

GLENN COUNTY
Planning & Community Development Services Agency

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DONALD RUST, Director

GLENN COUNTY PLANNING COMMISSION

STAFF REPORT

MEETING DATE: January 2, 2019
TO: Glenn County Planning Commission
FROM: Andy Popper, Senior Planner
SUBJECT: Conditional Use Permit 2000-09, Amendment

Attachments:

1. CalPlant Project Description
 2. CalPlant Amendment Elevations
 3. FAA Determination of No Hazard to Air Navigation
 4. Vicinity Legal Notice
 5. Existing Conditions of Approval and Environmental Documents
 6. Request for Review, Application Documents, Comments
-

1. PROJECT SUMMARY

CalPlant has applied for a Conditional Use Permit Amendment in order to revise the existing Conditional Use Permit 2000-09, which was approved by Glenn County Planning Commission on October 18, 2000. The existing Notice of Determination for the project states, *“the Conditional Use Permit is required because the proposed building heights of ninety (90’) and one-hundred and twenty feet (120’) will exceed the maximum height of seventy five feet (75’) allowed by Glenn County Code.”*

This Conditional Use Permit Amendment is to revise the original Planning Commission height approval from the previous maximum of 120 feet, to a maximum height not to exceed 143 feet above ground level (AGL). The Federal Aviation Administration (FAA) has conducted an aeronautical study and has determined the revision to be of no hazard to air navigation. This Amendment application originally proposed a maximum height of up to 245 feet AGL; however, the structural plan and maximum structural height was revised to a maximum of 143 feet in order to not exceed the FAA (preliminary) determination of an impact to air traffic.

The location of the CalPlant primary facility is situated on Assessor’s Parcel Number (APN) 017-220-030, south of State Route 162, west of County Road FF, north of County Road 53, east of County Road D, and west of the City of Willows, in the unincorporated area of Glenn County. Ancillary adjacent parcels include 017-220-029 to the north and 017-220-031 to the south.

1.1 RECOMMENDATIONS

This report includes documentation for the Planning Commission to find that no subsequent environmental review is necessary pursuant to CEQA Guidelines Section 15162, as well as, approval of the amendment revising the maximum height for Conditional Use Permit 2000-09.

2. PERMITTING AND CODE CONSISTENCY

The primary lot for the facility is APN 017-220-030. The General Plan Land Use and the Zoning designation for the parcel is Industrial. In accordance to Glenn County Code 15.440.020, *lumber and wood products including mobilehome, modular home, and prefabricated structures are permitted uses in the Industrial Zone.*

The Conditional Use Permit Amendment was applied for per Glenn County Code 15.220 (Conditional Use Permit) and 15.440.070 (Maximum Building Height) which states: *No building or structure in this zone shall exceed seventy-five feet in height, except as otherwise permitted with a conditional use permit.*

A Variance was also originally applied for with the amendment based on the initial 220 feet height request, per Glenn County Code 15.550.070 (Variances), which states: *Any person desiring to erect any structure or increase the height of any structure or permit the growth of any tree or otherwise use the property in a manner contrary to the regulations adopted under this chapter may apply to the planning authority for a variance application.* However, because the maximum

height requested was reduced from approximately 220 feet to 143 feet AGL, the Variance is no longer required and is therefore not a part of the proposal.

2.1 CONDITIONAL USE PERMIT AMENDMENTS

County Code Section 15.190.010 (Minor Amendment) states that the director or designated representative may grant an amendment to a previously approved conditional use permit provided that the amendment will not result in an increase of more than 10% of the existing facility or use covered by the use permit.

However, Section 15.220.030 (Major Amendment to Conditional Use Permit) states that a duly approved conditional use permit may be amended provided the change does not qualify for a minor amendment, as defined in section 15.190. It further states that all major amendments are to be processed as set forth in Section 15.220.010.

The proposed height increase from a previously approved maximum of 120 feet, to the currently requested 143 feet is a change of greater than 10%; therefore, this amendment is being processed and presented to the Planning Commission for review as a major amendment.

3. ANALYSIS

The following sections include the review required for the Environmental Determination and the findings for Conditional Use Permit Amendment approval.

3.1 ENVIRONMENTAL DETERMINATION

A Negative Declaration for the project was adopted and approved by the Planning Commission on October 18, 2000. CEQA Guidelines Section 15162 states that no subsequent Negative Declaration shall be prepared for the amendment unless one or more of the following have occurred. As subsequently listed, the information indicates that none of the following has occurred, and therefore the amendment meets the requirements of Section 15162.

CEQA Guidelines (14 CCR 15162) Subsequent EIRs and Negative Declarations

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

The amendment is to increase the maximum structural height by 23 feet, from the approved 120 feet to the requested 143 feet AGL. The revision has been determined by the FAA to have no impact to air traffic additionally other agency provided no comments regarding impacts. It is

therefore concluded, that the height revision is not a new significant environmental effect or a substantial increase in the severity of a previously identified effect.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

There are no substantial changes due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The request to increase the maximum height by 23 feet has been determined by the FAA to have no effect on the safety of air traffic.

(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 previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

The project proposal is to increase the maximum height to 143 above ground level. This revision has been determined by the FAA to have no impact to air traffic safety.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

There were no significant effects previously examined in the negative declaration and the revision in the height, as determined by the FAA, will have no effect on air traffic safety.

(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; or

The Conditions of Approval for the project will remain in effect. There were no mitigation measures or alternatives previously found to not be feasible, nor did the proponents decline to adopt to a mitigation measure or alternative.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The operator shall continue to comply with all local, state, and federal regulations and permitting requirements for the facility. This project revision will result in no potentially significant impacts to the environment with implementation of the conditions of approval,

adopted best management practices, and all applicable federal, state, and local laws and regulations.

3.2 CONDITIONAL USE PERMIT (GLENN COUNTY CODE CHAPTER 15.220)

Conditional Use Permit (Glenn County Code 15.220.010)

The planning commission may grant a conditional use permit for the uses listed in Division 3: Development Districts after notice and hearing as provided in Chapter 15.040 and after making findings as required in section 15.220.020. The proposed use is a permitted use in Division 3 15.440.020, notice was provided per Chapter 15.040, and the following includes the findings required by 15.220.020.

Glenn County Code 15.220.020 (A-D)

The approving authority, prior to recommending approval of a development permit shall find as follows:

A. That the proposed use at the particular location is necessary or desirable in providing a service or facility, which will contribute to the general well-being of the public;

The facility is necessary because it provides a location for rice straw to be processed into a fiberboard. There is a public demand for renewable building materials. The area is the vicinity of rice straw that is the primary resource for the fiberboard facility. In addition, according to the provided application narrative, modern cyclone dryers are taller, yet more efficient.

B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;

The proposed amendment to Conditional Use Permit 2000-09, is to increase the previously permitted height by 23 feet. According to the FAA study, the revision will not cause a hazard to air navigation. It is therefore concluded that the revision to the permitted structural height will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. Conditions of Approval were prepared during the initial approval and will remain in place. In addition, federal, state, and local agencies will continue to monitor the site.

C. That the site for the proposed use is adequate in size and shape to accommodate said use and to accommodate all of the yards, setbacks, walls or fences, and other features required herein or by the planning commission;

All structures and equipment proposed, under construction, or completed are required to meet all minimum yard and setback requirements. The facility meets all required yard setbacks for the "M" zoning designation (Glenn County Code 15.440).

D. Except in the case of the expansion of a nonconforming use, that the granting of the permit will not adversely affect the general plan or any area plan of the county.

Granting an amendment to the height for Conditional Use Permit 2000-09 would not adversely affect the Glenn County General Plan Land Use Designation or Zoning of “Industrial”. The existing and proposed facility shall comply with all permit requirements as stated in the Glenn County Code. Therefore, the Conditional Use Permit Amendment will not adversely affect the General Plan.

4. OTHER REQUIREMENTS

There is a ten-calendar day appeal period following Planning Commission action on this amendment to Conditional Use Permit 2000-09. The appeal made to the Glenn County Board of Supervisors must be made in accordance with Section 15.050.020 of the Glenn County Code. The Board of Supervisors will hear the appeal as outlined by this code. The decision of the Board of Supervisors may then be challenged in court.

The necessary permits shall be secured in all affected federal, state, and local agencies. It is the responsibility of the applicant/operator to make certain all requirements are met and permits are obtained from all other agencies.

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

5. FINDINGS FOR ENVIRONMENTAL DETERMINATION

Finding 1 (CEQA Guidelines 14 CCR 15162 (a) (1))

The revision has been determined by the FAA to have no impact to air traffic additionally other agency provided no comments regarding impacts. Therefore, the height revision is not a new significant environmental effect or a substantial increase in the severity of a previously identified effect.

Finding 2 (CEQA Guidelines 14 CCR 15162 (a) (2))

The request to increase the maximum height by 23 feet has been determined by the FAA to have no effect on the safety of air traffic.

Finding 3 CEQA Guidelines 14 CCR 15162 (a) (3) (A-D)

(A) As determined by the FAA, the amendment to increase the maximum height to 143 feet will not have significant effects previously not discussed.

(B) Significant effects will not be substantially more severe than previously examined in the negative declaration, because the revision in the height will have no effect on air traffic safety.

(C) There were no mitigation measures or alternatives previously found to not be feasible, nor did the proponents decline to adopt to a previous mitigation measure or alternative.

(D) The project proponents did not previously decline to adopt a mitigation measure or alternative that would substantially reduce significant effects on the environment.

6. FINDINGS FOR CONDITIONAL USE PERMIT AMENDMENT

According to Glenn County Code Sections 15.220.010 and 15.220.030, the following findings listed in Glenn County Code Section 15.220.020 shall be made prior to recommending approval of a conditional use permit or amendment to a conditional use permit:

Finding 1 (Desirability and Contribution to Public Well-Being)

The use at the particular location is necessary or desirable in providing a service or facility, which will contribute to the general well-being of the public. The facility is necessary because it provides a location for rice straw to be converted to a commodity. There is a demand by the public for safe use of the rice straw. Glenn County and the surrounding valley area has been a productive rice area and has been proven to be economically viable for rice and rice straw.

Finding 2 (Hazards)

The existing use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. The proposed project will not have adverse effects on nearby residents, uses, or the public in general.

Finding 3 (Suitability of Parcel Size)

The site for the existing use is adequate in size and shape to accommodate said use and to accommodate all of the yards, setbacks, walls or fences, and other features required herein or by the Planning Commission.

Finding 4 (General Plan Consistency)

Granting the height amendment by 23 feet will not adversely affect the general plan or any area plan of the County because the proposed project conforms to the General Plan and County Code.

7. SAMPLE MOTIONS:

Environmental Determination

I move that pursuant to CEQA Guidelines Section 15162, the Planning Commission find that no subsequent environmental review is necessary.

Conditional Use Permit

I (further) move that the Planning Commission approve the proposed amendment to Conditional Use Permit 2000-09 with the Findings as presented in the Staff Report and the existing Conditions of Approval.

CalPlant I, LLC Conditional Use Permit Amendment

CalPlant I, LLC ("CalPlant" or "the Company") is developing a medium-density fiberboard ("MDF") plant ("the Plant") on a 273-acre site in Willows, California. The site is located in the northern portion of California's rice growing region, approximately 75 miles north of Sacramento.

MDF is a composite panel product created by combining cellulosic fibers with a resin binder and wax and pressing the mixture into panels using high temperature and pressure. Because it can be made in a wide range of thicknesses and because it is machinable, MDF has a wide variety of applications, such as construction, furniture, molding, flooring and decorative hardwood plywood.

Traditionally, MDF has been produced using fiber from either wood or wood byproducts. Using the patented production process developed by Mr. Jerry Uhland and CalAg, the Plant will produce high-quality, environmentally-friendly MDF using annually renewable rice straw as its feedstock.

Each harvest season, the Sacramento Valley has produced approximately 550% of the rice straw that will be needed for the Plant's targeted annual production capacity of 140 million square feet, $\frac{3}{4}$ " basis ("MMSf $\frac{3}{4}$ " ... an industry standard unit of measurement). The straw, a waste by-product of rice production, must be disposed of after each harvest and, since 1991, when post-harvest burning regulations were initiated, no other economically viable post-harvest uses for the straw have been developed. CalPlant has secured long-term agreements to procure approximately 160% of the Plant's expected annual need for rice straw. All of this raw material, field-dried to approximately 16% moisture content and completely tarped on all 6 sides until used at the plant, is harvested during an approximately 2-month period each Fall and stored on premises for the forthcoming year in an engineered yard to control storm water discharge. At its peak, this volume is expected to be approximately 270,000 tons per year.

The Plant uses existing, proven technology common to modern MDF production plants, and will be the first facility in the world to manufacture MDF on a commercial scale using rice straw as feedstock. The production process equipment is identical to that used in modern wood-based MDF plants using continuous press technology.

There have been some required modifications to the MDF manufacturing process (for technical and environmental purposes) since the year 2000 when the Conditional Use Permit was applied for and granted. One of the changes is that dryer cyclones are much more efficient than they were in 2000, but they are also much taller. The function of a dryer cyclone is to separate air from fiber after it has been dried. The original cyclones were about 120' high. The older cyclones emitted a significant amount of fiber through exhaust air and were highly inefficient. Modern cyclones are more efficient, but they are also significantly taller. The top of CalPlant's cyclone structure (a steel complex that supports a number of critical pieces of additional processing equipment) will be approximately 143' or less from ground level.

The Plant will employ approximately 94 skilled, semi-skilled and professional team members (45 hourly production operators, 20 hourly maintenance techs, 15 salaried supervisory and administrative support, 14 salaried management, technical and sales), and will operate 24/7 for the full year, excluding 1 week for extended annual maintenance and 6 paid holidays.

In addition to the strong economic model presented by the Plant's immediate proximity to its raw material supply, strong end-use markets in California specifically as well as the surrounding western states, and the latest process technology, there are significant environmental benefits arising from CalPlant. In the Sacramento Valley, rice straw was burned after the harvest until the passing of the Connelly-Areias-Chandler Rice Straw Burning Reduction Act (AB 1378, Ch787, 1991) by the California Air Resources Board (CARB), which basically prohibited this practice to improve air quality. The ban was implemented in 1991 and by 2001 all burning ended except in special cases to help destroy certain diseases. Since then, straw has been re-incorporated into the soil to decompose, and the fields are re-flooded to accelerate this process. Additionally, the decomposition process results in the formation of methane, a strong greenhouse gas. When straw is removed from the fields for other uses such as making MDF in this particular facility, annual post-harvest water usage can thus be reduced significantly (estimated 59,400 acre-feet or 19.4 billion gallons), and the methane gas generated by the decomposition process reduced significantly as well (as much as 62,100 tons annually). Other environmental benefits can be attributed to the consumption of this raw material in CalPlant's manufacturing process as well, including:

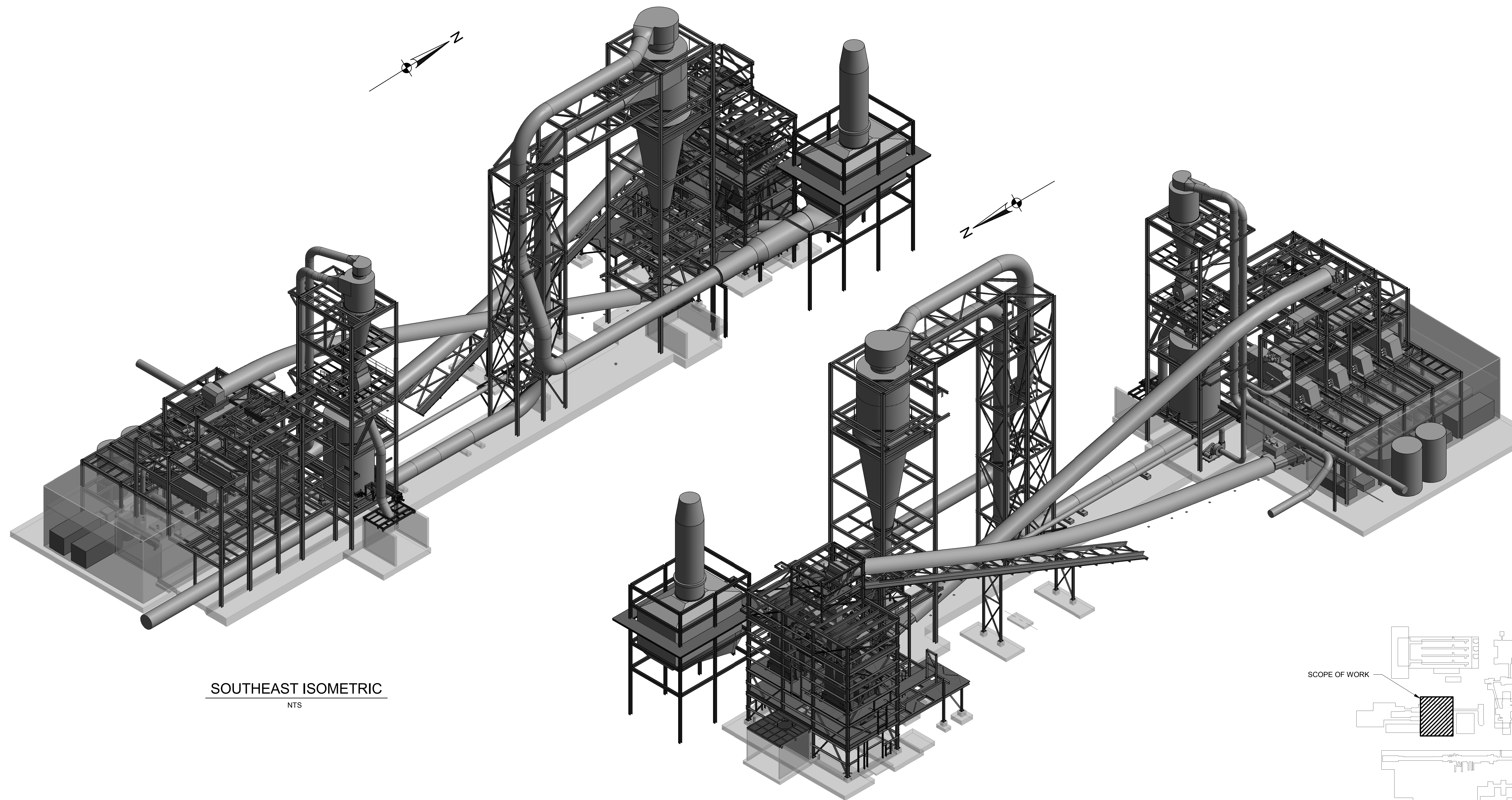
1. Reduction in the use of fungicides and other chemicals in the fields, benefitting water quality and farm worker health and safety.
2. Reduction of approximately 4,200 acres of forest land needing to be clear-cut each year by using rice straw instead of wood.
3. Reduction in the emission of volatile organic compounds from the Plant due to the use of rice straw in place of wood in the process, with corresponding ability to reduce the need for some air pollution control equipment in the Plant.
4. Reduction of heat and electricity used to process and convert rice straw to MDF when compared to wood raw materials.
5. Reduction in the consumption of transportation fuel and the resulting vehicle emissions, compared to wood, as all of the Plant's straw needs will be met within a 25-mile radius.
6. Improved indoor air quality in homes and commercial buildings using CalPlant MDF through the use of a formaldehyde-free resin.

During the 18-20-month construction period, the Plant will employ an estimated 200 to 300 full-time workers. Once completed and the Plant is operating at full capacity, CalPlant will have an annual payroll of approximately \$11 million. An estimated 400 to 450 workers will be employed each year by the baling and transportation companies during the 5-month straw procurement season. The Plant will also generate over 800 ancillary jobs due to the economic multiplier effect as estimated by the State of California.

CalPlant will save Sacramento Valley rice farmers an estimated \$20 million annually. As noted above, rice farmers now incur significant costs for additional cultivation, water and chemicals in order to decompose the rice straw while keeping the consequent crop diseases under control. Rice farmers will incur significantly lower post-harvest straw management costs than they do now. This additional income will, in turn, benefit the local community, region and the state.

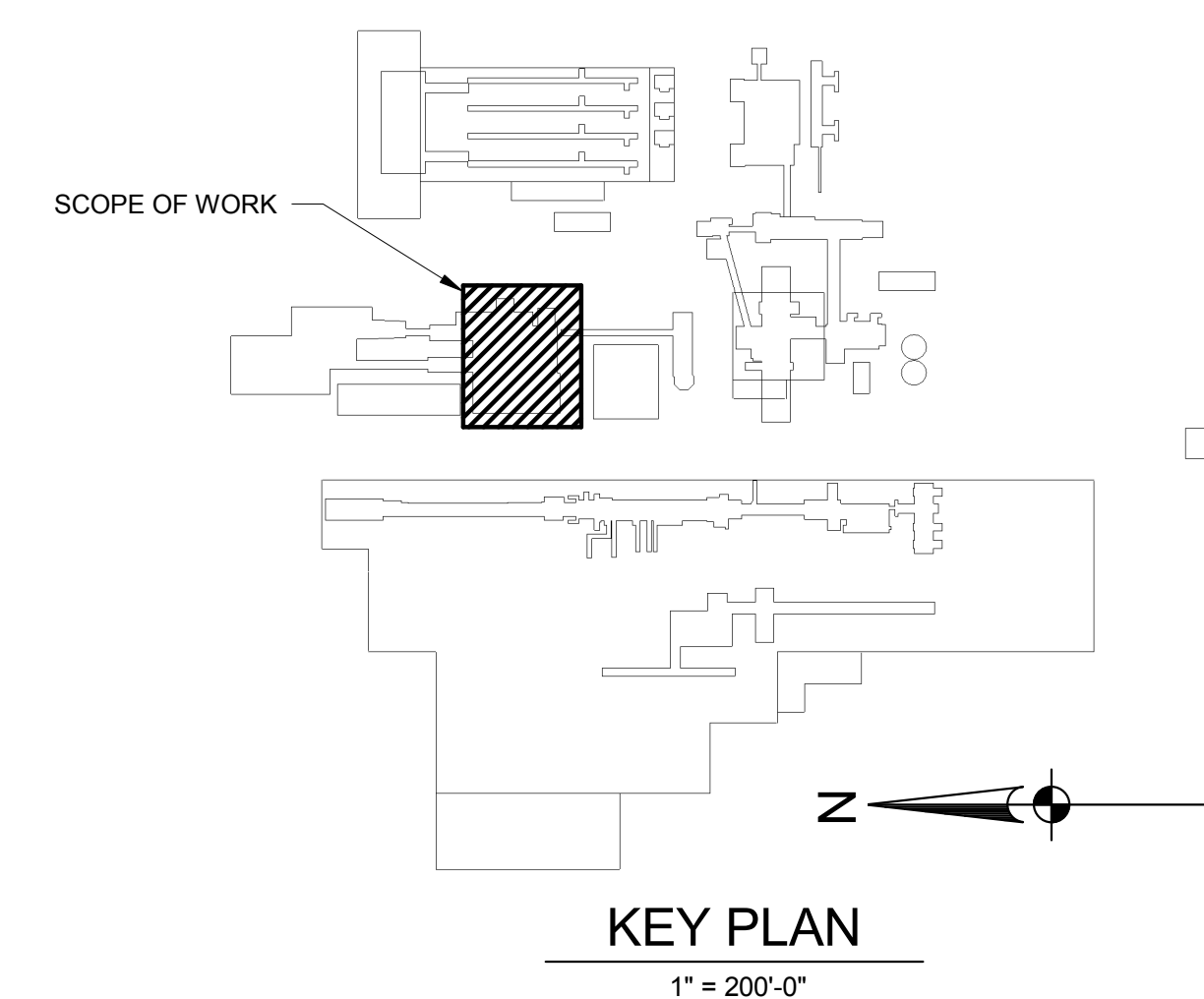
CalPlant will demonstrate the economic and environmental viability of using annually-renewable raw materials for building materials. With its patented process, its state-of-the-art technology, and its low raw material cost, the Willows plant is expected to be the lowest-cost MDF producer in North America. It will thus be a model for similar projects elsewhere in California, in North America, and throughout the world. It will demonstrate that high quality MDF—34 billion square feet of which are used each year worldwide—can be profitably made using a plentiful and sustainable, annually renewable agricultural waste product, rather than wood products. The wood can thus be used for other more valuable purposes—such as biomass for energy production—or can be left in the world's forests to benefit the environment.

GENERAL NOTES:



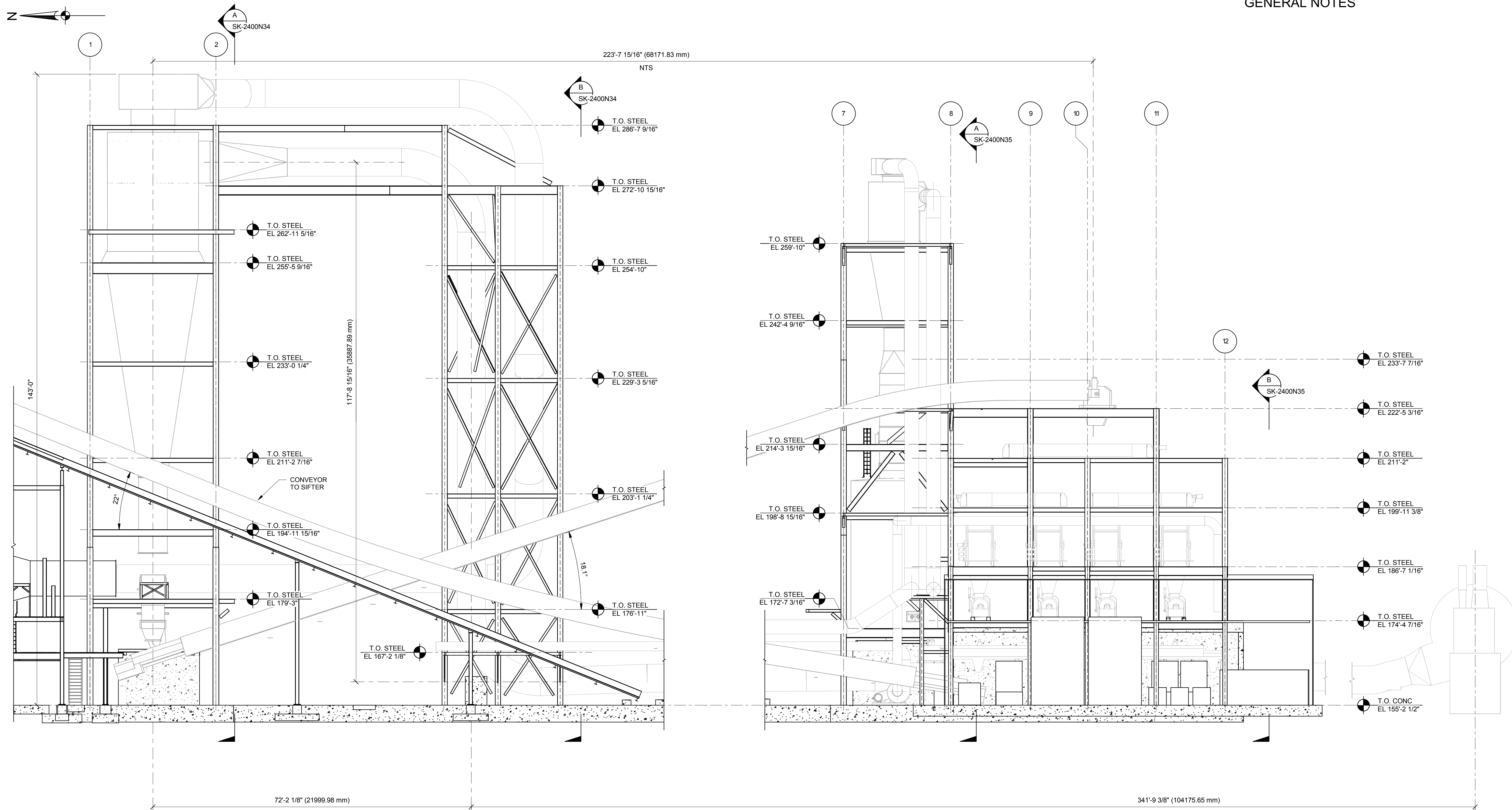
SOUTHEAST ISOMETRIC
NTS

NORTHWEST ISOMETRIC
NTS



REFERENCE ONLY
NOT FOR CONSTRUCTION

CAD FILE: 1718 SK-2400N30 PRODUCTION	TITLE: CAL PLANT 1 - MDF PLANT DRYER TOWER STEEL STRUCTURE ISOMETRICS	CLIENT: CAL PLANT 1 MDF PLANT LOCATION: WILLOWS, CALIFORNIA	REGION: ESC DRAWN: TKH DATE: 09/27/18 CHECK: - DATE: -	REV: BY: DATE: DESCRIPTION:
	REV: SK-2400N30 JOB #: 1178.8	EVERGREEN ENGINEERING, INC. Engineering and Construction Services EUGENE, OREGON ATLANTA, GEORGIA (541)484-4771 www.evergreenengineering.com	09/27/18 09/27/18 09/27/18 09/27/18	A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

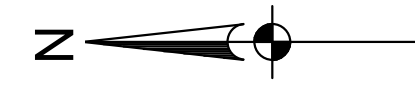


WEST ELEVATION
3/32" = 1'-0"

REFERENCE ONLY
NOT FOR CONSTRUCTION

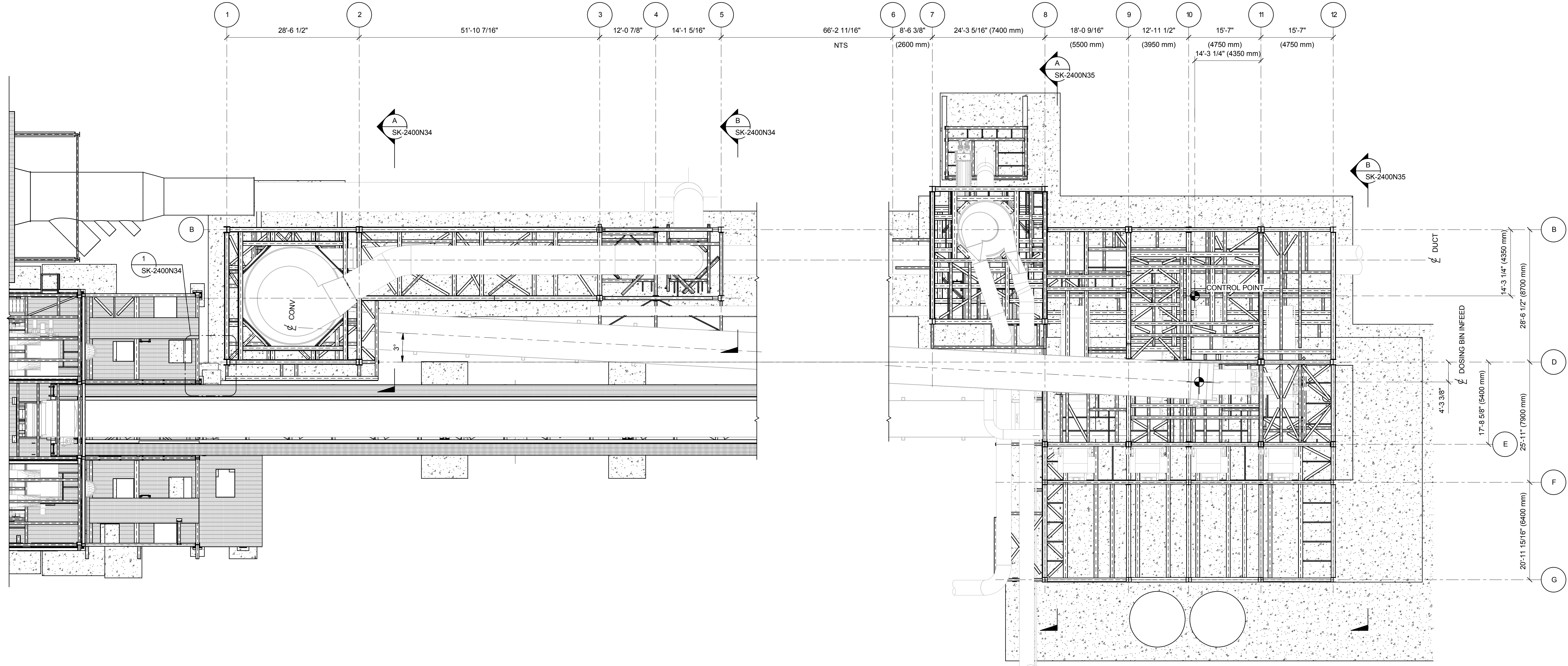
EVERGREEN ENGINEERING, INC.
Engineering and Construction Services
ATLANTA, GEORGIA
EUGENE, OREGON
(404)287-1471
(541)684-4771
www.evergreenengineering.com

TITLE:	CALL PLANT 1 - MDF PLANT DRYER TOWER STEEL STRUCTURE ELEVATION	CLIENT:	CALL PLANT 1 MDF PLANT LOCATION: WILLOWS, CALIFORNIA
REV:	DRAWING # SK-2400N33	DESIGN:	ESC
	JOB #: 1178.8	DRAWN:	TKH
		CHECK:	-
		DATE:	09/27/18
<p>THIS DRAWING IS THE PROPERTY OF EVERGREEN ENGINEERING, INC. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF EVERGREEN ENGINEERING, INC.</p>			



GENERAL NOTES:

- A. CONTROL POINT
N 12342.89
E 10741.25



PLAN
3/32" = 1'-0"

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EVERGREEN ENGINEERING, INC.
Engineering and Construction Services
ATLANTA, GEORGIA (404)287-1471
EUGENE, OREGON (541)684-4771
www.evergreenengineering.com

TITLE: CAL PLANT 1 - MDF PLANT DRYER TOWER STEEL STRUCTURE PLAN	CLIENT: CAL PLANT 1 MDF PLANT LOCATION: WILLOWS, CALIFORNIA
REV: DRAWING # SK-2400N31 JOB # 1178.8	DESIGN: ESC BRNWK: TKH DATE: 09/27/18 CHECK: - DATE: -

CAD FILE: 1718 SK-2400N31	PRODUCTION
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Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2017-AWP-12187-OE

Issued Date: 11/01/2018

Les Younie
CalPlant1, LLC
PO Box 1338
WILLOWS, CA 95988

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Stack Dryer
Location:	WILLOWS, CA
Latitude:	39-30-58.00N NAD 83
Longitude:	122-14-15.00W
Heights:	148 feet site elevation (SE) 143 feet above ground level (AGL) 291 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

Any height exceeding 143 feet above ground level (291 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 05/01/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (424) 405-7643, or karen.mcdonald@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AWP-12187-OE.

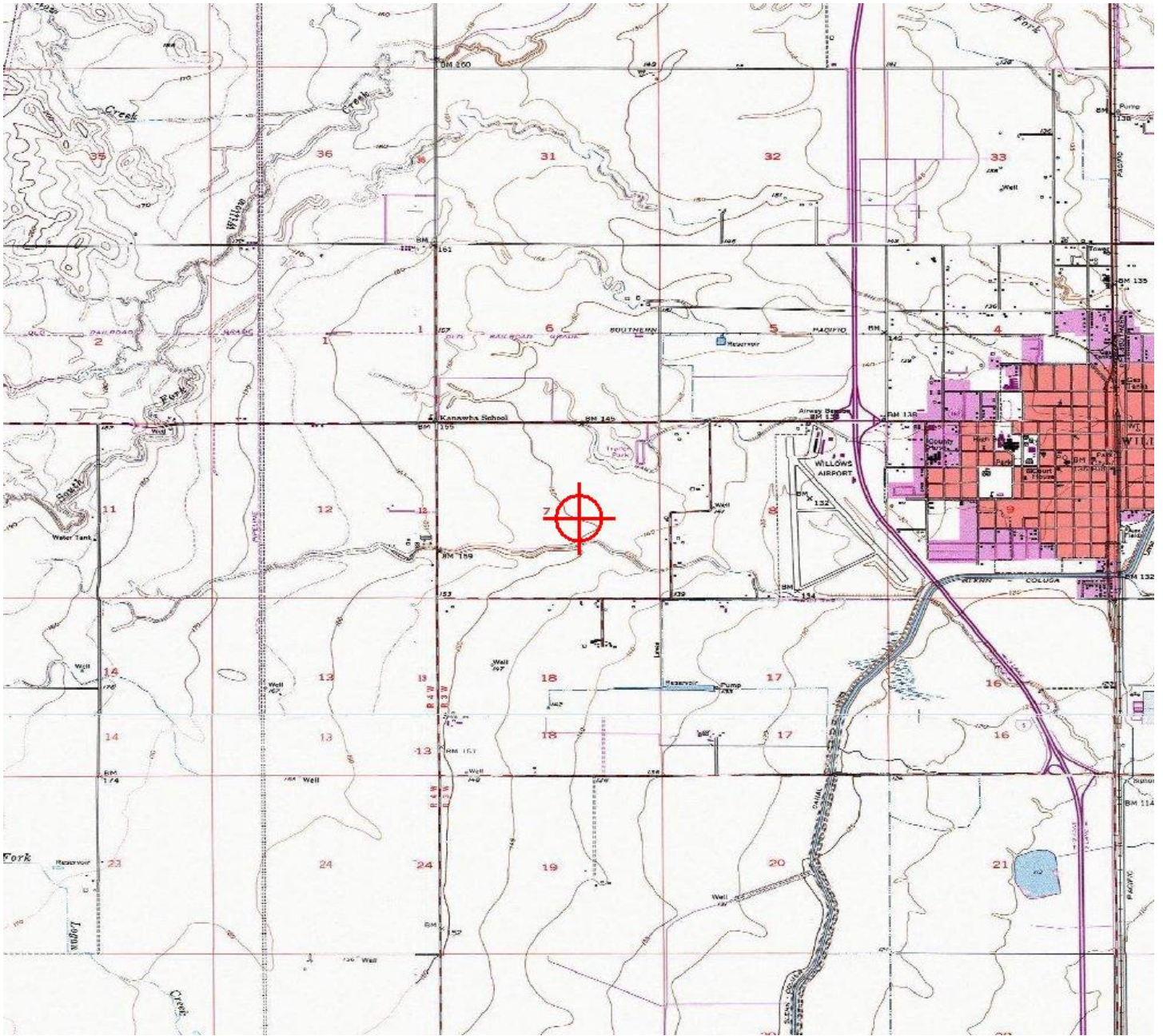
Signature Control No: 349947038-389058838

(DNE)

Karen McDonald
Specialist

Attachment(s)
Map(s)

TOPO Map for ASN 2017-AWP-12187-OE



VICINITY NOTICE OF PLANNING COMMISSION SPECIAL MEETING
NOTICE OF INTENT AND PUBLIC HEARING
BY THE GLENN COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Glenn, State of California, as lead agency, will hold a Public Hearing to consider the project amendment as listed below and that the amendment meets the California Environmental Quality Act (CEQA) Guidelines Section 15162. The Public Hearing will be held at the Glenn County Board of Supervisors' Chambers, 2nd Floor Willows Memorial Hall, 525 West Sycamore Street, Willows, California, on **Wednesday, January 2, 2019, at 9:00 A.M.**, or as soon thereafter as the business of the Commission will allow.

APPLICANT/ LANDOWNER: CalPlant 1, LLC

PROJECT: Conditional Use Permit 2000-09, Amendment

CalPlant 1, LLC (previously CalAg) has applied for a Conditional Use Permit Amendment in order to revise the existing Conditional Use Permit 2000-09, which was approved by Glenn County Planning Commission on October 18, 2000. The existing Notice of Determination for the project states, "*the Conditional Use Permit is required because the proposed building heights of ninety (90') and one-hundred and twenty feet (120') will exceed the maximum height of seventy five feet (75') allowed by Glenn County Code.*" This Conditional Use Permit Amendment is to revise the original Planning Commission height approval by 23 feet, from the previous maximum of 120 feet, to a maximum height not to exceed 143 feet above ground level (AGL). The Federal Aviation Administration (FAA) has conducted an aeronautical study and has determined the revision to be of no hazard to air navigation (2017-AWP-12187-OE).

LOCATION: The project site is located on the south side of State Route 162, west of County Road FF, north of County Road 53, east of County Road D, and west of the City of Willows, in the unincorporated area of Glenn County.

<u>APN(s):</u>	<u>Zoning:</u>	<u>General Plan:</u>
017-220-029	"M" Industrial	Industrial
017-220-030	"M" Industrial (Primary Facility)	Industrial
017-220-031	"AE-20" Exclusive Agriculture	General Agriculture

DECISIONS: The Planning Commission may approve, deny, or continue:

- (A) That no subsequent environmental review is necessary pursuant to CEQA Guidelines Section 15162
- (B) The Conditional Use Permit 2000-09, Amendment

All interested parties may submit comments regarding the proposed project by **Wednesday, January 2, 2019, at 9:00 A.M.**, or appear and present oral and/or written testimony at the Public Hearing. Please note that if you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence at, or prior to, the Public Hearing. All environmental information and project documentation is available for review at the Planning & Community Development Services Agency, 777 North Colusa Street, Willows, CA 95988. Contact Andy Popper, Senior Planner by phone (530) 934-6540, fax 934-6533, or apopper@countyofglenn.net.

CONDITIONS OF APPROVAL
COUNTY OF GLENN
CONDITIONAL USE PERMIT #2000-09
California Agriboard, LLC
APN: 017-220-029, 017-220-030, and 017-220-031

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P & PWA

Pursuant to the approval of the Glenn County Planning Commission on October 18, 2000, there is hereby granted to California Agriboard, LLC, Conditional Use Permit #2000-09, to construct a medium density fiberboard plant that will use rice straw as the raw material. This use is allowed in the "M" (Industrial) and "AE-20" (Agriculture Exclusive, twenty acre minimum parcel size) Zoning Districts. The proposed project is located South of State Highway "162", North of County Road "53", East of County Road "D", West of County Road "F", Willows, California, subject to the following terms and conditions:

1. That the area in operation shall be confined to those areas as delineated in "Exhibit A" as filed with the Glenn County Resource, Planning and Development Department.
2. That the Conditional Use Permit shall become effective after a ten (10) day appeal period which shall expire Monday, October 30, 2000, at 5:00 p.m., provided that there are no appeals. In the event of an appeal, the Permit shall be become effective only after the decision on the appeal becomes final.
3. That the Applicant(s) and Landowner(s) shall file a signed copy of the Conditional Use Permit Conditions of Approval with the Glenn County Planning Department prior to Monday, October 30, 2000, or this Conditional Use Permit shall be void.
4. That the Applicant agrees as a condition of issuance and use of this entitlement to defend at its sole expense any action brought against the County within 180 days after the issuance of this entitlement because of or resulting from any proceeding preliminary to or the actual issuance of this entitlement, or, in the alternative, to relinquish such entitlement. Applicant will reimburse the County for any Court costs and attorney's fees which the County may be required by a Court to pay as a result of such action. county may at its sole discretion, participate in the defense of any such action, but such participation shall not relieve Applicant of its obligations under this condition.

Conditional Use Permit #2000-09
Conditions of Approval
CalPlant 1, LLC

5. That prior to any construction at the site, the Applicant shall apply for and receive a permit from the Glenn County Building Inspector.
6. If upon approval of this Conditional Use Permit, any health or safety hazard arises due to the operation allowed by this Conditional Use Permit, the Planning Commission shall hold a Public Hearing to hear comments and consider whether Conditions of Approval need to be revised, added, or revoked.
7. That the Applicant shall deposit an annual Mitigation Monitoring fee of two hundred fifty dollars (\$250.00) within ten (10) working days from the date of approval of this Conditional Use Permit; that is by **Monday, October 30, 2000**. This fee shall be paid annually on **November 1** of each following year.
8. That prior to any work within the County right-of-way, an encroachment permit shall be applied for and received from the Glenn County Public Works Director.
9. That minor changes in these conditions may be made by the Technical Advisory Committee provided that the changes are requested in writing and no adverse environmental impacts will result.
10. That the applicant shall construct off-street parking areas in accordance with the requirements of Title 19.68 of the Glenn County Code. Said parking areas shall be designed to accommodate all customers and employees, A grading and drainage plan shall be submitted to the Public Works Director for approval, prior to the issuance of a building permit.
11. That the Applicant shall secure a permit from any other County or State agencies that are necessary. Copies of said permits shall be filed with the Glenn County Planning Department.
12. That the permit holder shall comply with the terms and conditions of this permit unless more restrictive conditions have been included in other required permits, in which case, the more restrictive shall apply.


13. That the Applicant shall allow unannounced periodic site inspections by County Officials and State Agency representatives in order to evaluate continuing compliance with the Conditional Use Permit and the terms and conditions prescribed herein.
14. That parking spaces, entrances, exits and circulation direction shall be marked and shall remain discernible during the term of this Conditional Use Permit.
15. Signs installed as a part of the operations of the proposed medium density fiberboard plant shall be installed in accordance with Section 19.70 of the Glenn County Code.
16. No off-site parking associated with this development shall be allowed on County Road "53".
17. That any improvements, including, but not limited to, fencing and landscaping, constructed within ten feet (10') of the North right-of-way line of County Road "53" shall be reviewed and approved by the Public Works Director prior to construction.
18. That the proposed project site falls within the boundaries of Storm Drain Maintenance District No. 3 and is subject to said District's review.
19. The site shall be constructed to prevent seepage and runoff.
20. That the noise level of all equipment and machinery associated with the medium density fiberboard plant shall not exceed sixty-five decibels (65 dBA) at all property lines during the hours of 7:00 a.m. to 10:00 p.m.; and sixty decibels (60 dBA) at all property lines during the hours of 10:00 p.m. to 7:00 a.m.
21. That the applicant shall do a traffic study to determine the impacts of the project on the Glenn County road system. Said study shall be submitted to the Public Works Department for review and all recommended Conditions of Approval shall be complied with. The applicant shall be required to obtain a Road Maintenance Agreement prior to any construction at the site if County roads are to be utilized.

Conditional Use Permit #2000-09
Conditions of Approval
CalPlant 1, LLC

22. That the County of Glenn has determined that this project will have a De Minimis Impact upon Fish and Game Resources. In the event the Department of Fish and Game disagrees with the County, the Applicant shall be responsible for all required Fish and Game fees.
23. That this Conditional Use Permit authorizes only one operator at a time at this site. Any successor or assignee to CalPlant 1, LLC, shall send a letter to the Glenn County Planning Department prior to assumption or transfer of operations stating that they have read and understand this Conditional Use Permit and agree to each and every condition thereof.
24. That all buildings shall be constructed outside of any Flood Zone "A".
25. That the applicant shall have approval from the Caltrans Outdoor Advertising Section if any signs will be visible from State Highway "162".

ACCEPTANCE:

I have read and understand the foregoing Use Permit and agree to each and every term and condition thereof.

Date: 2/27/08 Applicant: CALPLANT I, LLC
By ITS AUTHORIZED MANAGER AND PRESIDENT
Date: _____ Applicant: 
GERALD UHLAND

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Mitigation Monitoring Program and Condition of Approval
CUP 2000-09, Traffic Impact Study

Pursuant to the submittal of the Traffic Impact Study as required by Condition of Approval #21 of Conditional Use Permit 2000-09 which was granted by the Glenn County Planning Commission on October 18, 2000, the following is hereby added as an amendment to the Conditions of Approval:

Mitigation Measures

1. In lieu of the Road Maintenance Agreement, the applicant/operator shall pay money into a road maintenance fund (paid to the Glenn County Planning & Public Works Agency) on a quarterly basis to maintain County roadways used to by trucks associated with delivery of the finished product. The payment shall be equal to \$0.00002 per pound of finished product. The payment described above shall be recalculated on an annual basis in the month of June, based on the All Urban Consumers, Consumer Price Index (computed by the U.S. Department of Labor, Bureau of Labor Statistics). The delivery route to the State Highway 162 entrance of the facility shall be Interstate 5 to State Highway 162; State Highway 162 west to the facility entrance. Finished-product delivery trucks traveling from the facility shall use the reverse of the above-described route. Finished-product delivery trucks are permitted to use alternative routes only during road closures. It is the responsibility of the applicant/operator to notify delivery drivers of the route. Any changes in truck routes associated with finished-product delivery trucks shall be approved by the Glenn County Planning & Public Works Agency.

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

Acceptance:

I have read and understand the foregoing amendment and agree to each and every term and condition thereof.

Applicant: *Derald White* Date: 2/11/2008
MANAGER: CALPLANT I, LLC

Applicant: _____ Date: _____

RECEIVED
FEB 15 2008
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MEMORANDUM OF ACTIONS

To: Company Counsel

From: Managers of CalAg, LLC, a California limited liability company (“CalAg”)

Subject: Memorandum of Actions Regarding Appointment of Officers and Authorized Manager

Date: November 1, 2007

Pursuant to the Amendment to the Revised and Restated Operating Agreement of CalAg, Paragraph 5.11 provides that the Managers and CEO may appoint such officers as the business of the Company may require.

Since CalAg currently has no CEO, the Managers desire to (i) appoint such officers of CalAg who will comprise the Management Team pursuant to that certain Management Services Agreement to be entered into between CalAg and CalPlant I, LLC (the “**General Partner**”) (the General Partner is wholly owned by CalAg), and (ii) to appoint Gerald Uhland to execute all documents and agreements on behalf of the General Partner in connection with (i) the issuance of the revenue bonds (the “**Bonds**”) by the California Pollution Control Financing Authority (the “**Authority**”) and/or (ii) the entering into a sale-leaseback transaction with HH Capital Advisors, LLC or its affiliates to assist CalPlant I, LLC (the “**Partnership**”) in connection with the financing of the “Project” (the construction, financing, improving, equipping and operation by CalAg of a Medium Density Fiberboard (“**MDF**”) plant on a 276-acre site to be located in Willows, California (“CalPlant I”) to produce high quality and competitively priced MDF from rice straw).

I. **Appointment of Officers:**

The Managers hereby acknowledge and confirm that the following Officers of CalAg are hereby appointed and that each shall act in such capacity as the Management Team for the Project:

<u>Officer's Name:</u>	<u>Office to which Appointed:</u>
Gerald Uhland	President
Chris Motley	Chief Financial Officer
Ed Woods	Vice-President of Sales and Marketing

David Smith

Vice-President of Operations

Les Younie

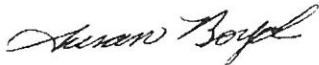
Vice-President of Manufacturing and Engineering

II. **Appointment of Gerald Uhland.**

Gerald Uhland, in his capacity as "President and Authorized Manager" is hereby authorized and empowered, for and on behalf of and in the name of CalAg, as Manager of the General Partner of the Partnership, acting alone and without the joinder of any other Manager or Officer of CalAg, to execute and deliver any agreements or documents that he may deem appropriate, relating to or in connection with (i) the issuance of the Bonds for the financing of the Project as may be required by the Authority, Morgan Stanley & Co., or any other person or entity, or (ii) any other financing of the Project contemplated by the Company through HH Capital Advisors, LLC or its affiliates or through any other person or entity.

IN WITNESS WHEREOF, this Memorandum of Actions is executed on the date first written above.

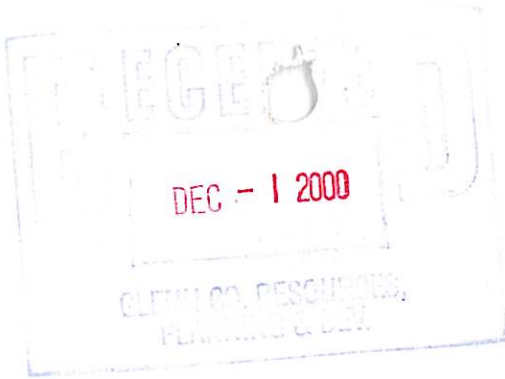
MANAGERS:



Susan Boyd



Gerald Uhland



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OFFICIAL RECORDS
Glenn County, CA
Vince T Minto Clerk-Recorder

NOTICE OF DETERMINATION

To: County Clerk, County of Glenn
From: Glenn County
Resource, Planning and Development Department
125 South Murdock Street, Willows, CA 95988
Subject: Filing of Notice of Determination in compliance with Section
21108 or 21152 of the Public Resources Code.
Project Title: **CONDITIONAL USE PERMIT #2000-09**
California Agriboard, LLC
1719 County Road "D", Willows, CA 95988

State Clearinghouse Number: None.

Lead Agency Contact Person:
Christy Leighton, Principal Planner
125 South Murdock Street, Willows, CA 95988
(530) 934-6540

LOCATION: South of State Highway "162", North of County Road "53", East of County Road "D", West of County Road "F", Willows, California.

APN: 017-220-029, 017-220-030, and 017-220-031

Project Description: Conditional Use Permit #2000-09

Conditional Use Permit to construct a medium density fiberboard plant that will use rice straw as the raw material. This use is allowed in the "M" (Industrial) and "AE-20" (Agriculture Exclusive, twenty acre minimum parcel size) Zoning Districts. The Conditional Use Permit is required because the proposed building heights of ninety feet (90') and one-hundred twenty feet (120') will exceed the maximum height of seventy-five feet (75') allowed by the Glenn County Code.

This is to advise that the **Glenn County Planning Commission** has approved the above described project on October 18, 2000, and has made the following determination regarding the above described project:

1. That the project **will not** have a significant effect on the environment.
2. A Negative Declaration **was** prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures **were** made a Condition of Approval of the project.
4. A statement of Overriding Considerations **was not** adopted for this project.
5. Findings **were** made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

Glenn County Resource, Planning and Development Department
125 South Murdock Street, Willows, CA 95988



Christy Leighton, Principal Planner

AFFIDAVIT OF POSTING NOTICE
Date October 18, 2000

I declare under penalty of perjury that I posted for 30 days a true and correct copy of this notice at the Courthouse in Glenn County commencing on 10-28-00 Executed at Willows, California on 10-20-00.



Deputy County Clerk

Glenn County Planning Department
125 South Murdock Avenue
Willows, CA 95988

NEGATIVE DECLARATION

CASE: CONDITIONAL USE PERMIT #2000-09

APPLICANT: **California Agriboard, LLC**
1719 County Road "D"
Willows, CA 95988

LANDOWNER: **California Agriboard, LLC**
1719 County Road "D"
Willows, CA 95988

AGENT: Dale Hohbach
Evergreen Engineering, Inc.
P.O. Box 21530
Eugene, Oregon 97402-0409

PROJECT:

Conditional Use Permit to construct a medium density fiberboard plant that will use rice straw as the raw material. This use is allowed in the "M" (Industrial) and "AE-20" (Agriculture Exclusive) Zoning Districts. The Conditional Use Permit is required because the proposed building heights of ninety feet (90') and one-hundred twenty feet (120') will exceed the maximum height of seventy-five feet (75') allowed by the Glenn County Code.

APN: 017-220-029, 017-220-030, and 017-220-031

LOCATION: South of State Highway "162", North of County Road "53",
East of County Road "D", West of County Road "F",
Willows, California.

ZONING: "M" Industrial and "AE-20" (Agriculture Exclusive, twenty
acre minimum parcel size).

DESIGNATION: "Industrial" and "Intensive Agricultural"

Conditional Use Permit #2000-09
California Agriboard, LLC
Negative Declaration
FLOOD ZONE:

According to Federal Flood Insurance Rate Map 060057 0588B, dated September 3, 1980, this area is in Flood Zones "Ao", "B", and "C".

Flood Zone Ao: Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.

Flood Zone B: Areas between limits of the 100-year flood and 500-year flood; or certain area subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile, or areas protected by levees from the base flood.

Flood Zone C: Areas of minimal flooding.

FINDINGS FOR NEGATIVE DECLARATION:

1. That the proposed project in the "M" (Industrial) and "AE-20" (Agriculture Exclusive, twenty acre minimum parcel size) Zoning Districts may cause an adverse impact on the environment with regard to Noise, Transportation, and Water, however, these impacts will be mitigated by the following stated Mitigation Measures and no other significant adverse environmental impacts are anticipated.
2. That the project is compatible with the adjoining land uses because a Conditional Use Permit is required and any potential impacts will be mitigated by the stated Mitigation Measures and Conditions of Approval.
3. That the project is a benefit to the County because it will create employment and generate income for the County.
4. That the project will not have any potential adverse effect on wildlife resources because this area is zoned for Industrial and Agricultural purposes and the surrounding uses will not be changing.
5. That there is no substantial evidence in light of the whole record before the Planning Commission that the project may have a significant adverse effect on the environment.

Conditional Use Permit #2000-09
California Agriboard, LLC
Negative Declaration
MITIGATING MEASURES:


1. That all buildings shall be constructed outside of any Flood Zone "A".
2. That the noise level of all equipment and machinery associated with the medium density fiberboard plant shall not exceed sixty-five decibels (65 dBA) at all property lines during the hours of 7:00 a.m. to 10:00 p.m.; and sixty decibels (60 dBA) at all property lines during the hours of 10:00 p.m. to 7:00 a.m.
3. That prior to any work done in the County right-of-way, an encroachment permit shall be applied for and received from the Glenn County Public Works Department.
4. That the applicant shall construct off-street parking areas in accordance with the requirements of Title 19.68 of the Glenn County Code. Said parking areas shall be designed to accommodate all customers and employees. A grading and drainage plan shall be submitted to the Public Works Director for approval prior to the issuance of a building permit.
5. That parking spaces, entrances, exits and circulation direction shall be marked and shall remain discernible during the term of this Conditional Use Permit.
6. No off-site parking associated with this development shall be allowed on County Road "53".
7. That any improvements, including, but not limited to, fencing and landscaping, constructed within ten feet (10') of the North right-of-way line of County Road "53" shall be reviewed and approved by the Public Works Director prior to construction.
8. That the applicant shall do a traffic study to determine the impacts of the project on the County road system. Said study shall be submitted to the Public Works Department for review and all recommended Conditions of Approval shall be complied with.

The proposed project cannot, or will not, have a significant impact on the environment. Negative Declaration Status is therefore granted for this project and an Environmental Impact Report is thereby not necessary.

Review by Planning Department October 18, 2000
Date


Principal Planner

Review by Planning Commission October 18, 2000
Date


Chairman

Environmental Checklist Form

Initial Study

September 13, 2000

- 1. Project Title:** Conditional Use Permit #2000-09
- 2. Lead Agency Name and Address:**
Glenn County Public Works and Development Services Agency, Planning Division, 125 South Murdock Avenue, Willows, CA 95988
- 3. Contact Person and Phone Number:**
Christy Leighton, Principal Planner (530) 934-6540 Fax: (530) 934-6713
- 4. Project Location:**
The proposed project is located South of State Highway "162", North of County Road "53", East of County Road "D", West of County Road "F", Willows, California, Glenn County.
- 5. Project Sponsor's Name and Address:**
California Agriboard, LLC
1719 County Road "D"
Willows, CA 95988
- 6. General Plan Designation:**
"Industrial" and "Intensive Agriculture"
- 7. Zoning:**
"M" (Industrial) and "AE-20" (Agriculture Exclusive, twenty acre minimum parcel size).
- 8. Description of Project:**

Conditional Use Permit #2000-09:

Conditional Use Permit to construct a medium density fiberboard plant that will use rice straw as the raw material. This use is allowed in the "M" (Industrial) and "AE-20" (Agriculture Exclusive, twenty acre minimum parcel size) Zoning Districts. The Conditional Use Permit is required because the proposed building heights of ninety feet (90') and one-hundred twenty feet (120') will exceed the maximum height of seventy-five feet (75') allowed by the Glenn County Code.

9. Surrounding Land Uses and Setting:

- North:** This area is zoned "CC" (Community Commercial).
- South:** This area is zoned "AE-40" (Agriculture Exclusive, forty acre minimum parcel size).
- East:** This area is zoned "RM" (Multiple Family Residential) and "AE-20" (Agriculture Exclusive, twenty acre minimum parcel size).
- West:** This area is zoned "AE-40" (Agriculture Exclusive, forty acre minimum parcel size) and "AP-80" (Agriculture Preserve, eighty acre minimum parcel size).

10. Other agencies whose approval is required:

Glenn County Air Pollution Control District
Glenn County Building Department
Glenn County Department of Public Works
Glenn County Environmental Health
Glenn County Planning Department (**Lead Agency**)

Environmental Factors Potentially Affected:

—Earth	— Air	√ Water	—Plant Life
—Animal Life	√ Noise	—Light and Glare	—Land Use
—Natural Resources	— Risk of Upset	—Population	—Housing
√ Transportation	—Public Services	—Energy	— Utilities
—Human Health	— Aesthetics	—Recreation	—Cultural Resources
—Mandatory Findings of Significance			

Determination: On the basis of this initial evaluation:

_____ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

xxx I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet(s) have been added to the project. A **NEGATIVE DECLARATION** will be prepared.

_____ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Signature:



Date: 9/13/00

Printed Name: Nancy Sailsberg

For: CUP #2000-09

ENVIRONMENTAL SIGNIFICANCE CHECKLIST

ENVIRONMENTAL IMPACTS:

1. EARTH. Will the proposal result in:

a. Unstable earth conditions or in changes in geologic substructures?

Sources: Glenn County General Plan, Glenn County Zoning Code, Glenn County Land Division Ordinance

Description of Environmental Setting:

The property is zoned Industrial and Agriculture Exclusive and the General Plan allows this use with an approved Conditional Use Permit.

Analysis of Potential Impacts:

There is no significant adverse impact on the General Plan or Zoning from the proposed project. The proposed project will meet all General Plan and zoning requirements because the applicant is securing a Conditional Use Permit.

Findings: No Impact.

Mitigation Measure: None required.

b. Disruption, displacement, compaction or overcovering of the soil?

c. Changes in topography or ground surface relief features?

d. Any increase in wind or water erosion of soils either on or off site?

Sources: Glenn County General Plan, Glenn County Zoning Code, Glenn County Land Division Ordinance

Description of Environmental Setting:

This property is zoned Industrial and Agriculture Exclusive and this project will not disrupt, displace, compact, or overcover the soil, change topography or ground surface relief features, or increase wind or water erosion of soils either on or off site.

Analysis of Potential Impacts:

There will be no significant adverse impact on the soil, topography, ground surface relief features, or an increase in wind or water erosion of the soils either on or off site.

Findings: No Impact.

Mitigation Measures: None required.

e. The destruction, covering or modification of any unique geologic or physical features?

Sources: Glenn County General Plan, Glenn County Zoning Code.

Description of Environmental Setting:

The proposed project will not result in the destruction, covering or modification of any unique geologic or physical features because there are none in the area.

Analysis of Potential Impacts:

The proposed project will not affect any unique geologic or physical features.

Findings: No Impact.

Mitigation Measures: None required.

CUP #2000-09
California Agriboard, LLC
Initial Study

- f** Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?

Sources: Glenn County General Plan, Glenn County Zoning Code

Description of Environmental Setting:

The proposed project is being located on parcels zoned for Industrial and Agricultural uses and will not modify the channel of a river or stream or the bed of the ocean or any bay, inlet, or lake.

Analysis of Potential Impacts:

The proposed project will not affect or modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake.

Findings: No Impact. _

Mitigation Measure: None required.

2. AIR. Will the proposal result in:

- a** Substantial air emissions or deterioration of ambient air quality?
- b** The creation of objectionable odors?
- c** Alteration of air movement, moisture or temperature, or any change in climate either locally or regionally?

Sources: Glenn County Air Pollution Control District, Glenn County General Plan

Description of Environmental Setting:

The Glenn County Air Pollution Control District has supplied the following information regarding air quality in Glenn County:

The California Health and Safety Code (H&SC) Sections 40910 and 40913 requires air quality districts to endeavor to achieve the State ambient air quality standards by the earliest practical date. H&SC Section 40910 requires districts to pay specific attention to reducing emissions from transportation sources.

The Air Quality Element of the Glenn County General Plan establishes mitigation measures designed to reduce particulate matter (PM) and ozone precursors in the ambient air as a result of emissions from sources which attract air as a result of emissions from sources which attract or generate motor vehicle activity. Significant emissions reductions are needed in non-attainment areas to achieve the state standards. In ozone non-attainment areas, on-road motor vehicles account for 37 percent of the emissions from all sources of reactive organic gases (ROG), 51 percent of the emissions from all sources of oxides of nitrogen (NOx) and 69 percent of the emissions from all the sources of carbon monoxide (CO).

The California Air Resources Board (CARB) estimates that by 1997, the increased use in motor vehicles (mostly due to population growth) will cause ROG emissions to increase by 23 percent, NOx emissions to increase by 37 percent, and CO to increase by 22 percent. Consequently, it is apparent that to attain the air quality goals, a significant emphasis must be placed on reducing motor vehicle emissions. Indirect source control programs to reduce and control motor vehicle usage can provide the most significant strategy to accomplish this reduction.

The California Clean Air Act (CCAA) of 1988 contains direction to the air pollution control districts to consider indirect source control programs in the development of attainment plans.

Analysis of Potential Impacts:

This proposed project will not result in substantial air emissions or deterioration of ambient air quality, the creation of objectionable odors, or the alteration of air movement, moisture or temperature, or any change in climate either locally or regionally.

Findings: Less Than Significant Impact.

Mitigation Measures: None required.

3. WATER. Will the proposal result in:

- a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?
- b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?
- c. Alterations to the course or flow of flood waters?
- d. Change in the amount of surface water in any water body?
- e. Discharge into surface waters, or in any alteration of surface water quality, including, but not limited to, temperature, dissolved oxygen or turbidity?
- f. Alteration of the direction or rate of flow of ground water?
- g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?
- h. Substantial reduction in the amount of water otherwise available for public water supplies?
- i. Exposure of people or property to water-related hazards such as flooding or tsunami?

Source: Glenn County General Plan, Glenn County Zoning Code

Description of Environmental Setting:

There could be changes to water movements, courses of water, the amount of surface water in any water body, discharge into surface waters, reductions in the amount of water available for public water supplies, and/or exposure of people or property to water-related hazards such as flooding or tsunami. The area is in Flood Zones "Ao", "B", and "C", according to Federal Flood Insurance Rate Map 060057 0588B, dated September 3, 1980. Explanations of Flood Zones are as follows:

Flood Zone A: Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.

Flood Zone B: Areas between limits of the 100-year flood and 500-year flood; or certain area subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile, or areas protected by levees from the base flood.

Flood Zone C: Areas of minimal flooding.

Analysis of Potential Impacts:

There could be potential impacts from flooding because a portion of the project site is located in a flood zone.

Findings: Potentially Significant Unless Mitigation Incorporated.

Mitigation Measures:

1. That all buildings shall be constructed outside of any Flood Zone "A".

4. **PLANT LIFE.** Will the proposal result in:

- a. Changes in the diversity of species or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?
- b. Reduction in the number of any unique, rare or endangered species of plants?
- c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?
- d. Reduction in acreage of any agricultural crop?

Source: Glenn County General Plan.

Description of Environmental Setting:

The project area is in an area designated for Industrial and Agricultural uses and is not in an area where changes in the diversity of species of plants, or a reduction in the number of any endangered species of plants could occur because there are none in the area.

Analysis of Potential Impacts:

No potential impacts are anticipated because there are no known rare or endangered species of plants in the area. The existing uses will not change.

Findings: No Impact.

Mitigation Measures: None required.

5. ANIMAL LIFE. Will the proposal result in:

- a. Change in the diversity of species, or numbers of any species (birds, land animals, including reptiles, fish and shellfish, benthic organisms, insects or micro-fauna)?
- b. Reduction of the numbers of any unique, rare or endangered species of animals?
- c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
- d. Deterioration to existing fish or wildlife habitat?

Source: Glenn County General Plan.

Description of Environmental Setting:

The project area is in an area designated for Industrial and Agricultural uses and is not in an area where changes in the diversity of species of animals, or a reduction in the number of any endangered species of animals could occur because there are none in the area.

Analysis of Potential Impacts:

No potential impacts are anticipated because there are no known rare or endangered species of animals in the area. The existing uses will not change.

Findings: No Impact.

Mitigation Measures: None required.

6. NOISE. Will the proposal result in:

- a. Increases in existing noise levels?
- b. Exposure of people to severe noise levels?

Source: Glenn County General Plan.

Description of Environmental Setting:

The proposed project site is located in an area zoned for Industrial and Agricultural uses. The proposed project may increase noise levels or expose people to severe noise levels. The Glenn County Zoning Code has Performance Standards for noise levels.

Analysis of Potential Impacts:

The proposed project may increase noise levels or expose people to severe noise levels.

Findings: Potentially Significant Unless Mitigation Incorporated.

Mitigation Measures: The Noise Element of the Glenn County General Plan establishes the following standards (at the property line):

Noise Level Descriptor	Daytime Zone <u>7 a.m. to 10 p.m.</u>	Nighttime <u>10 p.m. to 7 a.m.</u>
Hourly dB	65	60

The potential noise impacts will be reduced to a level of insignificance by the following mitigation measure:

2. That the noise level of all equipment and machinery associated with the medium density fiberboard plant shall not exceed sixty-five decibels (65 dBA) at all property lines during the hours of 7:00 a.m. to 10:00 p.m.; and sixty decibels (60 dBA) at all property lines during the hours of 10:00 p.m. to 7:00 a.m.

7. LIGHT AND GLARE. Will the proposal produce new light or glare?

Source: Glenn County General Plan, Performance Standards of the Glenn County Zoning Code.

Description of Environmental Setting:

The project site is zoned for Industrial and Agricultural uses.

Analysis of Potential Impacts:

No potential impacts from light and glare are anticipated because the Glenn County Zoning Code has Performance Standards for light and glare.

Findings: No Impact.

Mitigation Measures: None required.

8. LAND USE. Will the proposal result in a substantial alteration of the present or planned land use of an area?

Source: Glenn County General Plan.

Description of Environmental Setting:

The project site is zoned Industrial and Agricultural. The proposed project will not result in a substantial alteration of the present or planned land use of an area because the project will not interfere with the existing or surrounding land uses.

Analysis of Potential Impacts:

The proposed project will not interfere with the Industrial or Agricultural land uses. The Conditions of Approval and Mitigation Measures applied to this application will keep impacts at a minimum.

Findings: Less Than Significant Impact.

Mitigation Measures: None required.

9. NATURAL RESOURCES. Will the proposal result in:

- a. Increase in the rate of use of any natural resources?
- b. Substantial depletion of any nonrenewable natural resource?

Source: Glenn County General Plan.

Description of Environmental Setting:

The area is zoned for Industrial and Agricultural uses. There will not be an increase in the rate of use of any natural resource or substantial depletion of any nonrenewable natural resource by this project.

Analysis of Potential Impacts:

No potential impacts are expected.

Findings: No impact.

Mitigation Measures: None required.

10. RISK OF UPSET. Will the proposal involve:

- a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset conditions?
- b. Possible interference with an emergency response plan or an emergency evacuation plan?

Source: Glenn County General Plan, Glenn County Department of Public Works.

Description of Environmental Setting:

The area is zoned for Industrial and Agricultural uses. This project will not involve a risk of explosion or the release of hazardous substances in the event of an accident or upset conditions. This project will not interfere with an emergency response plan or an emergency evacuation plan.

Analysis of Potential Impacts:

No potential impacts are anticipated.

Findings: No Impact.

Mitigation Measure: None required.

11. POPULATION. Will the proposal alter the location, distribution, density or growth rate of the human population of an area?

Source: Glenn County General Plan, Glenn County Zoning Code.

Description of Environmental Setting:

The area is zoned for Industrial and Agricultural uses and these uses will continue.

Analysis of Potential Impacts:

The project will not create a demand for future housing.

Findings: No Impact.

Mitigation Measures: None required.

12. HOUSING. Will the proposal affect existing housing, or create a demand for additional housing?

Source: Glenn County General Plan, Glenn County Zoning Code.

Description of Environmental Setting:

The area is zoned for Industrial and Agricultural uses and these uses will continue.

Analysis of Potential Impacts:

The project will not create a demand for additional housing in the future.

Findings: No Impact.

Mitigation Measures: None required.

13. TRANSPORTATION. Will the proposal result in:

- a. Generation of substantial additional vehicular movement?
- b. Effects on existing parking facilities, or demand for new parking?
- c. Alterations to present patterns of circulation or movement of people and/or goods?
- d. Substantial impact upon existing transportation systems?
- e. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?

Source: Glenn County General Plan, Circulation Element, Public Utilities Commission, Public Works Department.

Description of Environmental Setting:

The area is zoned for Industrial and Agricultural uses and the proposed project could result in additional vehicular movement, effect existing parking facilities, and could have an impact upon existing transportation systems.

Analysis of Potential Impacts:

The proposed project may result in traffic congestion, inadequate access and parking. However, the following mitigation measures are recommended to minimize the transportation impacts.

Findings: Potentially Significant Unless Mitigation Incorporated.

Mitigation Measures:

- 3. That prior to any work done in the County right-of-way, an encroachment permit shall be applied for and received from the Glenn County Public Works Department.
- 4. That the applicant shall construct off-street parking areas in accordance with the requirements of Title 19.68 of the Glenn County Code. Said parking areas shall be designed to accommodate all customers and employees. A grading and drainage plan shall be submitted to the Public Works Director for approval prior to the issuance of a building permit.
- 5. That parking spaces, entrances, exits and circulation direction shall be marked and shall remain discernible during the term of this Conditional Use Permit.
- 6. No off-site parking associated with this development shall be allowed on County Road "53".
- 7. That any improvements, including, but not limited to, fencing and landscaping, constructed within ten feet (10') of the North right-of-way line of County Road "53" shall be reviewed and approved by the Public Works Director prior to construction.

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8. That the applicant shall do a traffic study to determine the impacts of the project on the County road system. Said study shall be submitted to the Public Works Department for review and all recommended Conditions of Approval shall be complied with.

f Alterations to waterborne, rail or air traffic?

Source: Glenn County General Plan.

Description of Environmental Setting:

The existing Industrial and Agricultural uses will continue.

Analysis of Potential Impacts:

There will be no impacts to waterborne, rail, or air traffic from the proposed project.

Findings: No impact.

Mitigation Measures: None required.

14. **PUBLIC SERVICES.** Will the proposal have an effect upon, or result in a need for, new or altered governmental services in any of the following areas:

a **Fire protection?**

Source: Glenn County General Plan.

Description of Environmental Setting:

The proposed project site is in the Willows Rural Fire Protection District.

Analysis of Potential Impacts:

No impacts are anticipated from the proposed project.

Findings: No impact.

Mitigation Measure: None required.

b. **Police protection?**

Source: Glenn County General Plan.

Description of Environmental Setting:

Glenn County has a Sheriff's Department.

Analysis of Potential Impacts:

No impacts are anticipated.

Findings: No impact.

Mitigation Measures: None required.

c. **Schools?**

Source: Glenn County General Plan.

Description of Environmental Setting:

The project is located within the Willows Unified School District.

Analysis of Potential Impacts:

The existing Industrial and Agricultural land uses will continue. No impacts are anticipated from the proposed project.

Findings: No impact.

Mitigation Measures: None required.

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d. Parks or other recreational facilities?

Source: Glenn County General Plan.

Description of Environmental Setting:

The project is not located near any parks or other recreational facilities.

Analysis of Potential Impacts:

The existing Industrial and Agricultural uses will continue. There are no potential impacts to parks or other recreational facilities because there are none in the area.

Findings: No impact.

Mitigation Measures: None required.

e. Maintenance of public facilities, including roads?

Source: Glenn County General Plan, Glenn County Department of Public Works.

Description of Environmental Setting:

The existing Industrial and Agricultural uses will continue. Public facilities are maintained by the County of Glenn.

Analysis of Potential Impacts:

Public facilities such as roads will be built to County Standards.

Findings: Less Than Significant Impact.

Mitigation Measures: None required.

f. Other governmental services?

Source: Glenn County General Plan.

Description of Environmental Setting:

Other governmental services are provided by the County of Glenn.

Analysis of Potential Impacts:

The proposed project will not have an impact on governmental services.

Findings: No impact.

Mitigation Measures: None required.

15. ENERGY. Will the proposal result in :

a. Use of substantial amounts of fuel or energy?

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

Source: Glenn County General Plan, Energy Element.

Description of Environmental Setting:

The existing uses will continue. Glenn County has an adopted Energy Element.

Analysis of Potential Impacts:

There will be no potential impacts toward the use of substantial amounts of fuel or energy and there will not be a substantial increase in demand upon existing sources of energy or new sources of energy because of this project.

Findings: No impact.

Mitigation Measures: None required.

16. UTILITIES. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

Sources: Glenn County General Plan.

Description of Environmental Setting:

Electricity and gas are supplied by Pacific Gas and Electric Company.

Analysis of Potential Impacts:

There will not be an impact to electric and natural gas services from the proposed project.

Findings: No Impact.

Mitigation Measures: None required.

b. Communications systems?

Sources: Pacific Bell, Glenn County Public Works Department.

Description of Environmental Setting:

Telephone service is supplied by Pacific Bell.

Analysis of Potential Impacts:

No significant adverse impact to communication systems is expected from the proposed project.

Findings: No impact.

Mitigation Measures: None required.

c. Water?

Source: Glenn County General Plan.

Description of Environmental Setting:

Water is supplied by California Water Service.

Analysis of Potential Impacts:

There will be no potential impacts to water because water is supplied by California Water Service.

Findings: No Impact.

Mitigation Measures: None required.

d. Sewer or septic tanks?

Sources: Glenn County General Plan, Glenn County Health Department.

Description of Environmental Setting:

Sewage service is provided by the City of Willows.

Analysis of Potential Impacts:

Septic tanks or other water treatment facility is required to meet certain criteria. The Health Department issues permits for these improvements.

Findings: Less Than Significant Impact.

Mitigation Measure: None required.

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e. Storm water drainage?

Source: Glenn County General Plan.

Description of Environmental Setting:

Storm water drainage is maintained by Storm Drain Maintenance District No. 3 and is subject to said District's review.

Analysis of Potential Impacts:

Storm water drainage facilities are maintained by Storm Drain Maintenance District No. 3 and is subject to said District's review.

Findings: Less Than Significant Impact.

Mitigation Measure: None required.

f. Solid waste and disposal?

Source: Glenn County General Plan.

Description of Environmental Setting:

The sanitary landfill for solid waste disposal is operated by the County of Glenn. The County is in the process of upgrading the sanitary landfill.

Analysis of Potential Impacts:

The proposed project will not have any significant adverse impacts on the solid waste disposal system.

Findings: Less Than Significant Impact.

Mitigation Measures: None required.

17. HUMAN HEALTH. Will the proposal result in:

a. Creation of any health hazards or potential health hazards (excluding mental health)?

Source: Glenn County General Plan.

Description of Environmental Setting:

There will be no health hazards or potential health hazards from this project.

Analysis of Potential Impacts:

No health hazards or potential health hazards will be created by the proposed project.

Findings: No impact.

Mitigation Measures: None required.

b. Exposure of people to potential health hazards?

Source: Glenn County General Plan.

Description of Environmental Setting:

Potential health hazards in Glenn County are mitigated by various County programs such as the Mosquito Abatement District and the Glenn County Health Department.

Analysis of Potential Impacts:

The proposed project will not expose people to any potential health hazards that are not already present in the County.

Findings: No impact.

Mitigation Measures: None required.

18. AESTHETICS. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to the public view?

Source: Glenn County General Plan.

Description of Environmental Setting:

The existing Industrial and Agricultural land uses will not change.

Analysis of Potential Impacts:

The project site will not be aesthetically offensive to the public view.

Findings: No Impact.

Mitigation Measures: None required.

19. RECREATION. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?

Source: Glenn County General Plan.

Description of Environmental Setting:

The existing uses will not result in an impact upon the quality or quantity of existing recreational opportunities.

Analysis of Potential Impacts:

There will be no adverse impacts upon the quality or quantity of existing recreational opportunities.

Findings: No impact.

Mitigation Measures: None required.

20. CULTURAL RESOURCES.

a. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site?

Source: Glenn County General Plan.

Description of Environmental Setting:

The Industrial and Agricultural uses will not change.

Analysis of Potential Impacts:

There will be no adverse impacts upon the alteration of or the destruction of a prehistoric or historic archaeological site.

Findings: No impact.

Mitigation Measure: None required.

b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?

c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

d. Will the proposal restrict existing religious or sacred uses within the potential impact area?

Source: Glenn County General Plan.

Description of Environmental Setting:

The Industrial and Agricultural uses will not change.

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Analysis of Potential Impacts:

The proposal will not result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object. The proposal will not cause a physical change which would affect unique ethnic cultural values. The proposal will not restrict existing religious or sacred uses within the potential impact area.

Findings: No impact.

Mitigation Measures: None required.

21. MANDATORY FINDINGS OF SIGNIFICANCE.

- a.** Does the project have the potential to 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, or eliminate important examples of the major periods of California history or prehistory?

Source: Glenn County General Plan.

Description of Environmental Setting:

The area is zoned for Industrial and Agricultural uses.. The project does not have the potential to degrade the quality of the environment. The existing land uses will continue.

Analysis of Potential Impacts:

No potential impacts are expected.

Findings: No impact.

Mitigation Measures: None required.

- b.** Does the project have the potential to achieve short-term, to the disadvantage of long term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future).

Source: Glenn County General Plan.

Description of Environmental Setting:

The area is used for Industrial and Agricultural purposes, which will continue.

Analysis of Potential Impacts:

No potential impacts are expected.

Findings: No impact.

Mitigation Measures: None required.

- c.** Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant).

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Source: Glenn County General Plan.

Description of Environmental Setting:

The area is zoned for Industrial and Agricultural uses, which will continue.

Analysis of Potential Impacts:

No potential impacts are expected.

Findings: No impact.

Mitigation Measures: None required.

- d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Source: Glenn County General Plan.

Description of Environmental Setting:

The area is zoned for Industrial and Agricultural uses. The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. The service commercial use will continue.

Analysis of Potential Impacts:

No potential impacts are anticipated.

Findings: No impact.

Mitigation Measures: None required.