

ATTACHMENT C

Addendum of Yanks FEIR 95-01 Pursuant to the California Environmental Quality Act Article 11, Section 15164

1) adoption of a General Plan amendment to designate approximately 135 acres as a “Gateway Overlay” land use designation; and 2) prezone 135 acre Yanks project site as “Artisan Agriculture and Visitor Serving (AAVS) and “Gateway Overlay”; and 3) adopt a sphere of influence amendment to include an additional 54 acres of the Yanks Air Museum project site; and 4) annexation of approximately 135 acres to the City of Greenfield and detachment of the annexation area from the Resource Conservation District of Monterey County.

Introduction and Purpose

The application for the Yanks Air Museum project (SH94002) was submitted to the Monterey County Planning Department in 1994 and approved by the Monterey County Board of Supervisors in County Resolution 97-445 (1997). Proposed changes to the project from that approved in 1997 include: 1) adding 54 acres to the “project site” so that the existing 29 acre ag buffer easement plus 24-acre airstrip are in the project site; 2) realignment of the sphere of influence boundary so the air strip is included within the 135 acre project site, which also enables the City/County jurisdictional boundary to separate the project site from the existing 306-acre permanent agricultural easement; and 3) an annexation schedule to allow an application to LAFCO for immediate annexation. Concurrent with this but not part of the project, is County action to adjust existing lot lines (PLN012376), revise MOU A-08204 to allow annexation, and a nominal (approximately 24 acres) reduction in Williamson Act contract lands (PLN012376).

The project was analyzed in the Final Environmental Impact Report (FEIR) for the Yanks Air Museum and Visitor Serving Project (EIR 95-01), dated March 10, 1997. On November 4, 1997, the Monterey County Board of Supervisors approved the project by Resolution No. 97-445, including a statement of overriding considerations for the loss of farmland. On May 30, 2001, the U.S. Department of Commerce’s Economic Development Administration (EDA) jointly awarded the City of Greenfield and the County of Monterey a \$3.186 million *Greenfield Utilities Grant* (No. 07-01-04-968) to extend water and sewer systems to the site. This work was completed in 2004, with connections to the systems ongoing as Phase I construction progresses. The Yanks Combined Development Permits (CDP) No. SH94002 vested in October of 2010 when construction began on the project. On November 9, 2011, the property owner remit to the City of Greenfield \$180,000 pursuant to the vesting of entitlements in compliance with Condition No. 2 of Monterey County Resolution Nos. 04-351 and 08-362.

The approved project consists of a “World War II and Golden Era” aircraft museum, an air strip, aircraft storage hangers, and accessory uses on the development site include a winery and tasting room, two fueling stations, a hotel/motel, a free-standing restaurant,

fast food restaurants, retail space, amphitheater, and recreational vehicle park. Approval of the project involved a general plan amendment and zoning reclassification of a portion of the project site to the Heavy Commercial (HI) Zoning District to address the phased development plan in the County, until annexation to the City of Greenfield. The Board of Supervisors extended the Combined Development Permit in 2004, and 2008.

Ongoing Phase I construction of the Yanks project site consists of: grading approximately 30 acres; creation of one service station building pad; construction of Livingston Road; construction of Yanks Way to provide access to U.S. Highway 101 in accordance with State Department of Transportation (CalTrans) Encroachment Permit No. 0509 6MC 0461 issued on August 24, 2010; construction of the Recreational Vehicle Park in accordance with the State Housing and Community Development Department (HCD) permit Nos. 6892822, 6976220, 6915733, & 6922748; and construction of requisite infrastructure to implement sewer, water, gas, electrical and telephone main line service to the site in accordance with EDA Grant No. 07-01-04968 and City/County Agreement No. A-08204, and adopted Mitigation Measures and Conditions of Approval contained in Monterey County Board Resolution No. 08-362.

Annexation of the project site to the City of Greenfield pursuant to existing agreements, necessitates a Lot Line Adjustment (LLA), which is being processed with the County of Monterey pursuant to Government Code Section 51257. The 306 acre agricultural easement held by the Agricultural Land Trust will remain. The LLA will enable annexation of the project site without bisecting Parcel "B," and enable separation of the project site from agricultural lands under Williamson Act Contract, as anticipated in conditions of approval requiring the annexation. These actions will leave the project site within the City of Greenfield, and will leave the 306-acre permanent agricultural easement in the County of Monterey in perpetuity .

In accordance with Condition No. 2 of the approved County CDP; Condition No. 2 in Agreement No. A-08204 between the City of Greenfield & Monterey County; and pursuant to EDA grant No. 07-01-04968; the proposed action(s) will facilitate annexation of the project site to the City of Greenfield, as expected in approved entitlements (CDP No. SH94002) and consistent with the adopted Yanks Air Museum and Visitor Serving FEIR No. 95-01, and City of Greenfield General Plan 2005-2025 FEIR SCH #2004061138.

Analysis

The project consists of: 1) adoption of a General Plan amendment to designate approximately 135 acres as a "Gateway Overlay" land use designation; and 2) prezone approximately 135 acres of the Yanks project site as "Artisan Agriculture and Visitor Serving (AAVS) and "Gateway Overlay"; and 3) adopt a sphere of influence amendment to include an additional 54 acres of the Yanks Air Museum project site; and 4) annexation of approximately 135 acres to the City of Greenfield and detachment of the annexation area from the Resource Conservation District of Monterey County.

Mapping for the annexation indicated that portions of the project footprint would be split between two jurisdictions. To bring the development footprint within the City of Greenfield and prevent its placement in two jurisdictions (City/County), the City of Greenfield Sphere of influence must be amended to include 53.71 additional acres; 29.71 acres of which serve as an Agricultural buffer easement, and approximately 24 acres for the airstrip. As noted on page 2-36 of the City of Greenfield General Plan EIR SCH#2004061138, *“LAFCO approved a Sphere of Influence Amendment to bring the project area within the City’s SOI. This action was completed to facilitate the extension of City Services (sewer and water) to the site, and to set the stage for eventual annexation of the Yanks Air Museum project into the City of Greenfield.”*

LAFCO’s February 28, 2000, approval of the City of Greenfield’s existing sphere of influence excluded the 29.71-acre agricultural buffer easement and the 24 acres for the airstrip. The recommended actions are necessary to comply with FAA setback regulations applicable to commercial structures in proximity to airstrips, and prevent the project site from being situated within two jurisdictions.

The Yanks Air Museum and Visitor Serving FEIR (95-01) was adopted in relation to existing entitlements approved under Combined Development Permit No. SH94002 (Resolution Nos. 97-445, 04-351 & 08-362. The areas of Land Use and Planning, Airport Safety, Geological and Geotechnical Hazards, Water Quality and Supply, Surface Hydrology and Drainage, Wastewater Disposal, Traffic and Circulation, Air Quality, Noise, Public Services, Human Health and Safety, Viewshed and Aesthetics, Cultural Resources, Energy, Biological Resources, Employment and Cumulative Impacts were analyzed.

The City of Greenfield, acting as lead agency under the California Environmental Quality Act (CEQA), considered the impacts presented in the Yanks Air Museum Visitor Serving Project FEIR (95-01) and the City of Greenfield General Plan FEIR SCH#2004061138, which indicates that all significant impacts related to annexation of the site, and future service delivery could be reduced to less than significant with the implementation of the adopted mitigation measures, with the exception of the loss of agricultural land (County EIR 95-01) for which a statement of overriding considerations was adopted by the County Board of Supervisors.

Agricultural land

Construction of the approved project will result in the conversion of approximately 135 acres of agricultural land to commercial uses (111 acres), and 24 acres of the adjacent airstrip. The Yanks Air Museum and Visitor-Serving Project (County FEIR 95-01) certified on November 4, 1997 by the County of Monterey, included a statement of overriding considerations for this loss. Additionally, 306 acres immediately abutting the airstrip was placed in permanent agricultural easement pursuant to Condition No. 6 in County Resolution No. 08-362 on October 28, 2008. The Monterey County Board of Supervisors adopted the statement of overriding considerations, finding that the conversion of the site from agricultural land to visitor-serving commercial uses would have the beneficial effect of providing employment and economic opportunities to the

City of Greenfield. Upon completion of the project, between 306 and 383 jobs are expected to be created.

As noted in County Resolution 08-362, the airstrip was proposed to remain under the Farmland/40 designation, and analyzed under the Yanks FEIR 95-01 and City of Greenfield EIR SCH SCH#2004061138. The airstrip was to be built on land designated “Farmland” if built in the County prior to annexation to the City of Greenfield. The rezoning action would prezone the project site as “Artisan Agricultural and Visitor Serving” (AAVS) and “Gateway Overlay,” consistent with the City of Greenfield General Plan’s “Gateway Overlay” land use designation. As noted in Title 17 of the City of Greenfield’s zoning ordinance, the project is expected to be constructed under this AAVS and “Gateway Overlay” zoning under a Planned Unit Development Permit, if constructed within City of Greenfield jurisdictional boundaries. This rezoning action enables annexation of the project site to the City of Greenfield as required by the Combined Development Permit No. SH94002, referenced MOU A-08204, and certified Yanks (95-01) and General Plan FEIR’s (SCH2004061138). Expanding the Sphere of influence to include the 29 acre ag buffer easement and the 24 acre airstrip places the entire project within the City of Greenfield, by adhering to FAA easement requirements that separate commercial components of the project from the airstrip. This leaves 306 acres in permanent agricultural easement held by the Ag Land Trust in the County, as required by Condition Nos. 2 and 6 of the approved County CDP, Condition No. 2 in City/County Agreement No. A-08204, and pursuant to EDA grant No. 07-01-04968C.

Land Use

Condition No. 2 of the approved County CDP, Condition No. 2, in City/County Agreement No. A-08204, and EDA grant No. 07-01-04968C all require annexation of the Yanks project to the City of Greenfield. The referenced MOU calls for annexation based on a phased schedule but “no later than ten (10) years after the issuance of the first certificate of occupancy.” While this schedule may be amended, the \$3.186 million EDA Grant No. 07-01-04968 requires annexation into the City of Greenfield irrespective of the timing of such annexation. Accordingly, rezoning the site in accordance with the City of Greenfield General Plan is required. The proposed General Plan Amendment and Rezoning action would designate the 135 acre project site as a Gateway Overlay, with “Artisan Agricultural and Visitor Serving” zoning attendant to the site. As noted on Page 2-36 of the City of Greenfield General Plan, “...any application to construct the site as originally proposed and to annex the site into the City as originally intended would be considered consistent with the General Plan Land Use Element.”

CEQA Statute

The project consists of: 1) annexation of approximately 135 acres to the City of Greenfield and detachment of the annexation area from the Resource Conservation District of Monterey County; 2) A sphere of influence amendment to amend the sphere of influence of the City of Greenfield by 53.71 acres for the Yanks Air Museum project; 3) annexation of 135 acres to the City of Greenfield; 4) a rezoning action to include a general plan and zoning code amendment(s) to designate approximately 135 acres as a “Gateway Overlay” land use designation and prezone

the site as “Artisan Agriculture and Visitor Serving” and “Gateway Overlay.”

This technical addendum has been prepared pursuant to Section 15164(b) of the California Environmental Quality Act guidelines. A Final Environmental Impact Report (FEIR) for the Yanks Air Museum Visitor Serving project was certified by the Monterey County Board of Supervisors on November 4, 1997 (Resolution No. 97-445). A Final Environmental Impact Report (FEIR) for the City of Greenfield General Plan was adopted by the City of Greenfield City Council in July, 2005. None of the conditions described in Section 15162 of the CEQA Guidelines call for preparation of a subsequent EIR because: 1) the action presents no major revisions of the previous EIR(s), which involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) the action presents no substantial changes to the circumstances under which the Yanks project is undertaken which will require major revisions of the certified EIR(s) due to new significant environmental effects or substantial increase in the severity of previously identified significant effects; and 3) the action presents no new information of substantial importance, which was not known and could not have been known with reasonable diligence at the time the previous certified FEIR(s) were certified which shows any of the following:

1. The project will have one or more significant effects not discussed in the previous certified FEIR(s) or negative declaration;
2. Significant effects previously examined will be substantially more severe than shown in the previous certified FEIR(s);
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
4. Mitigation measures or alternative which are considerably different from those analyzed in the previous FEIR(s) would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the imitation measure or alternative.

Consequently, no Subsequent or Supplemental EIR is required pursuant to Public Resources Code section 21166 or CEQA Guidelines Sections 15162, 15163, or 15164, because none of the conditions described in those sections have occurred.

On April 25, 200, Memorandum of Understanding (MOU) A-08204 between Monterey County and the City of Greenfield, outlined a phased annexation schedule established which would result in annexation of the project site to the City “no later than ten (10) years after the issuance of the first certificate of occupancy.” The MOU “Recitals” also stipulate:

It is recognized that numerous further actions must be taken to comply with federal, state and local laws and regulations which may affect certain provisions contained herein (e.g., grant approvals, environmental review, LAFCO process, etc...)

The purpose of this annexation and rezoning action is to comply with the conditions placed on the development by entities with jurisdiction over the development, including

the County of Monterey, the U.S. Department of Commerce's Economic Development Administration (EDA), the State Housing and Community Development (HCD) Department, Federal Aviation Administration (FAA), California Department of Transportation (Caltrans), and the City of Greenfield.

2. Scope and purpose of this Addendum; CEQA Section 15162

Pursuant to CEQA, if any of the conditions detailed in Section 15162(1-3) below exist, then a subsequent EIR must be prepared. Because none of the conditions exist, as supported by substantial evidence, addenda to the Yanks EIR (95-01) and City of Greenfield General Plan FEIR SCH #2004061138 is the appropriate level of CEQA review of the proposed action.

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

There are no substantial changes to the project from that originally entitled in Monterey County Resolution No. 97-445 and successor Resolution Nos. 04-351 & 08-362. Realignment of the airstrip is required pursuant to FAA setback requirements, and amounts to nominal design adjustments. This adjustment impacts 5% of the total project acreage, and creates no new significant effects on the environment. The original entitlements placed the airstrip on acreage zoned Farmland. The statement of overriding considerations in the Yanks FEIR adopted by the Monterey County Board of Supervisors, recognized the impact of the loss of ag land, found that the benefits of the project outweighed this loss, and placed a corresponding 306 acres in permanent agricultural easement in perpetuity, which is held by the Ag Land Trust and shall remain.

The proposed action would provide for construction of the airstrip on acreage the City of Greenfield will prezone "Artisan Agriculture and Visitor Serving" and "Gateway Overlay" as detailed in the City of Greenfield General Plan and FEIR, and the Yanks FEIR adopted in County Resolution 97-445, in the event annexation permits Yanks buildout within the City limits. These are comparable zoning designations and create no new significant environmental effects or substantial increase in the severity of previously identified significant effects, because annexation and the airstrip both were contemplated and studied in the Yanks FEIR, City of Greenfield General Plan FEIR, and embodied in the attendant County, Caltrans, EDA, and HCD Yanks project entitlements. The Yanks Visitor Serving project FEIR includes a statement of overriding considerations, which was adopted by the County Board of Supervisors for the loss of ag land. The Board found that the economic benefits of the project outweighed the loss of farmland, while a corresponding 306 acres was placed in permanent agricultural easement in perpetuity and conveyed to the Monterey County Ag Land Trust.

Including the airstrip creates no new significant environmental effects because the removal of Farmland was extensively studied in the Yanks FEIR. The County found the loss of substantial farmland acreage amounted to an unavoidable significant impact, and

adopted a statement of overriding consideration for this loss. The airstrip was entitled and anticipated to be constructed on “Farmland”; and, represented a permitted use on such land use designation in the County. The subject actions are required to implement Condition No. 2 of the approved County CDP, and Condition No. 2, in City/County Agreement No. A-08204 to implement annexation of the Yanks project site to the City of Greenfield; and, 306 acres remains in permanent agricultural easement in perpetuity. Accordingly, these actions amount to nominal adjustments to implement conditions of approval, and do not represent any new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

There are no substantial changes with respect to the circumstances under which the project is undertaken which require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Annexation of the airstrip impacts just 5% of the total project acreage, and creates no new significant effects on the environment, because the airstrip was studied in the certified Yanks FEIR and entitled in County Resolution No. 97-445 and successor Resolution Nos. 04-351 and 08-362. The City of Greenfield and Monterey County always expected annexation of the airfield as part of the Yanks project. The original entitlements anticipated the airstrip be constructed on acreage zoned Farmland by the County, if built in the County. The proposed action would provide for construction of the airstrip on acreage the City of Greenfield zones “Artisan Agriculture and Visitor Serving” and “Gateway Overlay” as anticipated in the City of Greenfield General Plan, if built inside the City’s boundaries. These are comparable land use designations, the latter of which is included in the City of Greenfield General Plan to accommodate annexation of the project site into the City of Greenfield. Whether the airstrip is constructed on City of Greenfield “Artisan Agriculture and Visitor Serving” and “Gateway Overlay” zoned acreage, or County zoned “Farmland” acreage represents a change in comparable land use zoning due to annexation, rather than any change in circumstances which require major revisions to the previous EIR.

Annexation of the airstrip creates no new significant environmental effects because the removal of Farmland was extensively studied in the Yanks FEIR. The County found the loss of farmland acreage amounted to an unavoidable significant impact, and adopted a statement of overriding consideration for this loss. No change in the amount of Ag land removed from agricultural production will occur with the subject actions, because the airstrip was entitled and anticipated to be constructed on County-zoned “Farmland”; and, represented a permitted use on such land use designation. The proposed action has no impact on the 306 acre permanent agricultural easement conveyed to the Ag Land Trust pursuant to County Resolution No. 97-445, which entitled the Yanks project, and its

attendant FEIR. The County Board of Supervisors adopted and certified the Yanks Visitor Serving project FEIR 95-01, which included a statement of overriding considerations for the loss of ag land. The Board found that the economic benefits of the project outweighed this loss; and, included the requirement that 306 acres be placed in permanent agricultural easement in perpetuity. This acreage is held by the Monterey County Ag Land Trust and will remain held in easement.

The sphere of influence amendment and annexation of approximately 135 acres ensures that the entire project site is served by City of Greenfield water and sewer systems, as required by all the attendant entitlements. It also ensures that the City/County jurisdictional boundary places the Yanks project in the City of Greenfield, in accordance with Yanks' entitlements; while the 306-acre permanent agricultural easement remains in the County. The General Plan amendment and rezoning actions are necessary to submit an application to LAFCO for annexation, as originally contemplated. These actions are required to implement Condition No. 2 of the approved County CDP, and Condition No. 2, in City/County Agreement No. A-08204, which derive from the Yanks project FEIR (95-01), the City of Greenfield General Plan FEIR (SCH # 2004061138), and County Resolution Nos. 97-445, 04-351, and 97-445. Accordingly, these actions amount to nominal design adjustments necessary to implement conditions of approval for existing, vested entitlements, and do not present any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The statement of overriding consideration, combined with 306 acres placed in permanent agricultural easement and conveyed to the Ag Land Trust, sufficiently precludes any major revisions to the previous EIR.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

- A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration.
- B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No new information of substantial importance exists, because the project has not substantially changed since the original approval (Resolution 97-445) or since approval of the extension requests (Resolutions 04-351 and 08-362) or since adoption of the Yanks FEIR (95-01) or the City of Greenfield General Plan FEIR (SCH #2004061138), such

that new significant environmental effects or a substantial increase in the severity of previously identified significant effects would occur. The project involves: annexation of the Yanks development site to the City of Greenfield; a General Plan amendment and rezoning of the Yanks project site sufficient to apply to the Local Agency Formation Commission for annexation of the project site to the City of Greenfield and detachment of the site from the Resource Conservation District of Monterey; 306 acres remains in permanent agricultural easement and remains held by the Ag Land Trust. These actions were anticipated, expected, and studied in all the aforementioned entitlements and in the Yanks FEIR 95-01 and City of Greenfield General Plan FEIR SCH 2004061138 for the Yanks project, and foretold in the City/County MOU A-08204 wherein annexation and other issues are addressed, including the recognition “that numerous further actions must be taken to comply with federal, state and local laws and regulations which may affect certain provisions contained herein (e.g., grant approvals, environmental review, LAFCO process, etc...”.

The administrative record consisting of the Yanks Visitor Serving FEIR 95-01, the City of Greenfield General Plan FEIR SCH#2004061138, Monterey County Board of Supervisors Resolution Nos. 97-445, 04-351, 08-362, EDA grant No. 07-01-04968C and City/County Agreement No. A-08204, demonstrate that none of the conditions described in CEQA Guidelines Section 15162, which would require preparation of a subsequent EIR, have occurred.

Conclusion

Only minor technical changes are required to the environmental document. None of the conditions described in CEQA Guidelines Section 15162, which would require preparation of a subsequent EIR, have occurred. The project has not substantially changed since the original approval such that new significant environmental effects or a substantial increase in the severity of previously identified significant effects would occur. No new information of substantial importance has been presented which shows the project will have one or more significant effects not discussed in previous CEQA review, nor will significant effects previously examined be substantially more severe than shown in the previous EIR. No changes to circumstances have occurred in the project area as identified that will cause effects substantially more severe than shown in the earlier FEIR.