



Date October 5, 2017

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

**SUBJECT: FOLLOW-UP REPORT - USE PERMIT APPLICATION NO. 2016-0055 -
RECOLOGY BLOSSOM VALLEY ORGANICS - NORTH**

On August 31, 2017, a Special Committee of the Planning Commission (Commissioners Etchebarne, Orvis, and Buehner) visited the Recology Blossom Valley Organics composting facility at 3909 and 3432 Gaffery Road, in the Vernalis area. The visit was scheduled in fulfillment of Condition of Approval Number 17 of Use Permit Application No. PLN2016-0055, (See Attachment 1 - *Notice of Administrative Conditions and Restrictions for UP PLN2016-0055.*)

The project approval included a number of conditions of approval and mitigation measures to address nuisance complaints identified in the December 15, 2016, Planning Commission agenda report. A few area residents expressed objection to the project due to the following concerns:

- Bird and Vector control
- Odors
- Fires and Air Quality
- Fugitive debris (litter)
- Fugitive dust
- Hazardous materials
- Truck traffic and road impacts
- Storm water runoff
- Impacts to neighboring agricultural operations and products

The purpose of the site visit by the Special Committee of the Planning Commission was to inspect the site conditions and business operations to determine whether implementation of the approved conditions of approval and mitigation measures were effective in addressing project concerns.

The site visit followed the same path of travel utilized by the Planning Commission on its December 1, 2016, site visit. (See Attachment 2 - *Site Visit Map.*)

I. Improvements Completed and Review of Operational Concerns

The following is an overview of improvements completed since the approval of the Use Permit on December 15, 2016, and the evaluation of the observed site operations during the August 31, 2017, site visit.

A. Fencing

An additional 22-foot high netted fence was installed along the property's northern boundary and along a portion of the project's western boundary. The 22-foot high netted fencing incorporated a cantilevered mesh to help keep air borne waste debris from leaving the site. Additional fencing of similar design was installed in the interior of the site by the western entrance to the site.

The waste-stream still includes some level of contaminants (plastic bags); however, there was little evidence of pollutants on Gaffery Road, in the adjacent orchard, or in the neighboring canal. The applicant continues to use a vacuum truck and crews to pick-up litter that leaves the site. Screening and processing operations are suspended on days of high winds.

B. Aerated Static Pile (ASP) – Pilot Project

The composting process incorporates the use of windrows to allow the breakdown of organic feedstock consisting of food and green waste. The windrow systems require the frequent turning of material to facilitate composting and to keep temperatures below certain thresholds.

A small area of the site was utilized for a test area of an aerated static pile (ASP) system. This system allows the feedstock to remain static on a wide area, while allowing air and water to be pushed or pulled into it to facilitate the composting process. After a few pilot tests, the operator reported it identified an optimum operating system to maximize the efficiency of the ASP composting process. Expansion of the ASP was under construction at the time of this visit. The whole operation at the site is scheduled to be converted from a windrow composting operation to an ASP system within six years of the Use Permit approval.

The ASP system is intended to address odor, vector control and to minimize the generation of dust and airborne debris. According to Staff and Planning Commissioners present, the odor on the premises was of an earthy aroma and it was not detected off of the site. The operator has obtained the services of a pest control company, which services the site on a weekly basis. The generation of flies is attributed to the presence of new feedstock. The presence of flies was not detected off site and there appeared to be a noticeable reduction of flies on site from the visits in 2016. There were no seagulls observed on site during the visit.

A second receiving and sorting line has been added to address any accumulation of incoming feedstock per the operator and as observed. When one line is down for repairs, the other line is operated through the night to allow continued sorting and transfer of material into the windrows.

C. Storm Water Basin

The two storm water detention basins were completed in accordance with State requirements. The basins are lined and the water is recycled into the composting rows and ASP to keep the temperature and dust down. During this visit, the basins did not have much water and there was no noticeable smell detected from them.

D. Landscaping

New landscaping was installed along Gaffery Road. The interior landscaping was not installed at the time of the site visit, but has since been installed in front of the second row of interior fencing. The plants that had been installed at the time of the visit appeared to be watered and healthy.

E. Truck Wash and Conversion of Agricultural Building

Construction plans for the development of the truck wash on the parcel south of Gaffery Road have been submitted to the County and are under review. In addition, the conversion or change of use of the agriculture building to a service shop is underway.

F. Fires On-Site

There were reports from one of the neighbors of three fires on-site (June 4, June 10, and June 13, 2017.) The fires occurred in the windrows as the internal temperatures ignited the composting material. The fires were put out and per the operator; the windrows are routinely monitored, turned, and watered to prevent fires from occurring on-site.

G. Neighborhood Complaints

Staff is aware of four complaints; one being anonymous and three from Traci and David Thoming.

The first complaint reported, March 8, 2017, for waste being moved from the storage pond to the other places on-site. This complaint was investigated by Department of Environmental Resources and was determined by the County Solid Waste Division to be in compliance with operating procedures.

The second complaint from the Thoming's was reported on June 11, 2017, relating to smoke damage and offensive odors detected along Welty Road, located a little over a mile away from the site. This complaint of smoke damage and odor was relayed to the Recology General Manager who apologized for the fire and smoke damage experienced at the Welty Road property and requested that the homeowners file a claim with the operator's insurance company. The operator has incorporated a new fire extinguishment system and also utilizes thermal imaging equipment to address fire concerns.

As previously mentioned, the odor detected on the premises the day of this visit was of an earthy aroma and this odor was not detected off of the site.

The third complaint was reported on June 27, 2017, Mr. Thoming complained of dust plumes coming from the Recology site. This complaint regarding dust emanating from the site was attributed to steam generated during the turning of the windrows per the operator. The complaint was relayed to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for further investigation and enforcement. To date, the County has not been notified of the investigation results.

The fourth complaint was reported on June 29, 2017; Mr. Thoming reported the presence of garbage in the composting operations. This complaint relating to the presence of garbage in the feedstock reflects the waste-stream that includes contaminates. The operator is working with the feedstock source generators to reduce the use of plastic bags by increasing the cost to receive the waste-stream on-site, or to reject the load all together.

H. CalRecycle Inspections

The State of California's regulatory and enforcement agency for composting facilities is CalRecycle. It conducts regular site inspections of composting operations and inspected the site on May 16, 2017 and on July 21, 2017. A copy of the inspection reports are attached; (See Attachment 3 – *Composting Materials Handling Operation and Facility Inspection Reports (93)*). The report identified occurrences when turning equipment was down due to repairs, resulting in windrows not being turned enough to keep temperatures at or below 131 degrees Fahrenheit. The operator is using a thermal imaging of windrows to identify hot spots to prevent and control the potential of fires at the site.

II. Review of Conditions of Approval

Staff believes that implementation of the current conditions of approval have been adequate, along with the operator's improvements, to address concerns from neighboring residents. Commissioners that were in attendance at the site visit may wish to comment on their observations and recommendations.

The Planning Commission may consider amending conditions of approval if it believes that it is necessary to address nuisance concerns. If the Commission desires to amend the conditions of approval of the Use Permit, then staff will schedule the matter for consideration at a future Planning Commission meeting.

Attachments:

- 1 Notice of Administrative Conditions and Restrictions for UP PLN2016-0055
- 2 Site Visit Map
- 3 Composting Materials Handling Operation and Facility Inspection Reports (93) dated 5/16/2017 and 7/21/2017



December 16, 2016

Laura J. Ferrante
50 California Street, 24th FL.
San Francisco, CA 94111

**SUBJECT: USE PERMIT APPLICATION NO. PLN2016-0055 – RECOLOGY BLOSSOM VALLEY ORGANICS – NORTH
APN: 016-003-010 & 016-016-023**

Dear Applicant:

The Stanislaus County Planning Commission, at its regular meeting on Thursday, **December 15, 2016**, completed its consideration of your application and has approved your request, subject to the attached conditions.

The Commission's decision and/or all conditions attached hereto may be appealed to the Board of Supervisors, in writing, within 10 days from the date of the hearing. The appeal letter must be addressed to the Board of Supervisors, and must state reasons why the appeal should be granted. If you wish to appeal the Commission's decision, a filing fee of \$622.00, payable to Stanislaus County Planning & Community Development, should be delivered to the Planning Department, along with a copy of the letter. The appeal period expires **December 26, 2016, at 4:30 p.m.**

Please be advised that approval of your application contains a condition which reads as follows: "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." A copy of documents to be recorded is attached for your convenience. Please contact the Clerk-Recorder's Office to obtain a recorded copy at a later date. This condition will be met after the ten day appeal period has elapsed.

Following the ten (10) day appeal period **and compliance with applicable Conditions of Approval, including payment of Fish and Game fees**, you are required to come to our office to sign and pick up your permit which will then become valid. If your permit has not been signed after 18 months of approval, it becomes invalid.

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In addition, the conditions of project approval set forth herein may include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety (90) day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020 (a), has begun. If you fail to file a protest within this ninety (90) day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

If you have any questions, please contact this office at (209) 525-6330.

Sincerely,



Miguel Galvez
Deputy Director

Enclosures

cc: Recology Blossom Valley Organics – North

VIA EMAIL:

Denny Ferreira, Building Permits Division
Frederic Clark, Public Works
Bella Badal, DER
StanCOG
CalTrans

Angie Halverson, Public Works
Paul Saini, Public Works

Recording Requested By And For The Benefit Of
And, When Recorded, Mail To:



County of Stanislaus
Department of Planning and
Community Development
1010 Tenth Street, Suite 3400
Modesto, CA 95354

Space Above Reserved for Recorder's Use

NOTICE OF ADMINISTRATIVE CONDITIONS AND RESTRICTIONS

PLEASE TAKE NOTICE that the COUNTY OF STANISLAUS approved the land use development described below subject to administrative conditions and restrictions, copies of which are attached to this notice and incorporated herein by reference. The conditions and restrictions affect development of the property or parcels described below and are binding upon the named landowners and their successors in interest.

Property Owner(s): Recology Blossom Valley Organics – North

Project Site Address: 3909 and 3432 Gaffery Road, east of Koster Road and west of Welty Road, in the Vernalis area.

Assessor's Parcel Number(s): 016-003-010 & 016-016-023

General Plan Designation: Agriculture

Zoning District: A-2-40 (General Agriculture)


Community Plan Designation: Not Applicable

Project Name/Description: **USE PERMIT APPLICATION NO. PLN2016-0055 – RECOLOGY BLOSSOM VALLEY ORGANICS – NORTH** – To amend previously approved Use Permit 2006-0037, to allow for a reorganized operations plan and on-site improvements for an existing composting facility on a 112.45 acre parcel and to establish a maintenance and truck washing station on a 38.47 acre parcel.

The undersigned duly authorized officer of Stanislaus County declares that the foregoing is true and correct under penalty of perjury under the laws of the State of California.

12-16-16

Dated


Miguel Galvez
Deputy Director

ATTACHMENTS:

1. Conditions of Approval
2. Project Area Map (For Illustrative Purposes Only)

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. PLN2016-0055 - RECOLOGY BLOSSOM VALLEY ORGANICS - NORTH

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. All Use Permit No. 98-19 and 2006-37 Conditions of Approval and Mitigation Measures shall remain in effect. If a conflict exists, the stricter of the requirements shall be imposed unless otherwise determined by the Planning Director.
2. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2016), 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 **\$2,267.25**, 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. During the construction phases of the project, if any human remains, significant or potentially unique, are found, all construction activities in the area shall cease until a qualified archeologist can be consulted. Construction activities shall not resume in the area until an on-site archeological mitigation program has been approved by a qualified archeologist.
7. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary.
8. 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.
9. 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.
10. Pursuant to Sections 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate stream-bed alteration agreements, permits, or authorizations, if necessary.
11. 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.
12. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary.
13. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
14. The facility operator shall be responsible for keeping all materials, including litter, within the 112 acre parcel approved for composting. Installation of all of the proposed 22 foot high meshed litter and dust cantilevered-fencing shall be completely within 6 months of project approval. Installation shall include landscaping as approved by the Planning Department.
15. The facility operator shall fully implement the Odor Control Plan, the Litter Control Plan, Dust Control Plan, and the Vector Control Plan upon project approval. Any changes to the plans shall be subject to approval by the Planning Director.

16. The facility operator shall require that all incoming feedstock delivery trucks check their trailers for the presence of seagulls and other birds at their source of departure. The applicant is to continue to use the services of the falconer to abate the presence of seagulls.
17. The Use Permit shall be reviewed by the Planning Commission one (1) year after project approval and annually thereafter at the discretion of the Planning Director. The Planning Commission, as part of the review, may amend conditions of approval, as necessary, to address nuisance concerns.
18. The facility operator shall complete the conversion of composting from windrow composting to the Aerated Static Pile composting system for the whole site within six (6) years of project approval. The composting areas shall maintain a setback distance of at least 100 feet from the northern and southern property lines.
19. Within 30 days of approval, the applicant/operator will be required to deposit the sum of \$10,000 with the Stanislaus County Department of Environmental Resources to be used to reimburse the County for any staff costs associated with monitoring and enforcing adopted Conditions of Approval and/or Mitigation Measures. The applicant shall refresh the deposit within 30 days when notified by County Staff that the available funds have dropped below 50%.

Department of Public Works

20. The applicant shall obtain an encroachment permit prior to any work being done in the Stanislaus County road right-of-way.
21. Public Works shall approve the location and width of any new driveway approaches on any County maintained roadway. An encroachment permit shall be taken out for any new asphalt driveway on Gaffery Road right-of-way for the maintenance and truck washing parcel prior to the issuance of a grading or building permit for that parcel
22. A grading and drainage plan for the project site shall be submitted before any building permit for the site is issued. Public Works will review and approve the drainage calculations. The grading and drainage plan shall include the following information:
 - A. Drainage calculations shall be prepared as per the Stanislaus County Standards and Specifications that are current at the time the permit is issued.
 - B. 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.
 - C. The grading and drainage plan shall comply with the current Stanislaus County National Pollutant Discharge Elimination System (NPDES) General Permit and the Quality Control standards for New Development and Redevelopment contained therein.
 - D. An Engineer's Estimate shall be submitted for the grading and drainage work.
 - E. 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 building permit.

The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for the plan review of the building and/or grading plan.

23. The applicant of the building permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. A preliminary Engineer's Estimate for the grading and drainage work shall be submitted to determine the amount of deposit for the inspection of the grading. The deposit shall be made prior to the issuance of the building permit. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site. The Public Works inspector will not sign-off on the grading or building permit until such time that all inspection fees have been paid. Any fees left over from the deposit shall be returned to the applicant at the completion and acceptance of the grading and drainage construction by Stanislaus County Public Works.
24. An acceptable financial guarantee for the road improvements shall be provided to the Department of Public Works prior to the issuance of any building permit. This may be deferred if the work in the right-of-way is done prior to the issuance of any building permit.
25. An Engineer's Estimate shall be provided for the road improvements so that the amount of the financial guarantee can be determined.
26. No parking, loading, or unloading of vehicles shall be permitted within the county road right-of-way.

Central Valley Regional Water Quality Control Board (RWQCB)

27. The project shall be required to meet all RWQCB policies and standards in order to protect the quality of surface and groundwater. Policies and standards include, but are not limited to a Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit – Water Qualification Certification, and Waste Discharge requirements. Policies and standards shall be met prior to development and maintained during operation.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

28. The applicant may be subject to the following District Rules and may be subject to additional regulations/permits, as determined by the SJVAPCD:
 - Regulation VIII (Fugitive PM10 Prohibitions);
 - Rule 4102 (Nuisance);
 - Rule 4601 (Architectural Coatings); and
 - Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

Building Permits Division

29. Building permits are required and the project must conform with the California Code of Regulations, Title 24.
30. Prior to the issuance of a building permit for the truck wash facility, the applicant shall obtain a change of use to convert the agricultural building to an equipment mechanic shop and pay all applicable Public Facilities Fees, as determined by the Chief Building Official.

CalRecycle

31. The facility is currently permitted to operate on 123.5 acres and may receive up to 2,000 tons per day of compostable material. In order to modify the operation, the operator will be required to apply for a Revised Solid Waste Facilities Permit prior to new operations commencing.

West Stanislaus County Fire Protection District

32. Project shall comply with current California Fire Code requirements. Approved Fire Apparatus access roads shall be provided. Minimum width shall not be less than 20 feet.
33. Current Recology on-site water supply tanks shall be maintained in proper working order and shall have approved, unobstructed fire road access at all times.
34. Hydrants shall be maintained in proper working order at all times.
35. Water supply pond shall be filled and maintained at all times.

MITIGATION MEASURES

(Pursuant to California Public Resources Code 15074.1: Prior to deleting and substituting for a mitigation measure, the lead agency shall do both of the following:

- 1) Hold a public hearing to consider the project; and**
2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.)

36. MM AIR-1 - Fugitive Dust Control

The owner/operator shall sufficiently implement at least one (1) of the control measures listed below to limit visible dust emissions (VDE) to 20 percent opacity or to comply with the conditions for a stabilized surface as defined in Rule 8011. The opacity limit may be achieved through implementation of any combination of the following control measures to the extent needed:

On-Site Transporting of Bulk Materials:

- Limit vehicular speed while traveling on the work site sufficient to limit VDE to 20 percent opacity; or
- Load all haul trucks such that the freeboard (the amount of material transported that rises above the walls of the truck bed) is not less than six (6) inches when material is transported across any paved public access road; or
- Apply water to the top of the load sufficient to limit VDE to 20 percent opacity; or
- Cover haul trucks with a tarp or other suitable cover.

Off-Site Transporting of Bulk Materials:

- Clean the interior of the cargo compartment or cover the cargo compartment before the empty truck leaves the site; and

- Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate; and
- Load all haul trucks such that the freeboard is not less than six (6) inches when material is transported on any paved public access road and apply water to the top of the load sufficient to limit VDE to 20 percent opacity; or cover haul trucks with a tarp or other suitable closure.

Unpaved Road Segments:

- On each day that 75 or more vehicle daily trips (VDT), or 25 or more VDT with three (3) or more axles, will occur on an unpaved road segment, the owner/operator shall limit VDE to 20 percent opacity and comply with the requirements of a stabilized unpaved road by application and/or re-application/maintenance of at least one (1) of the following control measures, or shall implement an approved Fugitive PM10 Management Plan:
 - Watering;
 - Uniform layer of washed gravel;
 - Chemical/organic dust suppressants;
 - Vegetative materials;
 - Paving;
 - Road-mix;
 - Any other method(s) that can be demonstrated to the satisfaction of the APCO that effectively limits VDE to 20 percent opacity and meets the conditions of a stabilized unpaved road.

Unpaved Vehicle/Equipment Parking and Traffic Areas:

- The control measures listed below shall be implemented on unpaved surface areas dedicated to any vehicle and equipment parking and traffic activity in order to limit VDE to 20 percent opacity and comply with the requirements of a stabilized unpaved road as specified in Rule 8011. If vehicle activity remains exclusively within an unpaved vehicle/equipment traffic area, Section 5.3 may be implemented to limit VDE to 20 percent opacity.
- Where 50 or more annual average daily trips (AADT) will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall limit VDE to 20 percent opacity and comply with the requirements of a stabilized unpaved road by the application and/or reapplication/maintenance of at least one (1) of the following control measures:
 - Watering;
 - Uniform layer of washed gravel;
 - Chemical/organic dust suppressants;
 - Vegetative materials;
 - Paving;
 - Road-mix.

37. MM AIR-2 - Odor Complaint Response

- When the site receives an odor complaint, the Odor Management Plan shall be implemented. The OMP requires use of a third-party answering service. When complaints are received by the third-party answering service, an e-mail shall be sent

to both BVON personnel and Stanislaus County alerting them of the incident. Complaints received by BVON will be forwarded to the Lead Enforcement Agency (LEA) within 24 hours of receipt or by close of business of the first business day after a weekend complaint.

- Upon notification of a complaint by the third-party service, or upon direct receipt of a complaint by the facility, a facility investigator will use an olfactometer device to determine if the odor is detectable both at the complaint location and on-site at the facility border in the area of the prevailing wind direction.
- If BVON is found to be the source of acute malodorous conditions, then the site will work to eliminate the source of the malodor and an Odor Complaint Investigation Report (OCIR) will be submitted to the LEA within 48 hours of receiving the complaint or by close of business of the first business day after a weekend complaint. The OCIR shall detail the complaint, the investigation carried out, the prevailing weather conditions at the time of complaint and investigation, and the activities occurring on-site at the time of complaint and investigation.

38. MM AIR-3- Facility Improvement and Process Adjustments to Reduce Odors

Facility improvements and adjustments to process controls used to eliminate the source of malodorous conditions shall include, but are not limited to, the following:

- Processing all incoming compostable feedstock materials into active windrows within 72 hours;
- Adequately blending feedstocks and/or adjusting food material to green material ratios to achieve desired carbon to nitrogen levels. Windrows typically have up to a one-to-one ration of food material, not comprising more than 50% of food content, to green material by weight;
- Monitoring feedstock porosity;
- Evaluating and altering moisture management operations, which shall include adding sufficient water to achieve desired moisture;
- Temperature balancing through regulation of airflow within the windrows;
- Adjusting pile sizes;
- Improving site drainage.

Odor controls on the compost pad include:

- Collection and incorporation of organics from aisles between windrows;
- Use of microbial inoculants or lime on pad surfaces and water collection systems;
- Incorporating high organic content liquids into the composting process, both as an inoculant and for moisture control.

39. MM AIR-4 - Facility-wide ASP System Implementation

State Water Resources Control Board Water Quality Order 2015-0121-DWQ (included in Appendix A of the Initial Study) establishes a timeline for compliance with the Compost General Order, as well as monitoring and reporting procedures. The project shall comply with the provisions of the order, as detailed in the Notice of Applicability for coverage under the General Order issued by the Central Valley RWQCB on January 26, 2016.

40. MM CUL-1 – Cultural Materials

An archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology should be present during the initial phase of ground disturbance in order to check for the inadvertent exposure of cultural materials. This may be followed by regular periodic or "spot-check" archaeological monitoring during ground disturbance as needed, but full-time archaeological monitoring is not required at this time. In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, and all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until an archaeologist has evaluated the situation. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, fossils, wood or shell artifacts, or features including hearths, structural remains, or historic dumpsites. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resource, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate forms and will be submitted to the County of Stanislaus, the Central California Information Center (CCIC), and the State Historic Preservation Office (SHPO), if required.

41. MM CUL-2 – Fossil-Bearing Deposits

In the event that fossils or fossil-bearing deposits are discovered during construction activities, excavations within a 100-foot radius of the find shall be temporarily halted or diverted. The project contractor shall notify a qualified paleontologist to examine the discovery. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction activities are allowed to resume at the location of the find. If the applicant determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of construction activities on the discovery. The plan shall be submitted to the County of Stanislaus for review and approval prior to implementation, and the applicant shall adhere to the recommendations in the Plan.

42. MM CUL-3 – Protection of Human Remains

In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5; Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and Section 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the most likely descendant (MLD) of

the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:
 - The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
 - The descendant identified fails to make a recommendation.
 - The landowner or his/her authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:

- When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American Burials with the appropriate Native Americans as identified by the Native American Heritage Commission.

43. MM GEO-1: - Erosion Control

In the event that windrows are permanently removed from the site, erosion control measures appropriate to local conditions shall be put in place. Measures could include the planting of vegetation or agricultural crops to decrease loss of soil by erosion.

44. MM HAZ-1 – Vector Control

To minimize potential for fly nuisance conditions, the applicant shall contract with a licensed pest management service to develop and implement a fly control plan that includes the use of measures such as:

- Adult fly knockdown agents including organic certified sprays as well as EPA Exempt (25(b)) options, fly specific bacterial and fungal sprays (Elector PSP—Spinosad, fungal pathogen—Beauveria bassiana), botanical insecticides—pyrethrum, Pyrethrins + synergists), short residual sprays with rapid degradation.
- Granular fly baits in selected areas applied in bait trays, on bait cards or as scatter baits.
- Insect Growth Regulators (IGR) such as Tekko 10, Tekko Pro or Neporex to break the life cycle of flies by preventing molting, metamorphosis and reproduction.
- Insecticide (deltamethrin) impregnated mesh used for stable fly control.

- Increased frequency for turning of green waste to disrupt fly breeding and attraction and to make the material less conducive to flies.
- Expanded monitoring of flies on-site and in the surrounding area to determine what the seasonal fly pressure and to establish the normal background level of flies as a benchmark for future remedial action.

45. MM HYD-1 – Storm Water Pollution Prevention Plan (SWPPP)

The applicant shall prepare and implement a SWPPP as required under the General Construction Permit for Discharges of Storm Water Associated with Construction Activities, for all construction phases of the project. The SWPPP shall identify pollutant sources that may affect the quality of stormwater discharge and shall require the implementation of BMPs to reduce pollutants in stormwater discharges. BMPs include temporary erosion control measures (such as fiber rolls, staked straw bales), landscaping, and sediment basins.

46. MM HYD-2 – Surface and Groundwater Quality

In order to comply with the Regional General Order from the SWRCB, the project shall implement periodic monitoring and inspections of surface and groundwater quality to ensure protection of beneficial uses. Mitigation for surface waters is outlined in the Design Construction and Operation Requirements. Drainage conveyance systems and ditches must be properly sloped to minimize ponding and kept free and clear of debris to allow for continuous flow of liquid. Ditches must be adequately protected from erosion, and must not cause, threaten to cause, or contribute to conditions resulting in contamination, pollution, or nuisance. Ditches must be inspected and cleaned out prior to the wet season every year.

47. MM NOI-1 – Noise Impacts

Implementation of the following multi-part mitigation measure is required to reduce potential construction period noise impacts:

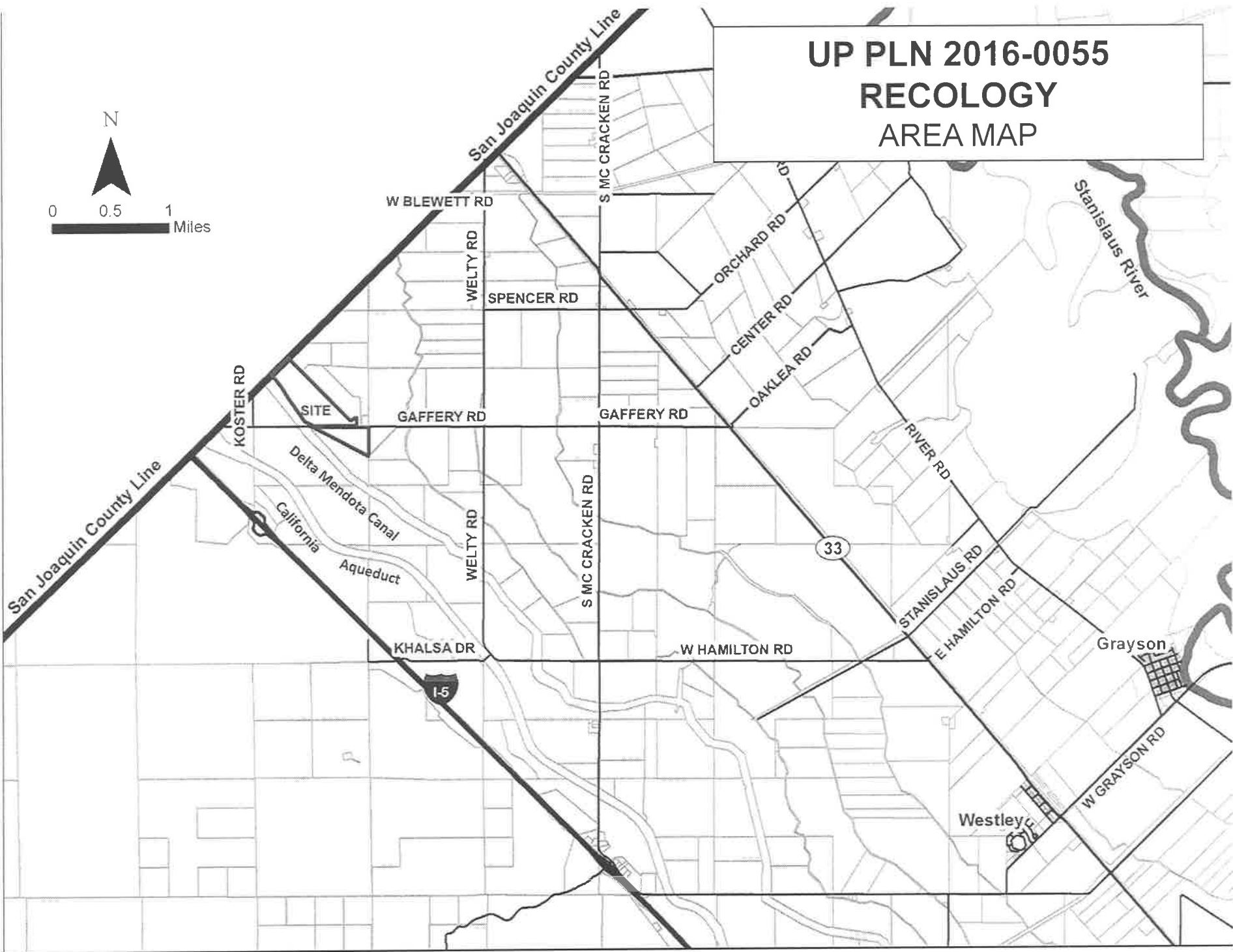
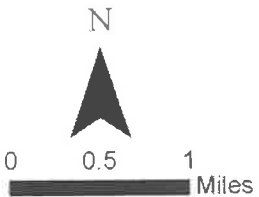
- The construction contractor shall ensure that all construction equipment have appropriate sound muffling devices, which are properly maintained and used at all times such equipment is in operation.
- The construction contractor shall ensure that all internal combustion-engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment.
- The construction contractor shall ensure that “quiet” models of air compressors and other stationary construction equipment are utilized where such technology exists.
- The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall prohibit unnecessary idling of internal combustion engines (i.e., in excess of five (5) minutes).
- All noise producing construction activities, including deliveries of materials and warmup of equipment shall be limited to the hours of 7:00 a.m. and 7:00 p.m. daily.

UP PLN2016-0055
Conditions of Approval
December 15, 2016
Page 11

As Approved by the Planning Commission
December 15, 2016

*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~~.*

UP PLN 2016-0055 RECOLOGY AREA MAP

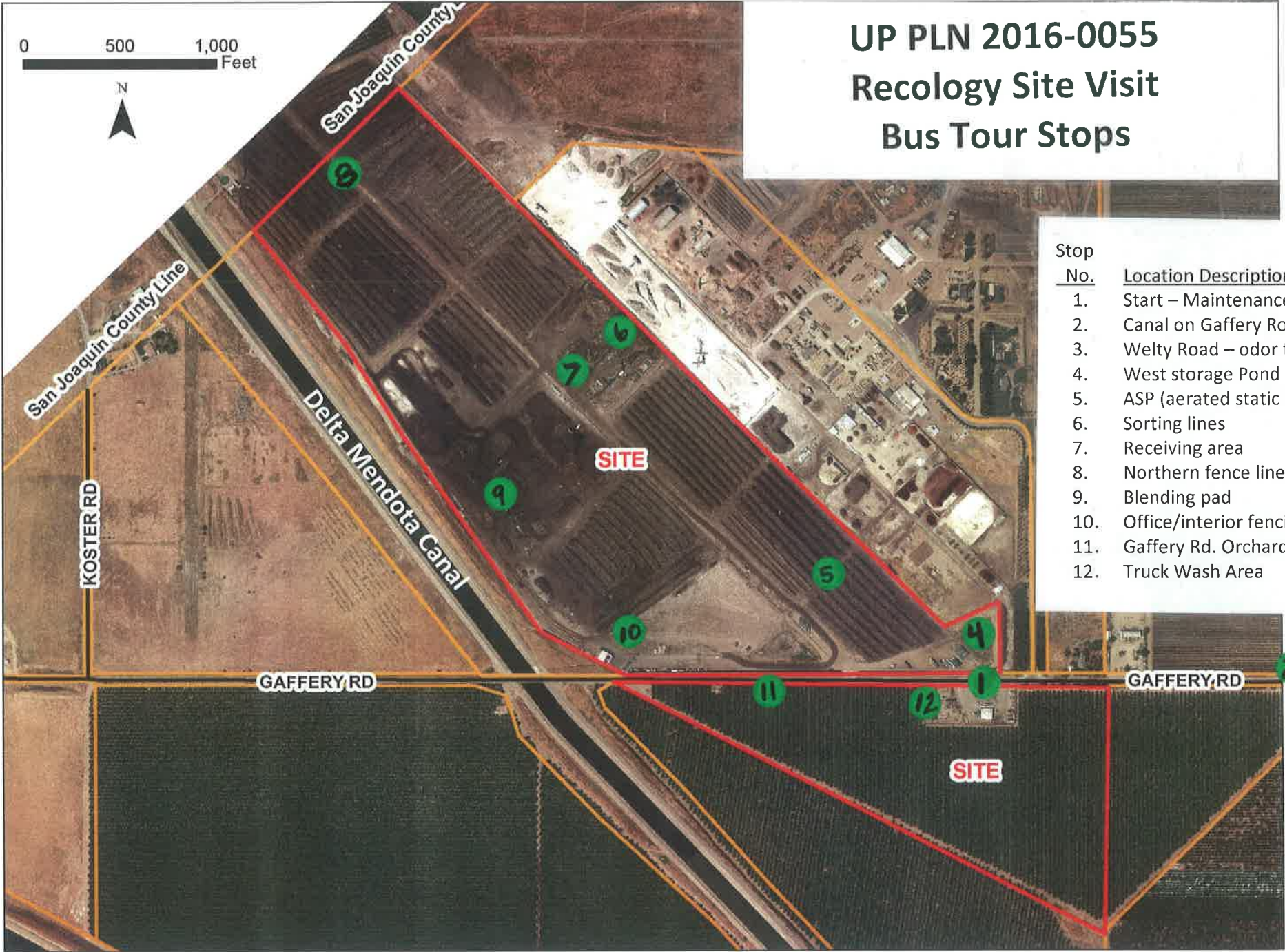


ATTACHMENT 2

FOR ILLUSTRATIVE PURPOSES ONLY

UP PLN 2016-0055 Recology Site Visit Bus Tour Stops

0 500 1,000 Feet



Stop No.	Location Description
1.	Start – Maintenance Yard
2.	Canal on Gaffery Road
3.	Welty Road – odor test
4.	West storage Pond
5.	ASP (aerated static pile)
6.	Sorting lines
7.	Receiving area
8.	Northern fence line
9.	Blending pad
10.	Office/interior fencing
11.	Gaffery Rd. Orchard
12.	Truck Wash Area

Composting Materials Handling Operation and Facility Inspection Report (93)

Enforcement Agency: CalRecycle Enforcement Agency	
SWIS Facility File Number (99-xx-9999) 50-AA-0020	Inspection Date 5/16/2017
Program Code CalRecycle Enforcement Agency	
Time In 9:30	Time Out 12:30
Inspection Time 3.0 Hrs.	
Facility Name Recology Blossom Valley Organics N Verna	Received By Sent by e-mail to:DTaylor@recology.com
Facility Location 3909 Gaffery Road, Vernalis 95385	Owner Name
Inspector Tadese Gebrehawariat	Also Present (Name) S. Boynton - Operations Supervisor

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF PUBLIC RESOURCES CODE (PRC) AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR)

No Violations or Areas of Concern

V	A	Regulations
X		<p>17863 - Report of Composting Site Information</p> <p>Comments: The Report of Composting Site Information (RCSI) for the facility, dated October 2016 on Table 1, Page 11, provides a listing of the equipment that is deployed to allow the facility operation in compliance with the requirements.</p> <p>At the time of the inspection, CalRecycle staff was informed that several of the listed equipment were down, and some have been down for nearly six weeks. As stated elsewhere in this report, the WSM#1 was down, both Comptechs (turners) were down. One was being repaired and was expected to be operational, sometime during the day. One was down for nearly six weeks.</p> <p>The impact of the down equipment on the operation was evident at the time of the inspection. The processing of the feedstock materials was slowed down, with only one line in operation. The records of the PFRP temperature and turning showed that some of the windrows (such as J-3, J-4, J-5) were not able to be turned at least five times during the PFRP period. The records showed that the windrows only had four turnings.</p> <p>The operator shall at all times have the required and necessary equipment to be able to operate the facility in full compliance of the applicable requirements. Failure to correct this area of concern in timely manner, will be cause to elevate the condition to violation and additional enforcement actions by the EA.</p>
X		<p>17868.3(c) - Windrow/Aerated Static Pile Temperature Monitoring</p> <p>Comments: This section requires, that " (a)...(b)...(c) Compost operations and facilities that utilize a windrow composting process or an aerated static pile composting process shall be monitored as follows to ensure that the standards in Subdivision (b) of this section are met." Subdivision (b) requires, that Operators that produce compost shall ensure that: "(1)... (2)...(3) If the operation or facility uses a windrow composting process, active compost shall be maintained under aerobic conditions at a temperature of 55 degrees Celsius (131 degrees Fahrenheit) or higher for a pathogen reduction period of 15 days or longer. During the period when the compost is maintained at 55 degrees Celsius or higher, there shall be a minimum of five (5) turnings of the windrow... (4)..."</p> <p>The PFRP records for some of the windrows that were reviewed at the time of the inspection (records only for J-2, J-3, and J-4 were available) showed that the compost windrows in row "J" did not have the required at least five turnings during the 15 days maintenance period, as called for by the stated requirement. Windrow J-12 was never turned since it was built in January, and CalRecycle staff observed that many tomato and squash plants were growing over the top and side surfaces of the windrow.</p> <p>The full requirements for the stated regulation shall be met in the operation of the facility. Failure to correct the deficiency will be cause to elevate the area of concern to violation and other enforcement action by the EA.</p> <p>*NOTE: Results of compost samples (rows J-2 & J-3) submitted for lab analysis showed that all pathogen densities and levels of metals, were within the regulatory limits.</p>

ATTACHMENT 3

X	17869(a) - Inspection of Records
<p>Comments: This section requires, that "(a) All records required by this Chapter shall be kept in one location and accessible for five (5) years and shall be available for inspection by authorized representatives of the Department, EA, local health entity, and other duly authorized regulatory and EAs during normal working hours. (b)...(h)."</p> <p>At the time of the inspection, some of the Article 7.0 of this Chapter, such as the temperature/turn records for windrows undergoing PFRP and the temperature records for the Pilot ASP were not readily available for review. Some of the records had to be e-mailed to CalRecycle staff, days after the day of the inspection.</p> <p>All required records shall be available for review during the operating hours of the facility. Failure to have required records for the operation during regular business hours will be cause to elevate the matter to violation and other enforcement actions by the EA.</p>	

Inspection Report Comments:	
<p>Monthly Inspection:</p> <ul style="list-style-type: none"> - Odor Survey: CalRecycle staff conducted odor survey along roads in the vicinity of the facility. Slight odor was detected on Koster Road (Stanislaus County Line), no odor detected at Koster and Gaffery, no odor at and east of 3401 Gaffery Road (east side of facility). - Windblown litter conditions along Gaffery Road and on adjacent orchards was good. Conditions on the north perimeter fence and adjacent orchard was also good, since last clean up by Operator. On 4/26/2017, the operations supervisor sent CalRecycle staff photos of the clean up of windblown litter that was observed during the inspection on April 13, 2017 at the northern boundary fence line and adjacent orchard. - At the feedstock receiving area, there was fairly good amount of green and food waste materials. The scale at the entrance was being serviced and operator was using back area scale to weigh incoming loads. - Processing Equipment: WSM#1 was down at the time of the inspection. The operations supervisor stated that processing was only being conducted on one line (WSM#2). - Bird Control: Operator was using combinations of poppers, whistlers, and Falconer for bird control measures on the day. There weren't very many birds at the facility at the time of the inspection. - Aerated Static Pile (ASP) Pilot Study: The second batch for the pilot ASP composting was underway at the selected area of the facility, with the selected set up. Recorded temperature/days graph for the first batch of the ASP was submitted to CalRecycle by e-mail on May 19, 2017 and the graph appears to show that the active compost pile was maintained at 131 degrees Fahrenheit or higher for longer than the three days required. <p>TEMPERATURE MONITORING:</p> <ul style="list-style-type: none"> - CalRecycle staff and the operations supervisor monitored PFRP temperatures on selected rows of section "J." We recorded the following temperatures, by windrow: J-3 - 169, 170, 167, 168, 166, and 163; J-5 - 160, 171, 163, 165, 154, and 157; and J-12 - 133, 140, 141, 153 (this windrow was never turned since it was built on 1/17/2017. Tomatoes and squash were growing on top and sides of the windrow). We also took three temperature readings on the big finished compost pile that is awaiting screening and obtained temps. of 107, 116, and 133. All recorded temperatures are in degrees Fahrenheit. <p>Article 7.0 - Environmental Health Standards: CalRecycle staff reviewed laboratory results of compost samples that were submitted for testing (Rows J-2 & J-3). The test results showed the following results: Pathogens - Fecal Coliform @ less than 7.5 MPN/g and Salmonella Sp. @ less than 3 MPN/4g. The test results of the analysis for metals also showed that the levels were well within the established limits.</p>	

Composting Materials Handling Operation and Facility Inspection Report (93)

Enforcement Agency:		CalRecycle Enforcement Agency			
SWIS Facility File Number (99-xx-9999)		Inspection Date		Program Code	
50-AA-0020		7/21/2017		CalRecycle Enforcement Agency	
Time In	8:50	Time Out	11:15	Inspection Time	2.50 Hours
Facility Name			Received By		
Recology Blossom Valley Organics N Verna			Sent by e-mail to:DTaylor@recology.com		
Facility Location			Owner Name		
3909 Gaffery Road, Vernalis		95385			
Inspector			Also Present (Name)		
Tadese Gebrehawariat			See Listing Below		

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF PUBLIC RESOURCES CODE (PRC) AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR)

<input checked="" type="checkbox"/>	No Violations or Areas of Concern
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Inspection Report Comments:

Monthly Inspection:

Also, present during the inspection were: Michael Payan - CalRecycle, Steve Boynton - Recology Operations Supervisor, and Jose Lizarraga - Recology Operations Manager.

Odor Survey: CalRecycle staff conducted odor survey from various locations surrounding the facility. On Koster Road @ the canal, odor was not detected. Some odor was detected on Koster, at the Stanislaus County line. Some not too strong but pungent odor was also detected at the intersection of Koster and Gaffery roads. Odor was not detected at the corner of Gaffery and Welty roads (group of homes), and generally odor was not detected at locations, east of the facility.

- Operation was proceeding well. The facility staff stated that on the day, they had no windrows undergoing Process to Further Reduce Pathogens (PFRP). Fifteen Windrows in Section G are the next group to undergo PFRP (starting on 7/24/2017). We checked temperatures on a couple of windrows in Section G and obtained temps. as follows: G-12 = 140, 148, 146, and 144, G-14 = 134, 137, 131, and 135. Temps. are all in degrees Fahrenheit.
- Equipment: Facility staff stated that most all facility equipment was in working order at the time of the inspection. One of the feedstock processing equipment, WSM-1 went down two days ago and may be out for a period of more than four weeks. To make up for the loss, the staff stated that starting 7/24, 2017, they will run additional shift to process received green and food waste materials.
- Litter Control Program: The operator is making lots of changes to improve the litter control program at the facility. High litter control fences have been erected and more were in process of being fitted with netting to keep windblown litter within facility proper. The facility staff outlined, more efforts are planned to enhance the effectiveness of the fencing. Additionally, they have a crew of workers (six on the day of the inspection), who collect windblown litter outside and inside the facility. The facility staff also shared that, by about October 2017, there is a plan for them to get a unit that will extract plastics from the received loads of food waste. They expect that, the measure will add greatly to their efforts of effective litter control in the operations of the facility.
- The Falconer was on-site for bird control measure.
- The operator still has the services of an entomologist for the study of fly population identification and control measures. The control measure is also enhanced by the use of the services of a pest control company that sprays insecticide on the feedstock and windrows. Clark Pest Control was on-site during the day of the inspection.
- The operator continues with the thermal imaging of windrows and compost piles, to detect hot spots and to be able to take measures, to prevent and control fires at the facility.

Records Review:

- Tonnage records for 2nd Quarter 2017 were submitted to CalRecycle on 7/14/2017. The records showed that receipts were within the permitted limit of 2,000 tons per day except on 5/1/2017, where the records showed that the receipt was at 2,127.47 tons. We discussed this exceedance with facility staff at the time of the inspection. The facility staff stated that the permit limit was not exceeded on May 1, 2017, as the records may have indicated. The staff explained and the

explanation was followed up by an e-mail from the general manager (GM) further expounding on the circumstances, that lead on the records showing daily tonnages in excess of the permitted limit. The explanation is that the high tonnages on 5/1/2017 (Monday) is due to the scale house staff including tonnages from the Saturday and Sunday operations, to the tonnages received on the Monday, following the weekend. The GM proposed a measure in the record keeping practices, that would correct the situation. CalRecycle staff accepted the proposed measure. Additionally, CalRecycle staff stated that the submitted quarterly tonnage records also include information, required in item 16 (g) of the solid waste facility permit (estimate of total volume of materials on-site).

- The Log of Special Occurrences was up-to-date.

- Load checks (3/day) are conducted in the operation.

- Training is provided to employees (covered subject matters and attendee signatures are recorded), the latest of which was on 7/12/2017.

Title 14 CCR, Article 7.0 - Environmental Health Standards

Laboratory results of compost samples submitted July 5 and reported on July 19, 2017 for Section B, rows 16, 18, 20, and 22, showed that metal concentrations in the samples were consistent with the limits specified in Section 17868.2 - Maximum Metal Concentrations, and the densities of fecal coliform and Salmonella sp. were consistent with levels specified in Section 17868.3 - Pathogen Reduction.