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CALIFORNIA COASTAL COMMISSION

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March 20, 1996

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: Tami Grove, District Director
Rick Hyman, Coastal Planner

SUBJECTS: STAFF RECOMMENDATION AND PROPOSED FINDINGS
FOR COUNTY OF SANTA CRUZ CATEGORICAL EXCLUSION
NO. E-82-4-A3 AND SANTA CRUZ COUNTY LOCAL COASTAL
PROGRAM MAJOR AMENDMENT NO. 1-95
For Public Hearing and Commission action at its meeting of April 10, 1996, to be held at the Carmel Mission Inn, 3665 Rio Road, Carmel.

SUMMARY OF STAFF REPORTDescription of Exclusion and Amendment Requests

Included in this submittal of proposed major amendments to Santa Cruz County Local Coastal Program's (LCP) Implementation Plan is an exclusion request, because the County proposes to eliminate certain agricultural support facilities and greenhouses from coastal permitting requirements (Section 13.20.073 of the Implementation Plan). The County already has a limited exclusion covering some expansions and improvements of these facilities; the proposal would exclude all such facilities, including new ones, that meet certain design, parking, drainage, water conservation, energy conservation, and other standards.

It is important to remember that both the standard of review and the voting requirements are significantly different for LCP amendments and for categorical exclusion requests. The standard of review of the proposed LCP implementation amendments is consistency with and adequacy to carry out the County's certified Land Use Plan. A majority of the Commission members present at the hearing is needed to reject an implementation plan amendment. For categorical exclusion requests the standards which must be met in order to approve the proposal are very high -- (1) the development(s) proposed for exclusion must have no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast; and (2) that such exclusion will not impair the ability of local government to prepare a Local Coastal Program. A categorical exclusion may only be adopted after a public hearing and by a two-thirds vote of the appointed members.

Complementing the proposed exclusion language to remove certain greenhouses and agricultural support facilities from the coastal permit process, the proposed LCP amendment also:

Changes level of processing for the above categories of development (some agricultural support facilities and greenhouses) from "Level 5" (Public Hearing) to "Level 4" (Public notice only) (Section 13.10.312).

Changes above categories of development (some agricultural support facilities and greenhouses) from being conditional uses (i.e., appealable to the Coastal Commission) to principle permitted uses (i.e., not appealable to the Coastal Commission). (Section 13.10.312)

The following chart summarizes the proposed processing changes of the exclusion and amendment:

Permitted Agricultural Support Uses In Santa Cruz County Within Coastal Zone, Outside of Appeal Zone

Development Category	Certified LCP pre-1994	1994 Amendment proposal	1994 certified LCP (acceptance of Commission modifications)	Current 1995 Amendment Proposal	Staff Recommendation (retain LCP as certified in 1994)
greenhouses <500 sq ft	non-appealable CDP	non-appealable CDP	non-appealable CDP	excluded from CDP (2)	non-appealable CDP
greenhouses 500 - 20,000 sq ft: (CA/AP zone)	non-appealable CDP	non-appealable CDP	non-appealable CDP	excluded from CDP(3)	non-appealable CDP
greenhouses 500 - 20,000 sq ft: (A zone)	appealable CDP	non-appealable CDP	non-appealable CDP	excluded from CDP(4)	non-appealable CDP
greenhouses > 20,000 sq ft	appealable CDP	non-appealable CDP	appealable CDP	excluded from CDP(4)	appealable CDP
greenhouse expansions by lesser of 25% or to 10,000 sq ft	excluded from CDP (2/3/5)	excluded from CDP (2/3/4)	excluded from CDP (2/3/4)	excluded from CDP (2/3/4)	excluded from CDP (2/3/4)
agricultural processing facility expansion by lesser of 25% or to 10,000 sq ft	excluded from CDP (3/5)	excluded from CDP (3/4)	excluded from CDP (3/4)	excluded from CDP (3/4)	excluded from CDP (3/4)
agricultural processing facility greater of to 2,000 sq ft or 100 sq ft/ac	non-appealable CDP	non-appealable CDP	non-appealable CDP	excluded from CDP (3)	non-appealable CDP
agricultural processing facility greater of over 2,000 sq ft or 100 sq ft/ac	appealable CDP	non-appealable CDP	appealable CDP	excluded from CDP (4)	appealable CDP

* Notes: applies to CA, A, and AP zones unless otherwise noted; CDP = Coastal Development Permit; Numbers in parentheses refer to processing level; all CDPs are processed at Level 5 (Public hearing); lower processing levels (administrative review, no public hearing), occur if project is excluded from CDP requirements.

Staff Recommendation:

Staff recommends that the Commission:

1. deny Exclusion No. E-82-4-A3 and adopt the supporting findings beginning on page 5 and
2. deny Major Amendment #1-95 and adopt the supporting findings beginning on page 10

pursuant to the motions and resolution on the following page. The result would be the status quo, existing exclusion and County permit process: agricultural facilities and greenhouses not covered by the exclusion now in effect would still be allowed, but would remain subject to the County coastal permit process.

Note: A Negative Declaration is attached. The Commission must certify a Negative Declaration (or EIR) in order to approve the exclusion request. However, since the staff is recommending denial, it is unnecessary to act on the Negative Declaration. (If the Commission opts to approve the exclusion, staff recommends that the vote be continued in order to allow staff to prepare the appropriate environmental documents.)

Summary of Unresolved Issues:

Exclusion and Amendment Proposal: The proposal would eliminate coastal permit requirements for certain greenhouses and agricultural facilities, thereby reducing public participation opportunities.

Staff Recommendation: Staff recommends denial of the exclusion and the amendment requests, so that opportunities remain to address any potential adverse impacts through public participation at the local level that the coastal permit process embodies. While the supporting findings are necessarily technical, the analytical concept is straightforward and apparent. Although the likelihood of full buildout of greenhouses or agricultural processing plants on all agricultural lands is remote, the nature of the proposal and the law requires that scenario be analyzed. Both evidence and logic suggest that significant adverse cumulative impacts on prime soils, views, groundwater, and other resources could potentially occur under that scenario. Even with current local coastal program and other County policies in place, the potential is there because of the discretion involved in implementing the policies and the exclusion's removal of public participation safeguards that the coastal permit process provides. The Commission has already found that certain expansions of agricultural processing plants and greenhouses up to 10,000 sq. ft. would not result in potential significant adverse impacts and these are excluded from coastal permit requirements. The Commission may be able to extend this finding to some limited additional categories of agricultural structural development, should the County decide to pursue a more targeted exclusion request. Alternatively, the Commission recommends that Santa Cruz County retain the coastal permit process but make it more efficient to address the farmers' concerns with potential time delays.

Public Participation Comments and Concerns (see Exhibit C: Correspondence):

Santa Cruz County Farm Bureau: Desires the exclusion and amendment request be approved as submitted as a means to expedite worthy agricultural project decisions because there are other ample procedures and policies to address any coastal resource concerns.

Regional Water Quality Control Board: Water quality permit and other regulatory requirements still must be followed, as applicable.

Additional Information

For further information about this report or the amendment and exclusion processes, please contact Rick Hyman at the Coastal Commission, Central Coast Area, 725 Front Street, Suite 300, Santa Cruz, CA 95060, Tel.: (408) 427-4863.

Exhibits

- A. Proposed Amendment and Exclusion Language
- B. Draft Mitigated Negative Declaration with Location Map and Referenced Code Sections concerning greenhouse and agricultural support facility standards.
- C. Correspondence

STAFF RECOMMENDATION
MOTIONS AND RESOLUTIONS

I. DENIAL OF EXCLUSION REQUEST

MOTION I:

"I move that the Coastal Commission APPROVE the exclusion request."

Staff Recommends a NO vote.

The exclusion will be denied unless eight or more Commissioners vote to approve it (i.e., vote "YES").

II. DENIAL OF IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED

MOTION II:

"I move that the Commission reject Major Amendment #1-95, to the Implementation Plan of Santa Cruz County's LCP as submitted by the County."

Staff recommends a YES vote which would result in denial of these amendments as submitted. Only an affirmative (yes) vote by a majority of the appointed Commissioners present can result in rejection of the amendment.

RESOLUTION II:

The Commission hereby rejects Major Amendment 1-95, to the Implementation Plan of the Santa Cruz County Local Coastal Program for the specific reasons discussed in the following finding, on the grounds that the amendment does not conform with and is not adequate to carry out the provisions of the certified Land Use Plan. There are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval of these implementation measures will have on the environment.

RECOMMENDED FINDINGS AND DECLARATIONS

A. EXCLUSION FINDING

The Commission hereby finds and declares for the following reasons, pursuant to Public Resources Code Section 30610(e), that this proposed exclusion amendment presents potential for significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast.

1. Description of Exclusion Request

The County of Santa Cruz has requested that the following categories of development, within certain geographic areas, be excluded from the coastal development permit requirements:

13.20.073 AGRICULTURALLY RELATED DEVELOPMENT EXCLUSION

Agriculturally related development as listed below is excluded on all lands designated agriculture on the [Santa Cruz County] General Plan and Local Coastal Program Land Use Plan maps, except within one hundred feet of any coastal body of water, stream, wetland, estuary, or lake; within areas between the sea and the first public through road paralleling the sea [i.e., the appeal zone]; or on parcels less than 10 acres in size:

- (a) Greenhouses: The construction, improvement or expansion of greenhouses which comply with the requirements of Sections 13.10.313(a) and 13.10.636.
- (b) Agricultural Support Facilities: The construction, improvement, or expansion of barns, storage facilities, equipment buildings and other buildings necessary for agricultural support purposes, including facilities for the processing, packing, drying, storage and refrigeration of produce generated on-site provided that such buildings comply with the requirements of Sections 13.10.313(a) and 13.10.632 and not including mushroom farms.

Referenced Section 13.10.313(a) includes site area standards, height limits (40 feet) and setbacks. Referenced Section 13.10.636 includes visual mitigation, on-site drainage retention, covering disposal, on-site parking, soil removal, flooring, energy-efficiency, ventilation, and water conservation standards for greenhouses. Referenced Section 13.10.632 includes visual mitigation, on-site drainage retention, on-site parking, grading, on-site production serving, and siting on non-productive soils standards for agricultural support facilities (see Exhibit B: Exhibit 2 of Negative Declaration: Referenced ordinance provisions).

The maximum area that the exclusion would apply to is shown in Exhibit B (on Exhibit 1 of the Negative Declaration). This map outlines all agriculturally designated lands inland of the nearest public road paralleling the sea. Within the outlined area, parcels under 10 acres in size or within 100 feet of water bodies would not be excluded. As such, the exclusion does not apply to any areas where County-approved development is appealable to the Coastal Commission (pursuant to the Coastal Act). Within the Coastal Zone (including the appeal area) about 27% of the land (18,812 out of 70,022 acres) is designated agricultural. Most of this land is in production; only a few hundred acres at most is covered with greenhouses.

2. Review Criteria

The Coastal Act defines "development" and requires that a coastal development permit be obtained in order to undertake any development. Once a local coastal program is certified, the local government is responsible for issuing coastal permits. However, Public Resources Code Section 30610(e) authorizes the Coastal Commission to exclude from the permit requirements of the Coastal Act, any category of development within a specifically defined geographic area if certain findings are made. To approve this request the Commission must find (1) that such an exclusion will not result in a potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast; and (2) that such exclusion will not impair the ability of local government to prepare a Local Coastal Program (LCP). The latter criteria is not applicable to this request since Santa Cruz County's LCP is completed. A categorical exclusion may only be adopted after a public hearing and by a two-thirds vote of the appointed members. Also, to approve a categorical exclusion the Coastal Commission must complete the environmental review process under the California Environmental Quality Act; i.e., issue a "Negative Declaration" or certify an environmental impact report.

3. History and Reason for this Request

The Coastal Commission certified Santa Cruz County's Local Coastal Program (LCP) on January 14, 1983, and since that time the County has been issuing coastal permits for development. The Commission has already adopted Order

E-82-4 on November 19, 1982, and later adopted Orders E-83-3, E-90-1, E-82-4-A, and E-82-4-A2 excluding various developments such as certain residential dwellings, greenhouse expansions, other agricultural facilities, wells, tree removal, land clearing, and lot line adjustments from the Coastal Permit process in the County.

The Coastal Commission first adopted an exclusion for various agricultural facilities in 1979 (E-79-7). For parcels over ten acres in certain rural areas, agricultural support facilities up to 10,000 square feet and meeting certain criteria were excluded from coastal permit requirements, but not greenhouses or agricultural processing plants. Only limited improvements and expansions of (not new) greenhouses and processing plants up to 10,000 square feet or 25% ground coverage were also excluded. This exclusion terminated upon certification of Santa Cruz County's LCP. However, the County requested, and the Commission approved, nearly identical exclusion language, which remains in effect (see Exhibit A prior to strike-outs and underlines).

Similar exclusions were approved for Santa Cruz City and San Mateo County. Somewhat different exclusions were approved elsewhere; for example:

- Humboldt County: all greenhouses, except those with concrete slabs over prime agricultural soil (no size or numerical limitation);
- Del Norte County: one greenhouse per parcel in agricultural zoning districts without prime soils.

None of these are as broad nor potentially pose the type of impacts as the subject Santa Cruz County request. An exclusion only applies to what is permitted by the zoning. In Santa Cruz County agricultural districts include prime and non-prime land and unlimited greenhouses are permitted uses. In other jurisdictions, greenhouses and agricultural support facilities may be limited to non-prime agricultural designations and/or to a certain percentage of land coverage; thus, any exclusions would not pose adverse impacts to the areas that they are allowed in.

The impetus for this subject proposal comes from the Santa Cruz County Farm Bureau. The Bureau is concerned with processing times for permits and the ability of the public to stall projects that the farmers want quick decisions on. Under current rules and practice, those agricultural support facilities that are not excluded require "Level 5 Coastal Permits." These permits are heard by the Zoning Administrator, and then may be appealed to the Planning Commission and then to the Board of Supervisors, and finally to the Coastal Commission. Under the proposed exclusion, County permits would still be required, but a public hearing is not mandated. The projects could, however, be appealed locally. The Farm Bureau hopes that under such a streamlined process, the time period to approve the projects would be quicker. The County Board of Supervisors found, "that agricultural greenhouses constitute an agricultural pursuit of commercial cultivation and that agricultural support facilities are integral to the pursuit of commercial agricultural activities and to the agricultural economy of the County."

4. Analysis

a. Exclusion Potentially Affects Coastal Resource Protection: As noted, the Coastal Act sets a high standard for approving exclusions: that they will not result in a potential for any significant adverse effect, either individually or cumulatively, on coastal resources. In order to determine whether the proposed exclusion has such potential, it is necessary to project what the ultimate development that could occur would be. In this case it could theoretically be almost 100% coverage of the County's agriculturally-zoned areas with greenhouses and/or agricultural support facilities, such as packing sheds or processing plants. As noted, these facilities would have to meet design, parking, erosion control, and other standards. Nevertheless, there would be potentially significant cumulative impacts on several resources that County standards embodied in the exclusion may not fully mitigate; e.g., on prime soils, groundwater, and visual resources. The Commission prepared and circulated an Initial Study/Draft Mitigated Negative Declaration for this project, pursuant to the California Environmental Quality Act (CEQA), detailing these resource impact issues, and it is incorporated by reference into these findings (see Exhibit B). The Commission is aware that in agricultural areas such as Pescadero (San Mateo County) and Carpinteria (Ventura County) fairly rapid greenhouse development occurred which raised some significant issues.

There is some amount of discretion built into implementing the standards that greenhouses and agricultural support facilities would have to meet in order to be excluded. For example, a list of visual mitigations which may be applied is specified, and impervious surface coverage is limited to the minimum area needed. Thus, while their application would appear to address the issues to avoid adverse impacts, the Commission can not absolutely find that there would be no potential for adverse impact, given the discretion mentioned. Other provisions which would serve to mitigate adverse impacts are not cross-referenced to the proposed exclusion, but are found in the Local Coastal Program (e.g., grading). To guarantee their application, they would have to be referenced in the exclusion and anytime they are amended, the exclusion would have to be revisited to ensure that there was still no potential for adverse impacts. Other County provisions which would serve to mitigate adverse impacts are not currently found in the LCP (e.g., hazardous materials) and thus could be amended without Commission knowledge or consideration, again thereby affecting the exclusion. Furthermore, as discussed in the Initial Study/Draft Mitigated Negative Declaration, these current County provisions do not explicitly, fully address all potential impacts.

b. Exclusion Affects Public Participation: The proposed exclusion narrows public participation opportunities. Coastal Act Section 30006 states in part "that the public has a right to fully participate in decisions affecting coastal planning, conservation and development..." There is a presumption in the regulatory system established under the Coastal Act that public

participation helps ensure that the resource protection policies are carried out. One such manifestation is that exclusions can only be granted if the strict findings noted here can be made. The Coastal Act relies on the coastal permit process for adequately protecting most coastal resources, not on other regulatory processes. Thus, while the other processes that the County has in place may provide a high level of protection, the Coastal Act presumes that it is the coastal permit process that is necessary. Given the multiple issues associated with greenhouse and agricultural facility development and the discretionary nature of some of the County's regulations, continued public participation through the Coastal permit process is desirable. The Commission can not find that absent the coastal permit requirement, there will be no potential for significant adverse cumulative impacts occurring.

c. Conclusion: Exclusion Request Fails to Meet Approval Test: The Commission, therefore, finds for the above-mentioned reasons that the proposed categorical exclusion must be denied. This is because there is not adequate support in the record to conclude that a blanket exemption for greenhouses and other agricultural structures will have no potential for significant adverse impacts on coastal resources or access. As described in the Negative Declaration text, which is incorporated by reference into these findings, (Exhibit B), there is potential for significant impacts on prime soils, water quality, water supply, air quality, traffic, biologic resources, aesthetics, and cultural resources.

d. Alternatives to this Exclusion Request: Theoretically, a more limited exclusion request, applying only to greenhouses and agricultural support facilities that cumulatively would not pose a potential for significant resource impacts, would be approvable. However, the Commission does not see a practical way to accomplish this beyond the exclusion already granted for improvements and expansion of greenhouses and agricultural support facilities. One theoretical way to accomplish this would be to limit the exclusion to projects not on prime soil, not in the viewshed, not using more water, not generating more traffic, and the like. This is the approach taken in the Negative Declaration (see the 12 suggested mitigation measures in Exhibit B). As a practical matter this would leave few, if any, projects (beyond those already excluded) excludable, and hence is not recommended. Another possible approach would be to designate certain limited areas where a certain amount of greenhouse and agricultural support facility development could occur without creating significant cumulative impacts. The Commission is not privy to the necessary information to suggest any such practical areas on its own absent a proposal from the County. Based on the information and analysis contained in this report and Negative Declaration, the County is welcome to try to craft a narrower exclusion that could meet the Coastal Act's test and submit it for consideration.

The Commission recommends instead that the County review its coastal permit procedures in light of the concerns raised by the Farm Bureau. The Commission does note that agriculture is a priority use and that greenhouses and processing plants are agricultural facilities. The Commission also is supportive of the scope and contents of all the County regulations in place to

address any adverse impacts. A more fruitful and supportable approach would be for the County to institute internal processing streamlining approaches, rather than eliminating coastal permits. The following amendment findings elaborate on this suggested approach.

B. LCP AMENDMENT FINDING

The Commission finds and declares the following for Santa Cruz County Local Coastal Program Major Amendment #1-95, which:

- Changes the exclusion language as described in the Exclusion Finding (Section 13.20.073 of the Implementation Plan);
- Changes level of processing for the above categories of development (some agricultural support facilities and greenhouses from "Level 5" (Public Hearing) to "Level 4" (Public notice only) (Section 13.10.312);
- Changes above categories of development (some agricultural support facilities and greenhouses from being conditional uses (i.e., appealable to the Coastal Commission) to principal permitted uses (i.e., not appealable to the Coastal Commission). (Section 13.10.312).

This amendment was originally submitted last year as part of a comprehensive General Plan/Land Use Plan update (LCP Amendment #2-94). It was denied by the Commission then, with the understanding that it could be resubmitted on its own for further scrutiny. This current amendment package was received on June 7, 1995. This part, the only part deemed "major," was not filed until December 18, 1995 due to the need for additional information which was generated concurrently with the environmental review process. The Commission extended the time limits for approval at its February 9, 1996 meeting at the County's request. (The other portions of the submittal were filed as DeMinimus Amendment #1-95 and approved on July 14, 1995.)

1. Conditional vs. Principal Use

One component of this proposed amendment is to change large greenhouses and agricultural support facilities from being considered "conditional" uses to "principally permitted" uses. The County is proposing this in tandem with its exclusion request. Were the exclusion to be granted, this would be a routine commensurate amendment, because such processing issues would no longer be of concern to the Commission if the use were excluded from coastal permit requirements. However, with the exclusion not being approved, this LCP amendment component must still be separately addressed and can be reviewed on its own merit.

Under the Coastal Act approvals of "conditional" uses by counties are always appealable to the Coastal Commission; coastal permits for "principal" permitted uses are not appealable if they are located out of the geographically-defined appeal zone. Traditionally, principally permitted uses were those allowed by right, with no discretionary review. Conditional uses required discretionary review; and, as the name implies, could have conditions placed on them or denial altogether. This distinction has lost its significance in the recent past as all proposed developments have come under increased scrutiny -- most projects today (even if principally permitted) have some conditions attached to them.

In order to determine whether the Implementation Plan as proposed to be amended would remain consistent with and adequate to carry out the Land Use Plan, the termination of Commission oversight through the appeal process is at issue. If a use is explicitly mentioned in a land use plan, is the primary use that the zoning district was developed for, and is not subject to many discretionary criteria, then its categorization as "principal" would be appropriate. Similarly, a use that is more secondary, not relating to the direct purpose of the zoning district and not necessarily always desirable and/or that warrants substantial discretionary review and conditioning would appropriately be categorized as "conditional." The more discretion provided in the Local Coastal Program related to that use and the greater the potential for adverse impacts on coastal resources, the more appropriate to categorize it as appealable in order to provide the Coastal Commission the opportunity to review a local government's interpretation of its Local Coastal Program.

Relevant to this proposal, the County had already made a distinction, approved by the Coastal Commission. Greenhouses over 20,000 square feet and agricultural support facilities greater than 2,000 square feet (or 100 square feet per acre) are conditional and hence appealable. This distinction implies that approval of larger greenhouses and support facilities has more potential to be at odds with Local Coastal Program and Coastal Act policies; in other words that there are more discretionary factors involved in deciding to approve large greenhouses and agricultural support facilities.

In 1994 the Coastal Commission approved a County submitted revised Land Use Plan which provides in part:

5.13.5 Principal Permitted Uses on Commercial Agricultural (CA) Zoned Land:
...Allow principal permitted uses in the CA Zone District to include only agricultural pursuits for the commercial cultivation of plant crops, including food, flower, and fiber crops and raising of animals including grazing and livestock production.

5.13.6 Conditional Uses on Commercial Agricultural (CA) Zoned Lands
...Allow conditional uses on CA zoned lands based upon the following conditions:

(a) The use constitutes the principal agricultural uses of the parcel; or

- (b) The use is ancillary, incidental, or accessory to the principal agricultural use of the parcel; or
- (c) The use consists of an interim public use which does not impair long-term agricultural viability; and
- (d) The use is sited to avoid conflicts with principal agricultural activities in the area; and
- (e) The use is sited to avoid, where possible, or otherwise minimize the removal of land from agricultural production.

Analysis of greenhouses and agricultural support facilities for the companion exclusion request reveals many potential impacts. Some significant impacts that could arise from greenhouse and agricultural support facilities being approved would be on prime soils, visual resources, habitats and groundwater resources. Implementing ordinances have been approved that address these Coastal Act issues in a manner consistent with the certified Land Use Plan policies, if appropriately interpreted. However, there is enough discretion allowed by the various implementing provisions to justify the continued Commission oversight afforded through the appeal process. For example, with regard to prime soil protection, County policies only call for limiting greenhouse impervious surface coverage to the minimum area needed for access, loading and storage (LUP policy 5.15.4). (In contrast other jurisdictions, such as Monterey County, have soil-dependency, placement off of prime soils, and/or objective limits on coverage requirements). The zoning simply repeats this requirement, without further guidance as to what is an appropriate "minimum." There is thus a potential cumulative impact on prime soils. Likewise, although there are absolute height limits of 40 feet, there is otherwise discretion built into determining the mitigations for any adverse visual impacts. This is illustrated by County Code Section 13.10.636(a)1 which states that "mitigations may [emphasis added] include such measures as vegetative screening or other landscaping..." and that "mitigations shall be compatible with light and ventilation needs of the greenhouse operations."

For these reasons, the Coastal Commission can not approve the amendment as proposed. Although large greenhouses and agricultural support facilities are allowed uses under the certified Land Use Plan, the plan also has protective policies for prime soils, visual resources, groundwater quality, etc. Cited LUP policy 5.13.5 does not state that all commercial agricultural pursuits must be considered principal permitted uses. There is enough discretion built into the implementing ordinances to justify the possibility for Coastal Commission oversight through the appeal process. Absent this (in other words, making large greenhouses and support facilities principal -- non-appealable -- uses as proposed), the Implementation Plan would not be adequate to carry out the certified Land Use Plan.

The Commission notes that this denial leaves in place key checks in the appeal process. Just because someone appeals a greenhouse or agricultural support project to the Coastal Commission does not mean that the Coastal Commission will hear the appeal (i.e., determine that it raises a substantial issue). The Commission notes that to date there have been no such appeals filed.

Typically, controversies surrounding these projects involve neighborhood concerns, such as noise (see Exhibit B; Initial Study/Mitigated Negative Declaration). In these cases, the Coastal Act's appeal process is not the mechanism to resolve such concerns, as its primary purpose is protecting state coastal resources (including productive soils and the agricultural economy) and access. Furthermore, the Coastal Act has provisions to prevent frivolous appeals. And even if the Commission takes an appeal, its analysis is limited to determining whether the proposed project is consistent with the Land Use Plan. In conclusion, denial of this amendment simply leaves the appeal process in place, it makes no changes in the policies governing the approval of greenhouses and agricultural support facilities, nor lessens their chances of being approved. Neither does it close the door on procedural changes that the County may make to expedite the processing of appealable coastal permits.

2. Processing Level: Public Hearing vs. Public Notice

Another related aspect of the proposed amendment is to change the processing level for greenhouses and agricultural facilities from a public hearing to a public notice level ("Level 5" to "Level 4" under the County terminology). Again, this is being proposed in tandem with the exclusion request and would be acceptable if the proposed exclusion were approved. However, with the exclusion being denied, it, too, has to independently be analyzed. Under the Coastal Act and Regulations (California Code of Regulations), coastal permits must be processed in a certain manner, including public hearings for appealable projects. The County's Level 5 public hearing process satisfies these state requirements. All County coastal permits currently require Level 5 review under the certified LCP (Section 13.20.100 of the County Code). The Level 4 process does not satisfy the Regulation's requirements for appealable coastal permits. According to Section 18.10.112a of the County Code:

Processing Level IV (Public Notice) includes those projects for which plans are required, field visits are conducted, and for which public notice is provided in the form of a posting of the property, a published newspaper announcement of the pending project, notice to each member of the Board of Supervisors, and a mailed notice to surrounding property owners as well as to occupants of the subject property prior to administrative action on permits.

The County staff report of April 14, 1995 further explains:

Appeals to the Planning Director may be made to the issuance of a Development Permit at Level IV; the Planning Director's decision on an appeal is final, unless the Director refers the application for hearing by the Zoning Administrator or Planning Commission, or unless the permit is set for special consideration by the Board of Supervisors at the request of a member of the Board.

The proposed amendment component for Level 4 processing can not be approved as submitted because it would result in an internal inconsistency in the local coastal program since, as currently certified, all coastal permits require Level 5 processing (public hearings). Furthermore, given the Commission's denial of allowing large greenhouses and agricultural support structures to be principal (nonappealable) uses, it would not meet the State's minimum requirements for being adequate to carry out the land use plan.

The Commission is sympathetic to the farmers' interests in streamlining the local permit process, within the confines of the minimum state requirements. There are a variety of measures that may be taken different from those embodied in this amendment proposal. Some, such as shortening the local processing time and reducing permit fees, for example, can be accomplished by the County without the need to amend the Local Coastal Program. For others, such as simplifying the County's internal appeal process, the Commission would be willing to entertain and expeditiously process a local coastal program amendment request.

3. California Environmental Quality Act (CEQA)

The County found the proposed amendments to be categorically exempt from the requirements of the California Environmental Quality Act because they constituted a change in regulations affecting the process of development review which will not have a potential for significant effect on the environment. However, since the amendments, in part, entailed an Exclusion Request, the Commission had to perform an Initial Study. (The Commission's functional equivalency exemption from CEQA does not apply to Exclusion Orders.) This study found potential significant adverse impacts. As a result, the Exclusion Request is denied, and it is unnecessary to adopt a Negative Declaration. Similarly, no CEQA finding is necessary for the proposed amendments which are also being denied.

EXHIBIT "A" TO PLANNING COMMISSION RESOLUTION NO. _____

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 13.10.312 and 13.20.073
OF THE SANTA CRUZ COUNTY CODE RELATING TO
AGRICULTURAL GREENHOUSES AND AGRICULTURAL SUPPORT FACILITIES

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.10.312 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.312 -- USES IN AGRICULTURAL DISTRICTS

(a) Principal Permitted Uses

(1) In the Coastal Zone, the principal permitted uses in the agricultural districts Coastal-Zone shall be as follows:

"CA" and "AP" = agricultural pursuits for the commercial cultivation of plant crops, including food, fiber, flower or other ornamental crops and the commercial raising of animals, including grazing and livestock production, and apiculture and accessory uses and structures, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

"A": agricultural pursuits, including the noncommercial or commercial cultivation of plant crops or raising of animals, including apiculture, single family residential and accessory uses and structures, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

(2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or as otherwise denoted with the letter "P" in the Agricultural Use Chart contained in paragraph (b) below. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone permits, and in some cases, as specified in Section Chapter 13.20, any development is appealable.

EXHIBIT NO. A
APPLICATION NO. SCC. Am #1-95+ Exclusion # E-2-84-A-3
Proposed Amendment & Exclusion Request

4/14/95 DRAFT

EXHIBIT B

EXHIBIT "A" TO PLANNING COMMISSION RESOLUTION NO. _____

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 13.10.312 and 13.20.073
OF THE SANTA CRUZ COUNTY CODE RELATING TO
AGRICULTURAL GREENHOUSES AND AGRICULTURAL SUPPORT FACILITIES

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.10.312 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.312 -- USES IN AGRICULTURAL DISTRICTS(a) Principal Permitted Uses

- (1) In the Coastal Zone, the principal permitted uses in the agricultural districts Coastal-Zone shall be as follows:

"CA" and "AP": agricultural pursuits for the commercial cultivation of plant crops, including food, fiber, flower or other ornamental crops and the commercial raising of animals, including grazing and livestock production, and apiculture and accessory uses and structures, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

"A": agricultural pursuits, including the noncommercial or commercial cultivation of plant crops or raising of animals, including apiculture, single family residential and accessory uses and structures, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

- (2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or as otherwise denoted with the letter "P" in the Agricultural Use Chart contained in paragraph (b) below. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone permits, and in some cases, as specified in Section Chapter 13.20, any development is appealable.

- (b) Allowed Uses. The uses allowed in the agricultural districts shall be as provided in the Agricultural Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level", required for each use in each of the agricultural zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 PERMIT AND APPROVAL PROCEDURES. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123. All Level V or higher Approvals in the "CA" and "AP" zone districts are subject to the special findings required by Section 13.10.314(a) in addition to those required in Section 18.10.230.

AGRICULTURAL USES CHART

KEY:

- A = Use must be ancillary and incidental to a principal permitted use on the site
- P = Principal permitted use (see Section 13.10.312(a)); no use approval necessary if "P" appears alone

- 1 = Approval Level I (administrative, no plans required)
- 2 = Approval Level II (administrative, plans required)
- 3 = Approval Level III (administrative, field visit required)
- 4 = Approval Level IV (administrative, public notice required)
- 5 = Approval Level V (public hearing by Zoning Administrator required)
- 6 = Approval Level VI (public hearing by Planning Commission required)
- 7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)

- = Use not allowed in this zone district
- * = Level IV for projects of less than 2,000 square feet
 Level V for projects of 2,000 to 20,000 square feet
 Level VI for projects of 20,000 square feet and larger
- ** = For purposes of this section, "on-site" shall mean on the parcel on which the use is located, plus any other parcel(s) owned, leased and/or rented by the farm operator in this County or adjoining counties.
- *** = Processed as a level 5 Coastal Zone Permit project when within the geographic area defined by Section 13.20.073.

- BP = Building Permit only

USE	CA	A	AP
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Agricultural Support and Other Uses and Related Facilities

Agricultural custom work occupations
subject to the provisions of Section
13.10.638

P/4 P/4 P/4

Agricultural support facilities for
processing, packing, drying, storage
and refrigeration of produce above-a
total-aggregate-size-of-2,000-square
feet-or-100-square-feet-per-acre-
on-site*-(whichever-is-greater)
subject to the provisions of Section
13.10.632. Maximum aggregate size
of such facilities shall be 50,000
square feet. Inside-the-coastal-zone
agricultural-support-facilities
greater-than-2,000-square-feet-shall
be-processed-at-Level-5-and-shall
not-be-considered-a-principal
permitted-use.

Up to and including a maximum
aggregate of 2,000 sq. ft. or
100 sq. ft. per acre on-site**
(which ever is greater)

3 3 3

Greater than an aggregate of 2,000
sq. ft. or 100 sq. ft. per acre
on-site** (which ever is greater)

4 4 4

Agricultural Service Establishments
subject to the provisions of
Section 13.10.633 (see Section
13.10.700-A definition)

-- 5 --

Aquaculture and Aquacultural Facilities

5 5 5

Barns, corrals, or pens used for animal
husbandry, subject to the provisions
of Section 16.22.060

3 3 3

Caretaker's quarters, permanent,
subject to the provisions of Section
13.10.631

5 5 5

Commercial boarding of animals, subject
to the provisions of Section
13.10.641(b)

P/5 P/5 P/5

USE	CA	A	AP
Farm worker housing subject to Section 13.10.631 (see Caretakers Quarters, Dwelling units, accessory; mobile homes and farm worker camps)	3-7	3-7	3-7
Farm outbuildings and other <u>agricultural</u> accessory structures for storage or equipment with or without a single room containing lavatory facilities	3	3	3
Fences, subject to the provisions of Section 13.10.525	P/3/5	P/3/5	P/3/5
Fire protection facilities	--	5	--
Flood control works, including channel rectification and alteration; dams, canals and aqueducts of any public water project	5	5	5
Foster homes for 6 or fewer children, not including those of the proprietary family (see Section 13.10.700-F definition)	P	P	P
Foster homes for seven or more children, not including those of the proprietary family (see Section 13.10.700-F definition)	5	5	5
Fuel storage tanks and pumps	2	2	2
Greenhouse structures, as accessory structures, under 500 square feet in area	2	2	2
Greenhouse structures, over 500 square feet in area, subject to the provisions of Section 13.10.636(a). Inside-the-coastal-zone-greenhouses greater-than-20,000-square-feet shall-be-processed-at-Level-5-and shall-not-be-considered a-principal-permitted-use.			
500 - 20,000 square feet	3	4	3
over 20,000 square feet	4	4	4

USE	CA	A	AP
Over 1,000 gallons and under 20,000 gallons annual production:			
On parcels under 2.5 acres in size	3	5	3
On parcels 2.5 acres or larger	3	3	3
Over 20,000 gallons and under 50,000 gallons annual production:			
On parcels under 10 acres in size	5	5	5
On parcels 10 acres or larger	3	3	3
Over 50,000 gallons and under 100,000 gallons annual production and on size parcel	5	5	5
Over 100,000 gallons annual production on any size parcel	6	6	6
Zoos and natural science museums	--	5	--

SECTION II

Section 13.20.073 of the Santa Cruz County Code is hereby amended to read as follows:

13.20.073 AGRICULTURALLY RELATED DEVELOPMENT EXCLUSION

Agriculturally related development as listed below is excluded on all lands designated agriculture on the General Plan and Local Coastal Program Land Use Plan maps, except within one hundred feet of any coastal body of water, stream, wetland, estuary, or lake; within areas between the sea and the first public through road paralleling the sea; or on parcels less than 10 acres in size:

- (a) Greenhouses: The construction, improvement or expansion of greenhouses which comply with the requirements of Sections 13.10.313(a) and 13.10.636.
- (b) {a} Agricultural Support Facilities: The construction, improvement, or expansion of barns, storage buildings, equipment buildings and other buildings necessary for agricultural support purposes, including facilities for the processing, packing, drying, storage and refrigeration of produce generated on-site provided that such buildings comply with the requirements of Sections 13.10.313(a) and 13.10.632 and not including mushroom farms, will not exceed 40 feet in height; will not cover more than 10,000 square feet of ground area including paving; and will not include agricultural processing plants, greenhouses or mushroom farms. Building construction or expansions of more than 2000 square feet of ground area in rural scenic corridors shall comply with 13.20.130(e)4.

- (c) (b) Mushroom Farms: Improvement and expansion of existing agriculturally-related-processing-plants, mushroom farms or-greenhouses provided that such improvements will not exceed 40 feet in height, and will not increase ground coverage by more than 25 percent or 10,000 square feet, whichever is less. Building expansions of more than 2000 square feet in rural scenic corridors shall comply with 13.20.130(c)4. This type of development may be excluded only one time per recorded parcel of land. If improvement or expansion is proposed after such development pursuant to this exclusion has been carried out, then a Coastal Zone Approval must be obtained for the subsequent development.
- (d) (e) Paving: Paving in association with development listed in paragraphs (a), (b) and (c) (b), above, provided it will not exceed ten percent of the ground area covered by the development.
- (e) (d) Fencing: Fences for farm or ranch purposes, except any fences which would block existing equestrian and/or pedestrian trails.
- (f) (e) Water Supply Facilities: Water wells, well covers, pump houses, water storage tanks of less than 10,000 gallons capacity and water distribution lines, including up to 50 cubic yards of associated grading, provided that such water facilities are not in a water shortage area as designated pursuant to Section 11.90.130 of the County Code pertaining to a Water Shortage Emergency and will be used for on-site agriculturally-related purposes only.
- (g) (f) Water Impoundments: Water impoundments in conformance with the Grading Ordinance, (Chapter 16.20 of the Santa Cruz County Code) provided that no portion of the body of water will inundate either temporarily or permanently any drainage areas defined as riparian corridors in Chapter 16.30 (Riparian Corridor Protection), and provided that such impoundments will not exceed 25 acre feet in capacity and will not be in a designated water shortage area.
- (h) (g) Water Pollution Control Facilities: Water Pollution control facilities for agricultural purposes if constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board.

SECTION III

This ordinance shall take effect on the 31st day after the date of final passage or upon certification by the California Coastal Commission, which ever occurs later.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
 725 FRONT STREET, STE. 300
 SANTA CRUZ, CA 95060
 (408) 427-4863
 HEARING IMPAIRED: (415) 904-5200



October 5, 1995

NOTICE OF PROPOSED MITIGATED NEGATIVE DECLARATION

To: State Clearinghouse
 Office of Planning and Research
 1400 Tenth Street
 Sacramento, CA 95814

From: California Coastal Commission
 Central Coast District
 725 Front Street, Suite 300
 Santa Cruz, CA 95060

Project Title: County of Santa Cruz Categorical Exclusion #E-2-84-A-3

Project Applicant: County of Santa Cruz

Project Location:

Parcels of a least ten acres in size, located inland of the nearest public road and the sea on agriculturally-zoned portions of the Coastal Zone in unincorporated Santa Cruz County (see attached map in Exhibit 2).

Project Description:

The following categories of development, within the above-described location, are proposed to be excluded from the requirement to be authorized by coastal development permits:

- (a) Greenhouses: The construction, improvement or expansion of greenhouses which comply with the requirements of Sections 13.10.313(a) and 13.10.636 [of the County Code].
- (b) Agricultural Support Facilities: The construction, improvement, or expansion of barns, storage facilities, equipment buildings and other buildings necessary for agricultural support purposes, including facilities for the processing, packing, drying, storage and refrigeration of produce generated on-site provided that such buildings comply with the requirements of Sections 13.10.313(a) and 13.10.632, and not including mushroom farms.

Referenced Section 13.10.313(a) includes site area standards, height limits (40 feet) and setbacks. Referenced Section 13.10.636 includes visual mitigation, on-site drainage retention, covering disposal, on-site parking, soil removal, flooring, energy-efficiency, ventilation, and water conservation

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EXHIBIT NO. B
APPLICATION NO. SCC Amend #1-95 + Exclusion #E-2-84-A-3
Negative Declaration

standards for greenhouses. Referenced Section 13.10.632 includes visual mitigation, on-site drainage retention, on-site parking, grading, on-site production serving, and siting on non-productive soils standards for agricultural support facilities (see attached ordinance provisions in Exhibit 2).

Background:

The California Coastal Act establishes a coastal zone and a process for most proposed developments to be authorized pursuant to coastal development permits. For those jurisdictions, such as Santa Cruz County, that have certified local coastal programs, the local government is the responsible entity for issuing coastal permits.

Public Resources Code, Section 30610(e) authorizes the Coastal Commission to exclude from these permit requirements of the Coastal Act, any category of development within a specifically defined geographic area if certain findings are made. The Commission must find (1) that such an exclusion will not result in a potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast; and (2) that such exclusion will not impair the ability of the local government to prepare a local coastal program. A categorical exclusion may only be adopted after public hearing and by a two-thirds vote of the appointed members. Note that the first test is a stricter standard than the California Environmental Quality Act's (CEQA); therefore, adoption of this mitigated negative declaration under CEQA does not bind the Commission to adopt the exclusion.

Proposed Finding:

The Coastal Commission finds that this exclusion, with the following mitigation measures, will not have a significant effect on the environment for purposes of the California Environmental Quality Act of 1970.

Proposed Mitigation Measures

In order to mitigate any potential adverse effects, the exclusion, if approved, will be conditioned as follows:

1. This exclusion shall not apply to sites containing Class I and II soils or soils with a Storie index of 80 or above, unless the project is a soil-dependent greenhouse; for these cases a coastal permit will still be required.

2. This exclusion shall not apply to any projects exempted from Chapter 16.10 of the County Code regarding "Geologic Hazards" as currently written; for these projects a coastal permit will still be required.
3. This exclusion shall not apply to sites requiring significant grading. This exclusion shall not apply to projects exempt from Ch. 16.22 of the County Code regarding "Erosion Control" as currently written. For such cases a coastal permit will still be required.
4. This exclusion shall not apply to projects which use more water than historically used on the site. This exclusion shall not apply to sites that come under any water supply/groundwater extraction restrictions established to address groundwater overdraft and/or seawater intrusion unless the project participates in any established remedial programs.
5. This exclusion shall not apply to sites within 1000 feet of a residential neighborhood, school or a residentially-zoned parcel; for these areas a coastal permit will still be required.
6. This exclusion shall not apply to projects which generate more traffic than historically generated on the site; for such projects a coastal permit will still be required.
7. This exclusion shall not apply to any projects exempted from Ch. 16.32 of the County Code regarding "Sensitive Habitat Protection" as currently written. for these projects a coastal permit will still be required.
8. This exclusion shall not apply to greenhouses growing or agricultural support facilities processing genetically-altered plants; for these projects a coastal permit will still be required.
9. This exclusion shall not apply to any projects exempted from Chapters 7.96 and 7.100 fo the County Code regarding hazard materials or to any projects where hazardous materials are applied directly to the ground; for such projects a coastal permit will still be required.
10. This exclusion shall not apply to any projects exempted from Ch. 6.5 of the County General Plan/Local Coastal Program regarding "Fire Hazards" as currently written; for these projects a coastal permit will still be required.
11. This exclusion shall not apply to greenhouses and agricultural support facilities within one-half mile of another such facility visible in the foreground from Highway 1, Beach Road, Buena Vista Drive, or Harkins Slough Road; for these projects a coastal permit will still be required.
12. This exclusion shall not apply to any projects exempt from Chapters 16.40, 16.42, and 16.44 of the County Code regarding cultural resource protection; for such projects a coastal permit will still be required. **EXHIBIT B**

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Land Use and Planning
- Population and Housing
- Geological Problems
- Water
- Air Quality
- Transportation/Circulation
- Biological Resources
- Energy and Mineral Resources
- Hazards
- Noise
- Mandatory Findings of Significance
- Public Services
- Utilities and Service Systems
- Aesthetics
- Cultural Resources
- Recreation

Determination.

(To be completed by the Lead Agency.)

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 the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

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

I find that the proposed project MAY have a significant effect(s) 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, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." 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, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

David Loomis
Signature

10/5/95
Date

David Loomis
Printed Name

CA. COASTAL COMMISSION
For

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 a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Potentially Significant Unless Mitigated 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).
- 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). Earlier analyses are discussed in Section XVII at the end of the checklist.
- 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. See the sample question below. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) This is only a suggested form, and lead agencies are free to use different ones.

Sample Question:

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the proposal result in potential impacts involving: Landslides or mudslides? (1, 6) (Attached source list explains that 1 is the general plan, and 6 is a USGS topo map. This answer would probably not need further explanation.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I. LAND USE AND PLANNING. Would the proposal:

a) Conflict with general plan designation or zoning? (source #(s):)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be incompatible with existing land use in the vicinity? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II. POPULATION AND HOUSING. Would the proposal:

a) Cumulatively exceed official regional or local population projections? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace existing housing, especially affordable housing? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

a) Fault rupture? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Seismic ground shaking? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Seismic ground failure, including liquefaction? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Landslides or mudflows? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Subsidence of the land? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. WATER. Would the proposal result in:

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Changes in the amount of surface water in any water body? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

GUIDELINES ◀

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Altered direction or rate of flow of groundwater? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. AIR QUALITY. Would the proposal:

a) Violate any air quality standard or contribute to an existing or projected air quality violation? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose sensitive receptors to pollutants? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Alter air movement, moisture, or temperature, or cause any change in climate? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VI. TRANSPORTATION/CIRCULATION.

Would the proposal result in:

a) Increased vehicle trips or traffic congestion? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Inadequate emergency access or access to nearby uses? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Insufficient parking capacity on-site or off-site? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Hazards or barriers for pedestrians or bicyclists? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. BIOLOGICAL RESOURCES.

Would the proposal result in impacts to:

a) Endangered, threatened, or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Locally designated species (e.g., heritage trees)? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Wildlife dispersal or migration corridors? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ENERGY AND MINERAL RESOURCES.

Would the proposal:

a) Conflict with adopted energy conservation plans? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use non-renewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS. Would the proposal involve:

a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazard? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Exposure of people to existing sources of potential health hazards? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Increased fire hazard in areas with flammable brush, grass, or trees? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

X. NOISE. Would the proposal result in:

a) Increases in existing noise levels? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people to severe noise levels? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

a) Fire protection? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other governmental services? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:				
a) Power or natural gas? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Communications systems? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Solid waste disposal? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XIII. AESTHETICS. Would the proposal:				
a) Affect a scenic vista or scenic highway? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a demonstrable negative aesthetic effect? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Create light or glare? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
XIV. CULTURAL RESOURCES. Would the proposal:				
a) Disturb paleontological resources? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Affect historical resources? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have the potential to cause a physical change which would affect unique ethnic cultural values? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Restrict existing religious or sacred uses within the potential impact area? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XV. RECREATION. Would the proposal:				
a) Increase the demand for neighborhood or regional parks or other recreational facilities? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect existing recreational opportunities? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project 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.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

- a) **Earlier analyses used.** Identify earlier analyses 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 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.

Authority: Public Resources Code Sections 21083 and 21087.

Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151; *Sundstrom v. County of Mendocino*, 202 Cal.App.3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal.App.3d 1337 (1990).

FOLLOWING ARE ELABORATIONS TO THE CHECKED RESPONSES:

- I. LAND USE: Installation of greenhouses will change the specific land use to some extent but not the general category of planned land use, which is agricultural. That is because greenhouse operations have been defined by the County as agricultural uses. The agriculturally-designated area to which this exclusion applies has various uses. Some is in production; some is used for grazing and non-agricultural uses or is vacant. Thus, some land use conversion may occur as a result of this proposal. There are some residences within and adjacent to agriculturally-designated land. Potential incompatibilities are from odor, noise, and lighting and are discussed below.

Installation of agricultural support facilities and greenhouses may disrupt, compact, and cover the native soil. Greenhouses could simply leave the underlying soil intact or further cover it with planking, gravel, or other material. Sloping sites would likely be graded level to accommodate greenhouses. Greenhouses could occupy up to 100% soil coverage on site. Greenhouse flooring or impervious surface which impairs long-term soil capabilities is to be limited under this proposal to the minimum area needed for access, loading and storage, but no maximums are specified. The use of long-term sterilants under impervious surfacing is not allowed under this County proposal; nor is the removal of indigenous prime farmland soil used as a growing medium. However, prime soils could be disturbed by the greenhouse activities. Any prime soils would be precluded from being cultivated, during the time the greenhouse and support facilities would be in place, unless the greenhouses were for soil-dependent crops. Further information on the extent of prime soils that could be impacted is necessary to better quantify this impact. However, to the extent that non-prime soils are covered, there would not be such impacts. The area that the exclusion would apply to includes both prime and non-prime soils (source: U.S. Soil Survey). A mitigation measure (#1) to address this potential impact would limit the exclusion to non-prime soils or to soil-dependent greenhouses on prime soils.

- II.b HOUSING AND PARKS: Operation of greenhouses and agricultural support
XV.a facilities will entail use of employees, which could create demand for additional housing and possibly parks. Farm labor housing is at a premium in the County. More information is necessary as to the relative employment generation of greenhouse operations versus other agricultural operations and the commensurate supply of farm labor housing in order to more definitively analyze these impacts. However, housing employees and providing parks are not legal

responsibilities of greenhouse operators. Any mitigation would occur through the private sector, general planning process, farmworker housing assistance programs, park dedication ordinances (applicable to residential, not commercial development), park development programs and the like.

III
a,b,c GEOLOGY: Construction of greenhouses and agricultural support facilities in geologic hazard areas may expose works to seismic risks. The County has regulations which should adequately mitigate any such impacts (County Code Chapter 16.10). A mitigation measure (#2) to ensure that these remain in effect and continue to apply to agricultural structures would address any geologic impacts.

III.f. EROSION: Construction of greenhouses and agricultural support facilities may result in on-site or off-site soil erosion. Operation of greenhouses may result in soil erosion from uncontrolled runoff. Greenhouses are not allowed to produce more runoff than pre-site development by the County under this proposal. But, if on-site storm water percolation measures later prove inadequate, off-site impacts could result.

More information on water use, runoff control practices, and soil and topographic conditions of agriculturally-designated land is necessary to better quantify this impact. However, greenhouses are unlikely to be built on very sloping land, provided the land is not graded. A mitigation measure (#3) to address this potential impact would limit the exclusion to non-sloping land (i.e., land where extensive grading would not be required). Also, the County has an erosion control ordinance which would apply necessary mitigation measures to ensure no significant adverse impacts. As long as the erosion control ordinance applies to greenhouses and agricultural support facilities, no additional mitigations are required.

IV.a,c
XX.e DRAINAGE: Greenhouses and agricultural support facility operations may result in excess water use and runoff. The off-site runoff rate is not to exceed pre-project levels under the County's proposal. However, the direction could differ, impacting a different drainage basin (see response to III.f. and next response).

IV.f,i WATER: Greenhouses require substantial water use. However, a Santa
XX.g Barbara County study examining ten reference documents found

it is difficult to develop standard figures for water use projections as such estimates range from 1.0 - 7.0 afy[acre feet per year]/acre for various nursery and greenhouse operations. The Carpinteria County Water District utilizes estimates of 1.2 afy/acre for mums while MCR Services supports a figure of 2.0 afy/acre. Until now [1986], the County Resource Management Department has routinely used a figure of 4.0 afy/acre to project water use in environmental documents for greenhouse projects.

In most of the project area the supply will be from the groundwater. Some operations (such as on the North Coast of Santa Cruz) may use a public supply. Greenhouse irrigation systems must be water conserving under the County proposal. Greenhouses offer opportunities for water reuse and careful conservation beyond that which would be or is typically practiced in open field agriculture. Thus in some cases where open field agriculture is converted to greenhouses, water use may decline. In other cases, where greenhouses are established on non-irrigated lands, water use would obviously increase.

More information is necessary on typical greenhouse crops and their associated water consumption rates and adequacy of water supplies in the project area in order to better quantify this impact. However, as long as a proposed greenhouse or agricultural support facility does not use more water than the site currently uses the impact will not change. There may be a continuing impact in areas of groundwater overdraft or saltwater intrusion. In any such cases, the proposed exclusion from coastal permit requirements would possibly reduce opportunities for addressing the water supply problems. But, there may be other avenues to adequately mitigate water supply impacts; for example, the Pajaro Valley Water Management Agency is formulating measures to address such problems. If problem sites were included in such a program adequate to address the water use impacts, then there would be no impact from the exclusion (see mitigation #4).

V.d. AIR QUALITY: Greenhouses and agricultural support facilities may include pesticide use or decayed matter that produces objectionable odors. Greenhouses are required by the County to provide ventilation under this proposal, but there are no specifically-required odor control measures.

More information is necessary about the type of odors that may be produced, the typical control measures employed, and the number of residences or schools adjacent to or in agricultural lands, in order

to better quantify this impact. However, this impact would be experienced mainly by adjacent residences or schools. A mitigation measure (#5) to address this impact would limit the exclusion to sites more than 1000 feet from an adjacent residential neighborhood or school, or a residentially-zoned parcel. Based on a San Mateo County evaluation for the Pescadero area, 1000 feet appears to constitute a reasonable buffer from any objectionable odors. Greenhouses could still be approved by the County within 1000 feet of homes, through the public hearing process, whereby neighbors would have a chance to express their concerns and site-specific impacts could be mitigated.

- VI. TRAFFIC: Operation of some greenhouses may involve extensive and daily truck traffic to and from the site, potentially impacting coastal access roads such as San Andreas Road and Highway One. More information is necessary about average trip generation rates, truck traffic generation, and likely travel routes compared to current volumes in order to better quantify this impact. However, as long as a proposed greenhouse does not generate more traffic than the site currently generates, there will not be an additional impact that requires mitigation. (See mitigation measure #6).
- VIId. PARKING: Operation of greenhouse and agricultural support facilities requires workers who may drive to the site and hence require parking. Under the County proposal on-site parking shall be provided commensurate with the need created by the proposed use. Some additional standards are contained in the County's parking regulations (County Code Ch. 13.10). Thus, no impacts are expected due to this proposal.
- VII. BIOLOGICAL RESOURCES: Construction of greenhouses and agricultural support facilities may impact sensitive species or habitats. Although most farmland is already in production, some designated land is not and may contain special status species, such as the Santa Cruz tarplant. Comparison of County Land Use Plan maps to sensitive species maps is necessary to better quantify this impact. However, the County already has regulations governing removal of sensitive species. (County Code Ch. 16.32) These rules apply to all "development", which would include greenhouses. A mitigation measure (#7) to assure that these remain in effect would address any biological impacts.

Also, operation of greenhouses will likely result in the introduction of new species into the area they are built in. This would not appear to pose a significant impact from natural crops, as the area in question is designated for agricultural use; but could pose an issue if the greenhouses were used for genetically engineered crops

and appropriate mitigations were lacking to ensure against mixing with native stock. The County policies addressing genetically engineered organisms are limited to notification and idemnification (Ch. 7.30 of County Code). No specific analysis of their impacts is provided in the permit review process, in contrast to Monterey County's. Therefore, mitigation measures (#8) to address this potential impact would limit the exclusion to greenhouses not producing, and agricultural support facilities not processing, genetically engineered crops.

VIII.b ENERGY: Greenhouses and support facilities may use energy for light,
XII.a irrigation, to power equipment, etc. More information is necessary regarding typical energy use, compared to that used for other agricultural operations. However, under the County proposal greenhouses shall be designed to maximize energy efficiency and to use alternative energy sources, where feasible. No mitigation is necessary given these requirements and the availability of various energy resources at this time.

IX.a.; HAZARDOUS MATERIAL: Agricultural support facilities and greenhouses
IVh. may entail storage and/or use of pesticides, chemicals, and other hazardous substances. If not properly stored, used, or disposed, they could pose health, surface water, and groundwater hazards. If greenhouse plants are grown directly in the soil, fertilizers and pesticides can percolate into and contaminate the groundwater basin.

More information is necessary as to the types of these materials that might be used or stored and regulations/building standards that would minimize risk. The County has existing regulations (e.g., Chapters 7.96 and 7.100 of the Santa Cruz County Code) that address storage and disposal, but not application. In San Mateo County operators claim that floriculture causes fewer problems than open field agriculture because the chemicals are milder and drift is contained. Pesticide and herbicide use is regulated by the Agricultural Commissioner's Office. However, it may be years before problems are discovered and/or mitigated, given that some now-banned products are still discovered in the soil or groundwater. A mitigation measure (#9) to address these impacts would limit this exclusion to operations covered by existing regulations and which do not apply any hazardous materials directly into the ground. There are some residences within and adjacent to agriculturally-designated land. Potential incompatibilities are from odor, noise and lighting and are discussed below.

X.a NOISE: Construction and operation of greenhouses and agricultural support facilities could result in increasing existing noise levels, through use of mechanized equipment, fans, etc. More information would be necessary on typical noise levels associated with greenhouses, typical control measures, and juxtaposition of agriculturally-designated land with residences and residentially-zoned land in order to better quantify this impact. The County has noise restrictions (Ch. 8.30 of the County Code) but they do not pertain to farming operations. This impact would be mainly felt by adjacent residences or schools. See response IIa for mitigation measures.

XI.a FIRE PROTECTION: Agricultural support facilities and greenhouses
IX.e could be subject to fire or hazardous material problems, thus necessitating fire protection services. More information is necessary as to the potential flammability of such structures, required preventative measures, location of agriculturally-designated areas vis a vis fire hazard zones, and current availabilities and capabilities of fire protection services in order to more definitively analyze this impact. However, the County is served by various fire districts or where there is none, the California Department of Forestry and Fire Protection and has fire hazard reduction policies in Ch. 6.5 of its General Plan. As long as these policies are applied to support facilities and greenhouses, no further mitigation is required. (See mitigation measure #10.)

XIII. AESTHETICS: VIEWS: Greenhouses and agricultural support facilities
a,b may create adverse visual impacts. A San Mateo County evaluation for the Pescadero area found:

The architectural features, construction material, colors and siting of these buildings are often considered unattractive and industrial in appearance. Typically, greenhouses are rectangular or cylindrical in shape, up to 300 feet long, 20-45 feet wide, up to 18 feet in peak height, and have glass or plastic walls and roofs that are clear or painted white. Greenhouses are usually developed as uniformly aligned groupings and are located in level, sunny, open areas. Because the appearance and siting of these structures is dissimilar to surrounding natural landscape features, the visual effect is often considered obtrusive.

Under the Santa Cruz County proposal maximum allowed heights are 40 feet; maximum coverage approaches 100% (20 foot side and rear yard setbacks are required). Comparisons of County Land Use Plan and visual resource maps show some overlapping with

agriculturally-designated land. More information on the amount of such land, the typical sizes of greenhouses, likely rate of greenhouse construction, and type of and effectiveness of typical mitigation measures would be necessary to better quantify this impact. However, as long as a proposed greenhouse does not significantly alter the visual experience for travelers along designated scenic roads -- Highway 1, Beach Road, Buena Vista Drive, Swanton Road, Bonny Doon Road, or Empire Grade, there will be no significant impact. This can be assured by not allowing a wall of greenhouses or agricultural support facilities along these routes, such as by requiring substantial distances between them. (See Mitigation measure #11.)

XII.c. AESTHETICS: LIGHT AND GLARE: Agricultural support facilities, and especially greenhouses, will produce additional light in rural areas. Adjacent residences will also be affected. According to an analysis prepared for the Pescadero area of San Mateo County:

Supplemental greenhouse lighting (i.e., grow lights) increases agricultural productivity, reduces crop growing time, and produces consistently high quality plants throughout the year. Grow lights are effective in extending daytime light exposure or interrupting nighttime darkness. Growers typically use supplemental lighting to increase their yield of high quality crops when the market price is most favorable. High intensity sodium lamps are used most frequently for lighting larger greenhouses.

The light intensity emitted from grow lights ranges between 185 and 1,000-foot candles per greenhouse operation. Grow lights are usually placed above the plant for maximum direct light exposure. Typically, a shielding apparatus is not used to screen back light or reflected light.

For certain plants, growers place opaque film or cloth screening above the crop to control sunlight exposure. Such technique could be designed to screen back light or reflected from the light sources.

Depending on the greenhouse material, there may also be increased glare. Some unspecific level of mitigation is required by the County under this proposal. In order to better understand this impact, more information is necessary as to the amount of agriculturally-designated land within the public viewshed, the likely rate of greenhouse construction, the types of material uses to construct greenhouses (and their reflective nature), and the types of

mitigation measures that the County would impose. However, as long as the lighting does not significantly impact residences or public views, there will be no significant impact. See responses V.d. and XIIIa,b for such assurances.

XIV. CULTURAL RESOURCES: Construction of greenhouses and agricultural support facilities may disturb archaeological resources and possibly historic resources or sacred sites. More information about the location of any such sites in agriculturally-designated areas would be necessary in order to better quantify this impact. However, the County already has regulations governing protection of cultural resources. (County Code Chapters 16.40, 16.42, and 16.44). A mitigation measure to assure that these provisions remain in effect and applicable to agricultural structures would address any impacts.

XVI. CONCLUSION: MANDATORY FINDINGS OF SIGNIFICANCE: This proposal means that certain greenhouses and agricultural support facilities will no longer need coastal permits to be approved on parcels at least 10 acres in size landward of the nearest through public road along the shoreline. The coastal permits process entails an evaluation based on the adopted Local Coastal Program provisions through a public hearing process.

Excluded greenhouses (i.e., not subject to the coastal permit process) would still have to meet certain criteria regarding visual mitigation, on-site runoff control, and parking, as discussed above. Excluded agricultural support facilities would have to meet criteria regarding sewage disposal, visual mitigation, etc.

Two related issues emanate from this proposal regarding its potential to degrade environmental quality, result in adverse cumulative impacts, and adversely affect human beings:

- the adequacy of the standards that greenhouses have to meet;
- the adequacy of a non-public hearing process for imposing and enforcing mitigation measures.

As explained, provisions are available to address many, if not all, of the potential impacts from greenhouse and agricultural support facilities other than through the Coastal permit process. Some are fairly explicit and appear adequate to prevent significant adverse impacts. Others allow the decision-maker more discretion and/or are not explicitly addressed, such as odors, introduced species, and noise. Some potential impacts would require mitigation through other non-regulatory programs such as for road improvements, farm labor housing, and water supply. Some potential impacts may become cumulatively significant -- such as to the viewshed and prime soils

-- if a large number of greenhouses and/or agricultural support facilities were constructed, even with site-specific mitigations applied.

The environmental effect of this proposal (to simplify the regulatory process) thus depends to a large degree on the efficacy of the regulatory provisions that would remain. Basically, this proposal reduces likely public scrutiny of, and hence input into, decisions regarding greenhouses and agricultural support structures (for certain cases, in limited areas). The category of greenhouses to be excluded are those which have a Use Permit. A use permit may be issued without a public hearing, under one of four levels of administrative review. (A use permit would not be required for agricultural support facilities.) Under a related proposal, but technically distinct from this exclusion request, the County would process greenhouses and agricultural support facilities at a "Level 4 (Public Notice) while entails the following:

Processing Level IV (Public Notice) includes those projects for which plans are required, field visits are conducted, and for which public notice is provided in the form of a posting of the property, a published newspaper announcement of the pending project, notice to each member of the Board of Supervisors, and a mailed notice to surrounding property owners as well as to occupants of the subject property prior to administrative action on permits. (Section 18.10.112a of the County Code)

What is not required, but would currently be required by a coastal permit, is a public hearing, and a public, discretionary decision-making process. Under this proposed level of review, if comments are received as a result of the noticing, the Planning Director has the discretion of taking into consideration any public comments. (The County has the option of proposing this level of review within the coastal permit framework, under Section 13568 of the California Code of Regulations, but has not chosen this approach; opting instead to delete the coastal permit requirement.) Also, under this level of processing, application fees and processing time are reduced. As noted, once the exclusion order is in effect, the processing level or procedure could be independently changed.

There appears to be authority, through the Use Permit and other non-coastal permit regulatory processes, for County staff to ensure no significant environmental impacts from future greenhouse and agricultural support facility development. However, based on the analysis presented, there is discretion involved in applying some of the regulations. Whether there is a significant environmental effect from this proposal depends on two related factors:

- 1) The extent that the staff utilizes this discretion to prevent adverse impacts; and
- 2) The extent which the public would have ensured (e.g., through testimony to primary and appellate decision-making bodies) but would no longer be able to ensure that regulations and other programs are applied to prevent adverse impacts. An example of this might be:

the staff applying the visual mitigation criteria to only include landscaping some prominent visually intrusive facilities as opposed to the public through the public hearing/appeal process persuading the Board of Supervisors to reduce the number of structures applied for.

Since there is some potential for staff not to fully address all the noted issues here and/or for the lack of a public hearing process to prevent full addressing of all the possible concerns, some environmental impacts could result from this proposal. However, if this proposal is limited in scope, pursuant to the suggested mitigation measures, to apply to only those greenhouses and agricultural support facilities that will not pose these issues, then no significant adverse impacts will result.

Sources used include:

San Mateo County Environmental Services Agency, "Greenhouse Land Use Compatibility -- Issues and Options." May 1992.

Santa Barbara County Department of Resource Management: "Greenhouse Development in the Carpinteria Valley. A Compilation and Assessment of Existing Information 1977-85", April 1986.

Other sources for all "No Impact" and "Less Than Significant Impact" answers are:

1994 General Plan and Local Coastal Program for the County of Santa Cruz, California.

2. Santa Cruz County Code.

DOCUMENT AVAILABILITY AND REVIEW PROCESS

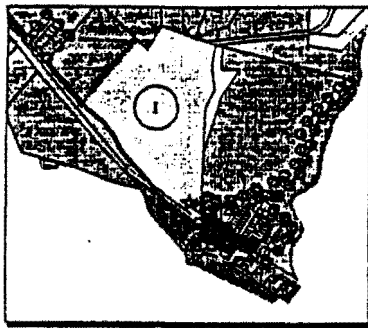
This draft mitigated Negative Declaration will be available for public review and comment for 30 days commencing October 9, 1995. A copy of the draft is available on file with the Coastal Commission, 725 Front Street, Suite 300, Santa Cruz, CA 95060. Any person wishing to comment may do so in writing within thirty (30) days of this notice by providing written comments to Rick Hyman at the indicated address. All written comments received by November 9, 1995 will be responded to by the Commission's staff as part of the staff's recommendation on the draft mitigated Negative Declaration.

The draft Negative Declaration will be considered by the Commission at a hearing tentatively scheduled for November 14-17, 1995 at the Wyndham Hotel, LAX 6225 West Century Blvd., Los Angeles, CA 90045 (310) 337-6436. Hearings usually begin at 9:00 a.m. Any person desiring written notice of the hearing should contact the Commission at the Santa Cruz address.

SAN MATEO COUNTY

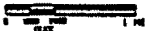
SAN MATEO COUNTY

SAN LORENZO VALLEY



DAVENPORT

Pacific Ocean



PLEASE NOTE: Due to the small scale of this map, it is intended for general reference only. Larger scale maps and parcel specific computer information are available for review at the Santa Cruz County Planning Department.

Adopted by Santa Cruz County Board of Supervisors 5/24/94
Certified by California Coastal Commission 12/18/94
Effective Date 12/18/94

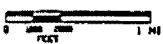
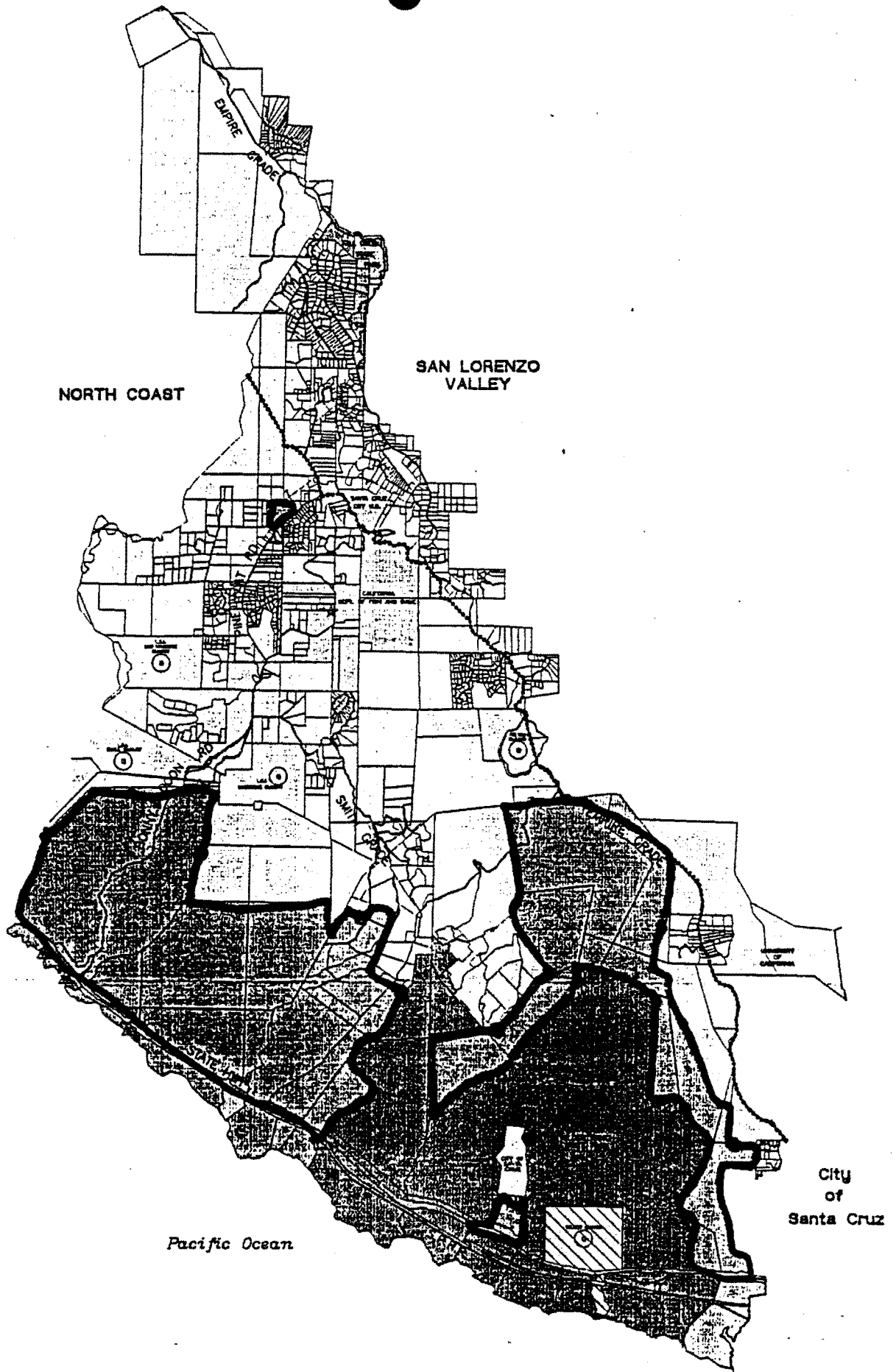
EXHIBIT B cont

BONNY DOON

EXHIBIT NO. 1

APPLICATION NO.
E-2-84-A-3

Santa Cruz Co. exclusion

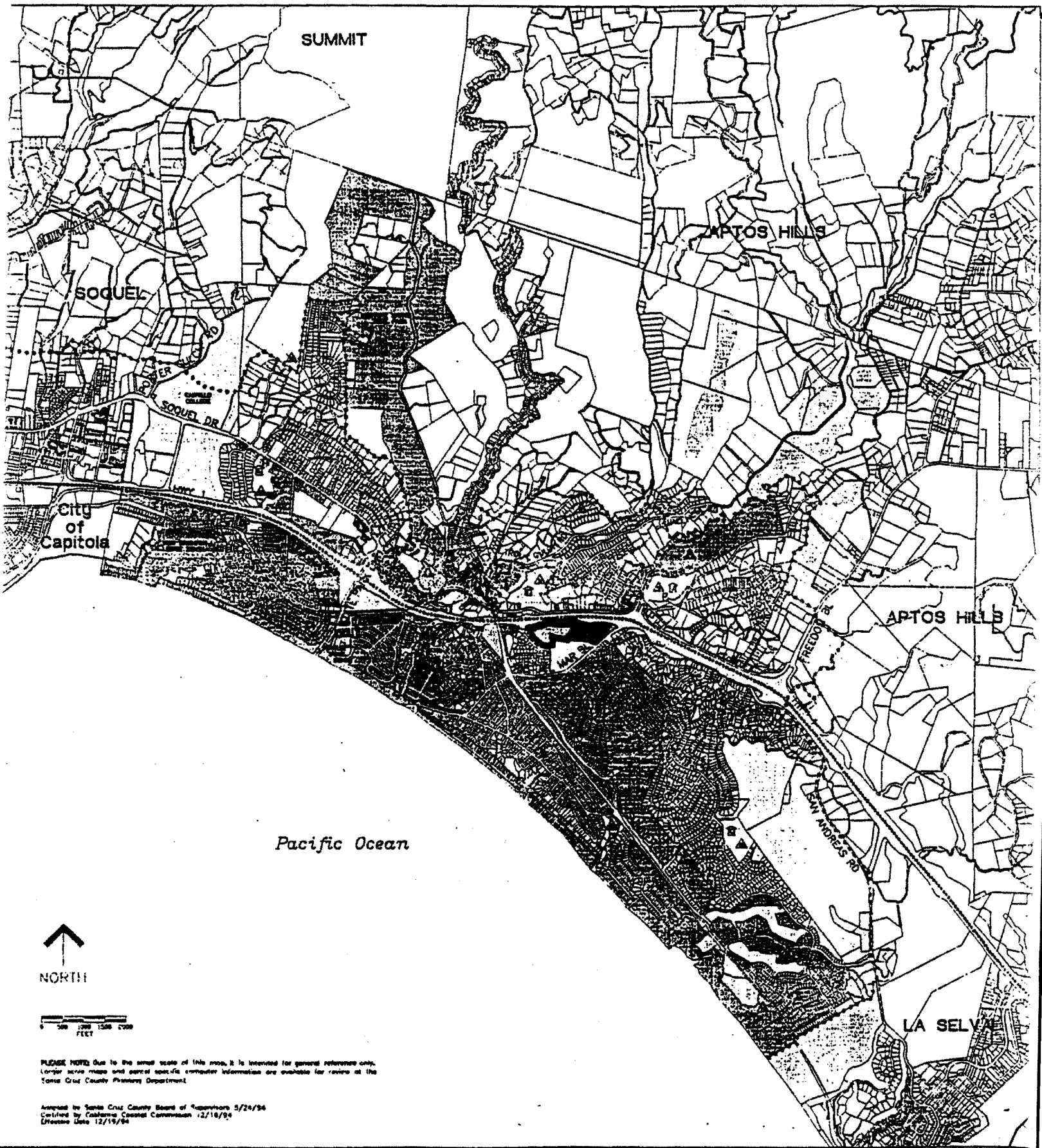


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EXHIBIT B

cat



SUMMIT

APTOS HILLS

SOQUEL

City of Capitola

SOQUEL DR

APTOS HILLS

Pacific Ocean

FREEDOM ST
SAN ANIMO'S RD

LA SELVA



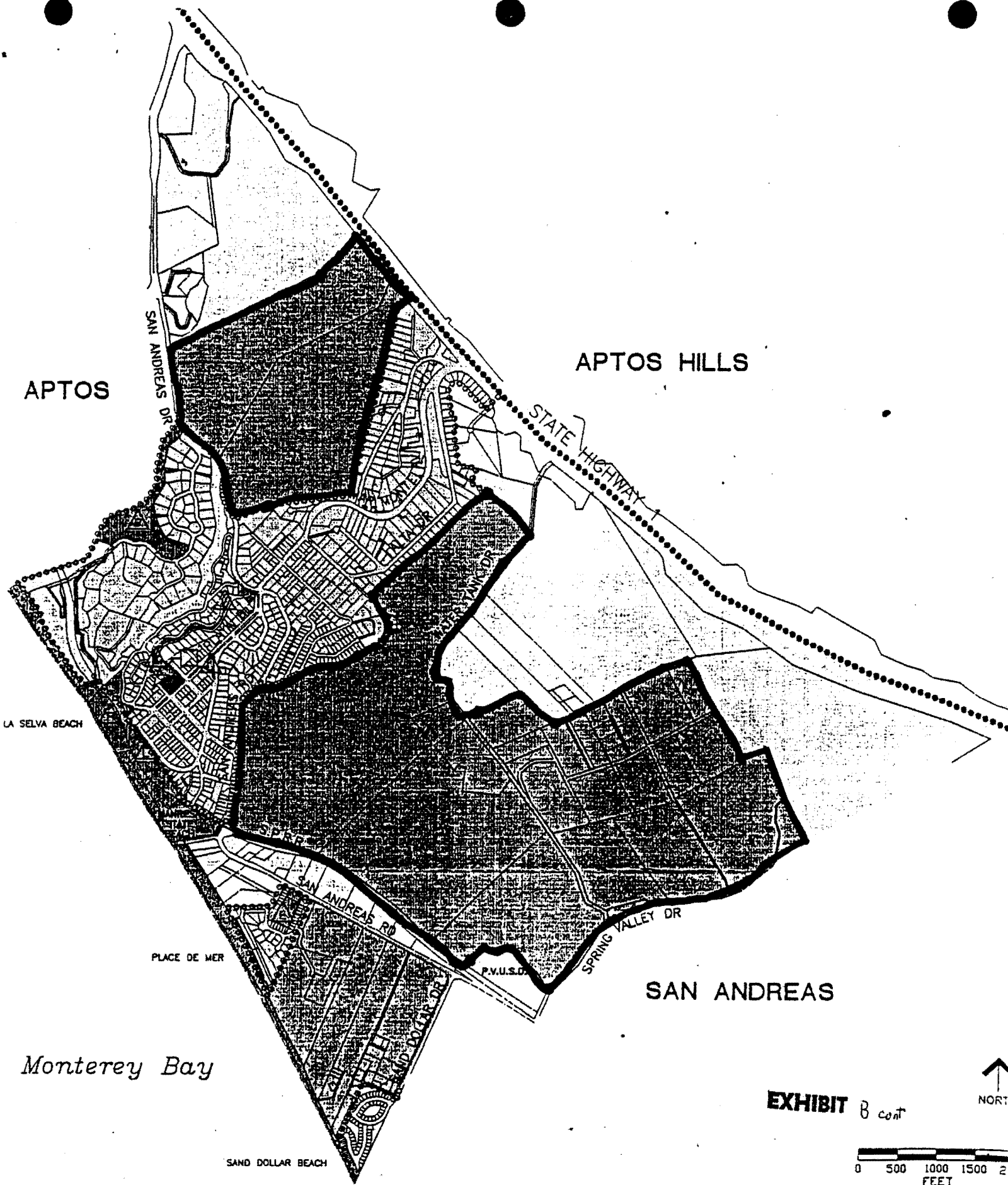
NORTH



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Approved by Santa Cruz County Board of Supervisors 5/24/94
 Certified by California Coastal Commission 12/16/94
 Effective Date 12/16/94

EXHIBIT B cont.



APTOS

APTOS HILLS

LA SELVA BEACH

Monterey Bay

PLACE DE MER

SAND DOLLAR BEACH

SAN ANDREAS

EXHIBIT B cont



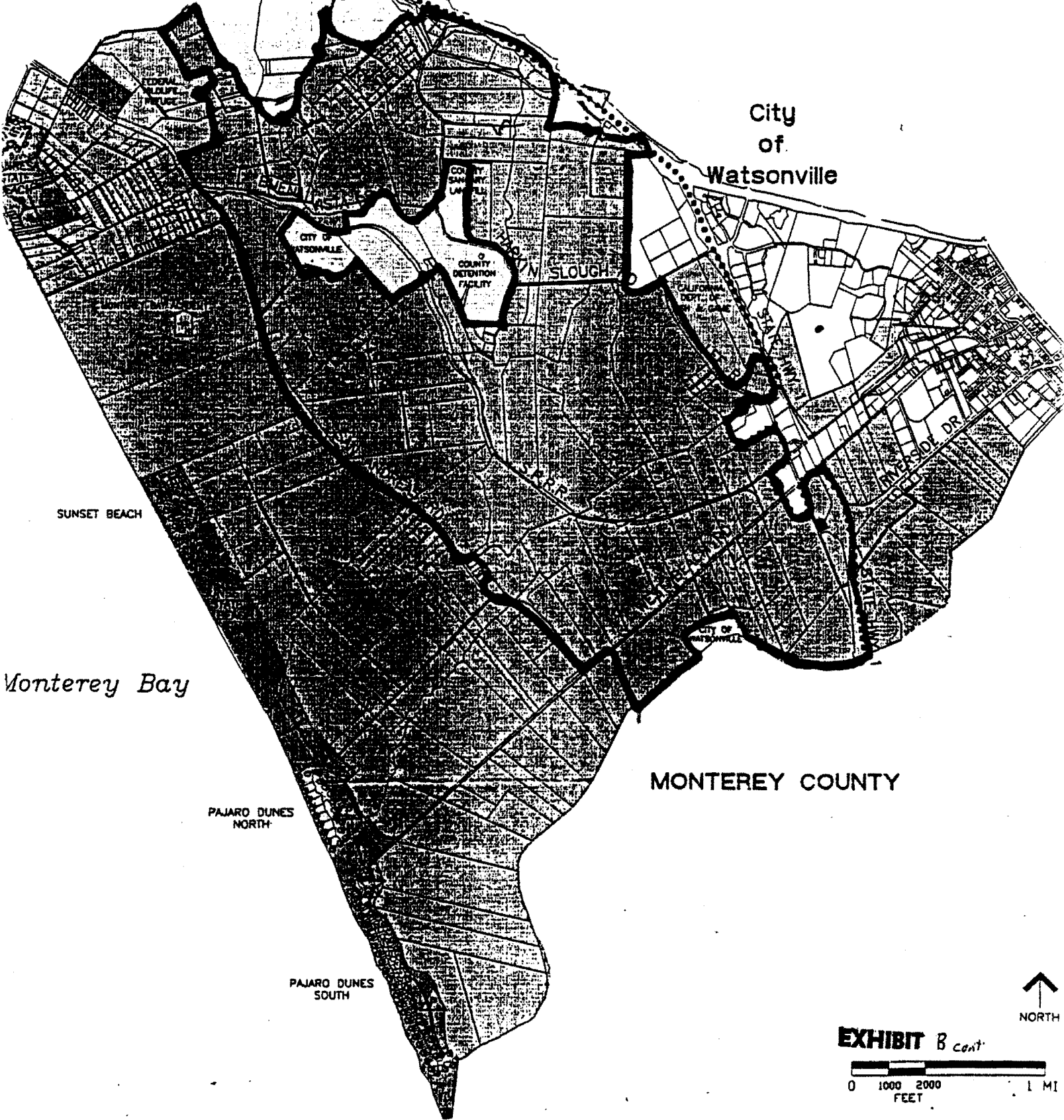
PLEASE NOTE: Due to the small scale of this map, it is intended for general reference only. Larger scale maps and parcel specific computer information are available for review at the Santa Cruz County Planning Department.

Adopted by Santa Cruz County Board of Supervisors 5/24/01
 Certified by the Santa Cruz County Registrar 12/18/01

LA SELVA

APTOS HILLS

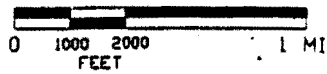
City of
of
Watsonville



MONTEREY COUNTY



EXHIBIT B cont



PLEASE NOTE: Due to the small scale of this map, it is intended for general reference only. Larger scale maps and parcel specific computer information are available for review at the Santa Cruz County Planning Department.

Adopted by Santa Cruz County Board at Supervisors 5/24/94
 Certified by California Coastal Commission 12/18/94
 Effective Date 12/18/94

13.10.313 DEVELOPMENT STANDARDS

(a) Site and Structural Dimensions.

1. General. The following site area per dwelling

unit, site width, frontage, yard dimensions, and building height limits shall apply to all agricultural zone districts except that maximum height limits and exceptions therefrom for residential structures in all agricultural districts shall be determined in accordance with the provisions of Section 13.10.323 applicable to parcels in the Residential Zone Districts. On legal lots of record less than 2.5 acres in size, all site and structural dimensions of the residential districts as indicated in Section 13.10.323, shall apply, based on the pre-existing parcel size. (Ord. 3755, 4/22/86; 4097, 12/11/90)

AGRICULTURAL SITE AND STRUCTURAL DIMENSIONS CHART

Designation	Parcel Size	Width	Frontage	Yard Front
A	Less than 5 ac	100'	60'	20'
A	5 ac or more	300'	100'	20'
CA	(A11)	300'	100'	20'
AP	(A11)	300'	100'	20'

Designation	Setbacks Side	Rear	Max. Bldg. Hgt. for Structure	Max. Bldg. Hgt. for Structure
A	20'	20'	40'	25'
A	20'	20'	40'	25'
CA	20'	20'	40'	25'
AP	20'	20'	40'	25'

2. Size and Design of Structures - Exceptions. No

residential structure shall be constructed or enlarged which will result in 4500 square feet of floor area or larger, inclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of Section 13.10.326

EXHIBIT B cont.

EXHIBIT NO. 2
APPLICATION NO. E-2-84-A-3
Santa Cruz Co exclusion

13.10.632 AGRICULTURAL PROCESSING AND STORAGE FACILITIES.

(a) Food processing facilities, such as cider pressing, jelly and jam making or honey making, shall be allowed in any agricultural zone district and the "SU" zone district when:

1. the processing facility is incidental to the primary agricultural production use on site;
2. the food processed is limited to that produced on-site;
3. meets all Environmental Health sewage disposal requirements.

(b) Facilities for processing, packing, drying, storage and refrigeration of agricultural products shall be developed and maintained according to the following standards.

1. Mitigations shall be required for any adverse visual impacts of facilities greater than 5,00 sq. ft. which will be visible from designated scenic roads, beaches or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials which produce less glare, berming, and/or arrangement of structures on the site to minimize bulky appearance. Facilities shall not be located where they would block ocean views from designated public areas.

2. Storm water runoff drainage shall be retained on-site in areas of primary groundwater recharge capacity; in other areas, the drainage shall be detained onsite such that the rate of runoff leaving the site after the project is no greater than the rate before the project. Drainage plans may be prepared by the applicant unless engineered plans are required by the building official.

3. On-site parking shall be provided commensurate with the need created by the proposed use.

4. Site preparation for buildings shall comply with regulations of the County Grading Ordinance (Chapter 16.20).

5. Buildings used for labor operations (such as parking sheds or cold storage facilities) shall locate building entrances and window openings away from adjacent commercial agricultural lands unless the use conforms to the 200 ft. agricultural buffer setback or the siting of the use is approved by the Agricultural Policy Advisory Commission through Agricultural Buffer Review.

6. The facility shall be designed and sized to serve primarily the produce grown on-site.

7. To the maximum extent possible any such facility shall be located on the non-productive portions of the property, or on that portion of the property that is least productive for agricultural purposes.

13.10.636 GREENHOUSES.

(a) New Greenhouse Development. New greenhouses over 500 square feet in area, where allowed pursuant to a Use Approval in the basic zone district, shall be developed and maintained to the following standards:

1. Mitigations shall be required for any adverse visual impacts of greenhouses which will be visible from designated scenic roads, beaches or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials which produce less glare, berming, and/or arrangement of structures on the site to minimize bulky appearance. Greenhouses shall not be located where they would block public ocean views. Mitigations shall be compatible with light and ventilation needs of the greenhouse operations.
2. Storm water runoff drainage shall be retained on-site in areas of primary groundwater recharge capacity; in other areas, the drainage shall be detained onsite such that the rate of runoff leaving the site after the project is no greater than the rate before the project. Drainage plans may be prepared by the applicant unless engineered plans are required by the building official.
3. Discarded greenhouse coverings shall be disposed of promptly according to plans submitted by the applicant.
4. On-site parking shall be provided commensurate with the need created by the proposed use.
5. The removal of indigenous prime farmland soil used as a growing medium for container plants which are sold intact shall not be allowed.
6. Flooring or impervious surfacing within the greenhouse structure which impairs long-term soil capabilities shall be limited to the minimum area needed for access, loading and storage. The use of long-term sterilants under impervious surfacing shall not be allowed.
7. Greenhouse structures shall be designed to maximize energy efficiency and to use alternative energy sources, where feasible.

8. Open ventilation shall be provided, when feasible. When exhaust fans are shown to be necessary, the fans should be located away from nonagricultural land uses and should maximize energy efficiency.

9. Irrigation systems shall be water conserving.

(b) Conforming Greenhouse Replacement. The following

Conditions must be met in order for an existing conforming greenhouse to be reconstructed, replaced or structurally altered without a prior Use Approval:

1. The new or altered greenhouse must conform to the existing setbacks and height limits of the zone district.
2. The project must be accompanied by plans, which may be prepared by the applicant, for drainage, screening of outdoor storage and adequate on-site parking relative to the proposed use.
3. Discarded greenhouse coverings must be disposed of promptly according to plans submitted by the applicant.

(c) Non-conforming Greenhouse Replacement. The replacement,

reconstruction or structural alteration of a non-conforming greenhouse of any size in any zone district shall be allowed without the requirement of a Use Approval provided that the replacement, reconstruction or structural alteration meets the following conditions:

1. The new or altered greenhouse shall cover an area no larger than that of the original greenhouse.
2. The new or altered greenhouse shall be no higher than 22 feet and in no case obstruct the existing solar access for habitable structures or agricultural uses on adjoining properties.
3. The project shall be accompanied by plans, which may be prepared by the applicant, for drainage, for screening of any outdoor storage, and for adequate on-site parking relative to the proposed use.
4. Discarded greenhouse coverings shall be disposed of promptly according to plans submitted by the applicant.

(Ord. 839, 11/28/62; 1156, 2/15/66; 1682, 2/15/72; 2769, 9/11/79; 2822, 12/4/79; 3015, 12/2/80; 3051, 3/10/81; 3186, 1/12/82; 3223, 4/27/82; 3344, 11/23/82; 3432, 8/23/83)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD —
CENTRAL COAST REGION

81 HIGUERA STREET, SUITE 200
SAN LUIS OBISPO, CA 93401-5427
(805) 549-3147



November 22, 1995

RECEIVED
NOV 30 1995

Rick Hyman
California Coastal Commission
725 Front Street, Ste. 300
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Mr. Hyman:

RESPONSE TO NEGATIVE DECLARATION, SANTA CRUZ COUNTY CATEGORICAL EXCLUSION E-82-4-A3 (SCH # 95103023)

Thank you for the opportunity to review your October 1995 Negative Declaration regarding the proposed project. The categorical exclusion would exclude greenhouses and agricultural support facilities, that meet certain requirements, from coastal permit requirements. The facilities must: 1) be located on parcels greater than 10 acres and designated for agricultural use, 2) be located inland of the first public through road paralleling the sea, and 3) meet certain site area design, drainage, on-site parking and other standards. The following comments should be considered and addressed in the proposed coastal permit exclusion:

- If any proposed construction project consists of a land disturbance greater than five acres, a National Pollutant Discharge Elimination System storm water permit is required. This permit is available through our office.
- If any project will be operating under Permits issued by the U.S. Army Corps of Engineers, a recommendation of Clean Water Act Section 401 water quality certification or waiver will be required from this office. The project proponent will be required to mitigate project impacts to beneficial uses and ensure that water quality standards are maintained.
- For the discharge of wastewater other than to a sewer system, a report of waste discharge (application) must be filed with this office no later than six months prior to operation. Based on the information submitted in the application, staff will determine whether formal regulation of the site will be necessary.
- All projects must conform to the Central Coast Basin Plan (Appendix A-18) policy regarding disposal of highway grooving residues. Waste discharge requirements may be waived, provided that highway grooving residues are confined to the trenches without overflow, trenches do not intercept ground water, and disposal activities do not occur during the rainy season (December through April).

If you have any questions, please contact John Mijares at (805) 549-3696.

Sincerely,

FOR 
Roger W. Briggs
Executive Officer

JN/coastxcl.neg /rhs/P:/cm

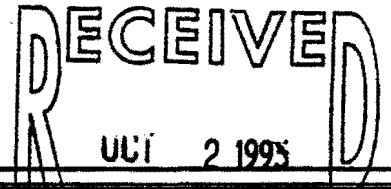
cc: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

EXHIBIT NO. C
APPLICATION NO. SCCo Amend #1-95 + Exclusion #E-2-84-A-3
Correspondence



Working For The People

Who Work The Land



SANTA CRUZ COUNTY
Farm Bureau

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

September 28, 1995

Rick Hyman
California Coastal Commission
725 Front Street
Santa Cruz, CA 95060

Dear Rick:

I have reviewed the environmental checklist form for "Santa Cruz County Categorical Exclusion E-82-4-A-3". Below I've listed the various checklist headings, the letter indicating the potential negative effect and the County ordinance which I believe provides mitigations to protect against the potential negative effect listed.

- I. EARTH
 - b. Grading ordinance
 - c. Grading ordinance
 - e. Erosion Control ordinance

- II. AIR
 - b. Air quality standards set for the area

- III. WATER
 - b. Both the grading ordinance and the erosion control ordinance. Department of Fish and Game regulations Federal Water Quality Act may also effect.
 - e. Same as above

- IV. PLANT LIFE
 - b. Endangered Species Act
 - d. May not result in a reduction, only a change in species.

- VII. LAND USE
 - a. County zoning has already established land as zoned for agriculture. There is no potential for change.

EXHIBIT Cont.

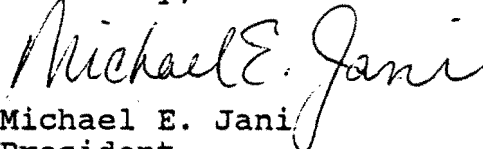
Rick Hyman
September 28, 1995
Page 2.

- XIV. PUBLIC SERVICES
 - a. County and State fire codes

- XVI. UTILITIES
 - e. Erosion control ordinance

When we last spoke on the telephone, you said that you also had found some County rules which mitigated some of the concerns. While the above does not cover everything in the checklist, I would still submit that our request for the elimination of the public hearing requirement in this instance will not result in any potential significant adverse impacts given the policies and processes in place within the Santa Cruz County Planning Department.

Sincerely,


Michael E. Jani
President

MEJ/mb

