

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> March 11, 2009 Time: <i>9:00 am</i> <b>Agenda Item No.:</b>	
<b>Project Description:</b> Use Permit and General Development Plan to relocate a concrete and asphalt recycling operation from 10735 Ocean Mist Parkway in Castroville to the subject site (A&S Recycling Facility) located on Commercial Parkway in Castroville.	
<b>Project Location:</b> 11300 Commercial Parkway, Castroville	<b>APNs:</b> 133-491-045-000, 133-491-017-000, 133-491-019-000 and 030-301-014-000 (existing operation).
<b>Planning File Number:</b> PLN070631	<b>Name:</b> SJR LLC Property Owner
<b>Plan Area:</b> North County Area Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> : Heavy Industrial with a B-6 overlay or "HI/B-6"	
<b>CEQA Action:</b> Mitigated Negative Declaration	
<b>Department:</b> RMA - Planning Department	

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following actions based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**):

1. Adopt the Mitigated Negative Declaration; and
2. Approve the Use Permit and General Development Plan; and
3. Adopt a Mitigation Monitoring and/or Reporting Program (**Exhibit D**)

**PROJECT DISCUSSION:**

See Exhibit B

**OTHER AGENCY INVOLVEMENT:**

- ✓ North County Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was referred to the North County Land Use Advisory Committee (LUAC) for review. This application warranted referral to the LUAC per the Monterey County Board of Supervisors LUAC review guidelines (Resolution No. 04-236) because the project is not exempt from CEQA.

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

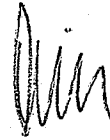


Brittanyann C. Nicholson  
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 (February 02, 2008)

cc: Front Counter Copy; California Coastal Commission; Planning Commission Members (10); County Counsel; North County Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Luis Osorio, Planning Services Manager; Brittanyann C. Nicholson, Planner; North County LUAC; Carol Allen; Stan Silva, Applicant; John Silva, Agent; File PLN070631

Attachments: Exhibit A Project Data Sheet  
Exhibit B Project Discussion  
Exhibit C Recommended Findings and Evidence  
Exhibit D Recommended Conditions of Approval and Mitigation Monitoring and Reporting Program  
Exhibit E Vicinity Map  
Exhibit F Site Plan, Floor Plan and Elevations  
Exhibit G General Development Plan  
Exhibit H LUAC Minutes  
Exhibit I Mitigated Negative Declaration  
Exhibit J Comments on Mitigated Negative Declaration

This report was reviewed by Luis Osorio, Planning Services Manager



# EXHIBIT A

## Project Information for PLN070631

Project Title: **SJR LLC**

Location: 11300 COMMERCIAL PKWY CASTROVILL

Primary APN: 133-491-045-000

Applicable Plan: North County Area Plan

Coastal Zone: No

Permit Type: Use Permit

Zoning: HI/B-6

Environmental Status: MND

Plan Designation: INDUSTRIAL

Advisory Committee: N/A

Final Action Deadline (884): 3/14/2009

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### Project Site Data:

Lot Size: 12 AC

Coverage Allowed: 50%

Coverage Proposed: N/A

Existing Structures (sf): 22,698

Height Allowed: 35'

Proposed Structures (sf): N/A

Height Proposed: N/A

Total Sq. Ft.: 22,698

FAR Allowed: N/A

FAR Proposed: N/A

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### Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: MOD

Biological Report #: 080576

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: VI

Archaeological Report #: 080577&578

Geologic Report #: N/A

Fire Hazard Zone: LOW

Traffic Report #: N/A

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### Other Information:

Water Source: WELL

Sewage Disposal (method): N/A

Water Dist/Co: N/A

Sewer District Name: N/A

Fire District: NORTH COUNTY FPD

Grading (cubic yds.): 0.0

Tree Removal: N/A

## EXHIBIT B PROJECT DISCUSSION

A concrete and asphalt recycling plant is currently operating at 10735 Ocean Mist Parkway in Castroville (Assessor's Parcel Numbers 030-301-014-000 and 030-301-013-000). The proposal consists of a Use Permit and General Development plan to relocate this facility to an approximately 12 acre lot, located at 11300 Commercial Parkway in Castroville (Assessor's Parcel Number 133-491-045-000 and 133-491-017-000) within the Castroville Industrial Park Subdivision and the North County Area Plan boundaries. Existing development on the site consists of two un-paved access roads and perimeter fencing. The project site is bordered to the South by the Tembladero Slough. The parcel is one of the 53 lots created by the Castroville Industrial Park Subdivision approved in 1979. The property is zoned Heavy Industrial or "HI". Properties to the North and West of the subject lot share the identical zoning classification; conversely parcels to the South and East are zoned Farmlands, 40 acre minimum or "F/40" and are currently in intensive crop production.

The physical components of the project are: 1) primary and secondary material crushers connected through conveyor systems, screens and stackers, 2) four material stock piles and associated temporary over-stock piles of: A) Sand of 75 feet by 20 feet high (6,000 square feet), B) Base Rock of 125 feet by 30 feet high (15,000 square feet), C) Gravel of 100 feet by 25 feet high (10,000 square feet) and unprocessed materials of 100 feet by 25 feet high (15,000 square feet), 3) a portable restroom and 4) 10 employee parking spaces. Customers will order by phone, fax or in person utilizing an existing cashiers office location at 11340 Commercial Parkway in Castroville (Assessor's Parcel Number 133-491-019-000 [Lot 44]) which is also a recycling operation tied to the proposed use and owned and operated by the same owner as the proposed operation. The physical elements of Lot 44 are: 1) a two-story 22,698 square feet Non-ferrous metal recycling facility and office; 2) 47 parking spaces and; 3) a fuel dispersion facility.

The subject site is accessed by an existing base rock access road through Assessor's Parcel Number 133-491-046-000 (Lot 43) which is also a recycling operation not directly tied to the proposed use, but owned and operated by the same owner as the proposed operation. The physical components of this parcel are: 1) a one-story 32,265 square-foot material recovery facility and; 2) 27 paved parking spaces and 16 paved truck parking spaces.

The purpose of the proposed operation is to recycle concrete and asphalt materials into usable building materials (i.e. base rock, gravel etc.). The proposed hours of operation are 7:00 a.m. to 5:00 p.m. five or six days per week. It is anticipated that 8 employees will work at the crusher site. An estimated 5 customers a day may visit the site; although approximately 50 truck trips per day are being projected for product delivery. Roughly 300 gallons of water per day will be used for dust control and landscape irrigation purposes which will be supplied utilizing an existing agricultural well.

The site is located in a large depositional basin known as the "Moro Cojo" slough area. This area is relatively flat and 20 to 30 feet above sea level. Most of the area has been filled in with deep fluvial deposits and is presently drained by small meandering streams which have been restricted by agricultural dikes and levees. A geologic report was prepared for the Castroville Industrial Park Subdivision by Charles A. Fisher, CEEG, Inc. in October of 1990. While the report acknowledged the Burkland and Associates Report of 1974 which rated the Castroville area at a seismic hazard VI (Very High) it concluded that further project specific testing indicated sediments are very dense underlying the property and rated the site at a seismic hazard

II (Low). The sand profile consists of a surface layer of dense impervious clayey silt overlying clean pervious sand and underlain by alternating clays and clayey sands. Dense clay and sand deposits such as that of the referenced property restrict ground shaking due to seismicity as witnessed in the Earthquake of 1989. As a result of this condition, little damage occurred in the Castroville area and no structural damage or surface alterations occurred on the proposed project site.

The majority of the project site (Lot 42) is covered by a dense population of non-native and invasive weed species. In the past, the flat portion of the parcel was in crop production which is now covered with weed species. Remnant farm equipment can still be found scattered on the south-western area.

The majority of Lot 42 is within a 100 year flood plain. The Monterey County Water Resources Agency has analyzed the project for potential impacts related to the project being located in the flood plain and determined that due to the fact no permanent structures are being proposed the proposal would not result in negative impacts in regards to the flood plain. Conditions recommended have been incorporated into project approval.

A previously recorded archeological site is situated on the project site. Two archeological reports were prepared for the proposed project, recommendations have been incorporated.

The proposed project, including all permits and approvals, will not have any significant adverse impacts on the environment. A Mitigated Negative Declaration has been prepared and is on file in the RMA-Planning Department (File No. PLN070192). Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, mitigated and conditioned, would cause a significant effect on the environment. Conditions of project approval and mitigation measures have been identified in the Initial Study and have been included into the Mitigation Monitoring / Condition Compliance Reporting Plan to reduce any potential impacts identified to cultural resources, air quality and aesthetics to an insignificant level. These conditions have been agreed to by the applicant. Two public comments were received during the public review period of the Mitigated Negative Declaration. Below is a summary of the comments received; which can be found in original format in Exhibit J.

1. E-mail from Sal Cardinale dated February 04, 2009 expressing concerns relative to dust from the proposed project and requesting original Use Permits for the A&S metal recycling operation.

- County responded to Sal Cardinale on February 05<sup>th</sup> and February 17<sup>th</sup> of 2009. The Mitigated Negative Declaration addresses dust control through Mitigation Numbers 2 through 6. The resolutions for the A&S metal recycling operation were sent to Mr. Cardinale.

Conclusion: Issue addressed.

2. Letter from the Castroville Industrial Park Property Owner's Association dated February 05, 2009. Letter states, "The use and facility are in compliance with the Declaration of Covenants, Conditions and Restrictions as recorded with the County of Monterey as Document number G46905 on November 08, 1979 Reel 1871 Page 613. Please find in favor of this project so that it may move forward without further delays."

Conclusion: Project support letter, no response required.

**EXHIBIT C**  
**RECOMMENDED FINDINGS AND EVIDENCE**

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, North County Area Plan, North County Area Plan Inventory and Analysis, the Monterey County Zoning Ordinance (Title 21) and the Castroville Community Plan which designates this area as appropriate for development.

**EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. 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 properties are located on Commercial Parkway, Castroville (Assessor's Parcel Numbers 133-491-045-000, 133-491-017-000, 133-491-019-000) within the North County Area Plan. The properties are zoned Heavy Industrial with a B-6 overlay ("HI/B-6") which allows industrial manufacturing uses and uses of a similar character density and intensity. Therefore, the property is suitable for the proposed development.

(c) The project planner conducted site inspections on June 25, 2008 and January 16, 2009 to verify that the project on the subject parcel conforms to the plans listed above.

(d) The Castroville Industrial Park Subdivision created the three lots proposed for development by the project.

(e) The Monterey County Redevelopment Agency exempted the project from the Castroville Advisory Committee (CAC) review for the following reasons: The project is in compliance with the Castroville Community Plan and because the project is considered an infill project.

(f) The project was referred to the North County Land Use Advisory Committee (LUAC) for review. This application warranted referral to the LUAC per the Monterey County Board of Supervisors LUAC review guidelines (Resolution No. 04-236) because the project is not exempt from CEQA. The LUAC recommendation consisted of 6 ayes in favor of the proposal and 2 abstentions.

(g) 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 PLN70631.

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, North County Fire Protection District, Public Works, Environmental Health Division, 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) Technical reports by outside biological and archaeological consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

- i. "Cultural Resources Evaluation" (LIB080578) prepared by Archeological Resource Service, Petaluma, Ca, dated July 2008.
  - ii. "Cultural Resources Mitigation Plan" (LIB080577 prepared by Archeological Consulting, Salinas, Ca, dated August 28, 2008.
  - iii. "Biological Report" (LIB080576) prepared by Scott Hennessy, Salinas, Ca, dated March 22, 2008.
- (c) Staff conducted site inspections on June 25, 2008 and January 16, 2009 to verify that the site is suitable for this use.
- (d) Materials in Project File PLN70631.

**FINDING:**

**CEQA (MITIGATED NEGATIVE DECLARATION):** - The proposed project, including all permits and approvals, would not have any significant adverse impacts on the environment and a Mitigated Negative Declaration has been prepared and is on file in the RMA-Planning Department (File No. PLN070192). Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, mitigated and conditioned, may cause a significant effect on the environment. The Mitigated Negative Declaration was filed for public review from February 02, 2009 to February 22, 2009. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and in consideration of testimony and information received, and scientific and factual data presented in evidence during the public review process. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinions supported by facts have been submitted that refute the conclusions reached by these studies, data, and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data, and reports. Conditions of project approval and mitigation measures have been identified in the Initial Study and included into the Mitigation Monitoring / Condition Compliance Reporting Plan to reduce any impact to an insignificant level. These conditions have been agreed to by the applicant. The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based is the Monterey County RMA-Planning Department located at 168 W. Alisal St., 2<sup>nd</sup> floor, Salinas, CA 93901.

- EVIDENCE:**
- (a) The project has been reviewed by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) for compliance with the Air Quality Plan for the Monterey Bay Region. The MBUAPCD has recommended 6 mitigation measures (Mitigation Nos. 2 through 7) to ensure Air Quality impacts created by the project are reduced to less than significant.
  - (b) The subject property is located within a "high" archaeological sensitivity zone per County resource maps. Pursuant to Section 21.66.050.C.1.d of the Monterey County Zoning Ordinance (Title 21), an archeological survey shall be required for development within 750 feet of a known archeological resource. A Cultural Resources Reconnaissance Investigation and report (LIB080578) was prepared by Katherine Flynn of Archaeological Resource Service of Petaluma California in July of 2008 which concluded that the project area contains a potentially significant archeological resource. A subsequent investigation and report

(LIB080577) was conducted by Gary S. Breschini, Ph.D., RPA and Mary Doane, B.A. of Archaeological Consulting of Salinas California on August 28, 2008 which also concluded that the project site contains a potentially significant archeological resource located mostly above the 20 foot contour. To reduce the impacts to the resource from the project to a less than significant the recommended mitigations from the archeological report have been incorporated in the project (Mitigations Nos. 8 through 11).

- (c) The County has considered the comments received during the public review period, and they do not alter the conclusions of the Mitigated Negative Declaration.
- (d) No adverse environmental effects were identified during staff review of the development application during site visits on June 25, 2008 and January 16, 2009.
- (e) See preceding and following findings and supporting evidence.

3. **FINDING: VIOLATION** - A Code Enforcement Case (CE090017) is open on the property for the placement of stock piles prior to the approval of the Use Permit for such use.

**EVIDENCE:** (a) The approval of this Use Permit will clear the property of the existing violation (CE090017).

4. **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 has been reviewed for Health and Safety compliance by the following departments/agencies: RMA – Planning Department, North County Fire Protection District, Public Works, Environmental Health Division and the 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.

5. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

**EVIDENCE:** Section 21.80.040.D of the Monterey County Zoning Ordinance (Title 21) states, "The Board of Supervisors is the Appeal Authority to consider appeals from the discretionary decisions, except decisions on appeals made pursuant to subsections A and B of section 21.80.040, of the Planning Commission made pursuant to this Title."



**EXHIBIT D**  
**Monterey County Resource Management Agency**  
**Planning Department**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

**Project Name:** SJR LLC

**File No:** PLN070631

**APNs:** 133-491-045-000, 133-491-017-000, 133-491-019-000 and 030-301-014-000 (existing operation).

**Approved by:** Planning Commission

**Date:** March 11, 2009

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p><b>PD001 - SPECIFIC USES ONLY</b>            This Use permit and General Development Plan (PLN070631) allows the relocation of a concrete and asphalt recycling operation from 10735 Ocean Mist Parkway in Castroville to the A&amp;S recycling facility located on Commercial Parkway in Castroville. The property is located at 11300 Commercial Parkway, Castroville [(Assessor's Parcel Numbers 133-491-045-000, 133-491-017-000, 133-491-019-000 and 030-301-014-000 (existing operation)], North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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.</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		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. <b>(RMA - Planning Department)</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Numbers 133-491-045-000, 133-491-017-000 and 133-491-019-000 on March 11, 2009 The permit was granted subject to 15 conditions of approval and 11 Mitigation Measures which run with the land. 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. <b>(RMA - Planning Department)</b>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD004 - INDEMNIFICATION AGREEMENT</b> The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.  Proof of recordation of the	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner 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 such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>		<p>building permits, use of the property, filing of the final map, whichever occurs first and as applicable</p>	
4.		<p><b>PD005 - FISH AND GAME FEE-NEG DEC/EIR</b> Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days</p>	<p>The applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Within 5 working days of project approval.</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. <b>(RMA - Planning Department)</b>	If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	Prior to the recordation of the final map, the start of use or the issuance of building or grading permits	
5.		<b>PD006 - MITIGATION MONITORING PROGRAM</b> The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <b>(RMA - Planning Department)</b>	1) Enter into agreement with the County to implement a Mitigation Monitoring Program.  2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
6.		<b>PD003(B) – CULTURAL RESOURCES – POSITIVE ARCHAEOLOGICAL REPORT</b> If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken: There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: The coroner of the county in which the remains are	The applicant shall submit the contracts with a Registered Professional Archeologist and a Registered Professional Anthropologist to the Director of the RMA – Planning Department for approval.	Owner/ Applicant	Prior to the issuance of grading or building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>discovered must be contacted to determine that no investigation of the cause of death is required, and If the coroner determines the remains to be Native American:</p> <ul style="list-style-type: none"> <li>- The coroner shall contact the Native American Heritage Commission and the RMA – Planning Department within 24 hours.</li> <li>- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/ Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.</li> <li>- The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or</li> <li>- Where the following conditions occur, the landowner or his authorized representatives shall</li> </ul>				
			The requirements of this condition shall be included as a note on all grading and building plans.	Owner/ Applicant	Prior to the issuance of grading or building permits	

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		<p>rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:</p> <ol style="list-style-type: none"> <li>1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</li> <li>2. The descendent identified fails to make a recommendation; or</li> <li>3. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</li> </ol> <p><b>(RMA - Planning Department)</b></p>	The contractors to sign and record an agreement created by an Archaeologist from the County's list of approved archeological consultants informing them of the potential for incidental impacts and requirements to have the archeological consultant present during any earth moving activities and during implementation of mitigation measures 1 through 3. The agreement should insure that the archeologist has the authority to temporarily halt work in order to examine any potentially significant cultural materials or features.			
7.		<p><b>PD007 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. <b>(RMA – Planning Department and Building Services Department)</b></p>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
8.		<p><b>PD012(G) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)</b> At least 10 percent of 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</p>	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant / Licensed Landscap e Contracto	Prior to issuance of Building Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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. <b>(RMA – Planning Department)</b>		r/ Licensed Landscape Architect		
			The landscaping shall be installed and inspected.	Owner/ Applicant / Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
				All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing
9.		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> 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 copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
11.		<p><b>PD- GENERAL DEVELOPMENT PLAN (NON-STANDARD)</b>  <b>Allowed Uses:</b>  Recycling of concrete and asphalt to create building materials.  <b>Proposed physical components:</b> Stock piling of concrete, asphalt and sand consisting of material stock piles and associated temporary over-stock piles of: A) Sand of 75 feet by 20 feet high (6,000 square feet), B) Base Rock of 125 feet by 30 feet high (15,000 square feet), C) Gravel of 100 feet by 25 feet high (10,000 square feet) and unprocessed materials of 100 feet by 25 feet high (15,000 square feet), 3) a portable restroom and 4) 10 employee parking spaces.  <b>Existing physical components:</b> A two-story 22,698 square feet Non-ferrous metal recycling facility and office; 2) 47 parking spaces and; 3) a fuel dispersion facility.  <b>Hours of operation:</b> 7:00 a.m. to 5:00 p.m. Monday through Saturday.  <b>Number of employees:</b> 8 for the concrete and asphalt recycling operation.</p>	<p>Owner shall be responsible for staying within the boundaries of the General Development Plan for the life of the project.</p>	Owner	Ongoing	
12.		<p><b>FIRE007 - DRIVEWAYS</b>  Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	



<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. <b>(North County F.P.D)</b></p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
13.		<p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b>  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 and visible 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. <b>(North County F.P.D)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection	
14.		<p><b>PW0007 – PARKING STD</b>  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. <b>(Public Works)</b></p>	<p>Applicant's engineer or architect shall prepare a parking plan for review and approval.</p>	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
15.		<p><b>WR-NON-STANDARD-FLOODPLAIN RECORDATION</b></p> <p>The owner shall provide the Water Resources Agency with a recorded Floodplain Notice for parcels 133-491-017-000, 133-491-045-000 and 133-491-046-000, stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions. <b>(Water Resources Agency)</b></p>	Submit the recorded floodplain notices to the Water Resources Agency. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to commencement of use	
<b>RECOMMENDED MITIGATION MEASURES</b>						
	1.	<p><b>PD-MITIGATION NO. 1 – AESTHETICS (NON-STANDARD)</b></p> <p>The applicant shall plant 820 lineal feet of vegetation on the East project property boundary and 100 lineal feet of vegetation on the South project property boundary to shield the visual impacts associated from the height of the stock piles from adjoining neighbors on the East and South prior to commencement of use. Implementation of this Mitigation will reduce the potential impact to less than significant.</p>	The applicant shall plant 820 lineal feet of vegetation on the East project property boundary and 100 lineal feet of vegetation on the South project property boundary.	Owner/ Applicant	Prior to commencement of use	
	2.	<p><b>PD- MITIGATION NO. 2 – AIR QUALITY (NON-STANDARD)</b></p> <p>Any existing unpaved roads or storage areas should be either paved, covered with gravel, or treated with surfactants to reduce emissions of fugitive dust from the operation prior to commencement of use and maintained through the life of the project.</p>	Unpaved roads or storage areas should be either paved, covered with gravel, or treated with surfactants to reduce emissions of fugitive dust from the operation.	Owner/ Applicant	Prior to commencement of use	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
	3.	<b>PD- MITIGATION NO. 3 – AIR QUALITY (NON-STANDARD)</b> All stockpiles (besides of chunks of concrete) must be covered at all times that it is not being loaded or moved in order to prevent materials from becoming airborne at start of commencement of use and ongoing through the life of the project.	All stockpiles (besides of chunks of concrete) must be covered at all times that it is not being loaded or moved in order to prevent materials from becoming airborne.	Owner/ Applicant	Prior to commencement of use	
	4.	<b>PD- MITIGATION NO. 4 – AIR QUALITY (NON-STANDARD)</b> Loading or moving of loose soil or other light weight materials being stockpiled is prohibited during periods of high winds (over 15 miles per hour) at start of commencement of use and ongoing through the life of the project.	Loading or moving of loose soil or other light weight materials being stockpiled is prohibited during periods of high winds (over 15 miles per hour).	Owner/ Applicant	Ongoing	
	5.	<b>PD- MITIGATION NO. 5 – AIR QUALITY (NON-STANDARD)</b> All trucks hauling dirt, sand, or other loose light weight materials must be covered in such a way that the materials do not become airborne during the life of the project.	All trucks hauling dirt, sand, or other loose light weight materials must be covered in such a way that the materials do not become airborne.	Owner/ Applicant	Ongoing	
	6.	<b>PD- MITIGATION NO. 6 – AIR QUALITY (NON-STANDARD)</b> Vegetation must be placed and maintained over disturbed areas within a week of disturbance.	Vegetation must be placed and maintained over disturbed areas within a week of disturbance.	Owner/ Applicant	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
	7.	<p><b>PD- MITIGATION NO. 7 – AIR QUALITY (NON-STANDARD)</b></p> <p>The project must comply with the Anti-Idling Regulation of the California Code of Regulations (Title 13), Section 2485(c)(1) which requires that California-based vehicles and Non-California based vehicles that are diesel fueled commercial motor vehicles with a gross vehicular weight rating of greater than 10,000 pounds or must be licensed for operation on highways shall comply with the following: 1) shall not idle the vehicle’s primary diesel engine for greater than 5.0 minutes at any location; and 2) shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location except at noted in Subsection (d).</p>	<p>California-based vehicles and Non-California based vehicles that are diesel fueled commercial motor vehicles with a gross vehicular weight rating of greater than 10,000 pounds or must be licensed for operation on highways shall comply with the following: 1) shall not idle the vehicle’s primary diesel engine for greater than 5.0 minutes at any location; and 2) shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location except at noted in Subsection (d).</p>	Owner/ Applicant	Ongoing	
	8.	<p><b>PD- MITIGATION NO. 8 – CULTURAL RESOURCES (NON-STANDARD)</b></p> <p>The proposed parking lot has the potential to have a significant adverse impact the archeological resource known as “Locus A”. In order to mitigate the potential impact to the resource, disturbance above the 20 foot contour shall be avoided to the maximum extent feasible. Where disturbance above the 20 foot contour can not be avoided protective fill soils “capping of the site” shall be imported and placed on areas proposed for disturbance under the supervision</p>	<p>Disturbance above the 20 foot contour shall be avoided to the maximum extent feasible. Where disturbance above the 20 foot contour can not be avoided protective fill soils “capping of the site” shall be imported and placed on areas proposed for disturbance under the supervision of an archeological monitor from the County’s list of approved</p>	Owner/ Applicant	Ongoing	

<i>Permu Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		of an archeological monitor from the County's list of approved archeological consultants prior to the commencement of the use.	archeological consultants.			
	9.	<b>PD- MITIGATION NO. 9 – CULTURAL RESOURCES (NON-STANDARD)</b> Prior to the commencement of the operation an archeological consultant shall conduct a surface collection of visible artifacts.	Prior to the commencement of the operation an archeological consultant (from the County's list of approved archeological consultants) shall conduct a surface collection of visible artifacts.  Proof of compliance shall be submitted to the County in the form of a letter from an archeological consultant.	Owner/ Applicant	Prior to the issuance of permits.	
	10.	<b>PD- MITIGATION NO. 10 – CULTURAL RESOURCES (NON-STANDARD)</b> The proposed stock pile areas have the potential to adversely affect the resource by changing the PH balance of the soil inhibiting the ability to identify resources in the future. In order to reduce the potential impact, the proposed stock pile areas must be covered by a layer of fill or geofabric as approved by and under the supervision of an archeological monitor from the County's list of approved archeological consultants prior to the commencement of the use.	The proposed stock pile areas must be covered by a layer of fill or geofabric as approved by and under the supervision of an archeological monitor from the County's list of approved archeological consultants.	Owner/ Applicant	Prior to the issuance of permits.	

# NORTH COUNTY

EXHIBIT

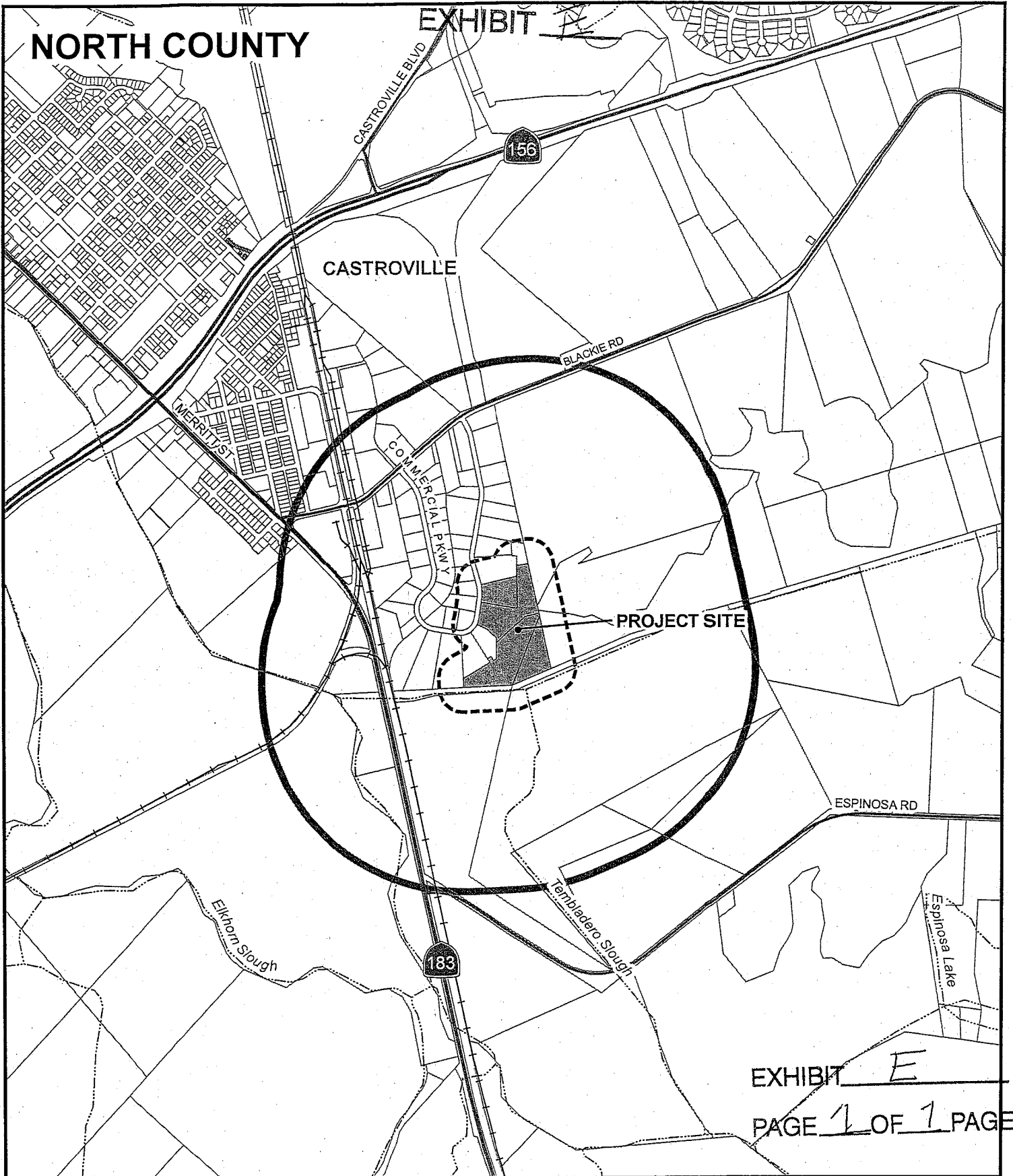





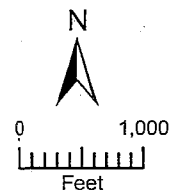
EXHIBIT E  
PAGE 1 OF 1 PAGES

APPLICANT: SJR LLC

APN: 133-491-045-000M

FILE # PLN070631

 300' Limit     2500' Limit     City Limits



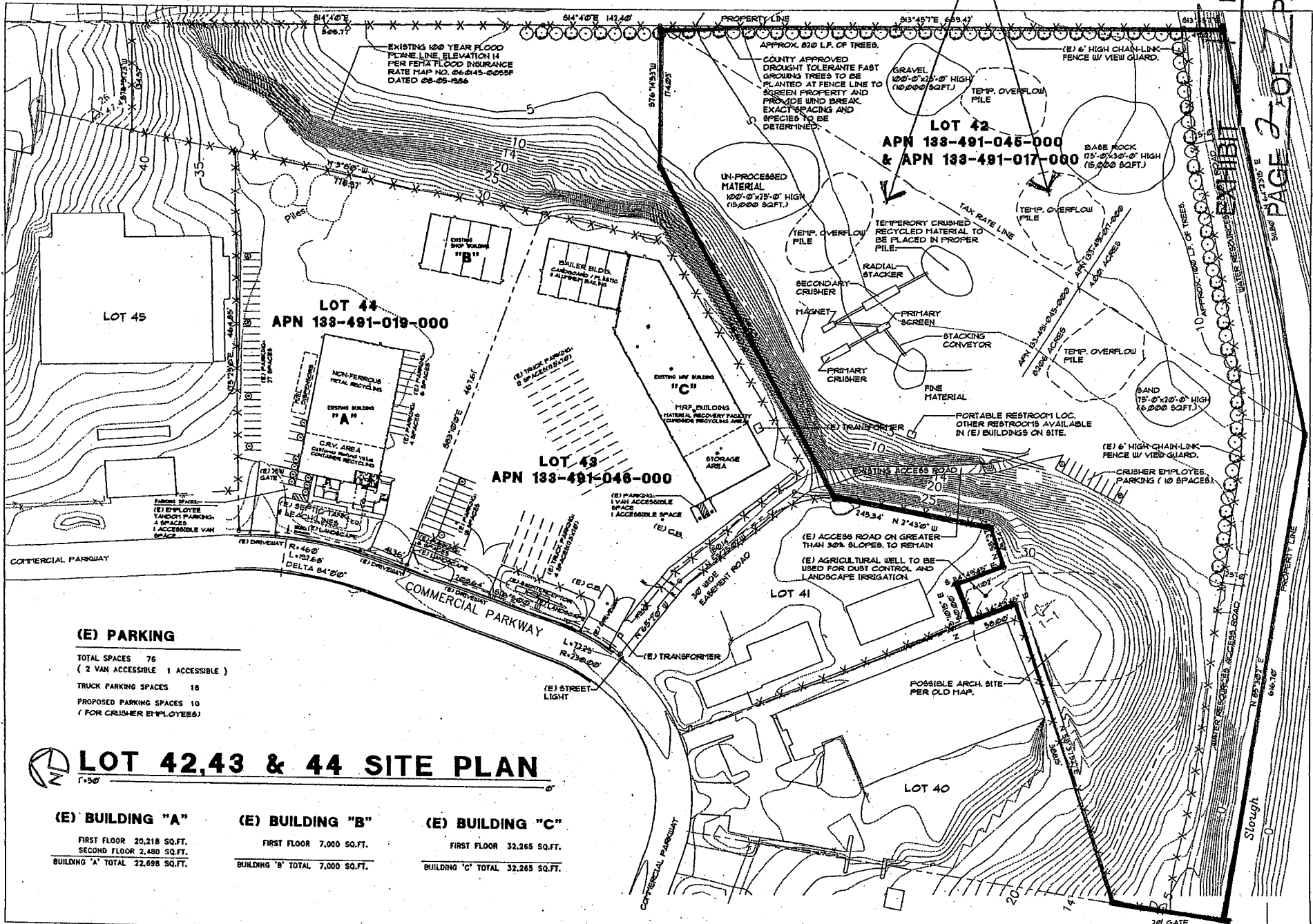
PLANNER: NICHOLSON





# PROJECT SITE

PAGE 2 OF 7 PAGES



### (E) PARKING

TOTAL SPACES 76  
 ( 2 VAN ACCESSIBLE 1 ACCESSIBLE )  
 TRUCK PARKING SPACES 10  
 PROPOSED PARKING SPACES 10  
 ( FOR CRUSHER EMPLOYEES )

## LOT 42, 43 & 44 SITE PLAN

### (E) BUILDING "A"

FIRST FLOOR 20,218 SQ.FT.  
 SECOND FLOOR 2,480 SQ.FT.  
 BUILDING "A" TOTAL 22,698 SQ.FT.

### (E) BUILDING "B"

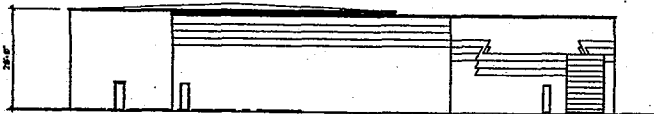
FIRST FLOOR 7,000 SQ.FT.  
 BUILDING "B" TOTAL 7,000 SQ.FT.

### (E) BUILDING "C"

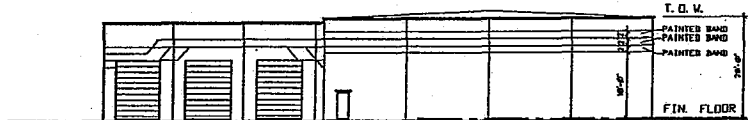
FIRST FLOOR 32,265 SQ.FT.  
 BUILDING "C" TOTAL 32,265 SQ.FT.

REVISION	KEY
DATE: 02-01-2001	
<b>AUSONIO</b>	
11400 COMMERCIAL PARKWAY CASTLE ROCK, CO. 80513 TEL: 303-948-2200 FAX: 303-948-2201	
SHEET TITLE <b>OVERALL SITE PLAN</b> LOTS 42, 43 & 44	
PROJECT: PROPOSED CRUSHER RELOCATION FOR - A & S METALS 11400 COMMERCIAL PARKWAY CASTLE ROCK, CO. 80513 A.P. # 133-491-045 & 017	
SCALE AS NOTED	
DRAWN: <i>Burash Anin</i>	
JOB#: 500008	
SHEET <b>A1.0</b>	
OF 04619	

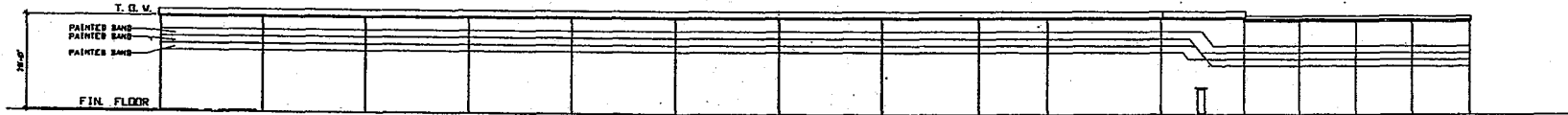
EXHIBIT F  
 PAGE 3 OF 7 PAGES



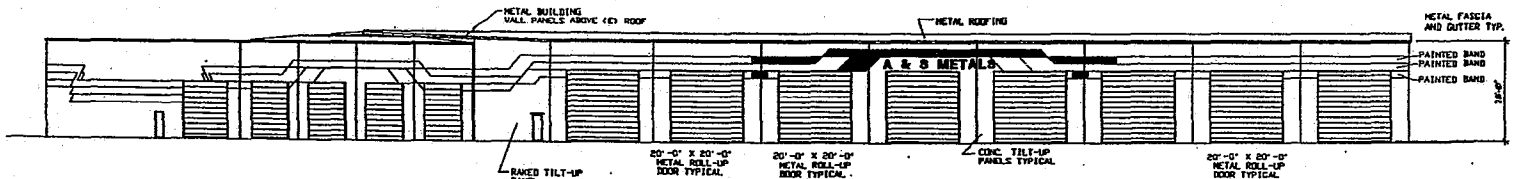
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

**EXTERIOR ELEVATIONS** EXISTING BUILDING 'C'

1/16"=1'

REVISION	DATE	BY
1	04-23-2008	

DATE: 03-12-2004

PROJECT: 11800 COMMERCIAL PARQUAY, CASTROVILLE, CA 95009  
 CLIENT: A&S METALS

**AUSONIO**  
 ARCHITECTS  
 11800 COMMERCIAL PARQUAY, CASTROVILLE, CA 95009  
 TEL: (831) 438-6645 FAX: (831) 438-6646

SHEET TITLE  
**EXTERIOR ELEVATIONS**  
**EXISTING BUILDING 'C'**

PROJECT: PROPOSED GRABBER RELOCATION FOR A & S METALS  
 11800 COMMERCIAL PARQUAY, CASTROVILLE, CA 95009  
 TEL: (831) 438-6645 FAX: (831) 438-6646

SCALE: AS NOTED

DRAWN: SURESH

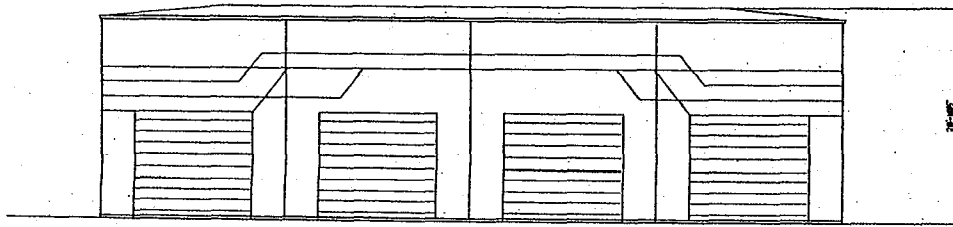
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SHEET: A31

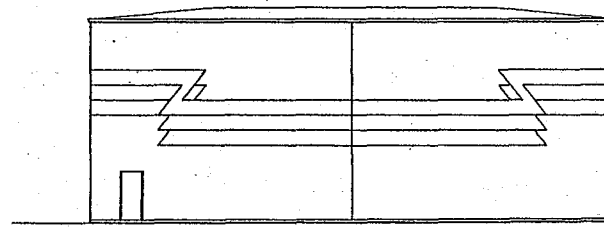
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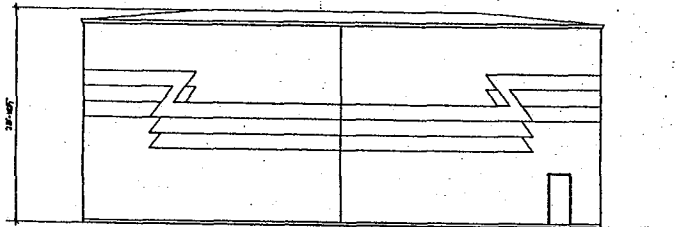
EXHIBIT F  
 PAGE 4 OF 7 PAGES



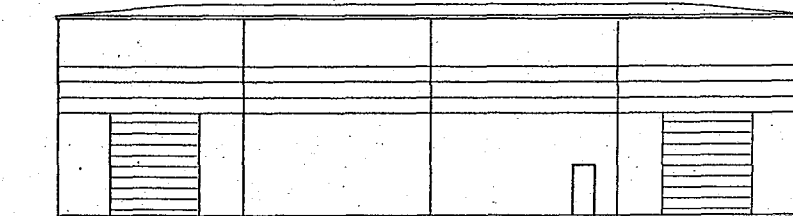
WEST ELEVATION



NORTH ELEVATION

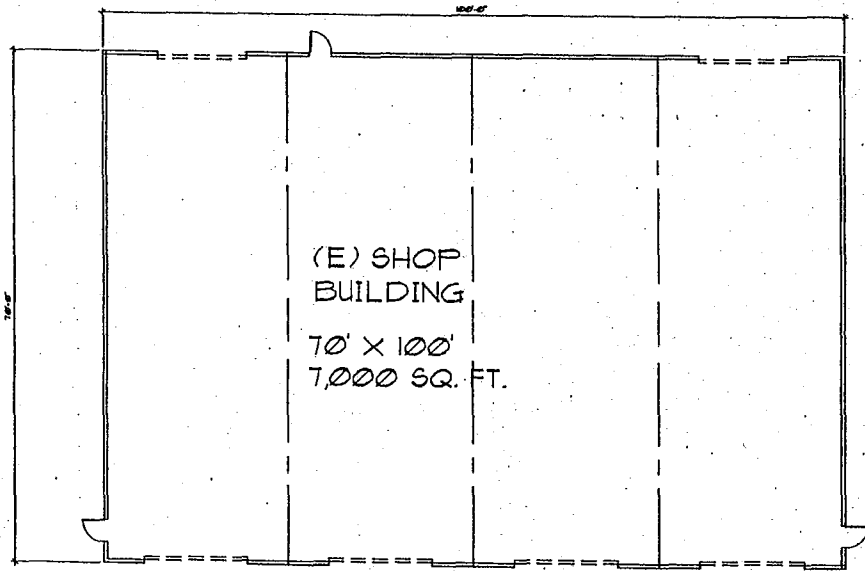


SOUTH ELEVATION



EAST ELEVATION

**EXTERIOR ELEVATIONS**



**FLOOR PLAN**

(E) FLOOR AREA:—  
 FIRST FLOOR SHOP AREA 7000 SQFT.  
 TOTAL FIRST FLOOR 7000 SQFT.

TOTAL BUILDING FLOOR AREA 7000 SQFT.

**EXISTING SHOP BUILDING "B"**

REVISION DATE  
 PROJECT TITLE  
 DATE  
 DRAWN BY  
 CHECKED BY  
 PROJECT NO.  
 SHEET NO.

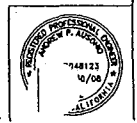
**AUSONIO**  
 ARCHITECTS  
 1722A COMMERCIAL PARKWAY  
 CASTROVILLE, CA 95012  
 TEL: (831) 633-3371

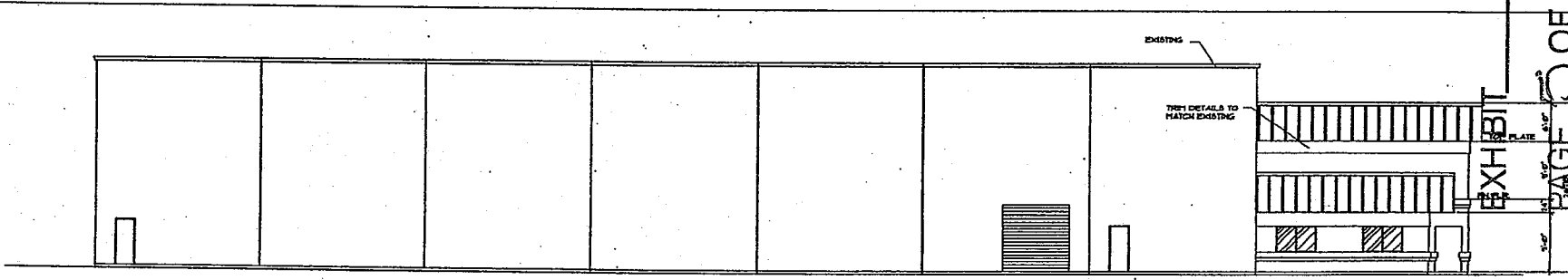
SHEET TITLE  
 EXTERIOR ELEVATIONS  
 EXISTING BUILDING "B"

PROJECT  
 PROPOSED OVERLIES RELOCATION FOR:  
 PROPOSED METAL PARKWAY  
 17,300 COMMERCIAL PARKWAY  
 CASTROVILLE, CALIFORNIA 95012  
 A.P. # 133-491-045 & 017 P.H. (831)-633-3371

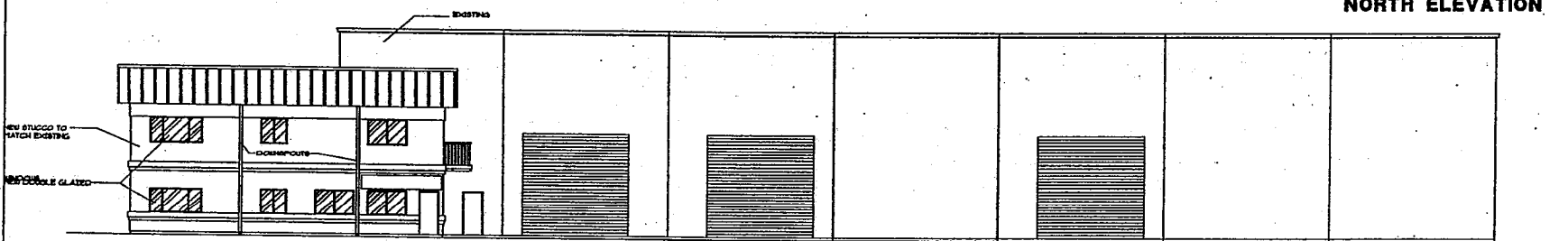
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 DRAWN SURESH  
 JOB# 50000

SHEET  
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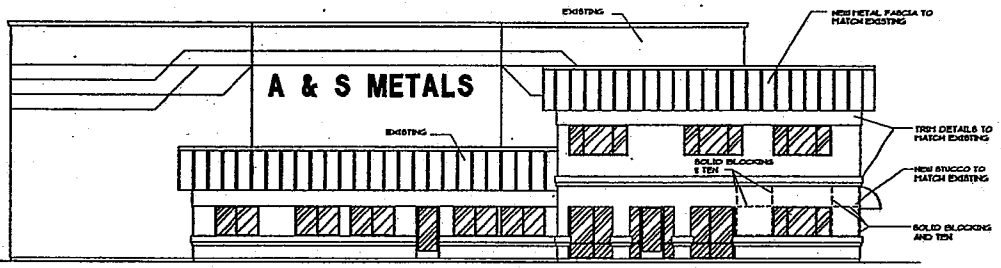




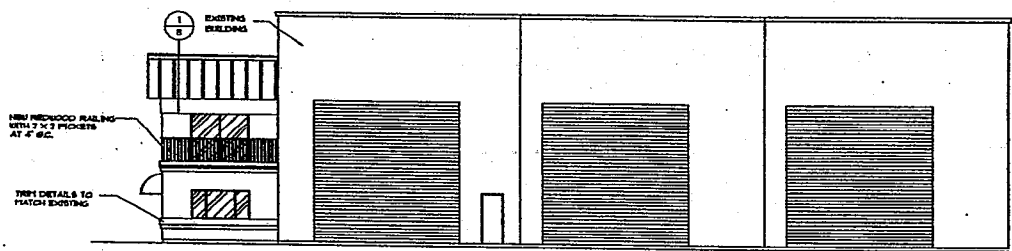
**NORTH ELEVATION**



**SOUTH ELEVATION**



**WEST ELEVATION**



**EAST ELEVATION**

**EXISTING BUILDING "A"  
EXTERIOR ELEVATIONS**

REVISION DATE	KEY
PLANNING 03-16-2008	▲
	▲
	▲
	▲
	▲
	▲
	▲
	▲
	▲
	▲

DATE: 07-23-2008
PROJECT: A & S METALS
LOCATION: 11300 COMMERCIAL PARKWAY, CASTROVILLE, CA 95012
SCALE: AS NOTED
DRAWN: SURESH
CHECKED: [Signature]

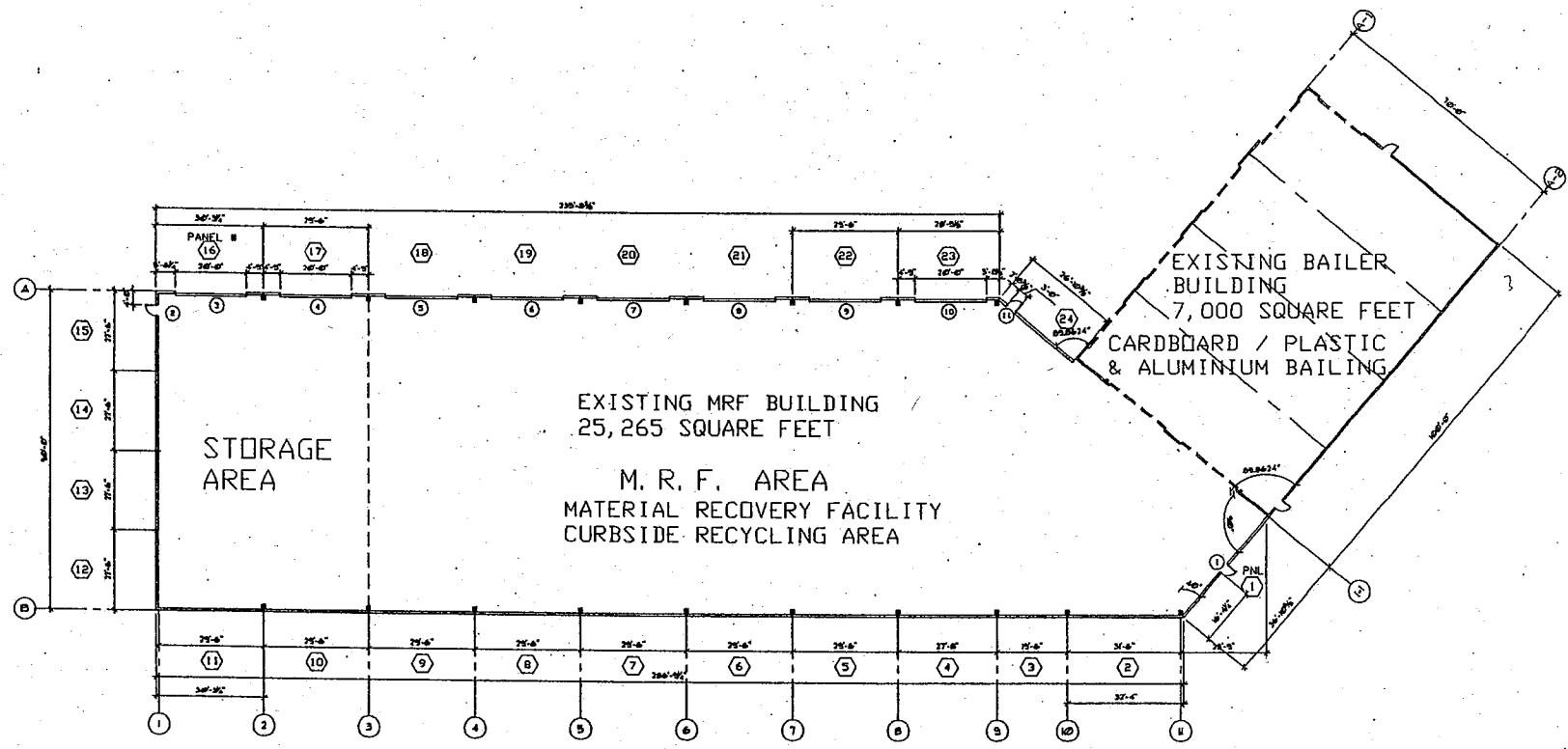
**AUSONIO**  
 ARCHITECTS  
 11300 COMMERCIAL PARKWAY  
 CASTROVILLE, CA 95012  
 TEL: (831) 633-3371  
 FAX: (831) 633-3371

SHEET TITLE  
 EXTERIOR ELEVATIONS  
 EXISTING BUILDING "A"

PROJECT: CRUISER RELOCATION FOR:  
 A & S METALS  
 11300 COMMERCIAL PARKWAY,  
 CASTROVILLE, CALIFORNIA 95012  
 A.P. # 133-01-005 & 017 PH. (831) 633-3371

SCALE: AS NOTED  
 DRAWN: SURESH  
 JOB#: 50208  
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**A3.0**  
 OF SHEETS



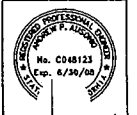


(E) FLOOR AREA:-

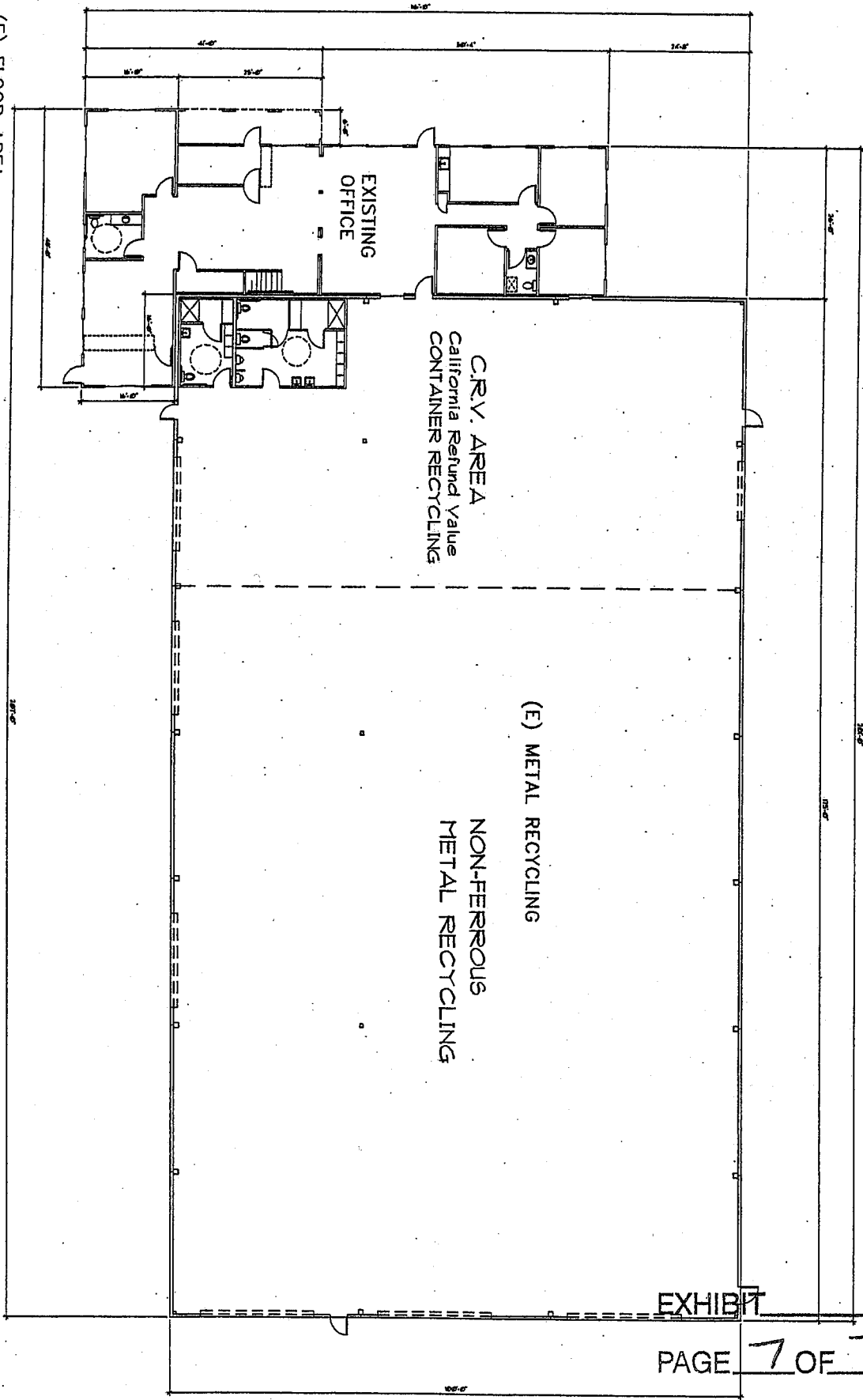
FIRST FLOOR -	
MATERIAL RECOVERY	19,043 SQ. FT.
STORAGE	5,400 SQ. FT.
BAILING	7,000 SQ. FT.
<b>TOTAL FIRST FLOOR</b>	<b>32,663 SQ. FT.</b>

TOTAL BUILDING FLOOR AREA 32,265 SQ. FT.

**BUILDING "C"**  
**EXISTING FLOOR PLAN**  
1/16"=1'



<b>REVISION</b>	<b>DATE</b>	<b>KEY</b>
UIC PERMIT 06-03-2008		
DATE 03-13-2004		
 <b>AUSONIO</b> CIVIL ENGINEER 1474 COMMERCIAL PARKWAY CASTROVILLE, CA 95009 Tel: (831) 438-8888 Fax: (831) 438-8889		
<b>SHEET TITLE</b> OVERALL FLOOR PLAN EXISTING BUILDING "C"		
PROJECT PROPOSED CRUISER RELOCATION FOR: A & S METALS PARKWAY CASTROVILLE, CALIFORNIA 95007 A.P. #133-19-045 & 017 PH-037 - 633-3379		
SCALE AS NOTED		
DRAWN SURESH		
JOB# SOBOS		
SHEET		
A2.1		
OF SHEETS		



**(E) FLOOR AREA:--**

**FIRST FLOOR:**  
 METAL RECYCLING 5100 SQ.FT.  
 NON-FERROUS METAL RECYCLING 2700 SQ.FT.  
 OFFICES 270 SQ.FT.  
**TOTAL FIRST FLOOR 8070 SQ.FT.**

**SECOND FLOOR:**  
 OFFICE 500 SQ.FT.  
 LUNCH ROOM 400 SQ.FT.  
**TOTAL 900 SQ.FT.**

**TOTAL BUILDING F.L.C. 9000 SQ.FT.**

**BUILDING "A"**  
**EXISTING FLOOR PLAN**

PLAN NORTH

EXHIBIT #



PROJECT	PROPOSED CRUSHER RELOCATION FOR-- A & S METALS 11300 COMMERCIAL PARKWAY, CASTROVILLE, CALIFORNIA 95012 A.P. # 133-491-045 & 017 PH.(831)-633-3371
SHEET TITLE	EXISTING BUILDING "A" FLOOR PLAN
DATE	NOV 15 2008
SCALE	AS SHOWN
DRAWN BY	DAVID SHERMAN
CHECKED BY	DAVID SHERMAN
DATE	NOV 15 2008
NO.	A2.0
SHEETS	2

	11420A COMMERCIAL PARKWAY CASTROVILLE, CA 95012 (831) 633-3371 FAX (831) 633-3371 WWW.AUSONIO.COM		PROJECT NO. SHEET NO. DATE	REVISIONS NO. DESCRIPTION DATE
	11420A COMMERCIAL PARKWAY CASTROVILLE, CA 95012 (831) 633-3371 FAX (831) 633-3371 WWW.AUSONIO.COM			

# EXHIBIT G

## APPLICANT SUBMITTAL

### General Development Plan and Operational / Environmental Statement

SGS Recycling Enterprises, Inc / A & S Metals / Recycling & Recovery Enterprises  
11300, 11320 & 11340 Commercial Parkway  
Castroville, California 95012  
John Silva, Ausonio Inc.  
(831) 633-3371

1. Project Site Information:

- a. Assessor's Parcel Number: **133-491-045 portion of lot : 42**
- b. Site Address: **11300 Commercial Parkway, Castroville**
- c. Parcel size: **8.206 Acres**
- d. Assessor's Parcel Number: **133-491-017 portion of lot: 42**
- e. Site Address: **11300 Commercial Parkway, Castroville**
- f. Parcel size: **4.001 Acres**
- g. Assessor's Parcel Number: **133-491-046 lot: 43**
- h. Site Address: **11320 Commercial Parkway, Castroville**
- i. Parcel size: **6.760 Acres**
- j. Assessor's Parcel Number: **133-491-019 lot: 44**
- k. Site Address: **11340 Commercial Parkway, Castroville**
- l. Parcel size: **3.100 Acres**

2. Describe the nature of your operation: Proposed relocation of **Recycling of Concrete and Asphalt Recycling facility from 10735 Ocean Mist Parkway, Castroville, to 11300 Commercial Parkway Castroville. Currently lots 43 & 44 recycle metals and paper products.**

3. What is the existing (or previous) use of the property? **Agriculture at the proposed location of the Concrete and Asphalt recycling facility.**

4. What products will be produced by the operation? **Recycled concrete and asphalt to be used a building materials**

a. What materials will be used? **Crushing equipment to process the concrete and asphalt into building materials**

b. Will assembly of the product occur on-site? **No, stock piling only**

c. Will these products be sold on-site? **Sold then transported off site**

5. What are the proposed hours of operation? **7 am to 5 pm five or six days per week**

6. Describe any special activities or events. **None**

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7. How many customers/visitors are expected per day on average? **It is estimated that 5 customers may visit site per day. However it is hoped and expected generate 50 truck movements per day of material being delivered to customer and product being brought to the site for recycling.**
8. How many employees will there be? **8 employees at the crusher site.**
  - a. Do any live on-site (as caretaker)? **No**
9. What equipment, materials, or supplies will be used, and how will they be stored? **Conveyors, grinding equipment, loader, excavator, processed and unprocessed concrete and asphalt, stored in piles.**
10. Will there be any service or delivery vehicles? **Yes, the trucks that load on site preparing to make deliveries to customers and truck that bring product in for recycling**
11. What are the total numbers of parking spaces on-site? **10 space will be provide for crusher employees near the crushing unit. Currently A&S Metals has 76 parking spaces on site, plus 16 truck parking spaces.**
12. How will access be provided to the site (street name): **Commercial Parkway**
13. Is there any existing landscaping or fencing? **Fencing and landscaping currently exists as part of the A & S Metals Facility. A row of trees are planned to be planted along the fence line at the proposed crusher and stockpile portion of the lot.**
14. Will existing buildings be used or will new buildings be constructed? **No Buildings, Only portable equipment and retaining walls.**
15. What are the surrounding land uses to the north, south, east and west? **North-recycling, South-agriculture, East-agriculture, West-recycling.**
16. Is this part of a larger project that was previously reviewed by the County? **Yes, Use permits have been granted for the current A & S Metals recycling facility.**
17. What is the total floor area of the building(s) on site, (including additional stories)? **None for the proposed crushing operation. The balance of the site has buildings totaling 61,963 s.f. of total floor area.**
18. (Residential projects only) – Identify type, size, and number of dwelling units. Project density. Range of sale prices or rents. **N/A**
19. Will the operation or equipment used generate noise greater than other parcels in the area? **No**

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MINUTES

North County Non-coastal Land Use Advisory Committee

Monday, February 4, 2009

1. Meeting called to order by Madeline Clark at 5:03 PM  
am/pm

2. Roll Call

Members Present: Michael Dodd, John Rabinette, Madeline Clark, Stenell Brunk, Lawrence Carson, D L Greer (etc) Emily Tofaya (etc)  
Members Absent: Steve Snodgrass

3. Approval of Minutes:

A. January 7, 2009 minutes

Motion: D L Greer (LUAC Member's Name)

Second: Michael Dodd (LUAC Member's Name)

Ayes: Lawrence Carson, Stenell Brunk, Michael Dodd, John Rabinette, D L Greer, Madeline Clark

Noes: 0

Absent: Emily Tofaya, Steve Snodgrass

Abstain: 0

4. Public Comments: The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

For the minutes of 12-7-2008 - 2 corrections:

1. Jan Mitchell was in attendance and not listed.
2. The cell phone tower was listed as returning to the zoning administration but should have shown the Planning Director.

Margie Kay reported that the appeal was upheld on the minor sub-division (Jehovah Witness-Spanish Congregation) for lack of water

5. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

*Madeline Clark distributed the CD of the Cal-om Coastal Water Project - Draft Environmental Impact Report.*

B) Scheduled Items

i) Recommendations and input to the Planning Commission for joint meeting on March 11th

*Project staking - although required we find that projects are not always staked or sight reviewed. Also that stakes are not visible in some vegetations.*

ii) Selection of LUAC liaison to the Planning Department

Madeleine Clark was selected and agreed to be the liaison with the Planning Department.

iii) Discussion of alternate meeting site for LUAC

Some sites have been checked such as the Senior Center but questions about costs and legal ramifications of a Public Entity using private facilities come up. This will be researched further by Madeleine Clark.

~~Other~~ Alternatives would be to use County buildings such as schools.

6. Meeting Adjourned: 6:30 am/pm pm Motion to adjourn by Michael Dodd  
with second by D.L. Green -  
approved by all.

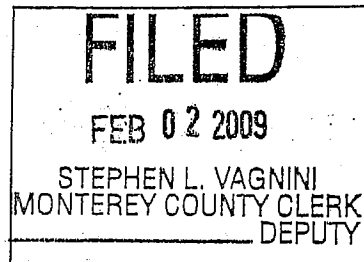
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# EXHIBIT I

County of Monterey  
State of California

## MITIGATED NEGATIVE DECLARATION



<b>Project Title:</b>	SJR LLC
<b>File Number:</b>	PLN070631
<b>Owner:</b>	STAN SILVA
<b>Project Location:</b>	11300 COMMERCIAL PARKWAY, CASTROVILLE
<b>Primary APN:</b>	133-491-045-000, 133-491-017-000, 133-491-019-000 AND 030-301-014-000 (EXISTING FACILITY)
<b>Project Planner:</b>	BRITTANYANN C. NICHOLSON
<b>Permit Type:</b>	USE PERMIT & GENERAL DEVELOPMENT PLAN
<b>Project Description:</b>	USE PERMIT AND GENERAL DEVELOPMENT PLAN TO RELOCATE A CONCRETE & ASPHALT RECYCLING OPERATION FROM 10735 OCEAN MIST PARKWAY IN CASTROVILLE TO THE A&S METAL RECYCLING FACILITY LOCATED ON COMMERCIAL PARKWAY. UNDER THE GENERAL DEVELOPMENT PLAN, THE FACILITY WILL BE USED TO RECYCLE CONCRETE AND ASPHALT INTO BUILDING/CONSTRUCTION MATERIALS. CRUSHING EQUIPMENT WILL BE USED TO PROCESS THE CONCRETE AND ASPHALT INTO BASE ROCK. THE PRODUCT WILL BE SOLD AND THEN TRANSPORTED OFF SITE. HOURS OF OPERATION TO BE FROM 7:00 AM TO 5:00 PM, SIX DAYS A WEEK. THERE WILL BE A TOTAL OF EIGHT EMPLOYEES ON SITE. 10 STANDARD PARKING SPACES WILL BE PROVIDED. ONE SPECIAL NEEDS PARKING SPACE WILL BE PROVIDED. APPROXIMATELY 300 GALLONS OF WATER WILL BE USED PER DAY FOR THE DEVELOPMENT. THE PROJECT IS LOCATED ON COMMERCIAL PARKWAY, CASTROVILLE (ASSESSOR'S PARCEL NUMBERS 133-491-045-000 & 133-491-017-000), NORTH COUNTY NON-COASTAL AREA.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

<b>Decision Making Body:</b>	Monterey County Planning Commission
<b>Responsible Agency:</b>	County of Monterey
<b>Review Period Begins:</b>	February 02, 2009
<b>Review Period Ends:</b>	February 22, 2009

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 West Alisal St, 2<sup>nd</sup> Floor, Salinas, CA 93901 (831) 755-5025

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# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2<sup>nd</sup> FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025 FAX: (831) 757-9516



## INITIAL STUDY

### I. BACKGROUND INFORMATION

Project Title: SJR LLC

File No.: PLN070631

Project Location: 11300 Commercial Parkway, Castroville

Name of Property Owner: SJR LLC

Name of Applicant: SJR LLC

Assessor's Parcel Number(s): 133-491-045-000, 133-491-017-000, 133-491-019-000 and  
030-301-014-000 (existing operation)

Acreeage of Property: 12 Acres

General Plan Designation: Industrial

Zoning District: Heavy Industrial or "HI"

Lead Agency: Monterey County Resource Management Agency (RMA) -  
Planning Department

Prepared By: Brittanyann C. Nicholson, Project Planner

Date Prepared: September 03, 2008

Contact Person: Brittanyann C. Nicholson

Phone Number: (831) 755-5854

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## II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

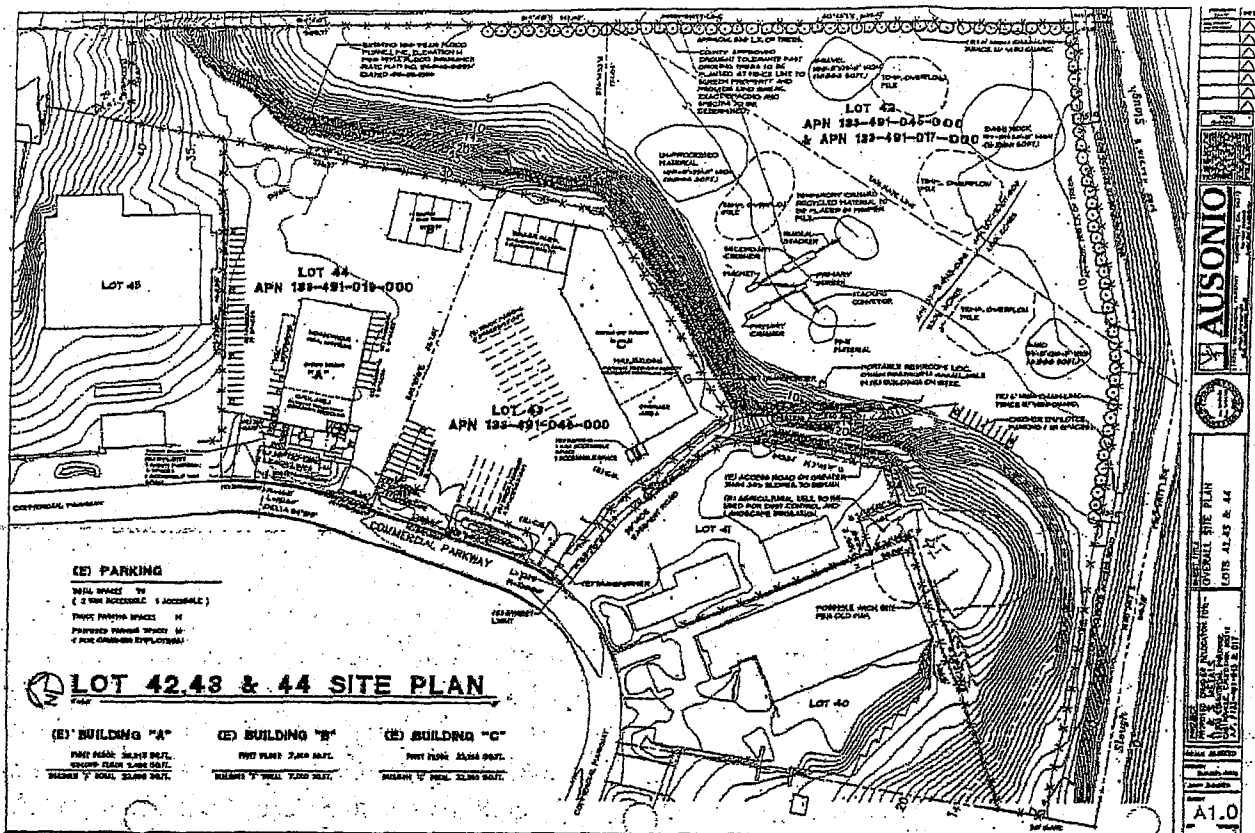
### A. Project Description:

The project consists of a Use Permit to allow the re-location of a concrete and asphalt recycling operation to an approximately 12 acre lot (split into two parcel numbers for tax purposes [Lot 42]) at 11300 Commercial Parkway within the approved Castroville Industrial Park subdivision in Castroville. The physical components of the project are: 1) primary and secondary material crushers with connected through conveyor systems, screens and stackers, 2) four material stock piles and associated temporary over-stock piles of: A) Sand of 75 feet by 20 feet high (6,000 square feet), B) Base Rock of 125 feet by 30 feet high (15,000 square feet), C) Gravel of 100 feet by 25 feet high (10,000 square feet) and un-processed materials of 100 feet by 25 feet high (15,000 square feet), 3) a portable restroom and 4) 10 employee parking spaces. Customers will order by phone, fax or in person at an existing drive through/walk up cashier's office location at 11340 Commercial Parkway in Castroville (Assessor's Parcel Number 133-491-019-000 [Lot 44]) which is also a recycling operation tied to the proposed use and owned and operated by the same owner as the proposed operation. The physical elements of Lot 44 are: 1) a two-story 22,698 square foot Non-ferrous metal recycling facility and office; 2) 47 parking spaces and; 3) a fuel dispersion facility.

The site is accessed by an existing base rock access road through Assessor's Parcel Number 133-491-046-000 (Lot 43) which is also a recycling operation not directly tied to the proposed use, but owned and operated by the same owner as the proposed operation. The physical components of the parcel are: 1) a one-story 32,265 square-foot material recovery facility and; 2) 27 paved parking spaces and 16 paved truck parking spaces.

The purpose of the operation is to recycle concrete and asphalt materials that would typically be disposed of into usable building materials (i.e. base rock, gravel etc.). The proposed hours of operation are 7:00 a.m. to 5:00 p.m. five or six days per week. It is anticipated that 8 employees will work at the crusher site. An estimated 5 customers a day may visit the site; although approximately 50 truck trips per day are being projected for product delivery. Roughly 300 gallons of water per day will be used for dust control and landscape irrigation purposes which will be supplied utilizing an existing agricultural well.

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**B. Environmental Setting and Surrounding Land Uses:**

A concrete and asphalt recycling plant is currently operating at 10735 Ocean Mist Parkway in Castroville (Assessor's Parcel Numbers 030-301-014-000 and 030-301-013-000). The proposal consists of re-locating the referenced facility to an approximately 12 acre lot, located at 11300 Commercial Parkway in Castroville (Assessor's Parcel Number 133-491-045-000 and 133-491-017-000) within the North County Area Plan boundaries. Existing development on the site consists of two un-paved access roads and perimeter fencing. The project site is boarded to the South by the Tembladero Slough.

The parcel is one of the 53 lots created by the Castroville Industrial Park Subdivision approved in 1979. The property is zoned Heavy Industrial or "HI". Properties to the North and West of the subject lot share the identical zoning classification; conversely parcels to the South and East are zoned Farmlands, 40 acre minimum or "F/40" and are currently in intensive crop production.

The site is located in a large depositional basin known as the "Moro Cojo" slough area. This area is relatively flat and 20 to 30 feet above sea level. Most of the area has been filled in with deep fluvial deposits and is presently drained by small meandering streams which have been restricted by agricultural dikes and levees. A geologic report was prepared for the Castroville Industrial Park Subdivision by Charles A. Fisher, CEEG, Inc. in October of 1990. While the report acknowledged the Burkland and Associates Report of 1974 which rated the Castroville area at a seismic hazard VI (Very High) it concluded that further project specific testing indicated

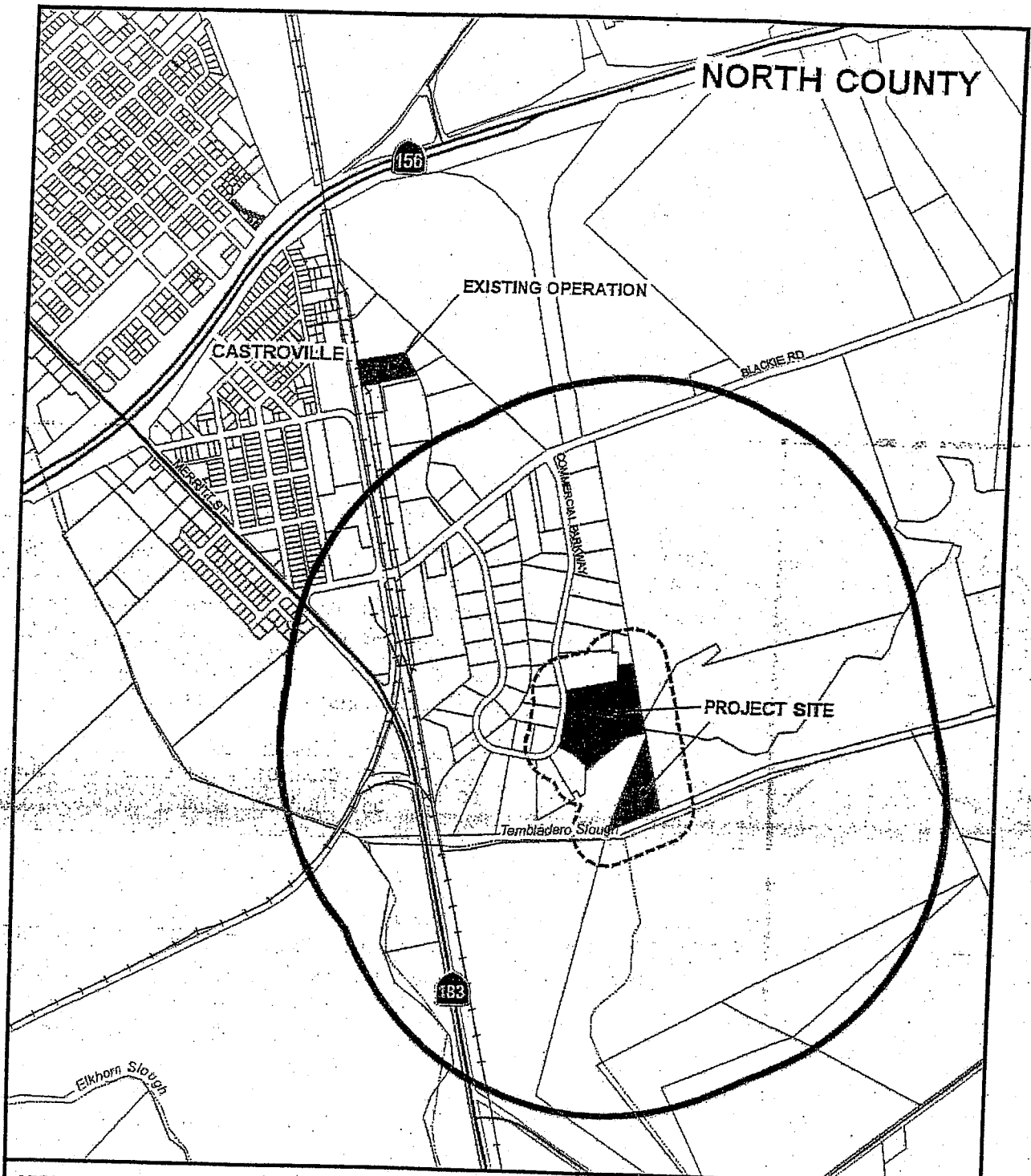
sediments are very dense underlying the property and rated the site at a seismic hazard II (Low). The sand profile consists of a surface layer of dense impervious clayey silt overlying clean pervious sand and underlain by alternating clays and clayey sands. Dense clay and sand deposits such as that of the referenced property restrict ground shaking due to seismicity as witnessed in the Earthquake of 1989. As a result of this condition, little damage occurred in the Castroville area and no structural damage or surface alterations occurred on the proposed project site.

The majority of the project site is covered by a dense population of non-native and invasive weed species. In the past, the flat portion of the parcel was in crop production which is now covered with weed species. Remnant farm equipment can still be found scattered on the south-western area.

The majority of Lot 42 is within a 100 year flood plain. The Monterey County Water Resources Agency has analyzed the project for potential impacts related to the project being located in the flood plain and determined that due to the fact no permanent structures are being proposed the proposal would not result in negative impacts in regards to the flood plain. Conditions recommended have been incorporated into project approval.

A previously recorded archeological site is situated on Lot 42. Two archeological reports were prepared for the proposed project, recommendations have been incorporated (See Section 5).






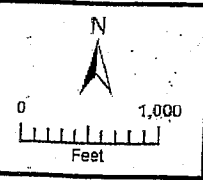


APPLICANT: SJR LLC

APN: 133-491-017, 019, 045

FILE # PLN070631

 300' Limit 
  2500' Limit 
  City Limits



PLANNER: NICHOLSON

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**III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS**

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

General Plan/Area Plan

The proposal was reviewed for consistency with the Monterey County General Plan and the North County Area Plan. The general plan designation, along with the zoning classification of the property (Heavy Industrial) allow the proposed use (See the Monterey County Zoning Ordinance, Section 21.28.060.C) subject to securing a Use Permit from the Planning Commission. Section VI.9 (Land Use and Planning) discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project or conflicts with any applicable habitat conservation plan or natural community conservation plan. As discussed therein, the proposed project is consistent with the Monterey County General Plan and the North County Area Plan.

**CONSISTENT**

Air Quality Management Plan

The project has been reviewed by the Monterey Bay Unified Air Pollution Control District for potential impacts to air quality and consistency with the Air Quality Management Plan. The District has recommended 7 mitigation measures to reduce the impacts of the project to less than significant (See Section VI.3 [Air Quality]).

**CONSISTENT**

**IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION**

**A. FACTORS**

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics       | <input checked="" type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources        | <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality          | <input type="checkbox"/> Land Use/Planning      |

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- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Mineral Resources         | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services           | <input type="checkbox"/> Recreation       | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems |   |   |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

Check here if this finding is not applicable

**FINDING:** For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

**EVIDENCE:** Biological Resources: The Monterey County Geographic Information System indicates the potential for the presence of Chorizanthe Robusta or "Robust Spineflower" on the project site which is designated as a rare and endangered species by the California Natural Diversity Data Base. A biological survey was conducted by Scott Hennessy of Shenvironmental on March 22, 2008. The referenced report concluded an absence of Robust Spineflower on the site and confirmed the dense presence of non-native and invasive weed species blanketing the site. No adverse biological impacts were identified by either the biological survey or project review. (Source: 1, 2, 3, 4, 6, 7 and 12)

Geology/Soils: The site is located in a large depositional basin known as the "Moro Cojo" slough area. This area is relatively flat and 20 to 30 feet above sea level. Most of the area has been filled in with deep fluvial deposits and is presently drained by small meandering streams which have been restricted by agricultural dikes and levees. A geologic report was prepared for the Castroville Industrial Park Subdivision by Charles A. Fisher, CEEG, Inc. in October of 1990. While the report acknowledged the Burkland and Associates Report of 1974 which rated the Castroville area at a seismic hazard VI (Very High) it concluded that further project specific testing indicated sediments are very dense underlying the property and rated the site at a seismic hazard II (Low). The sand profile consists of a surface layer of dense impervious clayey silt overlying clean pervious sand and underlain by alternating clays and clayey sands. Dense clay and sand deposits such as that of the referenced property restrict ground shaking due to seismicity as

witnessed in the Earthquake of 1989. As a result of this condition, little damage occurred in the Castroville area and no structural damage or surface alterations occurred on the proposed project site. The soils on the project site are suitable for the proposed use; therefore it will not be necessary to make provisions for seismic forces other than what is required by the current California Uniform Building Code. (Source: 1, 2, 3, 6, 10 and 12)

Hazards/Hazardous Materials: The project consists of a concrete and asphalt recycling operation within the Castroville Industrial Park subdivision. The project will not involve the transport, use or disposal of hazardous materials. No known hazards of hazardous materials exist on the project site. Machinery will be fueled at a fuel dispersion facility located on adjoining lot 44. (Source: 1, 6 and 12)

Hydrology/Water Quality: The proposed project will not adversely affect water quality or quantity. The project was reviewed for potential adverse impacts to water quality and quantity and hydrology by the Planning Department, Water Resources Agency and Environmental Health Division. The project will utilize 300 gallons of water per day which would be supplied through an existing agricultural well. The Environmental Health Division has reviewed the project to insure an adequate water source is available and has recommended approval of the project without conditions. The majority of Lot 42 where the project is proposed to be located is within the 100 year flood plain. The Water Resources Agency has reviewed the project and determined that due to no permanent structures being proposed for the project there will be no impact related to the 100 year flood plain. The Water Resources Agency recommends approval with a condition relative to the owners acknowledgement that a portion of the property lies within the 100 year flood plain. (Source: 1, 2, 3, 4, 6 and 12)

Land Use/Planning: The project is consistent with the Monterey County General Plan, North County Area Plan and Monterey County Zoning Ordinance (Title 21). The project will not physically divide an established community, conflict with any applicable area plan, policy or regulation adopted for the purpose of avoiding or mitigation an environmental effect, or conflict with any applicable habitat or natural community conservation plan. (Source: 1, 2, 3, 6 and 12)

Mineral Resources: Mineral resources are not known to occur in the vicinity of the project. (Source: 1, 2, 3, 6 and 12)

Population/Housing: The project will not induct growth and will not displace housing or people. (Source: 1, 2, 3, 4, 6 and 12)

Public Services: The proposed project will not create the need for new or expanded public services or facilities. The proposed project's industrial use and compatibility with surrounding land uses signify that any potential impact to public services will be insignificant, given that adequate public serves exist to property serve the area, as evidenced by the County's inter-departmental review of the project. (Source: 1, 2, 3, 4, 6 and 12)

Recreation: The property is zoned Heavy Industrial. No recreational uses exist on the property. The project will not result in an increase of use of existing neighborhood and or regional parks or other public recreational facilities. The

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project proposal does not include a recreation element nor is it required to. (Source: 1, 2, 3, 4, 6 and 12)

Transportation/Traffic: Transportation/Traffic: This project is located in the Castroville Industrial Park. The project includes development on four parcels, totaling 22.067 acres. The traffic report prepared by Higgins and Associates for the approved Castroville Industrial Park project, dated April 1988, estimated and evaluated 63 daily trips per acre for lots within this subdivision. This estimate would be equivalent to a total of 1391 trips for this proposed 22.067-acre project. Based on information provided by the applicant for this new project, daily trips to the project site are expected from the approximately 50 trips for product delivery to customers from and to the site (100 total), the 8 employees coming to and from work (16 total), and approximately 5 customers coming to and from the site (10 total). The total trips from these sources is estimated to be 126 trips per day. This estimate of daily traffic trips would be less than the 1391 daily trips estimated in the original analysis, and evaluated and mitigated for the approved Castroville Industrial Park Subdivision. The Monterey County Public Works Department has reviewed the project and traffic report prepared for the subdivision and has recommended approval of the project with conditions of approval to be incorporated in project approval. (Source: 1, 2, 3, 6, 11 and 12)

Utilities and Service Systems: The proposed project will utilize an existing irrigation well for dust control and landscape irrigation which is adequate to serve the project as evidenced by Monterey County's inter-departmental review of the project. (Source: 1)

## B. 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.
- 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED 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.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Brittany A. Nicholson  
Signature

January 30, 2009  
Date

Brittanyann C. Nicholson

Assistant Planner

## V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

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- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 2, 3, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 2, 3, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 2, 3, 6 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1 and 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

**Aesthetics 1 (a) – No Impact:** The proposed project is not visible from a designated scenic roadway. The project site is not part of a scenic vista or panoramic view. Therefore the project would result in *no impact*.

**Aesthetics 1 (b) – No Impact:** The project will not damage scenic resources such as trees, rock outcroppings or historic buildings within a state scenic highway. The proposed project will not remove any protected trees, rock outcroppings or historic buildings. Therefore the project would result in *no impact*.

**Aesthetics 1 (c) – Less than Significant with Mitigation Incorporated:** The applicant is proposing to plant trees on the East and South boundaries of the parcel to screen the project from adjoining parcels on the East and South. The trees combined with extreme elevation differences between the adjoining parcels will mitigate visual impacts associated with the height of the stock piles which range from 20 to 30 feet in height.

**Mitigation #1:** The applicant shall plant 820 lineal feet of vegetation on the East project property boundary and 100 lineal feet of vegetation on the South project property boundary to shield the visual impacts associated from the height of the stock piles from adjoining neighbors on the East and South prior to commencement of use. Implementation of this Mitigation will reduce the potential impact to less than significant.



**Aesthetics 1 (d) – No Impact:** The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area because per the applicant's letter to the Planning Department dated August 22, 2008 no lighting is proposed for the project.

**2. AGRICULTURAL RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 2, 3 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 2, 3, 4 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1, 2, 3, 4 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Agricultural Resources 2 (a) – Less Than Significant Impact:** The project site is not in crop production but has been in the distant past. The North County Area Plan designates the project site as farmland of local importance but the property is not zoned to support agricultural uses. Since the project is not in crop production and has not been for several years the project would result in a *less than significant impact*.

**Agricultural Resources 2 (b) – No Impact:** The project site is not zoned for agricultural use and is not under a Williamson Act contract; therefore the project would result in *no impact*.

**Agricultural Resources 2 (c) – No Impact:** The project site is not zoned for agricultural use and not under crop production therefore the project would result in *no impact*.

**3. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1, 2, 3, 5 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1, 2, 3, 5 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1, 2, 3, 5 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1, 2, 3, 5 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 2, 3, 5 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1, 2, 3, 5 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Air Quality 3 (a, c, d, e) – Less Than Significant with Mitigation Incorporated :** The project has been reviewed by the Monterey Bay Unified Air Pollution Control District for (among other things) compatibility with the air quality plan. District staff sent a letter to the project planner dated February 19, 2008 which recommended 7 mitigations measures to ensure the project’s consistency and compatibility with the air quality plan. In order to insure that the project does not: 1) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard and; 2) result in significant construction-related air quality impacts and; 3) Expose sensitive receptors to substantial pollutant concentrations the Monterey Bay Unified Air Pollution Control District has recommended the following Mitigation Measures:

Mitigation #2: Any existing unpaved roads or storage areas should be either paved, covered with gravel, or treated with surfactants to reduce emissions of fugitive dust from the operation prior to commencement of use and maintained through the life of the project.

Mitigation #3: All stockpiles (besides of chunks of concrete) must be covered at all times that it is not being loaded or moved in order to prevent materials from becoming airborne at start of commencement of use and ongoing through the life of the project.

Mitigation #4: Loading or moving of loose soil or other light weight materials being stockpiled is prohibited during periods of high winds (over 15 miles per hour) at start of commencement of use and ongoing through the life of the project.

Mitigation #5: All trucks hauling dirt, sand, or other loose light weight materials must be covered in such a way that the materials do not become airborne during the life of the project.

Mitigation #6: Vegetation must be placed and maintained over disturbed areas within a week of disturbance.

Mitigation #7: The project must comply with the Anti-Idling Regulation of the California Code of Regulations (Title 13), Section 2485(c)(1) which requires that California-based vehicles and Non-California based vehicles that are diesel fueled commercial motor vehicles with a gross vehicular weight rating of greater than 10,000 pounds or must be licensed for operation on highways shall comply with the following: 1) shall not idle the vehicle's primary diesel engine for greater than 5.0 minutes at any location; and 2) shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location except at noted in Subsection (d).

**Air Quality 3 (f) – No Impact:** The project would not create an objectionable odor affecting a substantial number of people. Therefore, the project would result in *no impact*.

**Air Quality 3 (b) – No Impact:** The Planning Department and Monterey Bay Unified Air Pollution Control District have thoroughly reviewed the project and has found that the project does not violate any air quality standard or contribute substantially to an existing or projected air quality violation therefore the project would result in *no impact*.

**Air Quality 3 (f) – No Impact:** The project would not create an objectionable odor affecting a substantial number of people. Therefore the project would result in *no impact*.

4. **BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1, 2, 3, 4, 6, 7 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1, 2, 3, 4, 6, 7 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 2, 3, 4, 6, 7 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1, 2, 3, 4, 6, 7 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 2, 3, 4, 6, 7 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1, 2, 3, 4, 6, 7 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

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5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1, 2, 3, 4, 6, 8, 9 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1, 2, 3, 4, 6, 8, 9 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1, 2, 3, 4, 6, 8, 9 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1, 2, 3, 4, 6, 8, 9 and 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Cultural Resources (a-d) – Less Than Significant With Mitigation Incorporated:**

The subject property is located within a "high" archaeological sensitivity zone per County resource maps. Pursuant to Section 21.66.050.C.1.d of the Monterey County Zoning Ordinance (Title 21), an archeological survey shall be required for development within 750 feet of a known archeological resource. A Cultural Resources Reconnaissance Investigation and report (LIB080578) was prepared by Katherine Flynn of Archaeological Resource Service of Petaluma, California in July of 2008 which concluded that the project area contains a potentially significant archeological resource. A subsequent investigation and report (LIB080577) was conducted by Gary S. Breschini, Ph.D., RPA and Mary Doane, B.A. of Archaeological Consulting of Salinas California on August 28, 2008 which also concluded that the project site contains a potentially significant archeological resource located mostly above the 20 foot contour. To reduce the impacts to the resource from the project to a less than significant level, the following mitigation measures and standard conditions shall be implemented:

Mitigation Measure #8: The proposed parking lot has the potential to have a significant adverse impact the archeological resource known as "Locus A". In order to mitigate the potential impact to the resource, disturbance above the 20 foot contour shall be avoided to the maximum extent feasible. Where disturbance above the 20 foot contour can not be avoided protective fill soils "capping of the site" shall be imported and placed on areas proposed for disturbance under the supervision of an archeological monitor from the County's list of approved archeological consultants prior to the commencement of the use.

Mitigation Measure #9: At least one week prior to the commencement of the operation an archeological consultant shall conduct a surface collection of visible artifacts.

Mitigation Measure #10: The proposed stock pile areas have the potential to adversely affect the resource by changing the PH balance of the soil inhibiting the ability to identify resources in the future. In order to reduce the potential impact, the proposed stock pile areas must be covered by a layer of fill or geofabric as approved by and under the supervision of an archeological monitor from the County's list of approved archeological consultants prior to the commencement of the use.

Mitigation Measure #11: If a retaining wall is needed for the down slope side of the parking area it must be placed below the 25 foot elevation in order to reduce impacts to the resource to less than significant.

Standard Condition:

**PD003(B) – CULTURAL RESOURCES – POSITIVE ARCHAEOLOGICAL REPORT**

If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
2. The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
3. If the coroner determines the remains to be Native American:
  - The coroner shall contact the Native American Heritage Commission and the RMA – Planning Department within 24 hours.
  - The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/ Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.
  - The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or
  - Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
    1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
    2. The descendent identified fails to make a recommendation; or
    3. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Timing: Prior to the issuance of permits, the applicant shall provide the Director of Planning with a copy of a recorded agreement containing recommendations for protection of potentially significant resources and the requirement of an archeological monitor on site during earth disturbing activities.

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Enforcement: Require the contractors to sign and record an agreement created by an Archaeologist from the County's list of approved archeological consultants informing them of the potential for incidental impacts and requirements to have the archeological consultant present during any earth moving activities and during implementation of mitigation measures 1 through 3. The agreement should insure that the archeologist has the authority to temporarily halt work in order to examine any potentially significant cultural materials or features.

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1, 2, 3, 4, 6, 10 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
ii) Strong seismic ground shaking? (Source: 1, 2, 3, 4, 6, 10 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
iii) Seismic-related ground failure, including liquefaction? (Source: 1, 2, 3, 4, 6, 10 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
iv) Landslides? (Source: 1, 2, 3, 4, 6, 10 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1, 2, 3, 4, 6, 10 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 2, 3, 4, 6, 10 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1, 2, 3, 4, 6, 10 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1, 2, 3, 4, 6, 10 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

EXHIBIT I

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

7. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓



**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

**8. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXHIBIT   I

**8. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

**9. LAND USE AND PLANNING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

10. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

11. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1, 2, 3, 4,6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 1, 2, 3, 4,6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1, 2, 3, 4,6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1, 2, 3, 4,6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 2, 3, 4,6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>					
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 2, 3, 4,6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

**Noise (d) – Less Than Significant:** As a result of the project ambient noise in the project vicinity may increase for temporary or periodic periods of time. The adjoining parcel to the North of the proposed project is owned and operated by the same owner. The parcel to the North West of the project is also zoned Industrial and is located within the Castroville Industrial Park Subdivision; an Ag chemical operation is currently conducted on that parcel. The parcels to the South and East of the project site are zoned Farmlands, 40 acres per unit. The substantial difference in elevation from the area proposed for the project and the Industrial lots in the immediate vicinity will act as a noise buffer, reducing the impacts to less than significant. The Tembladero Slough separates the project site from the parcels zoned farmland in the immediate vicinity therefore the impacts are less than significant to all neighboring properties.

12. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1, 2, 3, 4, 6, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 3, 4, 6, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 3, 4, 6, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

**13. PUBLIC SERVICES**

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
------------------------------	--------------------------------	--	------------------------------	-----------

Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? (Source: 1, 2, 3, 4, 6 and 12)         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection? (Source: 1, 2, 3, 4, 6 and 12)       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools? (Source: 1, 2, 3, 4, 6 and 12)                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks? (Source: 1, 2, 3, 4, 6 and 12)                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? (Source: 1, 2, 3, 4, 6 and 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

**14. RECREATION**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------	--------------------------------	--	------------------------------	-----------

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1, 2, 3, 4, 6 and 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1, 2, 3, 4, 6 and 12)      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

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PAGE 26 OF 32 PAGES

15. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: 1, 2, 3, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1, 2, 3, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1, 2, 3, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 2, 3, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e)	Result in inadequate emergency access? (Source: 1, 2, 3, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f)	Result in inadequate parking capacity? (Source: 1, 2, 3, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1, 2, 3, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

16. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1, 2, 3, 4, 6 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.

**VII. MANDATORY FINDINGS OF SIGNIFICANCE**

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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: 1, 2, 3, 4, 7, 8, 9,12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

(a) Less than Significant Impact with Mitigation Incorporated:

The subject property is located within a "high" archaeological sensitivity zone per County resource maps. Pursuant to Section 21.66.050.C.1.d of the Monterey County Zoning Ordinance (Title 21), an archeological survey shall be required for development within 750 feet of a known archeological resource. A Cultural Resources Reconnaissance Investigation and report (LIB080578) was prepared by Katherine Flynn of Archaeological Resource Service of Petaluma California in July of 2008 which concluded that the project area contains a potentially significant archeological resource. A subsequent investigation and report (LIB080577) was conducted by Gary S. Breschini, Ph.D., RPA and Mary Doane, B.A. of Archaeological Consulting of Salinas California on August 28, 2008 which also concluded that the project site contains a potentially significant archeological resource located mostly above the 20 foot contour.

**Conclusion:**

**Cultural Resources – Less Than Significant With Mitigation Incorporated:**

The subject property is located within a "high" archaeological sensitivity zone per County resource maps. Pursuant to Section 21.66.050.C.1.d of the Monterey County Zoning Ordinance (Title 21), an archeological survey shall be required for development within 750 feet of a known archeological resource. A Cultural Resources Reconnaissance Investigation and report



(LIB080578) was prepared by Katherine Flynn of Archaeological Resource Service of Petaluma California in July of 2008 which concluded that the project area contains a potentially significant archeological resource. A subsequent investigation and report (LIB080577) was conducted by Gary S. Breschini, Ph.D., RPA and Mary Doane, B.A. of Archaeological Consulting of Salinas California on August 28, 2008 which also concluded that the project site contains a potentially significant archeological resource. To reduce the impacts to the resource from the project to less than significant Mitigations 8 through 11 and standard condition of approval PD003(B) have been incorporated into the project.

(b-c) Less than Significant Impact (Global Warming): The enactment of AB 32, the Global Warming Solutions Act, was signed into legislation by Governor Schwarzenegger in September 2006 and requires that greenhouse gases emissions be reduced to 1990 levels by the year 2020. Increased emissions of greenhouse gases due to developmental pressures have resulted in multiple adverse environmental effects, including, sea level rise, increased incidence and intensity of severe weather events (e.g., heavy rainfall, droughts), and extirpation or extinction of plant and wildlife species. Further, emissions contributing to climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Given the significant adverse environmental effects associated with anthropogenic climate change, increased emissions have the potential to result in cumulatively considerable air quality impacts and indirect biological and hydrological impacts.

When analyzing a project's potential to affect climate change, it is important to note that neither CEQA nor current case law identifies thresholds or other direction in measuring or evaluating the effect of individual projects on global warming. As a result, in the absence of applicable methodology and thresholds, the significance of the project's effect on global warming cannot be quantified. Furthermore, given the transboundary nature of greenhouse gases, the cumulative global emissions contributing to climate change can be attributed to every nation, region, and city, in addition to naturally occurring phenomenon.

The level of emissions resulting due to project-generated traffic would not be expected to exceed air quality standards. Further, as identified in Section VI.3 - Air Quality, the development of the proposed project would not exceed applicable air quality standards as established by the air pollution district. Given the scale and nature of the proposed project, in addition to, the use of energy efficient appliances and other modern amenities, the proposed project is unlikely to substantially impact existing levels of greenhouses gases on a local, regional, or global scale.

## **VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES**

### **Assessment of Fee:**

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a "de minimis" (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a "de minimis" effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of "de minimis" effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of "no effect" on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

**Conclusion:** The project (will/will not) be required to pay the fee.

**Evidence:** Based on the record as a whole as embodied in the Planning Department files pertaining to PLN070631 and the attached Initial Study / Proposed Mitigated Negative Declaration.

## IX. REFERENCES

1. Project Application/Plans
2. Monterey County General Plan
3. North County Area Plan
4. Title 21 of the Monterey County Code (Zoning Ordinance) and Zoning Map, adopted February 2000.
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2004.
6. Site Visit conducted by the project planner on June 25, 2008.
7. "Biological Report for APNs 133-491-045 & 017-000" (LIB080576) prepared by Scott Hennessey of Shenvironmental, Salinas, Ca on March 22, 2008.
8. "Cultural Resources Mitigation Plan for CA-MNT-727, Locus A" (LIB080577) prepared by Gary S. Breschini, Ph.D., RPA and Mary Doane, B.A. of Archeological Consulting, Salinas, Ca on August 28, 2008.
9. "A Cultural Resources Evaluation of the property located at 11340 Commercial Parkway in the Castroville Industrial Park" (LIB080578) prepared by Katherine Flynn of Archaeological Resource Service, Petaluma, Ca in July of 2008.
10. "Geological Report" prepared by Charles A. Fisher, CEEG, Inc., Soquel, Ca in October of 1990.
11. "Traffic Report" prepared by Higgins and Associates, Gilroy, Ca in October of 1990.
12. Monterey County Planning Department's Geographic Information System (GIS).



**CASTROVILLE  
INDUSTRIAL PARK**  
Property Owner's Association

**RECEIVED**

FEB 05 2009

MONTEREY COUNTY  
PLANNING & BUILDING  
INSPECTION DEPT.

February 5, 2009

County of Monterey  
Resource Management Agency - Planning Department  
Attn: Brittany Nicholson, Project Planner  
168 West Alisal, 2<sup>nd</sup> Floor  
Salinas, CA 93901

Subject: SJR LLC, File number PLN070631

Dear Ms. Nicholson:

This letter is in support of the project known as SJR LLC, File number PLN070631 and in reference to the Notice to Adopt a Mitigated Negative Declaration.

The relocation of the concrete and asphalt recycling operation from 10735 Ocean Mist Parkway to Commercial Parkway will remove the existing operation from a highly visible location along Highway 156 to the Castroville Industrial Park which was developed precisely for this type of use. The use and facility are in compliance with the Declaration of Covenants, Conditions and Restrictions as recorded with the County of Monterey as Document number G46905 on November 8, 1979 Reel 1871 Page 613.

Please find in favor of this project so that it may move forward without any further delays.

Sincerely,

Linda A. Grier  
Managing Director

P:\CIPOA\SJR letter of support.docx

EXHIBIT J  
PAGE 1 OF 3 PAGES

**Nicholson, Brittany x5854**

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**From:** Sal Cardinale [Sal@cardinalemoving.com]  
**Sent:** Tuesday, February 17, 2009 10:44 AM  
**To:** Nicholson, Brittany x5854  
**Subject:** RE: A & S Metals use permit app. (SJR LLC<File Number PLN070631>

Brittany,, Thank you for your prompt reply for the info we requested.

Sal P. Cardinale, CEO  
Cardinale Moving & Stg., Inc.  
[sal@cardinalemoving.com](mailto:sal@cardinalemoving.com)

-----Original Message-----

**From:** Nicholson, Brittany x5854 [mailto:NicholsonB@co.monterey.ca.us]  
**Sent:** Tuesday, February 17, 2009 9:27 AM  
**To:** Sal Cardinale  
**Subject:** RE: A & S Metals use permit app. (SJR LLC<File Number PLN070631>

Good Morning Mr. Cardinale,

Attached you will find the Initial Study prepared for the proposed concrete recycling plant (File No. PLN070631) which addresses erosion control on pages 14 and 15. You will also find the Use Permit resolutions for the existing recycling operation you requested.

If you have any other questions or concerns please do not hesitate to contact me.

Thank you,

***Brittanyann C. Nicholson***  
***Assistant Planner - Inland Team***  
***Monterey County RMA - Planning Dept.***  
***Direct No. (831) 755-5854***

-----Original Message-----

**From:** Sal Cardinale [mailto:Sal@cardinalemoving.com]  
**Sent:** Friday, February 06, 2009 8:08 AM  
**To:** Nicholson, Brittany x5854  
**Cc:** Vince Cardinale  
**Subject:** RE: A & S Metals use permit app. (SJR LLC<File Number PLN070631>

Hi Brittanyann, Thanks for the propmpt reply. We look forward to the response to our concerns.

Sal P. Cardinale, CEO  
Cardinale Moving & Stg., Inc.  
[sal@cardinalemoving.com](mailto:sal@cardinalemoving.com)

-----Original Message-----

EXHIBIT J  
PAGE 2 OF 3 PAGES

**From:** Nicholson, Brittany x5854 [mailto:NicholsonB@co.monterey.ca.us]  
**Sent:** Thursday, February 05, 2009 10:02 AM  
**To:** Sal Cardinale  
**Subject:** RE: A & S Metals use permit app. (SJR LLC<File Number PLN070631>

Good Morning Mr. Cardinale,

The County is in receipt of your e-mail dated February 04, 2009. Written response to your comments will be given to you next week along with copies of the Use Permit for the recycling operation requested.

Thank you,

***Brittanyann C. Nicholson***  
***Assistant Planner - Inland Team***  
***Monterey County RMA - Planning Dept.***  
***Direct No. (831) 755-5854***

-----Original Message-----

**From:** Sal Cardinale [mailto:Sal@cardinalemoving.com]  
**Sent:** Wednesday, February 04, 2009 11:20 AM  
**To:** Nicholson, Brittany x5854  
**Cc:** Vince Cardinale  
**Subject:** A & S Metals use permit app. (SJR LLC<File Number PLN070631>

In reference to the above application to relocate a concrete and asphalt recycling operation, we are somewhat concerned about the amount of dust and dirt that this operation will generate, as we are located right next to the planned facility. We have observed the operation on Ocean Mist Parkway, and note that every day the street becomes covered with a fine dust that needs to be watered down several times a day. Since we have a 46,000 sq. ft. warehouse filled with household goods and furniture, plus a large fleet of trucks and trailers in our yard, we have some concerns as to how the dust control will affect our operation. What will happen if the dust is not controlled???

Also, is it possible to obtain a copy of the original use permit issued to A & S Metals for their recycling operation??

Please acknowledge receipt of this e-mail.

Thank you

Sal P. Cardinale, CEO  
Cardinale Moving & Stg., Inc.  
11360 Commercial Parkway,  
Castroville, CA 95012  
[sal@cardinalemoving.com](mailto:sal@cardinalemoving.com)  
Tel# 632-4100

EXHIBIT     J      
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