

**TULARE COUNTY RESOURCE MANAGEMENT AGENCY**  
**NOTICE OF AVAILABILITY OF**  
**DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT**  
**SCH # 2011111078**

**Program/Project Title:** Draft Program/Project Environmental Impact Report (DPEIR) for Tulare County Animal Confinement Facilities Plan (ACFP) and draft Dairy Climate Action Plan (CAP) (General Plan Amendment No. GPA 10-002) (State Clearinghouse # 2011111078).

**Program/Project Location:** Tulare County lies in the southern half of and on the east side of the San Joaquin Valley, which is bounded on three sides by mountains – the Coast Range to the west and the Sierra Nevada Range to the east and south. The County of Tulare is bordered by Fresno County to the north, Kern County to the south, Kings County the west, and Inyo County to the east.

**Program/Project Description:** The Program/Project includes an amendment to the Environmental Resources Management Element (ERME) (Chapter 8) of the Tulare County General Plan to update and replace the 2000 ACFP with this Animal Confinement Facilities Plan (ACFP). The ACFP is to update the way in which dairies and other bovine facilities are regulated by the County of Tulare to assure coordination and alignment with the procedures of other regulatory agencies. The Program/Project also includes a draft Dairy CAP intended to reduce greenhouse gas (GHG) emissions from dairy and other bovine facilities.

The purpose of the updated ACFP is to serve as the guiding document to regulate the County's bovine facilities and projected growth over the next decade as follows:

1. To continue the regulation of the County's dairy industry to protect and enhance the County's resources, assure public health and safety, and minimize environmental impacts.
2. To identify and document those existing bovine facilities which are operating under valid California Regional Water Quality Control Board (RWQCB) and the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) approvals, and to specify procedures to achieve compliance by those existing bovine facilities that are not yet in compliance.
3. To modify, as feasible, the scope of County regulatory responsibilities to avoid overlap and duplication with the water quality and air quality oversight provided by the RWQCB and the SJVAPCD.
4. To update and simplify the permitting processes for bovine facility expansions and the establishment of new bovine facilities consistent with this ACFP.

The purpose of the draft Dairy CAP is develop analyze cumulative greenhouse gas (GHG) impacts of dairy and other bovine facilities, and streamline project-specific GHG impact analysis.

The Program/Project has been prepared to be consistent with the objectives of Environmental Resources Management Element and other elements of the Tulare County General Plan. The policies of the updated ACFP reinforce, and are reinforced by, the General Plan.

**Goals, Policies, and Standards –** The updated ACFP identifies the Goals, Policies, and Standards established by the County for the location, design, and operation of dairies and cattle feedlots. The updated ACFP also establishes the County's permitting process for the construction and operation of both new bovine facility, bovine facility expansions, and cattle feedlots. The primary goals, policies, and/or standards of the ACFP are summarized below:

**2.1) Existing Bovine Facilities and Compliant Bovine Facilities.**

- Document the location and permitted herd sizes of the existing bovine facilities. Confirm, and validate air and water quality regulatory compliance for, the compliant bovine facilities.

**2.2) Bovine Facilities location and siting.**

- Site new bovine facilities and bovine facility expansions within designated Agricultural zoned areas where they have been determined to be compatible with surrounding land uses. Use specific zoning and separation standards to avoid potential land use conflicts when approving the siting of new bovine facilities and bovine facility expansions. Protect agricultural uses within Agricultural zoned areas from incompatible non-agricultural uses.
- 2.3) Environmental Constraints:**
- Restrict the siting of confined animal improvements within new bovine facilities and within bovine facility expansions so as to avoid existing areas of environmental constraints within the County.
- 2.4) Regulatory Agency Compliance:**
- New bovine facilities and bovine facility expansions shall comply with the applicable permitting and operational regulations of the RWQCB and the SJVAPCD.
- 2.5) Permitting Requirements – New Bovine Facilities and Bovine Facility Expansion:**
- Improve and update the permit process for establishment of new bovine facilities and bovine facility expansions.
- 2.6) Applications – New Bovine Facilities and Bovine Facility Expansion:**
- Applications for new bovine facilities and bovine facility expansions shall contain specified textual and mapped information.
  - Environmental Review: Applicants for new bovine facilities and bovine facility expansions will be required to provide technical reports, as applicable, which the Resource Management Agency deems pertinent with respect to site-specific environmental and bovine facility siting issues.
- 2.7) Design and Operational Standards:**
- Standard design and operational guidance to bovine facility owners and operators wishing to seek approval of a new bovine facility or a bovine facility expansion to ensure compliance with ACFP.
- 2.8) Severance and Continuing Compliance:**
- No portion of a bovine facility site, or any required easement, shall be sold, released or conveyed, or used for purposes other than those expressly permitted unless approved by the County. This shall not restrict the sale of the entire parcel of property as a unit subject to all of the conditions required herein. In addition, if there is a change in the area available for recycled manure water, the bovine facility owner/operator shall immediately notify the Resource Management Agency.
  - An Annual Compliance Report shall be completed and filed with the Resource Management Agency for each bovine facility in Tulare County

**Draft Dairy CAP:** The draft Dairy CAP includes the following elements:

- A summary of the regulatory setting in addressing climate change and GHG emissions from dairies and other bovine facilities.
- An emissions inventory quantifying GHG emissions from dairies and other bovine facilities, both at existing levels and at levels projected for future year 2023 based on projected growth due to expansions of existing facilities and new facilities.
- The identification and evaluation of GHG reduction strategies applicable to expansions of existing facilities and new facilities, including strategies for dairy operations, energy conservation and efficiency, transportation, water, solid waste and recycling.
- The establishment of procedures for utilizing the Dairy CAP in the County's CEQA review of proposed expansions of existing facilities and new facilities. This includes provisions for the incorporation of GHG reduction strategies in individual projects on a case-by-case basis.

**Potentially Significant Environmental Impacts:** It is anticipated that potentially significant environmental impacts may occur to the following resources: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology/Water Quality, Noise, Public and Utility Systems, Transportation/Traffic, and Cumulative Impacts. Each of these resources has been analyzed in the DPEIR.

**DPEIR Availability:** A copy of the DPEIR may be obtained and/or reviewed at the following locations:

- Tulare County Resource Management Agency  
5961 South Mooney Boulevard  
Visalia, CA 93277  
(559)624-7000
- Tulare County Main Library  
Visalia Branch Library  
200 West Oak Avenue  
Visalia, CA 93291  
(Other branch library locations and public hours where the environmental document is available are listed on the web site below)

Tulare County Web Site: <http://tularecounty.ca.gov/rma/index.cfm/documents-and-forms/planning-documents/environmental-planning/environmental-impact-reports/Animal-Confinement-Facilities-Plan-and-Dairy-and-Feedlot-Climate-Action-Plan-Draft-Program-Environmental-Impact-Report>

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**Hazardous Waste Sites:** Expanded and new dairy and other bovine facilities to be permitted under the proposed Project/Program would not be sited on "Cortese list" hazardous waste sites listed under Government Code Section 65962.5.

**Contact for More Information:** Hector Guerra, Chief Environmental Planner (559) 624-7121.

The DPEIR has a review period of 45 days, starting on **February 4, 2016** and ending on **March 21, 2016** which has been approved by the State of California, Office of Planning and Research. Any written comments on the DPEIR should be sent to the Tulare County Resource Management Agency at the address noted above, to the attention of: Hector Guerra, Chief Environmental Planner.

After the close of the public comment review period on the DPEIR established by this notice, this matter will be set for public hearing before the Tulare County Planning Commission. Notice of the date, time and place for such public hearing will be published and/or mailed as provided by law.

Please take notice that pursuant to Public Resource Code Section 21177, Government Code Section 65009, and other applicable law, if you challenge the proposed action described above in court, then you may be limited to raising only those issues or objections you or someone else raised during the public comment period or the public hearing, or in written correspondence delivered to the Tulare County Resource Management Agency within the review period, or to the Planning Commission during the public hearing.

BENJAMIN RUIZ JR.  
INTERIM RMA DIRECTOR/ENVIRONMENTAL ASSESSMENT OFFICER