

CHAPTER 1.0

INTRODUCTION

This document contains all comments received during the public review period on the Draft Program Environmental Impact Report (Draft PEIR) for the Revised Draft Dairy Element (the Element) of the Kings County General Plan (State Clearinghouse #2000111133).

The proposed project, the **Draft Dairy Element of the Kings County General Plan** (developed by the Kings County Planning Agency), presents a comprehensive set of goals, objectives, and policies to guide development, expansion, and operation of milk cow (bovine) dairies within the County. The Element and associated applicable zoning ordinance amendments (hereafter collectively referred to as the Element) is designed to accomplish two equally important major purposes. The first purpose is to ensure that the dairy industry of Kings County continues to grow and contribute to the economic health of the County. The second purpose is to ensure that the standards established in the Element protect public health and safety and the environment.

The County has determined that the best way to accomplish these combined goals is to adopt a separate General Plan element that establishes development and operational policies for the local dairy industry. The element and associated zoning ordinance amendments will replace existing regulations pertaining to dairy development presented in the current County General Plan and the Kings County Zoning Ordinance. The purpose of this Program Environmental Impact Report (PEIR) is the evaluation of the potential environmental impacts associated with implementation of the proposed Element.

The Element designates areas (Figure 3-2) within the County suitable for the development and expansion of bovine dairy facilities (Dairy Development Overlay Zones, or DDOZs) and areas suitable for application of manure and process water generated at dairy facilities (Nutrient Spreading Overlay Zones, or NSOZs). The locations of the DDOZs are controlled by objectives and policies of the Element, which would restrict dairy development within and proximal to environmental constraints, including incompatible land uses (e.g., urban residential areas, schools, and the Lemoore Naval Air Station), flood zones, designated wildlife habitat, and areas of excessive slope. The DDOZs encompass approximately 394 square miles (251,930 acres) of land currently zoned for agricultural uses. Construction of

dairy facilities and application of manure and process water to cropland would be allowed in the DDOZs.

The NSOZs encompass an additional 642 square miles (411,055 acres) for nutrient application. The combined areas of the DDOZs and NSOZs would total approximately 983 square miles (628,712 acres) for dairy facilities and nutrient spreading. On the basis of the available land within the DDOZs and NSOZs, the Element has estimated a theoretical capacity for the maximum herd size for the County under the provisions of the Element. The limiting factor for the theoretical herd size was assumed to be the rate of nutrient (nitrogen and salts) application recommended by the Central Valley Regional Water Quality Control Board (RWQCB) to be protective of water quality. The maximum theoretical milk cow herd is estimated to be 381,980 milk cows [534,772 animal units,¹ (AU)] and 423,998 head of support stock (335,409 AU), after considering the nutrient loading related to other livestock and biosolids reuse. Accounting for the estimated current dairy herd within the County (124,668 milk cows and approximately 138,344 head of support stock) and other existing sources of manure nutrients, the potential available remaining capacity in the County is approximately 257,312 milk cows and 285,654 head of support stock.

The Draft PEIR was distributed to various public agencies, responsible agencies, and interested individuals. Copies of the document were also made available at the public counter of the Kings County Planning Department and at each of the six Kings County Branch Libraries. The report was made available for public review and comment for a 45-day period. The public review period established by the State Clearinghouse for the Draft PEIR commenced on 7 May 2001 and expired on 21 June 2001. In response to requests from several members of the public, the public review process was extended but was closed on 10 September 2001. Public meetings were also held in front of the County Environmental Review Committee on May 10 and September 10, 2001 to solicit comments on the PEIR.

The public review process prompted changes to the Element. The revisions to the Element are presented as Appendix A of this volume. The public comments also resulted in clarification, amplification, and corrections to the Draft PEIR, which are presented as Appendix B. Chapter 2 of this document summarizes the changes made to the Draft PEIR.

¹ An animal unit (AU) is a normalizing standard used to define equivalent numbers of animals managed at confined animal facilities. One animal unit is defined as one 1,000-pound mature dairy cow, specifically one Jersey cow. Support stock (e.g., heifers and calves) are smaller than milk cows and are assigned a fraction of an animal unit, depending on maturity (and weight). A mature Holstein cow is equivalent to 1.4 AU; a mature Guernsey cow is equivalent to 1.2 AU. For purposes of this EIR, all dairy cattle are conservatively considered Holstein cattle.

Chapter 3 presents a list of the commentors to the Draft PEIR; all comment letters received by the County (with numbering of each comment) are presented in Volume II. In Chapter 4, the response to each comment in the comment letters is presented. If the subject matter of one letter overlaps that of another letter, the reader may be referred to more than one group of comments and responses to review all information on a given subject. Where this occurs, cross-references are provided. A Mitigation Monitoring Plan for the project is presented as Appendix C.