



July 11, 2024

Kristen Anaya, Associate Planner  
Stanislaus County Planning & Comm. Dev.  
1010 10th Street, Suite 3400  
Modesto, CA 95354

**Subject: SCH No. 2024061145 - Request for Early Consultation for Use Permit  
Application No. PLN2024-0005 – BA Digester – Stanislaus County**

Dear Ms. Anaya:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments for this proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

### **PROJECT DESCRIPTION**

The Stanislaus County Department of Planning and Community Development, acting as Lead Agency, has prepared a Notice of Early Consultation in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies for the proposed project.

The proposed BA Digester activity would be located at 3943 Bentley Road, Oakdale, CA 95361. The surrounding land use is agriculture, and the proposed site is currently zoned A-2-40 (General Agriculture).

Based on the information provided in the Notice of Early Consultation, the proposed project would allow a biogas facility on an approximately 294-acre parcel located in the unincorporated area of Oakdale in Stanislaus County, Assessor Parcel Numbers (APNs) 014-017-001 and 014-008-004. The proposed facility will serve as a digester hub to process manure wastewater from six dairies located in Stanislaus County within approximately 2.5 miles of the project site. The project proposes to demolish heifer pens and one freestall barn in order to develop a 6-acre area, containing an approximate 1.3 acre covered anaerobic digester, appurtenant digester equipment including a hydrolyzer (which carries out hydrolysis), various processing, thickening, flush, and collection pits, jet mixing systems, a biofeeder, three combined heat and power engines, screen separators, and a regenerative thermal oxidizer. The project will also install a 1,680 square-foot utility building for storage and a 360 square-foot office trailer for operations and management. The 6-acre project area will be paved and include five parking stalls adjacent to the office. The facility will take manure waste from

existing dairies and capture the biogas that is produced in the breakdown process within a covered anaerobic digester. After the digester captures biogas by-products, it will be transferred to an off-site injection point, where it will be transferred to be processed and upgraded to renewable natural gas (RNG). Upon initial development, wastewater will be trucked in from off-site dairies via a “virtual pipeline”; however, the applicant anticipates that an underground pipeline system will gradually be installed within the County road right-of-way to pipe wastewater from each of the six donor dairies to the proposed digester. Wastewater coming out of the digester will be transferred back to each respective dairy pursuant to the quantities listed under each dairy’s current wastewater management plan (WMP); no net increase of wastewater will be applied to any of the dairies. Manure solids will be filtered out and used for normal dairy operations including bedding and crop fertilizer at each dairy.

The digester will operate 24 hours a day/seven days a week. Up to two employees will be on site Monday through Friday, 8:00 a.m. to 5:00 p.m. and be on call in case of emergencies. Up to 40 truck trips per day are anticipated to transport biogas, RNG and dairy wastewater. Once pipeline infrastructure is in place, the facility anticipates up to 10 truck trips per day. Two employee trips will occur per weekday. The project site is currently served by several private wells, including domestic wells serving the residences, a monitoring well, and condensate well. Septic systems serve the residents.

### **COMMENTS**

Based on the project description, the proposed activity could possibly be slotted in one of the regulatory tiers for In-Vessel Digestion Operations and Facilities, pursuant to Title 14, California Code of Regulations (14 CCR) Section 17896.5. The proposed activity could also be possibly slotted as an excluded activity, pursuant to 14 CCR 17896.6.

Please see the following link for more information on permitting in-vessel digesters, regulatory tiers, and requirements:

<https://calrecycle.ca.gov/SWFacilities/Permitting/FacilityType/InVessel/>

Further, CalRecycle staff has the following questions and comments:

1. Will the CEQA document impose a limit on the amount of tonnage or cubic yards of incoming material the facility can receive each day? If so, please specify the amount.
2. What will the proposed design capacity of all materials on site, including feedstock, be at any one time (in tons and/or in cubic yards)?
3. Please clarify what a “virtual pipeline” entails.

4. Aside from manure wastewater, will any other feedstocks/waste types be allowed? If so, please describe the types and quantities that will be processed.
5. Will there be any contaminants that will be removed? If so, describe how and the process for storage and disposal.
6. It is stated that, "Up to 40 truck trips per-day are anticipated to transport biogas, RNG and dairy wastewater." It is also stated, "After the digester captures biogas by-products, it will be transferred to an off-site injection point...". It is understood that prior to the 'virtual pipeline' trucks will be delivering manure (dairy) wastewater. But how will the biogas/RNG be removed off site?

#### Solid Waste Regulatory Oversight

CalRecycle is the solid waste Enforcement Agency (EA) for Stanislaus County and responsible for providing regulatory oversight of solid waste handling activities, including permitting and inspections.

#### **CONCLUSION**

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the Notice of Early Consultation and hopes that this comment letter will be useful to the Lead Agency in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices and any notices of determination for this project.

If an environmental document is adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at (916) 341-6772 or by email me at [joy.bowers@calrecycle.ca.gov](mailto:joy.bowers@calrecycle.ca.gov).

Sincerely,



Joy Bowers  
Permitting and Assistance Branch  
Waste Permitting, Compliance, and Mitigation Division  
CalRecycle

cc via email: Randy Friedlander, CalRecycle  
Justin Vlach, CalRecycle  
Ben Escotto, CalRecycle