



Date: August 13, 2015
TO: Stanislaus County Planning Commission
FROM: Department of Planning and Community Development
SUBJECT: **USE PERMIT NO. PLN2014-0065 – K&R BLOUNT DAIRY**

DISCUSSION

Use Permit No. PLN2014-0065 – K&R Blount Dairy was originally scheduled for the July 16, 2015, Planning Commission meeting; however, due to a lack of quorum for this item, the project was continued to the August 6, 2015, Planning Commission meeting. The item, once again, could not be considered on August 6, 2015, due to a lack of quorum. The Chair of the Planning Commission has called a special meeting to allow this item to be presented to the Planning Commission.

RECOMMENDATION

Based on the discussion in the attached July 16, 2015, Planning Commission Staff Report, staff is recommending the Planning Commission approve this request based on the staff report discussion and on the whole of the record provided to the Planning Commission. If the Planning Commission chooses to approve the project, Exhibit A of the July 16, 2015, Planning Commission Staff Report, provides an overview of all of the findings required for project approval which include use permit findings.

Attachments:

- 1 - Use Permit Application No. PLN2014-0065 – K&R Blount Dairy, July 16, 2015, Planning Commission Staff Report (with Attachments)

STANISLAUS COUNTY PLANNING COMMISSION

July 16, 2015

STAFF REPORT

USE PERMIT APPLICATION PLN2014-0065
K&R BLOUNT DAIRY
SCH #2014072021

REQUEST: TO INCREASE THE MILK/DRY COWS BY 540 HEAD FOR A TOTAL OF 1,240 MILK COWS, 200 DRY COWS AND 500 LARGE HEIFERS AND CONSTRUCT A 35,000 SQUARE FOOT FREESTALL BARN NORTHEAST OF THE CURRENT DAIRY FOOTPRINT

APPLICATION INFORMATION

| | |
|------------------------------|---|
| Applicant/Owner: | Kevin & Ronda Blount, Blount 2008 Trust |
| Agent: | Joe Ramos, F & R Ag Services, Inc. |
| Engineer: | Jason Toste |
| Location: | 724 Ruble Road, north of W. Linwood Avenue, west of Crows Landing Road, in the Crows Landing area |
| Section, Township, Range: | 20-5-9 |
| Supervisorial District: | Two (Supervisor Chiesa) |
| Assessor's Parcel: | 058-005-014 |
| Referrals: | See Exhibit H Environmental Review Referrals |
| Area of Parcel(s): | 60± acres |
| Water Supply: | Private Well |
| Sewage Disposal: | Private Septic Tank & Leach Field |
| Existing Zoning: | A-2-40 (General Agriculture) |
| General Plan Designation: | Agriculture |
| Sphere of Influence: | Not Applicable |
| Community Plan Designation: | Not Applicable |
| Williamson Act Contract No.: | 72-969 |
| Environmental Review: | Negative Declaration |
| Present Land Use: | Dairy facility and cropland |
| Surrounding Land Use: | Row crops and scattered single family dwellings and unrelated dairies to the south and west. |

RECOMMENDATION

Staff recommends the Planning Commission approve this request based on the discussion below and on the whole of the record provided to the Planning Commission. If the Planning Commission chooses to approve the project, Exhibit A provides an overview of all of the findings required for project approval which include use permit findings.

PROJECT DESCRIPTION

The project is a request to increase the milk/dry cows by 540 head for a total of 1,240 milk cows, 200 dry cows and 500 large heifers, thereby generating additional waste. The facility currently

houses 800 milk cows, 100 dry cows, and 680 total heifers. There will be an estimated increase of one milk truck trip, one commodity truck trip, and two employee trips per day. The existing dairy is improved with corrals, milking facilities, and waste storage structures. Construction of a 35,000 square foot free-stall barn northeast of the current footprint is being proposed as a part of this project. Nutrients produced by the herd are utilized to fertilize 180± acres of irrigated cropland farmed by the applicants. The dairy's existing Waste Management Plan (WMP) and Nutrient Management Plan (NMP) were amended to address the increase in waste and resulting storage and disposal needs associated with the increase in herd size.

The purpose of the NMP is to ensure that wastewater application on to cropland will not result in significant impacts to groundwater. All of the solid manure (575 truckloads) will be exported off site. (See Exhibit E – *Nutrient Management Plan*.) The WMP was prepared to evaluate the impact of the expansion on required lagoon capacity and determined that the current design and capacity of the existing lagoons is adequate to handle the additional liquid waste generated by an increase in dairy cows. (See Exhibit D – *Waste Management Plan*.) RWQCB (Regional Water Quality Control Board) staff has determined that the revised NMP and WMP are in accordance with the standards outlined in the General Order and that thorough implementation of these plans will minimize the impacts of animal waste on surface and groundwater quality. Furthermore, the SJVAPCD (San Joaquin Valley Air Pollution Control District) has determined, based on the information provided to the District, that project specific criteria pollutant emissions would have no significant adverse impact on air quality.

SITE DESCRIPTION

The site is located at 724 Ruble Road, north of W. Linwood Avenue, west of Crows Landing Road, in the Crows Landing area. The dairy facility is located on a 60± acre parcel bounded by Turlock Irrigation District's (TID) Lower Lateral 4 canal to the west, Ruble Road to the north, and West Linwood Avenue to the south. The site is currently improved with a modular home, two freestall barns, corrals, a milk barn, a shop, an outbuilding, a feed storage area, a manure drying area, and two lagoons. The proposed 35,000 square foot freestall barn will be constructed northeast of the current freestall barns. (See Exhibit B - *Maps*.)

Surrounding uses include row crops and scattered single family dwellings and unrelated dairies to the south and west.

ISSUES

The Planning Commission meeting for this project was advertised in the Modesto Bee and public hearing notices were sent to all properties within a quarter mile and two parcels in each direction. To date, no concerns or issues have been raised by the neighbors; however, it was discovered during the staff report process that a previously constructed 28,000 square foot freestall barn was advertised as being a part of this use permit. This was an error as the freestall barn was approved and constructed under Building Permit No.BLD2014-1499, prior to processing of this use permit application.

GENERAL PLAN CONSISTENCY

The site is currently designated as "Agriculture" in the Stanislaus County General Plan and this designation is consistent with an A-2 (General Agriculture) zoning district. The agricultural designation recognizes the value and importance of agriculture by acting to preclude incompatible urban development within agricultural areas.

Agriculture is the leading industry in Stanislaus County generating an annual gross agricultural value in excess of a billion dollars into the local economy. As reflected in the County's 2013 Crop Report, milk is the County's second top-grossing commodity. The following goals, objectives, and policies of the County General Plan reflect the County's commitment to a strong agricultural economy:

Land Use Element

Goal Three - Foster stable economic growth through appropriate land use policies.

Policy Sixteen - Agriculture, as the primary industry of the County, shall be promoted and protected.

Agricultural Element

Goal One - Strengthen the agricultural sector of our economy.

Objective No. 1.3 - Minimizing Agricultural Conflicts.

Implementation Measure No 1 - The County shall continue to implement the Right-to-Farm ordinance.

Goal Two - Conserve our agricultural lands for agricultural uses.

Staff believes this project is consistent with the General Plan. The findings necessary for approval and the Right-to-Farm ordinance are discussed in the following Zoning Ordinance Consistency section.

ZONING ORDINANCE CONSISTENCY

The site is currently zoned A-2-40 (General Agriculture). It is the intent of the General Agriculture (A-2) zoning district to support and enhance agriculture as the predominant land use in the unincorporated areas of Stanislaus County. The procedures contained within the A-2 zoning district are specifically established to ensure that all land uses are compatible with agriculture and open space, including natural resource management, outdoor recreation, and enjoyment of scenic beauty.

Confined Animal Facilities (CAF), which include dairies and feed lots, are considered to be permitted agricultural uses; however, a use permit is required for new or expanding CAFs requiring a new or modified permit, waiver, order, or Waste Discharge Requirements (WDR) from the RWQCB, where the issuance of such permit, waiver, order, or WDR requires compliance with the California Environmental Quality Act (CEQA). The County adopted the use permit requirement in 2003 in order to allow the County to facilitate the environmental review (in accordance with CEQA) required for issuance of any permit, waiver, order, or WDR by the RWQCB.

K&R Blount Dairy is only required to obtain a use permit because the RWQCB has determined that the proposed expansion is subject to issuance of WDRs requiring CEQA review.

Since the project is subject to obtaining a use permit, the following finding is required for approval:

1. *The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of "Agriculture" and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be*

detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

Conditions have been added to the project requiring best management practices be implemented for odor and vector control and lighting and the project will need to comply with the SJVAPCD's Rules which are designed to reduce a facility's impact to air quality. (See Exhibit C - *Conditions of Approval*.) The RWQCB monitors dairies for compliance with their NMP, WMP, and WDRs. A NMP and WMP are required by the RWQCB in order to determine the need for permits, waivers, or WDRs.

CAFs are agricultural uses protected by the County's Right-to-Farm Ordinance which was adopted in 1991. The ordinance states that:

The County of Stanislaus recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs and standards. Residents of property on or near agricultural land should be prepared to accept the inconveniences or discomforts associated with agricultural operations, including but not limited to noise, odors, flies, fumes, dust, the operation of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. Stanislaus County has determined that inconveniences or discomforts associated with such agricultural operations shall not be considered to be a nuisance if such operations are consistent with accepted customs and standards.

Staff believes the necessary findings for approval of this project can be made. With conditions of approval in place, there is no indication that, under the circumstances of this particular case, the proposed project will be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use or that it will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county. Dairy facilities are an important component of the agricultural economy in Stanislaus County. There is no indication this project will interfere or conflict with other agricultural uses in the area.

The project site is enrolled in Williamson Act Contract No. 71-969. Section 21.20.045(A) of the A-2 zoning district requires that all uses requiring use permits that are approved on Williamson Act contracted lands shall be consistent with the following three principles of compatibility:

- 1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district;*
- 2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping; and*
- 3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.*

The expansion of the existing dairy will not significantly compromise the long-term productive agricultural capability of the subject property. The proposed expansion will not result in new facilities limiting the return of the property to agricultural production in the future. The proposed expansion will not remove any adjacent contracted land from agricultural or open space use. All surrounding lands will be able to continue their agricultural operations.

The project was referred to the State Department of Conservation during the Early Consultation and 30-day Initial Study reviews and no comments were received.

The specific findings required for approval of the proposed use permit are outlined in Exhibit A of this report. Based on the information provided in this report, staff believes that all of the findings necessary for approval of this request can be made.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposed project was circulated to all interested parties and responsible agencies for review and comment and no significant issues were raised. (See Exhibit H - *Environmental Review Referrals*.) A Negative Declaration has been prepared for approval prior to action on the use permit itself as the project will not have a significant effect on the environment. (See Exhibit G - *Negative Declaration*.) Conditions of approval reflecting referral responses have been placed on the project. (See Exhibit C - *Conditions of Approval*.)

Note: Pursuant to California Fish and Game Code Section 711.4, all project applicants subject to the California Environmental Quality Act (CEQA) shall pay a filing fee for each project; therefore, the applicant will further be required to pay **\$2,267.00** for the California Department of Fish and Wildlife (formerly the Department of Fish and Game) and the Clerk Recorder filing fees. The attached Conditions of Approval ensure that this will occur.

Contact Person: Rachel Wyse, Associate Planner, (209) 525-6330

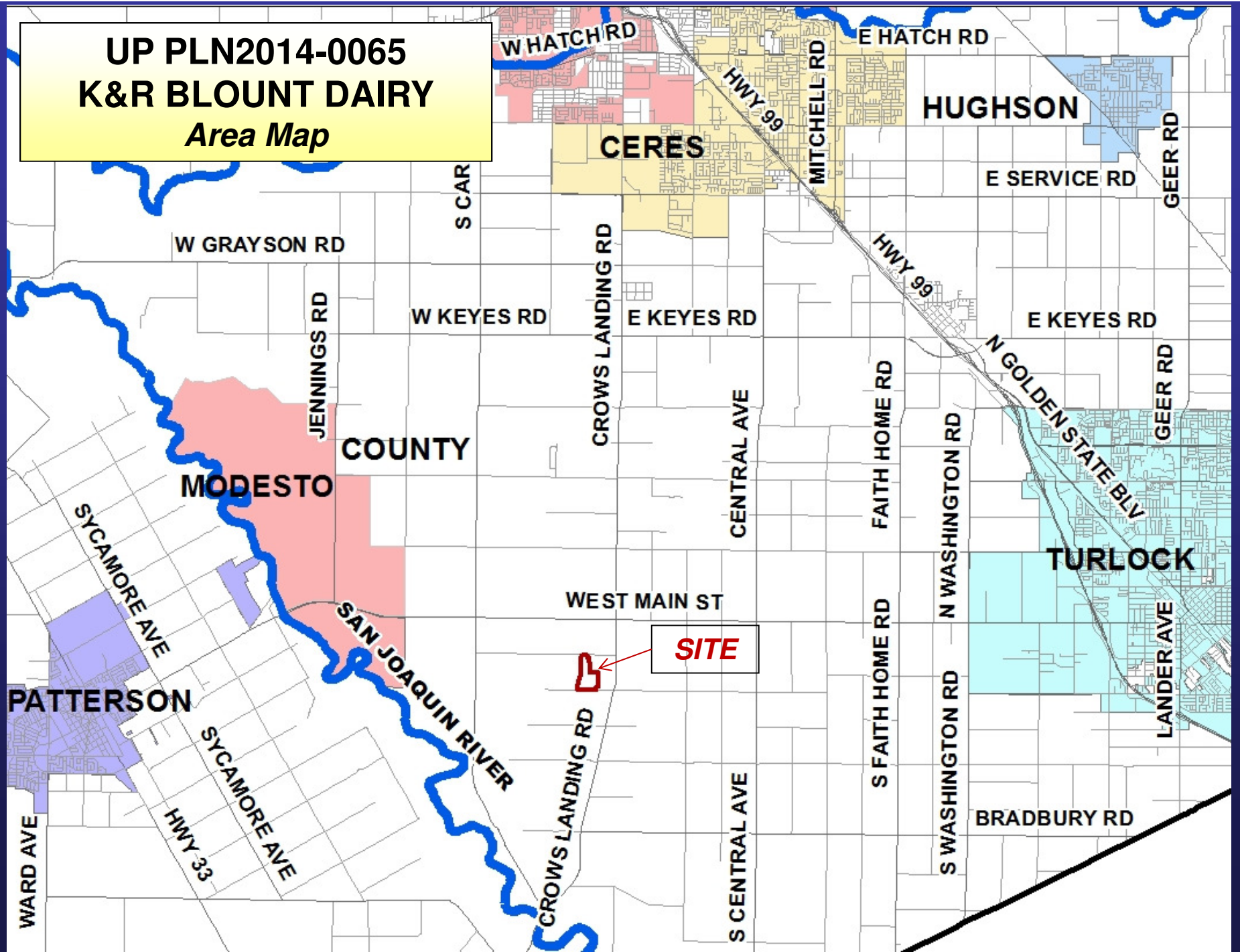
Attachments:

- Exhibit A - Findings and Actions Required for Project Approval
- Exhibit B - Maps
- Exhibit C - Conditions of Approval
- Exhibit D - Waste Management Plan
- Exhibit E - Nutrient Management Plan
- Exhibit F - Initial Study
- Exhibit G - Negative Declaration
- Exhibit H - Environmental Review Referrals

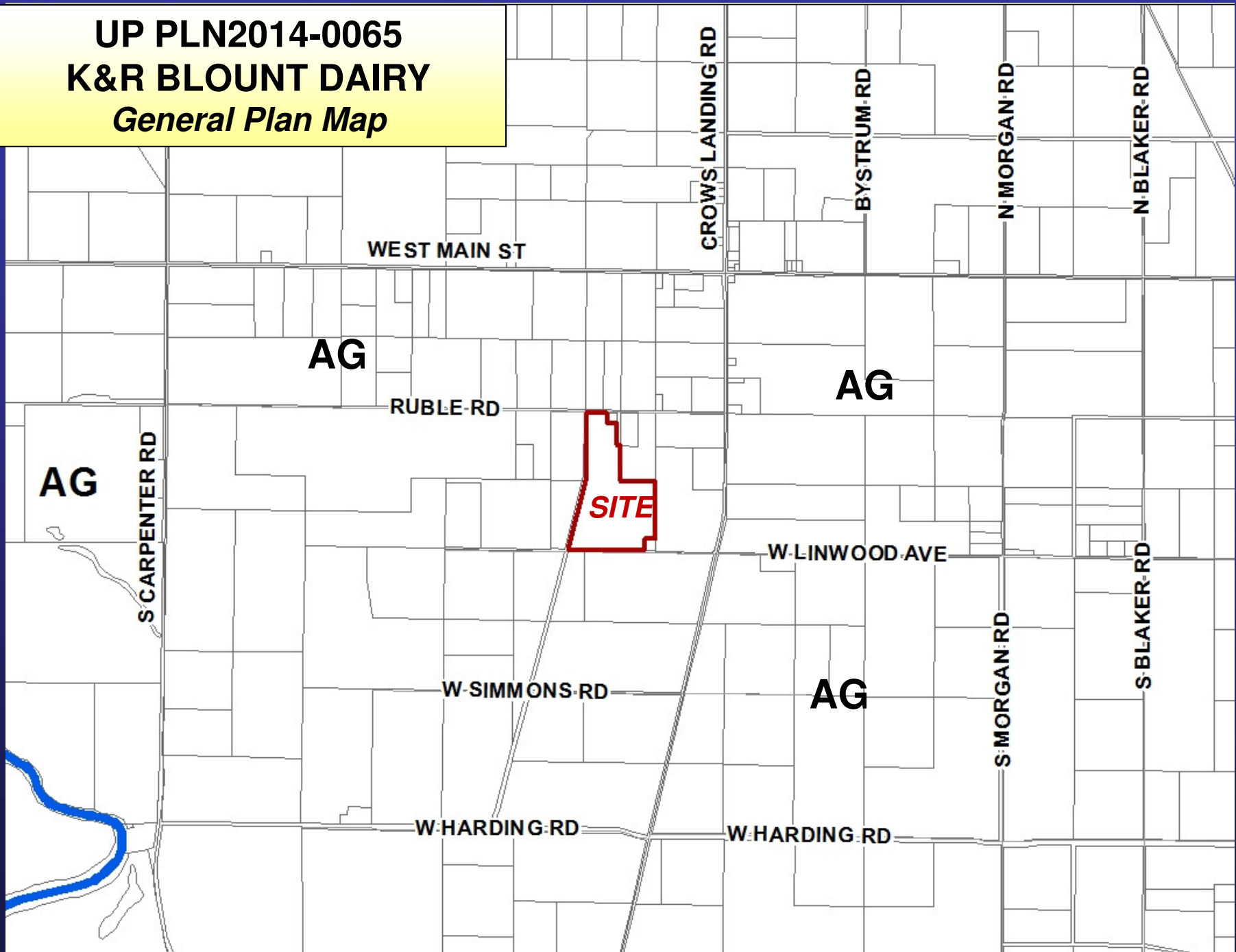
Exhibit A
Findings and Actions Required for Project Approval

1. Adopt the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Order the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.
3. Find that:
 - (a) The establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of "Agriculture" and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County;
 - (b) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district;
 - (c) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping; and
 - (d) The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.
4. Approve Use Permit Application No. PLN2014-0065 – K&R Blount Dairy, subject to the attached Conditions of Approval.

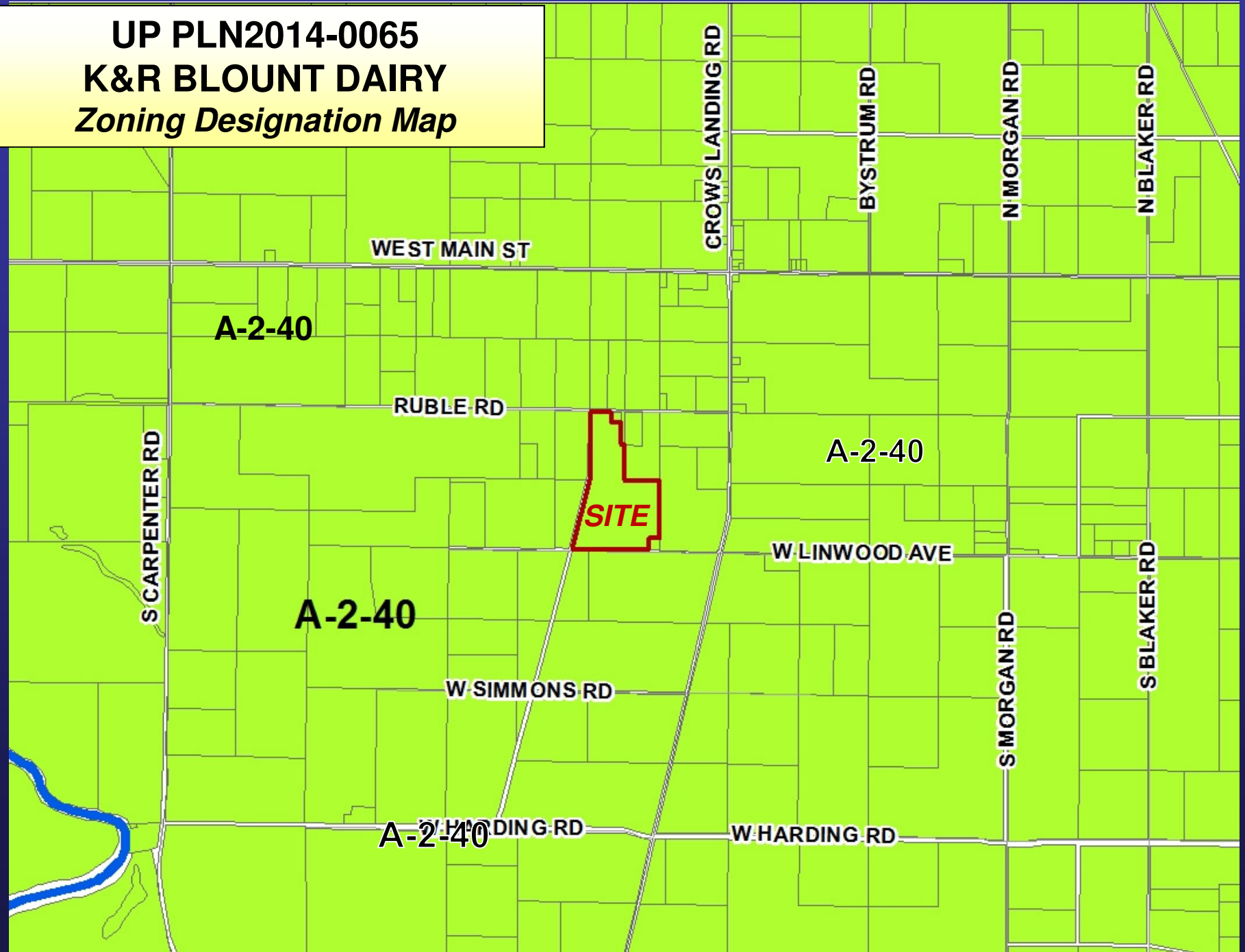
UP PLN2014-0065
K&R BLOUNT DAIRY
Area Map



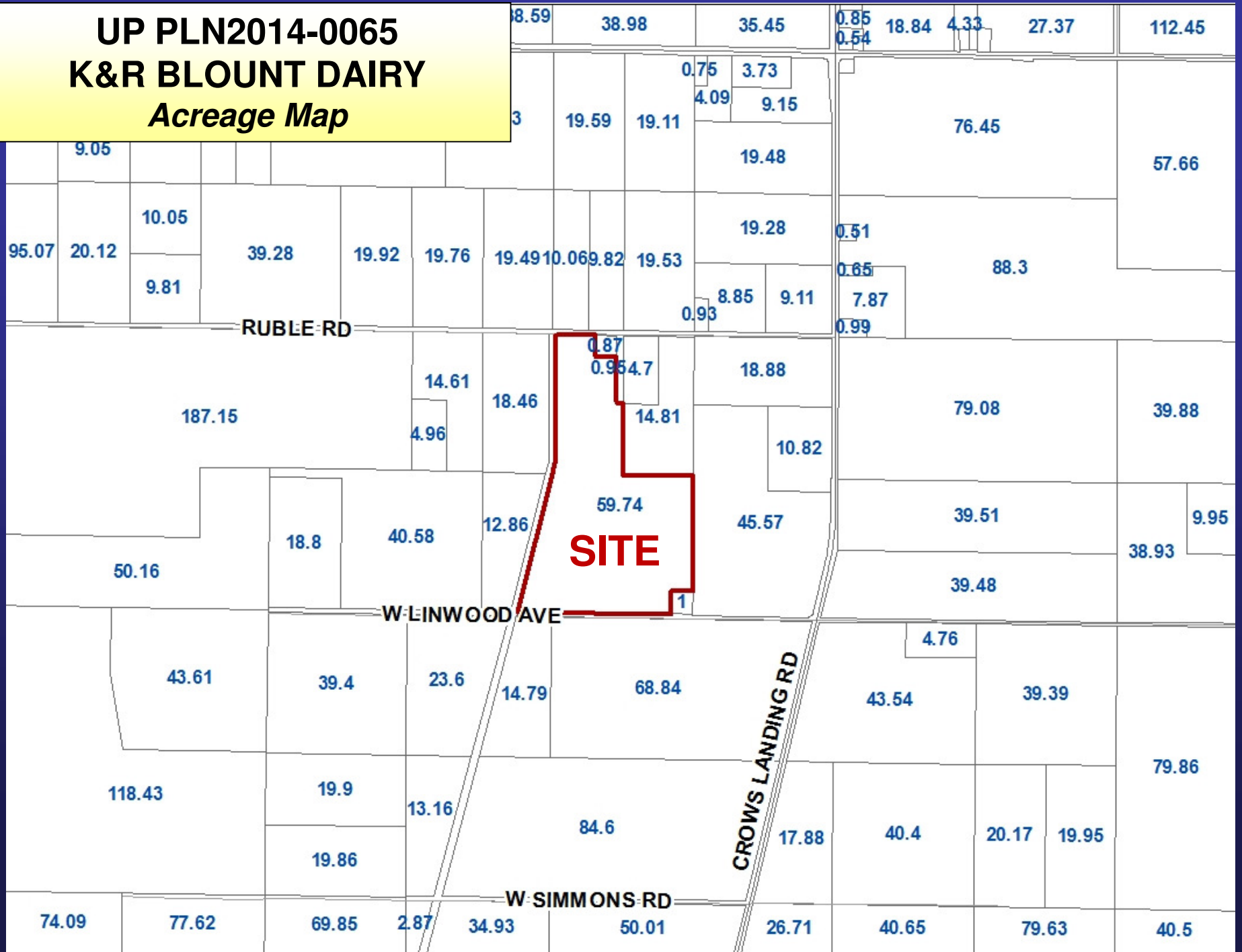
UP PLN2014-0065
K&R BLOUNT DAIRY
General Plan Map



UP PLN2014-0065
K&R BLOUNT DAIRY
Zoning Designation Map



**UP PLN2014-0065
K&R BLOUNT DAIRY
Acreage Map**



UP PLN2014-0065
K&R BLOUNT DAIRY
2013 Stanislaus County Aerial

RUBLE RD

SITE

W LINWOOD AVE

RUBLE RD

SITE

CROWS LANDING RD

W LINWOOD AVE

UP PLN2014-0065
K&R BLOUNT DAIRY
2013 Stanislaus County Aerial

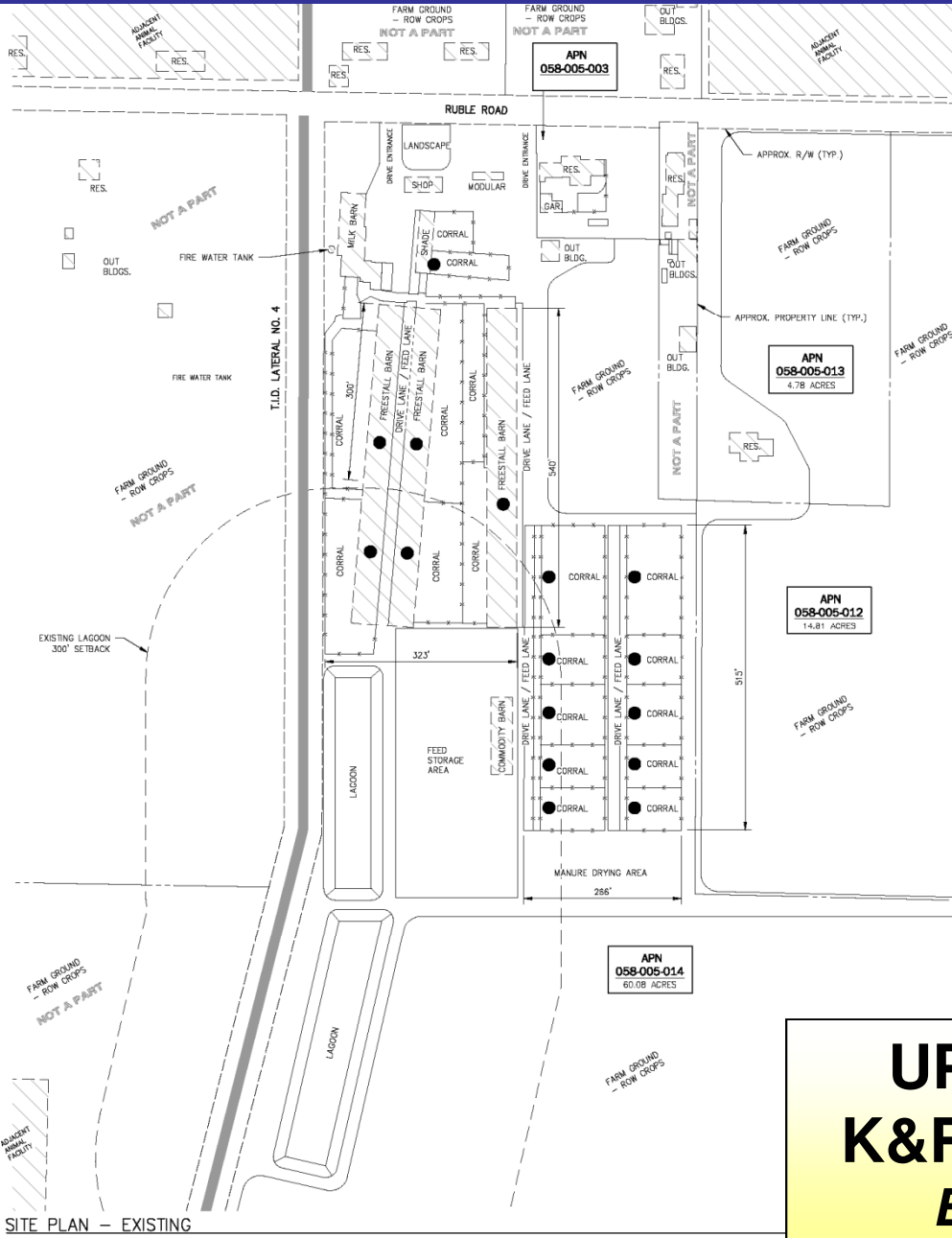


Know what's below.
Call before you dig.

WARNING
POWER LINES
OVERHEAD

SITE LEGEND

- SITE BOUNDARY LINE
- CANALS & DITCHES
- - - - - APPROXIMATE RIGHT-OF-WAY
- EXISTING FEATURE
- - - - - APPROXIMATE PROPERTY LINE
- - - - - EXISTING SETBACK LINE
- ▨ EXISTING STRUCTURE / ADJACENT ANIMAL FACILITY
- HERD INDEX LABEL (SEE TABLE)

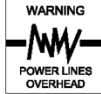


| HERD INDEX -- EXISTING | | | | |
|------------------------|---------------------|--------------------------|--------------|---------|
| | DESCRIPTION | HOUSING | FLUSH/SCRAPE | ANIMALS |
| 1 | MILK COWS | FREESTALL / EXERCISE PEN | FLUSH | 600 |
| 2 | MILK COWS | FREESTALL / EXERCISE PEN | FLUSH | 200 |
| 3 | DRY COWS | LOAFING / EXERCISE PEN | FLUSH | 100 |
| 4 | HEIFERS (15-24 MO.) | OPEN CORRAL | FLUSH | 300 |
| 5 | HEIFERS (7-14 MO.) | OPEN CORRAL | FLUSH | 300 |
| 6 | HEIFERS (4-6 MO.) | OPEN CORRAL | FLUSH | 80 |
| | | TOTAL | | 1,580 |

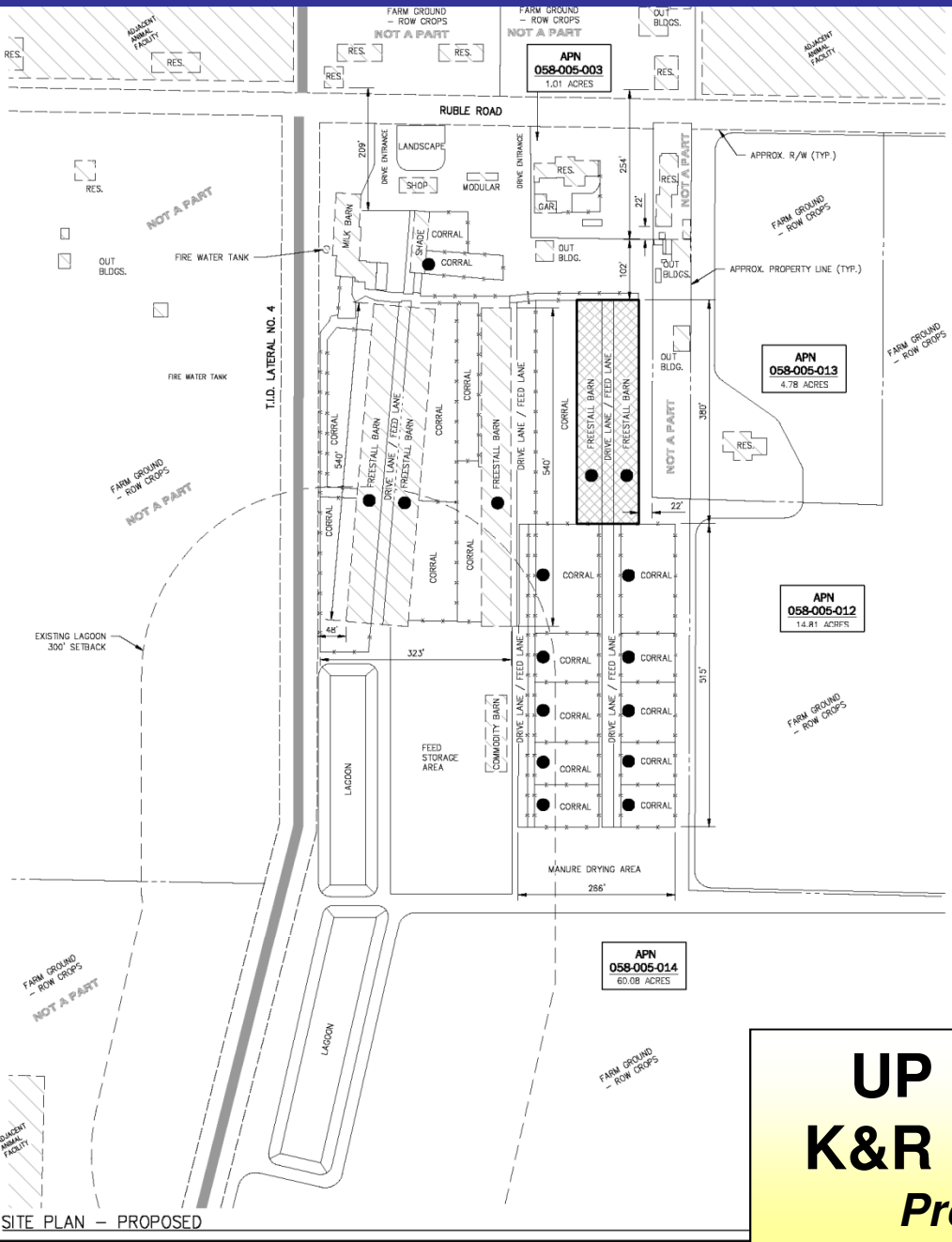
UP PLN2014-0065
K&R BLOUNT DAIRY
Existing Site Plan



Know what's below.
Call before you dig.



- SITE LEGEND**
- SITE BOUNDARY LINE
 - CANALS & DITCHES
 - - - - - APPROXIMATE RIGHT-OF-WAY
 - - - - - EXISTING FEATURE
 - - - - - APPROXIMATE PROPERTY LINE
 - - - - - EXISTING SETBACK LINE
 - ▨ EXISTING STRUCTURE / ADJACENT ANIMAL FACILITY
 - ▨ PROPOSED STRUCTURE
 - HERD INDEX LABEL (SEE TABLE)



| HERD INDEX - PROPOSED | | | | |
|-----------------------|---------------------|----------------------------------|--------------|---------|
| | DESCRIPTION | HOUSING | FLUSH/SCRAPE | ANIMALS |
| 1 | MILK COWS | FREESTALL / EXERCISE PEN | FLUSH | 1040 |
| 2 | MILK COWS | FREESTALL - NO EXERCISE | FLUSH | 200 |
| 3 | DRY COWS | LOAFING / EXERCISE / OPEN CORRAL | FLUSH | 200 |
| 4 | HEIFERS (15-24 MO.) | OPEN CORRAL | FLUSH | 400 |
| 5 | HEIFERS (7-14 MO.) | OPEN CORRAL | FLUSH | 100 |
| | | TOTAL | | 1,940 |

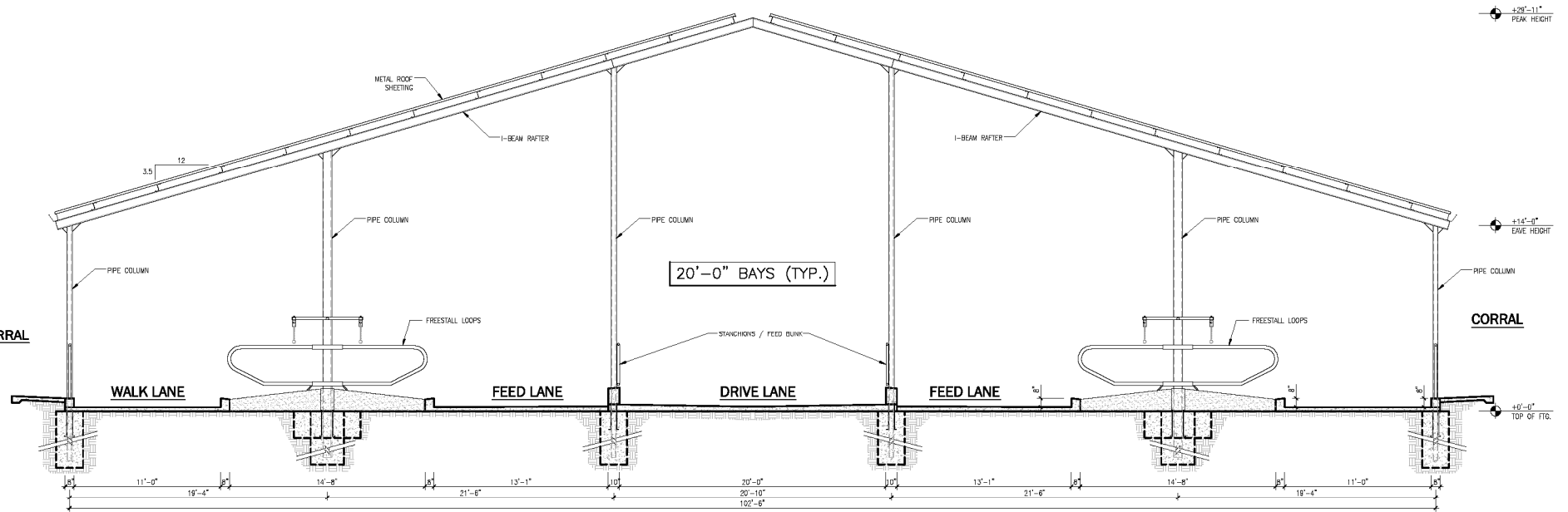
UP PLN2014-0065
K&R BLOUNT DAIRY
Proposed Site Plan



WARNING

 POWER LINES
 OVERHEAD

15



FREESTALL BARN - TYPICAL CROSS SECTION / ELEVATION

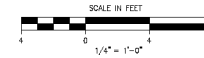


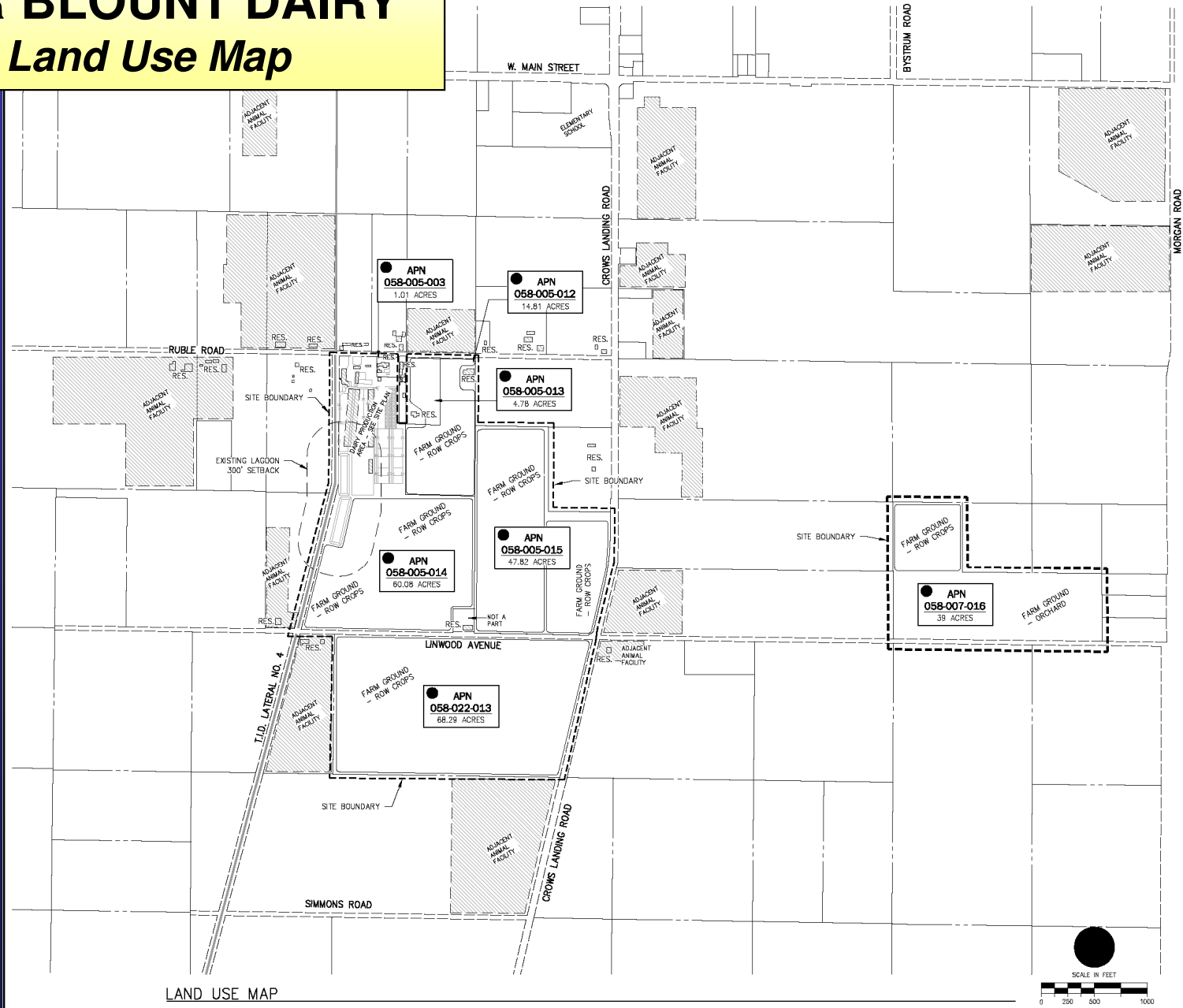
EXHIBIT B-8

UP PLN2014-0065
K&R BLOUNT DAIRY
Freestall Barn Elevation

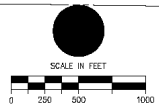
UP PLN2014-0065 K&R BLOUNT DAIRY Land Use Map

BOUNDARY LINE
S & DITCHES
APPROXIMATE RIGHT-OF-WAY

APPROXIMATE PROPERTY LINE
EXISTING SETBACK LINE
EXISTING STRUCTURE / ADJACENT ANIMAL FACILITY



LAND USE MAP



NOTE: Approval of this application is valid only if the following conditions are met. This permit shall expire unless activated within 18 months of the date of approval. In order to activate the permit, it must be signed by the applicant and one of the following actions must occur: (a) a valid building permit must be obtained to construct the necessary structures and appurtenances; or, (b) the property must be used for the purpose for which the permit is granted. (Stanislaus County Ordinance 21.104.030)

CONDITIONS OF APPROVAL

**USE PERMIT APPLICATION NO. PLN2014-0065
K&R BLOUNT DAIRY
SCH #2014072021**

Department of Planning and Community Development

1. Use(s) shall be conducted as described in the application and supporting information (including the plot plan) as approved by the Planning Commission and/or Board of Supervisors and in accordance with other laws and ordinances.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2015), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,267.00**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.
3. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of building permit issuance.
4. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
5. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).

6. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.
7. A sign plan for all proposed on-site signs indicating the location, height, area of the sign(s), and message must be approved by the Planning Director or appointed designee(s) prior to installation.
8. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
9. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.

Department of Public Works

10. An encroachment permit shall be taken out for any new driveway or for any work to be done in the Ruble Road right-of-way. Any new driveway location will have to be approved by the Department of Public Works.
11. No parking, loading, or unloading of vehicles shall be permitted within the County road right-of-way.
12. A grading and drainage plan for the project site shall be submitted with the grading or building permit. Public Works will review and approve the drainage calculations. The grading and drainage plan shall be designed in accordance to the 2014 County Standards and Specifications and shall include the following minimum information:
 - A. The plan shall contain enough information to verify that all runoff will be kept from going onto adjacent properties and Stanislaus County road right-of-way.
 - B. The grading, drainage, and erosion control plan shall comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit, including post development treatment and water quality treatment requirements.
 - C. A Notice of Intent (NOI) shall be submitted to the County prior to the approval of the grading permit.
 - D. The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the grading/building permit.

- E. The applicant of the grading/building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan and all inspection fees. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site. The plans shall not be released until such time that all plan check and inspection fees have been paid.
- F. The applicant shall determine the project risk level and pay the appropriate NPDES fee based on the latest Public Works Engineering fee schedule.

Building Permits Division

- 13. Building permits, in accordance with the most current adopted California Code of Regulations - Title 24, will be required for all proposed structures.

Turlock Irrigation District (TID)

- 14. TID's 60-foot wide Lower Lateral 4 canal right of way is located along the western boundary of the dairy facility. No permanent structures are to be constructed within the right-of-way without written permission from TID.
- 15. TID has a well and pump located adjacent to the canal about 330 feet south of Ruble Road. The developer shall comply with the standard easement for a well, 50-feet by 50-feet centered on the well.
- 16. The lands that will be receiving dairy nutrient water are irrigated by a network of private and improvement district pipelines connect to TID's canal system. Any use of nutrient water in an improvement district facility must be done under the terms of a Revocable License Agreement. Use within private pipeline must have adequate controls in place to prevent the nutrient water from entering a TID canal or improvement district facility.
- 17. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.
- 18. The front building setback is to be a minimum of 15-feet from the property line and/or ultimate road right of way, whichever is greater, to enable the safe placement of utilities.

Regional Water Quality Control Board (RWQCB)

- 19. The facility operator shall, at all times, implement and comply with all waste and nutrient management practices and waste discharge requirements as approved by the RWQCB; including future modifications to the Waste Management Plan (WMP) and Nutrient Management Plan (NMP) in accordance with RWQCB review, permitting, and approval.
- 20. This project is subject to Individual Waste Discharge Requirements as determined by RWQCB. Individual Waste Discharge Requirements will be prepared and issued by RWQCB.

21. The facility operator shall prevent infiltration and/or discharge from silage leachate, manure solids, and process wastewater, by implementing manure management and process wastewater management during dairy operation and at the time of dairy closure.

San Joaquin Valley Air Pollution Control District (District)

22. The proposed project is subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). A change in emissions or change in method of operation/equipment shall require the submittal of an Authority to Construct Permit application.
23. The proposed project may be subject to the following District Rules:
- Regulation VIII (Fugitive PM10 Prohibitions);
 - Rule 4102 (Nuisance) – This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project or construction of the project creates a public nuisance, it could be in violation and be subject to District enforcement action;
 - Rule 4601 (Architectural Coatings);
 - Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations);
 - Rule 4002 (National Emission Standards for Hazardous Air Pollutants); and
 - Rule 4550 (Conservation Management Practices) – The purpose of this rule is to limit fugitive dust emissions from agricultural operation sites. These sites include areas of crop production, animal feeding operations and unpaved roads/equipment areas. The District's CMP handbook can be found online at the District's website.
24. A Rule 4570 (Confined Animal Facilities) application shall be submitted to the District. District Rule 4570 was adopted by the District's Governing Board on June 15, 2006. Dairies with greater than or equal to 1,000 milk cows are subject to the requirements of District Rule 4570.

*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in **bold**, and deleted wording will have a ~~line through it~~.*