

GLENN COUNTY
Planning & Community Development Services Agency



P.O. Box 1070 / 777 N. Colusa Street
Willows, CA 95988
530.934.6530 Fax 530.934.6533
www.countyofglenn.net

JG Weststeyn Dairy
5745 County Road 65
Willows, CA 95988

RE: Site Plan Review 2017-015, Weststeyn Dairy

Approval Notice APN: 014-170-021

February 13, 2018

To JG Weststeyn Dairy,

On February 13, 2018, the Glenn County Planning & Public Works Agency approved Site Plan Review 2017-015 for a Manure Digester in the “AP-80” Agricultural Preserve (72-acre minimum parcel size) zoning district.

Included with the Staff Report is a copy of the Conditions of Approval. Please sign the Conditions of Approval where indicated and email or send, to Glenn County Planning & Public Works Agency, 777 North Colusa Street, Willows, CA 95988.

Please note that this is not a building permit. For information on acquiring a building permit, contact the Glenn County Building Inspection Division at (530) 934-6546.

Sincerely,

Andy Popper
Associate Planner
apopper@countyofglenn.net

GLENN COUNTY
Planning & Community Development Services Agency

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STAFF REPORT

DATE: February 12, 2018

TO: Di Aulabaugh, Deputy Director

FROM: Andy Popper, Associate Planner

RE: **Site Plan Review 2017-015, Weststeyn Dairy**
"AP-80" Zoning District

Attachments:

1. Conditions of Approval
 2. Existing Dairy Mitigations and Conditions of Approval
 3. Agency Comments
 4. Request for Review and Application
 5. Assessor Parcel Map
 6. Site Plan
-

1 PROJECT SUMMARY

Weststeyn Dairy, has submitted an application to install and operate a manure anaerobic digester at the existing dairy. According to the work plan included with the application, the digester is considered as ancillary equipment to the dairy that will improve and modernize manure management practices. The parcel is zoned “AP-80” (Agricultural Preserve, minimum parcel size is 72-acres) and is designated “Intensive Agriculture” in the Glenn County General Plan.

The proposal is located at 5745 County Road 65. This site is located on the south side of County Road 65, west of County Road D, east of the Tehama- Colusa Canal, and southwest of the City of Willows, in the unincorporated area of Glenn County. The Assessor’s Parcel Number (APN) for the site is 014-170-021.

1.1 RECOMMENDATIONS

Staff recommends that the Deputy Director find that this project qualifies as a statutory exemption within section 15268 of the California Environmental Quality Act.

Staff also recommends that the Deputy Director approve the Site Plan Review with the Findings as presented in the Staff Report and the Conditions of Approval as attached.

2 ANALYSIS

The proposed project is consistent with the land use in this area. This portion of Glenn County is an intensive agricultural area and the proposed project is ancillary to an approved and existing dairy. A Site Plan Review is required prior to construction to ensure compliance with all the requirements of the Glenn County Code.

2.1 ENVIRONMENTAL DETERMINATION

This project as proposed is not anticipated to introduce potentially significant impacts to the environment.

Site plan reviews are statutorily exempt pursuant to Section 15268, “*Ministerial Projects*”, of the Guidelines of the California Environmental Quality Act (CEQA). Article 18 (Statutory Exemptions), §15268(a) & (c) (Ministerial Projects).

Site plan reviews, outlined in Section 15.130 of the Glenn County Code, are deemed as a ministerial project within Glenn County Title 15, Unified Development Code (Title 15, Division 2, Part 1).

2.2 GENERAL PLAN AND ZONING CONSISTENCY

Purpose (Glenn County Code §15.460.010):

This zoning classification is to be applied to lands which are covered by a California Land Conservation Act (Williamson Act) contract with Glenn County to preserve the maximum amount of the limited supply of agricultural land which is necessary in the conservation of the county's economic resources and vital for a healthy agricultural economy of the county and to protect the general welfare of the agricultural community for encroachments of unrelated agricultural use which, by their nature, would be injurious to the physical and economic well-being of the agricultural community. The proposal is consistent with surrounding land use because the area consists of agricultural uses and existing agricultural related structures. The proposal will not adversely affect surrounding uses in the area and will not adversely affect the General Plan.

Permitted Uses (Glenn County Code §15.460.020):

The site is designated "Intensive Agriculture" in the Glenn County General Plan and is zoned "AP-80" (Agricultural Preserve, 72-acre minimum parcel size). The project is to install and operate an ancillary anaerobic digester for manure management practices in the "AP" zone (Glenn County and is a permitted use under section §15.460.020 (C) (J).

2.2.1 "AP" Agricultural Preserve Zone (Glenn County Code Chapter 15.460)

Site Area and Configuration (Glenn County Code §15.460.050):

The minimum parcel size for the "AP-80" zone is 72-acres. The parcel meets the minimum parcel size for this zone and it is adequate in size and shape to accommodate the proposed project (Glenn County Code §15.460.050(D).

Maximum Building Height (Glenn County Code §15.460.060):

The maximum building height in the AP zone shall be: Fifty feet for agricultural buildings or structures. The proposal will not exceed the 50 feet; and therefore will not exceed the maximum height threshold.

Minimum Yard Requirements (Glenn County Code §15.460.080):

The proposal will be no less than 500 feet from any property line and; therefore, meets the minimum yard requirements for agricultural zoning.

2.3 GENERAL PROVISIONS

Flood Zone Designation:

The property is within Flood Zones “A” and “X” according to Flood Insurance Rate Map (FIRM) No. 06021C0800D, dated August 5, 2010, issued by the Federal Emergency Management Agency (FEMA). Flood Zone “A” is one of the Special Flood Hazard Areas (SFHAs) inundation by the 1% annual chance flood event. Flood Zone “X” (unshaded) consists of areas of minimal risk outside the 1-percent and 0.2-percent annual chance floodplains. No base flood elevations or base flood depths are shown within this zone. According the application site plan, the proposed digester project is within Flood Zone “X” and outside of the Flood Zone “A” designation.

Code Violations:

No code enforcement violations were noted in county records for the property. Comments from the Central Valley Regional Water Quality Control Board noted violations during past inspection. Requirements to correct any violations regarding such have been included to be corrected, as Conditions of Approval prior to receiving building permits for the proposal.

Both the existing and proposed Conditions are included with this Staff Report. The proposal must comply with the existing dairy Conditions and Mitigations, as well as, the Conditions specific to this project.

Fire Protection Regulations:

This project lies within the Kanawha Fire Protection District. The fire district was provided the application information regarding the proposal and no comments were received.

Environmental Health:

The Glenn County Environmental Health Department was provided the application information and made the following *comments*:

First, please note that the Dairy Digester Permitting Scenario No. 1 (On-Site Manure Only) flowchart referenced in previous emails pertaining to this project is out of date. CalRecycle has since created regulations specifically for in-vessel digestion facilities, so said flow chart is no longer accurate.

Review of California Code of Regulations Title 14, Division 7, Chapter 3.2 governing In-Vessel Digestion Operations and Facilities has determined the facility qualifies as an excluded operation pursuant to 14 CCR 17896.6 (a)(3). An excluded operation does not require a Solid Waste Facility Permit (SWFP) or EA Notification to operate. This determination supersedes the permitting requirement cited in our memo to the Planning Department dated December 19, 2017.

A few things to note:

- *The operation may digest manure and agricultural material derived from onsite dairy operations.*
- *The operation may also receive material from offsite, though such material is restricted to agricultural material as defined by 14 CCR 17896.2(a)(1) and/or vegetative food material as defined by 14 CCR 19896.2(a) (12) (A).*
- *Any offsite material received must, upon arrival at the facility, be put directly into the digester or be placed into a sealed, leak-proof container while it is being staged prior to digestion. They cannot dump the material onto the ground, onto a pad, or in any other unsealed area prior to placing it into the digester.*
- *Land application of digestate is governed by 14 CCR 17852(a) (24.5) in the composting regulations. Assuming the parcel is zoned for agriculture, digestate can be land applied a maximum of 3 times per year to a maximum depth of 12 inches.*
- *No more than an incidental amount of 1000 cubic yards of composted digestate may be sold or given away each year. Digestate that has not first been composted cannot be sold or given away.*

If the operation cannot meet the above conditions, the operator must contact our office to obtain a permit (or EA Notification). Also, the facility must contact the Regional Water Quality Control Board (RWQCB) to determine if a Waste Discharge Requirements (WDR) order is necessary for the site.

Conditions of Approval regarding Environmental Health comments:

To ensure that the digester is to remain as an ancillary operation to existing dairy operations, the following Conditions of Approval will be included with the proposal.

Condition of Approval:

The operation may only digest (manure and agricultural) material derived from the onsite dairy operations.

Condition of Approval:

Composted digestate shall remain on the Weststeyn Dairy properties.

Condition of Approval:

Digestate can be land applied a maximum of 3 times per year to a maximum depth of 12 inches (14 CCR 17852(a) (24.5)).

Public Works:

The Glenn County Public Works Department was provided the application information regarding the proposal and responded with no comments; however, an Encroachment Permit for the proposal is required upon application for a building permit.

Central Valley Regional Water Quality Control Board (RWQCB):

The RWQCB was provided the application information regarding the proposal and responded with the following (abridged) *comments*.

While the Central Valley Water Board in general strongly supports dairy digester projects, we feel it is important to inform you that there are serious waste management issues at this dairy at present. Our two specific comments are:

Page 9/28, Paragraph 1 (application narrative):

“For the digester, dairy-derived manure will continue to be collected using existing practices. Currently, manure is collected from the barns and from the milking parlor and is placed into a lined uncovered lagoon where the manure breaks down...”

This statement is not accurate. The only waste being stored in the lined lagoon comes from the milking parlor. The manure being generated in the four compost barns (approx. 3,000 cows) is being stored either on unprepared native soil with no control to convey leachate to the lined lagoon, or on what is identified in the existing Waste Management Plan as a pasture.

Page 9/28, Paragraph 6 (application narrative):

“Digester solids coming out of the digester are significantly odor and pathogen reduced and are commonly used as cow bedding or as soil amendments. Digested liquids (digestate) are also virtually odor and pathogen reduced and can be applied to crops at the Dairy to help enrich soils. Solids and liquid digestate are non-hazardous and will be managed within the guidelines of the Dairy’s Waste Management Plan as prescribed and administer by the Regional Water Quality Control Board.”

The dairy doesn’t have an accurate Waste Management Plan or Nutrient Management Plan. They have no idea of the current amount of waste being generated at the dairy. I have attached a recent inspection report for the facility.

For the digester project to be successful, it is important that the current manure management practices be corrected so that solid manure is stored only in areas that are designated for solid manure storage, and any leachate from the solid manure is conveyed to the lined lagoon. The Waste and Nutrient Management Plans need to be updated to incorporate the digester, so that the storage of waste (both pre- and post-digestion), and the amount of plant-available nitrogen in digested material, are accurately represented.

*Charlene M. Herbst, CEG
Chief, Confined Animal Facilities Unit
Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive, Ste. 200
Rancho Cordova, CA 95670
(916) 464-4724 (916) 464-4800 (fax)*

The comments from the RWQCB were forwarded to the landowner, and the following response was received.

EMAIL from Landowner/Operator regarding:

Stephen Weststeyn (Stephenw9734@hotmail.com)
Wed 1/17/2018 4:47 PM
Proposed Anaerobic Digester at Weststeyn Dairy

Andy,

Thanks for taking the time to meet yesterday afternoon. In response to the email dated January 12, 2018 from Charlene Herbst of the Regional Board, we would like to state the following:

The Regional Water Board expressed concerns over current operating practices relating to manure management that the Weststeyn Dairy has and is actively working to address. Dairy management believes the addition of an anaerobic digester will further improve environmental and operational efficiencies as related to manure handling while allowing it to remain in compliance with foreseeable greenhouse gas avoidance requirements per SB-1383.

The digester design should help reduce manure odors and pathogens. The system will separate digested solids for use as soil amendments. Digested liquids are also pathogen and odor-reduced and will be separated from the digested solids for temporary storage in the lined lagoon.

The addition of the digester will require an update to the dairy's Waste Management Plan and Nutrient Management Plan as prescribed and overseen by the Regional Water Board. We believe the addition of the digester will keep the dairy in compliance with its operating permits.

Please let me know any other questions or concerns.

Thanks,
Stephen Weststeyn
JG Weststeyn Dairy
Willows, CA

Conditions of Approval regarding RWQCB:

Condition of Approval:

Prior to a building permit being issued for the proposal, the current manure management practices shall be corrected so that solid manure is stored only in areas that are designated for solid manure storage, and any leachate from the solid manure is conveyed to the lined lagoon. Completion of this Condition of Approval is to be evidenced by written concurrence from the RWQCB and provided to the Glenn County Planning Division.

Condition of Approval:

Prior to a building permit being issued for the proposal, the Waste and Nutrient Management Plans shall be updated to incorporate the digester, so that the storage of waste (both pre- and post-digestion), and the amount of plant-available nitrogen in digested material, are accurately represented. Completion of the Condition is to be evidenced by written concurrence from the RWQCB and provided to the Glenn County Planning Division.

Glenn County Air Pollution Control District (APCD):

The APCD was provided the application information regarding the proposal and responded with the following (abridged) *comments*, which will also be Conditions of Approval for the project.

Comments and Conditions of Approval regarding Air Pollution Control District:

Condition of Approval:

During construction all unpaved roads must be watered (or treated with a soil stabilizer) to the point that Particulate Matter emissions are prevented from leaving the property boundary. All disturbed surfaces must have the soil stabilized to the point that fugitive dust emissions are prevented from leaving the property boundary. All vehicle traffic on unpaved roads must be limited to 15 mph. Any grading or demolition activities must be suspended when winds are sustained above 15 mph.

Condition of Approval:

Prior to a building permit being issued for the proposal, *the facility shall amend the Odor Management Program approved for the facility in 2007.* Completion of the Condition is to be evidenced by written concurrence from the APCD and provided to the Glenn County Planning Division.

Condition of Approval:

Prior to a building permit being issued for the proposal, *the facility is required to apply for an Authorization to Construct (ATC) and subsequent Permit to Operate (PTO) if the facility utilizes equipment subject to District Regulations such as diesel generators, biogas generators, boilers, flares, etc.* Completion of the Condition is to be evidenced by written concurrence from the APCD and provided to the Glenn County Planning Division.

Condition of Approval:

Prior to a building permit being issued for the proposal, *the (existing) Mitigation Monitoring Program and Conditions of Approval of Conditional Use Permit #2006-007, Weststeyn Dairy (including the referenced Technical Report) will be evaluated for facility compliance and may be required to be updated.* Completion of the Condition is to be evidenced by written concurrence from the APCD and provided to the Glenn County Planning Division.

3 PUBLIC BENEFIT

There is a public interest in preserving agricultural land and its uses. This area is an agricultural area and contains structures associated with agricultural land use. The proposed project is compatible with surrounding land uses because it is related to agriculture.

4 NOTICE TO APPLICANT/AGENT

This site plan review is not a building permit. **It is the applicant's responsibility to secure the necessary permits in all affected federal, state, and local agencies and submit copies of such permits to the Glenn County Planning & Community Development Services Agency.**

If upon approval of this site plan review any problem, nuisance, or health hazard arises from the operation allowed by this review, the director shall determine the need to revise or modify the use or require additional conditions of approval.

In addition to the staff report and conditions of approval, the applicant's and his/her technical or project management representative's attention is directed to the attached memoranda from agencies reflecting their comments on reviewing the application. The items noted are a guide to assist in meeting the requirements of applicable government codes. The memoranda may also note any unusual circumstances that need special attention. The items listed are a guide and not intended to be a comprehensive summary of all codified requirements or site-specific requirements.

4.1 PERMIT ISSUANCE AND APPEAL PERIOD (GLENN COUNTY CODE §15.130.060)

Site plan review permits shall be effective upon issuance, unless within ten (10) calendar days of a decision by the Director, the decision is appealed as provided for in Section 15.050.010. In case an appeal is filed, the site plan review permit shall not have any force or effect until a decision is made by the Approving Authority on such appeal.

Site plan review permits shall not have any force or effect until the permittee acknowledges receipt thereof and has agreed in writing to each and every term and condition thereof.

5 FINDINGS

According to Glenn County Code Section 15.130.050, *the Approving Authority shall only approve or conditionally approve a site plan review permit if all of the following findings are made:*

Finding 1

The proposed use is a permitted and allowed use in the zoning district.

Finding 2

The site for the project is adequate in size, shape, location, and physical characteristics to accommodate the proposed project.

Finding 3

There are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and storm drainage.

Finding 4

The project is in conformance with the applicable provisions and policies of Title 15 of the Glenn County Code and the Glenn County General Plan.

Finding 5

The county roads are reasonably adequate to safely accommodate the proposed project.

Finding 6

After searching county records, no violation of the Glenn County Code currently exists on the property.

CONDITIONS OF APPROVAL

Site Plan Review 2017-015

Dairy Manure Anaerobic Digester

APN: 014-170-021

To install and operate an ancillary anaerobic digester for manure management practices for the existing dairy operations in the “AP-80” (Agricultural Preserve) zoning district.

CONDITIONS OF APPROVAL:

1. That the area of operation shall be confined to those areas as shown on the site plan being identified as Exhibit “A” as submitted and on file at the Glenn County Planning & Public Works Agency.
2. The operation may only digest (manure and agricultural) material derived from the onsite dairy operations.
3. Digestate can be land applied a maximum of 3 times per year to a maximum depth of 12 inches (*14 CCR 17852(a) (24.5)*).
4. Prior to a building permit being issued for the proposal, the current manure management practices shall be corrected so that solid manure is stored only in areas that are designated for solid manure storage, and any leachate from the solid manure is conveyed to the lined lagoon. Completion of this Condition of Approval is to be evidenced by written concurrence from the RWQCB and provided to the Glenn County Planning Division.
5. Prior to a building permit being issued for the proposal, the Waste and Nutrient Management Plans shall be updated to incorporate the digester, so that the storage of waste (both pre- and post-digestion), and the amount of plant-available nitrogen in digested material, are accurately represented. Completion of the Condition is to be evidenced by written concurrence from the RWQCB and provided to the Glenn County Planning Division.
6. During construction all unpaved roads must be watered (or treated with a soil stabilizer) to the point that Particulate Matter emissions are prevented from leaving the property boundary. All disturbed surfaces must have the soil stabilized to the point that fugitive dust emissions are prevented from leaving the property boundary. All vehicle traffic on unpaved roads must be limited to 15 mph. Any grading or demolition activities must be suspended when winds are sustained above 15 mph.

CONDITIONS OF APPROVAL (continued)

Site Plan Review 2017-015

7. Prior to a building permit being issued for the proposal, the facility shall amend the Odor Management Program approved for the facility in 2007. Completion of the Condition is to be evidenced by written concurrence from the APCD and provided to the Glenn County Planning Division.

8. Prior to a building permit being issued for the proposal, the facility is required to apply for an Authorization to Construct (ATC) and subsequent Permit to Operate (PTO) if the facility utilizes equipment subject to District Regulations such as diesel generators, biogas generators, boilers, flares, etc. Completion of the Condition is to be evidenced by written concurrence from the APCD and provided to the Glenn County Planning Division.

9. Prior to a building permit being issued for the proposal, the (existing) Mitigation Monitoring Program and Conditions of Approval of Conditional Use Permit #2006-007, Weststeyn Dairy (including the referenced Technical Report) will be evaluated for facility compliance and may be required to be updated. Completion of the Condition is to be evidenced by written concurrence from the APCD and provided to the Glenn County Planning Division.

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.

Signed: _____

Date: _____

Jake Weststeyn, JG Weststeyn Dairy (Landowner)

MITIGATION MONITORING PROGRAM AND
CONDITIONS OF APPROVAL
(Amended 6/20/07 by Planning Commission)

Conditional Use Permit #2006-007
Weststeyn Dairy

APN: 014-170-021 et al.

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P & PWA

Mitigation Monitoring Program

Air Quality

1. *The applicant/operator shall implement the fugitive dust control measures outlined in the Dust Control Plans (Operational and Construction-related), as submitted in the Technical Report, Revised Edition, dated February 13, 2007.*

Timing/Implementation: Prior to commencing operation/In perpetuity
Enforcement/Monitoring: Glenn County Air Pollution Control District

2. *The applicant/operator shall implement the odor control measures outlined in the Odor Control Plan, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.*

Timing/Implementation: Prior to commencing operation/In perpetuity
Enforcement/Monitoring: Glenn County Air Pollution Control District

Biological Resources

3. *The applicant/operator shall implement the recommended raptor surveys, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.*

Timing/Implementation: Prior to/during construction activities
Enforcement/Monitoring: Glenn County Planning & Public Works Agency

Hydrology and Water Quality

4. *The applicant/operator shall obtain a General Construction Stormwater Permit (Order No. 99-08-DWQ). The permit requires that a Stormwater Pollution Prevention Plan (SWPPP) be prepared prior to construction activities that disturb one (1) acre or more of land.*

Timing/Implementation: Prior to commencing land disturbance activities of one (1) acre or more.

Enforcement/Monitoring: Glenn County Planning & Public Works Agency and California Regional Water Quality Control Board.

5. *The applicant/operator shall obtain a Waste Discharge Requirements Permit from the Regional Water Quality Control Board, and provide the Glenn County Planning Division with copies of all documents and permits required by the RWQCB. Additionally, all monitoring plans required by said agencies shall also be submitted to the Glenn County Planning and Public Works Agency.*

Timing/Implementation: Prior to issuance of building permits

Enforcement/Monitoring: Glenn County Planning & Public Works Agency

Transportation/Traffic

6. *The applicant/operator shall pay 50% of the costs associated with improving County Road 65 from County Road D to the eastern dairy entrance (5,500± feet), as shown on Sheet "A1", submitted June 7, 2007. The road shall be improved to the road standard described in Glenn County Code §15.790.010(Q). The applicant shall provide the County a guarantee of funding, based on the estimate provided by the Road Maintenance Division, prior to issuance of building permits for dairy related structures.*

Timing/Implementation: Roadway shall be improved prior to commencement of milk deliveries

Enforcement/Monitoring: Glenn County Planning & Public Works Agency

7. *The applicant operator shall pay the costs associated with improving County Road 65 from the eastern dairy entrance to the middle dairy entrance (2,600± feet), as shown on Sheet "A1", submitted June 7, 2007. The road shall be improved to conform to Standard Drawing RS-6. The applicant shall provide the County a guarantee of funding, based on the estimate provided by the Road Maintenance Division, prior to issuance of building permits for dairy related structures.*

Timing/Implementation: Roadway shall be improved prior to commencement of milk deliveries
Enforcement/Monitoring: Glenn County Planning & Public Works Agency

8. *That the applicant/operator shall pay money into a road maintenance fund (paid to the Glenn County Planning & Public Works Agency) on a quarterly basis to maintain County roadways used for milk delivery. The payment shall be equal to \$0.00002 per pound of milk. 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). The milk delivery route from the dairy entrance is County Road 65 east to County Road D; then south on County Road D to County Road 68; then east on County Road 68 to Interstate 5. Money collected for Road Maintenance shall be used exclusively on the roadways described in this paragraph. Milk trucks are permitted to use alternative routes from the above-described route only during road closures. It is the responsibility of the applicant/operator to notify milk truck delivery drivers of the route.*

Timing/Implementation: Upon commencing operations/In perpetuity
Enforcement/Monitoring: Glenn County Planning & Public Works Agency

9. *That the dairy entrance(s) shall be constructed in accordance with Standard Drawing S-19 Private Road Intersection; however, the minimum drive width shall be 24 feet due to the expectation of mostly trailer traffic.*

Timing/Implementation: Prior to issuance of building permits and/or commencement of dairy operations.
Enforcement/Monitoring: Glenn County Planning & Public Works Agency

Utilities/Services

10. *The applicant/operator shall implement the dead animal removal measures outlined in the Dead Animal Management Plan, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.*

Timing/Implementation: Prior to commencing operation/In perpetuity
Enforcement/Monitoring: Glenn County Air Pollution Control District, Glenn County Environmental Health

Mandatory Findings of Significance/Human Health

11. *The applicant/operator shall implement the pest and vector control measures outlined in the Pest and Vector Control Plan, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.*

Timing/Implementation: Prior to commencing operation/In perpetuity
Enforcement/Monitoring: Glenn County Health Department/Glenn County Planning & Public Works Agency

Conditions of Approval

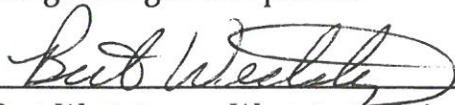
12. That the area in operation shall be confined to those areas as delineated in Sheets "A1" & "A2" (revised site plan submitted June 7, 2007) as filed with the Glenn County Planning & Public Works Agency.
13. That the applicant/operator shall file a signed copy of the Conditional Use Permit Conditions of Approval with the Planning Division within 10 days of approval, or this Conditional Use Permit shall be void.
14. That the landscaping on the south and east sides of the production facility, as illustrated on Sheets "A1" & "A2" (revised site plan submitted June 7, 2007), shall be continuously maintained.

15. 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 to the extent that the gravamen of such claim, action or proceeding seeking to attack, set aside, void or annul the said approval(s) is based on application(s), supporting documentation, representations and/or other information provided to the County by the Applicant and/or his agents in conjunction with the approval process and on which the County in good faith relied in making its decision to approve the project. In such event the Applicant(s) and/or successor(s) in interest shall further indemnify Glenn County and/or its agents from liability for any award, damages, costs and fees, including but not limited to legal fees and costs incurred by the County and further agree to provide a defense for the County in any such action. Applicant(s) and/or successors in interest shall not be responsible under this paragraph for any claim, action or proceeding relating to the approval(s) of this project based on legal defects and/or inadequacies in the County's laws, regulations, policies or procedures, or decisions of County agents and/or employees, over which Applicant(s) and/or successors in interest have no authority or control.
16. That the applicant/operator shall deposit an annual nonrefundable fee of two-hundred fifty (\$250.00) dollars for the purpose of Mitigation Monitoring. The first deposit shall be made within ten (10) working days from the date of approval of the Conditional Use Permit and by June 1 of each successive year.
17. If upon approval of this Conditional Use Permit any health or safety hazard arises due to the operation allowed by this Permit; the Planning Commission shall hold a Public Hearing to hear comments and consider whether Conditions of Approval need to be revised, added, or revoked.
18. That the Agricultural Commissioner, Air Pollution Control Officer, Health Officer, or Planning Director may require the Dead Animal Management Plan, Pest and Vector Control Plan, Dust Control Plan, and/or Odor Control Plan to be amended if they determine the plans are not sufficient to control nuisance impacts from the dairy operation.

19. That if archaeological sites are encountered during excavation of the site, all construction activity shall cease until a local independent advisor is contacted and a qualified archaeologist surveys the site. Appropriate mitigation measures will be determined by the Glenn County Planning & Public Works Agency.
20. The applicant shall landscape the east side of the main dairy entrance, as shown on Sheet "A1", submitted June 7, 2007. The landscaping shall be continuously maintained.
21. The applicant shall landscape the north side of the production facility the strip of land that borders Assessor Parcel Number 014-170-009, as shown on Sheet "A1", submitted June 7, 2007. The landscaping shall be continuously maintained.
22. That the owner/operator shall submit groundwater monitoring reports quarterly to the Glenn County Planning & Public Works Agency.
23. That the owner/operator shall install a groundwater monitoring well to the northeast of the "Commodity Pack Barns." The well shall be placed between the "Commodity Pack Barns" and the property identified as Assessor Parcel Number 014-170-009.

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 **Conditional Use Permit #2006-007**, 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.

Date: 6-20-07


Bert Weststeyn - Weststeyn Dairy Farms

Date: 6-20-07


Jake Weststeyn - Weststeyn Dairy Farms

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JUN 20 2007
P & PWA

Mitigation Monitoring and Reporting Program
Conditional Use Permit #2006-007, Weststeyn Dairy
APN 014-170-021 et al.

Mitigation Measure	Objective	Description	Performance Criteria	Timing	Responsible Party	Monitoring Party	Significance after Mitigation
Air Quality #1	Dust Control	The applicant/operator shall implement the fugitive dust control measures outlined in the Dust Control Plans (Operational and Construction-related), as submitted in the Technical Report, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.	Reduce fugitive dust	Prior to commencing construction and operation of dairy/In perpetuity	Applicant; Dairy Operator	Glenn County Air Pollution Control District	Less Than Significant
Air Quality #2	Odor Control	The applicant/operator shall implement the odor control measures outlined in the Odor Control Plan, as submitted in the Technical Report, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.	Reduce Odor	Prior to commencing operation of dairy/In perpetuity	Applicant; Dairy Operator	Glenn County Air Pollution Control District	Less Than Significant
Biological Resources #3	Protect special-status animal	The applicant/operator shall implement the recommended raptor survey, as submitted in the Technical Report, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.	No net loss of special-status animals	Prior to/during construction activities	Applicant; Dairy Operator	Glenn County Planning & Public Works Agency	Less Than Significant

Mitigation Monitoring and Reporting Program
Conditional Use Permit #2006-007, Weststeyn Dairy
APN 014-170-021 et al.

Mitigation Measure	Objective	Description	Performance Criteria	Timing	Responsible Party	Monitoring Party	Significance after Mitigation
Hydrology & Water Quality #4	Stormwater Pollution Prevention	The applicant/operator shall obtain a General Construction Stormwater Permit (Order No. 99-08-DWQ). The permit requires that a Stormwater Pollution Prevention Plan (SWPPP) be prepared prior to construction activities that disturb one (1) acre or more of land.	Prevent stormwater run-off during construction	Prior to commencing land disturbance activities of one (1) or more acres.	Applicant; Dairy Operator; Construction Contractor	California Regional Water Quality Control Board; Glenn County Planning & Public Works Agency	Less Than Significant
Hydrology & Water Quality #5	Protect ground- and surface-waters	The applicant/operator shall obtain a Waste Discharge Requirements Permit from the Regional Water Quality Control Board, and provide the Glenn County Planning Division with copies of all documents and permits required by the RWQCB. Additionally, all monitoring plans required by said agencies shall also be submitted to the Glenn County Planning and Public Works Agency.	No significant loss in quality of ground- and surface-waters.	Prior to issuance of building permits	Applicant; Dairy Operator	California Regional Water Quality Control Board; Glenn County Planning & Public Works Agency	Less Than Significant

Mitigation Monitoring and Reporting Program
Conditional Use Permit #2006-007, Weststeyn Dairy
APN 014-170-021 et al.

Mitigation Measure	Objective	Description	Performance Criteria	Timing	Responsible Party	Monitoring Party	Significance after Mitigation
Transportation/ Traffic #6	Improve roadway quality	The applicant/operator shall pay 50% of the costs associated with improving County Road 65 from County Road D to the eastern dairy entrance (5,500± feet), as shown on Sheet "A1", submitted June 7, 2007. The road shall be improved to the road standard described in Glenn County Code §15.790.010(Q). The applicant shall provide the County a guarantee of funding, based on the estimate provided by the Road Maintenance Division, prior to issuance of building permits for dairy related structures.	Glenn County Code §15.790.010(Q)	Roadway shall be improved prior to commencement of milk deliveries	Applicant; Dairy Operator; Glenn County Planning & Public Works Agency	Glenn County Planning & Public Works Agency	Less Than Significant

Mitigation Monitoring and Reporting Program
Conditional Use Permit #2006-007, Weststeyn Dairy
APN 014-170-021 et al.

Mitigation Measure	Objective	Description	Performance Criteria	Timing	Responsible Party	Monitoring Party	Significance after Mitigation
Transportation/ Traffic #7	Improve roadway quality	The applicant operator shall pay the costs associated with improving County Road 65 from the eastern dairy entrance to the middle dairy entrance (2,600± feet), as shown on Sheet "A1", submitted June 7, 2007. The road shall be improved to conform to Standard Drawing RS-6. The applicant shall provide the County a guarantee of funding, based on the estimate provided by the Road Maintenance Division, prior to issuance of building permits for dairy related structures.	Glenn County Code §15.790.010(Q)	Roadway shall be improved prior to commencement of milk deliveries	Applicant; Dairy Operator; Glenn County Planning & Public Works Agency	Glenn County Planning & Public Works Agency	Less Than Significant
Transportation/ Traffic #8	Protect county road quality	That the applicant/operator shall pay money into a road maintenance fund (paid to the Glenn County Planning & Public Works Agency) on a quarterly basis to maintain County roadways used for milk delivery. The payment shall be equal to \$0.00002 per pound of milk. The payment described	No reduction in road quality	Upon commencing milk deliveries/In perpetuity	Applicant; Dairy Operator	Glenn County Planning & Public Works Agency	Less Than Significant

Mitigation Monitoring and Reporting Program
Conditional Use Permit #2006-007, Weststeyn Dairy
APN 014-170-021 et al.

Mitigation Measure	Objective	Description	Performance Criteria	Timing	Responsible Party	Monitoring Party	Significance after Mitigation
		<p>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). The milk delivery route from the dairy entrance is County Road 65 east to County Road D; then south on County Road D to County Road 68; then east on County Road 68 to Interstate 5. Money collected for Road Maintenance shall be used exclusively on the roadways described in this paragraph. Milk trucks are permitted to use alternative routes from the above-described route only during road closures. It is the responsibility of the applicant/operator to notify milk truck delivery drivers of this route.</p>					

Mitigation Monitoring and Reporting Program
Conditional Use Permit #2006-007, Weststeyn Dairy
APN 014-170-021 et al.

Mitigation Measure	Objective	Description	Performance Criteria	Timing	Responsible Party	Monitoring Party	Significance after Mitigation
Transportation/ Traffic #9	Create a safe Intersection	That the dairy entrance(s) shall be constructed in accordance with Standard Drawing S-19 Private Road Intersection; however, the minimum drive width shall be 24 feet due to the expectation of mostly trailer traffic.	Construct to Intersection standards listed in Description	Prior to issuance of building permits and/or commencing dairy operations	Applicant; Dairy Operator	Glenn County Planning & Publics Works Agency	Less Than Significant
Utilities/Services #10	Divert waste (carcasses) from landfill	The applicant/operator shall implement the dead animal removal measures outlined in the Dead Animal Management Plan, as submitted in the Technical Report, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.	Keep odors and potential health issues to a minimum	Prior to commencing operations/In perpetuity	Applicant; Dairy Operator	Glenn County Air Pollution Control District; Glenn County Health Department; Glenn County Planning & Public Works Agency	Less Than Significant
Human Health #11 (Mandatory Findings of Significance)	Keep pests and vectors to a minimum	The applicant/operator shall implement the pest and vector control measures outlined in the Pest and Vector Control Plan, as submitted in the Technical Report, as submitted in the Technical Report, Revised Edition, dated February 13, 2007.	Reduce impacts (health and nuisance) to humans	Prior to commencing operations/In perpetuity	Applicant; Dairy Operator	Glenn County Health Department; Glenn County Planning & Public Works Agency	Less Than Significant



COUNTY OF GLENN

HEALTH & HUMAN SERVICES AGENCY

Christine Zoppi
Director

Erin Valdez
Deputy Director
Administration

Amy Lindsey
Deputy Director
Behavioral Health

Bill Wathen
Deputy Director
Social Services

Grinnell Norton
Deputy Director Public Health
Director of Nursing

Vacant
Deputy Director
Community Action

Environmental Health Department
247 N. Villa Avenue
Willows CA 95988

Phone: 530-934-6102
Fax: 530-934-6103

Date: December 19, 2017

To: Hether Ward, Assistant Planner
Glenn County Planning & Public Works Agency
(Via Email)

From: Kevin Backus, REHS
Director, Glenn County Environmental Health Department

Re: Site Plan Review 2017-015, Weststeyn Dairy, APN 014-170-021 (Dairy Manure
Digester)

We have reviewed the application information for the project noted above and have the following comments/requirements:

1. The proposed dairy manure digester will be a solid waste facility and will require an annual registration or permit from Glenn County Environmental Health. Contact Environmental Health to discuss operating details, regulations and requirements to determine which tier the proposed solid waste facility will be regulated under.
2. In addition, a CEQA determination will be required in order to approve the solid waste facility.
3. The proposed project parcel has an existing onsite wastewater treatment system, replacement area, water wells and monitoring wells which shall not be affected by the proposed project.
4. The proposed project buildings are not approved for any sewage or gray water discharge. If sewage or gray water discharge is proposed for these buildings in the future an approved permit shall be obtained from Glenn County Environmental Health before any construction begins.

Please contact Environmental Health at 530-934-6102 with any questions on this matter.



COUNTY OF GLENN

HEALTH & HUMAN SERVICES AGENCY

Christine Zoppi
Director

Erin Valdez
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Director of Nursing

Vacant
Deputy Director
Community Action

Glenn County Environmental Health
247 N. Villa Avenue
Willows, CA 95988

Phone: (530) 934-6102
Fax: (530) 934-6103

Date: January 3, 2018

To: Hether Ward
Glenn County Planning & Public Works
(via email)

From: John H Wells, REHS
Glenn County Environmental Health

Re: Site Plan Review 2017-015, Weststeyn Dairy (APN 014-170-021)

First, please note that the *Dairy Digester Permitting Scenario No. 1 (On-Site Manure Only)* flowchart referenced in previous emails pertaining to this project is out of date. CalRecycle has since created regulations specifically for in-vessel digestion facilities, so said flow chart is no longer accurate.

Review of California Code of Regulations Title 14, Division 7, Chapter 3.2 governing *In-Vessel Digestion Operations and Facilities* has determined the facility qualifies as an *excluded* operation pursuant to 14 CCR 17896.6 (a)(3). An excluded operation does not require a Solid Waste Facility Permit (SWFP) or EA Notification to operate. This determination supersedes the permitting requirement cited in our memo to the Planning Department dated December 19, 2017.

A few things to note:

- The operation may digest manure and agricultural material derived from onsite dairy operations.
- The operation may also receive material from offsite, though such material is restricted to *agricultural material* as defined by 14 CCR 17896.2(a)(1) and/or *vegetative food material* as defined by 14 CCR 19896.2(a)(12)(A).
- Any offsite material received must, upon arrival at the facility, be put directly into the digester or be placed into a sealed, leak-proof container while it is being staged prior to digestion. They cannot dump the material onto the ground, onto a pad, or in any other unsealed area prior to placing it into the digester.
- Land application of digestate is governed by 14 CCR 17852(a)(24.5) in the composting regulations. Assuming the parcel is zoned for agriculture, digestate can be land applied a maximum of 3 times per year to a maximum depth of 12 inches.
- No more than an incidental amount of 1000 cubic yards of composted digestate may be sold or given away each year. Digestate that has not first been composted cannot be sold or given away.

Equal opportunity employer/program. Auxiliary aids and services available upon request to individuals with disabilities

If the operation cannot meet the above conditions, the operator must contact our office to obtain a permit (or EA Notification). Also, the facility must contact the Regional Water Quality Control Board (RWQCB) to determine if a Waste Discharge Requirements (WDR) order is necessary for the site.

Please contact our office if you have any questions pertaining to this matter.



COUNTY OF GLENN

Air Pollution Control District

Marcie Skelton, Air Pollution Control Officer/CUPA Director
720 N. Colusa Street ♦ P.O. Box 351 ♦ Willows, CA 95988
(530) 934-6500 ♦ Fax (530) 934-6503
www.countyofglenn.net

December 13, 2017

Project: Site Plan Review 2017-015, Weststeyn Dairy, Dairy Manure Digester
Applicant: JG Weststeyn Dairy
Planner: Hether Ward

Ms. Ward,

The Glenn County Air Pollution Control District has the following comments regarding Site Plan Review 2017-015, Weststeyn Dairy, Dairy Manure Digester:

1. Construction and fugitive related Particulate Matter (Dust) must be mitigated. During construction all unpaved roads must be watered (or treated with a soil stabilizer) to the point that Particulate Matter emissions are prevented from leaving the property boundary. All disturbed surfaces must have the soil stabilized to the point that fugitive dust emissions are prevented from leaving the property boundary. All vehicle traffic on unpaved roads must be limited to 15mph. Any grading or demolition activities must be suspended when winds are sustained above 15 mph.
2. All efforts should be made to prevent odor generated from this operation impacting local residents. The facility will be required to amend the Odor Management Program approved for the facility in 2007.
3. The facility will be required to apply for an Authorization to Construct (ATC) and subsequent Permit to Operate (PTO) if the facility utilizes equipment subject to District Regulations such as diesel generators, biogas generators, boilers, flares, etc.
4. The Mitigation Monitoring Program and Conditions of Approval of Conditional Use Permit #2006-007, Weststeyn Dairy (including the referenced Technical Report) will be evaluated for facility compliance and be required to be updated.

The District looks forward to working with the county, local community, and the facility to address any issues that may arise. Please let me know if you or anyone else has any questions or comments.

Regards,

Ian Ledbetter
Environmental Program Manager

Andy Popper

From: Hether Ward
Sent: Friday, January 12, 2018 10:57 AM
To: Andy Popper
Subject: FW: Request for Review, SPR 2017-015, Weststeyn Dairy
Attachments: A-4-INSPECTION REPORT - WESTSTEYN DAIRY (GLENN).pdf

Importance: High

From: Herbst, Charlene@Waterboards [mailto:Charlene.Herbst@waterboards.ca.gov]
Sent: Friday, January 12, 2018 10:57 AM
To: Hether Ward <HWard@countyofglenn.net>
Cc: Busby, Robert@Waterboards <Robert.Busby@waterboards.ca.gov>; Patteson, Doug@Waterboards <Doug.Patteson@waterboards.ca.gov>; Essary, Dale@Waterboards <Dale.Essary@waterboards.ca.gov>; Walsh, Sean@Waterboards <Sean.Walsh@waterboards.ca.gov>; Klein, Stephen@Waterboards <Stephen.Klein@waterboards.ca.gov>
Subject: RE: Request for Review, SPR 2017-015, Weststeyn Dairy
Importance: High

Ms. Ward – I'm sorry for the delay in responding to your CEQA notification for the Dairy Manure Digester project proposed for the Weststeyn Dairy in Glenn County.

While the Central Valley Water Board in general strongly supports dairy digester projects, we feel it is important to inform you that there are serious waste management issues at this dairy at present. Our two specific comments are:

Page 9/28, Paragraph 1

For the digester, dairy-derived manure will continue to be collected using
Currently, manure is collected from the barns and from the milking parlor
lined uncovered lagoon where the manure breaks down and releases met

This statement is not accurate. The only waste being stored in the lined lagoon comes from the milking parlor. The manure being generated in the four compost barns (approx. 3000 cows) is being stored either on unprepared native soil with no control to convey leachate to the lined lagoon, or on what is identified in the existing Waste Management Plan as a pasture.

Page 9/28, Paragraph 6

Digested solids coming out of the digester are significantly odor and pathogen reduced and commonly used as cow bedding or as soil amendments. Digested liquids (compost tea) are virtually odor and pathogen reduced and can be applied to crops at the Dairy soils. Solids and liquid digestate are non-hazardous and will be managed in accordance with the Dairy's Waste Management Plan as prescribed and administered by the Regional Water Quality Control Board.

The dairy doesn't have an accurate Waste Management Plan or Nutrient Management Plan. They have no idea of the current amount of waste being generated at the dairy.

I have attached a recent inspection report for the facility.

For the digester project to be successful, it is important that the current manure management practices be corrected so that solid manure is stored only in areas that are designated for solid manure storage, and any leachate from the solid manure is conveyed to the lined lagoon. The Waste and Nutrient Management Plans need to be updated to incorporate the digester, so that the storage of waste (both pre- and post-digestion), and the amount of plant-available nitrogen in digested material, are accurately represented.

Again, I apologize for the lateness of these comments. If you have any additional questions please contact me or Sean Walsh. Sean's phone number is 916-464-4795.

Charlene M. Herbst, CEG
Chief, Confined Animal Facilities Unit
Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive, Ste. 200
Rancho Cordova, CA 95670
(916) 464-4724
(916) 464-4800 (fax)

From: Low, George@Waterboards
Sent: Monday, December 18, 2017 10:52 AM
To: Armstrong, Scott@Waterboards
Cc: Herbst, Charlene@Waterboards; Busby, Robert@Waterboards; Patteson, Doug@Waterboards
Subject: FW: Request for Review, SPR 2017-015, Weststeyn Dairy
Importance: High

Scott,

Attached is the CEQA notification for the proposed Dairy Manure Digester at the Weststeyn Dairy in Glenn County. The County has requested comments by 26 December 2017 at 4:00PM. Please forward to the appropriate staff for review in your office. Thanks for your help in moving this document along.

-George

From: Hether Ward [<mailto:HWARD@countyofglenn.net>]
Sent: Tuesday, December 12, 2017 8:47 AM
To: Marcie Skelton <MSkelton@countyofglenn.net>; Ian Ledbetter <ILedbetter@countyofglenn.net>; Eric Scott

<EScott@countyofglenn.net>; Ana Arias <AArias@countyofglenn.net>; Dean Miller <DMiller@countyofglenn.net>; John Lanier <JLanier@countyofglenn.net>; Michael Biggs <MBiggs@countyofglenn.net>; Kevin Backus <KBackus@countyofglenn.net>; Rich Warren <RWarren@countyofglenn.net>; Low, George@Waterboards <George.Low@waterboards.ca.gov>; LCA@DOC <LCA@conservation.ca.gov>; DOGGR Web Master@DOC <doggrwebmaster@conservation.ca.gov>; CDFA MSD Dairy Marketing Branch Generic E-Mail@CDFA <dairy@cdfa.ca.gov>; 'public.advisor@cpuc.ca.gov' <public.advisor@cpuc.ca.gov>; 'LRO2@PGE.com' <LRO2@PGE.com>; 'jsutton@tccanal.com' <jsutton@tccanal.com>
Cc: Mardy Thomas <mthomas@countyofglenn.net>; Andy Popper <APopper@countyofglenn.net>
Subject: Request for Review, SPR 2017-015, Weststeyn Dairy

To whom it may concern,

This email is in lieu of a hardcopy being sent to your attention.

Please accept the Request for Review for comments. Documentation is available at:

[SPR 2017-015, Weststeyn](#)

[Dairy](#) and/or <http://www.countyofglenn.net/sites/default/files/Planning/SPR%202017-015%2C%20Weststeyn%20Dairy%2C%20Request%20for%20Review.pdf>

If you have any issues viewing the document(s) online, please contact the Planning Division.

Thank you for your time regarding this matter.

Heather Ward

Assistant Planner

Glenn County Planning & Public Works Agency

777 N. Colusa Street, Willows, CA 95988

Phone: (530) 934-6540 / Fax: (530) 934-6533

hward@countyofglenn.net

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

INSPECTION REPORT

DATE: November 15 2017

LOCATION & COUNTY: Weststeyn Dairy
5747 County Road 65, Willows
Glenn County

CONTACT: Steven Weststeyn. Owner/operator (209-351-3335)
Jake Weststeyn. Owner/operator (209-351-0067)
Joe Corp. Consultant (530-520-6232)

INSPECTION DATE: 1 November 2017

INSPECTED BY: Sean Walsh. Daniel Davis

OBSERVATIONS AND COMMENTS:

Regional Water Quality Control Board staff inspected the Weststeyn Dairy on 1 November 2017 to determine site conditions prior to the 2017/2018 rainy season and to determine if violations identified in the 19 May 2017 Notice of Violation had been corrected.

General Order required operational documents were not reviewed.

At the time of the inspection the lined primary wastewater storage lagoon had 3.0-feet of freeboard and contained a significant amount of solid manure. The only waste being stored in the primary lagoon is generated at the milk barn. At the time of the 9 May 2017 inspection, the remainder of waste was stored: 1) at the earthen basin designated on the Waste Management Plan as a 10.6 acre organic pasture; 2) on native soil at the west end of the compost barns; 3) on native soil at the east end of the compost barns; and 4) in the tailwater pond located west of Baker Slough.

Waste is still being stored in the 10.6 acre organic pasture; this violation has not been corrected.

The area of native soil used to store solid manure located west of the main compost barns has been significantly cleaned. The majority of solid manure has been removed from this area and exported off-site to land enrolled and regulated by the Irrigated Lands Regulatory Program (this land is not included in the dairy Nutrient Management Plan).

The tailwater pond located west of Baker Slough is being used to store solid manure, wastewater, and silage leachate. This is a violation of the Dairy General Order and should be discontinued immediately. The pond cannot return wastewater to the primary storage lagoon (wastewater can only be returned to the top of select fields). At the time of the inspection the pond was nearing capacity. Steven Weststeyn and Jake Weststeyn, the owner and operators of the dairy, have indicated they understand that wastewater and/or solid manure cannot discharge off-property to Baker Slough.

The earthen area used to store solid manure located east of the main compost barns has been significantly cleaned. The majority of solid manure has been removed from this area and exported off-site to land enrolled and regulated by the Irrigated Lands Regulatory Program (this land is not included in the dairy Nutrient Management Plan).

The concrete pad used to store commodities and silage drains to the tailwater pond located west of Baker Slough. An area of native soil immediately west of the concrete pad contained a significant amount of wastewater and solid manure on 9 May 2017. At the time of the 1 November 2017 inspection, it contained minimal manure.

Dead animals in various stages of decomposition were located on native soil northeast of the primary wastewater storage lagoon. Staff confirmed through on-site records that dead animals were being rendered. It appears the number of dead animals exceeded what Sacramento Rendering Company can transport. The animal remains were to be scraped up immediately and staged for transport on the adjacent concrete slab. Staff returned 48 hours later on 3 November 2017 and confirmed the animal remains had been removed from the area of native soil and staged for transport.

EMAIL:

Wed 1/17/2018 4:47 PM

Stephen Weststeyn (Stephenw9734@hotmail.com)

Proposed Anaerobic Digester at Weststeyn Dairy

Andy,

Thanks for taking the time to meet yesterday afternoon. In response to the email dated January 12, 2018 from Charlene Herbst of the Regional Board, we would like to state the following:

The Regional Water Board expressed concerns over current operating practices relating to manure management that the Weststeyn Dairy has and is actively working to address. Dairy management believes the addition of an anaerobic digester will further improve environmental and operational efficiencies as related to manure handling while allowing it to remain in compliance with foreseeable greenhouse gas avoidance requirements per SB-1383.

The digester design should help reduce manure odors and pathogens. The system will separate digested solids for use as soil amendments. Digested liquids are also pathogen and odor-reduced and will be separated from the digested solids for temporary storage in the lined lagoon.

The addition of the digester will require an update to the dairy's Waste Management Plan and Nutrient Management Plan as prescribed and overseen by the Regional Water Board.

We believe the addition of the digester will keep the dairy in compliance with its operating permits.

Please let me know any other questions or concerns.

Thanks,

Stephen Weststeyn
JG Weststeyn Dairy
Willows, CA

GLENN COUNTY Planning & Public Works Agency

P.O. Box 1070 / 777 N. Colusa Street
Willows, CA 95988
530.934.6530 Fax 530.934.6533
www.countyofglenn.net



REQUEST FOR REVIEW

COUNTY DEPARTMENTS/DISTRICTS

- Glenn County Agricultural Commissioner
- Glenn County Air Pollution Control District/CUPA
- Glenn County Assessor
- Glenn County Building Inspector
- Glenn County Engineering & Surveying Division
- Glenn County Environmental Health Department
- Glenn County Sheriff's Department
- Glenn County Board of Supervisors
- Glenn County Counsel
- Glenn County Planning Commission
- Glenn LAFCO

FEDERAL AGENCIES

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- U.S. Department of Agriculture
- U.S. Bureau of Reclamation - Willows

OTHER

- AT&T
- California Water Service Co. (Chico)
- California Association of RC&D
- City of Willows
- Comcast Cable (Chico Office)
- Community Services District:
- Drainage District:
- Enterprise Rancheria of Maidu Indians
- Fire Protection District: Kanawha
- Glenn County Resource Conservation District
- Grindstone Rancheria of Wintun-Wailaki

STATE AGENCIES

- Central Valley Flood Protection Board
- Central Valley Regional Water Quality Control Board (RWQCB)
- CHP – Willows Office (GPA's, ZC's, and TSM's)
- Department of Alcoholic Beverage Control (ABC)
- Department of Conservation, Division of Land Resource Protection
- Department of Conservation, Office of Mine Reclamation (OMR)
- Department of Conservation, Division of Oil, Gas, and Geothermal Resources
- Department of Fish and Wildlife
- Department of Food and Agriculture
- Department of Forestry and Fire Protection (Cal Fire)
- Department of Housing and Community Development (HCD)
- Department of Public Health
- Department of Toxic Substances Control (DTSC)
- Department of Transportation (Caltrans)
- Department of Water Resources (DWR)
- Office of the State Fire Marshall
- Public Utilities Commission

DATE: December 11, 2017

PROJECT: **Site Plan Review 2017-015, Weststeyn Dairy, Dairy Manure Digester**

PLANNER: Hether Ward, Assistant Planner

APN: 014-170-021

GLENN COUNTY

Planning & Public Works Agency

P.O. Box 1070 / 777 N. Colusa Street
Willows, CA 95988
530.934.6530 Fax 530.934.6533
www.countyofglenn.net



REQUEST FOR REVIEW

DATE: December 11, 2017

PROJECT: **Site Plan Review 2017-015, Weststeyn Dairy, Dairy Manure Digester**

PLANNER: Hether Ward, Assistant Planner

**APPLICANT/
LANDOWNER:** JG Weststeyn Dairy
5745 County Road 65
Willows, CA 95988
(209) 351-0067
jgweststeyndairy@outlook.com

PROPOSAL: **Site Plan Review 2017-015, Weststeyn Dairy, Dairy Manure Digester**
The applicant has applied to install and operate an anaerobic digester at the Dairy. According to the work plan included with the application, the digester is considered ancillary equipment at the Dairy that will improve and modernize manure management practices.

LOCATION: The proposal is located at 5745 County Road 65, Willows, CA 95988. This site is located on the south side of County Road 65, west of County Road D, east of the Tehama- Colusa Canal, and southwest of the City of Willows, in the unincorporated area of Glenn County.

APN: 014-170-021

ZONING: “AP-80” Agricultural Preserve (72-acre minimum parcel size)

GENERAL PLAN: “Intensive Agriculture”

FLOOD ZONE: Flood Zones “A” and “X” according to Flood Insurance Rate Map (FIRM) No. 06021C0800D, dated August 5, 2010 issued by the Federal Emergency Management Agency (FEMA). Flood Zone “A” is one of the Special Flood Hazard Areas (SFHAs) inundation by the 1% annual chance flood event. Flood Zone “X” (unshaded) consists of areas of minimal risk outside the 1-percent and 0.2-percent annual chance floodplains. No base flood elevations or base flood depths are shown within this zone.

The Glenn County Planning Division is requesting comments on this proposal for determination of completeness, potential constraints, and/or proposed conditions of approval. If comments are not received by **TUESDAY, DECEMBER 26, 2017**, it is assumed that there are no specific comments to be included in the analysis of the project. Comments submitted by e-mail are acceptable. Thank you for considering this matter.

AGENCY COMMENTS:

Please consider the following:

1. Is the information in the application complete enough to analyze impacts and conclude review?

2. Comments may include project-specific code requirements unique to the project. Cite code section and document (i.e. General Plan, Subdivision Map Act, etc.).

3. What are the recommended Conditions of Approval for this project and justification for each Condition? When should each Condition be accomplished (i.e. prior to any construction at the site, prior to recording the parcel map, filing the Final Map, or issuance of a Certificate of Occupancy, etc.)?

SPR 2017-015

GLENN COUNTY
PLANNING AND PUBLIC WORKS AGENCY
777 North Colusa Street
WILLOWS, CA 95988
(530) 934-6540
FAX (530) 934-6533
www.countyofglenn.net

APPLICATION FOR SITE PLAN REVIEW (AGRICULTURAL)

NOTE: FAILURE TO ANSWER APPLICABLE QUESTIONS AND REQUIRED ATTACHMENTS COULD DELAY THE PROCESSING OF YOUR APPLICATION.

1. Applicant(s):

Name: JG Weststeyn Dairy

Address: 5745 County Road 65 Willows, CA 95988

Phone:(Business) (209) 351-0067 (Home) (209) 351-3335

Fax: n/a E-mail: jgweststeyndairy@outlook.com

2. Property Owner(s):

Name: Jake Weststeyn

Address: 5745 County Road 65 Willows, CA 95988

Phone:(Business) (209) 351-0067 (Home) (209) 351-3335

Fax: n/a E-mail: jgweststeyndairy@outlook.com

3. Engineer/Person who Prepared Site Plan (if applicable):

Name: N/A

Mailing Address: _____

Phone:(Business) _____ (Home) _____

Fax: _____ E-mail: _____

RECEIVED

DEC 05 2017

Glenn County
PPWA

4. Name and address of property owner's duly authorized agent (if applicable) who is to be furnished with notice of hearing (Section 65091 California Government Code).

Name: Jake Weststyen

Mailing Address: 5747 County Road 65 Willows, CA 95988

5. Request or Proposal: Installation of Dairy Manure Digester

6. Address and Location of Project: 5747 County Road 65 Willows, CA 95988

7. Current Assessor's Parcel Number(s): 014-170-021

8. Existing Zoning: Agricultural Preserve (AP)

9. Existing Use of Property: Dairy

10. Provide any additional information that may be helpful in evaluating your proposal:

DECLARATION UNDER PENALTY OF PERJURY

(Must be signed by Applicant(s) and Property Owner(s))

(Additional sheets may be necessary)

The Applicant(s) and/or Property Owner(s), by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against the foregoing individuals or entities, the purpose of which is to attack, set aside, void or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement whether or not there is concurrent passive or active negligence on the part of the County.

Applicant(s):

Signed: _____



Print: Jake Westesteyn

Date: December 5, 2017

Address: 5747 County Road 65 Willows, CA 95988

I am (We are) the owner(s) of property involved in this application and I (We) have completed this application and all other documents required.

I am (We are) the owner(s) of the property involved in this application and I (We) acknowledge the preparation and submission of this application.

I (We) declare under penalty of perjury that the foregoing is true and correct.

Property Owner(s):

Signed: _____



Print: Jake Westesteyn

Date: December 5, 2017

Address: 5747 County Road 65 Willows, CA 95988

Dairy Digester Installation Work Plan

New Equipment: The addition of an Anaerobic Digester at the JG Weststeyn Dairy in Glenn County, CA

Applicants: JG Weststeyn Dairy (dairy owner and operator)
DVO, Inc. (developer)

Location: JG Weststeyn Dairy ("Dairy")

Benefits:

- ✓ Improved air quality
- ✓ Reduction of odors
- ✓ Improved vector control
- ✓ Enhanced water quality
- ✓ Control and capture of dairy-derived methane in order to help the dairy meet the State of California's Short-Lived Climate Control goals of a 40% reduction in methane emissions by 2030 (SB32, SB1383 Statutes of 2016)
- ✓ Create a renewable fuel source intended for vehicle transportation

Applicant proposes to build and operate an anaerobic digester at the Dairy. This digester is considered ancillary equipment at the Dairy that will improve and modernize manure management practices. The digester system will utilize proven and tested technology that has become common in the dairy industry. It will be designed, built and operated to comply with the Dairy Digester General Order as issued by the State of California Central Valley Regional Water Quality Control Board (Resolution No. R5-2010-0117 as adopted on December 10, 2010) and for which an Environmental Impact Report was certified, thus demonstrating compliance with CEQA. See:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2010-0117_res.pdf

The proposed digester will be engineered and built by DVO, Inc. ("DVO"). DVO and Dairy will operate the digester and its systems. DVO is the largest provider of anaerobic digesters to the dairy industry with over 89 installations operating in the United States (<https://www.epa.gov/agstar/livestock-anaerobic-digester-database>). Since the first digester of DVO's patented Two-Stage Mixed Plug Flow™ design was installed in 2001, virtually all remain operational capturing methane that is used primarily for renewable electricity or fuel production.

For the digester, dairy-derived manure will continue to be collected using existing practices. Currently, manure is collected from the barns and from the milking parlor and is placed into a lined uncovered lagoon where the manure breaks down and releases methane, a potent greenhouse gas, into the atmosphere. With the new digester, manure will be diverted from the lagoon into the enclosed digester where the methane will be captured for re-use as a renewable fuel source. This activity is conducted within the guidelines of existing permits for manure management operations at the Dairy.

The digester will be designed and built using standards and practices as employed at other DVO installations. Design and construction will be in compliance with all applicable building codes as to be prescribed and issued in permits by the Glenn County Building Department.

As currently envisioned, the digester will be approximately 300' long by 75' wide and 16' deep, and sealed with a concrete, air-tight top. The location of the digester is depicted on the attached site plan. Manure will flow through the digester over a typical 22-day retention time. During this time, volatile solids will be transformed through natural processes into methane-rich biogas.

Captured biogas will be conditioned to PG&E pipeline injection standards and then injected into the PG&E natural gas pipeline that runs on dairy property through an existing natural gas injection point with tie-in and riser directly adjacent to the Dairy. The methane will then be sold and delivered as vehicle fuel at vehicle fueling stations located throughout California.

All manure collection, digestion, and conditioning will take place on Dairy property. Injection of biomethane will take place at the existing tie-in and riser for which PG&E has an easement.

Digested solids coming out of the digester are significantly odor and pathogen reduced and are commonly used as cow bedding or as soil amendments. Digested liquids (digestate) are also virtually odor and pathogen reduced and can be applied to crops at the Dairy to help enrich soils. Solids and liquid digestate are non-hazardous and will be managed within the guidelines of the Dairy's Waste Management Plan as prescribed and administered by the Regional Water Quality Control Board.

Construction time for the digester is typically approximately four to six months from initiation. Digester system will be fully operational within two months of completion of construction. Operational life of the digester and equipment is typically at least twenty years, assuming normal maintenance and operations.

Recorded at the request of:
TIMIOS TITLE COMPANY

04/14/2016 02:26 PM
Fee: \$44.00 Pgs: 11

OFFICIAL RECORDS
Sheryl Thur, Clerk-Recorder
Glenn County, CA

RECORDING REQUESTED BY, AND
WHEN RECORDED MAIL TO:

ANTHONY M. DESPOTES, ESQ.
NEUMILLER & BEARDSLEE
A PROFESSIONAL CORPORATION
POST OFFICE BOX 20
STOCKTON, CALIFORNIA 95201-3020

MAIL TAX STATEMENTS TO:

JAKOB AND GLADYS WESTSTEYN
5745 County Road 65
Willows, CA 95988

SPACE ABOVE THIS LINE FOR RECORDER'S USE
DOCUMENTARY TRANSFER TAX \$ 0.00

the undersigned declares

.....
Computed on the consideration or value of property conveyed;
OR

.....
Computed on the consideration or value less liens or
encumbrances remaining at time of sale.

Signature of Declarant or Agent Determining Tax

APN: 014-17-0-21, 028, 039, 041, 042, 043
020-016-01-005
020-21-0-003
020-22-0-014 & 017

CORRECTIVE DEED

FOR NO CONSIDERATION,

JAKOB WESTSTEYN and GLADYS WESTSTEYN, husband and wife,

hereby GRANT(S) to

JAKOB WESTSTEYN and GLADYS WESTSTEYN, as Co-Trustees of the
WESTSTEYN 2015 IRREVOCABLE REAL PROPERTY TRUST dated March 19,
2015,

that certain real property situated in the City of Willows, County of Glenn, State of California,
and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

**THIS DEED IS GIVEN TOGETHER WITH ALL RIPARIAN WATER RIGHTS
RUNNING WITH AND OTHER WATER RIGHTS APPURTENANT TO THE
HEREIN DESCRIBED PARCELS.

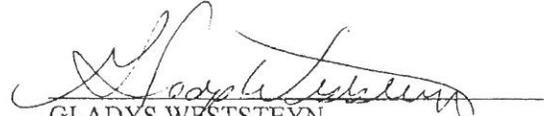
**THE PURPOSE OF THIS DEED IS TO CORRECT THE SPELLING OF THE
LAST NAME OF GLADYS WESTSTEYN, CO-TRUSTEE OF THE WESTSTEYN
2015 IRREVOCABLE REAL PROPERTY TRUST DATED MARCH 19, 2015,**

2016-1574 1 of 11

AS ORIGINALLY SET FORTH IN THAT CERTAIN GRANT DEED
RECORDED ON APRIL 1, 2015 AS DOCUMENT NUMBER 2015-1503,
OFFICIAL RECORDS, GLENN COUNTY, CA.

Dated: Jan 21, 2016


JAKOB WESTSTEYN


GLADYS WESTSTEYN

2016-1574 2 of 11


ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

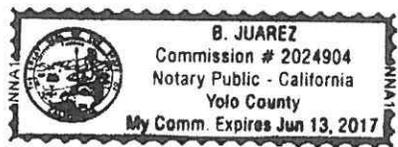
STATE OF CALIFORNIA)
COUNTY OF Yolo)

On Jan. 21, 2016, before me, B. Juarez, a Notary Public, personally appeared JAKOB WESTSTEYN and GLADYS WESTSTEYN, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

B. Juarez



2016-1574 3 of 11
[Barcode]

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 014-17-0-021, 028, 039, 041, 042, 043, 020-016-01-005, 020-21-0-003 and
020-22-0-014 & 017

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF WILLOWS, COUNTY OF GLENN,
STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

TRACT ONE:

PARCEL ONE: All of Divisions No. 6, No. 7, No. 8, No. 9 and No. 10, Series A, Eucalyptus Plantation, Sections 16 and 17, Township 20 North, Range 3 West, M.D.B & M., according to the plat thereof filed in the office of the County Recorder of Glenn County, State of California, on March 15, 1909 in Book 1 of Maps, at page 196.

EXCEPTING THEREFROM a portion of the South one-half of Section 17, Township 20 North, Range 3 West, M.D.B. & M., Glenn County, California, and more particularly described as follows:

Commencing at the Southeast corner of said Section 17, thence S. 89°45'W., on and along the South line of said Section 17, 3649.40 feet to the true point of beginning of this description; thence leaving said line N. 0°25'W. 30.0 feet to a 5/8" diameter iron pin; thence N. 0°25' W. 1308.0 feet to a 5/8" diameter iron pin, said pin being the Northwest property corner; thence N. 89°45' E. 2614.30 feet to a 5/8" iron pin said pin being the Northeast property corner; thence S. 0°25' E. 1308.0 feet to a 5/8" diameter iron pin; thence S. 0°25' E. 30.0 feet to a point on the aforesaid South line of Section 17; thence S. 89°45' W. 2614.30 feet to the point of beginning of this description.

The basis of bearing of this description is the South line of Section 17, Township 20 North, Range 3 West, M.D.B. & M., which bears S. 89°45' W.

Said above described land being a portion of Division 7, 8 and 9 of Forest Syndicate as per map filed March 15, 1909 in Book 1 of Maps, at page 196.

ALSO EXCEPTING THEREFROM a parcel of land in the West half of Section 17, T. 20 N., R. 3 W., M.D.B. & M., said parcel being a portion of Divisions 9 and 10 of the Forest Syndicate Series A, filed in the Records of Glenn County, said parcel being more particularly described as follows:

Beginning at a 5/8" iron rod bronze topped marking the common corner to Sections 17, 18, 19 and 20, T. 20N., R. 3 W., M.D.B. & M., thence N. 89°45' E. 1666.9 feet along the centerline of the county road to a 3/4" iron rod, thence N. 0°25' W. 30 feet to a 5/8" iron rod bronze topped, thence 1308.0 feet to a 5/8" iron rod bronze topped, thence N. 0°25' W. 1289.7

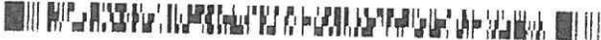


EXHIBIT "A"
Legal Description

feet to a 3/4" iron rod, thence S. 89°45' W. 1662.6 feet to a 3/4" iron rod, thence S. 0°15'E 2626.3 feet to the place of beginning.

EXCEPTING from the above description a 30 foot strip across the South line for road purposes.

ALSO EXCEPTING THEREFROM a portion of the South half of Section 17, Township 20 North, Range 3 West, M.D.B. & M., more particularly described as follows:

Commencing at the SE corner of said Section 17; thence S. 89°45' W. 3649.40 feet along the South line of said Section 17 to a point; thence leaving said line, N.0°25' West 1336.0 feet to the true point of beginning of this description, which is the NW corner of the present Glenn County Golf Course; thence from said point of beginning N. 0°25' W. 878.86 feet to a 3/4" gal. iron pipe; thence N. 89°45' E. 2314.30 feet to a 3/4" gal. iron pipe; thence S.0° 25' E. 878.86 feet to a 3/4" gal. iron pipe located in the North line of the present course; thence S. 89°45'W. 2314.30 feet along said North line to the place of beginning.

ALSO EXCEPTING THEREFROM THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY WHICH LIES WITHIN THE BOUNDARIES OF PARCEL ONE:

A parcel of land situate in the Southwest one-quarter of Section 16, and in the Southeast one-quarter of Section 17, all of T. 20 N., R. 3 W., M.D.B. & M., Glenn County, California, more particularly described as follows:

Beginning at the Southeast corner of said Section 17; thence S. 89°45' W. on and along the South line of said Section 17; 150.62 feet; thence leaving said line on and along the following courses and distances: N. 0°15' W. 908.23 feet; thence N. 89°45' E. 145.18 feet; thence S. 0°16' E. 48.83 feet; thence N. 89°45' E. 126.86 feet; thence S. 0°30' E. 859.41 feet to a point on the South line of aforesaid Section 16; thence S. 89°45' W., on and along the said South line, 125.17 feet to the point of beginning.

APN: 020-220-014-0 and 020-220-017-0

PARCEL TWO: All that certain real property situate, lying and being in the County of Glenn, State of California, lying westerly of the westerly line of that certain parcel of land conveyed to the State of California by deed recorded March 9, 1965 in Book 475 of Official Records, at page 577 of the property described as follows:

Grant Deed
SCA0000129.doc / Updated: 02.10.14

Printed: 10.31.14 @ 10:07AM
CA-CT-FSST-02100.054611-FSST-3111400143



EXHIBIT "A"
Legal Description

All of Division 5, Series A. Eucalyptus Plantation, Sections 16 and 17, Township 20 North, Range 3 West, M.D.B. & M., according to the plat thereof filed in the office of the County Recorder of Glenn County, State of California, on March 15, 1909 in Book 1 of Maps, at page 196.

EXCEPTING THEREFROM THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY WHICH LIES WITHIN THE BOUNDARIES OF PARCEL TWO:

A parcel of land situate in the Southwest one-quarter of Section 16, and in the Southeast one-quarter of Section 17, all of T. 20 N., R. 3 W., M.D.B. & M., Glenn County, California, more particularly described as follows:

Beginning at the Southeast corner of said Section 17; thence S. 89°45' W. on and along the South line of said Section 17; 150.62 feet; thence leaving said line on and along the following courses and distances: N. 0°15' W. 908.23 feet; thence N. 89°45' E. 145.18 feet; thence S. 0°15' E. 48.83 feet; thence N. 89°45' E. 126.86 feet; thence S. 0°30' E. 859.41 feet to a point on the South line of aforesaid Section 16; thence S. 89°45' W., on and along the said South line, 125.17 feet to the point of beginning.

ALSO EXCEPTING THEREFROM a portion of Division Number 5 of Eucalyptus Plantation Series "A", according to the map thereof filed for record in the office of the County Recorder of the County of Glenn, in Book 1 of Maps and Surveys, at page 196.

Said portion is that part thereof described as follows:

BEGINNING at a point in the Westerly line of the existing State Highway being the Southerly terminus of Course (15) as described in deed recorded March 9, 1965, in Book 475, at page 577, Official Records, of Glenn County; THENCE from said point of beginning along said Westerly line N. 08°31'15" E. 341.42 feet; thence N. 03°18'40" E. 294.62 feet to a point distant 107.00 feet Westerly, measured at right angles from the base line of Engineer's Station "B" 293+84.62 of the Department of Public Works' Survey on Road 03-Gle-5 from Post Mile 6.9 to Post Mile 17.9; thence leaving said Westerly line S. 08°10'48" W. 644.15 feet to a point in said Westerly line; thence along said Westerly line N. 76°24'32" E. 24.74 feet to the point of beginning.

APN: 020-161-005-0

PARCEL THREE: The West one-half of Section 8, Township 20 North, Range 3 West, M.D.B. & M.

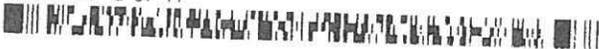


EXHIBIT "A"
Legal Description

APN: 020-210-003-9

TRACT TWO:

PARCEL ONE: The South half of Section 11, excepting therefrom the Southwest quarter of the Southwest quarter of said Section 11 and all of Section 12, all in Township 18 North, Range 4 West, M.D.B. & M.

EXCEPTING THEREFROM a portion of Section 12, Township 18 North, Range 4 West, M.D.B. & M., being more particularly described as follows:

Beginning at the Northeast corner of said Section 12; thence South 00° 14' 09" East, along the East line of said section, 5334.76 feet, more or less, to the Southeast corner of said section; thence South 89° 54' 31" West, along the South line of said Section, 2664.65 feet, more or less, to the south one-quarter corner of said section; thence South 89° 42' 36" West, along the South line of said section, 364.15 feet to a 3/4" iron pipe with an aluminum cap stamped "L.S. 3653"; thence North 00° 14' 09" West, parallel with the East line of said section, 5314.02 feet to a 3/4" iron pipe with an aluminum cap stamped "L.S. 3653" situate on the South line of that certain parcel conveyed to the County of Glenn in that certain document on file in Book 6 of Deeds at Page 614, Glenn County Records; thence South 89° 56' 24" East, along said South line, 2998.83 feet, more or less, to the West line of Glenn County Road "D", as occupied; thence North 00° 14' 09" West, along said West line, 30.00 feet to the North line of said Section 12; thence South 89° 56' 24" East, along said North line, 30.00 feet to the true point of beginning of the parcel herein described.

ALSO EXCEPTING THEREFROM that portion deeded to the County of Glenn, described as follows: Beginning at the Northwest corner of the Northwest quarter of Section 12, Township 18 North, Range 4 West, running thence East along the section line between said Section 12 and Section 11 of said Township 18, one mile more or less to the County Road running North and South between the range line of Range 3 West and Range 4 West; thence South along the West line of said County Road 30 feet, thence at right angles West one mile more or less to the Section line between Section 12 and 11 of said Township 18 North, Range 4 West, thence North along said section line 30 feet to the point of commencement.

APN's : 14-170-021-0 and 14-170-042-0

Grant Deed
SCA0000129.doc / Updated: 02.10.14

Printed: 10.31.14 @ 10:07AM
CA-CT-FSST-02180.054511-FSST-5111400143

2016-1574 7 of 11



EXHIBIT "A"
Legal Description

PARCEL TWO: A portion of Section 2, T. 18 N., R. 4 W., M.D.B. & M., more particularly described as follows:

Beginning at the west ¼ corner common to Sections 2 and 3, T. 18 N., R. 4 W., thence S. 89° 51' 45" E., 1048.4 feet to a ¾" iron pipe tagged RCE #2042, thence S. 0° 19' E., 2698.4 feet to a ¾" iron pipe tagged RCE #2042, thence N. 89° 54' 29" E., 4183.5 feet along the south section line to a ¾" iron pipe tagged RCE #2042, thence N. 0° 22' 40" W., 3341.1 feet to a ¾" iron pipe tagged RCE #2042, thence N. 0° 22' 40" W 2019.0 feet to a ¾" iron pipe tagged RCE #2042 on the north section line of Section 2, thence N. 89° 36' 30" W., 1765.1 feet along the section line to a ¾" iron pipe tagged RCE #3042, thence S. 0° 22' 40" E., 1885.3 feet to a ¾" iron pipe tagged RCE # 2042, thence N. 85° 16' W., 1604.1 feet to a 2 ¼" steel fence post set in concrete, thence N. 87° 18' W., 366.6 feet to a 2" steel fence post set in concrete, thence N. 88° 28' W., 1499.8 feet to a ¾" iron pipe tagged RCE #2042 in the west section line, thence S. 0° 19' E., 982.7 feet to the ¼ section corner which is the place of beginning.

EXCEPTING THEREFROM that portion described as follows: Commencing at the Northwest corner of said Section 2, thence South 0° 19' East, on and along the West line of said Section. A distance of 1718.7 feet to the true point of beginning of this description said point being monumented with a ¾" iron pipe, tagged RCE #2042, and also being the Northwest corner of Parcel 1B as shown on that certain map of record in Book 1 of Parcel Maps at page 10, Glenn County Records: thence traversing in an Easterly direction, on and along the North line of said Parcel 1B, South 88° 28' East, a distance of 1499.8 feet; thence South 87° 18' East, a distance of 366.6 feet; thence South 85° 16' East, a distance of 2016.19 feet; thence leaving said North line, South 0° 22' 40" East, along a line that lies parallel with the East line of said Section 2, a distance of 3455.32 feet, more or less, to its point of intersection with the South line of said Section; thence South 89° 54' 29" West, on and along said South line, a distance of 2828.81 feet, more or less, to a ¾" iron pipe, tagged RCE #2042 monumenting the Southwest corner of said Parcel 1B; thence traversing on and along the boundary lines of said parcel, North 0° 19' West, a distance of 2698.4 feet, thence North 89° 51' 45" West, a distance of 1048.4 feet; thence North 0° 19' West, a distance of 982.7 feet to the true point of beginning of this description.

ALSO EXCEPTING THEREFROM a strip of land on the South boundary of Southeast quarter of Section 2, Township 18 North, Range 4 West and beginning at a point on the quarter section line dividing Section 2, Township 18 North, Range 4 West, North and South, said point being 115 links North of said quarter section quarter; thence South on said quarter Section line 115 links to said quarter Section corner; thence East on Section line dividing Sections 2 and 11, Township 18 North, Range 4 West, 40.32 chains to the Southeast corner of Section 2; thence North 88° 29' West 40.32 chains to the point of beginning, containing 1.91 acres and being that certain property conveyed by A.T. St. Louis to the County of Glenn be deed recorded May 28, 1897 in Book 5 of Deeds, at page 186.

APN: 014-170-028-0

PARCEL THREE: BEING a portion of Fractional Section 2, Township 18 North, Range 4 West M. D. B. & M., more particularly described as follows:



EXHIBIT "A"
Legal Description

COMMENCING at the Northwest corner of said Section 2, thence South 0° 19' East, on and along the West line of said Section. A distance of 1718.7 feet to the true point of beginning of this description said point being monumented with a ¾" iron pipe, tagged RCE #2042, and also being the Northwest corner of Parcel 1B as shown on that certain map of record in Book 1 of Parcel Maps at page 10, Glenn County Records: thence traversing in an Easterly direction, on and along the North line of said Parcel 1B, South 88° 28' East, a distance of 1499.8 feet; thence South 87° 18' East, a distance of 366.6 feet; thence South 85° 16' East, a distance of 2016.19 feet; thence leaving said North line, South 0° 22' 40" East, along a line that lies parallel with the East, along a line that lies parallel with the East line of said Section 2, a distance of 3455.32 feet, more or less, to its point of intersection with the South line of said Section; thence South 89° 54' 29" West, on and along said South line, a distance of 2828.61 feet, more or less, to a ¾" iron pipe, tagged RCE #2042 monumenting the Southwest corner of said Parcel 1B; thence traversing on and along the boundary lines of said parcel, North 0° 19' West, a distance of 2698.4 feet, thence North 89° 51' 45" West, a distance of 1048.4 feet; thence North 0° 19' West, a distance of 982.7 feet to the true point of beginning of this description.

EXCEPTING FROM PARCLES I AND II ABOVE THE FOLLOWING:

EXCEPTING THEREFROM a strip of land on the South boundary of Southeast quarter of Section 2, Township 18 North, Range 4 West and beginning at a point on the quarter section line dividing Section 2, Township 18 North, Range 4 West, North and South, said point being 115 links North of said quarter section corner; thence South on said quarter Section line 115 links to said quarter Section corner; thence East on Section line dividing Sections 2 and 11, Township 18 North, Range 4 West, 40.32 chains to the Southeast corner of Section 2; thence North 88° 29' West 40.32 chains to the point of beginning, containing 1.91 acres and being that certain property conveyed by A.T. St. Louis to the County of Glenn by deed recorded May 28, 1897 in Book 5 of Deeds, at page 186.

APN: 014-170-039-0 portion

PARCEL FOUR: The West 65 acres of the Southwest quarter of Section 2, Township 18 North, Range 4 West, M. D. B. & M., said parcel being more particularly described as follows:

BEGINNING at the Southwest corner of said Section 2, marked with a ¾" iron pipe, bronze capped; thence North 89° 54' 29" East, 1048.4 feet along the South section line of said Section 2, to a ¾" iron pipe tagged RCE #2042; thence North 00° 19' West 2698.4 feet to a ¾" iron pipe tagged RCE #2042; thence North 89° 51' 45" West, 1048.4 feet to a ¾" iron capped pipe being the quarter corner on the West section line; thence South 00° 19' East, 2702.7 feet along the Section line, to the place of beginning.

APN: 014-170-039-0 portion



EXHIBIT "A"
Legal Description

PARCEL FIVE: A portion of Section 12, Township 18 North, Range 4 West, M. D. B. & M., being more particularly described as follows:

Beginning at the Northeast corner of said Section 12; thence South 00° 14' 09" East, along the East line of said section, 5334.75 feet, more or less, to the Southeast corner of said section; thence South 89° 54' 31" West, along the South line of said Section, 2664.65 feet, more or less, to the South one-quarter corner of said section; thence South 89° 42' 36" West, along the South line of said section; 364.15 feet to a ¼" iron pipe with an aluminum cap stamped "L.S. 3653"; thence North 00° 14' 09" West, parallel with the East line of said section, 5314.02 feet to a ¼" iron pipe with an aluminum cap stamped "L.S. 3653" situate on the South line of that certain parcel conveyed to the County of Glenn in that certain document on file in Book 6 of Deeds at Page 614, Glenn County Records; thence South 89° 56' 24" East, along said South line, 2998.83 feet, more or less to the West line of Glenn County Road "D", as occupied; thence North 00° 14' 09" West, along said West line, 30.00 feet to the North line of said Section 12; thence South 89° 56' 24" East, along said North line, 30.00 feet to the true point of beginning of the parcel herein described.

APN: 014-170-043-0

PARCEL SIX: Parcel Two as shown on that certain Parcel Map filed for record in the office of the County Recorder, County of Glenn, State of California, on December 9, 1986 in Book 9 of Parcel Maps, at page 80.

APN: 014-170-041-0TRACT ONE:

PARCEL ONE: All of Divisions No. 6, No. 7, No. 8, No. 9 and No. 10, Series A, Eucalyptus Plantation, Sections 16 and 17, Township 20 North, Range 3 West, M.D.B & M., according to the plat thereof filed in the office of the County Recorder of Glenn County, State of California, on March 15, 1909 in Book 1 of Maps, at page 196.

EXCEPTING THEREFROM a portion of the South one-half of Section 17, Township 20 North, Range 3 West, M.D.B. & M., Glenn County, California, and more particularly described as follows:

Commencing at the Southeast corner of said Section 17, thence S. 89°45'W., on and along the South line of said Section 17, 3649.40 feet to the true point of beginning of this description; thence leaving said line N. 0°25'W. 30.0 feet to a 5/8" diameter iron pin; thence N. 0°25' W. 1308.0 feet to a 5/8" diameter iron pin, said pin being the Northwest property corner; thence N. 89°45' E. 2614.30 feet to a 5/8" iron pin said pin being the Northeast property corner; thence S. 0°25' E. 1308.0 feet to a 5/8" diameter iron pin; thence S. 0°25' E. 30.0 feet to a point on the aforesaid South line of Section 17; thence S. 89°45' W. 2614.30 feet to the point of beginning of this description.



EXHIBIT "A"
Legal Description

The basis of bearing of this description is the South line of Section 17, Township 20 North, Range 3 West, M.D.B. & M., which bears S. 89°45' W.

Said above described land being a portion of Division 7, 8 and 9 of Forest Syndicate as per map filed March 15, 1909 in Book 1 of Maps, at page 196.

ALSO EXCEPTING THEREFROM a parcel of land in the West half of Section 17, T. 20 N., R. 3 W., M.D.B. & M., said parcel being a portion of Divisions 9 and 10 of the Forest Syndicate Series A, filed in the Records of Glenn County, said parcel being more particularly described as follows:

Beginning at a 5/8" iron rod bronze topped marking the common corner to Sections 17, 18, 19 and 20, T. 20N., R. 3 W., M.D.B. & M., thence N. 89°45' E. 1666.9 feet along the centerline of the county road to a 3/4" iron rod, thence N. 0°25' W. 30 feet to a 5/8" iron rod bronze topped, thence 1308.0 feet to a 5/8" iron rod bronze topped, thence N. 0°25' W. 1289.7 feet to a 3/4" iron rod, thence S. 89°45' W. 1662.6 feet to a 3/4" iron rod, thence S. 0°15'E 2626.3 feet to the place of beginning.



2008-5919

RECORDING REQUESTED BY AND RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
245 Market Street, N10A, Room 1015
P.O. Box 770000
San Francisco, California 94177

Recorded at the request of:
PACIFIC GAS & ELECTRIC CO
12/02/2008 02:08 PM
Fee: \$23.00 Pgs: 5
OFFICIAL RECORDS
Sheryl Thur, Clerk-Recorder
Glenn County, CA

Location: City Uninc ~~Uninc~~
Recording Fee \$ _____
Document Transfer Tax \$ 0

- This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).
- Computed on Full Value of Property Conveyed, or
- Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale

Don P. Messman
Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD 2418-04-0068

EASEMENT DEED

2008387 (06-08-086) 10 08 1
WYLIE CONNECTION - GAS WELL

T & P FARMS, a partnership

hereinafter called Grantor, in consideration of value paid by PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called PG&E, the receipt whereof is hereby acknowledged, hereby grants to PG&E the right at any time, and from time to time, to excavate for, install, replace (of the initial or any other size), maintain and use such pipe lines as PG&E shall from time to time elect for conveying gas, with necessary and proper valves and above ground metering devices and other appliances and fittings, and devices for controlling electrolysis for use in connection with said pipe lines, and such underground wires, cables, conduits, appliances, fixtures and appurtenances, as PG&E shall from time to time elect for communication purposes, together with adequate protection therefor, and also a right of way, within the hereinafter described easement area lying within Grantor's lands which are situated in the county of Glenn, state of California, and are described as follows:

(APN 014-18-0-001)

See Exhibit A and Exhibit B attached hereto and made a part hereof

Grantor further grants to PG&E:

(a) the right of ingress to and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall

ORIGINAL

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occasion the least practicable damage and inconvenience to Grantor, provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right from time to time to trim and to cut down and clear away or otherwise destroy any and all trees and brush now or hereafter on said easement area and to trim and to cut down and clear away any trees on either side of said easement area which now or hereafter in the opinion of PG&E may be a hazard to the facilities installed hereunder by reason of the danger of falling thereon, or may interfere with the exercise of PG&E's rights hereunder; provided, however, that all trees which PG&E is hereby authorized to cut and remove, if valuable for timber or wood, shall continue to be the property of Grantor, but all branches, brush, and refuse wood shall be burned, removed, or chipped and scattered by PG&E;

(c) the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the installation and replacement of said facilities;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Grantor shall make of said easement area.

PG&E hereby covenants and agrees:

(a) not to fence said easement area;

(b) to promptly backfill any excavations made by it on said easement area and repair any damage it shall do to Grantor's private roads or lanes on said lands; and

(c) to indemnify Grantor against any loss and damage which shall be caused by any wrongful or negligent act or omission of PG&E or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Grantor's comparative negligence or willful misconduct.

Grantor reserves the right to use said easement area for purposes which will not interfere with PG&E's full enjoyment of the rights hereby granted; provided that Grantor shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground cover over said facilities, or construct any fences that will interfere with the maintenance and operation of said facilities.

ORIGINAL

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The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated November 17, 2008.

T & P Farms, a partnership

By T & P Farms Thomas E Charter Partner
THOMAS E. CHARTER

By T & P Farms Perry T Charter (Partner)
PERRY T. CHARTER

The Area, Region or Location: 6
Land Service Office: SACRAMENTO
Operating Department: GAS TRANSMISSION
USGS location: T. 18 N., R. 4 W., M.D.B.&M., NW ¼ SEC 13
FERC License Number(s): N/A
PG&E Drawing Number(s): B-4651
PLAT NO:
LD of any affected documents: N/A
LD of any Cross-referenced documents: LD 2418-04-0016
TYPE OF INTEREST: 5, 52
SBE Parcel Number: N/A
(For Quitclaims, % being quitclaimed)
Order # : 30647341
JCN: 06-08-086
County: GLENN
Utility Notice Numbers: N/A
851 Approval Application No. N/A Decision N/A
Prepared By: BCS
Checked By: DPM
Revision Number:

ORIGINAL

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2008-5919 3 of 6



EXHIBIT "A"
METER STATION EASEMENT

LANDS:

Being a portion of the North Half of the Northwest One-Quarter of Section 13, Township 18 North, Range 4 West, Mount Diablo Meridian; also being a portion of the lands described in Official Records Document Number 96-1379, records of the County of Glenn.

EASEMENT:

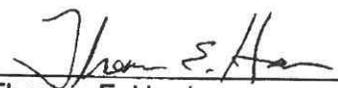
Beginning at a point on the North line of Section 13, Township 18 North, Range 4 West, Mount Diablo Meridian, said point being on the West line of that strip of land as described in Book 410 of Official Records at Page 590, records of the County of Glenn, and from which point the Northwest corner of said Section 13 bears South 89° 42' 36" West, 1004.12 feet; thence along said West line, South 00° 03' 51" East, 30.00 feet; thence South 89° 56' 09" West, 20.00 feet; thence North 00° 03' 51" West, 29.92 feet, more or less, to a point on the North line of said Section 13; thence North 89° 42' 36" East, 20.00 feet to the Point of Beginning.

Containing 599.2 Square Feet of land, more or less.

End of description.



10/01/08

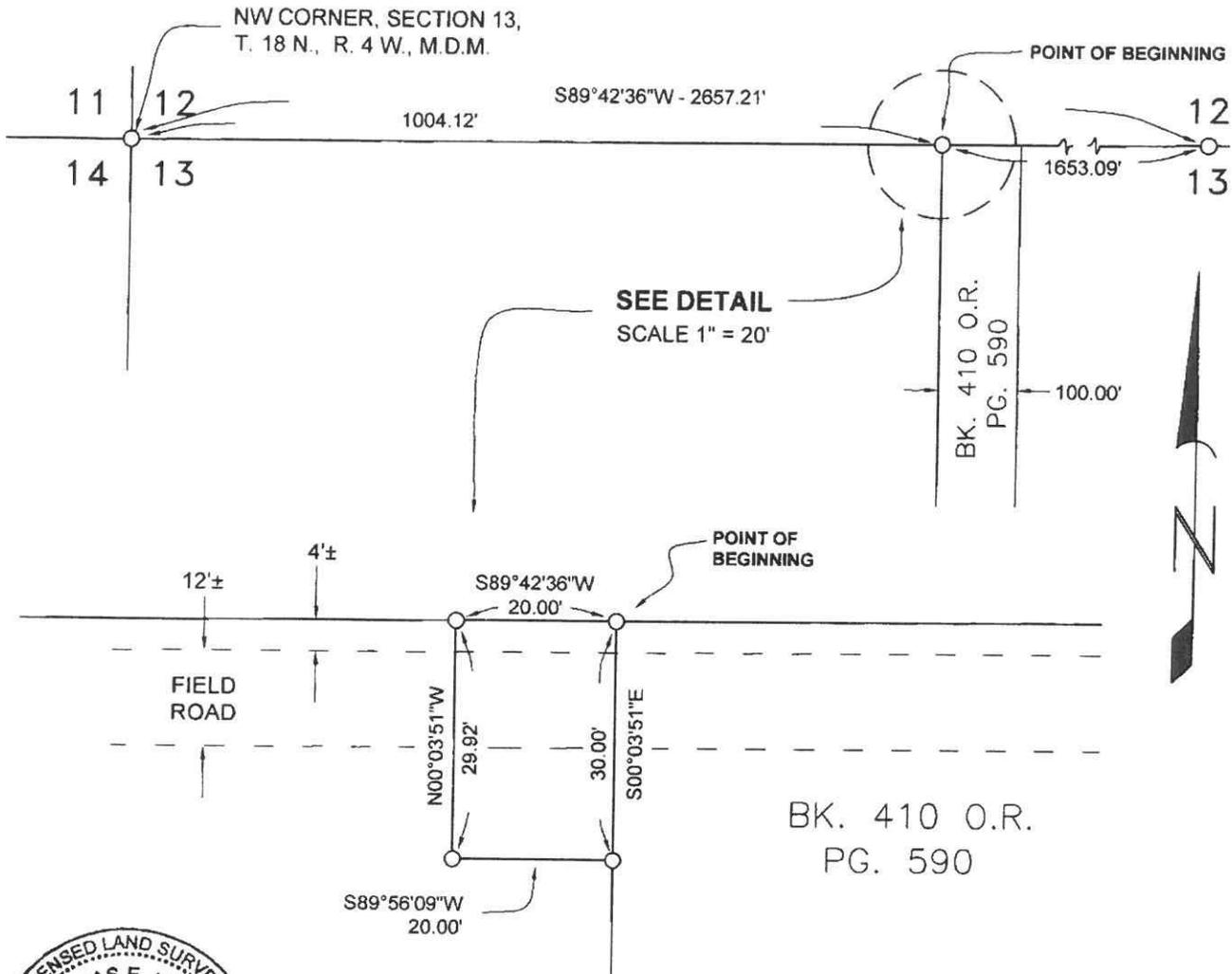

Thomas E. Harris
Land Surveyor No. 8532
License Expires 12/31/2008

Basis of Bearings for this description are taken along the North line of the Northwest One-Quarter of said Section 13, shown as North 89° 42' 36" East on Book 10 of Maps, at Page 41, records of the County of Glenn.

ORIGINAL

Page 1 of 1

EXHIBIT "B"



10/01/08 PREPARED BY:

Thomas E. Harris

THOMAS E. HARRIS
 LAND SURVEYOR No. 8532
 908 SIXTH STREET, ORLAND, CA 95963

ORIGINAL

OWNER: T & P FARMS, a partnership
 OFFICIAL RECORDS DOC. 96-1379
 APN: 014-180-001

GAS METER EASEMENT PLAT

BEING A PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 13, T. 18 N., R. 4 W., M.D.M., SITUATE IN THE UNINCORPORATED COUNTY OF GLENN, STATE OF CALIFORNIA.

SEPTEMBER 2008

SCALE 1" = 200'

FOR

PACIFIC GAS AND ELECTRIC COMPANY

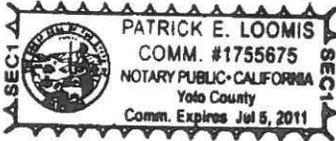


CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California)
County of Colusa)

On November 17, 2008 before me, Patrick E. Loomis, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Thomas E. Charter and Perry T. Charter
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and seal
Signature Patrick E. Loomis
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

Description of Attached Document

Title or Type of Document: Easement Deed

Document Date: November 17, 2008 Number of Pages: Three Pages, with Exhibit "A" and Exhibit "B"

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Thomas E. Charter

Signer's Name: Perry T. Charter

- Individual
- Corporate Officer --- Title: _____
- Partnership Limited General
- Attorney in Fact
- Guardian or Conservator
- Other: _____

- Individual
- Corporate Officer - Title: _____
- Partnership Limited General
- Attorney in Fact
- Guardian or Conservator
- Other: _____

Signer Is Representing: T & P Farms, a Partnership

Signer Is Representing: T & P Farms, a Partnership

Right Thumb Print
of Signer
Top of Thumb here

Right Thumb Print
of Signer
Top of Thumb

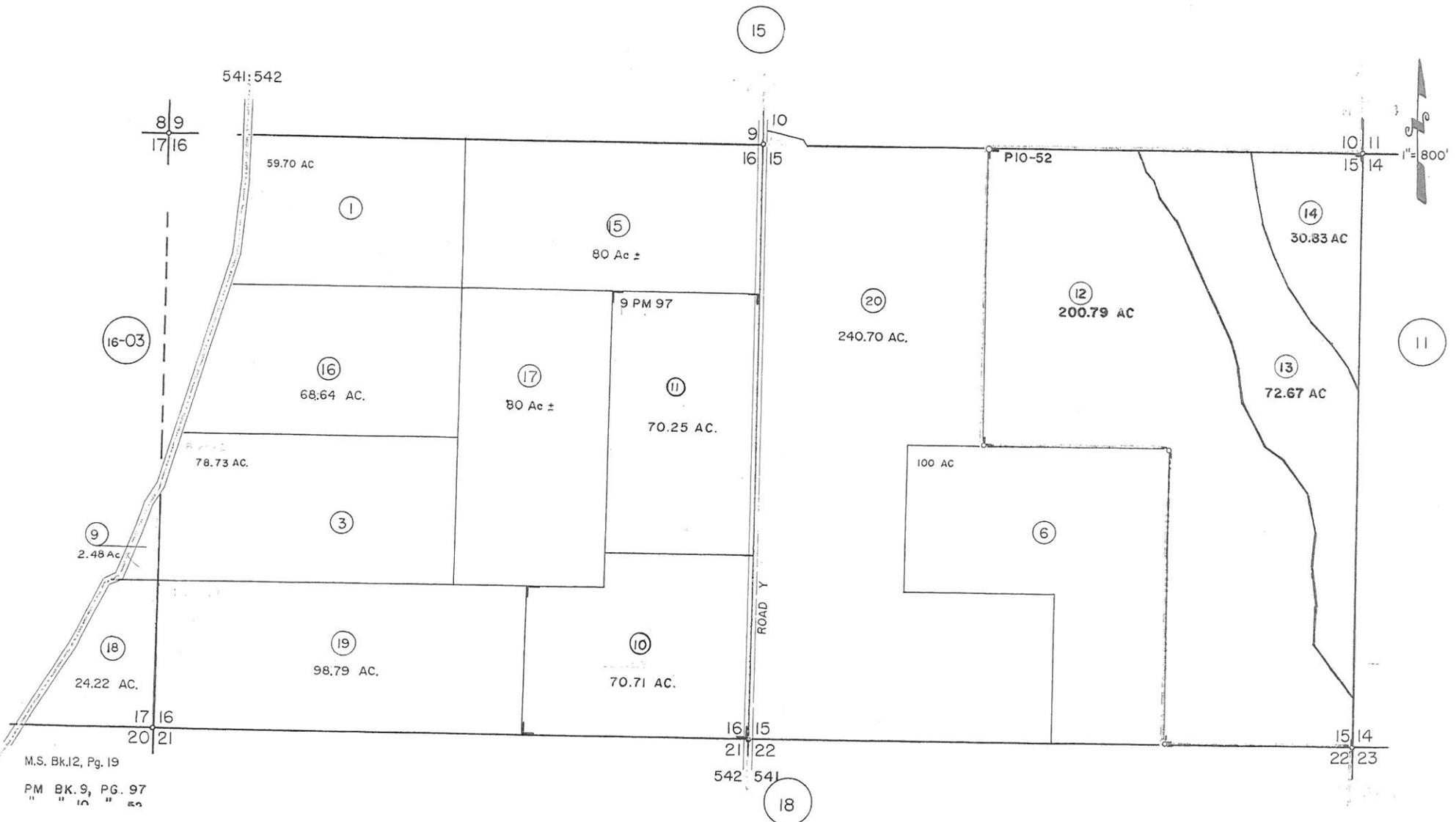
ORIGINAL



NOTE: ALL INFORMATION SHOWN ON ASSESSOR
 PARCEL MAPS ARE FOR ASSESSOR'S OFFICE USE
 AND DO NOT NECESSARILY CONSTITUTE LEGAL
 LOTS. NO LIABILITY IS ASSUMED FOR THE
 ACCURACY OF THE DATA SHOWN.

T19N R1W

T.C.A. 15-17

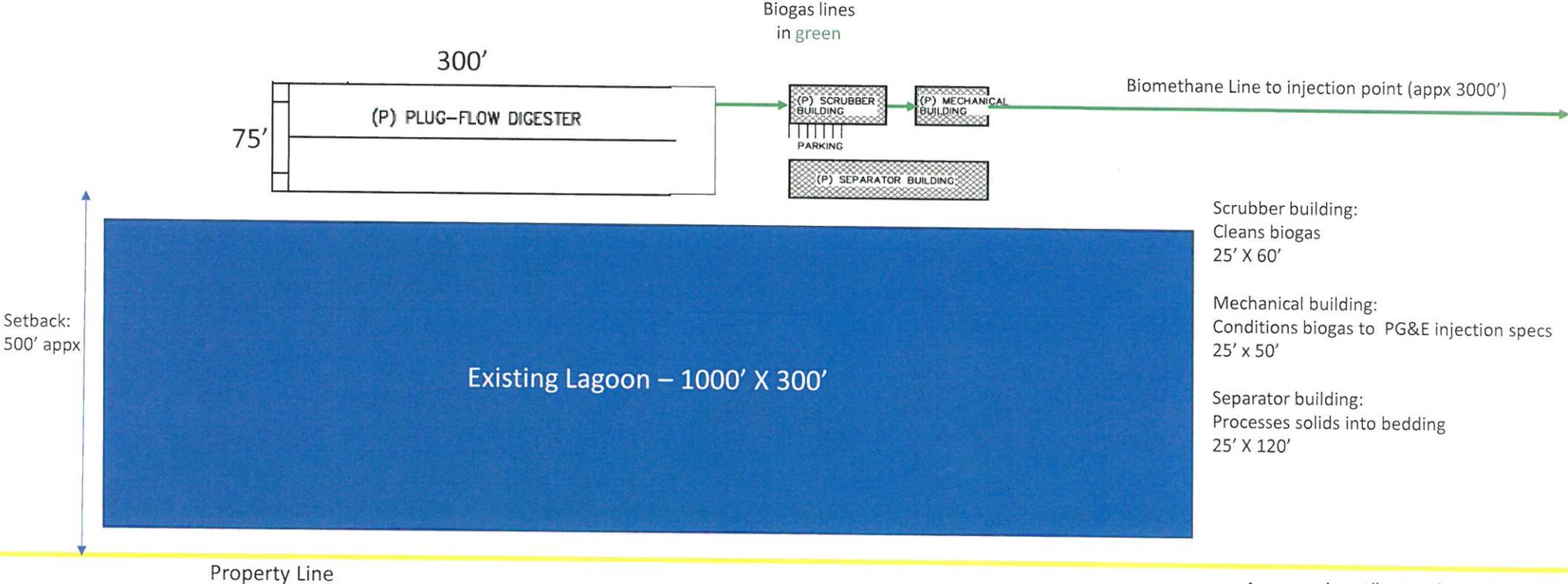


M.S. Bk. 12, Pg. 19

PM Bk. 9, Pg. 97
 " " " " " "

Digester Detail

APN: 014-170-021



- Scrubber building:
Cleans biogas
25' X 60'
- Mechanical building:
Conditions biogas to PG&E injection specs
25' x 50'
- Separator building:
Processes solids into bedding
25' X 120'

5-Dec-17

Property Line

Appx scale: 1" = 200'

Weststeyn Dairy Digester Site Plan

Legend:

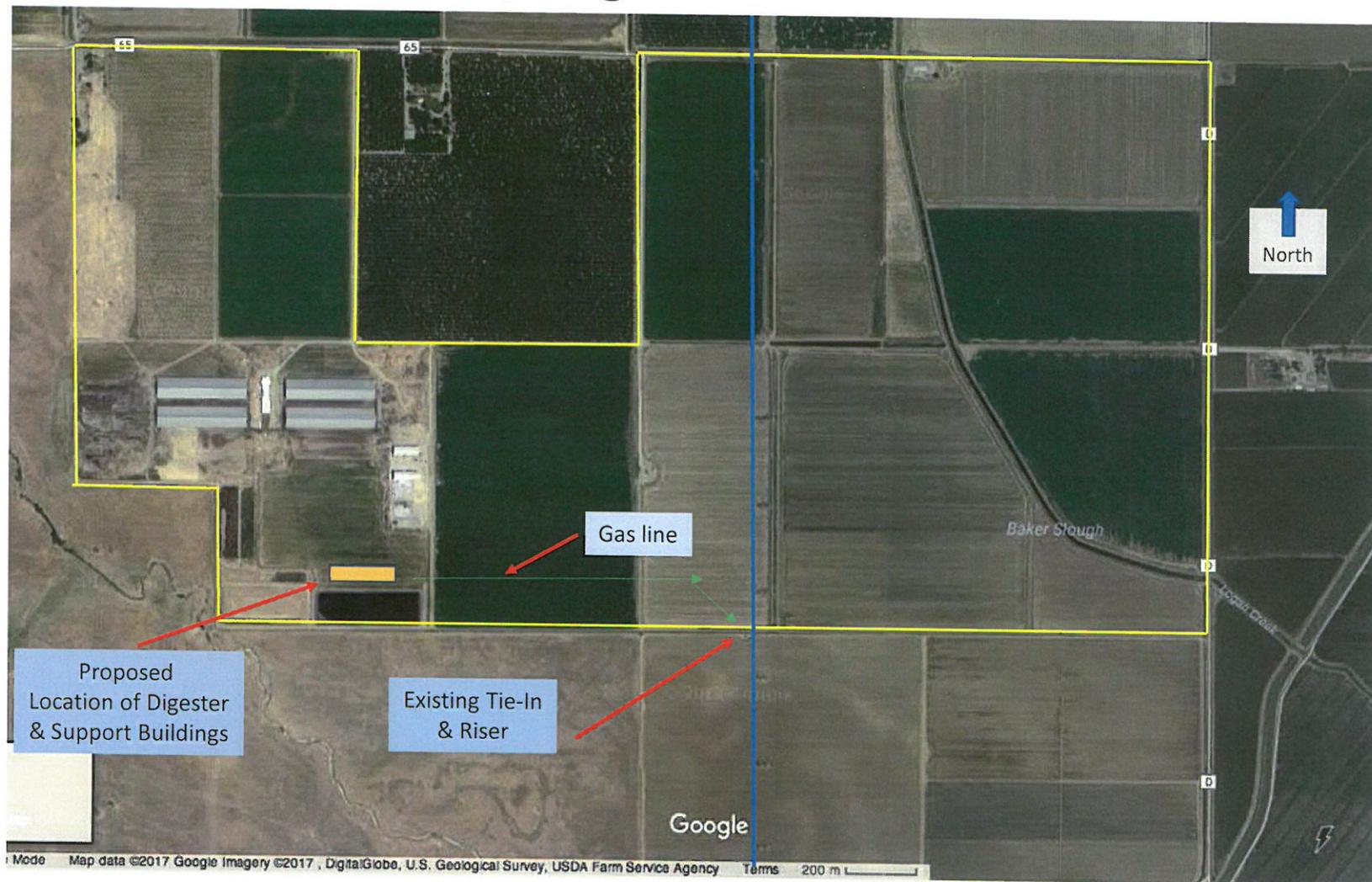
Yellow Lines are Dairy Property Boundaries

Blue Line is PG&E Gas Main

Orange Box is proposed location for digester

Green Line – Biogas Pipeline

Note: No FEMA 100-year flood plains on site



5-Dec-2017