

**EXHIBIT 6 - MITIGATED NEGATIVE DECLARATION (MND) ADDENDUM FOR C&M
TOPSOIL SOIL AMENDMENT AND LARGE-SCALE COMMERCIAL ORGANICS
PROCESSING OPERATION CONDITIONAL USE PERMIT (CUP)
CASE NO. PL23-0094**

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Entitlement:** Conditional Use Permit (CUP) for the continued use and expansion of an existing Soil Amendment and Large-Scale Commercial Organics Processing Operation for a 15-year period (Case No. PL23-0094).
2. **Applicant:** C&M Topsoil, Inc., C/O Cameron Ornelas, 12087 Lopez Canyon Road, Suite 40, Sylmar, CA 91342
3. **Property Owner:** KVM Properties, LLC, C/O Kurt Mikell, 5739 Kanan Road, Suite 103, Agoura Hills, CA 91301
4. **Location:** 4730 Tapo Canyon Road, near Simi Valley
5. **Tax Assessor's Parcel Number:** 630-0-320-165
6. **Lot Size:** 51.85 acres
7. **General Plan Land Use Designation:** Open Space
8. **Zoning Designation:** AE-40 ac / HCWC (Agricultural Exclusive, 40-acre minimum lot size / Habitat Connectivity and Wildlife Corridors Overlay Zone)
9. **Project Description:**

The applicant requests a CUP to authorize the continued use and expansion of a Soil Amendment and Commercial Organics Processing Operation for a 15-year period. The operation, which also constitutes an agricultural material composting operation subject to Title 14, Section 17856, of the California Code of Regulations, is a Large-Scale Commercial Organics Processing Operation and shall be limited to storing and processing (screening, grinding, composting, chipping, and blending) 12,500 cubic yards of soil amendment and compost materials with feedstock that includes manure, horse bedding, and green waste (tree trimmings only, no residential curbside waste). Vermiculture activities are no longer a component of the operation and not permitted with this project. Processing areas and stabilized compost/finished product areas shall be restricted to the areas depicted in the stamped and approved site plans for the project and generally located in the northeast and southwest quadrants of the project site (Exhibit 3 of the Planning Commission Hearing Staff Report on September 19, 2024). All products are sold, given away, or beneficially used within 90 days of the acceptance of the raw materials. Feedstock materials shall not be accepted at any time when the storage capacity of the site, 12,500 cubic yards of soil amendment and compost materials, would be exceeded by such delivery.

County of Ventura
Planning Commission Hearing
Case No. PL23-0094
Exhibit 6 – Proposed MND Addendum for PL23-0094

The CUP boundary is limited to 8.88 acres of a 51.85-acre parcel located at 4730 Tapo Canyon Road. Structures for the proposed project include:

Table 1: Project Components

Component	Quantity	Total Area
(Ex) Storage Containers	5	1,000 square feet
(Ex) Portable Restroom	1	16 square feet
(P) Scale House (Portable Shipping Container with Electrical Connection)	1	120 square feet
(D) Storage Containers for Animal Husbandry (x2), Agricultural Structures (x3)	5	N/A

Ex = Existing

P = Proposed

D = Demolish

N/A = Not Applicable

Equipment for the proposed project includes a portable truck scale, screener/blender, grinder, loader, tractors, and trucks that are used to process and transport soil amendment and compost materials.

The operation employs nine staff and shall be limited to the operating hours of Monday through Friday from 7:00 AM to 4:00 PM, Saturday from 7:00 AM to 12:00 PM, and closed Sundays. The facility is open to the public and anticipates 18 truck trips per day (nine loads). A total of 21 parking spaces are provided for employees and customers including nine employee spaces and 12 customer spaces, as well as six overnight truck spaces. Of this amount, one accessible ADA parking space for disabled persons will be available for employees or customers. The proposed project does not include grading and all activities related to the operation will occur on areas of the project site previously disturbed by cattle ranching, horticultural activities, and the unlawful expansion of the soil amendment and organics processing operation. Water is provided by the City of Simi Valley. Sanitary facilities, consisting of at least one toilet with hand washing facilities (with potable water from an approved source) shall be available to personnel at or in the immediate vicinity of the site as approved by the Ventura County Environmental Health Division Local Enforcement Agency. Septage from portable toilets must be removed by a Ventura County Environmental Health Division permitted chemical pumper truck and must be properly disposed of at an approved septage disposal site pursuant to Condition Number 31 (Exhibit 4 of the Planning Commission Hearing Staff Report on September 19, 2024).

STATEMENT OF ENVIRONMENTAL FINDINGS:

- 1. Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(1)].**

The proposed project involves the continued use of an existing Soil Amendment and Commercial Organics Processing Operation and expansion from a Medium-Scale to Large-Scale operation for a 15-year period. In October of 2005, CUP Case No. LU04-0145 authorized a CUP boundary of approximately 3 acres and allowed for the processing and storage of up to 1,000 cubic yards of material. The applicant seeks to legalize and expand the operation, as detailed in the project description. The proposed expansion will increase the CUP boundary area from approximately three acres to 8.88 acres, inclusive of the 5.17-acres previously studied for Modified CUP PL15-0126, to allow for the processing and storage of 12,500 cubic yards of soil amendment and compost.

Biological Resources

The MND prepared for CUP Case No. LU04-0145 identified potentially significant impacts to Biological Resources; specifically on habitat for the San Diego Horned Lizard and Nesting Birds (Exhibit 7 of the Planning Commission Hearing Staff Report on September 19, 2024). A mitigation measure was incorporated into the conditions of approval for CUP Case No. LU04-0145 as Mitigation Measure / Condition of Approval No. 18 "Biological Resources Conditions" requiring a preconstruction survey to determine the presence of San Diego Horned Lizards, a preconstruction survey to determine the presence of Nesting Birds, and a requirement that any future fencing be installed as ranch or barbed wire style fencing to avoid obstructing wildlife movement (Attachment 1). Mitigation Measure / Condition of Approval No. 18 "Biological Resource Conditions" (Attachment 1) was fulfilled during the initial development of the project site. Specifically, a preconstruction survey was completed in 2005 and no special-status species were observed within the project area (Attachment 4). Additionally, ranch-style fencing was installed along the property line and throughout the project area that allows for movement of wildlife.

Although PL15-0126 was not use inaugurated, staff finds that the environmental analysis that was done for the expanded 5.17-acre area, which did not identify any new environmental effects related to the unpermitted expansion of operations from 3 acres to 5.17 acres, is still adequate as to that area. No new ground disturbing activities are proposed to occur within the previously studied 5.17-acre area; therefore, no additional pre-construction surveys for the San Diego horned lizard and nesting birds are required as to that area.

As for the additional approximately 3.71-acre area, which is included in the proposed project, but has not been previously studied, an Initial Study Biological Assessment (ISBA) was prepared by Padre Associates on November 6, 2023, and determined the proposed 8.88 acre project would have no impact on Biological Resources pursuant to the criteria set forth in the Ventura County Initial Study Assessment Guidelines (Section 4 – Biological Resources) (Exhibit 12 of the Planning Commission Hearing Staff Report on September 19, 2024). The ISBA was peer reviewed by Rincon Consultants, and, pursuant to a memo dated December 20, 2023, the methodology, analysis, and conclusions of the ISBA were deemed adequate (Exhibit 13 of the Planning Commission Hearing Staff Report on September 19, 2024). Since the ISBA determined that the proposed project would not impact Biological Resources, and no land disturbing activities or fencing is proposed with the project, Mitigation Measure / Condition of Approval No. 18 “Biological Resources Conditions” (Attachment 1) is not applicable to the proposed project. Finally, since the project site includes protected oak trees, the proposed project is conditioned to ensure compliance with the Ventura County Tree Protection Regulations (Ventura County Non-Coastal Zoning Ordinance Section 8107-25) (Exhibit 4, Condition No. 21 “Oak Tree Protection” of the Planning Commission Hearing Staff Report on September 19, 2024).

Public Health

The MND prepared for CUP Case No. LU04-0145 identified potentially significant impacts to Public Health (Exhibit 7 of the Planning Commission Hearing Staff Report on September 19, 2024). Mitigation measures were incorporated into the conditions of approval for CUP Case No. LU04-0145 as Condition Nos. 20, 25, 26, 27, 28, 29, 30, 31 (Attachment 1) and included operational requirements related to odor, dust, and vector management and Ventura County Environmental Health Division (EHD) permitting requirements tied to state and local regulations for composting operations. Potentially significant but mitigable impacts to public health will continue to occur with the continued operation of the proposed project. Continued implementation of the existing EHD mitigation measures (which are included as conditions of approval) related to public health will continue to remain in effect as they require compliance for the life of the proposed project, CUP Case No. PL23-0094. (Exhibit 4, Conditions of Approval Nos. 25 through 31, of the Planning Commission Hearing Staff Report on September 19, 2024).

Air Quality and Greenhouse Gases

The proposed operational expansion allows for the processing and storage of 12,500 cubic yards of soil amendment and compost. An Emissions Inventory dated February 1, 2024, was prepared by Meridian Consultants documenting the projected emissions from the proposed project (Attachment 5). On March 5, 2024, the Ventura County Air Pollution Control District (VCAPCD) provided a memorandum documenting their review of the Emissions Inventory and proposed project and

determined that the impacts of the proposed project, including the operational expansion, would have a less than significant impact on local air quality, regional air quality, and greenhouse gases pursuant to the Ventura County Initial Study Assessment Guidelines (Section 1 – Air Quality, Section 24 – Greenhouse Gases) (Attachment 6).

Transportation and Circulation

The proposed operational expansion will generate additional truck, employee, and customer trips that were not considered when the MND for CUP LU04-0145 was adopted. On December 22, 2023, the Ventura County Public Works Agency Roads & Transportation Division provided a memorandum documenting their review of the proposed project and determined that the impacts of the proposed project would have a less than significant impact on Transportation and Circulation pursuant to the Ventura County Initial Study Assessment Guidelines (Section 27) (Attachment 7).

Therefore, the project will not have one or more significant effects not discussed in the previous MND nor will it result in a substantial increase in the severity of previously identified significant effects.

- 2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(2)].**

The environmental conditions that constituted the baseline for the analysis of environmental impacts have not changed substantially since the MND was adopted with CUP LU04-0145. The proposed physical changes are limited to the installation and use of portable structures and an expansion of the CUP boundary onto areas of the project site previously disturbed by cattle ranching, horticultural activities, and the unlawful expansion of the soil amendment and organics processing operation. The proposed operational changes, including the increased capacity for the processing and storage of soil amendment and organic materials, was reviewed by the EHD and will continue to be subject to public health-related Mitigation Measures / Conditions of Approval Nos. 25 through 31 (Exhibit 4 of the Planning Commission Hearing Staff Report on September 19, 2024) which will continue to remain in effect for the life of the project.

Therefore, the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Planning Director adopted the previous MND, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous MND [§ 15162(a)(3)(A)].

The proposed project was distributed to Ventura County agencies for review and no new significant impacts were identified.

Therefore, the project will not have one or more significant effects not discussed in the previous MND.

b. Significant effects previously examined will be substantially more severe than shown in the previous MND [§ 15162(a)(3)(B)].

The MND adopted with CUP Case No. LU04-0145 identified potentially significant effects to Biological Resources and Public Health.

As discussed in Item 1 above (see discussion on Biological Resources), the potential impacts to Biological Resources were sufficiently mitigated during the initial development of the project site. Furthermore, as determined by the ISBA prepared by Padre Associates (Exhibit 12 of the Planning Commission Hearing Staff Report on September 19, 2024) and peer reviewed by Rincon Consultants (Exhibit 13 of the Planning Commission Hearing Staff Report on September 19, 2024), the proposed project, including expansion of the CUP boundary, will not have an impact on Biological Resources.

As discussed in Item 1 above (see discussion on Public Health) the potential impacts to Public Health will continue to be mitigated through Mitigation Measures / Conditions of Approval Nos. 25 through 31 (Exhibit 4 of the Planning Commission Hearing Staff Report on September 19, 2024).

Therefore, significant effects previously examined will not be substantially more severe than shown in the previous MND.

c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative [§ 15162(a)(3)(C)].

All mitigation measures identified in the adopted MND for CUP LU04-0145 were incorporated into the conditions of approval for the project as Mitigation Measures / Condition of Approval Nos. 18, 20, 25, 26, 27, 28, 29, 30, 31 (Attachment 1) in CUP LU04-0145. Since this project does not include any new ground disturbing

activities or fencing, Mitigation Measure / Condition of Approval No. 18 “Biological Resources Conditions” (Attachment 1) is not applicable to the proposed project. Existing EHD mitigation measures addressing public health are included as conditions of approval and will continue to remain in effect for the life of the proposed project. (Exhibit 4, Conditions of Approval Nos. 25 through 31 of the Planning Commission Hearing Staff Report on September 19, 2024).

Therefore, there are no mitigation measures or project alternatives that were previously found infeasible and declined by the project proponents.

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative [§15162(a)(3)(D).**

All mitigation measures identified in the adopted MND for CUP LU04-0145 were incorporated into the conditions of approval for the project as Mitigation Measures / Condition of Approval Nos. 18, 20, 25, 26, 27, 28, 29, 30, 31 in CUP LU04-0145 (Attachment 1). Since this project does not include any new ground disturbing activities or fencing, Mitigation Measure / Condition of Approval No. 18 “Biological Resources Conditions” (Attachment 1) is not applicable to the proposed project. Existing EHD mitigation measures addressing public health are included as conditions of approval and will continue to remain in effect for the life of the proposed project. (Exhibit 4, Conditions of Approval Nos. 25 through 31 of the Planning Commission Hearing Staff Report on September 19, 2024).

Therefore, there are no mitigation measures or project alternatives that are considerably different than those analyzed in the previous MND that were declined by the project proponents.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent MND. The decision-making body shall consider this addendum to the adopted MND prior to making a decision on the project.

C. PUBLIC REVIEW:

Pursuant to the CEQA Guidelines [§ 15164(c)], this addendum to the MND does not need to be circulated for public review, and shall be included in, or attached to, the adopted MND.

**Addendum to MND for Conditional Use
Permit PL23-0094**

Date of Public Hearing: September 19, 2024
Date of Approval: September 19, 2024

Permittee: C&M Topsoil, Inc.

Location: 4730 Tapo Canyon Road, near Simi Valley
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Prepared by:



AJ Bernhardt, Case Planner
Commercial and Industrial Permits Section
Ventura County Planning Division

Reviewed by:



John Novak, Manager
Commercial and Industrial Permits Section
Ventura County Planning Division

Attachments:

- Attachment 1 – Conditions of Approval for LU04-0145, dated October 27, 2005
- Attachment 2 – Conditions of Approval for PL15-0126, dated June 8, 2021
- Attachment 3 – ISBA for LU04-0145, dated August 15, 2005
- Attachment 4 – Pre-Construction Survey LU04-0145, dated November 16, 2005
- Attachment 5 – Emissions Inventory for PL23-0094, dated February 1, 2024
- Attachment 6 – Ventura County Air Pollution Control District Project Review Memo for PL23-0094, dated March 5, 2024
- Attachment 7 – Ventura County Public Works Agency Roads and Transportation Memo for PL23-0094 dated December 22, 2023

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CONDITIONS OF APPROVAL

**FOR: LU 04-0145 Conditional Use Permit
American Soil Amendment Products Co.
On a portion of APN 620-0-320-09
Tapo Canyon Road, one-half mile north of Bennett Rd.**

A. PLANNING DIVISION CONDITIONS:

Item Nos. 1 - 18

B. ENVIRONMENTAL HEALTH CONDITIONS:

Item Nos. 19 - 31

C. PUBLIC WORKS AGENCIES CONDITIONS:

Item Nos. 32 - 54

D. FIRE DEPARTMENT CONDITIONS:

Item Nos. 55 - 76

E. AIR POLLUTION CONTROL DISTRICT CONDITIONS:

Item Nos. 77 - 89

1. **Responsibilities Within 10 Days of Permit Approval and Prior to Obtaining Zoning Clearance**

- a. ***WITHIN 10 DAYS OF APPROVAL OF LU 04-0145***, the following conditions must be met to the satisfaction of the Planning Director:

16 Acceptance of Conditions Form

- b. ***PRIOR TO ISSUANCE OF A ZONING CLEARANCE FOR CONSTRUCTION/IMPROVEMENTS FOR LU 04-0145***, the following conditions must be met to the satisfaction of the Planning Director:

- 5d Revise Site Plan to add signage detail
- 5e Approval of any non-exempt signs
- 6b Revise Site Plan to add parking details
- 6c Install, and Revise Site Plan to add "Visitor Parking" sign
- 6e Install, and Revise Site Plan to add "Stop" sign
- 7e Approval of, install, and Plan to add landscape & irrigation
- 7f Revise Site Plan to show portable toilets
- 7g Submit 5 reduced-size copies of Revised Site Plan
- 8a Submit Reimbursement Agreement form + \$400 Deposit
- 8c Pay all Permit Processing fees currently owed
- 9 Record Notarized Copy of Notice of Land Use Entitlement
- 11a Provide On-site Contact Information
- 13b Copy of Business License
- 18a Pre-construction Survey for special status horned lizard
- 18b Biologist Report for 18a
- 18d Nesting Bird Survey (Mar. 1 - Sept. 15 only)
- 18e Biologist Report for 18d
- 20 EDH Hazardous Materials permit
- 25 EHD LEA Enforcement Agency Notification and Odor Plan
- 26 EHD Odor Control Plan
- 30 EHD Operational Plan for Dust control
- 36 Transportation Dept. Traffic Impact Mitigation Fee (TIMF)
- 37 Transportation Dept. TIMF - City of Simi Valley
- 44 Watershed Protection SQUIMP review
- 47 EERD Form B
- 51 PWA Grading Plan
- 54 PWA Drainage Analysis
- 89 APCD permit for 50 ≥ hp equipment

A. **PLANNING DIVISION CONDITIONS:**

NOTICE TO PERMIT HOLDER: Failure to abide by and faithfully comply with any conditions for the granting of this Permit shall constitute grounds for one or more of the following actions in accordance with the County's adopted Schedule of Enforcement Responses:

Public reporting of violations to the Planning Commission;
Suspension of permit operations;
Modification of permit conditions; and/or
Revocation of the permit.

It is the permittee's or his successors in interest, responsibility to be aware of and to comply with the permit conditions described below and the rules and regulations of all jurisdictions having authority over the use described herein.

HISTORY: The subject property is APN 620-0-320-09, located on Tapo Canyon Road, unincorporated Simi Valley. This parcel was created as Parcel 2 of Parcel Map Waiver No. PMW 1049. The subject parcel is 81.42 acres approximately. The land use designation is Open Space. The zoning is AE-40 ac (Agriculture Exclusive, 40 acres minimum lot size). The parcel is not within the Sphere of Influence of the City of Simi Valley. It is within the city's Area of Interest. The site is approximately one-half mile north of the intersection of Tapo Canyon Road and Bennett Road.

On June 14, 2004, LU 04-0145 was filed to request a new Conditional Use Permit for (1) Soil Amendment Activity and (2) Medium Scale Organics Processing Operations (up to 1,000 cubic yards of active composting, including 33 ± cubic yards of vermiculture, but no chipping & grinding and no green waste) on a 3 ± acre portion of the 81.42 acre parcel. A caretaker mobile home for a former cattle ranching operation has been removed. Portable toilets with hand-washing facilities will be placed on the subject site. Project description includes grading to widen the onsite access road to a 25 foot width and 20 foot access widths around stock piles, drainage improvements and landscaping. Some of these improvements will occur on an additional 3 ± acres contiguous to the CUP activity area.

The CUP site is located in the AE (Agriculture Exclusive) zone but not on land designated as "Prime", "Statewide Importance", "Unique" or "Local Importance" on the California Department of Conservation's Farmland Mapping and Monitoring Program, Important Farmlands Maps, or on land subject to a Land Conservation Act (LCA) contract.

There is no agriculture on or adjacent to the subject parcel. The nearest agricultural production is across Tapo Canyon Road, more than 300 feet from the proposed soil amendment and organics processing operations site (CUP site).

The environmental document for this project is a Mitigated Negative Declaration. The level of review is Planning Director approval.

2. Permitted Land Uses:

- a. CUP LU 04-0145 is granted for (1) Soil Amendment Activity, (2) Medium Scale Organics Processing Operations. The soil amendment activity includes blending of various soil amendment and mulch products, using soil additives (sand, rice hulls, occasionally gypsum, and compost that is created by the organics processing operation also onsite). The organics processing operations includes up to 1,000 cubic yards of feedstock and active compost activity (approximately 33 cubic yards of vermiculture included), but no chipping & grinding and no green waste. The limit does not include finished product on-site and/or any soil amendments. A small amount of onsite plant propagation (horticulture) is included. A caretaker mobile home accessory to a prior cattle ranching activity has been removed. The project description includes installation of portable toilets with hand-washing facilities for employees. No other structures are planned. A small amount of grading is included to improve onsite driveways, drainage and installation of landscape screening. Administration for the onsite employees will be based at applicant's nursery business on Tierra Rejada Road.
- b. This Permit is granted for the use of a portion of APN 620-0-320-095, approximately 3.00 acres, for project activities, as shown on the Plot Plan labeled Exhibit " 3 ". Improvements for onsite driveways, drainage and landscaping will occur on an additional 3.00 ± acres. The property is located on Tapo Canyon Road, approximately one-half mile north of Bennett Road, Simi Valley Area of Interest.
- d. Human habitation is prohibited in storage or other buildings intended for accessory use to the business. Dwelling units require separate permits. See Zoning Ordinance Section 8109.1.1.3.

3. **Permit Expiration/Renewal/ Modification:**

- a. This Permit extension is granted for a ten (10) year period, and will expire on November 1, 2015.
- b. To continue the described uses beyond the expiration date, applicant must file an appropriate modification form to extend the expiration date. Approval of a time extension shall be by the Planning Director unless new activities, structures or increased intensity of uses require Planning Commission approval.
- c. On the expiration date, November 1 2015, the Soil Amendment Use and Organics Processing Operation must cease all operations unless the application to extend the expiration date for the CUP has been deemed "complete for filing" by the Ventura County Planning Division. Applicant is encouraged to apply for permit renewal 8-12 months prior to expiration, to assure that deadlines can be met.
- d. Failure of the County to notify the permittee of the above dates shall not constitute grounds for continuance of this Permit after expiration.
- e. This permit shall **automatically expire** if any of the following circumstances occur:
 - (1) A Zoning Clearance for removal of the residential mobile home and replacement with the modular office building has not been issued within 90 days of approval of CUP LU 04-0145. The Planning Director may grant a 180-day extension during the initial period based on a written request by the applicant.
 - (2) A Building Permit (if required) has not been issued within six (6) months of issuance of the Zoning Clearance.
 - (3) The Building Permit expires prior to completion of construction.
 - (4) If the use as a Soil Amendment Operation and Organics Processing Operation - Medium Scale is

discontinued or abandoned for a period of 365 days or more.

- f. If at any time new or changed land uses, facilities, structures, or business activities are desired and are not specifically described and approved in the current permit, LU 04-0145, applicant must file and obtain approval of an appropriate modification application. Please contact the Planning Division prior to any construction, installations, or changes to the current project description.

4. **Regulations on Approved Uses:**

- a. The days and hours of operation allowed by this Permit are:

Days: Six days per week

Hours of Operation: Monday – Saturday 7:00 a.m. – 4:00 p.m.
- b. The number of employees allowed by this Permit are: Five (5) full-time employees.
- c. The permittee shall comply with all of the continuing responsibilities set forth in Ventura County Non-Coastal Zoning Ordinance Section 8107-36.4.1 (f) through (q). The ordinance may be viewed at www.ventura.org/planning.
- d. The permittee shall comply with all of the provision set forth in Ventura County Non-Coastal Zoning Ordinance Section 8107-36.4.3 (a) through (l). The ordinance may be viewed at www.ventura.org/planning.
- e. The CUP boundary shall be set back a minimum of 300 feet from the nearest agricultural production and all organics processing must take place within the CUP boundaries.
- f. All incoming materials shall be inspected for contaminants, such as plastic, and all contaminants shall be removed to the greatest extent feasible before processing.
- g. All reasonable effort shall be made to prevent litter, compost, and other materials from migrating off-site. The operator is responsible for keeping the site reasonably free of litter and for the daily collection of all litter that leaves the site.

- h. Currently, no residences are within 1,000 feet of the CUP activity area. Should a residence be constructed within 500 feet of the CUP area, the permittee shall be required to reduce any noise level from equipment to no more than Leq1H of 55 dB(A) or ambient noise levels plus 3 dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.
- i. Upon completion of operations (closure of the business), the facility grounds, ponds, if any, and drainage areas shall be cleaned of all compost materials, construction scraps, and other materials related to the operations.

5. Signs:

- a. To promote traffic safety and the aesthetics of the visual environment, All signs are subject to the Ventura County Ordinance Code, Article 10, for the life of permit. The ordinance may be viewed at www.ventura.org/planning.
- b. On-site freestanding signs three feet or less in height may be located within a setback adjacent to a street.
- c. A sign attached to a wall or fence is exempt from the setback requirements, provided the sign does not project beyond any edge of the wall or fence.
- d. **Prior to issuance of a Zoning Clearance** for use inauguration, signage detail, if any, shall be added to either the Site Plan or separate elevations. Please include both exempt and nonexempt signs.
- e. **Concurrent with the issuance of a Zoning Clearance** for use inauguration, any nonexempt signs must be approved as part of the Zoning Clearance. Please submit to the Case Planner 72 hours prior to the Zoning Clearance appointment. Contact: Rita Graham (805) 654-2467.

6. Parking Area Regulations:

- a. Parking areas shall be designed and maintained at all times for safe, neat, and orderly use by vehicles and individuals moving around on the site, in accordance with Article 8 of the Zoning Ordinance and the conditions below. The applicant is not required to use impervious materials for the

parking lot surface. Compacted road base is recommended (gravel and sand).

- b. **Prior to issuance of a Zoning Clearance**, the Site Plan shall be amended to include a minimum of three (3) standard spaces and four (4) spaces for the orderly reception of large trucks and storage of equipment to be used on-site. Striping is not required; however, precast concrete wheel stops, peeler logs, railroad ties, or other means must be used to denote spaces. A 35 ft. turning radius is required inside the lot for large trucks.
- c. **Prior to issuance of a Zoning Clearance**, install and revise the Site Plan to include a minimum of one (1) parking space posted with a sign marked: "Visitor Parking" for the safe parking of non-employee vehicles that may arrive for pick-up of product, i.e., landscapers or horse caretakers. This space should be safely segregated from the path of truck deliveries and equipment movement.
- d. The location, design and number of marked handicapped parking spaces, if any, for commercial uses not in an enclosed building shall be in accordance with the California Building Code, as administered by the Building and Safety Division.
- e. No portion of a parking space shall be located within ten (10) feet of a driveway entrance or exit.
- f. **Prior to issuance of a Zoning Clearance**, the Site Plan shall be amended to include a stop sign posted at the exit from the parking lot onto Tapo Canyon Road, per Zoning Ordinance Section 8108-3.1.
- g. The parking lot shall be designed so that vehicles are not required to leave the lot area to maneuver into or out of a parking space. Circulation of passenger cars, delivery trucks and customer vehicles shall be accomplished entirely within the parking lot.

7. **Miscellaneous Property Regulations Including Landscaping:**

- a. The portion of the parcel covered by this permit shall be maintained in a neat and orderly manner at all times during the life of the permit.
- b. Any open storage within the project site must be accessory to the principal use (Soil Amendment activity or Organics Processing Operations) and not related to any off-site business or un-permitted activity.
- c. Upon expiration of this Permit or abandonment of the use, the unit premises shall be restored by the permittee to the conditions existing prior to the issuance of the permit, as nearly as practicable.
- d. If fossil remains are found during any ground disturbance, activities should halt in the area of disturbance. An approved paleontological consultant shall be called to the site immediately to assess the site and determine further mitigation measures, as appropriate.
- e. The Zoning Ordinance states that landscaping for design or re-vegetation purposes may be required by the Planning Director dependant upon the type of project, including in the AE zone. **Prior to issuance of a Zoning Clearance**, applicant will submit a landscaping and irrigation plan, obtain Planning Division approval, and install plantings along the Tapo Canyon Road frontage of the subject parcel to reasonably screen views of the activities, stockpiles, equipment, and trucks used or stored in the CUP area. The plan should include (1) a timeframe for final maturity of 3-4 years, (2) a list of non-invasive plants due to the location near a natural creek, (3) irrigation plan to ensure success of the plantings, and (4) consideration of plant heights in the sight triangle for moving trucks on and off the site onto Tapo Canyon Road. **Prior to issuance of a Zoning Clearance**, if a landscaping and irrigation program has been installed, applicant may submit photos of the installed program for review and approval, in satisfaction of Condition No. 7e. 1/12/06 ✓
- f. **Prior to issuance of a Zoning Clearance**, the Site Plan shall call out portable toilet(s) and hand-washing facilities as included.

- g. **Prior to or concurrent with issuance of a Zoning Clearance**, please submit five (5) reduced size copies of the Site plan, (8 1/2 x 11").

8. **Condition Compliance/Financial Requirements/Limitations:**

- a. **Prior to the issuance of the Zoning Clearance** for Use Inauguration/Continued Use, the permittee shall complete a Reimbursement Agreement for Permit Condition Compliance Review form and submit to the Planning Division a **\$400.00** fee as a deposit to cover costs incurred by the County for Condition Compliance review.
- b. The permittee, or the permittee's successors-in-interest, is liable for all costs related to enforcement necessary to abate any confirmed violations resulting from noncompliance with this permit. Costs will be billed at the contract rates in effect at the time such enforcement actions are required.
- c. **Prior to the issuance of the Zoning Clearance** for construction, all permit processing fees owed to that date must be paid. After issuance of the Zoning Clearance, any final billed processing fees must be paid within 30 days of the billing date.
- d. The permittee shall fund all necessary costs incurred by the County or its contractors for inspection, permit compliance, monitoring, and/or review activities as they pertain to this permit. The permittee shall also fund all necessary costs incurred by the County or its contractors for enforcement activities related to resolution of confirmed violations. Costs will be billed at the contract rates in effect at the time enforcement actions are required.
- e. The permittee shall reimburse the County within 30 days of invoicing by the County. Failure to pay the required bill or maintain the required deposit fee balance shall be grounds for suspension or revocation of this Permit.
- h. As a condition of issuance and use of this Permit, including further modifications or adjustments of the Permit, the permittee agrees to:
 - 1) Defend, at the permittee's sole expense, any Action brought against the County by a third party

challenging either its decision to issue this permit or the manner in which the County is interpreting or enforcing the conditions of the permit; and

- 2) Indemnify the County against any settlements, awards, or judgements, including attorney's fees, arising out of or resulting from any such action.

Upon demand from the County, the permittee shall reimburse the County for any court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such action the permittee defended or had control of the defense of the suit. The County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the permittee of its obligations under this condition.

- i. If any of the conditions or limitations of this Permit are held to be invalid, that holding shall not invalidate any of the remaining conditions or limitations set forth.

In the event that any condition contained herein is determined to be in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law, or threatened to be filed therein, which action is brought in the time period provided for by Code of Civil Procedures Section 1094.6 or other applicable law, this Permit shall be allowed to continue in force until the expiration of the limitation period applicable to such action, or until final resolution of such action, provided the permittee has, in the interim, fully complied with the fee, exaction, dedication or other mitigation measure being challenged.

If any condition is invalidated by a court of law, and said invalidation would change the findings and/or the mitigation measures associated with the approval of this permit, the project may be reviewed, at the discretion of the Planning

Director, by the Planning Commission and substitute feasible conditions/mitigation measures may be imposed to adequately address the subject matter of the invalidated condition. The determination of adequacy shall be made by the Planning Commission. If the Planning Commission cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then the Permit may be revoked.

- j. Neither the issuance of a permit hereunder nor compliance with the conditions thereof shall relieve the permittee from any responsibility otherwise imposed by law for damage to persons or property, nor shall the issuance of any use permit hereunder serve to impose any liability upon the County of Ventura, its officers or employees for injury or damage to persons or property.

Except with respect to the County's sole negligence or intentional misconduct, the permittee shall indemnify, defend and hold harmless the County, its officers, agents, and employees, from any and all claims, demands, costs, expenses, including attorney's fees, judgements or liabilities arising out of the construction, maintenance, or operations described herein under Condition 2 (Permitted Use), as it may be subsequently modified pursuant to the conditions of this Permit.

9. Recorded "Notice of Land Use Entitlement"

Prior to the issuance of a Zone Clearance for construction, the permittee and property owner of record shall sign, have notarized, and record, for the benefit of future purchasers of the property, a notice form, furnished by the Planning Division. The notice form shall state that the affected real property has been granted a land use permit for a Soil Amendment activity and Organics Processing Operation - Medium Scale which contain certain conditions (Exhibit "6"), and said purchaser of this real property should be aware of those conditions.

10. Consultant Work:

- a. Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this permit, the County shall confer with the permittee regarding the necessary work to be contracted for, as well as the costs of such work. Whenever, feasible, the lowest bidder will be used. Any decisions made by staff may be appealed to the Planning Commission or the Board of Supervisors per the appeal procedures contained in the Ventura County Zoning Ordinance then in effect.
- b. The permittee may hire private consultants to conduct work required by the County, provided the consultant and the proposed scope-of-work are acceptable to the County. However, the County retains the right to hire its own consultants to evaluate any work undertaken by the operator or consultants under the contract to the operator.

11. Contact Person:

- a. **Prior to issuance of a Zoning Clearance**, the permittee shall provide the Planning Director with the name and/or position, title, address, and phone number of permittee's agent or other representatives who receive orders, notices, or communications regarding matters of condition and code compliance at the permit site.
- b. There shall always be such a contact person(s) designated by the permittee. If deemed necessary by the Planning Director, one contact person(s) shall be available 24 hours a day during some or all phases of the project to respond to complaints by citizens and the County. If the address or phone number of the permittee's agents should change, or the responsibility be assigned to another person or position, the permittee shall provide the Planning Director with the new information within 10 days.

12. Resolution of Complaints:

The following process shall be used to resolve complaints related to the project:

- a. All complaints received by the County shall be directed to the permittee's contact person established pursuant to Condition No. 11a.

- b. As soon as possible, but no later than one day after receiving a complaint from the County or a citizen, the permittee shall investigate the complaint.
- c. The permittee shall report his findings to the complainant and the Planning Director as soon as possible, but no later than one day after receiving a complaint, unless otherwise agreed to by the parties in question.
- d. If the problem persists, the County Planning Division shall initiate complaint resolution actions as contained in the Ventura County Zoning Ordinance then in effect.

13. Notice of Permit Requirements:

- a. The owner(s) of record, contractors, and all other parties and vendors regularly dealing with the daily operation of the project shall be informed by the permittee of the pertinent conditions of the use permit. A current set of permit conditions and exhibits shall be retained at the site.
- b. **Prior to issuance of a Zoning Clearance**, the permittee shall submit to the Planning Director a photocopy of a temporary or permanent Ventura County Business License Tax Certificate, or state that he/she is exempt from such requirements.

14. Correspondence from other Agencies/Jurisdictions:

Copies of all correspondence, reports, or information related to issues covered by this permit which are received by the permittee from, or sent by the permittee to, other State or local jurisdictions or agencies shall be provided to the Planning Division within 30 days of their receipt/issuance. Contact: rita.graham@ventura.org.

15. Requirements of Other Agencies:

This Permit shall not relieve the permittee of the responsibility of securing and complying with any other permit that may be required by other County Ordinances, or State or Federal laws. No condition of this permit for uses allowed by County Ordinance shall be interpreted as permitting or requiring any violation of law, or any lawful rules, regulations, or orders of an authorized governmental agency. In instances when more than one set of rules applies, the stricter ones shall take precedence. Facility design and operations

shall comply with all applicable requirements of Federal, State, and Local authorities, and all such requirements shall, by reference, become conditions of this Permit.

16. Acceptance of Conditions:

Within ten (10) days of project approval, the permittee shall sign a statement indicating awareness and understanding of all permit conditions, and shall agree to abide by these conditions.

17. Change of Ownership:

No later than ten days after a change in property ownership or change of lessee of this property, the Planning Director shall be notified, in writing, of the new name and address of the new owner or lessee. The same letter shall state that the new owner or lessee has read all conditions pertaining to this permit and agrees with said conditions.

18. Biological Resources Conditions

- a. Incorporated Mitigation Measure: Not more than two (2) weeks prior to ground disturbing activities, a preconstruction survey for special-status species, specifically San Diego Horned lizard, shall be conducted by a qualified biologist. Any individuals found shall be captured, when possible, and transferred to adjacent appropriate habitat within the remaining property, onsite.
- b. Mitigation Monitoring Program: **Prior to issuance of a Zoning Clearance**, satisfy Condition # 18a. The permittee shall provide to the Case Planner a brief report by the biologist that a preconstruction survey occurred, stating the date of the survey, listing any species that were captured, and describing the habitat and general location of the transfer area, if any.
- c. **Fencing.** If fencing is ultimately installed around the property perimeter or for large portions of the property, ranch-style or barbed wire fencing is required to avoid obstructing wildlife movement. (This type of fencing is not required for the frontage along Tapo Canyon Road or for areas within the CUP boundary.

- d. Incorporated Mitigation Measure: Nesting Birds. Land disturbing activity is recommended to occur outside of the bird nesting season (March 1 - September 15). If work must occur during this period, a preconstruction survey for nesting birds is required. Any active nests must be buffered in coordination with the California Department of Fish and Game until the nests are no longer utilized.
- e. Mitigation Reporting Program. **Prior to issuance of a Zoning Clearance during the period March 1 - September 15,** applicant shall satisfy Condition # 18e. The permittee shall provide to the Case Planner a brief report by the biologist indicating a preconstruction survey for nesting birds occurred, stating the date of the survey, listing any species observed, and describing the type and extent of buffers used. The report shall include a description of the type of coordination required by the California Department of Fish and Game, as required by that agency.

B. ENVIRONMENTAL HEALTH CONDITIONS:

- 19. The contact for all Environmental Health Division conditions is Melinda Talent (805) 654-2811. The storage, handling, and disposal of any potentially hazardous material shall be in compliance with applicable state regulations.
- 20. Incorporated Mitigation Measure: **Prior to issuance of a Zoning Clearance,** the applicant shall contact the Hazardous Materials section of the Environmental Health Division to obtain all necessary permits.
- 21. An adequate supply of sanitation facilities shall be provided.
- 22. An adequate supply of potable water shall be provided.
- 23. All water impoundment(s) shall be maintained in a manner, which will not create mosquito breeding sources.
- 24. All site conditions and operations shall at all times confirm to State solid waste laws and regulations.
- 25. Incorporated Mitigation Measure: **Prior to issuance of a Zoning Clearance,** the applicant shall submit to the Local Enforcement Agency of the Environmental Health Division an Enforcement Agency Notification and Odor Impact Minimization Plan pursuant to

Public Resources Code, Title 14, Section 18100 et seq. and 17863.4.

26. Incorporated Mitigation Measure: **Prior to issuance of a Zoning Clearance**, the applicant shall submit to the Environmental Health Division for review and approval an odor control plan to prevent nuisance and migration of odors off-site. Information in the odor control plan may also be included in the Odor Impact Minimization Plan submitted with the Enforcement Agency Notification. The detailed plan should include but not be limited to:
- a. A description of design factors and operating procedures that will be used to prevent odors from leaving the project boundary.
 - b. A description of local weather conditions affecting migration of odors and/or transport of odor-causing material off-site, including wind patterns and direction.
 - c. An odor monitoring protocol that describes the proximity of possible odor receptors and a method for assessing odor impacts at the locations of the possible odor receptors.
 - d. Procedures for measurement of odors and standards or levels of odors that will not be exceeded.
 - e. A complaint response protocol.
 - f. Additional measures may be required as determined by the Environmental Health Division.
27. Incorporated Mitigation Measure: If the odor control plan is not adequately preventing a nuisance condition or the plan is not adhered to, as determined by the Environmental Health Division, the odor control plan must be revised and submitted for review and approval to the Environmental Health Division.
28. Incorporated Mitigation Measure: Bioaerosol levels shall not exceed levels, determined by the State of California Department of Health Services (DHS) to present a public health risk, at any time, at the property line.
29. Incorporated Mitigation Measure: Prior to construction of an occupied structure within 500 feet of the composting facility, the applicant may be required to submit a program for monitoring

bioaerosol levels to the Environmental Health Division (EHD) for review and approval. If the Director of EHD determines bioaerosol monitoring is required, it shall be requested of the permittee in writing. Within 30 calendar days of the date of the writing, the permittee shall submit a proposed bioaerosol monitoring program along with a deposit (to be determined by EHD) to cover the costs of staff to review, coordinate and evaluate the proposed program.

30. Incorporated Mitigation Measure: **Prior to issuance of a Zoning Clearance**, the applicant shall submit a detailed operational plan incorporating Best Management Practices for controlling dust, including bioaerosols, to the Environmental Health Division for review and approval.
31. Mitigation Reporting Program. Compliance with applicable state regulations enforced by the Environmental Health Division (EHD) will reduce any impacts to a level considered less than significant. Prior to issuance a Zoning Clearance for use inauguration, the Case Planner will verify, through EHD that Mitigation Measures # 20, # 24, # 25 and # 29 of this section have met the requirements of the Environmental Health Division. **Concurrent with issuance of the Zoning Clearance**, the Case Planner shall note on the Zoning Clearance that Conditions # 26, # 27, and # 28 are required for ongoing condition compliance. The Environmental Health Division makes inspections at times, and under conditions, stated in state statutes.

C. PUBLIC WORKS AGENCY CONDITIONS – PWA Water Resources:

32. No vehicle maintenance or refueling activities shall be conducted on the project site.
33. Compact entire project area to 90% relative compaction to a 2 ft depth (compacted in 6" layers) and establish a minimum 1% grade across entire project area.
34. Legally dispose of residual horse manure from project site on a periodic basis; no less than once each month.
35. Fertilizer bags will be stored in a totally enclosed, metal waterproof storage container.

PUBLIC WORKS AGENCY CONDITIONS – Transportation:

36. Prior to issuance of a Building Permit for construction Pursuant to the Traffic Impact Mitigation Fee Ordinance, the developer/permittee shall deposit with the Transportation Department a Traffic Impact Mitigation Fee. Based on the information provided by the applicant, the Traffic Impact Mitigation Fee due the County would be:

$$20 \text{ ADT} \times \$3.34/\text{ADT} = \underline{\$66.80}$$

37. Prior to issuance of a Building Permit and pursuant to the Reciprocal Traffic Mitigation Agreement between the City of Simi Valley and the County of Ventura, approved June 4, 2002, the developer/permittee shall also deposit with the Transportation Department a traffic impact mitigation fee (TIMF) on behalf of the City of Simi Valley, to be transferred to the City within 30 days. Based on the information provided by the applicant, the Traffic Impact Mitigation Fee due the City would be:

$$20 \text{ ADT} \times \$12.01/\text{ADT} = \underline{\$240.20}$$

The above County and City fees are estimates and may be subject to adjustment at the time of deposit due to provisions in the Traffic Impact Mitigation Ordinance allowing the Fee to be adjusted for inflation based on the Engineering News Record (ENR) construction cost index.

38. The minimum required pavement width for a rural road without curb is 32 feet per the current County standards. Tapo Canyon Road has 26 feet pavement width along the project frontage. Therefore, the developer/permittee shall improve Tapo Canyon Road along the entire project frontage. Prior to approval of the Building Permit, the applicant shall bond for Tapo Canyon Road improvements. Said road improvements shall consist of widening Tapo Canyon Road in accordance with the current County road standard plate B-7[A] along the entire project frontage between the most northerly and southerly project boundaries. The improvements shall include safe road transitions. Bonding for said improvements shall be provided to the satisfaction of the Public Works Director prior to issuance of the building permit.
39. The driveway entrance to the property shall be according to the Ventura County Road Standards. Provide calculations showing that there is adequate sight distance on both sides of driveway.

40. The drainage design of the project shall be such that the proposed project will not generate additional storm water run off to the county road right of way and the project will not adversely affect adjacent properties or public roads.
41. The conditions in our memo for PMW 1049 for this parcel regarding the right of way dedication and the construction of the vehicle turn outs on Tapo Canyon Road are applicable to this project also.
42. Before any work is conducted within the County right of way, the developer/ permittee shall obtain an Encroachment Permit from the County of Ventura.

PUBLIC WORKS AGENCY CONDITIONS – Watershed Protection:

43. All surface runoff and drainage from any activities shall be controlled by berms, revegetation, and/or other approved methods to ensure that surrounding land and water resources are protected from erosion, gulying, sedimentation, and contamination.
44. The subject project is required to incorporate the requirements of the Ventura Countywide Standard Urban Impact Mitigation Plan (SQUIMP), Ventura County Municipal Storm Water NPDES Permit (Board Order No. 00-108; NPDES Permit No. CAS004002). **Prior to the issuance of the zoning clearance**, the applicant shall submit the project plans and documents for review and approval by the Water Quality Section for SQUIMP related concerns. Complete SQUIMP information and a Technical Guidance Manual for Stormwater Quality Control Measures are available on the Ventura Countywide Stormwater Quality Management Program web site at: <http://www.vcstormwater.org/publications.htm>. Contact: Shane Giller (805) 662-6831.

PUBLIC WORKS AGENCY CONDITIONS – Environmental and Energy Resources Department:

45. Commercial Generator of Waste Diversion and Recycling Requirement. During both construction and operation phases of this project, the permittee, as a commercial generator of waste, shall adhere to the requirements of Section 4770-2 – Commercial Generator of Waste Diversion Program, of the Codified Ordinances of the County of Ventura, which state, in part, that “...all commercial generators shall separate or cause to be separated

from refuse and shall arrange for recycling all materials on the Director's list of Commercial Recyclables." Contact: Ivor Benci-Woodward at (805) 289-3119.

46. Director's List of Commercial Recyclables. If EERD determines that any materials on the Director's List of Commercial Recyclables are being generated on the site in sufficient quantities to justify a separate bin for collection and recycling, the permittee shall agree to an on-site visit and waste consultation by staff of the EERD. The permittee shall implement programs to reuse and/or recycle those materials, within 30 days of the completion of the consultation and receipt of EERD's recommendations for source reduction, reuse and recycling.
47. **Prior to the issuance of a Zoning Clearance for construction,** the permittee shall get a Construction & Demolition Debris Waste Diversion Plan (**Form B**) for the project approved by EERD. The plan shall outline how all recyclables on the Director's List, which are generated in volumes large enough to warrant separate collection, will be recycled. For this project, this includes, at a minimum, the recyclable wood, glass and metals generated during construction phases. Contact Ivor Benci-Woodward, (805) 289-3119.

The requirements outlined in Form B shall be printed on the demolition and construction plans, and shall read: *"It is required that the following recyclable construction materials generated from this project be deposited in appropriate recycling bins and recycled: (the list to be determined from the plan)"*

48. If required, following construction, the permittee shall get a Construction & Demolition Debris Waste Diversion Reporting Form (**Form C**) approved by the Director of EERD. Contact Ivor Benci-Woodward, (805) 289-3119.
49. Usage of Recycled Building Materials. Recycled-content building materials, such as drywall, steel, aluminum, ceramic tile, cellulose insulation and composite engineered wood products shall be incorporated into building design and construction where economically feasible and where compatible with design objectives.
50. Agricultural Vehicle Used Oil Recycling. Permittee shall arrange for the proper recycling of all discarded recyclable materials including motor oil, used oil filters, and antifreeze removed from any agricultural and/or commercial vehicles which are maintained

and/or repaired onsite during the operation of the facility. Contact:
Don Sheppard (805) 289-3119.

PUBLIC WORKS AGENCY CONDITIONS - Engineering Services
Department:

51. **Prior to the issuance of a Zoning Clearance**, unless determined by the Public Works Agency that a Grading Permit is not necessary, the permittee shall submit to the agency for review and approval a **Grading Plan**; and shall obtain a Grading Permit.

If the amount of grading is greater than 1,000 cubic yards, a Registered Civil Engineer shall prepare the grading plan. Grading involving less than 1,000 cubic yards shall not require a Registered Civil Engineer to prepare, unless the permittee chooses to have the grading performed by a Civil Engineer, or, the building official determines that special conditions or unusual hazards exist.

52. If it is determined that a Grading Permit is required, the Public Works Agency may request a Geology Report, the permittee shall upon our request, submit to the Public Works Agency for review and approval, a **Geology Report** with the submittal of the Grading Plans. The Grading Plan shall incorporate the recommendations of the approved report.

53. If it is determined that a Grading Permit is required, the Public Works Agency may request a **Soils Engineering Report** with the submittal of the Grading Plan. The Grading Plan shall incorporate the recommendations of the approved report.

54. **Prior to the issuance of a Zoning Clearance**, the permittee shall submit to the Public Works Agency for review and approval a **Drainage Analysis** addressing surface water run-off and recommended mitigation.

D. FIRE PROTECTION DISTRICT CONDITIONS:

55. Access Road Width. A minimum onsite access road width of 25 feet and off-street parking shall be provided for two-way traffic. A minimum 20 foot access width shall be maintained around the perimeter of the organic piles.

56. Access Road Location. *[Note: No buildings are planned at this time other than portable toilets.]* The access / driveway shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building and shall be in accordance with Fire District access standards. Where the access roadway cannot be provided, approved fire protection system or systems shall be installed as required and acceptable to the Fire District.
57. Turning Radius. The access road shall be of sufficient width to allow for a 40 foot outside turning radius at all turns in the road.
58. Vertical Clearance. All access roads / driveways shall have a minimum vertical clearance of 13 feet 6 inches (13' 6").
59. Fire Lanes. Prior to organic operations, all fire lanes shall be posted "NO PARKING - FIRE LANE - TOW AWAY" in accordance with California Vehicle Code, the Uniform Fire Code and current FCFPC Fire Lane Standards. All signs and/or Fire Lane markings shall be within recorded access easements.
60. Address Numbers. Address numbers, a minimum of 6 inches (6") high, shall be installed prior to occupancy; shall be of contrasting color to the background; and shall be readily visible at night. Brass or gold plated numbers shall not be used. Where structures are set back more than 150 feet from the street, larger numbers will be required so that they are distinguishable, from the street. In the event a structure is not visible from the street, the address numbers shall be posted adjacent to the driveway entrance on an elevated post.
61. Fire Hydrant(s) Required. Fire hydrants shall be provided in accordance with current adopted edition of the Uniform Fire Code, Appendix III-B and adopted amendments. On-site fire hydrants may be required as determined by the Fire District.
62. Fire Hydrant Plan. Prior to organic processing operations, the applicant shall submit plans to the Fire District for placement of fire hydrants. On plans, show existing hydrants within 300 feet of the development. Indicate the type of hydrant, number, and size of outlets.
63. Fire Hydrant Design. Fire hydrants shall be installed and in service prior to combustible construction and shall conform to the minimum standard of the County of Ventura Water Works Manual and the following:

- a. Each hydrant shall be a 6 inch wet barrel design and shall have (1) 4 inch and (2) 2 ½ inch outlet(s).
 - b. The required fire flow shall be achieved at no less than 20-psi residual pressure.
 - c. Fire hydrants shall be spaced 300 feet on center and so located that no structure will be farther than 150 feet from any one hydrant.
 - d. Fire hydrants shall be set back in from the curb face 24 inches on center.
 - e. No obstructions, including walls, trees, light and sign posts, meter, shall be placed within three (3) feet of any hydrant.
 - f. A concrete pad shall be installed extending 18 inches out from the fire hydrant.
 - g. Ground clearance to the lowest operating nut shall be between 18 to 24 inches.
64. Fire Flow. The minimum fire flow required shall be determined as specified by the current adopted edition of the Uniform Fire Code Appendix III-A with adopted Amendments and the applicable Water Manual for the jurisdiction (with ever is more restrictive). Given the present plans and information, the required fire flow is approximately 1500 gallons per minute at 20 psi for a minimum 2 hour duration. A minimum flow of 1250 gallons per minute shall be provided from any one hydrant. The applicant shall verify that the water purveyor can provide the required volume and duration at the project prior to obtaining a building permit.
65. Fire Flow Verification. Prior to issuance of a Building Permit, the applicant shall provide to the Fire District, verification from the water purveyor that the purveyor can provide the required fire flow of 1500 gallons per minute at 20 psi for a minimum 2 hour duration.
66. Alternate Water Supply. If the water purveyor certifies that the system cannot provide the required fire flow and duration and approves the use of a private water system, or there is no water purveyor, automatic fire sprinklers shall be installed in all buildings hereafter constructed and adequate water storage tanks for fire protection shall be provided prior to organic processing operations.
67. Hazard Abatement. All grass or brush exposing any structure to fire hazards shall be cleared for a distance of 100 feet prior to construction of any structure and shall be maintained in accordance with VCFPD Ordinance.

68. Hazard Abatement. All grass and brush shall be cleared to a distance of ten (1) feet on each side of all access roads / driveways.
69. Fire Code Permits. Applicant and/or tenant shall obtain all applicable Uniform Fire Code (UFC) permits prior to occupancy or use of any system or items requiring a UFC permit.
70. Fire Extinguishers. Fire Extinguishers shall be installed in accordance with the Uniform Fire Code. The placement of extinguishers shall be subject to review by the Fire District.
71. Trash Dumpster Locations. Commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater shall not be stored or placed within 5 feet of openings, combustible walls, or combustible roof eave lines unless protected by approved automatic fire sprinklers.
72. Fire Department Clearance. Applicant shall obtain VCFC Form #126 "Requirements for Construction" prior to obtaining a building permit for any new structures or additions to existing structures. If property uses a private water system, submit plans for the private water system along with requirements for construction.
73. Compost Piles. Maximum surface area of piles, height of 12 feet after one week of settling. Maximum pile width 25 feet. Maximum length of row not to exceed 150 feet. A minimum 15 feet separation shall be maintained between pile rows. A minimum 20-foot most-weather access road shall be provided around the perimeter of piles.
74. Internal Compost Temperatures. Internal temperatures of all piles shall be monitored. If temperatures exceed 160 degrees Fahrenheit, action shall be taken immediately to reduce and maintain the temperature below 160 degrees F.
75. Facility Fire Control/Suppression Procedures. The facility shall provide to VCFC for review and approval fire control/suppression procedures. Plans shall include the following:
 - Scaled and dimensioned site plan (including property lines with city and county boundaries, location of piles, structures, access and hydrants)
 - Monitoring procedures, temperature and moisture content.
 - Fire suppression methods

- Thresholds for calling 911
- Equipment and resources available
- Employee training
- Diversion plan, for incoming material in the event of equipment failure or other inability to process material.

76. Area Clear Area. Adequate clear area shall be maintained at all times to allow for the largest pile to be spread out to a depth of 2 feet. Area shall be identified on site plan.

E. AIR POLLUTION CONTROL DISTRICT CONDITIONS:

77. The total volume of stockpiled soil amendment material stored onsite shall not exceed a maximum of 4,900 cubic yards. *[Planning Division Note: Active composting not to exceed 1,000 cubic yards.]* For APAC conditions, contact: Alicia Stratton at (805) 645-1426 or alicia@vcapcd.org.
78. All windrows onsite shall not exceed a maximum height of 12 feet or a maximum length of 150 feet.
79. All active composting operations shall cease during periods of high winds to prevent excessive amounts of fugitive dust.
80. All trucks that will haul compost and/or feedstock material on and off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
81. All unpaved on-site roads shall be periodically watered or treated with environmentally-safe dust suppressants to prevent excessive amounts of dust.
82. The area disturbed by active composting and spreading operations shall be minimized to prevent excessive amounts of fugitive dust.
83. All active portions of the site shall be either periodically watered or treated with environmentally-safe dust suppressants to prevent excessive amounts of dust.
84. On-site vehicle speeds shall not exceed 15 miles per hour.

85. Composting and spreading equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.
86. Dust from composting piles and other materials with the potential to release fugitive dust shall be controlled to minimize dust release.
87. The facility shall minimize the amount of material tracked onto Tapo Canyon Road to help control potential associated dust concerns by either a wheel wash and/or a grating system at the entrance of the facility. As vehicles leave the facility, mud and soil shall be either washed and/or vibrated from the wheels prior to leaving the property.
88. Facilities shall be constructed and operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, Nuisance. Rule 51 states:

"A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property."
89. If any piece of equipment is rated greater than 50 horsepower (HP), then an APCD Permit or California Air Resources Board (State Certification) is required, **prior to issuance of a Zoning Clearance**. Examples of typical equipment requiring a permit or certification at a composting facility are tub grinders and trommel screens. Please contact John Harader at (805) 645-1481 or Kerby Zozula at (805) 645-1421 for permit issues.

**END OF CONDITIONS FOR
LU 04-0145 AMERICAN SOIL AMENDMENT PRODUCTS, INC.
CONDITIONAL USE PERMIT FOR
SOIL AMENDMENT ACTIVITY & ORGANICS PROCESSING OPERATIONS
THESE CONDITIONS EXPIRE NOVEMBER 1, 2015**

Conditions for CUP Case No. LU04-0145, As Modified by Case No. PL15-0126

Date of Planning Director Hearing: June 7, 2021

Date of Approval: June 8, 2021

Permittee: American Soil Amendment Products

Location: 4730 Tapo Canyon Road, Simi Valley

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**FINAL CONDITIONS OF APPROVAL AND MITIGATION MONITORING AND
REPORTING PROGRAM FOR CONDITIONAL USE PERMIT (CUP) NO. LU04-0145,
AS MODIFIED BY CASE NO. PL15-0126**

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This Conditional Use Permit is based on and limited to compliance with the project description stated in this condition below, Exhibit 3 of the Planning Director hearing on June 7, 2021 and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

The Project is a minor modification to CUP Case No. LU04-0145 to authorize the continued use and operation of a soil amendment blending operation and medium-scale commercial organics processing and vermiculture facility (soil amendment facility), known as American Soil Amendment Products, for a period of 10 years. The soil amendment facility manages up to 1,000 cubic yards of composting. The facility composts organic materials consisting of clean wood chips and used horse bedding. The facility does not accept chipping, grinding, or green waste. There will not be any increase in the amount of composting and vermiculture. There are no existing structures on site, and no structures are proposed. A diesel-powered blending machine, two front-end loaders, and two forklifts provide automated support to move product around the facility. The project also includes the minor expansion of the southwest portion of the CUP boundary from approximately 3.59 acres to approximately 5.17 acres. The expanded CUP boundary will account for previously graded, disturbed areas that the Applicant currently occupies. There will not be any increase in the amount of composting and vermiculture.

The facility is operated by a single, full-time employee Monday through Saturday, 7:00 a.m. to 4:00 p.m. The City of Simi Valley will continue to provide water to the project site for fire protection and dust suppression, and portable restroom facilities will continue to provide sewage disposal.

All processing activities will take place on approximately 5.17 acres of a 51.84-acre lot. In-process piles will be located in the eastern portion of the CUP area; finished piles

available for pick-up by customers will be located within the center of the corral area, in the northwestern portion of the CUP area, to separate the public from the processing area and to allow for vehicle turnaround. Unpaved on-site parking (consisting of compacted soil and asphalt chips) will be available for up to four trucks, one to two front-end loaders, one to two forklifts, and a diesel-powered blending machine.

2. Days and Hours of Operation

Purpose: In order to ensure that the facility conforms to Ventura County 2040 General Plan Noise Policy HAZ-9.2, with regard to noise generation and compatibility with surrounding noise-sensitive properties, it is necessary to limit the days and hours of operation of the approved use.

Requirement: The soil amendment facility operations, including material drop-off/pick-up, sales, and processing shall be limited to Monday through Saturday, 7:00 a.m. to 4:00 p.m. The Permittee shall post the hours of operation in an obvious location that can be seen by customers, and/or truck hauling operators. The signage must be made of weatherproof and permanent material and comply with the Ventura County Non-Coastal Zoning Ordinance (Article 10).

Documentation: The Permittee shall provide the Planning Division with photographic documentation that the hours of operation have been posted as required pursuant to this condition.

Timing: The Permittee shall post the hours of operation prior to the issuance of Zoning Clearance for use inauguration and the Permittee shall maintain the posted hours of operation for the life of the permit.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance by the Permittee with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

3. Site Maintenance

Purpose: To ensure that the Project site is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside of the Project site.

Requirement: The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project.

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project.

Timing: The Permittee shall maintain the Project site in a neat and orderly manner and in compliance with Condition No. 1 throughout the life of the Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

4. CUP Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions, the Permittee shall first contact the Planning Director to determine if the proposed activity requires a modification of this CUP. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a written and/or mapped description of the proposed activity in order to determine if a CUP modification is required. If a CUP modification is required, the modification shall be subject to:

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,
- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §§ 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §§ 15000-15387), as amended from time to time.

5. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition of this CUP shall constitute grounds for enforcement action provided in the Ventura County Non-Coastal Zoning Ordinance (Article 14), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the CUP conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this CUP.

The Permittee is responsible for being aware of and complying with the CUP conditions and all applicable federal, state, and local laws and regulations.

6. Time Limits

a. Use inauguration:

(1) The approval decision for this CUP becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the land uses set forth in Condition No. 1.

(2) This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the date the approval decision of this CUP becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.

(3) Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

b. Permit Life or Operations Period: This CUP will expire on June 8, 2031. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:

(1) The Permittee has filed a permit modification application pursuant to § 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to June 8, 2031; and

(2) The County decision-maker grants the requested modification.

The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with § 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance.

7. Documentation Verifying Compliance with Other Agencies' Requirements Related to this CUP

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this PD and the completion of Mitigation and Monitoring Reporting Program.

Requirement: Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this CUP) to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

Documentation: The Permittee shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration or as dictated by the respective agency.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

8. Notice of CUP Requirements and Retention of CUP Conditions On-Site

Purpose: To ensure full and proper notice of these CUP conditions affecting the use of the subject property.

Requirement: Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors who regularly conduct activities associated with the Project, of the pertinent conditions of this CUP.

Documentation: The Permittee shall present to the Planning Division staff copies of the conditions, upon Planning Division staff's request.

Timing: Prior to issuance of a Zoning Clearance for use inauguration and throughout the life of the Project.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

9. Recorded Notice of Land Use Entitlement

Purpose: The Permittee shall record a "Notice of Land Use Entitlement" form and the conditions of this CUP with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this CUP.

Requirement: The Permittee shall sign, have notarized, and record with the Office of the County Recorder, a "Notice of Land Use Entitlement" form furnished by the Planning Division and the conditions of this CUP, with the deed of the property that is subject to this CUP.

Documentation: Recorded "Notice of Land Use Entitlement" form and conditions of this CUP.

Timing: The Permittee shall record the "Notice of Land use Entitlement" form and conditions of this CUP, prior to issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Permittee shall return a copy of the recorded "Notice of Land Use Entitlement" form and conditions of this CUP to Planning Division staff to be included in the Project file.

10. Financial Responsibility for Compliance Monitoring and Enforcement

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. Pursuant to the requirements of CUP Case No. LU04-0145, the Resource Management Agency created Condition Compliance Case No. CC07-0021 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties,

regarding CUP Case No. LU04-0145. The Planning Division will continue to use Condition Compliance Case No. CC07-0021 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 11.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC07-0021, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

- c. Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge or penalty prior to payment.

11. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations

conducted pursuant to this CUP, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

- d. Neither the issuance of this CUP, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

12. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining CUP conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this CUP, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This CUP shall continue in full force unless, until, and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

13. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for the Project have the option of referring any and all special studies that these conditions require to an independent and qualified consultant for review and evaluation of issues beyond the expertise or resources of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be appealed

pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 10, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

14. Relationship of CUP Permit Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this CUP, nor compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

The Permittee shall retain a business tax certificate and regulatory licenses for the operation of the soil amendment facility.

15. Contact Person

Purpose: To designate a person responsible for responding to complaints.

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP. The designated contact person shall be available, via telecommunication, 24 hours a day.

Documentation: The Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's field agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the Project site.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s)

for the Project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee's field agent.

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the Project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

16. Change of Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of Permittee.

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

Documentation: The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP Permit.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

17. Resolution of Complaints

The following process shall be used to resolve complaints related to the Project:

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 16 in a visible location on the site. The Contact Person shall be available via telephone during business hours;

- b. If County staff receives a written complaint about the Project, Planning Division staff may contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and

If, following a complaint investigation by County staff, a violation of the Ventura County Code or a condition of this CUP is confirmed, County staff may initiate enforcement actions pursuant to: § 8114-3 of the Non-Coastal Zoning Ordinance.

18. Sign Plan

Purpose: To ensure signage on the property complies with Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance.

Requirement: The Permittee shall submit two copies of a sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for use inauguration. The sign plan shall include the proposed size, colors, materials, and lighting details. The Permittee shall bear the total cost of such review and approval. The Permittee also shall be responsible for obtaining a Zoning Clearance for any new or replacement sign to ensure that the signage for the Project continues to comply with the approved sign plan.

Documentation: A stamped copy of the approved sign plan.

Timing: The Permittee shall submit the sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved sign plan in the Project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

Environmental Health Division (EHD) Conditions

Updated mitigation measures related to potentially significant impacts to public health imposed by EHD on CUP Case No. LU04-0145 have been incorporated as conditions of approval below. Implementation of the following conditions of approval (Condition Nos. 19 through 25) will ensure that the potentially significant impacts identified in the MND continue to be mitigated to a less than significant level.

19. Solid Waste Facility or Operation – Portable Toilet Facilities

Purpose: To comply with California Code of Regulations Title 14 Section 17409.2

Requirement: Sanitary facilities, consisting of an adequate number of toilets and hand washing facilities (with potable water from an approved source) shall be available to

personnel at or in the immediate vicinity of the site as approved by the Ventura County Environmental Health Division Local Enforcement Agency (LEA). Septage from portable toilets must be removed by a Ventura County Environmental Health Division permitted chemical pumper truck and must be properly disposed of at an approved septage disposal site.

Timing: These requirements apply anytime personnel are on site.

Monitoring: LEA staff will verify the availability and condition of sanitary facilities during field inspections.

20. Solid Waste Facility or Operation – Vector Control Plan

Purpose: To comply with California Code of Regulations Title 14 Section 17867(a)(3), and Ventura County Ordinance Code Section 4706(c).

Requirement: The Permittee shall maintain the site and operate in a manner that will not promote harborage and/or breeding of any vectors, including but not limited to birds, rodents, flies, mosquitoes, or harmful insects. The storage and management of feedstock shall be in a manner which will not create or promote potential harborage and/or breeding. All water impoundments shall be maintained in a manner which will not create mosquito breeding sources.

Documentation: The Permittee shall develop a Vector Control Plan specific to the site and operations.

Timing: The Permittee shall maintain the Project site so as to neither contribute to the harborage and/or breeding of mosquitos nor the creation of a public nuisance throughout the life of the Project.

Monitoring: Effectiveness of the vector control methods shall be evaluated and noted by Ventura County Environmental Health Division LEA staff during routine site inspections and/or complaint investigations.

21. Solid Waste Facility or Operation – Odor Impact Monitoring Plan (OIMP)

Purpose: To comply with California Code of Regulations Title 14 Section 17867(a)(2), CCR Title 14 Section 17863.4 and Ventura County Ordinance Code Section 4719.

Requirement: To minimize odors migrating offsite and creating a public nuisance.

Documentation: Develop and implement an OIMP specific to the site and operations.

Timing: Initial OIMP shall be developed prior to the issuance of a zoning clearance. The OIMP shall be reviewed annually and updated as necessary to reflect any changes in the design or operation of this site, including but not limited to: change in the method of storing

feedstock, type(s) of equipment, site layout, and odor control measures. A copy of the revisions shall be provided to the Ventura County Environmental Health Division Local Enforcement Agency within 30 days of the changes.

Monitoring: OIMP shall be submitted to the LEA for review and approval. Effectiveness of the OIMP shall be evaluated by Ventura County Environmental Health Division LEA staff during site inspections.

22. Solid Waste Facility or Operation – Dust and Bioaerosol Management

Purpose: To ensure dust and bioaerosols (i.e., airborne particles of biological origin including bacteria, fungi and yeasts, pollens, and organic matter) generated onsite do not present a public health risk.

Requirement: To utilize Best Management Practices (BMP) to minimize and control dust and bioaerosols.

Documentation: Develop and implement an operation plan, incorporating BMPs for minimizing and controlling dust and bioaerosols. A combination of engineering controls, work practices, and personal protective equipment should be employed.

Timing: Permittee shall minimize and control dust and bioaerosols at all times.

Monitoring: The Ventura County Environmental Health Division Local Enforcement Agency shall conduct routine inspections/reviews and respond to complaints associated with dust and bioaerosols generated at the site.

23. Composting Operations – Report of Waste Discharge

Purpose: To comply with State Water Resources Control Board (RWQCB) Order WQ 2015-0121-DWQ, General Waste Discharge Requirements (WDR) for Composting Operations.

Requirement: Existing composting operations must enroll in the WDR program.

Documentation: Existing composting operations shall file a complete Notice of Intent (NOI), filing fee, and technical report within one year of adoption of the General Order. The technical report shall include a proposed schedule for full compliance and must be as short as practicable but may not exceed 6 years from the date of the NOI. The Regional Water Board will issue a Notice of Applicability that, at a minimum, confirms the Discharger's Tier, timeline for compliance, monitoring requirements and monitoring methods.

Timing: Within one year of adoption of Order 2015-0121-DWQ.

Monitoring: Provide proof the NOI has been received by the LARWQCB to Ventura County Environmental Health Division, Local Enforcement Agency.

24. Hazardous Materials/Water Management (General Notice)

Purpose: To ensure the storage, handling, and disposal of any potentially hazardous material complies with applicable state regulations.

Requirement: If hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid) are stored onsite, or any hazardous wastes are generated, additional permitting, monitoring, and reporting requirements would apply.

Monitoring: Ventura County Environmental Health Division/Certified Unified Program Agency issues hazardous material and hazardous waste permits in Ventura County.

25. Solid Waste Health Permit Required – Enforcement Agency Notification

Purpose: To comply with all applicable requirements in California Code of Regulations (CCR) Title 14 and Title 27, as well as Ventura County Ordinance Code Section 4702. All site conditions and operations must conform to State solid waste laws and regulations.

Requirement: Permittee shall submit an Enforcement Agency Notification to conduct a compostable materials operation to Ventura County Environmental Health Division Local Enforcement Agency (LEA). Permittee shall obtain a health permit issued by the LEA, and remain in compliance with all requirements specified in the permit. Per CCR Title 14 Section 18100, the Permittee shall notify the LEA within thirty (30) days of any proposed change to the operation or its boundaries. The written notification must be legible and shall be mailed to the LEA "return receipt request." Furthermore, a new Enforcement Agency Notification (EAN) shall be submitted when an operator proposes a significant change in operation, a change in land owner(s) takes place, or if the LEA determines that the EAN and/or the operation are not consistent with one another. Permittee shall comply with all record keeping requirements specified in CCR Title 14 Section 17869.

Documentation: Permittee shall maintain and make available for review to the LEA, all applicable records of 5 years. Permittee shall submit a solid waste receipt questionnaire to report the volume and/or tonnage of waste received.

Timing: Waste Receipt Questionnaire shall be submitted to the LEA monthly.

Monitoring: Ongoing compliance shall be accomplished through field inspection by EHD LEA staff.

PUBLIC WORKS AGENCY (PWA)

Engineering Services Department Conditions

26. Grading Permit

Purpose: In order to ensure the Permittee performs all grading outside of the CUP boundaries in compliance with Appendix J of the Ventura County Building Code.

Requirement: The Permittee shall submit a grading plan showing existing and proposed elevations to the Public Works Agency's Development and Inspection Services Division for review and approval for any grading activities outside the CUP boundaries. If a grading permit is required, a State licensed civil engineer must prepare and submit the grading plans, geotechnical and hydrology reports as necessary, to Development and Inspection Services Division for review and approval. The Permittee must post sufficient surety in order to ensure proper completion of the proposed grading.

Documentation: If a grading permit is required, all materials detailed on Public Works Agency Grading Permit Submittal Checklist, must be submitted to Development and Inspection Services Division for review and approval.

Timing: All applicable documentation, as specified above, must be submitted for review prior to conducting any grading activities outside of the CUP.

Monitoring and Reporting: Public Works Agency engineers will review grading plans and reports for compliance with Ventura County codes, ordinances and standards, as well as state and federal laws. Public Works Agency inspectors will monitor the proposed grading to verify that the work is done in compliance with the approved plans and reports.

Integrated Waste Management Division (IWMD) Conditions

27. Water Diversion & Recycling Requirement

Purpose: To ensure the project complies with Ordinance No. 4445. Ordinance 4445 pertains to the diversion of recyclable materials generated by this project (e.g., paper, cardboard, wood, metal, greenwaste, soil, concrete, plastic containers, beverage containers) from local landfills through recycling, reuse, or salvage. Ordinance 4445 can be reviewed at www.vcpublishworks.org/ord4445.

Requirement: Ordinance 4445, Sec 4770-2.3, requires the Permittee to work with a County-franchised solid waste hauler who can determine the level of service required to divert recyclables generated by their project from local landfills. For a complete list of County-franchised solid waste haulers, go to:

<https://s29422.pcdn.co/wp-content/uploads/2018/03/Construction-Demolition-Debris-030217.pdf>

Documentation: The Permittee must maintain copies of bi-monthly solid waste billing statements for a minimum of one year. The address on the billing statement must match the address of the permitted business.

Timing: Upon request, the Permittee must provide the IWMD with a copy of a current solid waste billing statement to verify compliance with this condition.

Monitoring and Reporting: Upon request, the Permittee shall allow Integrated Waste Management Division staff to perform a free, on-site, waste audit to verify recyclable materials generated by their business are being diverted from the landfill.

Watershed Protection District (WPD) Conditions

County Stormwater Program (CSP) Section

28. State General Industrial Stormwater Permit No. CAS000001 Requirements

Purpose: To ensure the project maintains compliance with all water quality provisions in accordance with NPDES General Permit (No. CAS000001), Waste Discharge Requirements for Discharges of Stormwater Runoff Associates with Industrial Activities.

Requirement: Proper filing of all compliance documents required under the NPDES General Industrial Stormwater Permit (No. CAS000001).

Documentation: The Permittee shall prepare and submit the following items to the Watershed Protection District – County Stormwater Program Section (CSWP) for review:

- i. Current Notice of Intent (NOI) in accordance with the State Water Resources Control Board requirements under the NPDES General Industrial Stormwater Permit (No. CAS000001); or
- ii. Verification of payment for current coverage year, whichever is more recent;
- iii. Copy of the project Stormwater Pollution Prevention Plan (SWPPP); and,
- iv. Copy of the most recent Annual Report, if applicable.

Timing: The above listed items shall be submitted to the CSWP for review prior to the issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: CSWP staff will review the submitted materials for consistency with the General Industrial Stormwater Permit. Current and site-specific SWPPP shall be kept on-site for periodic review by the CSWP inspectors.

OTHER VENTURA COUNTY AGENCIES

Ventura County Fire Prevention District (VCFPD) Conditions

29. Access Road Widths, Multi-Family, Commercial or Industrial

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum paved width of 20 feet for all on-site driveways. A minimum 20 foot access width shall be maintained around the perimeter of the organic piles.

Documentation: The Permittee shall submit an access plan to the Fire Prevention Bureau for review and approval.

Timing: All required access shall be installed prior to the issuance of the Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the access for the life of the development.

30. Vertical Clearance

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum vertical clearance of 13 feet 6 inches (13'-6") along all access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval prior to the issuance of the Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the access for the life of the development.

31. Turning Radius

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum 40 foot inside turning radius at all turns along the access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval prior to issuance of the Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the access for the life of the development.

32. Fire Lanes

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall post all fire lanes in accordance with California Vehicle Code, the International Fire Code and current Ventura County Fire Protection District Fire Lane Standards. All fire lane markings / signs shall be located within recorded access easements. The Permittee shall maintain all required fire lane markings/signs to be clearly visible.

Documentation: A stamped copy of the approved fire lane plan.

Timing: The Permittee shall submit two (2) copies of the site plan to the Fire Prevention Bureau for approval prior to issuance of the Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the approved fire lane plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that all fire lanes are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the fire lanes for the life of the development.

33. Fire Hydrant(s)

Purpose: To provide fire hydrants capable of meeting the required fire flow and duration.

Requirement: The Permittee shall provide fire hydrant(s) per the current adopted edition of the Ventura County Fire Code, Appendix C. Design and installation shall conform to the minimum standard of the City of Simi Valley Waterworks District.

Documentation: A stamped copy of the approved fire hydrant location plan.

Timing: The Permittee shall submit a site plan to the Fire Prevention Bureau for fire hydrant placement and approval prior to the issuance of Zoning Clearance for use Inauguration. The plans shall indicate all existing fire hydrants located within 500 feet of the project site, the type of hydrant (i.e. wet or dry barrel) and the number and size of outlets.

Monitoring and Reporting: A copy of the approved fire hydrant plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the fire hydrants are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the fire hydrants for the life of the development.

34. Hydrant Location Markers

Purpose: To assist with rapid locating of fire hydrants during emergency responses.

Requirement: The Permittee shall install blue reflective fire hydrant location markers on the access road per Ventura County Fire Protection District Standards. Hydrant location signs shall be affixed to all hydrants with a minimum 4-inch high letters stating, "Water for Fire Department Use Only".

Documentation: A stamped copy of the approved fire hydrant location plan and Ventura County Fire Protection District Fire Hydrant Standards.

Timing: The Permittee shall install all required blue reflective fire hydrant location markers at the time access is installed. If the final asphalt cap is not in place at the time of occupancy, the markers shall be installed and shall be replaced when the final asphalt cap is completed.

Monitoring and Reporting: A copy of the approved fire hydrant plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the fire hydrants and markers are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the fire hydrants and markers for the life of the development.

35. Fire Flow

Purpose: To ensure that adequate water supply is available to the project for firefighting purposes.

Requirement: The Permittee shall verify that the water purveyor can provide the required volume and duration at the project. The minimum required fire flow shall be determined

as specified by the current adopted edition of the Ventura County Fire Code and the applicable Water Manual for the jurisdiction (whichever is more restrictive). Given the present plans and information, the required fire flow is approximately 1,500 gallons per minute at 20 psi for a minimum 2 hour duration. A minimum flow of 1,250 gallons per minute shall be provided from any one hydrant.

Documentation: A signed copy of the water purveyor's fire flow certification. The Permittee shall submit a signed copy of the water purveyor's certification to the Fire Prevention Bureau.

Timing: Prior to the issuance of the Zoning Clearance for use inauguration, the Permittee shall provide to the Fire District, verification from the water purveyor that the purveyor can provide the required fire flow.

Monitoring and Reporting: A copy of the fire flow certification shall be kept on file with the Fire Prevention Bureau.

36. Alternative Water Supply

Purpose: To ensure that adequate water supply is available for firefighting purposes where no water purveyor service is available or where the water purveyor certifies that the existing water system cannot provide the required fire flow and duration and approves the use of a private water system.

Requirement: The Permittee shall install a private water system (tank and hydrant). Private water systems shall not be supplied from substandard water systems that will impact available fire flow of existing structures. This may require the Permittee to upgrade the existing water purveyor's system to provide the required fire flow.

Documentation: A stamped copy of the approved private water system plans.

Timing: The Permittee shall submit private water system plans to the Fire Prevention Bureau for approval before the issuance of the Zoning Clearance for use inauguration. The private water system shall be installed and operational before the start of grading. Before burying, all underground piping shall be visually inspected by the Fire Prevention Bureau.

Monitoring and Reporting: A copy of the approved private water system plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the private water system is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the private water system for the life of the development.

37. Hazard Abatement

Purpose: To ensure compliance with Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall have all grass or brush adjacent to structure's footprint cleared for a distance of 100 feet or to the property line if less than 100 feet. All grass and brush shall be removed a distance of 10 feet on each side of all access road(s)/driveway(s) within the project. The Fire District may require the entire parcel to be cleared. Note: A Notice to Abate Fire Hazard may be recorded against the parcel.

Documentation: A signed copy of the Ventura County Fire Protection District's Form #126 "Requirement for Construction" or the "Notice to Abate" issued under the Fire District's Fire Hazard Reduction Program.

Timing: The Permittee shall remove all grass and brush as outlined by the Ventura County Fire Protection District's Fire Hazard Reduction Program guidelines annually for the life of the permit.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct on-site inspections to ensure compliance with this condition.

38. Trash Dumpster Locations

Purpose: To ensure adequate exposure protection is provided for surround structures.

Requirement: The Permittee shall ensure that commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater shall not be stored or placed within 5 feet of building openings, building combustible walls, or combustible roof eave lines unless protected by approved automatic fire sprinklers.

Documentation: A stamped copy of the approved site plan indicating commercial trash dumpster and container locations.

Timing: The Permittee shall submit site plans indicating all commercial trash dumpster and container locations to the Fire Prevention Bureau for approval prior to issuance of Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the approved site plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the commercial trash dumpster and containers are installed according to the approved site plan. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the approved locations for the life of the development.

39. Fire Code Permits

Purpose: To comply with the requirements of the Ventura County Fire Code.

Requirement: The Permittee shall obtain all applicable Fire Code permits.

Documentation: A signed copy of the Fire Code permit(s).

Timing: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for approval prior to issuance of the Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.

40. Fire Department Clearance

Purpose: To provide the Permittee a list of all applicable fire department requirements for their project.

Requirement: The Permittee shall obtain VCFD Form #126 "Requirements for Construction" for any new structures or additions to existing structures before issuance of building permits.

Documentation: A signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction."

Timing: The Permittee shall submit VCFPD Form #126 Application to the Fire Prevention Bureau for approval before issuance of the Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the completed VCFPD Form #126 shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau will conduct a final on-site inspection of the project to ensure compliance with all conditions and applicable codes / ordinances.

41. Compost Piles

Piles shall be a maximum of 12 feet in height, 25 feet in width and 50 feet in length. Piles shall be separated by a minimum of 15 feet. Grid piles shall not exceed 500 feet by 500 feet, separated by a minimum 50-foot wide clear space. Push out areas shall be maintained to allow for the largest pile to be spread put at a depth of 2 feet.

42. Internal Compost Temperatures

Internal temperatures of all piles shall be monitored daily. Piles under 6 feet in height shall be monitored at least once every 7 days. If temperatures exceed 160 degrees Fahrenheit,

action shall be taken immediately to reduce and maintain the temperature below 160 degrees Fahrenheit.

43. Facility Fire Control/Suppression Procedures

The facility shall provide to VCFPD for review and approval fire control/suppression procedures. Plans shall include the following:

- Scaled and dimensioned site plan (including property lines with city and county boundaries, location of piles, structures, access and hydrants)
- Monitoring procedures, temperature and moisture content.
- Fire suppression methods
- Thresholds for calling 911
- Equipment and resources available
- Employee training
- Diversion plan, for incoming material in the event of equipment failure or other inability to process material.

44. Area Clear Area

Adequate clear area shall be maintained at all times to allow for the largest pile to be spread out to a depth of 2 feet. Area shall be identified on site plan.

Ventura County Air Pollution Control District (APCD)

45. APCD Rules and Regulations

Purpose: To ensure that fugitive dust and particulate matter that may result from site preparation, construction activities, and activities on the site are minimized.

Requirement: The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust).

Documentation: The Lead Agency shall ensure compliance with the following provisions:

- i. All trucks shall cover their loads as required by California Vehicle Code Section 23114.
- ii. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means (except during and immediately after rainfall). Water shall be applied to all unpaved roads and active portions of the site. Environmentally-safe dust control agents may be used in lieu of watering.
- iii. Signs shall be posted onsite limiting traffic to 15 miles per hour or less.
- iv. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact

adjacent properties). During periods of high winds, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite. APCD inspectors will require that the site superintendent and/or supervisor halt all such activities if they determine the fugitive dust is impacting adjacent properties.

- v. Signs displaying the APCD Complaint Line Telephone number for public complaints shall be posted in a prominent location visible off the site. (805) 645-1400 during business hours and (805) 654-2797 after hours.

Timing: Throughout the life of the permit.

Reporting and Monitoring: The Lead Agency shall monitor all dust control measures.

46. APCD Rules and Regulations for Equipment Permitting

Purpose: To ensure that operations are conducted in compliance with all applicable VCAPCD Rules and Regulations, in particular Rule 10 (Permits Required) certain types of new and modified equipment and operations may require APCD permits to installation¹.

Requirement: The Permittee shall obtain an Authority to Construct prior to installation and a Permit to Operate prior to operation for such equipment

Documentation: An approved Authority to Construct and an approved Permit to Operate, only if needed in the future.

Timing: The Permittee shall submit the appropriate applications and supporting documentation to APCD for review and approval prior to beginning construction or installation or prior to beginning operation. The Permittee shall provide the Planning Division these APCD permits, or written confirmation from APCD that the permits are not needed, prior to the issuance of a Zoning Clearance for use inauguration.

Reporting and Monitoring: A copy of both the approved Authority to Construct and a Permit to Operate shall be maintained as part of the project file. Ongoing compliance with the requirements of the Permit to Operate shall be accomplished through field inspection by District Inspectors.

¹ If any piece of equipment is rated greater than 50 horsepower, and APCD Permit or California Air Resources Board Certification will be required. Examples of typical equipment requiring a permit or certification at a composting facility are tub grinders and trommel screens.

AUG 15 2005

COUNTY OF VENTURA BIOLOGICAL RESOURCES INITIAL STUDY

Date: August 15, 2005

Requestor: Rita Graham

Project: LU-04-0145

Field Study: ☒ Yes ☐ No

Justification: Potential occurrence of special-status biological resources onsite. Field check performed to determine presence of specialized habitat conditions for rare plant and animals.

A. CHECKLIST

Biological Resources Issues	Project Impact Degree of Effect				Cumulative Impact Degree of Effect			
	N	LS	PS-M	PS	N	LS	PS-M	PS
a. endangered, threatened, or rare species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. wetland habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. coastal habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. migration corridors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. locally important species/communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Degree of Effect Explanation

N= None

LS = Less than significant effect

PS-M = Significant effect; Mitigation incorporated for a ND

PS = Potentially Significant effect; EIR required

B. DISCUSSION

The project concerns (1) soil amendment activity, (2) organics processing operation, and (3) agricultural vermiculture activity on approximately 2.75 acres of an 82.42 acre parcel located east of Tapo Canyon Road, approximately three miles north of Highway 118 and the City of Simi Valley, in unincorporated Ventura County. The 2.75 acres proposed for the above activities ("proposed project area"), extends east and north of the site entrance to the western edge of the abandoned corral area. The project site is located on the 82 acre parcel APN 620-0-320-095, in the Simi Valley Area of Interest and Sphere of Influence, and in the Non-Coastal Zoning Ordinance. The parcel has a Ventura County General Plan Land Use Designation of Open Space (10 acre minimum). The parcel is located on page 498, grid F3 of the Ventura Thomas Guide (1999).

U.S. Geologic Survey topographic maps and aerial photos were reviewed utilizing computer topographic maps (March, 2003). The onsite elevation of the 82 acre parcel ranges from approximately 1335 to 1500 feet above mean sea level. The elevation of the proposed project area ranges between 1335 and 1360 feet above mean sea level. The proposed project area is gently sloped terrain and is settled between hills to the north, west, and south. The site generally slopes down from the hills through the proposed project area, towards Tapo Canyon Road and Tapo Canyon Creek. The majority of the proposed project area contains a dense

mixture of non-native grasses and weedy plant species associated with cattle grazing and is highly disturbed. The surrounding hills, located within the 82 acre parcel, are also highly disturbed with a cover of coastal sage scrub and native grasses. The property appears to have been heavily burned in a recent fire, most likely the wildfires of 2003. The property is located in a rural area, with substantial undeveloped open space to the south, north, and east, and a large orchard to the west. Additionally, Tapo Gillibrand Canyon stream is located west of the project area and Tapo Canyon Road. The stream runs adjacent to the roadway and is less than 100 feet from the project site entrance.

Review of the Santa Susana quadrangle geologic map (Dibblee, 1992), showed the underlying bedrock in the project area to be Sespe Formation. This formation consists of predominantly semi-friable bedded sandstone, light gray, tan to pink, locally pebbly and cross-bedded; includes interbeds of variegated maroon-red and greenish micaceous claystone mostly in middle part; locally includes conglomerate of scattered pebbles and cobbles of granitic metavolcanic and quartzitic rocks in sandstone matrix, deposited by westward-flowing streams (Taylor 1983).

The site soil types are identified as Mocho loam gently sloping to moderately sloping alluvial fans, 2-9% slopes (MoC); Nacimiento silty clay loam (NaF), 30-50% slopes eroded; and Soper gravelly loam (SvF2), 30-50% slopes eroded (U.S. Department of Agriculture, April, 1970). A few small rocky escarpments were observed on-site, on the surrounding hillsides above the proposed project area.

A field reconnaissance survey was conducted by Rincon Consultants, Inc. Biologist John Dreher, B.S. and Lacrisa Rizo Patron, M.E.S.M. on July 7, 2005 to determine the general extent of biological resources on the property. The field reconnaissance included a walk-over of the proposed project site and adjacent areas and a walk-over and binocular review of the remainder of the property. Within the proposed project area the dominant plant observed was pitseed goosefoot (*Chenopodium berlandieri*). Other non-native, weedy, secondary species included black mustard (*Brassica nigra*), tree tobacco (*Nicotiana glauca*), spiny clotbur (*Xanthium spinosum*), foxtail chess (*Bromus madritensis ssp. rubens*). There is a single peruvian pepper tree (*Schinus molle*) with a large canopy located near the rear of the corral area. Common native plants seen within the proposed project area included slender tarweed (*Hemizonia fasciculata*) and mexican elderberry (*Sambucus nigra ssp. Canadensis*). Additionally, there were two large Valley Oak trees (*Quercus lobata*) located within the proposed project area, and one Valley Oak directly adjacent to the project area.

The surrounding hillsides, as previously noted, were heavily disturbed. These areas consisted mostly of disturbed coastal sage scrub and native grasslands. Typical native species in the coastal sage scrub habitat included black sage (*Salvia mellifera*), white sage (*Salvia apiana*), chamise (*Adenostoma fasciculatum*), and purple needlegrass (*Nassella pulchra*). Associated native secondary species included buckwheat (*Eriogonum fasciculatum*), goldenbush (*Hazardia squarrosa*), California sagebrush (*Artemisia californica*), deerweed (*Lotus scoparius*). Non-native species comprised a large portion of the surrounding hillsides. The dominant non-native species were yellow star-thistle (*Centaurea solstitialis*), black mustard (*Brassica nigra*) and non-native grasses such as slender wild oats (*Avena barbata*).



Wildlife seen on the property was limited to a western fence lizard (*Sceloporus occidentalis*), desert cottontail (*S. audubonii*), and grey squirrel (*Sciurus carolinensis*), and coyote (*Canis latrans*) scat was also observed. Several species of birds were also noted throughout the 82 acre parcel, including a Red-tailed Hawk (*Buteo jamaicensis*), California Towhee (*Pipilo crissalis Vigors*), and American Kestrel (*Falco sparverius*).

A search and review of the California Department of Fish and Game California Natural Diversity Database (CNDDB) identified 2 wildlife species and 2 plant species that could occur onsite based on the site elevation, geology, soils, and habitats. These are listed below. There were no observations of these species during the field survey; however they are listed here as they are known to be within the region and could potentially occur onsite.

- Rufous-Crowned sparrow (*Aimophila ruficeps canescens*), a California Species of Concern (CSC), resides in southern California coastal sagescrub and sparse mixed chaparral. The species often frequents relatively steep and rocky hillsides with grass and forb patches. The site visit revealed the site to be relatively flat and highly disturbed with non-native plants. Thus, it is unlikely that this species would be present within the proposed project area.
- Western spadefoot (*Spea* (= *Scaphiopus*) *hammondi*) a California Species of Concern (CSC), occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for this species' breeding and egg laying. There are no vernal pools in the project area; however there are several abandoned watering wells (tanks). During a site visit in July, there did not appear to be adequate water onsite for breeding. This species is not anticipated in the project area.

Additionally, the following species were not listed within the CNDDB, but have the potential to be present within the project area:

- San Diego horned lizard (*Phrynosoma coronatum blainvilliei*) (California Species of Special Concern, CSC) is associated with open, sandy areas of coastal sage scrub and chaparral habitats. San Diego horned lizards main food source, harvester ants, were common throughout the project area. Suitable soils required to support the species were also present on-site.
- Cooper's Hawk (*Accipiter cooperii*) a California Species of Concern (CSC) typically inhabits woodland areas adjacent to open areas such as grassland or sage scrub habitat and is known to breed in dense riparian deciduous forest, oak woodlands, in canyon bottoms on river flood plains and in suburban areas. There is a large riparian area associated with Tapo Canyon Creek which is located adjacent to the project site. Although this area may not be dense enough to provide suitable nesting, the species could forage on-site.



Virtually all native birds, their nests, eggs, and young are protected under the California Fish and Game Code and Migratory Bird Treaty Act (MBTA). A variety of common birds are likely to use the site for nesting and foraging activities.

Two special-status plant species were identified in the CNDDDB results as having the potential to occur within habitats in the vicinity:

- Plummer's Mariposa lily (*Calochortus plummerae*), a perennial herb found in chaparral, cismontane woodland, and coastal scrub, lower montane coniferous forest, valley and foothill grassland habitats, and granitic and rocky microhabitats in Los Angeles, Ventura, San Bernardino, Orange, and Riverside Counties. This plant is found in elevation ranging from 100-1700 meters (328-5577 feet, is less common at higher elevations and blooms in May through July. It is a California Native Plant Society (CNPS) List 1B species (*Plants that are threatened, rare, or endangered in California and elsewhere*).
- Santa Susana tarplant (*Deinandra minthornii*), is a deciduous shrub species that occurs in chaparral, coastal scrub habitats, and rocky microhabitats in Los Angeles and Ventura Counties. It is found in elevation from 280-760 meters (919-2493 feet) and blooms from July to November. This is a State Rare (SR) and CNPS List 1B species. It has been found at only one somewhat anomalous location on Conejo volcanics in the Santa Monica Mountains. It is found throughout the massive sandstone boulder outcrops of the Pico formation from Bell Canyon north through Stoney Pass (east end of Simi Valley) and into Runkle Ranch (Santa Susana Mountains). As the proposed project area is on a gentle west facing slope, it is not likely that this species would be found within the proposed project area; however, there may be suitable rocky habitat in surrounding escarpments adjacent to the project area.

Additionally, the following species were not identified by the CNDDDB, but have the potential to be present within the project area:

- Lyon's pentachaeta (*Pentachaeta lyonii*), is an annual herb found in chaparral, coastal scrub, and valley and foothill grassland in Los Angeles and Ventura Counties. It is found in elevation from 30-630 meters (98-2067 feet) and blooms from March to August. It is a Federal and State Endangered (FE/SE) species and CNPS 1B listed species.
- Braunton's milk-vetch (*Astragalus brauntonii*), is a perennial herb found in closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland habitats, and recent burns or disturbed areas, usually with carbonate soils. It is found in elevation from 4-640 meters (13-2100 feet) and blooms in March through July. This plant is a FE and CNPS 1B listed species.
- Rayless ragwort (*Senecio aphanactis*), an annual herb found in chaparral, cismontane woodland, and coastal scrub. A CNPS List 2 plant (*species that are threatened, endangered or rare in California, but more common elsewhere*) that blooms from January to April.

- Southern tarplant (*Centromadia parryi australis*), is found in marshes and swamps, valley and foothill grasslands, and near vernal pools. Often in disturbed sites near the coast, these plants are found in alkaline soils sometimes with saltgrass. The southern tarplant blooms May – November and is found at elevations ranging between 0 – 1390 feet.
- San Fernando valley spineflower (*Chorizanthe parryi Fernandina*) is often found in coastal scrub, dry, gravelly or sandy soils and blooms between April and June. Typical elevations where the plant is present range between 10 – 3396 feet above mean sea level.
- Conejo buckwheat (*Eriogonum crocatum*) is a perennial herb found in chaparral, coastal scrub, and valley foothill grassland. This plant is often found on Conejo volcanic outcrops or rocky sites, and blooms between April and July. Conejo buckwheat is generally found between 200 and 1900 feet.

Biological resources issues associated with the proposed development include:

- Endangered, Threatened or Rare Species.** Results of the July 7th field survey found no listed species present onsite, and many of the plants listed do not occur within the habitat found within the proposed project area. The survey was performed during the blooming period of the above listed plants, with the exception of Rayless ragwort (*Senecio aphanactis*). This plant is not anticipated within the project area due to the nature and level of disturbance within the project site. Therefore, impacts to sensitive plant species is considered less than significant. Additionally, the field survey performed on July 7th, did not reveal any sensitive animal species; however, there is the potential for sensitive animal species to be located onsite, as discussed above. Therefore, impacts to sensitive animal species are considered potentially significant, but mitigable.
- Wetland Habitats.** No wetland habitats were observed in the proposed project area and none are expected. No impact.
- Coastal Habitat.** The proposed project area is located within the Non-Coastal Zone of the Ventura County General Plan. Therefore, the project would not impact coastal resources. No impact.
- Migration Corridors.** The proposed project area and the surrounding property of parcel APN 620-0-320-095 are not located within any recognized wildlife corridor. Several important wildlife linkages occur along Highway 118; however, these are more than 3.5 miles from the project area. Additionally, the eastern boundary of the property is adjacent to a County designated landscape linkage; however, this is approximately one-half mile from the project area. Due to the small size and nature of the proposed project, and its distance from a recognized wildlife corridor or landscape linkage, any species passing through the project site would still be able to utilize other areas of the site and adjacent open lands for passage. Therefore, the



project would not introduce a significant barrier to migration and project impacts to migration corridors are considered less than significant. The project is not anticipated to contribute to cumulative impacts on migration corridors and no mitigation is required.

- e. **Locally Important Species/Communities.** A CNDDDB search found several communities of special concern that may exist within the project vicinity (Cismontane Alkali Marsh, Southern Coast Live Oak Riparian Forest, Southern Mixed Riparian Forest, Southern Sycamore Alder Riparian Woodland, and Southern Riparian Scrub). None of the above listed communities was observed in the project area. Therefore, impacts related to communities of special concern are considered less than significant.

C. MANDATORY FINDINGS OF SIGNIFICANCE

	<u>Yes/Maybe</u>	<u>No</u>
1. Does the project have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Does the project have impacts, which are individually limited, but cumulatively considerable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

D. MITIGATION MEASURES

Recommended ☐

Required for Negative Declaration ☒

- ✓ a. **Sensitive Species.** Not more than two weeks prior to ground disturbing activities, a preconstruction survey for special-status species, specifically San Diego Horned lizard, shall be conducted by a qualified biologist. Any individuals found shall be captured, when possible, and transferred to adjacent appropriate habitat within the remaining property onsite.
- ✓ **Fencing Recommendations.** If fencing is ultimately installed around the property perimeter or for large portions of the property, ranch-style or barbed wire fencing is recommended to avoid obstructing wildlife movement.
- ✓ **Nesting Birds.** Land disturbing activities is recommended to occur outside of the bird nesting season (~March 1 – September 15). If work must occur during this period, a pre-construction survey for nesting birds is required. Any active nests must be buffered in coordination with the California Department of Fish and Game until the nests are no longer utilized.

Conduc
9/30/05
✓

E. DETERMINATION OF ENVIRONMENTAL DOCUMENT FROM A BIOLOGICAL PERSPECTIVE

Negative Declaration ☐ Mitigated Negative Declaration ☒ EIR Required ☐

Reviewer: _____



Jamie L. King, M.S.
Project Manager-Special Projects
Rincon Consultants, Inc.
Phone: 641-1000 Ext. 32

Date: _____

August 15, 2005

F. REFERENCES

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Dibblee Geological Foundation, Santa Barbara, CA.

Ventura County General Plan, January 2002. Area Plan for the Non-Coastal Zone.





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November 16, 2005

ATTN: Lisa Woodburn
Jensen Design & Survey, Inc.
4171 Market Street, Suite 4A
Ventura, California 93003
Via email: LisaW@DSCIVIL.COM

**Subject: Results of a Pre-Construction Special-Status Species Survey for the American
Soil Amendment Project, Ventura County, California**

Introduction

Rincon Consultants, at your request, conducted a preconstruction special-status species survey for the 2.75-acre agricultural vermiculture installation ("project area") on an 82.42 acre parcel, located east of Tapo Canyon Road, approximately three miles north of Highway 118 and the City of Simi Valley, in unincorporated Ventura County. The intent of the survey was to confirm the presence of any special-status species, specifically San Diego horned lizard, and to relocate, when possible, any individuals found on site. A Rincon biologist surveyed the project site on Wednesday, October 16, 2005. The project area (including a 100 foot buffer area) was found to be heavily disturbed and showed signs of recent grading activities, fence removal, and soil import.

Background

The project area has historically been used for livestock and cattle grazing activities and includes an abandoned corral area. The proposed project (LU04-0145) is for a vermiculture installation. As part of Ventura County's Conditions of Approval (Provisions 18a and 18b) the applicant is required to perform a pre-construction survey for special-status species, specifically San Diego horned lizard, not more than two weeks prior to construction. This survey and report are intended to comply with provisions 18a and 18b of the Conditions of Approval for the County.

Methodology

A survey of the approximately 2.75-acre project area, and a surrounding 100-foot buffer area, was conducted on October 16, 2005 by Rincon biologist Lacrissa Rizo Patron. Ms. Rizo Patron conducted a special-status species survey for the site previously for the Ventura County Biological Resources Initial Study in July of 2005. Field surveys followed accepted protocol developed by the California Department of Fish and Game (CDFG) and California Native Plant Society (CNPS).

The survey was conducted at 10:30am, late morning, when the body temperature of San Diego horned lizards is elevated, promoting feeding and territorial/sexual behaviors. Thus, individuals would be more visible. The project site was traversed on foot in an outward spiral pattern, beginning from the center of the corral area and continuing outward 100 feet beyond the corral area. This area was examined for potential San Diego horned lizard habitat, areas with loose, fine soils with a high sand fraction; an abundance of native ants or other insects; and/or open areas with limited overstory for basking and low, but relatively dense shrubs for refuge.

Additionally, the area was surveyed for any potential special-status plants. The special-status species targeted was developed based on previous field investigations in the project vicinity (Rincon, 2005), a review of the California Natural Diversity Database (CNDDB, 2005), and professional knowledge of the area. Attachment A presents a list of species with potential to occur in the project area.

Results and Discussion

As mentioned above, the majority of the project area has been heavily disturbed/graded and is either bare or contains a low cover of non-native grasses and weedy plant species. Additionally, some fencing that previously framed the corral has been dismantled and is stockpiled in several locations within the project area. No special-status species were observed within the project area or within a 100-foot buffer surrounding the project area. Further, due to grading and heavy disturbances, San Diego horned lizard and other special-status species with the potential to occur within the project vicinity would not be anticipated within the project area. Installation of the vermiculture facility would not be anticipated to directly affect any special-status species.

We trust that this information will assist with your reporting obligations at this time. Please call us if you have any questions or concerns regarding the results of our surveys or would like to discuss these issues further.

Sincerely,
RINCON CONSULTANTS, INC.



Lacrissa Rizo Patron, MESM
Environmental Scientist



Michael Gialketsis
Principal

Attachment: Special-Status Species with Potential to Occur in the Project Vicinity

Attachment A – Special-Status Species with Potential to Occur in the Project Vicinity

Common Name	Scientific Name	Agency Status	Habitat
Animals			
Rufous-Crowned sparrow	<i>Aimophila ruficeps canescens</i>	CSC	California coastal sagescrub and sparse mixed chaparral
Western spadefoot	<i>Spea (=Scaphiopus) hammondi</i>	CSC	Grassland habitats, valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg laying.
San Diego homed lizard	<i>Phrynosoma coronatum blainvillei</i>	CSC	Open, sandy areas of coastal sage scrub and chaparral habitats.
Cooper's Hawk	<i>Accipiter cooperii</i>	CSC	Open areas such as grassland or sage scrub habitat. Known to breed in dense riparian deciduous forest, oak woodlands, in canyon bottoms on river flood plains and in suburban areas.
Plants			
San Fernando valley spineflower	<i>Chorizanthe parryi Femandina</i>	SE, CNPS 1B	Coastal scrub, dry, gravelly or sandy soils
Braunton's milk-vetch	<i>Astragalus brauntonii</i>	FE, CNPS 1B	Disturbed coastal scrub & chaparral calcareous or carbonate soils
Conejo buckwheat	<i>Eriogonum crocatum</i>	SR, CNPS 1B	Volcanic-derived soils in the Western Santa Monica Mountains
Lyon's pentachaeta	<i>Pentachaeta lyonii</i>	FE, SE, CNPS 1B	Pockets of grassland in Conejo volcanic soil
Plummer's mariposa lily	<i>Calochortus plummerae</i>	CNPS 1B	Chaparral, coastal scrub, valley/foothill grassland
Rayless ragwort	<i>Senecio aphanactis</i>	CSC	Drying alkali flats and coastal sage scrub
Santa Susana tarplant	<i>Deinandra minthorni</i>	SR, CNPS 1B	Chaparral, coastal scrub habitats, and rocky microhabitats
Southern tarplant	<i>Centromadia parryi ssp. australis</i>	CNPS 1B	Marshes and swamps, valley & foothill grasslands, vernal pools

Source: Rincon Consultants, Inc (2005); CDFG, February 2005; CNPS 2001

FE = Federal Endangered; FT = Federal Threatened; SE = California Endangered; SR = California Rare; CSC = California Species of Concern; CNPS 1B = rare, threatened, or endangered by the California Native Plant Society (CNPS)



860 Hampshire Road, Suite P
Westlake Village, CA 91361

Date: February 1, 2024

To: Cameron Ornelas
Chief Executive Order
C&M Topsoil, Inc.
12087 Lopez Canyon Road, #40
Sylmar, CA 91342

From: Christ Kirikian
Principal | Director of Air Quality & Acoustics

Reference: Mike Ratte, Senior Air Quality Scientist
RCH Group

Subject: C&M Topsoil Emissions Inventory

This memorandum is being provided at the Ventura County Air Pollution Control District (VCAPCD) request to address the emissions inventory for operations of the American Soil Amendment Products in the City of Simi Valley. The following comment was provided by the VCAPCD:

The proposed increase in the daily or yearly amount of compost to be processed suggests an increase in operational air emissions, in addition to expected increases in other emissions sources, such as mobile. In order to be consistent with CEQA methodology in recently approved compost facilities throughout Ventura County, please provide the estimated volatile organic compound (VOC) or reactive organic compound (ROC) emissions resulting from the increase in compost emissions from the open windrows as best as can be estimated. You may contact the APCD Engineering Division at 805-303-3682 for confirming certain assumptions made to calculate uncontrolled (windrow) compost emissions (emission factors, etc.).

The emissions inventory includes the following activities:

1. Material Handling, Stockpiling, and Processing Fugitive Emissions
2. On-site Heavy Equipment Combustion Emissions
3. On-road Transportation Vehicles Combustion Emissions

The composting and emission factors, and control efficiencies provided in this memorandum are based on the information associated with the Ventura County Conditional Use Permit Applications for Composting Facilities (dated October 13, 2023) provided in the **Appendix** of this report.

Project Understanding

Currently, the soil amendment facility is permitted to manage up to 1,000 cubic yards of composting organic materials consisting of clean wood chips and used horse bedding. There are two activities occurring on-site, soil amendment and organics processing. The soil amendment activity includes importation and mixing of soil and soil amendments, loading on trucks,¹ and delivery offsite. Previously permitted equipment included: a diesel-powered blending machine, two front-end loaders, four trucks to transport product, and two forklifts to provide automated support to move product around the facility.

The Applicant has requested a Conditional Use Permit (CUP) for a period of 15 years to allow continued operation of the existing soil amendment and composting operations facility and expansion from medium to a large-scale operation. The proposed operation will increase the amount of allowed material on-site to a maximum of 12,500 cubic yards for green material transfer/processing facilities. The CUP boundary will be expanded from 5.17 to 8.88 acres. The facility will add chipping & grinding for green waste only (tree trimming, not residential curbside). The facility's hours of operation are Monday through Friday, 7:00 AM to 4:00 PM, and Saturday, 7:00 AM to 12:00 PM. The business will be closed on Sundays.

The Ventura County Air Pollution Control District (VCAPCD) has requested to provide an estimate of volatile organic compound (VOC) or reactive organic compound (ROC) emissions resulting from the increase in compost emissions from the open windows as best as can be estimated.

Methodology

The air quality analysis includes a review of pollutant emissions such as carbon monoxide (CO), nitrogen oxides (NO_x), VOC, particulate matter less than 10 micrometers (coarse or PM₁₀), and particulate matter less than 2.5 micrometers (fine or PM_{2.5}).

Operational emissions were estimated for composting fugitive emissions, material handling and grinding fugitive emissions, onsite mobile equipment, and motor vehicles. Regulatory models used to estimate the operational emissions included:

- California Air Pollution Officers Association (CAPCOA) CalEEMod (California Emissions Estimator Model Version 2022.1)² land use emissions model estimates emissions due to demolition and construction activities and operations for land use development.
- California Air Resources Board (CARB) EMFAC2021³ emissions inventory model. EMFAC2021 is the latest emission inventory model that calculates emission inventories and emission rates for motor

¹ Amendments are defined by *Title 14 CCR, Division 7, Chapter 3.1, Article 1, Section 17852(a)(7)* as: *materials added to stabilized or cured compost to provide attributes for certain compost products, such as product bulk, product nutrient value, product pH, and soils blend. Amendments to not include septage, biosolids, or compost feedstock.* Amendments may include, but not limited to agricultural lime, commercial fertilizers, forest products (sawdust, redwood bark), gypsum, lava rock, perlite, and rice hulls.

² California Air Pollution Officers Association, California Emissions Estimator Model User Guide Version 2022.1, April 2022, <http://www.caleemod.com/>

³ California Air Resources Board, EMFAC2021 User's Guide, January 15, 2021, https://ww2.arb.ca.gov/sites/default/files/2021-01/EMFAC202x_Users_Guide_01112021_final.pdf

vehicles operating on roads in California. This model reflects CARB's current understanding of how vehicles travel and how much they emit. EMFAC can be used to show how motor vehicle emissions have changed over time and are projected to change in the future.

- CARB OFFROAD2021⁴ emissions inventory model. OFFROAD is the latest emission inventory model that calculates emission inventories and emission rates for off-road equipment such as loaders, excavators, and off-road haul trucks operating in California. This model reflects CARB's current understanding of how equipment operates and how much it emits. OFFROAD can be used to show how off-road equipment emissions have changed over time and are projected to change in the future.
- USEPA AP-42, Compilation of Air Pollutant Emission Factors, has been published since 1972 as the primary compilation of USEPA's emission factor information. It contains emission factors and process information for more than 200 air pollution source categories. A source category is a specific industry sector or group of similar emitting sources. The emission factors have been developed and compiled from source test data, material balance studies, and engineering estimates.⁵
- Composting emission factors and control factors for Ventura County Conditional Use Permit Applications for composting facilities.⁶

When organic materials decompose, they release several compounds that collectively are considered VOC and ammonia. The uncontrolled active composting emission factors for VOC and ammonia of 3.58 pounds per ton and 0.78 pounds per ton, respectively, were used.⁷ A control efficiency for windrow of 40 and 20 percent, respectively, were used.⁸ The existing and future operating practices include finished compost cover and moisture tests, watering, windrows turning, which provide justifications of the control efficiency. The stockpiling emission factors for VOC and ammonia of 0.2 pounds per ton and 0.02 pounds per ton, respectively, were used.⁹ The finish composting emission factors for VOC and ammonia of 0.01 pounds per ton and 0.001 pounds per ton, respectively, were used.¹⁰ The proposed project would require processing material handling (receiving pile, sorting/conveying, and loading), grinding, screening, and postprocessing material handling (sorting/conveying and loading), which would generate fugitive emissions of PM₁₀ and PM_{2.5}.

4 California Air Resources Board, OFFROAD2021, <https://ww2.arb.ca.gov/sites/default/files/offroadzone/offroadzone.html>

5 United States Environmental Protection Agency, AP 42, Compilation of Air Pollutant Emission Factors, Fifth Edition, Volume I, <https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors>

6 Memorandum from John Harader, VCAPCD Engineering Division, October 13, 2023

7 California Air Resources Board, Emissions Inventory Methodology for Composting Facilities, Table III-1, March 2, 2015

8 Assumes windrow managed per South Coast Air Quality Management District Rule 1133-3.

9 California Air Resources Board, Emissions Inventory Methodology for Composting Facilities, Table III-1, March 2, 2015

10 California Air Resources Board, Emissions Inventory Methodology for Composting Facilities, Table III-1, March 2, 2015

Assumptions

Given the fact that the compost facility has not been designed or engineered, a number of assumptions must be made in order to analyze the potential air quality impacts. This analysis makes the following assumptions:

- The facility would operate 312 days per year.
- The peak daily and annual throughput of organic material (incoming) under the existing operations is 30 tons and 7,800 tons (of which 100 percent is used as feedstock for windrow composting), respectively.
- The peak daily and annual throughput of organic material (incoming) under the future operations would be 90 tons and 23,400 tons, (of which 33 percent would be used as feedstock for windrow composting, 62 percent would be chip and grind, and 5 percent would be soil amendments), respectively.¹¹ Therefore, there is an increase of peak daily and annual throughput of organic material (incoming) under the proposed project operations of 60 tons and 15,600 tons, respectively, or approximately 200 percent increase from existing conditions. However, the increase in throughput is due to chip and grind materials and not feedstock for windrow composting.

Existing Condition	Total Organics	Composts	Chip and Grind	Soil Amendments
Tons/Day	30	30	--	--
Tons/Year	7,800	7,800	--	--
Future Condition	Total Organics	Composts	Chip and Grind	Soil Amendments
Tons/Day	90	30	55.5	4.5
Tons/Year	23,400	7,800	11,430	1,170

- Average feedstock material stockpile time would be 48 hours.
- The existing and future operations use windrow control mechanisms.
- The existing and future operations require three employees (assumed 20-mile round trip per day).
- The existing operations include three daily truck loads with 70 cubic yards per load.
- The future operations would require nine daily truck loads with 70 cubic yards per load.
- For existing and future operations, the truck load round trip distance is 136 miles with the origin at 4730 Tapo Canyon Road in Simi Valley and the destination at 39767 Bouquet Canyon Road in Leona Valley.

For existing operations, off-road equipment emissions were computed using the CARB's OFFROAD emission factors. Existing operations use the following heavy-duty equipment (all equipment are diesel Tier 4 Final emission standards):

- Trommel, 66 horsepower, 5 hours per day, 1,560 hours per year
- Loader, 232 horsepower, 7 hours per day, 2,184 hours per year
- Loader, 124 horsepower, 5 hours per day, 1,560 hours per year

¹¹ The future operations are the project-related operations plus the existing operations.

- Loader, 55 horsepower, 3 hours per day, 936 hours per year
- Truck, 500 horsepower, 5 hours per day, 1,560 hours per year
- Truck, 515 horsepower, 4 hours per day, 1,144 hours per year

For future operations, off-road equipment emissions were computed using the CARB's OFFROAD emission factors. Future operations would use of the following heavy-duty equipment all equipment are diesel Tier 4 Final emission standards)

- Trommel, 130 horsepower, 7 hours per day, 2,184 hours per year
- Loader, 232 horsepower, 8 hours per day, 2,496 hours per year
- Loader, 124 horsepower, 7 hours per day, 2,184 hours per year
- Loader, 55 horsepower, 5 hours per day, 1,560 hours per year
- Truck, 500 horsepower, 7 hours per day, 2,184 hours per year,
- Truck, 515 horsepower, 6 hours per day, 1,716 hours per year
- Truck, 500 horsepower, 7 hours per day, 2,184 hours per year
- Truck, 500 horsepower, 6 hours per day, 1,716 hours per year,
- Forklift, 51 horsepower, 4 hours per day, 1,144 hours per year
- Forklift, 51 horsepower, 4 hours per day, 1,144 hours per year
- Grinder, 750 horsepower, 4 hours per day, 1,040 hours per year

Significance Thresholds

Based on the VCAPCD CEQA Guidelines¹², the CEQA significance threshold for Ventura County are 25 pounds per day for NOx and VOC. However, the City of Simi Valley uses a significance threshold of 13.7 tons per year (equivalent to 75 pounds per day) of NOx and VOC, as directed by the City of Simi Valley City Council.

Emissions Calculations

The following emission estimates are based on the use of windrow control mechanisms. The project-related emissions are the future emissions minus existing emissions. The supporting calculations are provided within the following attachment.

Table 1: Daily Existing Emissions presents the daily existing emissions.

TABLE 1 DAILY EXISTING EMISSIONS					
Emission Source	VOC	NOx	CO	PM10	PM2.5
pounds/day					
Stockpiling and Composting Fugitive Emissions	76.6	--	--	--	--
Material Handling Fugitive Emissions	--	--	--	0.69	0.24
Onroad Mobile Vehicles	0.04	5.92	3.63	0.23	0.08
Offroad Equipment	0.32	2.57	16.6	0.06	0.06
TOTAL	77.0	8.49	20.2	0.98	0.35

Source: RCH Group

Notes: Totals in table may not appear to add exactly due to rounding in the computer model calculations.

Refer to Appendix A.

¹² Ventura County Air Pollution Control District, Ventura County Air Quality Assessment Guidelines, October 2003, <http://www.vcapcd.org/pubs/Planning/VCAQGuidelines.pdf>

Table 2: Daily Future Emissions presents the daily future emissions.

TABLE 2 DAILY FUTURE EMISSIONS						
Emission Source	VOC	NOx	CO	PM10	PM2.5	
	pounds/day					
Stockpiling and Composting Fugitive Emissions	101	--	--	--	--	
Material Handling Fugitive Emissions	--	--	--	1.96	0.67	
Onroad Mobile Vehicles	0.11	17.8	10.9	0.69	0.25	
Offroad Equipment	1.01	6.16	53.8	0.20	0.20	
Grinder Fugitive Emissions	--	--	--	0.47	0.20	
TOTAL	102	23.9	64.7	3.32	1.31	

Source: RCH Group

Notes: Totals in table may not appear to add exactly due to rounding in the computer model calculations.

Refer to Appendix A.

Table 3: Annual Existing Emissions presents the annual existing emissions.

TABLE 3 ANNUAL EXISTING EMISSIONS						
Emission Source	VOC	NOx	CO	PM10	PM2.5	
	tons/year					
Stockpiling and Composting Fugitive Emissions	9.96	--	--	--	--	
Material Handling Fugitive Emissions	--	--	--	0.13	0.04	
Onroad Mobile Vehicles	0.01	0.93	0.57	0.04	0.01	
Offroad Equipment	0.05	0.40	2.53	0.01	0.01	
TOTAL	10.0	1.32	3.10	0.17	0.07	

Source: RCH Group

Notes: Totals in table may not appear to add exactly due to rounding in the computer model calculations.

Refer to Appendix A.

Table 4: Annual Future Emissions presents the annual future emissions.

TABLE 4 ANNUAL FUTURE EMISSIONS						
Emission Source	VOC	NOx	CO	PM10	PM2.5	
	tons/year					
Stockpiling and Composting Fugitive Emissions	13.1	--	--	--	--	
Material Handling Fugitive Emissions	--	--	--	0.36	0.12	
Onroad Mobile Vehicles	0.02	2.78	1.70	0.11	0.04	
Offroad Equipment	0.15	0.90	7.83	0.03	0.03	
Grinder Fugitive Emissions	--	--	--	0.06	0.02	
TOTAL	13.2	3.68	9.53	0.55	0.21	

Source: RCH Group

Notes: Totals in table may not appear to add exactly due to rounding in the computer model calculations.

Refer to Appendix A.

Table 5: Daily Project-Related Emissions presents the daily project-related emissions. The project-related emissions are the future emissions minus existing emissions. The supporting calculations are provided within the following attachment. As shown, the daily project-related emissions are compared to the CEQA significance thresholds. The daily project-related NOx emissions are 15.4 pounds. The daily project-related VOC emissions are 24.8 pounds. The daily project-related VOC and NOx emissions are less than the significance thresholds.

TABLE 5 DAILY PROJECT-RELATED EMISSIONS						
Emission Source	VOC	NOx	CO	PM10	PM2.5	
	pounds/day					
Stockpiling and Composting Fugitive Emissions	24.0	--	--	--	--	
Material Handling Fugitive Emissions	--	--	--	1.27	0.44	
Onroad Mobile Vehicles	0.07	11.8	7.25	0.46	0.16	
Offroad Equipment	0.69	3.59	37.2	0.14	0.14	
Grinder Fugitive Emissions	--			0.47	0.20	
TOTAL	24.8	15.4	44.4	2.34	0.93	
City of Simi Valley Significance Threshold	75	75	--	--	--	
Exceeds Threshold?	NO	NO	--	--	--	
Ventura County Significance Threshold	25	25	--	--	--	
Exceeds Threshold?	NO	NO	--	--	--	

Source: RCH Group

Notes: Totals in table may not appear to add exactly due to rounding in the computer model calculations.

Refer to Appendix A.

Table 6: Annual Project-Related Emissions presents the annual project-related emissions. The project-related emissions are the future emissions minus existing emissions. The supporting calculations are provided within the following attachment. As shown, the annual project-related emissions are compared to the CEQA significance thresholds. The annual project-related NOx emissions are 2.36 tons. The annual project-related VOC emissions are 3.23 tons. The daily project-related VOC and NOx emissions are less than the significance thresholds.

Notably, the significance determination does not account for VOC emissions associated with not sending the facility organic materials to landfills and thus, would be avoided by the operation of the proposed project. In other words, it is potential that the VOC emissions on a county-wide basis would be slightly lower than those reported. However, the increase in throughput is due to chip and grind materials and not feedstock for windrow composting, therefore, the avoided landfill VOC emissions would be minimal.

TABLE 6 ANNUAL PROEJCT-RELATED EMISSIONS						
Emission Source	VOC	NOx	CO	PM10	PM2.5	
	tons/year					
Stockpiling and Composting Fugitive Emissions	3.12	--	--	--	--	
Material Handling Fugitive Emissions	--	--	--	0.23	0.08	
Onroad Mobile Vehicles	0.01	1.85	1.13	0.07	0.03	
Offroad Equipment	0.10	0.50	5.30	0.02	0.02	
Grinder Fugitive Emissions	--	--	--	0.06	0.02	
TOTAL	3.23	2.36	6.43	0.38	0.15	
City of Simi Valley Significance Threshold	13.7	13.7	--	--	--	
Exceeds Threshold?	NO	NO	--	--	--	

Source: RCH Group

Notes: Totals in table may not appear to add exactly due to rounding in the computer model calculations.

Refer to Appendix A.

Greenhouse Gas Emissions

There is international scientific consensus that human-caused increases in greenhouse gases (GHG) have and will continue to contribute to global warming. Potential global warming impacts may include, but are not limited to, loss in snowpack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.

While the presence of the primary GHG in the atmosphere are naturally occurring, carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O) are also emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHG include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are

generated in certain industrial processes. Greenhouse gases are typically reported in “carbon dioxide-equivalent” measures (CO₂e).¹³

GHG emissions would potentially be generated during proposed project operations from composting fugitive emissions, on-site mobile equipment, and motor vehicles. Fugitive emissions arise from CH₄ and N₂O releases during the composting process. CH₄ is produced in anaerobic pockets of a compost pile, while N₂O is a product of nitrification or denitrification. Even though the overall emissions of these two GHG are low relative to CO₂, their emissions are higher because their global warming potential (GWP) is 25 and 298 times greater than CO₂ for CH₄ and N₂O, respectively.

However, as noted previously, the increase in feedstock throughput is due to chip and grind materials and not feedstock for windrow composting. Since composting operations are not increased onsite as a result of the proposed project, the GHG analysis does not quantify emissions from the composting process and only estimated GHG emissions from mobile equipment and motor vehicles. Although the throughput of chip and grind materials would increase, these materials would produce negligible GHG emissions since they do not go through the compost process.

Some counties, cities, and air districts have developed guidance and thresholds for determining the significance of GHG emissions that occur within their jurisdiction. Ventura County is the CEQA lead agency for the proposed project and is, therefore, responsible for determining whether GHG emissions with the proposed project would have a cumulatively considerable contribution to climate change. Ventura County has not adopted thresholds or approaches for evaluating a project’s GHG emissions. However, Ventura County recommends that all projects subject to CEQA review be considered in the context of GHG emissions and climate change impacts, and that CEQA documents include a quantification of GHG emissions from all project sources, as well as minimize and mitigate GHG emissions as feasible. The proposed project would generate GHG emissions through long-term operational activities.

In light of the lack of established GHG emissions thresholds that would apply to the proposed project, CEQA allows lead agencies to identify thresholds of significance applicable to a project that are supported by substantial evidence. Substantial evidence is defined in the CEQA statute to mean “facts, reasonable assumptions predicated on facts, and expert opinion supported by facts” (14 CCR 15384(b)).¹⁴ Substantial evidence can be in the form of technical studies, agency staff reports or opinions, expert opinions supported by facts, and prior CEQA assessments and planning documents. Therefore, to establish additional context in which to consider the order of magnitude of the proposed project’s GHG emissions,

¹³ Because of the differential heat absorption potential of various GHG, emissions are frequently measured in “carbon dioxide-equivalents,” which present a weighted average based on each gas’s heat absorption (or “global warming”) potential.

¹⁴ 14 CCR 15384 provides the following discussion: “Substantial evidence” as used in the Guidelines is the same as the standard of review used by courts in reviewing agency decisions. Some cases suggest that a higher standard, the so called “fair argument standard” applies when a court is reviewing an agency’s decision whether to prepare an EIR. Public Resources Code section 21082.2 was amended in 1993 (Chapter 1131) to provide substantial evidence shall include “facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.” The statute further provides that “argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence.”

this analysis accounts for the following considerations by other government agencies and associations about what levels of GHG emissions constitute a cumulatively considerable incremental contribution to climate change:

- Sacramento Metropolitan Air Quality Management District (SMAQMD) established thresholds, including 1,100 metric tons of CO₂e per year for construction and 10,000 direct metric tons of CO₂e per year from operations.¹⁵
- Placer County Air Pollution Control District (PCAPCD) recommends a tiered approach to determine if a project's GHG emissions would result in a significant impact. First, project GHG emissions are compared to the de minimis level of 1,100 metric tons of CO₂e per year. If a project does not exceed this threshold, it does not have significant GHG emissions. If the project exceeds the de minimis level and does not exceed the 10,000 metric tons of CO₂e per year bright line threshold, then the project's GHG emissions can be compared to the efficiency thresholds.¹⁶
- South Coast Air Quality Management District (SCAQMD) formed a GHG CEQA Significance Threshold Working Group to work with SCAQMD staff on developing GHG CEQA significance thresholds until statewide significance thresholds or guidelines are established. The SCAQMD adopted an interim 10,000 metric tons of CO₂e per-year screening level threshold for stationary source/industrial projects for which the SCAQMD is the lead agency (SCAQMD Resolution No. 08-35, December 5, 2008).

As described, the 10,000 metric tons of CO₂e per year threshold for operations is used by several air districts in the State (for example, SMAQMD, PCAPCD, and SCAQMD) for determining the significance of project-level GHG emissions. Therefore, the proposed project's GHG emissions were compared to the 10,000 metric tons of CO₂e per year threshold for operations. The substantial evidence for this GHG emissions threshold is based on the expert opinion of various California air districts, which have applied the 10,000 metric tons of CO₂e per year thresholds in numerous CEQA documents where those air districts were the lead agency.

During project operations, the mobile equipment and vehicle trips would emit 784 metric tons of CO₂e per year, which is below the significance threshold of 10,000 metric tons of CO₂e per year and thus, would be less than significant impact.

¹⁵ Sacramento Metropolitan Air Quality Management District, Guide to Air Quality Assessment in Sacramento County, May 2018, <https://www.airquality.org/Residents/CEQA-Land-Use-Planning/CEQA-Guidance-Tools>

¹⁶ Placer County Air Pollution Control District, 2017 CEQA Handbook - Chapter 2, Thresholds of Significance. <https://placerair.org/DocumentCenter/View/2047/Chapter-2-Thresholds-of-Significance-PDF>

CERTIFICATION

The contents of this memorandum represent an accurate depiction of the impacts associated for the C&M Top Soil Emissions Inventory. The information contained in this memorandum is based on the best available information at the time of preparation. If you have any questions, please contact me directly at (818) 415-7274.



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Attachment

Emission Calculations

- **Operational Emissions Summary**
- **Operational Material Handling Particulate Emissions - Existing**
- **Operational Material Handling Particulate Emissions - Future**
- **Operational Offroad Equipment Emissions - Existing**
- **Operational Offroad Equipment Emissions - Future**
- **Operational Onroad Mobile Vehicle Emissions - Existing**
- **Operational Onroad Mobile Vehicle Emissions - Future**
- **Operational Stockpiling and Composting Emissions - Existing**
- **Operational Stockpiling and Composting Emissions – Future**
- **Operational Grinder Particulate Emissions – Future**

AQ Emissions Operational Summary - Existing

	Average Daily Emissions (pounds/day)					Annual Emissions (tons/year)					Annual Emissions (metric tons/year)
	ROG	CO	NOX	PM10	PM2.5	ROG	CO	NOX	PM10	PM2.5	CO2
Stockpiling and Composting Fugitive Emissions	76.6					9.96					
Material Handling Fugitive Emissions				0.69	0.24				0.13	0.04	
Onroad Mobile Vehicles	0.04	3.63	5.92	0.23	0.08	0.01	0.57	0.93	0.04	0.01	305
OffRoad Equipment	0.32	16.6	2.57	0.06	0.06	0.05	2.53	0.40	0.01	0.01	394
Total	77.0	20.2	8.49	0.98	0.38	10.0	3.10	1.32	0.17	0.07	699

AQ Emissions Operational Summary - Future

	Average Daily Emissions (pounds/day)					Annual Emissions (tons/year)					Annual Emissions (metric tons/year)
	ROG	CO	NOX	PM10	PM2.5	ROG	CO	NOX	PM10	PM2.5	CO2
Stockpiling and Composting Fugitive Emissions	101					13.1					
Material Handling Fugitive Emissions				1.96	0.67				0.36	0.12	
Onroad Mobile Vehicles	0.11	10.9	17.8	0.69	0.25	0.02	1.70	2.78	0.11	0.04	916
OffRoad Equipment	1.01	53.8	6.16	0.20	0.20	0.15	7.83	0.90	0.03	0.03	567
Grinder Fugitive Emissions				0.47	0.20				0.06	0.02	
Total	102	64.7	23.9	3.32	1.31	13.2	9.53	3.68	0.55	0.21	1483

AQ Emissions Operational Summary - Future minus Existing (Project-related)

	Average Daily Emissions (pounds/day)					Annual Emissions (tons/year)					Annual Emissions (metric tons/year)
	ROG	CO	NOX	PM10	PM2.5	ROG	CO	NOX	PM10	PM2.5	CO2
Stockpiling and Composting Fugitive Emissions	24.0					3.12					
Material Handling Fugitive Emissions				1.27	0.44				0.23	0.08	
Onroad Mobile Vehicles	0.07	7.25	11.8	0.46	0.16	0.01	1.13	1.85	0.07	0.03	611
OffRoad Equipment	0.69	37.2	3.59	0.14	0.14	0.10	5.30	0.50	0.02	0.02	173
Grinder Fugitive Emissions				0.47	0.20				0.06	0.02	
Total	24.8	44.4	15.4	2.34	0.93	3.23	6.43	2.36	0.38	0.15	784

Material Handling and Grinding Fugitive Emissions Summary - Simi Valley American Soil Amendment Products - Existing

Annual Emissions		
Source	PM10 (tons/year)	PM2.5 (tons/year)
PreProcessing Handling	0.08	0.03
PostProcessing Handling	0.04	0.02
Total	0.13	0.04

Daily Emissions		
Source	PM10 (lbs/day)	PM2.5 (lbs/day)
PreProcessing	0.47	0.15
PostProcessing	0.23	0.09
Total	0.69	0.24

PreProcessing Fugitive Emissions

Sources: Pre-Processing Material Handling (Receiving Pile, Sorting/Conveying, and Loading)
Grinding

Tons Per Day (Avg Daily)	Tons Per Year (Annual)
30	7800
30	7800

Unloading/Batch Drop Transfer

Emission Factors:	$E = k * (0.0032) * [(U/5)^{-1.5}] / [(M/2)^{-1.4}]$	Where E = emission factor (lb/ton) k = particle size multiplier = 0.35, for PM10 k = particle size multiplier = 0.053, for PM2.5 U = mean wind speed (mph) = 7.1 for Sonoma County Airport M = material moisture content (%) = 2%
PM10 (lb/ton)	$= 0.35(0.0032) * [(7.1/5)^{-1.5}] / [(2/2)^{-1.4}]$ $= 0.35(0.0032) * [1.5775/1]$ 0.0018	
PM2.5 (lb/ton)	$= 0.053(0.0032) * [(7.1/5)^{-1.5}] / [(2/2)^{-1.4}]$ $= 0.053(0.0032) * [1.5775/1]$ 0.0003	(minimum expected throughout all processing steps, likely to be higher for fresh greenwaste)

Source: AP42 Section 13.2.4 Aggregate Handling and Storage Piles Table 13.2.4-1 November 2006
The equation is appropriate for material silt contents ranging from 0.44%-19%.
From Table 13.2.4-1, silt content for miscellaneous landfill fill materials are about 12%.

Daily Emissions

Source	Detail	Amount Processed (tons/day)	PM10 EF (lbs/ton)	PM10 Emissions (lbs/day)	PM2.5 EF (lbs/ton)	PM2.5 Emissions (lbs/day)
	Incoming Feedstock Pile	30		0.0018	0.054	0.0003
	Stockpile to Conveyor Hopper	30		0.0018	0.054	0.0003
	Conveyors	30		0.0011	0.033	0.00031
	Grinder	30		0.0144	0.216	0.0072
	Processed Pile	30		0.0018	0.054	0.0003
	Processed Pile Loaded/Blended into Composting	30		0.0018	0.054	0.0003
Total				0.465		

Conveyor
Emissions Factors
0.108
PM10 (lb/ton)
PM2.5 (lb/ton)

0.0011

0.00031

Source: AP42 Section 11.19.2 Table 11.19.2-2 Uncontrolled Conveyor Transfer Point
*Estimated Uncontrolled PM2.5 emission factor by multiplying ratio of PM2.5/PM10 for controlled transfer

Annual Emissions

Source	Detail	Amount Processed (tons/year)	PM10 EF (lbs/ton)	PM10 Emissions (tons/year)	PM2.5 EF (lbs/ton)	PM2.5 Emissions (tons/year)
	Incoming Feedstock Pile	7800		0.0018	0.009855	0.0003
	Stockpile to Conveyor Hopper	7800		0.0018	0.009855	0.0003
	Conveyors	7800		0.0011	0.0060225	0.00031
	Grinder	7800		0.0144	0.03942	0.0072
	Processed Pile	7800		0.0018	0.009855	0.0003
	Processed Pile Loaded/Blended into Composting	7800		0.0018	0.009855	0.0003
Total				0.0848625		

Grinder
Emissions Factors
PM10 (lb/ton)
PM2.5 (lb/ton)
Note: Water suppression assumed to provide 50% abatement of particulate emissions
Source: AP42 Section 10.3 Plywood Veneer and Layout Operations Table 10.3-1 for debarking
Note: Assuming 60% of emissions are PM10 with a 50% fraction of PM2.5

$= [0.024 \text{ lb-TSP/ton}] * (0.60 \text{ lb-PM10/lb-TSP})$

0.0144 lb/ton

$= [0.024 \text{ lb-TSP/ton}] * (0.60 \text{ lb-PM10/lb-TSP}) * (0.5 \text{ lb-PM10/lb-PM2.5})$

0.0072 lb/ton

PostProcessing Fugitive Emissions		Tons Per Day (Avg Daily)	Tons Per Year (Annual)	Finished Compost Material (Maximum Daily)	Finished Compost Material (Annual)	Unloading/Batch Drop Transfer	
Sources:	Screening		40	12480	20	6240	Emission Factors: $E = k * (0.0032)^k * [(U/5)^{1-3}] / [(M/2)^{1-4}]$ Where
	Post-Processing Material Handling (Conveying, Finished Compost Pile, and Loading)		40	12480	20	6240	E = emission factor (lb/ton)
				Finished Compost:	0	0	k = particle size multiplier = 0.35, for PM10
				Overs:	15	4680	k = particle size multiplier = 0.053, for PM2.5
					5	1560	U = mean wind speed (mph) = 7.1 for Sonoma County Airport
							M = material moisture content (%) = 2%
							(minimum expected throughout all processing steps, likely to be higher for fresh greenwaste)
							AP42 Section 13.2.4 Aggregate Handling and Storage Piles Table 13.2.4-1 November 2006
							The equation is appropriate for material silt contents ranging from 0.44%-19%.
							From Table 13.2.4-1, silt content for miscellaneous landfill fill materials are about 12%.
Daily Emissions		Amount Processed (tons/day)	PM10 EF (lbs/ton)	PM10 Emissions (lbs/day)	PM2.5 EF (lbs/ton)	PM2.5 Emissions (lbs/day)	
Source	Detail						
	Loader to Screener	20.00	0.0018	0.036	0.0003	0.006	
	Screener	20.00	0.0144	0.144	0.0072	0.072	Conveyor
	Conveyors	20.00	0.000046	0.00092	0.000013	0.00026	Emissions Factors
	Piles to sortline (overs) and to Conveyor (unders)	20.00	0.0018	0.018	0.0003	0.003	
	Conveyor to Finished Compost Pile	15.00	0.000046	0.00069	0.000013	0.000195	PM10 (lb/ton)
	Finished Compost Pile Loaded into Outgoing Truck	15.00	0.0018	0.027	0.0003	0.0045	PM2.5 (lb/ton)
Total				0.22661		0.085955	Source: AP42 Section 11.19.2 Table 11.19.2-2 Conveyor Transfer Point (conveyors are covered)
Annual Emissions		Amount Processed (tons/year)	PM10 EF (lbs/ton)	PM10 Emissions (tons/year)	PM2.5 EF (lbs/ton)	PM2.5 Emissions (tons/year)	
Source	Detail						
	Loader to Screener	6240.00	0.0018	0.00657	0.0003	0.001095	Screener
	Screener	6240.00	0.0144	0.02628	0.0072	0.01314	Emissions Factors
	Conveyors	6240.00	0.000046	0.0001679	0.000013	0.00004745	PM10 (lb/ton)
	Piles to sortline (overs) and to Conveyor (unders)	6240.00	0.0018	0.003285	0.0003	0.0005475	$=[(0.024 \text{ lb-TSP/ton}) * (0.60 \text{ lb-PM10/lb-TSP})]$
	Conveyor to Finished Compost Pile	4680.00	0.000046	0.000125925	0.000013	3.55875E-05	PM2.5 (lb/ton)
	Finished Compost Pile Loaded into Outgoing Truck	4680.00	0.0018	0.0049275	0.0003	0.00082125	$=[(0.024 \text{ lb-TSP/ton}) * (0.60 \text{ lb-PM10/lb-TSP}) * (0.5 \text{ lb-PM10/lb-PM2.5})]$
Total				0.041356325		0.015686788	Note: Water suppression assumed to provide 50% abatement of particulate emissions
							Source: AP42 Section 10.3 Plywood Veneer and Layout Operations Table 10.3-1 for debarking
							Note: Assuming 60% of emissions are PM10 with a 50% faction of PM2.5

Material Handling and Grinding Fugitive Emissions Summary - Simi Valley American Soil Amendment Products - Future

Annual Emissions		
Source	PM10 (tons/year)	PM2.5 (tons/year)
PreProcessing Handling	0.25	0.08
PostProcessing Handling	0.10	0.04
Total	0.36	0.12

Daily Emissions		
Source	PM10 (lbs/day)	PM2.5 (lbs/day)
PreProcessing	1.40	0.46
PostProcessing	0.57	0.21
Total	1.96	0.67

PreProcessing Fugitive Emissions

Sources: Pre-Processing Material Handling (Receiving Pile, Sorting/Conveying, and Loading)
Grinding

Tons Per Day (Avg Daily)	Tons Per Year (Annual)
90	23400
90	23400

Unloading/Batch Drop Transfer

Emission Factors:	$E = k * (0.0032) * [(U/5)^{-1.5}] / [(M/2)^{-1.4}]$	Where E = emission factor (lb/ton) k = particle size multiplier = 0.35, for PM10 k = particle size multiplier = 0.053, for PM2.5 U = mean wind speed (mph) = 7.1 for Sonoma County Airport M = material moisture content (%) = 2%
PM10 (lb/ton)	$= 0.35(0.0032) * [(7.1/5)^{-1.5}] / [(2/2)^{-1.4}]$ $= 0.35(0.0032) * [1.5775/1]$ 0.0018	
PM2.5 (lb/ton)	$= 0.053(0.0032) * [(7.1/5)^{-1.5}] / [(2/2)^{-1.4}]$ $= 0.053(0.0032) * [1.5775/1]$ 0.0003	(minimum expected throughout all processing steps, likely to be higher for fresh greenwaste)

Source: AP42 Section 13.2.4 Aggregate Handling and Storage Piles Table 13.2.4-1 November 2006
The equation is appropriate for material silt contents ranging from 0.44%-19%.
From Table 13.2.4-1, silt content for miscellaneous landfill fill materials are about 12%.

Daily Emissions

Source	Detail	Amount Processed (tons/day)	PM10 EF (lbs/ton)	PM10 Emissions (lbs/day)	PM2.5 EF (lbs/ton)	PM2.5 Emissions (lbs/day)
	Incoming Feedstock Pile	90	0.0018	0.162	0.0003	0.027
	Stockpile to Conveyor Hopper	90	0.0018	0.162	0.0003	0.027
	Conveyors	90	0.0011	0.099	0.00031	0.0279
	Grinder	90	0.0144	0.648	0.0072	0.324
	Processed Pile	90	0.0018	0.162	0.0003	0.027
	Processed Pile Loaded/Blended into Composting	90	0.0018	0.162	0.0003	0.027
Total				1.395		0.4599

Conveyor Emissions Factors

PM10 (lb/ton)	0.0011
PM2.5 (lb/ton)	0.00031

Source: AP42 Section 11.19.2 Table 11.19.2-2 Uncontrolled Conveyor Transfer Point
*Estimated Uncontrolled PM2.5 emission factor by multiplying ratio of PM2.5/PM10 for controlled transfer

Annual Emissions

Source	Detail	Amount Processed (tons/year)	PM10 EF (lbs/ton)	PM10 Emissions (tons/year)	PM2.5 EF (lbs/ton)	PM2.5 Emissions (tons/year)
	Incoming Feedstock Pile	23400	0.0018	0.029565	0.0003	0.0049275
	Stockpile to Conveyor Hopper	23400	0.0018	0.029565	0.0003	0.0049275
	Conveyors	23400	0.0011	0.0180675	0.00031	0.00509175
	Grinder	23400	0.0144	0.11826	0.0072	0.05913
	Processed Pile	23400	0.0018	0.029565	0.0003	0.0049275
	Processed Pile Loaded/Blended into Composting	23400	0.0018	0.029565	0.0003	0.0049275
Total				0.2545875		0.08393175

Grinder Emissions Factors

PM10 (lb/ton)	$= [(0.024 \text{ lb-TSP/ton}) * (0.60 \text{ lb-PM10/lb-TSP})]$ 0.0144
PM2.5 (lb/ton)	$= [(0.024 \text{ lb-TSP/ton}) * (0.60 \text{ lb-PM10/lb-TSP}) * (0.5 \text{ lb-PM10/lb-PM2.5})]$ 0.0072

Note: Water suppression assumed to provide 50% abatement of particulate emissions
Source: AP42 Section 10.3 Plywood Veneer and Layout Operations Table 10.3-1 for debarking
Note: Assuming 60% of emissions are PM10 with a 50% fraction of PM2.5

PostProcessing Fugitive Emissions		Tons Per Day (Avg Daily)	Tons Per Year (Annual)	Finished Compost Material (Maximum Daily)	Finished Compost Material (Annual)	Unloading/Batch Drop Transfer	
Sources:	Screening		100	31200	50	15600	Emission Factors: $E = k \cdot (0.0032)^k \cdot [(U/5)^{1-3}] / [(M/2)^{1-4}]$ Where
	Post-Processing Material Handling (Conveying, Finished Compost Pile, and Loading)		100	31200	50	15600	E = emission factor (lb/ton)
				Finished Compost:	0	0	k = particle size multiplier = 0.35, for PM10
				Overs:	38	11700	k = particle size multiplier = 0.053, for PM2.5
					12.5	3900	U = mean wind speed (mph) = 7.1 for Sonoma County Airport
							M = material moisture content (%) = 2%
							(minimum expected throughout all processing steps, likely to be higher for fresh greenwaste)
							Source: AP42 Section 13.2.4 Aggregate Handling and Storage Piles Table 13.2.4-1 November 2006
							The equation is appropriate for material silt contents ranging from 0.44%-19%.
							From Table 13.2.4-1, silt content for miscellaneous landfill fill materials are about 12%.
Daily Emissions		Amount Processed (tons/day)	PM10 EF (lbs/ton)	PM10 Emissions (lbs/day)	PM2.5 EF (lbs/ton)	PM2.5 Emissions (lbs/day)	
Source	Detail						
	Loader to Screener	50.00	0.0018	0.09	0.0003	0.015	
	Screener	50.00	0.0144	0.36	0.0072	0.18	Conveyor
	Conveyors	50.00	0.000046	0.0023	0.000013	0.00065	Emissions Factors
	Piles to sortline (overs) and to Conveyor (unders)	50.00	0.0018	0.045	0.0003	0.0075	
	Conveyor to Finished Compost Pile	37.50	0.000046	0.001725	0.000013	0.0004875	PM10 (lb/ton)
	Finished Compost Pile Loaded into Outgoing Truck	37.50	0.0018	0.0675	0.0003	0.01125	PM2.5 (lb/ton)
Total				0.566525		0.2148875	Source: AP42 Section 11.19.2 Table 11.19.2-2 Conveyor Transfer Point (conveyors are covered)
Annual Emissions		Amount Processed (tons/year)	PM10 EF (lbs/ton)	PM10 Emissions (tons/year)	PM2.5 EF (lbs/ton)	PM2.5 Emissions (tons/year)	
Source	Detail						
	Loader to Screener	15600.00	0.0018	0.016425	0.0003	0.0027375	Screener
	Screener	15600.00	0.0144	0.0657	0.0072	0.03285	Emissions Factors
	Conveyors	15600.00	0.000046	0.00041975	0.000013	0.00018625	PM10 (lb/ton)
	Piles to sortline (overs) and to Conveyor (unders)	15600.00	0.0018	0.0082125	0.0003	0.00136875	lb/ton
	Conveyor to Finished Compost Pile	11700.00	0.000046	0.000314813	0.000013	8.89688E-05	PM2.5 (lb/ton)
	Finished Compost Pile Loaded into Outgoing Truck	11700.00	0.0018	0.01231875	0.0003	0.002053125	lb/ton
Total				0.103390813		0.039216969	Note: Water suppression assumed to provide 50% abatement of particulate emissions
							Source: AP42 Section 10.3 Plywood Veneer and Layout Operations Table 10.3-1 for debarking
							Note: Assuming 60% of emissions are PM10 with a 50% faction of PM2.5

Offroad Equipment Combustion Emissions - Simi Valley American Soil Amendment Products - Existing

Equipment Type	Quantity	Horsepower	Hours Per Day	Hours Per Year	Engine Tier	Load Factor	Emission Factor (g/hp-hour)					Daily Emissions (lbs/day)					Annual Emissions (tons/year)					Annual Emissions (metric tons/year)				
							ROG	NOx	PM10	PM2.5	CO	CO2	CH4	ROG	NOx	PM10	PM2.5	CO	ROG	NOx	PM10	PM2.5	CO	CO2	CH4	CO2e
Trommel	1	66	5	1,560	T4	0.38	0.09	2.74	0.01	0.01	3.70	470	0.15	0.02	0.76	0.00	0.00	1.02	0.00	0.12	0.00	0.00	0.16	18	0.01	19
Loader 1	1	232	7	2,184	T4	0.36	0.05	0.26	0.01	0.01	2.60	470	0.15	0.06	0.34	0.01	0.01	3.35	0.01	0.05	0.00	0.00	0.52	86	0.03	87
Loader 2	1	124	5	1,560	T4	0.36	0.05	0.26	0.01	0.01	3.70	470	0.15	0.02	0.13	0.00	0.00	1.82	0.00	0.02	0.00	0.00	0.26	33	0.01	33
Loader 3	1	55	3	936	T4	0.36	0.09	2.74	0.01	0.01	3.70	470	0.15	0.01	0.36	0.00	0.00	0.48	0.00	0.06	0.00	0.00	0.08	9	0.00	9
Truck 1	1	500	5	1,560	T4	0.38	0.05	0.26	0.01	0.01	2.60	470	0.15	0.10	0.54	0.02	0.02	5.45	0.02	0.08	0.00	0.00	0.85	139	0.05	141
Truck 2	1	515	4	1,144	T4	0.38	0.05	0.26	0.01	0.01	2.60	470	0.15	0.09	0.45	0.02	0.02	4.49	0.01	0.06	0.00	0.00	0.64	105	0.03	106
														0.32	2.57	0.06	0.06	16.6	0.05	0.40	0.01	0.01	2.53	390	0.13	394

Offroad Equipment Combustion Emissions - Simi Valley American Soil Amendment Products - Future

Equipment Type	Quantity	Horsepower	Hours Per Day	Hours Per Year	Engine Tier	Load Factor	Emission Factor (g/hp-hour)					Daily Emissions (lbs/day)					Annual Emissions (tons/year)					Annual Emissions (metric tons/year)				
							ROG	NOx	PM10	PM2.5	CO	CO2	CH4	ROG	NOx	PM10	PM2.5	CO	ROG	NOx	PM10	PM2.5	CO	CO2	CH4	CO2e
Trommel	1	130	7	2,184	T4	0.38	0.05	0.26	0.01	0.01	3.70	470	0.15	0.04	0.20	0.01	0.01	2.82	0.01	0.03	0.00	0.00	0.44	51	0.02	51
Loader 1	1	232	8	2,496	T4	0.36	0.05	0.26	0.01	0.01	2.60	470	0.15	0.07	0.38	0.01	0.01	3.83	0.01	0.06	0.00	0.00	0.60	98	0.03	99
Loader 2	1	124	7	2,184	T4	0.36	0.05	0.26	0.01	0.01	3.70	470	0.15	0.03	0.18	0.01	0.01	2.55	0.01	0.03	0.00	0.00	0.40	46	0.01	46
Loader 3	1	55	5	1,560	T4	0.36	0.09	2.74	0.01	0.01	3.7000	470	0.15	0.02	0.60	0.00	0.00	0.81	0.00	0.09	0.00	0.00	0.13	15	0.00	15
Truck 1	1	500	7	2,184	T4	0.38	0.05	0.26	0.01	0.01	2.60	470	0.15	0.15	0.76	0.03	0.03	7.62	0.02	0.12	0.00	0.00	1.19	195	0.06	197
Truck 2	1	515	6	1,716	T4	0.38	0.05	0.26	0.01	0.01	2.60	470	0.15	0.13	0.67	0.03	0.03	6.73	0.02	0.10	0.00	0.00	0.96	158	0.05	159
Truck 3	1	500	7	2,184	T4	0.38	0.05	0.26	0.01	0.01	2.60	470	0.15	0.15	0.76	0.03	0.03	7.62	0.02	0.12	0.00	0.00	1.19	195	0.06	197
Truck 4	1	500	6	1,716	T4	0.38	0.05	0.26	0.01	0.01	2.60	470	0.15	0.13	0.65	0.03	0.03	6.53	0.02	0.09	0.00	0.00	0.93	153	0.05	155
Forklift 1	1	51	4	1,144	T4	0.20	0.09	2.74	0.01	0.01	3.7000	470	0.15	0.01	0.25	0.00	0.00	0.33	0.00	0.04	0.00	0.00	0.05	5	0.00	6
Forklift 2	1	51	4	1,144	T4	0.20	0.09	2.74	0.01	0.01	3.7000	470	0.15	0.01	0.25	0.00	0.00	0.33	0.00	0.04	0.00	0.00	0.05	5	0.00	6
Grinder	1	750	4	1,040	T4	0.85	0.05	0.26	0.01	0.01	2.60	470	0.15	0.28	1.46	0.06	0.06	14.6	0.04	0.19	0.01	0.01	1.90	312	0.10	314
														1.01	6.16	0.20	0.20	53.8	0.15	0.90	0.03	0.03	7.83	562	0.18	567

Motor Vehicle Combustion Emissions - Simi Valley American Soil Amendment Products - Existing

	Vehicles	Average RT VMT	Daily VMT	Emission Factor (g/mile)								Daily Emissions (pounds/day)					Annual Emissions (tons/year)								Annual Emissions (metric tons/year)
				ROG	CO	NOX	CO2	CH4	N2O	PM10	PM2.5	ROG	CO	NOX	PM10	PM2.5	ROG	CO	NOX	CO2	CH4	N2O	PM10	PM2.5	CO2e
Employee Vehicles	3	20	60	0.01	0.75	0.11	299	0.00	0.01	0.02	0.01	0.00	0.10	0.01	0.00	0.00	0.00	0.02	0.00	6	0.00	0.00	0.00	0.00	6
Haul Trucks	3	136	408	0.04	3.92	6.56	2,231	0.61	0.38	0.25	0.09	0.04	3.53	5.90	0.23	0.08	0.01	0.55	0.92	314	0.09	0.05	0.04	0.01	300
Total												0.04	3.63	5.92	0.23	0.08	0.01	0.57	0.93	320	0.09	0.05	0.04	0.01	305

Motor Vehicle Combustion Emissions - Simi Valley American Soil Amendment Products - Future

	Vehicles	Average RT VMT	Daily VMT	Emission Factor (g/mile)								Daily Emissions (pounds/day)					Annual Emissions (tons/year)								Annual Emissions (metric tons/year)
				ROG	CO	NOX	CO2	CH4	N2O	PM10	PM2.5	ROG	CO	NOX	PM10	PM2.5	ROG	CO	NOX	CO2	CH4	N2O	PM10	PM2.5	CO2e
Employee Vehicles	9	20	180	0.01	0.75	0.11	299	0.00	0.01	0.02	0.01	0.01	0.30	0.04	0.01	0.00	0.00	0.05	0.01	19	0.00	0.00	0.00	0.00	17
Haul Trucks	9	136	1224	0.04	3.92	6.56	2,231	0.61	0.38	0.25	0.09	0.11	10.6	17.7	0.68	0.24	0.02	1.66	2.77	942	0.26	0.16	0.11	0.04	899
Total												0.11	10.9	17.8	0.69	0.25	0.02	1.70	2.78	960	0.26	0.16	0.11	0.04	916

POC and NH3 Potential to Emit - Simi Valley American Soil Amendment Products - Existing

Annual Emissions		
Source	POC (tons/year)	NH3 (tons/year)
Stockpiling	1.56	0.16
Composting	8.38	2.43
Finishing	0.02	0.00
Total	9.96	2.59

Daily Emissions		
Source	POC (lbs/day)	NH3 (lbs/day)
Stockpiling	12.0	1.20
Composting	64.4	18.7
Finishing	0.18	0.02
Total	76.6	19.9

Stockpiling Emissions		Tons Per Day (Avg Daily)	Tons Per Year (Annual)							
Sources:	Receiving Pile		30.00	7800	Emission Factors:	POC	0.2 lbs/ wet ton/ day			
						NH3	0.02 lbs/ wet ton/ day			
					Source:	CARB, ARB Emissions Inventory Methodology for Composting Facilities, 2015				
					Source:	SCAQMD, Technology Assessment for Proposed Rule 1133, March 2002.				
Daily Emissions										
	Amount Processed (tons/day)	Average Stockpile Time (days)	POC Emission Factor (lbs/ton/day)	POC Emissions (lbs/day)	NH3 Emission Factor (lbs/ton/day)	NH3 Emissions (lbs/day)	POC Potential To Emit (lbs/day)		NH3 Potential to Emit (lbs/day)	
	30.00	2	0.2	12.00	0.02	1.20	12.00		1.20	
Annual Emissions										
	Amount Processed (tons/year)	Average Stockpile Time (days)	POC Emission Factor (lbs/ton/day)	POC Emissions (tons/year)	NH3 Emission Factor (lbs/ton/day)	NH3 Emissions (tons/year)	POC Potential To Emit (tons/year)		NH3 Potential to Emit (tons/year)	
	7800	2	0.2	1.56	0.02	0.16	1.56		0.16	

Composting Emissions			Tons Per Day (Avg Daily)		Tons Per Year (Annual)		Emission Factors:				POC		3.58 lbs/ wet ton						
Sources: Active Composting			30.00		7800		NH3				POC		0.78 lbs/ wet ton						
Source: CARB, ARB Emissions Inventory Methodology for Composting Facilities, 2015.																			
Daily Emissions																			
Amount Processed (tons/day)		POC Emission Factor (lbs/ton processed)		POC Emissions (lbs/day)		NH3 Emissions Factor (lbs/ton processed)		NH3 Emissions (lbs/day)		Windrow CE for POC		Windrow CE for NH3		POC Potential To Emit (lbs/day)		NH3 Potential to Emit (lbs/day)			
30.00				3.58		107.40		0.78		23.40		40%		20%		64.44		18.72	
Annual Emissions																			
Amount Processed (tons/year)		POC Emission Factor (lbs/ton processed)		POC Emissions (tons/year)		NH3 Emissions Factor (lbs/ton processed)		NH3 Emissions (tons/year)		Windrow CE for POC		Windrow CE for NH3		POC Potential To Emit (tons/year)		NH3 Potential to Emit (tons/year)			
7800				3.58		13.96		0.78		3.04		40%		20%		8.38		2.43	
Daily Emissions																			
Amount Processed (tons/day)		POC Emission Factor (lbs/ton processed)		POC Emissions (lbs/day)		NH3 Emissions Factor (lbs/ton processed)		NH3 Emissions (lbs/day)		Covered Aerated Static Pile CE f		Covered Aerated Static Pile CE f		POC Potential To Emit (lbs/day)		NH3 Potential to Emit (lbs/day)			
30.00				3.58		107.40		0.78		23.40		90%		70%		10.74		7.02	
Annual Emissions																			
Amount Processed (tons/year)		POC Emission Factor (lbs/ton processed)		POC Emissions (tons/year)		NH3 Emissions Factor (lbs/ton processed)		NH3 Emissions (tons/year)		Covered Aerated Static Pile CE f		Covered Aerated Static Pile CE f		POC Potential To Emit (tons/year)		NH3 Potential to Emit (tons/year)			
7800				3.58		13.96		0.78		3.04		90%		70%		1.40		0.91	

Composting Emissions		Tons Per Day (Avg Daily)		Tons Per Year (Annual)				Emission Factors:		POC		0.01 lbs/ wet ton	
Sources: Finish Composting		30.00		7800				NH3		NH3		0.001 lbs/ wet ton	
										Source: CARB, ARB Emissions Inventory Methodology for Composting Facilities, 2015.			
Daily Emissions													
Amount Processed (tons/day)	POC Emission Factor (lbs/ton processed)	POC Emissions (lbs/day)	NH3 Emissions Factor (lbs/ton processed)	NH3 Emissions (lbs/day)	Windrow CE for POC	Windrow CE for NH3	POC Potential To Emit (lbs/day)	NH3 Potential To Emit (lbs/day)					
30.00	0.01	0.30	0.00	0.03	40%	20%	0.18	0.02					
Annual Emissions													
Amount Processed (tons/year)	POC Emission Factor (lbs/ton processed)	POC Emissions (tons/year)	NH3 Emissions Factor (lbs/ton processed)	NH3 Emissions (tons/year)	Windrow CE for POC	Windrow CE for NH3	POC Potential To Emit (tons/year)	NH3 Potential To Emit (tons/year)					
7800	0.01	0.04	0.00	0.00	40%	20%	0.02	0.00					
Daily Emissions													
Amount Processed (tons/day)	POC Emission Factor (lbs/ton processed)	POC Emissions (lbs/day)	NH3 Emissions Factor (lbs/ton processed)	NH3 Emissions (lbs/day)	Covered Aerated Static Pile CE f	Covered Aerated Static Pile CE f	POC Potential To Emit (lbs/day)	NH3 Potential To Emit (lbs/day)					
30.00	0.01	0.30	0.00	0.03	90%	70%	0.03	0.01					
Annual Emissions													
Amount Processed (tons/year)	POC Emission Factor (lbs/ton processed)	POC Emissions (tons/year)	NH3 Emissions Factor (lbs/ton processed)	NH3 Emissions (tons/year)	Covered Aerated Static Pile CE f	Covered Aerated Static Pile CE f	POC Potential To Emit (tons/year)	NH3 Potential To Emit (tons/year)					
7800	0.01	0.04	0.00	0.00	90%	70%	0.00	0.00					

POC and NH3 Potential to Emit - Simi Valley American Soil Amendment Products - Future

Annual Emissions		
Source	POC (tons/year)	NH3 (tons/year)
Stockpiling	4.68	0.47
Composting	8.38	2.43
Finishing	0.02	0.00
Total	13.1	2.90

Daily Emissions		
Source	POC (lbs/day)	NH3 (lbs/day)
Stockpiling	36.0	3.60
Composting	64.4	18.7
Finishing	0.18	0.02
Total	101	22.3

Stockpiling Emissions		Tons Per Day (Avg Daily)	Tons Per Year (Annual)						
Sources:	Receiving Pile	90.00	23400		Emission Factors:	POC	0.2 lbs/ wet ton/ day		
						NH3	0.02 lbs/ wet ton/ day		
					Source:	CARB, ARB Emissions Inventory Methodology for Composting Facilities, 2015			
					Source:	SCAQMD, Technology Assessment for Proposed Rule 1133, March 2002.			
Daily Emissions									
	Amount Processed (tons/day)	Average Stockpile Time (days)	POC Emission Factor (lbs/ton/day)	POC Emissions (lbs/day)	NH3 Emission Factor (lbs/ton/day)	NH3 Emissions (lbs/day)	POC Potential To Emit (lbs/day)	NH3 Potential to Emit (lbs/day)	
	90.00	2	0.2	36.00	0.02	3.60	36.00	3.60	
Annual Emissions									
	Amount Processed (tons/year)	Average Stockpile Time (days)	POC Emission Factor (lbs/ton/day)	POC Emissions (tons/year)	NH3 Emission Factor (lbs/ton/day)	NH3 Emissions (tons/year)	POC Potential To Emit (tons/year)	NH3 Potential to Emit (tons/year)	
	23400	2	0.2	4.68	0.02	0.47	4.68	0.47	

Composting Emissions		Tons Per Day (Avg Daily)		Tons Per Year (Annual)				Emission Factors:		POC		3.58 lbs/ wet ton	
Sources:	Active Composting		30.00		7800			NH3				0.78 lbs/ wet ton	
										Source:		CARB, ARB Emissions Inventory Methodology for Composting Facilities, 2015.	
Daily Emissions													
Amount Processed (tons/day)		POC Emission Factor (lbs/ton processed)		POC Emissions (lbs/day)		NH3 Emissions Factor (lbs/ton processed)		NH3 Emissions (lbs/day)		Windrow CE for POC		Windrow CE for NH3	
30.00				3.58		107.40		0.78		23.40		40%	
										20%		POC Potential To Emit (lbs/day)	
												64.44	
												NH3 Potential to Emit (lbs/day)	
												18.72	
Annual Emissions													
Amount Processed (tons/year)		POC Emission Factor (lbs/ton processed)		POC Emissions (tons/year)		NH3 Emissions Factor (lbs/ton processed)		NH3 Emissions (tons/year)		Windrow CE for POC		Windrow CE for NH3	
7800				3.58		13.96		0.78		3.04		40%	
										20%		POC Potential To Emit (tons/year)	
												8.38	
												NH3 Potential to Emit (tons/year)	
												2.43	

Composting Emissions		Tons Per Day (Avg Daily)	Tons Per Year (Annual)				Emission Factors:		POC	0.01 lbs/ wet ton
Sources:	Finish Composting	30.00	7800						NH3	0.001 lbs/ wet ton
Source:										CARB, ARB Emissions Inventory Methodology for Composting Facilities, 2015.
Daily Emissions										
Amount Processed (tons/day)	POC Emission Factor (lbs/ton processed)	POC Emissions (lbs/day)	NH3 Emissions Factor (lbs/ton processed)	NH3 Emissions (lbs/day)	Windrow CE for POC	Windrow CE for NH3	POC Potential To Emit (lbs/day)	NH3 Potential to Emit (lbs/day)		
30.00		0.01	0.30	0.00	0.03	40%	20%	0.18	0.02	
Annual Emissions										
Amount Processed (tons/year)	POC Emission Factor (lbs/ton processed)	POC Emissions (tons/year)	NH3 Emissions Factor (lbs/ton processed)	NH3 Emissions (tons/year)	Windrow CE for POC	Windrow CE for NH3	POC Potential To Emit (tons/year)	NH3 Potential to Emit (tons/year)		
7800		0.01	0.04	0.00	0.00	40%	20%	0.02	0.00	

Grinder Fugitive Dust Emissions - Simi Valley American Soil Amendment Products

$PM_{10} \text{ (lb/yr)} = \text{Throughput (tons/yr)}(0.024 \text{ lb TSP/ton})(0.60 \text{ lb } PM_{10}/\text{lb TSP})(0.50)$

$PM_{2.5} \text{ (lb/yr)} = \text{Throughput (tons/yr)}(0.024 \text{ lb TSP/ton})(0.25 \text{ lb } PM_{2.5}/\text{lb TSP})(0.50)$

0.06 PM_{10} tons per year 15,600 throughput (tons/year)

0.02 $PM_{2.5}$ tons per year 313 days per year

0.47 PM_{10} pounds per day 60 throughput (tons/day)

0.20 $PM_{2.5}$ pounds per day

To approximate the particulate emissions for wood grinding, the emission factor for “Log Debarking” from a previous edition of AP-42, Approximately 60% of the particulate emissions are assumed to be PM_{10} . Water suppression will also provide 50% abatement of particulate emissions.

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Interested Parties

DATE: October 13, 2023

FROM: John Harader, VCAPCD Engineering Division

SUBJECT: Preliminary VCAPCD Emission Factors

The following composting emission factors and control factors have been utilized and accepted for Ventura County Conditional Use Permit Applications for composting facilities.

Emission Factor (EF)

	ROC	NH3	Source
Composting	3.58 lb/wet ton	0.78 lb/wet ton	ARB Emissions Inventory Methodology for Composting Facilities, Table III-1(3/2/2015)

Control Efficiency (CE)

	ROC	NH3	Comment
Windrow Composting	40%	20%	Assumes windrow managed per SCAQMD Rule 1133-3
Covered Aerated Static Pile (CASP) Composting	90%	70%	Assumes positive air, CARB control factor

Emissions (TPY) = (T-put)(EF)(1 – CE)

T-put = Throughput in wet tons/year



Ventura County
Air Pollution
Control District

4567 Telephone Rd
Ventura, California 93003

tel 805/303-4005
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www.vcapcd.org

Ali Reza Ghasemi, PE
Air Pollution Control Officer

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: AJ Bernhardt, County Planning

DATE: March 5, 2024

FROM: Nicole Collazo, Air Quality Specialist, Planning Division

SUBJECT: Request for Review of PL23-0094

Air Pollution Control District (District) staff has reviewed the project application, which is a request for a conditional use permit (CUP) for a period of 10 years to allow continued operation of the existing soil amendment and composting facility and expansion from medium scale, at 1,000 cu. yd. per year, to large scale, at 12,500 cu. yd. of green material transfer and processing. The project location is 4730 Tapo Canyon Road in the unincorporated area just north of the City of Simi Valley. The Lead Agency for the project is the County of Ventura.

In accordance with State CEQA Guidelines Section 15063(a) and (g), the Lead Agency shall prepare the Initial Study to determine if the project may have a significant effect on the environment and consult informally with all Responsible Agencies to obtain recommendations as to whether an EIR or Negative Declaration should be prepared. APCD, as Commenting Agency, or Responsible Agency for projects that require an APCD permit, submits this memo as recommendations to the Lead Agency to assist in their determinations. These recommendations are in accordance with the Ventura County Air Quality Assessment Guidelines, 2003, which was adopted by the Air Pollution Control Board, and state approved CEQA guidelines for environmental review on air quality and greenhouse gas impact sections.

The application is **COMPLETE** for the purpose of evaluating air quality-related impacts. The project's regional, local air quality, and GHG impacts have a recommended determination of **LESS THAN SIGNIFICANT**. Attached are APCD's responses to Section 1 (Air) and Section 24 (Greenhouse Gases) of the Ventura County Initial Study Assessment Guidelines for the subject project. The following statements support each finding in Section 1 and Section 24.

ITEM 1(a): REGIONAL AIR QUALITY IMPACTS

Regional air quality impacts include estimating ozone precursor emissions in the ambient air generated from a specific project, as Ventura County remains in a non-attainment status for the State 1-hr and 8-hr ambient air quality standards for ozone and the Federal 8-hr ambient air quality standard for ozone. Reactive organic compounds (ROC) and nitrogen oxides (NO_x) are called ozone precursors because they create ground-level ozone when reacted with sunlight; ground-level ozone is commonly known as smog. The major sources of NO_x in Ventura County are motor

vehicles and other combustion processes. The major sources of ROC in Ventura County are cleaning and coating operations, petroleum production, and solvent evaporation. Long-term exposure of ground-level ozone can cause shortness of breath, nasal congestion, coughing, eye irritation, sore throat, headache, chest discomfort, breathing pain, throat dryness, wheezing, fatigue, and nausea.

Based on information provided by the applicant, **regional air quality impacts will be less than significant** and below the 25 pounds per day (lbs./day) significance threshold for ROC and NO_x for the Simi Valley Growth Area. Determination was based on information provided by the applicant consultant for an air study dated 2/1/2024 (titled C&M Topsoil Emissions Inventory (Attachment 2)) that included the increase in emissions from the existing baseline operations. A table from the study is included below listing all waste types and emission increases by source. The facility is proposing an increase in the amount of organics, composts, chip and grind, and soil amendments currently processed and stored at the existing site. There is also an increase from 3 on-road haul trucks per day to 9 on-road haul trucks and an increase to the amount of off-road onsite equipment used for processing activities (trommels, loaders, forklift, grinders). On-Road mobile vehicle calculations include employee commutes and truck hauling of waste to proposed destination and their vehicle miles travelled (VMTs). All diesel-powered off-road equipment is proposed to be rated Tier 4 for the cleanest diesel technology available. Fugitive ROC emissions from the stockpiling and composting of organic waste is also included in the estimation based on the maximum allowable for a worst-case scenario calculation and 312 days per year of operations. The estimated net increase in operational emissions resulting from the project above the baseline was calculated at **24.8 and 15.4 lbs./day of ROC and NO_x**, respectively.

Existing Condition	Total Organics	Composts	Chip and Grind	Soil Amendments
Tons/Day	30	30	--	--
Tons/Year	7,800	7,800	--	--
Future Condition	Total Organics	Composts	Chip and Grind	Soil Amendments
Tons/Day	90	30	55.5	4.5
Tons/Year	23,400	7,800	11,430	1,170

TABLE 5 DAILY PROJECT-RELATED EMISSIONS					
Emission Source	VOC	NO _x	CO	PM10	PM2.5
	pounds/day				
Stockpiling and Composting Fugitive Emissions	24.0	--	--	--	--
Material Handling Fugitive Emissions	--	--	--	1.27	0.44
Onroad Mobile Vehicles	0.07	11.8	7.25	0.46	0.16
Offroad Equipment	0.69	3.59	37.2	0.14	0.14
Grinder Fugitive Emissions	--	--	--	0.47	0.20
TOTAL	24.8	15.4	44.4	2.34	0.93

ITEM 1(b): LOCAL AIR QUALITY IMPACTS

Local air quality impacts for the review of discretionary projects may involve a qualitative analysis for project-generated emissions of dust, odors, carbon monoxide, and toxics, if applicable, that can affect the health and safety of any nearby sensitive receptors. Sensitive receptors are considered the young, the elderly, and those susceptible to respiratory diseases such as asthma and bronchitis.

Sensitive receptors can be found in schools, playgrounds, hospitals, and elderly care facilities. Residential areas can also be considered sensitive receptors, as some residents may reside in their homes for long periods of time. Based on information provided by the applicant, the subject project will generate **less than significant local air quality impacts**. A brief discussion is followed.

CARBON MONOXIDE

Some localized areas, such as traffic-congested intersections, can have elevated levels of CO concentrations (CO hotspots). CO hotspots are defined as locations where ambient CO concentrations exceed the State Ambient Air Quality Standards (20 ppm for 1-hr standard, 9 ppm for 8-hr standard). The Federal Ambient Air Quality Standard for CO is 35 ppm for 1-hr standard and 9 ppm for the 8-hr standard. In Ventura County, ambient air monitoring for CO stopped in 2004, with the approval of the U.S. Environmental Protection Agency- Region 9, because CO background concentrations in El Rio, Simi Valley, and Ojai were much lower than the State Ambient Air Quality Standard (highest recorded CO background concentration in Ventura County was in Simi Valley at 6.2 ppm for 1-hr, 1.6 ppm for 8-hr (*AQAG, Table 6-2*). Therefore, no CO hotspots are expected to occur in the Simi Valley Growth Area where the proposed project is located, and additional CO modeling analysis is not warranted. In addition, with over 80% of the CO in urban areas emitted by motor vehicles, and with stricter, cleaner emission standards to the mobile fleet, CO ambient concentrations should remain at or lower than the most recent CO monitoring data available for Ventura County.

AQMP CONSISTENCY

The proposed project must address consistency with the AQMP if estimated operational emissions exceed 2 lbs./day or greater for ROC or NO_x, as described in the *AQAG, Section 4.2*. The proposed project's operational emissions do exceed 2 lbs./day for either ozone precursor, therefore, an AQMP consistency analysis is required. The proposed project is a commercial organic processing facility. Assuming the increase in employees from 3 to 9 would be an increase in 6 new residents added to the unincorporated area of Ventura County, this would increase the area's population by 6, which is well within the 2022 AQMP population growth forecast of 144,700 by 2045 from the existing population of 124,265 for the City of Thousand Oaks (2022 Census Bureau). Note- The 2022 AQMP used the Southern California Association of Government's (SCAG) 2020 Connect SoCal Plan population growth forecasts found in the 9/3/20 Technical Report for Ventura County. Therefore, the project would **not conflict or obstruct with implementation of the most recent AQMP adopted (Initial Study Item Checklist C. Air Quality, Item 1) and would have a less than significant impact**.

ODORS

Based on information provided by the applicant, the project will generate less than significant odor impacts. The project is a commercial organic waste processing facility and there is an odor potential from the composting of green waste. However, , odors from composting operations are exempt from public nuisance pursuant to the California Health & Safety Code (H&SC §41700) and APCD does not have regulatory authority over composting odors. Consequently, odor complaints would be referred to the Ventura County Environmental Health Division (EHD) or the lead enforcement agency. The facility has submitted an Odor Impact Minimization Plan (OIMP) to the EHD and they have proposed not to accept residential waste, bio solids, and reject any highly odorous contaminated organic material. With proper management practices of the open windrow

composting as described in the OIMP, odor impacts are expected to be less than significant. There is also a small potential for odors generated from the off-road diesel material-processing equipment to cause a nuisance, but that potential is less than significant. Nevertheless, APCD recommends our complaint-driven nuisance condition to the CUP if approved and is located at the end of this memo.

DUST

Based on information in the project application, fugitive dust may be generated from the proposed operations but this impact is considered less than significant. The site is enclosed in a topographical basin surrounded by elevated hillsides and the potential for wind-driven fugitive dust to leave the site is low. The project design is compact and main roads for haul trucks are short distances and include multiple turning points such that speeds of haul trucks would be sustained below 15 MPH. In addition, the proposed number of material haul trucks is 9 from the existing 3 trucks per day, which is not a significant increase for a concerning level of dust impact potential. However, there may be the potential to generate fugitive dust from minor construction activities (installation of portable shipping container and truck scale, adding processing equipment) as to cause a nuisance. No grading or groundbreaking construction is proposed. APCD recommends a standard condition of approval for dust during construction activities, located at the end of this memo.

ITEM 24: GREENHOUSE GASES

Greenhouse gases (GHG) are gases that trap heat in the atmosphere, including, but not limited to carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Water vapor, although it is a gas that traps heat, is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. GHGs are emitted both naturally and anthropogenically (human-caused). Of these GHGs, CO₂ and CH₄ are emitted in the largest amounts from anthropogenic activities, such as the combustion of fossil fuel resources and organic processing and storage operations, respectively.

Neither APCD nor the County has adopted a threshold of significance applicable to Greenhouse Gas (GHG) emissions from projects subject to the County's discretionary land use permitting authority. The County has, however, routinely applied a 10,000 metric tons carbon dioxide equivalent per year (MTCO₂e/Yr) threshold of significance to industrial projects, in accordance with CEQA Guidelines Section 15064.4(a)(2). APCD has concurred with the County's approach. APCD supports the application of this numeric threshold as stated in the GHG Threshold Report APCD published in 2011 at the request of the APCD Board, which concludes "Unless directed otherwise, District staff will continue to evaluate and develop suitable interim GHG threshold options for Ventura County with preference for GHG threshold consistency with the South Coast AQMD and the SCAG region". The South Coast AQMD at the same time proposed an interim screening threshold of 3,000 MTCO₂e/Yr for commercial/residential projects. Industrial projects or facilities are defined as stationary emission sources that have or are required to have an APCD Permit to Operate. **This facility does not currently have an APCD Permit to Operate and thus, the lower GHG threshold may be applied for commercial projects.**

Based on information provided by the applicant, **greenhouse gas impacts will be less than significant**. Determination was based on information provided by the applicant consultant for an air study dated 2/1/2024 (titled C&M Topsoil Emissions Inventory (Attachment 2)) that included the increase in emissions from the existing baseline operations. A table from the study is included below listing all waste types and emission increases by source. The facility is proposing an increase in the amount of organics, composts, chip and grind, and soil amendments currently processed and stored at the existing site. There is also an increase from 3 on-road haul trucks per day to 9 on-road haul trucks and an increase to the amount of off-road onsite equipment used for processing activities (trommels, loaders, forklift, grinders). On-Road mobile vehicle calculations include employee commutes and truck hauling of waste to proposed destination and their vehicle miles travelled (VMTs). All diesel-powered off-road equipment is proposed to be rated Tier 4 for the cleanest diesel technology available. Fugitive emissions from the stockpiling and composting of organic waste is also included in the estimation based on the maximum allowable for a worst-case scenario calculation and 312 days per year of operations. The estimated project net GHG emissions above the existing baseline was calculated at **1,003 MT CO₂e/Yr**. This is lower than the non-industrial threshold of 3,000 MT CO₂e/yr proposed by the adjacent air district, SCAQMD.

AQ Emissions Operational Summary - Future minus Existing (Project-related)											
	Average Daily Emissions (pounds/day)					Annual Emissions (tons/year)					Annual Emissions (metric tons/year)
	ROG	CO	NOX	PM10	PM2.5	ROG	CO	NOX	PM10	PM2.5	CO ₂
Stockpiling and Composting Fugitive Emissions	24.0					3.12					218
Material Handling Fugitive Emissions				1.27	0.44				0.23	0.08	
Onroad Mobile Vehicles	0.07	7.25	11.8	0.46	0.16	0.01	1.13	1.85	0.07	0.03	611
Offroad Equipment	0.69	37.2	3.59	0.14	0.14	0.10	5.30	0.50	0.02	0.02	173
Grinder Fugitive Emissions				0.47	0.20				0.06	0.02	
Total	24.8	44.4	15.4	2.34	0.93	3.23	6.43	2.36	0.38	0.15	1003

Conditions of Approval

Below are recommended standard conditions of approval related to APCD should the project be approved and new CUP be issued.

FUGITIVE DUST- CONSTRUCTION

Purpose: To ensure that fugitive dust and particulate matter that may result from any site preparation or construction activities are minimized to the greatest extent feasible.

Requirement: The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust).

Documentation: The project applicant shall ensure compliance with the following provisions:

- I. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust;
- II. All trucks shall cover their loads as required by California Vehicle Code §23114.
- III. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions

of the construction site. Environmentally-safe dust control agents may be used in lieu of watering.

- IV. Temporary signs shall be posted onsite limiting construction traffic speeds to 15 miles per hour or less.
- V. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., wind speed sufficient to cause fugitive dust to be a nuisance or hazard to adjacent properties). During periods of high winds, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite.

Timing: Throughout the construction phases of the project.

Reporting and Monitoring: Monitoring and Enforcement of APCD's Fugitive Dust rule is enforceable by APCD on a complaint-driven basis.

NUISANCE

Purpose: To ensure that discharge of air contaminants (non-compost related odors, dust, etc.) that may result from site operations are minimized to the greatest extent feasible.

Requirement: Permittee shall operate in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, *Nuisance*, stated below:

I. *A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.*

Documentation: No documentation is required for the purposes of this condition.

Timing: Throughout the life of the permit.

Reporting and Monitoring: Monitoring and enforcement of nuisance provision is enforceable by APCD on a complaint-driven basis.

Thank you for the opportunity to review this project. If you have any questions, you may reach me at nicole@vcapcd.org.

DATE: December 22, 2023

TO: RMA – Planning Division
Attention: Adams Bernhardt

FROM: Roads & Transportation Department *Ben* ✓

SUBJECT: APPLICATION COMPLETENESS
PROJECT NO: PL 23-0094
Owner: Kurt and Vicky Mikell
Applicant: Nicole Garner
Agent: -
Conditional Use Permit for a Large Scale Organics Processing Facility
4730 Tapo Canyon Road, Simi Valley, CA
APN 620-0-320-105

Pursuant to your request, the Ventura County, Public Works Agency, Transportation Department (VCPWA-RT) has reviewed the subject application and has determined that the application is **complete** for our areas of responsibility.

Proposed Project:

The project is for a Conditional Use Permit for a large organics processing facility located at 4730 Tapo Canyon Road in the Unincorporated Area of Simi Valley. The Applicant requests a CUP for a period of 15 years to allow continued operation of the existing soil amendment and composting operations facility and expansion from medium-scale to a large-scale operation. The existing use required 5 employees and generated 8 truck trips per day. The proposed use requires 9 employees and generates 18 truck trips and 40 customer trips.

Attachment 7 - Ventura County Public Works Agency Roads & Transportation Memo
for PL23-0094, dated December 22, 2023

INITIAL STUDY CHECKLIST

PUBLIC FACILITIES/SERVICES SECTION

TRANSPORTATION/CIRCULATION

	<u>ISSUE</u> (Responsible Department)	PROJECT IMPACT <u>DEGREE OF EFFECT*</u>				CUMULATIVE IMPACT <u>DEGREE OF EFFECT*</u>			
		N	LS	PS-M	PS	N	LS	PS-M	PS
PUBLIC FACILITIES /SERVICES:	<u>Transportation/Circulation:</u>								
	A. Public Roads and Highways:								
	(1) VMT		X				X		
	(2) Safety/Design (PWA)			X			X		
	C. Pedestrian/Bicycle:								
	(1) Public Facilities (PWA)		X				X		

DEGREE OF EFFECT:

N = No Impact

LS = Less Than Significant

PS-M = Potentially Significant Impact Unless Mitigation Incorporated

PS = Potentially Significant Impact

*Non-CEQA – General Plan and Area Plan consistency included in current ISAGs1

STUDY STANDARD DISCUSSIONS

PUBLIC FACILITIES/SERVICES

27. Transportation/Circulation

Item A. Public Roads/Highways

(1) VMT

Environmental Analysis:

The project, as proposed, is for a Conditional Use Permit to increase the existing medium-scale to a large scale organic processing facility which will not result in a significant increase in allowable Average Daily Vehicular Trips.

Therefore, adverse traffic impacts relating to Vehicle Miles Traveled (VMT) on County roads will be "Less Than Significant."

(2) Safety/Design

Environmental Analysis:

The project, as proposed, is for a Conditional Use Permit to increase the existing medium-scale to a large scale organic processing facility which will not result in a significant increase in allowable Average Daily Vehicular Trips, but will increase the amount of heavy truck traffic that will impact the structural integrity of Tapo Canyon Road.

Therefore, adverse impacts related Potentially a f e t y / Significant Impact Unless Mitigation Incorporated".

Item C. Pedestrian/Bicycle

(1) Public Facilities

Environmental Analysis:

The project, as proposed, is for a Conditional Use Permit to increase the existing medium-scale to a large scale organic processing facility which will not generate significant pedestrian or bicycle traffic that will impact pedestrian and bicycle safety.

Therefore, the adverse impacts relating to the supplementary addition of pedestrians and bicycles into the area will be "Less Than Sig

STANDARD LAND DEVELOPMENT CONDITIONS OF APPROVAL

PUBLIC FACILITIES/SERVICES

Transportation/Circulation

1. TRAFFIC IMPACT MITIGATION FEE:

Purpose: To address the cumulative adverse impacts of traffic on the Regional Road Network, Ventura County Area Plan Goals and Policies, and Ventura County Ordinance Code, Division 8, Chapter 6 require that the VCPWA-RT collect a Traffic Impact Mitigation Fee (TIMF).

Requirement: The Permittee shall deposit with the VCPWA-RT a TIMF. The trip generation rate and TIMF will be calculated by the Permittee. The Permittee may choose to submit additional information or provide a Traffic Study to supplement the information currently provided to establish the trip generation rate. The TIMF may be adjusted for inflation at the time of deposit in accordance with the latest version of the Engineering News Record Construction Cost Index. Based on the Permittee's information:

Total Net ADT

$$78 \text{ ADT} = 112 \text{ ADT} - 34 \text{ ADT}$$

Existing Employees + Trucks

$$34 \text{ ADT} = (5 \text{ employees} \times 2 \text{ trips/day}) + [8(B) \text{ truck trips} \times 3(D)]$$

Proposed Project Employees + Trucks + Customers

$$112 \text{ ADT} = 18 \text{ employee trips}(A) + [18(A) \text{ truck trips} \times 3(D)] + 40 \text{ customer trips}(A)$$

The TIMF due to the City of Simi Valley would be \$8,871.72 to be transferred to the City within 30 calendar days in accordance with the reciprocal traffic mitigation agreement between the City of Simi Valley and the County of Ventura.

$$\$8,871.72 = \$113.74/\text{ADT}(C) \times 78 \text{ Net ADT}$$

(A) Per 11 / 30 / 23 " Response to Determination of Jensen Design and Survey, Inc.

(B) Existing Truck ADT Per Lisa Woodburn 12/21/23 Email

(C) Per City of Simi Valley Justin Link 10/10/23 Email

(D) Car equivalent

Documentation: The Permittee shall come to the PWA – Transportation Department counter, fill out the TIMF form, and pay the TIMF. The Permittee may pay the TIMF remotely via the internet at <https://www.vcpbublicworks.org/rt-applications>. Under “Add Link” choose and then fill out the TIMF Questionnaire Application and Email any inquiries and form to pwa.transpermits@ventura.org. Upon approval of fee amount, permittee will have option to pay fee with credit card through Accela Citizen Access (ACA).

Timing: This condition shall be met prior to the issuance of the Zoning Clearance for Use Inauguration.

Monitoring and Reporting: The VCPWA-RT will review and approve the payment of the TIMF. (TD – 1, RMA – 135)

2. DEDICATION OF RIGHT-OF-WAY:

Purpose: Right-of-way shall be required when the existing right-of-way adjacent to and along the project/development parcel is less than the right-of-way required by the applicable and current County Road Standard Plate.

Requirement: Tapo Canyon Road has an existing right-of-way width of 40 feet. The minimum required right-of-way width is 60 feet per Road Standard Plate B-7B. Right-of-way is required in accordance with the County Road Standards, General Plan 4.2.2; Ordinance 1607 dated November 10, 1964; the “P” and Code of Ordinances Division 8, Chapter 4 – Urban Area Development.

- a. Dedicate an irrevocable 10 feet of right-of-way (half of minimum street right-of-way required) along the parcel's frontage on Tapo Canyon Road in accordance with Road Standard Plate B-7B. The County will accept the right-of-way when right-of-way is needed to make the necessary road improvements.
- b. Submit to the PWA – Transportation Department a legal description describing the public right-of-way being dedicated as a right-of-way dedication “A” map as Exhibit “B” prepared by a Registered Engineer authorized to practice land surveying.
- c. Submit to the PWA – Transportation Department a processing fee for the costs incurred in processing the dedication.

Documentation: See “a”, “b”, and “c” above.

Timing: This condition shall be met prior to Use Clearance.

Monitoring and Reporting: The PWA – Transportation Department will review the documentation for conformance with the project conditions. The PWA – Real Estate Services will prepare the dedication and file the document with the County Recorder. The PWA – Transportation Department will notify RMA when the document has been filed.

3. TRUCK TRIP REDUCTION OF LIFE EXPECTANCY FOR PAVEMENT:

Purpose: The amount of truck trips generated by this project will reduce the life expectancy of the pavement on Tapo Canyon Road and any other County road that may be used by the project. Consequently, pavement resurfacing and rehabilitation on these roads will be required sooner than normally scheduled.

Requirement: The applicant/permittee shall pay the pro-rata share of improvement costs to Tapo Canyon Road caused by this project/development.

The applicant/permittee shall pay \$6,013.14, the pro-rata share of the cost of maintaining this road.

$$\$6,013.14 = 30 \text{ ADT}^* / 1500 \text{ ADT}^{**} \times \$300,657^{***}$$

* Net Project Truck ADT of 30 = 10 net truck trips x Factor of 3

** 2022 Traffic Volume Count for Tapo Canyon Road

*** Cost of last Maintenance Contract for Tapo Canyon Road from the project driveway to 4103 feet south of Bennett Road based on current costs for asphalt rubber aggregate membrane and asphalt rubber hot mix.

Note: A truck is considered to be three passenger car equivalents (PCE); therefore the Project ADT is multiplied by a factor of 3. The Project ADT or anticipated truck traffic comes from the applicant/permittee or a traffic engineering consultant. The Road ADT comes from the 2022 traffic volume count. The maintenance cost of the road is the cost of the last maintenance contract from the project driveway to the County road limits (4103 feet south of Bennett Road).

Documentation: The applicant/permittee shall come to the PWA – Transportation Department counter and pay the fee.

Timing: This condition shall be met prior to Use Clearance.

Monitoring and Reporting: The PWA – Transportation Department will review and approve the payment of the fee. (TD – 11, RMA – 145)