

**GLENN COUNTY PLANNING AND
COMMUNITY DEVELOPMENT SERVICES AGENCY**

MITIGATION MONITORING PROGRAM AND CONDITIONS OF APPROVAL

Conditional Use Permit 2020-002, Mission Livestock Feedlot: Pursuant to the approval of the Glenn County Planning Commission, Mission Livestock Feedlot is hereby granted Conditional Use Permit 2020-002. Conditional Use Permit 2020-002 is hereby granted subject to the Conditions of Approval set forth herein. Pending final approval by the Glenn County Planning Commission the applicant shall file a signed copy of these Conditions of Approval with the Glenn County Planning & Community Development Services Agency.

Project Description: The project addresses an application for a Conditional Use Permit to convert the previous Greenwood Dairy facility, located at 6569 County Road 27 in Orland, to a beef cattle feedlot. The Greenwood Dairy was established in 2000; in December 2007 Conditional Use Permit 2007-002 was approved for the expansion of the Greenwood Dairy. In March 2009 a Minor Amendment for revisions of the site plans were approved. Conditional Use Permit 2007-002 approved a herd of 4,100 dairy cattle (Holstein); which equates to 5,567 Animal Units.

Conditional Use Permit 2020-002 proposes a feedlot with a beef cattle capacity of approximately 7,100, (4,260 Animal Unit) with a maximum capacity of 9,278 beef cattle. Cattle will arrive at the site at an average weight of 350 pounds and leave at a weight of approximately 950 pounds. Individual cattle will be onsite for approximately 150 days. The facility is proposed to operate seven days a week from 6:00 a.m. to 5:00 p.m. No new structures are being proposed.

Mission Livestock is applying for coverage under Regional Water Quality Control Board (RWQCB) Order R5-2017-0058 Waste Discharge Requirements General Orders for Confined Bovine Feeding Operations. Under this Order, the conversion of the dairy to a feedlot would be considered an “existing facility” as the current dairy was covered under individual waste discharge requirements (Order R5-2008-0122) and the operation had been approved and undergone CEQA review.

The General Plan land use designation is “Intensive Agriculture” and the zoning designation is “AE-40” (Exclusive Agriculture Zone). The proposed feedlot is a permitted use with an approved conditional use permit within the “AE-40” zone. Glenn County Code §15.330.040.X. Detailed project information is included in the Mitigated Negative Declaration and Initial Study attached to this report.

Location: The project site is 6569 County Road 27, approximately 4-miles south of Orland; located on the south side of County Road 27, west of County Road M, north of County Road 30 and east of County Road 99W, within the unincorporated area of Glenn County, California. Section 15, Township 21 North, Range 3 West, MDBM; Based on U.S. Geological Survey (USGS) Orland 7.5-minute Quadrangle, the site coordinates are Latitude: 39.6740N, Longitude: 122.1900W. The project site comprises the following Assessor Parcel Number (APN): 024-100-017 (273.07± acres).

ON GOING

Condition of Approval 1 (Glenn County Environmental Health):

The site shall operate as an excluded facility pursuant to Title 14 of California Code of Regulation §17855(a)(1); and shall meet the following:

- Handle exclusively agricultural material as defined by 14 CCR 17852(a)(5).
- All compostable material is obtained from the same property, or adjoining properties owned or controlled by the same owner
- All material, after composting, shall be returned to the same property (except as noted below)
- No more than 1000 cubic yards of compost shall be sold or given away annually

Condition of Approval 2 (Central Valley Regional Water Quality Control Board):

RWQCB Order R5-2017-0058 *Waste Discharge Requirements General Order for Confined Bovine Feeding Operations*. Prior to operation commencement the applicant shall provide Glenn County Planning Division conformation of such coverage from the RWQCB.

Condition of Approval 3 (Central Valley Regional Water Quality Control Board):

Composting operations on site will be covered under add State Water Resources Control Board (SWRCB) Order WQ-2015-0121 *General Waste Discharge Requirements for Composting Operations*. Site composting operations shall remain in compliance with this general order.

Condition of Approval 4 (Glenn County Public Works Agency):

That no off-site parking associated with this development shall be allowed on County Road 27.

Condition of Approval 5 (Glenn County Air Pollution Control District):

The site shall operate in accordance with California Code of Regulations Title 16 §86501. As a result, the operator shall keep and maintain records that specify the numbers of animals maintained daily and such other information as may be required by the Glenn County Air Pollution Control District or Air Quality Management District rules. Such records shall be maintained at a central place of business for a period of not less than three years and shall be made available upon request to the Executive Officer or Air Pollution Control Officer or their representative.

Condition of Approval 6 (Glenn County Planning Division):

The applicant shall deposit a minimum of \$1,000.00 for the purpose of mitigation compliance and Condition of Approval monitoring within 30 days of approval. Staff time shall be deducted from balance at current rate. The account shall be replenished to a minimum of \$1,000.00 by December 30 of each year.

Condition of Approval 7 (Glenn County Planning Division)

This permit (Conditional Use Permit 2020-002) shall be limited to no more than 9,278 cattle (5,567 Animal Units) on site at any given time.

PRIOR TO ENCROACHMENT PERMIT

Condition of Approval 8 (Glenn County Public Works Agency):

That prior to any work being done in the 60' County Right-of-Way an Encroachment Permit shall be applied for and received from the Glenn County Public Works Agency.

DURING CONSTRUCTION/EXCAVATION ACTIVITIES

Condition of Approval 9 (Mitigation Measure CR-1 (Cultural Resources)):

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the lead federal agency, the lead CEQA agency, and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either:
 - 1) is not eligible for the NRHP or CRHR; or
 - 2) that the treatment measures have been completed to their satisfaction.
- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify Glenn Butte County Coroner (as per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted

to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

Timing/Implementation:

During Construction/Excavation Activities

Enforcement/Monitoring:

Glenn County Planning & Community Development Services Agency

Condition of Approval 10 (Mitigation Measure TCR -1 (Tribal Cultural Recourses):

In the event that any prehistoric or historic subsurface cultural (including Tribal) resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and the applicant/operator shall consult with the County and a qualified archaeologist (as approved by the County) and corresponding tribal representative to assess the significance of the find per CEQA Guidelines Section 15064.5. The qualified archaeologist shall determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures. Appropriate mitigation measures, based on recommendations listed in the archaeological survey report and tribal representative, will be determined by the Glenn County Planning & Community Development Services Agency. Work may proceed on other parts of the project site while mitigation for historical resources, unique archaeological resources, and/or tribal resources is carried out. All significant cultural materials recovered shall be, at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, tribal representative, and documented according to current professional standards.

Timing/Implementation:

During Construction/Excavation Activities

Enforcement/Monitoring:

Glenn County Planning & Community Development Services Agency

PRIOR TO COMMENCEMENT OF THE OPERATIONS

Condition of Approval 11 (Glenn County Planning Division):

No less than 30 days prior to scheduled operation date, the Applicant shall notify the Planning Division (in writing) that operations are to commence. The applicant shall keep Glenn County Planning Division updated on designated contact person for the feedlot.

Condition of Approval 12 (Glenn County Public Works):

Prior to commencement of operations the applicant shall provide Glenn County Planning Division a copy of a Road Maintenance Agreement (or exemption therefrom) from Glenn County Public Works. Said fee is to be processed through Public Works.

Condition of Approval 13 (Mitigation Measure AQ-1 (Air Quality)):

The applicant shall obtain an Authorization to Construct and Permit to Operate (or exemption thereof) approved by the Glenn County Air Pollution Control District. A fully executed copy of Authorization to Construct shall be provided to the Planning Division prior to operation commencement.

*Timing/Implementation:
Prior to Operation Commencement*

*Enforcement/Monitoring:
Glenn County Air Pollution Control District*

Condition of Approval 14 (Mitigation Measure AQ-2 (Air Quality)):

The applicant shall submit a copy of a Dust Control Plan (or exemption thereof) approved by the Glenn County Air Pollution Control District. A fully executed copy shall be provided to the Planning Division prior to operation commencement.

*Timing/Implementation:
Prior to Operation Commencement*

*Enforcement/Monitoring:
Glenn County Air Pollution Control District*

Condition of Approval 15 (Mitigation Measure AQ-3 (Air Quality)):

The applicant shall submit a copy of an Odor Control Plan (or exemption thereof) approved by the Glenn County Air Pollution Control District. A fully executed copy shall be provided to the Planning Division prior to operation commencement.

*Timing/Implementation
Prior to Operation commencement*

*Enforcement/Monitoring:
Glenn County Air Pollution Control District*

Condition of Approval 16 (Mitigation Measure HA-1 (Hazards and Hazardous Materials)):
Prior to operation commencement, the applicant shall provide Glenn County Planning Division a Hazardous Materials Business Plan approved by Glenn County Air Pollution Control District.

Timing/Implementation:
Prior to Operation Commencement

Enforcement/Monitoring:
Glenn County Air Pollution Control District

I hereby declare under penalty of perjury that I have read the foregoing conditions, which are in fact the conditions that were imposed upon the granting of the Conditional Use Permit, and that I agree to abide fully by said conditions. Additionally, I have read the Staff Report and I am aware of codified county, state, and/or federal standards and regulations that shall be met with the granting of this permit. I have the proper legal authority to, and am signing on the behalf of, those with interest in Mission Livestock Feedlot Facility.

Signed: _____ Date: _____
Douglas Freitas – Applicant

DRAFT

Signed: _____ Date: _____
Paul Violich/Violich Farms: – Landowner