



SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

**INITIAL STUDY/ENVIRONMENTAL CHECKLIST/
PROPOSED NEGATIVE DECLARATION**

A. PROJECT BACKGROUND INFORMATION

1. Project Title:

Kent Avenue Family Dairy- Project No. C-1032200

2. Lead Agency Name and Address:

San Joaquin Valley Unified Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno CA 93726-0244

3. Contact Person:

Planning/CEQA: Ms. Elena Nuño
(559) 230-5800

Permit Services: Mr. Jonah Aiyabei
(559) 230-6000

4. Project Location:

The project is located at 12871 Kent Avenue in Hanford in Kings County, CA.

5. Project Sponsor's Name and Address:

Kent Avenue Family Dairy, LLC
PO Box 907
Tipton, CA 93272

6. Assessor's Parcel Numbers:

028-220-001, 028-220-076, 028-220-077, and 028-230-010

7. General Plan Designation/Zoning:

The project is located in the General Agricultural (AG-20) zone district.



8. Project Description:

The project proposes modifications and additions to the site facilities to be constructed as specified below.

The existing dairy has a maximum capacity of 1,500 milk cows and 125 dry cows, 250 large heifers, 250 medium heifers and 195 small heifers. The applicant proposes to increase the number of milk cows at the facility by 250.

The proposed project also includes the installation of a proprietary anaerobic manure digester system. The digester will use solid manure scraped from corral surfaces, as well as separated solids from the mechanical separator. Some of the flushwater from the freestall feedlanes and other flushed surfaces will be diverted into the digester to be used in adjusting water content to the desired level. The rest of the flushwater will be discharged into the existing storage lagoons.

The increase in project emissions will be 5.24 tons/year. The increase in emissions is less than the District's threshold of significance (10 tons/year) for Reactive Organic Gases (ROG).

9. Other Agencies Whose Approvals Are Required and Permits Needed:

None

10. Name of Person Who Prepared Initial Study:

Elena Nuño
San Joaquin Valley Unified Air Pollution Control District
1990 E. Gettysburg Ave.
Fresno, CA 93726
(559) 230-5800



Figure 1

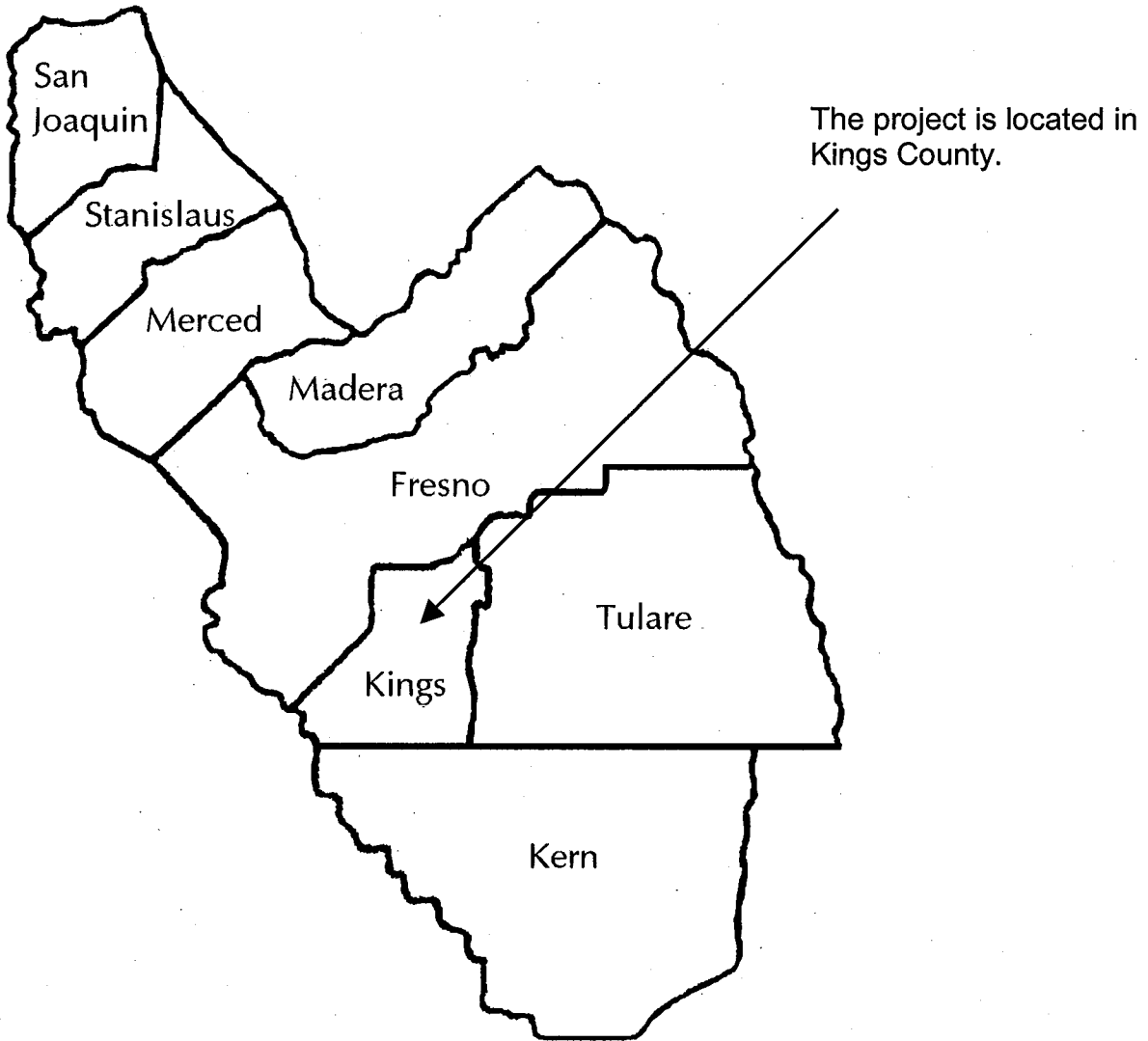
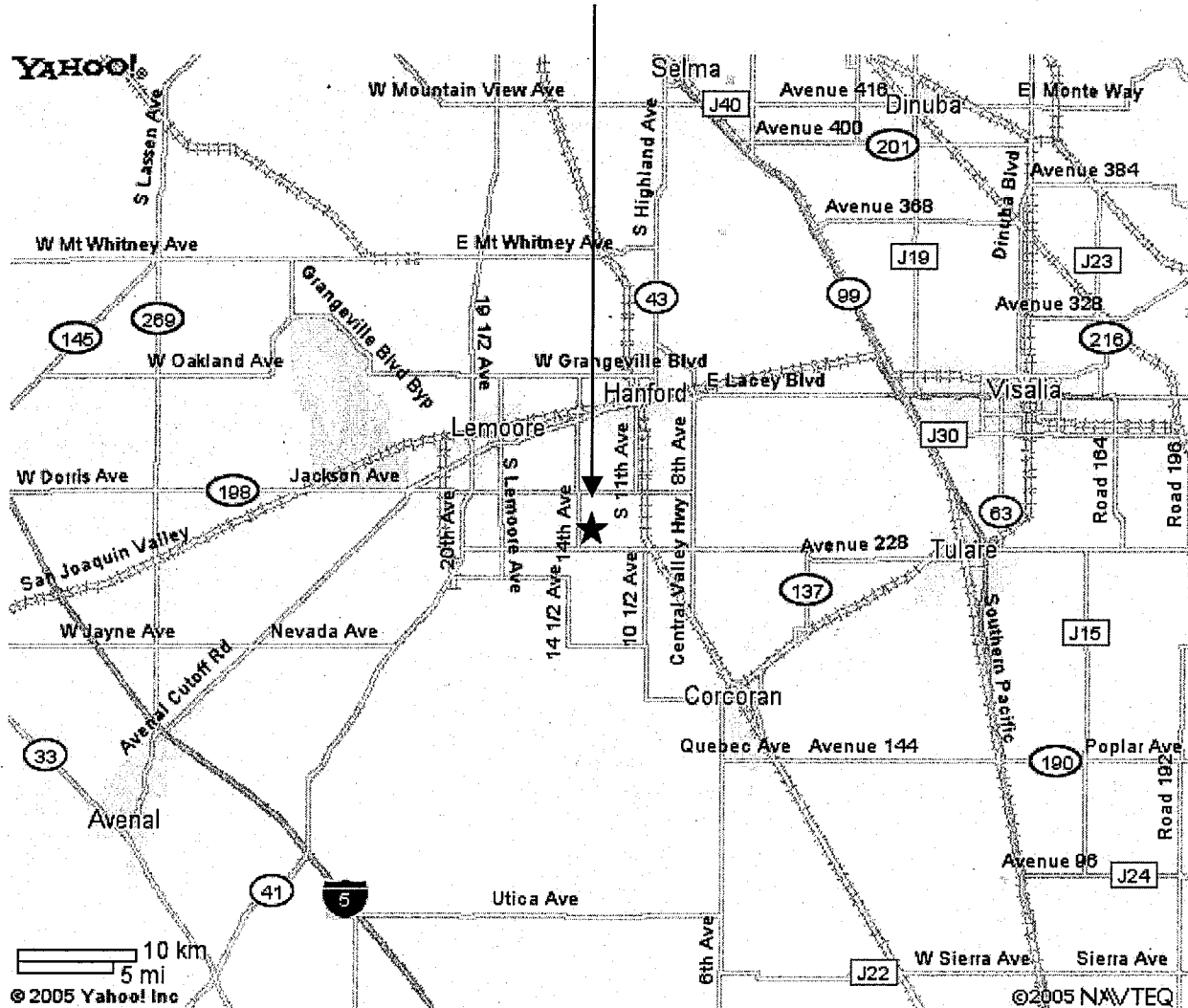




Figure 2

Project is located southwest of the City of Hanford.





B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

C. DETERMINATION

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

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

Signature:  Date: 5/12/06

Printed name: Elena Nuño
 Title: Air Quality Specialist



D. ENVIRONMENTAL IMPACT CHECKLIST

Explanations of all answers on the check-off list are located in Section E.

I. AESTHETICS Would the proposal:

- a) Affect a scenic vista or scenic highway?
- b) Have a demonstrable negative aesthetic effect?
- c) Create light or glare?

II. AGRICULTURE RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
			✓
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		✓	
		✓	
		✓	



IV. BIOLOGICAL RESOURCES Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

V. CULTURAL RESOURCES Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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VI. GEOLOGY/SOILS Would the project:

- 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.
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including liquefaction?
 - iv) Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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VII. HAZARDS & HAZARDOUS MATERIALS

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?



- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

VIII. HYDROLOGY/WATER QUALITY Would the project:

- a) Violate any water quality standards or waste discharge requirements?
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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- f) Otherwise substantially degrade water quality?
- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

IX. LAND USE/PLANNING Would the project:

- a) Physically divide an established community?
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

X. MINERAL RESOURCES Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

XI. NOISE Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XII. POPULATION/HOUSING 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)?
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIII. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - Fire protection?
 - Police protection?
 - Schools?
 - Parks?
 - Other public facilities?
- b) Cumulatively exceed official regional or local population projections?
- c) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?
- d) Displace existing housing, especially affordable housing?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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			√



XIV. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

XV. TRANSPORTATION/TRAFFIC Would the project:

- a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Result in inadequate parking capacity?
- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

XVI. UTILITIES/SERVICE SYSTEMS Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
			√
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- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider, 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?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively Considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
			√
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E. ENVIRONMENTAL IMPACT CHECKLIST COMMENTS

I. AESTHETICS

I. a) & b): The existing dairy operation is located in the General Agricultural (AG-20) zone district. The existing project is subject to the Kings County Dairy Element Policies. (Source 1) All outdoor lighting fixtures at the existing dairy facility will prevent direct light from shining or reflecting on adjoining properties. (Source 2) No aesthetic impacts are anticipated from the proposed project.

II. AGRICULTURE RESOURCES

II. a) - c): The project will not have an adverse impact on agricultural resources. The project is located in an agricultural zoned area and on an existing dairy. The Site Plan Review prepared for Kings County for the establishment of the facility did not identify any significant adverse impacts to agricultural resources. (Source 2)

III. AIR QUALITY

III. a) – e): The project will not conflict or obstruct implementation of air quality plans. The project emissions are calculated to be below the District's Threshold of Significance for Reactive Organic Gases (10 tons/year). In accordance with the District's CEQA Guidelines, projects that do not exceed the District's thresholds should also be considered less than significant for cumulative impacts for that pollutant. The project will be implementing best available control technology (BACT) as a condition of approval of the permit. The applicant has committed to the installation of an anaerobic digester that will allow for the capture of ROG emissions from the lagoons and will be implementing a number of management practices that result in lower emissions at other locations at the dairy. The District's air quality plans demonstrate attainment accounting for growth in all sources including CAFs and control programs that will provide for continued emission reductions needed to meet state and federal requirements. Additionally, the ozone and PM10 plans contain contingency measures that go into effect if milestones are not reached on schedule. Thus, there is a self-correcting feature that ensures that if the cumulative growth in certain sources exceeds predictions, any deficiencies will be quickly corrected. All other criteria pollutants are also below District thresholds. (Source 3)

The project is not located near any sensitive receptors. (Source 3) The project is subject to Kings County's Animal Confinement Facilities Ordinance which imposes requirements to mitigate odor impacts. The increased dairy capacity is not expected to create a significant odor impact.



IV. BIOLOGICAL RESOURCES

IV. a) – f): The project involves the expansion of the capacity of an existing dairy and the installation of an anaerobic manure digester system. This will not have any significant impact on the diversity of other species of animals in the area, or result in a barrier to the migration or movement of other animals in the area. The Site Plan Review prepared for Kings County for the establishment of the facility did not identify any significant adverse impacts to biological resources. (Source 2)

V. CULTURAL RESOURCES

V. a) – d): No cultural resources are known to exist on the existing dairy site, therefore, no impacts to known cultural resources are expected to occur. (Source 2)

VI. GEOLOGY AND SOILS

VI. a) – e): No significant adverse impacts are anticipated from the proposed project. (Source 2)

VII. HAZARD & HAZARDOUS MATERIALS

VII. a) – h): No significant adverse impacts are anticipated from the proposed project. (Source 2)

VIII. HYDROLOGY/WATER QUALITY

VIII. a) – i): The impact to water from the additional 250 dairy cows proposed by the project should be more than offset by the benefits of the installation of the anaerobic manure digester system. One benefit of the anaerobic digester is the effect on the biochemical oxygen demand (BOD) of the organic slurry. BOD is reduced during the digestion process and results in reduced impact on aquatic organisms should an accidental spill or unintended runoff into a body of water occur. Another benefit is pathogen reduction. Anaerobic digestion has the potential to eliminate many, but not all kinds of pathogens, greatly reducing this potential source of water pollution. Furthermore, the facility will continue to abide by its Manure Nutrient Management Plan and Comprehensive Dairy Process Water Application Plan. (Source 2)



IX. LAND USE/PLANNING

IX. a) – c): The proposed project will not conflict with existing land uses and will not have a significant impact on land use/planning.

X. MINERAL RESOURCES

X. a) – b): The project will not have an adverse effect on mineral resources.

XI. NOISE

XI. a) – f): The project will not have a significant noise impact. A noise assessment prepared for the Site Plan Review for Kings County for the establishment of the facility indicates that the facility will not create noise levels in excess of the acceptable exterior noise exposure allowance of 70 dB (Ldn). (Source 2) The project will conform to the noise level standards in the *Noise Element of the Kings County General Plan*. (Source 1)

XII. POPULATION/HOUSING

XII. a) – c): The proposed project is not expected induce substantial population growth, displace housing units or people. The proposed project will not require the construction of replacement housing.

XIII. PUBLIC SERVICES

XIII. a) - d): The proposed project is not anticipated to create significant adverse public service impacts.

XIV. RECREATION

XIV. a) & b): No land use or planning requirements, including those related to recreational facilities, would be altered by the proposed project.



XV. TRANSPORTATION/TRAFFIC

XV. a) - g): The proposed project is not anticipated to generate any significant adverse impacts to transportation or traffic systems. The proposed project will be installed on an existing facility. A Traffic Impact Study was prepared for the existing facility that indicated that the Level of Service (LOS) of all roadways affected by the facility would remain at LOS D or better for County roadways and LOS C or better for state highways. (Source 2)

XVI. UTILITIES/SERVICE SYSTEMS

XVI. a) - f): The proposed project is not expected to have any significant effects that were not addressed in the original Site Plan Review for the existing facility prepared for Kings County. (Source 2)

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

XVII. a) – c): This project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

This project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals. Neither does this project have impacts, which are individually limited, but cumulatively considerable. This project will have no potential environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Based upon consideration of the information provided in the comments to the Environmental Checklist and other analyses performed for this project, it does not have the potential to degrade the quality of the environment or to interfere with either short-term or long-term environmental goals. There will not be any significant cumulative impacts.



F. REFERENCES

1. Kings County Planning Agency, "*Dairy Element of the Kings County General Plan*", July 2002
2. Kings County Planning Agency, "Site Plan Review No. 04-02-Findings", March 2004
3. San Joaquin Valley Unified Air Pollution Control District, "Authority to Construct: Application Review for a Dairy Operation", March 7, 2006.

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