

Exhibit E

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EXHIBIT E

Addendum Pursuant to the California Environmental Quality Act

ARTICLE 11 Section 15164

SALINAS 101 LLC

Planning File No. PLN180441-AMD1

Combined Development Permit - Vesting Tentative Map, General Development Plan, Use Permit, Variance, Administrative Permit

1. Introduction

PLN180441-AMD1 is a Minor and Trivial Amendment to previously approved Combined Development Permit (PLN180441) that allowed a Standard Subdivision and Vesting Tentative Map to divide a 17.92 acre Light Commercial (LC) zoned parcel into ten LC zoned parcels, a General Development Plan and Use Permit to allow a total of 98,926 square feet of mixed commercial space including four (4) retail buildings, four (4) quick serve restaurants, a fueling station and a motel, a Use Permit to allow construction of a pylon sign, a Variance to increase the allowable height of main structures on Parcel 7 from 35 feet to 45 feet, a Variance to increase the allowable pylon sign height from 35 feet to 57 feet and a Variance to increase the allowable pylon sign dimensions to 768 square feet. The Amendment would revise the Vesting Tentative Map and amend the General Development Plan to include (3) additional truck fueling stations, modify bounding footprints, improvements to Harrison Road, and modify driveway access for the project.

The original project (PLN180441) approved by the Planning Commission on November 8, 2023 (Resolution No. 23-039) consisted of the adoption of a Mitigated Negative Declaration, a Combined Development Permit including a Standard Subdivision and Vesting Tentative Map to divide a 17.92 acre Light Commercial (LC) zoned parcel into ten LC zoned parcels, a General Development Plan and Use Permit to allow a total of 98,926 square feet of mixed commercial space including four (4) retail buildings, four (4) quick serve restaurants, a fueling station, car wash, and a motel, a Use Permit to allow construction of a pylon sign, a Variance to increase the allowable height of main structures on Parcel 7 from 35 feet to 45 feet, a Variance to increase the allowable pylon sign height from 35 feet to 57 feet and a Variance to increase the allowable pylon sign

dimensions to 768 square feet. A subsequent Amendment was filed to modify the General Development Plan to include (3) additional truck fueling stations and realign Harrison Road and create driveway access for the project.

Environmental review for PLN180441 included the preparation of a Mitigated Negative Declaration/Initial Study (MND/IS). The MND/IS analyzed: Aesthetics, Agricultural and Forest Resources, Air Quality, Biological Resources, Tribal and Cultural Resources, Energy Impacts, Geological and Soils Impacts, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality Impacts, Noise, Traffic Impacts and Circulation, Utilities and Service Systems, Land Use/Planning, Population and Housing, Wildfires, Public Services, and Mandatory Findings of Significance. Through adoption of the Mitigated Negative Declaration, impacts to potential impacts to Air Quality, Biological Resources, Greenhouse Gases, Noise, and Transportation were found to be less than significant with implementation of mitigation measures, while the remaining standard CEQA environmental factors were found to have no impact. Nine mitigation measures were adopted or found necessary to reduce the severity of potential impacts.

The project revisions include the omission of the car wash from the scope of work and reintroduction of three-truck fueling stations. The truck fueling stations were previously considered and analyzed under PLN180441, and continue to find PLN180441-AMD1 consistent with the conclusions of the ND/IS.

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in the MND/IS, adopted by the Planning Commission on November 8, 2023 (Resolution No. 23-039). None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred, as discussed in more detail below.

2. Scope and Purpose of this Addendum

It has been determined that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent Initial Study or EIR have occurred, that there are no new significant environmental effects or increase in the severity of previously identified significant effects per Section 15162(a)(2) of the CEQA Guidelines, and there is no new information of substantial importance that was not known at the time the previous MND/IS was adopted, per Section 15162(a)(3) of the CEQA Guidelines.

Documents reviewed included the MND/IS prepared and adopted with PLN180441, and associated technical reports, plans, and application materials submitted with PLN180441-AMD1. Based upon this review, it was determined that the proposed second Amendment will not have the potential to significantly degrade the quality of the environment, will have no significant impact on long-term environmental goals, will have no significant cumulative effect upon the environment, and will not cause substantial adverse effects on human beings, either directly or indirectly.

3. Subsequent Mitigated Negative Declarations

None of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a Subsequent Initial Study or EIR have occurred:

- A. 15162(a)(1): The project takes place in substantially the same footprint. The Amendment would reintroduce the truck fueling component previously considered under the original project scope but removed prior to preparation of the MND/IS and Resolution No. 23-039. Additionally, this Amendment makes other minor changes to locations and building footprints of previously approved retail and fast-food restaurant buildings. The reintroduction of the fueling stations would be accomplished through adjusting the site plan (new parcel boundaries) and relocating the approved gas station and convenience store to the northwest corner of the property to accommodate the truck fueling positions. The building capacity for the proposed Amendment is the same as for the approved project, but now includes a reduction in the weekday and Saturday daily vehicle trip volume. The Amendment also includes realignment of Harrison Road to accommodate truck access at the main project entrance, a previous concern from HCD Engineering Services, which now ensures safe traffic operations. Additionally, as designed, the proposed project is comparable to the bulk, mass, and architectural style of the previously approved residence, as amended by PLN180441-AMD1, and therefore, no additional impacts on traffic resources or Aesthetics will occur. Removal of the carwash would reduce water demand by approximately 4-acre feet per year, compared to the previously approved project. The Project, as amended, continued to include grading consisting of 12,876 cubic yards of cut and approximately 12,309 cubic yards of fill. No changes are proposed that will cause new significant environmental effects or a substantial increase in the severity of previously identified environmental effects.
- B. 15162(a)(2): As described in the adopted MND/IS, no sensitive biological resources are present on-site; however, the prepared biological and cultural resources assessment (County of Monterey No. LIB200170) identified that the previously approved project would have a less than significant impact on burrowing owls, waster of the state, and nesting birds with incorporation of mitigation measures (BIO-1 & BIO-2) and a standard permit condition. No amendments proposed under PLN180441-AMD1 would modify or increase impacts to these biological resources. The Project, as amended, continues to include grading consisting of 12,876 cubic yards of cut and approximately 12,309 cubic yards of fill. Ground disturbance and building footprints remain relatively the same. Therefore, no changes are proposed that would worsen previously identified impacts on noise, air quality, or greenhouse gases. A 2022 subsurface auger testing (County of Monterey Library No. LIB200170) was prepared for the proposed project, and concluded that the potential for inadvertent impacts to archaeological resources is limited and would be controlled by application of the County's standard condition, which requires the contractor to stop work if previously unidentified resources are discovered during construction. The County's standard condition, Condition No. 3, will continue to be

applied to the project's Amendment. Thus, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will cause new significant environmental effects or a substantial increase in the severity of previously identified environmental effects.

C. 15162(a)(3): As described in the MND/IS, the subject property has been historically used for agricultural purposes and does not contain any structures. The proposed project site has been highly disturbed by past agricultural uses. No new information of substantial importance has been submitted or identified that would demonstrate the project, as amended, will have one or more significant impacts not previously analyzed or will increase the severity of previously identified impacts. Further, all mitigated measures still apply to this Amendment. The proposed/modified intersection improvements align with the requirements of TI-1. No new mitigation measures are required to address previously unanalyzed potentially significant impacts. The analysis contained in the MND/IS relative to all analyzed environmental factors remains adequate for the proposed project.

4. Conclusion

An MND/IS was prepared, circulated, considered, and adopted for PLN180441, which found that all physical impacts associated with the development were less than significant, with nine mitigation measures to address impacts to biological resources, air quality, greenhouse gases, noise, and transportation. The County has considered the proposed project (PLN180441-AMD1) and determined its scope does not alter the conclusions in the Adopted MND/IS prepared for PLN180441. Therefore, based on a review of the proposed application, plans, and technical reports, no other potentially significant issues were identified for the proposed project. The proposal reduces the overall potential impacts and does not alter the analysis or conclusions reached by the previous environmental document.

Attachment: Mitigated Negative Declaration/Initial Study for PLN180441, adopted November, 8 2023.