



5961 S. Mooney Blvd  
Visalia, CA 93277  
(559) 624-7000 Phone  
(559) 615-3002 Fax

# RESOURCE MANAGEMENT AGENCY COUNTY OF TULARE PLANNING COMMISSION SUMMARY

## PLANNING COMMISSION

**CHAIRMAN:** Wayne O. Millies (At Large)  
**VICE-CHAIR:** Carlos Aleman (Three Rivers - District 1)

### COMMISSIONERS:

Gil Aguilar (Tulare - District 2)  
Bill Whitlatch (Visalia - District 3)  
Christopher Launer (Dinuba-District 4)  
Terren Brown (Porterville - District 5)  
Ed Dias (Visalia- At Large)  
Dennis Lehman (Visalia – At Large Alternate)

### AIRPORT LAND USE COMMISSIONERS (ALUC)

Bill Whitlatch  
Matthew Stoll  
Vacant

<b>Project Number:</b> Special Use Permit No. PSP 23-130	<b>Agenda Date:</b>	6/26/2024
<b>Applicant:</b> Sam Simoes, 3841 W. Hemlock Avenue, Visalia, CA 93277	<b>Agenda Item Number:</b>	4A
<b>Agent:</b> N/A	<b>AGENDA ITEM TYPE</b>	
<b>Subject:</b> Special Use Permit No. PSP 23-130 requests to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The Project is located at 13415 Road 136, Tipton, CA (APN: 300-050-024). <b>Exceptions:</b> N/A <b>Waiver:</b> N/A <b>Environmental Review:</b> Categorical Exemption, Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures.	Presentation	
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	✓
	Continued Public Hearing	
	Discussion	
<b>Motion(s):</b> One Motion	<b>ACTION REQUESTED</b>	
	Resolution – Board of Supervisors	
	Resolution – Planning Commission	✓
<b>Contact Person:</b> Sandy Roper	Decision - Director	

## RECOMMENDATIONS:

### **That the Planning Commission:**

- (1) Hold a public hearing.
- (2) Approve a Categorical Exemption, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures, and conditionally approve Special Use Permit No. PSP 23-130.
- (2) Direct the Environmental Assessment Officer, or designee, of the Tulare County Resource Management Agency to file a Notice of Exemption with the Tulare County Clerk.

## PLANNING COMMISSION ALTERNATIVES:

- Alternative No. 1:** Move to approve, subject to modifications as discussed by the Planning Commission.
- Alternative No. 2:** Move to deny and direct staff to prepare findings for denial to be brought back at a subsequent hearing.
- Alternative No. 3:** Refer back to staff for further study and report.

## PROJECT OVERVIEW:

Special Use Permit No. PSP 23-130 requests to convert an existing milking barn at a dairy (that is ceasing operations as a dairy) into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The Project is located at 13415 Road 136, Tipton, CA (APN: 300-050-024).

The Operational Statement submitted with the application states that currently, the applicant's milk barn



**SUBJECT:** Special Use Permit No. PSP 23-130 (Sam Simoes)

is used to milk 1400 cows a day/three times a day. They have their milkers on three, eight-hour shifts, so they are using their barn 24 hours a day, 365 days a year. They have milk trucks coming to pick up milk three times a day and have truckloads of feed/commodities coming in at least five times a week.

With this conversion (milk barn to slaughterhouse) vehicle traffic will be reduced significantly. Right now, the dairy has 13 employees which commute to work daily. That would be a minimum of 26 trips daily. In addition to the milk and commodity trucks, the applicant estimates that they have about 35 daily trips to and from the dairy daily, or 490 trips a week.

With the slaughterhouse, the applicant expects to have 2 employees and the slaughterhouse will be receiving feed only once a month instead of multiple times a week. In addition, the applicant plans on getting 1 truckload of pigs delivered to their ranch every month. Also, the applicant plans to only be open to the public for business Thursday, Friday, Saturday, and Sunday. On the days when the business is not open to the public, they would still need to have employees on-site taking care of the animals. In a week, they expect to get around 35 customers.

The hours of operation are proposed to be Thursday through Saturday from 7 am to 4 pm and Sunday from 7 am to 1 pm. Sunday through Thursday there would be 1 employee on-site per day from 7 am to 4 pm. On Friday and Saturday there would be 2 employees on-site from 7 am to 4 pm.

The applicant's plan is to buy a truckload of pigs (swine), (around 100-125) at a time, wait until they sell 75 percent of the hogs and then buy another truckload. They are going to hold the pigs in the existing corrals that they currently have.

**Existing Dairy Traffic:**

	<b>Trips/Day</b>	<b>Trips/Week</b>	<b>Trips/Month</b>
13 Employees	26	182	789
3 Milk Trucks/Day	6	42	182
5 Feed Deliveries/Week	1.429	10	43.33
35 Trips to and from the Dairy/Day	70	490	2,123.33
<b>Total</b>	<b>103</b>	<b>724</b>	<b>3,137</b>

**Proposed Slaughterhouse Traffic:**

	<b>Trips/Day</b>	<b>Trips/Week</b>	<b>Trips/Month</b>
1 Employee Sun-Thurs		10	43
2 Employees Fri-Sat		8	35
35 Customers/Week		70	303
1 Truckload Pigs/Month			2
1 Feed delivery/Month			2
<b>Total:</b>			<b>385</b>



**SUBJECT:** Special Use Permit No. PSP 23-130 (Sam Simoes)

The proposed Project would reduce the number of trips per month by 2,752, which is an 87.72 percent reduction in the number of trips per month.

For sanitation purposes, the applicant will hold their pigs in one corral, and when the corral needs to be cleaned, the hogs will be moved to the adjacent corral. The hogs can be moved between the two corrals as much as they need to ensure cleanliness of the corrals for the animals. Since their farm is already set up for a dairy/disposing of waste, they already have a sump pond to dispose of the waste.

The dairy cows on average consume 25 to 30 gallons of water per day compared to swine that consume 4 to 6 gallons of water per day. On average, the cows were drinking 39,200 gallons of water per day (for 1400 cows) compared to 500 gallons of water per day (for 100 pigs) which will be another significant savings in water. The proposed Project would reduce the water consumed by animals by 98.72 percent.

- All of their wastewater has been used and will continue to be used for irrigation their corn and wheat crops. The facility has a solid/wastewater hook up to a local digester plant.
- Water in the slaughterhouse: de-hairer is used to get the hair off the pig's skin. A 100 gallon tank that needs to be changed every day in use. So, 400 gallons/week (assuming that they have customers every day that they are open).

**Dairy Water Usage:**

	<b>Gallons Per Day</b>	<b>Gallons Per Week</b>	<b>Gallons Per Month</b>
1,400 Cows Water Consumed	39,200	274,400	1,189,067

**Slaughterhouse Water Usage:**

	<b>Gallons Per Day</b>	<b>Gallons Per Week</b>	<b>Gallons Per Month</b>
100 Pigs Water Consumed	500	3,500	15,167
De-hairer Water Use		400	1,733
<b>Total:</b>		<b>3,900</b>	<b>16,900</b>

The total amount that water usage would be reduced is 98.578 percent ( $1,172,167 / 1,189,067 = 98.578$ ).

Air quality impacts should be significantly reduced with the conversion of the milk barn to a custom slaughterhouse for swine. This is due to the reduction in the number of animals from 1,400 cows to 125 hogs (reducing methane emissions from animals) and because traffic would be reduced per week by 87.72 percent due to the conversion to a custom slaughterhouse (reducing emissions from vehicles).

The applicant previously worked at his grandparents, custom kill livestock operation in Tulare, CA (S&H Swine-they retired two years ago) most of their customers/demographics were minority groups. They had mostly Hispanic, and Asian Americans buy pigs from them. The applicant believes that their custom kill livestock operation will be beneficial for this rural community. In Tipton for example, there is only one small grocery store called Tiptop Food Center, in Pixley there is only Pixley Food Mart and in Poplar there is not a single grocery store. The applicant's proposed location for their custom kill slaughterhouse is seven (7) minutes from the heart of Tipton, ten (10) minutes from Pixley, and twelve (12) minutes from Poplar. This custom kill slaughterhouse would help provide food (pork) to an underserved community. The applicant also thinks that it's important to note the average household in Tipton makes less than \$25,000/year. People who live in this town and surrounding rural communities cannot afford to commute



**SUBJECT:** Special Use Permit No. PSP 23-130 (Sam Simoes)

to Visalia to go to Costco and buy big portions of pork. For some of these people having a local custom kill slaughterhouse is a good way to ensure access to quality foods.

Disposing of animals: They will continue to use Baker Commodities for any swine that dies and needs to be removed from their property as well as the organs that need to legally be removed/disposed of before the customer takes the slaughtered hog home.

Equipment/vehicles: They will use the same equipment that they have now for feeding the cows. They will continue to use and operate their feed wagons. However, they are now feeding the swine a lot less (quantity in head of livestock and weight) than with the cows.

Converting the milk barn plans: The applicant has stated that their first order of business is to remove the milking equipment that they have and so it'll just be an open concrete floored barn where they can then start setting up their configuration for the slaughterhouse. They already have a bathroom and plumbing all set up in the barn so no alterations will have to be made there.

The applicant plans to add a parking lot on the south side of the milk barn that is proposed to be converted into a custom slaughterhouse for swine. They plan on having 10 parking spots. The applicant has also stated that they could also have an overfill parking lot directly in front of the proposed slaughterhouse. The applicant will accept EBT.

**ENVIRONMENTAL SUMMARY:**

This Project will not have a significant effect on the environment and has been determined to be categorically exempt, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, pursuant to Title 14, Cal. Code Regulations, Section 15303, Class 3, New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The use of Section 15303 is applicable and appropriate because the Project would convert an existing milk barn (which is approximately 3,700 square feet in size) into a custom slaughterhouse for swine.

Information about the environmental determination was provided in public hearing notices that were published in the Sun Gazette, and mailed to surrounding property owners, on June 12, 2024. The public notices provided a ten-day comment period for review.

**ENTITLEMENT(S):**

The Project is consistent with applicable elements of the County General Plan and the Zoning Ordinance.

**General Plan** - The subject site is located outside any Urban Boundaries and is subject to the Rural Valley Lands Plan, with a Land Use Designation of Valley Agriculture. The proposed custom slaughterhouse for swine is consistent with relevant policies of the Tulare County General Plan, including Planning Framework Goal No. 1; Land Use Goal No. 2; Agriculture Goal No. 1 and Agricultural Policies 1.1 (Primary Land Use), 1.7 (Preservation of Agricultural Lands), 1.14 (Right-to-Farm Noticing); AQ-4.2 (Dust Suppression Measures); HS-1.9 (Emergency Access); and HS-4.9 (Hazardous Material).



**SUBJECT:** Special Use Permit No. PSP 23-130 (Sam Simoes)

**Zoning** – The project site is located in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. Section 9.7.E.29 of the Tulare County Zoning Ordinance (“TCZO”) allows slaughterhouses in the AE-40 Zone subject to the approval of a Special Use Permit.

**PROJECT BACKGROUND INFORMATION:**

The site contains an existing bovine dairy facility that is proposed to be converted into a custom slaughterhouse for swine. Surrounding properties are zoned AE-40 and contain dairies, row crops and scattered rural residences. The unincorporated community of Tipton is located approximately 2.26 miles northwest of the Project site.

The site is restricted by a California Land Conservation Act (“Williamson Act”) Contract. The site is restricted by Contract No. 7017 and is located within Agricultural Preserve No. 0002370.

Access to the site is direct to Road 136 and Avenue 136 (W. Scranton Avenue).

Liquid waste disposal is by means of individual septic systems. Existing septic systems will be subject to the Local Agency Management Program requirements per Part VII, Chapter 1, Articles 1-9, Ordinance of Tulare County, pertaining to Sections 7-01-1320 through 7-15-1575. Installation of new, on-site septic systems will require an evaluation of the site and soils testing. This evaluation must be done by a Qualified Professional, with the appropriate licensure (PE, PG, CHG, REHS, or CPSS). The report of this evaluation must be submitted to Tulare County Environmental Health Services Division (TCEHSD) for review, before approval can be granted for any building permits.

The Project site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06107C1600E, for Community Number 065066 (Tulare County Unincorporated Areas), dated June 16, 2009. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.

Soils for the Project site are Akers-akers (Prime), which is rated moderate for sewage disposal with a low shrink-swell potential.

On August 31, 2023, Project Review Committee No. PRC 23-053 was submitted by Sam Simoes requesting to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. In an email dated September 21, 2023, Hector Guerra, the Chief Environmental Planner at the Tulare County Resource Management Agency (“RMA”) stated that he believed that a Mitigated Negative Declaration (“MND”) should be prepared for this Project.

However, in a personal communication with Sandy Roper on May 14, 2024, Mr. Guerra stated that during the Project Review Committee Meeting that occurred on October 19, 2023, he revised his comments to state that after receiving a more detailed Project description and clarifying statements he determined it would be appropriate to prepare a Categorical Exemption, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures. He went on to state that none of the comments received from regulatory agencies identified any significant effect that would



**SUBJECT:** Special Use Permit No. PSP 23-130 (Sam Simoes)

result from the Project and that regulatory requirements of other regulatory agencies did not elevate a requirement for preparation of an Environmental Review Document (such as a MND or EIR) that is more robust than a Categorical Exemption and that an Expanded Categorical Exemption should be prepared for the proposed Project.

The regulatory authority over the protection of Air Quality and Groundwater rests with the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board; respectively. As a result, the Planning Commission's Draft Resolution for this Project contains conditions of approval requiring that the applicant shall comply with all applicable rules and regulations of the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board.

As stated in Condition of Approval Numbers 14 and 15, the applicant will be required to comply all of the applicable rules and regulations of the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board. Regarding the Water Boards comments concerning the preparation of an EIR, Mr. Guerra stated that their comments did not include any specific impacts to resources (for example water quality); therefore, their comments are speculative at best. As such, staff maintains its position that a Categorical Exemption is sufficient with the conditions of approval that were noted earlier (which includes the regulatory requirements of the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board).

The Tulare County Building Department, Code Compliance, Environmental Planning, Public Works/Engineering, Environmental Health, Fire Department, Assessor, San Joaquin Valley Air Pollution Control District, and the Regional Water Quality Control Board were sent a consultation notice requesting comments. The County Public Works/Engineering Department, Environmental Health Services Division, Fire Department, and Regional Water Quality Control Board responded to the consultation notice (see Attachment No. 6).

**PUBLIC HEARING NOTICE:**


Gov. Code Section 65009(b) requires the County to include in any public notice issued pursuant to Government Code, Title 7, Planning and Land Use, a notice substantially stating all of the following: "If you challenge the acceptance of the Categorical Exception and approval of the Project, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the County of Tulare at, or prior to, the public hearing."



Sandy R. Roper, Chief Planner  
Special Projects Division  
Economic Development & Planning Branch



Gary A. Mills, Chief Planner  
Environmental Planning Division  
Economic Development & Planning Branch



Aaron R. Bock, MCRP, JD, LEED AP  
Assistant Director  
Economic Development & Planning Branch



Michael Washam, ACE  
Associate Director  
Resource Management Agency



**SUBJECT:** Special Use Permit No. PSP 23-130 (Sam Simoes)

**ATTACHMENTS:**

Attachment No. 1 – Draft Resolution for PSP 23-130

Exhibit A: Site Plan

Exhibit B: Right to Farm Notice

Exhibit C: Compliance Monitoring and Reporting Schedule

Exhibit D: San Joaquin Valley Air Pollution Control District letter dated 10/19/2023

Exhibit E: Central Valley Regional Water Quality Control Board letter dated 2/2/2024

Attachment No. 2 – Fact Sheet

Attachment No. 3 – Custom Soil Resource Report

Attachment No. 4 – Graphics

Attachment No. 5 – Consulting Agency List and Correspondence

Attachment No. 6 – Location and Property Ownership Map for Hearing Notification

Attachment No. 7 – Public Hearing Notice

Attachment No. 8 – Expanded Categorical Exemption and Notice of Exemption



# Attachment No. 1

## BEFORE THE PLANNING COMMISSION

### COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF SPECIAL USE PERMIT NO. \_\_\_\_\_ )  
PSP 23-130 TO ALLOW A MILK BARN TO BE \_\_\_\_\_ )  
CONVERTED INTO A CUSTOMER SLAUGHTERHOUSE) RESOLUTION NO. \_\_\_\_\_  
FOR SWINE, IN THE AE-40 ZONE (SAM SIMOES) \_\_\_\_\_ )

Resolution of the Planning Commission of the County of Tulare accepting the Categorical Exemption and conditionally approving Special Use Permit No. PSP 23-130 requested by Sam Simoes, 3841 W. Hemlock Avenue, Visalia, CA 93277 (Agent: N/A) for the request to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The Project is located at 13415 Road 136, Tipton, CA (APN: 300-050-024).

WHEREAS, an application for a Special Use Permit has been filed pursuant to the regulations contained in Section 16 of Ordinance No. 352, the Zoning Ordinance; and

WHEREAS, the Planning Commission has given notice of its intention to consider the granting of a Special Use Permit as provided in Section 18 of said Ordinance No. 352 and as provided in Section 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended approval of this application subject to certain conditions of approval; and

WHEREAS, all attached exhibits are incorporated by reference herein; and

WHEREAS, on June 12, 2024, a Notice of Public Hearing by the Tulare County Planning Commission was mailed to surrounding property owners and duly published in The Sun-Gazette, a newspaper of general circulation in Tulare County, to consider the proposed Project; and

WHEREAS, a public hearing was held and an opportunity for public testimony was provided at a regular meeting of the Planning Commission on June 26, 2024; and

WHEREAS at that meeting of the Planning Commission, public testimony was received and recorded from \_\_\_\_\_ in support of the proposal, and \_\_\_\_\_ spoke in opposition to the proposal; and

NOW, THEREFORE, BE IT RESOLVED as follows:

A. This Planning Commission hereby certifies that the Commission has reviewed and considered the information contained in the staff report for the proposed Project together with any comments received during the public review process, in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Quality Act of 1970 prior to taking action on the Project.



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 2

B. This Planning Commission hereby adopts the following findings of fact as to the reasons for approval of this application:

1. The applicant has requested a Special Use Permit to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The Project is located at 13415 Road 136, Tipton, CA (APN: 300-050-024).

The Operational Statement submitted with the application states that currently, the applicant's milk barn is used to milk 1400 cows a day/three times a day. They have their milkers on three, eight-hour shifts, so they are using their barn 24 hours a day, 365 days a year. They have milk trucks coming to pick up milk three times a day and have truckloads of feed/commodities coming in at least five times a week.

With this conversion (milk barn to slaughterhouse) vehicle traffic will be reduced significantly. Right now, the dairy has 13 employees which commute to work daily. That would be a minimum of 26 trips daily. In addition to the milk and commodity trucks, the applicant estimates that they have about 35 trips to and from the dairy daily, or 245 trips a week. With the slaughterhouse, the applicant expects to have 2 employees and the slaughterhouse will be receiving feed only once a month instead of multiple times a week. In addition, the applicant plans on getting 1 truckload of pigs delivered to their ranch every month. Traffic from employees and feed will be cut down significantly to 4 trips a day. Also, the applicant plans to only be open to the public for business Thursday, Friday, Saturday, and Sunday. On the days when the business is not open to the public, they would still need to have employees on-site taking care of the animals. In a week, they expect to get around 35 customers. This would be a total of 110 commutes a week.

The hours of operation are proposed to be Thursday through Saturday from 7 am to 4 pm and Sunday from 7 am to 1 pm. Sunday through Thursday there would be 1 employee on-site per day from 7 am to 4 pm. On Friday and Saturday there would be 2 employees on-site from 7 am to 4 pm.

The applicant's plan is to buy a truckload of pigs (swine), (around 100-125) at a time, wait until they sell 75% of the hogs and then buy another truckload. They are going to hold the pigs in the existing corrals that they currently have.



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 3

### Existing Dairy Traffic:

	Trips/Day	Trips/Week	Trips/Month
13 Employees	26	182	789
3 Milk Trucks/Day	6	42	182
5 Feed Deliveries/Week	1.429	10	43.33
35 Trips to and from the Dairy/Day	70	490	2,123.33
<b>Total</b>	<b>103</b>	<b>724</b>	<b>3,137</b>

### Proposed Slaughterhouse Traffic:

	Trips/Day	Trips/Week	Trips/Month
1 Employee Sun-Thurs		10	43
2 Employees Fri-Sat		8	35
35 Customers/Week		70	303
1 Truckload Pigs/Month			2
1 Feed delivery/Month			2
<b>Total:</b>			<b>385</b>

The proposed Project would reduce the number of trips per month by 2,752, which is an 87.72 percent reduction in the number of trips per month.

For sanitation purposes, the applicant will hold their pigs in one corral, and when the corral needs to be cleaned, the hogs will be moved to the adjacent corral. The hogs can be moved between the two corrals as much as they need to ensure cleanliness of the corrals for the animals. Since their farm is already set up for a dairy/disposing of waste, they already have a sump pond to dispose of the waste.

The dairy cows on average consume 25 to 30 gallons of water per day compared to swine that consume 4 to 6 gallons of water per day. On average, the cows were drinking 39,200 gallons of water per day (for 1400 cows) compared to 500 gallons of water per day (for 100 pigs) which will be another significant savings in water. The proposed Project would reduce the water consumed by animals by 98.72 percent.

- All of their wastewater has been used and will continue to be used for irrigation their corn and wheat crops. The facility has a solid/wastewater hook up to a local digester plant.
- Water in the slaughterhouse: de-hairer is used to get the hair off the pig's skin. A 100 gallon tank that needs to be changed every day in use. So, 400 gallons/week (assuming that they have customers every day that they are open).



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 4

### Dairy Water Usage:

	Gallons Per Day	Gallons Per Week	Gallons Per Month
1,400 Cows Water Consumed	39,200	274,400	1,189,067

### Slaughterhouse Water Usage:

	Gallons Per Day	Gallons Per Week	Gallons Per Month
100 Pigs Water Consumed	500	3,500	15,167
De-hairer Water Use		400	1,733
<b>Total:</b>		<b>3,900</b>	<b>16,900</b>

The total amount that water usage would be reduced is 98.578 percent ( $1,172,167 / 1,189,067 = 98.578$ ).

Air quality impacts should be significantly reduced with the conversion of the milk barn to a custom slaughterhouse for swine. This is due to the reduction in the number of animals from 1,400 cows to 125 hogs (reducing methane emissions from animals) and because traffic would be reduced per week by 87.72 percent due to the conversion to a custom slaughterhouse (reducing emissions from vehicles).

The applicant previously worked at his grandparents, custom kill livestock operation in Tulare, CA (S&H Swine-they retired two years ago) most of their customers/demographics were minority groups. They had mostly Hispanic, and Asian Americans buy pigs from them. The applicant believes that their custom kill livestock operation will be beneficial for this rural community. In Tipton for example, there is only one small grocery store called Tiptop Food Center, in Pixley there is only Pixley Food Mart and in Poplar there is not a single grocery store. The applicant's proposed location for their custom kill slaughterhouse is seven (7) minutes from the heart of Tipton, ten (10) minutes from Pixley, and twelve (12) minutes from Poplar. This custom kill slaughterhouse would help provide food (pork) to an underserved community. The applicant also thinks that it's important to note the average household in Tipton makes less than \$25,000/year. People who live in this town and surrounding rural communities cannot afford to commute to Visalia to go to Costco and buy big portions of pork. For some of these people having a local custom kill slaughterhouse is a good way to ensure access to quality foods.

Disposing of animals: They will continue to use Baker Commodities for any swine that dies and needs to be removed from their property as well as the organs that need to legally be removed/disposed of before the customer takes the slaughtered hog home.



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 5

Equipment/vehicles: They will use the same equipment that they have now for feeding the cows. They will continue to use and operate their feed wagons. However, they are now feeding the swine a lot less (quantity in head of livestock and weight) than with the cows.

Converting the milk barn plans: The applicant has stated that their first order of business is to remove the milking equipment that they have and so it'll just be an open concrete floored barn where they can then start setting up their configuration for the slaughterhouse. They already have a bathroom and plumbing all set up in the barn so no alterations will have to be made there.

The applicant plans to add a parking lot on the south side of the milk barn that is proposed to be converted into a custom slaughterhouse for swine. They plan on having 10 parking spots. The applicant has also stated that they could also have an overfill parking lot directly in front of the proposed slaughterhouse. The applicant will accept EBT.

2. The subject site is located outside any Urban Boundaries and is subject to the Rural Valley Lands Plan, with a Land Use Designation of Valley Agriculture. The proposed custom slaughterhouse for swine is consistent with relevant policies of the Tulare County General Plan, including Planning Framework Goal No. 1; Land Use Goal No. 2; Agriculture Goal No. 1 and Agricultural Policies 1.1 (Primary Land Use), 1.7 (Preservation of Agricultural Lands), 1.14 (Right-to-Farm Noticing); AQ-4.2 (Dust Suppression Measures); HS-1.9 (Emergency Access); and HS-4.9 (Hazardous Material).
3. The project site is located in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. Section 9.7.E.29 of the Tulare County Zoning Ordinance (“TCZO”) allows slaughterhouses in the AE-40 Zone subject to the approval of a Special Use Permit.
4. Surrounding properties are zoned AE-40 and contain dairies, row crops and scattered rural residences. The unincorporated community of Tipton is located approximately 2.26 miles northwest of the Project site.
5. The Project site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06107C1600E, for Community Number 065066 (Tulare County Unincorporated Areas), dated June 16, 2009. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 6

6. The environmental determination is a Categorical Exemption in accordance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970, pursuant to Title 14, Cal. Code Regulations Section 15303, Class 3, New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The use of Section 15303 is applicable and appropriate because the Project would convert an existing milk barn (which is approximately 3,700 square feet in size) into a custom slaughterhouse for swine.
7. On August 31, 2023, Project Review Committee No. PRC 23-053 was submitted by Sam Simoes requesting to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. In an email dated September 21, 2023, Hector Guerra, the Chief Environmental Planner at the Tulare County Resource Management Agency (“RMA”) stated that he believed that a Mitigated Negative Declaration (“MND”) should be prepared for this Project.
8. However, in a personal communication with Sandy Roper on May 14, 2024, Mr. Guerra stated that during the Project Review Committee Meeting that occurred on October 19, 2023, he revised his comments to state that after receiving a more detailed Project description and clarifying statements he determined it would be appropriate to prepare a Categorical Exemption, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures. He went on to state that none of the comments received from regulatory agencies identified any significant effect that would result from the Project and that regulatory requirements of other regulatory agencies did not elevate a requirement for preparation of an Environmental Review Document (such as a MND or EIR) that is more robust than a Categorical Exemption and that an Expanded Categorical Exemption should be prepared for the proposed Project.
9. The regulatory authority over the protection of Air Quality and Groundwater rests with the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board; respectively. As a result, the Planning Commission’s Draft Resolution for this Project contains conditions of approval requiring that the applicant shall comply with all applicable rules and regulations of the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board.



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 7

10. As stated in Condition of Approval Numbers 14 and 15, the applicant will be required to comply all of the applicable rules and regulations of the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board. Regarding the Water Boards comments concerning the preparation of an EIR, Mr. Guerra stated that their comments did not include any specific impacts to resources (for example water quality); therefore, their comments are speculative at best. As such, staff maintains its position that a Categorical Exemption is sufficient with the conditions of approval that were noted earlier (which includes the regulatory requirements of the San Joaquin Valley Air Pollution Control District and the Central Valley Regional Water Quality Control Board).
11. The Board of Supervisors, at their regular meeting of November 30, 2010, adopted Resolution 2010-0927, a Notice of Intent to Collect Tulare County Public Facility Fees, also known as Development Impact Fees. New Development may be subject to County Development Impact fees.

C. This Planning Commission, after considering all of the evidence presented, found that the establishment, maintenance, and operation of the use of building or land applied for 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 or to the general welfare of the County.

AND, BE IT FURTHER RESOLVED as follows:

D. This Planning Commission hereby finds said Special Use Permit to be categorically exempt, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations Section 15303, Class 3, New Construction or Conversion of Small Structures.

E. This Planning Commission hereby approves Special Use Permit No. PSP 23-130, subject to the following conditions:

### **Standard Conditions of Approval:**

1. Development shall be in accordance with the plan(s) as submitted by the applicant (Exhibit "A") and/or as modified by the Planning Commission and with the Site Plan Development Standards pertaining to a use of this type adopted by the Planning Commission on February 20, 1970.
2. Regardless of Condition No. 1 above, and in accordance with Section 18 (Minor Modifications-Director's Approval) of the Zoning Ordinance, the Planning Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his/her successor(s) as long as said modifications do not materially affect the determination of the Planning Commission. Such



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 8

modifications shall be noted on the approved plans and shall be initialed by the Planning Director.

3. All exterior lighting shall be hooded and adjusted so as to deflect direct rays away from public roadways and adjacent properties.
4. Any structures built shall conform to the building regulations and the building line setbacks of the Ordinance Code of Tulare County insofar as said regulations and setbacks are applicable to such structures.
5. The conditions set down herein which require construction of improvements shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning Director may grant exceptions to this condition upon request by the applicant.
6. This Special Use Permit shall automatically become null and void two (2) years after the date upon which it is granted by the Planning Commission, unless the applicant, or his/her successor(s), has actually commenced the use or variance authorized by the permit within said two-year period. The Planning Commission may grant one or more extensions of said two-year time, upon request by the applicant.
7. This Special Use Permit will not be effective until ten (10) days after the date upon which it is granted by the Planning Commission. During the ten-day appeal period, County staff will mail, to the applicant's most recent known address, the following forms to sign - an "Acceptance" of conditions of approval and, if applicable, a Right to Farm Notice. Within ten (10) days of the action taken by the Planning Commission, the applicant shall be required to sign and return all documents related to the Special Use Permit. Upon receipt, staff shall file all appropriate documents with the County Recorder. Failure to sign all required documents may cause the application to be considered null and void.
8. All standard conditions and all special conditions of approval of this Special Use Permit must be complied with at all times in order to continue the use or uses allowed. Compliance with such conditions is subject to review at any time. Normally, an initial review of compliance shall be conducted by the Tulare County Planning Commission twelve (12) months after the granting of said permit; however, the Planning Commission may schedule the review sooner under certain circumstances. Additional reviews may be undertaken at the discretion of the Planning Commission.



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 9

9. The applicant(s), at their sole cost and expense, shall defend, indemnify, and hold harmless the County of Tulare, its agents, legislative body, officers, or employees in any legal or administrative action, claim or proceeding concerning approval of Special Use Permit No. PSP 23-130, or at its election and in the alternative, shall relinquish such approval. The applicant(s) shall assume the defense of the County in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by the applicant(s), but subject to the County's reasonable approvals. The applicant shall also reimburse the County, its agents, its legislative body, officers or employees for any judgments, amounts paid in the settlements court costs and attorney's fees with the County, its agents, legislative body, officers, or employees may be required to pay at court as a result of such action, claim or proceeding. The County may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve the applicant(s) of their obligations under this condition."

### Planning Conditions:

10. The property owner shall sign and return the Right to Farm Notice to the Resource Management Agency in order for it to be recorded with the Resolution. (Exhibit "B")
11. A Compliance Reporting and Monitoring Schedule has been established for this Project pursuant to Section 22 of the Tulare County Zoning Ordinance. A fee in the amount of \$130.00 is required to defray the expenses incidental to the compliance reporting and monitoring, must be deposited into a Compliance Reporting and Monitoring Account prior to recordation of the Resolution. (Exhibit "C") **The initial \$130.00 fee was paid at the time that PSP 23-130 was submitted.**
12. All on-site parking areas and driveways shall be surfaced for all-weather conditions and be maintained so that dust and mud do not create conditions detrimental to surrounding roadways.
13. Pursuant to Tulare County Zoning Ordinance Section 9.7.I of the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone, the minimum distance between a structure used for human habitation and a pen, coop, stable, barn, corral, or other structure housing livestock or poultry shall be one hundred (100) feet. When structures are in existence at the time that the AE-40 zoning is applied to the property which do not comply with the minimum distances set forth above, such structures may be structurally altered, and additions made to such structures so long as the distance between the structures is not reduced.
14. The applicant shall comply with all applicable rules and regulations of the San Joaquin Valley Air Pollution Control District. (See Exhibit "D")



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 10

15. The applicant shall comply with all applicable rules and regulations of the Central Valley Regional Water Quality Control Board. (See Exhibit “E”)
16. The applicant shall comply with all applicable rules and regulations of all other local, state, and federal agencies/entities.
17. The applicant, his successors and assigns shall ensure that, should any resources of an historic or prehistoric nature are discovered during construction or grading activities on the site, all construction or grading shall immediately cease, and the Tulare County Resource Management Agency Director shall immediately be notified of the discovery. Further, development shall not continue until the Tulare County Resource Management Agency Director determines that appropriate and necessary recovery measures have been completed.
18. The applicant, his successors and assigns shall ensure that, should human remains be encountered within the Project area, the County Coroner must be contacted immediately, pursuant to Section 7050.5 of the California Health and Safety Code. Construction or excavation in the vicinity of discovered human remains shall be stopped until the County Coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the Coroner must, as required by law (Public Resources Code Section 5097), contact the California Native American Heritage Commission (NAHC), which shall specify the procedures to be followed.
19. The applicant, his successors and assigns shall avoid and minimize impacts to known paleontological and tribal cultural resources. The owner shall include a standard “inadvertent discovery” clause in every construction contract to inform contractors of the above two conditions of approval (#17 and #18). If a qualified professional determines that a find is significant, then the qualified professional shall design and implement a data recovery plan consistent with applicable standards. The plan shall be submitted to the Tulare County Resource Management Agency for review and approval.

### **Fire Department Conditions:**

20. Address posted, minimum 4"x3"x ½" line width permanent numbers visible from the street.
21. All-weather (2" crushed rock, road base, or DG) 20 feet Fire Dept. access road, with a maintained 13 feet 6 inches vertical clearance.
22. Fire apparatus access roads/lanes, as identified on approved plans.
23. Fire lanes shall be maintained at all times, marked, and or painted.



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 11

24. Remove all dead and dying vegetation within 30 feet of all structures, plus property lines, and 10' on each side of the driveway. Vegetation must be disposed of prior to the start of construction.
25. Fire water flow requirements for this Project shall meet 2022 Ca. Fire Code, Appendix B & C and shall adhere to NFPA 13, NFPA 72, NFPA 20, NFPA 22, NFPA 24, NFPA 1142 standards.
26. All water tanks, fire pump, fire sprinklers, fire hydrants and fire alarms Installed by a state license contractor.
27. An approved Fire alarm system following NFPA 72 standards may be required and installed by a licensed contractor and inspected.
28. A commercial fire sprinkler may be required as per CBC 22, Chapter 5, Table 506.2 and NFPA 13 standard.
29. Fire extinguishers must be visible, mounted at 4-foot, accessible, and be no more than a 75-foot travel distance inside structure with a minimum U.L. rating of 2A-10B/C.
30. Emergency exit signs shall be posted where required.
31. Emergency exit/lighting shall be installed where required.
32. Occupancy signs shall be posted where required.
33. Knox Box or Knox padlock for locked or gated properties.
34. New gates shall be installed 30' back from the public way and open inward.
35. Fire Final required prior to building final. Call (559) 802-9807 to schedule.



## Attachment No. 1

Resolution No. \_\_\_\_\_  
Planning Commission  
Page 12

The foregoing resolution was adopted upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, at a regular meeting of the Planning Commission on June 26, 2024, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY PLANNING COMMISSION

---

Michael Washam, Secretary

Exhibits: Exhibit A: Site Plan  
Exhibit B: Right to Farm Notice  
Exhibit C: Compliance Monitoring and Reporting Schedule  
Exhibit D: San Joaquin Valley Air Pollution Control District letter dated 10/19/2023  
Exhibit E: Central Valley Regional Water Quality Control Board letter dated 2/2/2024



## PSP 23-130 (Simoes)

The project proposes to convert the milking barn of a bovine dairy that is closing into a custom slaughter house for swine. The project site is located at 13415 Road 136, Tipton CA. The property is in the AE-40 Zone and is restricted by a Williamson Act Contract. The property is on Assessor's Parcel Number 300-050-024.

## Exhibit "A"





Exhibit "B"

RIGHT TO FARM NOTICE

RE: Use Permit No. PSP 23-130

or

Parcel Map No. \_\_\_\_\_

or

Subdivision Map No. \_\_\_\_\_

or

Mining and Reclamation Plan No. \_\_\_\_\_

In accordance with Section 7-29-1070(a) of the Tulare County Ordinance Code; and as a condition of approval of the above-referenced use permit, parcel map, subdivision map or mining and reclamation plan, the undersigned hereby acknowledges that:

It is the declared policy of Tulare County to conserve, enhance and encourage agricultural operations within the County. Residents of property on or near agricultural land should be prepared to accept the inconveniences and discomfort associated with agricultural operations, including, but not necessarily limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24-hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. Consistent with this policy, California Civil Code Section 3482.5 provides that no agricultural operation, as defined and limited by that section, conducted and maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three years if it was not a nuisance at the time it began.

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)



## **Exhibit "C"**

### **COMPLIANCE REPORTING AND MONITORING** **SCHEDULE AND FEE NOTICE**

#### **CASE NO. PSP 23-130**

Section 22 of the Tulare County Ordinance mandates a program to monitor and ensure compliance with conditions imposed as part of approval of this project. It also mandates that fees be imposed to defray the expense incidental to any monitoring and compliance reviews. The following is the adopted fee schedule:

Compliance review fees are based on an hourly rate as adopted by the Tulare County Board of Supervisors. The minimum deposit is based on the estimated number of inspections for the compliance review process.

A Compliance Reporting and Monitoring Schedule was established and imposed as a condition of your use permit. **The first compliance review of your project is schedule for 12 months from the date of approval.** If the use is to commence prior to this first scheduled inspection, you must call (559) 624-7000 to reschedule the first inspection.

At the time that PSP 23-130 was submitted, a deposit of \$130 was made to the Compliance Reporting and Monitoring Account for the first two compliance reviews. **Future annual compliance reviews will require new deposits of \$130 prior to scheduling future compliance reviews.** These deposits can be made at the Tulare County Resource Management Agency offices, located at 5961 S. Mooney Blvd., Visalia. Additional deposits may be required if the account is depleted. If the use has not commenced and an extension of time is needed, an additional deposit is required with the extension of time request.

Upon completion of the project and/or termination of the compliance reporting and monitoring schedule, the deposit account will be reviewed to determine if excess fees exist. A written request is required for a refund of excess fees remaining in the account. These fees are also subject to waiver or refund under Sections 130 and 135 of the Tulare County Ordinance Code.

If there are any questions regarding this notice, please contact Building Inspection/Code Compliance staff at (559) 624-7000.



**Exhibit "C"****Compliance Monitoring & Reporting – Review Record**

Applicant Name: Sam Simoes Project Number: PSP 23-130  
Project Planner: Sandy Roper Receipt No: TRC-007235-18-12-2023  
Deposit Date: 12/18/2023 Deposit Amount: \$3,343 (including the \$130 Compliance Monitoring Fee)  
Check No: 31665 Depositor Name: Joe M. Simoes Family Dairy APN: 300-050-024  
Location: 13415 Road 136, Tipton, CA

Field Investigations			Building and Associated Permits
Review#	Date	Amount	
_____	_____	_____	_____
_____	_____	_____	_____

**Status of Investigation:**Compliant ☐

Conditions Required to Satisfy:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Compliance Certificate**

Date Issued: \_\_\_\_\_ Planner: \_\_\_\_\_

**Additional Deposits**

Deposit Date: \_\_\_\_\_ Deposit Amount: \_\_\_\_\_ Receipt No: \_\_\_\_\_

**Refund Status:**

Refund Due: \_\_\_\_\_

Date Refund Request Sent: \_\_\_\_\_ Response Deadline: \_\_\_\_\_

Date Refund Request Returned: \_\_\_\_\_ OR No Response within allocated time: \_\_\_\_\_

**Accounting Record:**

Date Sent to Accounting: \_\_\_\_\_ Date Deposit Transferred: \_\_\_\_\_

Date of Refund (If required): \_\_\_\_\_ Check No: \_\_\_\_\_

To: \_\_\_\_\_





October 19, 2023

Sandy Roper  
County of Tulare  
Resource Management Agency  
5961 S. Mooney Boulevard  
Visalia, CA 93277

**Project: PRC 23-053 – Milking Barn conversion to Slaughterhouse**

**District CEQA Reference No: 20230851**

Dear Mr. Roper:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Project Review Committee consultation (PRC) from the County of Tulare (County) for the milking barn conversion project. Per the PRC, the project consists of the conversion of an existing milk barn into a custom slaughterhouse (Project). The Project is located at 13415 Road 136, in Tipton, CA.

The District offers the following comments at this time regarding the Project:

**1) Project Related Emissions**

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM<sub>2.5</sub>) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> standards.

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):  
<https://www.valleyair.org/transportation/GAMAQI.pdf>.

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

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

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

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



## **2) Nuisance Odors**

While offensive odors rarely cause any physical harm, they can be unpleasant, leading to considerable distress among the public and often resulting in citizen complaints.

The County should consider all available pertinent information to determine if the Project could have a significant impact related to nuisance odors. Nuisance odors may be assessed qualitatively taking into consideration the proposed business or industry type and its potential to create odors, as well as proximity to off-site receptors that potentially would be exposed to objectionable odors. The intensity of an odor source's operations and its proximity to receptors influences the potential significance of malodorous emissions. Any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.

According to the District Guidance for Assessing and Mitigating air Quality Impacts (GAMAQI), a significant odor impact is defined as more than one confirmed complaint per year averaged over a three-year period, or three unconfirmed complaints per year averaged over a three-year period. An unconfirmed complaint means that either the odor or air contaminant release could not be detected, or the source of the odor could not be determined.

The District is available to assist the County with information regarding specific facilities and categories of facilities, and associated odor complaint records.

## **3) District Rules and Regulations**

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.



### **3a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

### **3b) District Rule 9510 - Indirect Source Review (ISR)**

Per District Rule 9510 section 4.4.3, a development project on a facility whose primary functions are subject to District Rule 2201 or District Rule 2010 are exempt from the requirements of the rule. The District has reviewed the information provided and has determined that the primary functions of this Project are subject to District Rule 2201 (New and Modified Stationary Source Review Rule) or District Rule 2010 (Permits Required). As a result, District Rule 9510 requirements and related fees do not apply to the Project referenced above.

### **3c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)**

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at:  
<http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

### **3d) District Rule 4601 (Architectural Coatings)**

The Project may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and



labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:

<http://www.valleyair.org/rules/currntrules/r4601.pdf>

### **3e) District Regulation VIII (Fugitive PM10 Prohibitions)**

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

[http://www.valleyair.org/busind/comply/pm10/compliance\\_pm10.htm](http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm)

### **3f) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

The following rules are specific to confined animal operations:

- 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 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 at: [http://www.valleyair.org/farmpermits/updates/cmp\\_handbook.pdf](http://www.valleyair.org/farmpermits/updates/cmp_handbook.pdf).
- Rule 4570 (Confined Animal Facilities) – The purpose of this rule is to limit emissions of volatile organic compounds (VOC) from Confined Animal Facilities (CAF).

**4) District Comment Letter**

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Jacob Torrez by e-mail at [jacob.torrez@valleyair.org](mailto:jacob.torrez@valleyair.org) or by phone at (559) 230-6558.

Sincerely,

Brian Clements  
Director of Permit Services



For: Mark Montelongo  
Program Manager



FEB 09 2024



## Central Valley Regional Water Quality Control Board

2 February 2024

Sandy Roper, Project Planner  
Tulare County Resource Management Agency  
5961 S. Mooney Blvd.  
Visalia, CA 93277  
(email: [sroper@tularecounty.ca.gov](mailto:sroper@tularecounty.ca.gov))

### **COMMENTS ON PROJECT REVIEW CONSULTATION NOTICE; PROPOSED CUSTOM KILL SLAUGHTERHOUSE; TULARE COUNTY**

On 17 January 2024, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) received a request for consultation from the Tulare County Resource Management Agency concerning the County's pending approval of a land development permit for the proposed Custom Kill/Slaughterhouse, to be constructed at a former dairy at 13415 Road 136 near Tipton in Tulare County. The proposed slaughterhouse will house approximately 150 swine for slaughter. Additional swine will be brought to the site on a monthly basis, as needed, to maintain the supply. According to the operational statement, the swine will be housed in existing corrals and the slaughterhouse will utilize the existing dairy sump pond and land application areas for handling and disposal of wastewater from the proposed slaughterhouse. It is not clear in the proposal what will be done with the remaining structures at the dairy (i.e., corrals, storage sheds, etc.). The County has determined that this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) pursuant to the categorical exemption for new construction or conversion of small structures, including water main, sewage, electrical, gas, and other utility extensions. (Cal. Code Regs., tit. 14, § 15303(d).)

The Central Valley Water Board is responsible for protecting the quality of surface waters and ground waters of the State; therefore, our comments will address water quality matters only. First, the Central Valley Water Board disagrees that the conversion of a dairy operation into a slaughterhouse operation constitutes solely new construction or conversion of a small structure. The consultation request does not provide sufficient details on the production, handling, and disposal of wastewater and solids from the proposed slaughterhouse for the Central Valley Water Board to evaluate the project's potential impact(s) on water quality compared to those of the existing dairy operation. However, based upon Central Valley Water Board staffs review of the information provided and data concerning waste discharges from other similarly situated slaughterhouses, it is anticipated that the project could have potentially significant impacts on water quality. Tulare County should prepare an Environmental Impact

MARK BRAOFORO, CHAIR | PATRICK PULUPA, Esq., EXECUTIVE OFFICER



Report evaluating the potentially significant environmental impacts that could arise from proposed project's waste generation, storage, and disposal, or modify the proposed project to mitigate or avoid potentially significant impacts to water quality.

Animal and slaughterhouse waste contains high concentrations of nitrogen, salt, and organic matter. The discharge of such waste to land can significantly impact underlying groundwater by causing conditions of pollution (i.e., exceedance of applicable water quality standards) or nuisance (see Water Code section 13050) or degrading high quality waters. As described below, the water quality impacts of the proposed project may be mitigated through compliance with waste discharge requirements (WDRs) issued by the Central Valley Water Board and participation in and compliance with the Board's Salt and Nitrate Control Programs. Nevertheless, it is not clear that these measures will sufficiently mitigate the project's potential water quality impacts to less-than-significant.

**Waste Discharge Requirements (WDRs)**

The discharge of slaughterhouse waste (i.e., process wastewater, solids, manure) to land is subject to regulation under WDRs adopted by the Central Valley Water Board. To apply for WDRs, the project proponent (discharger) must submit a complete Report of Waste Discharge (RWD) in accordance with Water Code section 13260. Prior to commencing the discharge of process wastewater to land, the discharger must satisfy the requirements in Water Code section 13264 (i.e., submit a complete RWD, satisfy the CEQA, and either be issued WDRs or satisfy the timelines specified in Water Code 13264). Information on the technical requirements for submittal of a RWD is attached.

WDRs Orders implement the Central Valley Water Board's Water Quality Control Plans (Basin Plans) by prescribing prohibitions, limitations, and requirements intended to minimize the potential water quality impacts of a discharge of waste. However, in some cases, WDRs Orders may authorize potentially significant water quality impacts for limited periods of time when corresponding mitigation measures cannot be reasonably, feasibly, and/or practicably implemented immediately (e.g., treatment systems need to be funded and upgraded/constructed).

In 2018 the Central Valley Water Board adopted Basin Plan amendments (as revised in 2020 ([Resolution RS-2020-0057](#))) establishing the Central Valley-wide Salt and Nitrate Control Programs, which aim to address ongoing salt and nitrate accumulation in the waters of the Central **Valley**. For more information about the Salt and Nitrate Control Programs, visit the [Central Valley Water Board's website](#) and the [Central Valley Salinity Coalition's website](#) at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

<https://www.cvsalinity.org/public-info>

The Central **Valley** Water Board's Salt and Nitrate Control Programs authorize the issuance of WDRs that permit managed pollution and degradation of groundwater with salt and nitrate on the condition that dischargers subject to those WDRs provide funding and support for long-term mitigation efforts and short-term provision of replacement



drinking water for affected receptors. As described in the Substitute Environmental Document prepared by the Central Valley Water Board for its adoption of the Salt and Nitrate Control Programs, discharges permitted under these programs could result in potentially significant impacts to water quality for years, and possibly decades; however, the primary long-term goal of these Programs is to achieve balanced loading of salts and nitrate and, where reasonable and feasible, aquifer restoration, achievement of which would reduce the long-term impacts of these discharges to less than significant.

To appropriately inform decisionmakers and the public, the environmental document for the proposed project (and the RWD submitted by the project proponent to the Central Valley Water Board) should provide a detailed analysis of all waste streams (i.e., kill floor, corrals, cooling water, etc.), waste storage, handling, and disposal methods, evaluate the project's potential impact on underlying groundwater, and discuss what measures will be implemented to mitigate the potential impact (e.g., discharge to a digester or to land at agronomic rates, how the storage ponds are/will be lined, operated, and maintained, etc.). Note that, given the quality of wastewater from meat processors, any pond used to contain or dispose of waste should be lined to avoid or limit potentially significant water quality impacts.

**Industrial Storm Water General Permit**

Storm water discharges associated with specific industrial activities, including meat processors and confined animal facilities in some cases, must comply with the regulations contained in the Industrial Storm Water General Permit Order 2014-0057-DWQ. For [more information on the Industrial Storm Water General Permit](https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html), visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/industrial.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html)

**Construction Storm Water General Permit**

A National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (NPDES General Permit No. CAS000002) is required when a project includes, but is not limited to, demolition, clearing, grading, grubbing, excavation, or any other similar land disturbance. Currently, such activities require coverage under the Construction Storm Water General Permit if they involve disturbance of one or more acres, or less than an acre where the activity is part of a larger common plan of development or sale of one or more acres.

If construction/land disturbance associated with the subject project will disturb one acre or more, the property owner will need to obtain permit coverage under the Construction Storm Water General Permit. Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared. For [more information on the Construction Storm Water General Permit](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html), please visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html)







**TECHNICAL INFORMATION  
FOR A REPORT OF WASTE DISCHARGE  
For**

**Discharges to Land in the WDR (Non 15<sup>1</sup>) Program (Individual WDRs Only)**

This document provides guidance for applying for individual waste discharge requirements only. If you believe that your discharge would be appropriately regulated under general waste discharge requirements or general waiver, please see the links below and contact Central Valley Water Board staff for guidance.

General WDRs: [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#General](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#General)

Waivers: [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#Waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#Waivers)

**Table of Contents**

I.	What is a Report of Waste Discharge? .....	2
II.	Compliance with the California Environmental Quality Act (CEQA) .....	2
III.	What is Required for the ROWD Technical Report? .....	2
A.	General Information .....	3
B.	Wastewater Facility and Discharge .....	3
C.	Planned Changes in the Facility and Discharge (for existing facilities only) .....	6
D.	Local and Site Specific Conditions (Illustrate with maps as appropriate) .....	6
E.	Antidegradation Analysis .....	7
F.	Industrial Storm Water Permit .....	8
G.	General WDRs for Sanitary Sewer Systems .....	8
H.	Department of Water Resources Well Standards .....	9
I.	Salt and Nitrate Control Programs .....	9
	Table 1 - ROWO Constituent Characterization List .....	11

---

<sup>1</sup> The Non 15 Program regulates discharges to land that are exempt from Title 27 of the California Code of Regulations. See the following link for a brief explanation of Title 27 and exemptions that may be used: [http://www.waterboards.ca.gov/water\\_issues/programs/land\\_disposal/Waste\\_discharge\\_requirements.shtml](http://www.waterboards.ca.gov/water_issues/programs/land_disposal/Waste_discharge_requirements.shtml)



**TECHNICAL INFORMATION REQUIREMENTS  
FOR A REPORT OF WASTE DISCHARGE**

Page 2 of 12

**I What is a Report of Waste Discharge?**

A Report of Waste Discharge (ROWD) is an application for waste discharge requirements. A ROWD consists of the following:

A completed and signed Form 200, which can be downloaded from the internet at <http://fw.Nw.waterboards.ca.gov/publications/forms/forms/docs/form200.pdf>.

1. A technical report prepared by a California registered Civil Engineer that presents the Information listed in the table below.
2. For a new or previously unpermitted discharges, a check for the first annual fee made payable to the *State Water Resources Control Board*. Consult with staff to determine the required fee. There is no fee if you are applying for revised or updated WDRs because you are already subject to an annual permit fee. The current fee schedule can be viewed at the following link: <http://www.waterboards.ca.gov/resources/fees/index.shtml#wdr>

**II. Compliance with the California Environmental Quality Act (CEQA)**

Although not required as part of the ROWD, for new, previously unpermitted, or expanding/changing discharges, you must also submit a copy of any draft and final environmental review documents prepared to comply with the California Environmental Quality Act (CEQA).

If the local planning agency (city or county, as applicable) or another public agency has determined that the project (or expansion, changes, etc.) does not require any discretionary action by that agency, the Central Valley Water Board may be the lead agency for the purposes of CEQA, and you will be required to submit an Initial Study and pay all fees and other costs associated with the CEQA process unless the Board determines that the action falls within the scope of a categorical or statutory exemption. Fees associated with the filing of an Initial Study may include a California Department of Fish and Wildlife fee, County Clerk recording fees, and costs for publishing the CEQA Notice of Intent in a local newspaper. Consult with your local planning agency and Central Valley Water Board staff if you have any questions about CEQA. Additional information about CEQA is also available at the following link: <https://opr.ca.gov/ceqa/>.

**III. What is Required for the ROWD Technical Report?**

Please note the following tips to expedite the ROWD review and waste discharge requirements development:

- Providing the information in the same order as the list below will help to expedite the ROWD review. Staff will use this as a checklist.
- If any of the information is missing or incomplete, the ROWD will be deemed incomplete and the process (and your project) will be delayed until all of the required information is submitted. You will be notified in writing of the ROWD status after it has been reviewed. If the ROWD is incomplete, we will specify the additional information that is required to complete the ROWD.
- All numerical data presented in tables and calculations performed using spreadsheets should be provided in digital form (MS Excel compatible spreadsheet).
- If some of the information listed below can be found in a previous technical report prepared by a registered professional, the ROWD can incorporate the report as an appendix, but the ROWD text must specify where in the report the required information can be found. However, if appended reports contain information that conflicts with the body of the ROWD, it may cause further delays.



**TECHNICAL INFORMATION REQUIREMENTS  
FOR A REPORT OF WASTE DISCHARGE**

Page 3 of 12

**A. General Information**

1.	Is this a new/proposed or existing facility?
2.	If this is an existing facility, is the discharge currently regulated under Waste Discharge Requirements (WDRs) issued by the Central Valley Water Board?
a.	If so, provide the WDRs order number.
b.	If not, provide the name of the local agency that issued the current permit.
3.	Provide a copy of any other permits that reference or relate to the wastewater disposal system. This includes Use Permits and Surface Mining and Reclamation Act (SMARA) reclamation plans, etc.
4.	Provide the following for the facility that generates the waste and the site where the waste is discharged:
a.	Street address (provide street name and distance from nearest cross street if there is no street number).
b.	The approximate latitude and longitude of the facility that generates the wastewater, wastewater treatment facilities, and wastewater land disposal areas.
c.	Township, Range, and Section.
d.	Assessor's parcel numbers.

**B. Wastewater Facility and Discharge**

*Complete this section for both new/proposed facilities and existing facilities.*

1.	A description of the sources and types of wastewater flowing into the system from:
a.	Residential (population served and number of connections or equivalent dwelling units).
b.	Commercial (number of connections by type).
c.	Industrial (number of connections by type).
2.	Design influent flow rates (average daily, dry weather daily, peak hour, peak day, and peak month), and the design treatment capacity of the system with respect to each of these. For new/proposed facilities, provide the methods used to estimate these design parameters and copies of all calculations.
3.	For existing facilities, a summary table of monthly influent flow totals and monthly precipitation totals for the last five years. Explain any data gaps, outliers, and/or unusual circumstances that might affect measured flow rates. If sewer inflow and infiltration (I/I) contributes significantly to influent flow, provide an I/I analysis to project I/I as a function of total annual precipitation and/or groundwater level as appropriate.
4.	A detailed description of the facilities that generate wastewater, and all wastewater conveyance, treatment, and disposal systems. Use site plans and conceptual drawings as appropriate to illustrate locations and typical construction. Include all treatment processes. The following maps, plans, and illustrations are needed:
a.	A facility location map showing local topography, the facility location and/or boundaries, streets, and surface waters (including storm water drainage ditches, irrigation canals, and irrigation/tailwater ditches).
b.	A process flow schematic for the entire treatment and disposal system. Include existing and proposed flow monitoring devices and sampling locations proposed to determine compliance with the WDRs.



c. A scaled treatment plant site plan.
d. A scaled map showing the limits of all proposed wastewater treatment, storage and disposal areas.
5. Characterization of the source water (the community or process water supply), influent wastewater quality (prior to treatment or discharge), and treated effluent quality. See Table 1 for a minimum list of constituents to be analyzed.
6. For POTWs and domestic wastewater facilities, a description of the sewer system, sewer materials and age, and lift station details (type, location, capacity, backup systems, and alarms features). Discuss potential inflow and infiltration (I/I) rates in light of local groundwater conditions and sewer system materials/design.  For industrial facilities, a description of the industrial wastewater collection and conveyance system.
7. A description of proposed alarm systems, emergency wastewater storage facilities, and other means of preventing treatment system bypass or failure during reasonably foreseeable overload conditions (e.g., peak flows, power failure, sewer blockage). Consider both potential problems at the treatment system and within the conveyance system.
8. Preventive and contingency measures for controlling spills and accidental discharges.
9. Flood and frost protection measures (structural and operational) employed at the facility.
10. For debris, grit and screenings, sludge, and biosolids the following:
a. A description of solids generation rates, on-site treatment and handling systems, and short-term storage procedures.
b. A description of solids disposal practices.
c. For facilities that do not have continuous sludge wasting systems (i.e., where sludge accumulates in treatment and/or storage ponds), the frequency of assessing accumulated sludge volume, the date of the last sludge volume assessment, the date of the last sludge cleanout, and expected frequency of future sludge cleanout activities
11. For each wastewater treatment, storage, or disposal pond and containment structure, provide the following information:
a. Identification (name) and function of the pond.
b. Surface area, depth, and volumetric capacity at two feet of freeboard.
c. Height (relative to surrounding grade), crest width, interior slope, and exterior slope of each berm or levee.
d. Materials used to construct each berm or levee.
e. Description of engineered liner, if any. Include a copy of the Construction Quality Assurance (CQA) Report if one was prepared.
f. Estimated steady state percolation rate for each unlined pond.
g. Depth to shallow groundwater below the base and pond inverts.
h. Overfilling/overflow prevention features.
i. Operation and maintenance procedures.
12. For subsurface disposal systems, provide the design basis and documentation demonstrating that the system has been designed in accordance with applicable regulations, codes, ordinances, and guidelines. If the design deviates from these requirements, provide justification in terms of system longevity, maintainability, and groundwater protection.



TECHNICAL INFORMATION REQUIREMENTS  
FOR A REPORT OF WASTE DISCHARGE

Page 5 of 12

13. If treated domestic effluent will be recycled for beneficial reuse or if wastewater will be reused or land-applied <sup>2</sup> , provide a complete description of the following:
a. Ownership and contact information for each landowner <sup>3</sup> .
b. Effluent disinfection system.
c. Effluent conveyance systems.
d. Water recycling/Land application areas (LAA) areas.
e. Cropping plans.
f. Planned operations (planting and harvest, irrigation method, irrigation frequency, irrigation amounts).
g. Expected nutrient loadings (pounds per acre per year total nitrogen).
h. Expected salt loadings (pounds per acre per year total dissolved solids).
i. Tailwater management methods.
j. Storm water runoff management methods.
k. Setback distances from the edge of each recycling/land application area from the property boundary, public streets, occupied structures owned by others, and surface waters/surface water conveyances.
l. Plans that illustrate items c, d, i, j, and k above
14. If wastewater effluent will be recycled pursuant to Title 22 of the California Code of Regulations (e.g., if domestic wastewater is recycled to grow crops, irrigate landscaping, provide pasture for livestock, or for landscape or recreational impoundments, including reclamation sites owned by a POTWs, unless water is recycled solely for irrigation of landscaping at the POTW site) a Title 22 Engineering Report must be submitted to both the Central Valley Water board and the Division of Drinking Water <sup>4</sup> .
15. Projected monthly water balances demonstrating adequate containment capacity for both the average rainfall year and the 100-year return period total annual precipitation, including consideration of at least the following:
a. For POTWs and private domestic wastewater facilities, initial baseline influent and 1/1 flows as well as baseline influent and 1/1 flows at full build out with an aging sewer system.
b. A minimum of two feet of freeboard in each pond at all times (unless a registered civil engineer determines that a lower freeboard level will not cause overtopping or berm failure).
c. Historical local evapotranspiration, pan evaporation, and lake evaporation data (monthly average values).
d. Local precipitation data with the 100-year return period annual total distributed monthly in accordance with mean monthly precipitation patterns.
e. Proposed recycling area/land application area/disposal system hydraulic loading rates distributed monthly in accordance with expected seasonal variations based on crop evapotranspiration rates.
f. Projected long-term percolation rates (including consideration of percolation from unlined ponds and the effects of solids plugging on all ponds).

<sup>2</sup> Uses of recycled water that are limited to landscape irrigation (including golf courses) can be regulated under General WDRs issued by the State Water Board. See this webpage for more information:  
[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/regulrements.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/regulrements.html)

<sup>3</sup> Landowners are typically named in WDRs as co-dischargers, and the WDRs may include separate requirements with which co-dischargers must comply.

<sup>4</sup> To the extent this information is already presented in the Title 22 Engineering Report, the ROWD may incorporate that report by reference. The Title 22 Engineering Report must also be submitted to the Division of Drinking Water for review and approval.



TECHNICAL INFORMATION REQUIREMENTS  
FOR A REPORT OF WASTE DISCHARGE

Page 6 of 12

16. Proposed flow limits and basis for the limits. Consider dry weather flows vs. peak flows and seasonal variations. Include the technical basis for the proposed flow limit (e.g., design treatment capacity; hydraulic capacity of a main lift station, headworks, or other system element; and demonstrated effluent storage/disposal capacity).
17. A narrative description of treatment system operation and maintenance procedures to be employed, including those associated with effluent storage and disposal.
18. For POTWs, the level of operator certification and staffing; the names and grade levels of all certified operators, and the hours that the facility is manned.
19. For privately owned domestic wastewater treatment facilities, the names and grade levels of all certified operators, and the hours that the facility is manned. If the facility does not have a certified operator, provide justification for not retaining one.
<b>C. Planned Changes in the Facility and Discharge (for existing facilities only)</b>
1. Describe in detail any and all planned changes in the facility or discharge, addressing each of items listed in Section B above.
<b>D. Local and Site-Specific Conditions (Illustrate with maps as appropriate)</b>
1. Neighboring land uses.
2. Typical crops grown (if agricultural area).
3. Irrigation water source(s) and volume and quality data (if agricultural area).
4. Terrain and site drainage features.
5. Nearest surface water drainage course.
6. FEMA floodplain designation(s).
7. Average Annual precipitation (inches)
8. 100-year 365-day precipitation (inches)
9. Reference evapotranspiration (monthly and annual total)
10. Pan evaporation (monthly and annual total)
11. A description of the types and depths of soil underlying ponds and/or effluent disposal areas (include a copy of the geotechnical report and/or NRCS soil report). Include at least the following:
a. Depth of unsaturated soil when groundwater is closest to the surface.
b. Soil types based on site-specific information, sampling locations (accurately measured and recorded), description and results of percolation tests or other tests used to estimate soil long-term infiltration rates. Include depth, thickness, and soil horizons. Soils must be described at a minimum of five feet below the bottom of any disposal unit.
c. Bedrock type and condition encountered in disposal area, if any.
d. A scaled map depicting soil/rock types and test locations.
12. Provide the following information about hydrogeology and groundwater:
a. Stratigraphy, groundwater elevation and gradient, transmissivity, and influence of all recharge and pumping sources (site conceptual model).
b. Elevation and gradient of first groundwater at the facility
c. Depth to highest anticipated groundwater based upon onsite measurements taken during wet season.



d. Shallow groundwater quality for typical waste constituents, up/down gradient. (See Table 1)
e. Information on monitoring well locations, construction details, and locations of any geological features (e.g. aquitards, subterranean channels, faults) and aquifer characteristics.
f. Summary of historical groundwater monitoring results (last 5 years for existing facilities, 2 years for new/planned facilities).
<b>E. Antidegradation Analysis</b>
<p>The State Water Resources Control Board Resolution No. 68-16 (the Antidegradation Policy) requires that the Central Valley Water Board maintain the high quality of waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the state, will not unreasonably affect beneficial uses and will not result in exceedances of one or more water quality objectives. If a discharge will degrade groundwater quality but will not cause an exceedance of one or more water quality objectives, the discharger must demonstrate that all practicable treatment or control measures have been implemented or will be implemented such that the Board can consider these measures to represent the "best practicable treatment or control" (BPTC) of the constituents of concern. Demonstrating that BPTC has been, or will be, implemented at the site can provide justification for the Board to allow the current level of degradation to continue or increase (as applicable), or for the Board to allow any degradation in the case of a new discharge. The Antidegradation Policy is incorporated into our Basin Plans, which also include implementation plans that we follow. See the following link for the Basin Plans and other important policy documents:</p> <p><a href="http://www.waterboards.ca.gov/centralvalley/12plans_12olicies/">http://www.waterboards.ca.gov/centralvalley/12plans_12olicies/</a></p>
The Antidegradation Analysis must include the following:
1. For existing facilities, whether the discharge has caused degradation. If so, for which constituents, to what degree, and whether the discharge has caused exceedance of a water quality objective.
2. The potential for the discharge to degrade groundwater quality (for new discharges) or further degrade groundwater quality (for existing discharges, whether or not the discharge is expanding).
The assessment must be made based on site-specific data and shall include the following items for each constituent listed in the effluent category on Table 1:
a. Characterization of all waste constituents to be discharged that have the potential to degrade groundwater quality;
b. Characterization of shallow groundwater quality (i.e., the uppermost layer of the uppermost aquifer) for typical waste constituents <sup>5</sup> upgradient and downgradient of the site and comparison to established water quality objectives <sup>6</sup> (include tabulated historical groundwater monitoring data and groundwater elevation contour maps for the last eight monitoring events);
c. A description of the geology and hydrogeologic conditions of the site including groundwater elevation and gradient, transmissivity, influence of all known recharge and pumping sources, and subsurface conditions at the facility, including any proposed new disposal site or storage ponds;

<sup>5</sup> Include analyses for the following: total coliform organisms, total dissolved solids, fixed dissolved solids, electrical conductivity, nitrate nitrogen, total nitrogen, and major anions and cations

<sup>6</sup> Compare to Basin Plan water quality objectives, including drinking water standards, agricultural water quality goals, etc.



d.	Groundwater degradation , if any, that has resulted from existing operations, other nearby discharges, or natural occurrences;
e.	The areal extent that the discharge has impacted or will impact the quality of the shallow groundwater, if any;
f.	The concentration found and/or expected increase in concentration in shallow groundwater foreach constituent.
g.	If degradation has occurred or is expected to occur describe the following:
i.	Any facility design features and operational practices that reduce the potential for groundwater degradation (treatment or control). Such features might include salinity source control, other pollutant source control, advanced treatment, disinfection, concrete treatment structures, and pond lining systems, etc.
ii.	Additional treatment or control measures that could be implemented and a preliminary capital and annual operations and maintenance cost estimate for each.
iii.	How current treatment and control measures are justified as BPTC (i.e., what justifies not implementing additional measures);
iv.	How no water quality objectives will be exceeded; and
v.	Why allowing existing and/or anticipated degradation is in the best interest of the people of the state.
<b>F. Industrial Storm Water Permit</b>	
<p>The State Water Resources Control Board adopted Order 2014-0057-DWQ (NPDES General Permit CAS000001) specifying waste discharge requirements for discharges of storm water associated with industrial activities, and requiring submittal of a Notice of Intent by all affected industrial dischargers. Many industrial facilities and some domestic wastewater treatment facilities are required to obtain coverage under this permit. Provide evidence that the facility is exempt or hasapplied for coverage under the Industrial Storm Water Permit.</p> <p>See the following link for more information:</p> <p><a href="http://www.waterboards.ca.gov/centralvalle /water issues/storm water/industrial general germits/">http://www.waterboards.ca.gov/centralvalle /water issues/storm water/industrial general germits/</a></p>	
<b>G. General WDRs for Sanitary Sewer Systems.</b>	
<p>The State Water Resources Control Board adopted Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order 2006-0003-DWQ). The permit requires all public agencies that own or operate sanitary sewer systems greater than one mile in length to obtain coverage. Provide evidence that the facility is exempt or has applied for coverage under the General WDRs for Sanitary Sewer Systems.</p> <p>See the following link for more information:</p> <p><a href="htt,1:r/www.waterboards.ca.gov/water issues/grograms/ssso/index.shtml">htt,1:r/www.waterboards.ca.gov/water issues/grograms/ssso/index.shtml</a></p>	



**H. Department of Water Resources Well Standards**

The California Department of Water Resources sets standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards), as described in *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 94-81* (December 1981). These standards, and any more stringent standards adopted by the State or county pursuant to Water Code section 13801, apply to all monitoring wells. Discuss whether existing monitoring wells at the facility were constructed in accordance with the Department of Water Resources Well Standards.

See the following link for more information: <https://water.ca.gov/fwell-standards>

**I. Salt and Nitrate Control Programs**

The Central Valley Regional Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation on 31 May 2018 (Resolution No. RS-2018-0034). The resolution resulted from a Central Valley Regional Water Board initiated collaborative stakeholder initiative known as the Central Valley Salinity Alternatives for Long-term Sustainability (CV-SALTS).

**Nitrate Control Program**

After the effective date of the Nitrate Control Program, new dischargers located in groundwater basin/sub-basin (regardless of priority) or those with a material change to their operation that increases the level of nitrate discharged to groundwater must comply with the Nitrate Control Program and provide data and information as applicable. This provision does not apply to dischargers located in areas that are not part of a designated basin/sub-basin unless the Executive Officer of the Central Valley Water Board determines, based on the specific facts of the discharge, that it should be subject to the Nitrate Control Program and the Board's Executive Officer notifies the discharger accordingly.

This Nitrate Control Program NTC requires that discharges choose between two compliance pathways:

- **Pathway A:** New individual permitting options. The Board will set more stringent nitrate requirements in your permit to ensure that nitrate impacts will not cause a problem for drinking water users.
- **Pathway B:** Form or Join a Local Management Zone with other Permittees. A Management Zone is an association of permittees that work together to reduce nitrate loading and to provide replacement water

**Salt Control Program**

A new permittee, or existing permittee seeking a permit modification due to a substantial and/or material change which increases salt concentration or load from a facility, shall indicate how the permittee intends to comply with the Salt Control Program at the time of application and provide the required information to support the decision.

- **Conservative Salinity Permitting Approach** - A permittee that selects this approach must submit an assessment of how the discharge will comply with the conservative permitting requirements set forth in the Conservative Salinity Permitting Approach. The permittee shall submit this assessment to the Central Valley Water Board with the notification to the Board of its permit compliance pathway decision. If the Board does not concur with the findings of the assessment, the Board may request additional technical and/or monitoring information with a deadline for submittal. When conducting the assessment, the permittee may use historical water quality information if the information adequately represents the character of the current discharger and/or receiving water and is approved by the Board's Executive Officer.
- **Alternative Salinity Permitting Approach** - A permittee that selects this approach shall participate in the Phase I P&O Study by providing at least the minimum required level of



financial support throughout Phase I as determined by the lead entity overseeing the P&O Study. The permittee shall provide documentation of its compliance with the required level of support with the notification to the Central Valley Water Board of its permitting decision. If the permittee has an approved salinity-related Time Schedule Order, Compliance Schedule or variance that expires prior to the completion of the Phase I P&O Study, the Board, at its discretion, may extend the Time Schedule Order or Compliance Schedule or renew or grant a variance, as appropriate and allowed by other applicable policies.

See the following links for more information about the Salt and Nitrate Control Programs:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

<https://www.cvsalinity.org/public-info>



**Table 1 - ROWD Constituent Characterization List**

The Report of Waste Discharge must characterize the groundwater (G), source water (S), treatment system influent (I), and effluent discharge (E) for, at minimum, the constituents indicated in the list below. The characterization must be based on a statistically significant number of representative samples as determined by an appropriately registered and/or licensed professional. All media must also be characterized for all additional waste constituents that may be in the discharge based on the facility processes employed but not listed below.

Constituent	Units	Minimum Recommended Characterization Data			
		POTW/ Domestic	Food Processor	Sand and Gravel	Other Industry
Biochemical Oxygen Demand	mg/L	I, E	I, E		E
Chemical Oxygen Demand	mg/L	G, E	I, E		E
Settleable Matter	ml/L	E	E		E
Total Suspended Solids	mg/L	I, E	I, E		E
Total Dissolved Solids	mg/L	G, S, I, E	G, S, E	G	G, S, E
Fixed Dissolved Solids	mg/L		E		G, S, E
Electrical Conductivity	µmhos/cm	G, S, I, E	G, S, I, E	G, S, I, E	G, S, I, E
Total Kjeldahl Nitrogen as N	mg/L	G, S, E	G, S, E		G, S, E
Ammonia Nitrogen as N	mg/L	G, S, E	G, S, E		G, S, E
Nitrate Nitrogen as N	mg/L	G, S, E	G, S, E		G, S, E
pH	pH Units	G, S, I, E	G, S, E	G, S, I, E	G, S, I, E
General Minerals <sup>2</sup>					
Alkalinity	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Hardness	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Bicarbonate	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Carbonate	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Calcium	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Magnesium	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Chloride	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Potassium	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Sodium	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Sulfate	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Metals <sup>3</sup>					
Aluminum	ug/L	E			E
Antimony	ug/L			S, E	
Arsenic	ug/L	G, S, E	G, S, E	G, S, E	G, S, E
Barium	ug/L			S, E	
Beryllium	ug/L			S, E	
Boron	ug/L	G	G	G, S, E	G



TECHNICAL INFORMATION REQUIREMENTS  
FOR A REPORT OF WASTE DISCHARGE

Constituent <sup>1</sup>	Units	Minimum Recommended Characterization Data			
		POTW/ Domestic	Food Processor	Sand and Gravel	Other Industry
Cadmium	ug/L			S,E	
Chromium (IV)	ug/L			S,E	
Chromium (III)	ug/L			S,E	
Total Chromium	ug/L	G	G	G,S,E	G
Cobalt	ug/L			S,E	
Copper	ug/L	E	E	S,E	E
Fluoride	ug/L			S,E	
Iron	ug/L	G,S,E	G,S,E	G,S,E	G,S,E
Lead	ug/L	E		S,E	E
Mercury	ug/L	E		S,E	E
Manganese	ug/L	G,S,E	G,S,E	G,S,E	G,S,E
Molybdenum	ug/L			S,E	
Nickel	ug/L			S,E	
Selenium	ug/L			S,E	
Silver	ug/L			S,E	
Thallium	ug/L			S,E	
Vanadium	ug/L			S,E	
Zinc	ug/L	E		S,E	E
Disinfection By-Products <sup>4</sup>	ug/L	G, E	E		E
Formaldehyde <sup>5</sup>	ug/L	G, E	E		E
Phenols <sup>5</sup>	ug/L	G, E			E
Priority Pollutants <sup>6</sup>	Various	G, E			E

<sup>1</sup> With the exception of wastewater samples, for constituents with Secondary MCLs listed in Title, 22 Table 64449-A (e.g., aluminum, copper, iron, manganese, silver, zinc, color and turbidity), samples shall be filtered with a 1.5-micron filter prior to preservation, digestion, and analysis. For all other constituents, samples shall be filtered with a 0.45-micron filter prior to preservation, digestion, and analysis. If filtering in the field is not feasible, samples shall be collected in unpreserved containers and submitted to the laboratory within 24 hours with a request (on the chain of custody form) to immediately filter then preserve the sample.

<sup>2</sup> General minerals analyses shall be accompanied by a cation/anion balance demonstrating complete analysis.

<sup>3</sup> Where constituents are analyzed as part of other suites of constituents, the results may be substituted to avoid redundant analyses (i.e., arsenic results collected to fulfill the metals suite requirements may also be used to fill the Priority Pollutant suite requirements provided appropriate detection limits are used.)

<sup>4</sup> If wastewater is disinfected using chlorination or chlorination is used in internal disinfection processes.

<sup>5</sup> If the facility accepts holding tank waste from RVs, boats, or portable toilets.

<sup>6</sup> The Discharger must determine which priority pollutants, if any, are likely to be present in the discharge at concentrations that might degrade groundwater quality, and must provide characterization data for those constituents.





**California Regional Water Quality Control Board  
Central Valley Region**  
Mark Bradford, Chair

<http://www.waterboards.ca.gov/centralvalley>



**DAIRY CLOSURE PLAN/POST CLOSURE REPORT  
REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES,  
ORDER RS-2013-0122 (REISSUED GENERAL ORDER)**

Name of Dairy (when last operated): \_\_\_\_\_

Physical Address of Dairy: \_\_\_\_\_

Dairy Operator: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Please indicate the date that all milk cows were removed from the facility and all milking operations at the facility ceased** \_\_\_\_\_

*Note - Confirmation of the last known milking operations may be secured from the local milk inspection agency.*

1. Future Use - My dairy will (select one):	Complete this column to show which tasks need to be done (this is your Closure Plan)	Complete this column with the date each task was finished (this is your Post-closure Report).
No longer be a milk cow dairy and will no longer house animals		
No longer be a milk cow dairy but will house animals (specify type and number)		



# Exhibit "E"

## DAIRY CLOSURE PLAN/POST CLOSURE REPORT REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES, ORDER RS-2013-0122 (REISSUED GENERAL ORDER)

Temporarily cease to be a milk cow dairy. I expect to resume milk cow dairy operations in (specify month and year)		
<b>2 Corrals</b> (select one):		
I will continue to keep animals other than mature dairy cows in some or all of my corrals (specify which corrals will remain in use; residual manure at other corrals that will not be used for livestock must be removed by scraping to dirt)	Number of corrals to stay in use _____  Number of corrals to be taken out of use ____ _	
None of my corrals will be used for animals  <i>Note: Residual manure at areas formerly used for livestock corrals must be removed by scraping to dirt</i>	____ (Mark here if all corrals will be taken out of use)	
<b>3. Wastewater Settling Ponds</b>		
My facility has settling ponds (If yes, say how many. If no, state "none" and go to Question 4)		
I intend to use my settling ponds for livestock wastewater retention and manure settling in the future (state yes or no)		
Any ponds that will remain in use must be maintained in good working condition. Specify what actions you will take as part of the closure process to maintain the settling ponds.	List actions to be taken:	Date actions completed _____  I certify that I have a maintenance plan for the ponds that will stay in use  _____ (initial here)



# Exhibit "E"

## DAIRY CLOSURE PLAN/POST CLOSURE REPORT REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES, ORDER RS-2013-0122 (REISSUED GENERAL ORDER)

<b>3. Wastewater Settling Ponds</b> (continued)		
<p>Wastewater ponds that will not be used for wastewater settling or retention in the future must be dried, completely emptied of manure, and scraped to clean soil. Specify when you expect to complete these activities and where the material removed from the pond(s) will go.</p> <p><i>Note: Vegetation needs to be cleared from wastewater ponds before the closure inspection so that Regional Water Quality Control Board staff can verify the completeness of manure removal efforts.</i></p>	<p>I expect to complete the cleanout by _____.</p> <p>(date)</p> <p>I expect to remove __ cubic yards or _____ tons of material from the ponds.</p> <p>I expect to put the removed manure _____.</p>	<p>Date cleanout completed _____.</p> <p>Cubic yards removed __ ; or</p> <p>Tons removed __ ..</p> <p>Describe where manure was applied and how much (attach separate map showing location(s) where applied).</p>
<b>4. Wastewater Storage Pond(s)</b>		
My facility has wastewater storage ponds (If yes, say how many. If no, state "none" and go to Question 5)		
I will use my wastewater storage ponds for manure wastewater in the future (state yes or no)		
<p>If yes, ponds must be maintained in good working condition. Specify what actions you will take as part of the closure process to maintain the ponds.</p>	<p>List actions to be taken:</p>	<p>Date actions completed __ _</p> <p>I certify that I have a maintenance plan for the ponds that will stay in use _____ (initial here)</p>



# Exhibit "E"

## DAIRY CLOSURE PLAN/POST CLOSURE REPORT REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES, ORDER RS-2013-0122 (REISSUED GENERAL ORDER)

<b>4. Wastewater Pond(s)</b> (continued)		
<p>Wastewater ponds that will not be used for wastewater settling or retention in the future must be dried, completely emptied of manure, and scraped to clean soil. Specify when you expect to complete these activities and where the material removed from the pond(s) will go.</p> <p><i>Note: Vegetation needs to be cleared from wastewater ponds before the closure inspection so that Regional Water Quality Control Board staff can verify the completeness of manure removal efforts.</i></p>	<p>I expect to complete the cleanout by _____.</p> <p>I expect to remove ____ cubic yards or ____ tons of material from the ponds.</p> <p>I expect to put the removed manure _____.</p>	<p>Date cleanout completed _____.</p> <p>Cubic yards removed ____ ; or Tons removed ____ ..</p> <p>Describe where manure was applied and how much (attach separate map showing location(s) where applied).</p>
<b>5. Manure and Feed Storage Areas:</b>		
<p>My facility has manure and/or feed storage areas (If yes, say how many of each. If no, state "none" and go to "Certification")</p>	<p>Number of manure storage areas: _____</p> <p>Number of feed storage areas: _____</p>	
<p>I will use my manure or feed storage areas in the future (state yes or no for each area)</p>	<p>Manure storage areas to be used?__ (state yes/no and give the name of any to be used)</p> <p>Feed storage areas to be used?__ (state yes/no and give the name of any to be used)</p>	



# Exhibit "E"

## DAIRY CLOSURE PLAN/POST CLOSURE REPORT REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES, ORDER RS-2013-0122 (REISSUED GENERAL ORDER)

<b>5. Manure and Feed Storage Areas:</b> (continued)		
Any manure or feed storage areas that will be kept in use must be maintained in good working condition. Specify what actions you will take as part of the closure process to maintain the manure or feed storage areas.	List actions to be taken:	I certify that I have a maintenance plan for the manure or feed storage areas that will stay in use  _____ (initial here)
If any manure or feed storage areas will not be used, complete this section.  <i>Note: Residual manure needs to be removed from former manure storage areas prior to the closure inspection by scraping to dirt.</i>	I expect to finish the cleanout of the feed and manure storage areas by _____.  I expect to remove __ cubic yards or _____ tons of material from the manure storage areas.  I expect to put the removed manure _____.	Date manure storage area cleanout completed _____  Cubic yards removed __ ; or Tons removed _____.  Describe where manure was applied and how much (on a separate sheet of paper).  I certify that feed storage areas were cleaned out:  _____ (initial here)

Certification: *"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."*

For the Closure Plan, owner signs here: \_\_\_\_\_

\_\_\_\_\_  
(Date)

For the Post-Closure Report, owner signs here: \_\_\_\_\_

\_\_\_\_\_  
(Date)



## Attachment No. 2

### SPECIAL USE PERMIT FACT SHEET PSP 23-130

#### I. General Plan

1. Land Use Element: Rural Valley Lands Plan
2. Land Use Designation: "Valley Agriculture"
3. Compliance:

a. Land Use Element	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
b. Circulation Element	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
c. Noise Element	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
d. Open Space Element	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
e. Safety Element	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
f. Housing Element	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
g. Conservation Element	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
4. Urban Boundaries Element:

Outside UAB/UDB	<input checked="" type="checkbox"/>	Inside UAB	<input type="checkbox"/>	Inside UDB	<input type="checkbox"/>
-----------------	-------------------------------------	------------	--------------------------	------------	--------------------------
5. Airport Land Use Area

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	-------------------------------------
- Consistent with the policies of the Tulare County "Comprehensive Airport Land Use Plan."

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
-----	--------------------------	----	--------------------------	-----	-------------------------------------

#### II. Zoning (Note: special overlay i.e., PD, SR, Airport Impact, Etc.)

1. Site: The project site is located in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. Section 9.7.E.29 of the Tulare County Zoning Ordinance ("TCZO") allows slaughterhouses in the AE-40 Zone subject to the approval of a Special Use Permit.
2. Surrounding Area: The site contains an existing bovine Dairy facility that is proposed to be converted into a custom slaughterhouse for swine. Surrounding properties are zoned AE-40 and contain dairies, row crops and scattered rural residences. The unincorporated community of Tipton is located approximately 2.26 miles northwest of the project site.
3. Compliance: Yes ☒ No ☐  
The project site is located in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. Section 9.7.E.29 of the Tulare County Zoning Ordinance ("TCZO") allows slaughterhouses in the AE-40 Zone subject to the approval of a Special Use Permit.

#### III. Subdivision Ordinance

1. Final Map Waiver:

Not Applicable	<input checked="" type="checkbox"/>	Recommended	<input type="checkbox"/>	Meets Findings for Approval	<input type="checkbox"/>
----------------	-------------------------------------	-------------	--------------------------	-----------------------------	--------------------------
2. Exceptions:

Not Applicable	<input checked="" type="checkbox"/>	Recommended	<input type="checkbox"/>	Meets Findings for Approval	<input type="checkbox"/>
----------------	-------------------------------------	-------------	--------------------------	-----------------------------	--------------------------

#### IV. Environmental Setting

1. Topographical Features: Twenty percent of the 160-acre parcel is flat land and the other eighty percent is mountain terrain.

Slope: <10%	<input checked="" type="checkbox"/>	10% - 20%	<input checked="" type="checkbox"/>	20% - 30%	<input checked="" type="checkbox"/>
-------------	-------------------------------------	-----------	-------------------------------------	-----------	-------------------------------------
2. Water Courses: N/A
3. Flood Zone: The project site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06107C1600E, for Community Number 065066 (Tulare County Unincorporated Areas), dated June 16, 2009. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.
4. Ground Water Table: Historical groundwater depth information is between 220 feet and 230 feet, SGMA Data Viewer, Spring 2023.
5. Archaeological: N/A



## Attachment No. 2

6. Soil: Soils for the project site are Akers-akers (Prime), which is rated moderate for sewage disposal with a low shrink-swell potential.

### V. Reports/Studies (If required, see attached)

- |                             |        |                                     |          |                          |
|-----------------------------|--------|-------------------------------------|----------|--------------------------|
| 1. Geological/Hydrological: | Waived | <input checked="" type="checkbox"/> | Required | <input type="checkbox"/> |
| 2. Biotic:                  | N/A    | <input checked="" type="checkbox"/> | Required | <input type="checkbox"/> |
| 3. Traffic:                 | N/A    | <input checked="" type="checkbox"/> | Required | <input type="checkbox"/> |
| 4. Archaeological: Required | N/A    | <input checked="" type="checkbox"/> | Required | <input type="checkbox"/> |
| 5. Other: _____             | N/A    | <input checked="" type="checkbox"/> | Required | <input type="checkbox"/> |

### VI. Agricultural Preserve

- |                           |                |                                     |    |                                     |                          |
|---------------------------|----------------|-------------------------------------|----|-------------------------------------|--------------------------|
| Agricultural Preserve     | Yes            | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            |                          |
| Agricultural Preserve No. | <u>0002370</u> |                                     |    |                                     | Contract No. <u>7017</u> |
| PNR Required              | Yes            | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> |                          |
| PNR Previously Filed      | Yes            | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | (Expiration Date _____)  |
| Contract Amendment        | Yes            | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> |                          |

### VII. Parcel Information:

1. Were Parcels created inside or outside UDB/UAB? ☐ Inside ☒ Outside
2. Previous Parcel Activity/Permits:
- PRC 23-053, Convert milking barn to custom slaughterhouse for swine.
  - A0502025, Building Permit for re-roof.
  - A0700977, Building Permit to upgrade electrical panel for SFD.
  - A1700550, Building Permit to replace 100 amp electrical panel with 200 amp to Scale house.
  - A1700781, Building Permit for ground mount solar system for ag use (dairy) – 522.240 kWdc.
  - A1700957, Building Permit to install 800 amp electrical service for solar generation facility.
  - A1702148, Building Permit for 100 amp electrical panel change out to ag pump.
  - A1702827, Building Permit for 100 amp electrical meter replacement to shop.
  - A1702828, Building Permit for 200 amp electrical meter upgrade to ag well.
  - A2002552, Building Permit for 100 amp electrical meter replacement to ag meter.
  - A2202448, Building Permit to upgrade 200 amp existing electrical panel to ag pump.
  - Well1700755, Water Well Permit to drill dairy well.
3. Access to Parcels: ☒ Direct: Access to the site is direct to Road 136 and Avenue 136 (W. Scranton Avenue).  
☐ Indirect: \_\_\_\_\_
4. Water Source: ☒ Domestic Well  
☐ Irrigation Well  
☒ Irrigation District Lower Tule River Irrigation District  
☐ Community System  
☐ Private Water Co. \_\_\_\_\_
5. Sewage Disposal: ☐ Septic Tank-Leach Line System \_\_\_\_\_  
☐ District \_\_\_\_\_ Will Serve Letter on File ☐  
☒ Other Seepage Pit (Pond 1 – 603 feet long & 47 feet wide)(Pond 2 – 603 feet long & 54 feet wide)
6. Fire Protection: Fire Station No. 26, Tipton Fire Station located approximately 4.25 miles northwest of the project site.
7. Police Protection: TC Sheriff: Pixley Substation.
8. Public Utilities: Electric Service – SCE Natural Gas – Southern California Gas Co.



## Attachment No. 2

9. Environmental Determination: ☒ Exempt (Section 15303, Class 3)  
☐ Negative Declaration  
☐ Mitigated Negative Declaration

### VIII. SUBSEQUENT ACTIONS:

#### 1. Appeals:

The Planning Commission's decision for approval or denial of the Special Use Permit is final unless the decision is appealed to the Board of Supervisors within ten (10) calendar days after the decision. Said appeal shall be in writing and shall specifically set forth the project case number and the reasons for the appeal and shall be accompanied by the appropriate appeals filing fee. The appeal letter should be sent to the Tulare County Board of Supervisors, 2800 West Burrell Avenue, Visalia, CA 93291.

#### 2. School Impact Fees:

The subject site is located within the Tulare Joint Union High School District and Sundale Union Elementary School District, which has/have implemented developer's fees for all assessable space for new residences and expansions to existing residences; and for chargeable covered and enclosed space for new commercial and industrial development pursuant to Government Code Section 53080. These fees are required to be paid prior to the issuance of any permit for the construction of new commercial or industrial structures, and/or installation or construction of new or expanded residential structures. [Please contact the TCRMA-Permits Center or the applicable school district(s) for the most current school fee amounts.]

**NOTICE:** Pursuant to Government Code Section 66020(d)(1), this will serve to notify you that the 90-day approval period, in which you may protest to the school district the imposition of fees or other payment identified above, will begin to run from the date on which they are paid to the school district(s) or to another public entity authorized to collect them on the district(s) behalf, or on which the building or installation permit for this project is issued, whichever is earlier.

#### 3. Right to Farm Notice:

In accordance with Section 7905(a) of the Tulare County Ordinance Code, and as a condition of approval of the parcel map, a Right to Farm Notice shall be placed on the face of the final map, or a separate sheet shall be signed by the vested owners of the property and shall be returned to be recorded with the resolution approving a waiver of final map.

#### 4. Storm Water Permit:

A General Construction Activity Storm Water Permit CAS000002 shall be required (prior to commencement of the construction) for all storm water discharges associated with a construction activity where clearing, grading and excavation results in a land disturbance of more than five acres or which is less than five acres but is part of a larger common plan of development or sale. And, depending on the Standard Industrial Classification (SIC) Code of the final project, a General Permit No. CAS000001 for Discharges of Storm Water Associated With Industrial Activities may be required. A Notice of Intent (NOI) shall be obtained from and returned to: State Water Resources Control Board, Division of Water Quality, ATTN: Storm Water Permit Unit, P. O. Box 1977, Sacramento, CA 95812-1977 along with the appropriate annual fee. Permits shall be required until the construction is completed.





United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for **Tulare County, Western Part, California**

**PSP 23-130 (Simoes)**





# Preface

---

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require



### **Attachment No. 3**

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.



# Contents

---

**Preface**..... 2

**How Soil Surveys Are Made**.....5

**Soil Map**..... 8

    Soil Map.....9

    Legend.....10

    Map Unit Legend..... 11

    Map Unit Descriptions.....11

        Tulare County, Western Part, California..... 13

        101—Akers-Akers, saline-Sodic, complex, 0 to 2 percent slopes..... 13

**References**..... 16



## **How Soil Surveys Are Made**

---

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil



## **Attachment No. 3**

### **Custom Soil Resource Report**

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and



## **Attachment No. 3**

### Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.



## **Soil Map**

---

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.



# Attachment No. 3

## Custom Soil Resource Report

### Soil Map






# Attachment No. 3

## Custom Soil Resource Report

### MAP LEGEND

#### Area of Interest (AOI)

 Area of Interest (AOI)


#### Soils


 Soil Map Unit Polygons


 Soil Map Unit Lines


 Soil Map Unit Points

#### Special Point Features

 Blowout

 Borrow Pit


 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole


 Slide or Slip


 Sodic Spot


 Spoil Area

 Stony Spot


 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

#### Water Features

 Streams and Canals


#### Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

#### Background

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Tulare County, Western Part, California  
Survey Area Data: Version 17, Aug 31, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 16, 2022—May 30, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
101	Akers-Akers, saline-Sodic, complex, 0 to 2 percent slopes	39.9	100.0%
Totals for Area of Interest		39.9	100.0%

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,



## Attachment No. 3

### Custom Soil Resource Report

onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.



## **Tulare County, Western Part, California**

### **101—Akers-Akers, saline-Sodic, complex, 0 to 2 percent slopes**

#### **Map Unit Setting**

*National map unit symbol:* hp6z

*Elevation:* 230 to 350 feet

*Mean annual precipitation:* 8 to 12 inches

*Mean annual air temperature:* 63 to 64 degrees F

*Frost-free period:* 225 to 300 days

*Farmland classification:* Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

#### **Map Unit Composition**

*Akers and similar soils:* 60 percent

*Akers, saline-sodic, and similar soils:* 25 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### **Description of Akers**

##### **Setting**

*Landform:* Fan remnants

*Landform position (two-dimensional):* Shoulder

*Landform position (three-dimensional):* Side slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Alluvium derived from granitic rock sources

##### **Typical profile**

*Ap - 0 to 16 inches:* fine sandy loam

*Bk - 16 to 60 inches:* fine sandy loam

##### **Properties and qualities**

*Slope:* 0 to 2 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Runoff class:* Negligible

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.60 to 2.00 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* Very rare

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 10 percent

*Gypsum, maximum content:* 2 percent

*Maximum salinity:* Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

*Sodium adsorption ratio, maximum:* 12.0

*Available water supply, 0 to 60 inches:* High (about 9.7 inches)

##### **Interpretive groups**

*Land capability classification (irrigated):* 1

*Land capability classification (nonirrigated):* 4c

*Hydrologic Soil Group:* B

*Ecological site:* R017XY907CA - Aridic Alkali Desert

*Hydric soil rating:* No



# Attachment No. 3

## Custom Soil Resource Report

### Description of Akers, Saline-sodic

#### Setting

*Landform:* Fan remnants  
*Landform position (two-dimensional):* Shoulder  
*Landform position (three-dimensional):* Side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Alluvium derived from granitic rock sources

#### Typical profile

*Ap - 0 to 15 inches:* fine sandy loam  
*Bk - 15 to 60 inches:* fine sandy loam

#### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Negligible  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.60 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* Very rare  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 10 percent  
*Gypsum, maximum content:* 2 percent  
*Maximum salinity:* Slightly saline to moderately saline (4.0 to 8.0 mmhos/cm)  
*Sodium adsorption ratio, maximum:* 30.0  
*Available water supply, 0 to 60 inches:* High (about 9.1 inches)

#### Interpretive groups

*Land capability classification (irrigated):* 2s  
*Land capability classification (nonirrigated):* 4s  
*Hydrologic Soil Group:* C  
*Ecological site:* R017XY907CA - Aridic Alkali Desert  
*Hydric soil rating:* No

### Minor Components

#### Tujunga

*Percent of map unit:* 3 percent  
*Landform:* Flood plains  
*Ecological site:* R017XY907CA - Aridic Alkali Desert  
*Hydric soil rating:* No

#### Colpien

*Percent of map unit:* 3 percent  
*Landform:* Fan remnants  
*Ecological site:* R017XY907CA - Aridic Alkali Desert  
*Hydric soil rating:* No

#### Yetter

*Percent of map unit:* 2 percent  
*Landform:* Alluvial fans, flood plains  
*Ecological site:* R017XY907CA - Aridic Alkali Desert  
*Hydric soil rating:* No



## **Attachment No. 3**

### Custom Soil Resource Report

#### **Grangeville**

*Percent of map unit:* 2 percent

*Landform:* Alluvial fans, flood plains

*Ecological site:* R017XY907CA - Aridic Alkali Desert

*Hydric soil rating:* No

#### **Tagus**

*Percent of map unit:* 2 percent

*Landform:* Fan remnants

*Ecological site:* R017XY907CA - Aridic Alkali Desert

*Hydric soil rating:* No

#### **Hanford**

*Percent of map unit:* 2 percent

*Landform:* Alluvial fans, flood plains

*Ecological site:* R017XY907CA - Aridic Alkali Desert

*Hydric soil rating:* No

#### **Unnamed, ponded**

*Percent of map unit:* 1 percent

*Landform:* Depressions

*Ecological site:* R017XY907CA - Aridic Alkali Desert

*Hydric soil rating:* Yes



## References

---

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_054262](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262)
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053577](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577)
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053580](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580)
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2\\_053374](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374)
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelpdb1043084>



## **Attachment No. 3**

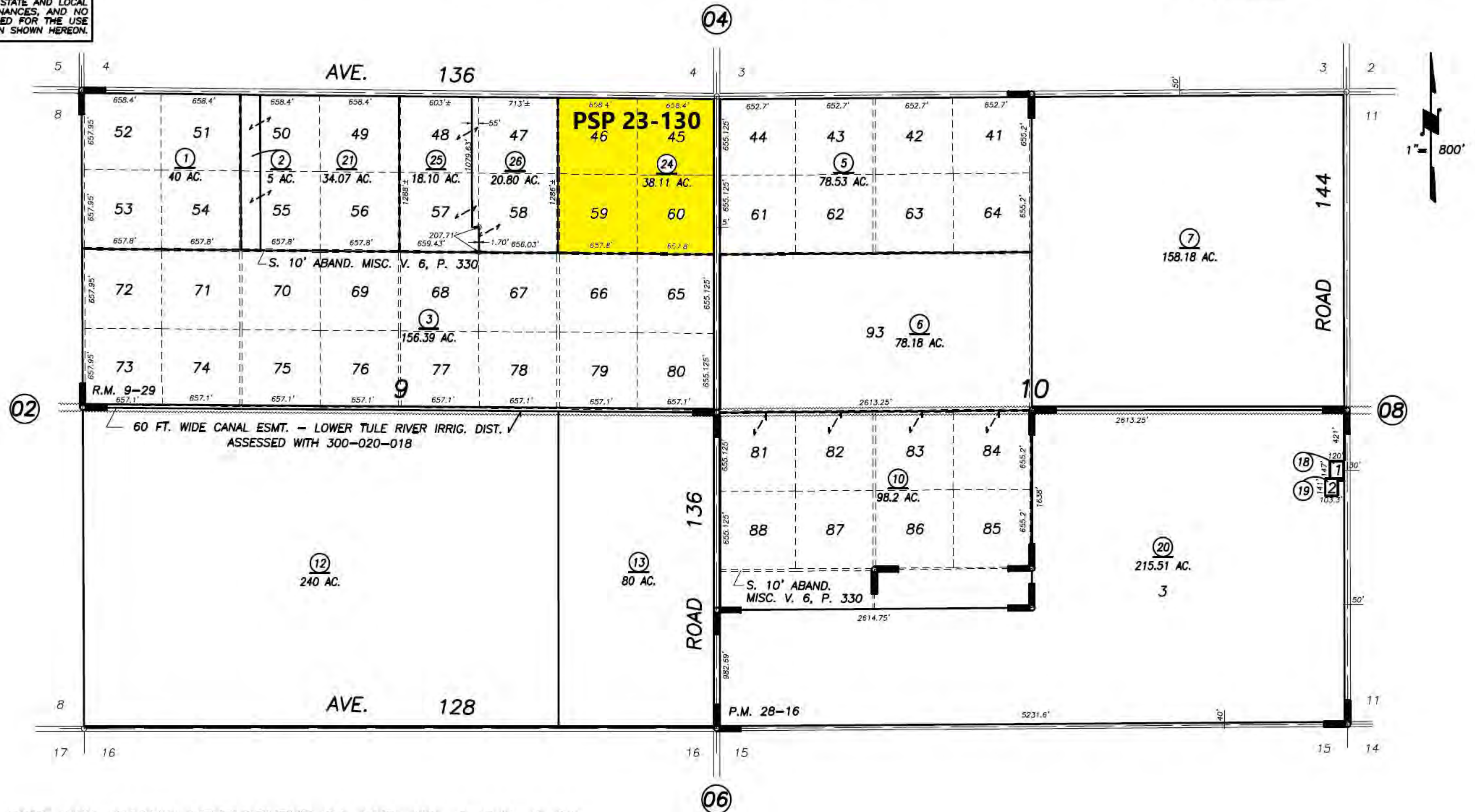
### Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2\\_054242](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242)

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. [http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2\\_053624](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624)

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. [http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs142p2\\_052290.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf)





VICINITY OF TIPTON  
ASSESSOR'S MAPS BK. 300 , PG. 05  
COUNTY OF TULARE, CALIFORNIA, U.S.A.

NOTE: Assessor's Parcel Numbers Shown in Circles (1) (123)  
Assessor's Block Numbers Shown in Elipses



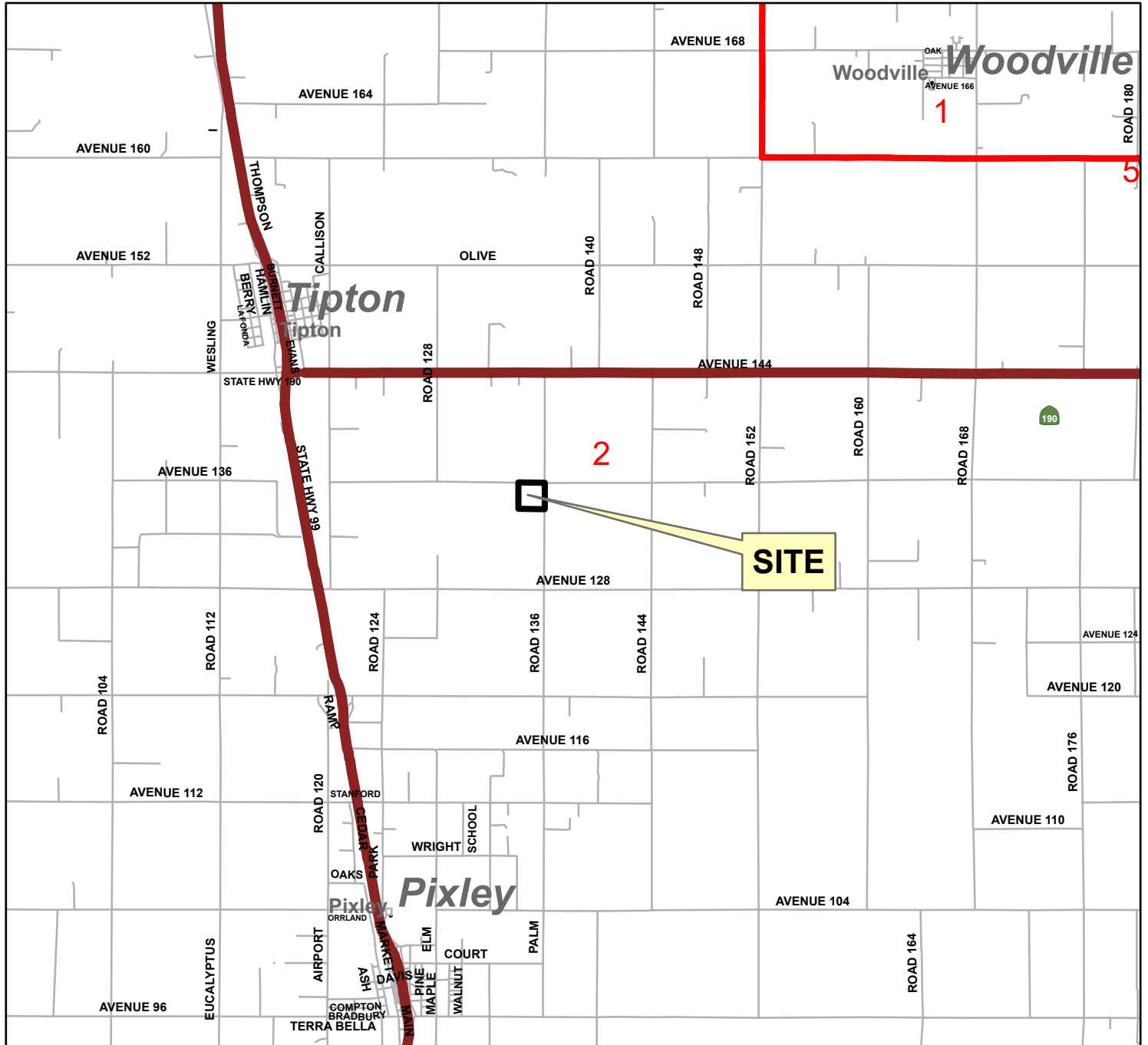


# Attachment No. 4

## Vicinity Map

### for

## PSP 23-130



Supervisorial District: 2

- SITE APN 300-050-024
- Supervisorial Districts
- Parcels
- HWY
- Streets
- Cities

0 0.5 1 2 Miles







# Attachment No. 4

## Aerial Photograph

### for

### PSP 23-130



Owner: Joseph Simoes and Michelle Simoes  
Address: 13260 Road 136  
City, State, ZIP: Tipton, CA, 93272  
Applicant: Sam Simoes  
Agent: N/A  
Supervisory District: 2  
Assessors Parcel: 300-050-024

0 300 600 900 1,200 Feet

Parcels  
APN 300-050-024





## PSP 23-130 (Simoes)

The project proposes to convert the milking barn of a bovine dairy that is closing into a custom slaughter house for swine. The project site is located at 13415 Road 136, Tipton CA. The property is in the AE-40 Zone and is restricted by a Williamson Act Contract. The property is on Assessor's Parcel Number 300-050-024.

## Attachment No. 4





## PSP 23-130 (Simoes)

The project proposes to convert the milking barn of a bovine dairy that is closing into a custom slaughter house for swine. The project site is located at 13415 Road 136, Tipton CA. The property is in the AE-40 Zone and is restricted by a Williamson Act Contract. The property is on Assessor's Parcel Number 300-050-024.

## Attachment No. 4



Google Earth

© 2024 Google

7.42 ft



# National Flood Hazard Layer FIRMMette



119°16'25"W 36°2'15"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

119°15'48"W 36°1'46"N

Basemap Imagery Source: USGS National Map 2023

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **5/7/2024 at 10:39 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





# RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD  
VISALIA, CA 93277  
PHONE: (559) 624-7000  
FAX: (559) 615-3002

Aaron R. Bock      Economic Development and Planning  
Reed Schenke      Public Works  
Sherman Dix      Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

## PROJECT REVIEW - CONSULTATION NOTICE

Date: January 17, 2022  
To: Interested Agencies (see next page)  
From: Sandy Roper, Project Planner [Phone: (559) 624-7101 and Email: [sroper@tularecounty.ca.gov](mailto:sroper@tularecounty.ca.gov)]  
Subject: **Case No. Special Use Permit No. PSP 23-130** for Sam Simoes, 3841 W. Hemlock Avenue, Visalia, CA 93277 (Agent: N/A) requests to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom kill/slaughterhouse for swine, located in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The project site contains an existing dairy facility that is located at 13415 Road 136, Tipton, CA (APN: 300-050-024).

The Tulare County Resource Management Agency, Economic Development and Planning Branch, has received an application for a land development permit. A copy of the application package is attached for your information. Please review this project and provide any comments and/or recommendations that you feel are appropriate, including any scientific or factual information that would be useful in our evaluation. Our office appreciates your time and assistance with this project review. Please direct all correspondence to the Project Planner and the Case Number referenced above for this project. All comments must be received by our office by **February 2, 2024**, in order to be considered during the review process. The following information checked below is also applicable for your consideration regarding this project:

- ☐ Please indicate in your response whether this department should prepare a Negative Declaration or Environmental Impact Report (EIR). In the event that an EIR is prepared, I will be in further contact with you as to the scope and content of the environmental information pertinent to your agency's statutory responsibilities.

**Please note that Public Resources Code Section 21080(c) requires substantial evidence in the record to show a significant effect on the environment. Any recommendation for preparation of an EIR requires submittal of such evidence with your comments. If there is no such evidence, a Negative Declaration or Mitigated Negative Declaration may be prepared.**

**Recommendations or suggestions for changes or mitigation measures requested by agencies having jurisdiction by law over natural resources affected by the project must be accompanied by a proposed reporting or monitoring program for those changes or measures in accordance with Public Resources Code Section 21081.6.**

- ☒ The Tulare County Resource Management Agency has determined that this project is Categorical Exempt from environmental review pursuant to Section 15303(d), Class 3, of the *Guidelines for Environmental Quality Act (CEQA Guidelines)* for New Construction or Conversion of Small Facilities and therefore, the preparation of an environmental document is not necessary. However, if your organization has substantial evidence that would indicate to the contrary, please explain.
- ☐ The Tulare County Resource Management Agency has determined that this project is a Ministerial project, and is exempt from an environmental review pursuant to Section 15268 of the California Environmental Quality Act (CEQA), implemented through Tulare County Board of Supervisors Resolution Numbers 72-3900; 73-356; 73-1202; 74-1346; 74-2165; 75-2452; 77-2229; 78-2300; 81-1670; 83-390; 83-460; 86-1419; 87-228; 87-429; 87-1278; 89-850A; 90-0803; 91-0805; 93-0489; 95-0476; and 99-0479.
- ☒ Notice of a public hearing for this project will be mailed at least ten (10) days prior to the hearing. If your agency will be significantly affected by this project with respect to your ability to provide essential facilities and/or services, and your wish to receive notice of the public hearing, please state this in your response.



# Attachment No. 5

## CASE NO. PSP 23-130 (Sam Simoes) CONSULTING AGENCY LIST

### TULARE COUNTY AGENCIES

- ☒ R.M.A. - Building Division – Kevin Sullivan
- ☒ R.M.A. - Code Compliance Division – Hector Ramos, Jr.
- ☒ R.M.A. - Environmental Coordinator – Gary Mills
- ☒ R.M.A. – Public Works – Hernan Beltran
- ☒ R.M.A. – Flood/Permits/Subdivisions – Vanessa Sandoval
- ☐ R.M.A. - Parks and Recreation Division
- ☐ R.M.A. - Building Services Division
- ☐ R.M.A. - General Services Division
- ☐ R.M.A. - Transportation/Utilities Division
- ☐ R.M.A. - Solid Waste Division
- ☒ H.H.S.A. - Environmental Health Services – Kevin Bangsund
- ☐ H.H.S.A. - HazMat Division
- ☒ Fire Department – Mark Phillips
- ☐ Sheriff's Department - Visalia Headquarters
- ☐                                      Traver Substation
- ☐                                      Orosi Substation
- ☐                                      Pixley Substation
- ☐                                      Porterville Substation
- ☐ Agricultural Commissioner
- ☐ Education Department
- ☐ Airport Land Use Commission
- ☐ Supervisor District
- ☒ Assessor
- ☐ Donn Dwyer

### LOCAL AGENCIES

- ☐ Levee Dist. No 1\*
- ☐ Levee Dist. No 2\*
- ☐ \_\_\_\_\_\*
- ☐ \_\_\_\_\_ Pub Utility Dist.\*
- ☐ \_\_\_\_\_ Comm. Service Dist\*
- ☐ \_\_\_\_\_ Town Council\*
- ☐ \_\_\_\_\_ Elementary School District\*
- ☐ \_\_\_\_\_ High School District\*
- ☐ City of \_\_\_\_\_\*
- ☐ County of \_\_\_\_\_\*
- ☐ Tulare Lake Basin Water Storage Dist\*
- ☐ \_\_\_\_\_ Advisory Council\*
- ☐ \_\_\_\_\_ Fire District\*
- ☐ \_\_\_\_\_ Mosquito Abatement\*
- ☐ \_\_\_\_\_ Kaweah Delta Water Cons. District\*
- ☒ San Joaquin Valley Air Pollution Control District
- ☐ \_\_\_\_\_\*

### FEDERAL AGENCIES

- ☐ Army Corps of Engineers
- ☐ Fish & Wildlife
- ☐ Bureau of Land Management
- ☐ Natural Resources Conservation Dist.
- ☐ Forest Service
- ☐ National Park Service
- ☐ \_\_\_\_\_.

### STATE AGENCIES

- ☐ Dept. of Fish & Wildlife Dist 4
- ☐ \_\_\_\_\_, DFG Area Biologist
- ☐ Alcoholic Beverage Control
- ☐ Housing & Community Development
- ☐ Reclamation Board
- ☒ Regional Water Quality Control Board - Dist. 5
- ☐ Caltrans Dist. 6\*
- ☐ Dept. of Water Resources\*
- ☐ Water Resources Control Board\*
- ☐ Public Utilities Commission
- ☐ Dept. of Conservation
- ☐ State Clearinghouse (15 copies)
- ☐ Office of Historic Preservation
- ☐ Dept. of Food & Agriculture
- ☐ State Department of Health
- ☐ State Lands Commission
- ☐ State Treasury Dept. - Office of Permits Assist.
- ☐ \_\_\_\_\_.

### OTHER AGENCIES

- ☐ U.C. Cooperative Extension
- ☐ Audubon Society - Condor Research
- ☐ Native American Heritage Commission
- ☐ District Archaeologist (Bakersfield)
- ☐ TCAG (Tulare Co. Assoc. of Govts)
- ☐ LAFCo (Local Agency Formation Comm.)
- ☐ Pacific Bell (2 copies)
- ☐ GTE (General Telephone) (2 copies)
- ☐ P.G. & E. (2 copies)
- ☐ Edison International (2 copies)
- ☐ The Gas Company (2 copies)
- ☐ Tulare County Farm Bureau
- ☐ Archaeological Conservancy (Sacramento)



# RESOURCE MANAGEMENT AGENCY



## INTEROFFICE MEMORANDUM

---

January 30, 2024

**TO:** Sandy Roper, Project Planner

**FROM:** Vanesa Sandoval, Engineer I

**SUBJECT:** Case No. PSP 23-130

APPLICANT: Sam Simoes

APN: 300-050-024

The subject Case No. PSP 23-130 has been reviewed. The following comments and recommendations are submitted for consideration in processing this matter.

The subject site is not located within any Urban Improvement Area or Urban Development Boundary.

The subject site is not located within the boundaries of any Specific Plan.

**Flood Information:**

The following flood zone information is based on our interpretation of the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map for Community Number 065066 dated June 16, 2009, Panel No. 1600. The subject site is located within Zone X.

Construction within Zone X requires no specific flood mitigation measures.

**Right-of-way Information:**

The subject site lies on the south side of Avenue 136 and the west side of Road 136. The existing right of way on Avenue 136 is 50 feet (25 feet on the north side and 25 feet on the south side) and on Road 136 is 50 feet (25 feet on the west side and 25 feet on the east side). Ultimate right of way on Avenue 136 and Road 136 is 60 feet.



## **Attachment No. 5**

Memorandum

Page 2 of 2

No additional right-of-way dedications are required pursuant to Ordinance Code section 7-01-2215 for any parcel to be created which will have an area of ten acres or more.

### **Road Information:**

According to the county's maintained mileage maps, Avenue 136 and Road 136 are county maintained roads.

Based on the 2023 Pavement Management System database, the existing pavement width on Avenue 136 is 16 feet and on Road 136 is 20 feet. The pavement type on Avenue 136 and on Road 136 is asphalt concrete.

We have no recommended conditions for the subject case.





**Charlie Norman**  
FIRE CHIEF

**Attachment No. 5**  
**TULARE COUNTY**  
**FIRE DEPARTMENT**

835 S Akers St, Visalia, CA 93277 - Phone (559) 802-9800 - Fax (559) 747-8242

January 31, 2024

Attn: Sandy Roper [SRoper@tularecounty.ca.gov](mailto:SRoper@tularecounty.ca.gov)

Tulare County Fire Department has conducted a plan check on plans # PSP 23-130, the following is a check list of requirements for: To convert milking barn to custom kill slaughter house.

**FIRE REQUIREMENTS**

- Address posted, minimum 4"x3"x 1/2" line width permanent numbers visible from the street
- All-weather (2" crushed rock, road base, or DG) 20 feet Fire Dept. access road, with a maintained 13 feet 6 inches vertical clearance.
- Fire apparatus access roads/lanes, as identified on approved plans.
- Fire lanes shall be maintained at all times, marked, and or painted.
- Remove all dead and dying vegetation within 30 feet of all structures, plus property lines, and 10' on each side of the driveway. Vegetation must be disposed of prior to the start of construction.
- Fire water flow requirements for this project shall meet 2022 Ca. Fire Code, Appendix B & C and shall adhere to NFPA 13, NFPA 72, NFPA 20, NFPA 22, NFPA 24, NFPA 1142 standards.
- All water tanks, fire pump, fire sprinklers, fire hydrants and fire alarms Installed by a state license contractor.
- An approved Fire alarm system following NFPA 72 standards maybe required and installed by a licensed contractor and inspected.
- A commercial fire sprinkler maybe required as per CBC 22, Chapter 5, Table 506.2 and NFPA 13 standard.
- Fire extinguishers must be visible, mounted at 4 foot, accessible, and be no more than a 75-foot travel distance inside structure with a minimum U.L. rating of 2A-10B/C.
- Emergency exit signs shall be posted where required.
- Emergency exit/lighting shall be installed where required.
- Occupancy signs shall be posted where required.
- Knox Box or Knox padlock for locked or gated properties
- New gates shall be installed 30' back from the public way and open inward.
- Fire Final required prior to building final. Call (559) 802-9807 to schedule.

\*Note, this checklist does not exclude builder /owner from all required applicable codes. If something was missed in the plan check process, the owner /builder will be expected to comply with the applicable code, regulation, or ordinance.

Respectfully submitted.

Mark Phillips  
Fire Inspector – Plans Examiner  
Tulare County Fire Department  
(559)624-7074





**TULARE COUNTY  
HEALTH & HUMAN SERVICES AGENCY**

Donna Ortiz  
Agency Director

Karen M. Elliott, MBA • Director • Public Health Branch  
Nilsa Gonzalez, REHS • Public Health Branch Deputy Director • Environmental Health Director

January 24, 2024

SANDY ROPER  
RESOURCE MANAGEMENT AGENCY  
5961 S MOONEY BLVD  
VISALIA CA 93277

**RE: Special Use Permit, PSP 23-130**

This office has reviewed the above-referenced matter. Based upon our review, we have no comment for this project at this time.

Regards,

A handwritten signature in blue ink, reading "Kevin Bangsund".

Kevin Bangsund, REHS  
Registered Environmental Health Specialist III  
Environmental Health Services Division





FEB 09 2024



---

**Central Valley Regional Water Quality Control Board**

2 February 2024

Sandy Roper, Project Planner  
Tulare County Resource Management Agency  
5961 S. Mooney Blvd.  
Visalia, CA 93277  
(email: [sroper@tularecounty.ca.gov](mailto:sroper@tularecounty.ca.gov))

**COMMENTS ON PROJECT REVIEW CONSULTATION NOTICE; PROPOSED  
CUSTOM KILL SLAUGHTERHOUSE; TULARE COUNTY**

On 17 January 2024, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) received a request for consultation from the Tulare County Resource Management Agency concerning the County's pending approval of a land development permit for the proposed Custom Kill/Slaughterhouse, to be constructed at a former dairy at 13415 Road 136 near Tipton in Tulare County. The proposed slaughterhouse will house approximately 150 swine for slaughter. Additional swine will be brought to the site on a monthly basis, as needed, to maintain the supply. According to the operational statement, the swine will be housed in existing corrals and the slaughterhouse will utilize the existing dairy sump pond and land application areas for handling and disposal of wastewater from the proposed slaughterhouse. It is not clear in the proposal what will be done with the remaining structures at the dairy (i.e., corrals, storage sheds, etc.). The County has determined that this project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) pursuant to the categorical exemption for new construction or conversion of small structures, including water main, sewage, electrical, gas, and other utility extensions. (Cal. Code Regs., tit. 14, § 15303(d).)

The Central Valley Water Board is responsible for protecting the quality of surface waters and ground waters of the State; therefore, our comments will address water quality matters only. First, the Central Valley Water Board disagrees that the conversion of a dairy operation into a slaughterhouse operation constitutes solely new construction or conversion of a small structure. The consultation request does not provide sufficient details on the production, handling, and disposal of wastewater and solids from the proposed slaughterhouse for the Central Valley Water Board to evaluate the project's potential impact(s) on water quality compared to those of the existing dairy operation. However, based upon Central Valley Water Board staff's review of the information provided and data concerning waste discharges from other similarly situated slaughterhouses, it is anticipated that the project could have potentially significant impacts on water quality. Tulare County should prepare an Environmental Impact

---

**MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER**



Sandy Roper, Project Planner  
Tulare County Resource Management Agency

- 2 -

2 February 2024

Report evaluating the potentially significant environmental impacts that could arise from proposed project's waste generation, storage, and disposal, or modify the proposed project to mitigate or avoid potentially significant impacts to water quality.

Animal and slaughterhouse waste contains high concentrations of nitrogen, salt, and organic matter. The discharge of such waste to land can significantly impact underlying groundwater by causing conditions of pollution (i.e., exceedance of applicable water quality standards) or nuisance (see Water Code section 13050) or degrading high quality waters. As described below, the water quality impacts of the proposed project may be mitigated through compliance with waste discharge requirements (WDRs) issued by the Central Valley Water Board and participation in and compliance with the Board's Salt and Nitrate Control Programs. Nevertheless, it is not clear that these measures will sufficiently mitigate the project's potential water quality impacts to less-than-significant.

#### **Waste Discharge Requirements (WDRs)**

The discharge of slaughterhouse waste (i.e., process wastewater, solids, manure) to land is subject to regulation under WDRs adopted by the Central Valley Water Board. To apply for WDRs, the project proponent (discharger) must submit a complete Report of Waste Discharge (RWD) in accordance with Water Code section 13260. Prior to commencing the discharge of process wastewater to land, the discharger must satisfy the requirements in Water Code section 13264 (i.e., submit a complete RWD, satisfy the CEQA, and either be issued WDRs or satisfy the timelines specified in Water Code 13264). Information on the technical requirements for submittal of a RWD is attached.

WDRs Orders implement the Central Valley Water Board's Water Quality Control Plans (Basin Plans) by prescribing prohibitions, limitations, and requirements intended to minimize the potential water quality impacts of a discharge of waste. However, in some cases, WDRs Orders may authorize potentially significant water quality impacts for limited periods of time when corresponding mitigation measures cannot be reasonably, feasibly, and/or practicably implemented immediately (e.g., treatment systems need to be funded and upgraded/constructed).

In 2018 the Central Valley Water Board adopted Basin Plan amendments (as revised in 2020 ([Resolution R5-2020-0057](#))) establishing the Central Valley-wide Salt and Nitrate Control Programs, which aim to address ongoing salt and nitrate accumulation in the waters of the Central Valley. For more information about the Salt and Nitrate Control Programs, visit the [Central Valley Water Board's website](#) and the [Central Valley Salinity Coalition's website](#) at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

<https://www.cvsalinity.org/public-info>

The Central Valley Water Board's Salt and Nitrate Control Programs authorize the issuance of WDRs that permit managed pollution and degradation of groundwater with salt and nitrate on the condition that dischargers subject to those WDRs provide funding and support for long-term mitigation efforts and short-term provision of replacement



drinking water for affected receptors. As described in the Substitute Environmental Document prepared by the Central Valley Water Board for its adoption of the Salt and Nitrate Control Programs, discharges permitted under these programs could result in potentially significant impacts to water quality for years, and possibly decades; however, the primary long-term goal of these Programs is to achieve balanced loading of salts and nitrate and, where reasonable and feasible, aquifer restoration, achievement of which would reduce the long-term impacts of these discharges to less than significant.

To appropriately inform decisionmakers and the public, the environmental document for the proposed project (and the RWD submitted by the project proponent to the Central Valley Water Board) should provide a detailed analysis of all waste streams (i.e., kill floor, corrals, cooling water, etc.), waste storage, handling, and disposal methods, evaluate the project's potential impact on underlying groundwater, and discuss what measures will be implemented to mitigate the potential impact (e.g., discharge to a digester or to land at agronomic rates, how the storage ponds are/will be lined, operated, and maintained, etc.). Note that, given the quality of wastewater from meat processors, any pond used to contain or dispose of waste should be lined to avoid or limit potentially significant water quality impacts.

**Industrial Storm Water General Permit**

Storm water discharges associated with specific industrial activities, including meat processors and confined animal facilities in some cases, must comply with the regulations contained in the Industrial Storm Water General Permit Order 2014-0057-DWQ. For [more information on the Industrial Storm Water General Permit](#), visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/industrial.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html)

**Construction Storm Water General Permit**

A National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (NPDES General Permit No. CAS000002) is required when a project includes, but is not limited to, demolition, clearing, grading, grubbing, excavation, or any other similar land disturbance. Currently, such activities require coverage under the Construction Storm Water General Permit if they involve disturbance of one or more acres, or less than an acre where the activity is part of a larger common plan of development or sale of one or more acres.

If construction/land disturbance associated with the subject project will disturb one acre or more, the property owner will need to obtain permit coverage under the Construction Storm Water General Permit. Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared. For [more information on the Construction Storm Water General Permit](#), please visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html)



Sandy Roper, Project Planner  
Tulare County Resource Management Agency

- 4 -

2 February 2024

**Other Issues**

Our records indicate the proposed slaughterhouse is on property that is covered under Order R5-2013-0122, *Reissued Waste Discharge Requirements General Order for Existing Milk Cow Dairies* (Reissued Dairy General Order). To continue coverage, the discharger shall submit an updated Waste Management Plan and Nutrient Management Plan, delineating which area of the property will remain under the Reissued Dairy General Order. If the discharger intends to continue to handle cattle on the remaining area of the property, the discharger can either remain under the Reissued Dairy General Order or apply for coverage under Order No. R5-2017-0058, *Waste Discharge Requirements General Order for Confined Bovine Feeding Operations* (Bovine Feeding General Order). If the discharger would like to terminate coverage, they must follow the procedures outlined in Provision G.11 and fill out and submit the attached Dairy Closure Plan/Post Closure Report.

Thank you for the opportunity to comment on this project. If you have questions about these comments regarding WDRs, please contact Katie Carpenter at (559) 445-5551 or by email at [Katie.Carpenter@waterboards.ca.gov](mailto:Katie.Carpenter@waterboards.ca.gov). If you have questions about these comments regarding the Reissued Dairy General Order or the Bovine Feeding General Order, please contact Scott Hatton at (559) 444-2502 or by email at [Scott.Hatton@waterboards.ca.gov](mailto:Scott.Hatton@waterboards.ca.gov).

Alexander S. Mushegan  
Digitally signed by Alexander S. Mushegan  
Date: 2024.02.02 14:58:11  
+08'00'

Alexander S. Mushegan  
Supervising Engineer

**Attachments:**

- Technical Information for Report of Waste Discharge
- Dairy Closure Plan/Post Closure Plan

**cc's:**

- Scott Hatton, Central Valley Water Board Fresno, (via email)



**TECHNICAL INFORMATION  
FOR A REPORT OF WASTE DISCHARGE  
For**

**Discharges to Land in the WDR (Non 15<sup>1</sup>) Program (Individual WDRs Only)**

This document provides guidance for applying for individual waste discharge requirements only. If you believe that your discharge would be appropriately regulated under general waste discharge requirements or general waiver, please see the links below and contact Central Valley Water Board staff for guidance.

General WDRs: [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#General](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#General)

Waivers: [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/#Waivers](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#Waivers)

**Table of Contents**

I.	What is a Report of Waste Discharge? .....	2
II.	Compliance with the California Environmental Quality Act (CEQA) .....	2
III.	What is Required for the ROWD Technical Report? .....	2
A.	General Information .....	3
B.	Wastewater Facility and Discharge .....	3
C.	Planned Changes in the Facility and Discharge (for existing facilities only).....	6
D.	Local and Site-Specific Conditions (Illustrate with maps as appropriate).....	6
E.	Antidegradation Analysis .....	7
F.	Industrial Storm Water Permit .....	8
G.	General WDRs for Sanitary Sewer Systems.....	8
H.	Department of Water Resources Well Standards.....	9
I.	Salt and Nitrate Control Programs.....	9
	Table 1 – ROWD Constituent Characterization List .....	11

---

<sup>1</sup> The Non 15 Program regulates discharges to land that are exempt from Title 27 of the California Code of Regulations. See the following link for a brief explanation of Title 27 and exemptions that may be used:  
[http://www.waterboards.ca.gov/water\\_issues/programs/land\\_disposal/waste\\_discharge\\_requirements.shtml](http://www.waterboards.ca.gov/water_issues/programs/land_disposal/waste_discharge_requirements.shtml)



**I. What is a Report of Waste Discharge?**

A Report of Waste Discharge (ROWD) is an application for waste discharge requirements. A ROWD consists of the following:

A completed and signed Form 200, which can be downloaded from the internet at [http://www.waterboards.ca.gov/publications\\_forms/forms/docs/form200.pdf](http://www.waterboards.ca.gov/publications_forms/forms/docs/form200.pdf).

1. A technical report prepared by a California registered Civil Engineer that presents the Information listed in the table below.
2. For a new or previously unpermitted discharges, a check for the first annual fee made payable to the *State Water Resources Control Board*. Consult with staff to determine the required fee. There is no fee if you are applying for revised or updated WDRs because you are already subject to an annual permit fee. The current fee schedule can be viewed at the following link: <http://www.waterboards.ca.gov/resources/fees/index.shtml#wdr>

**II. Compliance with the California Environmental Quality Act (CEQA)**

Although not required as part of the ROWD, for new, previously unpermitted, or expanding/changing discharges, you must also submit a copy of any draft and final environmental review documents prepared to comply with the California Environmental Quality Act (CEQA).

If the local planning agency (city or county, as applicable) or another public agency has determined that the project (or expansion, changes, etc.) does not require any discretionary action by that agency, the Central Valley Water Board may be the lead agency for the purposes of CEQA, and you will be required to submit an Initial Study and pay all fees and other costs associated with the CEQA process unless the Board determines that the action falls within the scope of a categorical or statutory exemption. Fees associated with the filing of an Initial Study may include a California Department of Fish and Wildlife fee, County Clerk recording fees, and costs for publishing the CEQA Notice of Intent in a local newspaper. Consult with your local planning agency and Central Valley Water Board staff if you have any questions about CEQA. Additional information about CEQA is also available at the following link: <https://opr.ca.gov/ceqa/>.

**III. What is Required for the ROWD Technical Report?**

Please note the following tips to expedite the ROWD review and waste discharge requirements development:

- Providing the information in the same order as the list below will help to expedite the ROWD review. Staff will use this as a checklist.
- If any of the information is missing or incomplete, the ROWD will be deemed incomplete and the process (and your project) will be delayed until all of the required information is submitted. You will be notified in writing of the ROWD status after it has been reviewed. If the ROWD is incomplete, we will specify the additional information that is required to complete the ROWD.
- All numerical data presented in tables and calculations performed using spreadsheets should be provided in digital form (MS Excel compatible spreadsheet).
- If some of the information listed below can be found in a previous technical report prepared by a registered professional, the ROWD can incorporate the report as an appendix, but the ROWD text must specify where in the report the required information can be found. However, if appended reports contain information that conflicts with the body of the ROWD, it may cause further delays.



<b>A. General Information</b>
1. Is this a new/proposed or existing facility?
2. If this is an existing facility, is the discharge currently regulated under Waste Discharge Requirements (WDRs) issued by the Central Valley Water Board?
a. If so, provide the WDRs order number.
b. If not, provide the name of the local agency that issued the current permit.
3. Provide a copy of any other permits that reference or relate to the wastewater disposal system. This includes Use Permits and Surface Mining and Reclamation Act (SMARA) reclamation plans, etc.
4. Provide the following for the facility that generates the waste and the site where the waste is discharged:
a. Street address (provide street name and distance from nearest cross street if there is no street number).
b. The approximate latitude and longitude of the facility that generates the wastewater, wastewater treatment facilities, and wastewater land disposal areas.
c. Township, Range, and Section.
d. Assessor's parcel numbers.

<b>B. Wastewater Facility and Discharge</b>
<i>Complete this section for both new/proposed facilities and existing facilities.</i>
1. A description of the sources and types of wastewater flowing into the system from:
a. Residential (population served and number of connections or equivalent dwelling units).
b. Commercial (number of connections by type).
c. Industrial (number of connections by type).
2. Design influent flow rates (average daily, dry weather daily, peak hour, peak day, and peak month), and the design treatment capacity of the system with respect to each of these. For new/proposed facilities, provide the methods used to estimate these design parameters and copies of all calculations.
3. For existing facilities, a summary table of monthly influent flow totals and monthly precipitation totals for the last five years. Explain any data gaps, outliers, and/or unusual circumstances that might affect measured flow rates. If sewer inflow and infiltration (I/I) contributes significantly to influent flow, provide an I/I analysis to project I/I as a function of total annual precipitation and/or groundwater level as appropriate.
4. A detailed description of the facilities that generate wastewater, and all wastewater conveyance, treatment, and disposal systems. Use site plans and conceptual drawings as appropriate to illustrate locations and typical construction. Include all treatment processes. The following maps, plans, and illustrations are needed:
a. A facility location map showing local topography, the facility location and/or boundaries, streets, and surface waters (including storm water drainage ditches, irrigation canals, and irrigation/tailwater ditches).
b. A process flow schematic for the entire treatment and disposal system. Include existing and proposed flow monitoring devices and sampling locations proposed to determine compliance with the WDRs.



c. A scaled treatment plant site plan.
d. A scaled map showing the limits of all proposed wastewater treatment, storage and disposal areas.
5. Characterization of the source water (the community or process water supply), influent wastewater quality (prior to treatment or discharge), and treated effluent quality. See Table 1 for a minimum list of constituents to be analyzed.
6. For POTWs and domestic wastewater facilities, a description of the sewer system, sewer materials and age, and lift station details (type, location, capacity, backup systems, and alarms features). Discuss potential inflow and infiltration (I/I) rates in light of local groundwater conditions and sewer system materials/design.  For industrial facilities, a description of the industrial wastewater collection and conveyance system.
7. A description of proposed alarm systems, emergency wastewater storage facilities, and other means of preventing treatment system bypass or failure during reasonably foreseeable overload conditions (e.g., peak flows, power failure, sewer blockage). Consider both potential problems at the treatment system and within the conveyance system.
8. Preventive and contingency measures for controlling spills and accidental discharges.
9. Flood and frost protection measures (structural and operational) employed at the facility.
10. For debris, grit and screenings, sludge, and biosolids the following:
a. A description of solids generation rates, on-site treatment and handling systems, and short-term storage procedures.
b. A description of solids disposal practices.
c. For facilities that do not have continuous sludge wasting systems (i.e., where sludge accumulates in treatment and/or storage ponds), the frequency of assessing accumulated sludge volume, the date of the last sludge volume assessment, the date of the last sludge cleanout, and expected frequency of future sludge cleanout activities
11. For each wastewater treatment, storage, or disposal pond and containment structure, provide the following information:
a. Identification (name) and function of the pond.
b. Surface area, depth, and volumetric capacity at two feet of freeboard.
c. Height (relative to surrounding grade), crest width, interior slope, and exterior slope of each berm or levee.
d. Materials used to construct each berm or levee.
e. Description of engineered liner, if any. Include a copy of the Construction Quality Assurance (CQA) Report if one was prepared.
f. Estimated steady state percolation rate for each unlined pond.
g. Depth to shallow groundwater below the base and pond inverts.
h. Overfilling/overflow prevention features.
i. Operation and maintenance procedures.
12. For subsurface disposal systems, provide the design basis and documentation demonstrating that the system has been designed in accordance with applicable regulations, codes, ordinances, and guidelines. If the design deviates from these requirements, provide justification in terms of system longevity, maintainability, and groundwater protection.



TECHNICAL INFORMATION REQUIREMENTS  
FOR A REPORT OF WASTE DISCHARGE

Page 5 of 12

13. If treated domestic effluent will be recycled for beneficial reuse or if wastewater will reused or land-applied <sup>2</sup> , provide a complete description of the following:
a. Ownership and contact information for each landowner <sup>3</sup> .
b. Effluent disinfection system.
c. Effluent conveyance systems.
d. Water recycling/Land application areas (LAA) areas.
e. Cropping plans.
f. Planned operations (planting and harvest, irrigation method, irrigation frequency, irrigation amounts).
g. Expected nutrient loadings (pounds per acre per year total nitrogen).
h. Expected salt loadings (pounds per acre per year total dissolved solids).
i. Tailwater management methods.
j. Storm water runoff management methods.
k. Setback distances from the edge of each recycling/land application area from the property boundary, public streets, occupied structures owned by others, and surface waters/surface water conveyances.
l. Plans that illustrate items c, d, i, j, and k above
14. If wastewater effluent will be recycled pursuant to Title 22 of the California Code of Regulations (e.g., if domestic wastewater is recycled to grow crops, irrigate landscaping, provide pasture for livestock, or for landscape or recreational impoundments, including reclamation sites owned by a POTWs, unless water is recycled solely for irrigation of landscaping at the POTW site) a Title 22 Engineering Report must be submitted to both the Central Valley Water board and the Division of Drinking Water <sup>4</sup> .
15. Projected monthly water balances demonstrating adequate containment capacity for both the average rainfall year and the 100-year return period total annual precipitation, including consideration of at least the following:
a. For POTWs and private domestic wastewater facilities, initial baseline influent and I/I flows as well as baseline influent and I/I flows at full build out with an aging sewer system.
b. A minimum of two feet of freeboard in each pond at all times (unless a registered civil engineer determines that a lower freeboard level will not cause overtopping or berm failure).
c. Historical local evapotranspiration, pan evaporation, and lake evaporation data (monthly average values).
d. Local precipitation data with the 100-year return period annual total distributed monthly in accordance with mean monthly precipitation patterns.
e. Proposed recycling area/land application area/disposal system hydraulic loading rates distributed monthly in accordance with expected seasonal variations based on crop evapotranspiration rates.
f. Projected long-term percolation rates (including consideration of percolation from unlined ponds and the effects of solids plugging on all ponds).

<sup>2</sup> Uses of recycled water that are limited to landscape irrigation (including golf courses) can be regulated under General WDRs issued by the State Water Board. See this webpage for more information:

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/requirements.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/requirements.html)

<sup>3</sup> Landowners are typically named in WDRs as co-dischargers, and the WDRs may include separate requirements with which co-dischargers must comply.

<sup>4</sup> To the extent this information is already presented in the Title 22 Engineering Report, the ROWD may incorporate that report by reference. The Title 22 Engineering Report must also be submitted to the Division of Drinking Water for review and approval.



TECHNICAL INFORMATION REQUIREMENTS  
FOR A REPORT OF WASTE DISCHARGE

16. Proposed flow limits and basis for the limits. Consider dry weather flows vs. peak flows and seasonal variations. Include the technical basis for the proposed flow limit (e.g., design treatment capacity; hydraulic capacity of a main lift station, headworks, or other system element; and demonstrated effluent storage/disposal capacity).
17. A narrative description of treatment system operation and maintenance procedures to be employed, including those associated with effluent storage and disposal.
18. For POTWs, the level of operator certification and staffing; the names and grade levels of all certified operators, and the hours that the facility is manned.
19. For privately owned domestic wastewater treatment facilities, the names and grade levels of all certified operators, and the hours that the facility is manned. If the facility does not have a certified operator, provide justification for not retaining one.
<b>C. Planned Changes in the Facility and Discharge (for existing facilities only)</b>
1. Describe in detail any and all planned changes in the facility or discharge, addressing each of items listed in Section B above.
<b>D. Local and Site-Specific Conditions (Illustrate with maps as appropriate)</b>
1. Neighboring land uses.
2. Typical crops grown (if agricultural area).
3. Irrigation water source(s) and volume and quality data (if agricultural area).
4. Terrain and site drainage features.
5. Nearest surface water drainage course.
6. FEMA floodplain designation(s).
7. Average Annual precipitation (inches)
8. 100-year 365-day precipitation (inches)
9. Reference evapotranspiration (monthly and annual total)
10. Pan evaporation (monthly and annual total)
11. A description of the types and depths of soil underlying ponds and/or effluent disposal areas (include a copy of the geotechnical report and/or NRCS soil report). Include at least the following:
a. Depth of unsaturated soil when groundwater is closest to the surface.
b. Soil types based on site-specific information, sampling locations (accurately measured and recorded), description and results of percolation tests or other tests used to estimate soil long-term infiltration rates. Include depth, thickness, and soil horizons. Soils must be described at a minimum of five feet below the bottom of any disposal unit.
c. Bedrock type and condition encountered in disposal area, if any.
d. A scaled map depicting soil/rock types and test locations.
12. Provide the following information about hydrogeology and groundwater:
a. Stratigraphy, groundwater elevation and gradient, transmissivity, and influence of all recharge and pumping sources (site conceptual model).
b. Elevation and gradient of first groundwater at the facility
c. Depth to highest anticipated groundwater based upon onsite measurements taken during wet season.



d. Shallow groundwater quality for typical waste constituents, up/down gradient. (See Table 1)
e. Information on monitoring well locations, construction details, and locations of any geological features (e.g. aquitards, subterranean channels, faults) and aquifer characteristics.
f. Summary of historical groundwater monitoring results (last 5 years for existing facilities, 2 years for new/planned facilities).
<b>E. Antidegradation Analysis</b>
<p>The State Water Resources Control Board Resolution No. 68-16 (the Antidegradation Policy) requires that the Central Valley Water Board maintain the high quality of waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the state, will not unreasonably affect beneficial uses, and will not result in exceedances of one or more water quality objectives. If a discharge will degrade groundwater quality but will not cause an exceedance of one or more water quality objectives, the discharger must demonstrate that all practicable treatment or control measures have been implemented or will be implemented such that the Board can consider these measures to represent the "best practicable treatment or control" (BPTC) of the constituents of concern. Demonstrating that BPTC has been, or will be, implemented at the site can provide justification for the Board to allow the current level of degradation to continue or increase (as applicable), or for the Board to allow any degradation in the case of a new discharge. The Antidegradation Policy is incorporated into our Basin Plans, which also include implementation plans that we follow. See the following link for the Basin Plans and other important policy documents:</p> <p><a href="http://www.waterboards.ca.gov/centralvalley/plans_policies/">http://www.waterboards.ca.gov/centralvalley/plans_policies/</a></p>
The Antidegradation Analysis must include the following:
1. For existing facilities, whether the discharge has caused degradation. If so, for which constituents, to what degree, and whether the discharge has caused exceedance of a water quality objective.
2. The potential for the discharge to degrade groundwater quality (for new discharges) or further degrade groundwater quality (for existing discharges, whether or not the discharge is expanding).
The assessment must be made based on site-specific data and shall include the following items for each constituent listed in the effluent category on Table 1:
a. Characterization of all waste constituents to be discharged that have the potential to degrade groundwater quality;
b. Characterization of shallow groundwater quality (i.e., the uppermost layer of the uppermost aquifer) for typical waste constituents <sup>5</sup> upgradient and downgradient of the site and comparison to established water quality objectives <sup>6</sup> (include tabulated historical groundwater monitoring data and groundwater elevation contour maps for the last eight monitoring events);
c. A description of the geology and hydrogeologic conditions of the site including groundwater elevation and gradient, transmissivity, influence of all known recharge and pumping sources, and subsurface conditions at the facility, including any proposed new disposal site or storage ponds;

<sup>5</sup> Include analyses for the following: total coliform organisms, total dissolved solids, fixed dissolved solids, electrical conductivity, nitrate nitrogen, total nitrogen, and major anions and cations

<sup>6</sup> Compare to Basin Plan water quality objectives, including drinking water standards, agricultural water quality goals, etc.



d. Groundwater degradation , if any, that has resulted from existing operations, other nearby discharges, or natural occurrences;
e. The areal extent that the discharge has impacted or will impact the quality of the shallow groundwater, if any;
f. The concentration found and/or expected increase in concentration in shallow groundwater for each constituent.
g. If degradation has occurred or is expected to occur describe the following:
i. Any facility design features and operational practices that reduce the potential for groundwater degradation (treatment or control). Such features might include salinity source control, other pollutant source control, advanced treatment, disinfection, concrete treatment structures, and pond lining systems, etc.
ii. Additional treatment or control measures that could be implemented and a preliminary capital and annual operations and maintenance cost estimate for each.
iii. How current treatment and control measures are justified as BPTC (i.e., what justifies not implementing additional measures);
iv. How no water quality objectives will be exceeded; and
v. Why allowing existing and/or anticipated degradation is in the best interest of the people of the state.
<b>F. Industrial Storm Water Permit</b>
<p>The State Water Resources Control Board adopted Order 2014-0057-DWQ (NPDES General Permit CAS000001) specifying waste discharge requirements for discharges of storm water associated with industrial activities, and requiring submittal of a Notice of Intent by all affected industrial dischargers. Many industrial facilities and some domestic wastewater treatment facilities are required to obtain coverage under this permit. Provide evidence that the facility is exempt or has applied for coverage under the Industrial Storm Water Permit.</p> <p>See the following link for more information:</p> <p><a href="http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/">http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/</a></p>
<b>G. General WDRs for Sanitary Sewer Systems.</b>
<p>The State Water Resources Control Board adopted Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order 2006-0003-DWQ). The permit requires all public agencies that own or operate sanitary sewer systems greater than one mile in length to obtain coverage. Provide evidence that the facility is exempt or has applied for coverage under the General WDRs for Sanitary Sewer Systems.</p> <p>See the following link for more information:</p> <p><a href="http://www.waterboards.ca.gov/water_issues/programs/ssw/index.shtml">http://www.waterboards.ca.gov/water_issues/programs/ssw/index.shtml</a></p>



**H. Department of Water Resources Well Standards**

The California Department of Water Resources sets standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards), as described in *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 94-81* (December 1981). These standards, and any more stringent standards adopted by the State or county pursuant to Water Code section 13801, apply to all monitoring wells. Discuss whether existing monitoring wells at the facility were constructed in accordance with the Department of Water Resources Well Standards.

See the following link for more information: <https://water.ca.gov/well-standards>

**I. Salt and Nitrate Control Programs**

The Central Valley Regional Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation on 31 May 2018 (Resolution No. R5-2018-0034). The resolution resulted from a Central Valley Regional Water Board initiated collaborative stakeholder initiative known as the Central Valley Salinity Alternatives for Long-term Sustainability (CV-SALTS).

**Nitrate Control Program**

After the effective date of the Nitrate Control Program, new dischargers located in groundwater basin/sub-basin (regardless of priority) or those with a material change to their operation that increases the level of nitrate discharged to groundwater must comply with the Nitrate Control Program and provide data and information as applicable. This provision does not apply to dischargers located in areas that are not part of a designated basin/sub-basin unless the Executive Officer of the Central Valley Water Board determines, based on the specific facts of the discharge, that it should be subject to the Nitrate Control Program and the Board's Executive Officer notifies the discharger accordingly.

This Nitrate Control Program NTC requires that discharges choose between two compliance pathways:

- **Pathway A:** New individual permitting options. The Board will set more stringent nitrate requirements in your permit to ensure that nitrate impacts will not cause a problem for drinking water users.
- **Pathway B:** Form or Join a Local Management Zone with other Permittees. A Management Zone is an association of permittees that work together to reduce nitrate loading and to provide replacement water

**Salt Control Program**

A new permittee, or existing permittee seeking a permit modification due to a substantial and/or material change which increases salt concentration or load from a facility, shall indicate how the permittee intends to comply with the Salt Control Program at the time of application and provide the required information to support the decision.

- *Conservative Salinity Permitting Approach* – A permittee that selects this approach must submit an assessment of how the discharge will comply with the conservative permitting requirements set forth in the Conservative Salinity Permitting Approach. The permittee shall submit this assessment to the Central Valley Water Board with the notification to the Board of its permit compliance pathway decision. If the Board does not concur with the findings of the assessment, the Board may request additional technical and/or monitoring information with a deadline for submittal. When conducting the assessment, the permittee may use historical water quality information if the information adequately represents the character of the current discharger and/or receiving water and is approved by the Board's Executive Officer.
- *Alternative Salinity Permitting Approach* – A permittee that selects this approach shall participate in the Phase I P&O Study by providing at least the minimum required level of



financial support throughout Phase I as determined by the lead entity overseeing the P&O Study. The permittee shall provide documentation of its compliance with the required level of support with the notification to the Central Valley Water Board of its permitting decision. If the permittee has an approved salinity-related Time Schedule Order, Compliance Schedule or variance that expires prior to the completion of the Phase I P&O Study, the Board, at its discretion, may extend the Time Schedule Order or Compliance Schedule or renew or grant a variance, as appropriate and allowed by other applicable policies.

See the following links for more information about the Salt and Nitrate Control Programs:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

<https://www.cvsalinity.org/public-info>



**Table 1 – ROWD Constituent Characterization List**

The Report of Waste Discharge must characterize the groundwater (G), source water (S), treatment system influent (I), and effluent discharge (E) for, at minimum, the constituents indicated in the list below. The characterization must be based on a statistically significant number of representative samples as determined by an appropriately registered and/or licensed professional. All media must also be characterized for all additional waste constituents that may be in the discharge based on the facility processes employed but not listed below.

Constituent <sup>1</sup>	Units	Minimum Recommended Characterization Data			
		POTW/ Domestic	Food Processor	Sand and Gravel	Other Industry
Biochemical Oxygen Demand	mg/L	I, E	I, E		E
Chemical Oxygen Demand	mg/L	G, E	I, E		E
Settleable Matter	ml/L	E	E		E
Total Suspended Solids	mg/L	I, E	I, E		E
Total Dissolved Solids	mg/L	G, S, I, E	G, S, E	G	G, S, E
Fixed Dissolved Solids	mg/L		E		G, S, E
Electrical Conductivity	µmhos/cm	G, S, I, E	G, S, I, E	G, S, I, E	G, S, I, E
Total Kjeldahl Nitrogen as N	mg/L	G, S, E	G, S, E		G, S, E
Ammonia Nitrogen as N	mg/L	G, S, E	G, S, E		G, S, E
Nitrate Nitrogen as N	mg/L	G, S, E	G, S, E		G, S, E
pH	pH Units	G, S, I, E	G, S, E	G, S, I, E	G, S, I, E
General Minerals <sup>2</sup>					
Alkalinity	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Hardness	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Bicarbonate	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Carbonate	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Calcium	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Magnesium	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Chloride	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Potassium	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Sodium	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Sulfate	mg/L	G, S, E	G, S, E	G, S, E	G, S, E
Metals <sup>3</sup>					
Aluminum	ug/L	E			E
Antimony	ug/L			S, E	
Arsenic	ug/L	G, S, E	G, S, E	G, S, E	G, S, E
Barium	ug/L			S, E	
Beryllium	ug/L			S, E	
Boron	ug/L	G	G	G, S, E	G



TECHNICAL INFORMATION REQUIREMENTS  
FOR A REPORT OF WASTE DISCHARGE

Constituent <sup>1</sup>	Units	Minimum Recommended Characterization Data			
		POTW/ Domestic	Food Processor	Sand and Gravel	Other Industry
Cadmium	ug/L			S, E	
Chromium (IV)	ug/L			S, E	
Chromium (III)	ug/L			S, E	
Total Chromium	ug/L	G	G	G, S, E	G
Cobalt	ug/L			S, E	
Copper	ug/L	E	E	S, E	E
Fluoride	ug/L			S, E	
Iron	ug/L	G, S, E	G, S, E	G, S, E	G, S, E
Lead	ug/L	E		S, E	E
Mercury	ug/L	E		S, E	E
Manganese	ug/L	G, S, E	G, S, E	G, S, E	G, S, E
Molybdenum	ug/L			S, E	
Nickel	ug/L			S, E	
Selenium	ug/L			S, E	
Silver	ug/L			S, E	
Thallium	ug/L			S, E	
Vanadium	ug/L			S, E	
Zinc	ug/L	E		S, E	E
Disinfection By-Products <sup>4</sup>	ug/L	G, E	E		E
Formaldehyde <sup>5</sup>	ug/L	G, E	E		E
Phenols <sup>5</sup>	ug/L	G, E			E
Priority Pollutants <sup>6</sup>	Various	G, E			E

<sup>1</sup> With the exception of wastewater samples, for constituents with Secondary MCLs listed in Title, 22 Table 64449-A (e.g., aluminum, copper, iron, manganese, silver, zinc, color and turbidity), samples shall be filtered with a 1.5-micron filter prior to preservation, digestion, and analysis. For all other constituents, samples shall be filtered with a 0.45-micron filter prior to preservation, digestion, and analysis. If filtering in the field is not feasible, samples shall be collected in unpreserved containers and submitted to the laboratory within 24 hours with a request (on the chain of custody form) to immediately filter then preserve the sample.

<sup>2</sup> General minerals analyses shall be accompanied by a cation/anion balance demonstrating complete analysis.

<sup>3</sup> Where constituents are analyzed as part of other suites of constituents, the results may be substituted to avoid redundant analyses (i.e., arsenic results collected to fulfill the metals suite requirements may also be used to fill the Priority Pollutant suite requirements provided appropriate detection limits are used.).

<sup>4</sup> If wastewater is disinfected using chlorination or chlorination is used in internal disinfection processes.

<sup>5</sup> If the facility accepts holding tank waste from RVs, boats, or portable toilets.

<sup>6</sup> The Discharger must determine which priority pollutants, if any, are likely to be present in the discharge at concentrations that might degrade groundwater quality, and must provide characterization data for those constituents.





**California Regional Water Quality Control Board  
Central Valley Region**  
Mark Bradford, Chair

<http://www.waterboards.ca.gov/centralvalley>



**DAIRY CLOSURE PLAN/POST CLOSURE REPORT  
REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES,  
ORDER R5-2013-0122 (REISSUED GENERAL ORDER)**

Name of Dairy (when last operated): \_\_\_\_\_

Physical Address of Dairy: \_\_\_\_\_

Dairy Operator: \_\_\_\_\_ Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

**Please indicate the date that all milk cows were removed from the facility and all milking operations at the facility ceased** \_\_\_\_\_

*Note – Confirmation of the last known milking operations may be secured from the local milk inspection agency.*

1. <b>Future Use</b> - My dairy will (select one):	Complete this column to show which tasks need to be done (this is your Closure Plan)	Complete this column with the date each task was finished (this is your Post-closure Report).
No longer be a milk cow dairy and will no longer house animals		
No longer be a milk cow dairy but will house animals (specify type and number)		



**DAIRY CLOSURE PLAN/POST CLOSURE REPORT  
REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES,  
ORDER R5-2013-0122 (REISSUED GENERAL ORDER)**

Temporarily cease to be a milk cow dairy. I expect to resume milk cow dairy operations in (specify month and year)		
<b>2. Corrals (select one):</b>		
I will continue to keep animals other than mature dairy cows in some or all of my corrals (specify which corrals will remain in use; residual manure at other corrals that will not be used for livestock must be removed by scraping to dirt)	Number of corrals to stay in use _____  Number of corrals to be taken out of use _____	
None of my corrals will be used for animals  <i>Note: Residual manure at areas formerly used for livestock corrals must be removed by scraping to dirt</i>	_____ (Mark here if all corrals will be taken out of use)	
<b>3. Wastewater Settling Ponds</b>		
My facility has settling ponds (If yes, say how many. If no, state "none" and go to Question 4)		
I intend to use my settling ponds for livestock wastewater retention and manure settling in the future (state yes or no)		
Any ponds that will remain in use must be maintained in good working condition. Specify what actions you will take as part of the closure process to maintain the settling ponds.	List actions to be taken:	Date actions completed _____  I certify that I have a maintenance plan for the ponds that will stay in use  _____ (initial here)



**DAIRY CLOSURE PLAN/POST CLOSURE REPORT**  
**REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES,**  
**ORDER R5-2013-0122 (REISSUED GENERAL ORDER)**

<b>3. Wastewater Settling Ponds (continued)</b>		
<p>Wastewater ponds that will not be used for wastewater settling or retention in the future must be dried, completely emptied of manure, and scraped to clean soil. Specify when you expect to complete these activities and where the material removed from the pond(s) will go.</p> <p><i>Note: Vegetation needs to be cleared from wastewater ponds before the closure inspection so that Regional Water Quality Control Board staff can verify the completeness of manure removal efforts.</i></p>	<p>I expect to complete the cleanout by _____ (date)</p> <p>I expect to remove _____ cubic yards or _____ tons of material from the ponds.</p> <p>I expect to put the removed manure _____.</p>	<p>Date cleanout completed _____.</p> <p>Cubic yards removed _____; or</p> <p>Tons removed _____.</p> <p>Describe where manure was applied and how much (attach separate map showing location(s) where applied).</p>
<b>4. Wastewater Storage Pond(s)</b>		
My facility has wastewater storage ponds (If yes, say how many. If no, state "none" and go to Question 5)		
I will use my wastewater storage ponds for manure wastewater in the future (state yes or no)		
<p>If yes, ponds must be maintained in good working condition. Specify what actions you will take as part of the closure process to maintain the ponds.</p>	<p>List actions to be taken:</p>	<p>Date actions completed _____</p> <p>I certify that I have a maintenance plan for the ponds that will stay in use _____ (initial here)</p>



**DAIRY CLOSURE PLAN/POST CLOSURE REPORT  
REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES,  
ORDER R5-2013-0122 (REISSUED GENERAL ORDER)**

<b>4. Wastewater Pond(s)</b> (continued)		
<p>Wastewater ponds that will not be used for wastewater settling or retention in the future must be dried, completely emptied of manure, and scraped to clean soil. Specify when you expect to complete these activities and where the material removed from the pond(s) will go.</p> <p><i>Note: Vegetation needs to be cleared from wastewater ponds before the closure inspection so that Regional Water Quality Control Board staff can verify the completeness of manure removal efforts.</i></p>	<p>I expect to complete the cleanout by _____.</p> <p>I expect to remove _____ cubic yards or _____ tons of material from the ponds.</p> <p>I expect to put the removed manure _____.</p>	<p>Date cleanout completed _____.</p> <p>Cubic yards removed _____; or Tons removed _____.</p> <p>Describe where manure was applied and how much (attach separate map showing location(s) where applied).</p>
<b>5. Manure and Feed Storage Areas:</b>		
<p>My facility has manure and/or feed storage areas (If yes, say how many of each. If no, state "none" and go to "Certification")</p>	<p>Number of manure storage areas: _____</p> <p>Number of feed storage areas: _____</p>	
<p>I will use my manure or feed storage areas in the future (state yes or no for each area)</p>	<p>Manure storage areas to be used? _____ (state yes/no and give the name of any to be used)</p> <p>Feed storage areas to be used? _____ (state yes/no and give the name of any to be used)</p>	



**DAIRY CLOSURE PLAN/POST CLOSURE REPORT  
REISSUED WASTE DISCHARGE REQUIREMENTS GENERAL ORDER FOR EXISTING MILK COW DAIRIES,  
ORDER R5-2013-0122 (REISSUED GENERAL ORDER)**

5. Manure and Feed Storage Areas: (continued)		
Any manure or feed storage areas that will be kept in use must be maintained in good working condition. Specify what actions you will take as part of the closure process to maintain the manure or feed storage areas.	List actions to be taken:	I certify that I have a maintenance plan for the manure or feed storage areas that will stay in use  _____ (initial here)
<p>If any manure or feed storage areas will not be used, complete this section.</p> <p><i>Note: Residual manure needs to be removed from former manure storage areas prior to the closure inspection by scraping to dirt.</i></p>	<p>I expect to finish the cleanout of the feed and manure storage areas by _____.</p> <p>I expect to remove _____ cubic yards or _____ tons of material from the manure storage areas.</p> <p>I expect to put the removed manure _____.</p>	<p>Date manure storage area cleanout completed _____</p> <p>Cubic yards removed _____; or Tons removed _____.</p> <p>Describe where manure was applied and how much (on a separate sheet of paper).</p> <p>I certify that feed storage areas were cleaned out:  _____ (initial here)</p>

*Certification: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."*

For the Closure Plan, owner signs here: \_\_\_\_\_

\_\_\_\_\_  
(Date)

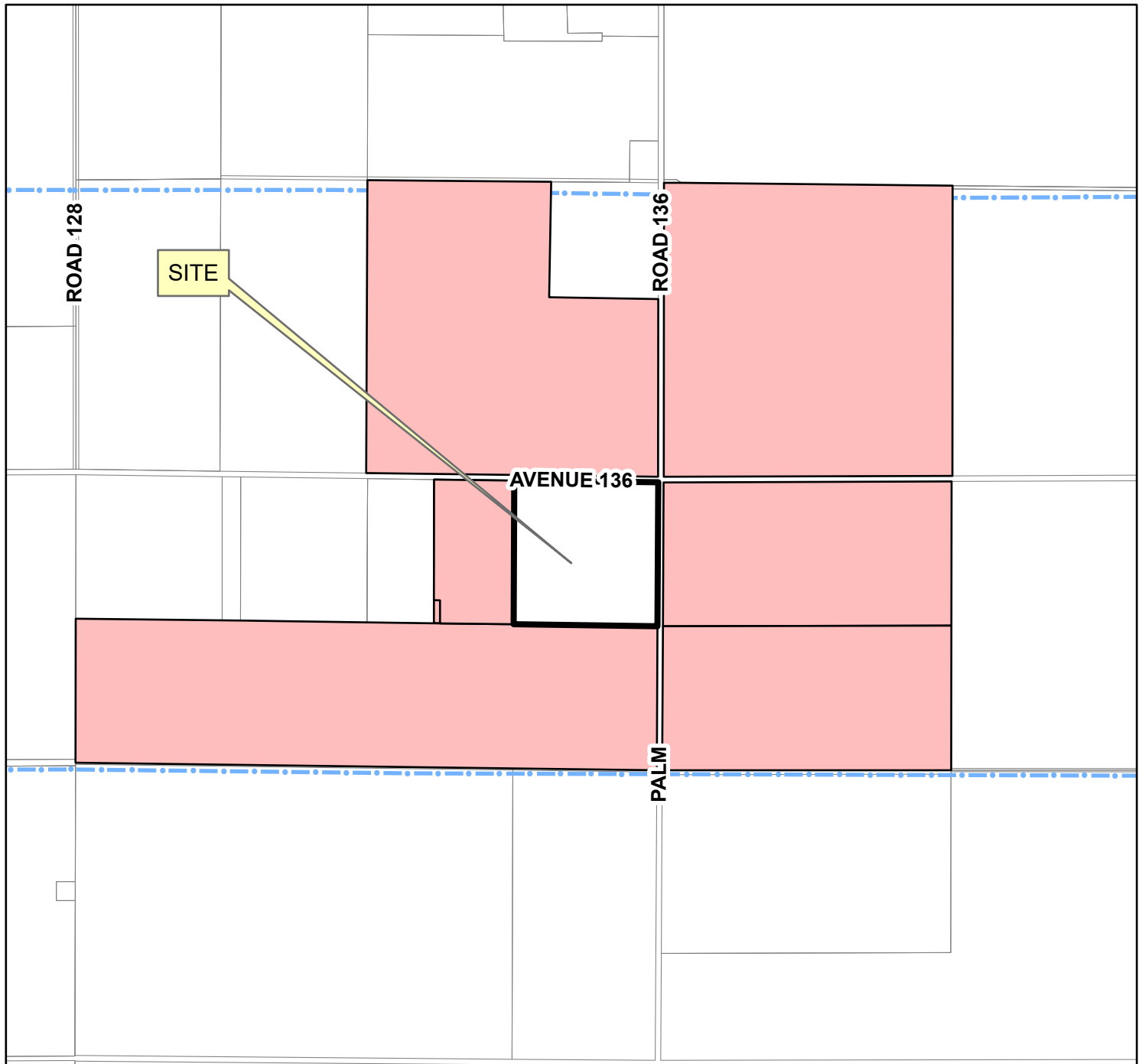
For the Post-Closure Report, owner signs here: \_\_\_\_\_

\_\_\_\_\_  
(Date)





# Location and Property Ownership Map for Hearing Notification for PSP 23-130



Owner: Joseph Simoes and Michelle Simoes  
Address: 13260 Road 136  
City, State, ZIP: Tipton, CA, 93272  
Applicant: Sam Simoes  
Agent: N/A  
Supervisory District: 2  
Assessors Parcel: 300-050-024

0 280560 1,120 1,680 2,240 2,800  
US Feet

- Parcels 300 feet Radius
- SITE APN 300-050-024
- Parcels
- County Boundary





**Attachment No. 7**

**NOTICE OF PUBLIC HEARING AND AVAILABILITY  
OF ENVIRONMENTAL DOCUMENT**

A **Categorical Exemption** for **Special Use Permit No. PSP 23-130** has been approved for public review by the Tulare County Environmental Assessment Officer. Copies are available for review by appointment at the Resource Management Agency, Permit Center, 5961 South Mooney Blvd., Visalia, California 93277-9394 (559) 624-7016, (Monday – Thursday: 9:00 am to 4:30 pm and Friday: 9:00 am to 11:00 am). For further information regarding this project, please call **Sandy Roper** at **(559) 624-7101** or email him at [SRoper@tularecounty.ca.gov](mailto:SRoper@tularecounty.ca.gov). Comments and recommendations on the adequacy of the environmental document may be filed at the aforementioned address during the public review period established for the project.

**PROJECT:** Special Use Permit No. PSP 23-130

**APPLICANT:** Sam Simoes

**LOCATION:** The project is located at 13415 Road 136, Tipton, CA.

**PROJECT DESCRIPTION:** Categorical Exemption and Special Use Permit No. PSP 23-130 requests to allow an existing milking barn at a Dairy (that is ceasing operations as a Dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The project is located at 13415 Road 136, Tipton, CA (APN: 300-050-024).

**ENVIRONMENTAL DOCUMENT:** Categorical Exemption consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code of Regulations Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures.

**REVIEW PERIOD:** 10 days until Monday, June 24, 2024, at 5:00 p.m.

**PUBLIC HEARING:** Planning Commission on June 26, 2024, at 9:00 a.m.

All meetings are held at the Board of Supervisors Chambers, 2800 West Burrel Avenue, Visalia, California 93291. **PLANNING COMMISSION** meetings start at 9:00 a.m. All interested parties are invited to attend and be heard. Meeting Agendas, Documents, Live Broadcasts and Archived Recordings are available at the following link: <https://tularecounty.ca.gov/rma/planning-building/planning-commission/>

For environmental questions, please call Gary Mills, Chief Environmental Planner at (559) 624-7000. If you challenge the decision on any of the foregoing matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Tulare County Resource Management Agency, Economic Development and Planning Branch, within the review period described herein. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in meetings call (559) 624-7000 48-hours in advance of the meeting.

GARY MILLS, CHIEF ENVIRONMENTAL PLANNER  
REED SCHENKE, ENVIRONMENTAL ASSESSMENT OFFICER

=====

TO BE PUBLISHED ONCE ONLY ON: June 12, 2024

SEND BILL AND TEAR SHEET TO:



**Attachment No. 7**

TUL CO RESOURCE MGMT.  
5961 SOUTH MOONEY BLVD.  
VISALIA, CA 93277-9394

SEND TO: The Sun-Gazette 6-6-2024



**TULARE COUNTY  
RESOURCE MANAGEMENT  
AGENCY**



**CATEGORICAL EXEMPTION FOR  
SAM SIMOES PSP 23-130**

May 16, 2024



**ENVIRONMENTAL CONSIDERATIONS**

**DESCRIPTION OF PROJECT**

**Location:** On the southwest corner of Avenue 136 and Road 136, approximately 2.30 miles southwest of Tipton (APNs: 300-050-024)

**Project Title:** Special Use Permit No. PSP 23-130/CEQ 23-014 (Sam Simoes)

**APN(s):** 300-050-024 located in Section 9, Township 22 South, Range 25 East M.D.B.& M.

**Project Description:** Sam Simoes (“Applicant”) requests to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The Project is located at 13415 Road 136, Tipton, CA (APN: 300-050-024).

**REASON PROJECT IS EXEMPT**

Exempt Status: (check one and describe in Section 1) below)

- ☐ Ministerial (Sec. 21080(b)(1); 15268)
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a))
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- ☐ Common Sense Rule: CEQA guidelines 15061(b)(3)
- ☒ Categorical Exemption: CEQA Guidelines Class 3 Section 15303 New Construction or Conversion of Small Structures
- ☐ Statutory Exemptions:

1) Exemption Section Citation

CEQA Guidelines Section 15300 “Categorical Exemptions” Categorically exempt Projects are exempt from the requirements of CEQA. CEQA Guidelines Section 15303, Class 3, pertains to New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The use of Section 15303 is applicable and appropriate because the Project would convert an existing milk barn (which is approximately 3,700 square feet in size) into a custom slaughterhouse for swine.

<b>Preliminary Environmental Analysis</b>	<b>Discussion of Reasons to Support Finding(s) of Exemption</b>
<b>Aesthetics</b>	<b>Less Than Significant Impact.</b> The proposed Project will not have a significant direct or cumulative effect or create an unusual circumstance that will cause the proposed Project to have a significant effect on the aesthetics of the area. Based on a search for County and Caltrans designated Scenic Highways in May of 2024, the proposed Project is not located along a scenic highway or within a scenic corridor,



## Attachment No. 8

Preliminary Environmental Analysis	Discussion of Reasons to Support Finding(s) of Exemption
	<p>and thus, would not affect scenic resources such as rock outcroppings, or other natural features, pursuant to CEQA Guidelines Section 15300.2 (d).<sup>1</sup> Also, the Project site is not located on a designated state, federal, or County scenic road, or a County designated scenic corridor.<sup>2</sup> As such, the proposed Project will have a Less Than Significant Impact on aesthetics.</p>
<b>Agricultural and Forestry Resources</b>	<p><b>No Impact.</b> The proposal will not interfere with existing agricultural operations in the surrounding area. A search of Department of Conservation, Farmland Mapping and Monitoring Program (FMMP) maps on (May 13, 2024), the Project site is mapped as Confined Animal Agriculture. See <a href="https://maps.conservation.ca.gov/DLRP/CIFF/">https://maps.conservation.ca.gov/DLRP/CIFF/</a>.</p> <p>The subject parcel is within an Agricultural Preserve. The Natural Resources Conservation Service (NRCS) Soil Storie Index Data classifies the subject site and surrounding area as Not Rated for the Storie Index, See <a href="https://databasin.org/datasets/d315d9f14068421cb1e224c8a77a5d09/">https://databasin.org/datasets/d315d9f14068421cb1e224c8a77a5d09/</a>.</p> <p>As mentioned earlier the Project involves an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The existing dairy facility and the proposed custom slaughterhouse for swine are both commercial agricultural uses. Therefore, the proposed Project will have No Impact on Agricultural Resources. There are no forest resources located on the Project site; therefore, there are No Impacts to forestry resources.</p>
<b>Air Quality</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a direct or cumulative impact or create an unusual circumstance that will cause the proposed Project to have a significant effect on the air quality resources of the area. The facility is required to comply with applicable San Joaquin Valley Air Pollution Control District (Air District) rules and regulations, including Rule 4102 (Nuisance), including odors; Regulation VIII (Fugitive PM10 Prohibitions) and associated Rules 8021, 8031, 8041, 8051, 8061, and 8071; Rule 4002 (National Emission Standards for Hazardous Air Pollutants), Rule 4103 (Open Burning); Rule 4601 (Architectural Coatings); Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations); Rule 4702 (Internal Combustion Engines – Phase 2).</p> <p>Special Use Permit No. PSP 23-130 requests to convert an existing milking barn at a dairy (that is ceasing operations as a dairy) into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The Project is located at 13415 Road 136, Tipton, CA (APN: 300-050-024).</p> <p>The Operational Statement submitted with the application states that currently, the applicant's milk barn is used to milk 1,400 cows a day/three times a day. They have their milkers on three, eight-hour shifts, so they are using their barn 24 hours a day, 365 days a year. They have milk trucks coming to pick up milk three times a day</p>

<sup>1</sup> Caltrans. Accessed May 2024 at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

<sup>2</sup> Tulare County General Plan 2030 Update. Part II. Figure 2-1. Accessed May 2024 at: <http://generalplan.co.tulare.ca.us/>.



Preliminary Environmental Analysis	Discussion of Reasons to Support Finding(s) of Exemption																																																				
	<p>and have truckloads of feed/commodities coming in at least five times a week. With this conversion (milk barn to slaughterhouse), vehicle traffic will be reduced significantly. Right now, the dairy has 13 employees which commute to work daily. That would be a minimum of 26 trips daily.</p> <p>In addition to the milk and commodity trucks, the applicant estimates that they have about 35 daily trips to and from the dairy, or 490 trips a week. With the slaughterhouse, the applicant expects to have 2 employees and the slaughterhouse will be receiving feed only once a month instead of multiple times a week. In addition, the applicant plans on getting 1 truckload of pigs delivered to their ranch every month.</p> <p>Also, the applicant plans to only be open to the public for business Thursday, Friday, Saturday, and Sunday. On the days when the business is not open to the public, they would still need to have employees on-site taking care of the animals. In a week, they expect to get around 35 customers. The hours of operation are proposed to be Thursday through Saturday from 7 a.m. to 4 p.m. and Sunday from 7 a.m. to 1 p.m.</p> <p>Sunday through Thursday there would be 1 employee on-site per day from 7 am to 4 p.m. On Friday and Saturday there would be 2 employees on-site from 7 am to 4 p.m. The applicant’s plan is to buy a truckload of pigs (swine), (around 100-125) at a time, wait until they sell 75 percent of the hogs, and then buy another truckload. They are going to hold the pigs in the existing corrals that they currently have.</p> <p><b>Existing Dairy Traffic:</b></p> <table><tr><th></th><th>Trips/Day</th><th>Trips/Week</th><th>Trips/Month</th></tr><tr><td>13 Employees</td><td>26</td><td>182</td><td>789</td></tr><tr><td>3 Milk Trucks/Day</td><td>6</td><td>42</td><td>182</td></tr><tr><td>5 Feed Deliveries/Week</td><td>1</td><td>10</td><td>43</td></tr><tr><td>35 Trips to and from the Dairy/Day</td><td>70</td><td>490</td><td>2,123</td></tr><tr><td>Total</td><td>103</td><td>724</td><td>3,137</td></tr></table> <p><b>Proposed Slaughterhouse Traffic:</b></p> <table><tr><th></th><th>Trips/Day</th><th>Trips/Week</th><th>Trips/Month</th></tr><tr><td>1 Employee Sun-Thurs</td><td></td><td>10</td><td>43</td></tr><tr><td>2 Employees Fri-Sat</td><td></td><td>8</td><td>35</td></tr><tr><td>35 Customers/Week</td><td></td><td>70</td><td>303</td></tr><tr><td>1 Truckload Pigs/Month</td><td></td><td></td><td>2</td></tr><tr><td>1 Feed delivery/Month</td><td></td><td></td><td>2</td></tr><tr><td>Total:</td><td></td><td></td><td>385</td></tr></table> <p>The proposed Project would reduce the number of trips per month by 2,752, which is an 87.72 percent reduction in the number of trips per month. Therefore, there could be a maximum of 4,620 round trips per year (385 round trips per month X 12</p>		Trips/Day	Trips/Week	Trips/Month	13 Employees	26	182	789	3 Milk Trucks/Day	6	42	182	5 Feed Deliveries/Week	1	10	43	35 Trips to and from the Dairy/Day	70	490	2,123	Total	103	724	3,137		Trips/Day	Trips/Week	Trips/Month	1 Employee Sun-Thurs		10	43	2 Employees Fri-Sat		8	35	35 Customers/Week		70	303	1 Truckload Pigs/Month			2	1 Feed delivery/Month			2	Total:			385
	Trips/Day	Trips/Week	Trips/Month																																																		
13 Employees	26	182	789																																																		
3 Milk Trucks/Day	6	42	182																																																		
5 Feed Deliveries/Week	1	10	43																																																		
35 Trips to and from the Dairy/Day	70	490	2,123																																																		
Total	103	724	3,137																																																		
	Trips/Day	Trips/Week	Trips/Month																																																		
1 Employee Sun-Thurs		10	43																																																		
2 Employees Fri-Sat		8	35																																																		
35 Customers/Week		70	303																																																		
1 Truckload Pigs/Month			2																																																		
1 Feed delivery/Month			2																																																		
Total:			385																																																		



## Attachment No. 8

<b>Preliminary Environmental Analysis</b>	<b>Discussion of Reasons to Support Finding(s) of Exemption</b>
	<p>months = 4,620 round trips per year). This is the equivalent of 13 trips per day (4,620 trips per year/ 365 days = 13 trips per day).</p> <p>As the Project would generate less than 1,506 vehicle trips per day, it falls below the Air District's Small Project Analysis Level (SPAL) with regard to assessing Air Quality Impacts. By condition of approval, solid waste products shall be properly disposed to prevent nuisance odors. Conditions of approval require all on-site parking areas and driveways to be paved or surfaced with an all-weather surfacing material and shall be continually maintained to prevent dust and to prevent trackout (dirt, mud) onto roadways. Based on these analyses, the Project will result in a Less Than Significant Impact to Air Quality.</p>
<b>Biological Resources</b>	<p><b>No Impact.</b> The proposed Project will not have a direct or cumulative impact or create an unusual circumstance that will cause the proposed Project to have a significant effect on the biological resources of the area. The California Natural Diversity Database [accessed on February 3, 2024] shows the Tricolored blackbird. The subject site and surrounding area are regularly disturbed by the activities generated by the existing dairy facility that contains existing structures.</p> <p>As such, the site does not contain any habitat suitable for special status species. The Project site does not contain wetlands, creeks, waterways, a waterfowl refuge, or riparian habitat and is not in the planning area of a Conservation Plan. The Project will result in No Impacts to Biological Resources.</p>
<b>Cultural Resources</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a direct or cumulative impact or create an unusual circumstance that will cause the proposed Project to have a significant effect on the cultural resources of the area. The proposed Project will utilize the existing milk barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine.</p> <p>The milking equipment will be removed from the existing structure so that it will be an open concrete floored barn. The applicant plans to add a parking lot on the south side of the milk barn that is proposed to be converted into a custom slaughterhouse for swine. This is within the footprint of the existing dairy facility that is highly disturbed and improved with a durable dustless surface (i.e., Decomposed Granite). No cultural resources assessment has been conducted for this site. No cultural resources are known to be on or near the site.</p> <p>The property and surroundings have been used for commercial agricultural purposes as a bovine dairy since prior to December of 1985. The site is not located near a bluff or hill with rock outcrops, where a California Historical Resource Information System (CHRIS) search could be warranted, or where archaeological or paleontological resources could occur. Conditions of approval (#17, #18, &amp; #19) have been added to the Planning Commission Resolution for this Project in the unlikely event that cultural resources may be encountered. Therefore, there will be Less Than Significant Impact on Cultural resources.</p>
<b>Energy</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will have a less than significant direct or cumulative impact, and will not create wasteful, inefficient, or unnecessary consumption of energy resources during Project operations. It will not</p>



<b>Preliminary Environmental Analysis</b>	<b>Discussion of Reasons to Support Finding(s) of Exemption</b>
	<p>conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The structure that the Project will utilize already exists.</p> <p>The milking equipment will be removed from the existing milk barn so that it will be an open concrete floored barn. The applicant plans to add a parking lot on the south side of the milk barn that is proposed to be converted into a custom slaughterhouse for swine. This is within the footprint of the existing dairy facility that is highly disturbed and already improved with a durable dustless surface (i.e., Decomposed Granite). Therefore, there will be a Less Than Significant Impact on the Energy resource.</p>
<b>Geology/Soils</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a significant direct or cumulative effect or create an unusual circumstance that will cause the proposed Project to have a significant effect on the geological resources of the area. Any excavation or other ground disturbance activities which may occur will be subject to building permits issued by Tulare County on previously excavated/disturbed areas.</p> <p>Based on a search (conducted by RMA staff in May 2024) of the Tulare County Health and Safety Element (Chapter 10) in the General Plan 2030 Update, the proposed Project is located within Zone V1, which, by definition, has a low potential for earthquakes.<sup>3</sup> The Official Maps of Earthquake Fault Zones (delineated by the California Geological Survey, State of California Department of Conservation, under the Alquist-Priolo Earthquake Fault Zoning Act), indicate that there are no substantial faults known to occur in Tulare County.<sup>4</sup> The nearest known fault likely to affect the proposed Project site is in the Owens Valley Fault System (approximately 75 miles to the east).<sup>5</sup> The Project site is relatively flat thus, on-site soils are not subject to collapse or liquefaction; nor is there the possibility of off-site landslides, lateral spreading, subsidence, liquefaction, or collapse.<sup>6</sup></p> <p>The requirements of the Uniform Building Code are adequate for customary facilities on these soils and these requirements are included in the Tulare County Building Code and made applicable to this proposed Project. The Project will also be required to comply with all applicable federal and state rules and regulations pertaining to soil erosion and runoff and will implement BMPs and Project features as deemed appropriate by said regulations. Therefore, the Project will result in a Less Than Significant Impact due to disturbance of or by geological resources.</p>
<b>Greenhouse Gas Emissions</b>	<p><b>Less Than Significant Impact:</b> The proposed Project will not have a direct or cumulative impact or create an unusual circumstance that will introduce greenhouse gas (GHG) emissions. The Project complies with AB32, the California Air Resources Board's (CARB) Scoping Plan, Tulare Council of Governments</p>

<sup>3</sup> Tulare County General Plan 2030 Update, Part 1, Figure 10-5, <http://generalplan.co.tulare.ca.us/>, accessed May 2024 and the Five County Seismic Safety Element (1975).

<sup>4</sup> California Geologic Survey, Seismic Hazard Zoning Program, CGS Information Warehouse: Regulatory Maps, <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>, accessed May 2024.

<sup>5</sup> Tulare County General Plan 2030 Update, Part 1, Figure 10-1, <http://generalplan.co.tulare.ca.us/>, accessed May 2024.

<sup>6</sup> California Geologic Survey, Seismic Hazard Zoning Program, CGS Information Warehouse: Regulatory Maps, <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>, accessed May 2024.



<b>Preliminary Environmental Analysis</b>	<b>Discussion of Reasons to Support Finding(s) of Exemption</b>
	<p>Blueprint, Countywide General Plan and Climate Action Plan (see Climate Action Plan page 57).</p> <p>The Project will result in a reduction in the number of animals, from 1,400 cows to 125 pigs. As described above in the Air Quality section, the proposed Project would reduce the number of trips per month by 2,752, which is an 87.72 percent reduction in the number of trips per month. Therefore, there could be a maximum of 4,620 round trips per year (385 round trips per month X 12 months = 4,620 round trips per year). This is the equivalent of 13 trips per day (4,620 trips per year/365 days = 13 trips per day).</p> <p>As described below in the Hydrology/Water Quality section, the total amount that water usage would be reduced from 1,189,067 gallons per month to 16,900 gallons per month. This is 98.578 percent (<math>1,172,167 / 1,189,067 = 98.578</math>). The large reduction in both the number animals and the amount of wastewater generated into the existing lagoon(s), will significantly reduce the amount of GHG emissions from cows belching and from wastewater generated.</p> <p>Therefore, the Project will not exceed CARB's thresholds. Since CEQA does not apply to this Project, it is not required to reduce its Climate Action Plan Consistency Reduction Target of 6% per the Tulare County Climate Action Plan. As no construction emissions will be generated by the Project, the CARB Scoping Plan 2020 target year does not apply. Therefore, the proposed Project would result in Less Than Significant Impact to the GHG resource.</p>
<b>Hazards/ Hazardous Materials</b>	<p><b>No Impact.</b> The proposed Project will not have a direct or cumulative impact or create an unusual circumstance that will introduce hazards or hazardous material to the area. An online Cortese Act/Envirostor search conducted by County staff (on May 15, 2024) indicated that there are no known hazardous or toxic sites in the vicinity of the Project. (See <a href="http://www.envirostor.dtsc.ca.gov/public/">http://www.envirostor.dtsc.ca.gov/public/</a>.)</p> <p>The site is in a Local Responsibility Area. The applicant will be required to comply with all applicable Tulare County Fire Department requirements (such as all surface traffic lands, turnouts, gates, addressing, inspections, open campfires designated areas and signs, fire alarm system, water storage tank (minimum 5,000 gallons), etc. Conditions of approval are included as part of the Planning Commission and/or Board of Supervisors review process.</p> <p>No public or private airstrips are located within two miles of the subject site. The nearest airport is located approximately 5.4 miles southwest of the Project site. The subject site has direct access to Road 136 and Avenue 136 (W. Scranton Avenue). Therefore, the Project will result in No Impact to or from the Hazards and Hazardous Materials resource.</p>



<b>Preliminary Environmental Analysis</b>	<b>Discussion of Reasons to Support Finding(s) of Exemption</b>																								
<b>Hydrology/ Water Quality</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a direct or cumulative impact or create an unusual circumstance that will cause the proposed Project to have a significant effect on the hydrology/water quality of the area. The Project will not impact the quality or quantity of water or waterways above any known threshold for water quality or affect water rights, including impacting water ways of the United States under Section 404, and 401 of the Clean Water Act. There are no waterways on the site, and the nearest waterway is a Lower Tule Irrigation District Canal, located approximately 1,342 feet south of the site. See additional septic system discussion below.</p> <p>For sanitation purposes, the applicant will hold their pigs in one corral, and when the corral needs to be cleaned, the hogs will be moved to the adjacent corral. The hogs can be moved between the two corrals as much as they need to ensure cleanliness of the corrals for the animals. Since their farm is already set up for a dairy/disposing of waste, they already have a sump pond to dispose of the waste.</p> <p>The dairy cows on average consume 25 to 30 gallons of water per day compared to swine that consume 4 to 6 gallons of water per day. On average, the cows were drinking 39,200 gallons of water per day (for 1,400 cows) compared to 500 gallons of water per day (for 100 pigs) which will be another significant savings in water. The proposed Project would reduce the water consumed by animals by 98.72 percent.</p> <ul style="list-style-type: none"><li>• All of their wastewater has been used and will continue to be used for irrigation their corn and wheat crops. The facility has a solid/wastewater hook up to a local digester plant.</li><li>• Water in the slaughterhouse: de-hairer is used to get the hair off the pig’s skin. A 100 gallon tank that needs to be changed every day in use. So, 400 gallons/week (assuming that they have customers every day that they are open).</li></ul> <p><b>Dairy Water Usage:</b></p> <table><tr><th></th><th>Gallons Per Day</th><th>Gallons Per Week</th><th>Gallons Per Month</th></tr><tr><td>1,400 Cows Water Consumed</td><td>39,200</td><td>274,400</td><td>1,189,067</td></tr></table> <p><b>Slaughterhouse Water Usage:</b></p> <table><tr><th></th><th>Gallons Per Day</th><th>Gallons Per Week</th><th>Gallons Per Month</th></tr><tr><td>100 Pigs Water Consumed</td><td>500</td><td>3,500</td><td>15,167</td></tr><tr><td>De-hairer Water Use</td><td></td><td>400</td><td>1,733</td></tr><tr><td><b>Total:</b></td><td></td><td><b>3,900</b></td><td><b>16,900</b></td></tr></table> <p>The total amount that water usage would be reduced is 98.578 percent (1,172,166.60/1,189,066.60 = 98.578).</p> <p>The property is not located within a water service district and water will be supplied by a domestic well. Historical groundwater depth information is between 220 feet and 230 feet, SGMA Data Viewer, Spring 2023.</p>		Gallons Per Day	Gallons Per Week	Gallons Per Month	1,400 Cows Water Consumed	39,200	274,400	1,189,067		Gallons Per Day	Gallons Per Week	Gallons Per Month	100 Pigs Water Consumed	500	3,500	15,167	De-hairer Water Use		400	1,733	<b>Total:</b>		<b>3,900</b>	<b>16,900</b>
	Gallons Per Day	Gallons Per Week	Gallons Per Month																						
1,400 Cows Water Consumed	39,200	274,400	1,189,067																						
	Gallons Per Day	Gallons Per Week	Gallons Per Month																						
100 Pigs Water Consumed	500	3,500	15,167																						
De-hairer Water Use		400	1,733																						
<b>Total:</b>		<b>3,900</b>	<b>16,900</b>																						



	<p>The Project site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06107C1600E, for Community Number 065066 (Tulare County Unincorporated Areas), dated June 16, 2009. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.</p> <p>The existing and any future septic systems will be subject to the Local Agency Management Program requirements per Part VII, Chapter 1, Articles 1-9, Ordinance of Tulare County, pertaining to Sections 7-01-1320 through 7-01-1740. Prior to any septic system construction for this parcel, an engineered septic design report must be submitted to the TCEHSD for review. Such a design report may be submitted by the following qualified individuals: a Professional Engineer, Engineering Geologist, Professional Hydrogeologist, and other approved individuals.</p> <p>On August 31, 2023, Project Review Committee No. PRC 23-053 was submitted by Sam Simoes requesting to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. In an email dated September 21, 2023, Hector Guerra, the Chief Environmental Planner at the Tulare County Resource Management Agency (“RMA”) stated that he believed that a Mitigated Negative Declaration (“MND”) should be prepared for this Project.</p> <p>However, in a personal communication with Sandy Roper on May 14, 2024, Mr. Guerra stated that during the Project Review Committee Meeting that occurred on October 19, 2023, he revised his comments to state that after receiving a more detailed Project description and clarifying statements he determined it would be appropriate to prepare a Categorical Exemption, consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines pursuant to Title 14, Cal. Code Regulations, Section 15303, Class 3, pertaining to New Construction or Conversion of Small Structures. He went on to state that none of the comments received from regulatory agencies identified any significant effect that would result from the Project and that regulatory requirements of other regulatory agencies did not elevate a requirement for preparation of an Environmental Review Document (such as a MND or EIR) that is more robust than a Categorical Exemption and that an Expanded Categorical Exemption should be prepared for the proposed Project.</p> <p>The regulatory authority over the protection of Groundwater rests with the Central Valley Regional Water Quality Control Board. As a result, the Planning Commission’s Draft Resolution for this Project contains a condition of approval requiring that the applicant shall comply with all applicable rules and regulations of the Central Valley Regional Water Quality Control Board.</p> <p>As stated in Condition of Approval Number 15, the applicant will be required to comply all of the applicable rules and regulations of the Central Valley Regional Water Quality Control Board. Regarding the Water Boards comments concerning the preparation of an EIR, Mr. Guerra stated that their comments did not include any specific impacts to resources (for example water quality); therefore, their comments are speculative at best. As such, staff maintains its position that a</p>
--	--



## Attachment No. 8

	<p>Categorical Exemption is sufficient with the condition of approval that was noted earlier (which includes the regulatory requirements of the Central Valley Regional Water Quality Control Board).</p> <p>Based on the above discussion of the Project improvements and requirements and the low-level use of the site, there will be Less Than Significant Impact to Hydrology or Water Quality.</p>
<b>Land Use/ Planning</b>	<p><b>No Impact.</b> The proposed Project will not have a direct or cumulative effect or create an unusual circumstance that will cause the proposed to have a significant effect on the land use or planning of the area.</p> <p>The Project site is located outside any Urban Boundaries and is subject to the Rural Valley Lands Plan, with a Land Use Designation of Valley Agriculture. The proposed custom slaughterhouse for swine is consistent with relevant policies of the Tulare County General Plan, including Planning Framework Goal No. 1; Land Use Goal No. 2; Agriculture Goal No. 1 and Agricultural Policies 1.1 (Primary Land Use), 1.7 (Preservation of Agricultural Lands), 1.14 (Right-to-Farm Noticing); AQ-4.2 (Dust Suppression Measures); HS-1.9 (Emergency Access); and HS-4.9 (Hazardous Material).</p> <p>The proposed Project is consistent with AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. Section 9.7.E.29 of the Tulare County Zoning Ordinance (“TCZO”) allows slaughterhouses in the AE-40 Zone subject to the approval of a Special Use Permit. The site is changing from one agricultural use to another.</p> <p>Therefore, the Project will result in No Impact on any of the surrounding planning efforts or land uses.</p>
<b>Mineral Resources</b>	<p><b>No Impact.</b> The proposed Project will not have a direct or cumulative effect or create an unusual circumstance that will cause the proposed Project to have a significant effect on the mineral resources of the area. The proposed Project is not located within or in proximity to any mineral resources. Mineral resources located within Tulare County are predominately sand and gravel resources primarily provided by four waterways: Kaweah River, Lewis Creek, Deer Creek, and the Tule River.</p> <p>The South Branch of the Tule River is the nearest of these four streams to the proposed Project site and is located approximately 4.4 miles to the northwest. Due to the distance from these streams, the Project will not result in the loss of an available known mineral resource.</p> <p>The Tulare County General Plan Update (see Figure 8-2 Mineral Resource Zone in the General Plan) indicates the locations of State-designated Mineral Resource Zones. According to the map, the Project site is not located in or within 10 miles of a Mineral Resource Zone. The California Department of Conservation indicates that the nearest, active mining operation (Deer Creek Ranch, CA Mine ID# 91-54-0019), mining sand and gravel is located approximately 10 miles southeast of the Project site. As such, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.</p>



## Attachment No. 8

	<p>The Project will not have an effect on the availability of mineral resources in the area. Per the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) and the Tulare County General Plan 2030 Update Background Report, there are no known natural gas or oil fields on or within the vicinity of the Project site.<sup>7</sup> As such, the Project will result in No Impact to any mineral resources.</p>
<b>Noise</b>	<p><b>Less Than Significant Impact.</b> The nearest sensitive receptor is a rural residence that is located approximately 825 feet south of the Project site. As previously mentioned, the Zoning is AE-40 with a land use designation of Valley Agriculture. Tulare County Noise Standards for Agricultural Zones are 75 dBA Ldn.</p> <p>Furthermore, any future development proposal within the proposed Project's boundary will be required to comply with all applicable Tulare County standard conditions for construction-related noise control. As such, the proposed Project will not have a direct or cumulative effect or create an unusual circumstance that will cause the proposed Project to have a significant effect on the noises of the area and it will not exceed operational noise standards outlined in the General Plan.<sup>8</sup> Therefore, the Project will result in Less Than Significant Impact to the Noise resource.</p>
<b>Population/Housing</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a direct or cumulative effect or create an unusual circumstance that will cause the proposed Project to have a significant effect on the population, or housing of the area. The Project site is Zoned AE-10 and is designed for agricultural uses. Due to the surrounding uses being predominantly agricultural in nature, it is unlikely that the surrounding properties will be used for development of a residential subdivision. Therefore, the Project will not displace an existing population or induce a significant population growth and will result in a Less Than Significant Impact on Population/Housing.</p>
<b>Public Services</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not create an unusual circumstance that will cause the proposed Project to have a significant effect on the public services of the area. The Project will not significantly effect the capacity of the following services and public facilities: police, fire, schools, parks, and other public facilities. Therefore, the Project will result in a Less Than Significant Impact to Public Services.</p>
<b>Recreation</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a direct or cumulative effect or create an unusual circumstance that will cause the proposed Project to have a significant effect on the recreational facilities in the area. As noted earlier, the Project requests to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The AE-40 Zone is an exclusive zone for intensive and extensive agricultural uses and for those uses which are a necessary and integral part of intensive and extensive agricultural operations.; however, due to the surrounding uses are predominantly agricultural in nature, it is unlikely that the surrounding properties will be used for the purpose of development of residential subdivision. As such, the Project will most likely not result in new housing (and its accompanying population) or the need for new recreational facilities. The nearest park (Pixley Park) is located</p>

<sup>7</sup> DOGGR, <https://maps.conservation.ca.gov/doggr/wellfinder/#close>; and Tulare County General Plan 2030 Update, Figure 8-2, <http://generalplan.co.tulare.ca.us/>, accessed May 2024.

<sup>8</sup> Tulare County General Plan 2030 Update, Part I, Table 10.1, <http://generalplan.co.tulare.ca.us/>, accessed May 2024.



	<p>approximately 4.10 miles southwest of the Project site; therefore, this Project does not have significant effects to existing parks nor is the Project proposing new parks. As such, the Project will result in a Less Than Significant Impact any recreational resources in Tulare County.</p>
<b>Transportation/Traffic</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a direct or cumulative impact or create an unusual circumstance that will cause the proposed Project to have a significant effect on the Countywide, or Statewide roadway facilities in the area. The subject site lies on the south side of Avenue 136 and the west side of Road 136. The existing right of way on Avenue 136 is 50 feet (25 feet on the north side and 25 feet on the south side) and on Road 136 is 50 feet (25 feet on the west side and 25 feet on the east side). Ultimate right of way on Avenue 136 and Road 136 is 60 feet.</p> <p>According to the county's maintained mileage maps, Avenue 136 and Road 136 are county maintained roads. Based on the 2023 Pavement Management System database, the existing pavement width on Avenue 136 is 16 feet and on Road 136 is 20 feet. The pavement type on Avenue 136 and on Road 136 is asphalt concrete. The Public Works/Engineering Branch has no recommended conditions of approval.</p> <p>The Operational Statement submitted with the application states that currently, the applicant's milk barn is used to milk 1,400 cows a day/three times a day. They have their milkers on three, eight hour shifts, so they are using their barn 24 hours a day, 365 days a year. They have milk trucks coming to pick up milk three times a day and have truckloads of feed/commodities coming in at least five times a week.</p> <p>With this conversion (milk barn to slaughterhouse) vehicle traffic will be significantly reduced. Right now, the dairy has 13 employees which commute to work daily. That would be a minimum of 26 trips daily. In addition to the milk and commodity trucks, the applicant estimates that they have about 35 daily trips to and from the dairy, or 490 trips a week.</p> <p>With the slaughterhouse, the applicant expects to have 2 employees and the slaughterhouse will be receiving feed only once a month instead of multiple times a week. In addition, the applicant plans on getting 1 truckload of pigs delivered to their ranch every month. Also, the applicant plans to only be open to the public for business Thursday, Friday, Saturday, and Sunday. On the days when the business is not open to the public, they would still need to have employees on-site taking care of the animals. In a week, they expect to get around 35 customers.</p> <p>The hours of operation are proposed be Thursday through Saturday from 7 am to 4 pm and Sunday from 7 am to 1 pm. Sunday through Thursday there would be 1 employee on-site per day from 7 am to 4 pm. On Friday and Saturday there would be 2 employees on-site from 7 am to 4 pm.</p> <p>The applicant's plan is to buy a truckload of pigs (swine), (around 100-125) at a time, wait until they sell 75 percent of the hogs and then buy another truckload. They are going to hold the pigs in the cow corrals that they currently have.</p>



	<p><b>Existing Dairy Traffic:</b></p> <table><tr><th></th><th>Trips/Day</th><th>Trips/Week</th><th>Trips/Month</th></tr><tr><td>13 Employees</td><td>26</td><td>182</td><td>789</td></tr><tr><td>3 Milk Trucks/Day</td><td>6</td><td>42</td><td>182</td></tr><tr><td>5 Feed Deliveries/Week</td><td>1,429</td><td>10</td><td>43.33</td></tr><tr><td>35 Trips to and from the Dairy/Day</td><td>70</td><td>490</td><td>2,123.33</td></tr><tr><td><b>Total</b></td><td><b>103</b></td><td><b>724</b></td><td><b>3,137</b></td></tr></table> <p><b>Proposed Slaughterhouse Traffic:</b></p> <table><tr><th></th><th>Trips/Day</th><th>Trips/Week</th><th>Trips/Month</th></tr><tr><td>1 Employee Sun-Thurs</td><td></td><td>10</td><td>43</td></tr><tr><td>2 Employees Fri-Sat</td><td></td><td>8</td><td>35</td></tr><tr><td>35 Customers/Week</td><td></td><td>70</td><td>303</td></tr><tr><td>1 Truckload Pigs/Month</td><td></td><td></td><td>2</td></tr><tr><td>1 Feed delivery/Month</td><td></td><td></td><td>2</td></tr><tr><td><b>Total:</b></td><td></td><td></td><td><b>385</b></td></tr></table> <p>The proposed Project would reduce the number of trips per month by 2,752, which is an 87.72 percent reduction in the number of trips per month. The trips per year would be reduced from 37,644 to 4,620. The daily trips would be reduced from 103 to 13.</p> <p>The average daily trips of 13 would be under the 100 peak hour trips threshold that would require a detailed traffic analysis as noted in the County General Plan 2030 Update, Transportation and Circulation Element Policy TC-1.15. This Project will result in a net reduction in transportation and traffic. Based upon an aerial image, the subject site has adequate parking, vehicular ingress and egress, and internal circulation. The facility is arranged so that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and surrounding property is not adversely affected. Therefore, there will be a Less Than Significant Impact to Transportation/Traffic.</p>		Trips/Day	Trips/Week	Trips/Month	13 Employees	26	182	789	3 Milk Trucks/Day	6	42	182	5 Feed Deliveries/Week	1,429	10	43.33	35 Trips to and from the Dairy/Day	70	490	2,123.33	<b>Total</b>	<b>103</b>	<b>724</b>	<b>3,137</b>		Trips/Day	Trips/Week	Trips/Month	1 Employee Sun-Thurs		10	43	2 Employees Fri-Sat		8	35	35 Customers/Week		70	303	1 Truckload Pigs/Month			2	1 Feed delivery/Month			2	<b>Total:</b>			<b>385</b>
	Trips/Day	Trips/Week	Trips/Month																																																		
13 Employees	26	182	789																																																		
3 Milk Trucks/Day	6	42	182																																																		
5 Feed Deliveries/Week	1,429	10	43.33																																																		
35 Trips to and from the Dairy/Day	70	490	2,123.33																																																		
<b>Total</b>	<b>103</b>	<b>724</b>	<b>3,137</b>																																																		
	Trips/Day	Trips/Week	Trips/Month																																																		
1 Employee Sun-Thurs		10	43																																																		
2 Employees Fri-Sat		8	35																																																		
35 Customers/Week		70	303																																																		
1 Truckload Pigs/Month			2																																																		
1 Feed delivery/Month			2																																																		
<b>Total:</b>			<b>385</b>																																																		
<b>Tribal Cultural Resources</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a significant direct or cumulative effect or create an unusual circumstance that will cause the proposed Project to have a significant effect on tribal cultural resources in the area. Pursuant to AB 52, consultation notification to Native American Tribes is not required for this Project because a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report will not be prepared.<sup>9</sup></p> <p>Pursuant to SB 18, consultation notification to Native American Tribes is not required for this Project because it does not include an amendment or adoption of a general plan or a specific plan or designation of open space.<sup>10</sup> It is noted that this Project will be required to comply with the State CEQA Guidelines, Public Resources Code (§5097.94), and California Health and Safety Code (§7050.5) in connection with addressing any archeological resources, Native American cultural resources, and human remains in the unlikely event of accidental discovery during reconstruction-related activities.</p> <p>Accidental discovering is unlikely as the Project area has been highly disturbed by the previous use (dairy) and the Project will occur within the existing footprint of</p>																																																				

<sup>9</sup> Public Resources Code § 21080.3.1

<sup>10</sup> Government Code §§ 65352.3 and 65562.5



## Attachment No. 8

	the former dairy site. Therefore, the Project will result in a Less Than Significant Impact to Tribal Cultural resources.
<b>Utilities/Service Systems</b>	<b>No Impact.</b> The proposed Project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. The subject site is outside any community service district or public utilities district. The Project will provide its own water source through an individual well located on the site and includes its own individual septic system. Therefore, there will be No Impact to Utilities/Service Systems.
<b>Mandatory Findings of Significance</b>	<p><b>Less Than Significant Impact.</b> The proposed Project will not have a significant direct or cumulative effect, or create an unusual circumstance that will cause the proposed Project to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history.</p> <p>As discussed in the Biological Resources item, the proposed Project will not have a significant direct or cumulative effect or create an unusual circumstance that will cause the proposed Project to have a significant effect on the biological resources of the area and environment. As discussed earlier at Item 5 Cultural Resources, there are no historical or cultural resources within the Project area and design features and standard conditions in compliance with all applicable federal, state, and County rules and regulations will be implemented to reduce potential effects in the event of accidental discovery during construction-related activities.</p> <p>The proposed Project will result in a Less Than Significant Direct or Cumulative Impact and will not create an unusual circumstance that will cause the proposed Project to have a significant effect on the environment, directly or incrementally. In addition, this Project will result in no adverse effect to the public health and safety.</p>



**Attachment No. 8**

**NOTICE OF EXEMPTION**

**To:**     ☒     Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

☒ Tulare County Clerk  
Room 105, Courthouse  
221 South Mooney Blvd.  
Visalia, CA 93291

**Lead Agency:** Tulare County Resource Management Agency  
5961 South Mooney Blvd  
Visalia, CA 93277 (559) 624-7000  
*Attn:* [gmills@tularecounty.ca.gov](mailto:gmills@tularecounty.ca.gov)  
[jwillis@tularecounty.ca.gov](mailto:jwillis@tularecounty.ca.gov)

DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

**Applicant(s):** Sam Simoes  
3841 W. Hemlock Avenue  
Visalia, CA 93277 (559) 972-7990

**Project Title:** Special Use Permit No. PSP 23-130

**Project Location - Specific:** 13415 Road 136, Tipton, CA (APN: 300-050-024)

**Project Location- Section, Township, Range:** Section 9, Township 22 South, Range 25 East, Mount Diablo Base & Meridian

**Project Location - City:** Tipton

**Description of Nature, Purpose, and Beneficiaries of Project:** Special Use Permit No. PSP 23-130 requests to allow an existing milking barn at a dairy (that is ceasing operations as a dairy) to be converted into a custom slaughterhouse for swine in the AE-40 (Exclusive Agricultural – 40 Acre Minimum) Zone. The beneficiaries of the project are the Applicant; the Communities of Pixley, Poplar, & Tipton, and Tulare County.

**Exempt Status:** *(check one)*

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Common Sense Rule: CEQA guidelines 15061(b)(3)`
- ☒ Categorical Exemption: CEQA Guidelines Section 15303, Class 3, New Construction or Conversion of Small Structures
- ☐ Statutory Exemptions: CEQA Guidelines Section

**Reasons why project is exempt:** The proposed project is consistent with the criteria outlined in CEQA Guidelines Section 15303, Class 3. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The use of Section 15303 is applicable and appropriate because the project would convert an existing milk barn (which is approximately 3,700 square feet in size) into a custom slaughterhouse for swine.

**Name of Public Agency Approving Project:** Tulare County Resource Management Agency

**Project Planner/Representative:** Sandy Roper, Chief Planner

**Telephone:** (559) 624-7110

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: Chief Environmental Planner  
Gary Mills

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: Environmental Assessment Officer  
 Reed Schenke, P.E. RMA Director

☒ Signed by Lead Agency