



City of Salinas

COMMUNITY DEVELOPMENT DEPARTMENT

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1. BACKGROUND

Project Name: General Plan Amendment 2017-002 (GPA 2017-002); Rezone 2017-001 (RZ 2017-001); and Conditional Use Permit (CUP 2017-019)

Project Location: 10 Simas Street in the IGC-F (Industrial-General Commercial – Flood Plain Overlay) Zoning District

Assessor Parcel Number: 003-091-011-000

☒ **See Attached Vicinity Map**

Current Land Use: Nonconforming Religious Assembly use within an existing 18,150 square foot building in an existing Industrial Complex

Surrounding Land Uses/Zoning Districts:

North: Park/P (Parks)
South: Minor Vehicle Repair, Vehicle Sales, and Vehicle-related Retail Sales and Services uses/IGC-F (Industrial-General Commercial – Flood Plain Overlay)
East: Building Materials and Service use/IGC-F (Industrial-General Commercial – Flood Plain Overlay)
West: Retail Sales/MAF-F (Mixed Arterial Frontage – Flood Plain Overlay)

Lead Agency Contact Person: Bobby Latino, Associate Planner

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Location and Existing Setting: City of Salinas / Existing Industrial Complex

Project Description: General Plan Amendment 2017-002 (GPA 2017-002) to change the General Plan designation from General Commercial/Light Industrial to Arterial Frontage, Rezone 2017-001 (RZ 2017-001) the Zoning designation from Industrial-General Commercial to Mixed Arterial Frontage, and Conditional Use Permit (CUP 2017-

019) to establish and operate a religious assembly use in an existing 18,150 square foot building.

Environmental Factors Potentially Affected:

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agricultural Resources | ☐ Air Quality |
| ☐ Biological Resources | ☒ Cultural Resources | ☐ Energy |
| ☐ Geology/Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards & Hazardous Materials |
| ☐ Hydrology/Water Quality | ☐ Land Use/Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population/Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☒ Tribal Cultural Resources |
| ☐ Utilities/Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

2. CHECKLIST

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the proposal:					A1, A2, N1
(a) Affect a scenic vista or scenic highway?	☒	☐	☐	☐	
(b) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that area experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
applicable zoning and other regulations governing scenic quality?					
(c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☒	☐	☐	☐	
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☒	☐	☐	☐	

Discussion

- (a-b) The site is in an urbanized area and would not be located adjacent to or near a scenic vista or a scenic highway.
- (c) The proposed project would not degrade the existing visual character or quality of the site and its surroundings.
- (d) The proposed project would not create a new source of substantial light or glare. If required or proposed, new lighting would be subject to the City of Salinas Zoning Code outdoor lighting ordinance.

Mitigation

No mitigation is required.

2. AGRICULTURAL RESOURCES. Would the proposal:		A1	A2	N1
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☒	☐	☐
(b)	Conflict with existing zoning for agricultural use or a Williamson Act contract?	☒	☐	☐
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☒	☐	☐
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☒	☐	☐
(e)	Involve other changes in the existing environment which, due to their location or nature, could	☒	☐	☐

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?					

Discussion

(a-e) The site is located on an in-fill property within the IGC-F (Industrial-General Commercial – Flood Plain Overlay) Zoning District. Farming activities and forest land are not located on the site.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
3. AIR QUALITY. <i>Would the proposal:</i>					A1, A2, A3, F1, F2
(a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐	
(b) Result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
standard?					
(c) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐	
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☒	☐	☐	☐	

Discussion

- (a-c) Salinas lies within the North Central Coast Air Basin, which meets the federal standard for ozone levels but falls short of the higher State standards for ozone and PM10. Ozone is the primary constituent of smog and is formed in the atmosphere via a chemical reaction involving nitrogen oxides (NOx), volatile organic gases (VOC), and sunlight. The primary sources are motor vehicles, organic solvents, pesticides, and industry. The Monterey Bay Air Resources District (MBARD) oversees various air quality regulations and programs.

MBARD Board of Directors adopted the 2012-2015 Air Quality Management Plan in March 2017, which represents the latest edition of the 2012 Triennial Plan, which addresses NOx and reactive organic gasses (ROG) emissions as precursors to ozone. The air quality impact generated by the project is expected to be less than significant, because it will create only occasional vehicle trips.

The revised CEQA Air Quality Guidelines prepared by the Monterey Bay Air Resources District, dated February 2008, stipulate maximum thresholds for air quality as follows:

- Emit less than 137 lb/day of VOC's or NOx;
- Directly emit less than 550 lb/day of CO or will not cause a violation of CO ambient air quality standards (AAQS) at existing or reasonably foreseeable receptors;
- Not significantly impact traffic levels of service or will not cause a violation of CO or contribute 550 lb/day to an existing or projected violation at existing

- or reasonably foreseeable receptors;
- d) Directly emit less than 82 lb/day of PM10 on-site or will not cause a violation of particulate matter, ten micron diameter (PM10) AAQS or contribute 82 lb/day to an existing or projected violation at existing or reasonably foreseeable receptors;
- e) Not indirectly generate PM10 along unpaved roads or will not cause a violation of PM10 AAQS or contribute 82 lb/day to an existing projected violation at existing or reasonably foreseeable receptors;
- f) Directly emit less than 150 lb/day of sulfur oxide (SOx) or will not cause a violation of sulfur dioxide (SO2) AAQS at existing or reasonably foreseeable receptors.

The project does not entail construction; therefore, impacts to air quality are not expected to be significant.

- (d) Objectionable odors are unlikely to be produced because no odor generating activities occur with the religious assembly use.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
4. BIOLOGICAL RESOURCES. <i>Would the proposal result in impacts to:</i> (a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and	☒	☐	☐	☐	A1, A2, A3 A4, A7, M1, N1

Issue	Impact				Source (Refer to Section 3: Source List)
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Wildlife Service?					
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service	☒	☐	☐	☐	
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☒	☐	☐	☐	
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☒	☐	☐	☐	
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☒	☐	☐	☐	
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
local, regional, or state habitat conservation plan?					

Discussion

- (a-f) The site is located on an in-fill property within the IGC-F (Industrial-General Commercial – Flood Plain Overlay) Zoning District. There is no native flora or fauna on the project site. It is not located within a wetland habitat, riparian woodland or vernal pool, nor is it located near any sensitive habitat areas. It will not conflict with a Habitat Conservation Plan, or other habitat plan.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
5. CULTURAL RESOURCES. <i>Would the proposal:</i>					A1, A2, A3, Q3
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5	☒	☐	☐	☐	
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
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(c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	

Discussion

- (a) The subject site was not included in either of the City of Salinas 1989 or 2016 City Historic and Architectural Surveys.
- (b-c) Per Section 5.8 (Cultural Resources) of the Final Environmental Impact Report for the Salinas General Plan (Source A1), little archaeological investigation has occurred in the City of Salinas or in Monterey County. No construction is proposed with this project. However, there is always the potential to encounter subsurface materials during grading and construction. Therefore, pursuant to the Public Resources Code (Section 21083.2), in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find. With this requirement, there is little potential for a significant impact on the environment.

On October 12, 2017, pursuant to Public Resources Code Section 21080.3.1, subd. (d), Assembly Bill 52 (AB52), and California Senate Bill 18 (SB18), City of Salinas staff sent via certified mail, a consultation request on the proposed project within 30-days of the date of the letter to all applicable California Native American Tribes whose geographic area of traditional and cultural affiliation lands boundary includes the City of Salinas as specified by the Native American Heritage Foundation.

On December 18, 2017, the Ohlone /Costanoan-Esselen Nation (OCEN) provided a response letter stating concern with the proposed project site and recommending that an OCEN Tribal Monitor be located on-site during construction (see Attachment 7). The proposed project site has previously been disturbed through the grading and construction in connection with the existing building in 1991. While no construction is proposed with this project, mitigation is proposed. Per Mitigation

Measure CU-1 below, pursuant to Public Resources Code (Section 21083.2), in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find. With this requirement, there is little potential for a significant impact on the cultural resources and this will address OCEN's comments.

Mitigation

CU-1 In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
6. ENERGY. <i>Would the proposal:</i>					A1, A2, G1
(a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☒	☐	☐	☐	
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☒	☐	☐	☐	

Discussion

- (a) The project does not involve construction. No permanent, long-term, or substantial energy consumption would occur during or as a result of the project. Therefore, impacts related to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant.
- (b) The City of Salinas is part of Monterey Bay Community Power Authority (MBCP), a regional Community Choice Energy project. MBCP was formed to provide locally-controlled, carbon-free electricity to residents and businesses in

Monterey, San Benito, and Santa Cruz counties (MBCP 2019). The goals of MBCP are to increase utilization of renewable power, create local and sustainable energy sources, and create green jobs.

The project involves a reuse of an existing use located in an existing building. No permanent, long-term, or substantial energy consumption would occur during or as a result of the project. Due to the limited duration and scope of energy-consuming activity, substantial use of energy would not occur. Therefore, the project would not conflict with the goals of MBCP, and impacts would be less than significant.

Mitigation

No mitigation is required.

Issue	Impact				Source <i>(Refer to Section 3: Source List)</i>
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
7. GEOLOGY/SOILS. <i>Would the proposal result in or expose people to potential impacts involving:</i>					A1, A2, A3, A4, A7, M1, N1
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☒	☐	☐	☐	
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
(ii) Strong seismic ground shaking?	☒	☐	☐	☐	
(iii) Seismic-related ground failure, including liquefaction?	☒	☐	☐	☐	
(iv) Landslides?	☒	☐	☐	☐	
(b) Result in substantial soil erosion or the loss of topsoil?	☒	☐	☐	☐	
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☒	☐	☐	☐	
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☒	☐	☐	☐	
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☒	☐	☐	☐	
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☒	☐	☐	☐	

Discussion

- a (i-iv) All structures located in Salinas are required to be designed to at least Seismic Design Category D in accordance with Section 1613 of the 2010 California Building Code. As shown on the Seismic Hazards Map for the Greater Salinas Planning Area (Figure 5.10-1 of the Salinas General Plan Final EIR), the project site is located within the Moderately High Seismic Hazard Zone. Any future development on the site will be subject to the most recent, adopted edition of the California Building Code as a part of the building permit process to ensure that adequate seismic design is provided.
- (b-d) No construction will happen on the project site; therefore, it will not induce substantial changes to the topography or to the soil conditions with a result of excavation or grading. The project site was developed as an Industrial Complex. Any future development would be subject to the most recent version of the California Building Code, and related Codes, as a part of the building permit process to ensure adequate seismic safety. The project site is currently developed and is basically flat.
- (e) The subject property is currently served by the City's sewer system. The proposed project would not involve the use of septic systems or alternative waste water disposal systems.
- (f) No proposed construction is proposed with this project. No paleontological resources or unique geological features are evident on the subject property. The Monterey County General Plan EIR indicates that fossils are found throughout the County because of widespread distribution of marine deposits. Per Exhibit 4.10.1 of the Monterey County General Plan EIR, no sites of significant scientific value were located in the vicinity of the City of Salinas. However, pursuant to Public Resources Code (Section 21083.2), in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated in accordance with Mitigation Measure CU-1. The proposed project is subject to all local, state, and federal laws relative to discovery of paleontological resources during any construction. With this requirement, there is little potential for a significant impact on the environment.

Mitigation

No mitigation is required.

Issue	Impact				Source <i>(Refer to Section 3: Source List)</i>
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
8. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i>					A1, A2, A3
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐	
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐	

Discussion

- (a) The proposed project will not generate, either directly or indirectly, greenhouse gas emissions causing a significant impact on the environment.
- (b) The proposed project will not conflict with any other applicable plans, policies, or regulations adopted for the purposes of reducing the emissions of greenhouse gases including:
 - Assembly Bill 32, which requires the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020.
 - Senate Bill 375, which requires the state board, working in consultation with the metropolitan planning organizations, to provide each affected region with greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 by September 30, 2010.
 - City of Salinas General Plan 2002, at the time, the issue of greenhouse gas emissions and the need to combat it in general plans had not risen to a critical level of concern. Nevertheless, the City adopted numerous goals and policies with the intent of improving development sustainability. These goals and policies have both direct and indirect benefits in terms of reducing GHG

emissions. Important overall land use/urban design related themes in the General Plan that serve this purpose include:

- i. Increasing density and intensity of development to promote more compact development and reuse/revitalization,
- ii. Facilitating in-fill development as a means to promote compact development, and
- iii. Promoting mixed-use development and a compact city core, emphasizing Traditional Neighborhood Development (TND) design, walkable neighborhoods, and transit-oriented development, especially in new growth areas.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
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9. HAZARDS & HAZARDOUS MATERIALS. <i>Would the proposal:</i>					A1, A2, A3, M1, N1
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☒	☐	☐	☐	
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☒	☐	☐	☐	
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☒	☐	☐	☐	
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☒	☐	☐	☐	
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐	
(g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☒	☐	☐	☐	

- (a-b) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of materials. Compliance with local, state, and federal requirements would ensure that the hazards to the public are reduced to a level of insignificance.
- (c) The proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an

existing or proposed school. The closest school is Mt. Toro High School (10 Sherwood Dr.), which is approximately 1,484 feet away (measured from parcel to parcel) [(see also above discussion (a-b)].

- (d) The site is not known to be included on a list of hazardous materials sites.
- (e) The site is not located within an airport land use plan area nor located within the Airport Area of Influence per Figure LU-11 of the Salinas General Plan. The site is located approximately 9,450 feet away (over a mile and half away) miles from the end of the runway (8-26) of the Salinas Municipal Airport and would not create a hazard to persons residing or working in the project area.
- (f) The project will not interfere with an adopted emergency response plan or emergency evacuation plan.
- (g) The project will not expose people or structures to risk of loss, injury or death involving wildland fires, because the site is an infill property and no wildlands are located nearby.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
10. HYDROLOGY AND WATER QUALITY. <i>Would the proposal:</i>					A1, A2, A3, A4, A7,
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☒	☐	☐	☐	
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
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sustainable groundwater management of the basin?					
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces in a manner which would:					
i. result in substantial erosion or siltation on- or off-site;	☒	☐	☐	☐	
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☒	☐	☐	☐	
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or	☒	☐	☐	☐	
iv. impede or redirect floor flows?	☒	☐	☐	☐	
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☒	☐	☐	☐	
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
management plans?					
(f) With regards to NPDES compliance:					
(i) Potential impact of project construction on storm water runoff?	☒	☐	☐	☐	
(ii) Potential impact of project post-construction activity on storm water runoff?	☒	☐	☐	☐	
(iii) Potential for discharge of storm water from material storage areas, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	☒	☐	☐	☐	
(iv) Potential for discharge of storm water to impair the beneficial uses of the receiving waters or areas that provide water quality benefit?	☒	☐	☐	☐	
(v) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and water bodies?	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
(vi) Potential for significant changes in the flow velocity or volume of storm water runoff that can cause environmental harm?					
(vii) Potential for significant increases in erosion of the project site or surrounding areas?					
(viii) Could this proposed project result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity, and other typical Stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).	☒	☐	☐	☐	
(ix) Could the proposed project result in a decrease in treatment and retention capacity for the site's Stormwater run-on?					
(x) Could the proposed project result in significant alteration of	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
receiving water quality during or following construction?					
(xi) Could the proposed project result in increased impervious surfaces and associated increased urban runoff?	☒	☐	☐	☐	
(xii) Could the proposed project create a significant adverse environmental impact to drainage patterns due to changes in urban runoff flow rates and/or volumes?	☒	☐	☐	☐	
(xiii) Could the proposed project result in increased erosion downstream?	☒	☐	☐	☐	
(xiv) Could the proposed project alter the natural ranges of sediment supply and transport to receiving waters?	☒	☐	☐	☐	
(xv) Is the project tributary to an already impaired water body, as listed on the CWA Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	☒	☐	☐	☐	
	☒	☐	☐	☐	
(xvi) Could the proposed project have a potentially significant					

Issue	Impact				Source (Refer to Section 3: Source List)
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environmental impact on surface water quality, to either marine, fresh, or wetland waters?					
(xvii) Could the proposed project result in decreased baseflow quantities to receiving surface waterbodies?	☒	☐	☐	☐	
(xviii) Could the proposed project cause of contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	☒	☐	☐	☐	
(xix) Does the proposed project adversely impact the hydrologic or water quality function of the 100-year floodplain area?	☒	☐	☐	☐	
(xx) Does the proposed project site layout adhere to the Permittee's waterbody setback requirements?	☒	☐	☐	☐	
(xxi) Can the proposed project impact aquatic, wetland, or riparian habitat?	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
	☒	☐	☐	☐	

Discussion

- (a) The site is presently developed with an existing building and parking lot and would not create any new impervious surface.
- (b) The project does not include any new water connections. Thus, the project would not substantially deplete groundwater supplies and would not interfere substantially with the direction or rate of flow of groundwater.
- (c) The project site is basically flat and is currently developed with structures, pavement and associated site improvements. There are no rivers or streams on or near the site.
- (d) Although the site is located within a 100-year flood area, the project includes the reuse of an existing building. Inundation by seiche, tsunami, or mudflow is unlikely because the site is located a considerable distance from the ocean and is relatively flat thereby negating a potential mudflow.
- (e -f)(i – xxi) (see “a” above)

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
11. LAND USE AND PLANNING. <i>Would the proposal:</i>					A1, A2, A3 M1, N1
(a) Physically divide an established community?	☒	☐	☐	☐	
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	☐	

Discussion

- (a) The project does not have the potential to disrupt or divide the physical arrangement of the community. Existing and planned adjacent uses will not be disrupted or divided as a result of the project.
- (b) The proposed project includes a General Plan Amendment from General Commercial/Light Industrial to Arterial Frontage and Rezone from Industrial-General Commercial to Mixed Arterial Frontage (MAF). In the MAF Zoning District, a religious assembly use may be considered subject to a Conditional Use Permit. The proposed use would be consistent with the proposed MAF District regulations; therefore, significant environmental impacts are not expected.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
12. MINERAL RESOURCES. <i>Would the proposal:</i>					A1, A2, A3
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☒	☐	☐	☐	
(b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☒	☐	☐	☐	

Discussion

- (a-b) The project will not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the state.

Mitigation

No mitigation is required.

Issue	Impact				Source <i>(Refer to Section 3: Source List)</i>
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
13. NOISE. <i>Would the proposal result in:</i> (a) Generation of a substantial temporary or permanent increase in ambient noise	☒	☐	☐	☐	A1, A2, A3, M1

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					
(b) Generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐	
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☒	☐	☐	☐	

Discussion

- (a) No substantial permanent, or temporary or periodic, increases in the ambient noise level are expected with the project. According to the General Plan Master Environmental Assessment Section 9.2, ambient noise is defined as the “all encompassing noise associated with a given environment, being a composite of sounds from many sources, near and far.”
- (b) The site is located within the 60 CNEL contour as shown on *Figure 5.3-1 Noise Contours (CNEL)* of the Salinas General Plan, Final Environmental Impact Report, 2002. The Future Noise Contours as shown on Figure 5.3-4 of the Salinas General Plan, Final Environmental Impact Report, 2002, shows the project site as located within the 70 CNEL contour. Traffic generates the main source of noise for the depicted 70 CNEL contour.

Groundborne vibration or groundborne noise levels generated by any future

proposed uses on the project site are not expected to be excessive. The Zoning Code Standards regarding noise are expected to reduce noise impacts to a level of insignificance.

- (c) The site is located approximately 1.86 miles from the Salinas Municipal Airport and is located within the 55 CNEL contour as shown on *Figure 5.3-2: Salinas Airport Future Noise Contours*) of the Salinas General Plan, Final Environmental Impact Report, 2002. Noise impacts from airport operations will not have an adverse impact on the site.

Mitigation

No mitigation is required.

Issue	Impact				Source <i>(Refer to Section 3: Source List)</i>
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
14. POPULATION AND HOUSING. <i>Would the proposal:</i>					A1, A2, A3, M1, N1
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (<i>for example, through extension of roads or other infrastructure</i>)?	☒	☐	☐	☐	
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☒	☐	☐	☐	

Discussion

- (a-b) The proposed project does not include a residential component. It will not induce substantial growth, and it will not displace housing units or people. The subject site is an existing developed in-fill site.

- (a-e) The site is located on an in-fill site presently developed as a theater with a nonconforming Religious Assembly use. Police and Fire services are currently available to serve the site. No schoolchildren will be generated by the project. East Market Street and Simas Street have been designed and constructed to accommodate the demands of this project. No other government services are expected to be impacted by the project.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
16. RECREATION. <i>Would the proposal:</i> (a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☒ ☒	☐ ☐	☐ ☐	☐ ☐	A1, A2, A3, M1, N1

Discussion

- (a-b) The proposed project will not increase the use in park facilities because it does not include residential development. The proposed project does not include recreational facilities.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
17. TRANSPORTATION. Would the project:					A1, A2 A3, A4, A7, M1, N1
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☒	☐	☐	☐	
(b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?	☒	☐	☐	☐	
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☒	☐	☐	☐	
(d) Result in inadequate emergency access?	☒	☐	☐	☐	

Discussion

- (a-b) The proposed project is not expected to generate significant traffic trips. Any future development is required to pay all applicable traffic impact fees as determined by the City Engineer at the time of building permit issuance. Payment of traffic fees will ensure that potential traffic impacts are reduced to a level of insignificance.

The proposed project will not result in substantial impacts resulting from increased trip generation. The proposed project will not exceed 2,500 Average Daily Trips (ADT) and is not subject to the Vehicle Trip Reduction provisions of the Salinas Zoning Code (Section 37-50.330).

- (c-d) The project will not substantially increase hazards due to design features or incompatible uses. The proposal will not result in inadequate emergency access.

Mitigation

No mitigation is required.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
18. TRIBAL CULTURAL RESOURCES. <i>Would the project:</i> (a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a Californian Native American tribe, and that is: i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or ii. A resource determined by the Lead Agency, in its discretion and supported by substantial evidence,	☒	☐	☐	☐	A5, A6, Q3
	☐	☒	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in Subdivision (c) of Public Resource Code 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.					

- (a)(i) The subject site was not included in either of the City of Salinas 1989 or 2016 City Historic and Architectural Surveys. Furthermore, the building is less than 50 years old.
- (a)(ii) Per Section 5.8 (Cultural Resources) of the Final Environmental Impact Report for the Salinas General Plan (Source A1), little archaeological investigation has occurred in the City of Salinas or in Monterey County. However, there is always the potential to encounter subsurface materials during grading and construction. Therefore, pursuant to the Public Resources Code (Section 21083.2), in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find. With this requirement, there is little potential for a significant impact on the environment.

On October 12, 2017, pursuant to Public Resources Code Section 21080.3.1, subd. (d), Assembly Bill 52 (AB52), and California Senate Bill 18 (SB18), City of Salinas staff sent via certified mail, a consultation request regarding the proposed project. Within 30-days of the date of the letter to all applicable California Native American Tribes whose geographic area of traditional and cultural affiliation lands boundary includes the City of Salinas as specified by the Native American Heritage Foundation.

On December 18, 2017, the Ohlone /Costanoan-Esselen Nation (OCEN) provided a response letter stating concern with the proposed project site and recommending that an OCEN Tribal Monitor be located on-site during construction (see Attachment 7). The proposed project site has previously been disturbed through the grading and construction in connection with the existing building in 1991. While no construction is proposed with this project, mitigation is proposed. Per Mitigation Measure TCR-1 below, pursuant to Public Resources Code (Section 21083.2), in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find. With this requirement, there is little potential for a significant impact on the cultural resources and this will address OCEN's comments.

Mitigation

TCR-1 In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
19. UTILITIES & SERVICE SYSTEMS. <i>Would the project:</i>					A1, A2, A3, A7, M1
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?	☒	☐	☐	☐	
(b) Have sufficient water supplies available to serve	☒	☐	☐	☐	

Issue	Impact				Source (Refer to Section 3: Source List)
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
the project and reasonably foreseeable future development during normal, dry, and multiple dry years?		☐	☐	☐	
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has the adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☒	☐	☐	☐	
(d) Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impact the attainment of solid waste reduction goals?	☒	☐	☐	☐	
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☒	☐	☐	☐	

Discussion

- (a) The project does not include construction.
- (b-c) No construction is proposed; therefore, the project does not include new water connections. The religious assembly use is not a heavy water user. Furthermore, it will not discharge significant quantities of water into the wastewater treatment plant (also see Hydrology and Water Quality above).
- (d-e) The project will not generate significant solid waste because there are no products produced. Disposal of waste generated by the project is not expected to be significant and it will be required to comply with federal, state, and local reduction statutes related to solid waste.

Mitigation

No mitigation is required.

Issue	Impact				Source <i>(Refer to Section 3: Source List)</i>
	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact	
20. WILDFIRE. <i>If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>					A1, A2, M1, N1
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐	
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☒	☐	☐	☐	
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☒	☐	☐	☐	
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☒	☐	☐	☐	

Discussion

- (a-d) The City of Salinas is not located in or near State responsible areas or lands classified at very high fire hazard severity zones.

Mitigation

No mitigation is required.

Mandatory Findings of Significance	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigated	Potentially Significant Impact
1. Does the project have the potential to substantially 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, substantially 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?	☒	☐	☐	☐
2. 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)? ("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).	☒	☐	☐	☐
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

3. SOURCE LIST

Source	Source Number
City of Salinas:	
<i>Salinas General Plan, 2002.</i>	A1
<i>Salinas General Plan, Final Environmental Impact Report, 2002.</i>	A2
<i>Salinas Zoning Code: ☒ Entire Code Section: _____</i>	A3
<i>City of Salinas Stormwater Ordinance, dated March 2013</i>	A4
<i>1989 City Historical and Architectural Survey</i>	A5
<i>2016 City Historical and Architectural Survey</i>	A6
<i>Engineer's Report for proposed project, dated May 15, 2018</i>	A7
Monterey Bay Air Resources District:	
<i>CEQA Air Quality Guidelines prepared by the Monterey Bay Air Resources District, dated February 2008</i>	F1
<i>Monterey Bay Air Resources District. 2012-105 Air Quality Management Plan, dated March 2017</i>	F2
Monterey Bay Community Power Authority:	
<i>Monterey Bay Community Power Authority Implementation Plan, August 2017</i>	G1
Field Inspections:	
<i>By City staff, various dates</i>	M1
Maps/Aerial Photography:	
<i>City's aerial photographs, 2007.</i>	N1
Other:	
<i>Native American Heritage Commission</i>	Q3

4. DETERMINATION

On the basis of this Initial Study:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect:
- (a) Has been adequately analyzed in (*Reference document*) pursuant to applicable legal standards; and
 - (b) Has been addressed by mitigation measures based on the earlier analysis as described in *Section 2: Checklist*, if the effect is a "Potentially Significant Impact" or a Negative Declaration: "Potentially Significant Unless Mitigation Incorporated".

An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects:
- (a) Have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and;
 - (b) Have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project.

NOTHING FURTHER IS REQUIRED.

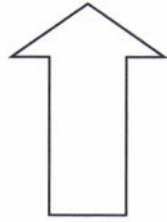
Prepared by: _____

Dated: _____

Courtney Grossman
Planning Manager

Attachments:

1. Vicinity Map
2. Engineer's Report, dated May 15, 2018
3. Existing Site Plan with Proposed General Plan Amendment and Rezone
4. Existing Floor Plan (Sheet A101)
5. Revised Floor Plan for Sanctuary (Sheet A101B)
6. Mitigation Monitoring and Reporting Program
7. Letter from Ohlone/Costanoan-Esselen Nation (OCEN), dated December 17, 2018



North

Vicinity Map



**GPA 2017-002, RZ 2017-001, and CUP
2017-019 10 Simas Street**

Exhibit A



CITY OF SALINAS

DEVELOPMENT ENGINEERING, A division of the Public Works Department
65 West Alisal Street | Salinas, CA 93901 | 831-758-7251 | www.ci.salinas.ca.us

ENGINEER'S REPORT

PURPOSE: CUP2017-019

DATE: 5/15/2018

LOCATION: 10 Simas St

PLANNER: Bobby Latino

OWNER/APPLICANT: Simas-East Markert LLC/SyWest Development

DEVELOPMENT PROPOSAL: A proposal to establish religious assembly at old movie theater.

RECOMMENDATION: Approve with Conditions

SWDS THRESHOLD: N/A

DEVELOPMENT REVIEW: *Development Review Submittal prepared by JWF Architecture and BKF, dated 11/16/2017.*

CONDITION OF APPROVAL

1. FEMA Compliance – Applicant shall provide documentation for cost of all improvements that converted the use of the facility along with an appraisal indicating the market value the structure.
2. Fees – Based on CUP1987-028, the existing theater had 1200 seats. Trips associated with the theater use exceeds the proposed religious use. Therefore, no traffic impact fees are assessed for this change in land use.

Notice: The Conditions of Approval for this Site Plan Review include certain fees and development requirements. Pursuant to Government Code Section 66020 (d)(1), this hereby constitutes written notice stating the amount of said fees, and describing the development requirements. The applicant is hereby notified that the 90-day appeal period in which he/she/they may protest these fees and development requirements, pursuant to Government Code Section 66020 (a), begins on the date the office land use permit is approved. If applicant files a written protest within this 90-day period complying with all requirements of Section 66020, he/she/they will be legally barred from challenging such fees and/or requirements at a later date.

CITY OF SALINAS

Reviewed By:

Report Prepared By/Applicant
Questions


Adriana Robles, P.E.

5/15/2018

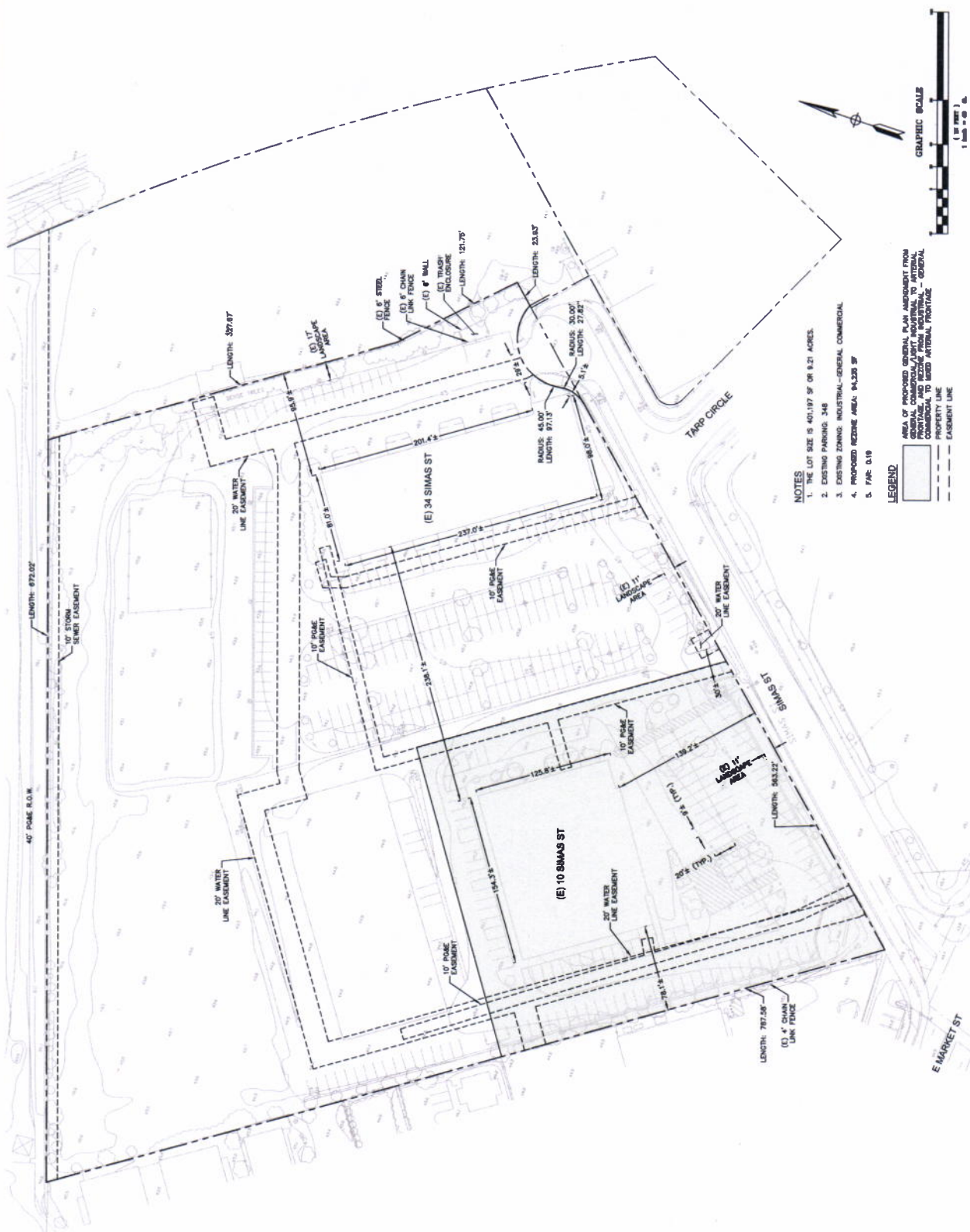
Dated

(adrianar@ci.salinas.ca.us)

Permit Center Senior Engineer (758-7194)

for Jim Sandoval, P.E.

City Engineer



NOTES

1. THE LOT SIZE IS 401,187 SF OR 9.21 ACRES.
2. EXISTING PARKING: 348
3. EXISTING ZONING: INDUSTRIAL - GENERAL COMMERCIAL
4. PROPOSED PAVING AREA: 94,328 SF
5. FAP: 0.19

LEGEND

☐ AREA OF PROPOSED GENERAL PLAN ALIGNMENT FROM
 GENERAL COMMERCIAL/LIGHT INDUSTRIAL TO ARTERIAL
 FRONTAGE, AND REZONE FROM INDUSTRIAL - GENERAL
 COMMERCIAL TO MIXED ARTERIAL FRONTAGE
 --- PROPERTY LINE
 --- EASEMENT LINE

**GENERAL PLAN AMENDMENT 2017-002 (GPA 2017-002) FROM GENERAL COMMERCIAL/LIGHT INDUSTRIAL TO
ARTERIAL FRONTAGE; AND REZONE 2017-001 (RZ 2017-001) FROM INDUSTRIAL-GENERAL COMMERCIAL TO
MIXED ARTERIAL FRONTAGE; CONDITIONAL USE PERMIT (CUP 2017-019) TO ESTABLISH AND OPERATE
RELIGIOUS ASSEMBLY USE
MITIGATION MONITORING AND REPORTING PROGRAM
10 SIMAS STREET**

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
CU-1	In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.	To ensure compliance with Public Resources Code Section 21083.2	Applicant, or Successor in Interest	Community Development Department, Current Planning	During grading/ construction activities
TCR-1	In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.	To ensure compliance with Public Resources Code Section 21083.2	Applicant, or Successor in Interest	Community Development Department, Current Planning	During grading/ construction activities

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Ohlone/Costanoan-Esselen Nation



*Previously acknowledged as
The San Carlos Band of
Mission Indians
The Monterey Band
And also known as
O.C.E.N. or Esselen Nation
P.O. Box 1301
Monterey, CA 93942*

www.ohlonecostanoanesselenation.org.

December 18, 2017

Bobby Latino
Associate Planner
City of Salinas Community Development Department
65 West Alisal Street
Salinas, CA 93901

Re: 295 Sun Way Project and 10 Simas Street, Salinas, CA - General Plan Amendments- As stated
General Plan Amendment
AB52 and SB18 – 90 Days consultation period

Saleki Atsa,

Ohlone/Costanoan-Esselen Nation is an historically documented previously recognized tribe. OCEN is the legal tribal government representative for over 600 enrolled members of Esselen, Carmeleno, Monterey Band, Rumsen, Chalon, Soledad Mission, San Carlos Mission and/or Costanoan Mission Indian descent of Monterey County. Though other indigenous people may have lived in the area, the area is the indigenous homeland of our people. Included with this letter please find a territorial map by Taylor 1856; Levy 1973; and Milliken 1990, indentifying Tribal areas.

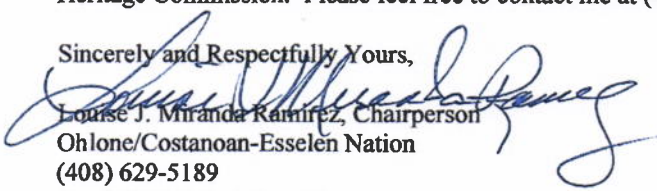
Ohlone/Costanoan-Esselen Nation objects to all excavation in known cultural lands, even when they are described as previously disturbed, and of no significant archaeological value. Please be advised that it is our first priority that our ancestor's remains be protected and undisturbed. We desire that all sacred burial items be left with our ancestors on site or as culturally determined by OCEN. All cultural items returned to Ohlone/Costanoan-Esselen Nation. We ask for the respect that is afforded all of our current day deceased, by no other word these burial sites are cemeteries, respect for our ancestors as you would expect respect for your deceased family members in today's cemeteries. Our definition of respect is no disturbance.

OCEN's Tribal leadership desires to be provided with:

- Archaeological reports/surveys, including subsurface testing, and presence/absence testing.
- OCEN request to be included in mitigation and recovery programs,
- Reburial of any of our ancestral remains,
- Placement of all cultural items, and that
- A Native American Monitor of Ohlone/Costanoan-Esselen Nation, approved by the OCEN Tribal Council is used within our aboriginal territory.
- Cultural and Tribal sections to reflect Tribal request.

Projects affecting the General Plan allow for 90 days response according to SB18. We ask that a sacred lands search with the Northwest Information Center, Sonoma State University and the Native American Heritage Commission. Please feel free to contact me at (408) 629-5189. Nimasianexelpasaleki. Thank you

Sincerely and Respectfully Yours,


Louise J. Miranda Ramirez, Chairperson
Ohlone/Costanoan-Esselen Nation
(408) 629-5189

Cc: OCEN Tribal Council