

## SECTION I

### INTRODUCTION:

#### A. Introduction

Milk production has become a major agricultural industry in Kings County, representing about 31.8% of the gross value of agricultural crops produced. According to the *1999 Kings County Agricultural Commissioner's Annual Report*, dairy production has been the largest cash crop in Kings County in recent years. Kings County is ranked as the 12<sup>th</sup> leading agricultural county in California (25<sup>th</sup> in the nation), and in the top fifteen milk producing counties in the nation. Kings County's boundaries abut the top four agricultural counties in California. These are Fresno, Tulare, Monterey, and Kern counties (see Figure 1 on page DE-14). ~~Milk represents about 31.8% of the gross value of agricultural crops produced in Kings County.~~

Since dairy production is the leading cash crop, the dairy industry is very important to Kings County's economy. It also has the potential to adversely effect the environment. To address these two issues this *Dairy Element* of the *Kings County General Plan* was prepared to establish specific development and operational policies to ensure that the dairy industry can continue to grow with the least amount of adverse environmental impacts.

#### B. Purpose

The intent of this *Dairy Element* is to guide the physical growth of the dairy industry in general, and the specific development, expansion, and operation of dairies in a manner that protects the public and the environment and enhances the economy in Kings County. This element sets out general policies related to:

1. Specific ~~design criteria~~ standards for the development, expansion, and operation of dairies;
2. Policies for the location of new dairies in Kings County by the site plan review (SPR) process;
3. Dairy expansion policies:
  - A. For dairies with previously issued valid zoning permits, and
  - B. For dairies established prior to 1979 (when ERME-II was implemented), which do not require zoning permits for herds sizes at their 1979 level; and
4. Monitoring and reporting requirements to ensure and to demonstrate compliance with standards; and
5. ~~Policies on bringing existing dairies into voluntary compliance with the adopted standards.~~

These policies and ~~design criteria~~ standards are important to ensure that the location, distribution, and operation of dairies do not cause significant adverse effects to other land uses, including, but not limited

Draft

## *Public Hearing Draft - Dairy Element*

to, agricultural, residential, commercial, industrial, public, and military uses and to the environment generally. Monitoring and reporting are necessary to demonstrate that impacts are being mitigated to the extent feasible and that mitigation measures are accomplishing their intended purposes. This will also ensure that other resources such as open space, natural resources, recreation, ~~and~~ scenic vistas, and public facilities will not be adversely impacted.

### **C. Objectives of the Dairy Element**

1. Evaluate the overall ability/capacity of Kings County to host dairies, from the standpoints of both the environment and the economy.
2. Provide standards, including mitigation of environmental impacts and monitoring and reporting of the effects of implementing the mitigation measures ~~implementation effect~~, for the establishment of new and expanded dairies.
3. ~~Develop and adopt~~ Encourage a voluntary phased Dairy Quality Assurance Program to bring all existing dairies within Kings County, that were legally established prior to the requirements for zoning permits, into compliance with these dairy standards within 5 years for those dairies which are not required to comply with the standards of this Dairy Element.

### **D. Consistency with Other Elements**

The *Dairy Element* is consistent with the other elements of the General Plan because all of the elements use the same population, housing, and employment projections. This Element also uses information in the other elements in conjunction with the evaluation of the new policies included herein, and makes recommended changes where necessary to ensure consistency (see Appendix K). Policies of the *Dairy Element* support, and are supported by, policies of the other elements and the policies of all elements are cross-referenced where necessary.

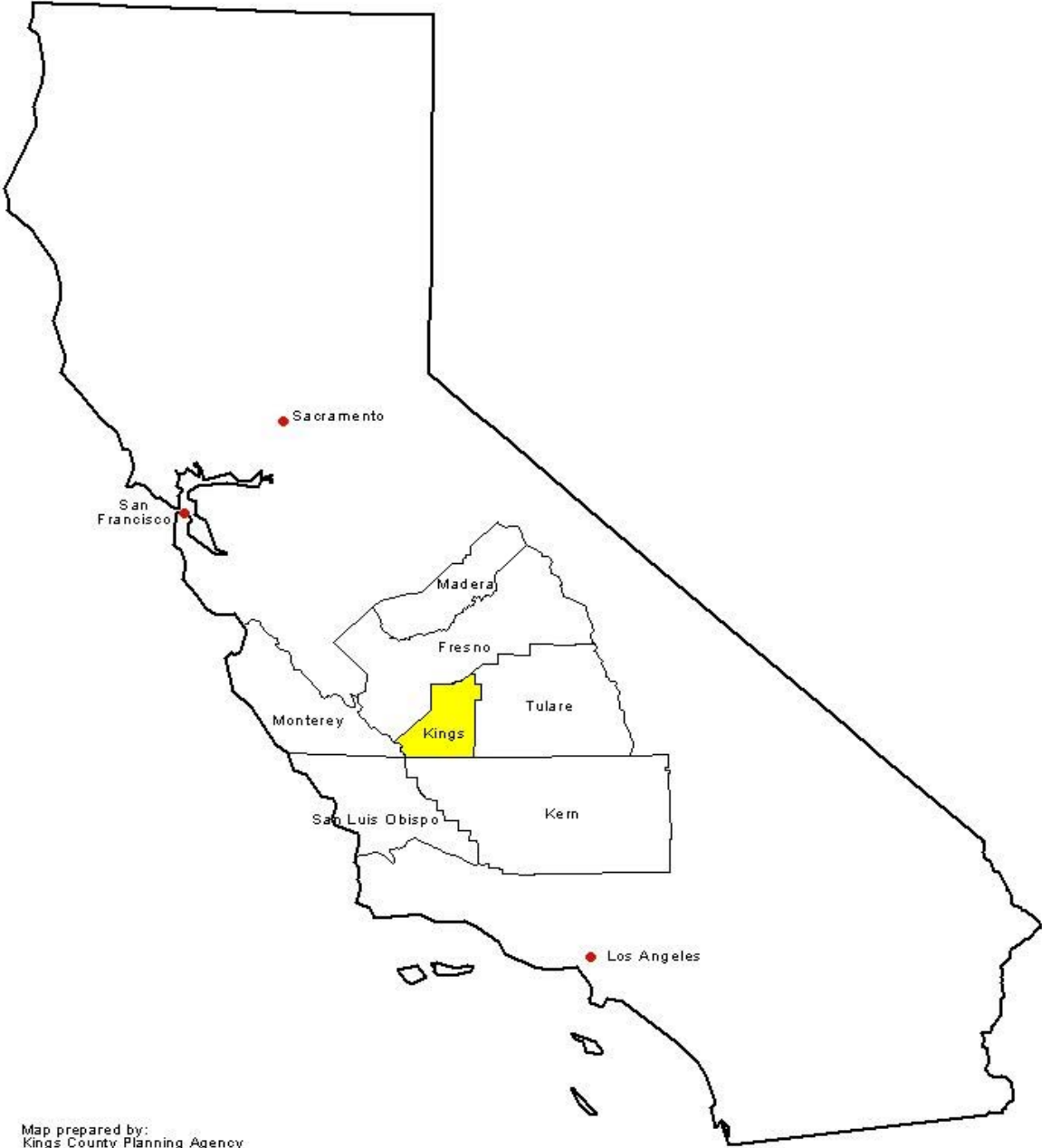
### **E. Scope and Organization**

The *Dairy Element* contains ~~five~~ four major sections, an *Economic Impact Analysis*, and a *Program Environmental Impact Report*:

1. Section II: Determination of the theoretical capacity of Kings County to host dairies in order to establish an upper limit for evaluating the potential effects on the economy and the environment.
2. Section III: Policies addressing the general restrictions for the location and distribution of dairies in Kings County, and streamlining the approval process. These policies address siting constraints such as location relative to other development and protection of various sensitive resources such as wildlife habitat, groundwater, surface water bodies and stream courses.

Draft

**Figure 1  
KINGS COUNTY LOCATION MAP**



Map prepared by:  
Kings County Planning Agency  
June 9, 2000

Draft

## *Public Hearing Draft - Dairy Element*

3. Section IV: Policies addressing the design and management of dairy operations. These policies address minimum dairy operating standards for the protection of the environment and nearby development and land uses.
4. Section V: Monitoring Program to monitor the effectiveness of the mitigation measures for protecting the environment, and ~~a basis for modifying operating standards and permit conditions if the need arises~~ for compliance of each dairy regulated by the *Dairy Element*.
5. Section VI: ~~The v~~Voluntary program for bringing all existing dairies, that were legally established prior to the requirements for zoning permits, into compliance with the General Plan policies. This section addresses the standards for existing dairy operation to bring their operations into compliance with specific standards for existing dairies within five (5) years Dairy Quality Assurance Program.
6. Section VII: Economic impact analysis and job creation potential of the dairy industry and the multiplier effect of ancillary or "spin off" industries on the economy in Kings County.
7. Section VIII: Program Environmental Impact Report (PEIR) for use as the environmental document for the *Dairy Element*. For future applications for new dairies, expansion of existing dairies, and certification of existing dairies which meet specific standards.

The *Dairy Element* land use map, ~~shown on~~ (see Figure 2 in Section III, page DE-16) reflects the dairy siting ~~criteria standards~~ and policies of the *Dairy Element*. This map and the text must be used together in order to fully understand the ~~criteria standards~~ and policies that apply to any particular ~~existing or~~ proposed new or expanding dairy operation.

The *Dairy Element* land use map designations do not include a detailed study of any specific parcel of land. Development of individual parcels of land with dairies is regulated by the standards within the *Dairy Element* and implemented through the *Kings County Zoning Ordinance*. Parcels proposed for new dairies which are consistent with the generally acceptable areas for dairies shown in Figure ~~DE-2~~ (page DE-16) must be evaluated in detail through the site plan review (SPR) process required in the *Zoning Ordinance*. This ~~detailed evaluation and review will show whether certain characteristics of a particular site may or may not warrant issuance of a site plan review.~~

### **F. Optional General Plan Element**

~~Cities and counties are~~ A County is required by law to prepare and adopt a comprehensive, long-term general plan for the physical development of ~~their~~ its jurisdictional area (Cal. Gov't. Code Section 65300). Each general plan must include seven mandatory elements (i.e., Land Use, Circulation, Resource Conservation, Open Space, Housing, Noise and Safety), and may include *optional elements* judged by the legislative body to be related to the physical development of ~~their~~ its jurisdiction (Section 65302 and 65303).

Draft

## *Public Hearing Draft - Dairy Element*

Since the growth of the dairy industry has the potential to significantly effect the physical development of the County, it is appropriate to address dairies in a separate general plan element. The County has determined that such a separate general plan element should be adopted to establish development and operational policies for the local dairy industry. ~~This is because d~~Dairies have continued to increase in are increasingly important to Kings County's economy, ~~as well as and~~ the County's is concerned about for the potential effects ~~too many~~ dairies may have on the environment if they are not properly located, operated and maintained.

~~A~~ The Program Environmental Impact Report (PEIR) ~~which will~~ evaluates the policies of the Dairy Element and their effectiveness in protecting the environment from potential impacts associated with dairies ~~supports the Dairy Element~~. A more detailed discussion of the use of a PEIR is provided ~~below~~ in Sections IV and VIII.

### **G. Background**

Milk production has become a major agricultural industry in Kings County. According to the *1999 Kings County Agricultural Commissioner's Annual Report*, dairy production has been the largest agricultural commodity in Kings County in recent years. Since 1979, Kings County has approved an average of 3.35 new dairies per year and 2.0 expanded dairies per year. Since 1990, there has been an average of 5.1 new dairies and 2.3 expanded dairies per year- (See Table No. 1 in Appendix A.)

The trend has fallen off since ~~1990~~ 1994. However, there are indications that new dairies will continue to come into the county, and existing dairies will expand to increase the number of cows that are being milked. This is partly due to the upcoming completion of the terms of many *Williamson Act* contracts in the Chino Basin area of Southern California ~~in the near future, and~~ resulting in those dairies looking for a new location to operate relocating to other areas, such as Kings County. In addition, milk prices, competition and economies of scale require larger herd sizes to continue to compete profitably.

The expected growth in new dairies and expansion of existing dairies will increase the pressures on the local environment due to the addition of more cows to the area and the dairy process water, manure and nutrients they generate. While there are no direct indications at this time that the dairy industry in general is creating any significant adverse environmental problems in Kings County with the exception of certain air quality issues, the *Dairy Element* will examine the capacity of the County to handle additional dairies and increased herd sizes. The *Dairy Element* will examine dairy management practices and standards, analyze the adequacy of those standards, and present both policies and procedures to ensure that the dairy industry can continue to grow and improve the county's economy without causing avoidable significant adverse environmental impacts.

### **H. Regulatory History of the Kings County Dairy Industry**

Kings County began regulating dairies in 1978. The policy relating to livestock concentrations was adopted in late 1976 with the adoption of the *Environmental Resources Management Element, Phase II*, (ERME II). Policy 15 (ERME II, page 33), which stated:

Draft

## Public Hearing Draft - Dairy Element

"15. Require administrative review and permit of all livestock concentrations to assure adequate waste disposal provisions and separation from conflicting uses."

This policy was implemented in early 1978 with the amendment of the *Kings County Zoning Ordinance* which classified dairies as land uses subject to an Administrative Approval zoning permit before they could either be established or expanded.

The 1993 update of the *Kings County General Plan* included a statement that animal concentrations were allowed only within the General Agricultural zone districts (Land Use Element, page LU-8). This was to ensure their separation from urban and built-up areas. In 1994 the *Kings County Zoning Ordinance* was amended to eliminate Administrative Approval zoning permits, and concentrated animal feeding operation land uses, including dairies, were designated as conditional uses requiring environmental review, a public hearing, and Planning Commission approval.

### I. Current Dairy Herd Sizes in Kings County (January 2000)

As part of the research for this *Dairy Element*, a survey of all known commercial dairy operations in Kings County has been conducted. The questionnaire is included in Appendix C. The following are the numbers of dairies that were mailed questionnaires and the number of responses:

Dairies (Milk Cows):	149 Questionnaires	34 Responses
----------------------	--------------------	--------------

The results of the herd size questions in the questionnaire are summarized in Appendix A Table No. 2. These results are compared to the information from the U.C. Cooperative Extension and the U.S. Census of Agriculture.

According to U.C. Cooperative Extension data, in January 2000, there were approximately 124,668 cows (milking and dry) in Kings County. The cows were confined on 149 commercial dairies for an average of 837 milk cows per herd. This number does not include replacement stock such as heifers and calves, or beef cattle grazing on open rangeland. Table No. 3 in Appendix A shows the relative sizes of the dairies and how they have changed since 1988.

This estimate differs somewhat from the data provided in the *1992 Census of Agriculture* by the U.S. Census Bureau. That difference is ~~probably related~~ most likely due to the fact that the Census Bureau reports very small non-commercial dairies. The Census Bureau may include 4-H projects and personal use dairies in addition to commercial dairies. The Census Bureau reported between 20 to 27 small dairies (1 to 9 cows) from 1988 to 1992, and 3 to 7 dairies of less than 100 cows each, during these years (see Table No. 3A in Appendix A).

Thirty-four of the county's 149 dairies (23%) responded to the questionnaire, with 32 (21%) respondents representing an aggregate herd size of 26,635 milk cows in 1999. Extrapolating this data to all 149 dairies points to ~~423,567~~ 124,019 milk cows. This is consistent with the U.C. Cooperative Extension

Draft

## *Public Hearing Draft - Dairy Element*

data. This is an average of 832 milk cows per dairy, which is also consistent with the 837 indicated by U.C. Cooperative Extension data.

Note: The dairy herd figures for ~~2000~~ 2001 released by the U.C. Cooperative Extension became available in April 2001, after the analysis for the Dairy Element and the Program EIR was completed. ~~For informational purposes the~~ The latest reported figures include 130,443 milk cows, on 147 dairies, for an average herd size of 887 milk cows.

Draft