



## Monterey County

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

### Board Order

Upon motion of Supervisor Parker, seconded by Supervisor Phillips and carried by those members present, the Board of Supervisors hereby:

Adopted Resolution No. 15-173 to:

- a. Certify the Final Environmental Impact Report for the Jail Housing Addition Project (SCH No. 2013011006);
- b. Adopt California Environmental Quality Act findings for project approval;
- c. Adopt a Mitigation Monitoring and Reporting Program; and
- d. Approve proceeding with the Jail Housing Addition Project.  
(County Project No. 8819/1410 Natividad Road, Salinas) [PD 080640 (APN 003-851-034)]

PASSED AND ADOPTED on this 23rd day of June 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter  
NOES: None  
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on June 23, 2015.

Dated: June 23, 2015  
File ID: RES 15-068

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By   
Deputy

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No. 15-173**

- a. Certify the Final Environmental Impact Report )  
for the Jail Housing Addition Project )  
(SCH No. 2013011006); )
- b. Adopt California Environmental Quality Act )  
findings for project approval; )
- c. Adopt a Mitigation Monitoring and Reporting )  
Program; and )
- d. Approve proceeding with the Jail Housing )  
Addition Project. )  
(County Project No. 8819/1410 Natividad )  
Road, Salinas) [PD 080640 (APN 003-851-034)].....)

The Jail Housing Addition Project and the Jail Housing Addition Environmental Impact Report came before the Monterey County Board of Supervisors on June 23, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:

1. **FINDING:**        **PROJECT DESCRIPTION** - The proposed project site is a 2.6-acre parcel located on County property at 1410 Natividad Road in the City of Salinas. The proposed project will involve new building construction and expansion of the existing Monterey County Adult Detention Facility to accommodate 576 additional beds and associated program space for inmates housed in the detention facility. This project will increase the design (rated) bed capacity from 825 to 1,401 beds. The proposed project will be constructed in one phase. The expansion will be constructed at the southwest corner of the existing detention facility property on a portion of the existing staff parking lot and a fenced grassy area and will consist of two buildings. The main building will be a 50-foot tall, stacked structure with housing units that have cells on the main floor and on a tier level. A second smaller, single-level building located south of the main structure will be designated for administrative purposes.

Site improvements include parking, impervious walkways, stormwater control features such as bio filtration facilities to maintain water quality complying with the County’s low impact design requirements and comply with detention requirements of the City of Salinas’ Storm Water Development Standards as described in the Conceptual Stormwater Control Plan (Kimley Horn 2015). The drainage facilities and improvements are to be constructed in accordance with the design criteria set forth in the Conceptual Stormwater Control Plan (Kimley Horn 2015).

2. **FINDING:** **CEQA (EIR)** - The County of Monterey has completed an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA), and the Final EIR reflects the County of Monterey's independent judgment and analysis.

- EVIDENCE:**
- a) CEQA requires preparation of an environmental impact report if there is substantial evidence in light of the whole record that the project may have a significant effect on the environment.
  - b) In January 2013, in accordance with Section 15063 of CEQA Guidelines, the County, acting as the lead agency, as well as the applicant or project proponent, prepared an Initial Study evaluating the proposed project. The Initial Study is on file in the office of Resource Management Agency – Public Works and is hereby incorporated by reference (PD080640).
  - c) The Initial Study identified potentially significant effects to air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hydrology/water quality, noise, transportation/traffic, and utility/service systems. Therefore, an EIR was prepared (State Clearinghouse No. 2013011006).
  - d) The *Draft Environmental Impact Report for Monterey County Jail Housing Addition SCH#: 2013011006* (PD080640) was prepared in accordance with CEQA and circulated for public review from Thursday, June 26, 2014 through Wednesday, August 13, 2014.
  - e) **SUMMARY OF IMPACTS**  
Issues that were analyzed in the EIR include air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hydrology/water quality, noise, transportation/traffic, and utility/service systems.
  - f) The County prepared the *Final Environmental Impact Report Monterey County Jail Housing Addition* (State Clearinghouse #2013011006) (“Final EIR”). The Final EIR responds to comments on the Draft EIR. The Final EIR was released to the public in May 2015 and responds to all significant environmental issues raised by persons and organizations that commented on the Draft EIR. The County has considered the Draft EIR, and the information contained in the Final EIR including responses to the comments received. The Final EIR together with the Draft EIR constitutes the complete Monterey County Jail Housing Addition EIR.
  - g) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance & Mitigation Monitoring and/or Reporting Program (MMRP) has been prepared in accordance with CEQA and the County's Conditions of Approval and Mitigation Monitoring and Reporting Program. The County is adopting the MMRP as part of project approval (See Exhibit A). It includes the mitigation measures and conditions of approval and obligates the County to implement the mitigation measures and monitor that implementation.
  - h) Evidence that has been received and considered includes technical studies and reports, and staff reports that reflect the County's

independent judgment. These documents are on file in the RMA-Public Works department and the Clerk of the Board of Supervisors, and are incorporated herein here by this reference.

- i) Staff analysis contained in the EIR and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Wildlife (DFW) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Wildlife determines that the project will have no effect on fish and wildlife resources. The site supports nesting birds. For purposes of the Fish and Game Code, the project will have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. Therefore, the County will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).
- j) Monterey County RMA-Public Works, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to certify the EIR is based. The Final EIR is also on file in the office of the Clerk of the Board of Supervisors.

**3. FINDING:**

**EIR-ENVIRONMENTAL IMPACTS MITIGATED TO LESS THAN SIGNIFICANT**

- The Board of Supervisors finds that potentially significant environmental impacts of the project will be mitigated to a less than significant level due to incorporation of mitigation measures from the EIR as conditions of project approval. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR.

**EVIDENCE:**

- a) Potentially significant impacts on biological resources have been mitigated to a less than significant level through mitigation measures which require avoidance measures and/or pre-construction surveys to ensure development activities will not disrupt nesting activities.
- b) Potentially significant impacts on archaeological resources have been mitigated to a less than significant level through mitigation measures which require implementation of the County's standard requirements for accidental discovery of cultural, archaeological, historical or paleontological resources and implementation of the County's requirements for accidental discovery of human remains.
- c) Potentially significant impacts on noise have been mitigated to a less than significant level through mitigation measures which require restrictions in the project plans and specifications to mitigate construction vibration and noise.
- d) Potentially significant impacts on traffic have been mitigated to a less than significant level through mitigation measures which require

specifications on the final development plans for pedestrian facilities and payment of the City of Salinas Traffic Impact Fee to contribute towards the transportation improvements identified in the City of Salinas Traffic Fee Ordinance Program for the Natividad Road/Laurel Drive, Constitution Boulevard/Medical Center Driveway and the Constitution Boulevard/North Driveway intersections, as well as long range transportation improvements.

**4. FINDING:** **EIR-NO SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS** – The EIR identified no significant unavoidable impacts that would result from the project.

**EVIDENCE:** a) The EIR for Monterey County Jail Housing Addition (PD080640) did not identify any significant unavoidable impacts that would result from the project.

**5. FINDING:** **RECIRCULATION OF THE DRAFT EIR IS NOT REQUIRED**

**EVIDENCE:** a) One commenter included background information regarding flood control challenges on Carr Lake over time. The hydrology setting section of the DEIR was amended to include the commenter's discussion. This expansion of the setting discussion does not change the conclusions of the Draft EIR.

In response to the commenter's concerns, the 2013 and 2014 BKF technical memoranda demonstrate that the current design and footprint of the project at build-out will increase the peak flow rate for a 100 year storm event by 0.14 cubic feet per second from existing conditions. The project design was revised to provide zero increase in post project flow in compliance with Requirement 5 of the 2013 City of Salinas, Stormwater Development Standards for New Development and Redevelopment Projects to reduce peak flow to pre-developed rates for the two year through ten year rainfall events. The project would result in no net increase in peak flow. By providing sufficient detention storage on site to reduce peak flow, the project will be designed to avoid peak flow impacts to receiving waters, including Carr Lake. The EIR concludes that the impacts of the project to hydrology and water quality are less than significant. In response to comments, the County prepared the Conceptual Stormwater Control Plan (Kimley Horn 2015, Appendix B to FEIR) which amplifies and clarifies this analysis. The County has elected, via a condition of approval, to require that drainage facilities be constructed in accordance with the design criteria set forth in the Conceptual Stormwater Control Plan. This additional information and condition does not alter the conclusion that the impact is less than significant.

- b) While information clarifying and amplifying the Draft EIR analysis is included in the FEIR, the information is not significant new information that would require recirculation of the EIR.
- c) No new information has been added to the EIR that identifies new significant environmental impacts that would result from the project or from a new mitigation measure proposed to be implemented
- d) No new information has been added to the EIR that results in a

- substantial increase in the severity of an environmental impact.
- e) The FEIR does not contain a feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the project that the County has declined to adopt.
  - f) The draft EIR was not fundamentally and basically inadequate and conclusory in nature such that meaningful public review and comment were precluded.
  - g) New information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. Specifically:
    - The hydrology setting section of the EIR has been augmented to include the expanded discussion provided by a commenter on the Draft EIR, which is incorporated by reference. The expanded discussion provides further hydrologic setting information regarding off-site drainage flow and existing conditions at Carr Lake. This expansion of the existing setting discussion does not change the conclusions in the Draft EIR.
    - In response to concerns raised in comments on the Draft EIR, the analysis presented in the 2013 BKF Monterey County Jail Housing Addition Project- Hydrology Study (Hydrology Memo) was further refined in a subsequent 2015 Monterey County Jail Housing Addition Project - Hydrology Study memo (BKF 2015). In addition, a conceptual stormwater control plan (Kimley Horn 2015) has been prepared which further details the function of the existing drainage system. Information from the 2015 hydrology memo and the conceptual stormwater control plan have been incorporated into the Final EIR, to amplify and/or clarify information presented in the Draft EIR. This additional information does not change the significance conclusions of the Draft EIR. The 2015 hydrology memo and the conceptual stormwater control plan are included as Appendix A and B of the Final EIR, respectively.

**6. FINDING:**

**EIR-CEQA ALTERNATIVES TO THE PROPOSED PROJECT -**  
 The EIR considered the below-listed alternatives to the proposed project in compliance with CEQA Guidelines section 15126.6, as more fully described in the Draft EIR. The Board finds that the project alternatives are infeasible for the reasons set forth below.

**EVIDENCE:**

- a) No Project Alternative. The No Project Alternative assumes physical conditions as they exist on the project site, and operations at the adult detention facility as they currently function, as well as an influx of prisoners from the State prison system resulting from AB 109 realignment. Overall, the No Project Alternative would have fewer impacts, or no impacts to the environmental issues and resources than the proposed project would impact. However, one environmental issue area (Utilities and Service Systems) would have impacts greater than the proposed project. This is due to the fact that although the proposed project would increase services demand, all new fixtures and appliances

will be energy and water efficient, thus reducing overall demand. Overall demand on utilities including water and wastewater would be reduced with implementation of the proposed project; therefore, utility impacts under the No Project alternative are greater.

The No Project alternative is infeasible because it would not achieve any

of the County's objectives as identified in Section 2.3, Project Objectives, of the Draft EIR. The No Project alternative would not allow the County to meet its inmate level obligations under Assembly Bill 109 (AB109). AB109 effectively shifted responsibility for certain populations of offenders from the state to the counties. AB109 is fashioned to meet the U.S. Supreme Court Order to reduce the prison population of the State's 33 prisons to 137.5 percent of design capacity by June 27, 2013. The law, effective October 1, 2011, also mandates that individuals sentenced to non-serious, non-violent or non-sex offenses will serve their sentences in county jails instead of state prison. The No Project alternative assumes physical conditions as they exist on the project site, and operations at the adult detention facility as they currently function, as well as an influx of prisoners from the State prison system resulting from realignment. Under the No Project Alternative, the County would not be able to house additional inmates from the State prison system resulting from realignment.

- b) Reduced Density Alternative. The Reduced Density Project Alternative would involve construction of a portion of the proposed project to accommodate 288 (rather than 576) additional beds. The Reduced Density alternative is infeasible because it would not achieve the County's objectives as identified in Section 2.3, Project Objectives, of the Draft EIR. The Jail Needs Assessment completed in December 2011 identified the projected need for additional beds and the County was granted the maximum funding amount possible from the State to construct additional facilities to accommodate 576 beds towards the identified need. A smaller project than what is proposed would not meet the immediate or projected need of the County.
- c) Alternative Project Location. Per the CEQA Guidelines, Section 15126.6 (f)(2), an alternative project location need only be analyzed if the significant effects of the proposed project would be avoided or substantially lessened by putting the project in another location. There is no evidence that an alternative project location would avoid or substantially lessen the impacts of the project. Also, for the reasons explained below, the County has determined that no feasible alternative locations exist.

The County considered multiple sites for jail facilities in conjunction with a Reentry Facility before selecting the proposed project site as the preferred alternative. Alternative locations considered included two properties located adjacent to the Salinas Valley State Prison north of the City of Soledad and a location south of the Salinas Municipal

Airport. The two sites adjacent to Salinas Valley State Prison are within the sphere of influence of the City of Soledad. The sites were excluded based on City opposition to locating a facility at this location. The site south of the Salinas Municipal Airport was excluded as a reasonable alternative based upon the resulting loss of productive agricultural land and the potential for safety impacts.

It was concluded that there was no alternative site that would meet several of the basic project objectives including:

- Be cost efficient to build and operate;
- Maximize or leverage the services provided by the existing jail facility;
- Use available contiguous land on the campus; or
- Take advantage of available existing state funding by providing an available, County-owned site free and clear of encumbrances.

In addition, there is no evidence that an alternative site would avoid or substantially lessen any significant impacts; rather, there is evidence that building a new facility at a different location would result in new impacts and would require additional construction (and would therefore increase construction related air and noise impacts) as the alternative site would be unable to leverage services and facilities provided by the existing jail facility. Therefore, an alternative project location for the proposed project was not feasible.

**7. FINDING:**

**PROJECT APPROVAL** – In pursuing the project, the County Board of Supervisors has contributed \$8.9 Million along with an award of \$80 Million in a State Grant. The Monterey County Planning Commission considered the project as part of the Capital Improvement Program (CIP) and found it to be consistent with the Monterey County General Plan. The City of Salinas indicated that the Project is consistent with the City's General Plan. The County Board of Supervisors by adopting Mitigation Monitoring Reporting Plan obligates the County to perform the mitigation measures and to monitor and document compliance with the mitigation measures and conceptual stormwater control plan.

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors of the County of Monterey does hereby:

1. Certify that:

- a) the Final Environmental Impact Report for the Jail Housing Addition Project (SCH No. 2013011006) (FEIR) has been completed in compliance with CEQA;
- b) the FEIR was presented to the Board of Supervisors;
- c) the Board of Supervisors has reviewed and considered the information contained in the FEIR prior to approving the project; and
- d) the FEIR reflects the County's independent judgment and analysis;



2. Adopt California Environmental Quality Act findings for project approval as set forth in this resolution;
3. Adopt the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A and incorporated herein by reference; and
4. Approve proceeding with the Jail Housing Addition Project, subject to the conditions of approval and mitigation measures attached hereto as Exhibit A and incorporated herein by reference.

**PASSED AND ADOPTED** upon motion of Supervisor Parker, seconded by Supervisor Phillips carried this 23rd day of June 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter  
NOES: None  
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on June 23, 2015.

Dated: June 23, 2015  
File Number: RES 15-068

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By Penise Hancock  
Deputy

## Exhibit A – Mitigation Monitoring Reporting Program

|   |   |
|---|---|
| <b>Department: Monterey County RMA - Public Works Condition Compliance / Implementation Plan/Mitigation Monitoring and Reporting Plan</b> | <b>Project Name: Monterey County Jail Housing Addition</b><br>File No: <u>PD080640</u> APNs: <u>APN #003-851-034-000</u><br>Approval by: <u>Monterey County Board of Supervisors</u> Date: <u>6-23-15</u> |
|---|---|

**\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 210816 of the Public Resources Code.**

| Permit Cond. Number | Mitig. No. | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Dept.  | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.   | Resp. Party for Compliance | Timing  | Verification of Compliance (name/date) |
|---------------------|------------|---|---|----------------------------|---|--|
|                     | MM #1      | <p><b>(Biological Resources)</b> If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the nesting bird season (February 1 to September 15), or if construction activities are suspended for at least two weeks and recommence during the nesting bird season, the County will retain a qualified biologist to conduct a pre-construction survey for nesting birds. The survey will be performed within suitable nesting habitat areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey will be conducted no more than two weeks prior to the initiation of disturbance and/or construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) will be completed by the qualified biologist and submitted to Monterey County RMA - Planning for review and approval prior to disturbance and/or construction activities.</p> <p>If no active bird nests are detected during the</p> | <p>If grading activities begin outside of the nesting bird season, then no monitoring activities are necessary.</p> <p>If grading activities begin during the nesting bird season, then prior to the start of grading activities, Monterey County RMA - Public Works shall hire a qualified biologist to conduct a pre-construction survey for nesting birds.</p> | County of Monterey         | Prior to site disturbance and/or construction |  |

## Exhibit A – Mitigation Monitoring Reporting Program

| Permit<br>Cond.<br>Number | Mitig.<br>No. | Conditions of Approval and/or Mitigation<br>Measures and Responsible Land Use Dept.  | Compliance or Monitoring Actions to be performed.<br>Where applicable, a certified professional is required<br>for action to be accepted. | Resp. Party<br>for<br>Compliance | Timing | Verification<br>of<br>Compliance<br>(name/date) |
|---------------------------|---------------|--|---|----------------------------------|--------|---|
|                           |               | <p>survey, then project activities can proceed as scheduled. However, if an active bird nest of a native species is detected during the survey, then a plan for active bird nest avoidance shall determine and clearly delineate an appropriately sized, temporary protective buffer area around each active nest, depending on the nesting bird species, existing site conditions, and type of proposed disturbance and/or construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist and in compliance with applicable project permits.</p> <p>To ensure that no inadvertent impacts to an active bird nest will occur, no disturbance and/or construction activities will occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.</p> <p><b>(RMA-Planning)</b></p> |   |                                  |        |   |

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|---------------------------|---------------|--|---|----------------------------------|---|---|
|                           | MM #2         | <p><b>(Cultural Resources)</b> Due to the possibility that significant buried cultural resources might be found during construction, the following language shall be included as notes on all building and grading plans, subject to the review and approval of the Monterey County RMA - Planning Department:</p> <p>“If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.”</p> <p><b>(RMA-Planning)</b></p> | <p>If during the course of construction, cultural, archaeological, historical, or paleontological resources are uncovered on the site, immediately contact Monterey County RMA - Public Works and a qualified archaeologist/historian. The qualified archaeologist and/or historian shall determine the extent of the resources and develop the proper mitigation measures required for the discovery.</p> <p>Keep a certified daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to Monterey County RMA - Planning.</p> | County of<br>Monterey            | Anytime<br>during earth-<br>disturbing<br>activities. |   |

## Exhibit A – Mitigation Monitoring Reporting Program

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|---------------------------|---------------|---|--|----------------------------------|---|---|
|                           | MM #3         | <p><b>(Cultural Resources)</b> Due to the possibility of accidental discovery of human remains during construction, the following language shall be included as notes on all building and grading plans, subject to the review and approval of the Monterey County RMA - Planning Department:</p> <p>“If, during the course of construction, human remains are found, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Monterey County Sheriff contacts the coroner of Monterey County to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public</p> | <p>If during the course of construction, human remains are found, stop activities until the Monterey County Sheriff contacts the coroner and determines cause of death. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.</p> <p>Keep a certified daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to Monterey County RMA - Planning.</p> | County of<br>Monterey            | Anytime<br>during earth-<br>disturbing<br>activities. |   |

## Exhibit A – Mitigation Monitoring Reporting Program

| Permit Cond. Number | Mitig. No. | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Dept.  | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.                      | Resp. Party for Compliance | Timing   | Verification of Compliance (name/date) |
|---------------------|------------|---|--|----------------------------|--|--|
|                     |            | <p>Resources Code Section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.”</p> <p><b>(RMA-Planning)</b></p> |  |                            |  |  |
|                     | MM #3      | <p><b>(Noise)</b> Prior to issuance of a grading permit for the proposed project, Monterey County RMA - Public Works shall incorporate the following restrictions into the project plans and specifications to mitigate construction vibration, subject to the review and approval of Monterey County RMA - Planning:</p> <ul style="list-style-type: none"> <li>▪ Use of construction equipment or heavy truck traffic capable of producing</li> </ul>   | <p>Include language on project plans as required by the mitigation measure.</p>  | County of Monterey         | Prior to issuance of grading or building permits |  |
|                     |            |   | <p>Submit evidence to the Monterey County RMA - Planning that the required restrictions have been incorporated into project plans and specifications</p> | County of Monterey         | Prior to construction                            |  |

## Exhibit A – Mitigation Monitoring Reporting Program

| Permit Cond. Number | Mitig. No.          | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Dept.   | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.  | Resp. Party for Compliance  | Timing  | Verification of Compliance (name/date) |
|---------------------|---------------------|--|--|---|---|--|
|                     |                     | <p>excessive vibration (e.g. pile drivers, jackhammers, etc.) will be limited to the hours between 7:00 AM and 6:00 PM Monday through Saturday and construction will not be allowed Sundays or on holidays.</p> <ul style="list-style-type: none"> <li>▪ If the use of piles drivers is necessary, sonic pile drivers will be used rather than the more noise/vibration intensive impact pile drivers.</li> </ul> <p><b>(RMA-Public Works)</b></p>   | <p>Keep a certified daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to Monterey County RMA - Planning.</p>   | <p>County of Monterey</p>   | <p>During grading and construction</p>  |  |
|                     | <p><b>MM #4</b></p> | <p><b>(Noise)</b> Prior to issuance of a grading permit for the proposed project, Monterey County RMA - Public Works shall incorporate the following restrictions into the project plans and specifications to mitigate construction vibration, subject to the review and approval of Monterey County RMA - Planning:</p> <ul style="list-style-type: none"> <li>▪ All construction equipment operated on the project site shall be equipped to limit noise generation to a maximum of 85 decibels at a distance of 50 feet from the noise source. The contractor will prepare and submit a written roster of equipment anticipated to be used on the project site, including noise generation information on each for review and approval of Monterey County RMA - Planning.</li> </ul> | <p>Include language on project plans as required by the mitigation measure.</p> <p>Submit evidence to the Monterey County RMA - Planning that the required restrictions have been incorporated into project plans and specifications.</p> <p>Keep a certified daily log of each activity performed during construction including date and photographs, as necessary. Monthly reports shall be submitted to Monterey County RMA - Planning.</p> | <p>County of Monterey</p> <p>County of Monterey</p> <p>County of Monterey</p> | <p>Prior to issuance of grading or building permits</p> <p>Prior to construction</p> <p>During grading and construction</p> |  |

### Exhibit A – Mitigation Monitoring Reporting Program

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|---------------------------|---------------|---|---|----------------------------------|--------|---|
|                           |               | <p>Only those pieces of equipment meeting the standards of this mitigation measure shall be permitted to operate. If equipment not meeting the noise standards is found to be operating on the project site, work shall be stopped until that equipment is removed or made to meet noise standards;</p> <ul style="list-style-type: none"> <li>▪ All noise-generating construction activities shall be limited to the hours between 7:00 am and 6:00 pm Monday through Saturday and construction will not be allowed on Sundays or on holidays;</li> <li>▪ All internal combustion engine-driven equipment will be equipped with mufflers that are in good condition and appropriate for the equipment;</li> <li>▪ Temporary berms or noise barriers, such as lumber or other material stockpiles will be utilized, where feasible; and</li> <li>▪ Stationary noise-generating equipment (e.g. generators and compressors) will be located as far as possible from sensitive receptors and housed in acoustical enclosures.</li> </ul> <p><b>(RMA-Public Works)</b></p> |   |                                  |        |   |



## Exhibit A – Mitigation Monitoring Reporting Program

| Permit Cond. Number | Mitig. No.   | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Dept.  | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.  | Resp. Party for Compliance | Timing                                       | Verification of Compliance (name/date) |
|---------------------|--------------|---|--|----------------------------|--|--|
|                     | <b>MM #5</b> | <p><b>(Transportation and Traffic)</b> Prior to the commencement of construction activities, the County will pay the City of Salinas Traffic Impact Fee to contribute toward the transportation improvements identified in the City of Salinas Traffic Fee Ordinance Program for the Natividad Road/Laurel Drive intersection.</p> <p><b>(RMA-Public Works)</b></p>   | Pay the pro rata share City of Salinas traffic impact fee to City of Salinas, based on that project component’s share of build-out traffic, and the then-current cost estimates for improvements at the Natividad Road/Laurel Drive intersection as identified in the City of Salinas Traffic Fee Ordinance Program.       | County of Monterey         | Prior to construction                        |  |
|                     | <b>MM #6</b> | <p><b>(Transportation and Traffic)</b> To ensure adequate pedestrian facilities are provided, final development plans will include sidewalks, pathways or directional signage on the project site between the existing adult detention facility entrance and both Natividad Road and Constitution Boulevard. Final plans are subject to the review and approval of Monterey County RMA - Planning and RMA - Public Works.</p> <p><b>(RMA-Planning &amp; Public Works)</b></p> | Prepare an off-site improvement plan for the listed improvements and submit the plans to Monterey County RMA – Planning for approval.  | County of Monterey         | Prior to approval of final development plans |  |
|                     |              |   | Construct the improvements identified by this mitigation measure.  | County of Monterey         | Prior to occupancy                           |  |
|                     | <b>MM #7</b> | <p><b>(Cumulative Transportation and Traffic)</b> The County will pay the Salinas Traffic Impact Fee to contribute towards the long-range transportation improvements identified in the City of Salinas Traffic Improvement Program, as well as a pro-rata share of the cost of signalization of the Constitution</p>   | Pay the pro rata share long-range transportation improvements identified in the City of Salinas Traffic Improvement Program, as well as a pro-rata share of the cost of signalization of the Constitution Boulevard/Medical Center Driveway intersection and the Constitution Boulevard/North Driveway intersection to the | County of Monterey         | Prior to construction activities             |  |

## Exhibit A – Mitigation Monitoring Reporting Program

| Permit Cond. Number | Mitig. No. | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Dept.  | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.                             | Resp. Party for Compliance | Timing                | Verification of Compliance (name/date) |
|---------------------|------------|---|---|----------------------------|-----------------------|--|
|                     |            | <p>Boulevard/Medical Center Driveway intersection and the Constitution Boulevard/North Driveway intersection. The County will consult with the City regarding the pro-rata fee. These improvements are not included in the Salinas Traffic Impact Fee program and will be subject to a Memorandum of Understanding between the City and the County.</p> <p>The Salinas Traffic Impact Fee and the pro-rata share of the intersection improvements will be paid prior to the commencement of construction activities.</p> <p><b>(RMA-Public Works)</b></p> | City of Salinas.  |                            |                       |  |
| 1                   |            | <p>A final storm water control plan shall be prepared by a registered professional engineer. The drainage facilities shall be designed and constructed in accordance with the criteria set forth in the Conceptual Storm Water Control Plan (Kimley Horn, 2015). <b>(RMA-Environmental Services)</b></p>  | <p>Prior to the start of construction, the applicant shall submit the final storm water control plan to RMA-Environmental Services for review and approval.</p> | County of Monterey         | Prior to Construction |  |



City of Salinas

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

65 W. Alisal Street, 2nd Floor • Salinas, California 93901  
(831) 758-7387 • (831) 775-4253 fax • www.ci.salinas.ca.us

May 20, 2015

Robert Schubert, AICP  
Senior Planner  
Monterey County  
Resource Management Agency  
168 W. Alisal Street, 2nd Floor  
Salinas, CA 93901

RE: Monterey County Jail Housing Addition Located at 1410 Natividad Road  
(PD080640)

Dear Mr. Schubert:

The City of Salinas is in receipt of your correspondence received on May 6, 2015 requesting a general plan consistency determination regarding the subject item pursuant to Government Code Section 65402. The subject site is designated as Public/Semipublic by the 2002 City of Salinas General Plan. Policy LU-11.1 calls for the provision and maintenance of a variety of community facilities. Table LU-2 indicates that the Public/Semipublic designation allows a maximum of 0.40 FAR and an average of 0.25 FAR per net acre for schools, hospitals, libraries, utilities, and government institutions.

Given that the proposed land use (the Monterey County Jail Housing Addition) is an expansion of an existing County government institution, staff interprets that the proposed project is consistent with the City's General Plan Land Use Designation of Public/Semipublic for the subject property. Please note that staff's determination of the proposed project's consistency with the City's General Plan Land Use designation for the site does not imply or address the project's consistency or compliance with any other City regulation or requirement.

Sincerely,

Alan Stumpf  
Interim Community and Economic Development Director