted plans, or programs related to pedestrian facilities or transportation.

**Conclusion:** There will be *no impact* on existing transit systems.

**Mitigation Measures:** **None are required.**

**3.17 UTILITIES/SERVICE SYSTEMS**

Would the project:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Response:**

**Wastewater Disposal (a), (b), (e):** The Project will result in additional wastewater (up to 130,000 gallons per day during peak processing times). Sun Pacific is currently applying to

amend the existing Waste Discharge Requirement (WDR) agreement that is currently held for the adjacent facility. The WDR is administered by the California Regional Water Quality Control Board (RWQCB).

Fruit processing facilities utilize chemicals in the washing process and on processing equipment. Water used to wash (drench) fruits is recycled until the end of each day. The water must then be treated before being discharged to the wastewater system. Sun Pacific intends to apply the wastewater to the adjacent vineyards (after sufficient treatment as authorized by the RWQCB).

**Conclusion:** Sun Pacific is required to discharge additional wastewater in accord with RWQCB requirements. Therefore, the impact is *less than significant*.

**Mitigation Measures:** None are required.

**Storm Water (c):** The proposed project will require installation and operation of a new retention basin. The basin designed for the site exceeds the required acreage by 0.12 acres. The drainage basin will prevent on-site drainage from flowing off-site, and will not have significant environmental effects on the site.

**Conclusion:** The Project's stormwater impact is *less than significant*.

**Mitigation Measures:** None are required.

**Water Service (d):** The proposed Project will use between 50,000 gallons/day during the slower seasons and 130,000 gallons/day during peak season operations. Sun Pacific currently extracts water from an existing, on site agricultural well. Water will continue to be extracted from the well and Sun Pacific may also obtain water from the City of Shafter.

**Conclusion:** The Project will have *a less than significant impact* on the County's ability to serve existing water users.

**Mitigation Measures:** None are required.

**Solid Waste (f, g):** The project will include construction of the facility and operation of the fruit processing equipment. Construction activities are expected to generate debris typical of this activity. Solid waste materials will be transported to the permitted landfill in Kern County. In compliance with state, federal, and local regulations, materials will be recycled or composed to the extent possible. Facilities operations will produce solid waste in the form of culled fruit that may be removed due to bruising or other defect. Culled fruit is sold to various buyers as an off-grade product. Other semi-solid wastes will also be generated in the drenching process. These wastes will be screened and segregated and will not pass into the waste water stream. The screenings will be hauled to a landfill for disposal. The Shafter-Wasco landfill is approximately 20 miles from the project site. As of mid 2010, the facility was filled to 32.1 percent capacity. The project will comply with state, federal, and local regulations regarding disposal of solid waste.

**Conclusion:** The proposed project would not generate the need for new solid waste facilities and the impacts would be *less than significant*.

**Mitigation Measures:** None are required.

**3.18 MANDATORY FINDINGS OF SIGNIFICANCE**

Would the project:

	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
a) 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 an endangered, rare, or threatened species; 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) Have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Include environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Response:**

(a) The proposed project has the potential to impact certain sensitive species during the construction phase. The potential for significant impact can be reduced to a less than significant level by implementing measures as outlined under Sections 3.4, so that no long-term effects to any species will occur.

**(b)** The Project is consistent with the goals and policies of the Kern County General Plan and will not achieve short term environmental goals to the disadvantage of long term goals.

**(c)** CEQA Guidelines Section 15064(i) 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. Due to the nature and location of the project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The proposed project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., an increase in population that could lead to an increased need for housing, increase in traffic, air pollutants, etc).

**(d)** The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated in the project design to reduce all potentially significant impacts to less than significant.

# Appendix A

## URBEMIS Files (Construction Emissions, Truck/Employee Emissions)

Available at: [http://www.valleyair.org/notices/Docs/2011/1-27-11/Appendix A UrbemisFiles.pdf](http://www.valleyair.org/notices/Docs/2011/1-27-11/Appendix_A_UrbemisFiles.pdf)

Or Upon Request at: 1990 E. Gettysburg Avenue, Fresno, CA 93726-0244

# Appendix B

## Biological Survey

Available at: [http://www.valleyair.org/notices/Docs/2011/1-27-11/Appendix B Recon-Bio Califia.Sun%20Pacific.pdf](http://www.valleyair.org/notices/Docs/2011/1-27-11/Appendix_B_Recon-Bio_Califia.Sun%20Pacific.pdf)

Or Upon Request at: 1990 E. Gettysburg Avenue, Fresno, CA 93726-0244



# Appendix C

## Cultural Resources Records

Available at: [http://www.valleyair.org/notices/Docs/2011/1-27-11/Appendix\\_C\\_Cultural%20Records.pdf](http://www.valleyair.org/notices/Docs/2011/1-27-11/Appendix_C_Cultural%20Records.pdf)

Or Upon Request at: 1990 E. Gettysburg Avenue, Fresno, CA 93726-0244

# Appendix D

## Health Risk Assessment (HRA) & Ambient Air Quality Analysis (AAQA)

Available at: [http://www.valleyair.org/notices/Docs/2011/1-27-11/Appendix D HRA AAQA.pdf](http://www.valleyair.org/notices/Docs/2011/1-27-11/Appendix_D_HRA_AAQA.pdf)

Or Upon Request at: 1990 E. Gettysburg Avenue, Fresno, CA 93726-0244

# **Appendix E**

Comments Received for  
Initial Study/Mitigated Negative Declaration  
New Juice Processing Facility (S-1104037)



Linda S. Adams  
Acting Secretary for  
Environmental Protection

**California Regional Water Quality Control Board**  
**Central Valley Region**  
Katherine Hart, Chair

1685 E Street, Fresno, California 93706  
(559) 445-5116 • FAX (559) 445-5910  
<http://www.waterboards.ca.gov/centralvalley>



Edmund G. Brown Jr.  
Governor

Received

FEB 28 2011

Permits Srvc  
SJVAPCD

24 February 2011

Mr. Mark Montelongo  
San Joaquin Valley Air Pollution Control District  
1990 E. Gettysburg Avenue  
Fresno, CA 93726

**INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION, SUN PACIFIC/CALIFIA FARMS, JUICE PROCESSING FACILITY AND STEAM BOILER PROJECT, KERN COUNTY (SCH NO. 2011011086)**

We reviewed the San Joaquin Valley Air Pollution Control District environmental document, *Initial Study and Mitigated Declaration for Sun Pacific/Califia Farms Juice Processing Facility and Steam Boiler Project Number S-1104037 (Initial Study)*. Central Valley Water Board is a Responsible Agency pursuant to Section 15381 of the California Environmental Quality Act (CEQA). Waste Discharge Requirements Order No. 96-169 for Sun Pacific Shippers, LP (Sun Pacific) regulates discharge of citrus packing and cooling water at the facility.

The Initial Study describes the project as a new 48,300-square-foot juice processing facility and associated gas-fired boiler at the site of its existing citrus packing facility at 33374 Lerdo Highway north of Bakersfield, California. The Initial Study indicates that the project will generate wastewater and may degrade the quality of groundwater.

The existing facility generates a low strength wastewater stream from fruit washing operations and a very low strength wastewater stream from cooling water. Typically, wastewater associated with juice processing is high in biochemical oxygen demand (BOD) and nitrogen. Land overloaded with BOD results in nuisance odors and attracts vectors. Overloading with oxygen-demanding substances also creates anaerobic soil conditions, which can mobilize metals (i.e., arsenic) in the soil, resulting in transport to groundwater. Overloading the soil with nitrogen can result in nitrate pollution. Wastewater associated with boiler blowdown is high strength in terms of minerals and salinity. Soil does not remove a significant amount of inorganic dissolved constituents. Boiler blowdown from the proposed project has potential to impair the beneficial uses of groundwater quality.

California Water Code (CWC) Section 13260 requires dischargers to submit a Report of Waste Discharge describing any proposed change in character, location, or volume of a

**California Environmental Protection Agency**



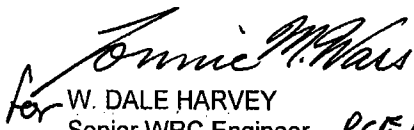
discharge. The proposed project represents a significant change to the discharge at the facility. Pursuant to CWC Section 13264, the project proponent will need to submit a complete Report of Waste Discharge at least 140 days prior to initiating the discharge.

The Initial Study does not provide enough information about changes in the character, location, or volume of waste discharges from the facility for staff to determine how the project will degrade water quality. At a minimum, the Initial Study needs to include estimates of discharge flow, waste constituent concentrations, and a description of the discharge in sufficient detail that we can assess the extent to which receiving water will be degraded. Wastewater characterization needs to include biochemical oxygen demand, total nitrogen, and general minerals (including metals and salts). The discharge description needs to estimate hydraulic and waste constituent loading rates.

That wastewater discharges associated with the project will be regulated by the Central Valley Water Board under Waste Discharge Requirements is not an appropriate mitigation measure.

As the construction project associated with the Initial Study will disturb one acre or more, compliance with the NPDES General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity will be required for potential discharges to surface waters, including ephemeral and intermittent drainages. Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit, a site map, and appropriate fee to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared. The SWPPP must contain at a minimum all items listed in Section A of the General Permit including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, riparian buffers, etc.) best management practices that will be implemented to prevent pollutants from discharging with storm water into waters of the United States.

If you have any questions regarding these comments, please contact Steve Popenoe at (559) 444-2418.

*For*   
W. DALE HARVEY  
Senior WRC Engineer RCE No. 38917  
RCE No. 55628

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

# **Appendix F**

**Comments and Responses for  
Initial Study/Mitigated Negative Declaration  
New Juice Processing Facility (S-1104037)**

The San Joaquin Valley Air Pollution Control District (District) provided a notice of intent to adopt a Mitigated Negative Declaration for the proposed construction and operation of a new juice processing facility to be located at 33374 Lerdo Highway in Kern County, California. The Initial Study and Mitigated Negative Declaration were available for public review and comment from January 28, 2011 to February 26, 2011.

The following party provided written comments on the proposed Mitigated Negative Declaration:

- California Regional Water Quality Control Board – Central Valley Region

All comments were duly considered and addressed in preparation of the final Mitigated Negative Declaration. A copy of the comment letter is incorporated into this document as Appendix E. A summary of salient comments and associated responses follow.

1. **Comment:** The proposed project represents a significant change to the discharge at the facility. Pursuant to CWC Section 13264, the project proponent will need to submit a complete Report of Waste Discharge at least 140 days prior to initiating the discharge.

**Response:** The project applicant will complete a Report of Waste Discharge in accord with RWQCB requirements.

2. **Comment:** The Initial Study does not provide enough information about changes in character, location, or volume of waste discharges from the facility for staff to determine how the project will degrade water quality. At a minimum, the Initial Study needs to include estimates of discharge flow, waste constituent concentrations, and a description of the discharge in sufficient detail that we can assess the extent to which receiving water will be degraded. The discharge description needs to estimate hydraulic and waste constituent loading rates.

**Response:** The Initial Study/Mitigated Negative Declaration has been amended to provide additional clarity regarding potential changes in process water, including estimates of discharge flow rates and characterization of waste constituent concentrations.

3. **Comment:** Compliance with NPDES General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity will be required for potential discharges to surface waters, including ephemeral and intermittent drainages.

**Response:** Sun Pacific/Califia Farms was not required to submit an NPDES General Permit No. CAS000002, because all storm water is retained on-site and no storm water runoff can discharge directly or indirectly off-site or to a river, lake, stream, municipal storm drain, or off-site drainage facilities. Therefore, compliance with an NPDES General Permit No. CAS000002 is not applicable.

4. **Comment:** Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit, a site map, and appropriate fee to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared.

**Response:** Sun Pacific/Califia Farms was not required to submit a Notice of Intent (NOI), since all storm water is retained on-site and no storm water runoff can discharge directly or indirectly off-site or to a river, lake, stream, municipal storm drain, or off-site drainage facilities. Therefore, compliance with a Notice of Intent (NOI) is not applicable.