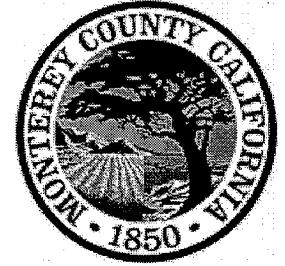


MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT



MEMORANDUM

Date: June 6, 2012

To: Planning Commission

From: Dan Lister - Assistant Planner

Subject: Bastogne Holdings LLC (PLN110426) – Responses to Comments on Negative Declaration

On May 30, 2012, the Planning Commission continued the hearing of the subject project to June 13, 2012 to allow the review period on the Negative Declaration to be extended until June 5, 2012. Staff received three comment letters related to the Negative Declaration for the Bastogne Holdings LLC project which was originally circulated from April 27 to May 26, 2012. Staff responses to each letter are as follows (see attached comments letters for reference):

1) Law Office of Michael W. Stamp, received on May 25, 2012

- a) Inadequate Public Review Period: Staff Response - On May 30, 2012, the Planning Commission continued the hearing to June 13, 2012 to allow the review period on the Negative Declaration to be extended until June 5, 2012. A notification letter regarding the extension was mailed on May 30, 2012 to all owners, agencies and interested parties on the distribution list providing additional time to comment.
- b) Project Description and Office County CEQA Documents: Staff Response - Staff will amended the project description at the June 13, 2012 Planning Commission hearing, as follows, "Use Permit to allow the storage and distribution of petroleum products on an existing heavy commercial site. The project includes the installation of seven (7) above-ground petroleum holding tanks with concrete containment wall located outside the existing 6,000 square foot warehouse. The tanks will store motor oil (48,000 gallons), unleaded gasoline (12,000 gallons) and diesel (32,000 gallons). The existing warehouse will store approximately 11,000 gallons of motor oil in totes. Associated improvements include two new oil/water separator, berming and fencing modifications."

Pursuant to CEQA Section 15073.5, recirculation of a Negative Declaration is not required if new information is added which merely clarifies, amplifies, or makes insignificant modifications to the circulated document. The clarification of the project description does not change the analysis contained in the Negative Declaration.

- c) Hazardous Materials Risks and Mitigations Were Omitted from the Initial Study: Staff Response - According to the project applicant, current operations does not allow for the tanker trucks to have any petroleum substance leftover at the end of the business day. The initial study was based on the current operational practices. According to the Environmental Health Bureau, site improvements include berming and containment walls around the truck

parking area in order to catch any petroleum products if the trucks were full and a massive leak occurred, which would drain into one of the proposed filtered catch basins through a 5000 gallon oil/water separator.

As identified on Page 23 of the Negative Declaration, the project is located 620 feet from Boronda Meadows Elementary School which CEQA requires that any project which will emit hazardous air emissions or will handle extremely hazardous substances within one-quarter mile of any school to receive the school's approval of the project and location and allow the school a chance to review and comment on the environmental review for the project (Section 21151.4 CEQA). According to the Hazardous Materials Division of Environmental Health, the petroleum products proposed are not extremely hazardous material, as defined in Section 25532 of the California Health and Safety Code. Based on the tank specs and site improvements reviewed by the Water Resources Agency, Monterey County Regional Fire Protection District, and Environmental Health, the project as conditioned minimizes all potential risks of a fire or spill. The Negative Declaration was distributed to the City of Salinas, John Steinbeck Library, El Gabilan Library, Boronda Meadows Elementary School District and property owners within 300 feet. No comments were received.

According to the Environmental Health Bureau, the project originally had four non-standard conditions applied to the project. Due to multiple requirements within each condition, the Bureau decided to split the four conditions up into seven conditions of approval. Though the Negative Declaration does not include the language of each condition applied by each agency, it does mention safety and health measures that the project will undertake and that there are conditions of approval regarding those measures (see pages 3, 19, 23, and 30 of the Negative Declaration).

The project, as proposed with site improvements, self-mitigates potential impacts to identified resources; therefore, did not require mitigation measures by all reviewing agencies. Conditions applied to the project are to ensure best practice management measures are applied and reviewed prior to the commencement of the proposed use, which is considered standard practice by agencies for the type of use proposed.

- d) Continuous Lighting on Project Site: Staff Response - The project is conditioned as follows, "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...lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6" (Condition No. 8). This is a standard condition and not a mitigation measure. As stated in the Negative Declaration, the site is being used as it has existed. The installation of the above-ground tanks and related improvements are the only proposed development on the property. The project was assessed for biological impacts by consultant, PMC, on February 17, 2012 who recently prepared a Mitigated Negative Declaration for the Madison Lane Improvement Project. The assessment by PMC identifies the project area as an existing heavy commercial use and that all improvements proposed (improved drainage, berming, lighting, etc) will benefit the environment surrounding the project area compared to existing conditions.
- e) Project Title: Staff Response - The project site was purchased by Bastogne Holdings, LLC in early January 2012. The project title changed to reflect the change in ownership.

2) Monterey Bay Unified Air Pollution Control District (MBUAPCD), received on May 25, 2012

- a) Project Description and Greenhouse Gas Emissions: Staff Response - The description of the project on Page 2 of the Initial Study reflects the proposed amount of petroleum storage, as well as the location of the current business operation and the amounts of petroleum currently stored. The current business is located within the same air basin as the proposed project (North Central Coast Air Basin), and will be storing half the amount of petroleum products than the current location. Also, the relocation of the business is due to the current location not meeting current standards due to age and structure repairs. The proposed project site will and is conditioned to meet all current State and Federal standards regarding the storage and distribution of petroleum products, where current operations cannot. Based on the reduction of petroleum storage, lot size and operational safety measures applied to the project, a calculation measuring VOC emissions was not required to show the reduction of cumulative and operational impacts.
- b) Air District Permit: Staff Response - Staff contacted MBUAPCD on May 29, 2012 regarding the comment letter received on May 25, 2012, and agreed that a condition of approval that requires the applicant to obtain a permit through the Air District prior to the issuance of a Construction Permit would address all their concerns. The condition has been added to the approval of the project.

3) Water Resources Agency, received on May 25, 2012

- a) Hydrology and Water Quality Section, Page 25: Staff Response - The information provided by the Water Resource Agency will be included in the amended Negative Declaration. Pursuant to CEQA Section 15073.5, recirculation of a Negative Declaration is not required if new information is added which merely clarifies, amplifies, or makes insignificant modifications to the circulated document. The clarification of the project description does not change the analysis of the Negative Declaration.

LAW OFFICES OF
MICHAEL W. STAMP

Facsimile
(831) 373-0242

479 Pacific Street, Suite 1
Monterey, California 93940

Telephone
(831) 373-1214

May 25, 2012

Via Email

Mike Novo, Planning Director
Dan Lister, Planner
Planning Department
County of Monterey
168 W. Alisal Street, 2d Floor
Salinas, CA 93901

Subject: Bastogne Holdings LLC – also called Horsley (PLN110426)
Initial study and proposed negative declaration

Dear Mr. Novo and Mr. Lister:

The Open Monterey Project makes these comments on the initial study and proposed negative declaration for the Horsley/Bastogne project for a use permit to allow storage and distribution of petroleum products at a heavy commercial site.

Sadly, the staff report to the Planning Commission has already been released, without including public comment on the flawed initial study and without including important mitigations and conditions as to hazardous materials.

Inadequate Public Review Period

A central feature of CEQA is that before adopting a negative declaration, the County is required to give notice to the public and allow time for comments. (*Dixon v. Superior Court* (1994) 30 Cal.App.4th 733, 743.) The County's public review period for the proposed negative declaration is April 27, 2012 to May 26, 2012. That 29-day period is inadequate under CEQA. CEQA requires a 30-day review period for negative declarations. (Pub. Resources Code, § 21091(b); CEQA Guidelines, § 15105(b).)

The public review period must comply with CEQA. As Courts have held, full compliance with the letter of CEQA is essential to the maintenance of its important public purpose. Courts must be satisfied that administrative agencies have fully complied with the procedural requirements of CEQA, because only in this way can the important public purposes of CEQA be protected from subversion. At least, when these protective provisions go to the heart of the protective measures imposed by the statute, failure to obey them is generally prejudicial; to rule otherwise would be to undermine the policy in favor of the statute's strict enforcement. Depriving the public of the full public comment period thwarts the legislative intent underlying CEQA. Substantial, rather than complete, compliance with CEQA-mandated notice procedures is an abuse of discretion requiring vacating of the administrative decision. (*Gilroy Citizens for*

a

Mike Novo
Daniel Lister
May 25, 2012
Page 2

Responsible Planning v. City of Gilroy (2006) 140 Cal.App.4th 911, 922; see *Latinos Unidos De Napa v. City of Napa* (2011) 196 Cal.App.4th 1154, 1157-1158 [notice of determination must be posted for the entire 30 days to satisfy CEQA's 30-day posting requirement].)

Under CEQA statutes and case law, as well as for sound public policy reasons, the anticipated argument by the County – that ending the County's public review period on a Saturday functionally means that comments would be accepted on the next business day – would be to no avail. A 29-day public comment period does not satisfy the strict procedural requirement of CEQA to have a 30-day comment period. Sadly, the County has a pattern and practice of failing to meet the strict procedural requirements of CEQA, and this is a recent example. a

The County must recirculate the proposed negative declaration in a manner that meets the strict procedural requirements of CEQA.

Project Description

The project description fails to adequately disclose the surrounding uses, such as the adjacent residence and the two nearby elementary schools. For a project that involves the storage and distribution of quantities of hazardous materials, the factual omissions are glaring.

Official County CEQA Documents – Notice of Completion and Initial Study – Significantly Understate the Amount of Hazardous Materials

The County's Notice of Completion incorrectly states in the Project Description that the project will involve only "11,000 gallons of petroleum products" on site. (Ex. E.) The County's Negative Declaration also states the same incorrect number. (Ex. G.) That figure is grossly inaccurate, and misinformed the public as to the magnitude of the potential environmental impacts. The public may have read the front page of one of these documents, and on that basis read no further. b

The County's online project database (Ex. F) states that 127,000 gallons of hazardous materials will be stored onsite:

The tanks will store motor oil (72,000 gallons), unleaded gasoline (12,000 gallons) and diesel (32,000 gallons). The existing warehouse will store approximately 11,000 gallons of motor oil in totes.

The County's initial study (p. 2) gives yet another version of the amounts of the hazardous materials to be stored onsite, stating over 103,000 gallons:

(7) above-ground holding tanks (six (6) 12,000 gallon tanks; one (1) 20,000 gallon tank) will house different petroleum products. Four of the 12,000 gallon tanks will contain motor oil, one 12,000 gallon tank will contain unleaded gasoline, one 12,000 gallon tank will contain clear diesel, and the 20,000 gallon tank will contain red-dyed diesel. Up to 11,460 gallons of motor oil will also be housed within the existing warehouse . . .

Additional hazardous materials are likely to be present onsite from delivery trucks containing tens of thousands of gallons. The initial study did not adequately describe the project or the magnitude of the potential impacts.

Hazardous Materials Risks and Mitigations Were Omitted from the Initial Study

It is not disputed that the project would involve hazardous materials and is located adjacent to an established wetlands, residence, and elementary schools. There is a foreseeable and significant risk that there could be a spill or accident as a result of project operations, and that the spill could impact the adjacent wetlands and other uses. However, these risks are not adequately identified in the initial study.

The online County database shows that after the County released the negative declaration for public review, County Environmental Health proposed at least six conditions to mitigate the risks of the project with regard to hazardous materials and environmental impacts. None of the proposed Environmental Health mitigations are identified in the negative declaration and initial study, and none have been circulated for public review. And none of those mitigations are included in the staff report to the Planning Commission.

The County has failed to comply with the public review process mandated by CEQA. (*Dixon v. Superior Court, supra*, 30 Cal.App.4th 733, 743.)

Continuous Lighting on Project Site

Page 7 of the initial study, a drawing called "Proposed Drainage Improvements," states in tiny print as follows: "Site will be continuously lit at night." The initial study concludes that there will be no visual impact caused by the project. Page 9 states that "exterior lighting . . . conditions have been added to the approval of the project in order to ensure visual degrading does not occur." This statement raises at least two concerns.

First, if the County has placed conditions on the project, then those are mitigations that should be identified as such. The proposed negative declaration does

not identify mitigations. If there are any mitigations, the environmental document should be revised and a mitigated negative declaration should be circulated.

Second, the direct and indirect impacts of lighting the project at night have not been adequately investigated, disclosed, or mitigated. The project site is located adjacent to a marshy wetland area which is wildlife habitat, as well as home to special-status wildlife such as burrowing owl, short-eared owl, northern harrier, white-tailed kite, and other nesting and migratory birds that rely on the natural darkness for their survival and life cycles. (See initial study, p. 18.) The continuous lighting of the project site at night will also light the land nearby. If the project site is lit all night, the lighting could have significant unanalyzed adverse impacts on biological resources, including wildlife, owls and other birds, possibly on breeding behavior, roosting behavior, nesting behavior, feeding behavior, or other impacts. (See Exhibits B, C and D.)

Night lighting can have an effect on bird species composition in an area. A California study showed that American crows (*Corvus brachyrhynchos*) roost in areas with high nighttime lighting levels (Gorenzel and Salmon, 1995, *Journal of Wildlife Management* 59(4):638-645). It is hypothesized that artificial lighting allows crows to reduce predation from owls (Brody, 1997, *The too-common crow...* *New York Times*, May 27). Crows are native, but they are also aggressive, and artificially increased population levels can be detrimental to other native bird species, including sensitive species.

The initial study failed to investigate or mitigate these impacts, and there is a fair argument that the project could have unanalyzed and unmitigated significant impacts.

Project Title

The County has prepared documents for the project under at least two different names: Horsley and also as Bastogne Holdings LLC. For example, the January 25, 2012 Planning Commission agenda listed the project name as Horsley. (Ex. A.) The Project Referral Sheet and other documents in the County planning files list the project title as Horsley. In contrast, the proposed negative declaration and initial study identify the project as Bastogne Holdings LLC.

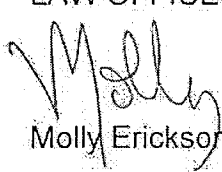
No County document explains to the public that the name of the project has changed or whether the two project are identical. Changing the name of the project on official County documents harms the public because the public cannot find records for the project without special knowledge of the various name. Planning documents and public hearing agendas for the project may not be recognizable by the public or a decisionmaker because the current project title is inconsistent with the past project title.

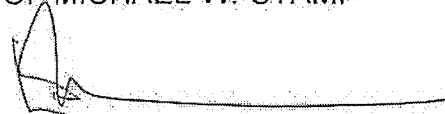
Mike Novo
Daniel Lister
May 25, 2012
Page 5

Thank you for the opportunity to comment. Please provide this letter to the Planning Commission.

Very truly yours,

LAW OFFICES OF MICHAEL W. STAMP


Molly Erickson



Exhibits:

- A – January 25, 2012 Planning Commission agenda (excerpt)
- B, C, D – Information on impacts of nighttime lighting on wildlife
- E – Notice of Completion
- F – Project Description from Monterey County RMA website
- G – April 26, 2012 Negative Declaration (cover page)
- H – Project Description from CEQAnet Database of the California State Clearinghouse

**Monterey County Planning Commission
AGENDA
Wednesday, January 25, 2012**

Monterey County Government Center Board of Supervisors Chambers
168 W. Alisal Street
Salinas, CA 93901
9:00 a.m.

Chair: Paul Getzelman Vice-Chair: Amy Roberts Secretary: Mike Novo
Commissioners:

Paul C. Getzelman	Cosme Padilla
Jay Brown	Aurelio Salazar, Jr
Amy Roberts	Jose Mendez
Luther Hert	Martha Diehl
Don Rochester	Keith Vandevere

PLEDGE OF ALLEGIANCE

- A. ROLL CALL
- B. PUBLIC COMMENTS
- C. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS
- D. APPROVAL OF MINUTES: None
- E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS
- F. SCHEDULED ITEMS

1. 9:00AM - Chevron USA Inc - PLN110406

Project Planner: Taven Kinison Brown. Environmental Status: Addendum to previously certified EIR for the Chevron San Ardo to Coalinga Heated Oil Pipeline. Project Description: CONTINUED FROM JANUARY 12, 2012. Amendment and Extension to a previously approved permit (PLN030507) to modify Condition of Approval #9 eliminating the number of truck trips and adhering to the established emissions threshold and request a three-year extension of the Use Permit from its present expiration. The pipeline project commences at Assessor's Parcel Number 237-101-002-000, San Ardo area, South County Area Plan. Recommended Action: Consider the Addendum to the previously certified EIR and Approve Use Permit Amendment and Extension of Use Permit as amended.

→ 2. 9:00AM - Horsley Andrew P TR ET AL - PLN110426 ←

Project Planner: Daniel Lister. Environmental Status: Exempt. Project Description: Use Permit to allow the storage and distribution of petroleum products on an existing heavy commercial site. The project includes the installation of seven (7) above-ground petroleum holding tanks with concrete containment wall near the existing 6,000 square foot building. Associated improvements include a new oil/water separator and fencing modifications. The property is located at 1083 Madison Lane, Salinas (Assessor's Parcel Numbers 261-052-008-000, 261-052-002-000, 261-052-003-000, 261-052-006-000, and 261-052-009-000), Greater Salinas Area Plan. Recommended Action: Approve Project

HOME OUR WORK ABOUT US RESOURCES DONATE

Home » Resources » Road Reporter » Effects of Artificial Lighting on Wildlife

Effects of Artificial Lighting on Wildlife

Posted on July 19, 2007

The U.S. is home to 3,981,512 miles of public roads (US Dept. of Transportation 2004). Unfortunately, the number of these roads that are currently lighted or will be lighted is not recorded by either the Department of Transportation nor the Federal Highway Administration, and therefore is unknown. We can infer that the majority of these roads are at least illuminated over specific portions. Ritters and Wickham (2003) report that 20% of the coterminous United States lies within 127 m of a road. In addition, U.S. Homeland Security is developing plans to illuminate vast portions of the border with Mexico, bisecting major wildlife corridors and flyways. Therefore, the road system potentially constitutes a serious problem for wildlife, as the number of species unaffected by light pollution is fast diminishing.

"Ecological light pollution" affects wildlife at the individual, community, and ecosystem level through "direct glare, chronically increased illumination, and temporary, unexpected fluctuations in lighting" (Longcore and Rich 2004; 191). A form of this pollution is known as "sky glow," and results from the accumulation of various artificial lighting sources, creating a glow that is reflected back to earth (Longcore and Rich 2004). The glow is naturally more pronounced near urban and other well-lit areas, but can also affect wildlife outside the city. Ecological light pollution stems from a wide variety of lighting systems, each of which is in use worldwide throughout the day and night.

Effects on Wildlife

The effects of ecological light pollution are widespread. They include disorientation from and attraction to artificial light, structural-related mortality due to disorientation, and effects on the light-sensitive cycles of many species.

Disorientation

Exposure to artificial light can create problems for species adapted to using light- or the absence of light- to aid in orientation. In these cases, ecological light pollution may interrupt natural behaviors, expose individuals to higher predation levels, or disrupt navigational abilities.

Nocturnal frogs are especially vulnerable to the effects of artificial lighting. A study conducted by Buchanan (1993) suggests that any exposure to artificial light impedes the ability of nocturnal frogs to locate and capture prey. This is probably due to their inability to adjust their eyes to new light levels quickly, a process that can take anywhere from minutes to hours (Cornell and Hailman 1984).

Many predatory birds and reptiles, usually active only during the day, will forage at night under artificial lights (Longcore and Rich 2004). While this appears to be beneficial to these predators, prey species may suffer over time.

Light pollution also modified the behavior of prey species such as sockeye salmon fry (*Oncorhynchus nerka*). Exposure to any light above 0.1 lux causes the fry to stop swimming downstream and seek cover in low-velocity waters near the shore. Unfortunately, this brings them into increased contact with predatory cottids along the shoreline (Tabor et al. 2004). These results help explain the recent sockeye salmon decline in the Cedar River, Washington, which is exposed to both direct light and sky glow.

The most well-known example of disorientation occurs among hatchling sea turtles. Hatchlings find their way to the sea by differentiating between dark, elevated areas, and the bright, flat sea surface (Salmon 2003). Artificial lights, especially roadway lights, severely disrupt this ability. However, the use of embedded instead of overhead street lighting allowed hatchlings to orient normally to the sea (Bertolotti and Salmon 2005). Wildlife are watching to see how we'll handle this problem.

Structure-related Mortality

Lighting produced and compounded by human structures can result in high mortality rates of wildlife living around them. This effect is related to disorientation, but specific to structures such as lighthouses, skyscrapers and streetlamps.

The Long Point lighthouse on Lake Erie, Ontario, Canada has been the site of high mortality rates in the past. Previously, the lighthouse used a constant, rotating beam of light which appears to have been highly attractive to birds. However, in 1989, the Long Point lighthouse was automated, and its beam replaced with a lower intensity, flashing system. This change brought a dramatic drop in the mortality rate at the lighthouse (Jones and Francis 2003).

Skyscrapers and other buildings are also hazardous, as they form a "light maze" that entraps and disorients wildlife. "Within the sphere of lights, birds may collide with each other or a structure, become exhausted, or be taken by predators" (Longcore and Rich 2004; 194).

Petrel and shearwater fledglings undertaking their first flight to sea are attracted to any type of light in the attempt to secure their first meal of bioluminescent squid (Imber 1975). Individuals will circle the lights until exhaustion sets in, grounding the birds on shore and exposing them to starvation and predation. Of problematic lighting structures on Reunion Island in the Indian Ocean, streetlights and stadium lights were the most detrimental, resulting in 78% of groundings. Between 20 and 40% of the island's population is lost to ecological light pollution each year, greatly affecting the population's viability (Le Corre et al. 2002).

Light-sensitive Cycles

Many species of wildlife operate specific internal cycles or rhythms that help them determine when to initiate foraging, migratory or reproductive behavior. The addition of artificial light to the nighttime environment disrupts the precision of these cycles, thus modifying

EXHIBIT Bp. 1 of 2

behavior.

American robins exposed to high levels of artificial light will initiate their morning songs significantly earlier (in relation to the onset of dawn) than those exposed to less light, sometimes up to 100 minutes earlier (Miller 2006). Prolonged singing could result in higher energy demands, greater predation risk, or earlier yearly feeding times. Threatened and vulnerable species especially may not be able to cope with these changes.

When days were extended to 16 hours by artificial lighting, White-tailed bucks began rutting 2 weeks earlier and weighed 20 lbs more at winter's end (French et al. 1960). Unfortunately, this study did not record how these changes affected reproductive rates, but the lack of winter weight loss could potentially reduce mortality among mothers and fawns.

Nesting sea turtles selectively choose beach areas shaded by dark buildings over lighted areas. As a result, artificial lighting causes higher nest concentrations on rapidly decreasing shaded stretches of beach, resulting in higher mortality and predation rates among hatchlings.

Types of Lighting

The standard of measurement for all lighting systems is the Lux, or footcandles, unit. Lux expresses brightness and intensity of light as perceived by the human eye (Longcore and Rich 2004). However, this system ignores some biologically important aspects of light. Researchers must focus not only on light intensity, but on radiation and spectrum as relevant to the organisms being studied.

Conclusions and Recommendations

Alternatives to the current lighting systems are often surprisingly simple. (1) Eliminate all bare bulbs and any lighting pointing upward. This is especially true for decorative lighting, and would reduce contributions to overall light pollution. (2) All new developments should use the latest management technologies so that continued growth and expansion leads to no increase in the impact of light pollution (Salmon 2003). (3) Use only the minimum amount of light needed for safety. The Long Point lighthouse garnered great success by changing its beam to a less intense, flashing system. This is the minimum amount of light required to ensure the safety of ships at sea, while dramatically reducing avian mortality rates. (4) Use narrow spectrum bulbs as often as possible to lower the range of species affected by lighting. (5) Shield, center or cut lighting to ensure that light reaches only areas needing illumination. This will significantly reduce sky glow. (6) Light only high-risk stretches of roads, such as crossings and merges, allowing headlights to take up the slack at other times. If that is not possible, then, (7) use embedded road lights to illuminate the roadway. By enacting these alternatives, we can reduce the impact of ecological as well as astronomical light pollution, while still maintaining an optimal level of lighting for humans.

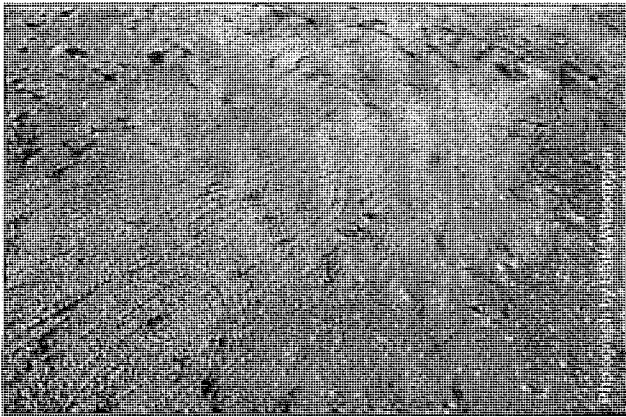
Much future research is required to enhance our understanding of the effects of roadway lighting and general light pollution on wildlife. Research should focus on the amount and types of current lighting, intensities and spectrums used, and any possible road-specific effects. It is true that light is essential to life. Yet we would do well to remember that darkness can be just as indispensable.

— *Tiffany Saleh is an Environmental Studies graduate student at the University of Montana.*

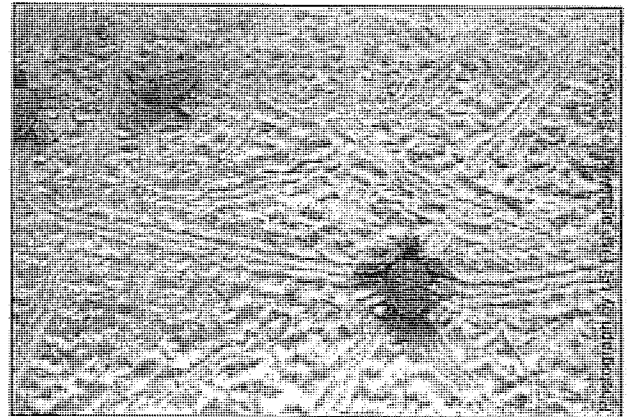
References

- Bertolotti, L., and M. Salmon. 2005. "Do embedded roadway lights protect sea turtles?" *Environmental Management*. 36(5): 702-710.
- Buchanan, B. W. 1993. "Effects of enhanced lighting on the behavior of nocturnal frogs." *Animal Behavior*. 45: 893-899.
- Cornell, E.A., and J.P. Hailman. 1984. "Pupillary responses to two *Rana pipiens* - complex anuran species." *Herpetologica*. 40: 356-366.
- French, C.E., L.C. McEwen, N.D. Magruder, T. Rader, T.A. Long, R.W. Swift. 1960. "Responses of White-Tailed bucks to artificial light." *Journal of Mammalogy*. 41(1): 23-29.
- Imber, M.J. 1975. "Behavior of petrels in relation to the moon and artificial lights." *Notornis*. 22: 302-306.
- Jones, J., and C.M. Francis. 2003. "The effects of light characteristics on avian mortality at lighthouses." *Journal of Avian Biology*. 34: 328-333.
- Le Corre, M., A. Ollivier, S. Ribes, P. Jouventin. 2002. "Light-induced mortality of petrels: a 4-year study from Reunion Island (Indian Ocean)." *Biological Conservation*. 105: 93-102.
- Longcore, Travis and Catherine Rich. 2004. "Ecological Light Pollution." *Frontiers in Ecology and the Environment*. 2(4): 191-198.
- Ritters, K.H., and J.D. Wickham. 2003. "How far to the nearest road?" *Frontiers in Ecology and the Environment*. 1(3): 125-129.
- Miller, Mark W. 2006. "Apparent effects of light pollution on singing behavior of American robins." *The Condor*. 108: 130-139.
- Salmon, M. 2003. "Artificial night lighting and sea turtles." *Biologist*. 50(4): 163-168.
- Tabor, R.A., G.S. Brown, V.T. Luiting. 2004. "The effect of light intensity on sockeye salmon fry migratory behavior and predation by cottids in the Cedar River, Washington." *North American Journal of Fisheries Management*. 24: 128-145.
- United States of America Department of Transportation. 2004. "System mileage within the United States." Washington, D.C.: Bureau of Transportation Statistics. Retrieved December 6, 2006 http://www.bts.gov/publications/national_transportation_statistics/html/

IDA Practical Guide



Turtle trails that go straight to the ocean, as they should.



Turtles that are confused by light pollution (shown above with their erratic trails), are unable to find their way to the ocean.

Topic :

Effects of Artificial Light at Night on Wildlife

FROM THE BEGINNING OF EXISTENCE, humans have controlled their immediate environment, building shelters to keep out the elements and fires to banish the darkness. As civilizations continue to develop, humans are able to affect dizzying change on habitats in all corners of the globe. Though agreeable to us, many of the comforts of advanced society are devastating to the creatures that share the earth. A growing body of data suggests that artificial night lighting has negative and deadly effects on a wide range of creatures, including amphibians, birds, mammals, insects, and even plants.

Humans have evolved as diurnal animals, biased toward the daytime and dependant on visual cues, so illumination of our nightscapes seems comfortable and necessary. All animals, including humans, depend on a regular interval of daylight and darkness for proper functioning of behavioral, reproductive and immune systems. Many of these animals need the natural night to survive. For thousands of species, the natural dark night of the evolutionary past is an integral component of their continued existence.

Artificial night lighting harms species directly by triggering unnatural periods of attraction or repulsion that lead to disruptions in reproductive cycles; by fixation, by



disorientation, or by interfering with feeding and sustenance. Light pollution has been shown to disorient migratory birds and hatchling turtles, disrupt mating and reproductive behavior in fireflies and frogs, and interfere with communication in species from glowworms to coyotes. Disruptions such as degradation of habitat, creation of artificial and dangerous habitat, and energy waste that may lead to climate change can all be linked to excessive artificial night lighting. Research biologists are warning that the negative synergy of such combinations can result in a cascade effect, with disastrous results for entire ecosystems around the world.

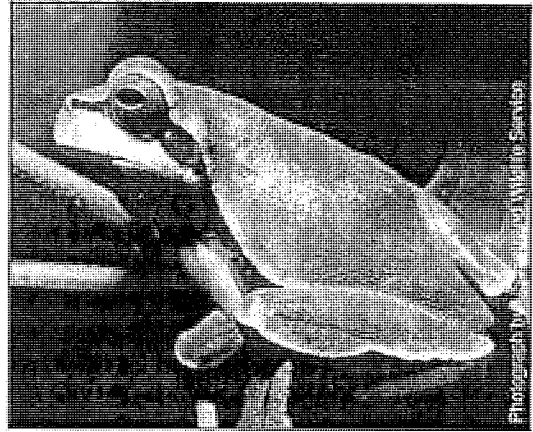
Diurnal— active during daylight

Photoperiod—duration of sunlight as determined by season (photoperiodic—internal clock governed by how long the day is)

Phototaxis—movement in response to light

Predation—predatory behavior in animal relationships

Climate characteristics vary from one year to the next; it is not uncommon to experience cool summers, dry springs, and slow falls. A season's photoperiod is the only consistent factor in the natural environment. Therefore, many species of plants and animals rely on the length of the day to indicate the proper season for mating, molting, and other life cycle activities. This photoperiodic sensitivity is often so acute that many species can detect discrepancies in natural light as short as one minute. Reproduction cycles are most often disrupted when artificial light at night interferes with species' natural detection systems. Trees have been known to bud prematurely; some flowers cease blooming. Artificial light also can cause animals such as squirrels and robins to mate out of season. Changes in plant and animal reproductive activity can create difficulty in finding food and increase chances of starvation.



Pine Barrens tree frog

There is evidence that the use of high and low pressure sodium light in ecologically sensitive areas such as wetlands, woods, and coastal areas has less impact on habitat and life cycle behavior than use of other kinds of light. The relatively monochromatic wavelength emitted by the yellow tinted sodium vapor lights attracts fewer insects and can be more easily filtered to minimize negative effects.

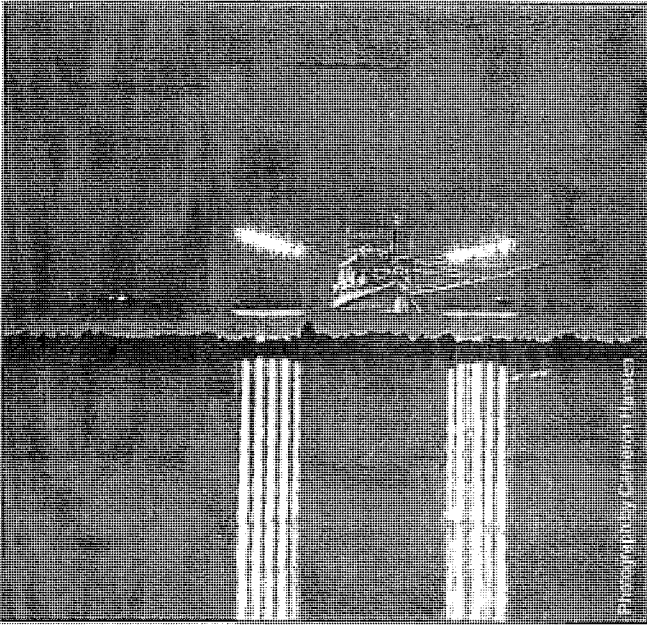
Insects, frogs, toads, and salamanders have demonstrated both physical and behavioral disruptions as a result of artificial night lighting. A majority of frog and toad species are nocturnal and, because they must remain close to a water source, are less able to compensate for changes in the environment by relocating.

Like other amphibians, salamanders are currently suffering population declines around the world. Many species of pond-breeding salamanders show strong site fidelity to their home ponds, and studies to date have shown that artificial illumination can disrupt salamanders' ability to return to home ponds to breed.

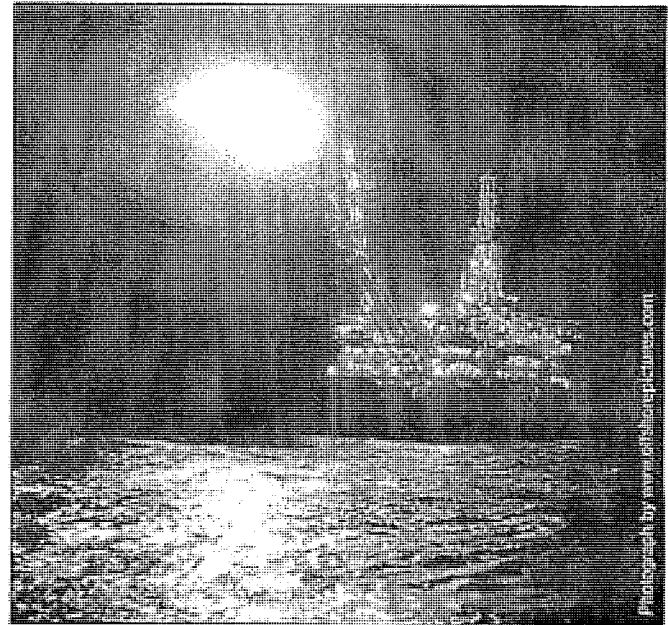


Insects are attracted to the white light of floodlights.

Artificial light at night contributes to lack of food (starvation) by interfering with predator/prey relationships. For instance, moths and other night-flying insects are attracted to lights. This involuntary phototaxis leads to their easy capture. Their incessant gravitation toward artificial points of light not only makes them vulnerable as prey and subjects them to increased predation, but disrupts the normal nocturnal patterns of predator species by creating an artificial feed concentration around points of light. For some species of predators, such as bats or birds that are not repelled by light, this disruption means a change in the concentration and location of their feed, which can lead to imbalances in predator/prey ratio. For species repelled by light, such as horseshoe bats, long eared bats, and mouse eared bats, feed becomes scarcer and difficult to procure, as many insects swarm around lights, leaving fewer to be caught as they fly free. The decreasing amount of available food due to



Visible for miles, squid boat lights unnaturally attract species of fish and migratory birds.



Relentless lights are common on offshore oil platforms.

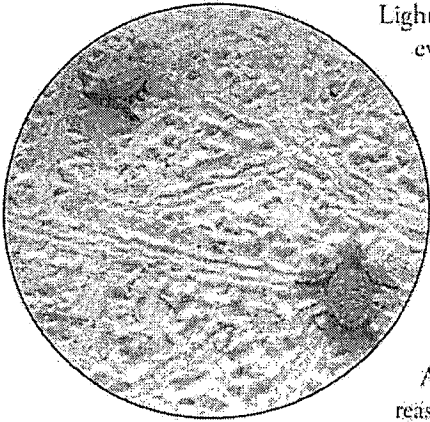
Upon discovering the magnitude of fatal bird collisions, some cities are initiating mitigation procedures. The Lights Out Toronto campaign, established in 2006 in Toronto, Canada calls for residents to turn out any unnecessary lights for the protection of migratory birds. In addition, the city has issued bird friendly development guidelines for all new buildings, which include the control of unnecessary artificial light. In September 2008, Boston, MA, USA began a two-month initiative to conserve electricity by shutting off lights at 34 city skyscrapers. A stated purpose of this project was the protection of migrating birds. Chicago, IL and New York, NY USA also participate in a "Lights Out" during migration season.

As awareness of the danger of artificial light to sea turtles grows, an increasing number of communities are restricting coastal illumination. Countries all over the world have passed ordinances that control the amount and type of light used in coastal environments. As the list grows, hatchling sea turtles are starting to be able to find the sea without the help of human volunteers to guide them. Learn more about local and regional action by visiting www.seaturtle.org.

a combination of habitat loss and life cycle disruption is causing many bat populations, such as Europe's horseshoe bat, to become threatened or endangered.

Since the eyes of nocturnal animals are specially evolved for foraging in low-light conditions, small changes in illumination can compromise strategies and profoundly alter their relationship with prey species. Even fish are affected by artificial light. Some species of fish, normally exposed only to natural light sources such as phosphorescence, can be temporarily blinded and left vulnerable by artificial light. Artificial light also inhibits normal anti-predation behavior such as schooling, and can affect migratory patterns in species such as salmon and sockeye fry.

Offshore, brightly lit oil and gas platforms and squid vessels that attract prey and affect numerous species of fish with lights pose both primary and secondary hazards to marine birds. The illumination and heat of offshore hydrocarbon platforms and squid fishing vessels also encourage algae growth, attracting fish and invertebrates. Marine birds are then killed around squid vessels by swallowing hooked prey or by feather contamination in oil-fouled water at hydrocarbon platforms. Marine birds that feed on bioluminescent prey may be particularly sensitive to light source attraction, many threatened and endangered species at great risk from artificial ocean lighting. Many species are susceptible to fixation—also known as "capture"—on artificial lights at sea; exhausted birds will circle for hours or days until they fall into the sea. Off eastern Canada in 1998, tens of thousands of seabirds were observed circling the newly operational Hibernia platform, fixated by an unrelenting point of illumination.



Light fixation is a constant bird hazard that continues to kill thousands of birds in urban areas every year. Hundreds of terrestrial bird species fly and migrate under cover of night. While the mechanisms for birds' attraction to artificial night lighting are not well understood, its hazards to birds have been well documented. During the 1960s, it is estimated that over a million birds a year were killed in collisions with lighted television towers in the United States. Since that time, the number and height of communication towers has increased exponentially. Skyscrapers and other urban buildings also threaten birds, posing collision, fixation, and disorientation hazards.

Light and Sea Turtles

Artificial light at night is devastating sea turtle populations around the world for several reasons. Studies in Florida have shown that loggerhead, leatherback, and green turtle females choose the darkest beaches for their nest sites and will not nest at beaches lit by mercury vapor lights. On beaches subject to indirect light trespass, turtles will avoid the more brightly lit areas in preference to the dark. Nests are, therefore, more concentrated in the dwindling dark spaces, causing more hatchlings to succumb to predators and other site-specific hazards.

However, the most deadly problem facing these internationally protected sea turtles is disorientation from excessive and carelessly placed light. Many types of coastal illumination, including street, residential, and business lighting, confuses newly emerged hatchlings, which instinctively orient to the brightest light source. For thousands of years, this source was the reflection of moon and starlight on the sea. The turtles' natural programming allowed them to reach the water safely. Today, development along coastlines can cause hatchlings to head inland instead toward artificial lights, where they die of exhaustion, dehydration, predation, and road traffic. Each year, Florida alone loses hundreds of thousands of hatchlings.

Inappropriate artificial night lighting disrupts physiological as well as environmental functions. Hormone production in vertebrates, for example, is regulated by the circadian rhythm. Studies in humans and rats show a correlation between exposure to even low levels of illumination during normally dark hours and depressed levels of melatonin (a hormone produced in the retina), resulting in an increased risk of accelerated growth in breast cancer tumors. The effect of artificial night lighting on melatonin and other hormonal systems has yet to be studied in the wild, a study made more difficult by the scarcity of natural dark night conditions in most Western ecosystems.

While the wide range of potential damage caused by artificial light at night is still being discovered, steps to reset the natural balance between light and darkness are already being taken. To help preserve wildlife and minimize damage to ecosystems, start by following the steps listed in the Practical Actions to the right. A list of resources to increase knowledge of these topics and links to information on local and regional action groups can be found at the end of this practical guide.

Practical Actions:

Turn off unnecessary lights around your house and yard. Use timers and sensors to help put light only where and when it is needed.

Use fully shielded fixtures to direct the light ONLY WHERE NECESSARY FOR COMFORT AND SAFETY.

See red: Use red filters on house and street lights. Red lights emitting a low wavelength generally have less of an impact on wildlife. Sea turtles and other coastal creatures, as well as amphibians and many species of insects, react especially well to red light—by hardly reacting at all.

...or yellow: Yellow lights such as high pressure sodium (HPS) or low pressure sodium (LPS) lamps attract fewer insects and moths (think of your typical yellow front porch bug light). If light is required, advocate for their use in environmentally sensitive areas such as coastal regions or forest preserves.

Get educated: field guides and nature walks will help identify vulnerable species in your area.

Raise awareness: Most people are blind to the impact artificial light has on wildlife. A presentation to a social club or activist group could increase interest and win supporters.

Ask that any further development in your community include a report on ecological issues of light pollution in their environmental impact statement.



Referenced Material:

Cinzano, P., F. Falchi, and C.D. Elvidge. "The First World Atlas of the Artificial Night Sky Brightness." *Monthly Notices of the Royal Astronomical Society*. 328 (2001): 689-707.

Rich, Catherine, and Travis Longcore, eds. *Ecological Consequences of Artificial Night Lighting*. Washington: Island Press, 2006.

Related Practical Guides and Web Links:

Blair E. Witherington and R. Erik Martin. "Artificial Lighting and Sea Turtle Hatchling Behavior." *Florida Marine Research Institute Technical Reports*. TR-2 (1996)—http://research.myfwc.com/features/stew_article.asp?id=2156

Cinzano, P., F. Falchi, and C.D. Elvidge. "The First World Atlas of the Artificial Night Sky Brightness." *Monthly Notices of the Royal Astronomical Society*. 328 (2001): 689-707. *Light Pollution in Italy*. 2006—<http://www.lightpollution.it/cinzano/download/0108052.pdf>

FLAP—*Fatal Light Awareness Program*—<http://www.flap.org>

FWC—*Florida Fish and Wildlife Conservation Commission*—http://www.myfwc.com/WILDLIFE/HABITATS/Seaturtle_Lighting.htm
[seaturtle.org](http://www.seaturtle.org)—<http://www.seaturtle.org>

For information on IDA membership and donations, visit our Web site at www.darksky.org.

NATIONAL GEOGRAPHIC NEWS

NATIONALGEOGRAPHIC.COM/NEWS

Light Pollution Taking Toll on Wildlife, Eco-Groups Say

Sharon Guynup
[National Geographic Today](#)

April 17, 2003

Turning off the lights saves energy—and it can help save wildlife as well.

Light pollution—the luminous orange glow that haloes cities and suburbs—threatens wildlife by disrupting biological rhythms and otherwise interfering with the behavior of nocturnal animals, new research shows. Now a movement is under way to turn off the lights, or at least turn them down, for the sake of all creatures that frequent the night.

"Wildlife species have evolved on this planet with biological rhythms—changing that has profound effects," said Travis Longcore, a biogeographer with the Urban Wildlands Group in Los Angeles, who with colleague Catherine Rich, co-organized a conference last year on "Ecological Consequences of Artificial Night Lighting."

Birds At Risk

Artificial lighting seems to be taking the largest toll on bird populations. Nocturnal birds use the moon and stars for navigation during their bi-annual migrations.

"When they fly through a brightly-lit area, they become disoriented," said Michael Mesure, executive director of the Fatal Light Awareness Program (FLAP), a Toronto-based environmental organization. The birds often crash into brilliantly-lit broadcast towers or buildings, or circle them until they drop from exhaustion.

"Over 450 bird species that migrate at night across North America are susceptible to collisions with night-lit towers, including threatened or endangered species like the cerulean warbler and Henslow's sparrow," Mesure said.

Sometimes whole flocks collide with over-lit structures. According to Mesure, over two consecutive nights in 1954, 50,000 birds died at Warner Robins Air Force Base, Georgia, when they followed lights straight into the ground. And in 1981, over 10,000 birds slammed into floodlit smokestacks at the Hydrox Generating Plant near Kingston, Ontario.

Seabirds are also at risk, said Bill Montevecchi, a marine ornithologist at Memorial University of Newfoundland, in St. John's, Canada.

Some, like the tiny Leach's storm petrel, feed offshore on bioluminescent plankton—so are particularly drawn to light. The birds may be fatally attracted to lighthouses, offshore drilling platforms, and the high-intensity lamps used by fishermen to lure squid to the surface.

"It's not that we wouldn't expect birds to die from human activities—but it is our responsibility to minimize that mortality," said Montevecchi.

Reptiles Under the Spotlight

Light pollution also endangers sea turtles. Beaches in sections of Florida's highly developed coastline are nesting ground for rare loggerhead, leatherback and green turtles. Bright lights nearby discourage females from coming ashore to nest.

Newly hatched turtles need a dark night sky to orient themselves toward the sea, but artificial lights behind beaches lure them away.

"Hatchlings are attracted to lights and crawl inland, or crawl aimlessly down the beach, sometimes until dawn, when terrestrial predators or birds get them," said Michael Salmon, a biologist at Florida Atlantic University in Boca Raton, Florida.

Coastal counties in Florida have passed ordinances that residents turn off beachfront lights during turtle nesting season, but they are not always enforced—and they don't address the larger problem of sky glow near cities, says Salmon.

Researchers are examining the effects of artificial lighting on many creatures. To avoid predators, some animals—like some snakes, salamanders or frogs—restrict their movements under a full moon and tend to hunt more on moonless nights. Others forage just after dusk. But some lighting never allows darkness to fall.

Artificial Light and Feeding, Hunting, and Hormones

A recent experiment sheds light on the light-pollution problem for salamanders. Ecologists Sharon Wise and Bryant Buchanan from Utica College strung white holiday lights along transects near Mountain Lake Biological Station in Pembroke, Virginia, to test the effects of artificial lighting on the amphibians—which normally emerge from beneath leaf litter to hunt about an hour after dusk.

"We found that when lights are on, they stay hidden for an additional hour," said Wise. "The later they come out, the less food they may be able to eat."

Buchanan also discovered that some tree frogs stop calling in brightly-lit areas. "If the males aren't calling, they're not reproducing," he said.

He is also concerned about the way light affects physical development. Lab studies show that the amount of light exposure affects DNA synthesis and the production of hormones—hormones that regulate everything from how much fat the frogs store for the winter to when they produce eggs.

"Frogs living in constantly illuminated environments may not be getting the proper signals," he said. "We need to take the next step and do field studies to find out."

There are few studies on the effect of light pollution on mammals, although all 986 species of bats, most smaller carnivores and rodents, 20 percent of primates, and 60 percent of marsupials are nocturnal.

"Thus it would be surprising if night lighting did not have significant effects on mammals," said Paul Beier, a wildlife ecologist at Northern Arizona University in Flagstaff. He found that pumas traveling at night avoid brightly-lit areas, causing them to miss crucial landscape linkages.

Furries may not mate normally near incandescent light because it mimics the spectrum they create when they light up. Moths may lose essential defensive behaviors when near artificial light, making them vulnerable to predators; billions of moths and other nocturnal insects are killed each year at lights.

Dark Skies as a Natural Resource

Designating a dark sky as a natural resource which is as worthy of protection as an old growth forest or a scenic river may seem odd, but biologists worry about the ultimate impact caused by this little-understood ecological disturbance.

Saving energy also makes economic and political sense. The International Dark-Sky Association in Tucson, Arizona, an environmental group, estimates that one-third of all lighting in the U.S. is wasted, at an annual cost of about 30 million barrels of oil and 8.2 million tons of coal—a total of about U.S. \$2 billion.

For wild creatures, research can provide guidelines about helping to preserve biodiversity by adjusting the light. FLAP, for example, has worked with Toronto agencies and businesses to dim down or turn off excess lighting during migration season.

Unlike most ecological problems, light pollution has a solution, Mesure points out: "At the flick of a switch, this one could disappear."

National Geographic Today, 7 p.m. ET/PT in the United States, is a daily news journal available only on the National Geographic Channel. Click here to learn more about it.

Got a high-speed connection? Watch National Geographic Today in streaming video.

EXHIBIT Dp. 1 of 1

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Bastogne Holdings, LLC

Lead Agency: Monterey County RMA - Planning Department

Contact Person: Dan Lister - Assistant Planner

Mailing Address: 168 W. Alisal St. 2nd Floor

Phone: (831) 759-6617

City: Salinas

Zip: 93901

County: Monterey

Project Location: County: Monterey City/Nearest Community: Salinas / Boronda Community

Cross Streets: Madison Lane/Boronda Road Zip Code: 93907

Longitude/Latitude (degrees, minutes and seconds): ... W Total Acres: 1,667 acres

Assessor's Parcel No.: 261-052-002M Section: Twp.: Range: Base:

Within 2 Miles: State Hwy #: Highway 101 Waterways:

Airports: Railways: Schools: Boronda Meadows

Document Type:

- CEQA: [] NOP [] Draft EIR [] NEPA: [] NOI [] Other: [] Joint Document
[] Early Cons [] Supplement/Subsequent EIR [] EA [] Final Document
[] Neg Dec (Prior SCH No.) [] Draft EIS [] Other:
[] Mit Neg Dec [] Other: [] FONSI

Local Action Type:

- [] General Plan Update [] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [] Other:

Development Type:

- [] Residential: Units Acres
[] Office: Sq.ft. Acres Employees
[] Commercial: Sq.ft. 6,000 Acres 1,667 Employees 9
[] Industrial: Sq.ft. Acres Employees
[] Educational:
[] Recreational:
[] Water Facilities: Type MGD
[] Transportation: Type
[] Mining: Mineral
[] Power: Type MW
[] Waste Treatment: Type MGD
[] Hazardous Waste: Type
[] Other: Petroleum Storage/Distribution

Project Issues Discussed in Document:

- [] Aesthetic/Visual [] Fiscal [] Recreation/Parks [] Vegetation
[] Agricultural Land [] Flood Plain/Flooding [] Schools/Universities [] Water Quality
[] Air Quality [] Forest Land/Fire Hazard [] Septic Systems [] Water Supply/Groundwater
[] Archeological/Historical [] Geologic/Seismic [] Sewer Capacity [] Wetland/Riparian
[] Biological Resources [] Minerals [] Soil Erosion/Compaction/Grading [] Growth Inducement
[] Coastal Zone [] Noise [] Solid Waste [] Land Use
[] Drainage/Absorption [] Population/Housing Balance [] Toxic/Hazardous [] Cumulative Effects
[] Economic/Jobs [] Public Services/Facilities [] Traffic/Circulation [] Other:

Present Land Use/Zoning/General Plan Designation:

Heavy Commercial ("HC")

Project Description: (please use a separate page if necessary)

Use Permit to allow the storage and distribution of petroleum products on an existing heavy commercial site. The project includes the installation of seven (7) above-ground petroleum holding tanks with concrete containment wall near the existing 6,000 square foot building which will store approximately 11,000 gallons of petroleum products. Associated improvements include two new oil/water separator, berming and fencing modifications. The property is located at 1083 Madison Lane, Salinas (Assessor's Parcel Numbers 261-052-008-000, 261-052-002-000, 261-052-003-000, 261-052-006-000, and 261-052-009-000), Greater Salinas Area Plan.

Note: The State Clearinghouse will assign Identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2008

Register for an Account | Planning Reports (3) | Login

PLN110426

Search

Monterey County Government Center

168 W. Alisal Street, 2nd Floor Salinas, Ca 93901

Phone: (831) 755-4879 Fax: (831) 755-5877



Many documents throughout our site are saved in PDF-format. If you don't have the FREE Acrobat Reader installed on your computer system, you can download it from: http://www.adobe.com

Home Building Planning Records Requests

Search Applications

Record PLN110426: Discretionary

A notice was added to this record on 06/08/2012. Condition: PD005 - FISH & GAME FEE NEG.DEC/EIR. Severity: Notice Total Conditions: 1 (Notice: 1)

View additional details

Project Location

1083 MADISON LN SALINAS CA 93907

View Additional Locations>>

Record Details

Licensed Professional:

LISTER 168 W ALISAL ST 2ND FLR Phone:(831) 759-6617 Fax:(831) 757-9516 LUT C000002438

Project Description:

Use Permit to allow the storage and distribution of petroleum products on an existing heavy commercial site. The project includes the installation of seven (7) above-ground petroleum holding tanks with concrete containment wall located outside the existing 6,000 square foot warehouse. The tanks will store motor oil (72,000 gallons), unleaded gasoline (12,000 gallons) and diesel (32,000 gallons). The existing warehouse will store approximately 11,000 gallons of motor oil in totes. Associated improvements include two new oil/water separator, berming and fencing modifications. The property is located at 1083 Madison Lane, Salinas (Assessor's Parcel Numbers 261-052-008-000, 261-052-002-000, 261-052-003-000, 261-052-006-000, and 261-052-009-000), Greater Salinas Area Plan.

127,000 gallons



More Details

EXHIBIT F.p. 1 of 1

County of Monterey
 State of California
NEGATIVE DECLARATION

FILED
 APR 26 2012
 STEPHEN L. VAGNINI
 MONTEREY COUNTY CLERK
 DEPUTY

Project Title:	Bastogne Holdings LLC
File Number:	PLN110426
Owner:	Bastogne Holdings LLC
Project Location:	1083 Madison Lane, Salinas
APN(s):	261-052-002-000, 261-052-003-000, 261-052-006-000, 261-052-008-000, and 261-052-009-000
Project Planner:	Dan Lister – Assistant Planner
Permit Type:	Use Permit
Project Description:	Use Permit to allow the storage and distribution of petroleum products on an existing heavy commercial site. The project includes the installation of seven (7) above-ground petroleum holding tanks with concrete containment wall near the existing 6,000 square foot building which will store approximately 11,000 gallons of petroleum products. Associated improvements include two new oil/water separator, berming and fencing modifications.



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.

Decision Making Body:	Monterey County Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	April 27, 2012
Review Period Ends:	May 26, 2012

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, 2nd Floor, Salinas, CA 93901 (831) 755-5025

[California Home](#)

Friday, May 25, 2012



[CEQA Home](#) > [CEQA.net Home](#) > [CEQA.net Query](#) > [Search Results](#) > [Project Description](#)

Bastogne Holdings, LLC

City	Cross Street	Document Type	Description	Date Received
Salinas	Madison Lane/Boronda Road	Negative Declaration	Use Permit to allow the storage and distribution of petroleum products on an existing heavy commercial site. The project includes the installation of seven above-ground petroleum holding tanks with concrete containment wall near the existing 6,000 s.f. building which will store approximately 11,000 gallons of petroleum products. Associated improvements include two new oil/water separator, berming and fencing modifications. The property is located at 1083 Madison Lane, Salinas (APN: 261-052-008-000, 261-052-002-000, 261-052-003-000, 261-052-006-000, and 261-052-009-000), Greater Salinas Area Plan.	4/27/2012



[CEQA.net HOME](#) | [NEW SEARCH](#)

EXHIBIT H p. 1 of 1



MBUAPCD

Monterey Bay Unified Air Pollution Control District
Serving Monterey, San Benito, and Santa Cruz Counties

24580 Silver Cloud Court
Monterey, CA 93940

PHONE: (831) 647-9411 • FAX: (831) 647-8501

May 25, 2012

County of Monterey
Resource Agency - Planning Department
Attn: Mike Novo, Director of Planning
168 West Alisal, 2nd Floor
Monterey, CA 93901

RECEIVED

MAY 25 2012

**MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT**

SUBJECT: Bastogne Holdings LLC – Bulk Plant Relocation to 1083 Madison Lane, Salinas;
File Number PLN110426 Project Negative Declaration

Dear Mr. Novo:

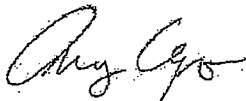
Thank you for providing the Monterey Bay Unified Air Pollution Control District (Air District) the opportunity to comment on the above-referenced document. The Air District has reviewed the document and has the following comments.

- Page 2 Project description: The project description does not provide sufficient information for the Air District to evaluate whether the project's impacts would be less than significant. In particular, the Air District is concerned about the volatile organic compound (VOC) emissions from the proposed project. The project description should identify all sources of VOC emissions, such as the tanks and fuel loading activities, and evaluate whether total emissions from all project sources would exceed the Air District's threshold of 137 pounds VOC/day. In addition, the Air District recommends including a description of the vapor recovery system that is required for the proposed project.
- Page 10 Greenhouse Gas Emissions: The Air District recommends moving the statement regarding compliance with State vapor control standards to the air quality discussion on page 9. Compliance with the State vapor control standards are intended to reduce VOC emissions, not greenhouse gas emissions. In addition to complying with the State standards, the vapor recovery system must be certified by the California Air Resources Board (ARB) per the Certification Procedure for Vapor Recovery Systems of Bulk Plants. The ARB application form for system certification can be downloaded at: <http://www.arb.ca.gov/vapor/bplants/bplants.htm>.
- Page 10 Greenhouse Gas Emissions: The Air District understands that the proposed project may not result in net, new emissions when compared to the existing operation. However, without a more detailed project description, the Air District cannot confirm this conclusion. For example, emissions from an aboveground storage tank differ from the emissions from the existing underground storage tanks. Please provide supporting documentation, such as anticipated annual throughput, demonstrating that the proposed project emissions would be less than the Air District threshold of 137 pounds VOC/day.

- Please be aware that the proposed project is subject to Air District Rules 200, 418, 419, and 1000, and will be required to obtain a permit from the Air District for the gasoline storage tank. As noted in the project description, the proposed project is located within 1,000 feet of a school and residential areas. The close proximity of the proposed project to these sensitive receptors may require a health risk assessment and may result in the requirement for public notification, at the permit applicant's expense, prior to the Air District approving a permit to operate.

Please let me know if you have additional questions, I can be reached at (831) 647-9418 ext. 227 or aclymo@mbuapcd.org.

Best regards,



Amy Clymo
Supervising Air Quality Planner

cc: David Craft, MBUAPCD Air Quality Planner

RECEIVED

MAY 25 2012

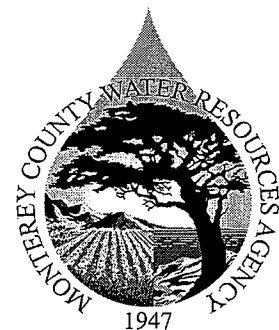
**MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT**

MONTEREY COUNTY

WATER RESOURCES AGENCY

PO BOX 930
SALINAS, CA 93902
(831)755-4860
FAX (831) 424-7935

DAVID E. CHARDAVOYNE
INTERIM GENERAL MANAGER



STREET ADDRESS
893 BLANCO CIRCLE
SALINAS, CA 93901-4455

May 25, 2012

Daniel Lister, Assistant Planner
Monterey County Resource Management Agency, Planning Department
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

**RE: Initial Study (IS)/Negative Declaration (ND)
for Bastogne Holdings LLC (PLN 110426)**

Dear Mr. Lister:

After reviewing the IS/ND for the Bastogne Holdings LLC Use Permit (PLN 110426), the Monterey County Water Resources Agency (Agency) has the following comments:

Hydrology and Water Quality 9 (a, b, c, d, g, h, i, & j) – No Impact, page 25:

~~... Based on the elevation of the existing site, the project site is not in a 100-year flood plan, and is highly unlikely to be affected by flooding~~ *The project is not located in a Special Flood Hazard Area. It is located in Zone X unshaded, as shown on FEMA Flood Insurance Rate Map Panel 06053C-0208G, effective date April 2, 2009.*

a

Thank you for the opportunity to review the IS/ND. If you have any questions, please feel free to contact me at (831) 755-4860.

Sincerely,

Jennifer Bodensteiner, CFM
Water Resources Hydrologist
Floodplain Management and Development Review Section