

Exhibit E

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EXHIBIT E

Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

Regents of the University of California (Chapin) Planning File No. PLN070377-EXT1 Use Permit

1. Introduction

This Addendum to a Mitigated Negative Declaration (MND) has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act (CEQA) Guidelines. The Addendum is permitted for a previously certified Mitigated Negative Declaration whereby no substantial evidence has been identified pursuant to Article 11, Section 15162 of CEQA. Therefore, no significant or major changes to the project analyzed in the review of the original Use Permit, Resolution No. 97076, and adopted by the Planning Commission on October 29, 1997, are declared.

This Addendum to MND was prepared in order to quantify the site-specific environmental considerations of an extension to allow the operation of a mobile asphalt and concrete recycling facility (Recycling Facility). The Recycling Facility is located at the Southeast corner of Reservation Road and Imjin Road, Ford Ord area, and will operate for 10 years until September 12, 2028. The "Regents of the University of California" (UC Regents) is the owner of the property; UC Regents lease's 5 acres to the Don Chapin Construction Company (Chapin Construction) to operate the Recycling Facility. (PLN970390).

At their October 29, 1997 meeting, the Planning Commission adopted a MND and granted a Use Permit allowing Chapin Construction to operate a Recycling Facility. Environmental impacts were identified in the Initial Study (IS) and measures to mitigate the impacts. Chapin Construction agreed to implement the mitigation measures to obtain a Use Permit for operating a Recycling Facility (Resolution No. 97076).

Environmental review involved the preparation of an Initial Study/Mitigated Negative Declaration/ (IS/MND)) which focused on analyzing potential impacts to Aesthetics, Traffic and Biological Resources. The mitigation measures recommended in the IS/MND reduced potential effects and impacts to less than significant.

PLN070377-EXT1 is a request for a third extension to the original Use Permit PLN970390 (Resolution 07076), first extension PLN02043 (Resolution 02042) and second extension PLN070377 (Resolution 08020). This third extension PLN070377-EXT1 (Resolution XXXX) shall incorporate the mitigation measures previously adopted in the original MND and shall include the mitigation measures adopted in the first and second extensions.

2. Scope and Purpose of this Addendum to the MND

It has been determined that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent IS have occurred, minor technical changes to the project description are limited to extending the permit ten more years, 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 IS/MND was adopted, per Section 15162(a)(3) of the CEQA Guidelines.

Documents reviewed included the IS/MND prepared and adopted for PLN970390, materials for the first Extension (PLN020042) and second Extension (PLN070377), and associated technical reports, plans, and applications. Based upon this review, it has been determined that the project would not have the potential to significantly degrade the quality of the environment, would have no significant impact on long-term environmental goals, would have no significant cumulative effect upon the environment, and would not cause substantial adverse effects on human beings, either directly or indirectly.

3. Conclusion

On October 29, 1997, an IS/MND was prepared, circulated and adopted by the Planning Commission on October 29, 1997 (PLN970390). All project physical and environmental impacts the project were reviewed, and the County determined that the project as designed and mitigated reduced potential impacts to less than significant. This Addendum to the MND establishes its foundation on identified impacts, mitigated measures, disclosed in the IS/MND. Subsequently, the Addendum focuses attention to identifying technical changes to the project, clarification to the conditions, and describing the scope of work to operate a Recycling Facility. Staff has reviewed the Mitigated Negative Declaration for the original Use Permit (, Addendums to MND for first extension and the second extension and has determined that this third extension is consistent with the environmental considerations contained within. Staff find that the third Extension requires an Addendum to the MND and does not warrant the preparation of a subsequent environmental document.