

Appendix B: Response to Agency Comments

Comment Letter 1: Central Valley Regional Water Quality Control Board

Response to Comment 1-1

Kings County and the Project Proponent acknowledge the comment letter dated June 6, 2025, from the Central Valley Regional Water Quality Control Board (Water Board) regarding the Sozinho Dairy #5 Project. The Water Board does not suggest that an Environmental Impact Report (EIR) is required for the Project, and this position is noted for the record.

In addition, the Central Valley Water Board staff have identified several items described in the Conditional Use Permit (CUP) that require additional clarification to remain in compliance with the Reissued General Order WQ 2015-0211-DWQ for Composting Operations. The applicant will work with Water Board staff to provide the necessary clarifications regarding the CUP to ensure continued compliance with the Reissued General Order.

Comment Letter 2: San Joaquin Valley Air Pollution Control District

Response to Comment 2-1: Project Related Emissions

The commenter notes that the San Joaquin Valley Air Pollution Control District (District) is designated as extreme nonattainment for 8-hour ozone standards and serious nonattainment for PM_{2.5} under federal standards, and nonattainment for 8-hour ozone, PM₁₀, and PM_{2.5} under state standards. The commenter states that the submitted documents lack sufficient information to assess the Project's potential impact on air quality and recommends a detailed preliminary review of construction and operational emissions. This analysis will be incorporated into a revised Appendix. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: The EIR evaluates construction and operational emissions using the California Emission Estimator Model (CalEEMod) as recommended. It includes a supplemental air quality analysis in Appendix C, addressing mobile and stationary emission sources and proximity to sensitive receptors. The analysis concludes emissions are less than significant with the incorporation of AQ-1.

Response to Comment 2-1a: Construction Emissions

The commenter recommends utilizing the cleanest available off-road construction equipment to reduce impacts from construction-related diesel exhaust emissions. To address the commenter's recommendation, a new mitigation measure, AQ-1, requires the use of Tier 4 off-road construction equipment or equivalent emission control technologies for all diesel-powered equipment during construction. This measure will be included in the Mitigation Monitoring and Reporting Program (MMRP), with Kings County responsible for monitoring compliance through construction specifications and contractor reports.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: Mitigation Measure AQ-1 requires Tier 4 off-road construction equipment or equivalent emission controls, as recommended, included in the Mitigation Monitoring and Reporting Program (MMRP) (Page 50).

Response to Comment 2-1b: Operational Emissions

The commenter recommends analyzing operational air emissions from mobile and stationary sources separately and references the District's significance thresholds in the Guidance for Assessing and Mitigating Air Quality Impacts. Emissions will be compared to the District's significance thresholds. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Additionally, the commenter recommends reducing project-related air quality impacts below the District's significance thresholds through design elements such as cleaner Heavy Heavy-Duty (HHD) trucks, measures to reduce Vehicle Miles Traveled (VMT), and energy efficiency improvements, referencing the District's Clean Air Measures document. The Initial Study commits to compliance with SJVAPCD rules but does not specify operational mitigation measures for mobile sources or energy efficiency. To address this comment, the supplemental CalEEMod air quality analysis (Appendix C) will evaluate the feasibility of incorporating cleaner HHD trucks (e.g.,

model year 2010 or newer with advanced emission controls), VMT reduction strategies (e.g., optimizing delivery schedules), and energy-efficient equipment (e.g., high-efficiency motors for manure processing). These measures will be incorporated to ensure operational emissions are reduced below District thresholds. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: This section analyzed operational emissions, comparing them to SJVAPCD thresholds, and incorporating design elements such as VMT reduction strategies through operational improvements, and energy-efficient equipment to ensure emissions remain below significance thresholds. No additional mitigation measures were required for air quality, as impacts were determined to be less than significant

Response to Comment 2-1c: Recommended Model for Quantifying Air Emissions

The commenter recommends using the California Emission Estimator Model (CalEEMod) to identify and quantify project-related criteria pollutant emissions from construction and operational sources, using the most recent CARB-approved version. The Air Quality Section of the Initial Study evaluates air quality impacts but does not use CalEEMod for emissions quantification. The supplemental air quality analysis (Appendix C) will use CalEEMod to quantify emissions from construction (e.g., off-road equipment, fugitive dust) and operational phases (e.g., mobile and stationary sources), ensuring the latest CARB-approved emission factors are applied. Results will be incorporated into the Initial Study, and any exceedances of District thresholds will trigger mitigation measures. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: The EIR uses CalEEMod for quantifying construction and operational emissions, using the latest CARB-approved emission factors.

Response to Comment 2-2: Prioritization and Health Risk Screening/Assessment

The commenter recommends performing a Prioritization (screening-level health risk assessment) using the California Air Pollution Control Officers Association (CAPCOA) methodology and, if the score exceeds 10, a detailed Health Risk Assessment (HRA) to quantify potential Toxic Air Contaminants (TACs) from construction and operational activities, including diesel exhaust from off-road equipment and on-road trucks. To address the commenter's recommendation, the Project proponent will conduct a Prioritization analysis per CAPCOA methodology. If the score exceeds 10, an HRA will be performed following a District-approved modeling protocol. The results will be incorporated into the Air Quality Section. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2c: The EIR includes Prioritization Screening and Health Risk assessment with accompanying mitigation.

Response to Comment 2-3: Ambient Air Quality Analysis

The commenter recommends an Ambient Air Quality Analysis (AAQA) if emissions exceed 100 pounds per day of any pollutant to determine if the Project will cause or contribute to violations

of state or national ambient air quality standards. The Air Quality Section of the Initial Study evaluates air quality impacts but does not quantify daily emissions against the 100 pounds per day threshold. The supplemental CalEEMod air quality analysis (Appendix C) will include emission estimates for construction and operational phases to determine if an AAQA is required. If emissions exceed 100 pounds per day, an AAQA will be conducted using District-recommended air dispersion modeling, and results will be incorporated into the Initial Study. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: The EIR states that the supplemental CalEEMod analysis quantifies emissions to determine if an AAQA is needed. Since emissions do not exceed 100 pounds per day, an AAQA is not required.

Response to Comment 2-4: Voluntary Emission Reduction Agreement

The commenter recommends discussing the feasibility of a Voluntary Emission Reduction Agreement (VERA) if criteria pollutant emissions exceed District significance thresholds, potentially resulting in significant air quality impacts. The Air Quality Section of the Initial Study notes that the Project may result in a potentially significant impact on air quality due to criteria pollutants. The supplemental CalEEMod air quality analysis (Appendix C) will quantify emissions against District thresholds. If exceedances are identified, the Project proponent will evaluate the feasibility of a VERA with the District, and the Initial Study will be revised to include this discussion. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2.6, Feasibility and Necessity of Implementing a Voluntary Emission Reduction Agreement, was added as an assessment of the feasibility of implementing a VERA.

Response to Comment 2-5: Vegetative Barriers and Urban Greening

Kings County and the Project Proponent acknowledge the recommendation to evaluate the feasibility of incorporating vegetative barriers and urban greening measures to further mitigate air pollution exposure for sensitive receptors, such as the residential units located north of the Project site. These measures, including trees, bushes, shrubs, or mixed plantings, can intercept airborne particulates and uptake gaseous pollutants, with denser and taller barriers providing greater downwind reductions. Urban greening also supports broader air quality improvements, public health benefits, and community beautification through drought-tolerant, low-maintenance species. The Project's supplemental air quality analysis and HRA has assessed receptor proximity and modeling indicates that existing emission controls (Tier 4 equipment, VMT reductions) already limit impacts to less-than-significant levels at off-site residences (minimum 1,930 feet from processing areas). To address this recommendation, the Proponent will incorporate a new Mitigation Measure AQ-2, requiring the planting of a vegetative buffer (20-30 feet wide, 15-20 feet tall at maturity, with 80% coverage) along the northern site boundary, using native, low-water species compliant with Kings County guidelines. Feasibility will be confirmed during final site design, with planting phased post-construction and maintained for 10 years. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: The EIR evaluates exposure to sensitive receptors, incorporating vegetative barriers as an enhanced control measure as Mitigation Measure AQ-2 to further reduce localized PM_{2.5} and ozone concentrations. This ensures cumulative and project-level impacts remain less than significant, with implementation tracked via the Mitigation Monitoring and Reporting Program.

Response to Comment 2-6: On-Site Solar Deployment

Kings County and the Project Proponent acknowledge the recommendation to incorporate on-site solar power systems as an emission reduction strategy, aligning with California Public Utilities Code §399.11 and Senate Bill 100's policy for 100% renewable and zero-carbon electricity supply to end-use customers by December 31, 2045. To address this, the Proponent will evaluate rooftop and ground-mounted solar photovoltaic (PV) systems during detailed design for feasibility. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.5 Energy, Impact 5.5c: The EIR assesses energy consumption and conservation, and state that the proponent will evaluate implementing solar.

Response to Comment 2-7: Nuisance Odors

Kings County and the Project Proponent acknowledge the comments regarding the assessment of potential nuisance odor impacts from the Sozinho Dairy #5 Project. The guidance specifies that a significant odor impact occurs when a project is likely to frequently expose the public to objectionable odors, assessed case-by-case considering operational intensity, receptor proximity, and meteorological factors, with significance indicated by more than one confirmed complaint per year or three unconfirmed complaints per year, where an unconfirmed complaint involves undetectable odors or undetermined sources. The nearest sensitive receptor (residential) is located 1,930 feet (approximately 0.37 miles) from odor-generating activities, such as manure processing beds and composting areas, within the GAMAQI screening distance of 1 mile for dairies/feedlots—necessitating detailed analysis. The Project incorporates best management practices compliant with SJVAPCD Rule 457, including Phase II odor mitigation (solids separation, vermifiltration, rapid manure incorporation within 72 hours, and silage pile covering), advanced wastewater treatment to reduce volatile organic compounds and ammonia, and biofilters on ventilation systems, resulting in modeled odor concentrations below nuisance thresholds at off-site receptors under prevailing wind conditions. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2d: The EIR conducts a qualitative odor assessment, evaluating source-receptor distances, historical complaint data, and mitigation efficacy, concluding less-than-significant impacts with no potential for frequent public exposure to objectionable odors.

Response to Comment 2-8: District Rules and Regulations

The commenter notes that the Project is subject to District rules, including permitting requirements, and encourages the Project proponent to contact the District's Small Business

Assistance (SBA) Office. The Air Quality Section of the Initial Study references compliance with SJVAPCD Regulation VIII and other applicable rules. The Project proponent acknowledges the need to comply with all District rules, including Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review), and has submitted an Authority to Construct (ATC) application (ATC #C-1243237). The proponent will continue to coordinate with the SBA Office to ensure compliance. The Air Quality Section will be updated to explicitly list District Rules 2010, 2201, 4102 (Nuisance), 4550 (Conservation Management Practices), and 4601 (Architectural Coatings). The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Response to Comment 2-8a: District Rules 2010 and 2201 – Air Quality Permitting for Stationary Sources

The commenter specifies that the Project is subject to District Rules 2010 (Permits Required) and 2201 (New and Modified Stationary Source Review), requiring an ATC and Permit to Operate (PTO). The Air Quality Section of the Initial Study notes compliance with District permitting requirements, and the Project proponent has submitted ATC application #C-1243237. The proponent will submit additional ATC applications as needed and coordinate with the SBA Office to ensure compliance. No revisions to the Initial Study are warranted. The Air Quality Section will be revised to explicitly list Rules 2010 and 2201. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: explicitly lists the rules and reasoning for confirming compliance with SJVAPCD Rules 2010 and 2201.

Response to Comment 2-8b: District Rule 9510 – Indirect Source Review (ISR)

The commenter states that the Project is exempt from District Rule 9510 (Indirect Source Review) because its primary functions are subject to Rules 2010 or 2201. The Air Quality Section of the Initial Study does not explicitly address Rule 9510 but notes compliance with applicable District rules. The exemption is acknowledged, and the Air Quality Section will be updated to note that the Project is exempt from Rule 9510 per District determination, as its primary functions are subject to Rules 2010 and 2201. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: explicitly list the rule and reasoning for the Project being exempt.

Response to Comment 2-8c: District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

Kings County and the Project Proponent acknowledge the comment regarding potential applicability of SJVAPCD Rule 4002, which implements federal National Emission Standards for Hazardous Air Pollutants (NESHAP), for asbestos-containing materials (ACM) in the event of renovation, partial demolition, or removal of existing buildings or regulated facilities. The Project does not currently propose renovation, demolition, or removal of existing structures that would trigger Rule 4002. However, should any such activities arise during Project implementation (incidental structures or future expansions), the Proponent commits to full compliance, including

pre-activity asbestos surveys, notifications to the District at least 10 working days in advance (via approved forms), proper abatement by certified contractors if ACM is present, and emission controls to prevent release of regulated asbestos-containing material (RACM). The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: explicitly lists the rules and reasoning for confirming compliance with SJVAPCD Rule 4002.

Response to Comment 2-8d: District Rule 4601 – Architectural Coatings

The commenter notes that the Project may be subject to Rule 4601 (Architectural Coatings) due to potential use of paints, varnishes, or sealers. The Initial Study does not specifically address Rule 4601 but commits to compliance with all applicable District rules. The Project proponent will ensure that any architectural coatings used comply with Rule 4601 requirements for VOC emissions, storage, cleanup, and labeling. The Air Quality Section will be revised to explicitly list Rule 4601. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: explicitly lists the rules and reasoning for confirming compliance with SJVAPCD Rule 4601.

Response to Comment 2-8e: District Regulation VIII – Fugitive PM10 Prohibitions

The commenter states that the Project may require a Construction Notification Form or Dust Control Plan under Regulation VIII, Rule 8021, depending on the area disturbed or volume of material moved. The Air Quality Section of the Initial Study references compliance with Regulation VIII and includes a Fugitive Dust Emissions Control Plan (Appendix H). The Project proponent will submit a Construction Notification Form for the 1-acre disturbance and a Dust Control Plan if the disturbance exceeds 5 acres or involves moving more than 2,500 cubic yards per day, as required by Rule 8021. No revisions to the Initial Study are warranted. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: explicitly lists the rules and reasoning for confirming compliance with District Regulation VIII

Response to Comment 2-8f: Other District Rules and Regulations

The commenter notes that Rule 4550 (Conservation Management Practices) and 4570 (Confined Animal Facilities) are specific to animal operations and will need to be followed. Additionally, the Project may be subject to Rules 4102 (Nuisance) and 4641 (Cutback, Slow Cure, and Emulsified Asphalt). The Initial Study commits to other applicable District rules but does not specifically list these. The Project proponent will ensure compliance with Rule 4102 to prevent public nuisances, Rule 4550 through implementation of Conservation Management Practices for fugitive dust from agricultural operations, and Rule 4641 if applicable to paving activities. The Air Quality Section will be revised to explicitly list Rules 4102, 4550, 4641, and 4570 as applicable, noting that the Project will implement Conservation Management Practices per Rule 4550 and comply with nuisance and asphalt-related requirements as needed. Additionally, a Phase II Rule 4570 Permit

Application Form will be completed for the Project. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2a: explicitly lists the rules and reasoning for confirming compliance with SJVAPCD Rules 4102, 4550, 4570, and 4641.

Tulare County Health and Human Services Agency (Letter 3)

Response to Comment 3-1

Kings County acknowledges the comment letter dated May 29, 2025, from the Tulare County Health & Human Services Agency. The letter does not provide specific comments or concerns regarding the Project or the Initial Study.

Kings County Fire Department (Letter 4)

Response to Comment 4-1: All-Weather Access Roads Specifications

The commenter requires all-weather access roads of at least 20 feet in width and 13 feet 6 inches in vertical clearance, capable of supporting heavy fire apparatus, per the California Fire Code. The Transportation Section in the Initial Study confirms that primary access via Houston Avenue accommodates large agricultural vehicles and meets fire code standards. The Project proponent will verify that all on-site access roads meet these specifications. The Initial Study will be updated to clarify "All on-site access roads shall be all-weather, at least 20 feet wide, with 13 feet 6 inches of vertical clearance, capable of supporting heavy fire apparatus, as verified by the Kings County Fire Department." The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.9 Transportation, Impact 5.9d: The EIR updates the Transportation Section to clarify that all on-site access roads meet California Fire Code specifications (20 feet wide, 13 feet 6 inches vertical clearance, capable of supporting heavy fire apparatus).

Response to Comment 4-2: Fire Extinguishers

The commenter requires a 2A 10BC fire extinguisher located in plain sight, no more than 75 feet from any point in the structure, easily accessible, visible, near entrances or exits, mounted securely, and at a height compliant with the California Fire Code. The Initial Study does not specifically address fire extinguishers. The Project proponent will ensure that all structures (e.g., free stall barn, maternity barn, shop) are equipped with 2A 10BC fire extinguishers meeting these specifications, with locations approved by the Kings County Fire Department during plan review. The Initial Study will be revised to include "All structures shall be equipped with 2A 10BC fire extinguishers, located no more than 75 feet from any point, easily accessible, visible, near entrances or exits, securely mounted, and at a height compliant with the California Fire Code. Extinguisher locations shall be approved by the Kings County Fire Department during plan review." The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.7 Hazards and Hazardous Materials, Impact 5.7g: Mitigation Measure HAZ-5 requires 2A 10BC fire extinguishers in all structures, meeting California Fire Code specifications.

Response to Comment 4-3: Employee Training on Fire Safety Equipment

The commenter states that employees should be familiar with the use of fire safety equipment. The Initial Study does not address employee training but notes compliance with safety regulations in the Hazards and Hazardous Materials Section. The Project proponent will implement a training program for employees on the use of fire safety equipment, including fire extinguishers. The Hazards and Hazardous Materials Section will be updated to note this. This comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.7 Hazards and Hazardous Materials, Impact 5.7g: The EIR states that the Project Proponent will implement a training program/

Response to Comment 4-4: Fire Protection System Inspections

The commenter requires that any fire protection system be up to date on required inspections and tests and approved by the Kings County Fire Department. The Initial Study does not mention fire protection systems, as the Project primarily relies on on-site water infrastructure (Utilities and Service Systems Section). If a fire protection system (e.g., sprinklers) is installed, the Project proponent will ensure it is inspected and tested per California Fire Code requirements, with documentation submitted to the Kings County Fire Department for approval prior to operation. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.7 Hazards and Hazardous Materials, Impact 5.7g: Mitigation Measure HAZ-6 requires that if a fire protection system (e.g., sprinklers) is installed, it shall be inspected and tested per California Fire Code requirements, with documentation of compliance submitted to the Kings County Fire Department for approval prior to operation.

Response to Comment 4-5: Compliance with California Fire Code and Kings County Fire Department Regulations

The commenter requires that all plans comply with the California Fire Code and Kings County Fire Department regulations. These will be updated for clarity stating that all project plans shall be reviewed and approved by the Kings County Fire Department to ensure compliance with the California Fire Code and local fire regulations. The Project proponent will ensure that all plans, including building and site plans, are reviewed and approved by the Kings County Fire Department to confirm compliance with these regulations. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.7 Hazards and Hazardous Materials, Impact 5.7g has been updated to ensure that All Project plans shall be reviewed and approved by the Kings County Fire Department to ensure compliance with the California Fire Code and local fire regulations.

Response to Comment 4-6: Fire Apparatus Access Distance and Turnaround Provisions

The commenter requires that no structure or future structure be farther than 150 feet from fire apparatus access, with access roads and adequate turnaround provisions provided if this distance is exceeded. The Transportation Section in the Initial Study states that access roads meet fire code standards but does not specify distances or turnaround provisions. The Initial Study will be updated to clarify that all structures and future structures will be within 150 feet from fire apparatus access and provided with adequate turnaround provisions if exceeded, per California Fire Code requirements. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.9 Transportation, Impact 5.9d: The EIR updates the Transportation Section to ensure structures are within 150 feet of fire apparatus access with adequate turnaround provisions.

Response to Comment 4-7: Address Identification

The commenter requires address identification per California Fire Code Section 505.1. The Initial Study does not include address identification but notes compliance with fire codes (Utilities and Service Systems Chapter and the Wildfire Chapter of the Initial Study). The Project proponent will install an address signage at the main entrance (12252 7th Ave., Hanford) and other key locations, meeting CFC Section 505.1 requirements for visibility and size, with details approved by the Kings County Fire Department. The Initial Study will be updated to clarify that this will be included. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.7 Hazards and Hazardous Materials, Impact 5.7f: Mitigation Measure HAZ-4 requires installing address signage per California Fire Code Section 505.1, with details approved by the Kings County Fire Department.

Response to Comment 4-8: Future Development Compliance

The commenter states that any future development must comply with applicable Fire Code, including rural firefighting water supply requirements. The Project proponent acknowledges that any future expansions or developments on the site will comply with the California Fire Code and Kings County Fire Department requirements, including rural water supply standards. No revisions to the Initial Study are warranted, as the comment pertains to future actions not currently proposed. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

California Department of Transportation (Letter 5)

Response to Comment 5-1:

Kings County acknowledges the comment letter dated from Caltrans regarding the Sozinho Dairy #5 Project of May 27th, 2025. The letter states that the Project is anticipated to have a minimal impact related minimal impact on the State Highway System and Caltrans has no comment. No revisions to the Initial Study are warranted. The comment letter has been forwarded to Kings County's decision-makers for their review and consideration.

Kings County Environmental Health Services (Letter 6)

Response to Comment 6-1: Agricultural Material Composting Operations

The commenter notes that the proposed project meets the definition of an excluded activity under Title 14 of the California Code of Regulations (CCR) §17855(a)(1), as it involves handling agricultural material derived from and returned to the same or an owned/leased agricultural site, with no more than 1,000 cubic yards of compost product given away or sold annually. The commenter also states that Kings County Environmental Health Services, as the Local Enforcement Agency (LEA), or a CalRecycle representative may inspect to verify compliance and take enforcement action if necessary. The Project proponent acknowledges the LEA's authority to conduct inspections and will ensure ongoing compliance with §17855(a)(1) by limiting off-site compost distribution to 1,000 cubic yards annually. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.10, Impacts 5.10d and 5.10e recognize that the Project's composting operations meet the definition of an excluded activity under 14 CCR §17855(a)(1), acknowledging the LEA's inspection authority, and ensuring that off-site compost distribution is limited to 1,000 cubic yards annually.

Response to Comment 6-2: CUPA Program

The commenter states that the Hazardous Materials Business Plan (HMBP) submitted to the California Environmental Reporting System (CERS) was marked as "NOT ACCEPTED" and requires a complete submittal within 30 days for facilities with reportable quantities of hazardous materials (e.g., 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of gas). The commenter also requires registration as a hazardous waste generator for materials like used oil, filters, antifreeze, and batteries, with proper management per California Health and Safety Code (HSC) Chapter 6.5 and Title 22 CCR. The Project proponent will revise and resubmit the HMBP to CERS, addressing all agency comments and including all required elements. Additionally, the proponent will register with Kings County EHS as a hazardous waste generator prior to operation and ensure proper management of hazardous wastes. These requirements will be incorporated into the Initial Study to ensure compliance. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Mitigation Measure HAZ-1 requires the Project proponent to, Submit a complete HMBP to CERS, addressing all agency comments, Register as a hazardous waste generator with Kings County EHS, Ensure proper management of hazardous wastes per HSC Chapter 6.5 and Title 22 CCR.

Response to Comment 6-3: Valley Fever

The commenter highlights the risk of Valley Fever due to *Coccidioides immitis* in Kings County soils and recommends effective dust control during construction to reduce risks to workers and nearby residents, referencing the California Department of Public Health's fact sheet and coordination with the SJVAPCD for dust control techniques. The Air Quality Section of the Initial Study addresses fugitive dust control through compliance with SJVAPCD Regulation VIII and

includes a Fugitive Dust Emissions Control Plan (Appendix H). To address the specific concern about Valley Fever, the Project proponent will incorporate Valley Fever prevention measures into the dust control plan, such as worker education, respiratory protection, and enhanced dust suppression techniques (e.g., wetting soils, stabilizing disturbed areas), as recommended by the California Department of Public Health. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.2 Air Quality, Impact 5.2c: The EIR incorporates Valley Fever prevention measures into the Fugitive Dust Emissions Control Plan (Appendix H), and is discussed in impact 5.2c.

Kings County Public Works Department (Letter 7)

Response to Comment 7-1: Conformance with Kings County Improvement Standards

The commenter requires that all requirements hereafter conform to the Kings County Improvement Standards. The Transportation Chapter Initial Study states that access roads and infrastructure for the Sozinho Dairy #5 Project comply with public works standards, including those for large agricultural vehicles. The Project proponent will ensure that all improvements, including roads, drive approaches, and drainage systems, are designed and constructed in accordance with the Kings County Improvement Standards. Compliance will be verified by the Kings County Public Works Department through review of improvement drawings prior to construction. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR:

5.9 Transportation: The section evaluates transportation impacts and confirms that the Project's access roads and infrastructure, including those for large agricultural vehicles, are designed to comply with public works standards. This aligns with the comment's requirement for conformance with Kings County Improvement Standards. Impact 5.9d states that primary vehicular access via Houston Avenue is adequately sized and designed to accommodate emergency vehicles, and the Project includes all-weather access roads meeting Kings County Fire Department requirements (minimum 20 feet wide, 13 feet 6 inches vertical clearance, capable of supporting heavy fire apparatus). These specifications indicate adherence to county standards for road design. Mitigation Measures TRANS-1 and TRANS-2 are implemented to ensure compliance with circulation system plans, ordinances, or policies, which include Kings County Improvement Standards. These measures address potential conflicts and ensure that infrastructure improvements align with county requirements.

5.10 Utilities and Service Systems Section: The EIR addresses drainage systems, another component of the Kings County Improvement Standards mentioned in the comment. Section 5.10.2 describes the Site's strategic grading to direct surface water toward designated collection and treatment basins, preventing water accumulation and contamination. Impact 5.10a further details the Stormwater Pollution Prevention Plan (SWPPP), which ensures stormwater is contained on-site with retention ponds maintaining a 2-foot vertical separation from groundwater, consistent with county standards for drainage infrastructure.

Response to Comment 7-2: Approval of Alternatives by Public Works Department

The commenter requires that all alternatives to Public Works requirements be approved by the Kings County Public Works Department. The Public Services, Transportation, and Utilities and Service Systems Chapters in the Initial Study do not propose specific alternatives to Public Works standards but commits to compliance with applicable standards for infrastructure and access. The Project proponent will coordinate with the Public Works Department to ensure that any proposed alternatives to standard requirements (e.g., non-standard road materials or drainage designs) are submitted for review and approval prior to implementation. Although the Project aligns with standard requirements the Transportation and Utilities and Service Systems Chapters

will be updated to clarify that and alternatives will need to be approved by the Public Works Department. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: The Transportation and Utilities and Service Systems Chapters were updated to clarify that and alternatives will need to be approved by the Public Works Department.

Response to Comment 7-3: Encroachment Permit for Work in County Right-of-Way

The commenter requires an encroachment permit for any work in the county right-of-way. The Required Approvals section of the Project Description notes that Kings County Encroachment Permits will be required. However, the Transportation Chapter in the Initial Study notes that access roads comply with public works standards but does not mention encroachment permits. The Project proponent will obtain an encroachment permit from the Kings County Public Works Department for any work within the county right-of-way, such as construction of asphalt concrete drive approaches, prior to commencing such activities. The Transportation chapter will be updated to add that the permit would be required for any work within the county right-of-way, including construction of drive approaches, prior to commencing such activities. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Mitigation Measure TRANS-2 requires that the Project proponent shall obtain an encroachment permit from the Kings County Public Works Department for any work within the county right-of-way, including construction of drive approaches, prior to commencing such activities.

Response to Comment 7-4: Asphalt Concrete Drive Approaches

The commenter requires asphalt concrete drive approaches at all points of ingress from a county-maintained road, sloped to prevent water runoff toward the roadway. The Transportation Chapter of the Initial Study mentions access via Houston Avenue but does not specify drive approach details. The Project proponent will construct asphalt concrete drive approaches at all ingress points from county-maintained roads, designed to slope away from the roadway per Kings County Improvement Standards, with details included in improvement drawings submitted to the Public Works Department. The Transportation Chapter and the Parking and Access section in the Project will be revised to clarify that Asphalt concrete drive approaches shall be constructed at all points of ingress from county-maintained roads. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Mitigation Measure TRANS-1 requires that that all Project improvements, including roads and asphalt concrete drive approaches, conform to Kings County Improvement Standards. Improvement drawings shall be submitted to the Kings County Public Works Department for approval prior to construction.

Response to Comment 7-5: On-Site Drainage Containment

The commenter requires that all drainage be contained on-site. The Hydrology and Water Quality and the Utilities and System Services chapters of the Initial Study state that the Project's stormwater management system is designed to manage runoff on-site without exceeding existing drainage capacity, with retention ponds maintaining a minimum vertical separation of 2 feet from groundwater. The Project proponent will ensure that all drainage is contained on-site in compliance with Kings County Improvement Standards, with details included in the Storm Water Pollution Prevention Plan that is required as Mitigation Measure HYD-2. The Hydrology and Water Quality and the Utilities and System Services chapters will be updated to clarify that all drainage shall be contained on-site per Kings County Improvement Standards. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Mitigation Measure UTIL-1 requires that all drainage is contained on-site per Kings County Improvement Standards, as detailed in the Storm Water Pollution Prevention Plan (SWPPP, Appendix H). The SWPPP shall be submitted to the Kings County Public Works Department prior to construction, with compliance verified during site inspections.

Response to Comment 7-6: Drive Approaches at All Points of Ingress

The commenter requires that drive approaches be constructed at all points of ingress from a county-maintained road, sloped to prevent water runoff toward the roadway. The Transportation Chapter of the Initial Study mentions access via Houston Avenue but does not specify drive approach details. The Project proponent will construct asphalt concrete drive approaches at all ingress points from county-maintained roads, designed to slope away from the roadway per Kings County Improvement Standards. The Transportation Section of the Initial Study will be updated to The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Mitigation Measure TRANS-1 requires that that all Project improvements, including roads and asphalt concrete drive approaches, conform to Kings County Improvement Standards. Improvement drawings shall be submitted to the Kings County Public Works Department for approval prior to construction.

Department of Conservation Letter (Letter 8)

Response to Comment 8-1: Conformance with Kings County Improvement Standards

Kings County and the Project Proponent acknowledge the comment letter dated October 17, 2025, from the California Geologic Energy Management Division (CalGEM) of the Department of Conservation regarding the Project. The letter provides guidance on re-abandonment responsibilities under Public Resources Code (PRC) section 3208.1 for previously plugged and abandoned oil, gas, or geothermal wells that may be impacted by the Project, including recommendations for site evaluation, access maintenance, leak testing, and compliance with abandonment standards. The enclosure indicates no wells are located within or nearby the parcel boundary. The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

To address CalGEM's recommendations, the Project Proponent will coordinate with CalGEM prior to and during construction to confirm the absence of wells and ensure compliance with PRC sections 3208 and 3208.1. If any wells are encountered during development activities, the Proponent will immediately notify CalGEM, conduct leak testing for liquids and gases, and submit a Notice of Intention (NOI) through WellSTAR for any required abandonment or re-abandonment work. The Proponent will maintain sufficient access to any identified wells, avoiding construction that impedes access, and ensure well casings comply with California Code of Regulations (CCR) section 1723.5 (cut off at least 5 feet but no more than 10 feet below final grade). Any soil containing hydrocarbons discovered during grading or excavation will be disposed of in accordance with local, state, and federal laws, with notification to appropriate authorities. Information regarding any wells will be recorded with the Kings County Recorder for inclusion in the property title. The Project Proponent acknowledges CalGEM's statutory authority, and commits to obtaining necessary permits for well-related work.

Addressed in EIR: Section 5.7 Hazards and Hazardous Materials, Impact 5.7b: The EIR evaluates potential hazards from oil, gas, or geothermal wells based on CalGEM's Well Finder database, confirming no wells are present on or near the Project site. Construction plans include protocols for well identification, leak testing, and access maintenance if wells are encountered, ensuring impacts related to well integrity and re-abandonment remain less than significant with implementation of these measures in Mitigation Measure HAZ-2.

California Department of Fish and Wildlife (Letter 9)

Response to Comment 9-1: Swainson's Hawk Survey Protocol and Mitigation Measures

The commenter states that Mitigation Measures in the Initial Study are insufficient to reduce potentially significant impacts to Swainson's hawk to a less-than-significant level and recommends that a qualified biologist conduct full protocol-level surveys following the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000) methodology as part of the biological technical studies supporting the DEIR, implementation of a minimum ½-mile no-disturbance buffer around active nests, and, if full avoidance is not feasible, consultation with CDFW for incidental take authorization.

Kings County and the Project Proponent acknowledge CDFW's recommendation and have revised the mitigation measures accordingly. Mitigation Measure BIO-1 (revised) now explicitly requires a qualified biologist to conduct full protocol-level Swainson's hawk surveys in accordance with the Swainson's Hawk Technical Advisory Committee (2000) methodology for both the Draft EIR impact analysis and pre-construction verification.

The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.3 Biological Resources. Mitigation Measures BIO-1 (revised) and BIO-1.2 (new) require full SWHA TAC (2000) protocol surveys, a 0.5-mile no-disturbance buffer, and mandatory CDFW consultation/ITP if necessary.

Response to Comment 9-2: Tricolored Blackbird

The commenter recommends focused tricolored blackbird colony surveys no more than 10 days prior to ground disturbance and a minimum 300-foot no-disturbance buffer around active colonies, with an ITP required if avoidance is not feasible.

Kings County and the Project Proponent acknowledge the recommendation. New Mitigation Measure BIO-3.3 requires a qualified biologist to conduct focused tricolored blackbird colony surveys no more than 10 days prior to any ground-disturbing activity occurring during the nesting season. Mitigation Measure BIO-3.4 requires a minimum 300-foot no-disturbance buffer around any active colony. If full avoidance is not feasible, the Project Proponent will consult with CDFW and obtain an Incidental Take Permit prior to any take.

The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.3 Biological Resources. Mitigation Measures BIO-3.3 (new) and BIO-3.4 (new) require focused pre-construction surveys and a 300-foot buffer.

Response to Comment 9-3: Western Burrowing Owl

The commenter states that Mitigation Measures are insufficient, that passive relocation constitutes take without an ITP (given the species' current CESA candidate status and full

protection), and recommends full surveys per the 2012 Staff Report on Burrowing Owl Mitigation, implementation of the report's no-disturbance buffers, and an ITP if take cannot be avoided.

Kings County and the Project Proponent acknowledge the recommendation. Mitigation Measure BIO-2 (revised) now requires surveys conducted in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation for both the breeding and wintering seasons. New Mitigation Measure BIO-2.4 prohibits passive relocation without prior CDFW authorization and requires implementation of the buffer distances contained in the 2012 Staff Report. If take cannot be avoided, the Project Proponent will obtain an Incidental Take Permit prior to any ground disturbance.

The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.3 Biological Resources. Mitigation Measures BIO-2.1 (revised) and BIO-2.4 (new) fully incorporate the Staff Report requirements and prohibit passive relocation without ITP.

Response to Comment 9-4: Crotch's Bumble Bee

The commenter recommends a habitat assessment for Crotch's bumble bee and, if suitable habitat is present, focused surveys using the 2023 CDFW survey protocol.

Kings County and the Project Proponent acknowledge the recommendation. New Mitigation Measure BIO-4.1 requires a qualified biologist to conduct a habitat assessment for Crotch's bumble bee. If potentially suitable habitat is present, Mitigation Measure BIO-4.2 requires protocol-level surveys per CDFW's 2023 Approved Survey Methodology. If the species is detected and impacts cannot be avoided, the Project Proponent will consult with CDFW and obtain take authorization if required.

The comment is noted for the record and has been forwarded to Kings County's decision-makers for their review and consideration.

Addressed in EIR: Section 5.3 Biological Resources. New Mitigation Measures BIO-4.1 and BIO-4.2 require habitat assessment and protocol surveys.

Letter Number 1



Central Valley Regional Water Quality Control Board

6 June 2025

Victor Hernandez, Project Planner
1400 West Lacey Boulevard, Engineering Building #6
Hanford, CA 93230
Email: Victor.hernandez@co.kings.ca.us

COMMENTS ON CONDITIONAL USE PERMIT NO. 24-03 FOR SOZINHO DAIRY #5, 7205 HOUSTON AVENUE, HANFORD, KINGS COUNTY

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff have received your Project Review – Consultation Notice for Conditional Use Permit No. 24-03 (CUP) that proposes to expand an existing dairy located at 7205 Houston Avenue with a mailing address of 12252 7th Avenue in Hanford (Sozinho Dairy #5). The Dairy is currently enrolled under Order No. R5-2013-0122, Reissued Waste Discharge Requirements General Order for Existing Milk Cow Dairies (Reissued General Order). Based on the CUP, the proponent proposes expanding the footprint of the Dairy to install a post manure organic processing area, a post biodynamic aerobic (BIDA) bed organic matter processing area, a processing and product storage area, a reception pit, two mechanical separators, one tank on a concrete pad for solid separation and collection, two lift stations, and five process water processing beds (BIDA beds), along with two earthen berms to trisect an existing wastewater pond. The project does not propose an expansion of the herd size.

The Central Valley Water Board, in its role as responsible agency, has reviewed the CUP and believes that there could be minimal impacts to the environment created by the project from runoff when managing dairy waste on pervious soils that are proposed to be converted from the land application area to a Production Area. The Central Valley Water Board does not believe that the proposed project, as described in the CUP, requires an Environmental Impact Report to satisfy the California Environmental Quality Act. In addition, the Central Valley Water Board staff have identified several items described in the CUP that require additional clarification to remain in compliance with the Reissued General Order. The discharger will be notified of these items under separate cover.

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | www.waterboards.ca.gov/centralvalley

Victor Hernandez
Project Planner
Kings County Community Development Agency

- 2 -

6 June 2025

Any questions regarding this matter should be directed to Lewis Lummen of this office at (559) 445-5561 or at Lewis.Lummen@waterboards.ca.gov.

A handwritten signature in blue ink, appearing to read "Scott J. Hatton", with a long horizontal flourish extending to the right.

Scott J. Hatton
Supervising Engineer

cc: Sozinho Dairy #5, 12252 7th Avenue, Hanford
Kyle Parreira, 4Creeks Inc., Fresno (email)
Livingston Dairy Consulting, Tulare (email)



October 20, 2025

Victor Hernandez
County of Kings
Community Development
1400 W. Lacey Blvd, Building 6
Hanford, CA, 93230

Project: Notice of Preparation of a Draft Environmental Impact Report for Sozinho Dairy #4 Condition Use Permit Number 24-03

District CEQA Reference No: 20251170

Dear Mr. Hernandez:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the County of Kings (County) for the Sozinho Dairy #4 project. Per the NOP, the project consists of facility upgrades including organic matter processing areas, advanced process water treatment using BIDA beds with vermifiltration, and new animal housing and feed storage structures to enhance nutrient recycling, environmental management, and animal comfort without increasing herd size. (Project). The Project is located at 7205 Houston Avenue, in Hanford, CA.

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

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards.

The District's initial review of the Project concludes that emissions resulting from construction and/or operation of the Project may exceed any of the following significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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

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

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

The District recommends that a more detailed preliminary review of the Project be conducted for the Project's construction and operational emissions.

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

1b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts:

<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels below the District's significance thresholds through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: <https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

1c) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

2) Health Risk Screening/Assessment

The County should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air

Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:
<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

3) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: <https://ww2.valleyair.org/permitting/ceqa/>.

4) Voluntary Emission Reduction Agreement

Criteria pollutant emissions may result in emissions exceeding the District's significance thresholds, potentially resulting in a significant impact on air quality. When a project is expected to have a significant impact, the District recommends the DEIR also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs.

The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

5) Vegetative Barriers and Urban Greening

There are residential units located north of the Project. The District suggests the County consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

6) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the County consider incorporating solar power systems as an emission reduction strategy for the Project.

7) **Nuisance Odors**

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

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

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

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

8) **District Rules and Regulations**

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

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

8a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

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

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

8b) District Rule 9510 - Indirect Source Review (ISR)

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

8c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <https://ww2.valleyair.org/compliance/demolition-renovation/>

8d) District Rule 4601 (Architectural Coatings)

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

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

<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

8e) District Regulation VIII (Fugitive PM10 Prohibitions)

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

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

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at: <https://ww2.valleyair.org/dustcontrol>

8f) Other District Rules and Regulations

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

The following rules are specific to confined animal operations:

- Rule 4102 (Nuisance) – This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the Project or construction of the Project creates a public nuisance, it could be in violation and be subject to District enforcement action.

- Rule 4550 (Conservation Management Practices) – The purpose of this rule is to limit fugitive dust emissions from agricultural operation sites. These sites include areas of crop production, animal feeding operations and unpaved roads/equipment areas. The District's CMP handbook can be found online at the District's website at: https://ww2.valleyair.org/media/ec4byngx/cmp_handbook.pdf.
- Rule 4570 (Confined Animal Facilities) – District Rule 4570 was adopted by the District's Governing Board on June 15, 2006. Dairies with greater than or equal to 500 milk cows are subject to the requirements of District Rule 4570. Therefore, a Rule 4570 application shall also be submitted to the District.

9) District Comment Letter

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

If you have any questions or require further information, please contact Eric McLaughlin by e-mail at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs



For: Daniel Martinez
Program Manager

Letter Number 3



TULARE COUNTY HEALTH & HUMAN SERVICES AGENCY

Donna Ortiz
Agency Director

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

May 29, 2025

Victor Hernandez
Kings County Comm. Dev. Agency – Planning Div.
1400 W. Lacey Blvd. Engineering Bldg. #6
Hanford, CA 93230

Subject Property:
Sozinho Dairy No. 5
7205 Houston Avenue
Hanford, CA
APN: 016-200-005, 016-200-028 &
016-200-035

RE: Kings County Conditional Use Permit, CUP 24-03

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

Regards,

A handwritten signature in blue ink that reads "Kevin Bangsund".

Kevin Bangsund, REHS
Environmental Health Specialist III
Environmental Health Services

cc: J. Gocke – TCEH

KINGS COUNTY FIRE DEPARTMENT
Community Risk Reduction Bureau
Education-Engineering-Enforcement



Fire Chief Luis Nevarez
Battalion Chief Blake Adney, Fire Marshal

FIRE DEPARTMENT COMMENT SHEET

Project Name:
Project Number:
Address:

The Fire Department requires a supply of firefighting water available in a storage tank on the site. The amount of water required will be in accordance with NFPA 1142, and is dependent on building volume, construction type, and exact use.

See Attachment for instructions on storage tank fire suppression requirements.

See Attachment for instructions on swimming pool fire suppression requirements.

Spacing for fire hydrants shall be no more than 500 feet.

No structure shall be more than _____ feet from a fire hydrant.

Fire hydrants shall have two, two and one half inch outlets and one four and one half inch outlet. Outlets shall be equipped with national hose standard thread. All outlets shall be provided with caps to prevent debris from accumulating within the hydrant.

Fire hydrants shall have a minimum of 36 inches of clear space around the hydrant and shall be a minimum of 6 inches above grade.

Fire hydrants or water tank, and roads of an all weather surface capable of supporting heavy fire apparatus, shall be in place before combustible construction materials begin to accumulate.

*****All weather access roads capable of supporting heavy fire apparatus, of not less than twenty feet width ***** and thirteen feet six inches of vertical clearance, must be provided. Roads must comply with the California Fire Code.

A _____ fire extinguisher is required to be located in plain sight not more than _____ feet from any point in the structure. The location of fire extinguishers must be easily accessible, be easily visible, and be near entrances or exit doors. All extinguishers shall be mounted to walls or columns with securely fastened hangers so that the weight of the extinguisher is adequately supported, and at a height compliant with the California Fire Code. Additional extinguishers may be required based upon special hazards or conditions.

Employees should be familiar with the use of fire safety equipment.

A set of building plans must be reviewed by the Kings County Fire Department.

The plot plan is inadequate to make a determination and the applicant should meet with the Kings County Fire Department for further information.

The fire protection system, if provided, must be up to date on required inspections and tests and be approved by the Kings County Fire Department.

All plans shall comply with the California Fire Code and all regulations of the Kings County Fire Department.

Building must meet CFC requirements for emergency responder radio coverage.
(CFC 510.1)

Property must be equipped with a Knox Box for Fire Department access.

Adjustment shall not interfere with fire department access. No structure or future structure shall be farther than 150 feet from fire apparatus access. Access roads and adequate turnaround provisions shall be provided if fire apparatus access distance is exceeded.

Address identification required per Section 505.1 of the CFC.

Any future development must comply with applicable Fire Code, including rural firefighting water supply requirements.

Other specifically:

<i>Blake Adney</i>	Battalion Chief/Fire Marshal
Name	Title
_____	_____
Date	

Letter Number 5

From: [Yelton, Elizabeth@DOT](mailto:Yelton.Elizabeth@DOT)
To: Hernandez, Victor
Cc: Padilla, Dave@DOT
Subject: Request for Comment - CUP 24-03 - Caltrans
Date: Tuesday, May 27, 2025 12:41:13 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Good afternoon Victor,

Regarding CUP 24-03, the conditional use permit for the expansion of an existing dairy plant operation located at 12252 7th Ave, Hanford, Caltrans has completed a review of the application. Given the nature of the proposed project, it is anticipated that the proposed project will have minimal impact on the State Highway System and Caltrans has no comment.

If you have any questions or comments, please contact me.

Thank you,

	Elizabeth Yelton Transportation Planner California Department of Transportation Office of Regional and Community Planning, Local Development Review Caltrans District 6 Phone: (559) 365-5140 1352 W. Olive Avenue Fresno, CA 93778-2616
	

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the contents are safe.

Letter Number 6

From: [Hullinger, Lindsay](#)
To: [Hernandez, Victor](#)
Subject: RE: Request for Comments- CUP No. 24-03
Date: Tuesday, June 3, 2025 4:09:05 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Good afternoon,

Kings County Environmental Health Services has the following comments for this project:

1. Agricultural Material Composting Operations:

- Currently, the proposed project meets the definition of an excluded activity per Title 14 of the California Code of Regulations (CCR) §17855(a)(1): An activity is excluded if it handles agricultural material, derived from an agricultural site, and returns a similar amount of the material produced to that same agricultural site, or an agricultural site owned or leased by the owner, parent, or subsidiary of the composting activity. No more than an incidental amount of up to 1,000 cubic yards of compost product may be given away or sold annually.
- Kings County Environmental Health Services acts as the Local Enforcement Agency (LEA) of solid waste handling operations. The LEA or a representative of CalRecycle are not precluded from conducting an inspection to verify that the activity is being conducted in a manner that qualifies as an excluded activity or from taking any appropriate enforcement action.

2. CUPA Program

- The Hazardous Materials Business Plan (HMBP) included in this proposal, which has been submitted to the California Environmental Reporting System, has been marked as **NOT ACCEPTED** by this agency. Please access the submittal to review the comments. Dairies do tend to have reportable quantities of hazardous materials and are required to make annual submittals. The definition of "Hazardous Material" can be found in California Health & Safety Code (HSC) §25501(n), but generally includes substances commonly used for dairy operations, such as bulk quantities on fuel, lube oils, waste oil, teat dip, welding gases etc. The reportable quantity threshold (RQ) of most hazardous substances are 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a gas. [HSC, Chapter 6.95; Title 19 CCR (§5030.1 - §5030.11)]
- Any quantity of hazardous wastes generated by this operation, such as used oil, used oil filters, waste antifreeze, waste batteries, etc., must be managed in accordance with all applicable laws and regulations. Hazardous wastes cannot be disposed of into the municipal waste stream, storm sewer system, etc. The owner/operator must contact our office prior to operation to register with us as a hazardous waste generator if the facility will generate any hazardous wastes. [HSC, Chapter 6.5; Title 22 CCR, Division 4.5: Environmental Health Standards for the Management of Hazardous Waste]
- Additional regulations may apply to this facility, however, the HMBP and hazardous waste programs are commonly required by dairy operations.
- If this dairy does indeed have materials at or above reporting thresholds onsite, please make a complete submittal in CERS of all applicable elements (e.g., Facility, Inventory and site map, Hazardous Waste, Aboveground petroleum storage, Emergency Response plan) **within 30 days.**

3. Valley Fever

- *Coccidioides immitis*, the fungus that causes valley fever, a serious and potentially long-term respiratory illness, is endemic in the soils of Kings County. Construction activities that disturb soils containing the spores of the fungus can put workers and the nearby public at risk. Effective dust control must be always maintained on the job site in order to reduce the risk of valley fever to workers and nearby residents. More information regarding the prevention of work related valley fever is available at <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/ValleyFeverFactSheet.pdf>. Contact the San Joaquin Valley Air Pollution Control District for more information on dust control techniques.

Please contact Lindsay Hullinger at lindsay.hullinger@co.kings.ca.us or (559) 852-4654 with any questions regarding these comments or requirements.

Thank you,



www.kcdph.com

Lindsay Hullinger, MRC, REHS

Environmental Health Specialist II

Office Hours: **Mon.-Fri.:** 8:30am-5:00pm
Kings County Department of Public Health

Office: (559) 584-1411

Address: 460 Kings County Dr., Suite 102, Hanford, CA 93230

Email: lindsay.hullinger@co.kings.ca.us



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"If we intend to provide a better life, and a better world, for future generations, we cannot ignore the quality of the environment we leave them." – J. Kasich

Letter Number 7

PUBLIC WORKS DEPARTMENT COMMENT SHEET

Project: CUP 24-03
 Comments by: MRH
 Date: 250611

General

	No Comments
X	That all requirements required hereafter conform to the Kings County Improvement Standards.
X	That all other alternatives to Public Works requirements must be approved by the Kings County Public Works Department.
	That a Deferred Improvement Agreement be entered into with the Kings County Public Works Department for completion of the following improvement(s):
	<u>NO BUILDING PERMITS OR ZONING PERMIT SHALL BE ISSUED UNTIL RIGHT-OF-WAY HAS BEEN DEDICATED</u>
	All improvements shall be constructed to meet City of Hanford standards. A copy of improvement drawings is to be sent to the City of Hanford.
X	Applicant shall secure an encroachment permit for any work in county r/w.
X	Applicant shall provide asphalt concrete drive approach(es).

Tentative Maps

	All proposals of the applicant are conditions of approval unless otherwise mentioned.
	A parcel map is required.
	A final map is required.
	A field survey may be required.
	Payment or Segregation required for Assessment district

Road Right-of-Way and Access

	That access to the site from a public road must be provided and must be approved by the County.
	Additional right-of-way shall be dedicated. Right-of-way, access lanes and easements shall be cleared of all obstructions. The clearing of all right of way obstructions shall be at the expense of the owner. If dedication is not made within 30 days of approval of project <u>any</u> zoning permits shall be revoked. R/W shall be dedicated at the following location(s):
	Traffic ingress and egress shall be _____.
	On site traffic circulation and parking shall be _____.
	Right-of-way will be dedicated to the County on behalf of the public and will not be accepted into the County maintained mileage.
	Maintenance of roads must be provided for in accordance with the Kings County Improvement Standard.
	Durable and dustless drive shall be constructed.

Street Appurtenances

	Curbs and gutters must be constructed in accordance with Design Tables 2011 and 2012 of the Kings County Improvement Standards.
	Curbs and gutters shall be installed but may be deferred until installation becomes feasible. In the interim, however, the developer shall provide for drainage water by containment on site.
	Sidewalks shall be constructed along _____, as shown in Design Table 2011 and 2012 of the Kings County Improvement Standards.
	That the developer must furnish and place _____ sign(s) installed in accordance with the Kings County Public Works Department.
	That the applicant is required to construct road in accordance with Section 302 of the Kings County Improvement Standards and it shall be _____.
	Developer shall provide a 100% Performance Bond for work done in the right-of-way when the value of the work is \$10,000 or more, except when a) the work consists of only a drive approach or b) the work is

	covered under a subdivision improvement agreement. The value of the work will be determined by an Engineer's Estimate provided by the developer's engineer and approved by the County. Said bond will be provided on a form approved by the county and submitted prior to the granting of a building or zoning permit.
--	--

Drainage

X	All drainage shall be contained on-site
	That drainage for the site be into the storm drain system of the community.
	Developer shall be required to design and furnish drainage systems in accordance with Article 4 of the Kings County Improvement Standards.
	Drainage shall be into an existing ditch or slough as required in Section 404-A.
	Where there is no storm drainage system available, the development will be required to comply with the following: a) Drainage water will be contained on site in a private basin or sump in conforming to design standards set forth in Kings County Improvement Standards. b) Curbs, gutters, drainage fees and sidewalks shall be required, but shall be deferred in accordance with Section 110 of the Improvement Standards. The developer shall enter into an agreement with the County to install these improvements when a drainage system is available.

Public Utilities

	The applicant is required to connect to the public agency (district) water supply system.
	The applicant is required to connect to the public agency (district) waste disposal system.
	Streetlights shall be installed at the following location(s) and shall conform to:

Miscellaneous

X	DRIVE APPROACHES SHALL BE CONSTRUCTED AT ALL POINTS OF INGRESS FROM A COUNTY MAINTAINED ROAD. APPROACHES SHALL BE SLOPED SO AS NOT TO ALLOW WATER TO RUN TOWARDS THE ROADWAY.

Environmental issues

	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 the mitigation measures described on an attached sheet have been added to the project. A negative declaration will be prepared.
	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 significant effect(s) 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 measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." 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, there will not be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Solid Waste – Recycling – For establishment or expansion of a commercial operation.

	The applicant is required to acknowledge receipt of Notice of State Mandatory Organic and Commercial Requirement
	The applicant is to submit the County of Kings Public Works Department Commercial/Organics Recycling Form
	The applicant is to submit the County of Kings Request for Exemption from Mandatory Commercial/Organics Recycling Form if they are not making provision for commercial and/or organic recycling

Letter Number 8



California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
Jennifer Lucchesi, Director

October 17, 2025

VIA ELECTRONIC MAIL

Kings County Community Development Agency
Victor Hernandez
1400 W. Lacey Blvd., Building No. 6
Hanford, CA 93230

victor.hernandez@co.kings.ca.us

Assessor Parcel Number(s): 016200005, 016200028, 016200029, 016200035
Project Location Address: 7th Avenue & Houston Avenue

PROJECT TITLE: Conditional Use Permit No. 24-03 (4Creeks / Sozinho Dairy No. 5)

Public Resources Code (PRC) section 3208.1 establishes re-abandonment responsibility when previously plugged and abandoned oil, gas or geothermal wells will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near previously abandoned oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received the above-referenced project dated October 9, 2025. To assist local permitting agencies, property owners, and developers in making safe and practical land use decisions regarding potential development near oil, gas, or geothermal wells, CalGEM provides a table in the attached enclosure of the wells within the parcel boundary or in its vicinity, based on CalGEM's Well Finder database (<https://maps.conservation.ca.gov/doggr/wellfinder/>).

CalGEM categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking at the landowner's expense if there is a need to access a well. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment (consisting of well servicing rig, pumping equipment, pipe trailer) to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure. Impermeable barriers such as asphalt, concrete, and plastic may trap hazardous gases and liquids

underneath and could create a safety hazard if built over a well that later develops a leak.

CalGEM recommends that any well for which access is impeded or built over, against CalGEM's advice, should be evaluated by a qualified petroleum professional for compliance with the statutory objectives of isolating all hydrocarbon-bearing strata; protecting underground and surface waters; prevention of subsequent damage to life, health, property, and other resources; and prevention of loss of oil, gas, or reservoir energy. CalGEM recommends that wells that do not meet these standards are abandoned or re-abandoned prior to construction. The well information can be accessed through CalGEM's Well Finder database mentioned above. PRC section 3208, subdivision (a), provides the primary statutory authority for CalGEM to oversee adequate abandonment of wells. Additionally, CalGEM has developed the regulatory guidance for operators to be followed during well abandonment, which are listed within California Code of Regulation, title 14 (CCR) section 1723 and associated sub-sections (for onshore wells), and section 1745 and associated sub-sections (for offshore wells).

There is no guarantee that a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. Due to the inability to predict all subsurface conditions or changes, it always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. CalGEM acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantee that such abandoned wells will not leak.

CalGEM advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations in Latitude and Longitude, NAD 83 decimal format, and leak testing results should be provided to CalGEM. CalGEM expects any wells found leaking to be reported to CalGEM immediately.

PRC section 3208.1 gives CalGEM the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for re-abandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to re-abandon the well and be responsible for the re-

abandonment.

2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be re-abandoned, or to follow the advice of the supervisor or district deputy not to undertake construction that impedes access, then the person or entity causing the construction over or near the well shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the re-abandonment.

Should any wells require abandonment or re-abandonment, the responsible party must submit a Notice of Intention (NOI) to CalGEM through WellSTAR. The NOI form can be accessed in the 'Plugging and Abandonment' section of the following link:

https://www.conservation.ca.gov/calgem/for_operators.

No well work may be performed on any oil, gas, or geothermal well without written approval from CalGEM. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. CalGEM also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR section 1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below the surface of the ground. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from CalGEM is required before work can start.

CalGEM makes the following additional recommendations to the local permitting agency, property owner, and developer:

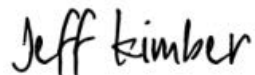
1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, CalGEM recommends that information regarding the below identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. CalGEM recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate

authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC section 3106, CalGEM has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to CalGEM's authority to order work on wells pursuant to PRC sections 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC sections 3236, 3236.5, and 3359 for violations within CalGEM's jurisdictional authority. CalGEM does not regulate grading, excavations, or other land use issues.

Should you have any questions, or if any wells are encountered that were not part of this letter, contact CalGEM at (661) 322-4031 or via email at CalGEMCentralCSWR@conservation.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Jeff Kimber". The signature is written in a cursive, slightly slanted style.

Jeff Kimber
Supervising Oil and Gas Engineer

Enclosure

Enclosure: The wells listed below are reported to be located within and nearby the parcel boundary and may have future access impeded.

Township, Range, Section	API No.	Well Name
T19S/ R22E/ Sec. 9	No wells found	

Letter Number 9



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 7, 2025

Victor Hernandez, Planner IV
Kings County Community Development Agency
1400 West Lacey Blvd., Building #6
Hanford, California 93230
(559) 852-2685
victor.hernandez@co.kings.ca.us

**Subject: Conditional Use Permit No. 24-03 (4Creeks / Sozinho Dairy No. 5)
Notice of Preparation (NOP) of a Draft Environmental Impact Report
(DEIR) SCH No. 2025100441**

Dear Victor Hernandez:

The California Department of Fish and Wildlife (CDFW) received a NOP from Kings County (County) for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Victor Hernandez, Planner IV
Kings County Community Development Agency
November 7, 2025
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expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession, or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: Sozinho Dairy No. 5, Inc.

Objective: The Project proposes to expand an existing dairy facility. The Project includes the construction of a manure processing area (200,000-square feet.), a post manure organic matter processing area (40,000-square feet), a post biodynamic aerobic bed organic matter processing area (150,000-square feet), a processing and product storage area (30,000-square feet), one reception pit, two mechanical separators, one 14-foot by 20-foot tank on a concrete pad for solid separation and collection, two earthen berms, two lift stations and five water processing beds. The proposal also includes improvements to the animal housing and operations areas of the dairy such as three new feed storage areas, twelve rows of calf hutches, one freestall barn, one maternity barn, twelve shade structures over existing corrals, one commodity barn, one shop, and one open lot corral.

Victor Hernandez, Planner IV
Kings County Community Development Agency
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Location: The proposed Project site is located in a rural unincorporated area of Kings County, just east of Hanford, on the southwest corner of Houston Avenue and 7th Avenue at address 12252 7th Avenue. The Project site consists of Assessor's Parcel Numbers (APNs): 016-200-005, -028, -029 and -035.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the DEIR prepared for the Project.

The Initial Study prepared for the Project (IS) states the site is topographically flat and surrounded by agricultural uses and some rural residences to the north. Aerial imagery shows the Project site is comprised of agricultural row crops and an active dairy facility. Agricultural lands are also present outside of the Project site to the south, east and west.

Based on a review of California Natural Diversity Database (CNDDDB) (CDFW 2025) records, and the surrounding habitat, the Project is within the geographic range of several special-status animal species including, but not limited to: the State threatened Swainson's hawk (*Buteo Swainsoni*) and tricolored blackbird (*Agelaius tricolor*); and the State candidate western burrowing owl (*Athene cunicularia hypugaea*) and Crotch's bumble bee (*Bombus crotchii*).

CDFW has the following recommendations and comments to either inform the biological technical studies conducted in support of the DEIR or to be incorporated as measures within the DEIR and implemented prior to initiating ground disturbance activities associated with the Project.

Swainson's Hawk

The IS provides Mitigation Measures (MM) BIO-1.1, BIO-1.2, and BIO-1.3 to mitigate for potentially significant impacts to Swainson's hawk (SWHA) and requires that a qualified biologist conduct pre-construction nesting bird surveys within 10 days prior to initiating construction activities during the SWHA breeding season. CDFW does not concur that these measures are sufficient to mitigate for potentially significant impacts to SWHA and avoid unauthorized take. As such, CDFW recommends that a qualified biologist conduct surveys for nesting SWHA following the entire survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000) as part of the biological technical studies conducted in support of the DEIR.

Victor Hernandez, Planner IV
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In addition to conducting SWHA surveys, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 1: SWHA Surveys Prior to Construction

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project construction, CDFW recommends that additional surveys, following the survey methodology developed by the SWHA Technical Advisory Committee, be repeated the survey season immediately prior to construction.

Recommended Mitigation Measure 2: SWHA Avoidance Buffer

If Project-specific activities will take place during the SWHA nesting season (i.e., March 1 through September 15), and active SWHA nests are present, CDFW recommends a minimum ½-mile no-disturbance buffer be delineated and maintained around each nest, regardless of whether it was detected by surveys or observed incidentally. These buffers would remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival, to prevent nest abandonment and other take of SWHA as a result of Project activities.

Recommended Mitigation Measure 3: SWHA Take Authorization

CDFW also recommends that in the event an active SWHA nest is detected, and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Tricolored Blackbird

The IS provides MM BIO-3.1, BIO-3.2, and BIO-3.3 to mitigate for potentially significant impacts to tricolored blackbird (TRBL) and requires that a qualified biologist conduct pre-construction nesting bird surveys within 15 days prior to initiating construction activities during the nesting season. CDFW concurs with conducting pre-construction nesting bird surveys but recommends a qualified wildlife biologist conduct focused surveys for nesting TRBL no more than 10 days prior to the start of construction to evaluate presence/absence of TRBL nesting colonies in proximity to Project activities and to evaluate potential Project-related impacts. These measures also require that a qualified biologist implement an appropriate no-disturbance buffer around active nests based on applicable CDFW guidelines and/or the biology of the affected species. CDFW concurs with this portion of the measures and recommends implementation of a minimum 300-foot no-disturbance buffer around the colony in accordance with CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW 2015). CDFW recommends that this

Victor Hernandez, Planner IV
Kings County Community Development Agency
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buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged and are no longer reliant upon the colony or parental care for survival. CDFW also recommends if a TRBL nesting colony is detected during surveys and avoidance is not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Western Burrowing Owl

The California Fish and Game Commission (FGC) approved western burrowing owl (BUOW) as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register (Notice Register) on October 25, 2024. As such, BUOW is now a candidate under CESA and receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085).

The IS provides MM BIO-2.1, BIO-2.2, and BIO-2.3 to mitigate for potential Project related impacts to BUOW and requires that a qualified biologist conduct pre-construction clearance surveys following the methods outlined in the Staff Report on Burrowing Owl Mitigation (CDFG 2012), no less than 14 days prior to the initiation of construction activities. The measures also require that a qualified biologist implement a no-disturbance buffer of 250 feet around active BUOW nest burrows during the breeding season (Feb 1 through Aug 31). CDFW does not concur that the proposed survey measures and no-disturbance buffer distance are sufficient to mitigate for potentially significant impacts to BUOW and avoid unauthorize take of the species absent an ITP.

MM BIO-2.3 also states that, "If the applicant chooses to passively relocate owls during the non-breeding season, this activity shall be conducted in accordance with a relocation plan prepared by a qualified biologist." CDFW does not concur MM BIO-2.3 is sufficient to mitigate for potentially significant impacts to BUOW and avoid unauthorized take. Passive relocation in particular would have a strong likelihood in result in the unauthorized take of the species absent an ITP being issued for the Project. As such, CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012) as part of the biological studies conducted in support of the DEIR. In addition to the habitat assessment and focused surveys for BUOW, CDFW recommends the DEIR include the following:

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Recommended Mitigation Measure 4: BUOW Pre-construction Surveys

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project construction, CDFW recommends that additional surveys, following the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012) be repeated the survey season immediately prior to construction.

Recommended Mitigation Measure 5: BUOW Avoidance Buffer

Should a BUOW or known BUOW den (active or inactive) be detected, either during pre-construction surveys or construction activities, CDFW recommends that no-disturbance buffers, as outlined in the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012), be implemented prior to and during any ground-disturbing activities. CDFW also recommends that these buffers be implemented for both wintering and breeding BUOW.

Recommended Mitigation Measure 6: BUOW Take Authorization

If a BUOW or known BUOW den (active or inactive) is detected, and the no-disturbance buffers outlined in the 2012 Staff Report on Burrowing Mitigation are not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Crotch's Bumble Bee

The Project site is within the known geographical range of Crotch's bumble bee (CBB) and a historical occurrence has been documented within 1 ½ miles of the Project site (CDFW 2025). CBB are known to inhabit areas of grasslands and scrub that contain requisite habitat elements for nesting, such as small mammal burrows and bunch/thatched grasses, and these habitat elements may be present within the Project site. As such, CDFW recommends a qualified biologist conduct a habitat assessment as part of the biological studies conducted in support of the DEIR to determine if the Project site and the immediate surrounding vicinity contain habitat suitable to support CBB. Potential nesting sites, which include all small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, would need to be documented as part of the assessment. If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023). If surveys indicate the presence or potential presence of CBB, consultation with the CDFW is recommended for guidance on the development of mitigation measures such as take avoidance, minimization, and mitigation. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

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Editorial Comments and/or Suggestions

Nesting birds: CDFW encourages that all ground-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 15 through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not result in a violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

CDFW recommends that a qualified biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction areas would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Cumulative Impacts: CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project. Including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on

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resources and be focused specifically on the resource, not the Project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff are available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

Project Alternatives Analysis: CDFW recommends that the information and results obtained from the biological technical surveys, studies, and analysis conducted in support of the DEIR be used to develop and modify the Project's alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. When efforts to avoid and minimize have been exhausted, remaining impacts to sensitive biological resources should be mitigated to reduce impacts to a less than significant level, if feasible.

California Natural Diversity Database: Please note that the CNDDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDDB does not mean that a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted to determine whether or not any special-status species are present.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

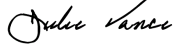
If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

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CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the County in identifying and mitigating Project impacts on biological resources. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Please see the enclosed Mitigation Monitoring and Reporting Program (MMRP) table (Attachment 1) which corresponds with the recommended mitigation measures in this comment letter. Questions regarding this letter or further coordination should be directed to John Riedel, Environmental Scientist, at (559) 807-1453 or john.riedel@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

ATTACHMENT 1 - MMRP

ec: State Clearinghouse
Governor's Office of Land Use and Climate Innovation
state.clearinghouse@lci.ca.gov

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REFERENCES

- California Department of Fish and Game. 2012. Staff report on burrowing owl mitigation. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2015. Staff guidance regarding avoidance of impacts to tricolored blackbird breeding colonies on agricultural fields in 2015. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2023. Survey considerations for California Endangered Species Act (CESA) candidate bumble bee species. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2025. Biogeographic information and observation system (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed 28 October 2025.
- Swainson's Hawk Technical Advisory Committee. 2000. Recommended timing and methodology for Swainson's hawk nesting surveys in California's Central Valley. Swainson's Hawk Technical Advisory Committee.

Attachment 1

Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)**

**PROJECT: Conditional Use Permit No. 24-03 (4Creeks / Sozinho Dairy
No. 5)**

SCH No.: 2025100441

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Swainson's Hawk (SWHA)	
Recommended Mitigation Measure 1: SWHA surveys prior to construction	
Recommended Mitigation Measure 3: SWHA take authorization	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 4: BUOW preconstruction surveys	
Recommended Mitigation Measure 6: BUOW take authorization	
<i>During Construction</i>	
Swainson's Hawk (SWHA)	
Recommended Mitigation Measure 2: SWHA avoidance buffer	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 5: BUOW avoidance buffer	