



Staff Report to the Agricultural Policy Advisory Commission

Application Number: 06-0655

Applicant: Dee Murray, Planning Consultant
Owners: Edwin & Judith Charlebois
APN: 108-361-02

Agenda Date: January 18, 2007
Agenda Item : # 12
Time: After 9:00 a.m.

Project Description: Proposal to change agricultural production primarily from rose production to diversified agricultural production, including **berries**, at an existing farm.

Location: Property located approximately one mile **north** of Freedom Boulevard on Corralitos Road at 242 Corralitos Road in Watsonville.

Supervisory District: Second District (District **Supervisor:** Pine)

Permits Required: APAC Review, Amendment to Agricultural Development Permit 87-0576

Staff Recommendation:

- Recommendation for Approval of Application 06-0655.
- Forward the application to the Planning Commission for final review and action.

Exhibits

- | | |
|--|--|
| A. Project plans | G. Neighborhood meeting minutes |
| B. Findings | H. 87-0576 Permit and Conditions of Approval |
| C. Conditions | I. Western Garden – Podocarpus |
| D. Assessor's parcel map, Location map | J. Concrete removal bond |
| E. Zoning & General Plan maps | |
| F. Comments & Correspondence | |

Parcel Information

Parcel Size:	51.55 acres
Existing Land Use - Parcel:	Rose production, row crops
Existing Land Use - Surrounding:	commercial Agriculture, Bradley Elementary School
Project Access:	Corralitos Road
Planning Area:	Eureka Canyon
Land Use Designation:	A (Agriculture)
Zone District:	CA (Commercial Agriculture)

**County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060**

Coastal Zone: Inside X Outside

Environmental Information

Geologic Hazards: Mapped/Corralitos Creek Floodway at eastern perimeter
Soils: Baywood loamy sand, Soquel loam
Fire Hazard Not a mapped constraint
Slopes: 2 – 15 percent slopes
Env. Sen. Habitat: Mapped biotic/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archaeology: Mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: Inside X Outside
Water Supply: Private well
Sewage Disposal: CSA#12, private septic system
Fire District: Pajaro Valley Fire Service Area
Drainage District: Zone 7 Flood Control/Water Conservation District

History

Agricultural Development Permit 87-0576 (former APN 108-192-02) was approved by the Planning Commission on June 29, 1988 to construct a total of 91,092 square feet of green houses and 24,840 square feet of shadehouses in two phases; a 16,950 square foot packing shed/cold storage facility; a 10,000 square foot maintenance shop; a 5,000 square foot office; remodel the existing single-family dwelling as an agricultural caretaker's quarters; and 30-space parking lot (Exhibit H) The Phase 1 greenhouses and grading shed were constructed (61,692 square foot greenhouse and 16,950 square foot grading shed). Inspections for permit compliance monitoring were conducted in 1988, 1992 and 1993.

Amendment Proposal

The applicant is proposing to complete the approved Phase 2 for an additional 29,400 square feet of greenhouses, a 5,000 square foot office building, and 10,500 square foot workshop. To facilitate this change, seven (7) modifications to amend the original development permit (Exhibit G) to transition from rose to berry production, and to allow for changes in technology are proposed as follows (original permit conditions are displayed in *italic script*):

- i) ***Condition 7a The greenhouses shall be restricted to concrete flooring for center pathways only, as shown on Exhibit A.***

The applicant wants to amend this condition to allow concrete flooring throughout the greenhouses. The reason for this request is to ensure no

introduction to disease. All plants grown in the greenhouses must not get in contact with soil at any time, therefore concrete flooring is necessary in existing greenhouses.

- ii) *Condition 7c The greenhouses shall not contain fans of any type whatsoever in or on the greenhouse structures.*

The applicant wishes to amend this condition ~~so~~ that ~~high~~ performance, internal fans that do not exhaust to the outside can be utilized. Once the plants are received in the greenhouse, plants are grown under a misting or fogging system. Overhead misting serves to irrigate the plants and this requires fans to circulate the humid air and minimize pesticide usage.

- iii) *Condition 8d A minimum of 21 ½ acres within the northwest portion of the property shall be retained in apple orchard by prudent horticultural management.*

The applicant wishes to change this condition because the 21 ½ -acres of diseased apple trees was recommended for removal by the office of the Agricultural Commissioner. Disease-born pests and pathogens which could contaminate adjacent crops and orchards had damaged the existing orchard (Exhibit F). The trees have been replaced with flowers and diversified crops and will be replaced with berries.

- iv) *Condition 8e A drip irrigation system shall be used as the only method of irrigation both inside the greenhouses and for the required landscape screening and buffering.*

The applicant wishes to change this condition because of changes in technology in the past 20 years since original project approval. The existing drip irrigation system would be replaced with a state of the art system, which conserves water. Once the plants reach the proper size, they will be moved to an outdoor growing area where they will be grown utilizing a variety of irrigation methods to ensure the least amount of runoff and best use of irrigation water.

- v) *Condition 8f Any brines or boiler residues shall be contained on site in a lined evaporation pond or other containment device approved by the Environmental Planning Section of the Planning Department.*

The applicant wishes to change this condition because a water softener has been installed to eliminate brine.

- vi) *Condition 8h All greenhouses shall be served by a subsurface drainage system which re-circulates irrigation water for reuse. This system shall be designed and installed to prevent groundwater contamination from irrigation additives (e.g. fertilizers). All contaminated runoff shall be used or evaporated on site.*

The applicant wishes to change this condition because there shall be no re-circulation of irrigation water. Runoff shall be diverted to the existing detention basin.

- vii) *Condition 9e The greenhouses shall not use interior illumination for the growing of plants during the nighttime.*

The applicant is requesting that supplemental lighting be allowed in the winter months from 5-7 a.m. and 8-10 p.m. This lighting is required to optimize plant growth for the berry propagation.

Project Setting

The project site is a 51.5-acre parcel located on the floor of the Corralitos Valley about a half-mile south of the village core. The parcel is predominantly utilized for row crops and greenhouse production. Existing greenhouses and a demonstration garden are clustered in a 4.3-acre corner at the southwest of the property. Former apple trees were diseased and removed from the site due to their diseased condition (Exhibit F). The valley has traditionally been farmed with apple orchards, but in recent years has diversified to include flower and row crop production. Soil types are Soquel loam and Baywood loamy sand. The parcel is predominantly flat and slopes downward to the eastern property boundary, adjacent to Corralitos Creek. The northern portion of the project site is also immediately west, across Corralitos Road, from Bradley Elementary School.

Zoning & General Plan Consistency

The subject property is a 51.5-acre parcel, located in the CA (Commercial Agriculture) zone district, a designation that allows agriculture uses. The proposed berry propagation and diversified crop production continues to be a principal permitted use within the zone district and the project is consistent with the site's (A) Agriculture General Plan designation. The project is consistent with the CA zone district as berry propagation and diversified crop production is an allowed use. The project is also consistent with site development regulations of the CA zone district Section 13.10.3.13 with regard to 20-foot front, side and rear setbacks, minimum 300-foot property width, minimum 100-foot frontage, and maximum height of 28 feet for residential structures.

General Plan Objective 5.13 recognizes that agriculture is a priority land use and that preservation and promotion of agriculture on designated commercial agricultural lands remains a priority. The existing greenhouses and offices are clustered in the southwest corner of the property removing as little land as possible from production, consistent with General Plan Policy 5.13.27. Consistent with General Plan Policy 5.13.24, an Agricultural Statement of Acknowledgement has been recorded in Volume 4404 Page 30 of Santa Cruz Official records on October 19, 1988. The project is consistent with all Greenhouse Agriculture Policies of Chapter 5.15. Removal of indigenous prime soil is prohibited. Water conservation and energy efficiency are incorporated into agricultural practices.

Use Permit Compliance

The proposal to modify the Use permit to facilitate the change from flower growing to berry

production requires several amendments to the Use permit as discussed above. Other than the amendments outlined above, the proposed use will continue to comply with the existing Conditions of Approval (Exhibit H). Conditions of Approval for the Commercial Development Permit 87-0576 limit the height of the office to 15 feet and other structures (greenhouses) to 20 feet. Signage shall remain consistent with Conditions of Approval and shall be no more than 12 square feet in size, constructed of wood and be non-illuminated, and be placed no higher than 7 feet above surface grade. Parking shall also remain consistent with conditions of approval with 30 spaces provided on the site as per County Code Section 13.10.552. Approximately 50 hourly employees and five administrative employees are proposed to work on the site. There will be no commercial truck traffic except for the occasional supply delivery during business hours. Hours of operation will be from 6 a.m. to 4:30 p.m. except for the administrative staff. There will be no commercial business conducted at this site.

Visual Impacts

The County Urban Designer has recommended that vegetative screening (Fern Pine/*Podocarpus gracilior*) be planted along the entire 1,844 foot western boundary adjacent to Corralitos Road to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape (Exhibit I). This is consistent with the Conditions of Approval, which require landscape screening to be maintained at a maximum height of 30 feet.

Neighborhood Concerns

Neighborhood meetings were held by Driscoll Strawbeny Associates on November 9 and 27 at 7 p.m. Address lists and meeting minutes are attached as Exhibit G. Neighborhood concerns addressed lighting traffic (including Bradley School conflicts), landscaping along Corralitos Road, water conservation, and hours of operation. It appears that many of the concerns experienced by the community will be addressed by the applicant.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

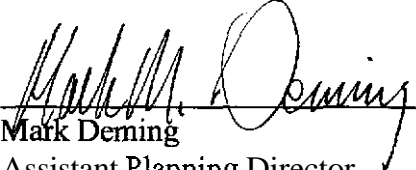
- **RECOMMENDATION for approval** of Application Number **06-0655**, based on attached findings and conditions.
- Forward the project for review and final action by the Planning Commission.

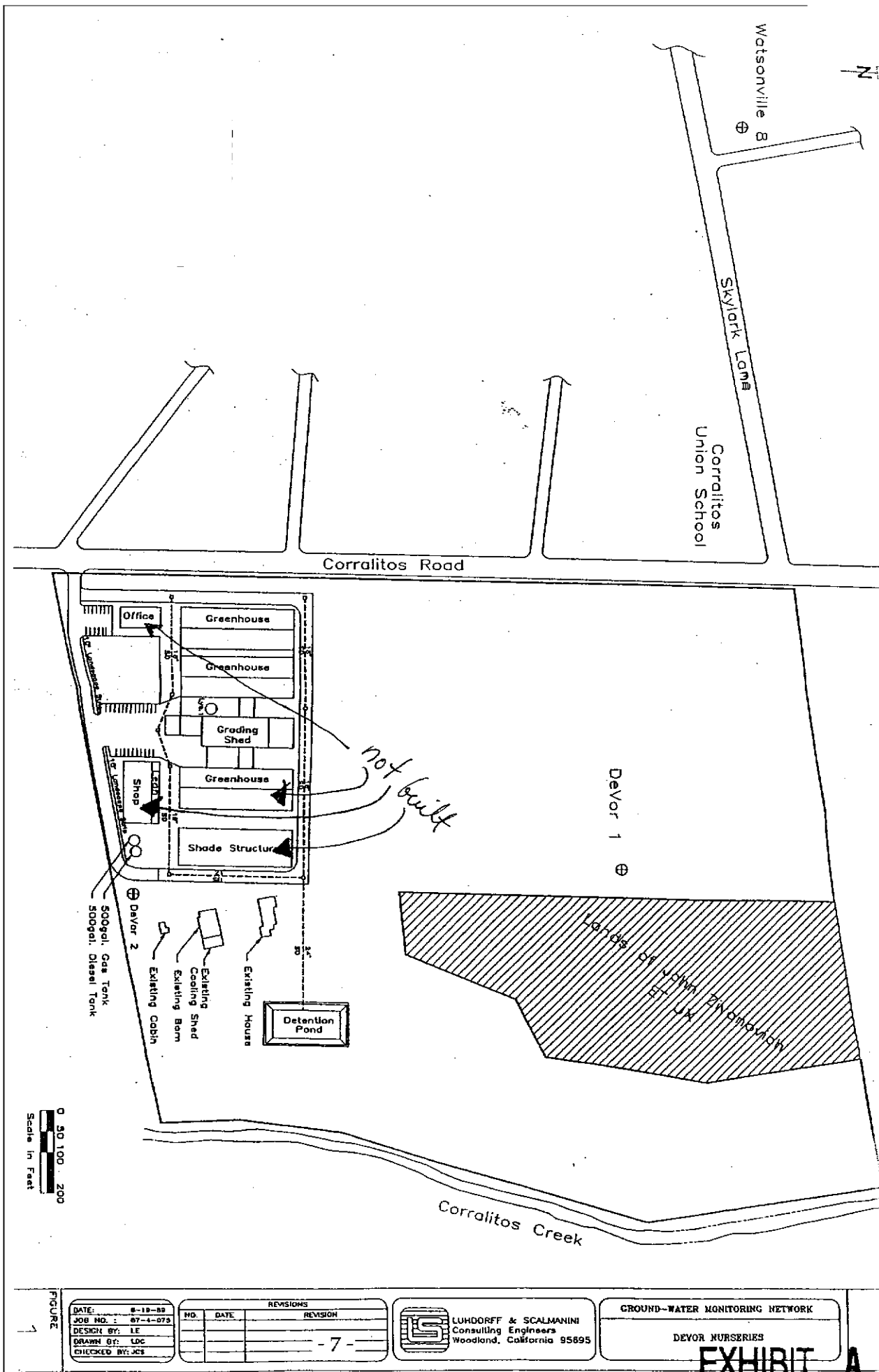
Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Joan **Van** der Hoeven
Santa **Cruz** County Planning Department
701 **Ocean** Street, 4th Floor, **Santa Cruz CA 95060**
Phone Number: (831) **454-5174**
E-mail: pln140@co.santa-cruz.ca.us

Report Reviewed By:


Mark Deming
Assistant Planning Director



DATE: 8-18-88
 JOB NO.: 87-4-075
 DESIGN BY: LE
 DRAWN BY: LDC
 CHECKED BY: JCS

REVISIONS			
NO.	DATE	REVISION	

LUHDORFF & SCALMANINI
 Consulting Engineers
 Woodland, California 95695

GROUND-WATER MONITORING NETWORK
 DEVOR NURSERIES

EXHIBIT A

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding **can** be made, in that the project is located in an area designated for agriculture uses and is not encumbered by physical constraints to development. Crop production will comply with state of the ~~art~~ agricultural technology the optimum in safety and the conservation of energy and resources. The proposed berry propagation will not deprive adjacent properties or the neighborhood of light, *air*, or open space, in that the structure meets all current setbacks that ensure access to light, *air*, and open space in the neighborhood.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the berry production and the conditions under which it farming operation would be carried out will be consistent with all pertinent County ordinances and the purpose of the CA (Commercial Agriculture) zone district in that the primary use of the property remains commercial agricultural production that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed agriculture use is consistent with the use and density requirements specified for the Agriculture (A) land use designation in the County General Plan.

The proposed berry crop production will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the CA zone district. The project is consistent with all other policies of General Plan Sections 5.13 & 5.14 Agriculture and 5.15 Greenhouse Agriculture. The berry propagation facility in the existing structures will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed berry and diversified crop production will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the farm operation will comply with the site standards for the CA zone district (including setbacks) and will result in a crop production consistent with a other farms in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed berry and diversified crop production is to be farmed in an existing 51.5-acre commercial farming operation. The expected level of traffic generated by the proposed project is anticipated to remain consistent with the previous operation. There is no commercial business conducted on the site. Occasional supply deliveries will be made during business hours. The operation will not adversely impact existing roads and intersections in the surrounding area of Corralitos Road.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed berry production is located in a mixed neighborhood containing a variety of crops such as apples, pears, vegetables and flowers, and the proposed continued commercial agricultural use is consistent with the land uses of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed farm operation will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The Corralitos Road frontage is to be landscaped with a continuous row of Fern Pine (*Podocarpus grucilior*).

Required Findings for Development on Land Zoned Commercial Agriculture or Agricultural Preserve. County Code Section 13.10.314(A)

1. The establishment or maintenance of ~~this~~ use will enhance or support continued operation of commercial agriculture on site and will not reduce, restrict or adversely affect agricultural resources, or the economic viability of commercial agricultural operations, of the area.

The maintenance of the berry propagation operation will enhance and support the continued operation of commercial agricultural operations on the 51.5-acre site in that farming has existed there since the Corralitos valley was first established. Production has evolved from apple production to flower production to row crops and berries on the site with changing demand for agricultural products. The establishment of a berry propagation facility on the property perimeter will not adversely affect agricultural resources or the economic viability of commercial operations in the Corralitos Road area.

2. The use or structure is ancillary, incidental or accessory to the principal agricultural use of the parcel or no other agricultural use of the parcel is feasible for the parcel; or

The proposed berry propagation use will be the principal agricultural use of the parcel. Diversified row crops would be a secondary crop. The cut flower operation which previously existed on the parcel was unable to sustain competition from overseas imports and continued agricultural use will depend on production of a crop which returns a yield sufficient to sustain the operation. The proposed use will benefit from economies of scale since the Driscoll ~~berry~~ operation has other acreage and facilities currently in production in Santa Cruz County.

3. The use consists of an interim public use which does not impair long-term agricultural viability; or
4. Single family residential uses will be sited to minimize conflicts, and that all other uses will not conflict with commercial agricultural activities on site, where applicable, or in the area.

The existing single-family residence on the parcel is clustered near the greenhouses and is buffered from adjacent agricultural operations with landscaping. **An** Agricultural Statement of Acknowledgement has been recorded in Volume 4404 Page **30** of Santa Cruz Official records on October 19, 1988.

5. The use will be sited to remove no land from production (or potential production) if any non-farmable potential building site is available, **or** if this is not possible, to remove as little land as possible from production.

By locating on the southwestern perimeter of the parcel, the continued use of the existing structures removes as little land as possible from production. The greenhouses are clustered with the shed/office structure, adjacent barn, and residential structures on the parcel. The open fields will be converted from calla lily production to berry production and diversified crops.

Conditions of Approval

Exhibit A: Project Plans, 8 Sheets, Industrial Group of California, dated 10-16-1987

- I. This permit authorizes the replacement of rose production with berry propagation and diversified row crop production. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain all required Building Permits for electrical and plumbing work.
 - C. Comply with all conditions of Approval of Application 87-0576 with the exception of the following:
 - i) Existing greenhouse flooring shall be of concrete to provide a clean environment for plant propagation. The concrete flooring is non-structural load bearing. If 50% of the permitted greenhouses cease production or use for a year or longer or the permit expires for another reason, the applicant shall remove and dispose of all concrete flooring and post foundations of the greenhouses as well as the greenhouse buildings and asphalted areas serving these greenhouses and restore the area including soils formerly covered with greenhouses to the prime agricultural state within 60 days. The Bond in the amount of \$19,440 to finance removal shall remain on deposit and available to cover any potential restoration costs.
 - ii) Irrigation shall be an overhead misting/fogging system utilizing horizontal air flow fans to regulate humidity to a level that is not conducive to disease.
 - iii) The 21-acres of apple orchard which has been removed due to its deteriorated condition must be maintained with berries, diversified crops or other commercial agricultural crop production.
 - iv) The existing drip irrigation system shall be replaced with a more water efficient system using newer technology adapted to specific growing stages.
 - v) A water softener shall be installed to eliminate brine.
 - vi) There shall be no re-circulation of irrigation water. All runoff shall be diverted to the detention basin.
 - vii) Supplemental lighting during winter months shall be limited to the hours of 5-7a.m. and 8 - 10p.m.
 - viii) A row of Fern Pine (*Podocarpus gracillior*) shall be planted along the entire 1,844 foot Corralitos Road frontage of the property and shall be maintained in perpetuity.
- II. Operational Conditions
 - A. In the event that future County inspections of the subject property disclose

noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- B. Hours of operation shall be Monday through Friday from 6 a.m. to 4:30 p.m.
- C. There shall be no commercial business transactions conducted on the site.
- D. No more ~~than~~ 50 employees in addition to the administrative staff shall be employed on site.
- E. Provide required off-street parking for 30 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- F. Comply with all inspection requirements of the Environmental Health Service for the Health Service Permit.
- G. Comply with all requirements of the Pajaro Valley Fire Service Area.
- H. The frontage landscaping of Fern Pines along Corralitos Road shall be maintained in perpetuity.

III. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or ~~annul~~ this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into **any** stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and **assign(s)** of the applicant.

Minor variations to this permit **which** do not affect the **overall** concept **or** density **may** be approved by the **Planning** Director at the request **of** the applicant or **staff** in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires on the expiration date listed below unless you obtain the required permits and commence construction.

Approval Date: 1-18-2007

Effective Date: Pending Planning Commission approval

Expiration Date: Two years from Planning Commission approval

Appeals: **Any** property **owner**, or other **person** aggrieved, or **any** other **person** whose interests are adversely affected by **any** act or determination of the **Planning** Commission, **may** appeal the act or determination to the Board of Supervisors in accordance **with** chapter 18.10 of the Santa **Cruz** County Code.

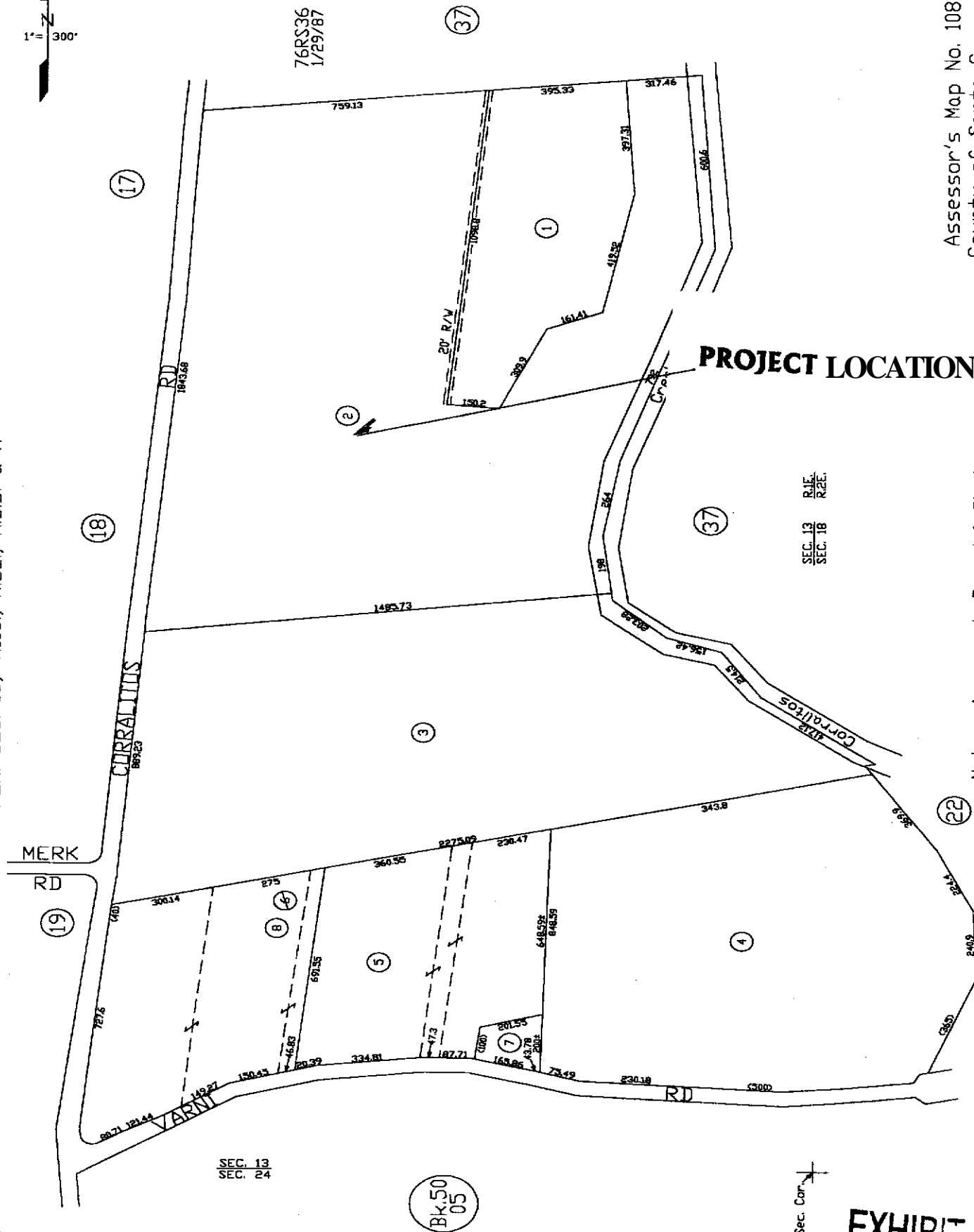
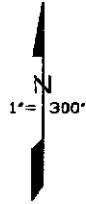
FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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RANCHO DE LOS CORRALITOS
POR. SECS. 13 & 24, R1E., &
POR. SEC. 18, T11S., R2E., M.D.B. & M

Tax Area Code
69-262

108-36



SEC. 13 R1E.
SEC. 18 R2E.

1/4 Sec. Cor.

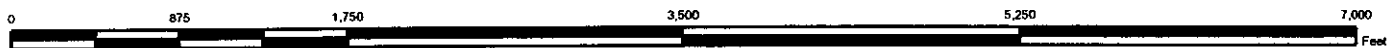
EXHIBIT C

Assessor's Map No. 108-36
County of Santa Cruz, Calif.
Nov. 1997







Note - Assessor's Parcel & Block
Numbers Shown in Circles

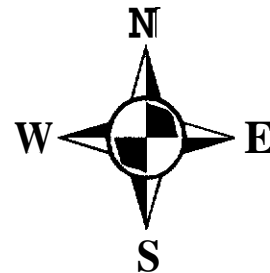


Location Map



Legend

-  APN 108-361-02
-  Assessors Parcels
-  Streets
-  INTERMITTENT STREAM
-  PERENNIAL STREAM
-  Lakes

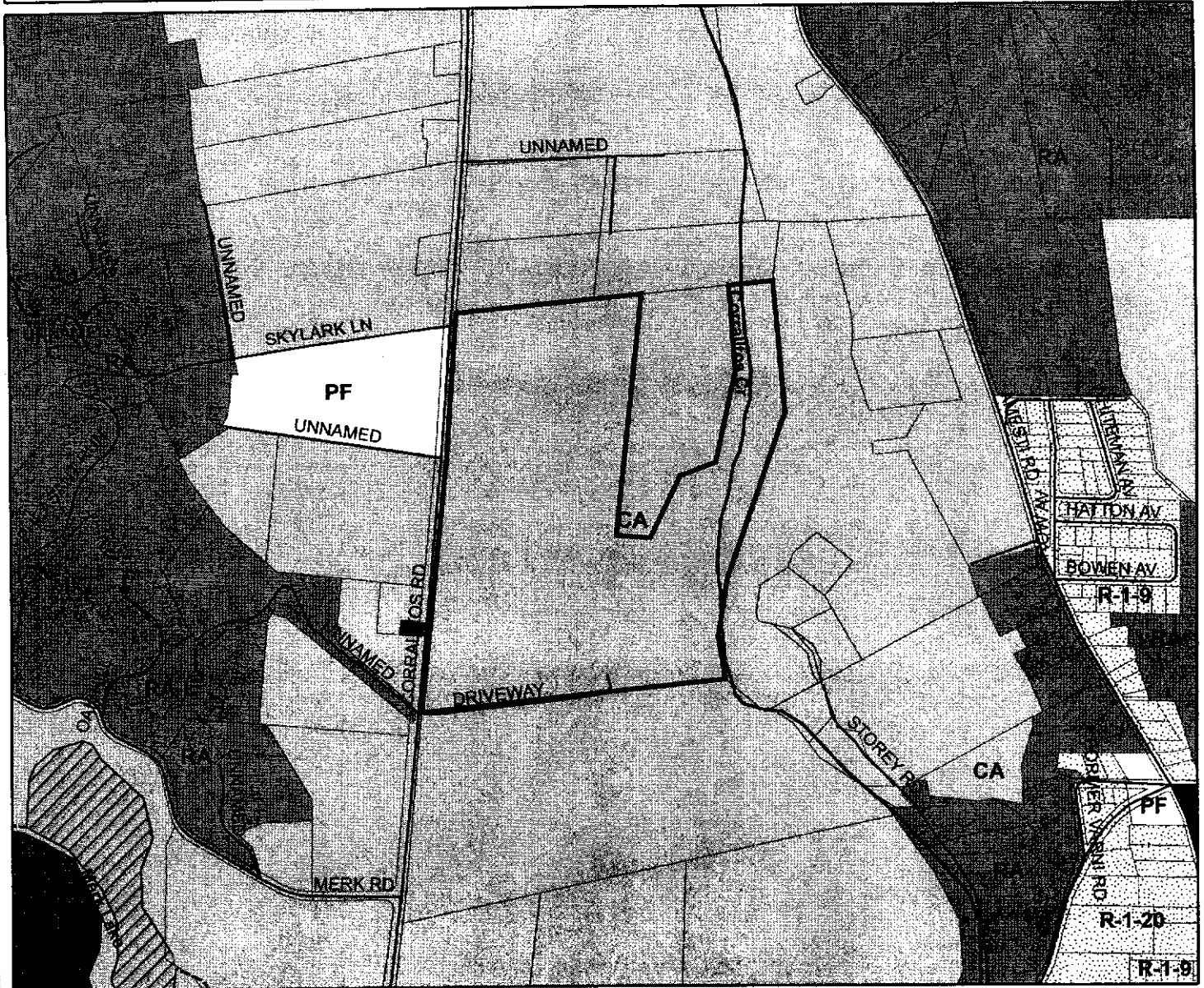


Map Created by
County of Santa Cruz
Planning Department
December 2006

EXHIBIT D

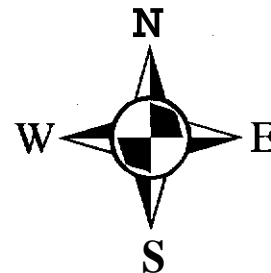


Zoning Map



Legend

- APN 108-361-02
- Assessors Parcels
- Streets
- PERENNIAL STREAM
- Lakes
- AGRICULTURE COMMERCIAL (CA)
- AGRICULTURE RESIDENTIAL (RA)
- AGRICULTURE (A)
- RESIDENTIAL-SINGLE FAMILY (R-1)
- PUBLIC FACILITY (PF)



Map Created by
County of Santa Cruz
Planning Department
December 2006

EXHIBIT E

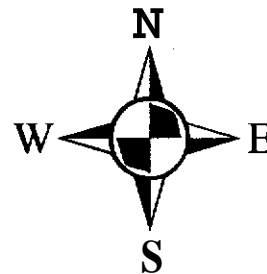


General Plan Designation Map



Legend

- APN 108-361-02
- Assessors Parcels
- Streets
- PERENNIAL STREAM
- Lakes
- Agriculture (AG)
- Residential-Rural (R-R)
- Residential-Suburban (R-S)
- Public Facilities (P)
- Commercial-Neighborhood (C-N)



Map Created by
County of Santa Cruz
Planning Department
December 2006

EXHIBIT E

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Joan Van Der Hoeven
Application No.: 06-0655
APN: 108-361-02

Date: January 3, 2007
Time: 13:52:38
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON DECEMBER 11, 2006 BY ROBERT S LOVELAND =====

NOTE TO PLANNER:

According to the plans. no work is being proposed to the existing detention pond and there is no mention of expanding agricultural operations into the riparian buffer area. There are no EP issues for this application as submitted. Please note that any work done to the detention pond would need to be evaluated by DPW Drainage and would probably require a riparian exception.

Environmental Planning Miscellaneous Comments

===== REVIEW ON DECEMBER 11, 2006 BY ROBERT S LOVELAND =====
NO COMMENT

Project Review Completeness Comments

===== REVIEW ON DECEMBER 13, 2006 BY JOAN VAN DER HOEVEN =====
Landscaping shall extend the length of the Corralitos Road frontage.

Project Review Miscellaneous Comments

===== REVIEW ON DECEMBER 13, 2006 BY JOAN VAN DER HOEVEN =====
Submit a sign plan for the business.

Dpw Road Engineering Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 15, 2006 BY GREG J MARTIN =====

Dpw Road Engineering Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 15, 2006 BY GREG J MARTIN =====

Environmental Health Completeness Comments

===== REVIEW ON DECEMBER 5, 2006 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments

===== REVIEW ON DECEMBER 5, 2006 BY JIM G SAFRANEK ===== The project will require an EHS Building Clearance. Septic pumper's report was submitted and is acceptable. At time of building clearance the applicant will need to illustrate on a site plan the location of the existing septic system that will receive wastewater

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No. : 06-0655
APN: 108-361-02

Date: January 3, 2007
Time: 13:52:38
Page: 2

from the proposed restroom shown on page 2 of the plan.

Cal Dept of Forestry/County Fire Completeness Comm

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON NOVEMBER 28, 2006 BY COLLEEN L BAXTER =====

DEPARTMENT NAME: CDF/COUNTY FIRE

Add the appropriate NOTES and DETAILS showing this information on your plans and RESUBMIT. with an annotated copy of this letter:

Note on the plans that these plans are in compliance with California Building and Fire Codes (2001) as amended by the authority having jurisdiction.

Each APN (lot) shall have separate submittals for building and sprinkler system plans.

The job copies of the building and fire systems plans and permits must be onsite during inspections.

SHOW on the plans a public fire hydrant within 250 feet of any portion of the property. along the fire department access route. meeting the minimum required fire flow for the building. This information can be obtained from the water company. Building numbers shall be provided. Numbers shall be a minimum of 4 inches in height on a contrasting background and visible from the street, additional numbers shall be installed on a directional sign at the property driveway and street.

NOTE on the plans that a 100 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt.

The access road shall be 20 feet minimum width and maximum twenty percent slope.

All bridges, culverts and crossings shall be certified by a registered engineer.

Minimum capacity of 25 tons. Cal-Trans H-20 loading standard.

The access road shall be in place to the following standards prior to any framing construction, or construction will be stopped:

- The access road surface shall be "all weather", a minimum 6" of compacted aggregate base rock, Class 2 or equivalent, certified by a licensed engineer to 95% compaction and shall be maintained.
- ALL WEATHER SURFACE: shall be minimum of 6" of compacted Class II base rock for grades up to and including 5%. oil and screened for grades up to and including 15% and asphaltic concrete for grades exceeding 15% but in no case exceeding 20%. The maximum grade of the access road shall not exceed 20%, with grades greater than 15% not permitted for distances of more than 200 feet at a time. The access road shall have a vertical clearance of 14 feet for its entire width and length, including turnouts. A turn-around area which meets the requirements of the fire department shall be provided for access roads and driveways in excess of 150 feet in length. Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures. All private access roads, driveways, turn-around and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times.

SHOW on the plans, DETAILS of compliance with the driveway requirements. The driveway shall be 20 feet minimum width and maximum twenty percent slope.

The driveway shall be in place to the following standards prior to any framing con-

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No.: 06-0655
APN: 108-361-02

Date: January 3, 2007
Time: 13:52:38
Page: 3

struction. or construction will be stopped:

- The driveway surface shall be "all weather", a minimum 6" of compacted aggregate base rock, Class 2 or equivalent certified by a licensed engineer to 95% compaction and shall be maintained. - ALL WEATHER SURFACE: shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%. oil and screened for grades up to and including 15% and asphaltic concrete for grades exceeding 15% but in no case exceeding 20%. - The maximum grade of the driveway shall not exceed 20%, with grades of 15% not permitted for distances of more than 200 feet at a time. - The driveway shall have an overhead clearance of 14 feet vertical distance for its entire width. - A turn-around area which meets the requirements of the fire department shall be provided for access roads and driveways in excess of 150 feet in length. - Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures. - All private access roads, driveways, turn-arounds and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times. - The driveway shall be thereafter maintained to these standards at all times.

All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

72 hour minimum notice is required prior to any inspection and/or test.

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifications, Standards, Codes and Ordinances. agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review. subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

Cal Dept of Forestry/County Fire Miscellaneous Con

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON NOVEMBER 28, 2006 BY COLLEEN L BAXTER =====

INTEROFFICE MEMO

APPLICATION NO. 06-0655

Date: November 27, 2006

To: Joan Van der Hoeven, Project Planner

From: Larry Kasparowitz, Urban Designer

Re. Design Review for agricultural complex at Corralitos Road, Watsonville

Urban Designer's comments:

- *Podocarpus is a good choice for screening.*
- *As shown on the drawing, planting should be at 8-10 ft. on center.*
- *A note should be placed on the drawing that these trees are to be watered with a drip irrigation system.*



County of Santa Cruz

OFFICE OF THE AGRICULTURAL COMMISSIONER

Ken Corbishley
ACTING AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS AND MEASURES
DIRECTOR, MOSQUITO AND VECTOR CONTROL

October 20, 2006

Ed Charlebois
C/O Rose Gene Technology
242 Corralitos Road
Watsonville, California 95076

Dear Mr. Charlebois:

Concerning your earlier inquiry of today's date regarding the pest and disease status of Rose Gene Technology, it is my recollection that in 2004, in order to meet the requirements of the Federal plant regulations, representatives from this office, the California Department of Food and Agriculture and the **USDA** recommended that some changes be made to the vegetation around the production area; specifically, the representatives from the above mentioned agencies recommended that known host plants of *Phytophthora ramorum* be removed from the area immediately adjacent to the greenhouses.

Several years prior to this during the annual plant and facility inspection, I recollect opining that the orchard on the adjacent parcel was of very limited economic utility, as the trees were old, the varieties obsolescent, and due to years of minimal management, had high population of plant pathogens and pests (many of which also could affect rose plants). I also recall stating that if the orchard could not be brought back to a condition which that would mitigate the pest risk of these plant pathogens and pests, the alternative would involve removal of the trees. There were other well-kept orchards near this property, and a deteriorated orchard would also serve as a reservoir for pests and pathogens for these other orchards. In the past, if complaints were received by the Agricultural Department, abandoned or neglected orchards were subjected to abatement proceedings, which were both costly and time consuming for the owners and for the agency issuing the abatement order. No written notices or letters were written regarding this orchard, because the orchard was ultimately removed.

Please contact me at the below telephone number if you have any further questions,

Sincerely,


John Kovarik
Authorized Certification Officer
Agricultural/Weights & Measures Inspector III

Driscoll Strawberry Associates

Corralitos Project



Introduction

Driscoll Strawberry Associates is in the process of acquiring a Facility previously known as (Rose Gene Technology) located at **242** Corralitos Road, in Corralitos, California. The purpose of ~~this~~ Facility is to act as a central Propagation facility for all of Driscoll Strawberry Associates ~~Berry~~ Growers, in addition to supporting the company's R&D program and Breeding Department

Driscoll Strawberry Associates is one of the counties largest employers and local community supporters. To stay true to the company's efforts in supporting local communities, Driscoll Strawberry Associates is planning to acquire the Corralitos site and invest in retrofitting the site to ~~meet~~ the company's needs; rather than building a whole **new** site on valuable agricultural land.

It is Driscoll Strawberry Associates hope that the **county** of Santa Cruz is willing to help make this possible.

Company Profile

Driscoll's is a third-generation, family-owned company founded in 1944. Our Mission is to "continually delight **berry** consumers" by providing the highest quality berries in the world. To do this, Driscoll's ~~uses~~ traditional plant breeding methods to create plants that produce premium quality berries. We then partner with independent farmers **all** around the world to grow Driscoll's patented berry varieties

For over 60 years, our company has been committed to helping the communities where we live and work. Driscoll's supports numerous community-based organizations, and our employees and farmers offer their personal time and money to help make a positive impact. Driscoll Strawberry Associates employ more than 9,000 people **full** time and seasonal in the Santa Cruz and Monterey County

Scope of the project

Driscoll Strawberry Associates is planning on turning the Corralitos facility into a state of the ~~art~~ propagation facility. Cutting edge technology in the agricultural sciences, environmentally sound methods, and the latest in energy conservation technology will be used to ~~turn~~ the facility into a world class operation. This facility will be the central nervous system for Driscoll's operations all over the world.

Berry Plants production in the Greenhouse

All plants necessary for Nursery production are grown in the Greenhouse. The process of growing the plants in the Greenhouse has to meet the following criteria:

- 1- All plants must be grown on benches above ground
- 2- Plants must not get in contact with soil at any time
- 3- Plants are grown in Soil-less media to insure no introduction of disease.

The process of **growing** the plants in the Greenhouse; is what is known as a step process. The Plants **go** through the following steps:

- 1- Once plants are received in the Greenhouse; Plants are grown under a Misting system or a Fogging system. This is an overhead type **of** irrigation that insures enough humidity **for** the plants to survive. Due to the high humidity HAF (Horizontal **Air** Flow) fans are turned on to reduce Humidity to a level that **is** not conducive for disease. **This** also allows minimal pesticide usage.
- 2- Once the plants are strong enough to grow without the use of the misting system; Plants are transferred to benches with subsurface irrigation system. This system allows for conservation **of** water use, and also allows for less disease development.
- 3- When the days are less than **16** hour day length; Supplemental lighting will be **used** to encourage the plants to grow better and healthier. This allows for a year round operation and allows for a very efficient use of the Greenhouse.
- 4- Once the plants reach the proper size; plants will be moved to an outside growing area, where they will be grown on benches with a combination of imigation methods. **Based on** the size of the plant we can use Drip Irrigation with Subsurface irrigation or, Overhead irrigation with Drip irrigation is another example. This will insure the least amount of runoff, and best use of irrigation water.

Notify Environmental Health of any change of ownership, type of business activity, business name, or billing address by calling (831) 454-2022. Failure to notify Environmental Health may result in late penalties, Permit denial or revocation, and business closure.

PERMITS TO OPERATE AND ANNUAL FEE PAYMENTS ARE NOT TRANSFERABLE. Permits become void on change of ownership. New owners must apply and pay for a new Permit(s) prior to beginning operation.

ATTN : EDWIN CHARLEBOIS
ROSE GENE TECHNOLOGY LLC
PO BOX 1210
FREEDOM, CA 95019

DETACH FORM HERE AND DISPLAY CONSPICUOUSLY ON THE PREMISES

SANTA CRUZ COUNTY ENVIRONMENTAL HEALTH SERVICE

701 OCEAN STREET, ROOM 312

SANTA CRUZ, CA 95060

831-454-2022

REGULATED FACILITY: **ROSE GENE TECHNOLOGY LLC**

**242 CORRALITOS RD
WATSONVILLE, CA 95076**

OWNER NAME: **EDWIN CHARLEBOIS**

PR0009817 2122

Facility ID: **FA00045**

Account ID: **AR00051**

Issued: **12/27/200**

Permit Number

20031978

HMMF STANDARD FORM FILING FEE

Valid From 12/27/2005 To 11/30/2005

Permits to operate and Annual Fee Payments are NOT TRANSFERABLE. Those referenced above are valid ONLY for this owner: EDWIN CHARLEBOIS. Permits become VOID on change of ownership. New owners must apply and pay for new Permit(s) PRIOR to beginning operation or penalties will be assessed.

THIS FORM MUST BE DISPLAYED CONSPICUOUSLY ON THE PREMISES

COUNTY OF SANTA CRUZ • ENVIRONMENTAL HEALTH SERVICE
• 701 OCEAN STREET, ROOM 312, SANTA CRUZ, CA 95060 • (831) 454-2022

OFFICIAL INSPECTION REPORT

DBA/NAME	Rose Gene Technology	DATE	12/2/05
ADDRESS	242 Corralitos Rd.	RECHECK DATE	
OWNER/OPERATOR		PERMIT #	FA453

TIME-IN	TIME-OUT	The marked items are violations of the Health and Safety Code and local hazardous materials codes and must be corrected as follows:
<input type="checkbox"/> 1. Permit to Operate		
<input type="checkbox"/> 2. HMMP Complete		
<input checked="" type="checkbox"/> 3. Change in Conditions		3. Provide an updated map showing new heating oil tank.
<input type="checkbox"/> 4. Disclosure		
<input type="checkbox"/> 5. Response Plan		
<input type="checkbox"/> 6. ER Procedures Posted		
<input type="checkbox"/> 7. Response Equipment		Keep up the good work!
<input type="checkbox"/> 8. Training		
<input type="checkbox"/> 9. Permits		
<input type="checkbox"/> 10. Violations Corrected		
<input type="checkbox"/> 11. Records		
<input type="checkbox"/> 12. Handling		
013. Monitoring Plan		
<input type="checkbox"/> 14. Operational		
<input type="checkbox"/> 15. Records		
016. Storage Use Locations		
017. Labeling/LD.		
018. Container Condition		
019. Secondary Containment		
020. Incompatibles		
<input type="checkbox"/> 21. security		
022. Housekeeping		
023. Process Audits		
<input type="checkbox"/> 24. Unauthorized Releases		
025. Safety Hazards		

A VIOLATION REINSPECTION FEE WILL BE CHARGED IF VIOLATIONS ARE NOT CORRECTED PRIOR TO THE RECHECK DATE

INSPECTOR	Rebecca Apple	RECEIVED BY:	Eden Chelbourn
PHONE	454-2738	TITLE	Owner

EXHIBIT F

SANTA CRUZ COUNTY ENVIRONMENTAL HEALTH SERVICE

701 OCEAN STREET, ROOM 312
SANTA CRUZ, CA 95060 831-454-2022

HEALTH PERMIT INVOICE

PLEASE RETURN INVOICE NOTICE WITH PAYMENT

RECEIVED

DEC 23 2004

ENVIRONMENTAL
HEALTH SERVICES

FACILITY ID: FA0004540

INVOICE ID: IN0029657

PERMIT ID: 20031978

TO: ROSE GENE TECHNOLOGY LLC
EDWIN CHARLEBOIS
PO BOX 1210
FREEDOM, CA 95019

EXPIRATION DATE: 11/30/2004

ATTN: ROSE GENE TECHNOLOGY LLC
242 CORRALITOS RD
WATSONVILLE

BUSINESS PHONE: (831) 728-8495

Program/ Element	Description	Amount
2122	HMMP STANDARD FORM FILING FEE	\$457.00
2119	STATE SURCHARGE (HMMP FACILITY)	\$24.00

PLEASE MAKE ANY NECESSARY CHANGES TO THE ABOVE INFORMATION

TOTAL DUE FOR THIS INVOICE: \$ 481.00

THIS INVOICE IS DUE ON: December 01, 2004

DELINQUENT ON: January 01, 2005

(OR FIRST WORKING DAY AFTER)

12/27/04 10:24AM 0004H5800

PL2122 \$457.00

PL2119 \$24.00

CHECK \$481.00

PENALTY SCHEDULE: UNPENALIZED TOTAL DUE PLUS PENALTY

25% PENALTY FROM 31-60 DAYS	50% PENALTY FROM 61-90 DAYS	100% PENALTY FROM 91-120 DAY
\$ 595.25	\$ 709.50	\$ 938.00

A change of ownership will require a new application be submitted. Contact the Environmental Health Service to obtain an application.

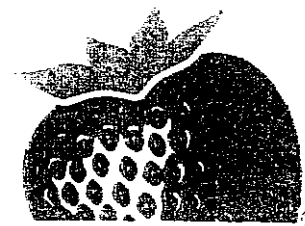
FOR EHS USE ONLY

DATE PAID 1/1/05 AMOUNT PAID \$ 481.00 CASH CHECK X # 4727 DATE 12/21/04

DISTRICT # LOG # LN-27-57 DATE POSTED 12/27/04 **EXHIBIT F**



Driscoll Strawberry Associates, Inc.
345 Westridge Drive
P.O. Box 50045
Watsonville, California 95077-5045
(831) 763-5100 (831) 763-5750 FAX



October 27, 2006

Dear Neighbor:

1. On Thursday November 9, 2006, at 7:00 PM we will be conducting a neighborhood meeting at 242 Corralitos Road, known as the DeVor Nursery, Driscoll Strawberry Associates has an option to purchase this land previously known as "Rose Gene Technology". The purpose of the meeting is to allow you an opportunity to review our proposed plans to change the previous permitted use of the facility to meet Driscoll Strawberry Associates needs. Driscoll Strawberry Associates is planning on enhancing this site into a state of the art plant propagation facility. This facility **WILL NOT** be used for the creation of or propagation of GMO's (genetically modified organisms). Cutting edge technology in the agricultural sciences, environmentally sound methods, and the latest in energy conservation technology will be used to turn the facility into a world class land use. The use will be consistent with the **Santa Cruz** County General Plan and the Commercial Agricultural "CA" Zone District designation on the property.
2. The Driscoll name has **Santa Cruz** County roots going back over 100 years to when R.F. Driscoll and Joe Reiter farmed together on the Cassin Ranch. Driscoll's is a third-generation, family-owned company founded in **1944**. Our mission is to "continually delight berry consumers" by providing the highest quality berries in the world. To do this, Driscoll's uses (traditional plant breeding) methods to create plants that produce premium quality berries. We then partner with independent farmers all around the world to grow Driscoll's patented berry varieties.
3. After the meeting with the neighbors, we hope to apply to the County for an amendment to the existing Development Permit #87-0576 for the above use in addition to modifying several conditions of that permit. This includes such items as:
 - a. 7a- To ensure no introduction to disease, all plants grown in the greenhouses shall not get in contact with soil at any time, therefore it will be necessary to provide concrete flooring within the existing greenhouse structures in order to provide a clean environment,
 - b. 7c- Once the plants are received in the greenhouse, plants are grown under a misting system or a fogging system. This is an overhead type of irrigation that insures enough humidity for the plants to survive and flourish. Due to the high humidity (Horizontal Air Flow) quiet fans are turned on to reduce humidity to a level that is not conducive for disease.

This also allows for minimal pesticide usage. The use of these air circulating fans will not exceed the noise levels as described in Chapter 6.9.1 of the County General Plan.

- e. 8d- Recognize the removal of 21.5 acres of old and diseased apple trees as approved and recommended by the Agricultural Commissioner's Office. The few existing apple trees will be removed and replanted with berries.
- d. Se- The drip imigation system to be replaced with the state of the *art* system which also economizes on water use. Once the plants reach *the* proper size, plants will be moved to an outside growing area, where they will be grown with a combination of irrigation methods. Based on the size of the plant; drip irrigation with subsurface imigation or, overhead irrigation with drip irrigation is another example. This will ensure the least amount of runoff, and best use of irrigation water.
- e. 8f- A water softener ~~has~~ been installed to eliminate brine.
- f. 8h- There is no re-circulation of the irrigation water; all of the runoff water goes into the existing detention basin.
- g. 9e- The standard practice of growing berries requires some supplemental lighting in the winter months from 5-7AM and 8-10 PM. This supplemental lighting will be used to encourage the plants to grow better and healthier.

We **look** forward to your attendance at this meeting so that we may answer any questions that you may have.

Sincerely,

J. Miles Reiter
~~Chairman~~/Chief Executive Officer
Driscoll Strawberry Associates, Inc

JMR:jen

cc: Dee Murray, Land Use Consultant
Supervisor Ellen Pirie
Tom Bums, Planning Director
Chuck Allen

The neighborhood meeting concerning the property at 242 Corralitos Rd. in Corralitos was held on November 9th and November 27, 2006 at 7:00 pm at 242 Corralitos Road, Corralitos, CA. (See attached letters dated Oct 27th & Nov 14th 2006 from Driscoll's. These letters were mailed first class with proper postage)

The Following Neighbors were invited to the meeting:

1. John & Sharon Alaga	261 Corralitos Rd.	Corralitos, CA 950764230
2. Patrick Michael & Diann Kane	90 Skylark Lane	Watsonville, CA 950764509
3. Stephen & Jacqueline Sternat	389 Corralitos Road	Watsonville, CA 050760538
4. JT & KP Skillicorn	34 Merk Rd.	Watsonville, CA 95076-0511
5. Robert Webb & Susan Chollar	166 Skylark Lane	Corralitos, CA 95076-0527
6. Bart & Jennifer Meltzer	250 Pheasant Run	Watsonville, CA 95076-0544
7. Kenneth & Clair Vilhauer	150 Skylark Lane	Watsonville, CA 95076-0527
8. Gene & Christine McGrath	239 Corralitos Road	Watsonville, CA 95076-0530
9. Noel Chase	80 Skylark Lane	Watsonville, CA 95076-0509
10. Thomas Dill, Sr.	180 Varni Road	Watsonville, CA 95076-0736
11. Mark & Elizabeth Bowman	245 Corralitos Road	Watsonville, CA 95076-0530
12. Jose & Amelia Espinoza	285 Skylark Lane	Corralitos, CA 95076-0543
13. Vernon Eugene & Marian Alice	520 Browns Valley Road	Watsonville, CA 95076-0333
14. Vami Anthony & Na Novak	520 Browns Valley Road	Watsonville, CA 95076-0333
15. Saxton Temple & Rita Pope III	22 Merk Road	Watsonville, CA 95076-0511
16. Dorothy Bowen	355 Corralitos Road	Watsonville, CA 95076-0538
17. Katherine Ashcroft	243-245 Corralitos Road	Watsonville, CA 95076-0530
18. Manuel & Ann Carlos	243-245 Corralitos Road	Watsonville, CA 95076-0530
19. Bruce & Andrea Willy	243 Corralitos Road	Watsonville, CA 95076-0530
20. Gary & Grace Murakami Bertone	401 Corralitos Road	Watsonville, CA 95076-05523
21. Mario & Maria Martinez	265 Corralitos Road	Watsonville, CA 95076-0530
22. Hubert & Patricia Ann Hudson	44 Merk Road	Watsonville, CA 95076-0511
23. Hubert & PA Hudson	44 Merk Road	Watsonville, CA 95076-0511
24. Janine MW & H Talry	340 Pheasant Run	Watsonville, CA 95076-0545
25. Jose & H Chibas	340 Pheasant Run	Watsonville, CA 95076-0545
26. John & Lucy All Zivanovich	912 Lake Village Drive	Watsonville, CA 95076-3434
27. John Al Zivanovich	912 Lake Village Drive	Watsonville, CA 95076-3434
28. Jacquelyn Foster	111 Skylark Lane	Watsonville, CA 95076-0526
29. Eugene & JA Foster	111 Skylark Lane	Watsonville, CA 95076-0526
30. Brian & Zensaida Liddicoat	333 Skylark Lane	Watsonville, CA 95076-0552
31. Betty Smith	36 Merk Road	Corralitos, CA 95076-0511
32. Mitchell Bulich	134 Varni Road	Watsonville, CA 95076-0736
33. Antone Bulich, Jr.	134 Varni Road	Watsonville, CA 95076-0736
34. Judy Alvarez	379 Corralitos Road	Watsonville, CA 95076-0538
35. Robert & Kathleen Moore	100 Merk Road	Watsonville, CA 95076-0524
36. Louis Pista & John Pista	P. O. Box 506	Watsonville, CA 95077-0506
37. Richard & Georgiana Faggioli	377 Merk Road	Watsonville, CA 95076-0515
38. Harold Hyde & Marilyn Hyde	P. O. Box 445	Watsonville, CA 95077-0445
39. John & Mary Manfre	200 Skylark Lane	Watsonville, CA 95076-0528
40. John & Franka Colendich	P. O. Box 515	Freedom, CA 95019-0515
41. John & F Colendich	P.O. Box 515	Freedom, CA 95019-0515
42. William Maryott	P. O. Box 1177	Freedom, CA 95019-1177
43. Robert Emmett & B R S Monica	370 Corralitos Road	Watsonville, CA 95076-0532
44. Betty Allen	278 Corralitos Road	Watsonville, CA 95076-0532
45. Corralitos Union School	294 Green valley Road	Watsonville, CA 95076
46. Pista Lewis Metal TC	P.O. Box 506	Watsonville, CA 95077
47. Scampia Josephine Trustec	19222 Kayenta Pl	Oregon City, OR 97045
48. Delapena Jeffery U/M	6466 David James Blvd	Sparks, NV 89436
49. Skromme Julie Fatima M/W SS	1241 Amesti Road	Watsonville, CA 95076
50. Zivanovich John & Lucy	912 Lake Village Drive	Watsonville, CA 95076

51. Edwin & Judith Charlebois	242 Corralitos Road	Watsonville, CA 95076
52. Cameron Jay	786 Storey Road	Watsonville, CA 95076
53. Olivia Tony & Alice R	1228 Amesti Road	Watsonville, CA 95076
54. Martiniz Mario & Maria	265 Corralitos Road	Watsonville, CA 95076
55. Robert Emmert & Monica B	370 Corralitos Road	Watsonville, CA 95076
56. Resident	305 Corralitos Road	Watsonville, CA 95076
57. Resident	273 Corralitos Road	Watsonville, CA 95076
58. Resident	340 Corralitos Road	Watsonville, CA 95076
59. Resident	242 Corralitos Road	Watsonville, CA 95076
60. Resident	350 Corralitos Road	Watsonville, CA 95076
61. Resident	384 Corralitos Road	Watsonville, CA 95076
62. Resident	1243 Amesti Road	Watsonville, CA 95076
63. Resident	1191 Amesti Road	Watsonville, CA 95076
64. Resident	465 Storey Road	Watsonville, CA 95016
65. Resident	586 Storey Road	Watsonville, CA 95076

The Following Neighbors attended (here meeting on November 27th, 2006:

1. Becky Compos	165 Cutter Drive	Watsonville
2. Mitchell Bulich	134 Varnie Road	Watsonville
3. Betty Allen	318 Corralitos Road	Corralitos
4. John Zwaravich	340 Corralitos Road	Watsonville
5. Stephanie Camacho	701 Ocean Street	Santa Cruz
6. John Alaia	261 Corralitos Road	Corralitos
7. Bart Meltzer	250 Pheasant Run	Corralitos
8. Mark Bowman	245 Corralitos Road	Corralitos
9. Richard Faglioli	311 Merk Road	Corralitos
10. Bill Maryon	384 Corralitos Road	Corralitos
11. Edwin Charlebois	242 Corralitos Road	Corralitos
12. Fran Colendich	350 Corralitos Road	Corralitos
13. Joe Gheo	405 Corralitos Road	Corralitos
14. Kathy Mann	2930 Freedom Blvd	Watsonville
15. Sam Mann	2930 Freedom Blvd	Watsonville
16. Bob Emmert	370 Corralitos Road	Watsonville
17. Sharon Alaga	261 Corralitos Road	Watsonville
18. Julie Shorman	1241 Amesti	Watsonville
19. Kandy Bonnema	209 Hanes Road	Corralitos
20. Ron Bonnema	209 Hanes Road	Corralitos
21. Rob Webb	166 Skylark Lane	Corralitos
22. Les Strnad	354 Hanes Road	Corralitos
23. Ashley Halderman	373 Merk Road	Corralitos
24. Bob Halderman	373 Merk Road	Corralitos
25. Kathy Arola	Bradley School	Corralitos
26. Stephan Stenat	389 Corralitos Road	Corralitos

The following list of people Were also sent an invitation to attend the meeting:

- 1- Supervisor Ellen Pirie
- 2- Tom Burns, Director of Planning
- 3- Joan Van der Hoeven, Staff Planner
- 4- Ken Corbishley, Santa Cruz County Agricultural Commissioner
- 5- Ken Kimes, Agricultural Advisory Policy Commission

The following list of people represented Driscoll Strawberry Associates:

1. Dennis Kehoe : Attorney Representing Driscoll's and Neighborhood Meeting Facilitator
2. Dee Murray: Land Use Consultant representing Driscoll's
3. Miles Reiter: CEO

4. John Siletto: Vice President of Product Group
5. Mike Almasri: Propagation and Greenhouse Manager
6. Rick Harrison: Director of Production, Breeding and Research
7. Jane Nelson: Administrative Manager, PBR Group
8. Fred Norton: Nursery Department Manager, Plant Propagation and Raspberry Nursery
9. Angelica Haro: Nursery Department Administrative Assistant
10. Fred Cook: Research and Development Department Manager
11. Kelley Bell: Philanthropy Department Manager
12. Brian McElroy: Organic Program Manager
13. Carmelo Sicairos: Rubus Production Manager
14. Cynthia Mathiesen: Intellectual Properties Manager:

The following program was adhered to for the meeting:

1. Dennis Kehoe, Attorney for Driscoll's and meeting facilitator.
Dennis greeted all in attendance, provided his personal background that includes forty years of practicing law and extensive experience in land use concerns. He made clear the purpose of the Santa Cruz County's intent in having neighborhood meetings. Dennis then explained to the neighbors that Driscoll's has an option to purchase the property at 242 Corralitos Road. Dennis also explained that there is a current conditional use permit that Driscoll is asking to amend. Before giving up the microphone, Dennis introduced the others speakers and briefly laid out the topics they would discuss with the group. Finally, he introduced Dee Murray Land Use Consultant.
2. Dee Murray, Land Use Consultant for Driscoll's
Dee Murray, Land Use Consultant for Driscoll's.
Dee briefly clarified three points to the assembled group: the stipulated conditions on the current use permit, the Santa Cruz County's philosophy surrounding Commercial Agricultural Zoning and the course of action required by Santa Cruz County in order to obtain an amendment to the use permit
3. John Siletto, Vice President of Driscoll's Product Group
John highlighted some of the amendments to the existing use permit necessary for Driscoll's to operate a propagation facility at this location. While doing this, he referred to the blown-up map of the neighborhood hanging on the wall behind him. He spoke of Driscoll's strong commitment to enhance the Corralitos facility in keeping with Miles Reiter's vision, Driscoll's CEO, as evidenced at all Driscoll's locations. John also explained how Driscoll's works and functions; from breeding new varieties that are produced by the propagation department and grown in the nursery that are leased to independent growers who return the berry crops so that Driscoll's can market them throughout the USA, Mexico and Europe.
4. Miles Reiter CEO & Chairman of Driscoll's
Miles gave a brief history of Driscoll's to the neighbors. He shared that Driscoll's is a family-owned, small Santa Cruz county company with a large presence in the global berry market that began over 100 years ago. He further asked all Driscoll's employees in attendance to stand and address the group. Miles finished by relating Driscoll's efforts in community outreach and introducing Kelley Bell.
5. Kelley Bell, Philanthropy Department Manager.
Kelley introduced the neighbors to Driscoll's Philanthropy program. Kelley also discussed how the program works and how the community could be involved. She provided examples of Driscoll's involvement with schools and housing issues in areas where Driscoll and its growers are operating.
6. Mike Almasri, Propagation and Greenhouse Manager
Mike discussed the intended use of the facilities at 242 Corralitos Road. He spoke of the need to grow the healthiest plants in the cleanest environment which involves the use of supplemental lighting, concrete flooring to prevent contact with soil-borne disease and fans to control humidity possible. In order to accomplish this, changes to the current use permit are in order. With the assist of a power point presentation, Mike also explained how the breeding and propagation processes function. In discussing breeding, emphasis

was made that Driscoll's method of plant breeding is traditional in nature as opposed to a genetic modification approach.

7. Question & Answers for the Neighbors.

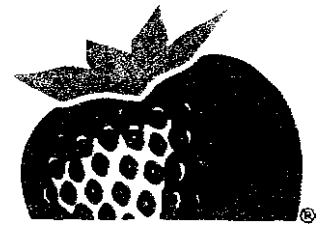
- i. Q: What happened to the 21.5 Acres of Apple trees mentioned in the use permit?
A: Apple Trees were removed a while back, there is a letter from the Santa Cruz County Ag. Inspector explaining that the trees were diseased and needed to be removed.
- ii. Q: How much outside area will be used for growing on benches?
A: Around five Acres
- iii. Q: Where would you Build Greenhouses?
A: Greenhouses will be built to the extent of the use permit and expansion would be behind the current structures.
- iv. Q: Explain current lighting use versus Driscoll's plan, will lighting be during winter only? How long will lights be used for and during what period?
A: The lights will be used for a short period during winter months and when needed to extend the day length to 16 hour days. Also two types of light could be used; however, the fluorescent lights are the preferred method.
- v. Comment by neighbor: compliance was not met by original owner even though promises were made when permit was requested. Requests were made to the county by residents in order to remain updated.
A: Driscoll's will comply with the use permit.
- vi. There are traffic issues on Corralitos Rd. since Amesti Rd. was closed. They request statistics on Driscoll's traffic use and want outreach to the community.
- vii. Q: How many people will be working at the site? What kind of traffic might the neighbors expect?
A: The site will have about 50 people working at all times principally between the hours of 6:00 AM and 4:30 PM. Traffic should be normal all day; Driscoll's doesn't anticipate truck traffic to the site. Plants are moved off-site on one-ton flatbed trucks. Larger trucks make deliveries but not on a grand scale.
- viii. Q: Why doesn't Driscoll's build greenhouses at its current location?
A: The current site occupied by Driscoll's is not a viable option, it has no more space for greenhouse expansion.
- ix. Q: What will happen to the acreage surrounding the greenhouses?
A: The acreage will be used to grow berries (Blackberries, Blueberries, or Raspberries); Driscoll is looking at the possibility of growing organic berries at the site.
- x. Neighbor Comment: Bradley school has traffic congestion, Driscoll's should consider donating land for school drop-off parking, a life lab.
- xi. Q: What plans does Driscoll's have for landscaping along Corralitos Road?
A: Driscoll's suggested that *Podocarpus gracilior* would be used to screen Corralitos Road. Also, Driscoll's is open for suggestions and working with the neighbors.
- xii. Comment by a neighbor: Not satisfied with the upkeep of the property along Corralitos road. The weeds are everywhere and need to be cleaned up. The neighbor works with daylilies and he is willing to supply them to be used for landscaping.
- xiii. Q: is there going to be an Ag buffer between the school and the property?
A: Driscoll will follow whatever is dictated by the Santa Cruz County

- xiv. Q: How many people will be working at the site? Will there be any commercial trucks coming in? What kind of day work would be considered?
A: The number of people will be at least 50 hourly employees and about five administrative employees. There will be no commercial truck traffic except the occasional supply delivery which will happen during business hours. The work day will be from 6:00 am in the morning to 4:30 pm in the afternoon except for administrative people. There will be no commercial business conducted at this site. An invite to Cassin Ranch was extended to the group to portray Driscoll's operation.
- xv. Comment by a neighbor: Driscoll's is telling us what we want to hear, be honest and upfront about what you intend to do. The land will need workers to plant and harvest. Assurances were given that the land will be used as commercial ag. The traffic and number of people working on the land will be whatever is necessary and should not be any different from any other farm.
- xvi. Comment by a neighbor: School traffic is bad and wanted to know if Driscoll is willing to help.
Dcc Murray, Land use consultant explained that the county has a preliminary plan to deal with the traffic which requires no extra land. Dcc also provided a copy of the proposed plan to deal with Traffic at Bradley school.
- xvii. Q: Les Simad mentioned that the greenhouse floor is covered by concrete; He also encouraged Driscoll to look at different water conservation methods
A: It was made clear that Driscoll would need the Greenhouse floors to have concrete because it is necessary for the required clean environment, although there are other alternatives that might be used to cover the floor, concrete is best suited for Driscoll's operations. Les was also assured that Driscoll is using state of the art watering methods to conserve water.
- xviii. Comment by neighbor: Driscoll's is a big company and that is admired. However, the neighbor lives next to the property and at night they hear loud music. The neighbor hopes that will not be the case with Driscoll's, and asks that Driscoll's be realistic and truthful in its dealings with the neighborhood.
- xix. Comment by neighbor: Corralitos is not just a farm community, rather residences coexisting with farms.

The question and answer session came to a close. Dennis Kelhoc the facilitator of the meeting ended the evening by thanking everyone for their attendance. He also emphasized that if there are more questions or concerns that the neighbors should feel free to contact Jane Nelsen the Administrative Manager at Driscoll's Strawberry Associates. (See attached minutes of the Nov 9th 2006 meeting)



Driscoll Strawberry Associates, Inc
345 Westridge Drive
P.O. Box 50045
Wakonville, California 95077-5045
(831) 763-5100 (831) 763-5750 FAX



November 14, 2006

Dear Neighbor:

On November 9, 2006, we had a neighborhood meeting at 242 Corralitos Road, **known** as Rose Gene Technology. Attached is a copy of our earlier letter and notification dated October 27, 2006.

On November 27, 2006 at 7:00 PM Driscoll Strawberry Associates, Inc. is conducting a second neighborhood meeting at the 242 Corralitos Road location. We believe a second meeting is necessary for the following reasons:

- a. Address some of the concerns that arose during the first neighborhood meeting and respond to any other concerns.
- b. Invite the neighbors that did not receive the first notice to address their concerns, questions and bring them up to speed on the project.

In the meantime, should you have any questions, please contact our Administrative Manager, Jane Nelsen at (831) 722-5577, ext. 11. We are looking forward to your attendance on Monday, November 27, 2006 so that we may answer any questions that you may have.

Sincerely,

J. MILES REITER
Chairman/Chief Executive Officer
Driscoll Strawberry Associates, Inc.

JMR:jen
Enclosure:

cc: Dee Murray, Land Use Consultant
Supervisor, Ellen Pirie
Tom Bums, Santa Cruz County Planning Department, Planning Director
Joan Van der Hoeven, County Staff Planner
Chuck Allen

The neighborhood meeting concerning the property at 242 Corralitos Rd. in Corralitos was held on November 27th, 2006 at 7:00 pm at 242 Corralitos Road, Corralitos, CA.

The Following Neighbors were invited to the meeting:

1. John & Sharon Alaga	261 Corralitos Rd.	Corralitos, CA 95076-0530
2. Patrick Michael & D i m Kane	90 Skylark Lane	Watsonville, CA 95076-0509
3. Stephen & Jacqueline Sternat	389 Corralitos Road	Watsonville, CA 950764538
4. JT & KP Skillicorn	34 Merk Rd.	Watsonville, CA 95076-0511
5. Robert Webb & Susan Chollar	166 Skylark Lane	Corralitos, CA 95076-0527
6. Bart & Jennifer Meltzer	250 Pheasant Run	Watsonville, CA 95076-0544
7. Kenneth & Clair Vilhauer	150 Skylark Lane	Watsonville, CA 95076-0527
8. Gene & Christine McGrath	239 Corralitos Road	Watsonville, CA 95076-0530
9. Noel Chase	80 Skylark Lane	Watsonville, CA 95076-0509
10. Thomas Dill, Sr.	180 Varni Road	Watsonville, CA 950764736
11. Mark & Elizabeth Bowman	245 Corralitos Road	Watsonville, CA 95076-0530
12. Iore & Amelia Espinoza	285 Skylark Lane	Corralitos, CA 950764543
13. Vernon Eugene & Marian Alice	520 Browns Valley Road	Watsonville, CA 95076-0333
14. Vami Anthony & Na Novak	520 Browns Valley Road	Watsonville, CA 950764333
15. Saxton Temple & Rita Pope III	22 Merk Road	Watsonville, CA 95076-0511
16. Dorothy Bowen	355 Corralitos Road	Watsonville, CA 95076-0538
17. Katherine Ashcroft	243-245 Corralitos Road	Watsonville, CA 95076-0530
18. Manuel & Ann Carlos	243-245 Corralitos Road	Watsonville, CA 95076-0530
19. Bruce & Andrea Willy	243 Corralitos Road	Watsonville, CA 95076-0530
20. Gary & Grace Murakami Bertone	401 Corralitos Road	Watsonville, CA 95076-05523
21. Mario & Maria Martinez	265 Corralitos Road	Watsonville, CA 95076-0530
22. Hubert & Patricia Ann Hudson	44 Merk Road	Watsonville, CA 95076-0511
23. Hubert & PA Hudson	44 Merk Road	Watsonville, CA 950764511
24. Janine MW & H Talty	340 Pheasant Run	Watsonville, CA 95076-0545
25. Jose & H Chibas	340 Pheasant Run	Watsonville, CA 95076-0545
26. John & Lucy Ali Zivanovich	912 Lake Village Drive	Watsonville, CA 95076-3434
27. John Al Zivanovich	912 Lake V i _e Drive	Watsonville, CA 950763434
28. Jacquelyn Foster	111 Skylark Lane	Watsonville, CA 95076-0526
29. Eugene & JA Foster	111 Skylark Lane	Watsonville, CA 95076-0526
30. Brian & Zenaïda Liddicoat	333 Skylark Lane	Watsonville, CA 95076-0552
31. Betty Smith	36 Merk Road	Corralitos, CA 95076-0511
32. Mitchell Bulich	134 Varni Road	Watsonville, CA 95076-0736
33. Antone Bulich, Jr.	134 Varni Road	Watsonville, CA 95076-0736
34. Jady Alvarez	379 Corralitos Road	Watsonville, CA 95076-0538
35. Robert & Kathleen Moore	100 Merk Road	Watsonville, CA 95076-0524
36. Louis Pista & John Pista	P. O. Box 506	Watsonville, CA 95077-0506
37. Richard & Georgiana Faggioli	377 Merk Road	Watsonville, CA 95076-0515
38. Harold Hyde & Marilyn Hyde	P. O. Box 445	Watsonville, CA 95077-0445
39. John & Mary Manfre	200 Skylark Lane	Watsonville, CA 95076-0528
40. John & Franka Colendich	P. O. Box 515	Freedom, CA 95019-0515
41. John & F Colendich	P. O. Box 515	Freedom, CA 95019-0515
42. William Maryott	P. O. Box 1177	Freedom, CA 95019-1177
43. Robert Emmett & B R S Monica	370 Corralitos Road	Watsonville, CA 95076-0532
44. Betty Allen	278 Corralitos Road	Watsonville, CA 95076-0532

The Following Neighbors attended the meeting:

1. Mark Scurich	680 Aptos Ridge	Watsonville
2. Tisha Scurich	545 Poppy Hill Road	Corralitos
3. Bill Scurich	545 Poppy Hill Road	Corralitos
4. Becky Compos	165 Cutter Drive	Watsonville
5. Mitchell Bulich	134 Varni Road	Watsonville

6. Anne Carlos	243 Corralitos Road	Watsonville
7. Betty Allen	378 Corralitos Road	Corralitos
8. John Zwaravich	340 Corralitos Road	Watsonville
9. Stephanie Camacho	701 Ocean Street	Santa Cruz
10. John Alaia	261 Corralitos Road	Corralitos
11. Bart Meltzer	250 Pheasant Run	Corralitos
12. Sharon Hage	261 Corralitos Road	Corralitos
13. Mark Bowman	245 Corralitos Road	Corralitos
14. Beth Bowman	245 Corralitos Road	Corralitos
15. Sandy Stevenson	180 Vami Road	Corralitos
16. Rita Pope	25 Merk Road	Corralitos
17. Richard Faghioli	317 Merk Road	Corralitos
18. John Eiskamp	360 Trichella	Corralitos
19. Bill Maryon	384 Corralitos Road	Corralitos
20. Andrea Willy	243 Corralitos Road	Corralitos
21. Edwin Charlebois	242 Corralitos Road	Corralitos
22. Fran Colendich	350 Corralitos Road	Corralitos
23. Joe Ghco	405 Corralitos Road	Corralitos

The following list of people represented Driscoll Strawberry Associates:

1. Dennis Kehoe : Attorney Representing Driscoll's and Neighborhood Meeting Facilitator
2. Dee Murray: Land Use Consultant representing Driscoll's
3. John Siletto: Vice President of Product Group
4. Mike Almasri: Propagation and Greenhouse Manager
5. Rick Harrison: Director of Production, Breeding and Research
6. Jane Nelsen: Administrative Manager, PBR Group
7. Fred Norton: Nursery Department Manager, Plant Propagation and Raspberry Nursery
8. Angelica Haro: Nursery Department Administrative Assistant
9. Fred Cook: Research and Development Department Manager
10. Kelley Bell: Philanthropy Department Manager
11. Brian McElroy: Organic Program Manager
12. Carmelo Sicares: Rubus Production Manager
13. Cynthia Mathiesen: Intellectual Properties Manager.
14. Jill Bushakra: Molecular Biology Manager

The following program was adhered to for the meeting:

1. Dennis Kehoe, Attorney for Driscoll's and meeting facilitator.
Dennis greeted all in attendance, provided his personal background that includes forty years of practicing law and extensive experience in land use concerns. He made clear the purpose of the Santa Cruz County's intent in having neighborhood meetings. Dennis then explained to the neighbors that Driscoll's has an option to purchase the property at 242 Corralitos Road. Dennis also explained that there is a current conditional use permit that Driscoll is asking to amend. Before giving up the microphone, Dennis introduced the others speakers and briefly laid out the topics they would discuss with the group. Finally, he introduced Dee Murray Land Use Consultant.
2. Dee Murray, Land Use Consultant for Driscoll's.
Dee briefly clarified three points to the assembled group: the stipulated conditions on the current use permit, the Santa Cruz County's philosophy surrounding Commercial Agricultural Zoning and the course of action required by Santa Cruz County in order to obtain an amendment to the use permit
3. John Siletto, Vice President of Driscoll's Product Group
John gave a brief history of Driscoll's to the neighbors. He shared that Driscoll's is a family-owned, small Santa Cruz county company with a large presence in the global berry market that began over 100 years ago. He further asked all Driscoll's employees in attendance to stand and address the group. John then highlighted some of the amendments to the existing use permit

necessary for Driscoll's to operate a propagation facility at this location. While doing this, he referred to the blown-up map of the neighborhood hanging on the wall behind him. He spoke of Driscoll's strong commitment to enhance the Corralitos facility in keeping with Miles Reiter's vision, Driscoll's CEO, as evidenced at all Driscoll's locations. John also explained how Driscoll's works and functions; from breeding new varieties that are produced by the propagation department and grown in the nursery that are leased to independent growers who return the berry crops so that Driscoll's can market them throughout the USA, Mexico and Europe. John finished by relating Driscoll's efforts in community outreach and introducing Kelley Bell.

4. Kelley Bell, Philanthropy Department Manager.

Kelley introduced the neighbors to Driscoll's Philanthropy program. Kelley also discussed how the program works and how the community could be involved. She provided examples of Driscoll's involvement with schools and housing issues in areas where Driscoll and its growers are operating.

5. Mike Almasri, Propagation and Greenhouse Manager

Mike discussed the intended use of the facilities at 242 Corralitos Road. He spoke of the need to grow the healthiest plants in the cleanest environment which involves the use of supplemental lighting, concrete flooring to prevent contact with soil-borne disease and fans to control humidity possible. In order to accomplish this, changes to the current use permit are in order. With the assist of a power point presentation, Mike also explained how the breeding and propagation processes function. In discussing breeding, emphasis was made that Driscoll's method of plant breeding is traditional in nature as opposed to a genetic modification approach.

6. Question & Answers for the Neighbors.

a. Q: What happened to the 21.5 Acres of Apple trees mentioned in the use permit?

A: Apple Trees were removed a while back, there is a letter from the Santa Cruz County Ag. Inspector explaining that the trees were diseased and needed to be removed.

b. Q: How much outside area will be used for growing on benches?

A. Between 1 to 2 acres.

c. Q: Where would you Build Greenhouses?

A: Greenhouses will be built to the extent of the use permit and expansion would be behind the current structures.

d. Q: Explain current lighting use versus Driscoll's plan, will lighting be during winter only? How long will lights be used for and during what period?

A: The lights will be used for a short period during winter months to extend the day length to 16 hour days. Also two types of light could be used; however, the fluorescent lights are the preferred method.

e. Comment by neighbor: compliance was not met by original owner even though promises were made when permit was requested. Requests were made to the county by residents in order to remain updated.

A Driscoll's will be complying with the use permit.

f. Comment by neighbors: There are traffic issues on Corralitos Rd. since Amesti Rd. was closed. They request statistics on Driscoll's traffic use and want outreach to the community.

g. Q: How many people will be working at the site? What kind of traffic might the neighbors expect?

A: The site will have about 35 people working at all times principally between the hours of 6:00 AM and 4:30 PM. Traffic should be normal all day; Driscoll's doesn't anticipate truck traffic to the site. Plants are moved off-site on one-ton flatbed trucks. Larger trucks make deliveries but not on a grand scale.

h. Q: Why doesn't Driscoll's build greenhouses at its current location?

A: The current site occupied by Driscoll's is not a viable option, it has no more space for greenhouse expansion.

- i. Q: What will happen to the acreage surrounding the greenhouses?
A: The acreage will be used to grow berries; Driscoll is looking at the possibility of growing organic berries at the site.
- j. Neighbor Comment: Bradley school has traffic congestion. Driscoll's should consider donating land for school drop-off parking, a life lab.
- k. Q: What plans does Driscoll's have for landscaping along Corralitos Road?
A: Driscoll's has yet to discuss this topic. However, Driscoll's is open for suggestions and working with the neighbors.
- l. Comment by a neighbor: Not satisfied with the upkeep of the property along Corralitos road. The weeds are everywhere and need to be cleaned up. The neighbor works with daylilies and he is willing to supply them to be used for landscaping.
- m. Q: is there going to be an Ag buffer between the school and the property?
A: Driscoll will follow whatever is dictated by the Santa Cruz County
- n. Q: How many people will be working at the site? Will there be any commercial trucks coming in? What kind of day work would be considered?
A: The number of people will be at least 35 hourly employees and about five administrative employees. There will be no commercial truck traffic except the occasional supply delivery which will happen during business hours. The work day will be from 6:00 am in the morning to 4:30 pm in the afternoon except for administrative people. There will be no commercial business conducted at this site. An invite to Cassin Ranch was extended to the group to portray Driscoll's operation.
- o. Comment by a neighbor: The land will need workers to plant and harvest. Assurances were given that the land will be used as commercial ag. The traffic and number of people working on the land will be whatever is necessary and should not be any different from any other farm. A local grower, Bill Scurich, stated that between 3 to 4 workers per acre is the norm.
- p. Comment by neighbor: Driscoll's is a big company and that is admired. However, the neighbor lives next to the property and at night they hear loud music. The neighbor hopes that will not be the case with Driscoll's, and asks that Driscoll's be realistic and truthful in its dealings with the neighborhood.
- q. Comment by neighbor: Corralitos is not just a farm community, rather residences coexisting with farms.

The question and answer session came to a close. John Siletto the Vice President of Product group for Driscoll ended the question and answer session with the following:

"Driscoll is a big company with its reach. However, we are a local small company in the Santa Cruz County and we would like to stay in the Santa Cruz County"

Dennis Kchoe the facilitator of the meeting ended the evening by thanking everyone for their attendance. He also emphasized that if there are more questions or concerns that the neighbors should feel free to contact Jane Nelsen the Administrative Manager at Driscoll's Strawberry Associates.

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060

August 17, 1988

Oe Vor Nurseries
P. O. Box 447
Pleasanton, CA 94566

PERMIT

DEVELOPMENT PERMIT NO: **87-0576** SUBJECT: APN: 108-192-02

On June 29, **1988** the PLANNING COMMISSION acted upon your application as follows:

Commercial Development Permit to construct:

1. A total of 91,092 sq. ft. of greenhouses and 24,840 of shade houses in two phases;
2. A 16,950 sq. ft. packing shed/cold storage facility;
3. A 10,000 sq. ft. maintenance shop;
4. A **5,000 sq. ft.** office;
5. Remodel of an existing single family dwelling to be used as an agricultural caretaker's quarters; and,
6. Parking areas not to exceed **30** spaces total.

Property located on the east side of Corralitos Road 1/2 mile south of Hames Road, Corralitos area (242 Corralitos Road).

XXXX APPROVED (IF NOT APPEALED). See attached conditions. This is your permit.

 DENIED for the following reasons (IF NOT APPEALED):

NOTE: This decision **is** final unless it is appealed. See reverse for information regarding appeals. You may require a Building Permit **to** begin actual construction. You **may** exercise this permit only after the 10-day appeal period is over. **THIS PERMIT SHALL EXPIRE ON JULY 14, 1989 IF NOT EXERCISED.**

If you have any questions, please contact the planner at the phone number listed below.

Sincerely,

SUSAN WILLIAMSON
Environmental Projects Manager

by: *Kim Tschantz*
KIM TSCHANTZ
Associate Planner
(408) 425-2772

CC: Royce Fincher

COMMERCIAL DEVELOPMENT PERMIT CONDITIONS

The following Exhibits are hereby incorporated by reference into these conditions as though fully set forth herein.

EXHIBITS:

- Exhibit A - Site Plan and Landscape Plan, consisting of 4 sheets; all dated June 29, 1988
Sheet 1 - Site Plan and Planting Details
Sheet 2 - Landscape Screening Plan
Sheet 3 - Site Plan of Phases 1 and 2
Sheet 4 - Paving Details
- Exhibit B - Drainage Plan, consisting of 3 sheets; all dated June 29, 1988 -
Sheet 1 - Drainage Improvement Details
Sheet 2 - Site Plan Showing Drainage Improvements
Sheet 3 - Retention Pond Detail
- Exhibit C - Drainage Calculations, consisting of 5 Sheets; dated June 29, 1988
- Exhibit D - Greenhouse Elevations and Roof Framing Plan; dated June 29, 1988
- Exhibit E - Floor Plans and Elevations of Packing Shed, Maintenance Shop, Office and Shade Houses, to be submitted in the future per condition # .d.
- Exhibit F - Declaration of Restrictions
- Exhibit G - Waiver and Indemnification Agreement

CONDITIONS:

1. The construction phases authorized by this permit are illustrated on Sheets 1 and 3 of Exhibit A. They are:
 - a. Phase 1 - Greenhouse group not to exceed 61,692 square feet, 12,375 square foot packing shed and a 16 vehicle parking lot with access road.
 - b. Phase 2 - Greenhouse group not to exceed 29,400 square feet, a 24,840 square foot shade house structure, a 5,000 square foot office, a 10,000 square foot maintenance shop a 4,575 square foot addition to the packing shed and a 14 vehicle space parking lot.
 - c. Phase C - Caretakers' quarters to be remodeled and expanded up to a total size 1,500 square feet which may be done at any time after Phase 1 is completed.

2. The structures authorized by the Master Commercial Development Permit shall be restricted to uses for the purposes of rose plant germination, hybridization and propagation. No retail sales or other commercial activity or facility are permitted.
3. Planning staff shall inspect the site to determine compliance with the conditions of this permit prior to approval for the commencement of each subsequent construction phase of this permit.
4. Prior to issuance of any Building Permit, the Applicant and Property Owner shall execute, have notarized and record the following documents to be binding on the Applicant, the Property Owner, and any and all successors and transferees thereof:
 - a. A Statement of Acknowledgment in the form provided by the Planning Department regarding potential land use conflicts;
 - b. A Deed Restriction, in the form attached hereto as Exhibit F, specifying that the requirements of Condition 7a. shall be met and providing appropriate security to cover the cost of removal of greenhouses and concrete and asphalt parking areas associated with the greenhouses in the event that 50 percent of the permitted greenhouse area ceases production or use for a year or longer or this permit expires for any other reasons; and
 - c. A Waiver and Indemnification Agreement, in the form attached hereto as Exhibit G, providing for waiver indemnification, hold harmless, and defense of the County of Santa Cruz and its agents, officers and employees from any claim, action or proceeding against same to attack, set aside, void, or annul an approval by the County of this Master Development Plan and Commercial Development Permit or to claim damages for erosion, landslide, pesticide use, or other conditions or uses of the property.
5. The final site plan shall be reviewed by the applicant's archaeological consultant (Archaeological Consulting) and a letter from the consultant shall be submitted for review by Planning staff prior to issuance of any Building Permits on the property. Any additional recommendations from the consultant shall, upon review and approval, become conditions of project approval by the minor variation process. During construction, the area of lithic scatter noted in the consultant's report of October 13, 1987 shall remain undisturbed and shall not be used for storage of waste or fill dirt.

6. Required Permits

- a. A Building Permit shall be obtained for all structures in each phase of development.
- b. Plans for all Building Permit applications shall conform to Exhibits A, D and E and the applicable specifications in condition # .
- c. A Grading Permit shall be obtained prior to any excavation work for the retention pond. Application for this permit shall be made at the same time as applying for building Permits for Phase 1.
- d. An Encroachment Permit shall be obtained from the County Public Works Department prior to or simultaneously with the issuance of a Building Permit for Phase 1.
- e. The applicant shall obtain permits for installation of all new wells and septic tank systems from the County Environmental Health Service. The applicant shall submit written documentation of all such approvals (e.g., copies of permits) to the Environmental Planning Section of the Planning Department prior to installation of new wells and septic tank systems.
- f. The applicant shall obtain a Hazardous Materials Permit from the County Environmental Health Service for the use, handling and storage of any hazardous substances. The applicant shall submit written documentation of such approval to the Environmental Planning Section of the Planning Department prior to final inspection and clearance of any new structure. The applicant shall comply with all Environmental Health regulations in this regard.
- g. Issuance of Building Permits for the packing shed, maintenance shop and/or office buildings shall require approval from the County Fire Marshall's Office for plans showing the installation of fire extinguishing sprinkler systems in each building. A wet barrel type fire hydrant shall be installed along the Corralitos Road frontage at a location and a time approved by the Fire Marshall's Office. The fire hydrant shall be connected to the City of Watsonville water main.

7. Building Construction

- a. The greenhouses shall be restricted to concrete flooring for center pathways only, as shown on Exhibit A. If 50% of the permitted greenhouse area ceases production or use for a year or longer or the permit expires for another reason, the applicant shall completely remove and dispose of all concrete flooring and post foundations of the greenhouses as well as the greenhouse buildings and asphalted parking areas serving these greenhouses

and return the area including the soils formerly covered by greenhouses to its natural, prime agricultural state within 6 months of permit expiration. This condition shall be documented by a deed restriction specifying this requirement which the applicant shall prepare subject to Planning staff review and approval prior to notarization and recordation of the document. The approved document shall be signed by the applicant, notarized and recorded prior to Building Permit issuance for Phase 1. Appropriate security to cover the cost of removal of all concrete flooring and post foundations of greenhouses shall be submitted and be subject to the Planning Director's approval prior to Building Permit issuance.

- b. The greenhouse sheathing shall be made of non-glare glass, non-glare fiberglass or other non-glare rigid plastic materials. Flexible poly-plastic shall not be used.
- c. The greenhouses shall not contain fans of any type whatsoever in or on the greenhouse structures.
- d. Elevations and floor plans for the packing shed, maintenance shop, office and shade houses shall be submitted to the Environmental Planning Section of the Planning Department for review and approval prior to application for a Building Permit for these structures. These plans, when approved, shall become the various sheets of Exhibit E.
- e. No exterior openings shall exist on the south exterior wall of the maintenance shop.
- f. The maintenance shop and packing shed shall incorporate substantial skylighting in the roof construction of both structures.
- g. The packing shed and office shall both contain lavatory facilities that are equipped with septic tank systems (see condition #5.d).
- h. The actual height of the office (grade to roof ridgeline) shall not exceed 15 feet. The actual height of other structures shall not exceed 20 feet.
- i. The structure to be remodeled to an agricultural caretakers' quarters shall be designed as a single-family dwelling with an approved septic system (see condition #5.d). Expansion of this structure shall always adhere to the 93 foot buffer setback from the south property line as set by APAC.

8. Site Improvements (Landscaping, Drainage and Paving)

- a. The applicant shall install all landscaping shown on Sheets 1 and 2 of Exhibit A. The east -- west staggering of landscaping along Corralitos Road shall be increased to provide a natural occurring appearance. Evergreen species shall be used exclusively as a visual screen; other species may be used in addition to provide a natural appearance. The entire length of the landscaping along the road shall include evergreen screening. All dead or down apple trees located between the greenhouse structures and ornamental landscape screening along Corralitos Road shall be removed prior to tree and shrubbery planting.
- b. All landscaping shall be installed prior to final inspection and clearance of any buildings.
- c. The three rows of existing mature apple trees supplementing the required ornamental landscaping along Corralitos Road shall not be removed until the growth of the ornamental landscaping has matured to effectively screen the project from views along the road. Planning Department approval is required prior to removal of these apple trees as part of the landscape screen.
- d. A minimum of 21 1/2 acres within the northwest portion of the property shall be retained in apple orchard by prudent horticultural management. The three rows of apple trees specified in condition #8.c shall be managed in the same fashion.
- e. A drip irrigation system shall be used as the only method of irrigation both inside the greenhouses and for the required landscape screening and buffering.
- f. Any brines or boiler residues shall be contained on-site in a lined evaporation pond or other containment device approved by the Environmental Planning Section of the Planning Department.
- g. All storm drainage improvements shall be installed commensurate with the construction phase they are designed to serve as shown on Exhibits B and C. These improvements shall be completed prior to final inspection and clearance of each construction phase.
- h. All greenhouses shall be served by a subsurface drainage system which recirculates irrigation water for reuse. This system shall be designed and installed to prevent groundwater contamination from irrigation additives (e.g. fertilizers). All contaminated runoff shall be used or evaporated on-site.
- i. All paving shown on Sheets 1 and 3 of Exhibit A shall conform to the minimum standards of 5 inches of Class 2 base rock overlain by 1 1/2 inches of asphalt which is sealcoated. No other portions of the property are to be paved for parking and circulation or any other purpose.

- j. The approach to the access drive shall be designed with adequate width and turning radius to allow for both egress and ingress of **30** ft. long vehicles from both directions subject to approval by the Department of Public Works.
 - k. The entire vehicle access drive and main (16 vehicle space) parking lot shown on Sheets 1 and 3 of Exhibit A are to be completed prior to final inspection and clearance of Phase 1. The 14 vehicle space office parking lot shall **be** completed prior to clearance of Phase 2.
 - l. Silt and grease traps, as shown on Sheet 1 of Exhibit B shall be installed in both parking lots.
 - m. All landscaping, drainage and paving improvements shall be permanently maintained during the life of this permit. All ornamental trees in the landscape screens shall be maintained at a maximum height of **30** feet.
9. Signing and Lighting
- a. One identification sign shall be allowed on the site at the junction of the access drive with Corralitos Road as an integral part of the landscaping in conformance with the specifications in condition #9.b.
 - b. The applicant shall submit two copies of a sign plan to the Environmental Planning Section of the Planning Department for review and approval prior to sign installation. The sign (and sign plan) shall include the following specifications:
 - 1) Wooden and non-illuminated.
 - 2) Not larger than 12 square feet in size.
 - 3) Not higher than 7 feet above surface grade.
 - 4) Oriented parallel to the road.
 - c. All lighting shall be designed or visually screened so it is unobtrusive to nearby properties and does not produce glares directed beyond the site. lighting shall conform to the specifications in conditions #9.d and e.
 - d. The applicant shall submit two copies of a lighting plan to the Environmental Planning Section of the Planning Department for review and approval prior to installation of exterior lighting. All exterior lighting (and the plan) shall include the following specifications:
 - 1) All lighting at exterior doorways (as required by the National Electrical Code) shall not **be** placed higher than 8 feet above grade.

- 2) All freestanding lighting in parking lots, and other areas, shall **be** kept to a minimum and placed no higher than 4 feet **above** grade.
 - 3) Lighting shall illuminate in a downward direction.
- e. The greenhouses shall not use interior illumination for the growing of plants during the nighttime.

10. Operations

- a. No soil sterilants shall be used on the property. Pesticides and herbicides sprayed on the roses pursuant to accepted industry standards for agricultural use is permitted.
- b. No fanning or development activities may occur within the area covered by riparian woodland and creekbed other than two discharge swale for retention pond overflow as specified in Exhibit B.
- c. The hours of operation shall be from 7 a.m. to 6 p.m. with the exception of daily activities that do not involve deliveries or visitors and spraying which must for safety reasons occur outside of the hours of operation.
- d. Any generators installed for this project shall be emergency backup power needs only and shall not be used on a regular basis.
- e. The applicant shall submit a groundwater monitoring plan formulated by a hydrological engineer or other qualified professional for review and approval by the Environmental Planning and Resources Sections of the Planning Department within 60 days of the approval of this permit. The plan shall include the following or other method determined to be substantially equivalent by the County: number, location and depths (completion intervals) of the monitoring points as well as specification of acceptable levels of groundwater quality and frequency of sampling. Sampling shall include areas in both the vadose zone (soil above the aquifer) and the alluvial aquifer and shall test for all agricultural chemicals used on the property during the **two** months prior to sampling date. The approved monitoring plan shall be operational prior to final inspection and clearance of any Building Permits on the property. All results of the groundwater sampling shall be sent to the Resources Section of the Planning Department (Water Quality Lab) for review within 10 days of sampling results. Failure to meet water quality standards established by the Environmental Protection Agency and Regional Water Quality Control Board shall constitute a violation of the permit and reconsideration of the permit by the Planning Commission.

MINOR VARIATIONS WHICH **DO** NOT CHANGE THE OVERALL CONCEPT OR DENSITY OF THIS PERMIT MAY BE APPROVED BY THE PLANNING DIRECTOR AT THE REQUEST OF THE APPLICANT OR **THE** PLANNING STAFF.

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

87-0576

DEVOR NURSERIES

Proposal to Construct:

1. A total of 91,092 sq. ft. of greenhouses and 24,840 of shade houses in two phases;
2. A 16,950 sq. ft. packing shed/cold storage facility;
3. A 10,000 sq. ft. maintenance shop;
4. A 5,000 sq. ft. office;
5. Remodel of an existing single family dwelling to be used as an agricultural caretaker's quarters; and,
6. Parking areas not to exceed 30 spaces total.

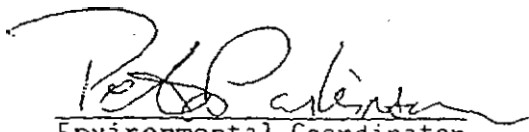
Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have a significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department and in other materials on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:

See attached conditions.

This Negative Declaration was approved by the Board of Supervisors on May 26, 1988.


Environmental Coordinator
Pete Parkinson

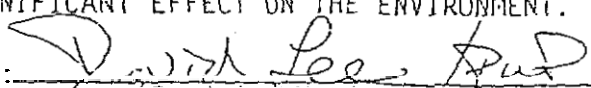
If this project is approved, complete and file this notice with the Clerk of the Board

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by ~~the Planning Commission~~ ^{the Board of Supervisors} on June 29, 1988. * No EIR was prepared under CEQA. (Decision-Making Body)

THE PROJECT WAS DETERMINED TO NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

Date completed notice filed with Clerk of the Board:

By: 
Decision-Making Body

* The project was considered on appeal-48- the Board of Supervisors on August 1988. The Board denied the appeal and upheld the Planning Commission's Approval of the project. Title: Assistant Planning Director **EXHIBIT**

Usher of the Board
1/9/88 PJP

reposed

Applicant: De Vor Nurseries
Appl. No.: 87-0576
APN: 108-192-02

CONDITIONS OF NEGATIVE DECLARATION

1. A landscaping plan shall be submitted for County approval and shall be implemented as follows: The east-west staggering of the landscaping along Corralitos Road, as proposed in the initially submitted plan, shall be increased to provide a more natural looking appearance. Only evergreen species shall **be** used. All dead or down apple trees along Corralitos Road shall be shown on the plan, and all such trees shall be removed from the property in connection with the implementation of the landscaping plan;
2. All landscaping on the approved plan shall be installed prior to final inspection clearance for any new structure. The landscaping shall be permanently maintained in a manner that provides screening from Corralitos Road.
3. Drainage features for each phase ~~of~~ the project, as shown on *the* approved engineered drainage plan, shall be installed prior to final inspection clearance for any new structure.
4. No fans shall be permitted in or on the greenhouse structures.
5. All exterior lighting shall be of a low-rise design and shall **be** directed on-site and downward to eliminate off-site glare.
6. The final site plan shall be reviewed by the applicant's 'archaeological consultant (Archaeological Consulting) and a letter from the 'consultant shall be submitted for review by Planning staff. Any additional recommendations from the consultant shall become conditions of project approval. During construction, the area of lithic scatter noted in the archaeological report dated 10/13/87 shall remain undisturbed and shall not be used for storage of waste or fill dirt.
7. Any generators installed for this project shall be for emergency backup purposes only.
8. Prior to exercising any rights granted by this permit, all requirements of the Environmental Health Service relating to the use, handling and storage of hazardous materials (including fuels and applicable agricultural chemicals) shall be met.
9. No soil sterilant shall **be** permitted to be used on the property.
10. The project shall be conditioned to require the soils on the property to be returned to agricultural use on discontinuance of use of the greenhouse structures; and shall provide for complete removal of all facilities covering prime agricultural soil.
11. A drip irrigation system shall be used inside the greenhouse structures and for required landscaping.

Applicant: De Vor Nurseries
Appl. No.: 87-0576
APH: 108-192-02

12. Any brines or boiler residues shall **be** contained on-site in a lined evaporation pond or other containment device approved by the County.
13. A monitoring program for pesticide pollution approved by the County shall be implemented in connection with the operation of the greenhouses.
14. The greenhouse structures shall be used only for rose hybridization, and no commercial facility shall be permitted **on-site**.
15. A system to catch and retain contaminated water within the greenhouse structures, sufficient to prevent groundwater contamination, shall be required. **All** contaminated runoff shall be used or evaporated **on-site**.

negdec/037

PODOCARPUS

Podocarpaceae

EVERGREEN SHRUBS OR TREES

ZONES VARY BY SPECIES

FULL SUN OR PARTIAL SHADE

REGULAR WATER

Versatile plants grown for their good-looking foliage and interesting form. They are adaptable to many climates and have many garden uses. Make good screens and background plants.



Podocarpus gracilior

Foliage generally resembles that of related yews (*Taxus*), but leaves of the better-known species are longer, broader, and lighter in color. If a male plant is growing nearby, female plants bear fruit after many years, producing small, fleshy fruits rather than cones. Grow well (if slowly) in most soils, but may develop chlorosis where soil is alkaline or heavy and damp. Some botanists divide the plants into three genera (*Afrocarpus*, *Nageia*, *Podocarpus*); where they apply, new names are given in parentheses.

***P. elongatus*.** For plants sold under this name, see *P. gracilior*

***P. falcatus* (*Afrocarpus falcatus*).** Tree. Zones 8, 9, 14-24; H2. Slow-growing native of South Africa. Differs from *P. gracilior* in nativity, small botanical details. For uses, see *P. gracilior*.

***P. gracilior* (*Afrocarpus elongatus*, *Nageia falcatus*).** FERN PINE. Tree, often grown as espaliered vine or even in hanging baskets. Zones 8, 9, 13-24; H1, H2. From eastern Africa. To 20-60 ft. tall, 10-20 ft. wide. Among the cleanest, most pest-free trees for street, lawn, patio, garden; good as big shrub, as hedge, in container.

Method of propagation determines growth habit. If grown from seed, plants are upright even when young (and stay that way); these plants are usually sold as *P. gracilior*. In youth, they have branches set somewhat sparsely with glossy dark green leaves 2-4 in. long, 1/2 in. wide. With age, they produce 1-2-in., soft grayish green to bluish green leaves that are more closely spaced on branches. Stake seedling plants until a strong trunk develops.

If grown from cuttings or grafts of a mature tree, plants have the smaller, more closely set leaves just described, but they have very limber branches and are often reluctant to make strong vertical growth. These are willowy plants, suitable for espalier, hanging pots, or growing as vines along fences, are often sold as *P. elongatus*. Given staking and tying, *P. elongatus* types eventually become upright trees, though their foliage mass persists in drooping for some time.

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060

ASSIGNMENT OF SAVINGS ACCOUNT AGREEMENT

1. DEVOR NURSERIES, INC. ("Assignor")
has entered into an agreement dated OCTOBER 11, 1988 with
the County of Santa Cruz Planning Department ("Assignee") under the terms of
which Assignor has agreed to pledge and assign to Assignee the entire balance
of Savings Account # 1086-85333 ("Account") located at SANWA BANK- CALIFORNIA
Bank, in the amount of \$ 19,440.00
(Pledged Amount").

2. Assignor hereby assigns the Pledged Amount to Assignee and further
agrees as follows:

a) That Assignee is hereby authorized to withdraw the Pledged Amount at
any time, and Bank is hereby authorized and directed to honor such withdrawals
without further authority from Assignor during the term of this Agreement.

b) The release of the Pledged Amount by Bank to Assignee shall constitute
full and complete discharge of Bank's obligations with respect to the Pledged
Amount and Assignee shall defend, indemnify and hold Bank harmless from any and
all damages and expenses, including costs and reasonable attorneys fees arising
out of or in connection with any claims or actions asserted by Assignor regard-
ing disposition of the Pledged Amount.

3. This Agreement shall become effective after Assignor, Assignee and
Bank have signed below and the fully executed original has been delivered to
Bank. This Agreement shall remain in full force and effect until Bank receives
written revocation signed by Assignee.

4. Interest on the Pledged Amount accrues to the Assignor.

Dated: OCT. 14, 1988

DEVOR NURSERIES, INC.

"Assignor"

BY:

Stanley G. Murcin BY: James D. Brown

ITS: Treasurer

WTSE

Secretary

Dated: 10-17-88

County of Santa Cruz Planning Department

"Assignee"

By:

Title:

Dated: 10/14/88

Sanwa Bank California

"Bank"

By:

Title:

Operations officer

-52-

EXHIBIT J

Marilyn
Please re-file for now.
It is filed to a couple



Modesto #108 OFFICE
NOT SUBJECT TO CHECK

1086-85333
A 005

Modesto CALIFORNIA October 14 1988

THIS CERTIFIES THAT * * * * * *DeVor Nurseries, Inc.* * * * * * HAVE
DEPOSITED IN THIS BANK

* * * * *Nineteen Thousand four hundred forty* * * * * *19,440.00
* * * * *County of Santa Cruz* * * * *

PRINCIPAL PAYABLE TO OR ORDER. UPON
PRESENTATION AND SURRENDER OF THIS CERTIFICATE. PROPERLY ENDORSED. AT THE OFFICE OF ISSUE. THIS DEPOSIT
BEARS INTEREST AT THE RATE OF * 8.00 % PER ANNUM IF LEFT UPON DEPOSIT UNTIL MATURITY. INTEREST PAYABLE *
TO DEPOSITOR AND NOT TO *count of Santa Cruz*

SUBJECT TO THE BANK'S RIGHT TO CHANGE THE INTEREST RATE UPON WRITTEN NOTICE TO DEPOSITOR. THE MATURITY
OF THIS CERTIFICATE IS 5 years FROM DATE AND IT WILL BE AUTOMATICALLY RENEWED FOR A SIMILAR
PERIOD UNLESS WITHIN (10) TEN DAYS AFTER A MATURITY DATE THE OWNER PRESENTS IT FOR REDEMPTION.

OK Babtison
AUTHORIZED SIGNATURE

IN
Certificate of Deposit