

NOTICE OF DETERMINATION

To: Office of Land Use and Climate Innovation
1400 Tenth Street, Room 121
Sacramento, CA 95814

Tulare County Clerk
Room 105, Courthouse
221 South Mooney Blvd.
Visalia, CA 93291

Lead Agency: County of Tulare Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277 (559) 624-7000
Attn: gmills@tularecounty.ca.gov and jwillis@tularecounty.ca.gov

FILED TULARE COUNTY
OCT 30 2024
ASSESSOR / CLERK-RECORDER BY:
DATE RECEIVED FOR FILING AT TULARE COUNTY CLERK'S OFFICE

Applicant: Setton Pistachio of Terra Bella
9370 Rd 234
Terra Bella, CA 93270

Subject: Filing of Notice of Determination in Compliance with Section 21108 of the Public Resources Code

Project Title: Setton Pistachio Treated Wastewater Land Application Expansion Project

State Clearinghouse Number: 2023030410

Contact Person: Gary Mills, Chief Environmental Planner **Telephone Number:** 559-624-7199

Project Location: The Setton Terra Bella Pistachio Facility is located on an 80-acre site at 9370 Road 234, Terra Bella, east of State Route (SR) 65, in unincorporated Tulare County. The project would involve improvements to the existing East and West storage ponds and 89 acres of new Land Application Areas (LAAs) (pistachio orchards with crop cover) on APNs 320-040-004, -005, -006, -007, -008, -009; 320-040-034; and 320-070-023, -024, and -025. The project sites are owned by Setton Pistachio.

The Terra Bella facility is zoned Light and Heavy Manufacturing (M-1 and M-2) and is bordered by properties zoned Rural-Residential (R-A), General-Commercial and Mixed-Use (C-2-MU), and Light-Manufacturing (M-1) to the north; Single-Family Residential (R-1), Two-Family Residential (R-2), and Multiple-Family (R-3) to the east; Heavy-Manufacturing (M-2) and Rural-Residential (R-A) to the south; and Exclusive Agricultural – 10 acre minimum (AE-10) to the west. The pipeline connections and additional LAAs are located in the Exclusive Agricultural - 10 acre minimum (AE-10) zoning district, surrounded by lands also zoned AE-10.

Project Description: To allow the Setton Pistachio Terra Bella Facility to fully utilize its current design capacity to process up to 122 million pounds of pistachios per year, Setton is proposing to add 89 acres of LAAs (total of 961 acres) to expand the treated wastewater disposal capacity. The additional LAAs would allow Setton Pistachio to increase the annual wastewater discharge from 60 million gallons per year (MGY) to 85 MGY (maximum daily discharge rates would remain at 3 million gallons).

The project would include installation of a 15-inch subsurface pipeline to connect the additional LAAs to the existing treated wastewater distribution pipelines as well as the installation of high-efficiency drip irrigation lines within the LAAs.

An encroachment permit is required from Tulare County for the new subsurface pipeline, which would need to be installed under two county roads to reach two of the new LAAs.

Improvements to the existing wastewater treatment facilities are proposed to protect beneficial uses of water, prevent nuisance conditions, and comply with waste discharge requirements issued by the Central Valley Regional Water Quality Control Board. An additional fiber filter unit would be added to the existing gunite-lined pond to remove excess solids from treated wastewater prior to its release into the East and West Ponds, where it is stored on a short-term basis for distribution to the LAAs. The retention time for wastewater in the ponds would be limited to two hours in each pond to prevent the degradation of remaining matter in the water that could cause odors. As an additional preventive measure, paddles would be installed in the West Pond and a venturi system would be installed in the East Pond to improve aeration to prevent septicity and odor production. Both types of aerators would provide dissolved oxygen (DO) to ensure that carbonaceous biochemical oxygen demand (cBOD) in the treated effluent is degraded under aerobic conditions to prevent septicity and odor production.

Finally, as part of the existing odor control plan for the Setton Pistachio Terra Bella Facility, chemical oxidizer and pH control chemicals, such as hydrogen peroxide have been used. It is anticipated that that the project would involve continued use of such chemicals, such as hydrogen peroxide and lime.

The additional LAAs would allow the Terra Bella facility to fully utilize its current design capacity, which would represent an increase of approximately 20.6 million pounds pistachios being processed (over the average for the facility of 101.4 million pounds per year). Processing that increased amount of pistachios would require increased operations. The project does not propose the construction or operation of any new mechanical or storage facilities at the Terra Bella facility. However, the existing operations would potentially extend over a longer period of time, potentially from eight to ten weeks. This would result in a 20 percent increase in hull bio-matter, from 100 million pounds to approximately 120 million pounds of solid waste. The current limit of 12,500 tons of composting would not change as a result of the project. The project would result in a 20 percent increase in truck trips, including both pistachio delivery trips, which would increase from 6,000 truckloads per year to 7,200 truckloads per year for pistachio deliveries, 3,000 to 3,600 truckloads per year for delivery of "finished" products, and 2,308 trips per year to 2,770 trips per year for off-hauling of bio solids to composting and cattle feed locations. However, staffing at the Terra Bella facility would continue to be between 500 and 550 permanent employees and an additional 500 to 550 temporary employees during the peak harvest season.


Construction is anticipated to occur in 2024 and would take less than a month.

This is to advise that the **TULARE COUNTY BOARD OF SUPERVISORS**, as Lead Agency Responsible Agency, has approved the above-described project on **October 8, 2024**, and has made the following determinations regarding the above-described project:

1. The project [will will not] have a significant adverse impact on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures [were were not] made a condition of approval of this project.
4. A Mitigation Monitoring and Reporting Plan [was was not] adopted for this project.
5. A Statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provision of CEQA.

This is to certify that the environmental document and record of project approval is available to the General Public and may be examined at:

- Tulare County Resource Management Agency, 5961 S Mooney Blvd., Visalia CA 93277
- or
- Online at <https://tularecounty.ca.gov/rma/planning-building/environmental-planning/environmental-impact-reports/setton-pistachio-land-application/>

Signature:  Date: 10/29/24 Title: Environmental Assessment Officer
Reed Scheitke, P.E. RMA Director

Signed by Lead Agency

Date submitted to the LCI/SCH: _____

Dept. of Fish & Wildlife Fees Required

EIR

MND

ND

Dept. of Fish & Wildlife Fees Not Required – Fees Paid
Receipt Number: _____

Cc: California. Dept. of Fish & Game, 1416 Ninth St., 12th Floor, Sacramento, CA 95814

Note: Authority cited: Section 21083, Public Resource Code; Reference: Sections 21108, 21152 and 21167, Public Resource Code.