DRAFT
INITIAL STUDY
Las Animas Concrete Conditional Use Permit Project
File No. CU 23-0002
APNs 031-201-016 and 031-251-014

August 2024

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Acronyms

3CE	Central Coast Community Energy
AAM	Annual Arithmetic Mean
AMBIENT	AMBIENT Air Quality & Noise Consulting
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
ARB	Air Resources Board
BP	Business Park
CAAQS	California Ambient Air Quality Standards
CALFIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CCAA	California Clean Air Act
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	Chlorofluorocarbons
CH_4	Methane
City	City of Marina
CNEL	Community Noise Equivelent Level
CNPPA	California Native Plant Protection Act
CO_2	Carbon Dioxide
CO_{2e}	Carbon Dioxide Equivelent
CO	Carbon Monoxide
CRHR	California Register of Historical Resources
CSUMB	California State University Monterey Bay
CUP	Conditional Use Permit
dB	Decibel
dBA	A-Weighted Decibel
DOC	Department of Conservation
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FCCA	Federal Clean Air Act
FMMP	Farmland Mapping and Monitoring Program
GHG	Greenhouse Gas
GSP	Groundwater Sustainability Plan
HMA	Habitat Management Area
HMP	Habitat Management Plan
IS	Initial Study
IS/MND	Initial Study/Negative Declaration
ITE	Institute of Transportation Engineers
Lbs/day	Pounds Per Day
L_{eq}	Equivelent Noise Level
LCP	Local Coastal Program
LOS	Level of Service
LRA	Local Responsibility Area
M1W	Monterey One Water
MBARD	Monterey Bay Air Resources District

MBTA	Migratory Bird Treaty Act
MBUAPCD	Monterey Bay Air Pollution Control District
MCWD	Marina Coast Water District
MPD	Marina Police Department
MRWMD	Monterey Regional Waste Management District
MT/YR	Metric Tons Per Year
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCAB	North Central Coast Air Basin
NMFS	National Marine Fisheries Service
NO_2	Nitrogen Dioxide
NO_X	Nitrogen Oxides
NOAA	National Oceanic and Atmospheric Administration
NPL	National Priority List
O_3	Ozone
PF	Public Facility District
$PM_{2.5}$	Fine Particulate Matter
PM_{10}	Particulate Matter
PPB	Parts Per Billion
PPM	Parts Per Million
PRC	California Public Resource Code
ROG	Reactive Organic Gasses
RMP	Resource Management Plan
SB	Senate Bill
SGMA	Sustainable Groundwater Management Act
SO_2	Sulfur Dioxide
SRA	State Responsibility Area
SVBGSA	Salinas Valley Basin Groundwater Sustainability Agency
USFWS	United States Fish and Wildlife Service
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds

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I. BACKGROUND INFORMATION

Project Title:	Las Animas Concrete Conditional Use Permit Project
File No.:	Conditional Use Permit (CU 23-002)
Project Location:	499 9th Street in Marina, California
Name of Property Owner:	City of Marina
Name of Applicant:	Las Animas Concrete, LLC
Assessor's Parcel Number(s):	031-201-016-000 and 031-251-014-000
Acreage of Property:	3 acres
General Plan Designation:	Light Industrial/Service Commercial
Zoning District:	BP: Business Park

Lead Agency:	City of Marina
Prepared By:	Denise Duffy & Associates, Inc.
Date Prepared:	July 12, 2024
Contact Person:	Nick McIlroy, AICP, Senior Planner, Planning Services Division
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II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. INTRODUCTION

Las Animas Concrete is seeking to renew a Conditional Use Permit (CUP) to operate the existing concrete batch facility that has operated continuously over the last 19 years. The new CUP would be for a limited three (3) year term with an extra year to decommission the site. The project site is improved with existing material bunkers, hoppers, an air compressor shed, admix shed, a parts room, workshop space, two (2) 55-foot-tall silos, one (1) 125-foot-long conveyor, and four (4) 30x15 foot washouts/settling ponds. The proposed project would not add new improvements, expand the existing facility, or expand the use of the existing facility. Therefore, the project would remain within the same footprint as the existing concrete batch facility.

This Initial Study (IS) has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA). The purpose of an IS is to determine whether the proposed project would pose significant unavoidable impacts to the surrounding environment. Based on the following analysis, the potential environmental impacts of the project would have less-than-significant impacts.

B. PROJECT LOCATION

The proposed project is located at 499 9th Street, Marina, California, 93933, in Monterey County (see **Figure 1**). The proposed project is located on Assessor's Parcel Numbers (APNs) 031-201-016-000 and 031-251-014-000, with 031-201-016-000 being the primary APN. The City of Marina's (City) General Plan designates the project site as Light Industrial/Service Commercial, and the City's Zoning ordinance designates the site as Business Park (BP) which accommodates light industry, offices, research laboratories, nurseries and greenhouses, trade schools, storage warehouses, and retail and wholesale sales (see **Figure 2**). Specifically, the proposed project is in the southern portion of the City. Surrounding land uses include residential developments to the northeast and west, with the nearest home being located approximately 485 feet away from the project site. To the west of the project site also sits the Marina Equestrian Center, for which Las Animas currently stores corrals and fencing. To the south of the project site is California State University Monterey Bay (CSUMB), and to the east is undeveloped land. The project site is currently developed with the Las Animas concrete batch facility and related infrastructure, which has been operating continuously for 19 years.

Figure 1 Regional Map

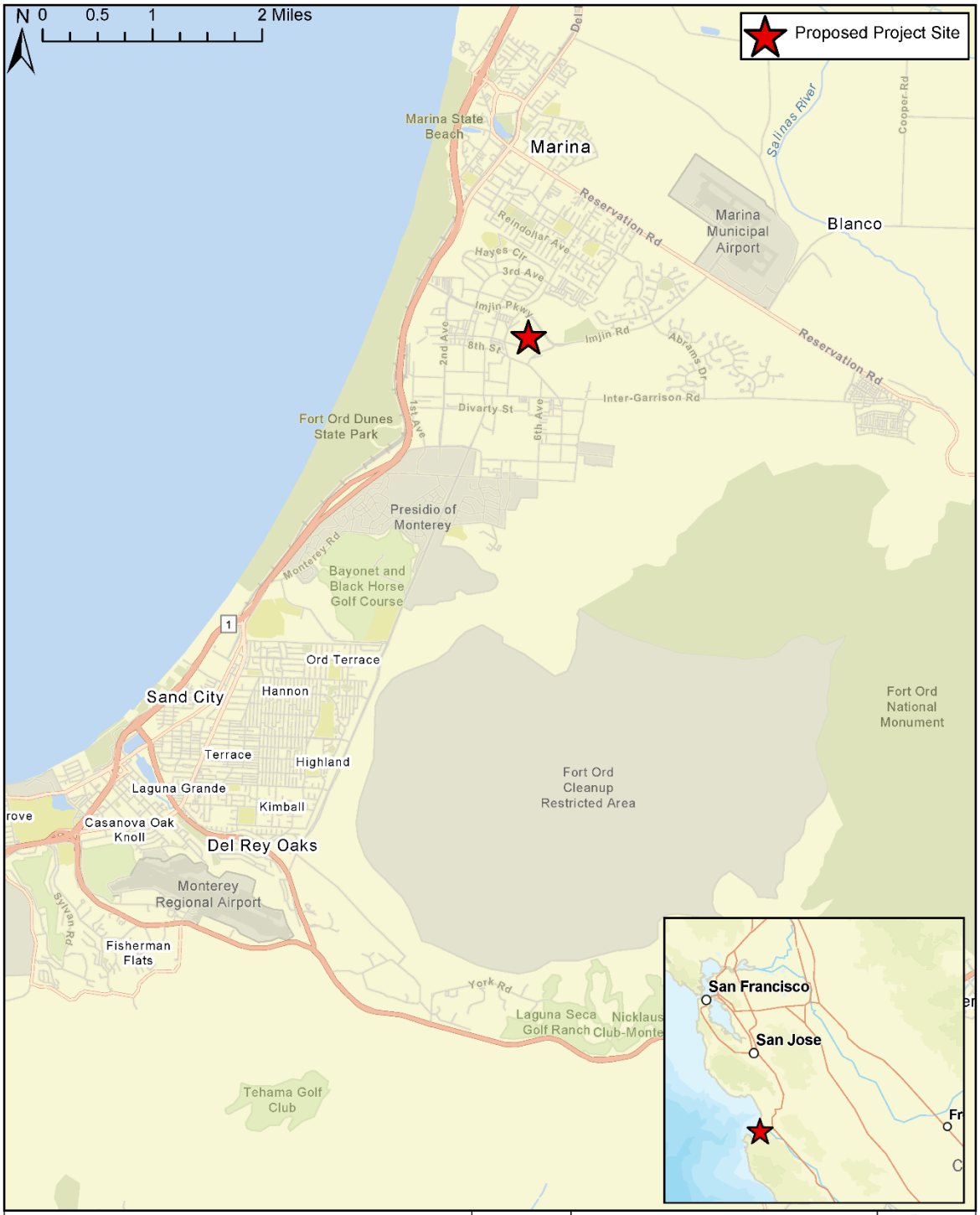

Figure 2 Project Location Map

C. BACKGROUND

Las Animas Concrete, LLC, has operated a concrete batch facility at 499 9th Street since the City's Planning Commission adopted Resolution No. 2005-09 on November 10, 2005, approving a five (5) year Use Permit. Over the last 19 years of operation, Las Animas Concrete has provided concrete for several housing and industrial developments both in the City and northern Monterey County. In 2012, the City Planning Commission again approved a five (5) year Use Permit for the continued operation of the facility, this time subject to eight (8) conditions of approval. These previous conditions are summarized below (City, 2012):

1. Acquisition of a use permit for continued operation of the facility.
2. The CUP is valid for five (5) years.
3. The operation may only continue with a valid Permit to Operate issued by the Monterey Bay Air Pollution Control District (MBUAPCD), now known as Monterey Bay Air Resources District (MBARD).
4. The annual amount of produced concrete shall be reported to MBUAPCD upon request, at the time of permit renewal.
5. The dust collector and filters shall be kept in good operating condition.
6. Haul roads, access roads, and operating areas shall be kept sufficiently moist or otherwise maintained to contain fugitive dust emissions.
7. No air contaminant shall be discharged into the atmosphere for longer than three minutes which is as dark as or darker than Ringelmann 1, or equivalent 20 percent opacity.
8. Truck operations shall be restricted to the approved circulation plan and shall not use Fourth Avenue.

Existing Environmental Studies

The City of Marina, acting as the lead agency, submitted a Final Initial Study/Mitigated Negative Declaration (IS/MND) on August 23, 2005, at the inception of the concrete batch facility. This IS/MND assessed the environmental impact of a slightly larger facility which utilized 3.6 acres and had an overall larger use than the proposed project discussed in this IS. The IS/MND determined that the project would not have a significant effect on the environment through implementation of mitigation measures (City, 2005).

D. OVERVIEW OF THE PROPOSED PROJECT

Project Components

Existing Facilities

The existing concrete batch facility began operation in 2005. The facility currently accommodates 150 cubic yards of rock and sand stockpiled on site as raw materials to make concrete. Concrete batch infrastructure includes material bunkers, hoppers, two (2) 55-foot-tall silos, one (1) 125-foot-long conveyor, and four (4) 30x15 foot washouts/settling ponds. The facility houses six concrete mixer trucks and has averaged approximately 30 trips a day during the last 19 years of operation. There are no improvements to handle hardened materials as these materials are transferred to an off-site crushing facility.

Existing Uses

The Las Animas concrete batch facility currently operates Monday through Saturday to support local development and construction projects. Operations include loading materials like sand and coarse aggregate into a portable plant which then dispenses these products into mixer trucks. Las Animas has four (4) tractor-trailer trucks that take three (3) to four (4) trips per day and 12 mixer trucks that take about four (4) trips per day. The facility supports 14 employees and accommodates approximately 48 mixer truck trips per day with access provided by Imjin Parkway and California Drive via 9th Street. Nighttime jobs occur on occasion and each job can last approximately two (2) to three (3) weeks at a time.

Operations

Under the new CUP, the estimated water and energy uses of the facility would remain unchanged from previous operational requirements. Las Animas would operate Monday through Friday from 6 am to 5 pm with occasional jobs on Saturday and would continue to employ 14 staff members. Las Animas expects to have approximately 48 truck trips per day throughout the week. Furthermore, the proposed project would decrease the existing use of the site. The Las Animas site had housed between 10 and 15 MPE haul and water trucks at the existing concrete batch facility. The proposed project would involve a decrease in use because MPE has removed their trucks from the project site resulting in fewer truck trips to and from the site. Additionally, Las Animas would have limited nighttime operation. Under the CUP, the City defines nighttime operation as operation between 10 pm and 6 am on weekdays and between 7:00 pm and 7:00 am on Saturday. Further, the City would allow Las Animas three (3) nighttime operational uses per year at two (2) week intervals. Nighttime use of the site would support construction projects in Monterey County, especially in local cities like Marina.

E. CONSTRUCTION SCHEDULE, STAGING, AND EQUIPMENT

The proposed project does not involve any construction activities requiring staging, use of new construction equipment, or grading and other ground disturbing activities. The proposed project consists of a decrease in use associated with renewal of a CUP.

F. PROJECT APPROVALS AND PERMITS REQUIRED

The proposed project involves authorization of a new CUP. The CUP would be for a limited three (3) year term with an extra year to decommission the site. Additionally, the CUP would limit nighttime operations to three (3) nighttime operational uses per year at two (2) week intervals. Additionally, the applicant would need to renew the existing Permit to Operate from MBARD and acquire lease approval from the City.

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

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

General Plan/Area Plan	☒	Air Quality Management Plan	☒
Specific Plan	☐	Airport Land Use Plans	☒
Water Quality Control Plan	☐	Local Coastal Program – LUP	☐

A. INCONSISTENCIES

The proposed project would not be inconsistent with any of the applicable plans.

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors identified below are discussed within Section *VI. Environmental Checklist*. The environmental factors checked below would be potentially affected by this project. However, all potential impacts would be less than significant as indicated by the checklist on the following pages. Sources used for analysis of environmental effects are cited throughout Section *VI. Environmental Checklist* and listed in Section *IX. References*.

☒ Aesthetics	☐ Agriculture/Forestry Resources	☒ Air Quality
☒ Biological Resources	☐ Cultural Resources	☒ Energy
☒ Geology and 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

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

☒ Check here if this finding is not applicable.

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction or operation of the proposed project.

EVIDENCE: Evidence for findings of no potential significant environmental impacts from construction and/or operation of the project for referenced topics not checked off are discussed in each individual topic subsection of *Section VI. Environmental Checklist.*

B. DETERMINATION

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

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

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

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

Nicholas McIlroy	8/5/2024
Signature	Date
Nicholas McIlroy, AICP	Senior Planner
PLANNER NAME	*TITLE*

V. EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must consider the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    a) Earlier Analysis Used. Identify and state where they are available for review.
    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:
    a) The significance criteria or threshold, if any, used to evaluate each question; and
    b) The mitigation measure identified, if any, to reduce the impact to less than significance.

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VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c)	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 are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting

The project site is located within the former Fort Ord, which includes areas of notable visual resources. However, the site is in a developed area of the City and is zoned as Business Park (BP) and carries a Light Industrial/Service Commercial land use designation. The project site is paved and developed with the existing concrete batch facility. There are no designated scenic resources or roadways within the City of Marina; however, the County identifies the Reservation Road Corridor east of Blanco Road as having visual sensitivity and as a proposed scenic route (County of Monterey, 2010). The proposed project is located on 9th Street and is about 2.2 miles southwest of the Reservation Road Corridor. The project site is not visible from Reservation Road.

The State Scenic Highways Program is designed to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The nearest designated or eligible scenic highways are the portion of Highway 1 located approximately one (1) mile west of the project site and Highway 68, located approximately 6.75 miles east of the project site (Caltrans, 2017). The project site is not visible from these highways.

Discussion/Mitigation

a-c) The proposed project would not have a substantial adverse effect on a scenic vista as the project site is not located within an existing scenic vista. The proposed project is also not located next to or within

view of a scenic highway. Additionally, execution of the proposed project does not involve any construction and would therefore not impact scenic resources.

The proposed project is seeking to renew a CUP to extend the use of the project site as a concrete batch facility for three years. The project site is in an urban area of the City and is developed with the necessary infrastructure to support the manufacture and shipment of concrete. Furthermore, the project site is zoned as BP and carries a Light Industrial/Service Commercial land use designation which allows for operation of the concrete batch facility. As mentioned in *Section I. Introduction*, the proposed project would constitute a reduction in the overall use of the project site. Therefore, the proposed project would have no impact on scenic vistas, scenic resources, state scenic highways, historical resources, or conflict with applicable zoning or regulations.

d) The project site hosts an existing concrete batch facility, and the proposed project would decrease the use of the existing facility by decreasing the number of trucks on site and having a nighttime operation limit of three (3) nighttime operations per year at two (2) week intervals. No construction activities would occur due to implementation of the proposed project. Therefore, the proposed project would have a less than significant impact on nighttime lighting.

Conclusion

The proposed project would have a less than significant impact on aesthetic resources.

2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forestry resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
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 section 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 result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Setting

The City of Marina is primarily in an urbanized environment and does not contain any commercial agriculture or forestry operations. However, the northern boundary of the City borders unincorporated Monterey County land used for agriculture.

Department of Conservation's Farmland Mapping and Monitoring Program (FMMP): The California Department of Conservation (DOC) identifies and designates important farmland throughout the state as part of the Farmland Mapping and Monitoring Program (FMMP). DOC classifies farmland as follows:

- Prime Farmland. Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. These are Class I and Class II soils.
- Farmland of Statewide Importance. Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- Unique Farmland. Farmland of lesser quality soils used to produce the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climactic zones in California.
- Grazing Land. Government Code §65570(b)(3) defines Grazing Land as: "...land on which the existing vegetation, whether grown naturally or through management, is suitable for grazing or browsing of livestock." The minimum mapping unit for Grazing Land is 40 acres. Grazing Land does not include land previously designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance, and heavily brushed, timbered, excessively steep, or rocky lands which restrict the access and movement of livestock.
- Urban and Built-Up Land. Land occupied by structures with a building density of at least one (1) unit to 1.5 acres, or approximately six (6) structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- Other Land. Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas, not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded by urban development and greater than 40 acres is mapped as Other Land.

The City of Marina contains only land classified by the DOC as "urban" and "other land." However, the City's northern boundary is adjacent to grazing land, farmland of statewide importance, and prime farmland (DOC, 2022).

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, is the State's primary program aimed at conserving private land for agricultural use. The DOC prepares countywide maps of lands enrolled in the Williamson Act contracts. The Williamson Act provides a voluntary, locally administered program offering reduced property taxes on lands whose owners place enforceable restrictions on land use through contracts between the individual landowners and local governments. The proposed project is not on or adjacent to any Williamson Act contracted lands.

Discussion/Mitigation

a-d) While the City of Marina borders farmland of statewide importance and prime farmland, the City contains no agricultural or forestry operations. Furthermore, all potential and existing farmland are located to the north of the City.

The proposed project is located in the southern region of the City in an urban environment. The project site is developed with an existing concrete batch facility that has operated for the past 19 years. The project site is not located near any land designated as farmland or any land reserved for agriculture. Therefore, the proposed project would have no impact on the conversion of any condition of farmland, Williamson Act contracts, forestry production, and would not impact the environment in such a way as to encourage the conversion of agricultural or forestry resources.

Conclusion

The proposed project would have no impact on agricultural and forestry resources.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Setting

AMBIENT Air Quality & Noise Consulting (AMBIENT) prepared the *Air Quality & Greenhouse Gas Technical Memorandum* for the proposed project (**Appendix A**). The project site is located within the North Central Coast Air Basin (NCCAB), which is comprised of Santa Cruz, San Benito, and Monterey Counties, and is regulated by MBARD (formally known as MBUAPCD). Air quality within NCCAB is regulated by the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the Monterey Bay Air Resources District (MBARD). Each agency provides rules, regulations, and policies to attain air quality goals (AMBIENT, 2024a).

U.S. Environmental Protection Agency

The EPA implements national air quality programs and mandates come from the Federal Clean Air Act (FCAA). The EPA also establishes National Ambient Air Quality Standards (NAAQS) for common air pollutants, known as criteria air pollutants. The NAAQS are summarized in **Table 3-1** below.

California Air Resources Board

The agency responsible for oversight of state and local air pollution control programs and for implementing the California Clean Air Act (CCAA) is ARB. ARB sets emission standards for motor vehicles, which differ depending on factors such as model, year, fuel, and engine used. ARB also establishes California Ambient Air

Quality Standards (CAAQS), which are often more stringent than NAAQS. The CAAQS are summarized in **Table 3-1** below.

Table 3-1. Summary of National Ambient Air Quality Standards

Pollutant	Average Time	California Standards*	National Standards* (Primary)
Ozone (O_3)	1-hour	0.09ppm	–
	8-hour	0.070ppm	0.070ppm
Particulate Matter (PM_{10})	AAM	20μg/m³	–
	24-hour	50μg/m³	150μg/m³
Fine Particulate Matter ($PM_{2.5}$)	AAM	12μg/m³	12μg/m³
	24-hour	No Standard	35μg/m³
Carbon Monoxide (CO)	1-hour	20ppm	35ppm
	8-hour	9ppm	9ppm
	8-hour (Lake Tahoe)	6ppm	–
Nitrogen Dioxide (NO_2)	AAM	0.030ppm	0.053ppm
	1-hour	0.18ppm	0.100ppb
Sulfur Dioxide (SO_2)	AAM	–	0.03ppm
	24-hour	0.04ppm	0.14ppm
	3-hour	–	0.5ppm (1300μg/m³) **
	1-hour	0.25ppm	75ppb
Lead	30-day Average	1.5μg/m³	–
	Calendar Quarter	–	1.5μg/m³
	Rolling 3-Month Average	–	0.15μg/m³
Sulfates	24-hour	25μg/m³	No Federal Standards
Hydrogen Sulfide	1-hour	0.03ppm (42μg/m³)	
Vinyl Chloride	24-hour	0.01ppm (26μg/m³)	
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/kilometer-visibility of 10 miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when the relative humidity is less than 70 percent.	

Ppm=parts per million; ppb=parts per billion; AAM=Annual Arithmetic Mean; μg/m³=micrograms per cubic meter
*For more information on standards visit: http//www.arb.ca.gov.research/aaqs/aaqs2.pdf
**Secondary Standard
Source: ARB, 2024; AMBIENT, 2024a

Monterey Bay Air Resources District

The agency which monitors NAAQS and CAAQS compliance in the NCCAB is MBARD. MBARD is responsible for preparing plans for attainment of ambient air quality standards, adopting and enforcing rules

and regulations concerning sources of air pollution, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the FCAA and the CCAA (MBARD, 2008). The most recent air quality management plan (AQMP) is from 2012-2015 and focuses on achieving the state ozone standards. MBARD has also produced the 2014 *Plug-In Electric Vehicle Readiness Plan* and the 2007 *Federal Maintenance Plan* for maintaining federal ozone standards. NCCAB Attainment Status to National and California Ambient Air Quality can be found in **Table 3-2** below.

Table 3-2. Attainment Status for the NCCAB

Pollutants	State Designation	Federal Designation
Ozone (O_3)	Nonattainment – Transitional	Attainment
Inhalable Particulates (PM_{10})	Nonattainment	Attainment
Fine Particulates ($PM_{2.5}$)	Attainment	Attainment
Carbon Monoxide (CO)	Monterey Co. – Attainment	Attainment
	San Benito Co. – Unclassified	Attainment
	Santa Cruz Co. – Unclassified	Attainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment
Lead	Attainment	Attainment
Source: MBARD, 2017.		

Sensitive Receptors

Sensitive receptors are defined as facilities where sensitive population groups are located, including residences, schools, childcare centers, convalescent homes, and medical facilities. Land uses such as schools and hospitals are considered more sensitive than the general public to poor air quality because of an increased susceptibility to respiratory distress within the populations associated with these uses. The nearest residential land uses as being located approximately 485 feet northeast of the project site, across Imjin Parkway. Residential land uses are also located to the west of the project site approximately 950 feet away along California Drive. CSUMB's Promontory apartments are located approximately 1,175 feet south of the project site (AMBIENT, 2024b).

Thresholds of Significance

MBARD provides guidance in assessing air quality impacts for projects. In 2008, MBARD adopted new CEQA Air Quality Guidelines that included thresholds of significance to assist in the review of projects under CEQA. Furthermore, the 2016 report, *Guidelines for Implementing the California Environmental Quality Act,* summarizes the significance thresholds. The significance thresholds, all of which except greenhouse gas (GHG) emissions, are adopted thresholds of the MBARD and used in this analysis and summarized in **Table 3-3**.

Table 3-3. Air Quality Significance Thresholds

Criteria Pollutant	Construction Thresholds	Operational Thresholds
	Construction of the Project (lbs/day)	Operation of the Project (lbs/day)
Criteria Air Pollutants		
Nitrogen Oxides (NO_X)	137	137
Reactive Organic Gasses (ROG)	137	137
Particulate Matter (PM_{10})	82	82

Fine Particulate Matter ($PM_{2.5}$)	55	55
Carbon Monoxide (CO)	550	550

Notes:
Construction and operation of a project would also have significant air quality impacts if the project:

- Caused or contributed to a violation of any CAAQS or NAAQS;
- Resulted in a cumulatively considerable net increase of any criteria pollutant that is considered non-attainment in the project region;
- Exceed the health risk public notification thresholds adopted by MBARD;
- Create objectionable odors affecting a substantial number of people; and
- Be inconsistent with the adopted state and federal air quality plans.

Lbs/day = pounds per day.
Source: MBARD, 2016

Discussion/Mitigation

a.-d.) The technical analysis considered the most recent Permit to Operate provided to Las Animas, LLC by MBARD (attached to **Appendix A**). Existing facility operations are currently subject to this permit, and no new stationary sources of emissions or changes in on-sight operations would occur (AMBIENT, 2024a; MBARD, 2018). MBARD authorized the most recent Permit to Operate in 2018 and determined concrete batch plant has the ability to comply with applicable MBARD regulations with adherence to 10 required conditions. Las Animas, LLC is currently in compliance with these 10 conditions (AMBIENT, 2024a; MBARD, 2018). Las Animas, LLC., would have to renew their Permit to Operate under the proposed project and continued compliance with special conditions included in this permit would ensure the proposed project continues to have a less than significant impact.

As previously mentioned, the proposed project would reduce the overall use of the project site under the new CUP. Operations of the existing concrete batch facility would continue unchanged, while the decrease in use would result from the departure of MPE and their trucks from the project site. A reduction in the overall number of trucks would also decrease the number of truck trips associated with the proposed project. The Vehicle Miles Traveled (VMT) assessment prepared for this project determined the proposed project would have a less than significant transportation impact (see **Section 17. Transportation**) (Kimley Horn, 2024).

No construction or other physical alterations of the project site are associated with the proposed project, and the proposed project would decrease overall truck trips. Therefore, implementation of the proposed project would not result in increased emissions of criteria air pollutants, nor increases in localized pollutant concentrations. Since the proposed project would not increase emissions beyond existing levels, and would likely reduce overall emissions output, the proposed project would have a less than significant impact with regards to conflicting with any air quality plan, exposing sensitive receptors to substantial pollutant concentrations, or resulting in other emissions that would adversely affect a substantial number of people. The proposed project would have a less than significant impact on air quality.

Conclusion

The proposed project would have a less than significant impact on air quality.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
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 local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Setting

Monterey County consists of more than 3,324 square miles of land (over two million acres) with a variety of habitats from rocky Pacific shores to open grasslands to high mountains at elevations exceeding 5,000 feet. The Monterey Bay area, located in northern Monterey County, is home to a diverse population of animal, bird, and plant species. The waters of Monterey Bay and the adjacent Pacific Ocean off the central California coast have been designated and protected as the Monterey Bay National Marine Sanctuary since 1992. The climate of the site is typical of the California Central Coast with mild year-round and morning coastal fog, generally cleared by afternoon breezes. Monterey typically experiences cool summer months, with temperatures averaging in the

high 50s to low 60s, and warm "Indian Summer" weather in the fall. The average yearly rainfall is approximately 18 inches and is concentrated in the winter and early spring months.

The Migratory Bird Treaty Act (MBTA) establishes special protection for migratory birds by regulating hunting or trade in migratory birds. The MBTA prohibits anyone to take, possess, buy, sell, purchase, or barter any migratory birds list in 50 CFR 10, including feathers or other part, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The definition of "take" includes any disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young).

Provisions of the Endangered Species Act (ESA) of 1973 (16 USC 1532 et seq., as amended) protect federally listed threatened or endangered species and their habitats from unlawful take. Listed species include those for which proposed and final rules are published in the Federal Register. The ESA is administered by the U.S. Fish and Wildlife Service (USFWS) or National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS). In general, NMFS is responsible for the protection of ESA-listed marine species and anadromous fish, whereas other listed species are under USFWS jurisdiction.

Section 9 of ESA prohibits the take of any fish or wildlife species listed under ESA as endangered or threatened. Take, as defined by ESA, is "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." The ESA defines harm as "any act that kills or injures the fish or wildlife…including significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife." Additionally, Section 9 prohibits removing, digging up, and maliciously damaging or destroying federally listed plants on sites under federal jurisdiction. Section 9 does not prohibit the take of federally listed plants on sites not under federal jurisdiction. If there is the potential for incidental take of a federally listed fish or wildlife species, take of listed species can be authorized through either the Section 7 consultation process for federal actions or a Section 10 incidental take permit process for non-federal actions. Federal agency actions include activities on federal land, conducted by a federal agency, funded by a federal agency, or authorized by a federal agency (including issuance of federal permits).

The California Endangered Species Act (CESA) was enacted in 1984. The California Code of Regulations (Title 14, §670.5) lists animal species considered endangered or threatened by the state. Section 2090 of CESA requires state agencies to comply with endangered species protection and recovery and to promote conservation of these species. Section 2080 of the Fish and Game Code prohibits "take" of any species the commission determines to be an endangered species or a threatened species. Section 86 of the Fish and Game Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Section 2081 Incidental Take Permit from the CDFW may be obtained to authorize "take" of any state listed species.

The California Native Plant Protection Act (CNPPA) of 1977 directed CDFW to conduct the legislature's intent to "preserve, protect and enhance rare and Endangered plants in the State." The CNPPA prohibits importing rare and Endangered plants into California, taking rare and Endangered plants, and selling rare and Endangered plants. The CESA and CNPPA authorized the Fish and Game Commission to designate endangered, threatened, and rare species and to regulate the taking of these species (Sec. 2050-2098, Fish and Game Code). Plants listed as ***rare*** under the CNPPA are not protected under CESA; however, these plants may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research.

Section 3503 of the state Fish and Game Code states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Section 3503.5 prohibits the killing, possession, or destruction of any birds in the orders Falconiformes or Strigiformes (birds-of-prey). Section 3511 prohibits the take or possession of fully protected birds. Section 3513 prohibits the take or possession of any migratory nongame birds designated under the federal Migratory Bird Treaty Act. Section 3800 prohibits the take of nongame birds.

The classification of Fully Protected was the state's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced extinction. Lists were created for fish (Section 5515), mammals (Section 4700), amphibians and reptiles (Section 5050), and birds (Section 3511). Most Fully Protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

The CDFW also maintains a list of wildlife "species of special concern." Although these species have no legal status, the CDFW recommends considering these species during analysis of project impacts to protect declining populations and avoid the need to list them as endangered in the future.

The Community Design and Development Element of the City of Marina's General Plan identifies policies to protect biological resources within the City. The General Plan identifies policies aimed at reducing impacts on habitat and special-status species from new developments. The City allows for the designation of Habitat Reserves to preserve biological resources and regulates actions from development projects adjacent to these reserves.

The City is responsible for four Habitat Management Areas (HMAs) as designated by the Fort Ord Habitat Management Plan (HMP). These areas are the Salinas River, Airport, Northwest Corner, and Landfill HMAs. The project site is not located within or directly adjacent to any of the HMAs.

To the east of the project site is land designated as Public Facility District (PF) which is undeveloped and contains oak trees. The General Plan includes a policy for the preservation of oak trees (City, 2023):

Policy 4.120 – Oak woodland shall be protected to the greatest extent possible in recognition both of its relatively high biological and aesthetic resource value and its important role in California's and Monterey County's natural heritage. In areas supporting oak woodland, a site survey of this resource should be completed for all new subdivisions and commercial projects as part of a preliminary site and development review. All stands of oak woodland and individual specimens with a diameter of 6 inches or more when measured 4.5 feet from ground level should be identified on a base map. To the greatest extent possible, development plans shall then attempt to incorporate the oak woodland or individual specimens into the plan as an integral feature of the natural and built environment.

All oak trees shall be replaced and maintained with new trees of the same stock as those found onsite or in the site vicinity according to the following replacement formula: a minimum one-for-one (one replacement tree for each tree removed) where replacement trees are proposed to be the same diameter or greater than those to be removed; a minimum three-to-one (three replacement trees for each tree removed) for replacement trees of lesser diameter than those proposed for removal, unless, as determined by arborist, the site's specific environmental conditions would not sufficiently support a healthy oak habitat. All diameter measurements shall be taken at 4.5 feet from ground level. Replacement trees shall be a mixture of sizes.

Discussion/Mitigation

a) The proposed project consists of a decrease in use of the project site in coordination with renewing the CUP. The project site is developed with a concrete batch facility. The proposed project would not involve any new construction and would not augment operational activities. The project site does not contain suitable habitat for special-status species, and none are expected to occur. Additionally, none were observed during the field survey conducted by DD&A biologists on May 17, 2024. Therefore, the proposed project would have no impact on special-status species or habitat and would not conflict with any local or regional plans, policies, or regulations, or by the CDFW or USFWS.

b-c) The proposed project is not located next to or within a riparian habitat, state or federally protected wetland, or any other sensitive habitat. The site is developed and hosts a concrete batch facility that has been operating for 19 years. Therefore, the proposed project would have no impact on sensitive habitats.

d) As previously discussed, the project site is developed with a 19-year-old concrete batch facility. The proposed project does not involve construction and would result in a decrease in the use of the existing site under a new CUP. The proposed project would, therefore, not impede an existing wildlife corridor or impede the use of native wildlife nurseries.

The proposed project is bordered by undeveloped oak habitat to the north and east. This habitat may be home to animal species that wander near the project site during operation. However, the proposed project would not substantially interfere with the movement of wildlife species as the proposed project would not augment the use or physical features of the project site. Additionally, the project site is a fenced facility which would serve to exclude wildlife from the premises. Therefore, the proposed project would have a less than significant impact on wildlife movement.

e) The proposed project would not conflict with any local policy or ordinances protecting biological resources. The City has policies for protecting oak trees which do exist to the north and east of the project site. However, the proposed project would not involve construction and would not necessitate the removal of oak trees. Therefore, no impact would occur.

f) The City of Marina contains four HMAs which are subject to the Fort Ord HMP, as described above. However, the project site is not located within any of these HMAs. The project site is not subject to a Habitat Community Plan, Natural Community Conservation Plan, or any other local, regional, or state conservation plan. Therefore, this impact is less than significant.

Conclusion

The proposed project would have a less than significant impact on biological resources.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Setting

Cultural resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, or cultural importance. Significant cultural resources may be historical resources (i.e., cultural resources eligible for inclusion on the California Register of Historical Resources [CRHR]) or unique archaeological resource as defined in CEQA. Cultural resources encompass archaeological and historic resources as briefly summarized below:

- Archaeological Resources: Archaeology is the study of prehistoric human activities and cultures. Archaeological resources are associated with Indigenous cultures and historic-era settlement and are less than 10,000 years old.
- Historic Resources: Historic resources (extant buildings and structures) are associated with the more recent past. In California, historic resources are typically associated with the Spanish, Mexican, and American periods in the state's history and are usually less than 200 years old.
- Tribal Cultural Resources: Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the CRHR or local register of historical resources (PRC §21074).

CEQA requires regulatory compliance for projects involving historic resources throughout the state. Under CEQA, public agencies must consider the effects of their actions on historic resources (PRC §21084.1). The CEQA Guidelines define a significant resource as any resource listed in or determined to be eligible for listing in the CRHR [see PRC §21084.1 and CEQA Guidelines §15064.5 (a) and (b)].

Several sections of the California Public Resource Code (PRC) protect cultural resources located on public land. Under PRC §5097.5, no person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site (including fossilized footprints), inscriptions made by human agency, rock art, or any other archaeological, paleontological, or historical feature situated on public lands, except with the express permission of the public agency that has jurisdiction over the lands. Violation of this section is a misdemeanor.

PRC §5097.98 states that if Native American human remains are identified within a project area, the landowner must work with the Native American Most Likely Descendant as identified by the Native American Heritage

Commission (NAHC) to develop a plan for the treatment or disposition of the human remains and any items associated with Native American burials with appropriate dignity. These procedures are also addressed in §15064.5 of the state CEQA Guidelines. California Health and Safety Code §7050.5 prohibits disinterring, disturbing, or removing human remains from a location other than a dedicated cemetery.

California Health and Safety Code §7050.5 regulates the treatment of human remains. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined that the remains are not subject to his or her authority. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact the NAHC by telephone within 24 hours.

Note that the City of Marina attempted to engage with local Tribes with an AB52 consultation letter sent on November 17, 2023, and no Tribes responded within the 30-day time frame.

The Community Design & Development Element of the General Plan includes a policy for the preservation of archaeological resources:

Policy 4.126(1) – All archaeological resources which may be present in the Marina Planning Area shall be protected and preserved. To this end, development proposed in areas of high archaeological sensitivity, i.e., the terraces and benches along the Salinas River, the peripheries of vernal ponds, and coastal beaches, shall be required to undertake a reconnaissance by a qualified archaeologist, and, where artifacts are identified, to protect and preserve such resources.

Furthermore, the Program and Implementation Element outlines the need for a historical resources survey and, if the need exists, develop a historic preservation ordinance. However, the City does not currently have a historic preservation ordinance.

Discussion/Mitigation

a-c) As previously discussed, the proposed project does not involve construction and would involve the continued operation of the facility. Additionally, activities associated with the proposed project would be limited to the project site which was previously developed and improved with the existing concrete batch facility. The project site is not a historical site, nor is the project site adjacent to a historical site. Furthermore, since no construction would occur, the proposed project would not disturb previously unknown archaeological resources or human remains. Therefore, the proposed project would have no impact on cultural resources.

Conclusion

The proposed project would have no impact on cultural resources.

6. ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

Setting

The project site lies within the service area of Central Coast Community Energy (3CE), a locally-controlled public agency providing carbon-free electricity to residents and businesses. 3CE is based on a community choice aggregator model which is community focused and not for profit. 3CE is on track to provide 100 percent renewable energy by 2030. 3CE partners with PG&E, which continues to provide billing, power transmission and distribution, customer service, grid maintenance services, and natural gas services to Monterey County (3CE, 2024).

The project site is currently improved with the existing concreate batch facility which has been operating for the last 19 years.

Discussion/Mitigation

a) The proposed project does not involve any construction and would involve a decrease in use. Operation of the concrete batch facility involves the use of material bunkers, hoppers, air compressor shed, admix shed, a parts room, a workshop space, two (2) 55-foot-tall silos, one (1) 125-foot-long conveyor, and four (4) 30x15 foot washouts/settling ponds. This infrastructure supports the conversion of raw materials (i.e., rocks and sand) into concrete before shipping the concrete to construction sites using a number of trucks.

Since there is no construction, there would be no impact with regards to the wasteful, inefficient, or unnecessary consumption of energy. Operation would require the use of energy on-site to create concrete and the use of gasoline for transporting said concrete. PG&E and 3CE currently provide power and would continue to provide power to the concrete batch facility. The trucks have combustion engines and are powered by gasoline. Energy would not be used in a wasteful, inefficient, or unnecessary manner as doing so would raise the costs of operation. Additionally, the proposed project would decrease the use of the site by hosting less trucks and shortening nighttime operation throughout the year. Therefore, the impacts to energy would be less than significant.

b) The proposed project involves a concrete batch facility that has operated for the last 19 years. The project has not previously conflicted with state or local plans for renewable energy or energy efficiency. As a PG&E customer, the existing facility receives carbon-free energy from 3CE, lessening the overall emissions resulting from operating the facility. Since the plant involves a decrease in operational use of the project site, the facility would require less overall energy for operation. Therefore, the proposed project would have a less than significant impact with regards to conflicting or obstructing a state or local plan for renewable energy or energy efficiency.

Conclusion

The proposed project would have a less than significant impact on energy resources.

7. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause to 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.	☐	☐	☒	☐
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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

Setting

California is one of the most active seismic regions in the United States. The City lies adjacent to the boundary zone between the North American and Pacific tectonic plates, with the San Andreas Fault located approximately 18 miles east of the project site. The faults associated with this zone are predominantly northwest-trending strike-slip faults that have a right-lateral slip.

The City's General Plan contains Geotechnical Maps as Appendix A. These maps indicate the region with the project site as having a moderate seismic hazard risk, a low liquefaction risk, and moderate to high wind erosion potential from (City, 2023). The Community Land Use Element of the General Plan includes the following policy related to seismic and geotechnical hazards:

Policy 4.98 – The policies of the Community Land Use element prohibit development on land where there is a significant potential threat to life or property due to very high seismic shaking or seismically induced ground failure, flooding, or landslides. They incorporate, by reference, the provisions and policies of the City's certified Local Coastal Program regarding development in the Coastal Zone. In particular, new structural development, other than essential support facilities for coastal-dependent uses, will not be allowed in the 100-year tsunami runup zone. Areas of high to very high seismic risk are generally delineated in Figures 1, 3 and 4 in Appendix A, and consist of those areas having a high to very high seismic shaking hazard and high to very high susceptibility for liquefaction and lateral spreading. These appendices should be used as a basis for implementing the relevant geologic/geotechnical policies of this General Plan. There remain, however, several localized areas with high seismic hazard or flood potential where development is permissible. These areas are generally indicated by Figures 1, 3 and 4 in Appendix A. The hazard of high seismic shaking is confined to an area generally bounded by Highway 1 and Lakewood Drive. Developable land with potential threat of flooding is limited to a 10-acre parcel to the north of Blanco Road within the Salinas River flood plain and isolated pockets of land shown in the FEMA maps and lying within the 100-year flood plain. The following conditions shall apply to these areas.

Discussion/Mitigation

a.i. and a.ii.) While no active faults are present within the City of Marina, the General Plan identifies the project site as having a moderate seismic risk hazard (City, 2023). The project site hosts an active concrete batch facility that has operated for 19 years and has been subject to previous environmental review (City, 2005). The facility may be subjected to seismic hazards; however, the facility is constructed to meet Building Code requirements and is not inhabited. Therefore, risk of loss, injury, death resulting from seismic hazards including fault rupture and ground shaking would be less than significant.

a.iii.) The City's General Plan identifies the project site as an area with a low risk of liquefaction (City, 2023). Therefore, impacts related to liquefaction would be less than significant.

a.iv.) Monterey County identifies the entire City of Marina as having a low landslide risk (Monterey County, 2024). Additionally, the project site is relatively flat and not adjacent to any sloped areas that may be subject to a landslide. Therefore, this impact would be less than significant.

b.) The proposed project is located in a region with moderate to high potential for wind-induced soil erosion. The project site is developed with the existing concrete batch facility, and the proposed project would not include any activities that would increase the rate of erosion (i.e., ground disturbing activities). Therefore, the proposed project would have a less than significant impact on soil erosion.

c-d.) The project site is in an area with low liquefaction potential, low landslide potential, and in an area with a low potential for expansive soil, per the City of Marina General Plan (City, 2023; Monterey County, 2024). Therefore, the proposed project is not located on unstable soils and would not result in creating unstable soil conditions, risking significant loss to life or property. This impact would be less than significant.

e.) The proposed project does not require a septic tank or wastewater disposal systems. Therefore, no impact would occur.

f.) The site does not contain any paleontological resources or unique geological features and would not involve construction activities such as excavation or grading. *Paleontological Resources of Monterey County, California* is a report detailing the location of paleontological resources of concern. The report includes geospatial data to help visualize the location of these resources across Monterey County. No paleontological or unique geologic features exist within or adjacent to the project site (Rosenburg and Clark, 2001). Therefore, the proposed project would have no impact on paleontological resources or unique geological features.

Conclusion

The proposed project would have a less than significant impact on geology and soils.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

Setting

Various gases in the earth's atmosphere, when naturally occurring or 'background' levels due to human activity, create a warming or greenhouse effect, and are classified as atmospheric greenhouse gases (GHGs). These gases play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO_2), methane (CH_4), O3, water vapor, nitrous oxides (NO_x), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs.

The project is located in the NCCAB, where air quality is regulated by MBARD. MBARD states that direct emissions occur as a result of the equipment onsite as well as offsite emissions from commute trips and haul truck trips. Indirect emissions are those resulting from project actions but not produced from sources owned or controlled by a project (i.e., electricity generation, water conveyance, and waste disposal) (MBARD, 2016). MBARD's greenhouse gas emission threshold for stationary source projects is 10,000 metric tons per year (MT/yr) carbon dioxide equivalent (CO_{2e}), which includes both direct and indirect GHG emissions. Stationary source projects include equipment, processes, and operations that require an MBARD Permit to Operate (MBARD, 2016).

Discussion/Mitigation

a.-b.) AMBIENT prepared a technical analysis for air quality and GHG emissions for the proposed project, which considered the existing MBARD Permit to Operate for the existing operation (**Appendix A**). MBARD issued this permit in 2018. As a part issuance of the permit, Las Animas, LLC agreed to 10 permit conditions to comply with MBARD regulations (AMBIENT, 2024a; MBARD, 2018).

As previously mentioned, the proposed project would decrease the overall use of the project site under the new CUP with the departure of Monterey Peninsula Engineering (MPE) and their trucks. Operation of the concrete batch plant would remain unchanged, including water and energy use on-site. The proposed project would not include construction; therefore, the proposed project would not increase stationary source emissions. With the

departure of MPE and their trucks, the proposed project would reduce overall truck trips and, thus, decrease overall project emissions. For these reasons, the proposed project would have a less than significant impact in terms of generating GHGs, and the proposed project would comply with local plans, policies, and regulations aimed at reducing GHGs.

Conclusion

The proposed project would have a less than significant impact regarding GHG emissions.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Setting

Hazardous materials are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having

concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. Hazardous materials transport, use, and disposal is heavily regulated at the federal, state, and local levels. These regulations are applied on a project-specific basis as part of the permitting process.

The City's General Plan Policy 4.103. - Public Safety, requires discretionary review and approval from the City if a project would involve handling of significant amounts of hazardous materials and/or would generate more than 27 gallons of hazardous wastes monthly (the limitation imposed by Monterey Regional Waste Management District for non-household hazardous wastes). The project would be below the thresholds requiring discretionary approval. Additionally, this policy requires the City to ensure that proposed industrial or commercial projects that would use or generate hazardous materials be compatible with surrounding uses as designated by the General Plan and that residential and other sensitive uses, such as schools, be adequately buffered from adjoining uses that involve the use or generation of hazardous materials.

The former Fort Ord was listed as a Federal National Priority List (NPL) site (also known as Superfund) in February 1990. The project site is located within former U.S. Army land, which the Army transferred to the City. However, the Department of Toxic Substances Control's (DTSC) EnviroStor website does not classify the project site nor any surrounding parcels as a hazardous materials site (DTSC, 2024).

Discussion/Mitigation

a.) Operation of the existing concrete batch facility involves the mixture of sand, rocks, and concrete. No toxic or hazardous materials are routinely transported. The proposed project would involve a decrease in use of the site. Therefore, this impact would be less than significant.

b.) The existing settling pond is lined with steel to prevent any hazardous materials used on site from leaching into the ground. The proposed project would continue to rely on the existing settling pond during operations. Therefore, this impact would be less than significant.

c.) CSUMB is located south of the project site within one quarter mile of the proposed project. As mentioned above, the proposed project would not involve the routine transport of any hazardous materials and the existing settling pond is lined with steel to prevent leaching of materials into the ground. However, because CSUMB is within one-quarter mile of the project site, this impact would be less than significant.

d.) According to DTSC's EnviroStor website, the proposed project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (DTSC, 2024). Therefore, no impact would occur.

e.) The proposed project is approximately two miles southwest of the Marina Municipal Airport. The *Revised Marina Municipal Airport Comprehensive Land Use Plan* identifies six (6) safety zones which are all north of the proposed project (Wadell Engineering Corporation, 2006). Furthermore, the proposed project is located outside the 20-year long-range noise exposure contours for the Airport and thus is compatible with the Community Noise Equivalent Level (CNEL) (Wadell Engineering Corporation, 2006). Furthermore, the *Marina Municipal Airport – Airport Master Plan Final Report* from 2018 also identifies that the project site is outside of the airport safety zones and the airport influence area (City, 2018). Therefore, no impact would occur.

f.) The project site is located at the east end of 9th Street, which is a dead end and is not a major evacuation route for the City. With the exception of truck trips for the transport of concrete, operations at the project site would remain within the existing footprint of the concrete batch facility. Additionally, the proposed project's use of trucks would decrease under the new CUP and truck traffic associated with the proposed project would not impair or interfere with an adopted emergency response plan or an emergency evacuation plan. Therefore, no impact would occur.

g.) The project site is located in an urban setting within the City of Marina and served by the municipal fire department. The project site is not located adjacent to wildlands that would be at risk of wildfire (i.e., located

at the Wildland/Urban Interface (WUI)]. The project site is situated in a local responsibility area (LRA) since the site is within the City of Marina. Therefore, there are no California Department of Forestry and Fire Protection (CALFIRE) Fire Hazard Severity Zones in the project vicinity (CALFIRE, 2024a; CALFIRE, 2024b). Furthermore, the City's General Plan does not classify fire hazard severity zones within the City. Therefore, the risk of exposing people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, is low. This would be a less than significant impact.

Conclusion

The proposed project would have a less than significant impact regarding hazards and hazardous materials.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede 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 off-site?	☐	☐	☐	☒
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?	☐	☐	☐	☒
iv) Impede or redirect flood 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 management plan?	☐	☐	☐	☒

Setting

The Marina water supply system is owned and operated by MCWD, which is responsible for providing water service within the City. MCWD sources water from the SVGB, which supplies many other communities beyond MCWD's service area. MCWD's groundwater withdrawals are approximately 3,200 AFY and account for less

than one percent of total annual SVGB withdrawals. Furthermore, water demands within MCWD are significantly below state and regional averages due to the district's aggressive water conservation practices (MCWD, 2019).

The 2014 California Sustainable Groundwater Management Act (SGMA) requires that medium and high-priority groundwater basins and subbasins develop Groundwater Sustainability Plans (GSPs) that outline how groundwater sustainability will be maintained for 50 years. The Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) organized 2017 in compliance with the SGMA. The City of Marina draws its water supply from groundwater from the Salinas Valley Groundwater Basin. Major issues affecting the basin include chronic overdraft which has contributed to seawater intrusion near Monterey Bay and nitrate contamination due to agricultural runoff (SVBGSA, 2023).

The Community Land Use Element of the City's General Plan identifies the following policy for stormwater management:

Policy 3.57(1) - All stormwater runoff shall continue to be retained onsite and accommodated by localized retention basins unless the creation of such facilities would pose risks to the public (see item 4 below). Retention basins associated with a particular project shall be landscaped with appropriate plant materials and shall be designed wherever possible as integral parts of a development project's common open space or parks, or to create new or enhance existing habitat. All onsite drainage facilities shall be designed to convey runoff from a 10-year frequency storm at minimum. In areas of the City where recycled water will not be readily available, the City encourages the provision of storm water reuse facilities of sufficient size to provide for landscape irrigation of development in proximity to retention basins. The adequacy of onsite and off-site drainage facilities shall be determined through the preparation of storm drainage reports and plans, approved by the City Public Works Director; such reports and plans shall be required for all new subdivisions and new commercial/industrial development proposed in Marina.

Discussion/Mitigation

a.) The project site is developed with infrastructure. The proposed project would not involve construction and would constitute a decrease in use of the project site. Las Animas, LLC retains runoff on-site in accordance with City requirements. Therefore, no impact would occur.

b.) The Fort Ord Reuse Authority previously allocated water to the City for the project site. Marina Coast Water District (MCWD) administers water provided to the project site, which is sourced from the Salinas Groundwater Basin. The existing operations require about 9.2 acre-feet of water per year. The previous IS/MND for the project site determined that 9.2 acre-feet per year does not have the capacity to substantially deplete or affect groundwater resources. Additionally, the proposed project would not increase the use of water on site. The project site is developed and would not involve construction or require new impervious surfaces. Therefore, the proposed project would have no impact on groundwater supply or recharge.

c.) The project site is improved with the existing concrete batch facility, and the proposed project would not involve construction. The proposed project would decrease the existing use of the project site in accordance with the new CUP. The proposed project would not involve the construction of new facilities that would result in altering the drainage pattern of the site. Therefore, the proposed project would not increase erosion and siltation off-site, interfere with existing stormwater regulations, cause flooding on- or off-site, and redirect flood flows. No impact would occur.

d.) The project site is outside of the City's Coastal Zone and not located in a tsunami or seiche zone (DOC, 2024). However, the Project site is partially located within a 1 percent annual chance flood hazard zone. This flood zone encompasses a small portion of the project site along the northern boundary. Additionally, another 1 percent annual chance flood hazard zone borders the project site to southwest at the Marina Equestrian Center (City, 2024b). The project site is not located near a waterway, and the proposed activities (i.e., a decrease in use) would not exacerbate the risk of flood at the project site. Therefore, this impact is less than significant.

e.) As mentioned above, the proposed project would not involve an increase in water use at the project site. The existing concrete batch facility receives about 9.2 acre-feet of water per year from MCWD, which is sourced from the Salinas Groundwater Basin. The previous IS/MND determined that the approximately 9.2 acre-feet of water per year would not substantially deplete groundwater resources. Since the proposed project would not change the water use of the project site, the proposed project would have no impact with regards to conflicting with or impeding a sustainable groundwater management plan. The proposed project would also have no impact on impeding or conflicting with a water quality control plan as the proposed project does not require construction that would alter or augment impervious surfaces or disturb soils that would contribute to harmful runoff.

Conclusion

The proposed project would a less than significant impact regarding hydrology and water quality.

11. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Setting

The proposed project site is located in the southern portion of the City. Specifically, the project site is at 499 9th Street on APNs 031-201-016-000 and 031-251-014-000, with 031-201-016-000 being the primary APN. The City designates the land use of the site as Light Industrial/Service Commercial, and the City's Zoning ordinance designates the site as BP which accommodates light industry, offices, research laboratories, nurseries and greenhouses, trade schools, storage warehouses, and retail and wholesale sales. Surrounding land uses include residential developments to the northeast and west, with the nearest home being located approximately 485 feet away from the project site. To the west of the project site also sits the Marina Equestrian Center. Las Animas stores corrals and fencing on site for the Equestrian Center. To the south of the project site is CSUMB, and to the east is undeveloped land. Other than the City's General Plan, the proposed project is not within the jurisdiction or governed by a specialized land use plan or specific plan.

Discussion/Mitigation

a-b.) The project site hosts the concrete batch facility central to the proposed project. The facility has operated continuously for the last 19 years and is zoned as BP which supports the land use designation of Light Industrial/Service Commercial. The concrete batch facility does not and would not divide an established community as the proposed project would not augment the size of the project site. Additionally, both the zoning and land use designations allow for operation of a concrete batch facility. Therefore, no impact would occur.

Conclusion

The proposed project would have no land use or planning impacts.

12. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Setting

The City of Marina's General Plan recognizes two (2) regions of importance with regards to mineral resources: an area west of Highway 1 once used for sandmining and an area east of Highway 1 in the northern portion of the City known as Armstrong Ranch. The following policies are applicable to mineral resources within the City:

4.124(4) – The City recognizes the presence of designated mineral resources west of Highway 1 and shall continue to allow the existing sand-mining operation on RMC Lonestar property west of Highway 1 in accordance with the provisions of Marina's local coastal program (LCP) and the approved Reclamation Plan for that site. In accordance with the Marina LCP, new or expanded sand-mining operations shall be limited to the surf zone and disturbed areas and shall be subject to completion and approval of the prerequisite environmental review, Reclamation Plan, and coastal permit process. A coastal permit for new or expanded mining operations may be granted only upon a finding, based upon conclusive evidence, that such an activity will not significantly accelerate shoreline erosion or have significant unavoidable adverse impacts upon the dune and coastal strand's biological resources.

4.124(5) – The City recognizes the existence of designated mineral resources east of Highway 1 within the Armstrong Ranch portion of the City's Sphere of Influence area. Mineral extraction on a portion of the Ranch may constitute an appropriate interim use, recognizing also that Armstrong Ranch provides one of the last remaining large areas on the Central Coast suitable for housing and other urban development.

The sand mining operation on RMC Lonestar property is no longer in operation as of 2020. However, per the General Plan policy, the City still recognizes the sand west of Highway 1 as an important mineral resource.

Discussion/Mitigation

a-b.) The project site is not located within an area known for mineral resources or mineral resource extraction. Therefore, no impact would occur.

Conclusion

The proposed project would have no impact on mineral resources.

13. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise 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?	☐	☐	☐	☒

Setting

In the context of this document, "noise" is defined as unwanted sound. Environmental noise is frequently measured in decibels (dB). The A-weighted decibel (dBA) is used to reflect the human ear's sensitivity to sounds of different frequencies. On this scale, the sound level of normal talking is about 60 to 65 dBA. Because people are more sensitive to nighttime noise, sleep disturbance usually occurs at 40 to 45 dBA. The equivalent noise level (L_{eq}) is widely used and represents the average, or a weighted noise level during a stated period of time.

Generally, noise levels diminish as distance from the noise source increases. Some land uses are more sensitive to noise than others. Noise sensitive land uses are generally defined as residences, transient lodging, schools, hospitals, nursing homes, churches, meeting halls, parks, historic sites, cemeteries, and office buildings.

AMBIENT prepared a *Noise and Groundborne Vibration Technical Memorandum* for the proposed project (**Appendix B**). The proposed project is located on the east end of 9th Street within the southern region of the City. The existing concrete batch facility operates Monday through Saturday which includes the use of four (4) tractor trailer trucks and 12 mixer trucks for transportation of concrete to construction sites. The technical analysis identified the nearest residential land uses as being located approximately 485 feet northeast of the project site, across Imjin Parkway. Residential land uses are also located to the west of the project site approximately 950 feet away along California Drive. CSUMB's Promontory apartments are located approximately 1,175 feet south of the project site (AMBIENT, 2024b).

The Community Design and Development Element of the City of Marina General Plan defines Policy 4.111 which establishes maximum allowable noise standards for stationary noise sources as determined at the property line of the receiving noise-sensitive land use. Those noise standards are defined below (City, 2023; AMBIENT; 2024b):

- Daytime (7am – 10pm) – 50 dB hourly L_{eq}, 70 dBA L_{max}; and,

- Nighttime (10pm – 7am) – 45 dB hourly L_{eq}, 65 dBA L_{max}.

Furthermore, the City of Marina Municipal Code (Title 15, Buildings and Construction, Chapter 15.04, Section 15.04.055) generally limits noise-generating construction activities to between the hours of 7am and 7pm Monday through Saturday (City, 2024a). The ordinance also limits noise-generating construction activities between 10am and 7pm on Sundays and holidays (AMBIENT, 2024b).

Discussion/Mitigation

a.) Las Animas Concrete, LLC would continue operations of the existing facility with a decrease in use due to the departure of MPE trucks from the project site under the new CUP. The VMT assessment concluded there would be a less than significant transportation impact, and, therefore, an increase in noise along local roadways would not occur (see **Section 17. Transportation**) (AMBIENT, 2024b; Kimley Horn, 2024).

The technical analysis provided **Table 13-1** to summarize the measured noise levels for the existing ambient noise in the project area.

Table 13-1. Summary of Measured Noise Levels

Location[1]	Monitoring Period	Primary Noise Sources	Noise Level (dBA)	
			L_{eq}	L_{max}
1 - Las Animas Concrete Plant. Onsite approximately 125-175' from plant operations.	09:35-09:45	Plant Operations.[2]	64.3	72.3
2 - Las Animas Concrete Plant. Onsite approximately 365-400' from plant operations.	09:50-10:00	Plant Operations.[2]	54.4	63.7
3 – 9th Street. Near Marina Equestrian Center.	10:05-10:15	Traffic on 9th Street/California Dr. Plant operations (buzzer) intermittently detectable in distance.	47.2	57.9
4 – California Drive near Dx Drive.	10:20-10:30	Traffic on California Dr./area roadways. Plant operations largely undetectable.	47.0	56.8
5 – CSUMB Promontory.	10:38-10:48	Traffic on 8th St./area roadways. Plant operations undetectable.	46.6	56.3
6 – Abrams Drive near Imjin Parkway.	10:55-11:05	Traffic on Imjin Parkway. Plant operations undetectable.	56.3	65.4

Ambient noise measurements were conducted on July 1, 2024, using a SoftdB, Type II integrating sound level meter.

1. Refer to Figure 3 for noise-measurement locations.
2. Included stationary equipment (e.g., conveyors, mixer, buzzer), haul trucks, and off-road equipment (e.g., front-end loader).

Source: AMBIENT, 2024b.

The noise-measurement surveys for existing plant operations, including the operation of onsite stationary sources, haul trucks, and off-road equipment found an average of approximately 64 dBA L_{eq} at 150 feet from the plant center. The warning buzzer located at the project site generates measured noise levels of approximately 72 dBA L_{max} at 150 feet from the concrete batch facility. Furthermore, the average-hourly noise levels at nearby residential land uses, including the CSUMB Promontory apartments, is calculated at approximately 45 dBA L_{eq}

or less, and the noise associated with the warning buzzer would be approximately 63 dBA L_{max} or less (AMBIENT, 2024b).

The proposed project would result in a decrease in overall use of the project site under the new CUP, and existing operational noise levels at nearby residential land uses are not expected to exceed the City's daytime or nighttime noise standards. The ambient traffic noise along nearby roadways would also generally mask the sound from the project site (AMBIENT, 2024b). Therefore, this impact would be less than significant.

b.) The proposed project would result in a decrease in use of the project site as compared to the existing setting conditions. Therefore, the proposed project would not add new improvements, expand the existing facility, or expand the use of the existing facility. Based on the information provided above from the technical memorandum, short-term noise and groundborne vibration impacts were determined to be less than significant (AMBIENT, 2024b). Therefore, this impact would be less than significant.

c.) The proposed project is approximately two miles southwest of the Marina Municipal Airport. The *Revised Marina Municipal Airport Comprehensive Land Use Plan* identifies six (6) safety zones which are all north of the proposed project (Wadell Engineering Corporation, 2006). Furthermore, the proposed project is located outside the 20-year long-range noise exposure contours for the Airport and thus is compatible with the Community Noise Equivalent Level (CNEL) (Wadell Engineering Corporation, 2006). Furthermore, the *Marina Municipal Airport – Airport Master Plan Final Report* from 2018 also identifies that the project site is outside of the airport safety zones and the airport influence area (City, 2018). Therefore, no impact would occur.

Conclusion

The proposed project would have a less than significant impact regarding noise.

14. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

The County's population was 415,057 in 2010 and was estimated at 435,594 in 2018 (U.S. Census Bureau, 2019). Population in the County increased by just under five percent between 2010 and 2018, and growth has slowed considerably since the 1990s. Population growth in the City of Marina, one of 12 cities within the County of Monterey, has varied since the 1980s. Jobs and housing at the Fort Ord Army Base caused the City's population to swell 28 percent from 1980 to 1990, then drop nearly 29 percent from 1990 to 2000 when the base closed in 1994 (City, 2019). The U.S. Census estimates that the City's population increased 14 percent between 2010 to 2018 from 19,718 to 22,535 (U.S. Census Bureau, 2019). Due to the redevelopment of former Fort Ord properties, the City's population is projected to continue increasing steadily in the future (City, 2019). Additionally, in 2015, the City's labor force (i.e., all individuals who are able to work) was 11,300 and the unemployment rate was 8.4 percent (City, 2019).

Discussion/Mitigation

a-b.) The proposed project involves a decrease in use of the existing concrete batch facility associated with a new CUP. The concrete batch facility has operated continuously for the last 19 years, and the proposed project would not expand the footprint of the existing facility or involve new construction. The proposed project would not increase the number of employees. The concrete batch facility provides concrete to construction sites within the City and in nearby regions of Monterey County and would continue to do so with the renewed CUP. The proposed project would provide concrete to approved construction projects and would not induce them either directly or indirectly. Additionally, the proposed project would not displace existing people or housing as no expansion is associated with the proposed project. Therefore, the proposed project would have no impact.

Conclusion

The proposed project would have no impact on population and housing.

15. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Setting

Fire Protection

The Marina Fire Department serves the project site and is located approximately 1.4 miles northwest of the concrete batch plant.

Police Protection

Police protection is provided by the Marina Police Department (MPD), located approximately 1.4 miles northwest of the project site. MPD services include various police patrol services, vehicle abatement, records, including live scan fingerprinting, animal control, school resource officer services, various youth programs, and crime prevention through environmental design. The MPD has an average emergency response time of three to four minutes.

Schools

The project site lies within the Monterey Peninsula Unified School District, which encompasses the cities of Del Rey Oaks, Marina, Monterey, Sand City, and Seaside and serves more than 10,000 students. The district is comprised of three early education centers, 12 elementary schools, four middle schools, four high schools, and three charter schools. The district also offers alternative education and adult education programs. CSUMB, the local university, is located directly south of the project site.

Parks

There are a variety of recreational resources—from Federal reserves to State beaches, to small neighborhood parks—in the vicinity of the project site within the former Fort Ord and the City of Marina. These include Fort Ord National Monument, Fort Ord Dunes State Park, Marina State Beach, and various regional and local parks.

Discussion/Mitigation

a-b.) The proposed project would decrease the use of the existing project site. Therefore, the proposed project would continue to require service from the Marina Fire Department and MPD. This impact would be less than significant.

c-e.) The proposed project would not increase the number of employees and would continue its existing operations without an expansion of use. The proposed project would not directly or indirectly impact services provided by local schools, parks, or other public services outside of those previously discussed in items a and b of this section (i.e., fire and police). Therefore, no impact would occur.

Conclusion

The proposed project would have a less than significant impact on public services.

16. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Setting

Recreation includes formally designated parks, trails, and open spaces, which provide activities like hiking and bird watching, as well as bodies of water where boating, fishing, and swimming are enjoyed. Recreation in the County is based on access to natural resources that are unique to the area, like the Monterey Bay shoreline, which contains one of the most significant and rare dune landforms on the west coast. Beach access, dune access, and hiking trails are available along the coast at recreational areas, including the nearby Fort Ord National Monument, Fort Ord Dunes State Park, Marina State Beach. Local parks and recreational facilities within the City include Marina City Park, Glorya Jean Tate Park, Vince Di Maggio Park, Windy Hill Park, Marina Equestrian Center, and the Preston Park Sports Complex.

Discussion/Mitigation

a-b.) The proposed project would not involve an increase in employees and would continue its existing operations without an expansion of use. Therefore, the proposed project would not result in an increase in the use of the surrounding neighborhoods or regional parks. The proposed project would also not increase the impact on any recreation facilities including the adjacent Marina Equestrian Center. Therefore, no impact would occur.

Conclusion

The proposed project would have no impact on recreational resources.

17. TRANSPORTATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) 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?	☐	☐	☐	☒

Setting

Kimley Horn prepared a traffic analysis for the project (**Appendix C**). The proposed project is located on the east end of 9th Street which dead ends at the project site. About 900 feet to the west of the project site, 9th Street intersects with California Drive, which provides access to Imjin Parkway to the north and 8th Street to the south. The following state and local policies are applicable to the proposed project.

Senate Bill 743

Senate Bill (SB) 743 went into effect statewide on July 1, 2020, and is part of a long-standing effort to improve sustainability and reduce greenhouse gas emissions through denser infill development, a reduction in single occupancy vehicles, and improved mass transit, among other actions (Kimley Horn, 2024). SB 743 changes the metric used for evaluating transportation impacts from Level of Service (LOS) to VMT. The state considers VMT to be a good proxy for evaluating air quality and other transportation related impacts (Kimley Horn, 2024).

City of Marina SB 743 Implementation Guidelines

The City adopted SB 743 Implementation Guidelines in December 2020 which resulted in the selection of VMT analysis methodology, setting thresholds of significance, and potential mitigation. The City's VMT thresholds are as follows (Kimley Horn, 2024):

- Residential – 15% below baseline citywide VMT per capita (County average is 14.7 VMT per capita with a threshold of 12.8 VMT per capita).
- Office – 15% below baseline countywide VMT per employee (County average is currently 8.9 VMT per employee with a threshold of 7.7 VMT per employee).

- Commercial Retail – No net increase in VMT.
- Other Employment – Work VMT per employee (15% below existing countywide average Work VMT per employee for similar land uses).
- Other Customer – Net regional change using the County as the basis.

The guidelines also provide screening criteria to help determine non-significant transportation impacts. The following criteria are (Kimley Horn, 2024):

- Small Project – Project generation is less than 110 trips per day per the most recent version of the Institute of Transportation Engineers' (ITE) Trip Generation Manual or other acceptable source as determined by City of Marina.
- Project Near High Quality Transit – Within a ½ mile of an existing major transit stop (maintains a service interval frequency of 15 minutes or less during the morning and afternoon peak commute periods).
- Local Serving Retail – No single store on-site exceeds 50,000 square-feet.
- Affordable Housing – A high percentage of affordable housing is provided as determined by the City of Marina.
- Local Essential Service – development intensity of less than 50,000 square feet for a daycare, public school, police or fire facility, medical or dental office, or government office.
- Map-Based Screening – Area of development is under threshold as shown on screening map as
- allowed by City of Marina.
- Redevelopment Project – Project replaces an existing VMT-generating land use and does not result in a net overall increase in VMT.

The proposed project best fits the threshold of significance criteria for Other Employment and the screening criteria for Small Project and Redevelopment Project (Kimley Horn, 2024).

Discussion/Mitigation

a.) As previously mentioned, the proposed project would decrease the overall use of the project site under the new CUP with the departure of MPE and their trucks. With the departure of MPE and their trucks, the proposed project would reduce overall impacts on local roadways as compared with current operation conditions. Under the new CUP, the proposed project would have approximately 78 total trips per day, which is below the 110 trips per day threshold identified above (see also **Table 17.1**). As a part of the 2012 CUP approved by the Planning Commission, conditions of approval included Condition 8 for truck traffic circulation. Condition 8 stipulated that, "Truck operations shall be restricted to the approved circulation plan and shall not use Fourth Avenue" (City, 2012). Therefore, the current operation complies with local ordinances, and a decrease in overall truck traffic associated with the proposed project would result in future compliance.

In addition to reducing overall truck trips to and from the project site, the proposed project would not involve construction on- or off-site, especially construction that would impact or modify the local circulation system. This impact would be less than significant.

b.) The screening criteria provided by the City's SB 743 Implementation Guidelines help determine the level of significance for transportation impacts. The traffic analysis determined that two of the screening criteria apply to the proposed project: small projects and redevelopment projects.

Small projects would have a less than significant impact for VMT if the proposed project generates less than 110 vehicle trips per day and does not conflict with the Sustainable Communities Strategy (Kimley Horn, 2024).

The proposed project involves renewal of a CUP and would not change the current operation save for a slight decrease in overall truck trips associated with the departure of MPE from the project site. The existing concrete batch facility operated by Las Animas Concrete, LLC., employs 14 workers who average approximately 30 passenger car trips per day. Additionally, the proposed project would support about 48 mixer-truck trips per day. **Table 17-1** illustrates the projected number of vehicle trips associated with the proposed project, which would be approximately 78 vehicle trips per day. Therefore, the proposed project would have a less than significant impact regarding VMT as defined by the small project screening criteria.

Table 17-1. Project Trip Generation

Land Use	Size	Unit	Daily Trips
Existing and Proposed Las Animas Concrete Operations			
Passenger Car Trips	14	Employees	30
Heavy Vehicle Trips	16	Tractor-Trailor/Mixer Trucks	48
		Total Project Trips	78
Note: The project proposes no changes to existing operations under the CUP extension. Source: Kimley Horn, 2024			

Redevelopment projects would have a less than significant impact concerning VMT where a project replaces an existing VMT-generating land use and does not increase overall VMT (Kimley Horn, 2024). The transportation analysis notes that the proposed project would involve the renewal of a CUP and that the operation by Las Animas Concrete, LLC., would remain unchanged. However, the departure of MPE and their vehicles would constitute a decrease in use of the site. Since the proposed project would not involve construction or an increase in use of the project site, the proposed project would not have a net increase in VMT. Therefore, the proposed project would have a less than significant impact on VMT as defined by the redevelopment project screening criteria.

c.) The proposed project does not involve construction, and does not include construction modifications to a roadway, intersection, or driveway. The proposed project would also not require equipment that is incompatible with the industrial use of the project site. The proposed project involves a slight decrease in use of the project site as the number of truck trips would slightly decrease. Otherwise, operation of the existing concrete batch facility would remain unchanged. Therefore, no impact would occur.

d.) The project site is located at the east end of 9th Street where the street dead ends. 9th Street is not a major evacuation route for the City. With the exception of truck trips for the transport of concrete, operations at the project site would remain within the existing footprint of the concrete batch facility. The proposed project's use of trucks would decrease under the new CUP and truck traffic associated with the proposed project would not impair or interfere with an adopted emergency response plan or an emergency evacuation plan. Therefore, no impact would occur.

Conclusion

The proposed project would have a less than significant impact regarding transportation.

18. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 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 California 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 50201(k)?	☐	☐	☐	☒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Setting

California AB 52, in effect since July 2015, provides CEQA protections for Tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such Tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California PRC §21074, Tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a Tribe and that are eligible for or listed on the CRHR or a local historic register, or that the lead agency has determined to be of significant tribal cultural value.

The City mailed letters in November 17, 2023 to the appropriate Tribes. However, the City received no request for consultation within the 30-day time frame required by AB 52.

Discussion/Mitigation

a.) The proposed project does not necessitate construction and would decrease the use of the existing project site in compliance with the renewal of a CUP. The project site is developed and improved with the necessary infrastructure for the existing concrete batch plant, which has operated for the last 19 years. Since the proposed project does not require construction on or adjacent to the existing concrete batch facility, any previously unknown Tribal cultural resources would not be disturbed. Therefore, no impact would occur.

Conclusion

The proposed project would have no impact on Tribal cultural resources.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve 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 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 impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

Water

The Marina water supply system is owned and operated by MCWD, which is responsible for providing water service within the City. MCWD sources water from the SVGB, which supplies many other communities beyond MCWD's service area. MCWD's groundwater withdrawals are approximately 3,200 AFY and account for less than one percent of total annual SVGB withdrawals. Furthermore, water demands within MCWD are significantly below state and regional averages due to the district's aggressive water conservation practices (MCWD, 2019).

Wastewater

MCWD is also responsible for providing wastewater service to the project site. Sewage would be treated at the M1W wastewater treatment plant, located northwest of the project site within the City. Approximately 60 percent of all M1W wastewater intake is recycled, thereby reducing the discharge of treated wastewater into Monterey Bay (M1W, 2019).

The project site lies within the service area of Central Coast Community Energy (3CE), a locally-controlled public agency providing carbon-free electricity to residents and businesses. 3CE is based on a community choice aggregator model which is community focused and not for profit. 3CE is on track to provide 100 percent renewable energy by 2030. 3CE partners with PG&E, which continues to provide billing, power transmission and distribution, customer service, grid maintenance services, and natural gas services to Monterey County (3CE, 2024).

Solid Waste

Solid waste in the City is managed by the Monterey Regional Waste Management District (MRWMD) and disposed of at the Monterey Peninsula Landfill, located north of the project site within the City. The landfill currently receives less than 1,000 tons of solid waste per day (approximately 300,000 tons per year), but it is permitted to receive 3,500 tons of waste per day. At current disposal rates, the landfill has the capacity to accommodate development in the MRWMD service area for more than 100 years of waste. The proposed project would not generate solid waste as a part of construction as no construction would be necessary.

Discussion/Mitigation

a.) The proposed project does not involve construction and would decrease the use of the existing concrete batch facility. The use of public utility services would remain unchanged from previous uses at the site. Therefore, would not result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electricity, natural gas, or telecommunications facilities. No impact would occur.

b.) MCWD currently serves the concrete batch facility and provides approximately 9.2 acre-feet per year. The proposed project would not require an increase in water use at the project site and would continue to use the 9.2 acre-feet of water per year that the City previously allocated to the existing concrete batch facility. Therefore, the proposed project would have sufficient water supplies for the foreseeable future. No impact would occur..

c.) The proposed project would not require construction or an increase in use at the project site. Rather, the proposed project would decrease the overall use of the site. The proposed project would maintain the same level of wastewater treatment services under the new CUP as the facility had prior to renewal. No impact would occur.

d-e.) The proposed project does not require construction and would therefore not generate solid waste in excess of local standards or regulations or in a manner that would exceed the capacity of the local landfill. The existing concrete batch facility would continue to comply with all federal, state, and local laws regulating the generation and disposal of solid waste. This impact would be less than significant.

Conclusion

The proposed project would have a less than significant impact on utilities and service systems.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

Setting

The County of Monterey is characterized by moderate to very high fire hazards. Based on factors such as fuels, terrain, and weather, CALFIRE recommends or adopts fire hazard severity zones in local and state responsibility areas (SRA), respectively (CALFIRE, 2024a; CALFIRE, 2024b).. California Building Code Chapter 7a includes provisions for the construction of new buildings within very high fire hazard severity zones to improve the ignition resistance of buildings.

CALFIRE identifies the land within the jurisdiction of the City as an LRA, and the City does not boarder a SRA (CALFIRE, 2024a; CALFIRE, 2024b). Therefore, fire protection for the project site falls under the Marina Fire Department.

Discussion/Mitigation

a-d.) The proposed project is located in the southern region of the City of Marina. The City is not within or adjacent to a SRA (CALFIRE, 2024a; CALFIRE, 2024b). Furthermore, the City's General Plan does not classify fire hazard severity zones within the City. The proposed project does not involve construction that would alter or augment the existing concrete batch facility. Additionally, the proposed project does not involve expansion of the existing footprint or expansion of use. Therefore, the proposed project would not require installation or maintenance of infrastructure that may exacerbate fire risk; create a scenario that would increase the risk of exposure to wildfires and resulting pollution concentrations; or expose people or structures to significant wildfire related risks such as landslides, runoff, slope instability, or drainage changes.

Furthermore, the proposed project is located where 9th Street reaches a dead end and is not situated on an evacuation or emergency response route. Therefore, the proposed project would not impair any emergency response or evacuation plans. No impact would occur.

Conclusion

The proposed project would have no impact related to wildfires.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to 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?	☐	☐	☒	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion/Mitigation

a.-c.) The proposed project consists of a decrease in overall use of the project site associated with the departure of MPE and their trucks and involves the same level of operation as the existing concrete batch facility. No construction activities would be required, and the proposed project would not extend outside of the existing footprint and pose potentially significant effects on biological resources, historical and cultural resources, or have the potential to significantly impact other resource areas. The proposed project would also not cause substantial adverse effects on human beings, directly or indirectly, as a result of decreasing truck trips and acquiring a new CUP. As discussed in the preceding environmental checklist sections, the proposed project would have an overall less than significant effect on the environment with no potentially significant effects requiring mitigation. Additionally, based on the analysis provided in this IS, the proposed project would not have significant cumulative impacts. Therefore, the proposed project would have an overall less than significant impact.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

Conclusion: The Project will be required to pay the fee.

Evidence: This Initial Study finds an overall less than significant impact on biological resources.

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APPENDIX A

Air Quality & Greenhouse Gas Technical Memorandum – Las Animas Concrete Plant Cup Project

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TECHNICAL MEMORANDUM

Date:	July 5, 2024
To:	Denise Duffy & Associates, Inc.
From:	Kurt Legleiter, Principal
Subject:	**Air Quality & Greenhouse Gas Technical Memorandum – Las Animas Concrete Plant CUP Project**

INTRODUCTION

The purpose of this memorandum is to provide an assessment of potential air quality and greenhouse gas (GHG) impacts associated with implementation of the proposed Las Animas Concrete Plant Conditional Use Permit Project (project).

PROPOSED PROJECT

Project Location

The proposed project is located at 499 9th Street, Marina, California, 93399, in Monterey County (see Figure 1). The proposed project is located on APNs 031201016000 and 031251014000, with 031201016000 being the primary APN. The City's General Plan designates the project site as Light Industrial/Service Commercial, and the City's Zoning ordinance designates the site as Business Park which accommodates light industry, offices, research laboratories, nurseries and greenhouses, trade schools, storage warehouses, and retail and wholesale sales (see Figure 2). Specifically, the proposed project is in the south portion of the City. Surrounding land uses include residential developments to the north and west, with the nearest home being located approximately 485 feet away from the project site. To the west of the project site also sits an equestrian center, for which Las Animas currently stores corrals and fencing. To the south of the project site is CSUMB, and to the east is undeveloped land. The project site is currently developed with the Las Animas concrete batch facility and related infrastructure which has been operating for 19 years.

Existing Facilities

The existing concrete batch facility began operation in 2005. The facility currently accommodates 150 cubic yards of rock and sand stockpiled on site as raw materials to make concrete. Concrete batch infrastructure includes material bunkers, hoppers, two (2) 55-foot-tall silos, one (1) 125-foot-long conveyor, and one (1) 40x10 foot lined wash/settling pond. The facility houses six concrete mixer trucks and has averaged approximately 30 trips a day during the last 19 years of operation. There are no improvements to handle hardened materials as these materials are transferred to an off-site crushing facility.

Figure 1. Regional Location

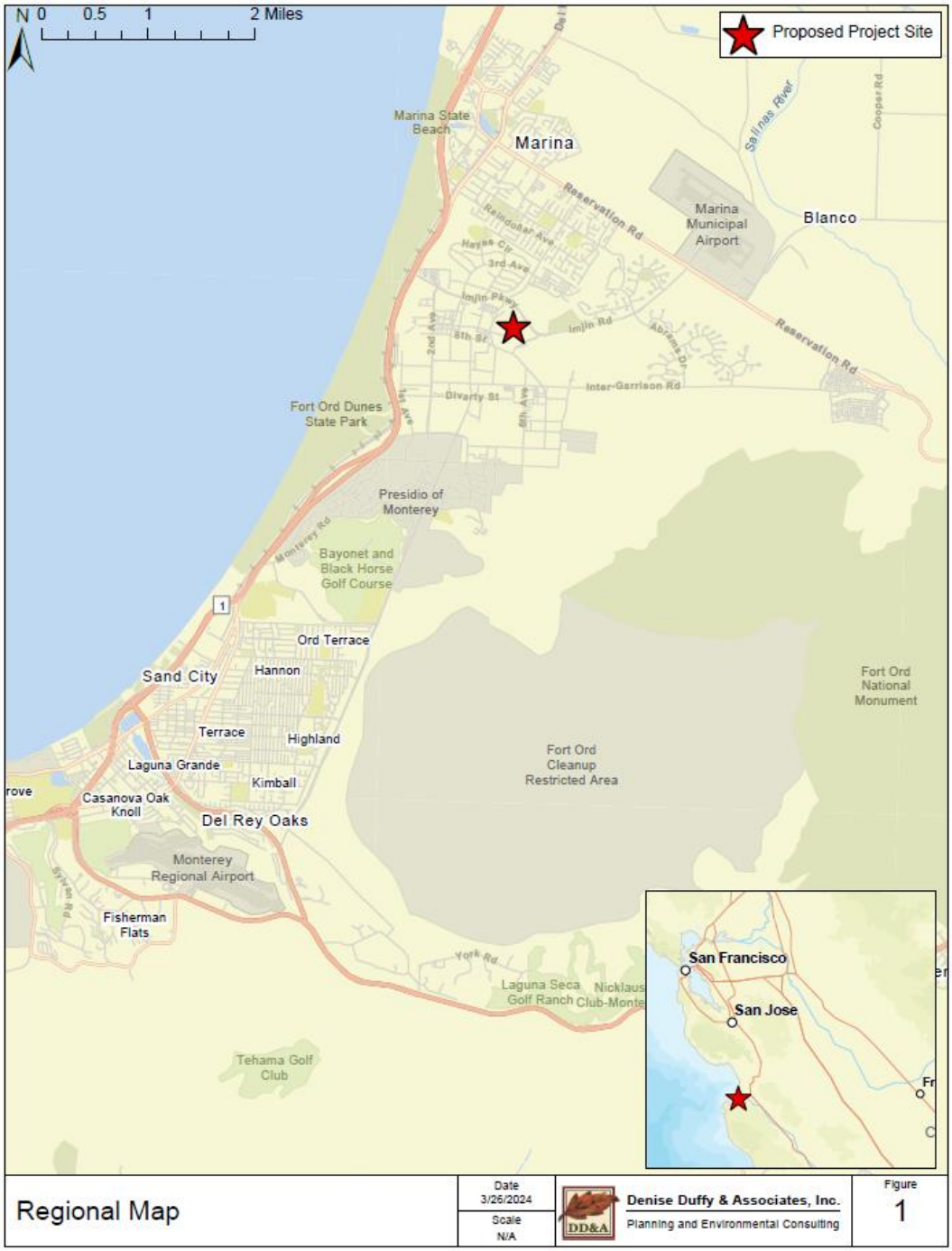

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Figure 2. Proposed Project Location

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Existing Operations

The Las Animas concrete batch facility currently operates Monday through Saturday to support local development and construction projects. Operations include loading materials like sand and coarse aggregate into a portable plant which then dispenses these products into mixer trucks. Las Animas has four (4) tractor-trailer trucks that take three (3) to four (4) trips per day and 12 mixer trucks that take about four (4) trips per day. The facility supports 14 employees and accommodates approximately 48 mixer truck trips per day with access provided by Imjin Parkway and California Drive via 9th Street. Nighttime jobs occur on occasion and each job can last approximately two (2) to three (3) weeks at a time.

Project Description

Las Animas Concrete is seeking to renew a CUP to operate the existing concrete batch facility that has operated continuously over the last 19 years. The new CUP will be for a limited three (3) year term with an extra year to decommission the site. The project site is improved with existing material bunkers, hoppers, an air compressor shed, admix shed, a parts room, workshop space, two (2) 55-foot-tall silos, one (1) 125-foot-long conveyor, and four (4) 30x15 foot washouts/settling ponds. The proposed project would not add new improvements, expand the existing facility, or expand the use of the existing facility. Therefore, the project would remain within the same footprint as the existing concrete batch facility.

Under the new CUP, the estimated water and energy uses of the facility would remain unchanged from previous operational requirements. Las Animas would operate Monday through Friday from 6 am to 5 pm with occasional jobs on Saturday and would continue to employ 14 staff members. Las Animas expects to have between 10-20 and 25-35 truck trips per day throughout the week. However, the proposed project would decrease the existing use of the site. The Las Animas site had housed between 10 and 15 MPE haul and water trucks at the existing concrete batch facility. The proposed project would involve a decrease in use because MPE has removed their trucks from the project site resulting in less truck trips to and from the site. Additionally, Las Animas would have limited nighttime operation. Under the CUP, the City defines nighttime operation as operation between 10 pm and 6 am and would allow Las Animas 30 nighttime operational uses per year. Nighttime use of the site would support construction projects in Monterey County, especially in local cities like Marina.

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REGULATORY SETTING

Air quality within the NCCAB is regulated by several jurisdictions including the United States Environmental Protection Agency (U.S. EPA), California Air Resources Board (ARB), and the Monterey Bay Air Resources District (MBARD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. Although U.S. EPA regulations may not be superseded, both state and local regulations may be more stringent.

U.S. Environmental Protection Agency

At the federal level, the U.S. EPA has been charged with implementing national air quality programs. The U.S. EPA's air quality mandates are drawn primarily from the FCAA, which was signed into law in 1970. Congress substantially amended the Federal Clean Air Act (FCAA) in 1977 and again in 1990. The EPA establishes National Ambient Air Quality Standards (NAAQS) for common air pollutants, also known as "criteria" air pollutants. These standards are established for the protection of public health and welfare. NAAQS are summarized in Table 1 (CARB 2024).

California Air Resources Board

The ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. Other ARB duties include monitoring air quality in conjunction with air monitoring networks maintained by air pollution control districts and air quality management districts, establishing CAAQS, which in many cases are more stringent than the NAAQS, and setting emissions standards for new motor vehicles. The CAAQS are summarized in Table 1. The emission standards established for motor vehicles differ depending on various factors including the model year, and the type of vehicle, fuel, and engine used (CARB 2024).

Monterey Bay Air Resources District

The MBARD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions are maintained in the NCCAB, within which the project is located. Responsibilities of the MBARD include but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting, and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution, and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the FCAA and the CCAA. In an attempt to achieve NAAQS and CAAQS and maintain air quality, the MBARD has completed several air quality plans including the 2014 *Plug-In Electric Vehicle Readiness Plan*, the *2012-2015 Air Quality Management Plan (AQMP)* for achieving the state ozone standards and the *2007 Federal Maintenance Plan* for maintaining federal ozone standards (MBARD 2008).

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Table 1
Summary of National Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards*	National Standards* (Primary)
Ozone (O_3)	1-hour	0.09 ppm	–
	8-hour	0.070 ppm	0.070 ppm
Particulate Matter (PM_{10})	AAM	20 µg/m^3	–
	24-hour	50 µg/m^3	150 µg/m^3
Fine Particulate Matter ($PM_{2.5}$)	AAM	12 µg/m^3	12 µg/m^3
	24-hour	No Standard	35 µg/m^3
Carbon Monoxide (CO)	1-hour	20 ppm	35 ppm
	8-hour	9 ppm	9 ppm
	8-hour (Lake Tahoe)	6 ppm	–
Nitrogen Dioxide (NO_2)	AAM	0.030 ppm	0.053 ppm
	1-hour	0.18 ppm	0.100 ppb
Sulfur Dioxide (SO_2)	AAM	–	0.03 ppm
	24-hour	0.04 ppm	0.14 ppm
	3-hour	–	0.5 ppm (1300 µg/m^3)**
	1-hour	0.25 ppm	75 ppb
Lead	30-day Average	1.5 µg/m^3	–
	Calendar Quarter	–	1.5 µg/m^3
	Rolling 3-Month Average	–	0.15 µg/m^3
Sulfates	24-hour	25 µg/m^3	No Federal Standards
Hydrogen Sulfide	1-hour	0.03 ppm (42 µg/m^3)	
Vinyl Chloride	24-hour	0.01 ppm (26 µg/m^3)	
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/kilometer-visibility of 10 miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when the relative humidity is less than 70 percent.	

ppm=parts per million; ppb=parts per billion; AAM=Annual Arithmetic Mean; µg/m^3=micrograms per cubic meter
** For more information on standards visit: http//ww.arb.ca.gov.research/aaqs/aaqs2.pdf*
***Secondary Standard*
Source: ARB 2024

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CEQA Air Quality Guidelines

To assist local jurisdictions in the evaluation of air quality impacts, the MBARD has published the *CEQA Air Quality Guidelines* (MBARD 2008). This guidance document includes recommended thresholds of significance to be used for the evaluation of short-term construction, long-term operational, odor, toxic air contaminant, and cumulative air quality impacts. These thresholds were developed taking into consideration potential impacts on regional and local air quality and related public-health concerns (MBARD 2008).

IMPACT ANALYSIS

Short-term Construction Impacts

The proposed project would not add new improvements, expand the existing facility, or expand the use of the existing facility. As a result, short-term air quality and greenhouse gas (GHG) impacts would be considered less than significant.

Long-term Operational Impacts

Las Animas Concrete, LLC is seeking a new three-year limited conditional use permit (CUP) to continue operations of the existing facility with a decrease in use. Under the new CUP, the estimated water and energy uses of the facility would remain unchanged from previous operational requirements. In addition, the proposed project would result in a decrease in motor vehicle use because MPE has removed their trucks from the project site resulting in less truck trips to and from the site. Based on the VMT assessment prepared for this project, project-generated vehicle trips and associated vehicle miles traveled were deemed to have a less-than-significant transportation impact (Kimley Horn 2024). In addition, existing plant operations are currently permitted by MBARD (refer to Attachment A). No new stationary sources of emissions or changes in onsite operations are proposed that would result in a change to currently permitted operations. For these reasons, implementation of the proposed project would not be anticipated to result in increased emissions of criteria air pollutants or GHGs, nor increases in localized pollutant concentrations. Implementation of the proposed project would not be anticipated to conflict with applicable GHG-reduction plans or regulations. As a result, air quality and GHG impacts associated with the proposed project would be considered to have a less-than-significant impact.

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REFERENCES

California Air Resources Board (CARB). Accessed: July 2, 2024. *Laws and Regulations*. Website url: https://ww2.arb.ca.gov/resources/documents/laws-and-regulations.

Kimley Horn. May 31, 2024. DRAFT Vehicle Miles Traveled (VMT) Assessment. Las Animas Concrete, City of Marina.

Monterey Bay Air Resources District (MBARD). 2008. *CEQA Air Quality Guidelines*.

Monterey Bay Air Resources District (MBARD). 2018. *Permit to Operate GNR-0017731. Concrete Batch Plant*.

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ATTACHMENT 1

MONTEREY BAY AIR RESOURCES DISTRICT
PERMIT TO OPERATE

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Monterey Bay Air Resources District
Serving Monterey, San Benito, and Santa Cruz Counties

24580 Silver Cloud Court
Monterey, CA 93940
PHONE: (831) 647-9411 • FAX: (831) 647-8501

October 15, 2018

Tyler French
Field Manager
Las Animas Concrete
146 Encinal St.
Santa Cruz, CA 95060

SUBJECT: PERMIT TO OPERATE GNR-0017731
CONCRETE BPTOH PLANT

Dear Tyler French:

The District has completed its evaluation of your application for the following:

- Replacement of the dust collection baghouse serving the cement storage silo for the concrete batch plant located at East End of 9th Street in Marina, California.

Per the District's inspection conducted on July 23, 2018, it has been determined that the concrete batch plant, with operational restrictions, has the ability to comply with applicable District regulations. Accordingly, Permit to Operate (PTO) GNR-0017731 has been issued and enclosed. The PTO must be posted or readily accessible at the operating site, and cannot be considered as permission to violate applicable laws, ordinances, regulations or statutes of other governmental agencies.

Please review the conditions associated with the PTO to ensure that the equipment will operate in accordance with District rules. In particular, please note Conditions 2 & 3:

- **Condition 2** – Daily process throughput of concrete shall not exceed 800 cubic yards per day.
- **Condition 3** – Las Animas Concrete shall record the daily process throughput in a monthly log.

PTO GNR-0017731 replaces PTO 12419, and remains renewable on March 9 of each year. A billing invoice will be mailed to you in March, which requires payment of the permit renewal fee.

If you have any questions, please contact me at the District office (831) 718-8009.

Sincerely,

Mengmeng Fang
Mengmeng Fang
Air Quality Engineer

Enclosure: Permit to Operate GNR-0017731

Cc: Tyler French, tyler@lasanimasconcrete.com
Emanual Chavez, lasanimasmarina@gmail.com

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Monterey Bay Air Resources District

MONTEREY BAY AIR RESOURCES DISTRICT

PERMIT TO OPERATE

GNR-0017731

24580 SILVER CLOUD CT., MONTEREY, CA 93940 TELEPHONE (831) 647-9411 • FAX (831) 647-8501

OPERATION UNDER THIS PERMIT MUST BE CONDUCTED IN COMPLIANCE WITH ALL DATA AND SPECIFICATIONS INCLUDED WITH THE APPLICATION UNDER WHICH THIS PERMIT IS ISSUED. THE EQUIPMENT MUST BE PROPERLY MAINTAINED AND KEPT IN GOOD CONDITION AT ALL TIMES. THIS PERMIT TO OPERATE MUST BE POSTED OR ACCESSIBLE.

LEGAL OWNER OR OPERATOR:	LAS ANIMAS CONCRETE
EQUIPMENT LOCATED AT:	East End of 9th Street (Former Fort Ord Prison Stockade) Marina, California
EQUIPMENT DESCRIPTION AND CONDITIONS:	THIS PERMIT TO OPERATE IS ISSSUED AND IS VALID FOR THIS EQUIPMENT ONLY WHILE IT IS IN THE CONFIGURATION SET FORTH IN THE FOLLOWING DESCRIPTION:

CONCRETE BATCH PLANT:

Concrete Batch Plant, Rex Logo, Model 5, Serial #1749, Including The Following Equipment:

1. Three (3) Aggregate Feeder Bins. Receive Material From Aggregate Storage Piles Via Front End Loader And Discharge To Three Elevated Feeder Bin Conveyors.
2. Three (3) Elevated Bin Conveyors, 24" Wide. Receive Aggregate From The Aggregate Feeder Bins And Discharge To Elevated Feeder Bins.
3. Three (3) Elevated Feeder Bins. Receive Aggregate From Aggregate Feed Bin Conveyors And Discharge To Aggregate Weigh Hopper.
4. Aggregate Weigh Hopper. Receives Aggregate From Elevated Feeder Bins And Discharges To Aggregate Delivery Conveyor.
5. Aggregate Delivery Conveyor, 24" Wide. Receives Aggregate From Aggregate Weigh Hopper And Discharges To Delivery Truck Loading Funnel.
6. Fly Ash Storage Bin, 30 Ton Capacity, Served By A Bin Type Dust Collector, R &S Model PJC-305 Baghouse, Serial #12825, With A Total Of Thirty-Six (36) 4" Diameter x 37" Long Filter Bags. Fly Ash Received Via Pneumatic Delivery And Discharged To 2 Ton Cement Weigh Hopper.
7. Cement Storage Silo, 100 Ton Capacity, 12' Diameter x 50' High, Served By A Pulse Jet Dust Collector, R &S Model PJC-305 Baghouse, Serial #507951, With A Total Of Eight (8) 8" Diameter x 39" Long Bags, 315 Ft² Of Total Filter Area. Cement Received Via Pneumatic Delivery, And Discharged To Cement Delivery Screw Conveyor.

THIS PERMIT BECOMES VOID UPON ANY CHANGE OF OWNERSHIP OR ADDRESS, OR ANY ALTERATION.

THIS PERMIT DOES NOT AUTHORIZE THE EMISSIONS OF AIR CONTAMINANTS IN EXCESS OF THOSE ALLOWED BY ARTICLE 1, CHAPTER 3, PART 4, DIVISION 26 OF THE HEALTH & SAFETY CODE OF THE STATE OF CALIFORNIA OR THE RULES AND REGULATIONS OF THE AIR POLLUTION CONTROL DISTRICT. THIS PERMIT CANNOT BE CONSIDERED AS PERMISSION TO VIOLATE EXISTING LAWS, ORDINANCES, REGULATION OR STATUTES OF OTHER GOVERNMENTAL AGENCIES.

Mary Giraudo, For
AIR POLLUTION CONTROL OFFICER

DATE 10/15/2018

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8. Cement Delivery Screw Conveyor, 10" Diameter. Receives Cement From Cement Storage Silo And Discharges To 2 Ton Cement Weigh Hopper.

9. Cement Weigh Hopper, 2 Ton Capacity, Served By Bin Type Dust Collector With A Total Of Fourteen (14) 4" Diameter x 18" Long Socks, Discharging Back To Weigh Hopper. Receives Cement From Cement Delivery Screw Conveyor And 30 Ton Fly Ash Storage Bin, And Discharges To Delivery Truck Loading Funnel.

10. Delivery Truck Loading Funnel, Served By Concrete Dust Collector. Receives Cement And Aggregate From 2 Ton Concrete Weigh Hopper And Discharges To Concrete Delivery Truck. Delivery area Surrounded On Three Sides By Curtains.

11. Concrete Dust Collector, R & S Industries, Model #PJB-785, Serial #5371, With A Total Of Fifty (50) 6" Diameter x 120" Long Polyester Bags And One (1) 15-Hp Exhaust Fan Rated At 5000 CFM Venting To Atmosphere, Serving The Delivery Truck Loading Funnel And Discharging To The 30 Ton Fly Ash Bin Via Pneumatic Delivery.

THE EQUIPMENT FOR WHICH THIS PERMIT TO OPERATE IS ISSUED MAY BE OPERATED ONLY WHEN IN COMPLIANCE WITH THE FOLLOWING CONDITIONS:

Conditions:

1. Annual process throughput shall be reported to the District, upon request.
2. Daily process throughput of concrete shall not exceed 800 cubic yards per day.
3. Las Animas Concrete shall record the daily process throughput in a monthly log. Records shall be retained for at least five years and made readily available to District staff upon request.
4. Cement and fly ash shall not be transferred into or out of the storage silos unless the equipment is vented to air pollution control equipment which is in full use.
5. Concrete must be batched only into mixer trucks equipped with receiving hoppers.
6. The dust collection systems serving the cement silo, fly ash storage bin, cement weigh hopper and mixer truck must be maintained in good operating condition at all times.
7. Storage silo service hatches must remain closed at all times except as required for gauging or maintenance.
8. Sufficient natural or added moisture must be contained in the materials handled to prevent excessive fugitive emissions from plant operations. Excessive fugitive emissions are defined as emissions equal to or exceeding Ringelmann 1, or equivalent 20 percent opacity, for any period or periods aggregating more than three minutes in any one hour, or which cause a public nuisance."
9. Aggregate shall only be transferred into aggregate storage bins with the water spray system in operation, to the extent necessary, to prevent excessive fugitive emissions, as defined in Condition 8.
10. Haul roads, access roads, and general plant areas must be paved, sprayed with chemical stabilizer, kept sufficiently moist, or otherwise maintained to prevent excessive fugitive emissions, as defined in Condition 8, from vehicle traffic or front end loader activity.

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11. No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark or darker than Ringelmann 1, or equivalent 20% opacity.
12. No emissions shall constitute a public nuisance.

Note: The annual renewal date of this permit is 3/9.

APPENDIX B

Noise & Groundborne Vibration Technical Memorandum – Las Animas Concrete Plant Cup Project

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TECHNICAL MEMORANDUM

Date:	July 5, 2024
To:	Denise Duffy & Associates, Inc.
From:	Kurt Legleiter, Principal
Subject:	**Noise & Groundborne Vibration Technical Memorandum – Las Animas Concrete Plant CUP Project**

INTRODUCTION

The purpose of this memorandum is to provide an assessment of potential noise and groundborne vibration impacts associated with implementation of the proposed Las Animas Concrete Plant Conditional Use Permit Project (project).

PROPOSED PROJECT

Project Location

The proposed project is located at 499 9th Street, Marina, California, 93399, in Monterey County (see Figure 1). The proposed project is located on APNs 031201016000 and 031251014000, with 031201016000 being the primary APN. The City's General Plan designates the project site as Light Industrial/Service Commercial, and the City's Zoning ordinance designates the site as Business Park which accommodates light industry, offices, research laboratories, nurseries and greenhouses, trade schools, storage warehouses, and retail and wholesale sales (see Figure 2). Specifically, the proposed project is in the south portion of the City. Surrounding land uses include residential developments to the north and west, with the nearest home being located approximately 485 feet away from the project site. To the west of the project site also sits an equestrian center, for which Las Animas currently stores corrals and fencing. To the south of the project site is CSUMB, and to the east is undeveloped land. The project site is currently developed with the Las Animas concrete batch facility and related infrastructure which has been operating for 19 years.

Existing Facilities

The existing concrete batch facility began operation in 2005. The facility currently accommodates 150 cubic yards of rock and sand stockpiled on site as raw materials to make concrete. Concrete batch infrastructure includes material bunkers, hoppers, two (2) 55-foot-tall silos, one (1) 125-foot-long conveyor, and one (1) 40x10 foot lined wash/settling pond. The facility houses six concrete mixer trucks and has averaged approximately 30 trips a day during the last 19 years of operation. There are no improvements to handle hardened materials as these materials are transferred to an off-site crushing facility.

Figure 1. Regional Location

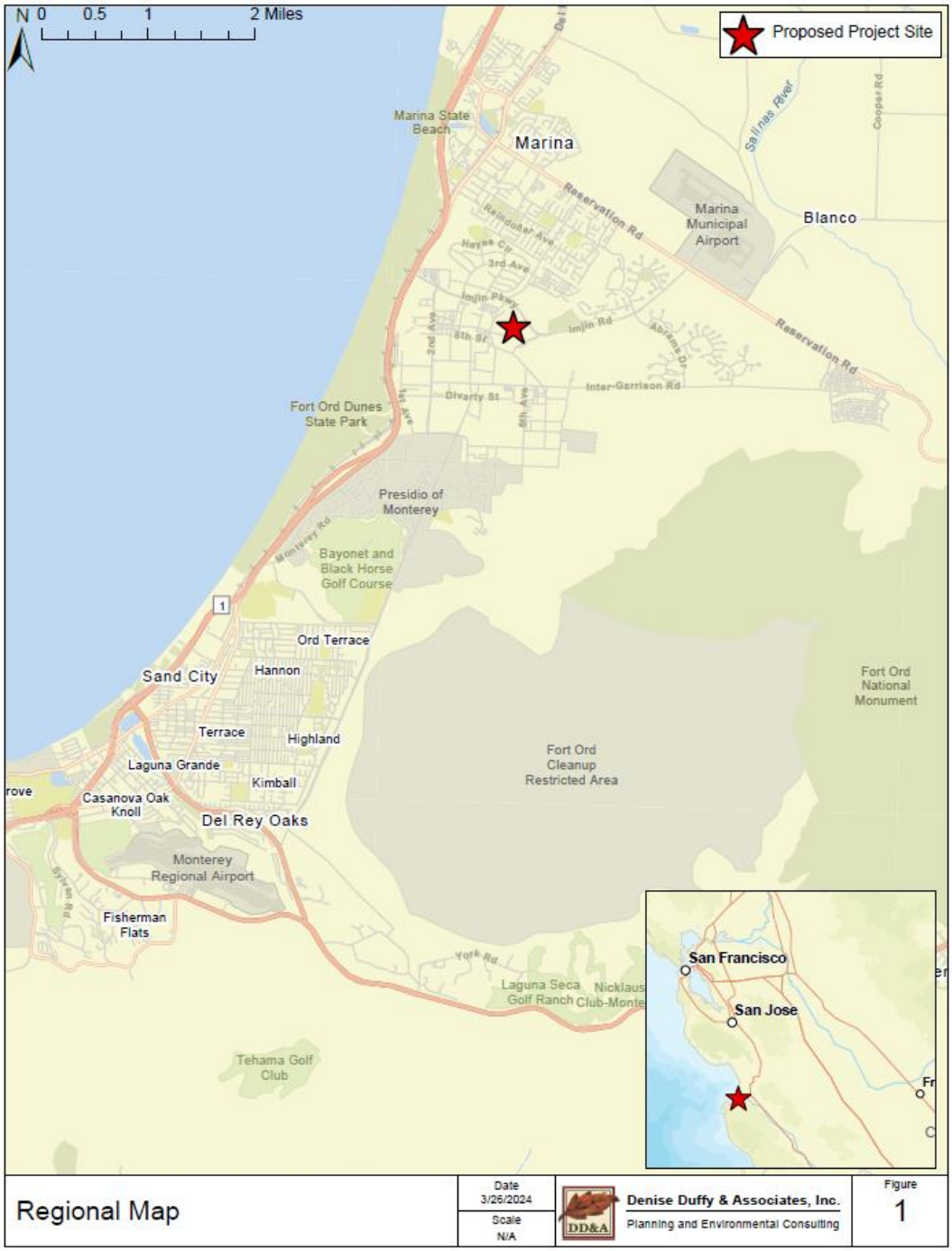

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Figure 2. Proposed Project Location

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Existing Operations

The Las Animas concrete batch facility currently operates Monday through Saturday to support local development and construction projects. Operations include loading materials like sand and coarse aggregate into a portable plant which then dispenses these products into mixer trucks. Las Animas has four (4) tractor-trailer trucks that take three (3) to four (4) trips per day and 12 mixer trucks that take about four (4) trips per day. The facility supports 14 employees and accommodates approximately 48 mixer truck trips per day with access provided by Imjin Parkway and California Drive via 9th Street. Nighttime jobs occur on occasion and each job can last approximately two (2) to three (3) weeks at a time.

Project Description

Las Animas Concrete is seeking to renew a CUP to operate the existing concrete batch facility that has operated continuously over the last 19 years. The new CUP will be for a limited three (3) year term with an extra year to decommission the site. The project site is improved with existing material bunkers, hoppers, an air compressor shed, admix shed, a parts room, workshop space, two (2) 55-foot-tall silos, one (1) 125-foot-long conveyor, and four (4) 30x15 foot washouts/settling ponds. The proposed project would not add new improvements, expand the existing facility, or expand the use of the existing facility. Therefore, the project would remain within the same footprint as the existing concrete batch facility.

Under the new CUP, the estimated water and energy uses of the facility would remain unchanged from previous operational requirements. Las Animas would operate Monday through Friday from 6 am to 5 pm with occasional jobs on Saturday and would continue to employ 14 staff members. Las Animas expects to have between 10-20 and 25-35 truck trips per day throughout the week. However, the proposed project would decrease the existing use of the site. The Las Animas site had housed between 10 and 15 MPE haul and water trucks at the existing concrete batch facility. The proposed project would involve a decrease in use because MPE has removed their trucks from the project site resulting in less truck trips to and from the site. Additionally, Las Animas would have limited nighttime operation. Under the CUP, the City defines nighttime operation as operation between 10 pm and 6 am and would allow Las Animas 30 nighttime operational uses per year. Nighttime use of the site would support construction projects in Monterey County, especially in local cities like Marina.

AFFECTED ENVIRONMENT

Nearby Noise-Sensitive Land Uses

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended

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purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are also considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places where low interior noise levels are essential are also considered noise-sensitive land uses.

The nearest residential land uses are located approximately 485 feet east of the project site, across Imjin Parkway. Residential land uses are also located approximately 950 feet west of the project site along California Drive. The Marina Equestrian Center is located adjacent to and west of the project site. In addition, the California State University Monterey Bay's Promontory is located approximately 1,175 feet south of the project site. Nearby land uses are depicted in Figure 3.

Ambient Noise Environment

To document existing ambient noise levels in the project area, short-term ambient noise measurements were conducted on July 1, 2024. Noise measurements were conducted using a SoftdB, Type II integrating sound-level meter. The meter was calibrated before use and is certified to comply with ANSI specifications. Measured ambient daytime noise levels are summarized in Table 1.

Table 1. Summary of Measured Noise Levels

Location[1]	Monitoring Period	Primary Noise Sources	Noise Level (dBA)	
			L_{eq}	L_{max}
1 – Las Animas Concrete Plant. Onsite approximately 125-175' from plant operations.	09:35-09:45	Plant Operations.[2]	64.3	72.3
2 – Las Animas Concrete Plant. Onsite approximately 365-400' from plant operations.	09:50-10:00	Plant Operations.[2]	54.4	63.7
3 – 9th Street. Near Marina Equestrian Center.	10:05-10:15	Traffic on 9th St./California Dr. Plant operations (buzzer) intermittently detectable in distance.	47.2	57.9
4 – California Drive near Dx Drive.	10:20-10:30	Traffic on California Dr./area roadways. Plant operations largely undetectable.	47.0	56.8
5 – CSUMB Promontory.	10:38-10:48	Traffic on 8th St./area roadways. Plant operations undetectable.	46.6	56.3
6 – Abrams Drive near Imjin Parkway.	10:55-11:05	Traffic on Imjin Parkway. Plant operations undetectable.	56.3	65.4

Ambient noise measurements were conducted on July 1, 2024, using a SoftdB, Type II integrating sound level meter.

1. *Refer to Figure 3 for noise-measurement locations.*
2. *Included stationary equipment (e.g., conveyors, mixer, buzzer), haul trucks, and off-road equipment (e.g., front-end loader)*

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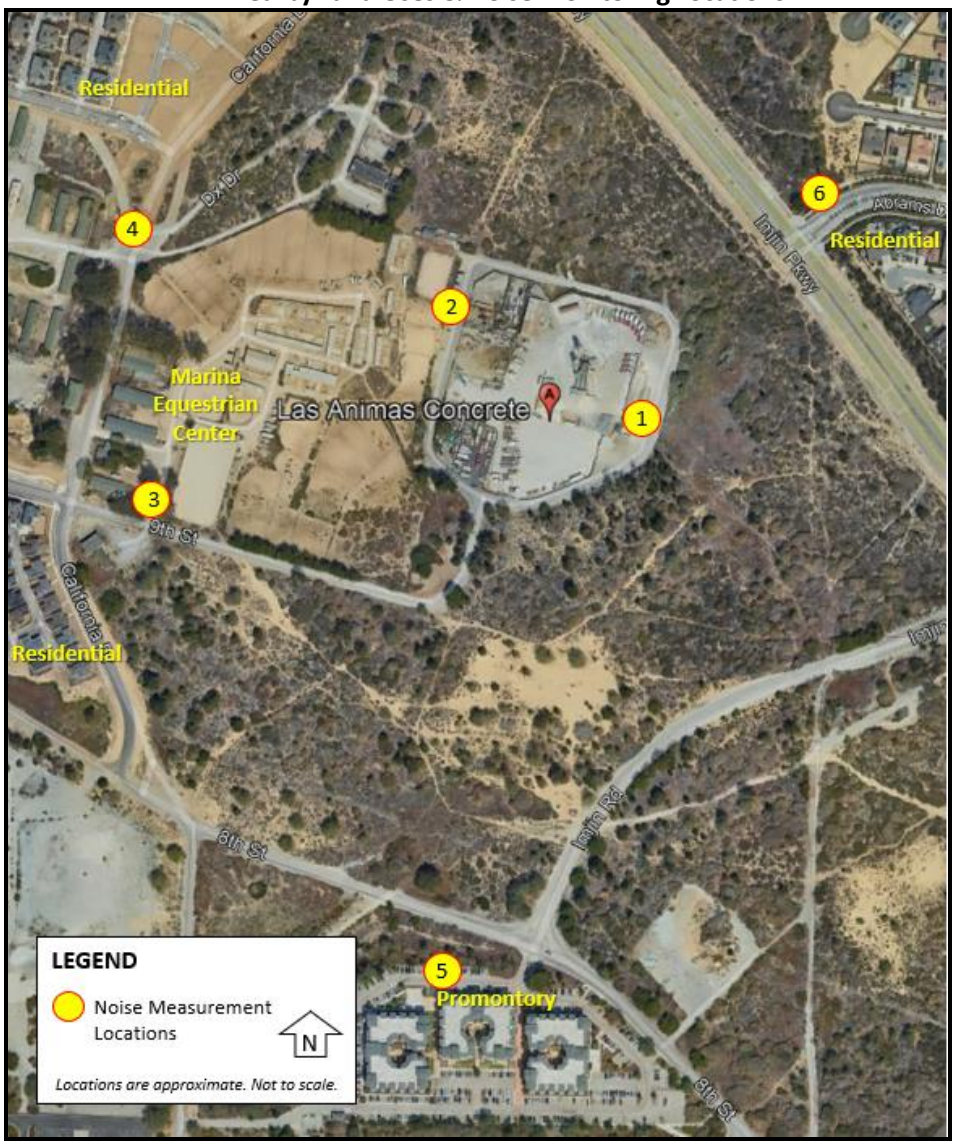
Figure 3
Nearby Land Uses & Noise Monitoring Locations



Based on the measurements conducted, onsite plant operational noise levels measured approximately 54–64 dBA L_{eq}. Maximum instantaneous noise levels measured approximately 64-72 dBA L_{max}. Ambient noise levels in the vicinity of nearby land uses measured approximately 47–56 dBA L_{eq}. Ambient noise levels at nearby land uses were influenced primarily by vehicle traffic on area roadways. Plant operations during the measurement periods were largely undetectable at nearby land uses.

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REGULATORY SETTING

City of Marina

The City of Marina General Plan, Community Design and Development Element, Public Health and Safety, Section 4.111, establishes maximum allowable noise standards for stationary noise sources as determined at the property line of the receiving noise-sensitive land use. The City's noise standards are as follows:

- Daytime (7 a.m. – 10 p.m.) – 50 dB hourly L_{eq}, 70 dBA L_{max}; and,
- Nighttime (10 p.m. – 7 a.m.) – 45 dB hourly L_{eq}, 65 dBA L_{max}

In addition, the City of Marina Municipal Code (Title 15, Buildings and Construction, Chapter 15.04, Section 15.04.055) generally limits noise-generating construction activities to between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, and between the hours of 10:00 a.m. and 7:00 p.m. on Sundays and holidays (standard time).

IMPACT ANALYSIS

Short-term Construction Impacts

The proposed project would not add new improvements, expand the existing facility, or expand the use of the existing facility. As a result, short-term noise and groundborne vibration impacts would be considered less than significant.

Long-term Operational Impacts

Las Animas Concrete, LLC is seeking a new three-year limited conditional use permit (CUP) to continue operations of the existing facility with a decrease in use. Under the new CUP, the proposed project would result in a decrease in motor vehicle use because MPE has removed their trucks from the project site resulting in less truck trips to and from the site. Based on the VMT assessment prepared for this project, project-generated vehicle trips and associated vehicle miles traveled were deemed to have a less-than-significant transportation impact (Kimley Horn 2024). As a result, the proposed project would not be anticipated to result in increases in traffic noise along area roadways.

Based on the noise-measurement surveys conducted, existing plant operations, including the operation of onsite stationary sources, haul trucks, and off-road equipment, averaged approximately 64 dBA L_{eq} at 150 feet from the plant center. Instantaneous noise levels associated with plant operations are largely associated with the plant's warning buzzer, which generated measured noise levels of approximately 72 dBA L_{max} at 150 feet from the plant. Based on these levels, predicted average-hourly noise levels at nearby residential land uses, including CSUMB Promontory, would be approximately 45 dBA L_{eq}, or less. Instantaneous noise levels associated with the plant's buzzer at nearby residential land uses would be approximately 63 dBA L_{max}, or less.

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Existing operational noise levels at nearby residential land uses were not predicted to exceed the City's corresponding daytime or nighttime noise standards and would be largely masked by ambient traffic noise levels along area roadways. The proposed project would not add new improvements, expand the existing facility, or expand the use of the existing facility. For these reasons, noise and groundborne vibration impacts associated with the proposed project would be considered to have a less-than-significant impact.

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REFERENCES

City of Marina. October 31, 2000. General Plan. Website url: https://www.cityofmarina.org/DocumentCenter/View/13219/General-Plan-Last-Update-2023-

City of Marina. Municipal Code. Website url: https://marina.municipal.codes/.

Kimley Horn. May 31, 2024. DRAFT Vehicle Miles Traveled (VMT) Assessment. Las Animas Concrete, City of Marina.

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ATTACHMENT 1

NOISE MONITORING SURVEYS

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NOISE MEASUREMENT SURVEY FORM

SHEET 1 OF 1

DATE:	7/1/2024
PROJECT:	LAS ANIMAS CONCRETE PLANT
MONITORING STAFF:	KURT LEGLEITER

ST=Short-term Measurements (Not to scale. Locations are approximate.)

NOISE MEASUREMENT CONDITIONS & EQUIPMENT

MET CONDITIONS & MONITORING EQUIPMENT:	TEMP: 74-77 F. | HUMIDITY: 55-65 % | WIND SPEED: 3-5 MPH | GROUND: DRY				
	CLOUD COVER BY CLASS (OC=OVERCAST):	2 & 3	(1. HEAVY OC, 2. LIGHT OC, 3. SUNNY, 4. CLEAR NIGHT, 5. OC NIGHT)		
	MET. METER:	KESTREL 5500			
NOISE MONITORING EQUIPMENT:	SLM MODEL:	TYPE II SOFT DB			
	CALIBRATOR:	LARDAV CAL200			
NOISE MONITORING SETUP:	WITHIN 10 FT OF REFLECTIVE SURFACE?:	NO	MICROPHONE HEIGHT AGL (FT):	5	
	CALIBRATED PRIOR TO AND UPON COMPLETION OF MEASUREMENTS:	YES	METER SETTINGS:	A-WHT	SLOW

NOISE & TRAFFIC MEASUREMENTS

MEASUREMENT		DURATION			MEASURED NOISE LEVELS		
LOCATION	START TIME	(Minutes)	MEASUREMENT LOCATION	PRIMARY NOISE SOURCES NOTED	LEQ		
STM1	9:35	10	LAS ANIMAS CONCRETE PLANT. ONSITE ALONG ENTRANCE ROAD- WEST SIDE ~125-175' FROM PLANT OPERATIONS	PLANT OPERATIONS PRIMARY	64.3		
STM2	9:50	10	LAS ANIMAS CONCRETE PLANT. ONSITE ALONG ENTRANCE ROAD. ~365-400' FROM PLANT OPERATIONS	PLANT OPERATIONS PRIMARY	54.4		
STM3	10:05	10	NEAR EQUESTRIAN CENTER. ~95' NORTH OF 9TH ST. ~165' EAST OF CALIFORNIA DR	TRAFFIC ON 9TH ST. PLANT OPERATIONS (BUZZER) DETECTABLE INTERMITTENTLY IN DISTANCE	47.2		
STM4	10:20	10	CALIFORNIA DR AT DX DR.	DISTANT TRAFFIC PRIMARY. PLANT OPERATIONS LARGELY UNDETECTABLE	47		
STM5	10:38	10	CSUM PROMONTORY. ~145' SOUTH OF 8TH ST.	TRAFFIC ON 8TH ST. DISTANT TRAFFIC. AIRCRAFT OVERFLIGHT.	46.6		
STM6	10:55	10	IMJIN PARKWAY NEAR ABRAMS DR.	TRAFFIC ON IMJIN PARKWAY. DISTANT TRAFFIC. AIRCRAFT OVERFLIGHT.	56.3		

APPENDIX C

Vehicle Miles Traveled Assessment

Kimley»Horn

Memorandum

To: Erin Harwayne, AICP
Denise Duffy & Associates, Inc.

From: Tyler Mickelson, E.I.T
Chris Gregerson, P.E., T.E., AICP

Re: **Vehicle Miles Traveled (VMT) Assessment** Las Animas Concrete, City of Marina

Date: May 31, 2024

This memorandum documents SB 743 compliant analysis completed for Las Animas Concrete ("Project" or "proposed Project") located at 499 9th Street in the City of Marina, California. The Project applicant is requesting an extension of its current Conditional Use Permit (CUP) and is not proposing a change in current operations. With the passage of SB 743, Vehicle Miles Travelled (VMT) has become an important indicator for determining "significant transportation impacts" under the California Environmental Quality Act (CEQA). This memorandum summarizes the VMT analysis and resultant findings for the Project.

Purpose of Analysis

SB 743 is part of a long-standing policy effort by the California legislature to improve California's sustainability and reduce greenhouse gas emissions through denser infill development, a reduction in single occupancy vehicles, improved mass transit, and other actions. Recognizing that the current environmental analysis techniques are, at times, encouraging development that is inconsistent with this vision, the legislature has taken the extraordinary step to change the basis of environmental analysis for transportation impacts from Level of Service (LOS) to Vehicle Miles Travelled (VMT). VMT is understood to be a good proxy for evaluating air quality and other transportation related impacts that the State is actively trying to address. While the use of VMT to determine significant transportation impacts has only been considered recently, it is by no means a new performance metric and has long been used as a basis for transportation system evaluations and as an important metric for evaluating the performance of Travel Demand Models.

In January 2019, the Natural Resources Agency finalized updates to the CEQA Guidelines including the incorporation of SB 743 modifications. The Guidelines' changes were approved by the Office of Administrative Law and are now in effect. Specific to SB 743, Section 15064.3(c) states, "A lead agency may elect to be governed by the provisions of this section immediately." The provisions apply statewide as of July 1, 2020.

To help aid lead agencies with SB 743 implementation, the Governor's Office of Planning and Research (OPR) produced the Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018) that provides guidance about the variety of implementation questions they face with respect to shifting to a VMT metric. Key guidance from this document includes:

- VMT is the most appropriate metric to evaluate a project's transportation impact.
- OPR recommends tour- and trip-based travel models to estimate VMT, but ultimately defers to local agencies to determine the appropriate tools.
- OPR recommends measuring VMT for residential and office projects on a "per rate" basis.

- OPR recommends that a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold. In other words, an office project that generates VMT per employee that is more than 85 percent of the regional VMT per employee could result in a significant impact. OPR notes that this threshold is supported by evidence that connects this level of reduction to the State's emissions goals.
- OPR recommends that where a project replaces existing VMT-generating land uses, if the replacement leads to a net overall decrease in VMT, the project would lead to a less-than-significant transportation impact. If the project leads to a net overall increase in VMT, then the thresholds described above should apply.
- Lead agencies have the discretion to set or apply their own significance thresholds.

In December 2020, the City of Marina drafted SB 743 implementation guidelines[1] that resulted in the selection of VMT analysis methodology, setting thresholds of significance, and potential mitigation. These draft guidelines are used for purposes of analyzing transportation impacts under CEQA.

The City's VMT thresholds consider the VMT performance of residential and office components of a project separately, using the efficiency metrics of VMT per capita and VMT per employee, respectively. For retail components of a project, the county-wide VMT effect is analyzed. The City of Marina's VMT thresholds of significance are summarized below for each of these components:

- Residential – 15% below baseline city-wide VMT per capita (County average is 14.7 VMT per capita with a threshold of 12.8 VMT per capita)
- Office – 15% below baseline countywide VMT per employee (County average is currently 8.9 VMT per employee with a threshold of 7.7 VMT per employee)
- Commercial Retail – No net increase in VMT
- Other Employment – Work VMT per employee (15% below existing county-wide average Work VMT per employee for similar land uses)
- Other Customer – Net regional change using they County as the basis.

Methodology and Assumptions

Based on the land use information provided, for the purposes of VMT analysis and the determination of transportation related significant impacts, the following land uses were analyzed:

- Other Employment

Consistent with the City's drafted guidelines, once a project's land use type is determined, the project can be screened for non-significant transportation impact based on the following possible criteria:

- Small Project – Project generation is less than 110 trips per day per the most recent version of the Institute of Transportation Engineers' (ITE) Trip Generation Manual or other acceptable source as determined by City of Marina
- Project Near High Quality Transit – Within a ½ mile of an existing major transit stop (maintains a service interval frequency of 15 minutes or less during the morning and afternoon peak commute periods)
- Local Serving Retail – No single store on-site exceeds 50,000 square-feet
- Affordable Housing – A high percentage of affordable housing is provided as determined by the City of Marina

[1] *Draft City of Marina SB 743 Implementation Guidelines, December 16, 2020*

- Local Essential Service – development intensity of less than 50,000 square feet for a daycare, public school, police or fire facility, medical or dental office, or government office
- Map-Based Screening – Area of development is under threshold as shown on screening map as allowed by City of Marina
- Redevelopment Project – Project replaces an existing VMT-generating land use and does not result in a net overall increase in VMT

As demonstrated in the analysis below, the proposed Project meets one or more of the City of Marina's screening criteria and thus further quantitative analysis outlined in the City's guidelines is not required.

Analysis to Screen for Non-Significant Transportation Impact

The following section details the characteristics of the Project that meet the small projects and redevelopment project screening criteria outlined in the draft City of Marina VMT Analysis Guidelines:

Small Projects

A project is presumed to cause a less-than-significant VMT impact if the trip generation for the Project is less than 110 trips per day per ITE's Trip Generation Manual or other acceptable source determined by the City of Marina unless the Project is inconsistent with the Sustainable Communities Strategy as determined by the City of Marina.

The proposed Project is seeking an extension of its existing CUP, and no change to current operations is proposed. The existing facility supports 14 employees and has averaged approximately 30 passenger car trips per day. The Project also supports approximately 48 mixer truck trips per day. **Table 1** summarizes the trips generated by the proposed Project. As shown in **Table 1**, the proposed Project produces fewer than 110 daily trips. Therefore, the Project can be presumed to result in a **less than significant impact**.

Table 1 – Project Trip Generation

Land Use	Size	Unit	Daily Trips
Existing and Proposed Las Animas Concrete Operations			
Passenger Car Trips	14	employees	30
Heavy Vehicle Trips	16	tractor-trailer/mixer trucks	48
		Total Project Trips	**78**

Note: The Project proposes no changes to existing operations under the CUP extension.

Redevelopment Projects

Based on City of Marina screening criteria, where a Project replaces an existing VMT-generating land use and does not result in a net overall increase in VMT, it may be presumed to have a less-than-significant VMT impact.

The Project is seeking an extension of its existing CUP, and no change to current operations is proposed. As no change in current operations is proposed, and the Project would not add new improvements, expand the existing facility, or expand use of the existing facility under the new CUP, no net increase in VMT is expected. Therefore, the Project can be presumed to result in a less than significant impact.

Findings

Based on the results of this analysis, the following findings are made:

- The extension of Las Animas Concrete's existing Conditional Use Permit (CUP) is not proposing any new use or expansion of use, and extending the existing CUP does not cause the Project to exceed 110 daily trips. Thus, the proposed Project meets the small project and redevelopment project screening criteria outlined in the City of Marina's draft VMT Analysis Guidelines. Therefore, the proposed Project **is presumed to not have a significant transportation impact.**