

**INITIAL STUDY**

# **HIGH ROLLER DAIRY EXPANSION**

CUP 20-08

**Kings County Community Development Agency**



July 2021

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# **CHAPTER 1 – INTRODUCTION**

## **1.1. PREPARATION OF AN INITIAL STUDY UNDER CEQA**

This document is the Initial Study of the potential environmental effects of the expansion and operation of the High Roller Dairy. The Kings County Community Development Agency is the Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an Initial Study to determine whether a discretionary project will have a significant effect on the environment. The purposes of an Initial Study, as listed under Section 15063[c] of the CEQA Guidelines, include:

- (1) Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR [Environmental Impact Report] or a Negative Declaration.
- (2) Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration.
- (3) Assist in the preparation of an EIR, if one is required, by:
  - (A) Focusing the EIR on the effects determined to be significant,
  - (B) Identifying the effects determined not to be significant,
  - (C) Explaining the reasons for determining that potentially significant effects would not be significant, and
  - (D) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
- (4) Facilitate environmental assessment early in the design of a project;
- (5) Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
- (6) Eliminate unnecessary EIRs;
- (7) Determine whether a previously prepared EIR could be used with the project.

## **1.2. PRIOR ENVIRONMENTAL DOCUMENTS**

The Dairy Element of the Kings County General Plan was adopted by the Kings County Board of Supervisors on July 30, 2002. Under provisions established in the dairy element, expansion of existing dairies and establishment of new dairies can be accomplished through the site plan review (SPR) process. Expansions of an existing dairy may be processed by SPR as long as the expanded portion of the dairy is consistent with the standards adopted in the Dairy Element concerning design, operation, monitoring and reporting. Approval of an SPR is a ministerial action and exempt from individual environmental review as long as a finding of consistency with the Dairy Element can be made. These standards have undergone environmental review in a Program Environmental Impact Report (PEIR) which was prepared in support of the Dairy Element.

Projects that do not meet the standards in the PEIR and thus require further environmental review, may utilize information in the PEIR to complete the environmental review required under the California Environmental Quality Act (CEQA).

# **CHAPTER 2 – DESCRIPTION OF THE PROPOSED PROJECT**

## **2.1. BACKGROUND INFORMATION**

### **1. Project Title**

High Roller Dairy Digester Project  
Kings County Conditional Use Permit File No: CUP 20-08.

### **2. Lead Agency Name and Address**

Kings County Community Development Agency  
1400 West Lacey Boulevard, Building #6  
Hanford, CA 93230

### **3. Contact Person, Phone Number, and Email Address**

Chuck Kinney, Director  
559-852-2670  
[Chuck.Kinney@co.kings.ca.us](mailto:Chuck.Kinney@co.kings.ca.us)

### **4. Project Location**

The High Roller Dairy (project site) is located at 14782 8<sup>th</sup> Avenue, approximately two miles southeast of Hanford, California at the intersection of State Route (SR) 43 and Jackson Avenue (Figures 2-1 and 2-2). It is within the Remnoy, California U.S. Geological Survey (USGS) 7.5-minute quadrangle, and within the southwest quarter of the southeast quarter of Section 20, Township 19 South, Range 22 East, Mount Diablo Base and Meridian (Figure 2- 3). The proposed Project will be built on a portion of the southern section of Assessor Parcel Number (APN) 028-040-016.

The site is surrounded by cropland to the north, east, south, and west.

### **5. Project Sponsor's Name and Address**

River Ranch Farms, LLC  
6127 Jackson Avenue, Suite 100  
Hanford, CA 93230  
Contact Person: Jack de Jong  
Phone: (559) 707-3766

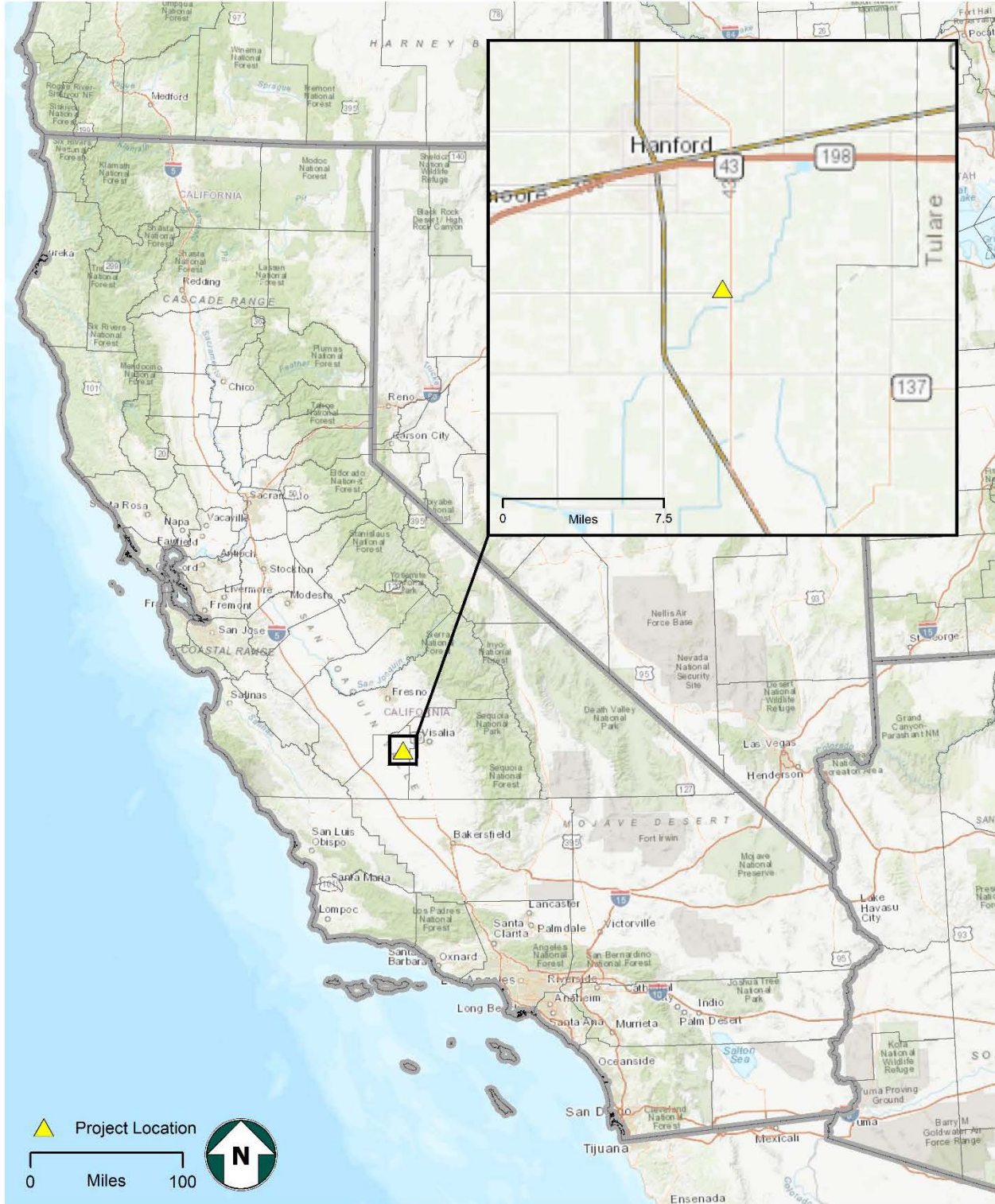
### **6. General Plan Designation**

The 2035 Kings County General Plan designates the project site as “General Agriculture – 20 acre.”

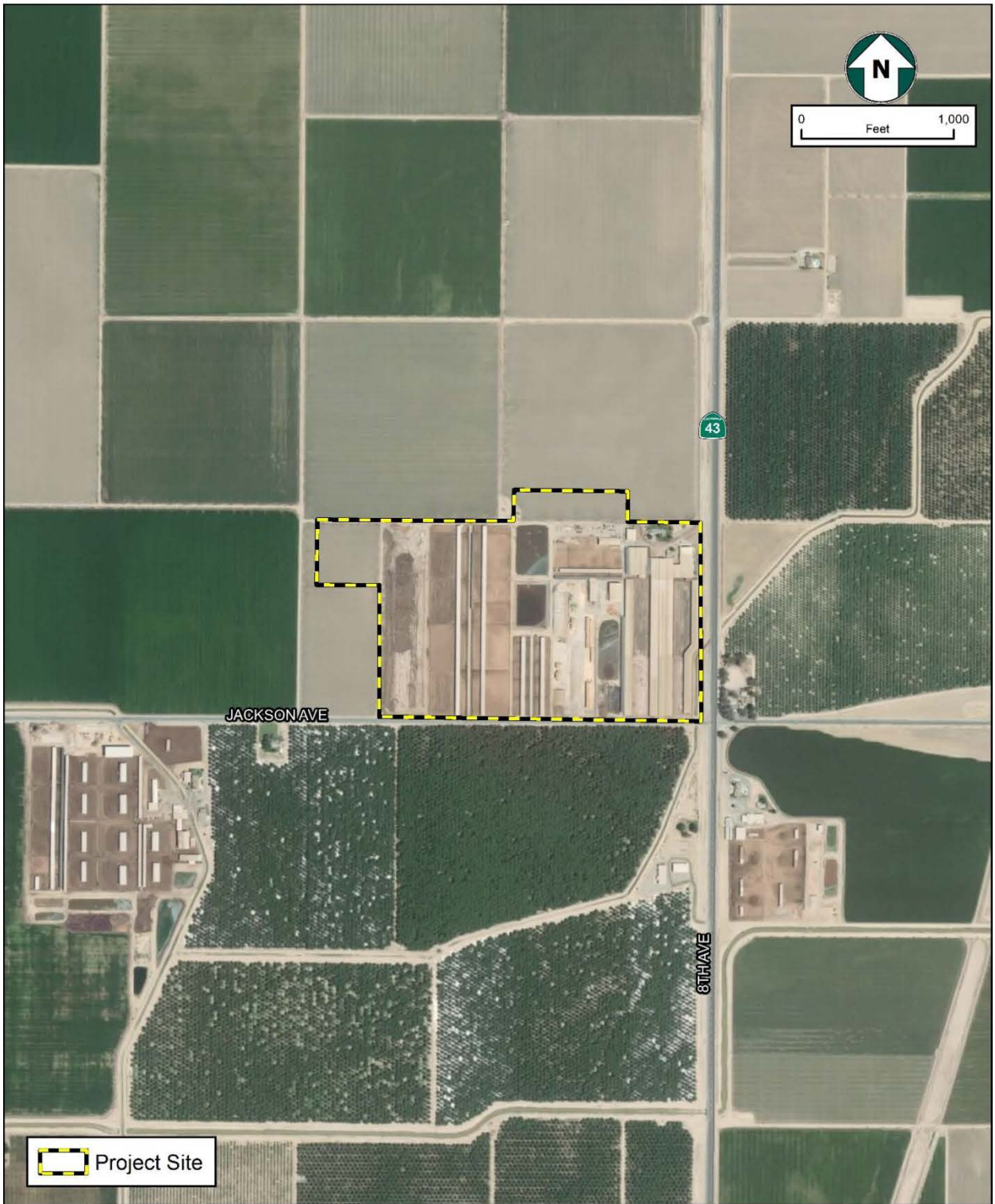
### **7. Zoning**

Pursuant to the Kings County Development Code, the entire project site is located within the General Agricultural – 20 acre minimum (AG-20) zone district.

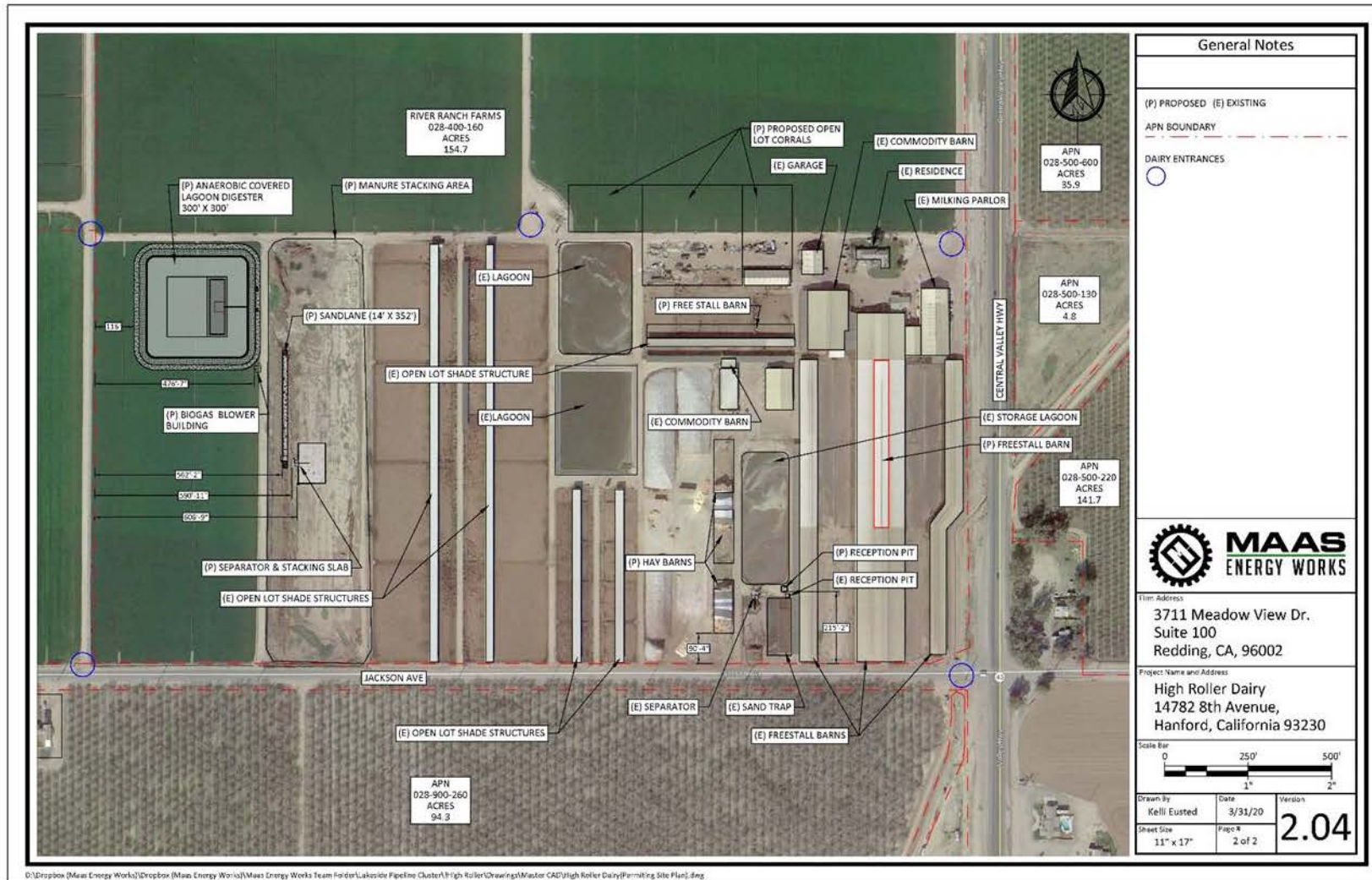
**FIGURE 1 – REGIONAL LOCATION**



**FIGURE 2 – PROJECT VICINITY**



**FIGURE 3 – PROJECT SITE PLAN**



## 2.2. PROJECT DESCRIPTION

### DESCRIPTION

#### High Roller Dairy Project

The Project includes the addition of an anaerobic lagoon digester and associated infrastructure adjacent to the western boundary of the dairy. The digester is located approximately 1,194 feet from the nearest residence (Figure 2-3). The digester is 300 feet x 264 feet x 32 feet and will hold approximately 10.5 million gallons. Once the digester and biogas infrastructure are operational, the site will generate approximately 20,749 million BTU/year, thus reducing dependence on fossil fuels that generate air pollution and greenhouse gases emissions, meeting the County and State's climate and energy goals to reduce energy usage, increase energy efficiency and increase the use of forms of renewable energy.

In addition, several new dairy-related structures are proposed. The existing High Roller Dairy facility includes 5,333 dairy cows (Animal Units) housed in open lot shade structures and free stall barns. Existing manure travels to an existing storage lagoon in the center of the parcel, and cows are milked in the northeast corner. There is no proposed increase in the number of Animal Units.

The Project proposes to install the following new items:

- Anaerobic Covered Lagoon Digester
- Associated Digester Infrastructure:
  - Biogas Blower/Mechanical Building
  - Separator
  - Sand lane
  - Biogas Pipe
  - Moisture Trap and Pad
  - Stacking Slab
  - Reception pit with rotating pumps and screen bypass pump
- Dairy Structures:
  - Three open lot corrals
  - Two free stall barn
  - Two hay barns
  - Dirt stacking area

#### Anaerobic Covered Lagoon Digester Technology and Overview

The anaerobic covered lagoon digesters are a passive addition to the dairy and require minimal oversight. Cameras and automation equipment will be installed at the digester sight to enable remote monitoring. The digester will be suited with an emergency vent as required by the San Joaquin Valley Air District (SJVAPCD). A small, prefabricated mechanical building (30 feet x30 feet) will be constructed on-site and will house a biogas chiller to remove condensate prior to entering the biogas gathering lines, 8 small carbon



media absorber tanks to remove sulfur from the biogas prior to entering the biogas gathering line, and a biogas blower to move the gas from the digester system to the biogas gathering lines as discussed in more detail below.

The digester will be created by excavating and lining a new pond on the western portion of the existing dairy parcel. All digester ponds will meet the Central Valley Regional Water Quality Control Board (CRWQCB) Tier 1 standards, which include the installation of double-layered liners of welded 60 ml HDPE with leak detection to ensure water quality. The digester pond design must be pre-approved by the CRWQCB and the installation is monitored by professional engineers. Once constructed and prior to actual operation of the ponds to treat wastewater, an installation report will be submitted to CRWQCB for their review and approval.

The Project will then cover the newly lined pond with 80 ml flexible HDPE material to create the project's biogas collection system. The lagoon cover will be welded to the liner ensuring a complete seal. A perforated pipe runs above the water line around the entire perimeter of the covered lagoon to ensure uninterrupted gas flow to the outlet. The cover will also include submersible mixers to agitate the manure which will minimize settling, reduce sludge in the digester, and increase biogas production. An HDPE baffle creates a pathway for manure to slowly flow through the digester, ensuring hydraulic retention time and eliminating dead spots. Finally, sludge draw-off pipes are commonly added as a final protection against sludge buildup. This type of covered lagoon technology is highly commercialized and represents 100 percent of the successful digester installations in California since 2014. Engineered site plan and design drawings for the proposed digester have been attached.

The High Roller Dairy is part of the Lakeside Hanford Biogas Cluster Project, which included a biogas upgrading facility and approximately 37 miles of gather pipelines. This project was approved by the lead agency in 2019 (CUP 17-14). Once installed, the pipeline will connect the anaerobic digester facility at High Roller Dairy to the approved biogas upgrading facility. The biogas produced by these anaerobic digesters would be delivered through the proposed pipeline to a blower and a gas-liquid "scrubber" to remove any excess liquid or moisture. This process separates the biomethane from the carbon dioxide and other contaminants. After the gas exits this phase, it is delivered through a meter to monitor production, and gas will leave the facility through the proposed, low pressure gas-gathering lines.

## Digester Construction

Hours and Scope of Construction: During construction, there will be between 5-10 workers during normal business hours ranging from 8:00 am-5:00 pm. The workers will travel to and from the dairy using their personal vehicles. Access to the site will be from Central Valley State Route (SR) 43, and Jackson Avenue. Excavation equipment will be kept on site for the duration of construction, typically 6 to 8 months.

Construction crews and equipment will use the existing dairy for parking and staging. These areas already exist as flat dirt parking areas for vehicles and/or farm equipment.

The project facility is similar in nature to the existing dairy infrastructure and fits into its surroundings. The pipeline will run underground and will not be seen. Noise generated by the project equipment will not be above typical agriculture facility levels. The facility does not include any lights or other sources of glare beyond what is currently used for security at the dairy. Video surveillance will assure the ongoing safety and security of the construction operation and dairy facility. Once operational, the project will not generate fugitive dust. The project will not emit or concentrate any odors, and in fact will reduce odors with the installation of the covered manure lagoons. Vectors such as flies will also be reduced, as the digester lagoon will be covered.

The dairy and construction site will follow existing safety requirements and per building code will submit fire suppression documentation and undergo required inspections and evacuation requirements.

## Water Construction

Construction: During the excavation portion of construction, the number varies between 20,000 and 100,000 gallons per day, for up to 6 weeks. Based on an average 5-day work week approximately 1.8-9.2 AF would be required. During the rest of construction (approximately 6 months), usage averages less than 1,000 gallons per day. Based on an average 20 workdays a month, approximately 0.37 AF (120,000 gallons) would be required.

Prior to excavation, the facility engineer will complete a Storm Water Pollution Prevention Plan (SWPPP), which will be submitted to the waterboard as a preventative measure in managing storm water that flows from the dairy. The construction of the digester will assist in capturing this water by expanding the manure management capabilities of the dairy.

## Construction Equipment

It is anticipated that the following pieces of equipment would be used during construction activities:

- Mini excavator
- Scraper
- Self-propelled compactor
- Grader
- Loader
- Service truck
- Air compressor
- Trencher
- Mobile generator
- HDPE welding machine

## OPERATIONS

### Dairy Facility

The biogas is produced by the digester at ambient temperature and just slightly above atmospheric pressure. From the digester, it's piped through a biogas filter and condensation trap to remove any particulates and condensation. Next, it's pulled through a condenser to lower the temperature of the gas to condense out additional moisture and dry the gas for sending down the gathering pipelines. After condensation, the biogas blower pressurizes the gas to no more than 20 PSI and sends it through a media-based scrubber to lower the H<sub>2</sub>S below levels hazardous to human health. After the scrubber, the gas is sent down the gathering pipelines to the cleanup facility. Each blower will be controlled by a central SCADA system that is overseen by operators on a 24/7 basis. Additionally, flow meters will be installed at each digester site and at the upgrading facility to monitor biogas flows.

## Gathering Lines

The gathering lines move biogas from the High Roller dairy to the central upgrading facility. The lines will range in size from four inches to 20 inches and will be constructed of SDR-21 HDPE. The lines will be buried at least 36 inches below grade and will be marked with tracer wire. Each dairy will have a blower to push gas from that dairy into the gathering lines at pressure of less than 20 psi. Each blower will be controlled by a central SCADA system that is overseen by operators on 24 hour/7 days a week basis. When a blower increases in speed, more biogas is pushed to the upgrading facility, and when it decreases, less biogas is sent. The gathering lines will be pressure monitored via SCADA equipment in real time to detect leaks or major failures. Flow meters at each site and the upgrading facility will monitor flows. Flow meters at each site and the upgrading facility will monitor flows. As noted above, if a leak is detected or if there is an issue with the biogas quality, there is an emergency stop button.

### Operational Equipment – Dairy Facility

Description	Motor Size	Type	Oper BHP	Oper Factor	Oper kW
Chiller	30 hp	VFD	30	80%	17.76
Biogas Blower	40 hp	VFD	40	70%	20.72
Hydrogen Sulfide Scrubber	N/A				
SCADA Controls	N/A				
Total Kw					38

SCADA = Supervisory Control and Data Acquisition

## WATER USAGE OPERATIONS

Operational water usage is not anticipated to increase from current levels. Bottled water for employees will be brought to the project site as well.

## CONSISTENCY WITH THE DAIRY ELEMENT:

A program environmental impact report (PEIR), pursuant to Article 11 (beginning at Section 15168) of the CEQA Guidelines was prepared and certified in support of the Dairy Element of the Kings County General Plan which was subsequently adopted by the Kings County Board of Supervisors on July 30, 2002. The PEIR provided the required environmental assessment for the adoption of the Dairy element, and the construction of projects that meet the standards established in the PEIR. The Dairy Element addressed all of the potentially significant impacts that were identified and provided mitigation measures that reduced most of the impacts to a level that was less than significant. Projects that do not meet the standards in the PEIR and thus require further environmental review, may utilize information in the PEIR to complete the environmental review required under California Environmental Quality Act CEQA. The PEIR is hereby included by reference in the Dairy Element and this Initial Study and is made a part thereof. The PEIR for the Dairy Element is available for review at the Kings County Community Development Agency, Building No. 6, Kings County Government Center, 1400 W. Lacey Blvd., Hanford, California and on the County of Kings Community Development Agency website at <https://www.countyofkings.com/departments/community-development-agency/information/dairy-element>.

Section 21083.3.(b) of the California Environmental Quality Act states that if a development project is consistent with the general plan of a local agency and an environmental impact report was certified with respect to that general plan, the application of this division to the approval of that development project shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.

In addition, Section 15183.(a) of the CEQA Guidelines mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

This Initial Study will address those areas and effects which are not consistent with the Dairy Element and, in addition, will address those topical areas and new effects that had not been considered under the Dairy Element PEIR.

## **2.3. SURROUNDING LAND USES AND SETTING**

The lands surrounding the High Roller Dairy project site consist mainly of agricultural lands along with related irrigation canals, ditches, wells, power lines, SR 43, and farm roads (see Figure 2 – Project Vicinity). Other land uses within two miles of the project site consist of other dairies, ranches, agricultural dwellings and a small convenience market.

## **2.4. CUMULATIVE PROJECTS**

There are no other proposed projects within one mile of the subject Project.

## **2.5. OTHER PERMITS AND APPROVALS THAT MAY BE REQUIRED**

The following permits and approvals for the High Roller Dairy Project may be required from Kings County and other permitting agencies:

### **County of Kings**

- Conditional Use Permit No. 20-08
- Encroachment Permits for work in County road rights-of-way, and for utility crossings at County roads.
- Building Permits for all aspects of project construction.

## Other Agencies

- San Joaquin Valley Air Pollution Control District (SJVAPCD): 1) Approval of construction Dust Control Plans under Regulation VIII; 2) Issuance of an Authority to Construct (ATC) and Permit to Operate (PTO)
- Regional Water Quality Control Board – Central Valley Region (CVRWQCB): 1) Administration of General Permit for Storm Water Discharges Related to Construction Activities under the National Pollutant Discharge Elimination System (NPDES), including oversight of Storm Water Pollution Prevention Plans (SWPPPs); 2) obtain approval from the CVRWQCB following submission of an O&M Plan for the Digester, a design report for the liner installation, and engineering specifications for the installation of the digester cover and ancillary parts.
- State Water Resources Control Board (SWRCB): As the agency with primary jurisdiction for NPDES permitting in California, applicants for projects subject to the Storm Water General Permit (referenced under Regional Water Quality Control Board above) are required to file a Notice of Intent (NOI) with the SWRCB indicating the intent to comply with the General Permit and to prepare a SWPPP.

# CHAPTER 3 – ENVIRONMENTAL DETERMINATION

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

	Aesthetics		Agriculture and Forestry Resources
X	Air Quality	X	Biological Resources
X	Cultural Resources	X	Energy
	Geology/Soils	X	Greenhouse Gas Emissions
	Hazards and Hazardous Materials		Hydrology/Water Quality
	Land Use/Planning		Mineral Resources
	Noise		Population/Housing
	Public Services		Recreation
X	Transportation	X	Tribal Cultural Resources
	Utilities/Service Systems		Wildfire
X	Mandatory Findings of Significance		

## DETERMINATION:

On the basis of this initial evaluation:


\_\_\_\_\_ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

\_\_\_\_\_ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the proposed proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

X I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

\_\_\_\_\_ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

\_\_\_\_\_ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measure that are imposed upon the proposed project, nothing further is required.

Signature  Date: 7-19-21  
 Chuck Kinney, Director  
 Kings County Community Development Agency

# CHAPTER 4 – EVALUATION OF ENVIRONMENTAL IMPACTS

## 4.1. AESTHETICS

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Have a substantial adverse effect on a scenic vista?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

### a) *Would the project have a substantial adverse effect on a scenic vista?*

**No Impact.** There are no scenic vistas in the vicinity of the project site. The dairy is surrounded by land that has been leveled and improved for intensive agricultural use. The project site is bounded predominantly by agricultural field crops and State Route 43 to the east. This rural agricultural use is addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

### b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**No Impact.** As indicated on the California Department of Transportation’s California Scenic Highway Mapping System, the Project does not lie near or within a State Designated or Eligible State Scenic Highway. Further, the Project does not include the removal of trees, the destruction of rock outcroppings or degradation of any historic building. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

- c) ***In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?***

**No Impact.** The project is consistent with the existing visual character of the surroundings previously addressed and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

- d) ***Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?***

**Less-than-Significant Impact with Mitigation Incorporated.** The project may produce new light and glare sources.

***Mitigation Measure AES-1:*** All lighting shall be hooded and directed on site to prevent glare onto surrounding properties and roadways.

***Effectiveness of Measure:*** This measure will reduce the potential for light and glare impacts to a less than significant level.

***Implementation/Monitoring:*** This requirement shall be included in the conditions of approval. Monitoring shall be performed by the Building Division of the Kings County Community Development Agency during project construction or building permit inspections and by the Kings County Community Development Agency through the Dairy Monitoring Program.



## 4.2. AGRICULTURE AND FORESTRY RESOURCES

*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection, including the Forest and Range Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.*

<b>Would the project:</b>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
a) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Conflict with existing zoning for agricultural use, or a Williamson Act contract?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Result in the loss of forest land or conversion of forest land to non-forest use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Evaluation

- a) **Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

**No Impact:** The proposed project will not remove any agricultural land from production. Dairies are an agricultural land use. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan..

- b) **Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact:** The proposed project is consistent with the existing zoning for the property and will not conflict with a Williamson Act contract since the land proposed for the project is already currently

under a Williamson Act contract and the use is an agricultural use. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

- c) ***Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?***

**No Impact.** The proposed project could not result in conversion of Farmland to non-agricultural use since the project will not decrease the amount of land designated for agricultural production. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

- d) ***Would the project result in the loss of forest land or conversion of forest land to non-forest use?***

**No Impact.** The subject site is located within an agricultural area; no forest land will be impacted. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

- e) ***Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

**No Impact.** The proposed project is an agricultural use. Development of this project is compatible with existing land uses and will support continued intensive agricultural land use within the project vicinity. The nearest forest lands are more than 50 miles to the east. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

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### 4.3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

### a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

**No Impact:** The project will be subject to and comply with the rules, regulations and attainment plans of the San Joaquin Valley Air Pollution Control District (SJVAPCD), and will not impede the achievement of the goals of such plans.

### b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

**Potentially Significant Impact:** The Program Environmental Impact Report (PEIR) prepared in support of the Dairy Element of the Kings County General Plan provided mitigation measures that would, to the extent possible, reduce impacts to a less than significant level. The PEIR also identified those instances where mitigation would not reduce an impact to a less-than-significant level. These significant and unavoidable impacts included:

- Particulate matter (PM10) emissions on a project level;
- Particulate matter (PM10) emissions on a cumulative level;
- Ozone precursors emissions on a project level;
- Ozone precursors emissions on a cumulative level;
- Hydrogen sulfide emissions on a project level;
- Hydrogen sulfide emissions on a cumulative level;

- Ammonia emissions on a project level;
- Methane emissions on a project level;
- Methane emissions on a cumulative level; and
- Odor emission on a project level.

The proposed project could potentially generate both Respirable Particulate Matter (PM10) and Fine Particulate Matter (PM2.5). These emissions result from several activities associated with dairy operations, principally dust from cattle movement, from periodic maintenance of unpaved surfaces, and from continued farming operations. The project-related increase will exceed the San Joaquin Valley Air Pollution Control District's (SJVAPCD) significance threshold.

Volatile Organic Compounds (VOCs) could potentially be generated by the project. VOCs are photochemically reactive hydrocarbons that are precursors of ozone formation and are generated where cattle are housed or where manure undergoes anaerobic (oxygen-deficient) decomposition. The project would result in a significant increase in Volatile Organic Compound emissions that will exceed the SJVAPCD threshold of significance.

Nitrogen Oxide (NOx) could potentially be generated by farm/dairy equipment, truck trips and employee vehicle exhaust. While not expected to exceed the SJVAPCD threshold of significance, the Nitrogen Oxide emissions could potentially be considered a cumulatively significant impact as Nitrogen Oxide is an ozone precursor.

Hydrogen Sulfide (H2S) is created when sulfur compounds react anaerobically. In the absence of any accepted significance thresholds for Hydrogen Sulfide, project-related emissions could potentially be considered significant.

Ammonia (NH3) is produced during anaerobic decomposition of manure. Ammonia emissions, when combined in the atmosphere with other pollutants may produce particulate matter that can decrease air quality and visibility. In the absence of any accepted significance threshold for ammonia, or for secondary PM2.5 for which ammonia is a precursor, project emissions will be considered potentially significant.

**c) *Would the project expose sensitive receptors to substantial pollutant concentrations?***

**Potentially Significant Impact:** See finding 4.3.b above

**d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

**Potentially Significant Impact:** See finding 4.3.b above

## 4.4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
a) <i>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Environmental Evaluation

- a) ***Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?***

**Potentially Significant Impact:** The Program Environmental Impact Report (PEIR) prepared in support of the Dairy Element of the Kings County General Plan provided mitigation measures that would, to the extent possible, reduce impacts to a less than significant level. The PEIR also identified those instances where mitigation would not reduce an impact to a less-than-significant level. Biological resources will be further studied with the preparation of an Environmental Impact Report for this proposed project.

- b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

**Potentially Significant Impact:** See finding 4.4.a above

- c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**Potentially Significant Impact:** See finding 4.4.a above

- d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Potentially Significant Impact:** See finding 4.4.a above

- e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**Potentially Significant Impact:** See finding 4.4.a above

- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**Potentially Significant Impact:** See finding 4.4.a above

## 4.5. CULTURAL RESOURCES

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>c) Disturb any human remains, including those interred outside of dedicated cemeteries?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

- a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

**Potentially Significant Impact:** The Program Environmental Impact Report (PEIR) prepared in support of the Dairy Element of the Kings County General Plan provided mitigation measures that would, to the extent possible, reduce impacts to a less than significant level. The PEIR also identified those instances where mitigation would not reduce an impact to a less-than-significant level. Cultural resources will be further studied with the preparation of an Environmental Impact Report for this proposed project.

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

**Potentially Significant Impact:** See finding 4.5.a above

- c) Would the project disturb any human remains, including those interred outside of formal cemeteries?*

**Potentially Significant Impact:** See finding 4.5.a above

## 4.6. ENERGY

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Evaluation

**a) *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

**Less-than-Significant Impact.** The proposed project includes construction of free stall barns, open lot corrals, a manure stacking area and the installation of a covered anaerobic digester on an existing dairy site. There is no increase proposed to the number of cows currently permitted on the property. The additional structures are being proposed to provide a better environment for cow health and also to capture gas generated on site for a beneficial use. Once the covered anaerobic digester is constructed it will generate approximately 20,749 million BTU/year, thus reducing dependence on fossil fuels that generate air pollution and greenhouse gases emissions, meeting the County and State’s climate and energy goals to reduce energy usage, increase energy efficiency and increase the use of forms of renewable energy.

**b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?***

**No Impact.** At the local level, there are several policies contained in the *2035 Kings County General Plan* which directly address renewable energy or energy efficiency. In the Resource Conservation Element, RC Policies G1.2.1 through G1.2.6 promote the use of renewable energy sources such as solar, wind, and biomass projects, and provide guidance for their appropriate placement and project review. RC Policies G1.3.1 through G1.3.4 address energy conservation and project design measures for reducing energy demand. The High Roller Dairy Project would advance the implementation of these policies by providing a new source of renewable energy.

At the State level, there are numerous plans, policies, and regulations that directly and indirectly address renewable energy and energy efficiency. For energy efficiency in building construction, the applicable energy conservation requirements are contained in the California Building Standards Code and Energy Efficiency Standards, which have been incorporated into the Kings County Building Code. The High Roller Dairy Project would incorporate the applicable energy efficiency standards in its construction, as enforced by the County Building Official.

Therefore, the High Roller Dairy Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, thus would have *no impact* in this regard.



## 4.7. GEOLOGY AND SOILS

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant</b>	<b>No Impact</b>
<b>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>				
<b>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>ii) Strong seismic ground shaking?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>iii) Seismic-related ground failure, including liquefaction?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>iv) Landslides?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b) Result in substantial soil erosion or the loss of topsoil?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating direct or indirect risks to life or property?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>f) Directly or indirectly destroy a unique paleontological resource or site of unique geologic feature?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

**a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?**

**Less than Significant Impact:** The project site is located in a V1, Seismic Zone (Page HS-10 of the Health and Safety Element, 2035 Kings County General Plan). Amplification of shaking that would affect low to medium rise structures is relatively high but the distance to either of the fault systems that are expected sources of shaking is sufficiently great that the effect should be minimal. The

greatest potential for geologic disaster in Kings County is posed by the San Andreas Fault, which is located approximately 4 miles west of the Kings County line (as shown in Figure HS-1 of the 2035 Kings County General Plan). The San Andreas Fault is located approximately 60 miles southwest of the project site. Compliance with the requirements of policies DE2.1f, 3.1a and 6.2b of the Dairy Element of the Kings County General Plan would ensure that potential adverse geotechnical issues would not occur. Section II, Page HS-6 of the “Health and Safety Element” states that the potential for extensive rupture is considered to be minimal, since no major fault systems are known to exist in Kings County.

***ii) Strong seismic ground shaking?***

**Less-than-Significant Impact.** Moderate to moderately high ground shaking has occurred, and will occur periodically, from earthquakes. Section II, Page HS-8 of the “Health and Safety Element” states that damage and injury resulting from geologic hazards can be reduced acceptable levels through zoning and building permit review procedures and construction standards. New construction conforming to the standards of the California Building Code (CBC) will provide adequate protection and reduce this impact to less than significant.

***iii) Seismic-related ground failure, including liquefaction?***

**Less-than-Significant Impact.** Section II, Pages HS-6 through HS-11 of the “Health and Safety Element” states that the danger of secondary natural hazards such as liquefaction, settlement, landslides, and seiches, which result from the interaction of ground shaking with existing ground instabilities, is considered to be minimal.

***iv) Landslides?***

**Less-than-Significant Impact.** Section II, Pages HS-6 through HS-11 of the “Health and Safety Element” states that the danger of secondary natural hazards such as liquefaction, settlement, landslides and seiches, which result from the interaction of ground shaking with existing ground instabilities, is considered to be minimal.

***b) Would the project result in substantial soil erosion or the loss of topsoil?***

**Less-than-Significant Impact.** Construction and operation of the proposed project will not encourage erosion or the loss of topsoil. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

***c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?***

**Less-than-Significant Impact.** See finding 4.7.a.i above.

**d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

**No Impact:** As identified by the USDA Soil Survey of Kings County, prepared in 1980, the site soil is Kimberlina fine sandy loam, saline-alkali and Excelsior sandy loam. According to the USDA Soil Survey of Kings County this type of soil is suited to irrigated crops that are salt and alkali tolerant. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

**e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

**Less-than-Significant Impact.** The general requirements for septic leachfield design are set forth on the County's "Septic Tank Absorption Map," which classifies the County soils into four broad categories and indicates general specifications for the number of square feet of leaching area required for each 100 gallons of septic tank capacity for each soil category. The Project site is mapped as Soil Type "A" which requires 40 square feet of leaching area for each 100 gallons of septic tank capacity. As such, soils in the area would be capable of adequately supporting the use of a septic tank for the project. Therefore, the Project would result in a *less-than-significant impact* in terms of capability of the site soils to adequately support septic systems.

**f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less-than-Significant Impact.** No vertebrate fossil localities have been recorded on the Project site or in the vicinity. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

## 4.8. GREENHOUSE GAS

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

- a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?*

**Potentially Significant Impact.** This question was added to the environmental checklist after the preparation of the Program Environmental Impact Report (PEIR) for the Kings County Dairy Element and will be further studied with the preparation of an Environmental Impact Report for this proposed project.

- b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Potentially Significant Impact.** This question was added to the environmental checklist after the preparation of the Program Environmental Impact Report (PEIR) for the Kings County Dairy Element and will be further studied with the preparation of an Environmental Impact Report for this proposed project.

## 4.9. HAZARDS AND HAZARDOUS MATERIALS

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) <i>Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

- a) ***Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

**Less-than-Significant Impact with Mitigation Incorporated.** The project will involve the use of hazardous materials during operation.

**Mitigation Measure HAZ-1:** required by the Kings County Dairy Element: Implementation of Policies DE 4.3a of the Dairy Element of the Kings County General Plan.

**Effectiveness of Measure:** This measure would reduce the impacts to a less-than significant level.

**Implementation/Monitoring:** This requirement shall be included in the conditions of approval. Monitoring shall be performed by applicant and by the Kings County Fire Department and Kings County Environmental Health Services.

- b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Less-than-Significant Impact with Mitigation Incorporated.** See (a) above. In addition, operation of dairy facilities could expose people to dairy manure pathogens, and residual manure remaining at dairy facilities following cessation of manure management facilities operation could expose people to elevated methane and nitrate levels, potentially causing adverse human health impacts.

**Mitigation Measure HAZ-2:** required by the Kings County Dairy Element: Implementation of Dairy Element Policies DE, 3.2c, 4.1a, 4.1b, 4.1c, 5.1j, 6.2f, and 6.4a through 6.4c..

**Effectiveness of Measure:** This measure will reduce the impact of exposure to pathogens and impacts associated with residual manure to a less-than-significant level.

**Implementation/Monitoring:** This requirement shall be included in the conditions of approval. Monitoring shall be performed by Kings County Community Development Agency through the Dairy Monitoring Program.

- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**No Impact.** The project site is located further than one-quarter of a mile from any existing or proposed school. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

- d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**No Impact.** The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

- e) For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

**Less-than-Significant Impact.** The Project site is not located within an airport land use plan or within two miles of a public airport or public use airport. The nearest public or public use airport is the

Hanford municipal airport, located 3 miles from the project site. As such, the potential for the project to be adversely affected by aviation hazards is *less than significant*.

**f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

**No Impact.** The proposed project will not alter any existing traffic routes. Previously addressed by and consistent with the dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

**g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

**No Impact.** There are no wildlands adjacent to the project site. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

## 4.10. HYDROLOGY AND WATER QUALITY

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
a) <i>Violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or ground water quality?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impact sustainable groundwater management of the basin?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</i>				
i. <i>result in substantial erosion or siltation on- or off-site;</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. <i>substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. <i>create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. <i>impede or redirect flood flows?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation??</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

- a) ***Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?***

### Water Quality Standards and Waste Discharge Requirements

**Less-than-Significant Impact with Mitigation Incorporated.** The project has the potential to have waste discharge that could degrade surface or ground water quality.

**Mitigation Measure HYD-1:** required by the Kings County Dairy Element: Implementation of Dairy Element Policies DE 3.1a, 3.2b, 3.2c, 4.1a, 4.1b, 4.1c, 5.1j, 6.2f, and 6.4a through 6.4c

**Effectiveness of Measure:** Compliance with all rules and regulations of the California Regional Water Quality Control Board and the policies of the Dairy Element of the Kings County General Plan will mitigate the impacts to less-than-significant level.



**Implementation/Monitoring:** This requirement shall be included in the conditions of approval. Monitoring shall be performed by the dairy owner or operator, the Kings County Community Development Agency through the Dairy Monitoring Program, and the California Regional Water Quality Control Board.

***b) Would the project decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impact sustainable groundwater management of the basin?***

**Less-than-Significant Impact.** The project site will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

***c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would?***

***i. Result in substantial erosion or siltation on- or off-site?***

**Less-than-Significant Impact with Mitigation Incorporated.** Drainage patterns may be affected by the dairy expansion.

**Mitigation Measure HYD-2:** required by the Kings County Dairy Element: Implementation of existing National Pollutant Discharge Elimination system regulations would reduce this potential impact to a less-than-significant level. Compliance with State Confined Animal Facility regulations and implementation of Dairy Element policies would reduce impacts associated with runoff from dairy facilities and other impacts to a less-than-significant level. Implementation of Dairy Element Policies DE 3.1a, 3.2b, 3.2c, 4.1a, 4.1b, 4.1c, 5.1j, 6.2f, and 6.4a through 6.4c.

**Effectiveness of Measure:** These measures will reduce the impacts associated with the dairy expansion to a less-than-significant level.

**Implementation/Monitoring:** This requirement shall be included in the conditions of approval. Monitoring shall be performed by Kings County Community Development Agency through the Dairy Monitoring Program.

**ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

**Less-than-Significant Impact with Mitigation Incorporated.** See finding 4.10.c.i above.

**iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Less-than-Significant Impact with Mitigation Incorporated.** See finding 4.10.c.i above.

**iv. Impede or redirect flood flows?**

**Less-than-Significant Impact with Mitigation Incorporated.** See finding 4.10.c.i above.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**No Impact.** People or structures would not be exposed to hazards associated with seiche or tsunami, as there are no large bodies of water near the project site and the County is located inland of the Coast Ranges. FEMA has identified the project site as part of Zone X, an area of minimal flood hazard and would not be subject to flooding or risk of pollutants due to flooding. Therefore the project would have no impact and no mitigation would be required.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**No Impact.** The Project site is located within the Tulare Lake Hydrologic Basin Planning Area, for which the Basin Plan was revised most recently in July 2016. The Basin Plan provides for the protection of beneficial uses of surface waters including agricultural, industrial, recreational, biological, and groundwater recharge uses. The project site does not contain any natural hydrologic features and is not hydrologically connected to a natural water feature. The project would not affect the existing surface water features (such as canals), and groundwater recharge would not be affected.

The Sustainable Groundwater Management Act (SGMA), passed in 2014, requires that all medium to critically overdrafted subbasins identified by the California Department of Water Resources (DWR) be managed by a groundwater sustainability agency (GSA). The GSA is responsible for locally managing the groundwater subbasin through the development and implementation a Groundwater Sustainability Plan (GSP). Medium and high priority groundwater subbasins are required to submit their GSP by 2022 and critically overdrafted subbasin are required to submit their GSP by 2020. DWR designated the Kaweah Subbasin as a critically overdrafted basin which required the Greater Kaweah GSA to prepare a Groundwater Sustainability Plan by January 31, 2020. Preparation of the GSA for the Kaweah Subbasin commenced in 2016, and the final GSP was adopted by the Greater Kaweah GSA Board of Directors on January 22, 2020. The GSA has prepared a groundwater allocation framework to manage demand by distributing the total annual pumping from the Subbasin on the basis of land

acreage overlying the Subbasin. The groundwater allocation program is planned to be implemented between 2022 and 2030, in which an annual allocation may be 0.82 AF per acre.

The proposed project only includes structures, additional corral area, manure area and a digester which will benefit the comfort of the animals which are already on the property and also take advantage of gases produced on site as a renewable source of energy. Since this project does not propose any additional animals or sources of water use there will be no impact to the implementation of a water quality control plan or sustainable groundwater management plan.

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## 4.11. LAND USE AND PLANNING

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Physically divide an established community?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

### *a) Would the project physically divide an established community?*

**No Impact.** The proposed project will not physically divide an established community. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

### *b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

**Potentially Significant Impact.** While the proposed project is within the Dairy Development Overlay Zone, it is not consistent with the Kings County General Plan and the Dairy Element of the 2035 Kings County General Plan. The applicable general plan policies are found in the Kings County General Plan in the Land Use Element. LU Objective B5.2, Page LU-37, of the Land Use Element states, that the goal is to “Restrict the locations where dairies and stock replacement facilities may be located to those areas of the County where they are most compatible with surrounding uses and activities and environmental constraints as presented in the Dairy Element. Page DE-18, Section III B of the Dairy Element states that “When an application for a new dairy or the expansion of an existing dairy does not or cannot meet all regulations, policies, mitigation measures, standards, etc., in the Dairy Element, the application will instead be processed as an application for a conditional use permit (CUP). The review of such a CUP will include CEQA review beyond the Program EIR, which may include tiering of environmental documents as required”. This project is not consistent with Dairy Element Policy No. DE 3.1c which states “When nearby rural residences that are not associated with the dairy are within one-quarter (1/4) mile of the proposed expansion of an existing dairy facility, the new improvements of the dairy facility shall be located so that the existing separation shall not be reduced.” The proposed project proposes to further reduce the separation between the High Roller Dairy and the residence located at 8531 Jackson Avenue to approximately 1,194 feet.

Section 21083.3.(b) of the California Environmental Quality Act Statutes states that if a development project is consistent with the general plan of a local agency and an environmental impact report was certified with respect to that general plan, the application of this division to the approval of that development project shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.

In addition, Section 15183.(a) of the CEQA Guidelines mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies. Section 15183.(b) of the CEQA Guidelines states that in approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- Are peculiar to the project or the parcel on which the project would be located;
- Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent;
- Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
- Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. A program environmental impact report (PEIR) was certified for the Dairy Element of the Kings County General Plan. Section III of the PEIR addressed the policies for the location and siting of dairies while Section IV of the PEIR addressed the design standards for individual dairy projects.

The proposed project is not consistent with the Dairy Element of the Kings County General Plan but, a supplemental environmental impact report (SEIR) is required to address the portions of this project and its impacts which are not consistent with the Dairy Element and which were not addressed by the program environmental impact report (PEIR).

Article 17, Section 1703.D.2 of the Kings County Development Code requires that the Planning Commission find that the Technical Report accompanying the conditional use permit application, which will include its own additional environmental review, demonstrates that the alternative dairy project design or process will accomplish the same or higher level of performance required by the Dairy Element. A supplemental environmental impact report (SEIR) is required to address the portions of this project and its impacts which are not consistent with the Dairy Element and which were not addressed by the program environmental impact report (PEIR) and demonstrate that the same or higher level of performance required by the Dairy Element, will be accomplished.

## 4.12. MINERAL RESOURCES

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant</b>	<b>No Impact</b>
<i>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Evaluation

**a) Would the project 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?**

**No Impact.** No known mineral resources exist below the project site surface. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

**b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

**No Impact.** See Substantiation for Item 4.12 (a) above. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

## 4.13. NOISE

<i>Would the project result in:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>b) Generation of excessive groundborne vibration or groundborne noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

- a) Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

**Less-than-Significant Impact.** The expansion of the existing dairy facility will not have a significant adverse noise effect and will not increase the noise currently generated by the existing dairy beyond the County’s maximum noise level requirement of 70 decibels at the property line. Compliance with the policies of the General Plan and the Dairy Element of the General Plan will reduce construction related noise and noise impacts related to dairy operations to a less-than-significant level.

- b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

**Less-than-Significant Impact.** The expansion of the existing dairy facility will not have a significant adverse groundborne vibration or groundborne noise effect. Compliance with the policies of the General Plan and the Dairy Element of the General Plan will reduce construction related groundborne vibration and groundborne noise to a less-than-significant level.



- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**Less-than-Significant Impact.** The High Roller Dairy Project is not located near a public airport or public use airport, and is not located within an airport land use plan area. The impact resulting from the High Roller Dairy Project's exposure to noise from airport operations associated with a private airstrip or public airport or public use airport or would be *less than significant*.

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## 4.14. POPULATION and HOUSING

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Evaluation

- a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**No Impact.** The proposed project will not induce substantial unplanned population growth either directly or indirectly. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**No Impact.** The proposed project will not displace existing housing units. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan.

## 4.15. PUBLIC SERVICES

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
<i>i) Fire protection?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>ii) Police protection?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>iii) Schools?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>iv) Parks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>v) Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

*a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

### *i) Fire protection?*

**No Impact.** Construction and operation of the High Roller Dairy Project is not expected to result in an increase in demand of fire protection services leading to the construction of new or physically altered facilities.

### *ii) Police Protection?*

**No Impact.** Construction and operation of the High Roller Dairy Project is not expected to result in increased in demand of police protection services leading to the construction of new or physically altered facilities.

### *iii) Schools?*

**No Impact.** The High Roller Dairy Project will not include a residential component and thus would not generate school-aged children that could result in the need for new or expanded school facilities. Therefore, the project would have *no impact* on schools.

**iv) Parks?**

**No Impact.** Demand for parks and recreation is mainly generated by residential development. Since it is not anticipated that this project will generate any residential development the High Roller Dairy Project would not increase demand for parks and recreational facilities, and would have *no impact* in terms of necessitating new or expanded parks or recreation facilities to maintain adequate service levels.

**v) Other Public facilities?**

**No Impact.** The High Roller Dairy Project would not generate demand for social services, courts, libraries, or other public services. As such, the High Roller Dairy Project would have *no impact* in terms of necessitating new or expanded facilities to maintain adequate service levels for other public services.

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## 4.16. RECREATION

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant</b>	<b>No Impact</b>
a) <i>Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Evaluation

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

**No Impact.** The High Roller Dairy Project would not include a residential component and thus would not result in an increase in local population which might in turn result in a substantially increased use of or demand for neighborhood or regional parks, or other recreational facilities. Therefore, the High Roller Dairy Project would have *no impact* in terms of causing or accelerating physical deterioration of recreational facilities.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

**No Impact.** The High Roller Dairy Project would not include recreational facilities, and thus would not result in impacts associated with such facilities. The project would not include a residential component and thus would not result in increased demand for recreational facilities. As such, the High Roller Dairy Project would have *no impact* related to construction or expansion of recreational facilities.

## 4.17. TRANSPORTATION

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>b) Conflict with or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>d) Result in inadequate emergency access?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

- a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

**Potentially Significant Impact.** A Traffic Investigation and Vehicle Miles Traveled Evaluation shall be prepared for this project and will be further studied with the preparation of an Environmental Impact Report for this proposed project.

- b) Would the project conflict with or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?*

**Potentially Significant Impact.** A Traffic Investigation and Vehicle Miles Traveled Evaluation shall be prepared for this project and will be further studied with the preparation of an Environmental Impact Report for this proposed project.

- c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

**Potentially Significant Impact.** A Traffic Investigation and Vehicle Miles Traveled Evaluation shall be prepared for this project and will be further studied with the preparation of an Environmental Impact Report for this proposed project.

- d) Would the project result in inadequate emergency access?*

**Potentially Significant Impact.** A Traffic Investigation and Vehicle Miles Traveled Evaluation shall be prepared for this project and will be further studied with the preparation of an Environmental Impact Report for this proposed project.

## 4.18. TRIBAL CULTURAL RESOURCES

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Unless Mitigation Incorporated</b>	<b>Less Than Significant</b>	<b>No Impact</b>
<b>a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:</b>				
<b>i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k), or</b>	■	□	□	□
<b>ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native Tribe.</b>	■	□	□	□

## Environmental Evaluation

**a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:**

**i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k), or**

**Potentially Significant Impact:** The Program Environmental Impact Report (PEIR) prepared in support of the Dairy Element of the Kings County General Plan provided mitigation measures that would, to the extent possible, reduce impacts to a less than significant level. The PEIR also identified those instances where mitigation would not reduce an impact to a less-than-significant level. Tribal Cultural resources will be further studied with the preparation of an Environmental Impact Report for this proposed project.

***ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native Tribe.***

**Potentially Significant Impact:** The Program Environmental Impact Report (PEIR) prepared in support of the Dairy Element of the Kings County General Plan provided mitigation measures that would, to the extent possible, reduce impacts to a less than significant level. The PEIR also identified those instances where mitigation would not reduce an impact to a less-than-significant level. Tribal Cultural resources will be further studied with the preparation of an Environmental Impact Report for this proposed project.

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## 4.19. UTILITIES AND SERVICE SYSTEMS

<i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
a) <i>Require or result in the relocation or construction of new or expanded water, wastewater treatment facilities or stormwater drainage, electric power, natural gas, or telecommunications, the construction or relocation of which could cause significant environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Generate solid waste in excess of state or local standards, in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste goals?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Evaluation

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment facilities or stormwater drainage, electric power, natural gas, or telecommunications, the construction or relocation of which could cause significant environmental effects?*

**Less-than-Significant Impact.** The High Roller Dairy Project would not require or result in the relocation or construction of new or expanded facilities for water, wastewater treatment facilities or stormwater drainage, electric power, natural gas, or telecommunications, the construction or relocation of which could cause significant environmental effects; therefore, the impact would be *less-than-significant*.

**b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

**Less-than-Significant Impact.** The proposed project does not have any component which will require additional water usage beyond what is currently used on the existing dairy site. Therefore, the impact to water supplies from the proposed Project would be *less than significant*.

**c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**No Impact.** The wastewater from the High Roller Dairy Project would be conveyed to an existing on-site septic tank and leachfield system for on-site treatment and disposal. Since the wastewater disposal requirements are adequately served by the existing on-site septic system there is *no impact*

**d) Would the project generate solid waste in excess of state or local standards, in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste goals?**

**Less-than-Significant Impact.** The proposed project complies with federal, state, and local statutes and regulations related to solid waste. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan

**e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**Less-than-Significant Impact.** The proposed project complies with federal, state, and local statutes and regulations related to solid waste. Previously addressed by and consistent with the Dairy Element and Mitigation Monitoring Plan of the Kings County General Plan

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## 4.20. WILDFIRE

<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
<i>a) Substantially impair an adopted emergency response plan or emergency evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Evaluation

*If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project:*

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**Less-than-Significant Impact.** The High Roller Dairy Project site is not located in or near a state responsibility area or on lands classified as very high fire hazard severity zones. The map of Fire Hazard Severity Zones (FHSZ) in the State Responsibility Area (SRA) for Kings County prepared by the California Department of Forestry and Fire Protection (CAL FIRE) shows the project area as being within a Local Responsibility Area (LRA)(CAL FIRE 2007). The nearest areas mapped as being within the SRA are located southwest of State Route 33, approximately 26 miles southwest of the High Roller Dairy Project site.

CALFIRE’s map of Fire Hazard Severity Zones in Local Responsibility Area (LRA) for Kings County shows the project area as being “unzoned” for fire hazard. The nearest areas within the Kings County LRA that are zoned as High Severity are located in the Kettleman Hills at least 20 miles southwest of the project site, and there are no areas in the Kings County LRA that are zoned Very High Severity (CAL FIRE 2007).

The Health and Safety Element of the 2035 Kings County General Plan designates evacuation routes to be relied upon for emergency or disaster responses. Within the project area, the primary evacuation routes include SR-43 and SR-198, and the secondary evacuation routes include Houston Avenue and Kansas Avenue (Kings County 2010e).

In summary, the High Roller Dairy Project is not located in or near a State Responsibility Area mapped as Very High Severity, or a high fire hazard zone designated by Kings County and does not propose to modify or impact access along SR-43. Therefore, the High Roller Dairy Project would not impair an adopted emergency response plan or emergency evacuation plan, and the impact would be *less than significant*.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No Impact.** Since the High Roller Dairy Project is not in or near a State Responsibility Area or on or near lands classified as Very High Fire Hazard severity zones, this significance criterion does not apply and there would be *no impact*.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No Impact.** Since the High Roller Dairy Project is not in or near a State Responsibility Area or on or near lands classified as Very High Fire Hazard severity zones, this significance criterion does not apply and there would be *no impact*.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**No Impact.** Since the High Roller Dairy Project is not in or near a State Responsibility Area or on or near lands classified as Very High Fire Hazard severity zones, this significance criterion does not apply and there would be *no impact*.

## 4.21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
a) <i>Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	■	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Environmental Evaluation

- a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

**Potentially Significant Impact:** The Program Environmental Impact Report (PEIR) prepared in support of the Dairy Element of the Kings County General Plan provided mitigation measures that would, to the extent possible, reduce impacts to a less than significant level. The PEIR also identified those instances where mitigation would not reduce an impact to a less-than-significant level. The Mandatory Findings of Significance will be further studied with the preparation of an Environmental Impact Report for this proposed project.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**

**Potentially Significant Impact:** The Program Environmental Impact Report (PEIR) prepared in support of the Dairy Element of the Kings County General Plan provided mitigation measures that would, to the extent possible, reduce impacts to a less than significant level. The PEIR also identified those instances where mitigation would not reduce an impact to a less-than-significant level. The Mandatory Findings of Significance will be further studied with the preparation of an Environmental Impact Report for this proposed project.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Potentially Significant Impact:** The Program Environmental Impact Report (PEIR) prepared in support of the Dairy Element of the Kings County General Plan provided mitigation measures that would, to the extent possible, reduce impacts to a less than significant level. The PEIR also identified those instances where mitigation would not reduce an impact to a less-than-significant level. The Mandatory Findings of Significance will be further studied with the preparation of an Environmental Impact Report for this proposed project.