

1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354 Planning Phone: (209) 525-6330 Fax: (209) 525-5911 Building Phone: (209) 525-6557 Fax: (209) 525-7759

# Referral Early Consultation

Date: January 2, 2024

To: Distribution List (See Attachment A)

From: Emily DeAnda, Assistant Planner

**Planning and Community Development** 

Subject: USE PERMIT APPLICATION NO. PLN2023-0039 – MD DIGESTER

Respond By: January 17, 2024

#### \*\*\*\*PLEASE REVIEW REFERRAL PROCESS POLICY\*\*\*\*

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant: MD Digester, LLC.

Project Location: 4900, 5028, 5030, 5032, and 5034 Dodds Road, between 26 Mile Road and

Victory Avenue, in the Valley Home area.

APN: 002-003-020

Williamson Act

Contract: 1972-752

General Plan: Agriculture

**Current Zoning:** General Agriculture (A-2-40)

**Project Description:** 

Request to operate a methane digester on a 482.4± acre parcel located in the General Agriculture (A-2-40) zoning district. The methane digestor will process dairy waste produced from the on-site dairy and from an off-site dairy located just west of the project site (APN: 002-003-024), which will be piped in a slurry form via underground pipeline located across private property.

As part of this request, the following improvements and structures will be developed on the project site: a 1.3± acre digester and associated equipment; a livestock water recycling system; biogas upgrading equipment; three natural gas generators; a backup/emergency flare; fire

suppression water supply tank; and a 360± square-foot office, and a 1,500± square-foot shop. No new structures are proposed to be installed on the off-site dairy. No expansion of existing herd sizes will occur as a result of this project on either of the dairies.

The dairy waste slurry will be processed through the digester and associated equipment by a gas collection and water filtration system to convert greenhouse gases (GHG) to Renewable Natural Gas (RNG), which will be trucked off-site via a heavy-duty truck. The dairy waste slurry from the off-site dairy (APN: 002-003-024) to the west of the project site will be pumped to the digester site via a private underground pipeline not within the County right-of-way. Slurry coming out of the digester will be piped back to each respective dairy pursuant to the quantities listed under each dairies' 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 project site is currently improved with a dairy facility, residential, and accessory structures totaling 650,506± square feet of building space consisting of four milk barns, a commodity barn, a bunker silo, three free stall barns, a heifer/maternity barn, a hospital and horse barn, a carport, three agricultural storage buildings, three cattle shades, three single-family dwellings, a swimming pool, and one duplex with a garage. The South San Joaquin Irrigation District (SSJID) Canal and Howell Lateral cross the project site from north to south, and the Fairbanks Lateral and Leitch Lateral cross from east to west on the project site.

The digester will operate 24 hours a day/seven days a week. A maximum of three employees are anticipated on-site five days a week, from 6:00 a.m. to 5:00 p.m. The third employee will be on-site as needed throughout the week during the same proposed hours of operation. The applicant anticipates up to three roundtrips per day for trucks transporting RNG off-site to an existing pipeline connection in Helm, California where it will then be compressed and used as natural gas for fueling vehicles. Two heavy-duty truck trips per week are expected for system maintenance and refueling the natural gas generators to be installed on-site. The project site is currently served by private well and septic systems. The project site has existing access from County-maintained Dodds Road.

Full document with attachments available for viewing at: <a href="http://www.stancounty.com/planning/pl/act-projects.shtm">http://www.stancounty.com/planning/pl/act-projects.shtm</a>



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County

# USE PERMIT APPLICATION NO. PLN2023-0039 – MD DIGESTER Attachment A

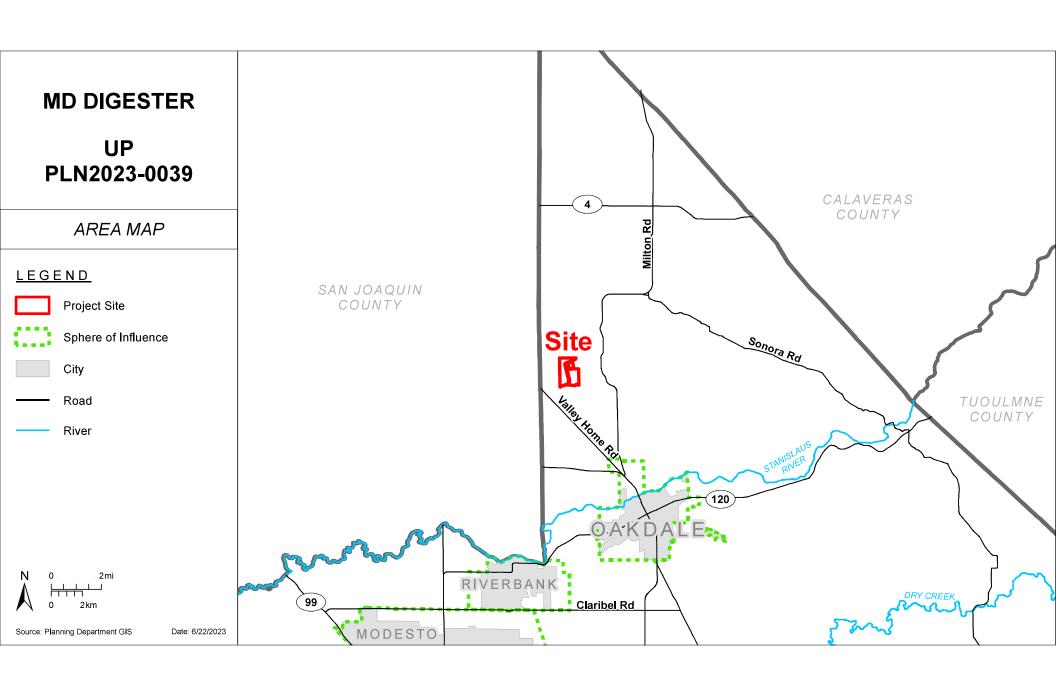
#### **Distribution List**

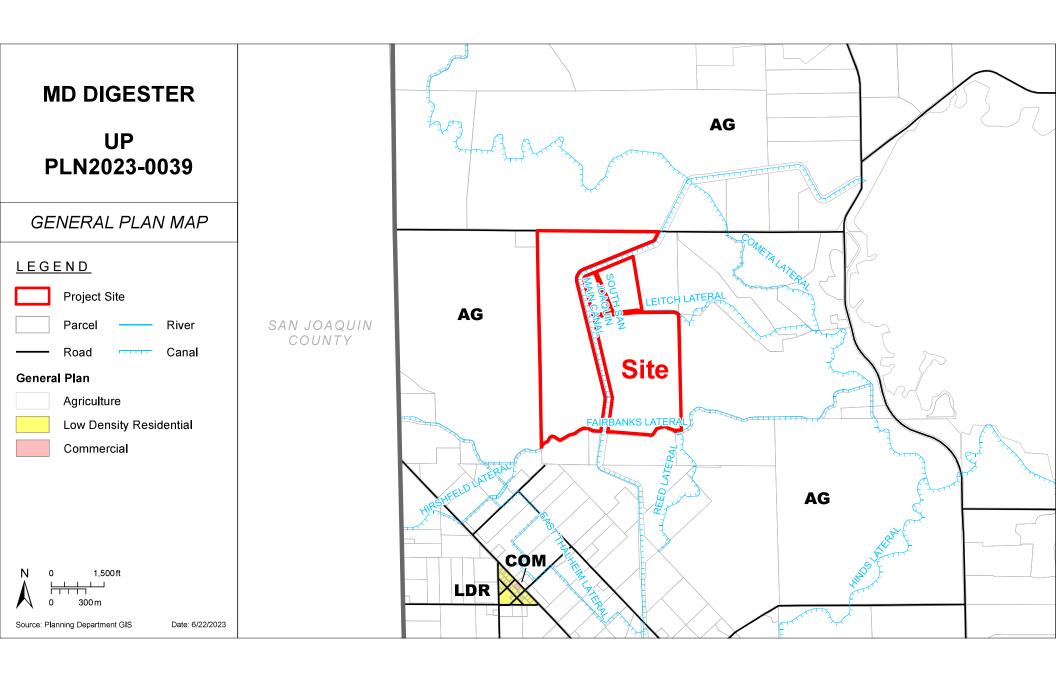
DISL	ribution List		
Х	CA DEPT OF CONSERVATION Land Resources		STAN CO ALUC
Х	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	Х	STAN CO BUILDING PERMITS DIVISION
	CA DEPT OF TRANSPORTATION DIST 10	Х	STAN CO CEO
Х	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
Х	CA RWQCB CENTRAL VALLEY REGION	Х	STAN CO DER
	CA STATE LANDS COMMISSION		STAN CO ERC
	CEMETERY DISTRICT	Х	STAN CO FARM BUREAU
	CENTRAL VALLEY FLOOD PROTECTION	Х	STAN CO HAZARDOUS MATERIALS
	CITY OF:	Х	STAN CO DER MILK AND DAIRY
	COMMUNITY SERVICES DIST:	Х	STAN CO PUBLIC WORKS
Х	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
Х	COUNTY OF: SAN JOAQUIN	Х	STAN CO SHERIFF
Х	DER GROUNDWATER RESOURCES DIVISION	Х	STAN CO SUPERVISOR DIST 1: B. CONDIT
Х	FIRE PROTECTION DIST: OAKDALE RURAL	Х	STAN COUNTY COUNSEL
Х	GSA: OAKDALE IRRIGATION DISTRICT		StanCOG
Х	HOSPITAL DIST: OAK VALLEY	Х	STANISLAUS FIRE PREVENTION BUREAU
Х	IRRIGATION DIST 1: OAKDALE	Х	STANISLAUS LAFCO
Х	IRRIGATION DIST 2: SAN JOAQUIN	Х	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
Х	MOSQUITO DIST: EASTSIDE		SURROUNDING LAND OWNERS
Х	STANISLAUS COUNTY EMERGENCY MEDICAL SERVICES		INTERESTED PARTIES
Х	MUNICIPAL ADVISORY COUNCIL: VALLEY HOME	Х	TELEPHONE COMPANY: AT&T
Х	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:		US ARMY CORPS OF ENGINEERS
	RAILROAD:	Х	US FISH & WILDLIFE
Х	SAN JOAQUIN VALLEY APCD		US MILITARY (SB 1462) (7 agencies)
Х	SCHOOL DIST 1: VALLEY HOME JOINT		USDA NRCS
Х	SCHOOL DIST 2: OAKDALE JOIN UNIFIED		
	WORKFORCE DEVELOPMENT		
Х	STAN CO AG COMMISSIONER		
		•	1

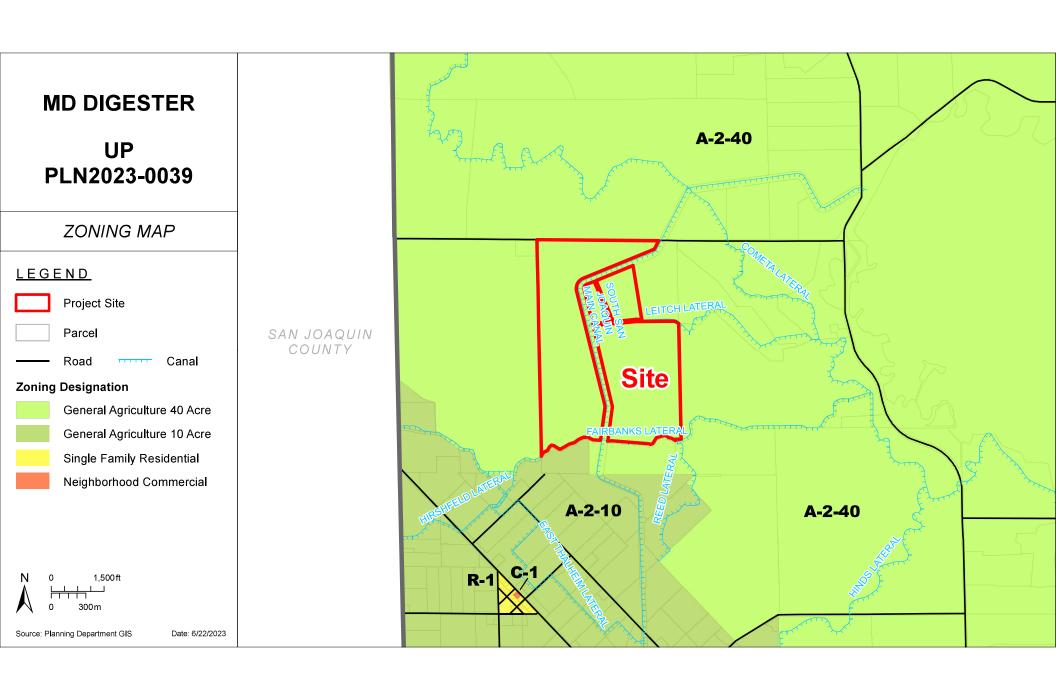


## STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

TO:	Stanislaus County Planni 1010 10 <sup>th</sup> Street, Suite 340 Modesto, CA 95354		evelopment
FROM:			
SUBJECT:	USE PERMIT APPLICATION	ON NO. PLN2023-00	39 – MD DIGESTER
Based on this project:	agency's particular field(s)	of expertise, it is o	ur position the above described
	_Will not have a significant e _May have a significant effe _No Comments.		
	ire specific impacts which su ypes, air quality, etc.) – (atta		tion (e.g., traffic general, carrying necessary)
Listed below a	WHEN THE MITIGATION	I OR CONDITION I	sted impacts: <i>PLEASE BE SURE</i> NEEDS TO BE IMPLEMENTED A BUILDING PERMIT, ETC.):
In addition, ou	r agency has the following c	omments (attach add	litional sheets if necessary).
Response pre	pared by:		
Name		Title	Date







## **MD DIGESTER**

## UP PLN2023-0039

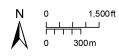
2022 AERIAL AREA MAP

#### LEGEND

Project Site

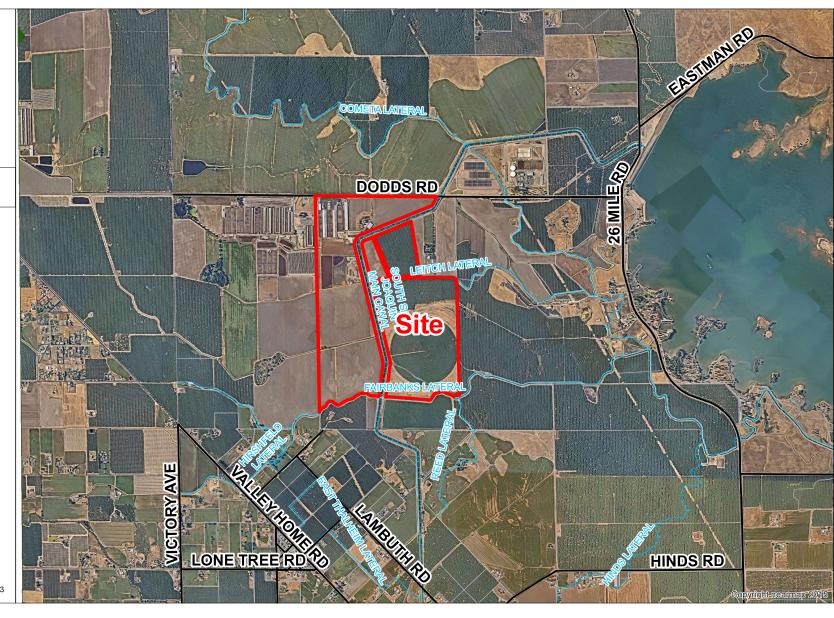
Road

Canal



Source: Planning Department GIS

Date: 6/22/2023



## **MD DIGESTER**

## UP PLN2023-0039

2022 AERIAL SITE MAP

LEGEND

Project Site

------ Road

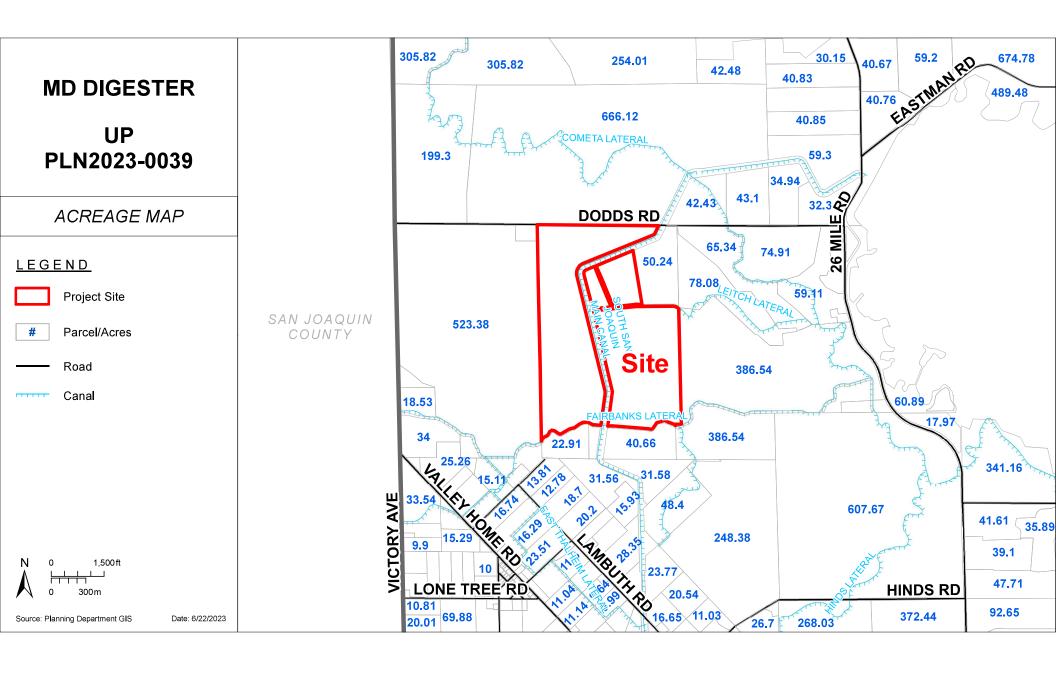
····· Canal



Source: Planning Department GIS

Date: 6/22/2023









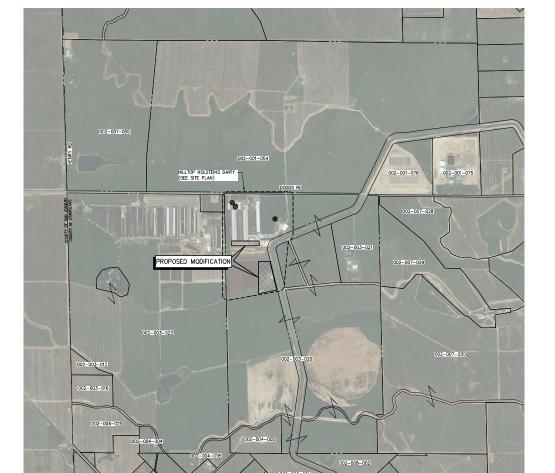
FOR PERMITTING
NOT FOR CONSTRUCTION
5/11/2023

MD DIGESTER SIERRA RENEWABLE ORGANICS STANISLAUS COUNTY GENERAL

harter belled	100					
DESIGN ENGINE						
E. CAMIN	ATA					
LICENSE NO:						
88473						
DRAFTED BY:	CHECKE					
DPJ	SCE					
DATE: 5/11/2023						

RAFTED BY: DPJ	CHECKED E
DATE: 5	/11/2023
JOB NO: 3	64520002
OJECT NO:	

1 or 3





SITE LEGEND

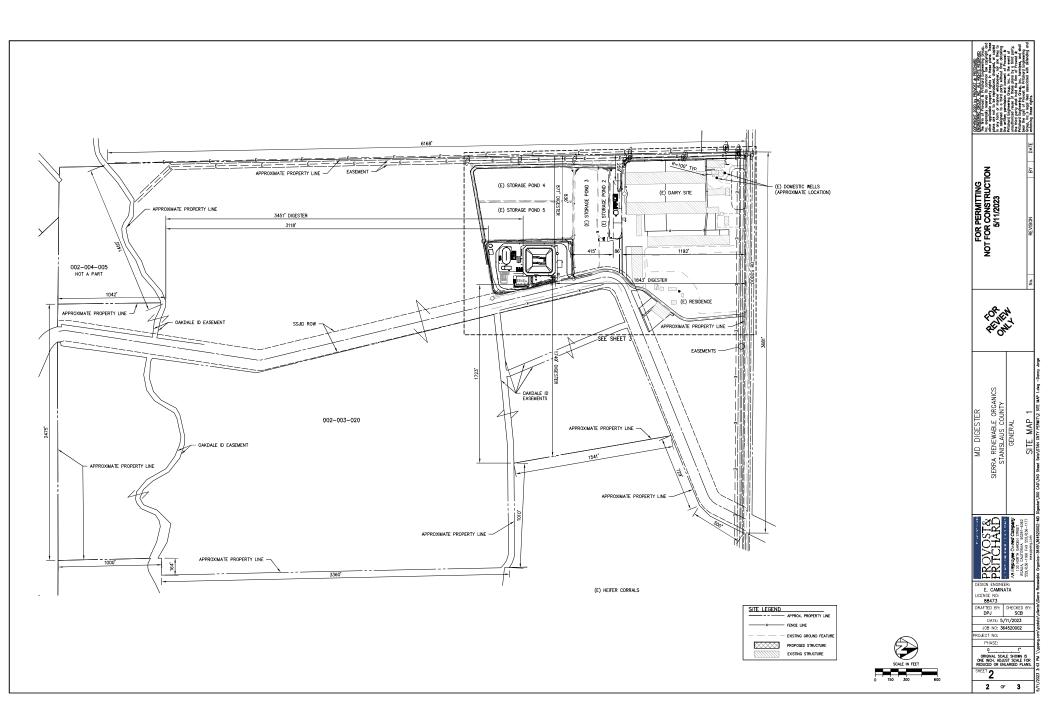
\_\_\_ EXISTING DIRT ROAD - APPROXIMATE PROPERTY LINE

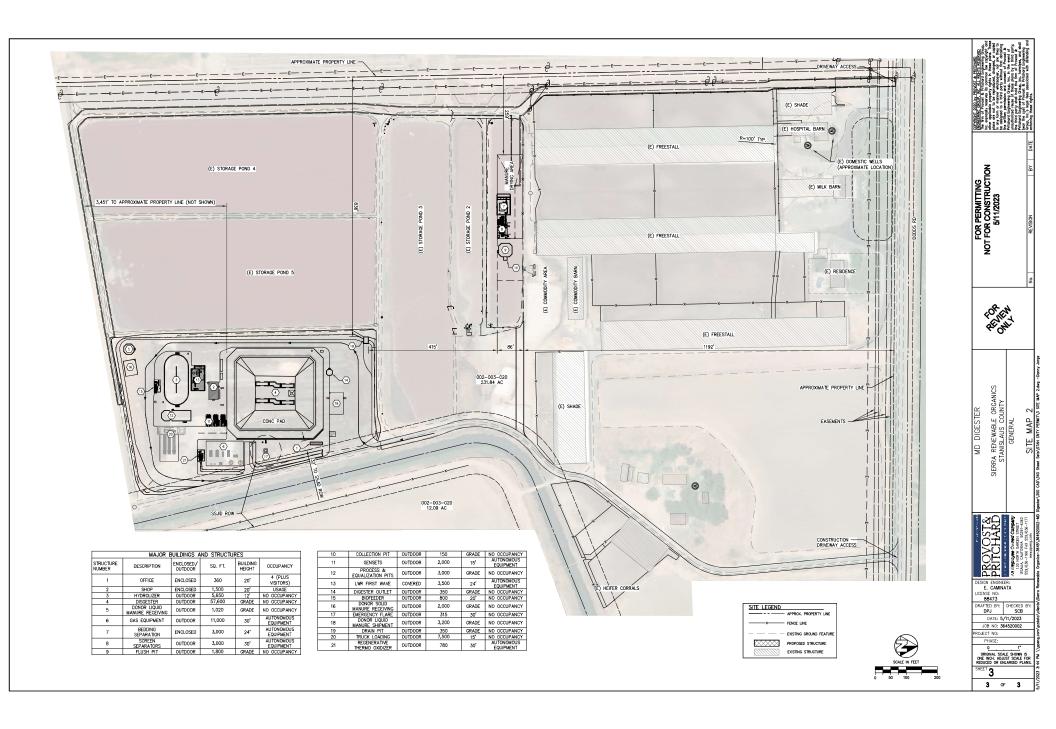
> PROPOSED MODIFICATION EXISTING IRRIGATION WELL & MIXING POINT EXISTING DOMESTIC WELL

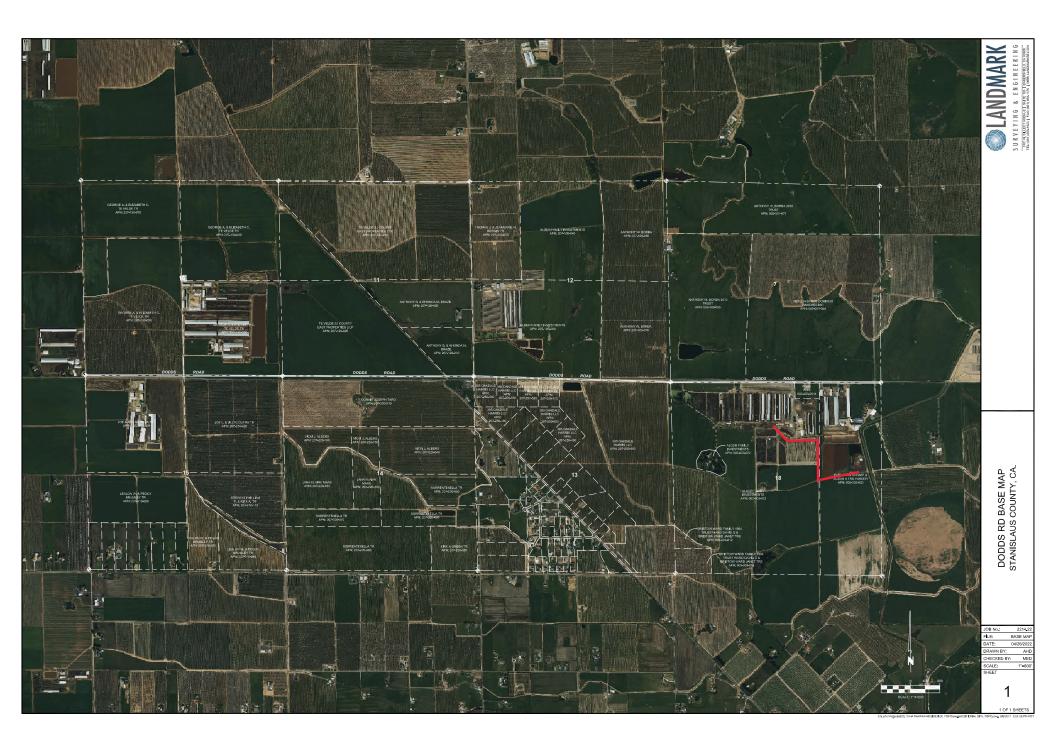
	SITE DATA
OWNER:	HILLTOP HOLSTEINS DAIRY 209-847-6625 4900 E. DODDS RD. OAKDALE, CA 95361
JURISDICTION:	STANISLAUS COUNTY
ZONE:	AGRICULTURE
SITE AREA:	482.4 ACRES
A.P.N.:	002-003-020
	4900 E. DODDS RD. OAKDALE, CA 95361
SEISMIC CAT:	D, SOIL SITE CLASS D, IMPORTANCE FACTOR: 1
WATER:	DOMESTIC WELL
SEWER:	SEPTIC
GAS:	LPG
ELECTRIC:	PG&E

	SITE DATA
WNER:	HILLTOP HOLSTEINS DAIRY 209-847-6625 4900 E. DODDS RD. OAKDALE, CA 95361
JRISDICTION:	STANISLAUS COUNTY
ONE:	AGRICULTURE
ITE AREA:	482.4 ACRES
.P.N.:	002-003-020
ITE ADDRESS:	4900 E. DODDS RD. OAKDALE, CA 95361
EISMIC CAT:	D, SOIL SITE CLASS D, IMPORTANCE FACTOR: 1
ATER:	DOMESTIC WELL
EWER:	SEPTIC
AS:	LPG











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Form Available Online: http://www.stancounty.com/planning/applications.shtm

## APPLICATION QUESTIONNAIRE

	e Check all applicable boxes	PLANNING STAFF USE ONLY:	
	LICATION FOR:	Application No(s): PLN9023 - 0089	
Staff	is available to assist you with determ	Date: 4/84188	
	General Plan Amendment	Subdivision Map	S T R IV  GP Designation: A G O CUITOR
	Rezone	Parcel Map	Zoning: N-2-40
Ø	Use Permit	Exception	Fee: 5305.00
	Variance	Williamson Act Cancellation	1
	Historic Site Permit	Other	Notes: UP
	Rezone Use Permit Variance	Parcel Map  Exception  Williamson Act Cancellation	S T R R R R R R R R R R R R R R R R R R

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i-v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

## PROJECT INFORMATION

**PROJECT DESCRIPTION:** (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

\*Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).

Hilltop Holsteins Dairy will install a manure only anaerobic digester plant to capture greenhouse gases and provide a
more sustainable dairy operation. All digester plant components will be located within the existing dairy's production area
and will not displace existing farm ground. The captured methane will be upgraded to Renewable Natural Gas (RNG).
Please see attached document for a more detailed description of this project.

# PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff,  $1010 \, 10^{th}$  Street  $-3^{rd}$  Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSE	SSOR'S PARCEL	NUMBER	(S): Book		51	Page	95	Parcel	002-003-020	
	nal parcel numbers:	002-003	3-024							
	: Site Address sical Location:	4900 Dodds Road								
		Oakdale,	, California			WEIGH ACLE WATER TO THE TOTAL THE TO				
Proper	ty Area:	Acres:	528	or	Square	feet:		Antonia		
Current	and Previous Land U	se: (Explain	existing and	previou	s land use	(s) of site	for the last to	en years)		
Dairy o	perations									
	name, type of project, and								<u> </u>	
Existin	g General Plan & Zor	ning: Agricu	ılture		and a supplication with the supplication of th	emeconomismo (				
Propos (if applic	sed General Plan & Zo able)	oning:		OMORANIA PER PER ANTO APPA			NOTE OF THE PARTY			
ADJA direction	CENT LAND USE n of the project site)	: (Describe	adjacent la	ınd use:	s within 1	,320 feet	(1/4 mile) a	nd/or two p	parcels in each	
East:	Agriculture									
West:	Agriculture			on de arte de la constante de		Particular and an account				
North:	Agriculture									
South:	Agriculture									
	AMSON ACT COM									
Yes 🗆	No 🖾		perty currently					<del>la la marca</del>		
		If yes, has	a Notice of I	Non-Re	newal bee	n filed?				
		Data Filed	i•							

Yes 🛚	No		Do you propose to cancel any portion of the Contract?				
Yes 🛚	No	X	Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)				
			If yes, please list and provide a recorded copy:				
SITE CH	IAR	ACTEF	RISTICS: (Check one or more) Flat 🗵 Rolling 🗖 Steep 🗖				
VEGETA	ATIC	ON: Wh	nat kind of plants are growing on your property? (Check one or more)				
Field crop	s Z	3	Orchard				
Shrubs			Woodland ☐ River/Riparian ☐ Other ☐				
Explain O	ther:	Field cr	ops grown on property used for feeding of livestock.				
Yes 🗖	No	X	Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)				
GRADIN	NG:						
Yes 🗷	No		Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.)				
			Approximately 8.5 acres will be graded for this project, see grading drawing.				
STREA	MS,	LAKES	S, & PONDS:				
Yes 🗵	No		Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)				
Yes 🗖	No	X	Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed)				
			All rainfall in the project area will be routed to the storage lagoons of the dairy.				
Yes 🔲	No	K	Are there any guilles or areas of soil erosion? (If yes, please show on plot plan)				
Yes 🗖	No	X	Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)				
			Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.				

SIRUC	TUR	ES:						
Yes 🗵	No			res on the site? (If I other features of the		n plot plan. Show	a relationship to	
Yes 🔲	No	X	Will structures be	moved or demolished	l? (If yes, indicate on p	lot plan.)		
Yes 🖾	No		Do you plan to build new structures? (If yes, show location and size on plot plan.)					
Yes 🗖	No	X	Are there building size on plot plan.)	gs of possible Historic	al significance? (If ye	es, please explain and	show location and	
PROJE	CT S	SITE CO	OVERAGE:			NATIONAL AND		
Existing E	3uildir	ng Cover	age:	Sq. Ft.	Landscape	d Area:	Sq. Ft.	
Proposed	l Build	ding Cove	erage:	Sq. Ft.	Paved Surfa	ace Area:	Sq. Ft.	
Size of ne See proj Number of Building t	ect d	ucture(s) escription rs for each	on and site map  the building: The of  measured from grown and site map.	n(s) in gross sq. ft.: (F  ffice and shop are s  und to highest point):  buildings, measured	ingle floor buildings	s ets if necessary)		
equipmer	ıt, ligh	it poles, e	etc.): (Provide additi	onal sheets if necessary	)	-	nao, moonamou,	
Proposed	surfa be us	ace mate		rmal oxidizer are appression oxidizer are accordinate accordinate are accordinate accordinate are accordinate acco	***************************************		r-asphalt/concrete	
UTILITII	ES A	ND IRF	RIGATION FAC	ILITIES:				
Yes 🛚	No		Are there existing yes, show location a	public or private utilitiond size on plot plan)	es on the site? Inclu	des telephone, powe	r, water, etc. (If	
Who prov	ides,	or will pro	ovide the following	services to the proper	ty?			
Electrical:	***************************************		Onsite power syste	em .	Sewer*:	N/A	**************************************	
Telephon	ө:		N/A		Gas/Propane:	N/A		
Water**:			Existing well water	er	Irrigation:	N/A		

\*Please Note: A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc. \*\*Please Note: A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development. Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:) Typical manure waste stream associated with dairy. Manure from other dairies will be received, digestion will occur, then the digestate will be returned back to the other dairies. Regional Water Quality Control Board to issue a Digester General Order for ongoing monitoring of the digester operations. Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required. Yes 🗵 No 🗆 Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.) Yes 🔲 No K Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.) Yes D No 🖾 Does the project require extension of utilities? (If yes, show location and size on plot plan.) AFFORDABLE HOUSING/SENIOR: Yes 🔲 No 🗵 Will the project include affordable or senior housing provisions? (If yes, please explain) RESIDENTIAL PROJECTS: (Please complete if applicable - Attach additional sheets if necessary) Total No. Lots:\_\_\_\_\_ Total Dwelling Units:\_\_\_\_ Total Acreage: Net Density per Acre: Gross Density per Acre: Single Two Family Multi-Family **Multi-Family** (complete if applicable) Family Duplex **Apartments** Condominium/ Townhouse Number of Units: Acreage: COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS: (Please complete if applicable – Attach additional sheets if necessary) Square footage of each existing or proposed building(s): See project description and site map Type of use(s): See project description

Days and hours of open	ration: 24 hours per day, 7 days a	a week, 52 weeks per year
Seasonal operation (i.e	packing shed, huller, etc.) months	and hours of operation:
(,,,	, paramaganana, manan, manan, manana	
Occupancy/capacity of	building:	
See project descript	ion and site man	
Number of employees:	(Maximum Shift):2	(Minimum Shift):
Estimated number of da	aily customers/visitors on site at peal	c time:4
Other occupants:		
Estimated number of tr	uck deliveries/loadings per day:	16
Estimated hours of truc	k deliveries/loadings per day:	10
Estimated percentage	of traffic to be generated by trucks:	90%
Estimated number of ra	ailroad deliveries/loadings per day: _	N/A
Square footage of:		
Office area:	360 sq ft	Warehouse area:
		Storage area:
Loading area:		Manufacturing area:
Other: (explain	type of area)	
Yes 🗵 No 🗖	Will the proposed use involve toxic	or hazardous materials or waste? (Please explain)
	• •	obic digester system to remove methane gas.
ROAD AND ACCE	SS INFORMATION:	
		(Diagraphic states and
Dodds Road	iii provide trie project's main access?	(Please show all existing and proposed driveways on the plot plan)

Yes	X	No		Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)
Yes		No	X	Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)
Yes		No	X	Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)
Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.				
STORM DRAINAGE:				
How will your project handle storm water runoff? (Check one) Drainage Basin Direct Discharge Doverland				
Other: (please explain) Dairy lagoons, adequate capacity required by RWQCB's Digester General Order				
If direct discharge is proposed, what specific waterway are you proposing to discharge to?				
Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.				
EROSION CONTROL:				
If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.				
Driving areas have small slope to swales, which drain to a collection pit, and then pumped into the storage				
lagoons of the dairy.				
Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.				
ADDITIONAL INFORMATION:				
Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)				
See project description.				
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*****				
appendant section	<del></del>		<u> </u>	
			-	