

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: June 30, 2011 Time: 1:40 P.M	Agenda Item No.: 5
Project Description: Use Permit and General Development Plan to allow the re-establishment of an existing 34,630 square foot commercial building to an agricultural fertilizer operation to be developed in three phases. Phase 1 will include the use of the 2,832 square foot office and 31,798 square foot warehouse. In Phase 2 the project will expand to include the placement of 10 (ten) 30,000 gallon liquid fertilizer tanks at 35' tall to the northwest corner of the property. Phase 3 will encompass the placement of an addition 4 (four) 30,000 gallon tanks at 35' tall adjacent to the Phase 2 tanks.	
Project Location: 22250 Somavia Road, Salinas	APN: 137-041-033-000
Planning File Number: PLN100620	Owner: Far Sighted Investments of Monterey, LLC Agent: Gareth Davis
Planning Area: Greater Salinas Area Plan	Flagged and staked: No
Zoning Designation: "HI-B-5-6 acre minimum" [Heavy Industrial, Building Site overlay, 6 acre minimum]	
CEQA Action: Categorically Exempt per Section 15301(a) and 15301(e)	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Categorically Exempt per Section Exempt 15301(a) and 15301(e);
- 2) Approve PLN100620, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

PROJECT OVERVIEW:

The proposed project is located on a 7.08 acre property located at 22250 Somavia Road off of Highway 101 just south of Salinas in an existing 34,630 square foot commercial building (formerly Ashton Brothers). The applicant, Helena Chemical Company, is in the process of purchasing the subject property for their agricultural fertilizer operation. The property has been vacant for over a year. The subject request is for a Use Permit and General Development Plan to establish an agricultural fertilizer operation.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

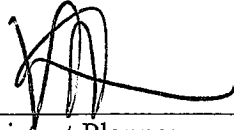
- √ RMA - Public Works Department
- √ Environmental Health Bureau
- Water Resources Agency
- √ Monterey Regional Fire Protection District
- RMA - Building Department

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by RMA - Public Works Department, Environmental Health Bureau, and Monterey Regional Fire Protection District have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The property was not referred to a LUAC because no LUAC exists for the Greater Salinas Area Plan.

Note: The decision on this project is appealable to the Board of Supervisors.

/S/ Valerie Negrete



Valerie Negrete, Assistant Planner
(831) 755-5227, negretev@co.monterey.ca.us
(May 31, 2011)

cc: Front Counter Copy; Zoning Administrator; Monterey Regional Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; Taven Kinison Brown, Planning Services Manager; Valerie Negrete, Project Planner; Carol Allen, Senior Secretary; Far Sighted Investments of Monterey, LLC, Owner; Gareth Davis, Agent; Planning File PLN100620.

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval and Mitigation Monitoring and Reporting Program
2. Site Plan, Floor Plan and Elevations
Exhibit D Vicinity Map
Exhibit E General Development Plan
Exhibit F Regional Water Quality Control Board (RWQCB) case closure notice dated May 2, 1011

This report was reviewed by Taven Kinison Brown, Planning Services Manager



Exhibit A

Project Information for Far Sighted Investments of Monterey, LLC (PLN100620)

Project Title: Far Sighted Investments of Monterey, LLC	Primary APN: 137-041-033-000
Location: 22250 Somavia Road, Salinas	Coastal Zone: Inland
Applicable Plan: Greater Salinas Area Plan	Zoning: HI-B5
Permit Type: Use Permit and General Development Plan	Plan Designation: Commercial
Environmental Status: Exempt 15301 (a) and (e)	Final Action Deadline: 07/15/2011
Advisory Committee: None	

Project Site Data:

Lot Size: 7.08 acres	Coverage Allowed: 50%
Existing Structures (sf): 34,630 sq ft	Coverage Proposed: 12.8%
Proposed Structures (sf): 34,630 sq ft	Height Allowed: 24'
Total Square Feet: 34,630 sq ft	Height Proposed: 24'
	FAR Allowed: NA
	FAR Proposed: NA

Resource Zones and Reports

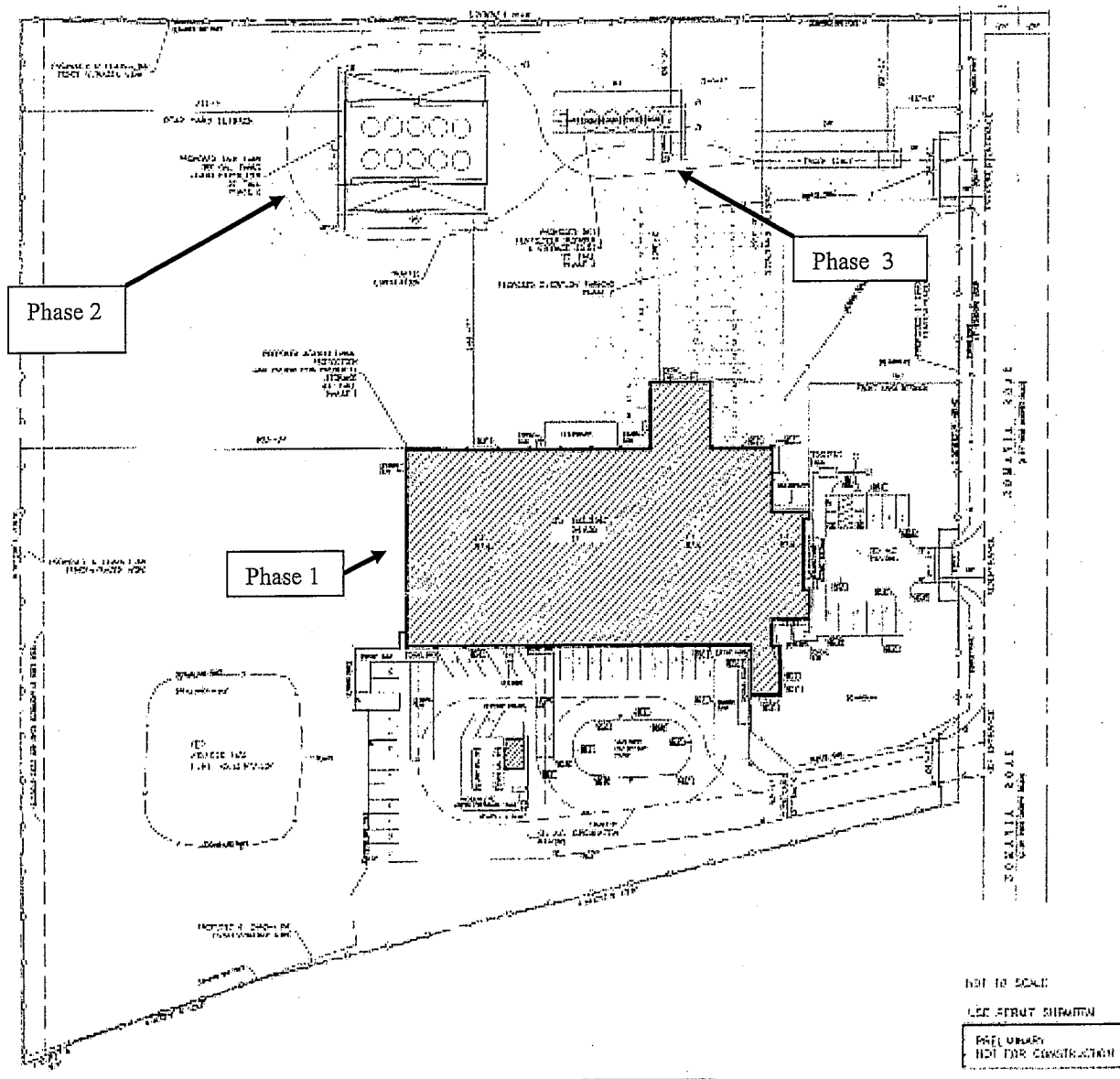
Environmentally Sensitive Habitat: No	Erosion Hazard Zone: Undetermined
Botanical Report #: NA	Soils/Geo. Report #: NA
Forest Mgt. Report #: NA, No tree removal	Geologic Hazard Zone: Undetermined
Archaeological Sensitivity Zone: Low	Geologic Report #: NA
Archaeological Report #: NA	Traffic Report #: LIB110113
Fire Hazard Zone: none	

Other Information:

Water Source: Well	Sewage Disposal (method): Septic
Water District/Company: NA	Sewer District Name: NA
Fire District: Monterey Regional	Grading (cubic yds): None
Tree Removal (Count/Type): No Tree Removal	

EXHIBIT B PROJECT DISCUSSION

The subject property is located at 22250 Somavia Road, Salinas just off of Highway 101 south of Salinas. The site is surrounded by productive agricultural fields and is not visible from Highway 101. The property contains an existing 34,630 square foot commercial building (formerly Ashworth Brothers) which will be re-used to operate an agricultural fertilizer operation. The applicant has prepared a General Development Plan (**Exhibit D**) detailing the scope of their business. The proposed use will be phased in 3 phases. Phase 1 will include the initial opening of the warehouse and office building, Phase 2 will include the placement of 10 (ten) 30,000 gallon liquid fertilizer tanks and Phase 3 will include the placement of four (four) 30,000 gallon dry fertilizer tanks.



Project Entitlements

The site was formerly home to Ashworth Brothers whom manufactured conveyor belts. The applicants are in the process of purchasing the property to relocate their existing agricultural fertilizer operation. In order to re-use the existing 34,360 square foot commercial building the

applicants would need to apply for a Use Permit and General Development Plan pursuant to Monterey County Code 21.28.030.

General Development Plan

A General Development Plan was developed detailing the proposed use of the property as an agricultural distributor and fertilizer distributor warehouse. The site contains a 34,630 square foot building which will be re-used to include a 3,832 square foot office and a 31,798 square foot warehouse. The site will employ 16 employees at full build out with an anticipated 28 daily trips (two-way trip ends) to and from the site with at least 2-4 customers a day. The warehouse and office will operate during the hours of Monday through Saturday 7am-5pm. District regulations require 69 parking spaces or 1 space for every 500 square feet and the project will provide at least 78 spaces which will include 76 standard spaces and 2 accessible spaces. The site will have a 32 square foot (7'-10"x 4') in aggregate sign stating "Helena" placed at the front of the existing building any additional signage will be in accordance with Monterey County Code 21.60.090 regulations for signs. The building colors will remain at light beige siding with off white/beige trim. The site is already landscaped and development standards of 10% landscaping of the site area will be met.

A list of the project's chemical inventory was routed to the Environmental Health Department during Interdepartmental Review. Three conditions of approval will be implemented and will include the submittal of a Hazardous Materials Business Plan in accordance with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans), and a Risk Management Plan and a Solid Waste/Separate Recyclables which will ensure that all industrial and office waste will be appropriately hauled to a local franchise hauler.

Water will be provided by an on site well. Previous processes on the property have caused hazardous contaminants to be present on the site, however the applicant has been working with the Regional Water Quality Control Board (RWQCB) to determine whether or not the site well has been adequately cleaned, RWQCB concluded that there was no longer a risk to the subject well after clean-ups efforts. As a condition the applicant must to notify the Environmental Health Bureau immediately if they propose to drill a new well. In addition the applicant will be required to record a deed restriction regarding the water system's exemption, usage of water as only for non potable purposes and post signs on the site advising occupants that the water is not for drinking. The applicant will be bringing drinking water on site for consumption (See Exhibit F).

CEQA

The project falls under the California Environmental Quality Act (CEQA) exemption. CEQA Guidelines Section Exempt 15301(a) exempts existing facilities with interior alterations. In this case, the existing structure will not be changed and there are no plans to add to the existing building. The project also qualifies for exemption 15301(e) for an addition to existing structures provided the addition will not result in a 50% increase in floor area. The applicant, in Phase 2 and Phase 3, will place 30,000 gallon liquid and dry fertilizer tanks however this increase will be less than 1% of the overall site coverage.

Conclusion

Based on resource information contained in the Greater Salinas Area Plan, Monterey County Zoning Ordinance (Title 21), the Monterey County Geographic Information System, application materials and site visits, staff finds that this project has no outstanding issues.

**EXHIBIT C
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:
Far Sighted Investments of Monterey, LLC
(PLN100620)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- 1) Categorically Exempt per Section Exempt 15301(a) and 15301(e);
- 2) Approving a Use Permit and General Development Plan to allow the re-establishment of an existing 34,630 square foot commercial building to an agricultural fertilizer operation to be developed in three phases. Phase 1 will include the use of the 2,832 square foot office and 31,798 square foot warehouse. In Phase 2 the project will expand to include the placement of 10 (ten) 30,000 gallon liquid fertilizer tanks at 35' tall to the northwest corner of the property. Phase 3 will encompass the placement of an addition 4 (four) 30,000 gallon tanks at 35' tall adjacent to the existing.

[PLN100620, Far Sighted Investments of Monterey, LLC, 22250 Somavia Road, Salinas, Greater Salinas Area Plan (APN: 137-041-033-000)]

The Far Sighted Investments of Monterey, LLC application (PLN100620) came on for public hearing before the Monterey County Zoning Administrator on June 30, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 2010 Monterey County General Plan;
 - Greater Salinas Area Plan;
 - Monterey County Zoning Ordinance (Title 21);

~~No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies~~

- with the text, policies, and regulations in these documents.
- b) The property is located at 22250 Somavia Road, Salinas (Assessor's Parcel Number 137-041-033-000, Greater Salinas Area Plan. The parcel is zoned "HI-B-5-6" [Heavy Industrial, Building site overlay, 6 acre minimum], which allows the establishment of an agricultural commercial operation. Therefore, the project is an allowed land use for this site.
 - c) The property is zoned "HI-B-5-6" [Heavy Industrial, Building site overlay, 6 acre minimum], which can allow an agricultural fertilizer facility subject to the issuance of a Use Permit pursuant to 21.24.050.J of the Monterey County Zoning Code. The site is located off of Highway 101 and Somavia Road and is surrounded by agricultural farming. The proposed project is a request for a Use Permit and General Development Plan to allow the continued use of an existing 34,630 square foot building, which includes a 2,832 square feet office and a 31,798 square foot warehouse.
 - d) A General Development Plan was prepared by the applicant pursuant to 21.24.030.A. The existing building will be used, which is 96 feet from the front of the property (Somavia Road), 92 feet on the southeast side of the property, 223 feet from the northwest portion of property line, and 252 feet to the rear of the property. The building sits at approximately 24 feet in height including the metal panel roof. Landscaping encompasses 10% of the project site area and is in the front half of the property facing Somavia Road. As a condition of approval, the applicant will maintain the existing landscaping and ensure the property is weed free. The project will not create an additional lighting source; rather the applicants will use the existing exterior light fixtures on the building for security. The applicant will phase the opening of the site by first using the existing warehouse with minor interior improvements. As part of their long term operations, Helena Chemical will construct a secondary containment area (Phase 2) which will contain ten (10) 30,000 gallon liquid fertilizer tanks to be located on the northwest corner of the property located 32 feet from the side property line and 144 feet from the existing main building. The tanks will sit at 35 feet. Phase 3 will include the expansion of dry fertilizer and include the placement of four dry fertilizer blender and storage silos which will sit at 35 feet all approximately 43 feet from the existing liquid fertilizer tanks built in Phase 2.
 - e) The project planner conducted a site inspection on March 3, 2011 to verify that the project on the subject parcel conforms to the plans listed above.
 - f) The site was formerly home to Ashton Brothers which was best known for their production of conveyor belts for food processing, can making and material handling industries. The property has been vacant for at least a year. The applicant is currently in the process of purchasing the property and will utilize the existing 34,630 square foot warehouse and office with minor interior changes.
 - g) The project was not referred to a Land Use Advisory Committee (LUAC) for review as no LUAC exists for the Central Salinas Area Plan.
 - h) The application, project plans, and related support materials submitted

by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100620.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Monterey Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, Building Services Department and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

b) A traffic report prepared by Larry Hail indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. The report County staff independently reviewed the report and concurred with its conclusion. The following reports have been prepared:

a. *“Traffic Report” (LIB110113) prepared by Larry Hail, Salinas, Ca, February 10, 2011).*

c) Staff conducted a site inspection on March 3, 2011 to verify that the site is suitable for this use.

d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN100620.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: a) The project was reviewed by RMA - Planning Department, Monterey Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, Building Services Department and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

b) A list of the project’s chemical inventory was routed to the Environmental Health Department during Interdepartmental Review. Based on their review three conditions of approval will be implemented and will include the submittal of a Hazardous Materials Business Plan in accordance with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans), and a Risk Management Plan and a Solid Waste/Separate Recyclables which will ensure that all industrial and office waste will be appropriately hauled to a local franchise hauler.

- c) Water will be provided by one onsite water supply well which may have been contaminated. After review by the Regional Water Quality Control Board (RWQCB) and groundwater extraction and monitoring from 1986 to 1991 it was determined that the site well is no longer at risk, a Covenant to Restrict Use of the Property shall be recorded on the property stating that the subject well shall be used for only fire suppression and non-potable water purposes. As a condition of approval a water well prohibition will be implemented requiring the screening of any water well initiated on the property, a water extraction restriction which will prohibit the use of groundwater extraction for purposes other than site remediation of fire suppression, a notice will be placed on the property stating that a water distribution permit was not required for the property given the number of persons being served by this system and that if more than 24 persons will be served daily then a water system permit will be needed, and signage will be posted on the property stating that water use is not for human consumption. As conditioned, the Health Department finds that the well on site to be adequate for the proposed use. Sewage will be collected through an onsite septic system.
- d) Preceding findings and supporting evidence for PLN100620.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on March 3, 2011 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100620.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15301(a) and 15301 (e), categorically exempts the use of permitting uses within existing facilities with negligible expansion and additions to existing structures provided that the addition will not result in more than 50% of the floor area.
 - b) The project does not involve the expansion of an existing structure and will operate at a level less than what previously existing on site.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on March 3, 2011.
 - d) See preceding and following findings and supporting evidence.

6. **FINDING:** **GENERAL DEVELOPMENT PLAN** -Monterey County Code requires a General Development Plan (GDP) prior to the establishment of

uses/development if there is no prior approved GDP, and if: 1) the lot is in excess of one acre; or, 2) the development proposed includes more than one use; or, 3) the development includes any form of subdivision.

- EVIDENCE:**
- a) Zoning Ordinance, Section 21.28.050 in a "HI" or Heavy Industrial zoning district, the proposed use of an agricultural processing operation is a compatible use and is consistent with nearby uses. The proposed project meets the size and number of uses criteria; therefore, a GDP is required to be approved by the Planning Commission prior to new development, changes in use, expansion of use, or physical improvement of the site. In this case, there are no significant policy issues, un-mitigatable environmental effects, significant changes in the nature of the community or establishment of precedents or standards by which other projects will be measured therefore the project is being heard before the Zoning Administrator.
 - b) The project as described in the application and accompanying materials was reviewed by the Planning Department, Monterey County Regional Fire Protection District, Parks Department, Public Works Department, Environmental Health Bureau, and the Building Department. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the county in general.
 - c) A General Development Plan has been developed that details the proposed use of the property as an agricultural distributor and fertilizer distributor warehouse. The site contains a 34,630 square foot building which will be re-used to include a 3,832 square foot office and a 31,798 square foot warehouse. The site will employ 16 employees at full build out with an anticipated 28 daily trips (two-way trip ends) to and from the site with at least 2-4 customers a day. The warehouse and office will operate during the hours of Monday through Saturday 7am-5pm. District regulations require 69 parking spaces or 1 space for every 500 square feet and the project will provide at least 78 spaces which will include 76 standard spaces and 2 accessible spaces. The site will have a 32 square foot (7'-10"x 4') in aggregate sign stating "Helena" placed at the front of the existing building any additional signage will be in accordance with Monterey County Code 21.60.090 regulations for signs. The building colors will remain at light beige siding with off white/beige trim. The site is already landscaped and development standards of 10% landscaping of the site area will be met.
 - d) Water will be provided by an on site well. Previous product clean up processes on the property have caused hazardous contaminants on the site, however the applicant has been working with the Regional Water Quality Control Board (RWQCB) to determine whether or not the site drinking well on site has been adequately cleaned. The applicant will be bringing drinking water on site for consumption.
 - e) Staff conducted site inspections on March 3, 2011, to verify that the proposed GDP and project are consistent with allowed uses for a heavy industrial site and historical uses identified.
 - f) Materials in Planning File PLN100620.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the

Planning Commission.
EVIDENCE: a) Section 21.080.040.B Monterey County Zoning Ordinance (Planning Commission).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Categorically Exempt per Section Exempt 15301(a) and 15301(e)
- B. Approve a Use Permit and General Development Plan to allow the re-establishment of an existing 34,630 square foot commercial building to an agricultural fertilizer operation to be developed in three phases. Phase 1 will include the use of the 2,832 square foot office and 31,798 square foot warehouse. In Phase 2 the project will expand to include the placement of 10 (ten) 30,000 gallon liquid fertilizer tanks at 35' tall to the northwest corner of the property. Phase 3 will encompass the placement of an addition 4 (four) 30,000 gallon tanks at 35' tall adjacent to the existing, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 30th day of June, 2011.

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN100620

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>1. PD001 - SPECIFIC USES ONLY</p> <p>This Use Permit and General Development Plan to allow the re-establishment of an existing 34,630 square foot commercial building to an agricultural fertilizer operation to be developed in three phases. Phase 1 will include the use of the 2,832 square foot office and 31,798 square foot warehouse. In Phase 2 the project will expand to include the placement of 10 (ten) 30,000 gallon liquid fertilizer tanks at 35 feet tall to the northwest corner of the property. Phase 3 will encompass the placement of an addition 4 (four) 30,000 gallon tanks at 35 feet tall adjacent to the existing was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)</p>	<p>Planning</p>	<p>The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.</p>
<p>2. PD002 - NOTICE PERMIT APPROVAL</p> <p>The applicant shall record a Permit Approval Notice. This notice to contain the Resolution Number _____, by the Zoning Administrator, Assessor's Parcel Number 137-041-033-000, on June 30, 2011, and the statements "The permit was granted subject to 26 conditions of approval which run with the land" and "A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)</p>	<p>Planning</p>	<p>Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.</p>
<p>3. PD012(G) - LANDSCAPE PLAN & MAINTENANCE (OTHER)</p>		

Compliance or Monitoring Actions to be Performed

Responsible Department

The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning Department)

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures.

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be installed and inspected.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

Adhere to conditions and uses specified in the permit.

Conditions of Approval and/or Mitigation Monitoring Measures

4. **PD001 - NON STANDARD - GENERAL DEVELOPMENT PLAN**
 The property will adhere to the submitted General Development Plan. The site will operate as an agricultural fertilizer operation using an existing 34,630 square foot warehouse and office building. The operation will include the installation of a total of 14 (14) 30,000 gallon storage tanks. It is anticipated that the facility will be open Monday through Saturday 7am-5pm with no more than 16 employees at full build out. 76 standard parking spaces will be provided and 2 handicap spaces will be added. Landscaping will be maintained at 10% of the site area.

Planning

5. **PD014(A) - LIGHTING-EXTERIOR LIGHTING PLAN**

Conditions of Approval and/or Mitigation Monitoring Measures

Responsible Department

Compliance or Monitoring Actions to be Performed

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits.
(RMA - Planning Department)

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

6. FIRESP02 - ROAD ACCESS

Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum width of 20 feet with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. Responsible Land Use Department: Monterey County Regional Fire District

Prior to issuance of construction permits, the applicant shall print the text of this condition on the construction plans as "Fire Notes".

Prior to requesting a final building inspection, the applicant shall obtain approval of the fire department final inspection.

7. FIRESP01 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM

Existing fire sprinkler systems in buildings undergoing remodeling, change of occupancy classification and/or additions shall be extended or modified to provide protection to the remodeled/reclassified/added areas. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the edition(s) of which shall be determined by the enforcing jurisdiction. Plans for fire sprinkler system changes must be submitted and approved prior to installation. In the event the remodel/addition project does not require extension or modification of the existing fire sprinkler system, a letter to that effect from the fire sprinkler contractor shall be provided to the Salinas Rural Fire District prior to requesting a framing inspection. Rough-in inspections must be completed prior to requesting a framing inspection. Responsible Land Use Department: Monterey County Regional Fire District

Prior to the issuance of construction permits, the applicant shall print this condition on the construction plans as "Fire Notes".

Prior to requesting a rough framing inspection, the applicant shall obtain fire department approval of the rough sprinkler inspection.

Prior to requesting a final building inspection, the applicant shall obtain fire department approval of the final fire sprinkler inspection.

8. FIRESP04 - NON-STANDARD CONDITIONS - EMERGENCY ACCESS KEY BOX

Emergency access key box shall be installed and maintained. The type and location shall be approved by the fire department. The fire department shall be notified when locks are changed so that the emergency access keybox can be maintained with current keys. Responsible Land Use Department: Monterey County Regional Fire District

Prior to issuance of construction permits, the applicant shall print the text of this condition on the construction plans as "Fire Notes".

Prior to requesting a final building inspection, the applicant shall obtain approval of the fire department final inspection.

<p>9. FIRES06 - NON-STANDARD CONDITION - HAZARDOUS MATERIALS STORAGE Storage of hazardous materials shall be conducted in accordance with the requirements of Chapter 27 of the California Fire Code.</p>	<p>Fire</p>	<p>Prior to issuance of construction permits, the applicant shall print the text of this condition on the construction plans as "Fire Notes" and shall provide the product storage plan.</p> <p>Prior to requesting a final building inspection, the applicant shall obtain approval of the fire department final inspection.</p>
<p>10. FIRES05 - NON-STANDARD CONDITIONS - PORTABLE FIRE EXTINGUISHERS Portable fire extinguishers shall be installed and maintained in accordance with Section 906 of the California Fire Code and Title 19, California Code of Regulations.</p>	<p>Fire</p>	<p>Prior to issuance of construction permits, the applicant shall print the text of this condition on the locations of portable fire extinguishers on the construction plans as "Fire Notes".</p> <p>Prior to requesting a final building inspection, the applicant shall obtain approval of the fire department final inspection.</p>
<p>11. FIRE011 - ADDRESSING FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Monterey County Regional Fire District</p>	<p>Fire</p>	<p>Prior to issuance of construction permits, the applicant shall print the text of this condition on the construction plans as "Fire Notes".</p> <p>Prior to requesting a final building inspection, the applicant shall obtain approval of the fire department final inspection.</p>
<p>12. FIRES03 - NON-STANDARD CONDITIONS - EXISTING FIRE ALARM SYSTEM</p>		

Conditions of Approval and/or Mitigation Monitoring Measures

Prior to issuance of construction permits, the applicant shall print the text of this condition on the construction plans as "Fire Notes".

Prior to requesting a final building inspection, the applicant shall obtain approval of the fire department final inspection.

The existing building is fully protected with an approved central station, proprietary station or remote station automatic fire alarm system as defined by National Fire Protection Association Standard 72 - 2010 Edition. The existing fire alarm system shall be extended or modified to accommodate the remodeled/added area(s). Plans and specifications for the fire alarm system must be submitted and approved by the enforcing agency prior to requesting a framing inspection. In the event the remodel/addition project does not require extension or modification of the existing fire alarm system, a letter to that effect from the fire alarm contractor shall be provided to the Salinas Rural Fire District prior to requesting a framing inspection. All fire alarm system inspections and acceptance testing shall be done in accordance with Chapter 7 of NFPA 72 (Fire District). Responsible Land Use Department: Monterey County Regional Fire District

13. **FIRESPO6 - NON-STANDARD CONDITIONS - HYDRANTS AND FIRE FLOW**

Hydrants for fire protection, by way of new or existing hydrants, shall be provided and maintained at locations approved by the Monterey County Regional Fire District and shall conform to the following requirements:

- a. FIRE FLOW - Pursuant to California Fire Code Appendix B, the minimum fire flow requirement for 9000 square foot commercial facilities built with Type V-B construction is 2,500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 2 hours. Fire flow for facilities protected with automatic fire sprinkler systems may be reduced to 1,500 gallons per minute with a residual pressure of 20 psi under normal operating conditions for a duration of 2 hours.
 - b. TIMING OF INSTALLATION - Approved fire protection water supply systems must be installed and made serviceable prior to the time of construction. Existing systems shall be maintained and made serviceable prior to the time of construction.
 - c. HYDRANT/FIRE VALVE (ADDITION) - Hydrant(s) shall be provided either by way of new hydrant(s) or by maintenance of existing hydrant(s).
 - d. HYDRANT/FIRE VALVE (LOCATION) - New or existing hydrant(s) shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 ft. and not further than 12 ft. from a roadway, and in a location where fire apparatus using it will not block the roadway.
 - e. FIRE HYDRANTS - Hydrants shall be installed in accordance with spacing set forth in California Fire Code Appendix B. The hydrant(s) shall have a minimum of two (2) 2-1/2 inch outlets NST and one (1) 4-1/2 inch outlet NST. The riser shall be a minimum of six (6) inches and shall be wet barrel type with a coefficient of 0.9.
 - g. SIGNING OF WATER SOURCES - Hydrant or fire valve identification may be allowed as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.
- Responsible Land Use Department: Monterey County Regional Fire District

Fire

Prior to issuance of construction permits, the applicant shall print the text of this condition on the construction plans as "Fire Notes".

Prior to requesting a final building inspection, the applicant shall obtain approval of the fire department final inspection.

14. **PW0043 - REGIONAL DEVELOPMENT IMPACT FEE**

**Compliance or Monitoring
Actions to be Performed**

**Responsible
Department**

Conditions of Approval and/or Mitigation Monitoring Measures

<p>Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. (Public Works)</p>	<p>Pub Works</p>	<p>Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. (Public Works)</p>
<p>15. PW0001 - ENCROACHMENT (COM) Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to (Somavia Road) including acceleration and deceleration tapers. The design and construction is subject to the approval of the Public Works Director. (Public Works)</p>	<p>Pub Works</p>	<p>Obtain an encroachment permit from the Department of Public Works and construct a commercial driveway connection to (Somavia Road) including acceleration and deceleration tapers. The design and construction is subject to the approval of the Public Works Director. (Public Works)</p>
<p>16. PW0007 - PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)</p>	<p>Pub Works</p>	<p>The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)</p>
<p>17. PWSP01 - NON-STANDARD Obtain an encroachment permit from the California Department of Transportation (CALTRANS) and construct intersection improvements at Hwy 101 and Somavia Road. The design and construction is subject to the approval of CALTRANS. (Public Works)</p>	<p>Pub Works</p>	<p>Obtain an encroachment permit from the California Department of Transportation (CALTRANS) and construct intersection improvements at Hwy 101 and Somavia Road. The design and construction is subject to the approval of CALTRANS. (Public Works)</p>
<p>18. PW0001 - ENCROACHMENT (COM) Obtain an encroachment permit from the Department of Public Works and construct commercial driveway connections to Somavia Road. (Public Works)</p>	<p>Pub Works</p>	<p>Obtain an encroachment permit from the Department of Public Works and construct commercial driveway connections to Somavia Road. (Public Works)</p>
<p>19. EHSP07 - HAZ MAT RMP (NON-STANDARD) Submit a Risk Management Plan (RMP) to the Director of Environmental Health for review and approval. The RMP shall comply with Title 19, Chapter 4.5 of the California Code of Regulations and Chapter 6.95, Article 2 of the California Health & Safety Code.</p>	<p>Env Health</p>	<p>Submit a Risk Management Plan (RMP) to the Director of Environmental Health for review and approval. The RMP shall comply with Title 19, Chapter 4.5 of the California Code of Regulations and Chapter 6.95, Article 2 of the California Health & Safety Code.</p>

20.	<p>EHP04 & DEED NOTIFICATION: NON-DRINKING WATER SIGN POSTING REQUIRED (NON-STANDARD)</p> <p>A deed notification shall be recorded to the deed of the property which indicates that signs shall be posted at all indoor taps, in both English and Spanish language, to notify users that the water is for non-drinking and for non-food preparation purposes only. In the event that the Regional Water Quality Control Board lifts its restriction on water uses at this property, enforced through the environmental deed restriction referenced in condition EHP02, the property owner may apply to EHB for approval to quit-claim the above-referenced deed notification regarding required posting of signs at all indoor taps.</p>	<p>Env Health</p> <p>The owner/applicant shall obtain the draft deed notification form from the Environmental Health Bureau and provide the completed document to the Environmental Health Bureau and County Counsel for review and approval. Once approved, notarize and record the final deed notification and provide a recorded copy to the Environmental Health Bureau.</p>	
21.	<p>EHP02 & WATER WELL EXTRACTION RESTRICTIONS (NON-STANDARD)</p> <p>The Regional Water Quality Control Board requires a Covenant to Restrict Use of Property (Environmental Restriction) to be recorded to the property that will comprise their intentions as follows:</p> <p>Extraction of groundwater from either the shallow or intermediate aquifers for purposes other than site remediation is a prohibited activity. However, the restriction on extraction of groundwater shall not apply to or prevent the extraction of groundwater for the purpose of fire suppression or for the extraction of groundwater for potable non-drinking water supply purposes from the existing supply well on the property; nor shall the replacement of the existing supply well be prohibited, provided that the drilling and construction of such replacement wells is conducted in a lawful manner acceptable to the Regional Water Quality Control Board (RWQCCB).</p>	<p>Env Health</p> <p>Relative to water well extractions, the owner/applicant shall comply with the restrictions and prohibitions as noted in the Covenant to Restrict Use of Property (Environmental Restriction) as recorded and submitted to the Regional Water Quality Control Board for this property.</p>	
22.	<p>EHP01 & WATER WELL PROHIBITION (NON-STANDARD)</p> <p>Installation or screening of any water supply well in the 180 Pressure Aquifer (shallow aquifer) or 400 Pressure Aquifer (intermediate aquifer) without prior written approval by the Regional Water Quality Control Board (RWQCCB) is prohibited.</p>	<p>Env Health</p> <p>The owner/applicant shall obtain prior written approval from the RWQCCB prior to drilling any new wells on the property. Submit written approval to the Environmental Health Bureau for reference prior to issuance of any new well permit(s).</p>	
23.	<p>EHP03 - DEED NOTIFICATION: UNREGULATED WATER DISTRIBUTION SYSTEM (NON-STANDARD)</p> <p>A deed notification shall be recorded to the deed of the property as notice to the current and any future property owner(s) which specifies that the project proposed with this application does not currently meet the minimum threshold population to require a water distribution permit from the Environmental Health Bureau. In the event the water supply well begins to serve more than 24 individuals daily, more than 59 days out of the year, or begins to serve more than one service connection, the property owner understands they must apply for and obtain a water system permit from Monterey County Environmental Health.</p>	<p>Env Health</p> <p>The owner/applicant shall obtain the draft deed notification form from the Environmental Health Bureau and provide the completed document to the Environmental Health Bureau and County Counsel for review and approval. Once approved, notarize and record the final deed notification and provide a recorded copy to the Environmental Health Bureau.</p>	
24.	<p>EHP05 & WATER SIGNAGE POSTING REQUIRED (NON-STANDARD)</p>		

Conditions of Approval and/or Mitigation Monitoring Measures

Post signage at all indoor taps, in both English and Spanish language, to notify users that the water is for non-drinking and for non-food preparation purposes only. In the event the Regional Water Quality Control Board lifts its restriction on water uses at this property this requirement will no longer be required.

25. EHSP06 - HAZ MAT BUSINESS RESPONSE PLAN (NON-STANDARD)

Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health.

26. EHSP08 - SOLID WASTE / SEPARATE RECYCLABLES (NON-STANDARD)

Contact the local franchise hauler and obtain services for solid waste and recycling. All persons shall separate all recyclables from other solid waste generated at their premises and shall place such recyclables into a different approved container to facilitate segregation at a solid waste facility (MCC 10.41.020.B).

Responsible Department

Env Health

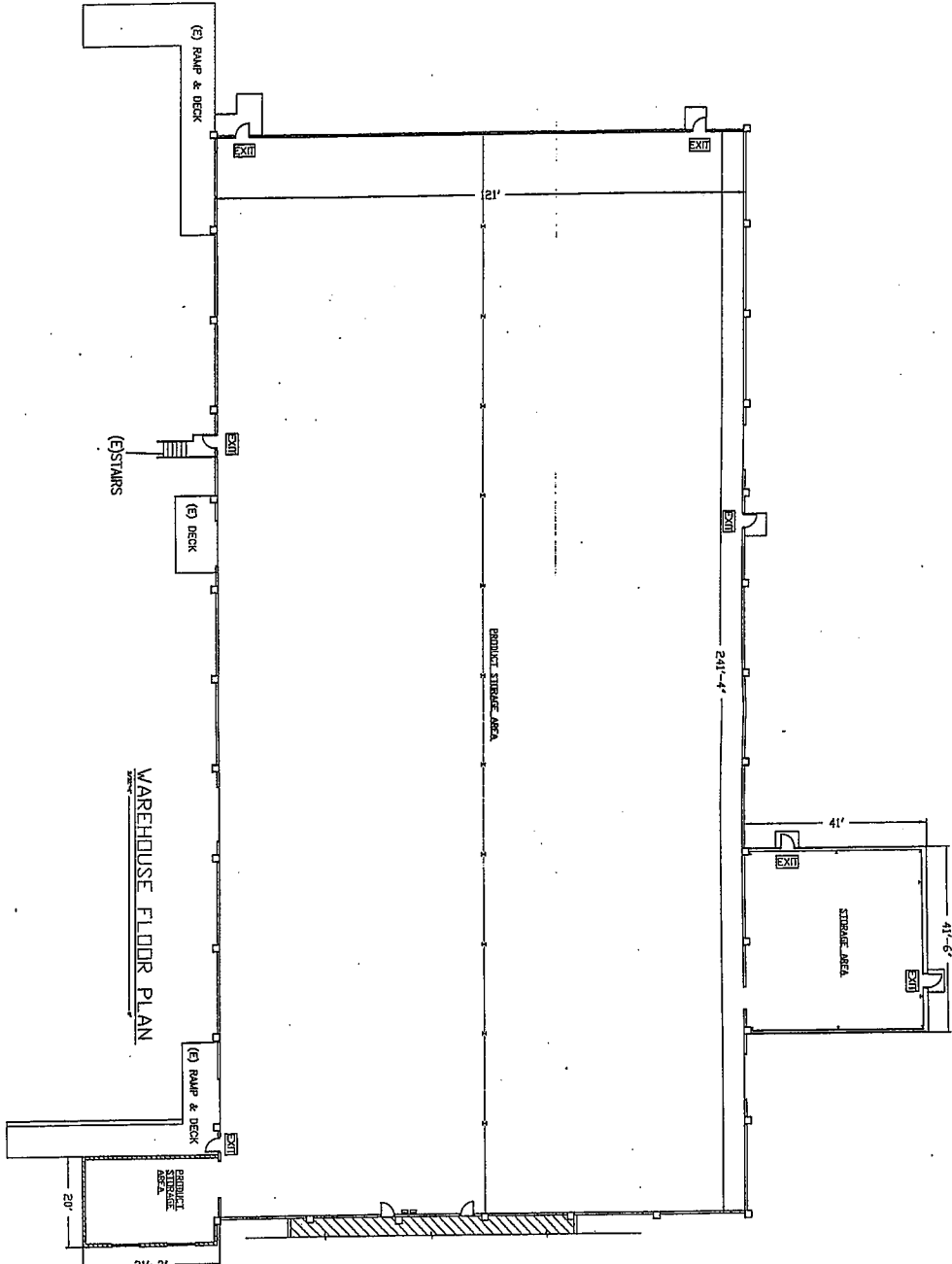
The owner/applicant shall provide a sample of the signage to the Environmental Health Bureau for review and approval. Once approved, ensure the signage is in place at all indoor taps at all times.

Env Health

Prior to commencement of operations the owner/applicant shall contact the Hazardous Materials Program of the Division of Environmental Health. Comply with the approved BRP.

Env Health

Prior to commencement of operations the owner/applicant shall provide evidence to the Environmental Health Bureau from the franchise hauler that services will be provided to the parcel.



WAREHOUSE FLOOR PLAN

NOT TO SCALE
 USE PERMIT SUBMITTAL
 PRELIMINARY
 NOT FOR CONSTRUCTION

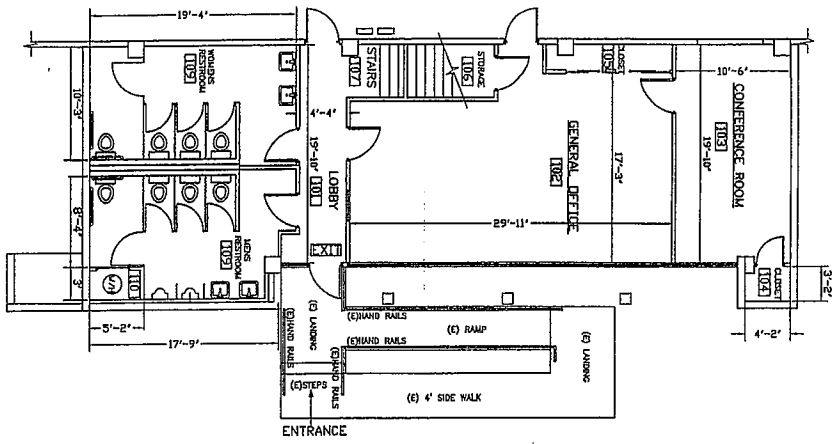


SCALE
 1" = 10'-0"

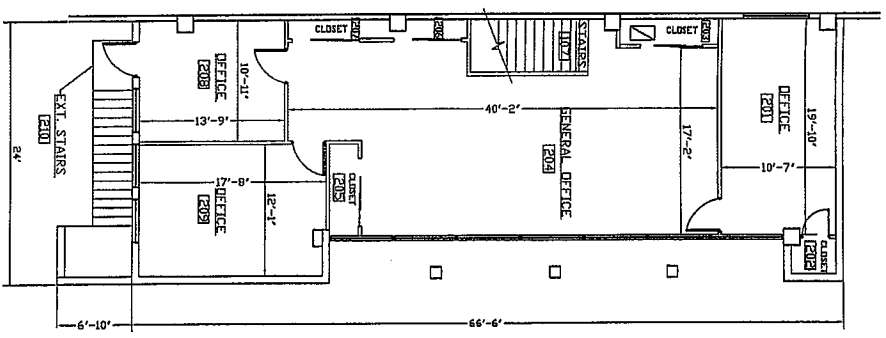


HELENA CHEMICAL COMPANY
 22260 SOMAVIA ROAD
 SALINAS, CA 93908
 7.81 ACRES APN 137-041-033-000

NO.	REVISIONS



GENERAL OFFICE
3/32'-1"



SECOND FLOOR
3/32'-1"

USE PERMIT SUBMITTAL
PRELIMINARY
NOT FOR CONSTRUCTION

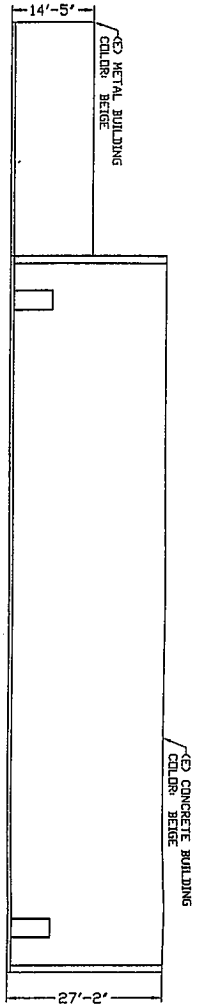
SHEET 1
OF 1

SHEET TITLE
FLOOR PLANS



HELENA CHEMICAL COMPANY
22250 SOMAVIA ROAD
SALINAS, CA 93808
7.81 ACRES APN 137-041-033-000

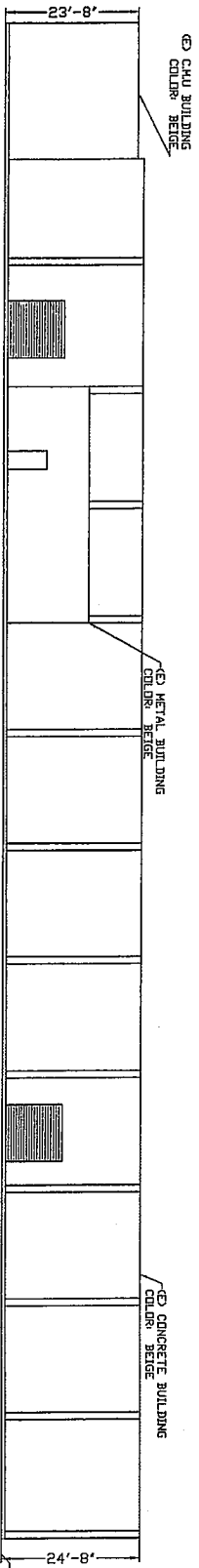
NO.	REVISIONS



NORTH ELEVATION

1"=20'

0'



EAST ELEVATION

1"=20'

0'

FIN. FLR.
EL. +55.0

USE PERMIT SUBMITTAL
PRELIMINARY
NOT FOR CONSTRUCTION

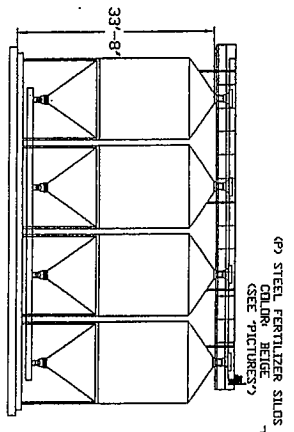
SHEET 1

ARCHITECT
ELEVATIONS

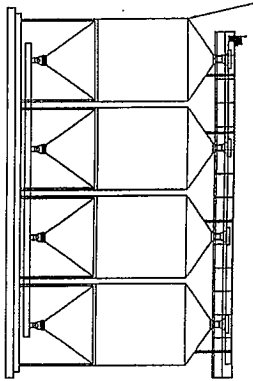


HELENA CHEMICAL COMPANY
22260 SOMAVIA ROAD
SALINAS, CA 93908
7.81 ACRES APN 187-041-038-000

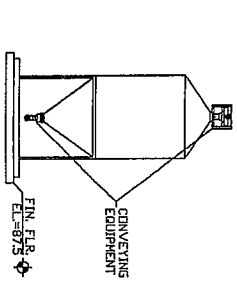
NO.	REVISIONS



EAST ELEVATION



WEST ELEVATION

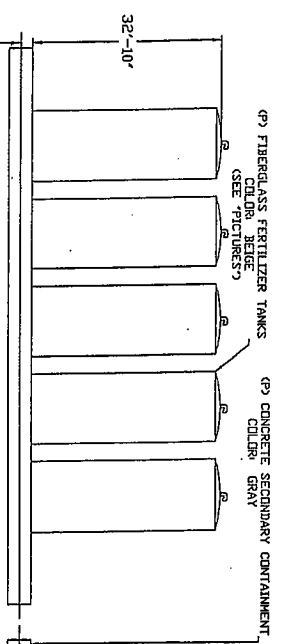


NORTH & SOUTH ELEVATION

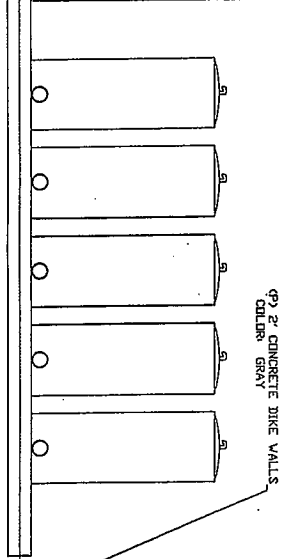
DRY FERT. SILOS ELEVATION

1"=20'

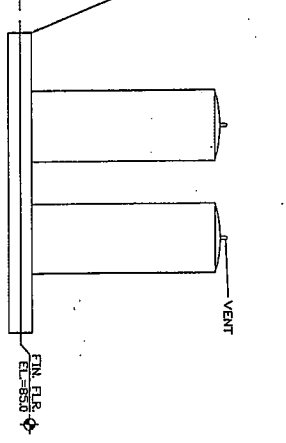
0'



EAST ELEVATION



WEST ELEVATION



NORTH & SOUTH ELEVATION

LIQUID FERT. TANK ELEVATION

1"=20'

0'

USE PERMIT SUBMITTAL
PRELIMINARY
NOT FOR CONSTRUCTION

DATE	1
BY	
SCALE	

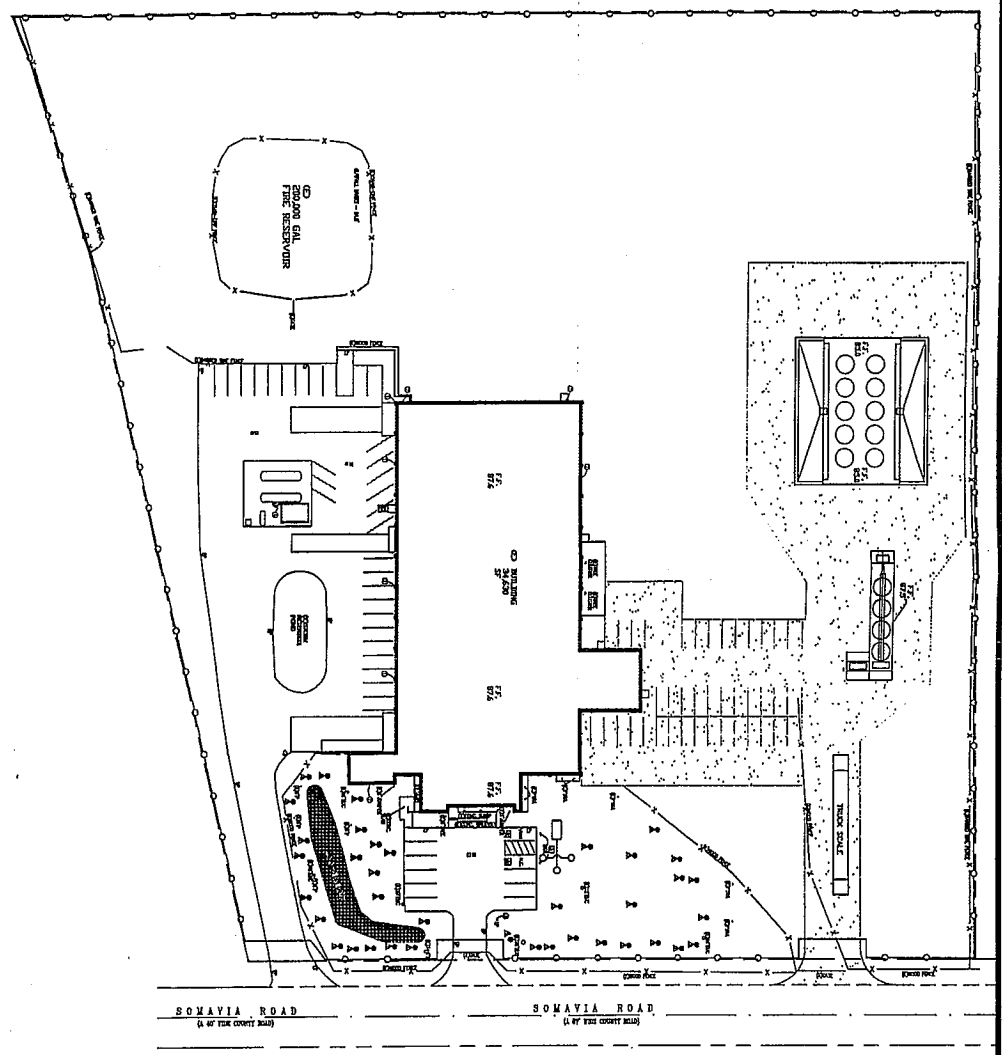
NOT TO SCALE
ELEVATIONS



HELENA CHEMICAL COMPANY
22250 SOMAVIA ROAD
SALINAS, CA 95808
7.91 ACRES

APN 137-041-033-000

REVISIONS



NOT TO SCALE
 USE PERMIT SUBMITTAL
 PRELIMINARY
 NOT FOR CONSTRUCTION

SHEET 1

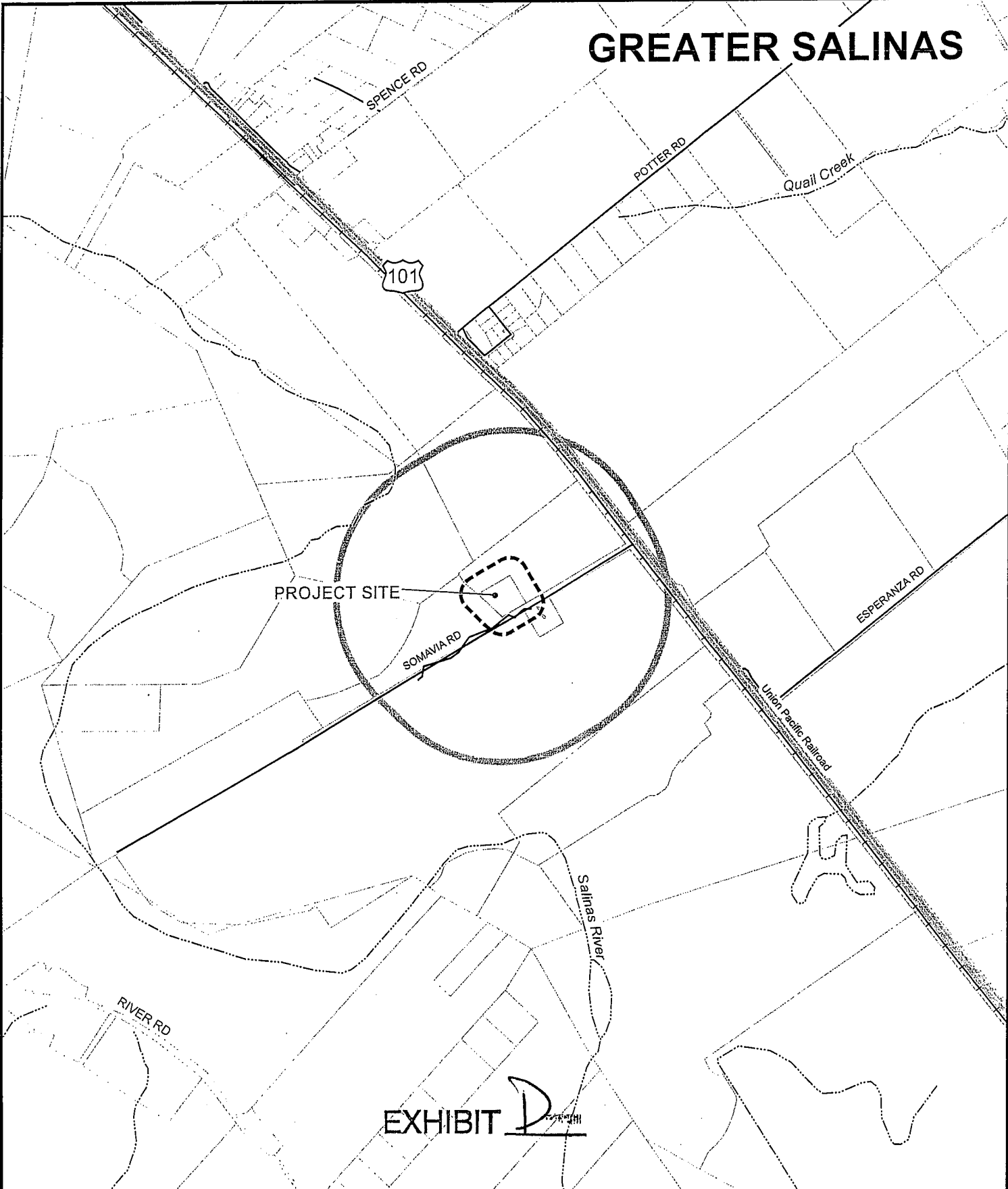
LANDSCAPING PLAN



HELENA CHEMICAL COMPANY
 22250 SOMAVIA ROAD
 SALINAS, CA 93808
 7.81 ACRES APN 187-041-033-000

NO.	REVISIONS

GREATER SALINAS



PROJECT SITE

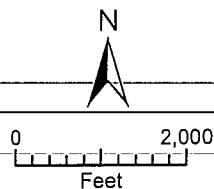
EXHIBIT *D*

APPLICANT: FAR SIGHTED INVESTMENTS OF MONTEREY LLC

APN: 137-041-033-000

FILE # PLN100620

Water 2500' Limit 300' Limit City Limits



PLANNER: NEGRETE

Proposed General Development Plan
For Helena Chemical Company,
Located at 22250 Somavia Road.

County Planning File Number PLN100620.

Requested Uses

- Monterey County Zoning Ordinance- Title 21 Section 21.28.060-(Z) Wholesale and retail establishments distributing materials and products essential to agriculture and farming operations, except manure (ZA).

Description of Proposed Site Improvements

- Formal Site Plan: (Attached)
- Materials and Colors: Helena proposes to leave the existing structures as they are. If any of the structures are repainted in the future the existing colors will be matched as close as possible to the existing colors. Any new infrastructure will also be painted to match the existing color of the warehouse.
- Parking Areas: (Attached)
- Exterior Lighting: All of the existing light fixtures will be utilized to illuminate the property for security and safety (See attached photos). If a light needs to be changed, replaced or added Helena proposes to use a light fixture that is compliant with the counties lighting requirements. The light fixtures will be comparable or identical to the attached cut sheets.
- Trash and Recycling Bin- Helena will utilize 80 gallon trash cans and therefore will not require a trash enclosure. The trash cans will be placed near the dock areas and in the warehouse.
- Landscaping Plan (Attached)

For Industrial Sites and Uses

- Helena will be required to maintain and update before and during operation a HMBP (Hazardous Material Business Plan) and RMP (Risk Management Plan) for Environmental Health (The Salinas location that will be replaced by this operation currently has a HMBP and RMP on record with Environmental Health (permit #SA0A11874). The new operation will be identical to the existing operation with the exception of the bulk dry and liquid fertilizer). When the Dry

fertilizer silos are constructed an Authority to Construct will be needed from the local Air Quality Control District prior to construction.

Physical Expansion and New Development

Helena plans to use the existing warehouse as a storage facility for crop protection and production products. The products will be stored on or in pallets, super sacks, or mini bulks. These products will be received to the facility by truck. There are currently three docks on the Westside of the existing warehouse that will be utilized to receive and ship product. The existing white wood fence will be removed and replaced with a 6' chain link fence that will be installed on the perimeter of the property.

Attached to the warehouse space is a two story office and existing restroom facilities. The restrooms discharge into an existing septic system. The office will be used for conducting business. Generally most of the customers that Helena services will have their products delivered by Helena to the field where application takes place. Phase 1 of the project will include revamping the property to a usable condition.

For Phase 2 Helena proposes to construct secondary containment to house ten bulk liquid fertilizer tanks. The tanks will be a capacity of 30,000 gallons. The tanks are anticipated to hold UAN 32%, CAN 17, 0-0-21, 10-34-0, 0-52-0, N-Phuric 15/49, and Hydra-Hume. All of these products are considered crop production products. They will be received from the supplier and delivered to the customer by Helena. Helena will install two tanks initially within a couple of years from the start of operation and install the rest as market conditions dictate. Helena proposes to put in the additional overflow parking in during the construction of the secondary containment.

For Phase 3 Helena proposes to build dry fertilizer storage silos. The silos are anticipated to store Sulfate of Potash, Muriate of Potash, Hydra Hume DG, Urea, and Ammonium Sulfate. These products will also be received from the supplier and delivered to the customer by Helena. It is anticipated that the silos will not be needed until market conditions warrant the use.

The undeveloped land will be maintained and kept clear of debris and weeds.

Operational Changes

The subject property has been unused for 5+ years. Helena plans to move their existing business from 1355 Abbott Street, Salinas, CA to the subject property. The property operations will change from vacant to a crop protection and production products wholesale and retail seller.

Circulation or Transportation Improvements

The traffic coming to the facility will exit off of Highway 101 onto Somavia Road headed west. If the truck is delivering dry fertilizer or liquid fertilizer they will enter the property from the existing entrance on the east side. If they are delivering or picking up packaged goods they will enter the existing west entrance and proceed to the dock area. Passenger vehicles will enter the facility in the existing parking entrance in front of the office. All employees and visitors to the site will be required to sign in at the office before accessing any other part of the property.

All traffic leaving the property will reenter Somavia road and head East towards Highway 101. They will then enter Highway 101 going north or southbound. There is currently an acceleration and deceleration lane that is in place going northbound on Highway 101. Transportation Improvements are outlined in the traffic report.

Conformance to the Policies of the Local Area Plan

According to the new adopted General Plan Zoning Map the property to the east is zoned HI and to the north, south, and west is F/40 zones. The proposed use of the land by Helena will be compatible to the existing surrounding land uses.

Sign Program

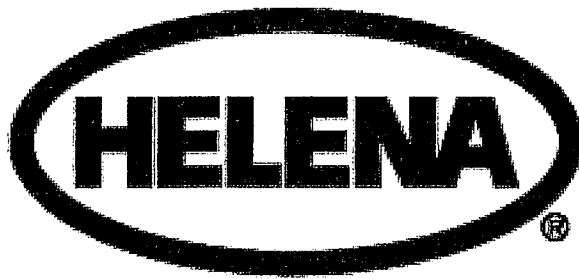
Helena proposes that all signs posted or constructed on the property will comply with Section 21.60.090 of the Monterey County Zoning Ordinance.

Proposed Number of Employees: Helena anticipates 16 employees at the full build out of the site.

Operations

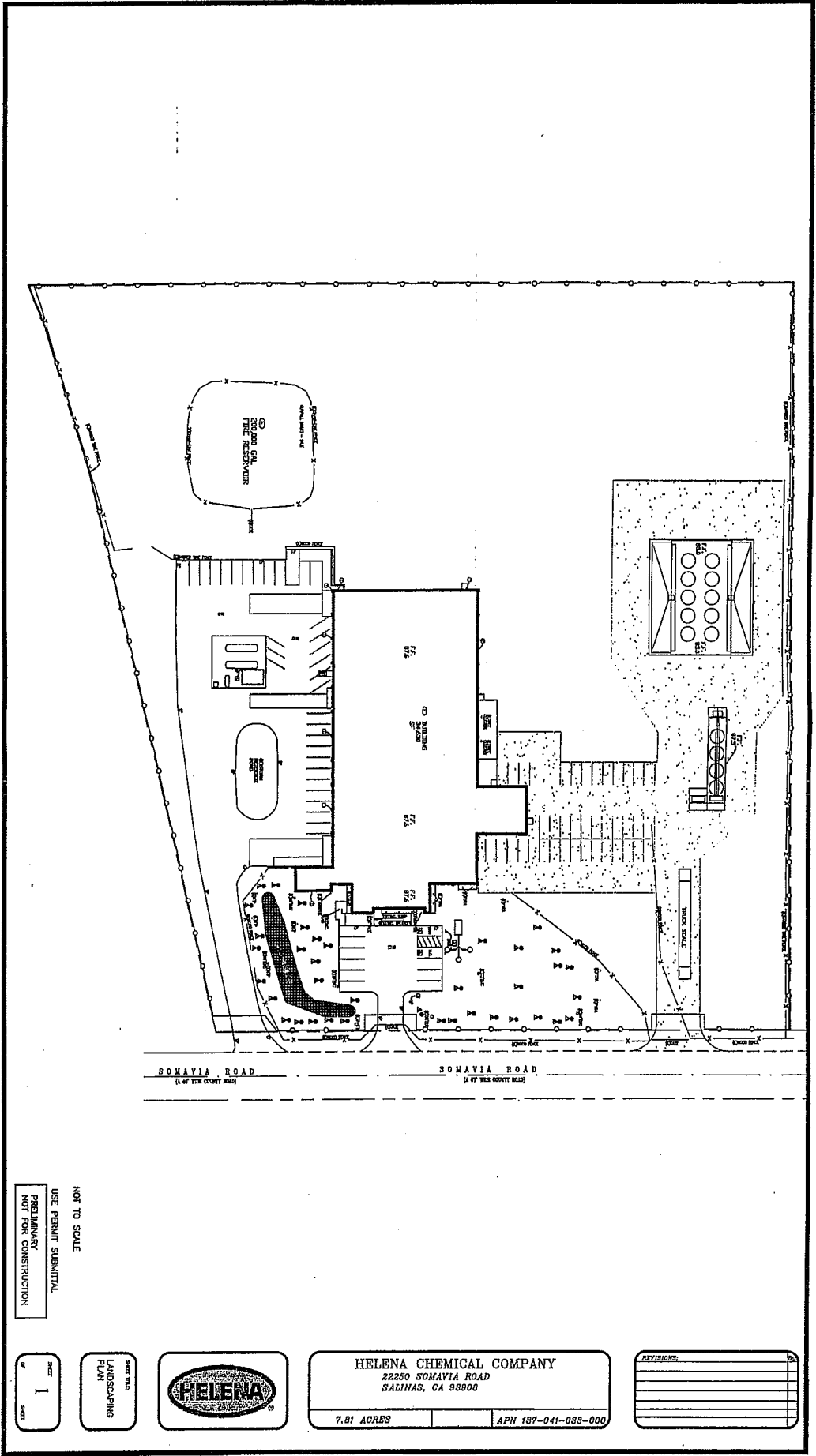
Hours of Operation: Mon-Sat 7am-5pm

Delivery Hours: Mon-Sat 7am-5pm



People... Products... Knowledge...

Sign on front of office (See "South Elevation")



NOT TO SCALE
 USE PERMIT SUBMITTAL
 PRELIMINARY
 NOT FOR CONSTRUCTION

SHEET 1 OF 1

SHEET TITLE
 LANDSCAPING
 PLAN



HELENA CHEMICAL COMPANY
 22260 SOMAVIA ROAD
 SALINAS, CA 93908
 7.81 ACRES APN 137-041-033-000

NO.	REVISIONS

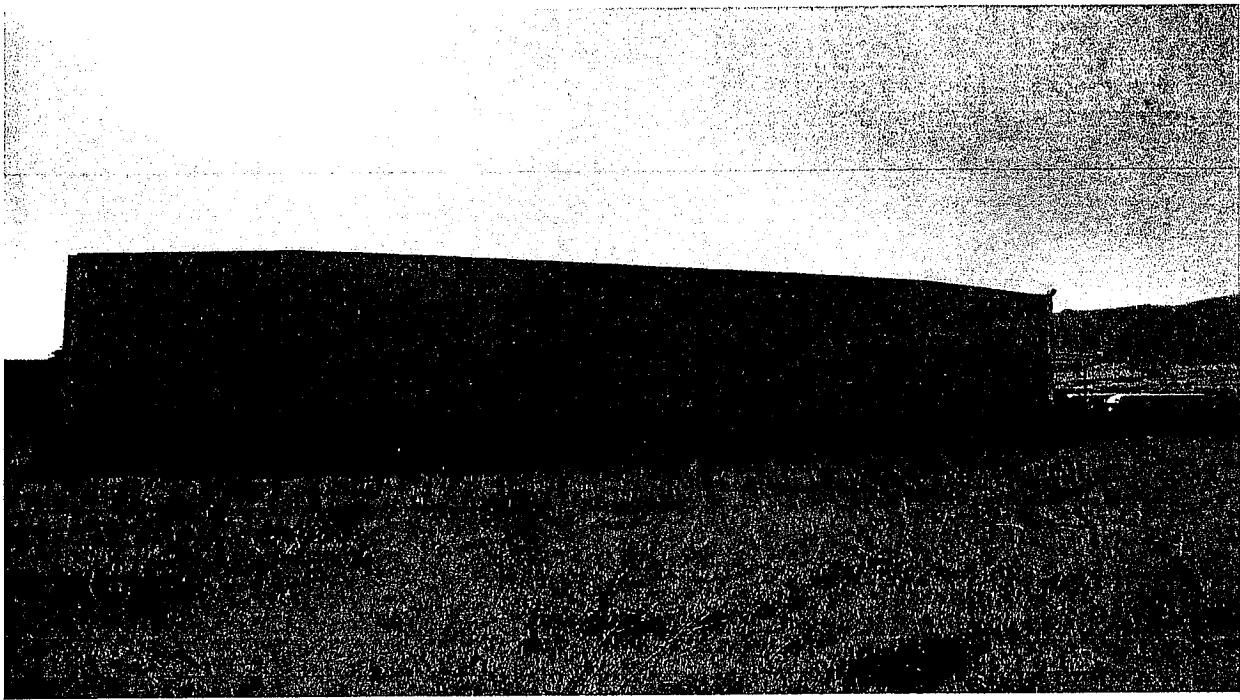
6



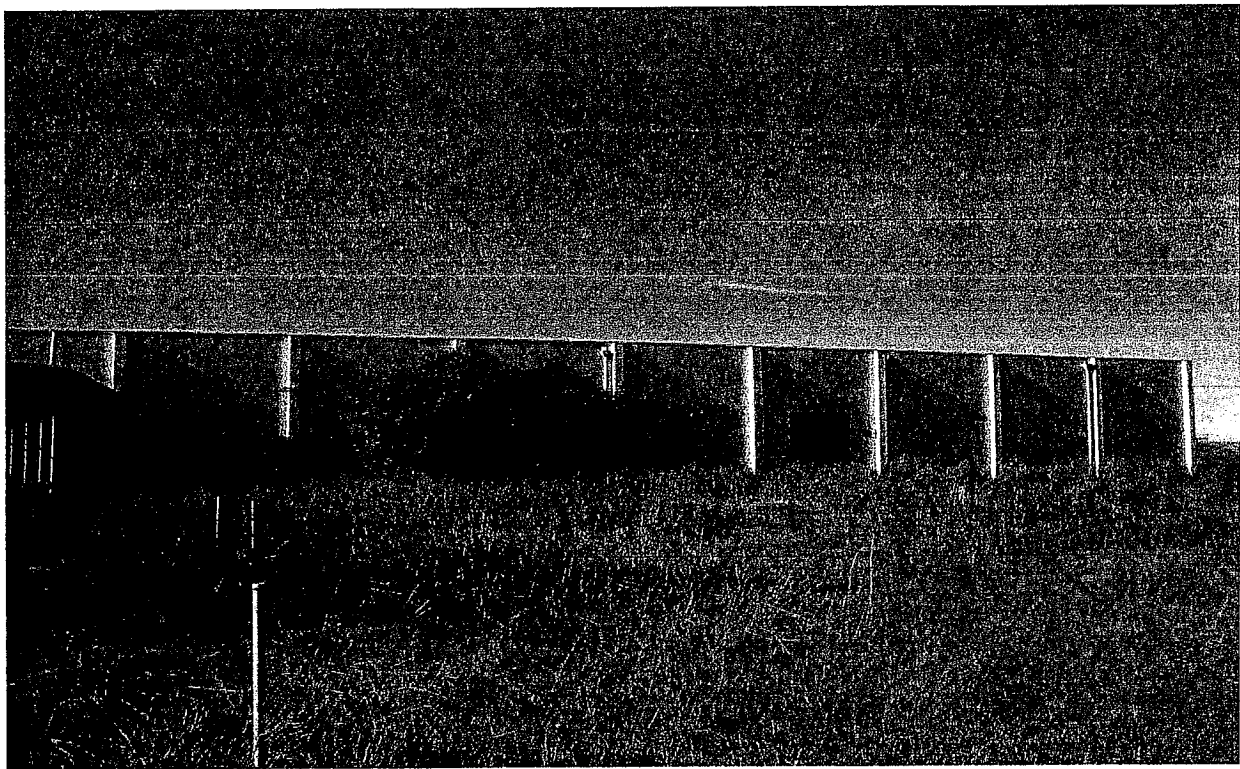
South Elevation (Front of office)



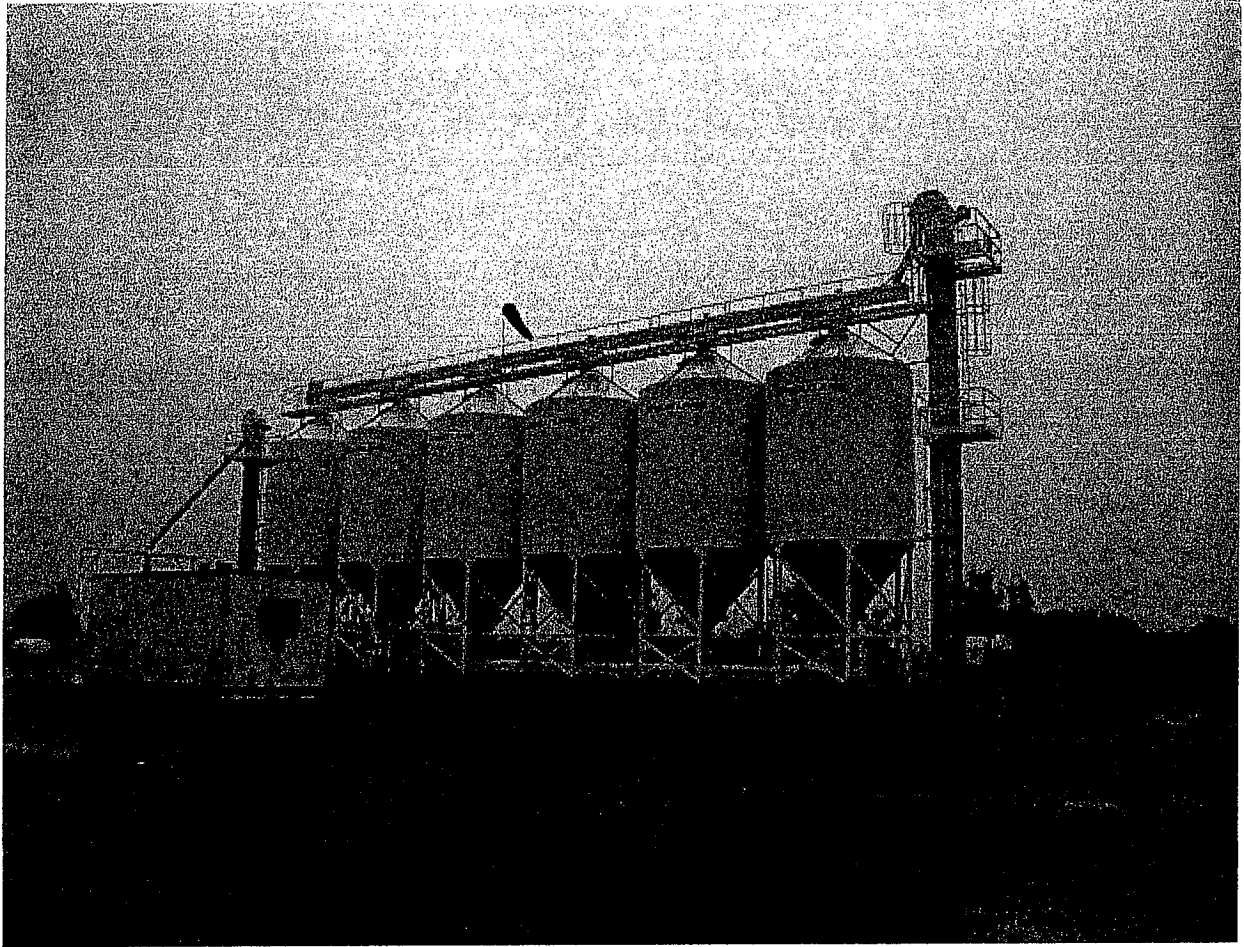
West Elevation



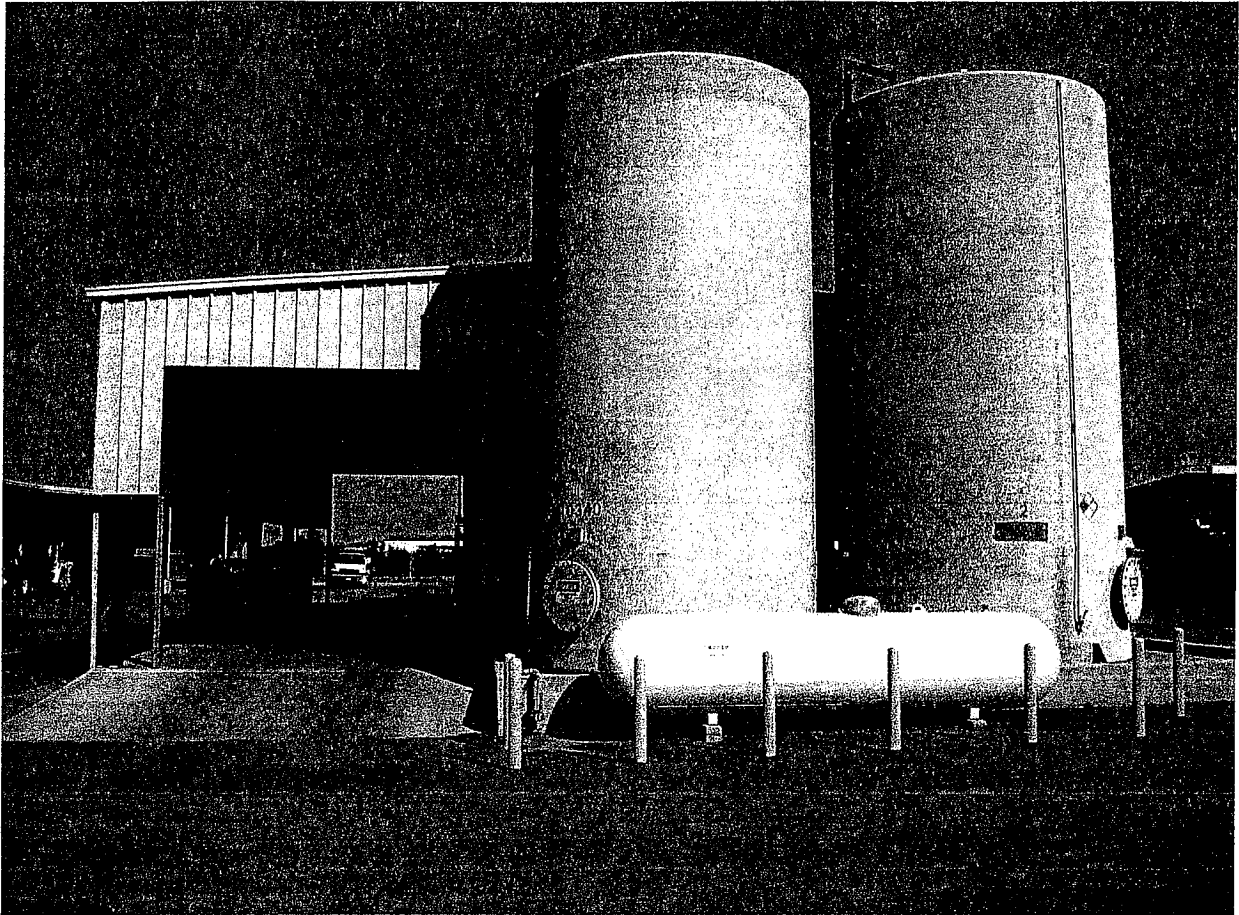
North Elevation



East Elevation



Example of Dry Fert. Silos



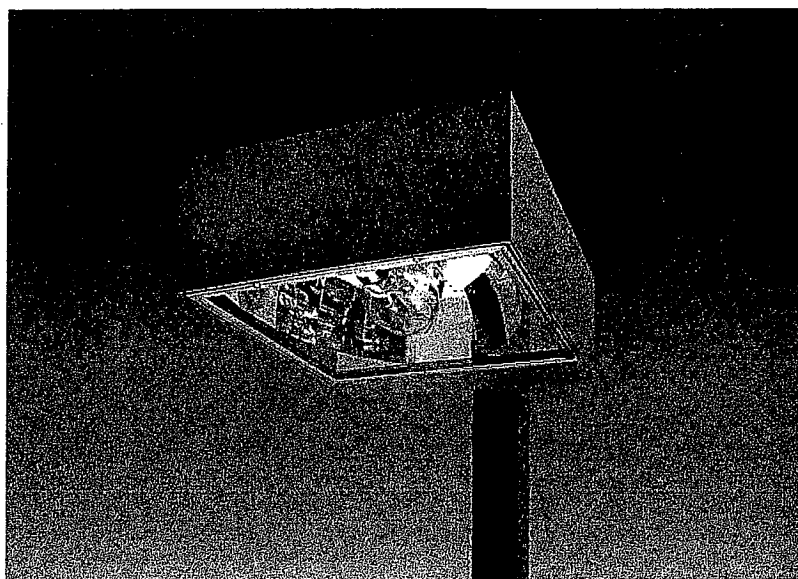
Example of Liquid Fert. Tanks

ALLSCAPE®

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Littlestown, PA 17340
Phone: 800 854 8277
Fax: 717 359 9545
allscape@philips.com
www.allscape.net

AL-01

- Parking Areas**
- Roadway**
- Pedestrian Walkways**
- Tennis Courts**
- Large Areas**



Specifications



- Certifications** The fixture shall be ETL and CETL listed for wet location.
- Light Distribution** The AL-01 shall meet the specified light distribution and footcandle levels with an internal optical system and horizontal lamping.
- Assembly** The fixture shall be factory pre-wired, completely assembled and tested prior to shipment. Each AL-01 shall be provided with an aluminum arm 9" long for 1, 2 at 180° and CWB mounting configurations and 9" long for 2 at 90°, 3 at 90°, 3 at 120°, and 4 at 90° mounting configurations.
- Housing** The fixture housing shall be constructed from heavy gauge aluminum sheet, internally welded and silicone sealed.
- Door Frame Assembly** Extruded clear anodized aluminum door frame shall be furnished with fully tempered clear glass lens, thermal and shock resistant. White dacron open cell gasket prevents entry of moisture, dust and insects. All external hardware to be stainless steel.
- Ballast** Ballast shall be readily accessible, removable and insulated. The fixture is to be factory pre-wired and electronically tested before shipment. Quick disconnects are standard.
- Optical-Assembly** The optical assembly shall be of all non-ferrous components with a multi-faceted highly reflective specular finished reflector providing full cutoff, rotatable 90°.
- Finish** BK-BZ-WH-GY-GR-NA are thermoset polyester powder coat. VR finish is hand-rubbed over a black thermoset polyester powder coat. Custom color available upon request.
- Mounting Details** AL-01-SH4 Bracket externally slip-fits 2 3/8" O.D. tenons with 4" square fitter. AL-01-RH4 Bracket externally slip-fits 2 3/8" O.D. tenons with 4" round fitter.

AL-01

PROJECT
FIXTURE TYPE
CATALOG#

Hg Some luminaires use fluorescent or high intensity discharge (HID) lamps that contain small amounts of mercury. Such lamps are labeled "Contains Mercury" and/or with the symbol "Hg." Lamps that contain mercury must be disposed of in accordance with local requirements. Information regarding lamp recycling and disposal can be found at www.lamprecycle.org

Product Order Guide

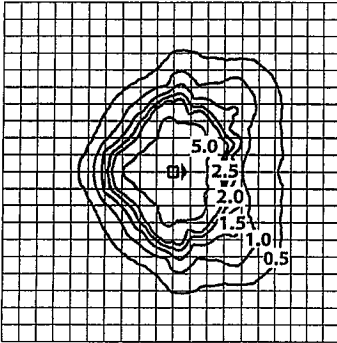
Series	Mounting Type	Max Watts	Lamp Type	Voltage ¹	Reflector Type	Finish ¹	Options
AL-01-20	BC9	150 MHP	E17 ²	120	I	BZ Bronze	F Fusing
	CWB	150 HPS	E17 ²	208	II	BK Black	FF Double Fusing
	RH4			240	III	WH White	PCC Photo Control W/Receptacle
AL-01-24	SH4	400 MHP	ED28	277	V	GR Green	PL Polycarbonate Lens Shield
		400 HPS	BT37	347	F	VR Verde	HSS House Side Shield (Internal)
			480		GY Gray	QS Quartz Standby	
					NA Natural Alum	FF480 Double Fusing 480V	
					CC Custom Color	PSV Pole Side Visor (External)	

1 Consult factory for other colors and voltages.
 2 Lamps 150 W and below are medium base.

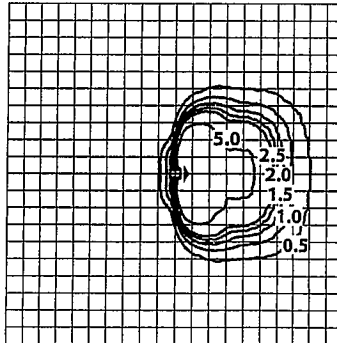
Example: AL-01-RH4/3T-400HPS-ED-18-120-III-BK-PCC

Photometric Data

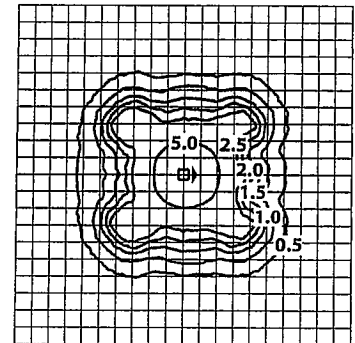
AL-01-400HPS-type III
 50000 Initial Lumens
 24.0 ft. Mounting Height
 10.0 ft. grid, Value in footcandles



AL-01-400HPS-type F
 50000 Initial Lumens
 24.0 ft. Mounting Height
 10.0 ft. grid, Value in footcandles

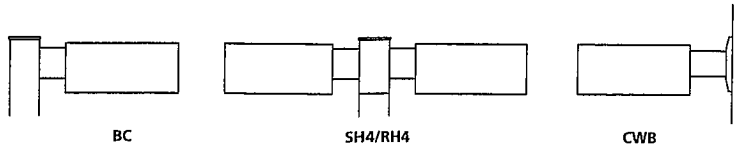


AL-01-400HPS-type V
 50000 Initial Lumens
 24.0 ft. Mounting Height
 10.0 ft. grid, Value in footcandles



Mounting Type

- BC9 Concealed Hardware Mounting Arm 9" long
- CWB Cast Wall Bracket
- SH4 4" Square Hub Mounting for 2-3/8" Tenon
- RH4 4" Dia. Round Hub Mounting for 2-3/8" Tenon



Luminaire Dimension

Luminaire	A		B		C		Weight		EPA
	inch	mm	inch	mm	inch	mm	lbs.	kg	
AL-01-150W	20.0	508	6.5	165	15.0	381	26	11.7	1.26
AL-01-400W	24.0	610	8.0	203	19.0	483	48	21.7	1.82

12



ALLSCAPE®

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BL-80/81

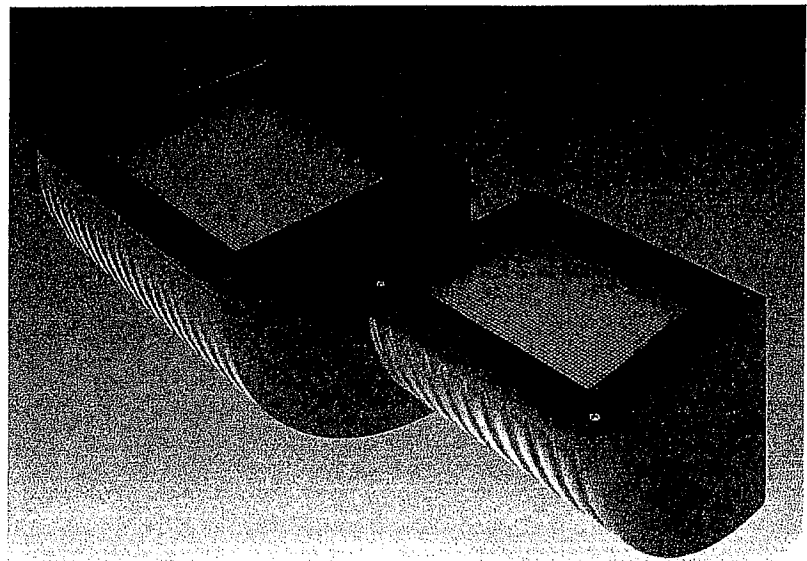
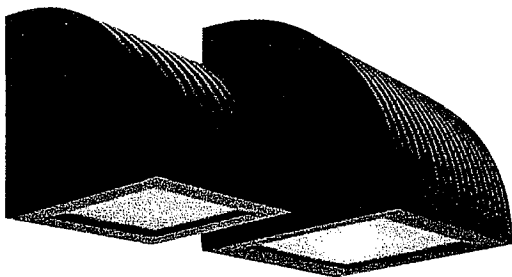
Building Mount

Corridor

Walkways

Accent

Building Entrances



Specifications



Certifications The fixture shall be ETL and CETL listed for wet location. Also meets IP65 standard.

Ballast Housing Cast aluminum.

Lens Frame Cast aluminum mounted to ballast housing with stainless steel screws.

Lens The lens shall be clear tempered prismatic glass (BL-80), optional clear tempered with spot and flood reflector. The lens shall be clear tempered glass (BL-81).

Reflector The reflector shall be an adjustable (40°) asymmetric reflector (BL-81). Optional spot and flood reflectors available.


Up/Down Mounting Each fixture can be mounted in an upward or downward orientation.

Finish BK-BZ-WH-GR-GY-NA thermoset polyester powder coat which is electrostatically applied and bonded by heat fusion thermosetting. CC available upon request.

BL

PROJECT
FIXTURE TYPE
CATALOG#

BL-80/81

 Some luminaires use fluorescent or high intensity discharge (HID) lamps that contain small amounts of mercury. Such lamps are labeled "Contains Mercury" and/or with the symbol "Hg." Lamps that contain mercury must be disposed of in accordance with local requirements. Information regarding lamp recycling and disposal can be found at www.lamprecycle.org

Product Order Guide

Series	Max Watts	Lamp Type	Voltage ¹	Lens	Finish ¹	Options
BL-80	42 CFT	CFT ²	120	PG Prismatic Tempered Glass	BK Black	CG Clear Tempered Glass
	70 HPS	E17	208	CG Clear Tempered Glass	BZ Bronze	SPT Spot 1V1H T6 Only
	70 MH	E17	240		WH White	FLD Flood 3V3H T6 Only
	70 MH	T6	277		GR Green	PG Prismatic Tempered Glass
BL-81	150 MH	E17		CG Clear Tempered Glass	NA Natural Aluminum	ADJ Adjustable Asymmetric
	150 MH	T6			GY Gray	SPT Spot 1V1H
	150 HPS	E17			CC Custom Color	FLD Flood 3V3H
	18 LPS	T17				PCC Photo Control
	(2) 42 CFT	CFT ²				EMG ⁴ Emergency Battery Backup

LED

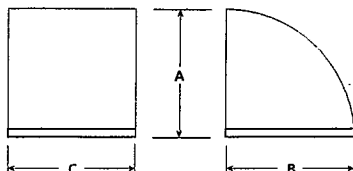
Titan 25WW ³	120-277	25°, 45° Warm White (3050°K)
Titan 25TC ³	120-277	25°, 45° TruColor Warm White (3050°K) 1290 Raw Lumens
Titan 25CW ³	120-277	25°, 45° Cool (Daylight) White (4700°K)

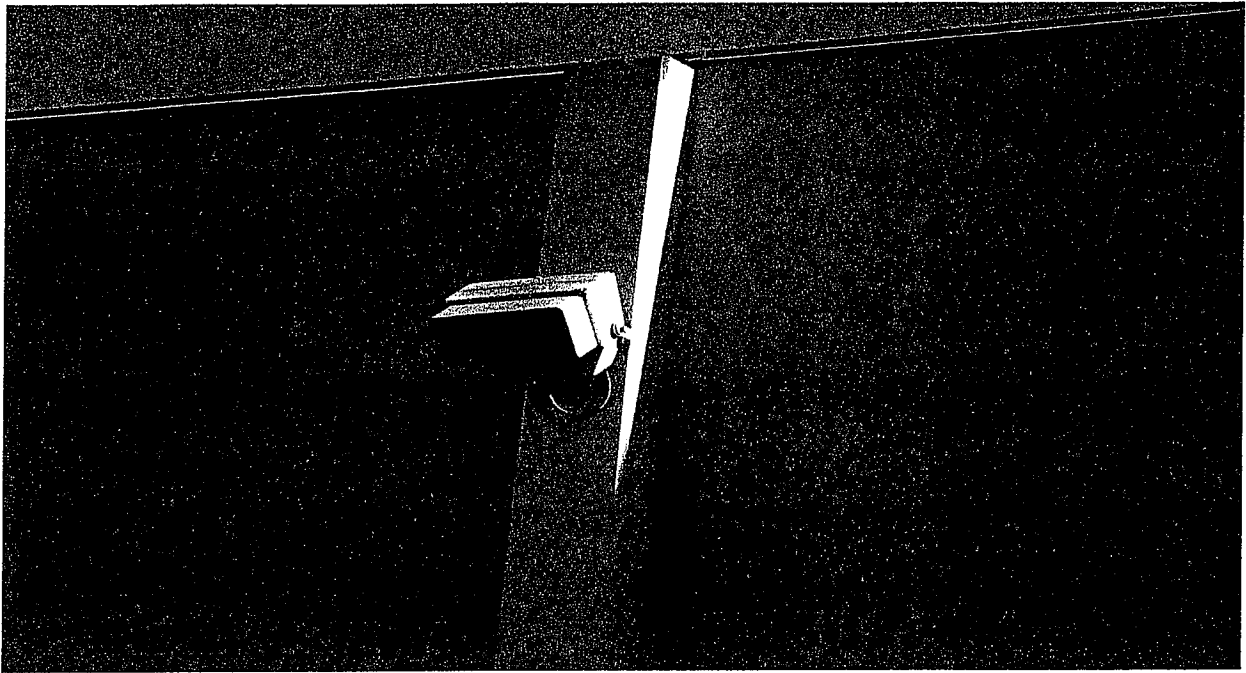
- 1 Consult factory for other colors and voltages
- 2 CF = single biax, CFQ = double biax, CFT = triple biax
- 3 25W Titan from Lamina
- 4 BL-80 requires remote EMG

Example: BL-80-70MH-E17-240-PG-BK

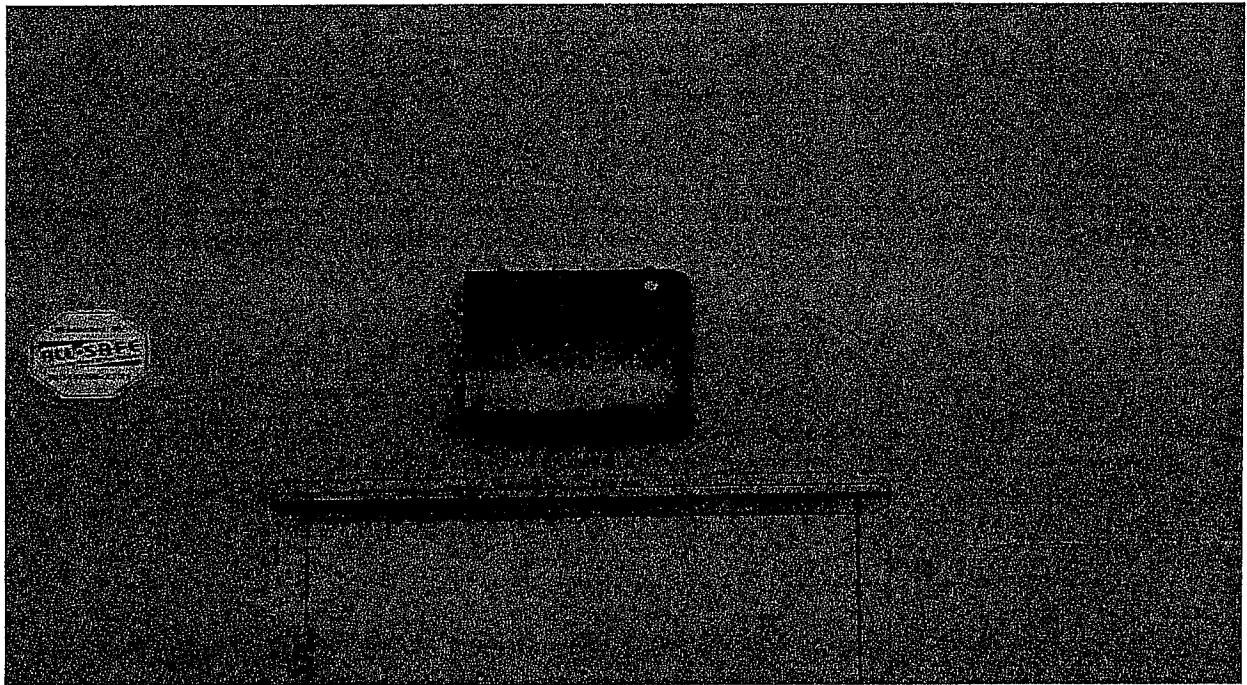
Luminaire Dimensions

Luminaire	A		B		C		Weight	
	Inch	mm	Inch	mm	Inch	mm	lbs.	kg
BL-80	9.00	229	8.75	222	9.75	248	12	5.4
BL-81	12.00	305	12.50	318	14.50	368	33	14.9

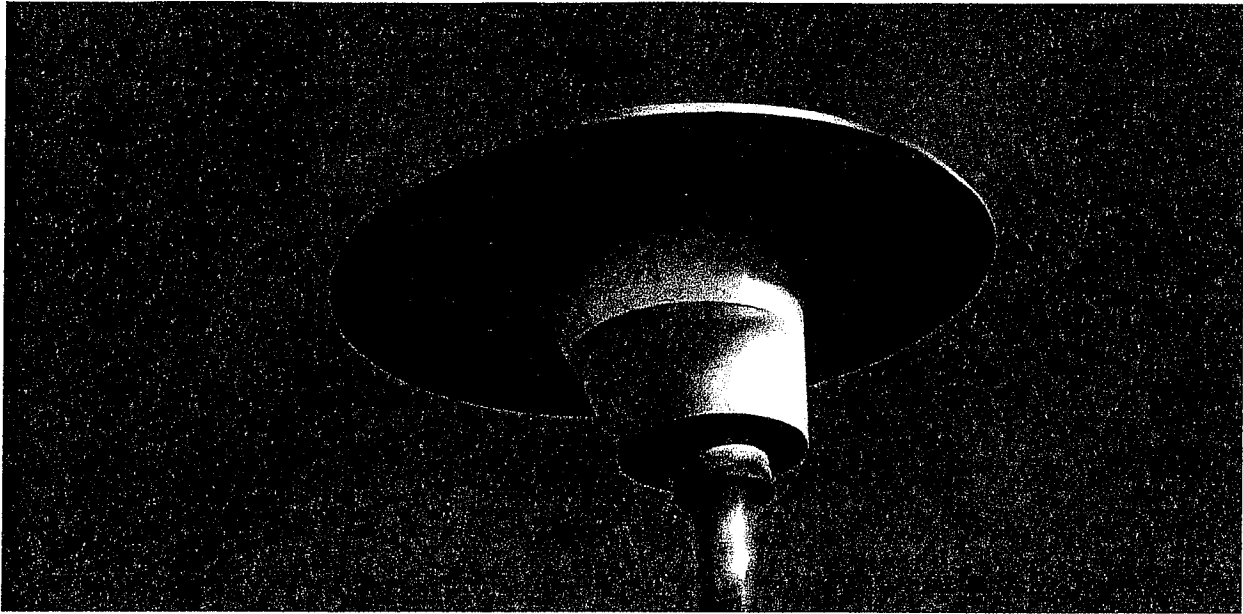




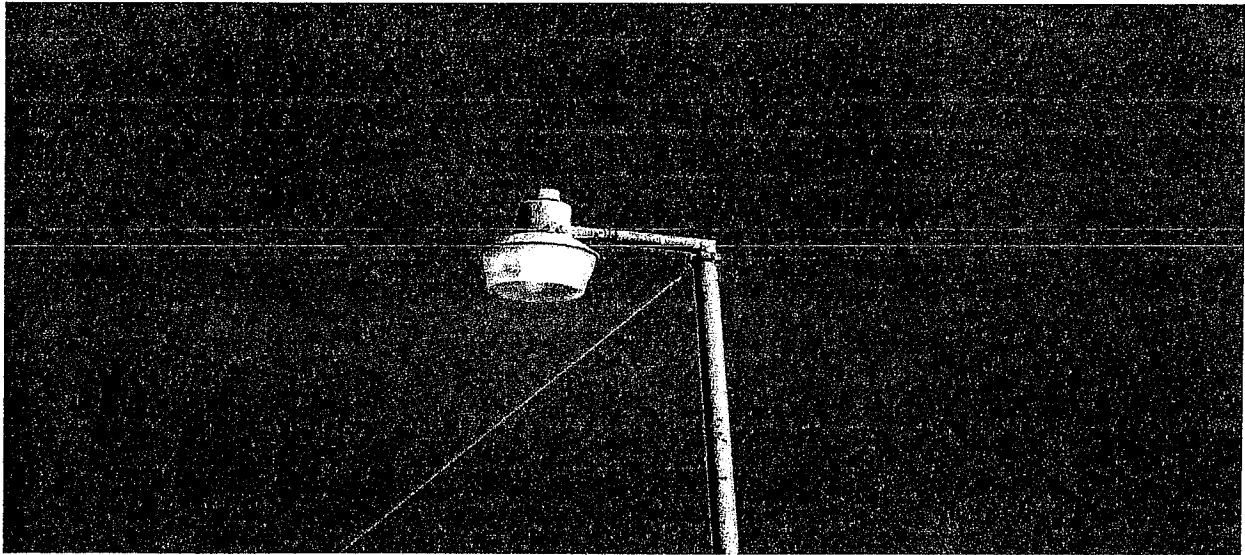
Typical Existing Flood Light



Typical Existing Wall Mounted Light



Typical Existing Pole Mounted Light (Front of Office)



Typical Existing Pole Mounted Light (Near Pump House)



California Regional Water Quality Control Board

Central Coast Region



Linda S. Adams
Acting Secretary for
Environmental Protection

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Phone (805) 549-3147 • FAX (805) 543-0397

Edmund G. Brown Jr.
Governor

May 2, 2011

Interested Parties

SITE CLEANUP PROGRAM: 22250 SOMAVIA ROAD, SALINAS, CA; ASHWORTH BROTHERS INC – NOTIFICATION OF CASE CLOSURE REQUEST AND DRAFT DEED RESTRICTION

Central Coast Regional Water Quality Control Board (Water Board) is the public agency with primary responsibility for the protection of groundwater and surface water quality within the central coast region. As such, we are the lead regulatory agency in this Site Cleanup Program (SCP) waste-release case. Water Board staff has reviewed Grond Zero's Case Closure Summary Report. Based on the information contained in the Report, associated Draft Deed Restriction, and other pertinent site reports, Water Board staff concurs with the proposed case closure and will recommend case closure to the Water Board at its next meeting.

Water Board staff recommend closure of this case based on results of the recent groundwater investigation and monitoring, which confirm the current groundwater quality conditions and the effectiveness of previous corrective actions. During the most recent monitoring event, 1,1-dichloroethene (1,1-DCE) was detected in one well (AB-6) at 31 microgram per liter ($\mu\text{g/L}$), slightly above California Department of Public Health Maximum Contaminant Level (MCL) of 6 $\mu\text{g/L}$. 1,4-dioxane continues to be detected in the existing monitoring wells with the maximum concentration of 36 $\mu\text{g/L}$, which slightly exceeded the California Department of Public Health's (CDPH) Response Level of 35 $\mu\text{g/L}$. Other chlorinated solvent compounds and petroleum hydrocarbons were below MCLs or the Water Board's action levels.

Pursuant to the California Health and Safety Code (CH&SC), Section 25296.20, the Water Board is required to notify all current fee titleholders of waste release sites before considering corrective actions or case closure. The Water Board is also continuing its efforts to provide public participation in our site cleanup programs. As part of that effort, we are notifying nearby landowners and occupants of our intention to recommend this case for closure. You have been identified as a property owner for the subject site, or a property owner or resident or business that is in the immediate vicinity of the subject site. We are notifying you of our plan to close this SCP case.

The site was used for manufacturing steel industrial belts starting in 1968, but is currently vacant. In March 1986, the Water Board inspected the site and discovered the discharges from an indoor sump to the seepage pits, degrading soil and groundwater. In June 1986, Monterey County Health Department ordered the responsible party to cease the discharge to the seepage pits. The responsible party performed initial soil and groundwater investigations in 1986. Consultants collected soil and groundwater samples from temporary soil borings at the site. Soil sample analysis showed contamination of soil and groundwater.

The Water Board issued Cleanup or Abatement Orders No. 86-259 and No. 87-23 in 1986, ordering the responsible party to clean up the site. The responsible party install a groundwater extraction and treatment system (air-stripping and carbon) December 1986 which operated until

California Environmental Protection Agency

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EXHIBIT

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①

November 1991. More than 900 million gallons of contaminated groundwater was extracted and treated. Since 1986, the responsible party has installed a total of fifteen groundwater monitoring wells. The Water Board required a quarterly groundwater monitoring program in 1986. Based on the groundwater monitoring results, concentrations of most contaminants of concern declined to below their respective MCLs or action levels after the remediation. Dichloroethene (1,1 DCE) and 1,4-dioxane have been fluctuating at levels slightly above their MCL or notification level in a few wells. However, the residual 1,1-DCE and 1,4-dioxane concentrations have been declining or have remained low and are stable. In addition, 1,4-dioxane was not detected in soil borings and groundwater concentrations are declining. The concentrations of other volatile organic compounds have been below the laboratory detection limits or below cleanup goals since 1997.

This site lies within the Salinas Hydrologic Unit, Chular Hydrologic Area (309.20). There are no nearby surface waters. There is one water supply well on-site, which is perforated from 145 to 162 feet below ground surface. Based on the extent and concentration of VOCs in groundwater associated with this case, Water Board staff does not consider the supply well at risk.

Water Board staff recommends closure of this case based on the following:

1. The source of contamination was removed by groundwater extraction and treatment between 1986 and 1991;
2. The extent of the residual VOC plume has been fully delineated. The 1,1-DCE is localized in a small area in the vicinity of wells AB-3 and AB-6, and 1,4-dioxane plume is limited to within the property lines. The detected maximum concentrations of 31 µg/L 1,1-DCE and 36 µg/L 1,4-dioxane are slightly above the cleanup goal of 6 µg/L and the action level of 35 µg/L, respectively;
3. The on-site water supply well has not been impacted by the site contamination;
4. Groundwater data indicate that on-site remediation was effective and has significantly reduced concentrations of contaminants in groundwater. Water Board staff expect the remaining residual contamination will continue to attenuate naturally;
5. Because we are recommending closure of this case where the concentrations of the contaminants of concern in groundwater are above their respective water quality goals or response levels, a deed restriction for certain activities (e.g., well installations) and uses of impacted groundwater at the site is required as a condition of this case closure; and
6. Case closure is consistent with State Board Resolution No. 92-49, Section III.G., which allows consideration of cost-effective abatement measures where attainment of reasonable objectives, less stringent than background water quality, does not unreasonably affect present or anticipated beneficial uses of groundwater, and will not result in water quality less than that prescribed by the Basin Plan.

Unless we receive significant objections, we will recommend case closure to the Water Board at their next meeting following completion of the public notice and preparation of a staff report. We have enclosed the final draft of the Case Closure Summary form with the draft deed restriction for your information and review. All monitoring wells will be properly destroyed as a final condition prior to case closure.

In order to expedite the closure process, we encourage all interested parties to provide us with any comments on the proposed plan to close this case by **May 20, 2011**. If you do not wish to participate, you do not need to respond. Comments received by May 19, 2011 will be considered and resolved before we make our recommendation to Water Board. Site investigation information and reports are available on the State Water Resources Control Board's GeoTracker database, and can be reviewed on the following web site:

http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=SLT3S5571366

If you wish to obtain additional information, provide comments, please call Wei Liu at 805-542-4648 or by e-mail at: wnliu@waterboards.ca.gov.

Sincerely,



for
Roger W. Briggs
Executive Officer

cc:

enclosure

Mr. Vincent Moretti
Ashworth Brothers, Inc.
222 Milliken Boulevard, Suite 7
Fall River, MA 02721

Mr. Daniel Vorhies
Cassidy Turley / BT Commercial
dvorhies@ctbt.com

Mr. Eric Price
Ground Zero Analysis, Inc.
eprice@groundzeroanalysis.com

Mr. Bruce Weldon
Monterey County Health Department
weldenb@co.monterey.ca.us

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California Regional Water Quality Control Board

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California Environmental Protection Agency

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4

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Mr. Bruce Weldon
Monterey County Health Department
weldenb@co.monterey.ca.us

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