

**MAY 16 2018**

Brandon Greer  
Central Valley Eggs, LLC  
13606 Gun Club Rd  
Wasco, CA 93280

**RE: Notice of Final Action - Authority to Construct**  
**Facility Number: S-8841**  
**Project Number: S-1180558**

Dear Mr. Greer:

The Air Pollution Control Officer has issued the Authority to Construct permits to Central Valley Eggs, LLC for the installation of a 3,339,000 bird capacity poultry ranch consisting of ten poultry houses, at 13606 Gun Club Rd, Wasco, CA. Enclosed are the Authority to Construct permits and a copy of the notice of final action to be published approximately three days from the date of this letter.

Notice of the District's preliminary decision to issue the Authority to Construct permits was published on April 11, 2018. The District's analysis of the proposal was also sent to CARB on April 6, 2018. No comments were received following the District's preliminary decision on this project.

Also enclosed is an invoice for the engineering evaluation fees pursuant to District Rule 3010. Please remit the amount owed, along with a copy of the attached invoice, within 60 days.

**Seyed Sadredin**  
Executive Director/Air Pollution Control Officer

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**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585

Mr. Brandon Greer  
Page 2

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Errol Villegas at (559) 230-6000.

Sincerely,

  
Arnaud Marjollet  
Director of Permit Services

AM:gb

Enclosures

cc: Tung Le, CARB (w/enclosure) via email  
cc: Kathy Parker, Insight Environmental Consultants (w/ enclosure) via email

Facility # S-8841  
CENTRAL VALLEY EGGS LLC  
13606 GUN CLUB RD  
WASCO, CA 93280

## **AUTHORITY TO CONSTRUCT (ATC)**

### **QUICK START GUIDE**

1. **Pay Invoice:** Please pay enclosed invoice before due date.
2. **Fully Understand ATC:** Make sure you understand ALL conditions in the ATC prior to construction, modification and/or operation.
3. **Follow ATC:** You must construct, modify and/or operate your equipment as specified on the ATC. Any unspecified changes may require a new ATC.
4. **Notify District:** You must notify the District's Compliance Department, at the telephone numbers below, upon start-up and/or operation under the ATC. Please record the date construction or modification commenced and the date the equipment began operation under the ATC. You may NOT operate your equipment until you have notified the District's Compliance Department. A startup inspection may be required prior to receiving your Permit to Operate.
5. **Source Test:** Schedule and perform any required source testing. See [http://www.valleyair.org/busind/comply/source\\_testing.htm](http://www.valleyair.org/busind/comply/source_testing.htm) for source testing resources.
6. **Maintain Records:** Maintain all records required by ATC. Records are reviewed during every inspection (or upon request) and must be retained for at least 5 years. Sample record keeping forms can be found at [http://www.valleyair.org/busind/comply/compliance\\_forms.htm](http://www.valleyair.org/busind/comply/compliance_forms.htm).

By operating in compliance, you are doing your part to improve air quality for all Valley residents.

**For assistance, please contact District Compliance staff at  
any of the telephone numbers listed below.**

**Seyed Sadredin**  
Executive Director/Air Pollution Control Officer

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**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

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34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585

## AUTHORITY TO CONSTRUCT

PERMIT NO: S-8841-1-1

ISSUANCE DATE: 05/14/2018

LEGAL OWNER OR OPERATOR: CENTRAL VALLEY EGGS LLC

MAILING ADDRESS: 13606 GUN CLUB RD  
WASCO, CA 93280

LOCATION: 13606 GUN CLUB RD  
WASCO, CA 93280

**EQUIPMENT DESCRIPTION:**

3,339,000 POULTRY RANCH CONSISTING OF SEVEN MECHANICALLY VENTILATED CAGE-FREE AVIARY LAYING HEN HOUSES AND THREE MECHANICALLY VENTILATED PULLET HOUSES

### CONDITIONS

1. This Authority to Construct (ATC) cancels and supersedes ATC S-8841-1-0. [District Rule 2201]
2. Prior to operating equipment under this Authority to Construct, permittee shall surrender VOC emission reduction credits for the following quantity of emissions: 1st quarter - 6,951 lb, 2nd quarter - 6,952 lb, 3rd quarter - 6,952 lb, and 4th quarter - 6,952 lb. These amounts include the applicable offset ratio specified in Rule 2201 Section 4.8 (as amended 2/18/16). [District Rule 2201 and Public Resources Code 21000-21177: California Environmental Quality Act]
3. ERC Certificate Number S-4718-1 (or a certificate split from this certificate) shall be used to supply the required offsets, unless a revised offsetting proposal is received and approved by the District, upon which this Authority to Construct shall be reissued, administratively specifying the new offsetting proposal. Original public noticing requirements, if any, shall be duplicated prior to reissuance of this Authority to Construct. [District Rule 2201 and Public Resources Code 21000-21177: California Environmental Quality Act]
4. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 1070]
5. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 1070]

CONDITIONS CONTINUE ON NEXT PAGE

YOU **MUST** NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (661) 392-5500 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director / APCO



Arnaud Marjollet, Director of Permit Services

S-8841-1-1 May 14 2018 3:41PM - BRARG Joint Inspection NOT Required

6. If a licensed veterinarian or a certified nutritionist determines that any VOC mitigation measure will be required to be suspended as a detriment to animal health or necessary for the animal to molt, the owners/operators must notify the District in writing within forty-eight (48) hours of the determination including the duration and the specific health condition requiring the mitigation measure to be suspended. If the situation is expected to exist longer than a thirty-day (30) period, the owner/operator shall submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the suspended mitigation measure. [District Rules 2201 and 4570]
7. Particulate matter emissions from each poultry house shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201]
8. No more than 327,000 birds shall be kept in each of the seven laying hen houses at any time. [District Rule 2201]
9. No more than 350,000 birds (chick starters or pullet growers) shall be kept in each of the three pullet houses at any time. For the purposes of this permit, chick starters are defined as birds from zero to six weeks of age and pullet growers are defined as birds from six weeks to 16 weeks of age. [District Rule 2201]
10. Each pullet house shall not contain chick starters for more than 126 days per rolling 12-month period and pullet growers for more than 210 days per rolling 12-month period. [District Rule 2201]
11. Emissions from each laying hen house shall not exceed any of the following limits: 0.02271 lb-PM10/1,000 birds-day, 0.0404 lb-VOC/1,000 birds-day, or 0.504 lb-NH3/1,000 birds-day. [District Rule 2201]
12. Emissions from each pullet house shall not exceed any of the following limits: 1) Chick Starters: 0.00441 lb-PM10/1,000 birds-day, 0.00784 lb-VOC/1,000 birds-day, or 0.1283 lb-NH3/1,000 birds-day; and 2) Pullet Growers: 0.009652 lb-PM10/1,000 birds-day, 0.01711 lb-VOC/1,000 birds-day, or 0.2811 lb-NH3/1,000 birds-day. [District Rule 2201]
13. Each poultry house shall be completely enclosed and mechanically ventilated with evaporative cooling pads, fans, and a computer control system. [District Rule 2201]
14. Each poultry house shall be equipped with a belt manure aeration and removal system that advances by a minimum of half the length of the belt every 24 hours. [District Rule 2201]
15. Permittee shall maintain records to demonstrate that the belt advances by a minimum of half of its length every 24 hours. [District Rule 2201]
16. Permittee shall maintain quarterly records of maintenance and repair activities associated with the belt manure aeration and removal system that includes the dates of maintenance and repair, and a description of any corrective actions taken. [District Rule 2201]
17. The open end of each poultry house shall be equipped with a tarp covering approximately 40% of the upper part of the opening. The open end shall also be equipped with water sprays installed under the bottom edge of the tarp to reduce particulate matter (PM) emissions from the exhaust fans. The water sprays shall operate at all times, except during periods of actual rainfall. [District Rule 2201]
18. The tarp used to reduce PM emissions from the exhaust fans shall be inspected on a quarterly basis. The tarp shall be inspected thoroughly for rips, tears, leaks, or any evidence of structural failures that result in excessive PM emissions and shall be repaired or replaced as needed. [District Rule 2201]
19. The water sprays used to reduce PM emissions from the exhaust fans shall be inspected on a quarterly basis. The water spray nozzles shall be inspected thoroughly for leaks, clogs, or any evidence of structural failures that result in excessive PM emissions and shall be repaired or replaced as needed. [District Rule 2201]
20. Permittee shall maintain records of inspections, maintenance, repair, and replacement of the tarps and water spray nozzles used to reduce PM emissions from the exhaust fans. The records shall include the dates of inspections and a description of any corrective actions taken. [District Rule 2201]
21. No bedding or litter materials shall be used on the bottom floor of the poultry houses at this facility. [District Rule 2201]
22. All mortality in each poultry house shall be removed at least once per day. [District Rule 2201]
23. Permittee shall maintain daily records of mortality removal in each poultry house. [District Rule 2201]

CONDITIONS CONTINUE ON NEXT PAGE

24. The maximum crude protein content of the feed given to all laying hens at this facility shall not exceed 15%. [District Rule 2201]
25. Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rules 2201 and 4570]
26. Permittee shall maintain records of feed content, formulation, and quantity of feed additive utilized, to demonstrate compliance with National Research Council (NRC) guidelines. Permittee shall also maintain records of the laying hen feed crude protein content. Records such as feed company guaranteed analyses (feed tags), ration sheets, or feed purchase records may be used to meet this requirement. [District Rules 2201 and 4570]
27. Permittee shall use drinkers that do not drip continuously. [District Rules 2201 and 4570]
28. Permittee shall inspect water pipes and drinkers and repair leaks daily. [District Rules 2201 and 4570]
29. Permittee shall maintain records indicating that water pipes and drinkers are inspected daily, and that any leaks are repaired. [District Rules 2201 and 4570]
30. Permittee shall feed animals probiotics designed to improve digestion according to manufacturer recommendations. [District Rules 2201 and 4570]
31. Permittee shall maintain records to demonstrate animals are fed probiotics designed to improve digestion. Records such as feed company guaranteed analyses (feed tags), ration sheets, or feed purchase records may be used to meet this requirement. [District Rules 2201 and 4570]
32. Permittee shall feed animals an amino acid supplemented diet. [District Rules 2201 and 4570]
33. Permittee shall maintain records to demonstrate animals are fed an amino acid supplemented diet. Records such as feed company guaranteed analyses (feed tags), ration sheets, or feed purchase records may be used to meet this. [District Rules 2201 and 4570]
34. Permittee shall feed animals additives such as amylase, xylanase, and protease, designed to maximize digestive efficiency. [District Rules 2201 and 4570]
35. Permittee shall maintain records that demonstrate animals are fed feed additives such as amylase, xylanase, and protease. Records such as feed company guaranteed analyses (feed tags), ration sheets, or feed purchase records may be used to meet this. [District Rules 2201 and 4570]
36. Initial source testing to demonstrate compliance with the PM10 and NH3 emissions from at least one of the laying hen houses shall be initiated within 30 days of issuance of this ATC. [District Rule 2201]
37. Source testing shall be conducted using the methods and procedures approved by the District. The District must be notified and a source test plan shall be submitted to the District for approval by the Permit Services and Compliance Divisions at least 15 days prior to any compliance source test. The source test plan shall include a detailed description of how testing will be conducted, the proposed duration of the test, and the methodology to be used. [District Rule 2201]
38. All emission measurements shall be made with the laying hen house operating either at conditions representative of normal operations or conditions specified in the Authority to Construct. To the maximum extent possible that still allows for normal operation, emission measurements shall be taken in conditions that represent the maximum emission rates from the laying hen house. Those conditions shall include, but are not limited to, the laying hen house being filled at, or near, maximum capacity, a majority of the exhaust fans turned on, and the manure windrow stockpiles near capacity. [District Rule 2201]
39. The following test methods shall be used: PM10 emission rates (filterable and condensable) shall be conducted using EPA Method 201 and 202, EPA Method 201a and 202, ARB Method 5 in combination with Method 501, or South Coast Air Quality Management District (SCAQMD) Method 5.1; and ammonia (NH3) - BAAQMD ST-1B. If it is determined that these test methods are not appropriate to measure the PM10 and/or NH3 emissions from this type of operation, emissions shall be measured using any other District approved alternative test methods. [District Rule 2201]
40. The results of the source test shall be submitted to the District within 60 days thereafter. [District Rule 1081]

41. Permittee shall maintain monthly records of the number of animals of each species and production group at the facility and records of any changes to this information. For the pullet houses, the permittee shall also maintain records of the age of birds, the growing stage the birds are in, and the total number of days each growing stage has been housed for the current rolling 12-month period. [District Rules 2201 and 4570]
42. Permittee shall keep and maintain all records for a minimum of five (5) years and shall make records available to the APCO and EPA upon request. [District Rules 2201 and 4570]
43. Issuance of any Authority to Construct (ATC) permit(s) or any construction that results in a further increase in the number of laying hens, pullets, or poultry houses at this facility such as described in the proposal for District ATC Project S-1180558, or the District CEQA document prepared for the project, shall be treated and analyzed as a part of ATC Project S-1180558 for New and Modified Source Review (NSR) purposes to ensure that the cumulative emissions from the overall project will not cause or make worse a violation of an Ambient Air Quality Standard. [District Rule 2201 and California Environmental Quality Act]
44. A Qualified Biologist will conduct a focused pre-construction survey to determine the presence/absence of potential impacts on sensitive species prior to the onset of ground disturbance. The survey shall be conducted in accordance with the standard protocol of the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). If more than 30 days pass before the onset of ground disturbance, an additional survey shall be conducted by a Qualified Biologist within 30 days prior to the onset of ground disturbance. Permittee shall make all biological surveys available to District staff upon request. [Public Resources Code 21000-21177: California Environmental Quality Act]
45. A biological monitor will be present while ground-disturbing activities are occurring based on the sensitivity of the habitat in which a project occurs. [Public Resources Code 21000-21177: California Environmental Quality Act]
46. In the event that archaeological resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified archaeologist to assess and provide an evaluation of the significance of the find. A qualified archaeologist shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Kern County and the Native American Heritage Commission (NAHC). In addition, should archaeological resources be discovered, the Permittee shall provide the District a written report in relation to the nature of the find. [Public Resources Code 21000-21177: California Environmental Quality Act]
47. In the event that paleontological resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified paleontologist to assess and provide an evaluation of the significance of the find. A qualified paleontologist shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Kern County and the Native American Heritage Commission (NAHC). In addition, should paleontological resources be discovered, Permittee shall provide the District a written report in relation to the nature of the find. [Public Resources Code 21000-21177: California Environmental Quality Act]
48. In the event that human remains are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the discovery shall immediately be reported to the County Coroner (CC) and Native American Heritage Commission (NAHC) for further assessment. Permittee shall identify appropriate measures for treatment or disposition of the remains in consultation with the CC and NAHC. In addition, should human remains be discovered during ground-disturbing activities, Permittee shall provide the District a written report in relation to the nature of the find. [Public Resources Code 21000-21177: California Environmental Quality Act]
49. In the event that tribal cultural resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified archaeologist to assess and provide an evaluation of the significance of the find. A qualified Native American Organization shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Kern County and the NAHC. In addition, should tribal cultural resources be discovered, the Permittee shall provide the District a written report in relation to the nature of the find. [Public Resources Code 21000-21177: California Environmental Quality Act]

## AUTHORITY TO CONSTRUCT

PERMIT NO: S-8841-1-2

ISSUANCE DATE: 05/14/2018

LEGAL OWNER OR OPERATOR: CENTRAL VALLEY EGGS LLC

MAILING ADDRESS: 13606 GUN CLUB RD  
WASCO, CA 93280

LOCATION: 13606 GUN CLUB RD  
WASCO, CA 93280

**EQUIPMENT DESCRIPTION:**

3,339,000 POULTRY RANCH CONSISTING OF SEVEN MECHANICALLY VENTILATED CAGE-FREE AVIARY LAYING HEN HOUSES AND THREE MECHANICALLY VENTILATED PULLET HOUSES

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4. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 1070]
5. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 1070]

#### CONDITIONS CONTINUE ON NEXT PAGE

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Seyed Sadredin, Executive Director / APCO



Arnaud Marjollet, Director of Permit Services  
S-8841-1-2 May 14 2018 3:41PM - BRARG Joint Inspection NOT Required



6. If a licensed veterinarian or a certified nutritionist determines that any VOC mitigation measure will be required to be suspended as a detriment to animal health or necessary for the animal to molt, the owners/operators must notify the District in writing within forty-eight (48) hours of the determination including the duration and the specific health condition requiring the mitigation measure to be suspended. If the situation is expected to exist longer than a thirty-day (30) period, the owner/operator shall submit a new emission mitigation plan designating a mitigation measure to be implemented in lieu of the suspended mitigation measure. [District Rules 2201 and 4570]
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9. No more than 350,000 birds (chick starters or pullet growers) shall be kept in each of the three pullet houses at any time. For the purposes of this permit, chick starters are defined as birds from zero to six weeks of age and pullet growers are defined as birds from six weeks to 16 weeks of age. [District Rule 2201]
10. Each pullet house shall not contain chick starters for more than 126 days per rolling 12-month period and pullet growers for more than 210 days per rolling 12-month period. [District Rule 2201]
11. Emissions from each laying hen house shall not exceed any of the following limits: 0.02271 lb-PM10/1,000 birds-day, 0.0404 lb-VOC/1,000 birds-day, or 0.504 lb-NH3/1,000 birds-day. [District Rule 2201]
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18. The tarp used to reduce PM emissions from the exhaust fans shall be inspected on a quarterly basis. The tarp shall be inspected thoroughly for rips, tears, holes, or any evidence of structural failures that result in excessive PM emissions and shall be repaired or replaced as needed. [District Rule 2201]
19. Permittee shall maintain records of inspections, maintenance, repair, and replacement of the tarps used to reduce PM emissions from the exhaust fans. The records shall include the dates of inspections and a description of any corrective actions taken. [District Rule 2201]
20. No bedding or litter materials shall be used on the bottom floor of the poultry houses at this facility. [District Rule 2201]
21. All mortality in each poultry house shall be removed at least once per day. [District Rule 2201]
22. Permittee shall maintain daily records of mortality removal in each poultry house. [District Rule 2201]
23. The maximum crude protein content of the feed given to all laying hens at this facility shall not exceed 15%. [District Rule 2201]
24. Permittee shall feed all animals according to National Research Council (NRC) guidelines. [District Rules 2201 and 4570]

CONDITIONS CONTINUE ON NEXT PAGE

25. Permittee shall maintain records of feed content, formulation, and quantity of feed additive utilized, to demonstrate compliance with National Research Council (NRC) guidelines. Permittee shall also maintain records of the laying hen feed crude protein content. Records such as feed company guaranteed analyses (feed tags), ration sheets, or feed purchase records may be used to meet this requirement. [District Rules 2201 and 4570]
26. Permittee shall use drinkers that do not drip continuously. [District Rules 2201 and 4570]
27. Permittee shall inspect water pipes and drinkers and repair leaks daily. [District Rules 2201 and 4570]
28. Permittee shall maintain records indicating that water pipes and drinkers are inspected daily, and that any leaks are repaired. [District Rules 2201 and 4570]
29. Permittee shall feed animals probiotics designed to improve digestion according to manufacturer recommendations. [District Rules 2201 and 4570]
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35. Initial source testing to demonstrate compliance with the PM10 and NH3 emissions from at least one of the laying hen houses shall be initiated within 30 days of issuance of this ATC. [District Rule 2201]
36. Source testing shall be conducted using the methods and procedures approved by the District. The District must be notified and a source test plan shall be submitted to the District for approval by the Permit Services and Compliance Divisions at least 15 days prior to any compliance source test. The source test plan shall include a detailed description of how testing will be conducted, the proposed duration of the test, and the methodology to be used. [District Rule 2201]
37. All emission measurements shall be made with the laying hen house operating either at conditions representative of normal operations or conditions specified in the Authority to Construct. To the maximum extent possible that still allows for normal operation, emission measurements shall be taken in conditions that represent the maximum emission rates from the laying hen house. Those conditions shall include, but are not limited to, the laying hen house being filled at, or near, maximum capacity, a majority of the exhaust fans turned on, and the manure windrow stockpiles near capacity. [District Rule 2201]
38. The following test methods shall be used: PM10 emission rates (filterable and condensable) shall be conducted using EPA Method 201 and 202, EPA Method 201a and 202, ARB Method 5 in combination with Method 501, or South Coast Air Quality Management District (SCAQMD) Method 5.1; and ammonia (NH3) - BAAQMD ST-1B. If it is determined that these test methods are not appropriate to measure the PM10 and/or NH3 emissions from this type of operation, emissions shall be measured using any other District approved alternative test methods. [District Rule 2201]
39. The results of the source test shall be submitted to the District within 60 days thereafter. [District Rule 1081]
40. Permittee shall maintain monthly records of the number of animals of each species and production group at the facility and records of any changes to this information. For the pullet houses, the permittee shall also maintain records of the age of birds, the growing stage the birds are in, and the total number of days each growing stage has been housed for the current rolling 12-month period. [District Rules 2201 and 4570]
41. Permittee shall keep and maintain all records for a minimum of five (5) years and shall make records available to the APCO and EPA upon request. [District Rules 2201 and 4570]

CONDITIONS CONTINUE ON NEXT PAGE

42. Issuance of any Authority to Construct (ATC) permit(s) or any construction that results in a further increase in the number of laying hens, pullets, or poultry houses at this facility such as described in the proposal for District ATC Project S-1180558, or the District CEQA document prepared for the project, shall be treated and analyzed as a part of ATC Project S-1180558 for New and Modified Source Review (NSR) purposes to ensure that the cumulative emissions from the overall project will not cause or make worse a violation of an Ambient Air Quality Standard. [District Rule 2201 and California Environmental Quality Act]
43. A Qualified Biologist will conduct a focused pre-construction survey to determine the presence/absence of potential impacts on sensitive species prior to the onset of ground disturbance. The survey shall be conducted in accordance with the standard protocol of the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). If more than 30 days pass before the onset of ground disturbance, an additional survey shall be conducted by a Qualified Biologist within 30 days prior to the onset of ground disturbance. Permittee shall make all biological surveys available to District staff upon request. [Public Resources Code 21000-21177: California Environmental Quality Act]
44. A biological monitor will be present while ground-disturbing activities are occurring based on the sensitivity of the habitat in which a project occurs. [Public Resources Code 21000-21177: California Environmental Quality Act]
45. In the event that archaeological resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified archaeologist to assess and provide an evaluation of the significance of the find. A qualified archaeologist shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Kern County and the Native American Heritage Commission (NAHC). In addition, should archaeological resources be discovered, the Permittee shall provide the District a written report in relation to the nature of the find. [Public Resources Code 21000-21177: California Environmental Quality Act]
46. In the event that paleontological resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified paleontologist to assess and provide an evaluation of the significance of the find. A qualified paleontologist shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Kern County and the Native American Heritage Commission (NAHC). In addition, should paleontological resources be discovered, Permittee shall provide the District a written report in relation to the nature of the find. [Public Resources Code 21000-21177: California Environmental Quality Act]
47. In the event that human remains are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the discovery shall immediately be reported to the County Coroner (CC) and Native American Heritage Commission (NAHC) for further assessment. Permittee shall identify appropriate measures for treatment or disposition of the remains in consultation with the CC and NAHC. In addition, should human remains be discovered during ground-disturbing activities, Permittee shall provide the District a written report in relation to the nature of the find. [Public Resources Code 21000-21177: California Environmental Quality Act]
48. In the event that tribal cultural resources are discovered during ground-disturbing activities, all work within 100 feet of the find shall cease and the Permittee shall notify and retain a qualified archaeologist to assess and provide an evaluation of the significance of the find. A qualified Native American Organization shall determine whether avoidance is necessary and feasible in light of the factors such as the nature of the find, project design, costs, and other considerations, and, if necessary, develop appropriate mitigation measures in consultation with Kern County and the NAHC. In addition, should tribal cultural resources be discovered, the Permittee shall provide the District a written report in relation to the nature of the find. [Public Resources Code 21000-21177: California Environmental Quality Act]