

GLENN COUNTY
Planning & Public Works Agency

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GLENN COUNTY PLANNING COMMISSION

STAFF REPORT ADDENDUM

Continued from the July 19, 2017, Planning Commission Meeting

MEETING DATE: August 16, 2017

TO: Glenn County Planning Commission

FROM: Andy Popper, Associate Planner

RE: Conditional Use Permit 2017-001
California Olive Ranch Composting Facility
"AP-80" Zoning District

Attachments:

1. Revised Mitigations, Conditions, and Landscape Plan (08/09/17)
2. [CUP 2017-001, COR, documents to Planning Commission](#) (07/19/17)
3. [Staff Report, Initial Study, Application, and Ancillary Documents](#) (07/19/17)

1. BACKGROUND:

At the July 19, 2017, Planning Commission Meeting the Commission unanimously voted to continue the Conditional Use Permit 2017-001, California Olive Ranch Composting Facility hearing to August 16, 2017, to allow further discussion on potential mitigation measures between the interested parties.

On Monday, August 7, 2017, staff met with California Olive Ranch, Vestra Resources (Consultant), and nearest residents to the proposal (Berens family). The meeting included discussion of addressing concerns regarding the compost proposal.

As a result of the received letter(s) and meeting, as well as, resident, applicant, and staff review, proposed revisions to the Mitigation Measures and Conditions of Approval were made.

1.1 Analysis:

The following proposed Conditions of Approval were added:

Condition of Approval 8:

The applicant shall provide, to any person requesting such, a Single Point of Contact to receive any complaints regarding the compost facility. By means of Best Management Practices, the applicant shall address any such complaints within 24 hours. The complaint and response action are to be documented for review by the Lead Enforcement and other Agencies upon request.

Condition of Approval 9:

Nighttime (30 minutes after sunset to 30 minutes before sunrise) composting activities, including ancillary outdoor lighting, shall occur only during September 1st through December 15th.

Condition of Approval 10:

That the composting facility is exclusively for the benefit and use of California Olive Ranch and is not to be leased or operated by companies not under contract with California Olive Ranch for olive pumice composting.

Condition of Approval 11:

That the applicant shall pay an annual nonrefundable fee of \$250.00 for the purpose of Condition of Approval and Mitigation compliance monitoring. The first deposit shall be made within 30 days of approval, and each year thereafter.

Condition of Approval 12:

That the applicant shall install vegetation in accordance to the Revised Landscape Plan and Vegetative Odor Buffer (dated 08/09/17) prior to composting activities occurring in reliance of this permit, and that the vegetation shall be continuously maintained in accordance to the plan.

Because of the new Condition of Approval #12 Landscaping Plan, Condition of Approval #1 is no longer required and is therefore proposed for deletion:

Condition of Approval 1:

~~Landscaping along County Road 35 shall be at least five feet in height and continue to create a continuous visual barrier. Landscaping shall be maintained in a healthy condition; unhealthy plants shall be replanted.~~

Additionally, in order to provide maximum operating days, the applicant has requested a revision to the maximum wind speed requiring suspension of hauling and turning operations during high wind conditions from 25 to 35 miles per hour. The request is because during harvest season, wind from storms can result in strong wind gusts and is difficult for the operators to stop work. The revised landscaping plan will also act as a windbreak and assist to offset the increased wind threshold.

Therefore, Mitigation Measure AQ-1 is revised to:

Mitigation Measure AQ-1 (Air Quality):

That the following Dust Control Plan shall be implemented:

The applicant shall water driveways and loading areas at a minimum frequency of two times per day (once in the morning, once in the afternoon, and more often as needed) when the driveways and loading areas are being utilized. The applicant shall suspend hauling and turning operations during high wind conditions of ~~25~~ 35 miles per hour and higher. The applicant shall ensure that all trucks entering and exiting the facility maintain a minimum freeboard space of six inches. If fugitive material is found to be exiting the trucks during transport, the applicant shall ensure that the truckloads are covered.

1.2 Other Comments Received:

In regards to the letter received from the Native American Heritage Commission, received during the second State Clearinghouse review period, planning staff emailed all vicinity tribes and reservations on July 11 and/or 12, 2017. A comment was received stating that *there is no substantial evidence that Mechoopda Indian Tribe has Human remains or artifacts in that area that will be constructed. The closest Tribe would be Grindstone Reservation Tribe.* Staff emailed, and left a direct voicemail, with the Grindstone Reservation Tribe Chairman on July 12, 2017, with no responses received. Therefore, the Mitigation Measure CR-1 regarding Cultural (as well as Tribal) Resources is unrevised.

In a CalRecycle letter dated July 18, 2017, the following comment was received:

CalRecycle staff have also reviewed the Report of Composting Site Information (RCSI), referred to as a Report of Composting Facility Information dated February 2017, and Odor Impact Minimization Plan that were included together with the MND. Please note to the operator of the CORC that the RCSI is required to include the method for storage and final disposal of nonrecoverable or nonmarketable residues with the document.

*These requirements can be found in Title 14, California Code of Regulations, Section 18227. As the item is a law, and is stated in the letter as *please note to the operator*, the comment is included in this Staff Report Addendum; however, is not proposed as a Condition of Approval.*

2. SAMPLE MOTIONS:

2.1 Environmental Determination:

I move that the Planning Commission find that on the basis of the Initial Study for Conditional Use Permit 2017-001, prepared by the Planning & Public Works Agency, that the conditional use permit, as applied for by California Olive Ranch, LLC could have a potentially significant impact on the environment; however, implementation of applicable federal, state, and county standards, adopted best management practices, as well as, mitigation measures, conditions of approval (as revised), and monitoring will reduce potentially significant impacts to a less than significant level. Therefore, a Mitigated Negative Declaration is hereby adopted with the Findings as presented in the Staff Report.

2.2 Conditional Use Permit 2017-001:

I (further) move that the Planning Commission approve Conditional Use Permit 2017-001, as applied for by California Olive Ranch, LLC, on Assessor's Parcel Number: APN 021-020-027 with the Findings as presented in the Staff Report and the revised Mitigation Measures and Conditions of Approval as attached.

GLENN COUNTY PLANNING AND PUBLIC WORKS AGENCY

**MITIGATION MONITORING PROGRAM AND
CONDITIONS OF APPROVAL**

**Conditional Use Permit 2017-001
California Olive Ranch Compost Facility**

**“AP-80” Agricultural Preserve Zone
APN 021-020-027**

Pursuant to the approval of the Glenn County Planning Commission, California Olive Ranch is hereby granted Conditional Use Permit 2017-001 for a composting facility. Conditional Use Permit 2017-001 is subject to the Mitigations and Conditions of Approval set forth herein. Pending final approval by the Glenn County Planning Commission, the applicant shall file a signed copy of these with the Planning & Public Works Agency Mitigations and Conditions of Approval.

MITIGATIONS AND MONITORING:

Mitigation Measure AQ-1 (Air Quality) (amended):

That the following Dust Control Plan shall be implemented:

The applicant shall water driveways and loading areas at a minimum frequency of two times per day (once in the morning, once in the afternoon, and more often as needed) when the driveways and loading areas are being utilized. The applicant shall suspend hauling and turning operations during high wind conditions of **25 35 miles per hour** and higher. The applicant shall ensure that all trucks entering and exiting the facility maintain a minimum freeboard space of six inches. If fugitive material is found to be exiting the trucks during transport, the applicant shall ensure that the truckloads are covered.

Timing/Implementation: In Perpetuity
Enforcement/Monitoring: Glenn County Air Pollution Control District

Mitigation Measure B-1 (Biological Resources):

That all deliveries of green material to the project shall be made in covered or enclosed vehicles in order to avoid or mitigate the potential for significant environmental impacts related to invasive species and damage to habitat. The applicant shall not accept deliveries of green material in uncovered vehicles, and shall post a sign at the entrance to the composting facility notifying drivers of that policy.

Timing/Implementation: In Perpetuity
Enforcement/Monitoring: Glenn County Planning & Public Works Agency

Mitigation Measure CR-1 (Cultural Resources):

In the event that any prehistoric or historic subsurface cultural 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) 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, will be determined by the Glenn County Planning & Public Works Agency Director. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological 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, and documented according to current professional standards.

Timing/Implementation: During Construction/Excavation Activities
Enforcement/Monitoring: Glenn County Planning & Public Works Agency

Mitigation Measure MFS-1 (Mandatory Findings of Significance):

That all vehicles and equipment shall be washed at regular intervals to reduce dust and spore levels.

Timing/Implementation: In Perpetuity
Enforcement/Monitoring: Glenn County Planning & Public Works Agency

Mitigation Measure MFS-2 (Mandatory Findings of Significance):

That the following Vector Control Plan shall be implemented:

1. There will be no standing water on the site related to the composting facility.
2. Weeds and grasses will be chopped to limit rodent habitat.
3. Manure and other fly-attracting materials will be tarped.
4. Manure will be brought on-site and mixed into the windrows just prior to commencement of the composting system.
5. The compost turning system will heat windrows to 140 + degrees, which will kill fly larvae.

Timing/Implementation: In Perpetuity
Enforcement/Monitoring: Glenn County Environmental Health, Glenn County Air Pollution Control District

CONDITIONS OF APPROVAL:

Condition of Approval 1:

Landscaping along County Road 35 shall be at least five feet in height and continue to create a continuous visual barrier. Landscaping shall be maintained in a healthy condition; unhealthy plants shall be replanted.

Condition of Approval 2:

The applicant shall provide proof that all necessary permits from the Central Valley Regional Water Quality Control Board (RWQCB) have been obtained prior to commencement of the uses permitted with this Conditional Use Permit. The applicant shall provide the Glenn County Planning Division with copies of all documents and permits required by the RWQCB.

Condition of Approval 3:

That the applicant/operator shall pay money into a road maintenance fund (paid to the Glenn County Planning & Pubic Works Agency) to be paid on an annual basis to maintain County roadways. The payment shall be equal to \$0.00002351 (July 1, 2017 to June 30, 2018) per pound (approx. \$4.70 per 100 tons). The fee is based on the weight of the product exported from the site, and transported via county roads. The payment described above shall be amended on an annual basis, based on the All-Urban Consumers, Consumer Price Index (computed by the U.S. Department of Labor, Bureau of Labor Statistics).

Condition of Approval 4:

No on-street parking associated with this development shall be allowed on County Road “35”.

Condition of Approval 5:

That the driveway shall be constructed in accordance with Glenn County Standard S-19 for a Private Road Intersection except that the minimum drive width shall be twenty-four (24) feet in anticipation of large equipment trailers utilizing the driveway.

Condition of Approval 6:

That the operation shall be confined to those activities as described in the application and project narrative and confined to the areas as shown on the application site plans and narratives being, as submitted and on file at the Glenn County Planning & Public Works Agency.

Condition of Approval 7:

Prior to operations occurring at the site, signage for the ingress/egress driveway at the County Road 35 shall include a ‘Stop Sign’ and notice stating ‘Watch for Oncoming Traffic.’

Proposed Additional Conditions of Approval:

Condition of Approval 8:

The applicant shall provide, to any person requesting such, a Single Point of Contact to receive any complaints regarding the compost facility. By means of Best Management Practices, the applicant shall address any such complaints within 24 hours. The complaint and response action are to be documented for review by the Lead Enforcement and other Agencies upon request.

Condition of Approval 9:

Nighttime (30 minutes after sunset to 30 minutes before sunrise) composting activities, including ancillary outdoor lighting, shall occur only during September 1st through December 15th.

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That the composting facility is exclusively for the benefit and use of California Olive Ranch and is not to be leased or operated by companies not under contract with California Olive Ranch for olive pumice composting.

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That the applicant shall pay an annual nonrefundable fee of \$250.00 for the purpose of Condition of Approval and Mitigation compliance monitoring. The first deposit shall be made within 30 days of approval, and each year thereafter.

Condition of Approval 12:

That the applicant shall install vegetation in accordance to the Revised Landscape Plan and Vegetative Odor Buffer (dated 08/09/17) prior to composting activities occurring in reliance of this permit, and that the vegetation shall be continuously maintained in accordance to the plan.

Indemnification:

That the Applicant(s) and/or successor(s) in interest shall defend, hold harmless and indemnify Glenn County from any claim, action or proceeding against Glenn County and/or its agents, officers and employees, to attack, set aside, void or annul the approval(s) granted by Glenn County concerning this proposal/project or any action relating to or arising out of such approval. The Applicant(s) and/or successor(s) in interest shall further indemnify Glenn County and/or its agents, officers and employees from liability for any award, damages, costs and fees, including but not limited to legal fees and costs, incurred by the County and/or awarded to any plaintiff in any action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant(s) and/or successor(s) in interest further agree to provide a defense for the County in any such action.

Acknowledgment:

I hereby declare that I have read the foregoing conditions; that they are in fact the conditions that were imposed upon the granting of this 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 regulation that shall be met with the granting of this permit. I have the proper legal authority to, and am signing in the behalf of, those with interest in California Olive Ranch, Inc.

Signed: _____ Date: _____

California Olive Ranch, Inc., Jim Lipman



August 9, 2017

GIS, Environmental, & Engineering Services

71630

Mr. Andy Popper
Associate Planner
Glenn County Planning Department
777 North Colusa Street
Willows, CA 95988

**RE: Revised Landscape Plan and Vegetative Odor Buffer
Proposed Compost Facility
California Olive Ranch
Artois, California**

Dear Mr. Popper:

Following our meeting this week with you, California Olive Ranch (COR), and concerned neighbors, COR has revised the original landscape plan proposed in the application for the compost facility in Artois California. The revised plan provides for the original visual impacts and additional vegetation to cover odor impacts. The revised plan was developed using Vegetative Environmental Buffer (VEB) odor management guidelines developed by the Natural Resources Conservation Service (NRCS) and Iowa State University. These guidelines were modified slightly to select species that were known to survive under irrigation scenarios of the extreme climate of the northern Sacramento Valley.

Introduction

California Olive Ranch farms approximately 5,500 acres of olives and processes the olives, from their farm and other growers, into extra virgin olive oil at their processing and bottling facility in Artois, California. The pressing of extra virgin olive oil produces between 40,000 and 70,000 tons of olive pomace (skins and residual olive meat) annually. Historically, the pomace has been transported to the Wilbur-Ellis facility at the Orland Airport for use as a pet-food additive. COR evaluated alternatives and is proposing to compost the pomace for use as an amendment on their olive orchards. The long-term goal is to follow regenerative agricultural techniques and eliminate or completely reduce the need for commercial fertilizers on the olive orchards that supply the olives for California Olive Ranch.

Composting is a process where microorganisms break down organic matter and produce carbon dioxide, water, heat, and humus. During the composting process, operations can generate volatile organic compounds or other odorous emissions that can travel across agricultural landscapes. The area surrounding the proposed site is mostly used for agricultural purposes, but some residences are located nearby. To mitigate potential odor from the facility, COR will install an odor control VEB around the site.

Research has demonstrated that VEB barriers can impede, alter, absorb, and/or dissipate odor plumes and dust emissions from agricultural operations such as confined feeding operations for pork or poultry. These VEB should also serve to reduce odor from the composting facility. As air moves across vegetative surfaces, leaves and other aerial plant surfaces remove some of the dust, gas, and microbial constituents of airstreams. Trees and other woody vegetation are among the most efficient natural filtering structures in a landscape, in part due to the very large total surface area of leafy plants, often exceeding the surface area of the soil containing those plants upwards of several hundred-fold (Tyndall and Colletti, 2007). Additionally, vegetative buffers can improve the visual perception of a facility.

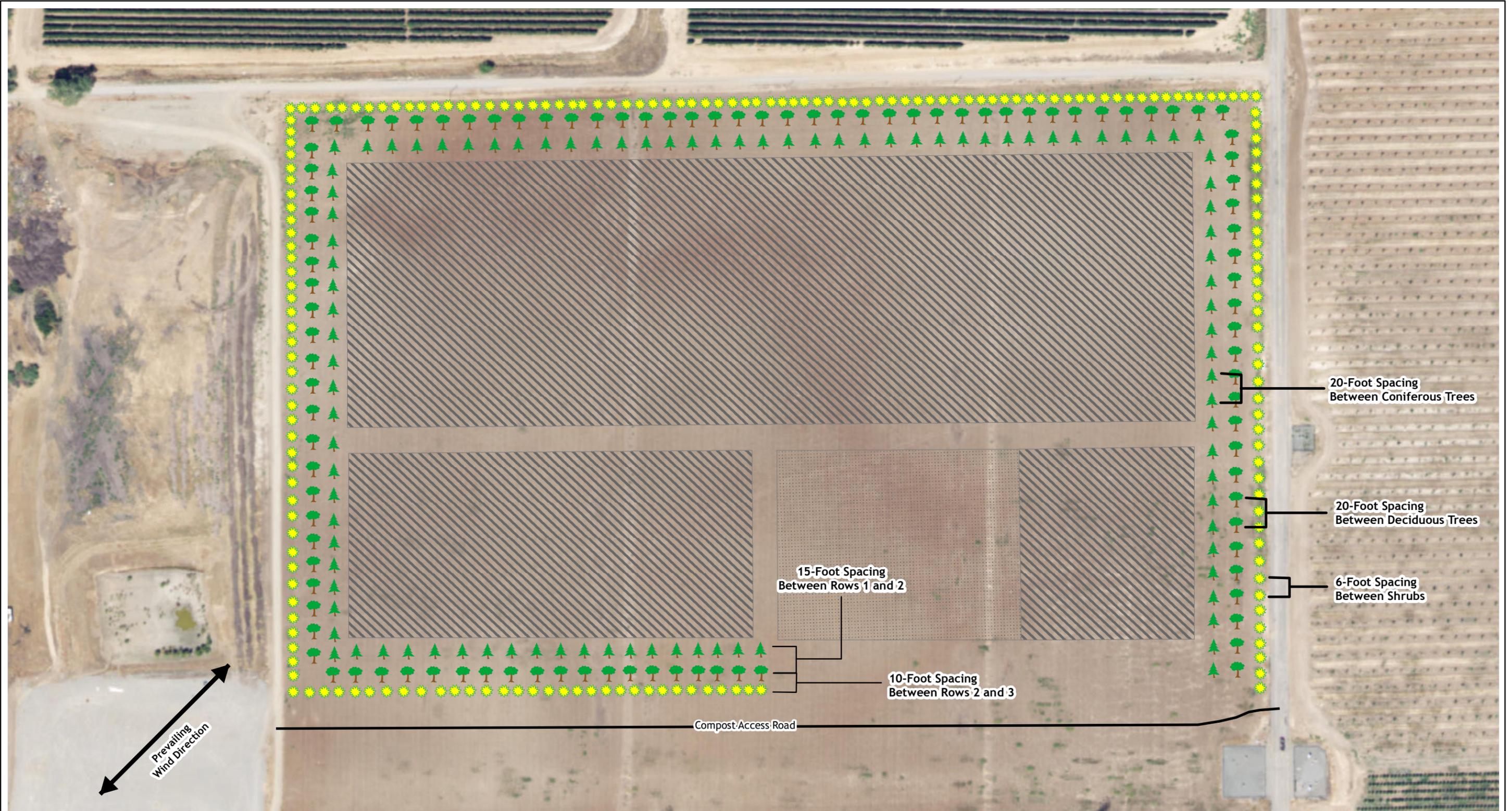
Vegetative Environmental Buffers (VEBs) have been shown to incrementally mitigate odors and particulates, including ammonia, through a complex of dynamics (Tyndall and Colletti, 2007; Lin et al., 2006; Patterson et al., 2007). Among the most important dynamics are:

- Enhancement of vertical atmospheric mixing through forced mechanical turbulence – leading to enhanced dilution and dispersion of odor;
- Odor filtration through particulate interception and retention – odor largely travels by way of particulates; capturing particulates also captures odors;
- Odor/particulate fallout due to gravitational forces enhanced by reduced wind speed;
- Adsorption and absorption of ammonia onto and into the plant – this is due to a chemical affinity that ammonia has to the waxy coating on tree leaves;
- Improved producer/community relations by using highly visible odor management technology.

As an odor mitigation technology, VEBs have a number of advantages over other approaches. This technology is useful for all sources of agriculture-related odors and is adaptable to the landscape, allowing for different system designs. There is also evidence that the presence of trees in agricultural landscapes has socio-aesthetic benefits that most other odor mitigation technologies lack (Tyndall and Colletti, 2007). A proper VEB can serve as both a visual screen and an odor filter. In addition, VEBs may be the only odor mitigation technology that can increase in effectiveness over time. As the trees of a VEB system grow larger and more morphologically complex, their ability to mitigate odors through particulate filtration and increased landscape turbulence can become increasingly efficient.

Implementation

Originally, COR proposed to plant a two-row buffer of olive shrubs approximately 5 to 10 feet high to address visual concerns on the north and west boundaries of the site. Based on the prevailing wind direction and need to also control odor by the use of the buffer, the revised plan includes the planting of three rows of vegetation, including two rows of trees and one shrub row, around the entire proposed composting site with the exception of the mixing area. The prevailing wind directions for the site are from the southeast and the northwest. Trees and shrubs will be planted on the north, south, west, and half of the eastern boundary to form windbreaks. Figure 1 shows the proposed VEB design plan. A mix of coniferous and deciduous trees will be planted. The mix is



-  Coniferous Tree (Redwood) - 190 Trees
-  Deciduous Tree (Raywood Ash) - 201 Trees
-  Shrub (Red Tip Photinia) - 701 Shrubs

-  Compost Area
-  Paved Mixing Area



FIGURE 2
 VEGETATIVE ENVIRONMENTAL BUFFER
 CALIFORNIA OLIVE RANCH
 GLENN COUNTY, CALIFORNIA



SOURCE: 2016 USDA NAIP AERIAL PHOTOGRAPH

designed to have a variety of leaf sizes and shape, as well as texture, to maximize entrapment of particulate. The diversity of species will also mitigate loss or destruction of the windbreak if insects or diseases occur on certain species. Coniferous and deciduous trees will not be mixed in the same row to prevent the faster-growing deciduous trees from overtopping and suppressing the conifers.

The first row (i.e., closest to the compost) will be a composed of an evergreen coniferous species, followed by a row of deciduous trees, and the third row (i.e., farthest from the compost) will be composed of an evergreen shrub species. The species were selected for fast growth and their ability to sustain the high summer temperatures and the dry period of the Glenn County valley areas.

Shrub

The red tip photinia (*Photinia fraseri*) will be planted in the shrub row. This species is an ideal screening shrub that thrives in areas that receive a large amount of sunlight. The photinia is a fast-growing plant that will grow 10 to 15 feet tall and 5 to 8 feet wide.

Deciduous Tree

Raywood ash (*Fraxinus angustifolia*) will compose the middle deciduous tree row of the windbreak. These drought-resistant trees thrive in full sun exposure and are resistant to the ash blight. Raywoods have a high growth rate of up to 24 inches per year, and reach heights of 40 to 50 feet and widths of 20 to 30 feet.

Evergreen Conifer

Redwoods (*Sequoia sempervirens*) will be planted in the coniferous tree row. These are large trees that can reach 50 feet in height in just 20 years. With proper spacing, they will have a full canopy and reach 30 feet in width. The hybrid commercial plantings of this species are also highly immune to pests and disease. Redwoods are an adaptable landscape plant, but they require a lot of moisture. These species were selected because they are fast-growing and do well in areas of high sun exposure.



Sequoia sempervirens



Fraxinus angustifolia



Photinia fraseri

The first part of the windbreak, composed of redwoods, will be planted in rows 20 feet from proposed compost areas. Redwoods will be planted at a spacing of 20 feet. The second row of trees, composed of Raywood ash, will be planted 15 feet from the first row and will be spaced at a distance of 20 feet. Finally, the shrub row of photinia will be placed 10 from the deciduous tree row and spaced 6 feet apart. These spacings will provide enough area for the trees to grow unhindered and healthy, but will also provide sufficient vegetative density to create the desired atmospheric turbulence and visual and particulate buffer. All trees and shrubs will be irrigated to meet moisture requirements during the dry summer months.

References

- Lin XJ, Barrington S, Nicell J, Choiniere D, and Vezina A. 2006. Influence of windbreaks on livestock odor dispersion plumes in the field. *Agriculture Ecosystems and Environment* 116(3-4):263-272.
- Patterson, P., H. Adrizal, R. M. Hulet, and R. M. Bates. 2007. The potential for plants to trap emissions from farms with laying hens: 1. Ammonia. (Abstract) *Production, Management & the Environment Livestock and Poultry: Poultry Management, and Environment. Proceedings of the 2007 ADSA-PSA-AMPA-ASAS Joint Annual Meeting. San Antonio, Texas, July 8-10, 2007.*
- Tyndall JC and JP Colletti. 2007. Mitigating Swine Odor with Strategically Designed Shelterbelt Systems: A Review. *Agroforestry Systems* Volume 69, Number 1 / January, 2007.

Please call me with questions at (530) 223-2585.

Sincerely,

VESTRA Resources, Inc.



Wendy Johnston
Project Manager