



Staff Report to the Planning Commission

Application Number: **28372**

Applicant: RMC Pacific Materials, LLC
Owner: RMC Pacific Materials, LLC
APN: 058-022-09, -10, -14, -16, 058-071-06

Agenda Date: February 24, 2021
Agenda Item #: 7
Time: After 9:30 a.m.

Site Address: 700 Highway 1, Davenport

Project Description

Proposal to implement the final north cement kiln dust (CKD) area closure plan at the former Davenport Cement Plant as required by the Central Coast Regional Water Quality Control Board.

Location: Property located on the north side of Highway 1 on the site of the former cement plant adjacent the town of Davenport.

Permits Required: Coastal Development Permit, Riparian Exception, Grading Permit

Supervisory District: 3rd District (District Supervisor: Ryan Coonerty)

Staff Recommendation

- Adopt the attached Mitigated Negative Declaration (Exhibit A) per the requirements of the California Environmental Quality Act.
- Approve Application 28372, based on the attached findings (Exhibit C) and conditions (Exhibit D).

Exhibits

- A. Mitigated Negative Declaration and Initial Study also available for viewing at this link:
<https://www.sccoplanning.com/PlanningHome/Environmental/CEQAInitialStudiesEIRs/CEQADocumentsOpenforPublicReview.aspx>
- B. Project Plans
- C. Findings
- D. Conditions
- E. Mitigation Monitoring and Reporting Program
- F. Comments & Correspondence

Project Description & Setting

The proposed Project is the closure of the North Cement Kiln Dust (CKD) landfill located at the former Davenport Cement Plant at 700 Highway 1, immediately north of the Davenport community and south of New Town in northern unincorporated Santa Cruz County (Exhibit A, Figure 1 and 2). CKD, a byproduct of the cement manufacturing process, was historically placed as fill in what is now called the North CKD Area. In summary, this project would construct an engineered cover and vegetated soil cap with drainage controls to hydrologically isolate the CKD material and prevent surface waters and some groundwater from contacting and interacting with the CKD. This North CKD landfill closure plan follows the similar closure in 1995 of a separate CKD landfill on the site.

Construction of the cement plant began in the late 1800s and included significant modifications to onsite topography, and construction of nearby bridges over steep canyons and a rail spur. Cement production began in 1906 and the facility was the second largest cement plant in the nation. Cement manufacturing at the facility included grinding of source materials, pyro processing, storage of cement products, and storage and disposal of waste products. The facility produced large quantities of CKD as a byproduct of the cement manufacturing process. Although some of the CKD was either reused in the cement process or recycled as an agricultural soil amendment (as lime), most of it was stored or disposed of onsite or on adjacent properties. Starting in the 1950s to approximately 1998 a natural canyon behind the cement manufacturing plant was filled with CKD. The CKD was combined with water and pumped as CKD slurry to a series of temporary basins of various sizes located on top of the existing CKD piles, where the CKD slurry was allowed to dry and solidify, forming cemented layers resistant to percolation and erosion.

In February 2018, the Regional Water Quality Control Board, Central Coast Region (RWQCB) issued Waste Discharge Requirement Order No. R3-2018-0001 (Order) to adopt provisions for closure, post-closure maintenance, and monitoring requirements for the North CKD Area. Together, the Order and the Final North CKD Closure Plan submitted to the RWQCB on April 1, 2018 (Closure Plan) focus on closure of the North CKD Area as a Class II Solid Waste Landfill, as defined by California Code of Regulations Title 27, §20240 and §20250. The primary goal of the Closure Plan is to minimize infiltration of water into the waste, thereby minimizing the production of contaminated leachate and potential groundwater impacts. After closure, a final landfill cover will constitute the principal waste containment feature for the North CKD Area. The Order currently requires the Applicant to complete final closure construction activities for the North CKD Area before October 1, 2022.

According to the Waste Discharge Requirements Order the CKD waste is alkaline, contains non-hazardous levels of heavy metals, and is caustic with a high pH (>9.5) when in aqueous solution. Low permeability and high porosity where fractured, generally describes the physical properties of dried CKD. CKD is commonly considered similar to agricultural lime and sets up similarly to Portland cement when hydrated. Until dried or if in contact with water, it has the potential to alter water quality by increasing alkalinity and may leach dissolved solids including metals and minerals.

The Project closure activities would occur on approximately 23 acres of the Cement Plant property, located within a larger 43.5-acre Project boundary that also includes access roads, portions of the cement facility, and adjacent lands (Exhibit A, Figure 3). The southern portion of the Project area is owned by RMC Pacific Materials, LLC. The northern portion of the Project area is on property that is owned by Trust for Public Land (TPL), a portion of which is currently leased from The Trust for Public Land (TPL). TPL has provided written authorization for CEMEX to file this application. The Assessor Parcel Numbers are shown in Exhibit A, Figure 4.

A detailed description of the project activities is provided in Exhibit A. In summary, the proposed closure activities include grading the current surface of the North CKD Area so it has the required slope for surface water flow and management, installing a new liner to cap CKD material, reapplying a protective soil cover that includes topsoil, and revegetating with native grasses and plant species. The Project also includes remediation of the Retention Pond (by removing accumulated sediment), located south of the North CKD Area, and drainage improvements in and around the North CKD Area to protect water quality in the area (Exhibit A, Figure 3). Best Management Practices (BMPs) including a Storm Water Pollution Prevention Plan (SWPPP) and Dust Mitigation Plan will be implemented to avoid and minimize potential impacts to sensitive biological resources, to protect water and air quality, and to minimize erosion.

A Coastal Development Permit (CDP) is required because the Project includes development activities in the Coastal Zone. The project includes work in and near hydrologic features such as ponds, wetlands and drainage courses that are regulated by the County Riparian Corridor and Wetland Protection ordinance. Because the project activities are necessary for landfill closure, the ordinance provides for the approval of a Riparian Exception to allow the project activities to occur under certain conditions. A grading permit is required and the overall volume of grading (approximately 165,000 cubic yards) triggers a requirement for Planning Commission review of the project. Pursuant to the California Environmental Quality Act (CEQA), the expected environmental impacts of the project are expected to be less than significant and are documented in the attached Initial Study/Mitigated Negative Declaration (Exhibit A).

Zoning & General Plan Consistency

The Project area is located within unincorporated Santa Cruz County, north of the Davenport community, within the Coastal Zone. The area is zoned for Commercial Agriculture (CA) and Heavy Industry (M-2-L), which is consistent with the former cement manufacturing use. The Historic Landmark (L) designation reflects the presence of several historic buildings associated with the plant, but no buildings would be affected by the project. In summary, the Santa Cruz County General Plan land use and zoning plans, policies and regulations encourage the remediation of hazardous materials sites and improvements to water quality.

Environmental Review

The following paragraphs summarize the key environmental issues from the Initial Study and describe how the project plans and technical reports address each issue along with proposed mitigation measures and conditions of approval.

Water Quality

The Project area includes No-Name Creek, North Pond, seasonal ponds, and a retention pond (Exhibit A, Figure 2). The Project area is also located approximately 0.5 mile south of Agua Puera Creek and approximately 0.5 mile north of San Vicente Creek. The purpose of the Project is to improve the conditions within the Project area to ensure that the CKD is capped and contained to ensure that water bodies and drainages within and adjacent to the Project area are not contaminated by these materials. Though the Project has the potential to generate temporary water quality impacts throughout the implementation of construction activities, the Project has been designed in compliance with the Water Board's Waste Discharge Requirements (Exhibit A, Appendix 7a), which includes an erosion control plan, as required per Santa Cruz County Code (SCCC) 16.22.060. Construction BMPs included within the erosion control plan would minimize impacts to water bodies and drainages within and adjacent to the Project area. Refer to the Detailed Project Description in the Initial Study (Exhibit A, Construction BMPs), the Multi-Season Construction Wet Weather Preparedness Plan (Exhibit A, Appendix 4), and the erosion control plan (Exhibit A, Appendix 8 and Exhibit B, Sheets E1 and E2).

The Waste Discharge Requirements Order also requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP), which includes a description of the Project area, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. The SWPPP will be filed with the Water Board prior to the start of construction and includes monitoring during qualified storm events.

The Project area includes 15 groundwater monitoring wells associated with the North CKD Area to monitor the effectiveness of closure activities at the retention pond and North CKD Area. Wells would be monitored throughout Project construction and after completion to ensure Project activities do not lead to the contamination of groundwater (Exhibit A, Appendices 7a and 7b). The monitoring program also includes wet season monitoring of stormwater and visual observations of drainage systems. Semi-annual reporting of monitoring results to the RWQCB is required. It is anticipated that the removal of the residual coal and CKD sediments and capping of the North CKD Area would substantially remove source materials that may cause groundwater degradation.

Implementation of the Project in accordance with the Closure Plan would result in an overall improvement to runoff and surface water quality, and groundwater quality would be monitored to ensure that water quality continues to improve over time as hazardous materials are further contained within the Project area and water is conveyed away from the CKD.

Although water would be sprayed from a water truck for dust suppression during construction, water spraying would not be excessive as applying too much water could introduce construction challenges to achieve design compaction for fill materials and may create mud that could be tracked out onto public roadways (Exhibit A, Appendix 5, Dust Mitigation Plan). The water used for dust suppression would not be sourced from onsite groundwater. The construction contractor

would obtain water from existing available sources. Aside from the temporary use of water for dust suppression and short-term (approximately 2 year) irrigation of plants installed at the end of closure activity, water use at the site would not change compared to existing conditions.

The Project Closure Plan was developed in accordance with the Project Hydraulic Analysis (Exhibit A, Appendix 2), Wet Weather Preparedness Plan (Exhibit A, Appendix 4), and Water Board Requirements (Exhibit A, Appendix 7a) that include details that have been included in the Project design and specifications to minimize erosion, sedimentation and water quality impacts. The Hydraulic Analysis also modeled a 24-hour, 1,000-year storm event, for which the Project was designed to convey flows without resulting in flood conditions within or adjacent to the Project area. All proposed improvements to Project area water bodies and drainages would improve both water quality and flooding conditions following project implementation.

Noise

The temporary impacts of construction noise related to the project are analyzed in the Initial Study (Exhibit A, Section M). Because the noise impacts would be temporary and buffered from the nearest residences by distance and in some areas by intervening topography and vegetation, the noise level would not violate County noise standards (SCCC 13.15 Noise Planning). In accordance with SCCC 13.15, construction activities may occur outside of normal construction hours of 8:00 a.m. and 5:00 p.m. on weekdays with approval in advance from the Building Official. It is anticipated that such a request will be made and staff is supporting approval for grading and construction activities to occur during daylight hours starting at 7:00 a.m. or at sunrise, whichever is earlier, and continue no later than 7:00 p.m., and on Saturdays between 9:00 a.m. and 5:00 p.m. and no more than three Saturdays per month. Trucking of import fill material would not occur on Saturdays. There a couple of reasons for staff support of the request to work longer than normal construction hours. Overall, the project would be completed in shorter timeline and any disruption or inconvenience to residents would be shortened. In addition, based on the general prevailing wind conditions in the area that typically increase in the afternoon hours, maximizing work hours in the morning would help to minimize potential dust impacts (see Air Quality discussion below).

Biological Resources

An overview of the habitat types and special status species and potential project-related impacts are described in Exhibit A, Appendix 9, Biotic Assessment Report. Two sensitive habitats, coastal scrub and arroyo willow riparian scrub, occur within the Biological Study Area (Exhibit A, Section D, Figure 6). To the greatest extent feasible, the proposed Closure Plan has been designed to avoid and minimize impacts to biological resources, including sensitive habitats. Closure Plan activities occur primarily within the disturbed habitat of the North CKD landfill area where CKD is mounded, in the adjacent non-native grassland habitat that currently covers portions of the North CKD landfill, and at the Retention Pond, which does not currently provide suitable conditions for most biological resources. The proposed Closure Plan activities would result in temporary and permanent impacts to coastal scrub (Exhibit A, Section D, Table 5a) and arroyo willow riparian scrub (Exhibit A, Section D, Table 5b). The Project's aquatic impacts include impacts to jurisdictional and non-jurisdictional waters. (Exhibit A, Section D, Figure 9).

Implementation of Mitigation Measure BIO-6 (Construction Related Protective and Replacement Measures for Coastal Scrub Habitat), and Mitigation Measure BIO-7 (Construction Related Protective and Replacement Measures for Arroyo Willow Scrub Habitat) and Mitigation Measure BIO-8 (Implement Protective and Replacement Actions for Jurisdictional Wetlands And Waters of The U.S.) would minimize these impacts to a less than significant level.

The following sensitive wildlife species are present within the Biological Study Area: monarch butterfly, California red-legged frog, Allen's hummingbird, northern harrier, white-tailed kite, birds of prey, other nesting common bird species, and common roosting bat species (Exhibit A, Section D, Figure 7). The following sensitive species have potential to occur within the Biological Study Area: American peregrine falcon, olive-sided flycatcher, grasshopper sparrow, western red bat, and San Francisco dusky-footed woodrat. As further described in detail in Exhibit A, Section D Biologic Resources, the construction activities could impact these species if steps are not taken to avoid and mitigate those impacts. Therefore, Mitigation Measures BIO-1 through BIO-5 will be implemented before and during construction to reduce potential impacts to a less than significant level. In summary, the measures will include monitoring by a qualified biologist, preconstruction surveys, avoidance measures, and habitat enhancements.

The full text of Mitigation Measures BIO-1 through BIO-8 can be found in Exhibit A, Appendix 12 and in Exhibit E. In addition, the Project requires authorization by State and Federal permitting agencies due to the potential impacts to habitats and sensitive species protected by State and Federal law. The applicant is currently working with these agencies to develop a Mitigation and Management Plan as the basis for their authorization of Project activities as described in Mitigation Measure BIO-8. Prior to any site disturbance, authorization from the United States Army Corps of Engineers, United States Fish and Wildlife Service, and the California Department of Fish and Wildlife (CDFW) is required.

Implementation of the Closure Plan would result in impacts to riparian vegetation, as discussed in the Initial Study (Exhibit A, Section D). The grading associated with the project would affect the two ponds above and below the CKD landfill and the wetland on the eastern margin of the landfill. General Plan Policy 5.2.3 (Activities Within Riparian Corridors and Wetlands) states: "Development activities, land alterations and vegetation disturbance within riparian corridors and wetlands and required buffers shall be prohibited unless an exception is granted per the Riparian Corridor and Wetlands Protection ordinance. Based on the Riparian Exception Findings in Exhibit B and the mitigation measures described above, staff is recommending approval of a Riparian Exception for the project.

Air Quality

Construction activities associated with the Project would result in temporary increases in air pollutant emissions. Project construction emissions were estimated using the CalEEMod Model, version 2016.3.2, based on construction information provided by CEMEX in 2019. Based on the modeling results, the Project is not estimated to generate particulate matter (PM₁₀) levels in exceedance of the Monterey Bay Air Resources District (MBARD) threshold of 82 lb/day during any phase or simultaneous phase of construction (Exhibit A, Section B).

However, it is well known to the applicant, Planning staff, and the community that dust impacts were associated with past operations of the cement plant and there is a concern regarding potential dust impact associated with mass grading operations for this project. Windy conditions are common on the North Coast particularly seasonally and in the afternoon. During the public comment period on the Initial Study residents expressed concern regarding potential dust impacts from the Project. As part of the Project the applicant prepared a Dust Mitigation Plan in conjunction with MBARD (Exhibit A, Appendix 5). In accordance with the Dust Mitigation Plan, the Project includes restricting vehicle speeds to a maximum of 15 miles per hour on site and watering of exposed areas as needed. These restrictions were assumed in the air quality modeling of construction activities, and an off-highway truck was added to the construction fleet in each phase as a proxy for a water truck.

The Dust Mitigation Plan describes monitoring and best practices to prevent dust that might be transported beyond the plant property perimeter and onto occupied properties in the plant vicinity. The plan consists of two parts: (1) dust prevention measures to eliminate dusting prior to its development; and (2) a real-time monitoring network will be implemented to determine locations and times when off-site dust transport might occur so that dust-generating activities and control measures can be optimized.

BMP that will be implemented during the project are described in Section 5, Table 5-1 of the Dust Mitigation Plan. The BMPs include, but are not limited to, standard practices such as using water trucks and sweeper trucks, load covers for offsite transport, on site speed limit, and truck washing. There will also be a designated on-site person available to respond to community complaints and posting of the contact information in the community. Although not included as a BMP in the Dust Mitigation Plan, alternative working hours are proposed in part to help mitigated potential dust impacts (see discussion in Noise section above). These measures will be continuously applied throughout the project, with locations and intensities of application informed by the monitoring program. Adaptive management is part of the Plan and additional measures may be used, if needed.

The monitoring network is further described in Sections 3 and 4 of the Dust Mitigation Plan and will utilize sensors (light-scattering microsensors) that will be located in source and receptor areas to detect dust emissions. These instruments are internet connected so they can be accessed and provide notifications using smartphones, such that the on-site personnel can be alerted to potential dust events. This information will complement, rather than replace, human detection of visible plumes, as not all off-site transport is detected by human observers. With this real-time information, immediate actions can be taken to remediate specific dust generating events without requiring a complete stoppage of work in most instances. Information obtained from the monitoring network will be shared with the MBARD and Planning Department staff.

Objectives of the measurement network are:

- Obtain data before the project starts to develop a meteorology and PM air quality baseline.
- Provide real-time feedback for managing earth-moving activities and minimize off-site movement of dust.
- Develop an understanding of relationships between activities, meteorology, and off-site transport to re-deploy resources that minimize off-site dust movement.
- Together, the Best Management Practices and monitoring network will concurrently work to prevent dust from being transported outside of the property boundary.

The Dust Mitigation Plan is incorporated as part of the project and is required to be fully implemented as such. Therefore, no additional conditions of approval are proposed except for the requirement to share the information obtained from the monitoring network with Planning Department staff in addition to MBARD. The Dust Mitigation Plan includes designation of a Project Director to oversee the BMPs and monitoring network, direct remedial actions, and stop work, if necessary, until remedial actions have been implemented. The Project Director will also receive any complaints from the community and will have the authority to stop work in response to such complaints. Included in the Dust Mitigation Plan BMPs is posting of signs indicating who to call if a nuisance is perceived. Nevertheless, a condition of approval is included that specifies that the contact information shall be posted at the front gate and provided through other community networks.

Transportation

Implementation of the Project would temporarily result in an increase in construction-related traffic on Highway 1 near the main entrance to the plant and on Warnella Road where construction equipment and personnel would enter the Project area. Two onsite existing access roads, one that extends from the southern portion of the Project area to the North CKD Area and another that extends from Warnella Road north of the Project area to the North CKD Area would be used for construction vehicles and equipment (Exhibit A, Figure 2). The two access roads are located entirely within the Project area and are not open to the public.

Construction equipment and materials would be staged onsite (Exhibit A, Figure 3) for the duration of construction to minimize impacts to traffic that would occur through daily trips to and from the site on Highway 1. However, there would be a temporary increase in trips to and from the Project site when fill is being imported for the cover.

Approximately 47,400 cubic yards of fill would be imported from a quarry, sand plant, and/or soil farm located in north Santa Cruz County or San Mateo County (Exhibit A, Section Q). As described in the Air Quality analysis (Exhibit A, Section C, Table 3), liner/cap installation and fill import is assumed to require 6,321 one-way trips, with an average trip length of 18.4 miles, over 100 working days. Therefore, there could be an additional approximately 60 trips (120 roundtrips) on Highway 1 each day during the approximately 100 days fill could be imported to the site.

Existing traffic conditions along Highway 1 are free-flowing, with most vehicular traffic on this portion of Highway 1 occurring on weekends. Project construction would be primarily Monday-

Friday. The increased construction-related traffic could slow traffic traveling on Highway 1 as the trucks enter and leave the site, but the overall conditions of free-flowing traffic along Highway 1 is not expected to change substantially.

During the public comment period for the Initial Study, local residents expressed a concern about the increased truck traffic and the use of Cement Plant Road. There is no need for the truck traffic to use Cement Plant Road, and truck route requirements are clarified in a condition of approval. Truck traffic will be limited to two routes to enter and exit the cement plant site. One route is the main entrance to the plant that exits off of Highway 1. The other route would exit off Highway 1 north of New Town to immediately access Warnella Road, if necessary. Trucks would not be allowed to travel on Cement Plant Road between Davenport and New Town.

Transportation and greenhouse gas emissions impacts are evaluated in terms of increased vehicle miles traveled. As noted above, there would be a temporary increase in vehicle miles traveled (VMT) associated with the fill import. Upon completion of the Project Closure Plan, the number of trips to and from the Project area would remain similar to levels consistent with existing conditions.

Special Community

The project site is located in the Davenport Special Community which requires special consideration of visual resources and historic structures associated with the town. The Project area is located in an area that has been designated as the North Coast General Plan Scenic Area in the County General Plan and is considered to be an area that supports a scenic vista. The rolling grassland hills north of Highway 1 support sweeping views of open space and grazing fields that surround the former Cement Plant.

The proposed closure activities would be temporary in nature and would occur primarily within the developed footprint of the Cement Plant, including the North CKD Area, which is closed to the public and largely not visible from Highway 1 or scenic vistas. Following Project implementation, all disturbed lands would be revegetated with native plants and views within and of the Project area would improve compared to existing conditions. The Project would include construction of a permanent relatively impervious shotcrete slope to cover a portion of the CKD slope that could potentially be partially visible from limited sections of Highway 1. This is not considered a significant impact due to the limited visibility of the shotcrete cover and the overall improvement in visual quality that will result from the project. In addition, the large mound of CKD that is located just above the shotcrete cover would be re-graded into the final, gently sloping topography of the North CKD area landfill cover. This would eliminate the views of this CKD material from the Highway.

Local Coastal Program Consistency

The proposed landfill closure is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding lands. The rolling grassland hills north of Highway 1 support sweeping views of open space and grazing fields that surround the former Cement Plant.

Implementation of the project will create gentle slopes and all disturbed lands would be revegetated with native plants, and the Cement Plant would return to conditions similar to existing conditions, and views within and of the project area would improve compared to existing conditions. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed Project will not interfere with public access to the beach, ocean, or other nearby body of water.

California Environmental Quality Act

Environmental review has been required for the proposed project per the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator and a preliminary determination to issue a Negative Declaration with Mitigations (Exhibit A) was made on November 4, 2020. The mandatory public comment period was extended based on community feedback and expired on January 22, 2021.

As described above, the environmental review process focused on the potential impacts of the Project in the areas of hydrology and water quality, noise, biological resources, and air quality. In addition, cultural resources were addressed through historical and archaeological research and on-site investigation (Exhibit A, Section E). Based on that work, impacts to historical or archaeological resources are not expected. However, several additional mitigation measures are proposed to include on-site training of personnel in the event ground disturbing activities reveal previously unknown historical or cultural resources and a requirement to stop work if paleontological resources or human remains are discovered during construction. The environmental review process generated mitigation measures that will reduce potential impacts from the proposed development and adequately address these issues. The mitigation measures are contained in Exhibit A, Appendix 12 and Exhibit E.

Public Outreach/Public Comment

During the environmental review public comment period several comments were received from Davenport residents. The comments and correspondence are contained in Exhibit F. The comments from Davenport residents highlight their concerns regarding issues including but not limited to air quality, traffic and noise. These issues are addressed in the staff report in the relevant sections. In addition, during the public comment period, two virtual community meetings were held on December 10, 2020 and January 20, 2021 to present the project to participants, answer questions from community members, and gather community feedback. Planning Department staff and CEMEX representatives participated in the first meeting organized by the Davenport North Coast Association. The second meeting was organized by CEMEX and publicized in the local community by the DNCA and CEMEX. Planning Department staff and CEMEX representatives participated in both meetings and responded to community questions both during the meeting and in follow-up in written form.

Findings

There are three sets of Findings required for the Development Permit, Coastal Development Permit, and the Riparian Exception. In addition to specific Findings, there are some that are common to all three. In general, the project as conditioned would not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public. It would be consistent with the General Plan, Local Coastal Program, and with all County ordinances. The riparian exception is necessary for the proper design and function of the Closure Plan activities proposed for the North CKD landfill and there are no feasible alternatives. Potential impacts to riparian and aquatic resources will be fully mitigated. Please see Exhibit "C" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Conclusion

As proposed and conditioned, the Project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Based on the Findings, staff is recommending Planning Commission approve the application as stated on the first page of this report.

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.

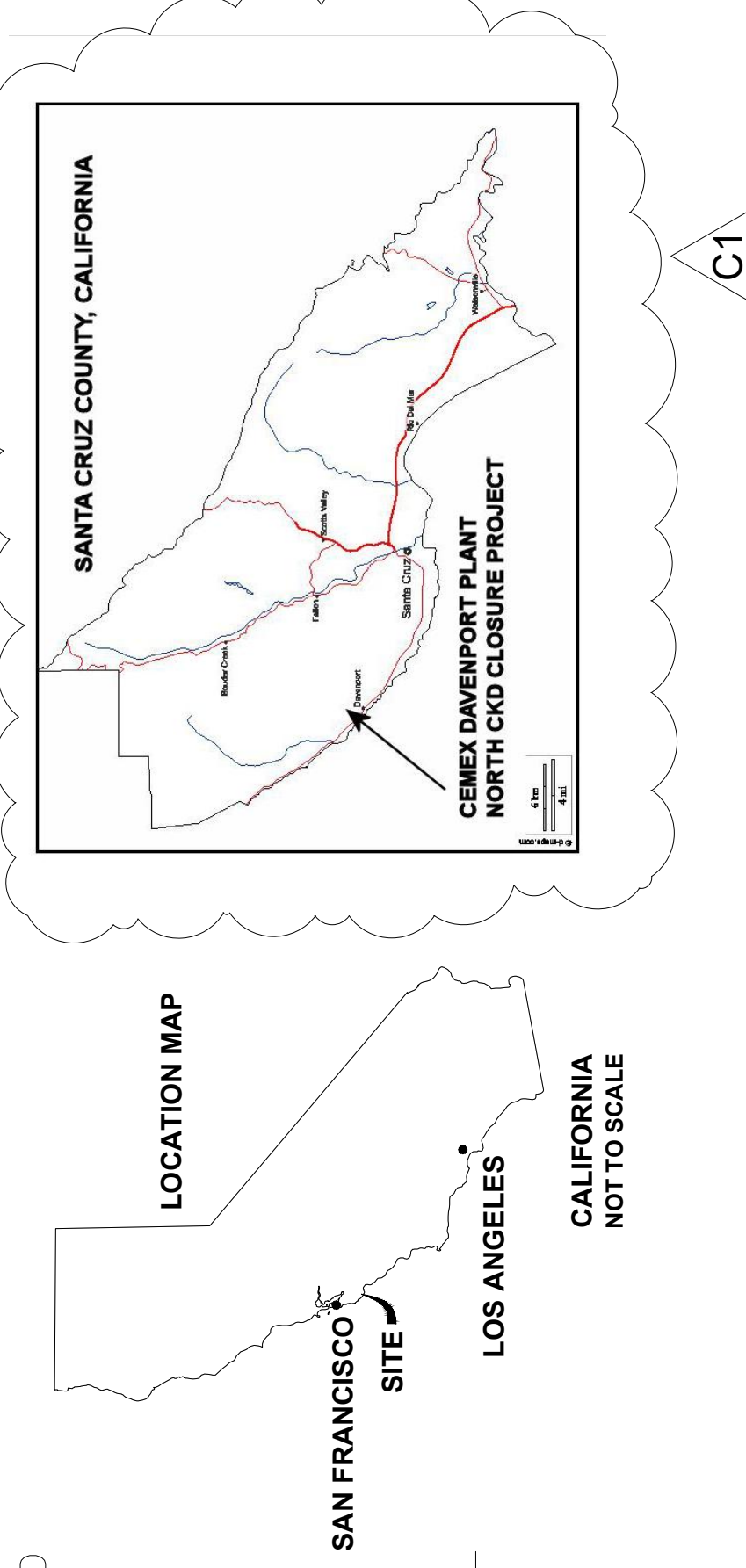
The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.sccoplanning.com

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RMC PACIFIC Materials, LLC (CEMEX) DAVENPORT PLANT - DAVENPORT CALIFORNIA

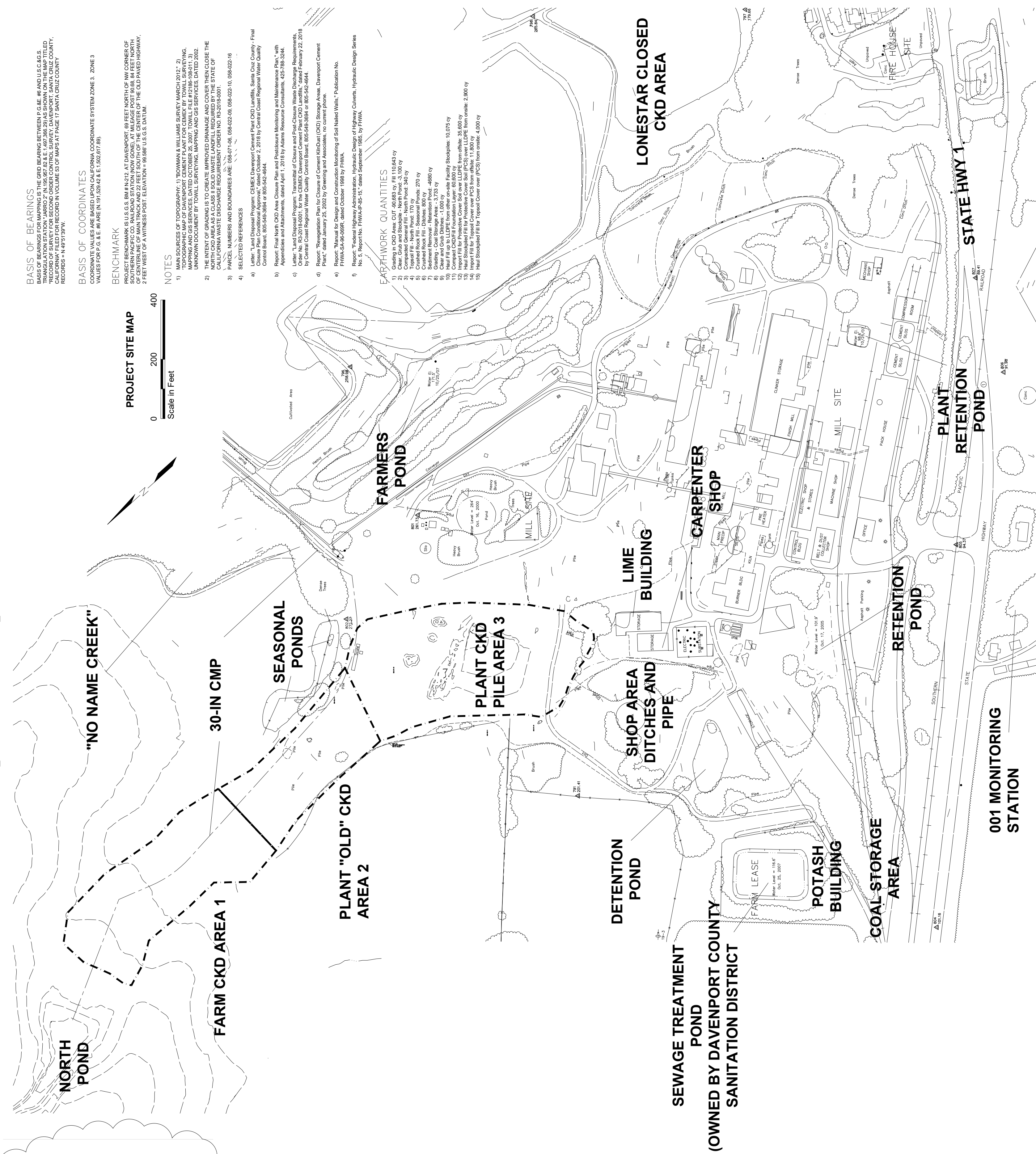
NORTH CEMENT KILN DUST (CKD) AREA CLOSURE



DESIGN PLANS

LIST OF DRAWINGS:

- SHEET C1 (2019-C1.dwg) - COVER SHEET
- SHEET C2 (2019-C2.dwg) - NOTES, LEGEND AND ABBREVIATIONS
- SHEET C3 (2019-C3.dwg) - EXISTING SITE CONDITIONS AND WORK AREAS
- SHEET DR4 (2019-DR4.dwg) - DRAINAGE IMPROVEMENTS
- SHEET DR5 (2019-DR5.dwg) - RETENTION POND REMEDIATION
- SHEET DR6 (2019-DR6.dwg) - RETENTION POND REMEDIATION
- SHEET DR7 (2019-DR7.dwg) - SHOP AREA DITCHES AND PIPE
- SHEET DR8 (2019-DR8.dwg) - JUNCTION: SHOP DITCH AND SOUTH DITCH #2
- SHEET DR9 (2019-DR9.dwg) - SEASONAL PONDS HABITAT ENHANCEMENT
- SHEET DR10 (2019-DR10.dwg) - NORTH POND HABITAT ENHANCEMENT
- SHEET G1 (2019-G1+G2+P1.dwg) - FINAL LINER FOUNDATION GRADE SOUTH
- SHEET G2 (2019-G1+G2+P1.dwg) - FINAL LINER FOUNDATION GRADE NORTH
- SHEET G3 (2019-G3.dwg) - COAL AREA GRADING PLAN
- SHEET PS1 (2019-PS1.dwg) - EAST, WEST AND SOUTH PERIMETER DITCHES
- SHEET PS2 (2019-PS2.dwg) - DROP STRUCTURES, SHOP SD AND DITCH PROFILES
- SHEET PS3 (2019-PS3.dwg) - CREST PROFILE AND CROSS SECTIONS
- SHEET PS4 (2019-PS4.dwg) - BYPASS PIPE PROFILE
- SHEET D1 (2019-D1.dwg) - NORTH DRAINAGE POND AND CKO COVER DETAILS
- SHEET D2 (2019-D2.dwg) - DRAINAGE DETAILS
- SHEET D3 (2019-D3.dwg) - DRAINAGE BYPASS AND SOUTH DITCH DETAILS
- SHEET D4 (2019-D4.dwg) - BYPASS PIPE OUTLET AND ANCHOR TRENCH DETAILS
- SHEET N1 (2019 - N1.dwg) - NOTES FOR SHOTCRETE AND SOIL NAIL DETAILS
- SHEET N2 (2019 - N2.dwg) - SOIL NAILED WALL ELEVATION
- SHEET N3 (2019 - N3.dwg) - SOIL NAILED WALL DETAILS
- SHEET N4 (2019 - N4.dwg) - SOIL NAIL SPECIFICATIONS
- SHEET N5 (2019 - N5.dwg) - SOIL NAIL SPECIFICATIONS
- SHEET E1 (2019-E1.dwg) - EROSION AND SEDIMENT CONTROL PLAN
- SHEET E2 (2019-E2.dwg) - EROSION CONTROL NOTES AND DETAILS



~~EARTHWORK QUANTITIES~~

- 1) Grading in C&D Area: CUF: 96,683 sq. ft. FI1110,843 sq. ft.
- 2) Clear, Grub and Salvage: CUF: 10,000 sq. ft. FI110,300 sq. ft.
- 3) Grub and Salvage: CUF: 10,000 sq. ft. FI110,300 sq. ft.
- 4) Topsoil Fill - North Pond: 170 sq. ft.
- 5) Crushed Rock Fill - Seasonal Ponds: 270 sq. ft.
- 6) Topsoil Fill - Seasonal Ponds: 270 sq. ft.
- 7) Sediment Removal - Retention Pond - 4680 sq. ft.
- 8) Grading, C&D Storage Area: 3,323 sq. ft.
- 9) Haul Fill up to Base of new Facility: 10,075 sq. ft.
- 10) Haul Fill up to Base of new Facility: 10,075 sq. ft.
- 11) Compact C&D/Fill Foundation Layer: 60,000 sq. ft.
- 12) Compact C&D/Fill Foundation Layer: 60,000 sq. ft.
- 13) Haul Stockpiled Fill for Protective Cover (PCS) over LDUDE from on-site: 35,800 sq. ft.
- 14) Haul Stockpiled Fill for Protective Cover (PCS) over LDUDE from on-site: 35,800 sq. ft.
- 15) Impact Fill for Topsoil Cover over PCS from on-site: 11,800 sq. ft.
- 16) Impact Fill for Topsoil Cover over PCS from on-site: 11,800 sq. ft.

DESIGN	DRAWN	WCA	WCA	MAH	12/12/19	C1	FOR BID AND CONSTRUCTION
REVIEW	REVIEW	WCA	WCA	MAH	04/01/18	R3	FINAL REVIEW



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CEMENT KILN DUST (CKD) CLOSURE PLANS



SHEET

15

1 OF 28

[illegible]

DESCRIPTION	REV	DATE	REVIEW	DESIGN
FINAL REVIEW	R3	04/01/18	MAH	WCA
FOR BID AND CONSTRUCTION	C1	12/12/19	MAH	WCA



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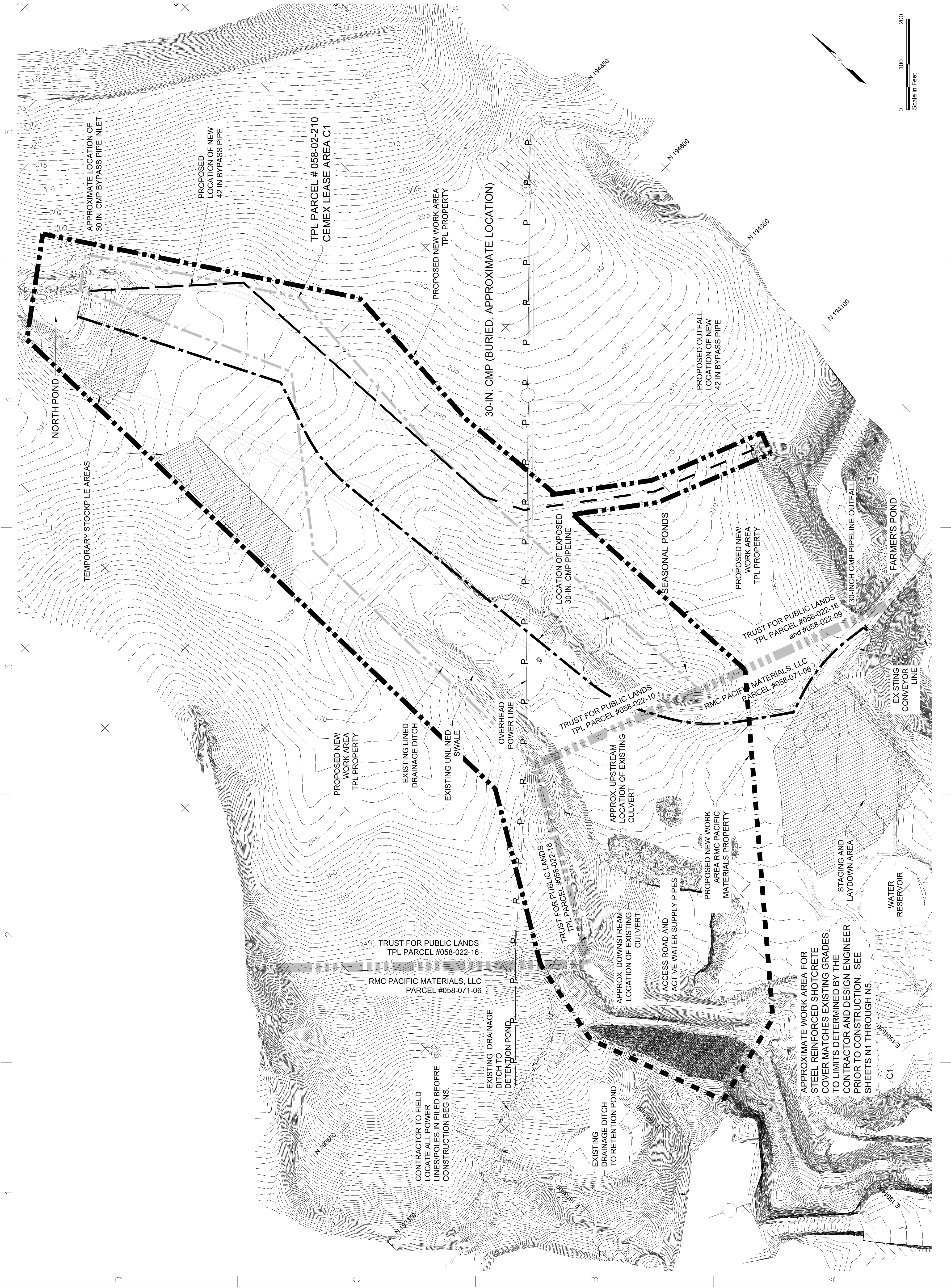
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EXISTING SITE CONDITIONS AND WORK AREAS

DRAWING NUMBER

SHEET
C3
3 OF 28



REGISTERED PROFESSIONAL ENGINEER
STEPHEN V. HUI/VAME
No. 52385
EXP. 12/31/20
STATE OF CALIFORNIA
CIVIL

DATE SIGNED: 2/19/19

5

4

3

2

1

DESIGN	DRAWN	REVIEW	DATE	REV	DESCRIPTION
SVH	RO	SVH	2/19/19	C1	FOR BID AND CONSTRUCTION

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RETENTION POND REMEDIATION

CEMENT KILN DUST (CKD) CLOSURE PLANS

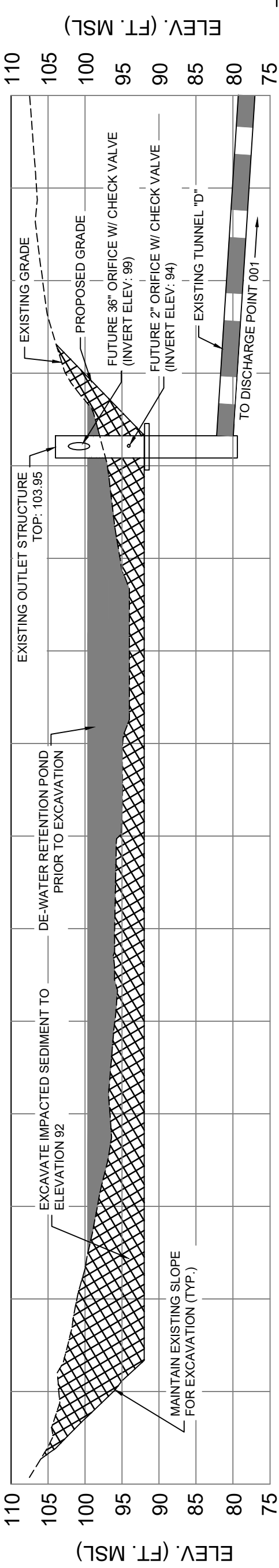
RMC PACIFIC MATERIALS, 700 HIGHWAY 1, DAVENPORT, CA

DRAWING NUMBER

SHEET

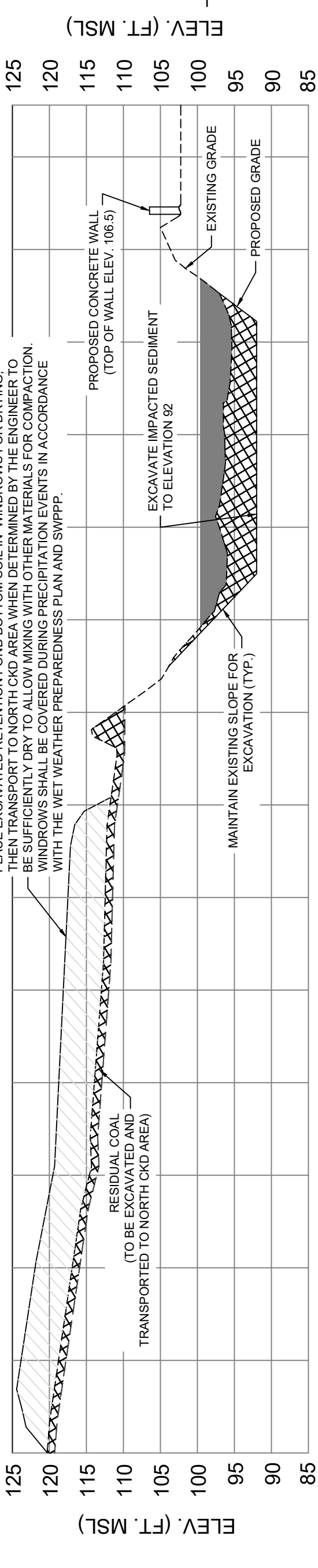
DR6

6 OF 24
Exhibit B



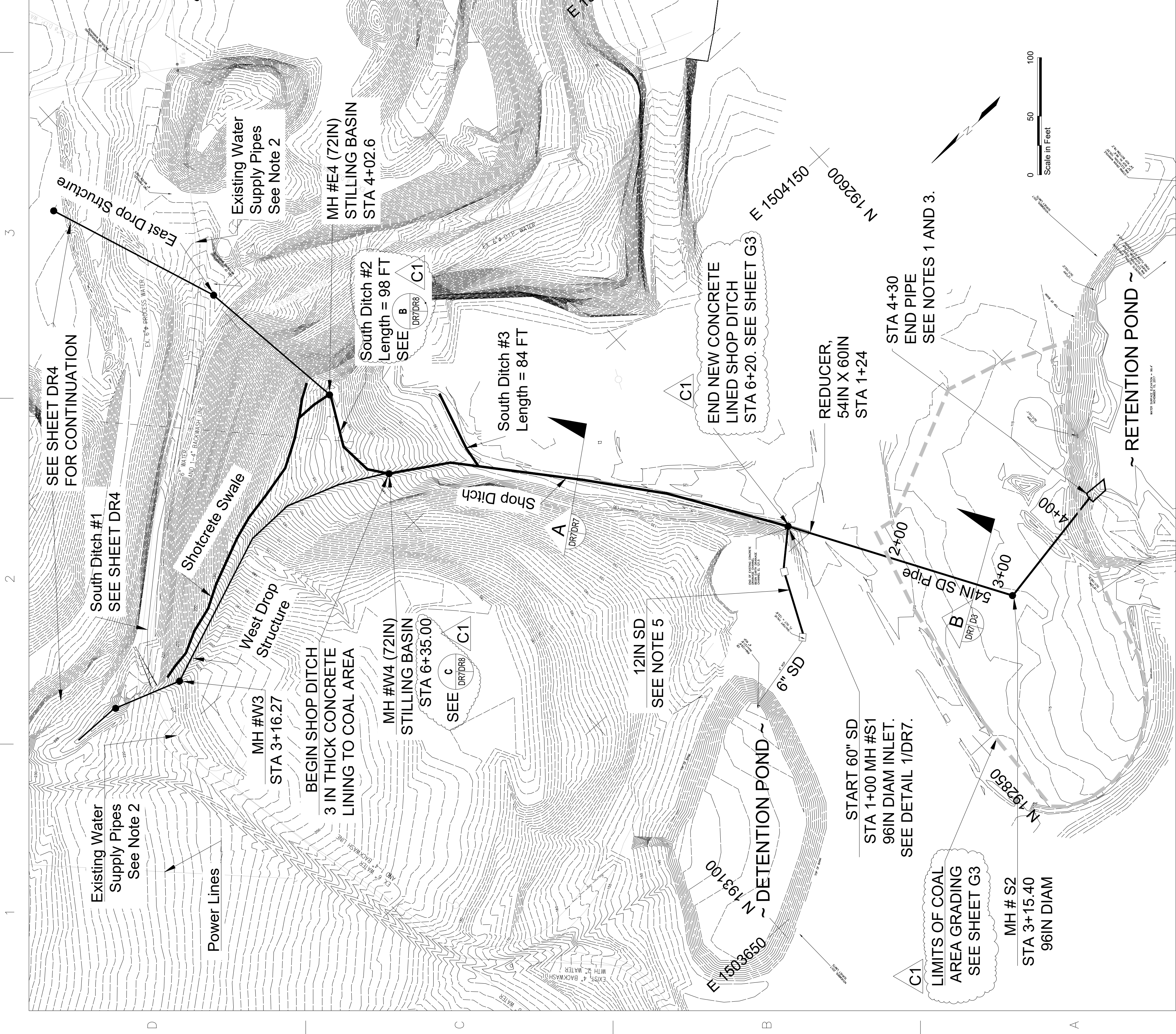
SECTION 1 (RETENTION POND)

V: 1" =15' H: 1" =30'



SECTION 2 (FORMER COAL STORAGE AREA AND RETENTION POND)

V: 1" =15' H: 1" = 30'



DESIGN	DRAWN	REVIEW	DATE	REV	DESCRIPTION
WCA	WCA	MAH	04/01/18	R3	FINAL REVIEW
WCA	WCA	MAH	12/12/19	C1	FOR BID AND CONSTRUCTION



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CEMENT KILN DUST (CKD) CLOSURE PLANS
SHOP AREA DITCHES AND PIPE

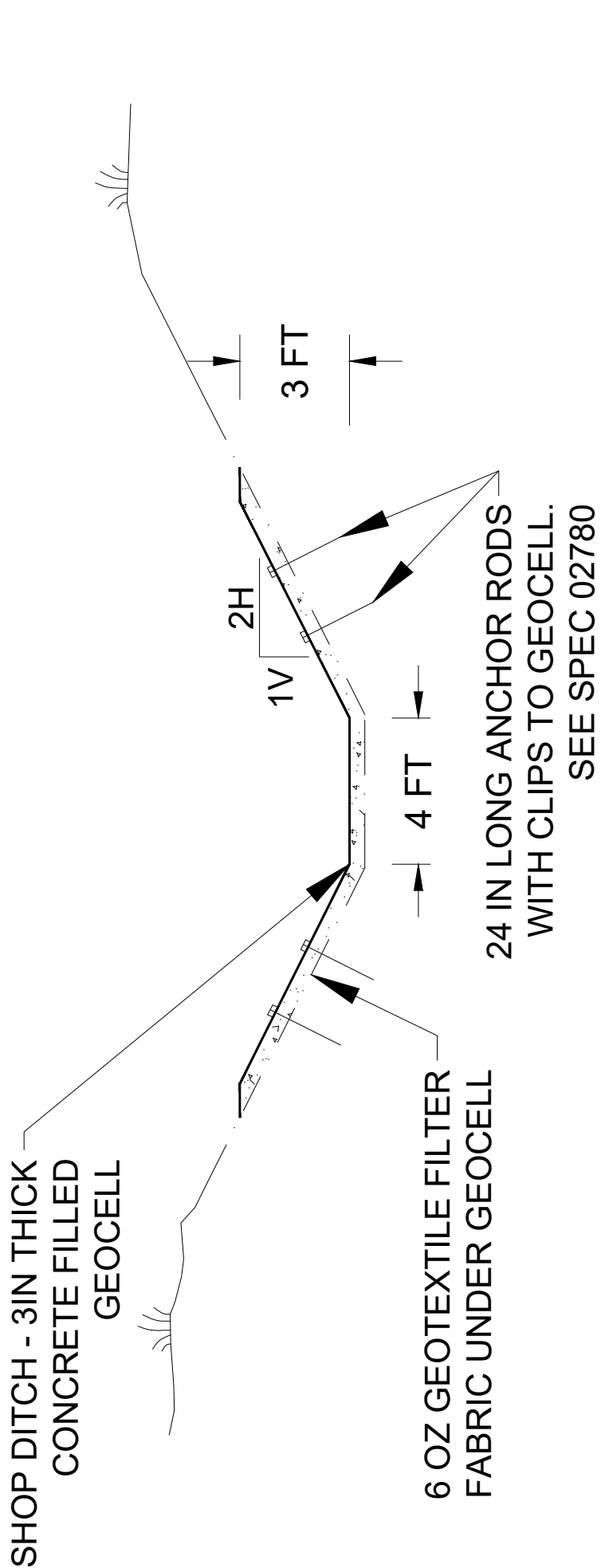


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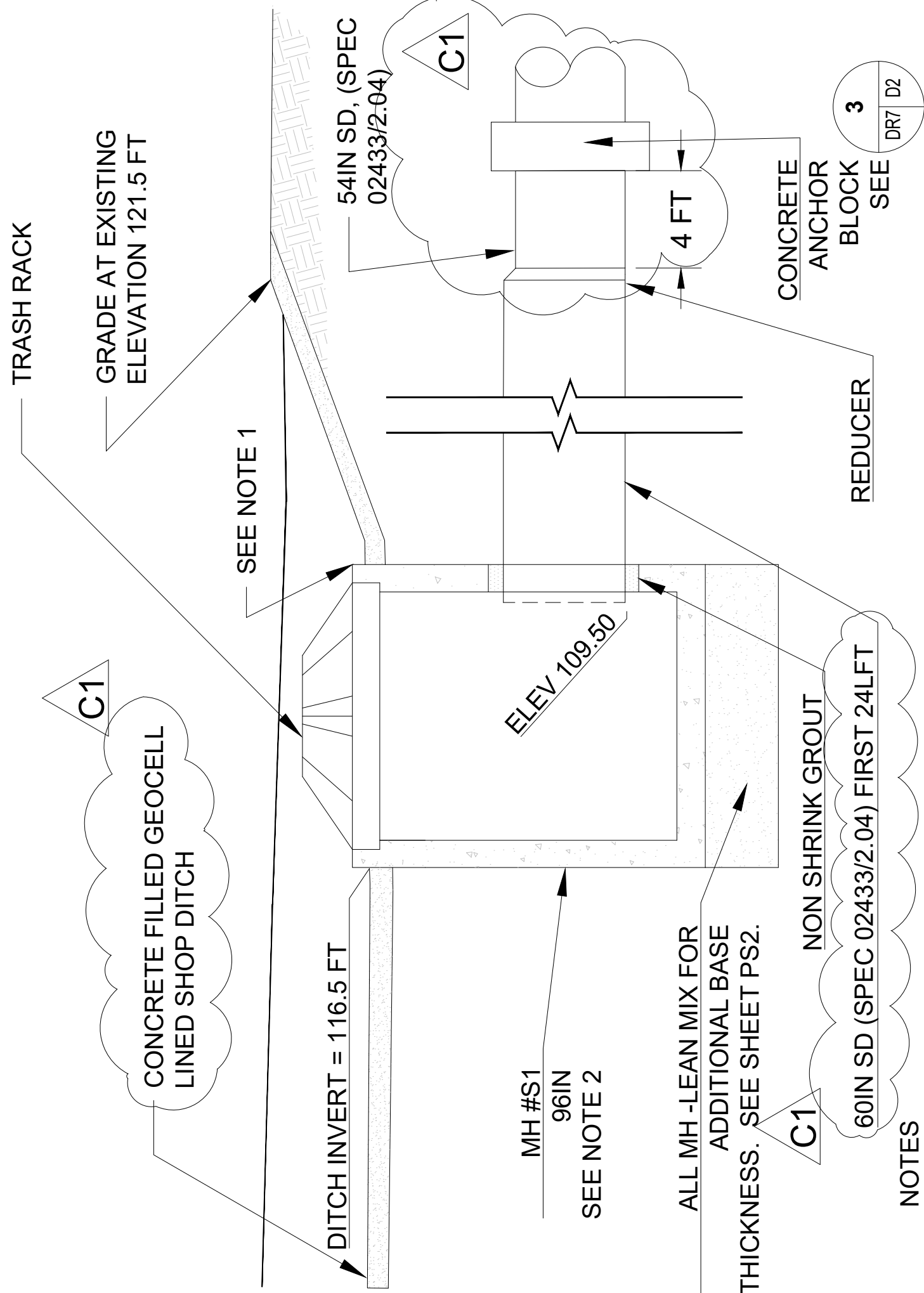
SHEET

DR7

7 OF 28



SECTION - TYPICAL SHOP DITCH (NO LLDPE/CAP)
NOT TO SCALE



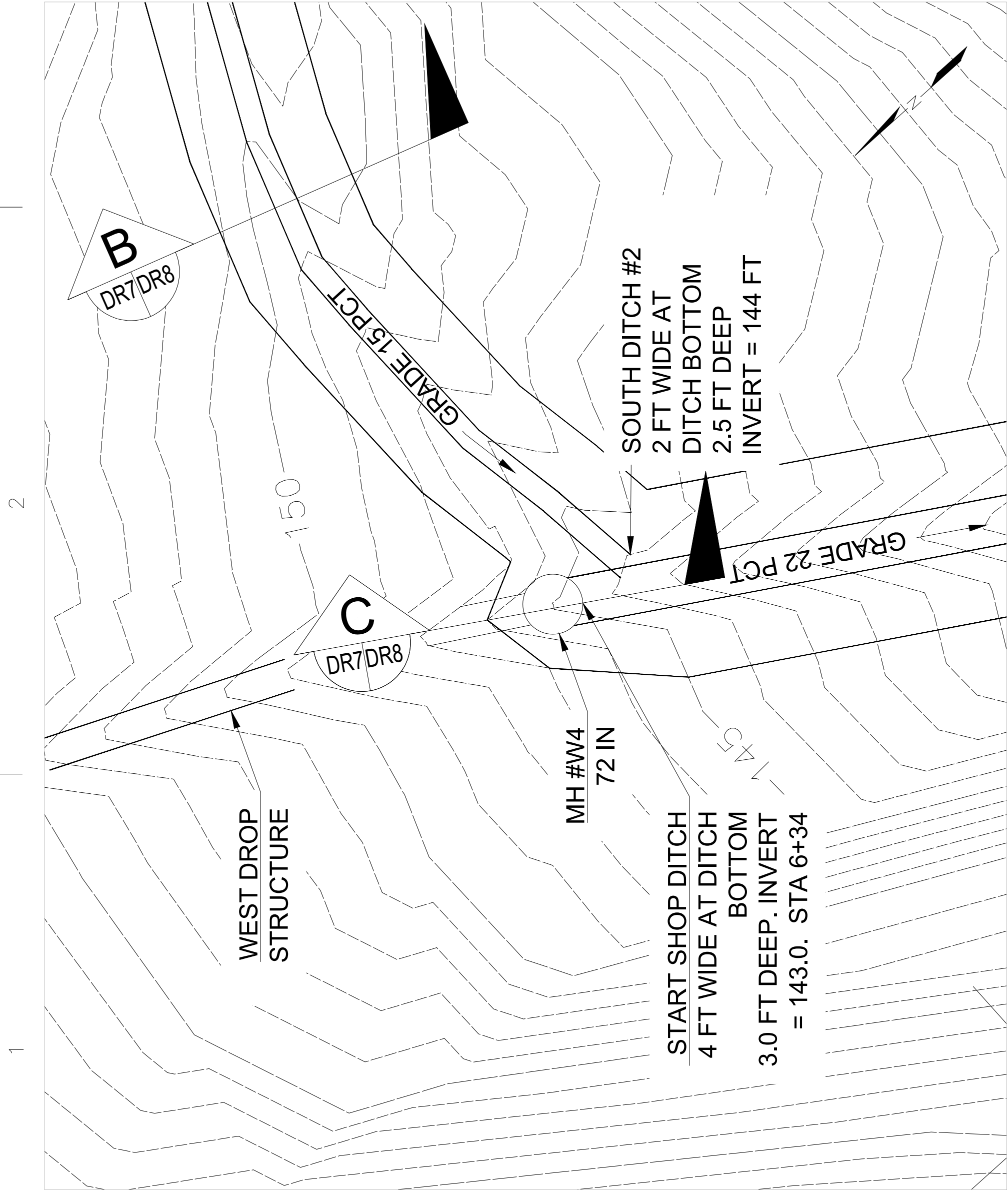
NOTES

1. SET MH RIM 3IN ABOVE DITCH INVERT.
2. SET MH ON 6IN CRUSHED ROCK BASE.
3. BOTTOM OF MH SHALL BE 6IN (MIN) BELOW PIPE INVERT.

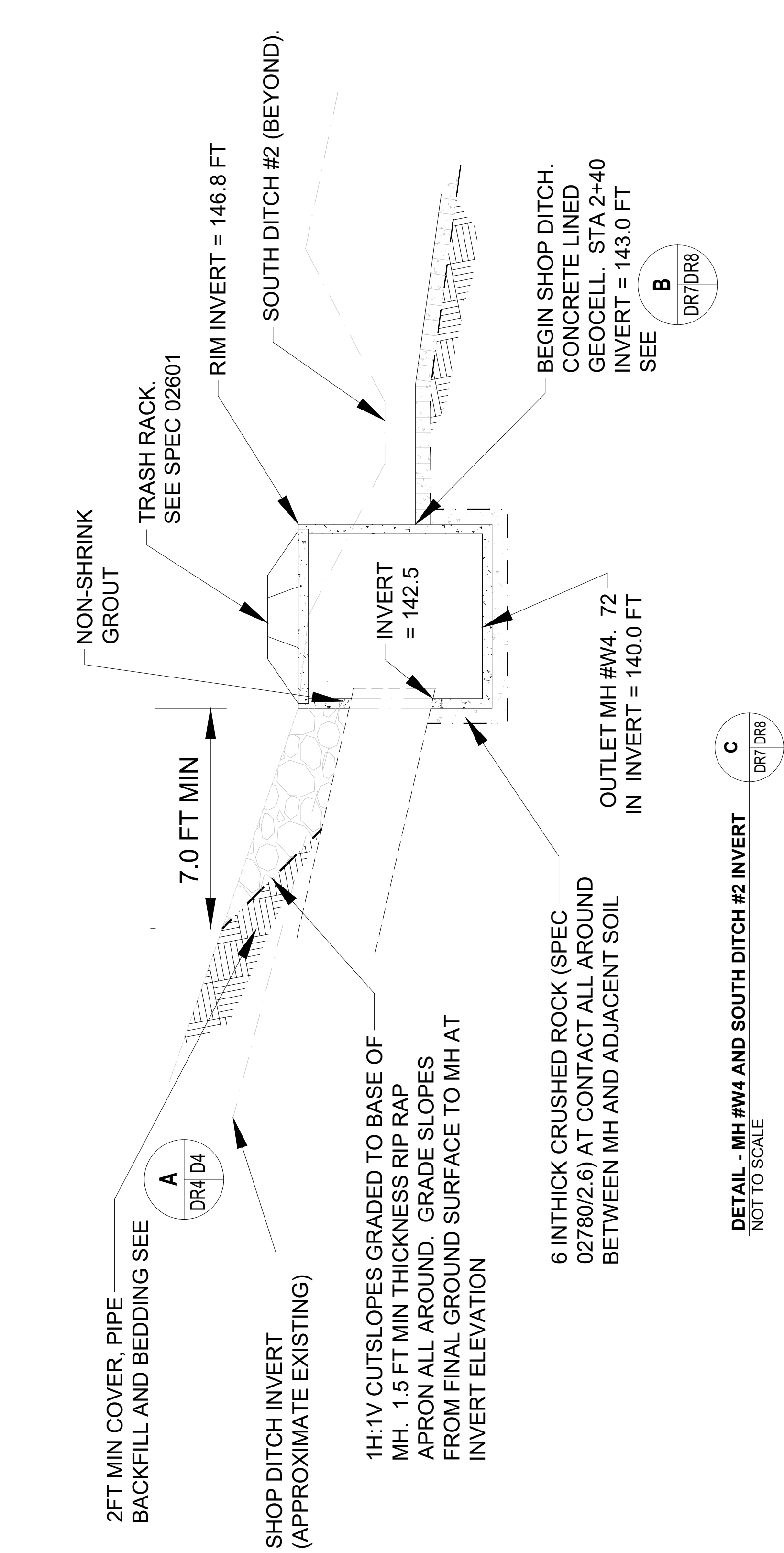
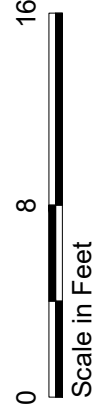
DETAIL - MH #S1
NOT TO SCALE

NOTES

1. INSTALL ROCK APRON, DIMENSIONS SHALL BE 14FT WIDE BY 15FT LONG, AND 18IN MIN THICKNESS. EXTEND ROCK UP TO ELEV 106.0
2. CONTRACTOR SHALL LOCATE AND EXPOSE EXISTING WATER LINES PRIOR TO NEW PIPE INSTALLATION.
3. FINAL LOCATION OF 54IN SD WILL DEPEND ON SOIL REMOVED. SEE SHEETS DR5, DR6 AND G3.
4. GRADES ALONG 54IN SD TO BE CONFIRMED BY SURVEY AND STAKED PRIOR TO CONSTRUCTION.
5. CONNECT EXISTING OUTFALL FROM DETENTION BASIN TO MH #S1 WITH TWO CATCH BASINS AT SD PIPE AS SHOWN. MINIMUM COVER SHALL BE 2FT. MIN SLOPE SHALL BE 0.020 FT/LFT.
6. SOUTH DITCH #2 SHALL BE 2.5 FT DEEP, 2.0 FT WIDE AT BASE AND MIN SLOPE OF 0.149 FT/LFT.
7. SOUTH DITCH #3 SHALL BE 1.5 FT DEEP, 1.5 FT WIDE AT BASE. CRUSHED ROCK FILLED GEOCELL AND MIN SLOPE OF 0.04 FT/FT.

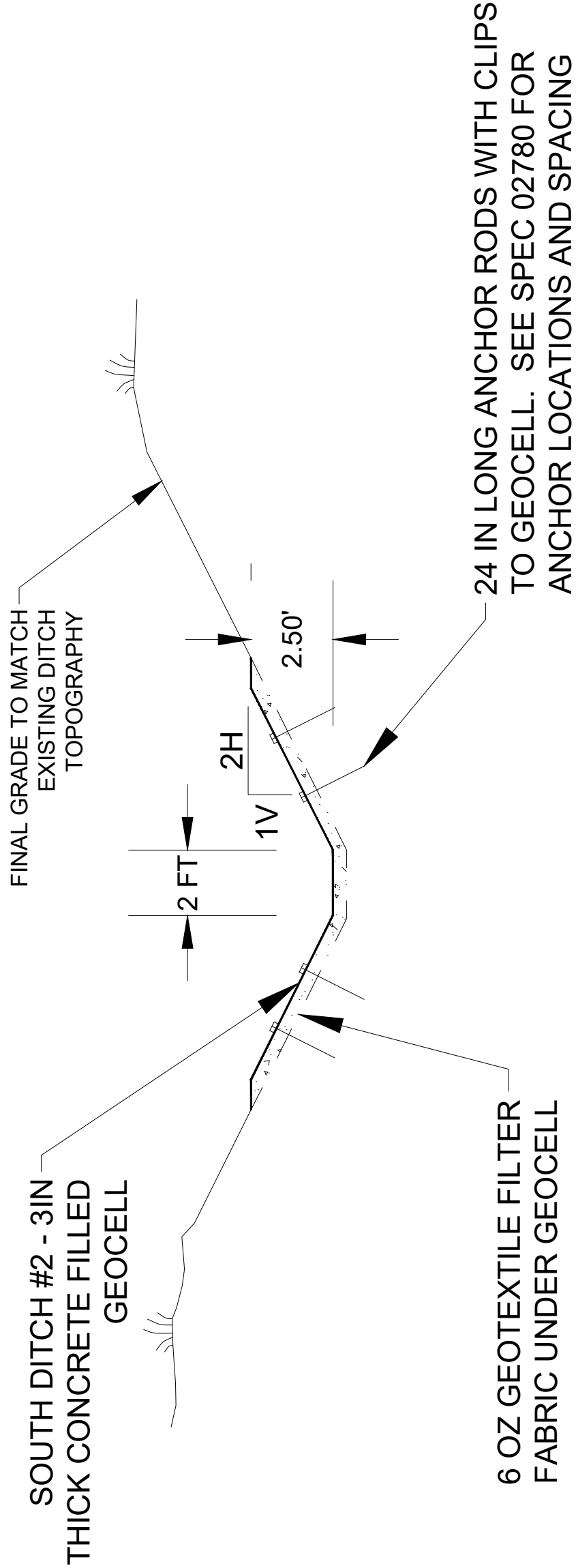


PLAN - JUNCTION SHOP DITCH AND SOUTH DITCH #2
NOT TO SCALE



DETAIL - MH #W4 AND SOUTH DITCH #2 INVERT
NOT TO SCALE

SECTION - SOUTH DITCH #2
NOT TO SCALE



DESIGN	DRAWN	REVIEW	DATE	REV	DESCRIPTION
WCA	WCA	MAH	04/01/18	R3	FINAL REVIEW
WCA	WCA	MAH	12/12/19	C1	FOR BID AND CONSTRUCTION



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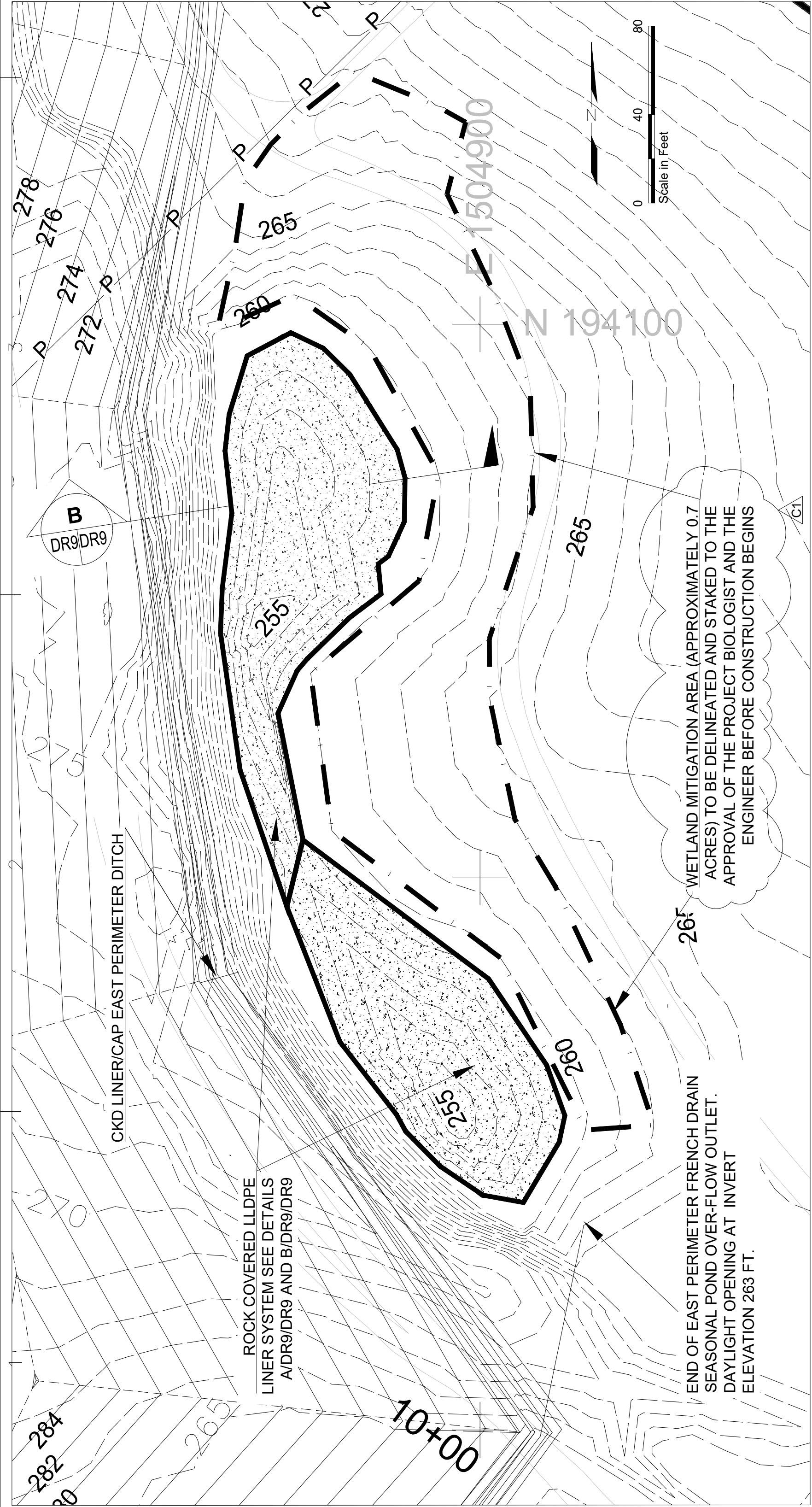
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CEMENT KILN DUST (CKD) CLOSURE PLANS
JUNCTION: SHOP DITCH, SOUTH DITCH #2

DRAWING NUMBER

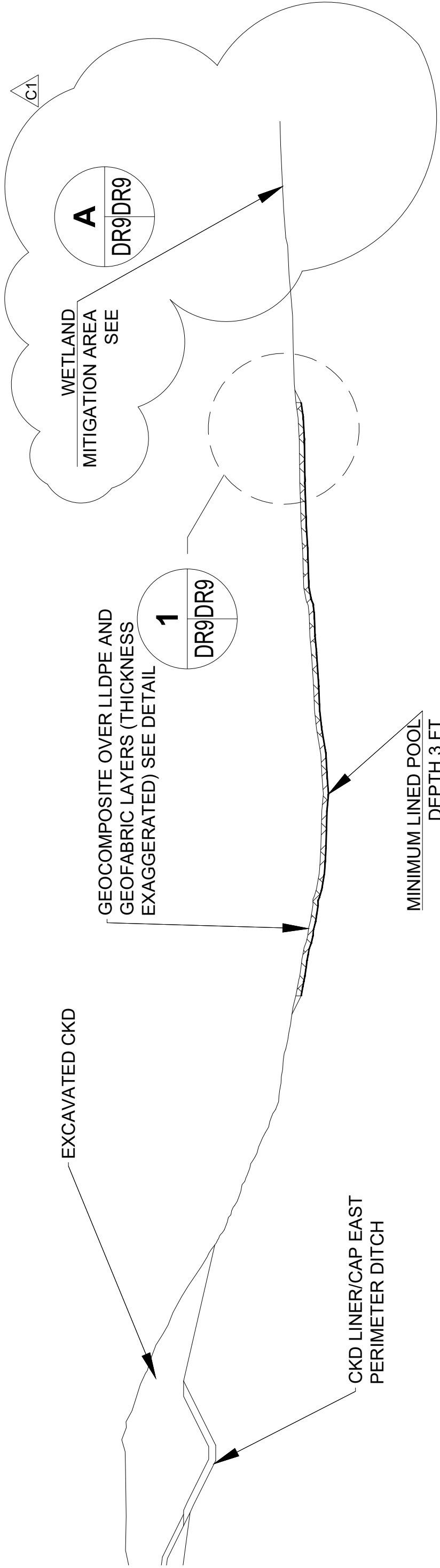
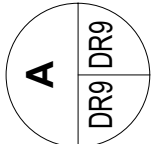
SHEET

DR8

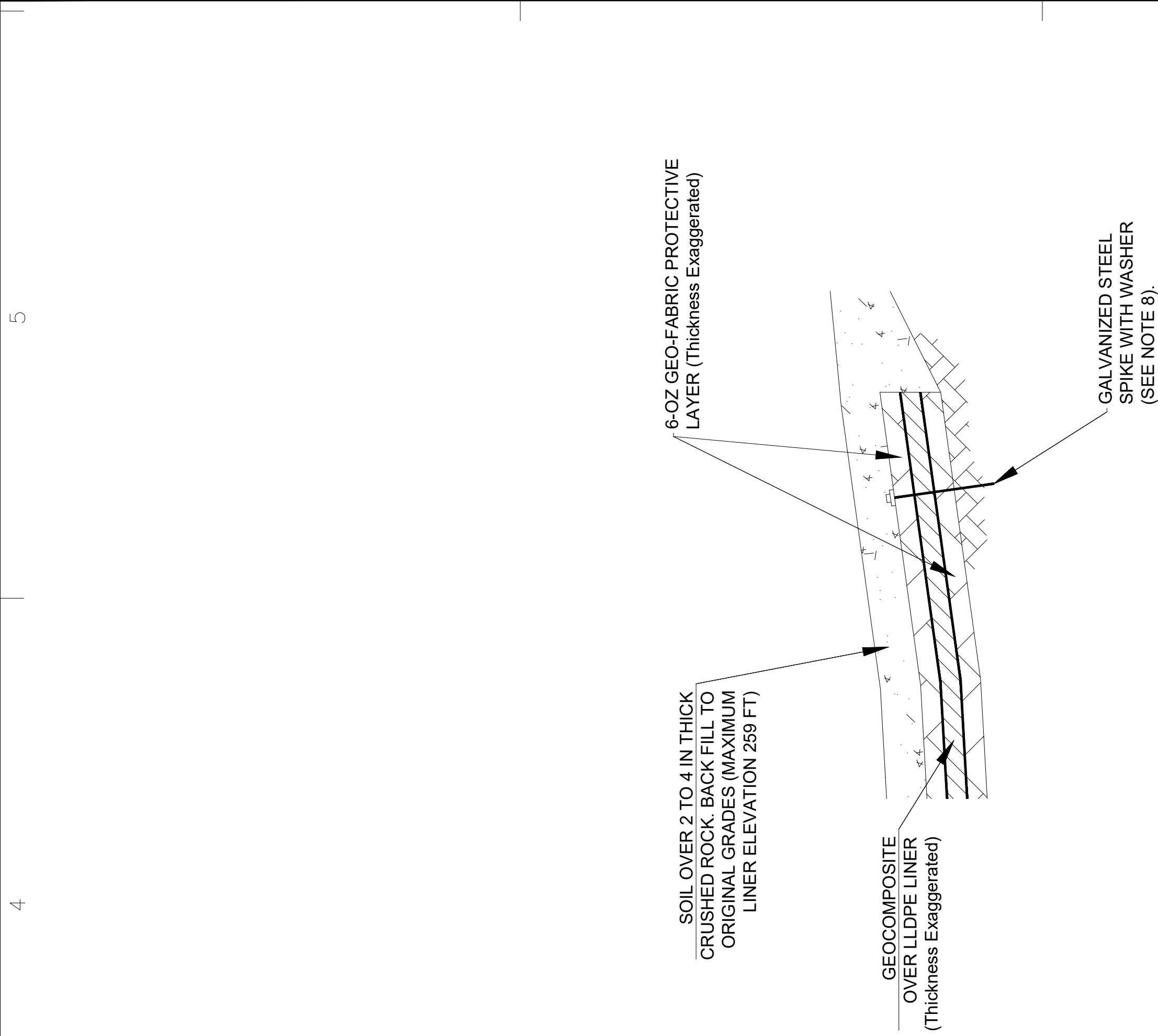
8 OF 28



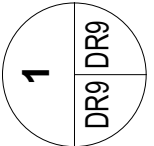
PLAN - SEASONAL PONDS



SECTION - TYPICAL SEASONAL POND



DETAIL - LINER SYSTEM AND GEO-FABRIC



NOTES:

- 1) OVER-EXCAVATE TOPSOIL BETWEEN ELEVATIONS OF ABOUT 255 AND 259 FT.
- 2) REMOVE SOIL TO A DEPTH OF 12 IN BELOW EXISTING DRY POND GROUND SURFACE GRADES AND STOCKPILE.
- 3) RAKE AND REMOVE ALL SHARP OBJECTS FROM GRADED SURFACE.
- 4) PROOF ROLL TO CREATE A SMOOTH SURFACE ON EXCAVATED/RAKED SURFACE.
- 5) PLACE 16 OZ GEO-FABRIC ON PROOF ROLLED SMOOTH SURFACE.
- 6) PLACE LLDPE ON TOP OF BOTTOM LAYER OF GEO-FABRIC.
- 7) PLACE GEOCOMPOSITE DRAIN LAYER ON TOP OF LLDPE.
- 8) PLACE TOP LAYER OF 16 OZ GEO-FABRIC ON TOP OF GEOCOMPOSITE.
- 9) SECURE TOP EDGE WITH 12 IN LONG GALVANIZED STEEL SPIKES AND WASHERS DRIVEN THROUGH FABRIC AND LINER. PLACE 5 FEET (HORIZONTALLY) APART AND LOCATED ABOUT 6 IN BELOW TOP EDGE OF LINER.
- 10) COVER TOP LAYER OF GEO-FABRIC WITH 2 TO 4 IN THICK CRUSHED ROCK.
- 11) PLACE STOCKPILED EXCAVATION MATERIAL OVER ROCK AS APPROXIMATED BY THE OWNER OR OWNERS REPRESENTATIVE.

DESIGN	DRAWN	REVIEW	DATE	REV	DESCRIPTION
WCA	WCA	MAH	04/01/18	R3	FINAL REVIEW
WCA	WCA	MAH	12/12/19	C1	FOR BID AND CONSTRUCTION

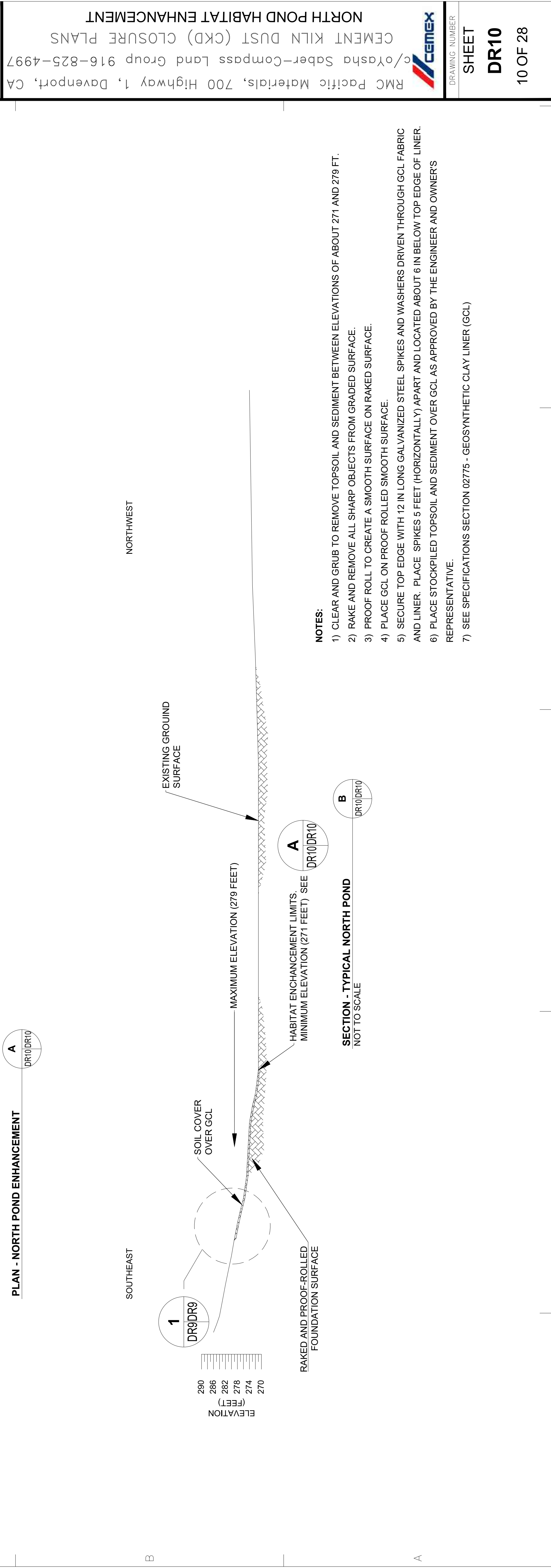
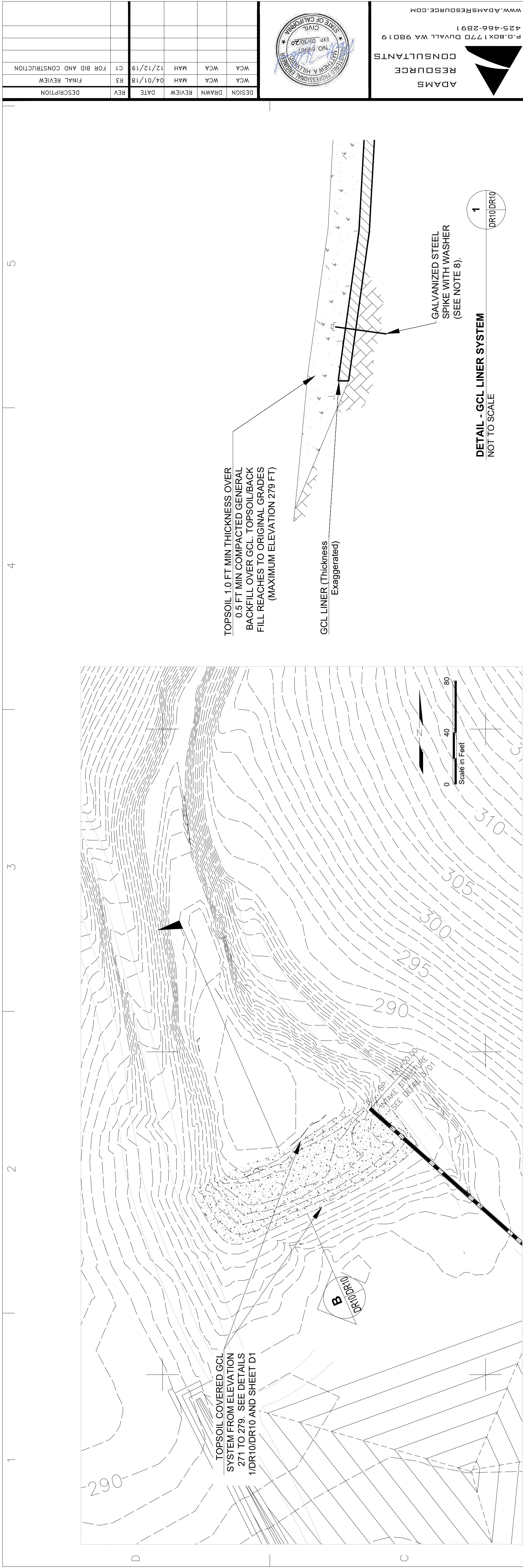


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CEMENT KILN DUST (CKD) CLOSURE PLANS
SEASONAL PONDS HABITAT ENHANCEMENT

DRAWING NUMBER
SHEET
DR9
9 OF 28



NOTE 1: ALL ROUGH GRADES SHALL BE APPROVED IN WRITING BY THE ENGINEER BEFORE PLACEMENT OF OVERLYING MATERIALS OR STRUCTURES SUCH AS, BUT NOT LIMITED TO: A) FILL, B) PIPES AND MANHOLES.

NOTE 2: CONTROL POINTS SHOWN ALONG PERIMETER DITCH ARE LOCATED AT THE BOTTOM EDGE OF THE 13.3 PERCENT CKD SLOPE. THE PERIMETER DITCH (ROUGH GRADE) BOTTOM IS 2.5 FT LOWER AS SHOWN ON SECTION A/D1.

NOTE 2: CONTROL POINTS SHOWN
ALONG PERIMETER DITCH ARE
LOCATED AT THE BOTTOM EDGE OF
THE 13.3 PERCENT CKD SLOPE. THE
PERIMETER DITCH (ROUGH GRADE)
BOTTOM IS 2.5 FT LOWER AS SHOWN
ON SECTION A/D1.

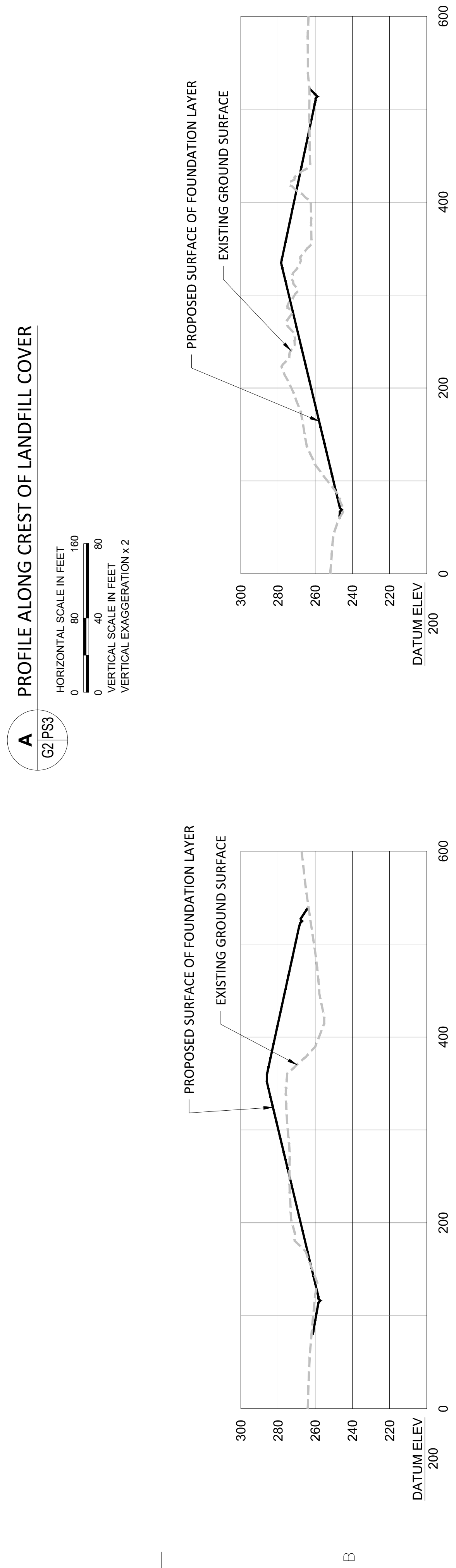
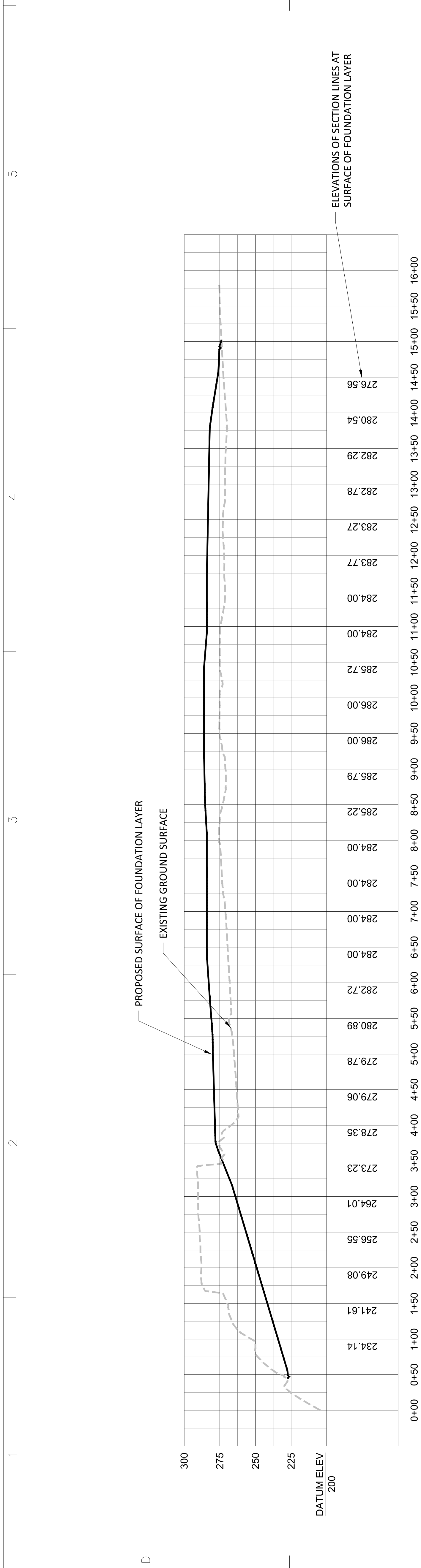
[illegible]

DRAWING NUMBER
SHEET

G2

12 OF 28

Exhibit B



NOTE: CONTRACTOR MUST STAKE AND SUBMIT FINAL SURVEY TO OBTAIN APPROVAL BY ENGINEER BEFORE CONSTRUCTION CAN BEGIN.

DESIGN	DRAWN	REVIEW	DATE	REV	DESCRIPTION
WCA	WCA	MAY	04/01/18	R5	FINAL REVIEW
WCA	WCA	MAY	12/12/19	C1	FOR BID AND CONSTRUCTION



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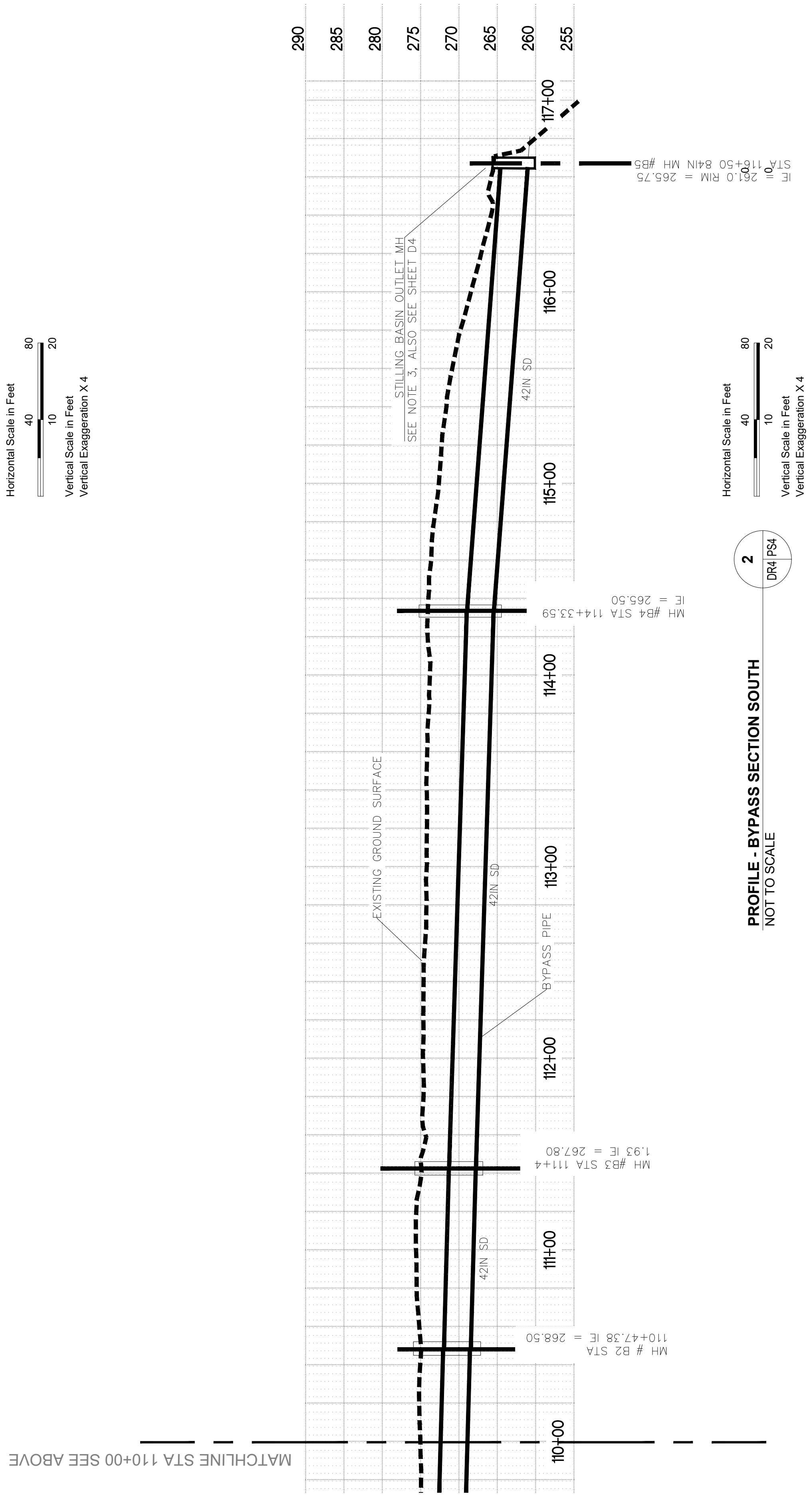
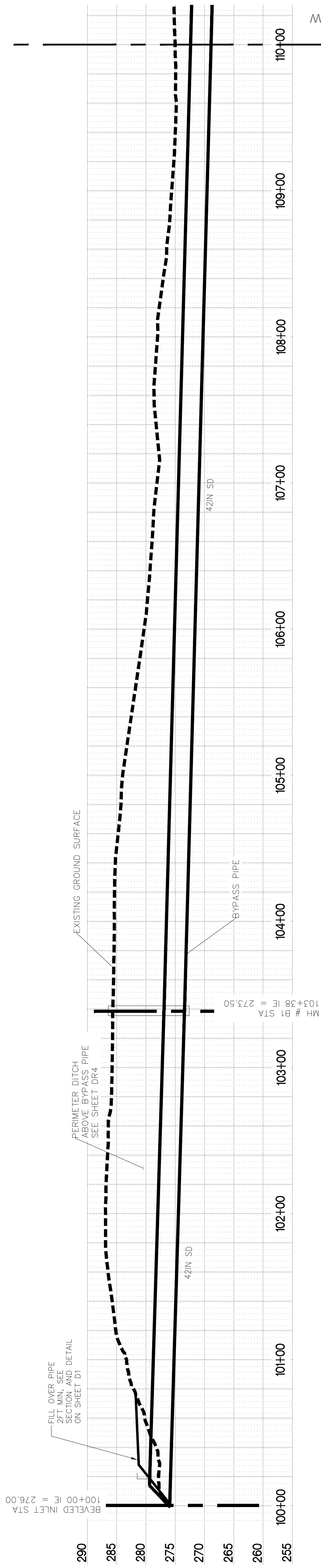
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CEMENT KILN DUST (CKD) CLOSURE PLANS
CREST PROFILE AND CROSS SECTIONS



DRAWING NUMBER

PS3

16 OF 28



NOTES:


- 1) CONTRACTOR MUST STAKE AND SUBMIT FINAL SURVEY PROFILES TO OBTAIN APPROVAL BY ENGINEER BEFORE CONSTRUCTION CAN BEGIN.
- 2) PIPE COVER TO MATCH EXISTING GRADES; STRUCTURAL FILL BERMS PLACED TO SPECIFICATIONS AND LOCATIONS AS SHOWN ON PLANS AND/OR AS DIRECTED BY ENGINEER.
- 3) OUTLET MH SHALL INCLUDE AN 8 INCH SCHD 40 PVC DRAIN TO DAYLIGHT AND A GALV STEEL TRASHRACK.

DRAWING NUMBER

SHEET

17 OF 28

DESIGN	DRAWN	REVIEW	MAH	12/12/19	C1	FOR BID AND CONSTRUCTION
WCA	DRAWN	REVIEW	MAH	04/01/18	R3	FINAL REVIEW
WCA	DRAWN	REVIEW	MAH	12/12/19	C1	FOR BID AND CONSTRUCTION

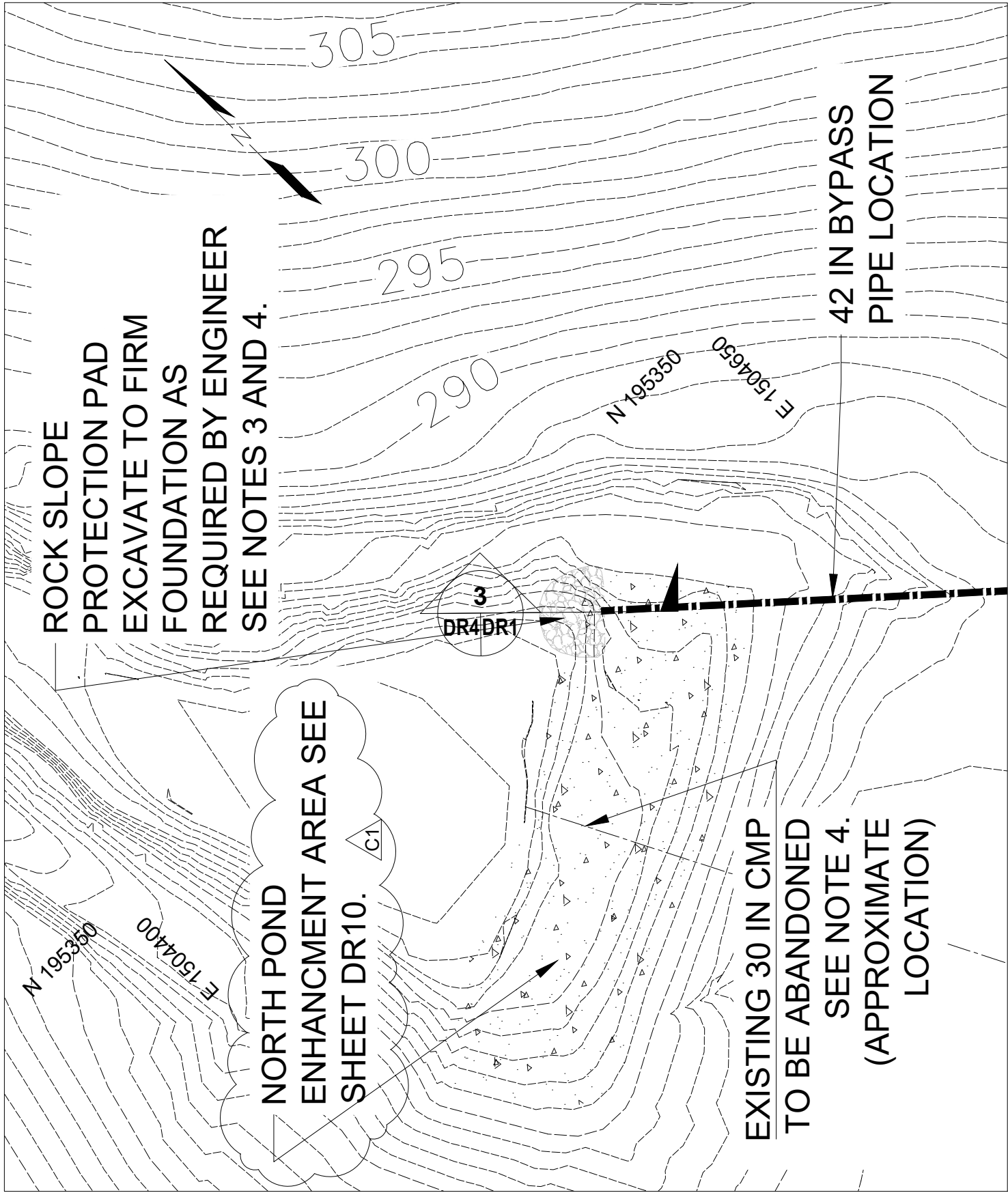


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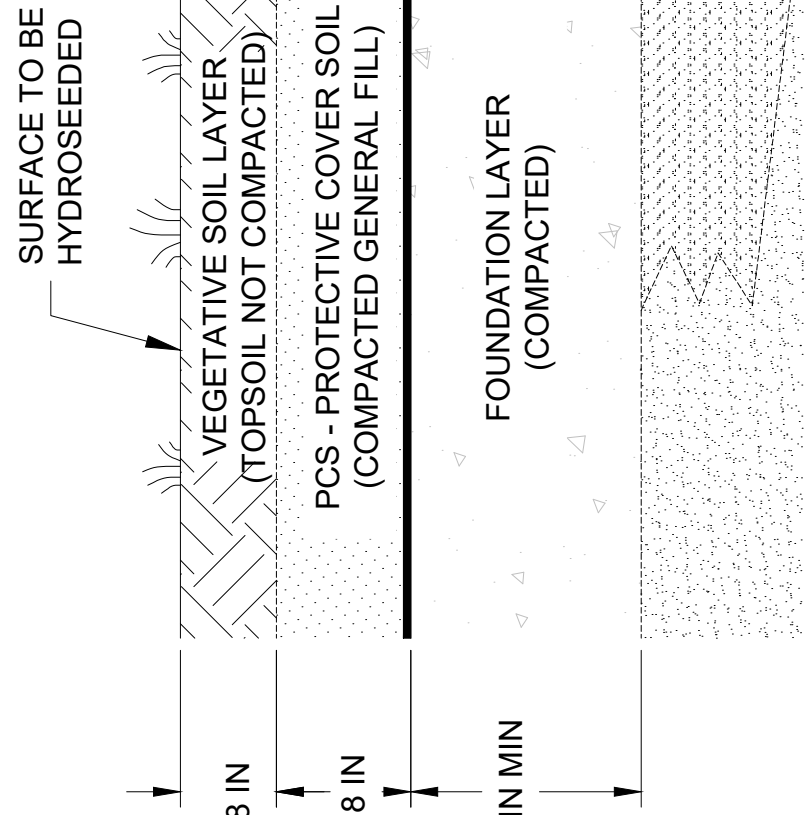
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CEMENT KILN DUST (CKD) CLOSURE PLANS
BYPASS PIPE PROFILE





- NOTES:
1. EXCAVATE SEDIMENT FROM THE NORTH DRAINAGE POND TO THE LIMITS INDICATED WHERE NECESSARY TO EXPOSE EXISTING 30 IN PIPE INLET AND TO ONE FOOT BELOW THE ELEVATION OF THE INVERT OF NEW BYPASS PIPE (APPROXIMATE ELEVATION 275 FT).
 2. CUT SIDE SLOPES AT 2H:1V ON EAST, SOUTH, AND WEST SIDES OF EXCAVATION. GRADE NORTH SIDE OF CUT AND BASE OF POND TO DRAIN TOWARD THE DRAIN PIPE INLET.
 3. INSTALL 12 IN THICK ROCK SLOPE PROTECTION (SPEC 02200) INLET PAD WITHIN 15 FT RADIUS OF THE DRAIN PIPE INLET.
 4. EXPOSE EXISTING 30 IN CMP REMOVE PIPE AND/OR PLUG (AREAS 2 AND 3 ONLY), FULLY PLUG (AREA 1) WITH MATERIAL SUCH AS EXPANSIVE FOAM OR LEAN MIX AS APPROVED BY THE ENGINEER PRIOR TO EXCAVATION/CONSTRUCTION.
 5. ALL GRADE AND EXCAVATION ADJUSTMENTS TO BE APPROVED BY DESIGN ENGINEER PRIOR TO CONSTRUCTION.

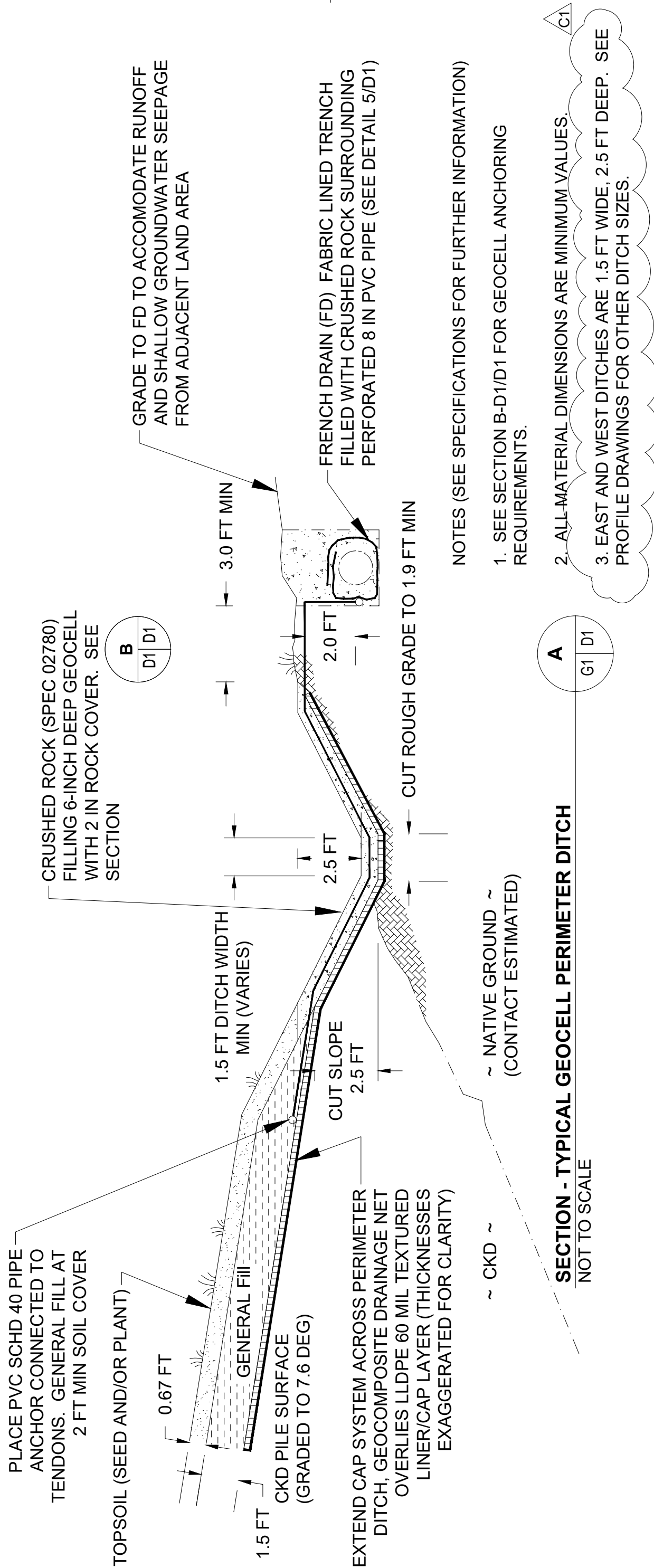


EXISTING ADJACENT NATIVE GROUND (OLD VALLEY SLOPES; CONTACT AND DEPTH VARIES AT EDGES OF CKD)

1. FOUNDATION LAYER SHALL CONSIST OF CKD THAT IS REGRADED AND LEFT IN PLACE, OR EXCAVATED SOIL MOVED FROM ELSEWHERE, OR, IF NECESSARY, DUE TO LACK OF AVAILABILITY OF CKD, PLACE AND COMPACT GENERAL BACKFILL MATERIAL (SUBJECTED TO DESIGN ENGINEER'S APPROVAL).
2. COMPACT AND PROOF ROLL FOUNDATION LAYER AND PLACE DRAINAGE NET/LLDPE LINER IN ACCORDANCE WITH SPECIFICATIONS. LLDPE LINER TO BE PLACED ON "FINAL FOUNDATION LAYER GRADE" SURFACE. CKD SHALL NOT BE PLACED OUTSIDE LIMITS OF LINER/CAP.
3. ALL MATERIALS PLACED TO CREATE THE FOUNDATION LAYER SHALL BE COMPACTED IN ACCORDANCE WITH THE SPECIFICATIONS AND PROVIDE A SMOOTH SURFACE WITH NO PROTRUSIONS.
4. VEGETATIVE SOIL LAYER SHALL CONSIST OF ONSITE STOCKPILED TOPSOIL PLACED AS A LOOSE LIFT THICKNESS, AMENDED IN ACCORDANCE WITH THE SPECIFICATIONS. IMPORTED TOPSOIL MAY ALSO BE USED. SEE SPECIFICATIONS SECTION 02200.

DETAIL - TYPICAL LINER/CAP COVER SYSTEM
NOT TO SCALE

2
D1 D1

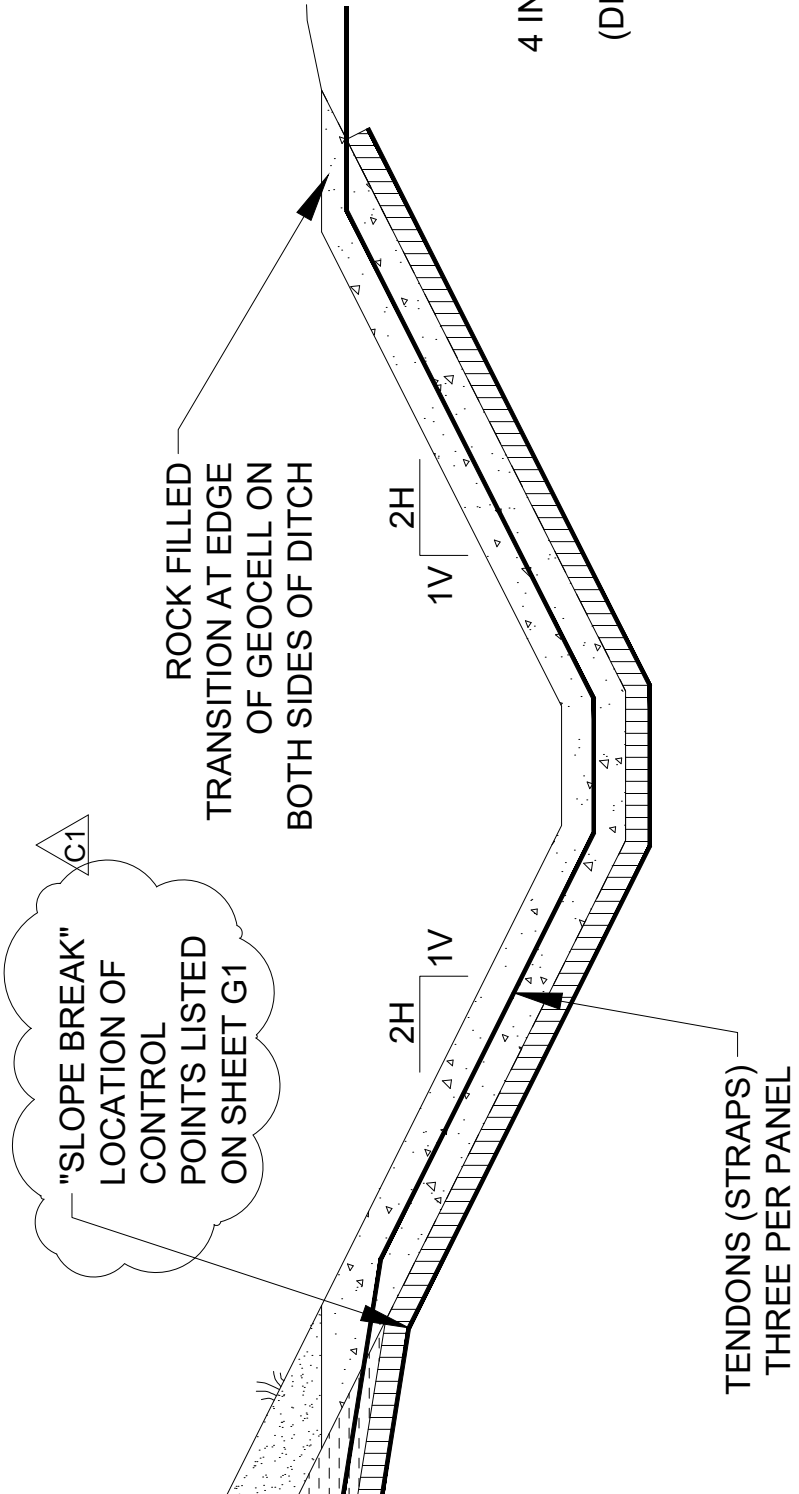


- NOTES (SEE SPECIFICATIONS FOR FURTHER INFORMATION)
1. SEE SECTION B-D1/D1 FOR GEOCELL ANCHORING REQUIREMENTS.
 2. ALL MATERIAL DIMENSIONS ARE MINIMUM VALUES.
 3. EAST AND WEST DITCHES ARE 1.5 FT WIDE, 2.5 FT DEEP. SEE PROFILE DRAWINGS FOR OTHER DITCH SIZES.

SECTION - TYPICAL GEOCELL PERIMETER DITCH
NOT TO SCALE

A
G1 D1

"SLOPE BREAK" LOCATION OF CONTROL POINTS LISTED ON SHEET G1



SECTION - TYPICAL GEOCELL
NOT TO SCALE

B
D1 D1

DETAIL - PERIMETER FRENCH DRAIN (FD)
NOT TO SCALE

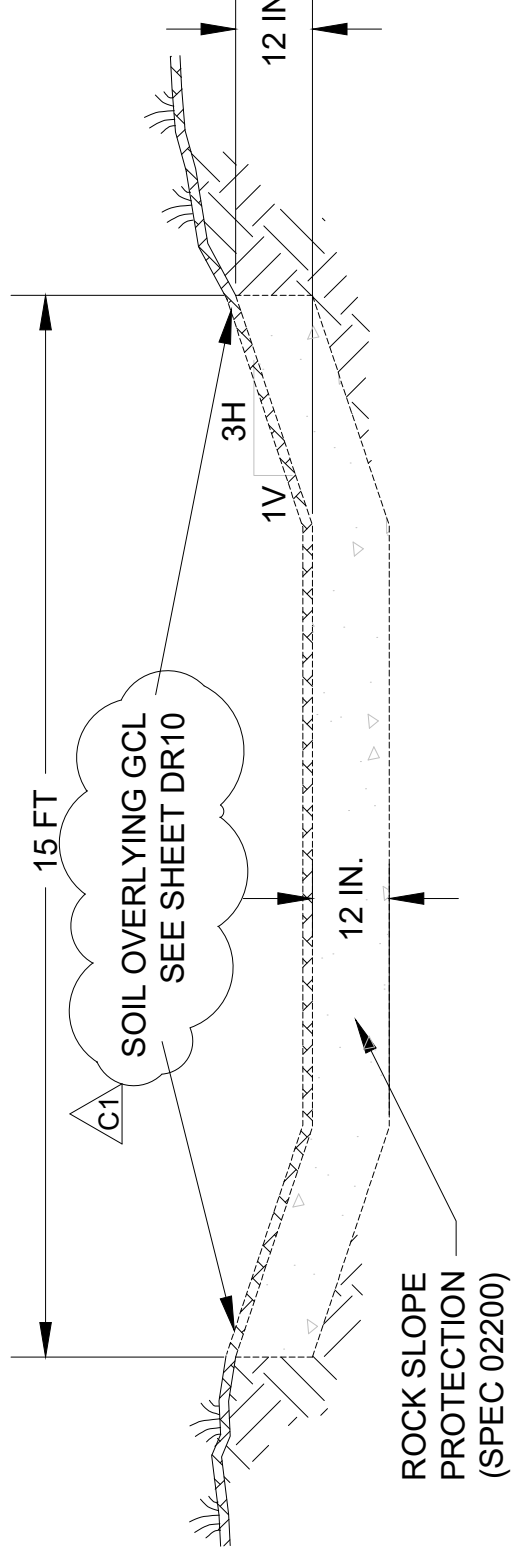
5
D1 D1

PLACE ROCK SLOPE PROTECTION UP TO PIPE INVERT, SEE DETAIL

3
DR4 D1

DETAIL - GRATED INLET
NOT TO SCALE

4
D1 D1



DETAIL - ROCK SLOPE PROTECTION (TYP.)
NOT TO SCALE

4
D1 D1

DESIGN	DRAWN	REVIEW	DATE	REV	DESCRIPTION
WCA	WCA	MAH	04/01/18	R3	FINAL REVIEW
WCA	WCA	MAH	12/12/19	C1	FOR BID AND CONSTRUCTION



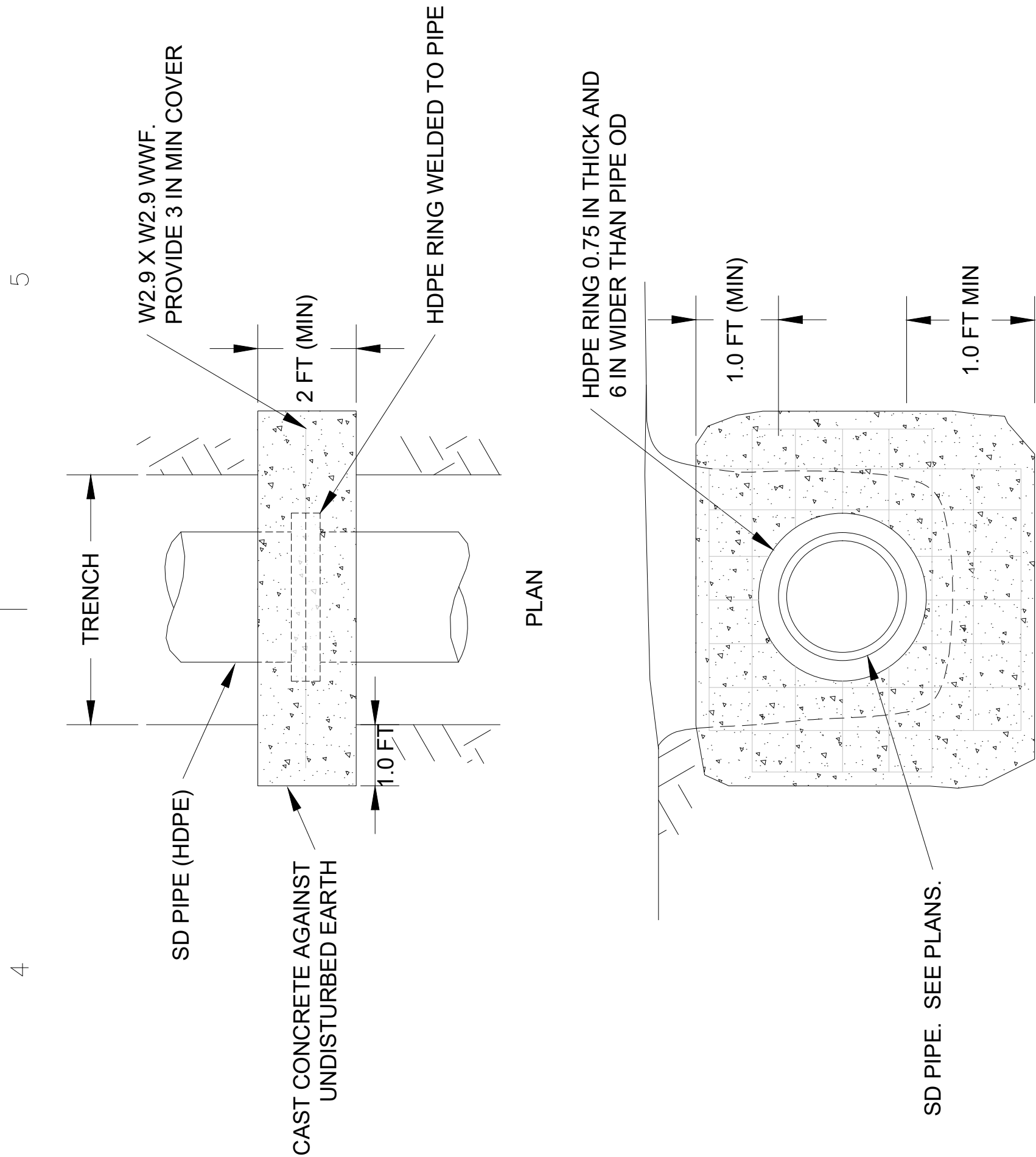
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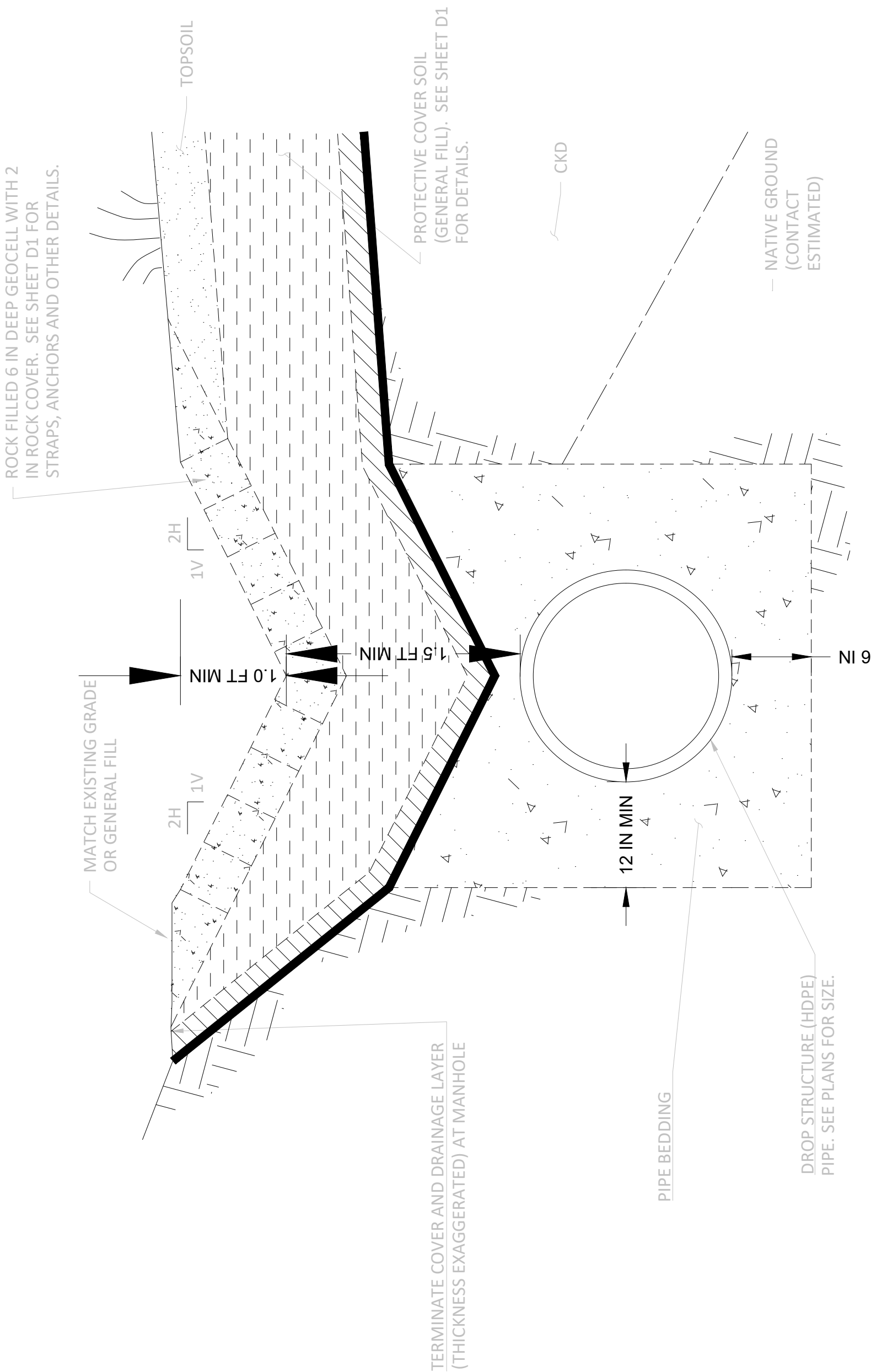
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CEMENT KILN DUST (CKD) CLOSURE PLANS

DRAINAGE DETAILS

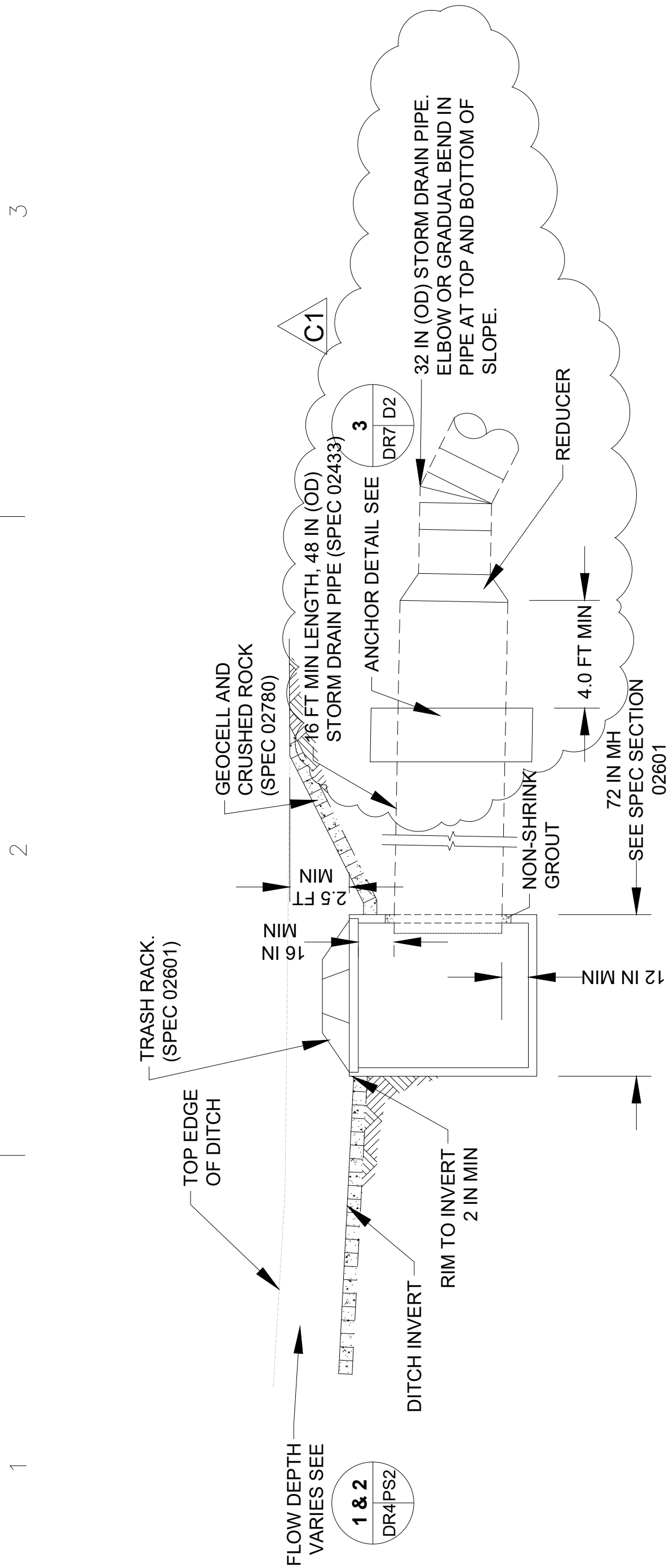
DRAWING NUMBER
SHEET
D2
19 OF 28



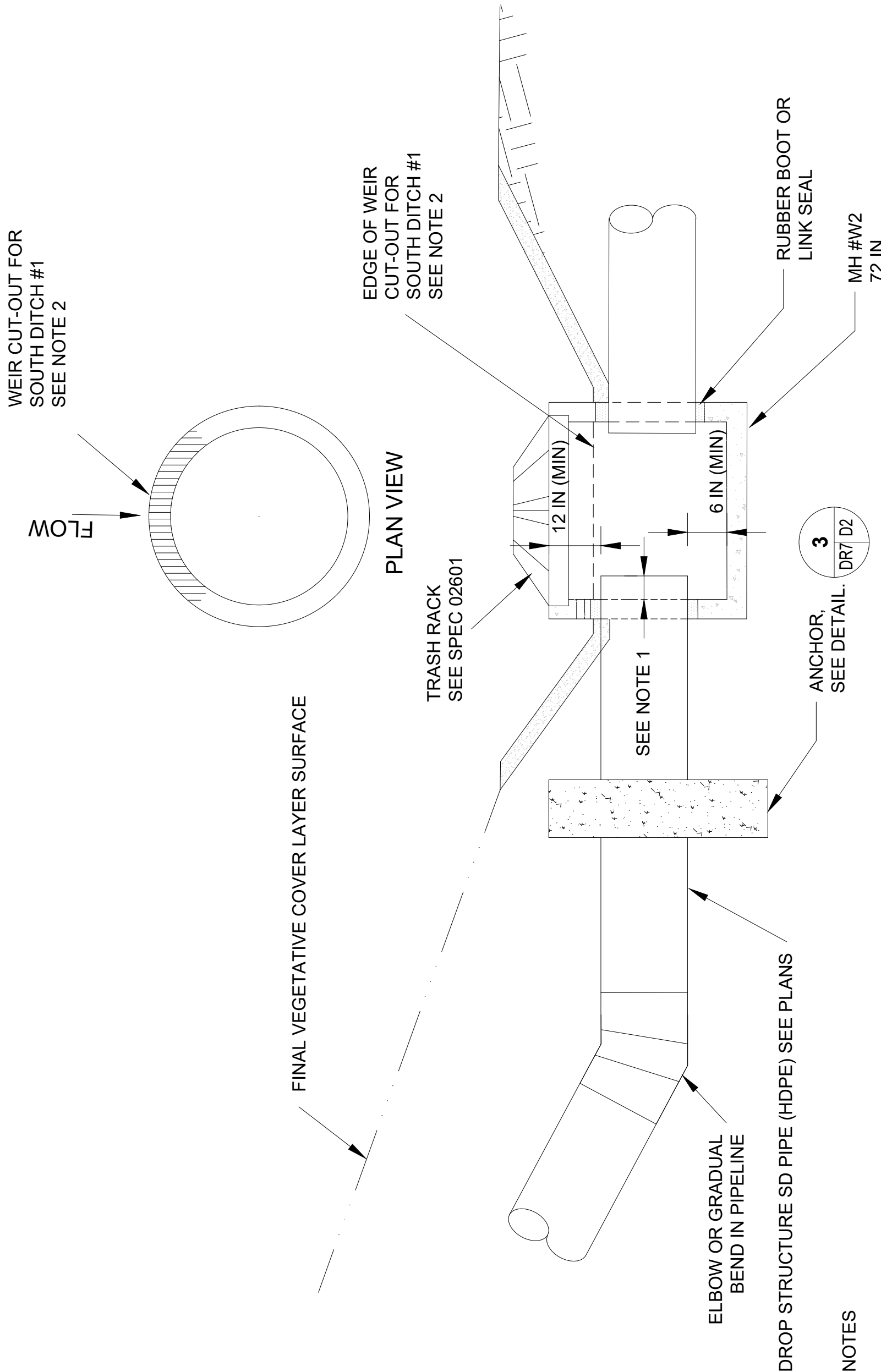
DETAIL - TYPICAL ANCHOR BLOCK
NOT TO SCALE



DETAIL - DROP STRUCTURE AND SWALE
NOT TO SCALE



DETAIL - TYPICAL DROP INLET
NOT TO SCALE



DETAIL - TYPICAL STILLING BASIN
NOT TO SCALE

- NOTES
1. HDPE PIPE SHALL EXTEND A MINIMUM 3 IN INTO DROP INLET TO ALLOW FOR THERMAL EXPANSION.
 2. WEST MH #W2 - CUT WEIR INTO SOUTH SIDE OF MH FOR SOUTH DITCH. OPENING SHALL BE 1.0 FEET DEEP BY 6.6 FT WIDE. TOP OF CUT SHALL BE 2 IN ABOVE SOUTH DITCH INVERT.

NORTH CKD CLOSURE PROJECT

SOIL NAIL AND SHOTCRETE WALL PLANS

CEMEX DAVENPORT PLANT

700 HIGHWAY 1, DAVENPORT, CA 95017

GENERAL NOTES

GENERAL:

THE CONTRACTOR IS DEFINED, FOR THE PURPOSES OF THIS NAIL DESIGN, AS THE PROJECT'S SPECIALTY SHOTCRETE WALL (SHORING) CONTRACTOR UNLESS OTHERWISE STATED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION PROCESS AND SAFETY OF THE WORKERS. THAT MAY INCLUDE BUT IS NOT LIMITED TO THE CONSTRUCTION SEQUENCE, TEMPORARY HANDRAILS, EXCAVATION ACCESS, AND BARRIERS. IT ALSO BUT NOT LIMITED TO INCLUDES LIFTING OF MATERIALS AND CONSTRUCTION EQUIPMENT ON, INTO AND OUT OF THE EXCAVATION AREA, TEMPORARY BRACING, TENSILE-ROD FENDERWORK, TEMPORARY EXCAVATIONS, AND STABILIZATION OF ALL EXISTING ADJACENT STRUCTURES. TEMPORARY PROTECTION SHALL BE PROVIDED BY THE CONTRACTOR AND CONSIST OF PROVIDING ADEQUATE COVERING OVER ALL EXPOSED SLOPES. ADEQUATE COVERING SHALL CONSIST OF A FLASHCOAT OF SHOTCRETE, STEEL REINFORCEMENT, POLYETHYLENE SHEETING, OR AN EQUIVALENT MATERIAL AS APPROVED BY THE DESIGN ENGINEER, ADAMS RESOURCE CONSULTANTS (ARC).

THE SOIL NAILED WALL IS A SYSTEM DESIGNED TO SUPPORT THE NEARLY VERTICAL EXCAVATION. THE EXCAVATION SHALL BE COMPLETED BY THE CONTRACTOR, AND FACING SYSTEMS ARE COMPLETELY INSTALLED FOR ALL EXCAVATION LIFTS UP TO AND INCLUDING THE CURRENT EXCAVATION LIFT. THE STABILITY OF INTERIM TEMPORARY VERTICAL CUTS OVER 4 FEET HIGH THAT EXIST PRIOR TO INSTALLATION OF NAILS AND THE SHOTCRETE WALL FACING IS THE RESPONSIBILITY OF THE CONTRACTOR.

THE CONTRACTOR SHALL PROVIDE PROTECTION FOR SAFE PASSAGE OF PEDESTRIANS, WORKERMS AND VEHICULAR TRAFFIC. LOOSE SOIL OF CUTS MAY RAVEL.

SPECIAL INSPECTION AND TESTING

IN ACCORDANCE WITH THE RWQBC AND LATEST IBC, SPECIAL INSPECTION SHALL BE PROVIDED BY THE OWNER'S REPRESENTATIVE AND COA OFFICER FOR DESIGN EXECUTION TO COVER OBSERVATION OF THE FOLLOWING TYPES OF CONSTRUCTION WHEN APPLICABLE:

- SOIL NAIL INSTALLATION AND TESTING
- INSTALLATION OF STEEL PLATES, NUTS AND MEMBERS AND LEAN MIX PLACEMENT IF REQUIRED
- SHOTCRETE WORK (SHOTCRETE AND REBAR PLACEMENT)

ALL SHOTCRETE, SOIL NAIL GROUT AND SOIL NAIL DESIGN ADHESIONS SHALL BE TESTED IN ACCORDANCE WITH THE SPECIFICATIONS.

DESIGN LIVE LOADS:

TRAFFIC/CONSTRUCTION SURCHARGE = 125 PSF. SURCHARGE LOADS SHALL NOT BE CLOSER THAN 5 FEET (HORIZ.) FROM TOP OF SOIL NAILED WALLS OR 3 FEET (HORIZ.) FROM THE TOP OF CUT SLOPES, WHICHEVER IS GREATER. THE CONTRACTOR IS RESPONSIBLE AND SHALL VERIFY THAT THE CONSTRUCTION SURCHARGE OR CLEARANCE IS NOT EXCEEDED WITHOUT THE DESIGNER'S APPROVAL. ALL EXISTING UTILITIES SHALL BE PROTECTED BY ADDITIONAL LIVE LOADS THAT MAY HAVE BEEN CONSIDERED IN THE DESIGN.

SUBSURFACE DESIGN:

ALL SUBSURFACE SOIL AND WATER PARAMETERS USED IN THE DESIGN WERE OBTAINED FROM THE REGIONAL GROUNDWATER LEVEL MONITORING PROGRAM. IN THE REPORT TITLED "FINAL DESIGN REPORT, NORTH CKD CLOSURE PLANS, CEMEX DAVENPORT PLANT, DAVENPORT, CALIFORNIA, BY ADAMS RESOURCE CONSULTANTS COMPANY, Dated APRIL 1, 2018, for CEMEX.

SOIL UNIT	MOIST UNIT WEIGHT (pcf)	FRICTION (qsd)	COHESION (psf)	PULLOUT RESISTANCE (k/ft)	ULTIMATE RESISTANCE (k/ft)
CEMENT KILN DUST	115	38	50		9.5

NOTES: 1) ULTIMATE PULLOUT RESISTANCE SHALL BE CONFIRMED BY THE CONTRACTOR DURING VERIFICATION TESTING PRIOR TO STARTING SOIL NAIL WALL CONSTRUCTION. 2) THE DESIGNER HAS NOT REVIEWED THE FIELD DATA. ULTIMATE PULLOUT RESISTANCE DIVIDED BY A FACTOR OF SAFETY EQUAL TO 2.0.

THE REGIONAL GROUNDWATER LEVEL IS ASSUMED TO EXIST BELOW THE BOTTOM OF THE NAIL WALLS IN CONSIDERING "LONG-TERM" STABILITY. LOCAL AREAS OF PERCHED SEEPAGE MAY BE ENCOUNTERED IN SOME LOCATIONS AND WILL BE MANAGED BY DRAIN FABRIC PLACED ON THE SOIL CUT FACE (NEAT CUT) AND COVERED BY THE STEEL REINFORCED SHOTCRETE FACING.

EXISTING UNDERGROUND OBSTRUCTIONS AND UTILITIES:

THE CONTRACTOR MUST FIELD VERIFY ALL EXISTING DIMENSIONS AND SITE CONDITIONS.

THE CONTRACTOR SHALL FIELD VERIFY AND BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATIONS OF ALL EXISTING UTILITIES SHOWN ON THE PLANS, AND THOSE UTILITIES OR UNDERGROUND OBSTRUCTIONS NOT SHOWN ON THE PLANS.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL ABANDONED UTILITIES, CHANGES TO EXISTING OBSTRUCTIONS THAT INTERFERE WITH OR ARE ADJACENT TO THE NEW CONSTRUCTION.

GENERAL NOTES, (CONT.)

REINFORCING STEEL:

ALL REINFORCING STEEL SHALL CONFORM TO ASTM A615 / AASHTO M31, ASTM A615 / AASHTO M31, AND ASTM A105 / AASHTO M55 FOR WELDED WIRE FABRIC (WWF).

SUBMIT REINFORCING STEEL SHOP DRAWINGS TO DESIGN ENGINEER IN ACCORDANCE WITH THE SPECIFICATIONS.

ALL REINFORCING STEEL DETAILS IN ACCORDANCE WITH THE MOST RECENTLY ADOPTED ACI 318/318R MANUAL OF STANDARD PRACTICE.

ALL REINFORCING BAR LAP'S SHALL BE CLASS B, IN ACCORDANCE WITH THE 2006 INTERNATIONAL BUILDING CODE OR AS SUMMARIZED IN THE FOLLOWING TABLE:

BAR SIZE	CLASS B LAP LENGTH MEASURED IN DIAMETERS (IN.)	CLASS B LAP LENGTH MEASURED IN LENGTH (IN.)
#4	40ϕ	20
#5	40ϕ	25
#6	40ϕ	30
#7	50ϕ	44
#8	50ϕ	50

ALL WELDED WIRE FABRIC SPLICES SHALL BE A MINIMUM OF 6 INCHES LONG AND LAP AT LEAST TWO LONGITUDINAL OR TRANSVERSE WIRES. SEE PLANS FOR SPLICE DETAILS. IF THE REINFORCED SHOTCRETE WALL AND ANY OTHER FACING, SUBMIT ALL SHOP DRAWINGS IN ACCORDANCE WITH THE SPECIFICATIONS.

SEE THE WALL PLANS SPECIFIC DETAILS AS THEY PERTAIN TO CONNECTION OF THE REINFORCED SHOTCRETE WALL AND ANY OTHER FACING. SUBMIT ALL SHOP DRAWINGS IN ACCORDANCE WITH THE SPECIFICATIONS.

CONCRETE

AFTER 28 DAYS, ALL CONCRETE SHALL OBTAIN A MINIMUM ULTIMATE COMPRESSIVE STRENGTH OF 4000 PSI. THE STRENGTH OF THE CONCRETE SHALL BE TESTED IN ACCORDANCE WITH THE SPECIFICATIONS. THE STRENGTH OF THE CONCRETE SHALL ATAIN 4000 PSI.

TEMPORARY CUT SLOPES

THE SOIL NAILED WALL DESIGN BY ARC DOES NOT INCLUDE SPECIFICATIONS OR REQUIREMENTS FOR THE SOIL NAILED WALL DESIGN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, ADDITIONAL DESIGN AND SPECIFICATIONS OR PERFORMANCE CRITERIA AS MAY BE REQUESTED FOR EXCAVATIONS NOT SHOWN ON THESE DRAWINGS ARE THE RESPONSIBILITY OF THE CONTRACTOR UNLESS AGREED TO OTHERWISE IN WRITING BY ARC.

CONSTRUCTION SEQUENCE

ARC HAS ASSUMED THE FOLLOWING FOR THIS DESIGN:

1) CONTRACTOR SHALL REMOVE ORGANICS, DELETERIOUS MATERIALS AND SOIL FROM AREAS REQUIRING GRADING TO CREATE THE "NEAT LINE" SURFACE FOR SHOTCRETE APPLICATION BEFORE STARTING DRILLING.

2) DRILLING, INSTALLATION AND WALL CONSTRUCTION SHALL DONE BY EITHER A "TOP-DOWN" FASHION SUCH THAT THE TOP ROWS OF NAILS WILL BE COMPLETED FIRST OR IN A VERTICAL COLUMN FASHION SUBJECT TO APPROVAL BY ARC. IF MEANS AND METHODS REQUIRE INSTALLATION BY REACHING OVER OR ABOVE THE EDGE OF A SLOPE THE CONSTRUCTION AND INSTALLATION EQUIPMENT WILL REMAIN AS FAR AWAY FROM THE STEEP SLOPE TOP OR TOE EDGE AS POSSIBLE.

USE OF THIS DESIGN

ARC PREPARED THIS WORK IN GENERAL ACCORDANCE WITH OUR CONTRACT. THIS DESIGN IS NOT TO BE USED FOR ANY OTHER PROJECT OR SITE. THE USE OF THIS DESIGN SPECIFIC APPLICATION TO THE SUBJECT PROJECT AND SITE IS THE RESPONSIBILITY OF THE CONTRACTOR. BY ANYONE EXCEPT FOR THOSE WHOM IT WAS PREPARED IS PROHIBITED WITHOUT WRITTEN CONSENT FROM ARC COMPANY, THE WALL DESIGN ENGINEER.

SHOTCRETE:

ALL SHOTCRETE SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 4000 PSI, AND A MINIMUM 3-DAY COMPRESSIVE STRENGTH OF 2000 PSI.

SEE THE SPECIFICATIONS FOR REQUIREMENTS.

TYPE V PORTLAND CEMENT CONFORMING TO ASTM C150 / AASHTO M85 SHALL BE USED FOR SHOTCRETE.

SUBMIT MIX DESIGNS IN ACCORDANCE WITH THE SPECIFICATIONS.

ABBREVIATIONS (CONT.)

E	EAST	OPP	HND	OPPOSITE HAND
EA	EACH	OPT		OPTIONAL
EJ	EXPANSION JOINT	PC		PRECAST CONCRETE
ELEC	ELECTRICAL	PERM		POLYETHYLENE
ELEV	ELEVATION	PERP		PERPENDICULAR
EQUIP	EQUIPMENT	PL		PLATE
EW	EACH WAY	PLUMB		PLUMBING
EXIST	EXISTING	PREFAB		PREFABRICATED
EXP	EXPANSION	PRELIM		PRELIMINARY
EXT	EXTERIOR	PROJ		PROJECTION
FD	FLOOR DRAIN	PSF		POUNDS PER SQUARE FEET
FDN	FOUNDATION	PT		POINT
FIN	FINISHED FLOOR	PVC		POLYVINYL CHLORIDE
FS	FAR SIDE	PVMT		PAVEMENT
FTG	FOOTING	R		RIGHT, RISER
FAB	FABRICATION	RAD		RADIUS
GA	GAGE OR GAUGE	RD		ROOF DRAIN
GALV	GALVANIZED	RE		REFER
GB	GRADE BEAM	REIN		REINFORCING (REINFORCEMENT)
HDPE	HIGH-DENSITY POLYETHYLENE	REM		REMAINDER
HORIZ	HORIZONTAL	REQD		REQUIRED
HT	HIGH POINT	REV		REVISION
HS	HEADED STUD	RH		RIGHT HAND
ID	INSIDE DIAMETER	RND		ROUND
IT	INTERIOR	RO		ROUGH OPENING
JT	JOINT	RW		RETAINING WALL
K	KIPS	S		SOUTH
KO	KNOCKOUT	SCH		SCHEDULE(D)
L	DRILLED NAIL LENGTH	SECT		SECTION
Lb#	POUND DEVELOPMENT LENGTH	SHOT		SHOTCRETE
LD	LOAD	SIM		SIMILAR
LG	LEFT HAND	SJ		SAW JOINT
LH	LIVE LOAD	SPA		SPACE
LL	LONGITUDINAL	SPL		SPECIFICATION(S)
LONG	LONG WAY	SQ		SQUARE
LW	LONG WEIGHT	STD		STANDARD
LWC	LIGHTWEIGHT CONCRETE	STL		STEEL
MAXL	MAXIMUM	STRUCT		STRUCTURE
MECH	MECHANICAL	STR L		STRUCTURAL
MEZZ	MEZZANINE	T		TOP, TENSION
MFR	MANUFACTURE(R)	T/CONG		TOP OF CONCRETE
MID	MIDDLE	T/FTG		TOP OF FOOTING
MIN	MINIMUM	T/SLAB		TOP OF SLAB
MISC	MISCELLANEOUS	TEMP		TEMPERATURE
MS	MIDDLE STRIP	TEMP		TEMPORARY
MTL	METAL	THRD		THREADED
N/A	NOT APPLICABLE	THK		THICKNESS
NEAT	NEAT CUT FACE	TOS		TOP OF SHOTCRETE
NO	NOMINAL	TOW		TOP OF WALL
NOM	NOMINAL	TRD		TREAD(S)
NTS	NOT TO SCALE	TRNV		TRANSVERSE
OC	OVERALL	TYP		TYPICAL
OD	ON CENTER	UNO		UNLESS NOTED OTHERWISE
OF	OUTSIDE DIAMETER	VERT		VERTICAL
OPP	OPPOSITE	W		WEST, WIDTH, WIDE
		W/o		WITHOUT
		WP		WORK POINT, WATER-PROOFING
		WT		WEIGHT, STRUCTURAL
		WWF		WELDED WIRE FABRIC

DESCRIPTION	REV	DATE	BY
FINAL REVIEW	R1	04/01/18	WCA
FOR BID AND CONSTRUCTION	C1	02/19/19	WCA



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c/oYasha Saber-Compass Land Group 916-825-4997
RMC Pacific Materials, 700 Highway 1, Davenport, CA
CEMENT KILN DUST (CKD) CLOSURE PLANS

GENERAL NOTES AND ABBREVIATIONS

DRAWING NUMBER

SHEET

N1

22 OF 28

1

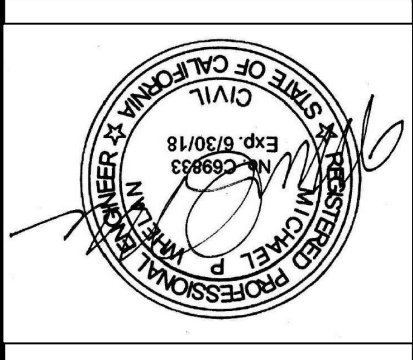
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DESCRIPTION	REV	DATE	REVIEW	DRAWN	WCA	WCA	WCA	FOR BID AND CONSTRUCTION
		04/01/18	MW					R1
		02/19/19	MW					C1

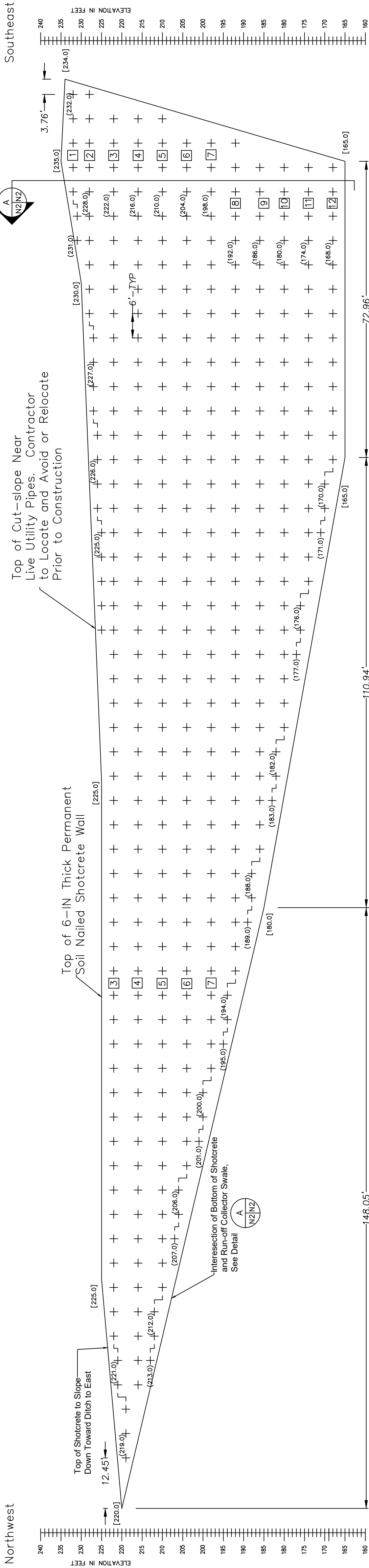


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CEMENT KILN DUST (CKD) CLOSURE PLANS
SOIL NAILED WALL ELEVATION AND SECTION

DRAWING NUMBER
SHEET
N2
23 OF 28



WEST WALL (Looking East)			
SEGMENT A			
ROW	L	BAR	α
1	36	#8 GR 75	15°
2	36	#8 GR 75	15°
3	36	#8 GR 75	15°
4	36	#8 GR 75	15°
5	36	#8 GR 75	15°
6	36	#8 GR 75	15°
7	36	#8 GR 75	15°
8	34	#8 GR 75	15°
9	26	#8 GR 75	15°
10	20	#8 GR 75	15°
11	17	#8 GR 75	15°
12	17	#8 GR 75	15°

1 SHOTCRETE WALL ELEVATION

NOTES:

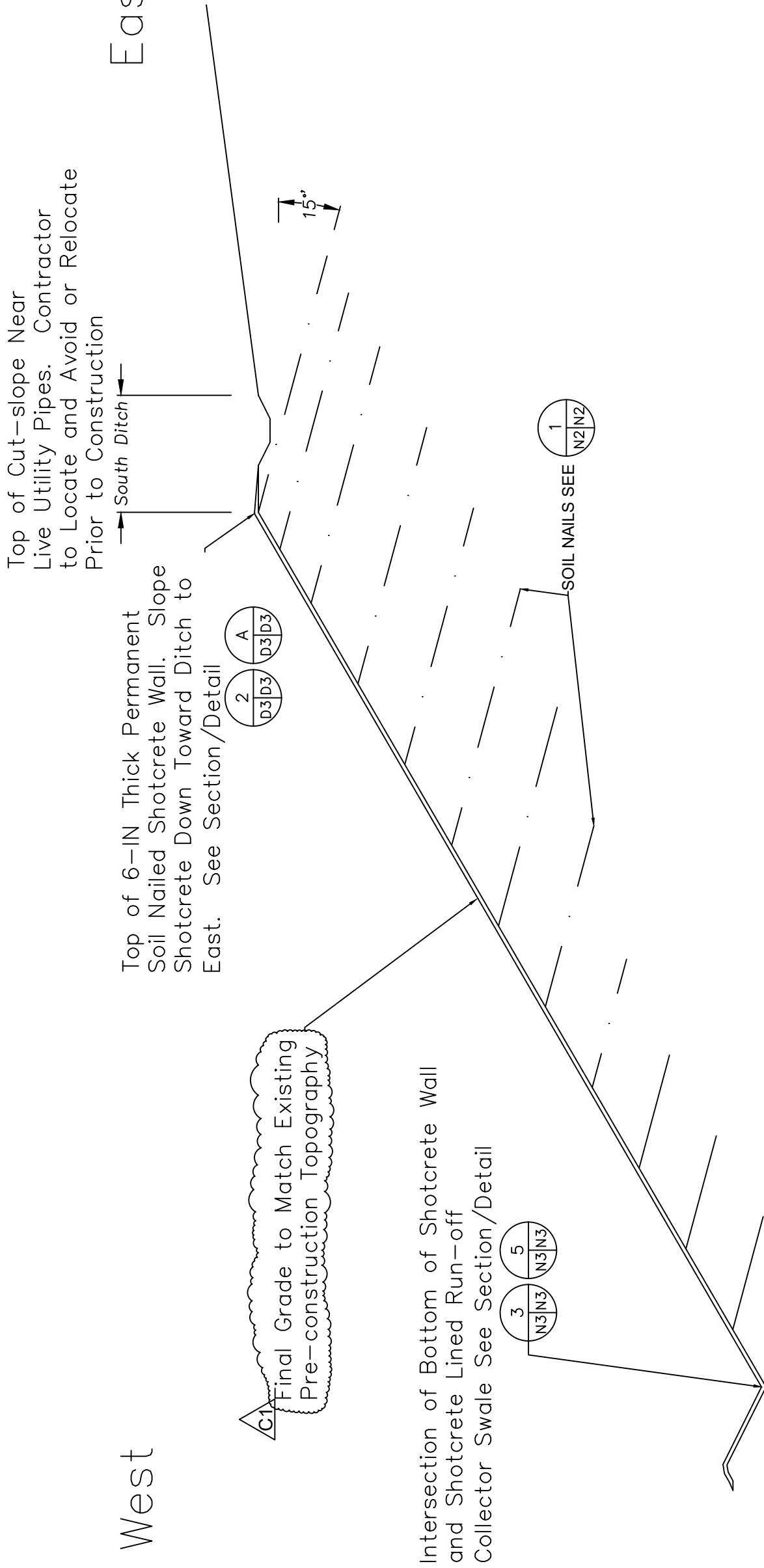
- CONTRACTOR TO ADD AT LEAST 1-FT TO NAIL LENGTHS (L) TO ACCOMMODATE PLATE, WASHER AND NUT. SEE SOIL NAIL TYPICAL SECTION.
- CONTRACTOR TO CONFIRM LOCATION OF ALL UTILITIES BEHIND OR NEAR SOIL NAILED WALL CUT FACE AND CUT-SLOPES BEFORE BEGINNING CONSTRUCTION.
- CONTRACTOR IS SOLEY RESPONSIBLE FOR REPAIRS AND/OR REPLACEMENT OF EXISTING UTILITIES SHOULD DAMAGE OCCUR AS A RESULT OF CONSTRUCTION ACTIVITIES.
- CONTRACTOR IS RESPONSIBLE FOR STABILITY OF ALL TEMPORARY CUT SLOPES AND ALL CUT SLOPES REQUIRED FOR CONSTRUCTION. TEMPORARY CUT SLOPES MAY REQUIRE PLASTIC SHEETING, SHOTCRETE FLASHCOAT AND/OR STEEL REINFORCED FALSH-COAT OF SHOTCRETE FOR TEMPORARY EROSION PROTECTION.
- CONSTRUCTION EQUIPMENT THAT IS NOT PART OF NAIL INSTALLATION SHALL NOT OPERATE CLOSER THAN 5 FEET (HORIZONTAL) FROM BACK NEAT-CUT PLANE AT THE TOP OF SOIL NAILED WALL.
- COMPACTION EQUIPMENT SHALL NOT OPERATE CLOSER THAN 2 FEET (HORIZONTAL) FROM BACK PLANE OF SOIL NAILED WALL.
- THE PROVIDED DESIGN PULLOUT VALUES ARE ASSUMED AND ARE BASED ON SUBSURFACE INFORMATION THAT INCLUDES SITE OBSERVATIONS. VALUES USED IN THE NAIL PULLOUT TESTING WILL RELY ON THE ENGINEER'S (OR REPRESENTATIVE) EVALUATION OF DESIGN INPUT, CONTRACTOR'S METHODS AND ACTUAL INTERCEPTED SUBSURFACE CONDITIONS DURING CONSTRUCTION.
- UNLESS DESIGNER APPROVES A CONTRACTOR SUBMITTAL FOR ALTERNATIVE MEANS/METHODS, EXCAVATION FOR NEXT LOWER LIFT SHALL NOT PROCEED UNTIL ALL SHOTCRETE, STEEL PLATES, NUTS AND REQUIRED NAIL TESTING IS COMPLETE AND ENGINEER HAS ACCEPTED CONSTRUCTED SOIL NAIL WALL LIFT.

LEGEND

	= NAIL ROW	ROW	= NAIL ROW NUMBER
+	= NAIL	L	= DRILLED NAIL LENGTH (FEET)
(156)	= NAIL ROW ELEVATION	BAR	= MINIMUM BAR AND STEEL GRADE
[150.0']	= GRADE ELEVATION	α	= NAIL DECLINATION (DEGREES) UNLESS SHOWN OTHERWISE ON PLANS
(25°)	= DECLINATION OF SPECIFIC NAIL (ARROW INDICATES DIRECTION MEASURED FROM PERPENDICULAR)		

West

East



A SHOTCRETE WALL SECTION

NTS

DESIGN	DRAWN	WCA	WCA	WCA				
REVIEW	REVIEW	WCA	WCA	WCA				
DATE	MM/DD/YYYY	04/01/18	MM/DD/YYYY	02/19/19	MM/DD/YYYY			
REV	DESCRIPTION	R1	FINAL REVIEW	C1	FOR BID AND CONSTRUCTION			



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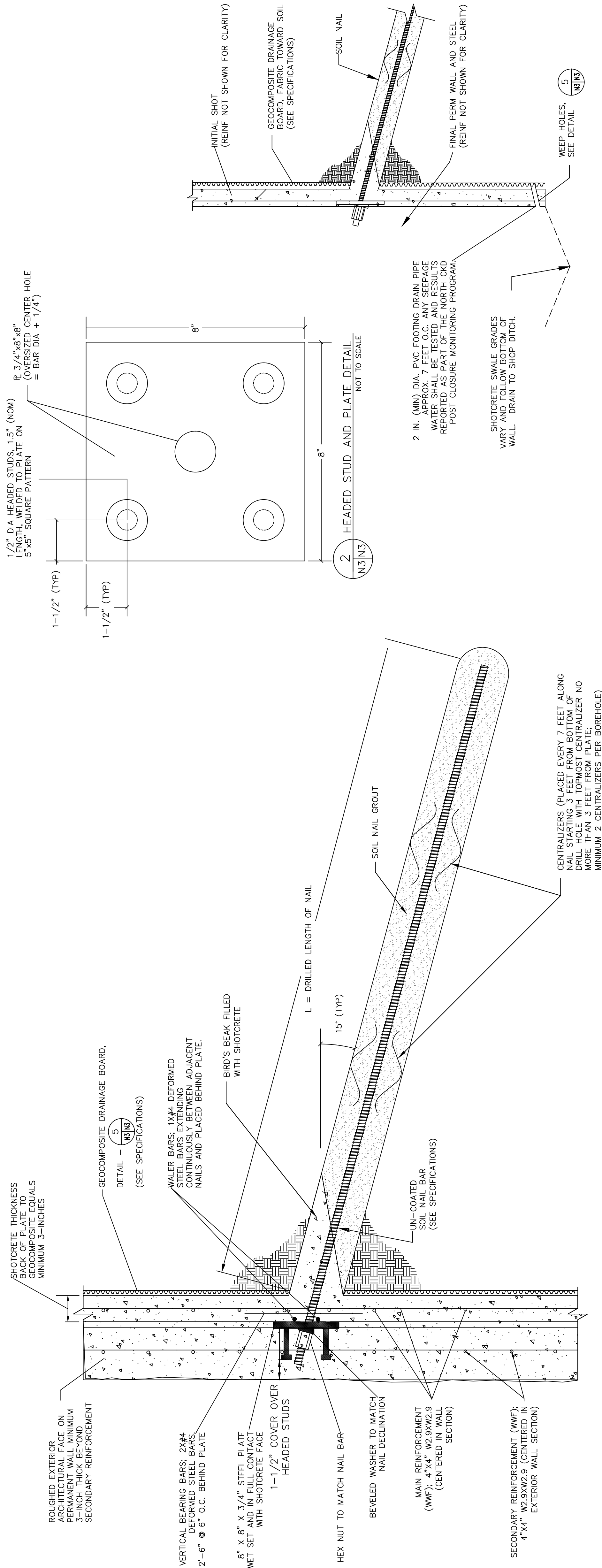
RMC Pacific Materials, 700 Highway 1, Davenport, CA
c/o Yasha Saber-Compass Land Group 916-825-4997
CEMENT KILN DUST (CKD) CLOSURE PLANS
SOIL NAILED WALL DETAILS



DRAWING NUMBER
SHEET

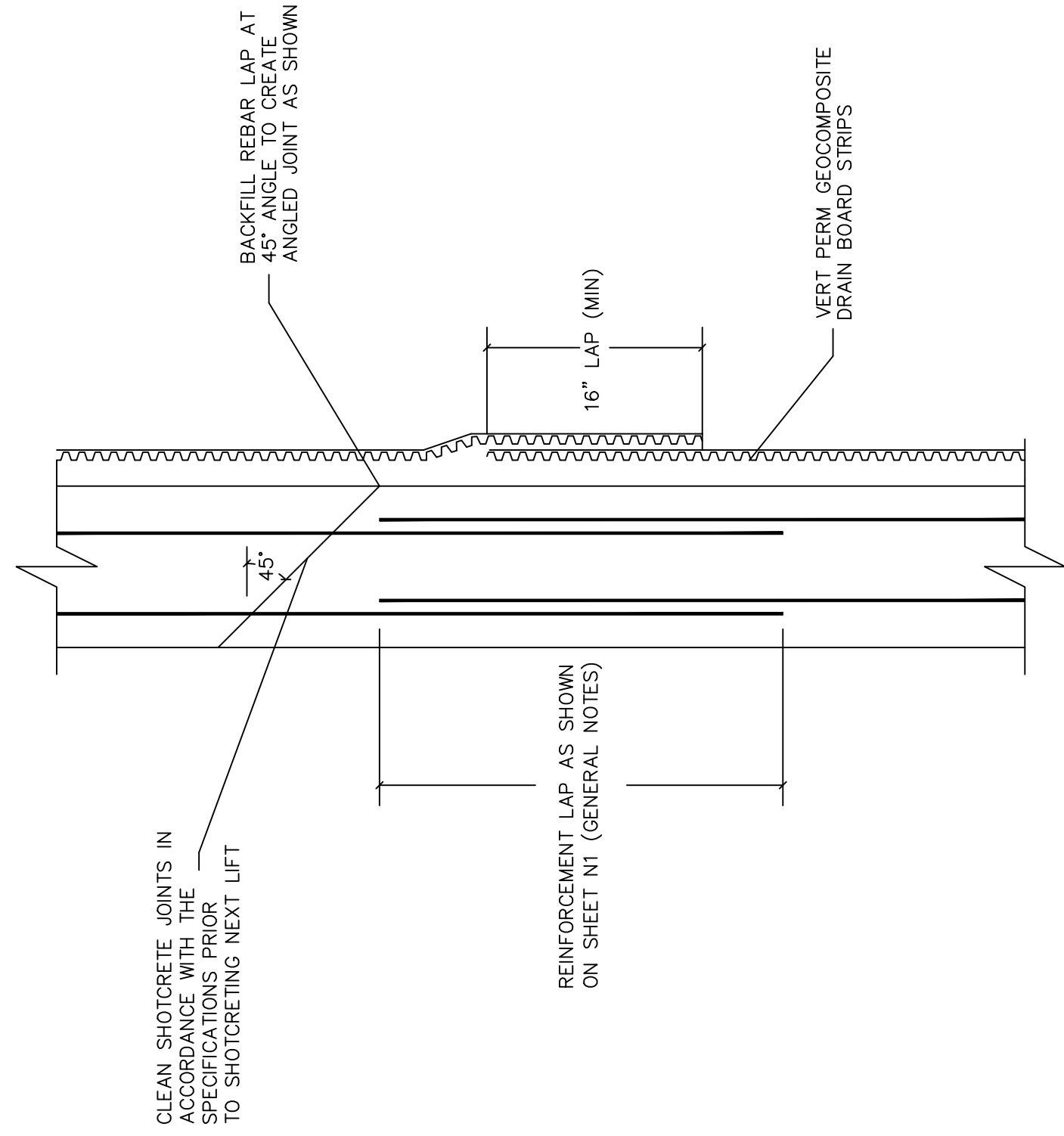
N3

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1 SHOTCRETE FACING AND NAIL DETAIL

WALL SHOWN VERTICAL FOR DRAWING CONVENIENCE



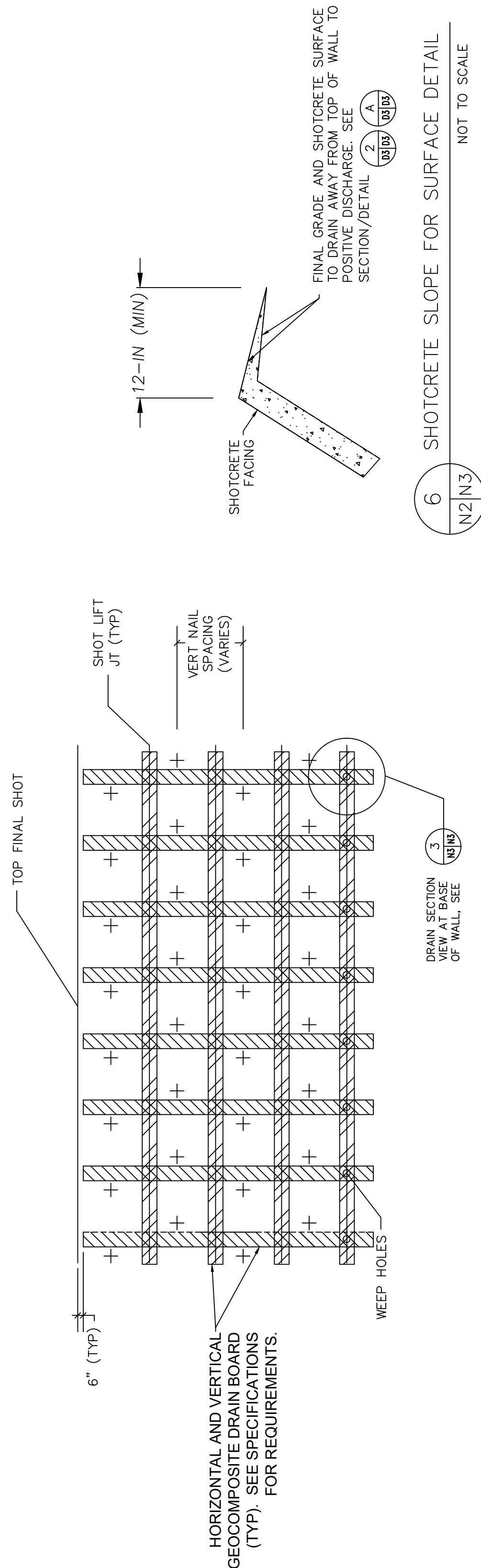
4 PERMANENT SHOTCRETE WALL
JOINT DETAIL

NOT TO SCALE	
N/3	N/3

WALL SHOWN VERTICAL FOR DRAWING CONVENIENCE

3 GEOSYNTHETIC DRAINAGE DETAIL

WALL SHOWN VERTICAL FOR DRAWING CONVENIENCE



6 SHOTCRETE SLOPE FOR SURFACE DETAIL

NOT TO SCALE

- NOTES:
1. SEE SHEET E2 FOR EROSION CONTROL BEST MANAGEMENT PRACTICES STANDARDS AND DESIGNATIONS.

2. TEMPORARY COVER OR SOIL STABILIZATION IS REQUIRED DURING THE PROJECT IN AREAS OF DISTURBED SOIL. SEE SHEET E2 FOR REQUIREMENTS.

3. PROJECT LIMITS EXTEND BEYOND THE EDGES OF THIS SHEET (SHOP DITCHES, COAL AREA AND RETENTION POND). APPLY EROSION AND SEDIMENT CONTROL BMPs TO ALL DISTURBED AREAS.

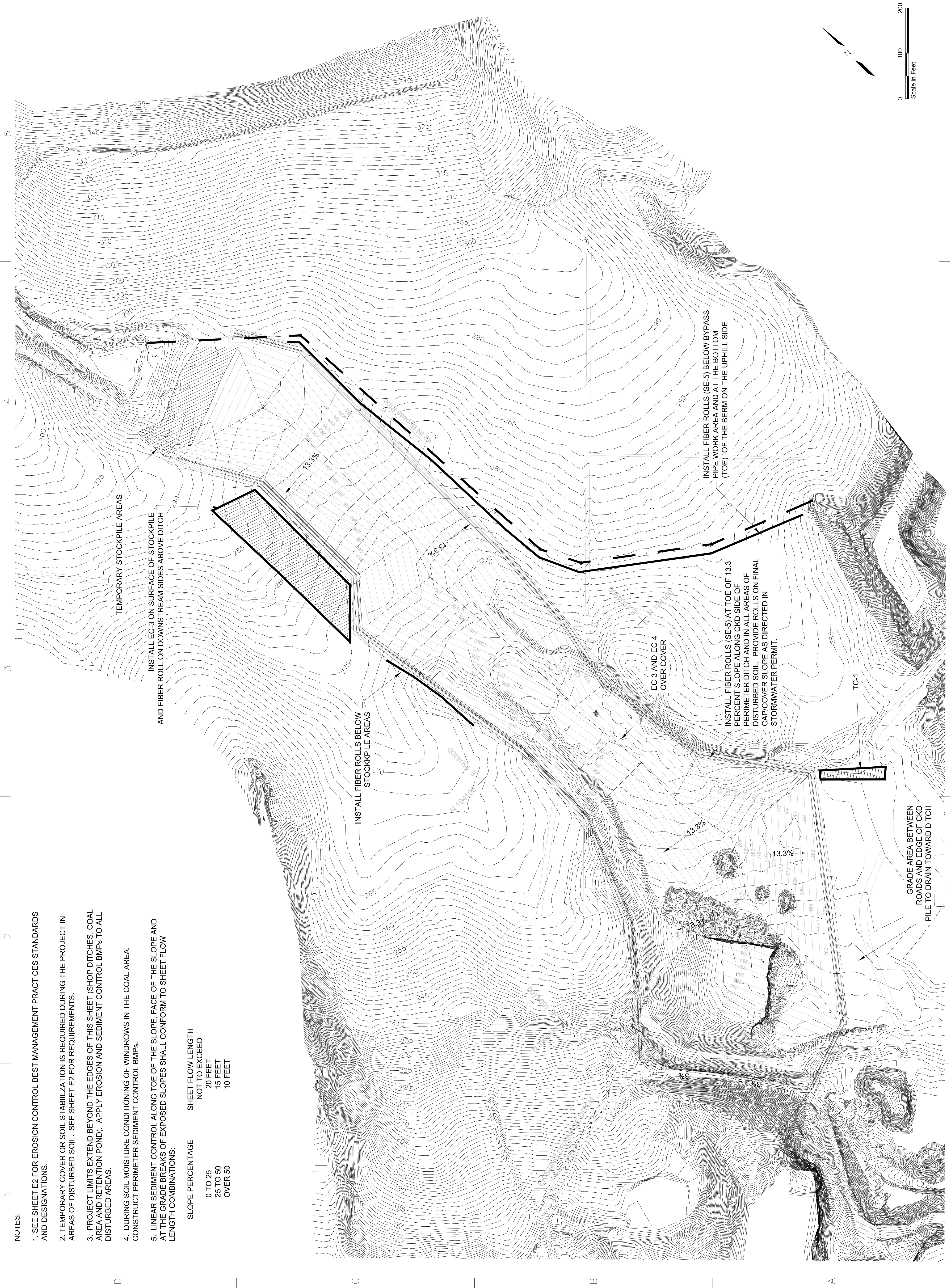
4. DURING SOIL MOISTURE CONDITIONING OF WINDROWS IN THE COAL AREA, CONSTRUCT PERIMETER SEDIMENT CONTROL BMPs.

5. LINEAR SEDIMENT CONTROL ALONG TOE OF THE SLOPE, FACE OF THE SLOPE AND AT THE GRADE BREAKS OF EXPOSED SLOPES SHALL CONFORM TO SHEET FLOW LENGTH COMBINATIONS:
- SLOPE PERCENTAGE

0 TO 25
25 TO 50
OVER 50

SHEET FLOW LENGTH

NOT TO EXCEED
20 FEET
15 FEET
10 FEET



DESIGN	DRAWN	REVIEW	DATE	REV	DESCRIPTION
WCA	WCA	MAH	04/01/18	R3	FINAL REVIEW
WCA	WCA	MAH	12/12/19	C1	FOR BID AND CONSTRUCTION



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RMC Pacific Materials, 700 Highway 1, Davenport, CA

c/oYasha Saber-Compass Land Group 916-825-4997

CEMENT KILN DUST (CKD) CLOSURE PLANS

EROSION AND SEDIMENT CONTROL PLAN

DRAWING NUMBER

SHEET

E1

27 OF 28

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned Heavy Industry (M-2-L), a designation which allows industrial uses. The proposed landfill closure project related to the industrial use is an allowed use within the zone district, and the zoning is consistent with the site's Heavy Industry (I) General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that no such easements or restrictions are known to encumber the project site. There are water supply and wastewater lines that cross the project site and these will be located and marked prior to land disturbance.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, in that the proposed landfill closure is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding lands. The rolling grassland hills north of Highway 1 support sweeping views of open space and grazing fields that surround the former Cement Plant. Implementation of the project will create gentle slopes and all disturbed lands would be revegetated with native plants, and the Cement Plant would return to conditions similar to existing conditions, and views within and of the project area would improve compared to existing conditions. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

The project site is located in the Davenport Special Community which requires special consideration of visual resources and historic structures associated with the town. The Project area is located in an area that has been designated as the North Coast General Plan Scenic Area in the County General Plan (Santa Cruz County, 1994) (Santa Cruz County GIS Mapping, 2016), and is considered to be an area that supports a scenic vista. The rolling grassland hills north of Highway 1 support sweeping views of open space and grazing fields that surround the former Cement Plant.

The proposed closure activities would be temporary in nature and would occur primarily within the developed footprint of the Cement Plant, including the North CKD Area, which is closed to the public and largely not visible from Highway 1 or scenic vistas. Furthermore, there are no public recreation lands or facilities with views of the Project area. Following project implementation, all disturbed lands would be revegetated with native plants, and the Cement

Plant would return to conditions similar to existing conditions, and views within and of the project area would improve compared to existing conditions. The project would include construction of a permanent relatively impervious shotcrete slope to cover the CKD slope that could potentially be partially visible from limited sections of Highway 1. This is not considered a significant impact due to the limited visibility of the shotcrete cover and the overall improvement in visual quality that will result from the project. Therefore, this impact would be **less than significant**. No mitigation would be required.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program and public beach access is available at multiple nearby North Coast beaches.

5. That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding lands. Additionally, the industrial uses is an allowed uses in the Heavy Industry (M-2-L) zone district, as well as the General Plan and Local Coastal Program land use designation of Heavy Industry (I). Implementation of the project will create gentle slopes and all disturbed lands would be revegetated with native plants, and the Cement Plant would return to conditions similar to existing conditions, and views within and of the project area would improve compared to existing conditions.

6. If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the landfill closure will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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 industrial uses. Grading and construction will comply with prevailing civil engineering and building technology, the California Building Code, and the County Grading Regulations to ensure the optimum in safety and the conservation of energy and resources.

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 landfill closure 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 Heavy Industry (M-2-L) zone district as the primary use of the property will be industrial which 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 landfill closure project is consistent with the use and density requirements specified for the Heavy Industry (I) land use designation in the County General Plan. The General Plan land use and zoning plans, policies and regulations allow for the remediation of hazardous materials sites and for improvements to water quality (Santa Cruz County General Plan, Chapters 6, 7 and 13, 1994).

The proposed landfill closure project is consistent with General Plan policies 8.5.2 and 8.5.3 regarding compatibility with surrounding uses and the Davenport Special Community. Implementation of the project will create gentle slopes and all disturbed lands would be revegetated with native plants, and the Cement Plant would return to conditions similar to existing conditions, and views within and of the project area would improve compared to existing conditions. The project site is located in the Davenport Special Community which requires special consideration of visual resources and historic structures associated with the town. The Project area is located in an area that has been designated as the North Coast General Plan Scenic Area in the County General Plan (Santa Cruz County, 1994) (Santa Cruz County GIS Mapping, 2016), and is considered to be an area that supports a scenic vista. The rolling grassland hills north of Highway 1 support sweeping views of open space and grazing fields that surround the former Cement Plant.

The proposed closure activities would be temporary in nature and would occur primarily within the developed footprint of the Cement Plant, including the North CKD Area, which is closed to the public and largely not visible from Highway 1 or scenic vistas. Furthermore, there are no public recreation lands or facilities with views of the Project area. Following project implementation, all disturbed lands would be revegetated with native plants, and the Cement Plant would return to conditions similar to existing conditions, and views within and of the project area would improve compared to existing conditions. The project would include construction of a permanent relatively impervious shotcrete slope to cover the CKD slope that could potentially be partially visible from limited sections of Highway 1. This is not considered a significant impact due to the limited visibility of the shotcrete cover and the overall improvement in visual quality that will result from the project. Therefore, this impact would be **less than significant**. No mitigation would be required.

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 landfill closure project will occur on an existing industrial site. The expected level of traffic generated by the proposed project is anticipated to be 60 trips per day (120 round trips) on a temporary basis during project construction and importation of fill material. This temporary increase in traffic will not adversely impact existing roads or intersections in the surrounding area. There will be no permanent increase in traffic as a result of the project.

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 Implementation of the project will create gentle slopes and all disturbed lands would be revegetated with native plants, and the Cement Plant would return to conditions similar to existing conditions, and views within and of the project area would improve compared to existing conditions. The project site is located in the Davenport Special Community which requires special consideration of visual resources and historic structures associated with the town. The project would include construction of a permanent relatively impervious shotcrete slope to cover the CKD slope that could potentially be partially visible from limited sections of Highway 1. This is not considered a significant impact due to the limited visibility of the shotcrete cover and the overall improvement in visual quality that will result from the project. Therefore, this impact would be less than significant. No mitigation would be required.

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 is not applicable.

Riparian Exception Findings

1. That there are special circumstances or conditions affecting the property;

There are special circumstances or conditions affecting the property. The seasonal wetland that would be permanently lost during CKD landfill closure is located within the boundary of the existing CKD landfill atop CKD materials historically placed as fill. Grading of this area would be necessary to install the LLDPE liner/cap system and to direct surface and subsurface water away from the CKD landfill in order to prevent pooling on top of the liner/cap system and avoid potential water quality impacts to No-Name Creek, groundwater, and the Pacific Ocean. Proposed work within the aquatic features (ponds) is for the purpose of improving drainage, water quality and/or enhancing habitat for CRLF. The loss of the seasonal wetland would be fully mitigated through implementation of conditions of approval, including obtaining and implementing permits and conditions imposed by the U.S. Army Corps of Engineers.

2. That the exception is necessary for the proper design and function of some permitted or existing activity on the property;

The riparian exception is necessary for the proper design and function of the Closure Plan activities proposed for the existing CKD landfill, a permitted activity.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located;

The granting of the riparian exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the Project is located; proposed Closure Plan activities have been designed for the purpose of protecting water quality in compliance with WDR No. R3-2018-0001, conditionally approved by the Water Board.

4. That the granting of the exception, in the Coastal Zone, will not reduce or adversely impact the riparian corridor, and there is no feasible less environmentally damaging alternative; and

The granting of the exception, in the Coastal Zone, would not reduce or adversely impact the riparian corridor; no impacts to the riparian corridor are anticipated as a result of the proposed Project and there is no feasible less environmentally damaging alternative.

5. That the granting of the exception is in accordance with the purpose of this chapter, and with the objectives of the General Plan and elements thereof, and the Local Coastal Program Land Use Plan.

The granting of the exception is in accordance with the purpose of the Riparian Ordinance. The proposed Project would ultimately help preserve, protect, and restore the riparian corridor and wetlands within the immediate area, including for the protection and enhancement of wildlife

habitat; water quality; aquatic habitat; and open space, as well as the other values listed in the purpose of the Riparian Ordinance. The project has been designed for the 1000-year (24-hour) storm event; water quality protections and erosion control measures have also been included in the Closure Plan designs and associated documentation (ARC 2018 and ARC 2019a).

Conditions of Approval

Exhibit B: Project plans, prepared by Adams Resource Consultants, dated 12/12/2019.

- I. This permit authorizes the construction of the North CKD Area landfill closure as indicated on the approved Project plans for this permit (Exhibit B). This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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 a Building Permit from the Santa Cruz County Building Official prior to construction of the soil nail wall or retention pond wall.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit or Grading Permit the applicant/owner shall:
 - A. Submit final grading and retaining wall plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "B" on file with the Planning Department. Any changes from the approved Exhibit "B" for this development permit on the plans submitted for the Building Permit or Grading Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development.

- B. Comply with all requirements of the letter dated July 20, 2020 accepting the geotechnical report for the project as repeated below.
 - 1. For County records, please revise page 5 of the Response to Comments on Design Analyses for Soil Nail Wall Davenport Cement Plant Santa Cruz County, California dated 2 July 2020, to read 5 inches instead of 5 cm as outlined in the 6 July 2020 email from Wayne Adams, PE.
 - 2. Public access to the project site area is to be restricted. Monitoring and maintenance programs for the soil nail wall as well as the site drainage system are required to be implemented in accordance with project plans and specifications.
 - 3. All project design and construction shall comply with the recommendations of the subject geotechnical investigation report.
- III. Prior to any site disturbance or physical construction on the subject property the following condition(s) shall be met:
 - A. Pre-Construction Meeting: In order to ensure that the mitigation measures are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: the applicant, grading contractor supervisor, the project biologist, and Santa Cruz County Planning Department staff.
 - B. Background information obtained from the air quality monitoring network shall be submitted to Monterey Bay Air Resources District and the Planning Department.
 - C. Submit a copy of the Storm Water Pollution Prevention Plan as required by the Regional Water Quality Control Board Waste Discharge Order.
 - D. Submit documentation of authorization from the United States Army Corps of Engineers (USACE) for all project activities within their jurisdiction including the Biological Opinion from the United States Fish and Wildlife Service (USFWS).
 - E. Submit documentation of authorization from the California Department of Fish and Wildlife (CDFW) for all project activities within their jurisdiction.
 - F. Submit a copy of the Mitigation and Management Plan as approved by USACE and CDFW.
- IV. During construction of the project the following conditions shall be met:

- A. All required mitigation measures required prior to and during construction to protect biological and cultural resources shall be implemented.
 - B. All best management practices and requirements of technical reports for the project intended to prevent water quality impacts shall be implemented at all times during construction.
 - C. All best management practices and monitoring requirements contained in the Dust Management Plan intended to prevent air quality impacts shall be implemented at all times during construction.
 - D. A contact person shall be designated to respond to any complaints related to project construction activities, including but not limited to air quality impacts. The contact information shall be posted at the entrance to the facility and provided through other community networks.
 - E. All trucks shall access the site from Highway 1 using the main cement plant entrance or by exiting Highway 1 north of New Town to access Warnella Road. Trucking shall not occur on Cement Plant Road between Davenport and New Town.
 - F. Information obtained from the air quality monitoring network shall be submitted on a weekly basis to the Monterey Bay Air Resources District and the Planning Department.
- V. All construction shall be performed according to the approved plans for the Building Permit and Grading Permit. Prior to final building and grading inspection, the applicant/owner must meet the following conditions:
- A. All required mitigation measures shall be implemented construction, as specified in the Mitigation Monitoring and Reporting Program attached to these conditions.
 - B. All site improvements shown on the final approved Building Permit and Grading Permit plans shall be installed.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The project must comply with all recommendations of the approved soils reports.
 - E. The project applicant is responsible for the entire drainage pathway from their site to the ocean discharge including inspection, maintenance, repair, replacement,

capacity, condition and water quality. The drainage pathway crosses Cement Plant Road (county-maintained road), the railroad, and Highway 1.

- F. The sanitary sewer line within Tunnel B shall be identified as to ownership and the locations it serves. If the line is still in use, it shall be removed from the tunnel and relocated.
- G. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

VI. 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.

VII. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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 three years from the effective date listed below unless a building permit (or permits) and a grading permit are obtained for the retaining walls and earthwork described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building and grading permits and to complete all of the construction under the building permit and grading under the grading permit, resulting in the expiration of the building and grading permits, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

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.



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

MITIGATION MONITORING AND REPORTING PROGRAM for Application No. 28372

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
Biological Resources				
BIO-1	<p>Conduct monarch butterfly surveys. During each proposed construction year, a qualified biologist will conduct autumnal and winter roost surveys, if work is scheduled to occur during monarch roost season (September through March). Surveys will occur beginning September 1. If no monarchs are detected, surveys will occur on a weekly basis until construction concludes for the year or until November 30 (when stable winter aggregates will have formed). If autumnal or winter roosts are present, the biologist will determine the protective buffer necessary to avoid impacts to the roost and develop a site-specific monarch butterfly roost management plan following the guidelines described in Xerces Society 2017.</p>	Applicant	Compliance monitoring by the County Planning Department	Autumnal and winter roost surveys during each construction year
BIO-2	<p>Implement Construction Related Protective Measures for California Red Legged Frog. The following protective measures for CRLF will be implemented for the duration of construction activities:</p> <ul style="list-style-type: none"> Prior to the initiation of construction activities, a USFWS- and CDFW-approved biologist will prepare a construction monitoring plan that identifies all areas to be protected with exclusion fencing on a 1:1500 scale map (or similar scale determined to be practicable), and all areas requiring monitoring by a USFWS- and CDFW-approved biologist. Prior to the initiation of construction activities, a USFWS-approved biologist will conduct an environmental training for all construction personnel. The training will include a description of CRLF and its habitat, measures to protect CRLF, and other sensitive wildlife species known or with potential to occur in the Project area and surroundings (sensitive and native nesting bird species, potential roosting bats species, and potential San Francisco dusky-footed woodrat). If it is determined through consultation with USFWS that exclusion fencing (solid silt fencing) is necessary for minimizing impacts to CRLF, prior to the initiation of construction activities, the construction contractor will install exclusion fencing in specified areas along the Project boundaries, 2 feet below grade and 3 feet above grade, with wooden stakes at intervals of no more than 5 feet. The fence will be maintained in working order for the duration of construction activities. The USFWS-approved biologist or designated trained construction monitor shall inspect the fence daily and notify the construction foreman when fence maintenance is required. The fence will allow for wildlife passage across the Project area at intervals to be determined in conjunction with USFWS and CDFW. Construction activities will take place during the dry season and before the first rain of the season, especially vegetation removal and work in or near aquatic features, including ditch wetlands. Work shall not take place at night or during rain events when special-status amphibians are generally more active. The Project contractor will consult weather forecasts from the National Weather Service at least 72 hours prior to performing work. 	Applicant	Compliance monitoring by the County Planning Department	Issuance of Biological Opinion by USFWS, protective measures in place, and daily monitoring during construction activities in areas with regulated waters and habitats

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	<ul style="list-style-type: none"> Ground-disturbing activities in upland areas including clearing, grubbing, and grading shall not occur between November 1 and March 31, unless authorized by the USFWS, because that is the time period when CRLF are most likely to be moving through upland areas. If the project seeks and obtains winter grading approval from the County and disturbance of upland areas between November 1 and March 31 is authorized by USFWS, measures to prevent CRLF from entering the Project area shall be implemented. These measures shall include installation of exclusion fencing and all other recommendations and conditions provided through consultation with USFWS. Prior to commencement of construction, a Service-approved biologist(s) will identify suitable relocation sites for CRLF. If it is determined that individual CRLF must be relocated to avoid harm, a plan shall be developed in consultation with USFWS to relocate individual CRLF prior to initiation of disturbance in aquatic habitat. The biologist shall be given enough time to move the animals from the work site before ground disturbance is initiated. A Service-approved biologist(s) shall be onsite during all activities that may result in take of the CRLF, to be determined at the discretion of the Service-approved biologist in consultation with USFWS. The approved biologist shall have the authority to stop work that may result in the "take" of a special-status species. If a CRLF is encountered during Project construction, the approved biologist shall be given enough time to move the animals from the work site to a designated relocation site. The approved biologist will have the authority to stop work that may result in the "take" of a special-status species. Capturing and handling CRLF is not permitted unless a project-specific Take Permit has been obtained from USFWS. Only USFWS-approved biologists shall participate in activities associated with surveying, capturing, handling, and monitoring of CRLF. The USFWS-approved biologist or construction monitor will check under all equipment for wildlife before use. If any special-status wildlife is observed under equipment or within the work area, the approved biologist will be permitted to handle and relocate it. At the end of each work day, excavations will be secured with a cover, or a ramp installed to prevent wildlife entrapment. All trenches, pipes, culverts or similar structures will be inspected for animals prior to burying, capping, moving, or filling the structures. 			
BIO-3	<p>Conduct Preconstruction Surveys and Construction Related Protective Measures for Avian Species. The following protective measures for avian species will be implemented for the duration of construction activities:</p> <ul style="list-style-type: none"> The avian breeding season occurs between February 1 and September 15. To the greatest extent practicable, initiate non-native tree and ruderal vegetation removal activities outside of the breeding bird season to avoid direct harm or mortality to potential nesting bird species and other sensitive biological resources. For all Project activities initiated during the breeding bird season, or if construction activities lapse for a period of two weeks or more during breeding bird season, a qualified biologist will conduct a breeding bird survey for nesting birds, including raptors. Surveys will be conducted within 15 days 	Applicant	Compliance monitoring by the County Planning Department	Prior to initiation of any phase of construction activity or two-week lapse in construction between February 1 and September 15

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	<p>prior to beginning Project activities and will include all work, staging, and access areas and a minimum buffer radius of 150 meters (or more as determined by the resource agencies). The survey will include potential habitat for raptors and sensitive and common nesting avian species known to occur within the Biological Study Area [arroyo willow riparian scrub, coastal scrub, eucalyptus grove (adjacent to the Seasonal Ponds), other non-native forest (adjacent to the Retention Pond), large cypress/eucalyptus groves, non-native grassland, and the Pre-heater Tower and Coal Mill buildings].</p> <ul style="list-style-type: none"> • If no nesting sensitive or common avian species are observed during breeding bird surveys no additional measures will be required. • If nesting birds are observed within vegetation proposed for removal, postpone vegetation removal activities until young have fledged to avoid direct harm or mortality of nesting birds. • Sensitive bird species, if nesting in or near the Project area, will be given special consideration and may require additional protective measures as determined through consultation with the relevant agency (USFWS or CDFW), such as protective buffers recommended in PG&E et al. 2015: <ul style="list-style-type: none"> ◦ American peregrine falcon: 150 meters (500 feet) ◦ Northern harrier, white-tailed kite, and other raptors: 90 meters (300 feet). ◦ Olive-sided flycatcher and grasshopper sparrow: 25 meters (75 feet) ◦ Allen's hummingbird: 15 meters (50 feet). • If the biologist determines that a smaller avoidance buffer will provide adequate protection for nesting birds, a proposal for alternative avoidance/protective measures, potentially including a smaller avoidance buffer and construction monitoring, may be submitted to USFWS and CDFW for review and approval prior to removal of vegetation, grading activity, or other use of heavy equipment. • If removal of vegetation, grading activity, or other use of heavy equipment stops for more than two weeks during the nesting season (February 1st - August 31st) a new survey shall be conducted prior to re-commencement of construction. 			
BIO-4	<p>Implement Construction Related Protective Measures for San Francisco dusky-footed woodrat. The following protective measures for San Francisco dusky-footed woodrat will be implemented for the duration of construction activities:</p> <ul style="list-style-type: none"> • Within one month prior to the onset of construction activities, a CDFW qualified biologist will conduct a preconstruction survey for woodrat houses, and clearly flag all houses within the construction impact area and immediate surroundings. • The construction contractor will avoid woodrat houses to the greatest extent feasible by installing a minimum 10-foot (preferably 25-foot) buffer with silt fencing or other material that will prohibit encroachment. If this buffer and avoidance is not feasible, the qualified biologist will allow encroachment into the buffer, but preserve microhabitat conditions such as shade, cover and adjacent food sources. • If avoidance of woodrat houses is not possible, in coordination with CDFW and County Environmental Planning staff, a qualified biologist will develop and implement a San Francisco dusky-footed woodrat Relocation Plan and the following conditions or conditions of a CDFW agreement shall be adhered to: <ul style="list-style-type: none"> ◦ Prior to house disturbance, the biologist shall obtain from CDFW a scientific collection permit for the trapping of the dusky-footed wood rats. 	Applicant	Compliance monitoring by the County Planning Department	Prior to initiation of construction activities

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	<ul style="list-style-type: none"> Houses shall be disturbed/dismantled only during the non-breeding season, generally between late summer and early fall, as determined in consultation with the project biologist and CDFW.. If trapping is utilized as part of the relocation plan, prior to house disturbance, wood rats shall be trapped at dusk of the night set for relocation of the nest(s). Any existing house that may be disturbed by construction activities shall be mostly dismantled and the material spread in the vicinity of identified house relocation site(s). In order to avoid the potential health effects associated with handling rodents and their milieu, all workers involved in the handling of the wood rats or the house materials should wear protective gear to prevent inhalation of contaminant particulates, contact with conjunctiva (eyes), and protection against flea bites; a respirator, eye protection and skin protection should all be used. Dismantling shall be done by hand, allowing any animals not trapped to escape either along existing woodrat trails or toward other available habitat. If a litter of young is found or suspected, house and nest material shall be replaced, and the house left alone for 2-3 weeks before a recheck to verify that young are capable of independent survival before proceeding with house dismantling. Woody debris shall be collected from the area and relocated houses shall be partially constructed in an area determined by the qualified biologist to be both suitable for the wood rats and far enough away from the construction activities that they will not be impacted. If trapping is utilized as part of the relocation plan, rats that were collected at dusk shall be released hours before dawn near the newly constructed nests to allow time for rats to find refuge. 			
BIO-5	<p>Implement Construction Related Protective Measures for Bats. The following protective measures for bats will be implemented throughout the duration of construction activities.</p> <ul style="list-style-type: none"> To the greatest extent feasible, conduct limbing/tree removal operations between September 15 and November 1 to avoid bat maternity roosts and winter hibernacula, as well as other sensitive biological resources. To avoid impacts to potential roosting bats, a qualified biologist shall conduct a pre-construction survey for bats during all months as follows: <ul style="list-style-type: none"> A qualified biologist will determine if bats are utilizing the Project area where construction activities would occur, or adjacent trees/snags/buildings for roosting. For any trees/snags/buildings that could provide roosting space for cavity or foliage-roosting bats, potential bat roost features will be thoroughly evaluated to determine if bats are present. Visual inspection and/or acoustic surveys will be utilized as initial techniques. If roosting bats are found, the biologist will develop and implement acceptable passive exclusion methods in coordination with or based on CDFW recommendations. If feasible, exclusion will take place during the appropriate windows (September 15 and November 1) to avoid harming bat maternity roosts and/or winter hibernacula. (Authorization from CDFW is required to evict winter hibernacula for bats). If established maternity colonies are found, in coordination with CDFW, a buffer will be established around the colony to protect pre-volant young from construction disturbances until the young can fly; or implement other measures acceptable to CDFW. 	Applicant	Compliance monitoring by the County Planning Department	Prior to initiation of any phase of construction

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	<ul style="list-style-type: none"> ○ If a tree is determined not to be an active roost site for roosting bats, it may be immediately limbed or removed as follows: <ul style="list-style-type: none"> • If foliage roosting bats are determined to be present, limbs will be lowered, inspected for bats by a bat biologist, and chipped immediately or moved to a dump site. Alternately, limbs may be lowered and left on the ground until the following day, when they can be chipped or moved to a dump site. No logs or tree sections will be dropped on downed limbs or limb piles that have not been in place since the previous day. ○ If the tree is not limbed or removed within four days of the survey, the survey efforts shall be repeated. 			
BIO-6	<p>Implement Construction Related Protective And Replacement Measures For Coastal Scrub Habitat. The following protective and replacement measures for coastal scrub habitat will be implemented throughout the duration of construction activities.</p> <ul style="list-style-type: none"> • Construction equipment will be staged in ruderal and developed areas only and, to the greatest extent feasible, equipment will access the ditch system from the south side in ruderal and developed habitat. • Coastal scrub habitat will be fenced off to prevent encroachment from construction related equipment and materials, and the construction footprint adjacent to this habitat will be minimized to the greatest extent practicable. • Permanent impacts to coastal scrub will be mitigated through replacement at a 3:1 ratio in suitable upland locations east of the Seasonal Ponds, east of the North Pond, and along the top of the embankment to No-Name Creek where poison hemlock currently dominates the area. Plantings will consist of locally-sourced native coastal scrub plantings (such as coastal sage brush, coffeeberry, coyote bush, California blackberry, California wild rose, and lizard tail) in accordance with the Mitigation and Management Plan required by Mitigation Measure BIO-8. • Where temporary impacts to coastal scrub occur, the area will be allowed to resprout from stumps and roots and will be re-vegetated, as needed, with locally-sourced native coastal scrub plantings (as listed above for permanent impacts) in accordance with the Mitigation and Management Plan required by Mitigation Measure BIO-8. Adjacent non- native grassland and ruderal habitats may also be planted with coastal scrub vegetation, where appropriate, to support the revegetation of this habitat. 	Applicant	Compliance monitoring by the County Planning Department	Approval of Mitigation and Management Plan, and protective measures in place prior to initiation of construction activities in areas with regulated waters and habitats; Revegetation prior to project completion; Post project monitoring

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
BIO-7	<p>Implement Construction Related Protective and Replacement Measures for Arroyo Willow Scrub Habitat. The following protective and replacement measures for arroyo scrub habitat will be implemented throughout the duration of construction activities.</p> <ul style="list-style-type: none"> To the greatest extent feasible, minimize removal of arroyo willow scrub and protect the remaining habitat from construction activities through installation of protective fencing. At a minimum, the Project will result in no net loss of arroyo willow scrub habitat. Replace arroyo willow scrub at a ratio to be determined by the County and other state and federal agencies in accordance with the Mitigation and Management Plan required by Mitigation Measure BIO-8. To mitigate for permanent impacts, arroyo willow pole cuttings will be planted in other suitable locations within and immediately adjacent to the Project area as described in the Mitigation and Management Plan: along the southwestern corner of the North Pond, at the outfall structure from the North Pond bypass pipe to No-Name Creek, on the northern side of the proposed mitigation seasonal willow pond in the remediated coal storage area, and along the western edge of the "frog swale", a feature located west of the wastewater treatment pond immediately west of the Project boundary area within CEMEX property. . Where temporary impacts to arroyo willow scrub occur, the area will be allowed to resprout from stumps and roots, through natural recruitment, and will be re-vegetated, as needed, with locally-sourced willow pole cuttings in accordance with the Mitigation and Management Plan required by Mitigation Measure BIO-8. 	Applicant	Compliance monitoring by the County Planning Department	Approval of Mitigation and Management Plan, and protective measures in place prior to initiation of construction activities in areas with regulated waters and habitats; Revegetation prior to project completion; Post project monitoring
BIO-8	<p>Implement Protective and Replacement Actions for Jurisdictional Wetlands And Waters of The U.S. Implementation of the following measures would minimize potential temporary and permanent impacts on jurisdictional wetlands and waters of the U.S.</p> <ul style="list-style-type: none"> Avoid or minimize disturbance to wetlands, aquatic features (ponds), as well as to other sensitive habitats (coastal scrub, arroyo willow scrub, and edge habitats) through the installation of construction fencing around staging and work areas, and access routes, outside of which no activities would occur and no materials would be stored. The construction fencing will be placed in accordance with the stages of work being implemented in specific areas throughout the Biological Study Area, as feasible, to allow a corridor for wildlife movement along the southern boundary of the Project area. Where feasible, avoid grubbing and construction within 100 feet of the edge of wetlands, ponds, and No-Name Creek, per the County of Santa Cruz General Plan/LCP and Sensitive Habitats Ordinance. Restrict access roads that must enter into aquatic features to one location, and minimize the area of impact that results from these access roads to the greatest extent feasible. Construct a replacement seasonal wetland at a ratio of 3:1, as included in the Closure Plan. A shallow mitigation feature of approximately 0.7 acre would be excavated along (outside of) the eastern fringe of the Seasonal Ponds, planted with locally sourced native wetland vegetation, including, but not limited to, a seed mix composed of California oat grass, Mediterranean barley, and seep monkey flower; plugs of spreading rush and Pacific rush; and stakes of arroyo willow, where applicable. 	Applicant	Compliance monitoring by the County Planning Department	Authorization by USACE; approval of Mitigation and Management Plan, and protective measures in place prior to initiation of construction activities in areas with regulated waters and habitats; Wetland mitigation and revegetation prior to project completion; Post project monitoring

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	<ul style="list-style-type: none"> As detailed in the Mitigation and Management Plan, to mitigate for permanent impacts to aquatic habitat in the Seasonal Ponds, develop a replacement seasonal willow pond in the coal storage area north of Retention Pond. To mitigate for permanent impacts to riparian and poison oak wetlands, the northern portion of the mitigation pond will be planted with riparian wetland plantings and willow pole cuttings. Container plants and/or willow pole cuttings will also be planted along the northern margin of the Retention Pond, in the wetland fringe east of the Seasonal Ponds, along the southwestern corner of the North Pond, at the outfall structure from the North Pond Bypass Pipe to No-Name Creek, and along the western edge of the "frog swale", a feature located west of the wastewater treatment pond immediately west of the project boundary area within CEMEX property. In addition to arroyo willow pole cuttings, plantings will consist of locally-sourced native riparian plantings including red elderberry, beaked hazelnut, California blackberry, and coffeeberry, as well as those wetland species listed above. Develop and implement a Mitigation and Management Plan that will include the following: <ul style="list-style-type: none"> Planning mitigation strategies with regulatory agencies, including the County of Santa Cruz, CDFW, the Water Board, and USFWS. Developing a description of the Project, including acreages of temporary and permanent impacts to palustrine emergent wetlands, Coastal Act wetlands (arroyo willow scrub), and aquatic features (ponds), as identified in the formal delineation of jurisdictional wetlands and other waters of the U.S. Goals of the compensatory mitigation project, including types and areas of wetland and aquatic habitat to be created, restored, and/or enhanced, and mitigation ratios (created/restored/enhanced : impacted). Disturbed areas of coastal scrub habitat and arroyo willow riparian scrub habitat shall be restored at a 3:1 ratio. Identifying the location and acreage of wetland and riparian mitigation areas, including size and ownership status. Detailing wetland and aquatic construction and planting techniques. Species, size, and locations of all restoration plantings. These plantings shall occur at sizes and ratios determined by the restoration specialist to adequately restore native habitat while maximizing plant health and survivability of individual trees and shrubs. Information regarding the methods of irrigation for restoration plantings. Replacing all non-native tree and shrub vegetation with native, locally-sourced vegetation. Describing and designing of habitat requirements for special-status wildlife, including CRLF, potentially occupying wetland and aquatic habitats. Identifying maintenance activities that will occur during the monitoring period, including replanting native wetland and riparian vegetation and weed removal that will not result in take of CRLF. Producing long-term quantitative and qualitative monitoring and reporting, and documenting the ability of the areas to meet or surpass performance 			

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	<p>criteria.</p> <ul style="list-style-type: none"> 5-year management plan for maintenance and monitoring of restored areas to maintain 100% survival of installed container stock in year 1, 90% survival rate in year 2, and at least 80% survival in years 3-5. Replacement plants shall be installed as needed during the monitoring period to meet survival rates. Annual reports shall be submitted to the County Planning Department by December 31 of each monitoring year. Developing adaptive management strategies to ensure the long-term viability of mitigation areas. Developing strategies to protect remaining wetland and aquatic/riverine habitats. 			
Cultural Resources				
CR-1	<p>Conduct Awareness Training and Stop Work in the Event of Unexpected Occurrence of Cultural or Historic Resources During Construction. Prior to the onset of construction activities at the Cement Plant, a qualified archaeologist (who meets the Secretary of the Interior's Professional Qualifications Standards as promulgated in 36 CFR 61 and who has experience with precontact, historic period, and tribal resources) shall be present at the construction site to conduct awareness training. The aware training will inform the construction crew of historic activities that may result in the presence of cultural or historic resources throughout the Project area, and will provide photographic examples of the types of resources that may be found.</p> <p>Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed. If previously unknown cultural or historic resources are encountered, an archaeological report must be prepared by a qualified professional archaeologist and no further excavation or development may take place except as authorized by an archaeological site development approval. The archaeologist will work to determine the extent of the materials encountered and develop an appropriate course of action. Such actions may include identifying alternative construction methodologies or the placement of Project materials/structures in alternative locations, with the ultimate goal of providing the ability for the project to move forward while protecting the resources in place.</p>	Applicant	Compliance monitoring by the County Planning Department	Prior to initiation of construction activities and if cultural or historic resource discovered during construction
CR-2	<p>Stop Work in the Event of Unexpected Occurrence of Human Remains During Construction. If human remains and/or associated funerary objects are discovered during ground disturbing activities, construction crews will stop work and immediately notify the Santa Cruz County Coroner, the Planning Director, and a qualified archaeologist, in accordance with applicable local and State laws. In the event that the Coroner determines that the human remains are Native American, the County will notify the Native American Heritage Commission (NAHC) according to the requirements in PRC Section 5097.98. NAHC will appoint a Most Likely Descendant (MLD). A qualified archeologist, County and MLD will make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5[d]). The agreement will take into consideration the appropriate preservation measures, with the</p>	Applicant	Compliance monitoring by the County Planning Department	If human remains discovered during construction

No.	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance
	<p>preference to preserve all resources intact and in place. The County will work with RMC Pacific Materials, LLC to develop an alternative pipeline route, or excavate, remove, record, analyze, take custody of, and finally respectfully dispose of the human remains and associated or unassociated funerary objects. The PRC allows 48 hours to reach agreement on these matters.</p>			

Geology and Soils				
GEO-1	<p>Stop Work in the Event of Unexpected Paleontological Resources or Unique Geological Features During Construction. If paleontological resources or unique geologic features are discovered during soil-disturbing activities, the construction crew will stop work and immediately notify the County Planning Director and a qualified paleontologist. The procedures established in Santa Cruz County Code Section 16.44.070, shall be observed. A paleontological resource or fossil is any evidence of ancient life preserved in a geologic context (e.g., leaves, bones, teeth, shells). A paleontologist will inspect the discovery and determine whether further investigation is required. If the discovery can be avoided, no further mitigation will be required. If the resource cannot be avoided, the qualified paleontologist will evaluate the resource and determine whether it meets the definition of "unique". If the resource is determined to not be unique, work may continue in the area. If the resource is determined to be unique, work will remain halted, and a preservation or recovery plan will be prepared. Preservation in place is the preferred protective measure. If preservation in place is not possible, resources and/or fossils will be recovered, prepared, identified, catalogued and analyzed according to current professional standards under the direction of the qualified paleontologist. Work may commence at the time of completion of the treatment. A final summary report will be completed and submitted to the County. The report will include a discussion of the methods used, stratigraphy exposed, fossils collected, and the significance of the recovered fossils. The report will also include an itemized inventory of all the collected and catalogued fossil specimens.</p>	Applicant	Compliance monitoring by the County Planning Department	If paleontological resources or unique geological features discovered during construction

From: David Carlson
Sent: Friday, December 11, 2020 3:37 PM
To: David Carlson
Subject: FW: Public Comments: Environmental Impact Analysis of Davenport Cement Plant Closure Dust Plan

From: Alison Edwards <alison.edwards02@gmail.com>
Date: December 11, 2020 at 10:03:50 AM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>, Alison Edwards <alison.edwards02@gmail.com>
Subject: Public Comments: Environmental Impact Analysis of Davenport Cement Plant Closure Dust Plan

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To: SC County Planning Director Kathy Molloy

From: Alison Edwards, resident at 101 San Vicente St, Davenport CA.

Dear Planning Director Molloy,

As a resident/homeowner of the town of Davenport just downwind of the cement plant, I am genuinely concerned about the current plans the county has to remediate the CKD pile on that property. I am happy that there is finally something being done about that CKD pile, clearly it needs to happen. But, I want to county, the state, and the owners of the cement plant to fix that CKD pile in a process which has the absolutely least impact on the health and well being of the current residents of Davenport. As you know - we have already had a very difficult time lately - with the fire here, as well as the pandemic and now with mandatory evacuations for debris flows throughout the winter. We need the County to work with us to make this CKD pile work happen in a way that does not negatively impact us.

Your current plan has a number of issues which must be adjusted in order to not adversely impact all of us who live here. My biggest concern is windblown dust. I was able to observe the area around the CKD pile a few weeks ago during windy conditions and there were very large plumes of dust being blown toward Old Town from the flat area inland of the pile and from around the water plant. If this is happening before disturbance I'm scared of what will occur when they're regrading the whole area.

The number one issue which needs to be addressed and adjusted is timing. Due to the very strong north winds which happen on the North Coast each Spring, doing the grading work on this pile during that time would have significant negative health impacts on all of us who live downwind of the CKD pile. As you know, that fine particulate matter is unhealthy, and that CKD dust does have some hazardous materials in it as

well. For both of those reasons, the timing of the grading of the CKT pile is the number one management issue of this project. Fall and Winter are the best times to do this work. Oct - Feb are the absolutely best months to do this work from this perspective. I believe that the county might have been avoiding those months due to avoidance of impact on red legged frogs. I understand and respect that, but while red legged frog habitat is important (though questionable on the highly industrial use land of the cement plant) - it should not take precedence over the physical health and well being of the people of the town of Davenport.

Your current plan puts this work being done during the windiest time of the year - spring through summer. That is unacceptable for those of us who live downwind from the CKD pile. If you insist on doing this work during those months (which I do not agree with) then the timing of the work should be adjusted so that it is ONLY done at night (when there is no wind). If the work was done from evening through the night and wrapping up by 10 am then it could possibly be done during the Spring/summer - if and only if the entire graded area was deeply watered down each morning to keep dust from impacting the town during the high winds which start each day around 10 am and last until dusk.

It appears that the planning process, as currently outlined, is primarily concerned with/focused on water quality. While important, water quality is not the biggest impact of this project on the residents of Davenport - rather, air quality is. The county needs to re-do this plan with air quality being front and center in the planning process. Fugitive dust has the potential to be a significant air quality health issue for the residents of Davenport. This plan needs to be re-made with every attempt to manage the project for the least air quality impact on those of us who live, work and go to school here.

As the plan currently stands - dust generating activities are upwind of much of Davenport. All activities will be during the dry (windy) season. This is likely due to the fact that the consultants did not use the best available science for background wind data. The data they cite are from 1998 (a strong La Nina year which has been associated with lower wind velocities in our area) and from non-overlapping window of months of the proposed activity: 6/13-11/20/1998 vs 4/1-10/31 (see attached from Appendix 5 Table 2-1 and Figure 2-6). These data are old and appear to be cherry picked (only 4 DAYS with winds over 15mphs during the entire time) - suggesting little potential impact on the Town of Davenport. We are all familiar with predominant of very strong NW daytime wind direction especially during the spring April 1 - Oct 31. I think the consultant should reference representative wind data.

In addition, the consultants do not mention dust and control of dust from the degraded plastic sheeting that is disintegrating atop the CKD

pile. Which becomes air born and rains down on the town of Davenport.

We have an elementary school downwind of these operations. The health of school students, teachers, and residents would be best protected with an adaptive management operations protocol where work occurs outside of high wind events with appropriate onsite dust mitigation (water hoses) not just on roads but on active operations where soil is scraped, dumped and transported.

When CEMEX removed the Ball Mill there was lots of fugitive dust that impacted the town of Davenport. They worked during some of the windiest days of that season. The structures that were removed contained significant amounts of dust and contained signage that said "Caution - Respirator Required for Entry". The contractor did not use hoses to water down the site to control dust. The trucks leaving the site were not tarped and billowed dust from Davenport all the way to the recycler's yard in South County. There were no monitoring stations. I could visually see the dust in the air, in our home, and feel it in my mouth and lungs.

The County must adapt this CKD project planning to avoid such air quality impacts going forward.

I have reviewed the Dust Monitoring Plan - Appendix 5 and they are using some poor data and questionable assumptions about wind speed that I believe need to be addressed. In particular, they use a wind speed study that was conducted at the "schoolhouse" (Presumably Pacific School) that was conducted June to November 1998. There are two obvious problems. First, Pacific school is protected from the prevailing winds from the eucalyptus forest to the North. Anyone with direct experience here knows wind speeds are much lower at the school than in open area such as the CKD pile. Second, Spring is the windiest time of year here, but the study was conducted during summer and fall and therefore does not represent actual conditions. The fact that best highlights that the wind study is not representative is that the study found only 4 days with wind speeds above 15 mph during 6 months of monitoring! Any quick glance at weather data shows this is very far from actual conditions.

I'm also concerned about the report's assumptions about the size of materials that are present at the site. This is not my area of expertise, but it appears that no field measurements were taken to establish the size of the materials, especially the CKD dust. Instead the study appears to assume a midpoint particle size based on previous studies conducted elsewhere. Smaller particles are blown more easily - are the particles that will be exposed during this project large or small?

Incorrect information about the wind and no information about the size of local materials raises a red flag about the validity of this

mitigation plan. At a minimum these issues need to be addressed and the plan modified to accommodate the findings. In addition I recommend the county address the need to change the timing of the work (both time of year and time of day) as well as add significant planning to keep any portion of the disturbed CKD pile watered down multiple times a day. I also suggest that the plan be adapted so that portions of the CKT pile which are disturbed are capped or covered as by section as the work progresses - in order to keep those graded portions from releasing fugitive dust and creating unhealthy air quality for the residents of Davenport for the duration of the work.

Please keep us posted on how our concerns are being addressed and how the consultants and county will be changing the project plan to address the negative impacts outlined here.

Thank you so much,

Alison Edwards

101 San Vicente St, Davenport CA

David Carlson

From: David Carlson
Sent: Monday, December 7, 2020 2:34 PM
To: David Carlson
Subject: FW: Comments on Davenport North Cement Kiln Dust Area Closure Project

Begin forwarded message:

From: Brian McElroy <briancareymcelroy@gmail.com>
Date: December 3, 2020 at 2:10:11 PM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: Comments on Davenport North Cement Kiln Dust Area Closure Project

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Santa Cruz County Planning Department
Planning Director Kathy Molloy
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
Via email at kathy.molloy@santacruzcounty.us

Brian McElroy
13 First Ave.
Davenport, CA 95017
briancareymcelroy@gmail.com

Comments on Initial Study Davenport North Cement Kiln Dust Area Closure Project

I only became aware of this plan on 12/3 – the day before comments were due. I am supportive of the project to remediate the Kiln Dust pile, but would like to better understand the project and be better informed. This late notification precludes any sort of careful analysis or input. However, I have comments below from other community members and my own review of the documents.

1. There has been insufficient notification of the local stakeholders (residents, businesses, local school) to allow careful study and timely comments. I request an extension of the comment period to allow sufficient public input. My home is adjacent to the Cement Plant Property on First Ave, only separated by the road. Perhaps this is not technically “adjacent” but I protest the lack of notification. Please provide me with a list of all parties notified of this action. If I was notified and failed to acknowledge the notice then I stand corrected.

2. There has been insufficient assessment of the characteristics of the material to be mitigated. The CKD pile has been covered for years with a combination of petroleum-based plastic tarping and used tires. What is the potential for this material to become suspended during operations, what are the potential health effects, and will they be properly mitigated. The consultants do not mention dust and control of dust from the degraded plastic sheeting that is disintegrating atop the CKD pile. Which becomes air born and rains down on the town of Davenport.

1. There has not been a direct analysis of the CKD material. It appears instead that an analysis of similar material from another location has formed the basis of the prediction of the physical quality of the material likely forming dust during operations. This is inadequate as particle sizes and composition is likely different at the RMC site in Davenport compared to the material presented in the analysis.
2. The data on wind are severely outdated (climate models are showing intensification of NW winds in the Central California coastal region), based upon a location that does not represent what will be present at the mitigation site (the wind-protected "schoolhouse" site rather than the actual mitigation site), seasonally incorrect (Summer/Fall rather than Spring), and taken from an anomalous year (La Nina – 1998). It is well established that the strongest and most consistent winds occur in the area in the Spring between March and June. However, the wind data used in the analysis was from the LEAST windy period in the region (June-November - Summer/Fall). We understand the mitigation effort will occur during the Spring season (April-October). Specifically, the consultants do not use the best available science for background wind data. The data they cite are from 1998 (a strong La Nina year which has been associated with lower wind velocities in our area) and from non-overlapping window of months of the proposed activity: 6/13-11/20/1998 vs 4/1-10/31 (see attached from Appendix 5 Table 2-1 and Figure 2-6). Indeed, these old data appear to be cherry picked (**only 4 DAYS** with winds over 15mphs during the entire time) - suggesting little potential impact on the Town of Davenport. We are all familiar with predominant NW daytime wind direction especially during the spring April 1 - Oct 31. More representative wind data should be used.
3. Dust mitigation plan. We have an elementary school downwind of these operations. The health of school students, teachers, and residents would be best protected with an adaptive management operations protocol where work occurs outside of high wind events with appropriate onsite dust mitigation (water hoses) not just on roads but on active operations where soil is scraped, dumped and transported. Our experience when CEMEX removed the Ball Mill was that there was significant fugitive dust that impacted the town of Davenport. Indeed, the work was conducted during some of the windiest days of that season. The structures that were removed contained significant amounts of dust and contained signage that said "Caution - Respirator Required for Entry". The contractor did not use hoses to water down the site to control dust. The trucks leaving the site were not tarped and billowed dust from Davenport all the way to the recycler's yard in South County. There were no monitoring stations. I could visually see the dust in the air, in our home, and feel it in my mouth and lungs. We are fearful of a similar scenario developing under this plan with inadequately defined timing and dust mitigation procedures.

4. Traffic planning. The project will require a significant amount of heavy truck traffic. The reports does not address impacts on Cement Plant Road. The report could define measures to be taken to reduce traffic on Cement Plant Road and avoid residential areas at First and Third Avenues. The report addresses impacts to HWY 1 and Warrannela Road but fails to mitigate dust, and safety concerns. What measures will be taken to reduce dust from truck loads, tires and truck bodies?

As mentioned above, these comments have been developed with the most cursory review of the proposal due to the inadequate prior notification. I respectfully request an extension of 30 days to allow our community to more fully assess this important and impactful activity likely to affect the quality and health of our community, school, and businesses. Thank you for your time and effort reading my comments.

Brian McElroy

David Carlson

From: Clint Biddle <clintjbiddle@gmail.com>
Sent: Tuesday, January 19, 2021 10:53 AM
To: David Carlson
Subject: CEMEX CKD Project

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Hi David,

I live on First Avenue in Davenport and plan to attend, and would like to briefly speak/comment at, the public phone call meeting tomorrow (1/20) at 5pm regarding the implementation of the final North CKD Area Closure Plan at the former Davenport Cement Plant.

While I support the project, I have significant concern at the prospect of the trucks passing by the "Newtown" neighborhood (1st, 2nd, and 3rd Avenues) of Davenport along Cement Plant Road and the associated noise, traffic and CKD that is likely to blow off of the trucks as they pass our neighborhood.

I think that the trucks should either have to exit through the Cement Plant's main entrance/exit near highway 1, or if they must go down Waranella Road they should only be on Cement Plant Road for the short distance between the Warrenella Road gate and the railroad crossing entrance to highway 1 just south of the gate. They will then only be on Cement Plant Road for 40 yards give or take and will not pass by the Newtown neighborhood. That entrance to highway 1 has much better visibility and runway for big slow trucks than the ones south of Newtown anyway making it safer all around.

I am also concerned about:

- Dust impacts from excavation, fill dumping, and grading.
- Impacts to current drainage issues that are eroding the hill behind New Town.

Thank you,
Clint Biddle
1st Avenue
Davenport, CA

David Carlson

From: Kathy Molloy
Sent: Saturday, December 19, 2020 12:23 AM
To: David Carlson
Subject: Fwd: Davenport Cement Plant Closure Dust Plan

Begin forwarded message:

From: Clint Biddle <clintjbiddle@gmail.com>
Date: December 18, 2020 at 11:12:42 PM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: Davenport Cement Plant Closure Dust Plan

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Hello Kathy,

My name is Clint Biddle and I am a resident of New Town, Davenport.

I have read over the comments on the Plant Mitigation Study done by the DNCA and strongly agree with their points below:

1. There has been insufficient notification of the local stakeholders (residents, businesses, local school) to allow careful study and timely comments. DNCA strongly urges an extension of the comment period to allow sufficient public input.
2. There has been insufficient assessment of the characteristics of the material to be mitigated. The CKD pile has been covered for years with a combination of petroleum-based plastic tarping and used tires. What is the potential for this material to become suspended during operations, what are the potential health effects, and will they be properly mitigated. The consultants do not mention dust and control of dust from the degraded plastic sheeting that is disintegrating atop the CKD pile. Which becomes air born and rains down on the town of Davenport.
3. There has not been a direct analysis of the CKD material. It appears instead that an analysis of similar material from another location has formed the basis of the prediction of the physical quality of the material likely forming dust during operations. This is inadequate as particle sizes and composition is likely different at the RMC site in Davenport compared to the material presented in the analysis.
4. The data on wind are severely outdated (climate models are showing intensification of NW winds in the Central California coastal region), based upon a location that does not represent what will be present at the mitigation site (the wind-protected "schoolhouse" site rather than the actual mitigation site), seasonally incorrect (Summer/Fall rather than Spring), and taken from an anomalous year (La Nina – 1998). It is well established that the strongest and most consistent winds occur in the area in the Spring between March and June. However, the wind data used in the analysis was from the LEAST windy period in the region (June-November - Summer/Fall). We understand the mitigation effort will occur during the Spring season (April-October). Specifically, the consultants do not use the best available science for background wind data. The data they cite are from 1998 (a strong La Nina year which has been associated with lower wind

velocities in our area) and from non-overlapping window of months of the proposed activity: 6/13-11/20/1998 vs 4/1-10/31. Indeed, these old data appear to be cherry picked (**only 4 DAYS** with winds over 15mphs during the entire time) - suggesting little potential impact on the Town of Davenport. We are all familiar with predominant NW daytime wind direction especially during the spring April 1 - Oct 31. More representative wind data should be used.

5. **Dust mitigation plan.** We have an elementary school downwind of these operations. The health of school students, teachers, and residents would be best protected with an adaptive management operations protocol where work occurs outside of high wind events with appropriate onsite dust mitigation (water hoses) not just on roads but on active operations where soil is scraped, dumped and transported. Our experience when CEMEX removed the Ball Mill was that there was significant fugitive dust that impacted the town of Davenport. Indeed, the work was conducted during some of the windiest days of that season. The structures that were removed contained significant amounts of dust and contained signage that said "Caution - Respirator Required for Entry". The contractor did not use hoses to water down the site to control dust. The trucks leaving the site were not tarped and billowed dust from Davenport all the way to the recycler's yard in South County. There were no monitoring stations. I could visually see the dust in the air, in our home, and feel it in my mouth and lungs. We are fearful of a similar scenario developing under this plan with inadequately defined timing and dust mitigation procedures.

6. Our understanding based upon our read of the process and requirements is that properties considered "contiguous" we be notified of the process and plan with opportunity for comment. None of the Davenport residents contacted by the DNCA had received notification of the plan. This seems to violate the regulatory requirements of the process.

Thank you for your consideration,
Clint Biddle
Resident at 9 1st Ave., Davenport, CA, 95017

David Carlson

From: Colin Hannon <colinhannon@cruzio.com>
Sent: Monday, January 18, 2021 9:13 PM
To: David Carlson
Subject: Davenport CKD closure comments/concerns

****CAUTION:This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Dear David,

I am a homeowner in New Town, Davenport adjacent to the project site where I live with my wife and 2 young children. We are concerned about dust, traffic, and noise connected with the Davenport CKD project. I was grateful to be on the very informative zoom call recently where information was shared with local residents and the DNCA etc. The amount of planned earthmoving and its potential to create dust, traffic, and noise that could significantly impact our neighborhood was concerning. The Cemex representative said in that meeting that their goal was 'no dust whatsoever' leaving the site. This seems unrealistic and leads one to wonder if other mitigations in the plan are realistic and adequate. We are very glad that this site is going to be cleaned up, and hopeful that every effort will be made to ensure that it is safe for Davenport residents and that any negative impacts will be minimized and mitigated adequately. Thank you for your time and consideration.

Best,

Colin Hannon
831-345-4372
20 3rd Ave
Davenport, CA
95017

David Carlson

From: Courtney Scruggs <courtneyrscruggs@gmail.com>
Sent: Monday, January 18, 2021 11:27 AM
To: David Carlson
Subject: CKD Pile - Davenport Cement Plant

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Hello David,

First, I want to thank you for heading this and tell you how excited we are that this is being managed!

As a resident of New Town Davenport I *am* a bit concerned with the dust, traffic and damage that may be done to our road. We are hoping that the dust will be mitigated with water trucks especially with our high winds in the spring time and the truck drivers will be warned that they are driving through an area with neighbors, kids and lots of pets. We are a tight knit community and would love it if the people working on this project could treat this as if it were their neighborhood and take it slow. When they put in the pond just north of us, they severely damaged the road and when it was over, they did repairs as necessary. I am hoping there is a plan to do the same on this project.

I am one of many who live and work out of the house here in New Town so my hope is that we will not be too impacted by this clean up process. Thank you again for your hard work and I look forward to seeing you on the call scheduled for the 20th.

Best regards,
Courtney Scruggs

Resident of:
8 3rd Ave.
Davenport, CA, 95017

--

Courtney Renee Scruggs
P.O. Box 167
Davenport, CA, 95017

CourtneyRScruggs@gmail.com

(831) 205- 0285

<http://www.courtneyrenees.com>

<https://www.instagram.com/courtneyrenees/>

<https://www.facebook.com/courtneyreneescruggs>

David Carlson

From: Kathy Molloy
Sent: Saturday, December 19, 2020 12:21 AM
To: David Carlson
Subject: Fwd: CKD Pile Comments - Davenport

Begin forwarded message:

From: Courtney Scruggs <courtneyrscruggs@gmail.com>
Date: December 18, 2020 at 9:14:41 PM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: CKD Pile Comments - Davenport

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Hello Kathy,

My name is Courtney Scruggs and I am a resident of New Town, Davenport. It has come to my attention that there is a severe lack of information/planning associated with the proposed cleanup of the CKD pile on the Cemex property. I can literally see it out of my kitchen window so, as thrilled as I am that it is going to be cleaned up, I am concerned with the process being dangerous for our residents.

I have read over the comments on the Plant Mitigation Study and comments by the DNCA and Noel and strongly agree with their points as noted below.

1. There has been insufficient notification of the local residents to allow careful study and timely comments. I am requesting an extension of at least 30 days to allow our community to assess the impact of this activity likely to affect us.
2. There has been insufficient assessment of material to be cleaned up. I have lived here for 5 years and seen plenty of tarp, plastic and other debris flying away in the 30+ knots of breeze we see here in Davenport.
3. As stated in section 2, our winds can be unruly here and based on what time of day and what time of year, wind models could be inaccurate. There is a reason we are known as the windsurfing capital of the world. I would like to suggest a cap of 10 knots of wind in order to contain the debris that floats down on Davenport. I was not a resident when the Cement plant was in operation but I have heard horror stories of cars being covered in cement dust and would hate to see something like that happen again especially considering the legal battle that ensued causing Cemex to compensate residents and provide car covers. It would be unfortunate to see history repeat itself.
5. Dust mitigation plan. We have an elementary school and the heart of the town downwind of these operations. The health of residents would be best protected with proper watering prior to removal of the debris to keep down dust and other airborne particulates.

I know how hard it is to make everyone happy in matters like these but we're a small town of very loyal and caring residents and we've already dealt with a lot this year from Covid to the fires and potentially mudslides this winter. It would be nice to see things go smoothly in this operation with a little careful planning and we would all be eternally grateful for your kindness. This is our home and we would greatly appreciate it if you could remember that when considering how to go forward with this proposal.

Thank you for your consideration,
Courtney Scruggs
Resident at 8 3rd Ave., Davenport, CA, 95017

--

Courtney Renee Scruggs
P.O. Box 167
Davenport, CA, 95017
CourtneyRScruggs@gmail.com
(831) 205- 0285
<http://www.courtneyrenees.com>
<https://www.instagram.com/courtneyrenees/>
<https://www.facebook.com/courtneyreneescruggs>

David Carlson

From: Kathy Molloy
Sent: Saturday, December 19, 2020 12:21 AM
To: David Carlson
Subject: Fwd: CKD Pile Restoration Project Davenport, Ca.

Begin forwarded message:

From: Eric Ruderman <rudy161@gmail.com>
Date: December 18, 2020 at 8:54:11 PM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: CKD Pile Restoration Project Davenport, Ca.

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Kathy,

I am just becoming aware of this restoration project this evening, the last evening to comment. Was there a community outreach program that I somehow missed? The community that will be effected should know all the details sooner than later. In this case, it seems to be later.

There are many valid concerns about the CKD pile, inaccurate wind data used, risk assessment to the local community, as well a study of the actual pile for particulate make up and size. As a home owner in Davenport - 6 3rd Ave. I am voicing my concerns to you to be addressed and mitigated before the restoration project is underway.

We need you to at minimum, to water down the pile before, during and after any movement of materials to help limit airborne particulates.

Please update your wind data with accurate readings from proposed period - Spring, which is by far the winiest season here.

Your decisions will impact the health and safety of our community. We all want the pile dealt with, but it needs to happen with the safety of the community at the forefront.

Sincerely,

Eric Ruderman

David Carlson

From: David Carlson
Sent: Friday, December 11, 2020 3:38 PM
To: David Carlson
Subject: FW: Public Comments: Environmental Impact Analysis of Davenport Cement Plant Closure Dust Plan

Begin forwarded message:

From: Josto Puddu <jpuddu@ucsc.edu>
Date: December 11, 2020 at 10:25:54 AM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: Public Comments: Environmental Impact Analysis of Davenport Cement Plant Closure Dust Plan

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Dear Planning Director Molloy,

I am an homeowner in the town of Davenport just downwind of the cement plant, I am very concerned about the current plans the county has to remediate the CKD pile on that property.

I am happy that there is finally something being done about it.

But, I want to county, the state, and the owners of the cement plant to fix that CKD pile in a process which has the absolutely least impact on the health and well being of the current residents of Davenport.

As you know - we have already had a very difficult time lately - with the fire here, as well as the pandemic and now with mandatory evacuations for debris flows throughout the winter. We need the County to work with us to make this CKD pile work happen in a way that does not negatively impact us, now or in long term health risks.

Your current plan has a number of issues which must be adjusted in order to not adversely impact all of us who live here.

The concern is windblown dust. I was able to observe the area around the CKD pile a few weeks ago during windy conditions and there were very large plumes of dust being blown toward Old Town from the flat area inland of the pile and from around the water plant.

If this is happening before disturbance I'm scared of what will occur when they're regrading the whole area. [L]
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The number one issue which needs to be addressed and adjusted is mainly the timing.

Due to the very strong north winds which happen on the North Coast each Spring, doing the grading work on this pile during that time would have significant negative health impacts on all of us who live downwind of the CKD pile.

As you know, that fine particulate matter is unhealthy, and that CKD dust does have some hazardous materials in it as well. For both of those reasons, the timing of the grading of the CKT pile is the number one management issue of this project.

Fall and Winter are the best times to do this work. Oct - Feb are the absolutely best months to do this work from this perspective.

I believe that the county might have been avoiding those months due to avoidance of impact on red legged frogs.

I understand and respect that, but while red legged frog habitat is important (though questionable on the highly industrial use land of the cement plant) - it should not take precedence over the physical health and well being of the people of the town of Davenport.

Your current plan puts this work being done during the windiest time of the year - spring through summer.

That is simply unacceptable for those of us who live downwind from the CKD pile.

If you insist on doing this work during those months (which I do not agree with) then the timing of the work should be adjusted so that it is ONLY done at night (when there is no wind). If the work was done from 8pm through the night and wrapping up by 6 am then it could possibly be done during the Spring/summer - if and only if the entire graded area was deeply watered down each morning to keep dust from impacting the town during the high winds which start each day around 10 am and last until dusk.

It appears that the planning process, as currently outlined, is primarily concerned with/focused on water quality. While important, water quality is not the biggest impact of this project on the residents of Davenport - rather, air quality is. The county needs to re-do this plan with air quality being front and center in the planning process. Fugitive dust has the potential to be a significant air quality health issue for the residents of Davenport. This plan needs to be re-made with every attempt to manage the project for the least air quality impact on those of us who live, work and go to school here.

As the plan currently stands - dust generating activities are upwind of much of Davenport. All activities will be during the dry (windy) season.

This is likely due to the fact that the consultants did not use the best available science for background wind data. The data they cite are from 1998 (a strong La Nina year which has been associated with lower wind velocities in our area) and from non-overlapping window of months of the proposed activity: 6/13-11/20/1998 vs 4/1-10/31 (see attached from Appendix 5 Table 2-1 and Figure 2-6). These data are old and appear to be cherry picked (only 4 DAYS with winds over 15mphs during the entire time) - suggesting little potential impact on the Town of Davenport. We are all familiar with predominant of very strong NW daytime wind direction especially during the spring April 1 - Oct 31. I think the consultant should reference representative wind data.

In addition, the consultants do not mention dust and control of dust from the degraded plastic sheeting that is disintegrating atop the CKD pile. Which becomes air born and rains down on the town of Davenport.

We have an elementary school downwind of these operations. The health of school students, teachers, and residents would be best protected with an adaptive management operations protocol where work occurs outside of high wind events with appropriate onsite dust mitigation (water hoses) not just on roads but on active operations where soil is scraped, dumped and transported.

When CEMEX removed the Ball Mill there was lots of fugitive dust that impacted the town of Davenport. They worked during some of the windiest days of that season. The structures that were removed contained significant amounts of dust and contained signage that said "Caution - Respirator Required for Entry". The contractor did not use hoses to water down the site to control dust. The trucks leaving the site were not tarped and billowed dust from Davenport all the way to the recycler's yard in South County. There were no monitoring stations. I could visually see the dust in the air, in our home, and feel it in my mouth and lungs.

The County must adapt this CKD project planning to avoid such air quality impacts going forward.

I have reviewed the Dust Monitoring Plan - Appendix 5 and they are using some poor data and questionable assumptions about wind speed that I believe need to be addressed. In particular, they use a wind speed study that was conducted at the "schoolhouse" (Presumably Pacific School) that was conducted June to November 1998. There are two obvious problems. First, Pacific school is protected from the prevailing winds from the eucalyptus forest to the North. Anyone with direct experience here knows wind speeds are much lower at the school than in open area such as the CKD pile. Second, Spring is the windiest time of year here, but the study was conducted during summer and fall and therefore does not represent actual conditions. The fact that best highlights that the wind study is not representative is that the study found only 4 days with wind speeds above 15 mph during 6 months of monitoring! Any quick glance at weather data shows this is very far from actual conditions.

I'm also concerned about the report's assumptions about the size of materials that are present at the site. This is not my area of expertise, but it appears that no field measurements were taken to establish the size of the materials, especially the CKD dust. Instead the study appears to assume a midpoint particle size based on previous studies conducted elsewhere. Smaller particles are blown more easily - are the particles that will be exposed during this project large or small?

Incorrect information about the wind and no information about the size of local materials raises a red flag about the validity of this mitigation plan. At a minimum these issues need to be addressed and the plan modified to accommodate the findings. In addition I recommend the county address the need to change the timing of the work (both time of year and time of day) as well as add significant planning to keep any portion of the disturbed CKD pile watered down multiple times a day. I also suggest that the plan be adapted so that portions of the CKT pile which are disturbed are capped or covered as by section as the work progresses - in order to keep those graded portions from releasing fugitive dust and creating unhealthy air quality for the residents of Davenport for the duration of the work.

Please keep us posted on how our concerns are being addressed and how the consultants and county will be changing the project plan to address the negative impacts outlined here.

Thank you so much,
Iosto Saleri Puddu

101 San Vicente St, Davenport CA

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Josto Saleri Puddu
UCSC Dining
Business Systems Analyst
Cell (831) 212-5003
Office (831) 459-5236

David Carlson

From: David Carlson
Sent: Tuesday, December 22, 2020 2:49 PM
To: David Carlson
Subject: FW: Davenport CKD Closure proposal -Public Comments

Begin forwarded message:

From: kasha forgette <kashaforgettelac@gmail.com>
Date: December 17, 2020 at 11:09:28 PM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: Davenport CKD Closure proposal -Public Comments

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Kathy,

Hi this is Kasha Forgette And I have been a Davenport residence for many years. I would like to leave my public comment about the CKD closure proposal 2020 in Davenport.

I read through the report and am extremely concerned about 4 things. I believe for the health and safety of our community and children That these 4 things need to be addressed and that the proposal needs to include ways to mitigate these hazards to public health before this proposal moves forward.

1. When the CKD pile is grated It needs to be wetted down constantly to prevent dust and small particles of hazardous waste from reaching the elementary school 1/4 mile away. The school and community of Davenport is directly down wind from the CKD pile.

There needs to also be an over site group making sure the wetting down gets done and that the contractors are Following all safety protocols.

2. A level of acceptable wind knots for grating needs to be decided. For the safety and well being of the children at the school and the residents of Davenport. If the wind reaches over The safety threshold in knots the grating has to be postponed until wind levels come down. There needs to be an over site group to make sure This is being fallowed.

The wind data in the report was majorly flawed and not consistent with the Actual conditions on the north coast of Santa Cruz. The proposed time of year for the project is our windiest time of year. The north coast of santa Cruz has Extreme wind and can last dawn to dusk for days on end. The elementary school and town Of Davenport are directly down wind from the proposed CKD Project and if it is a windy day like we get up here most days the proposed grating of the CKD pile will cause major health risks to our children and community. These include A huge exposure to dust from the grating, exposure to hazardous materials in the CKD pile (listed as a hazardous materials site in 2019 for Santa Cruz county), both dust and hazardous materials in our water supply.

3. Our drinking water supply comes mostly from San Vicente creek which is downwind from the Proposed grating of the CKD Pile.

4. Particle size of material from the proposed CKD pile grating that will become airborne was not properly established or addressed in the report.

As residents of Davenport we would all like the CKD pile to be dealt with in the best way possible. However This proposal does not use Accurate data That is applicable When addressing the effect the grating of the CKD pile will have on the down wind community of Davenport, And the health and safety of the elementary school children 1/4 mile away.

The data does not truly represent the wind conditions here in Davenport, the amount of dust and hazardous materials that will blow down wind to the residents and Elementary school children, or into our drinking water supply. Nor does it address accurately the size of the dust and waste particles generated from the grating.

I strongly disagree with the statements on pages 94, 96, and 98 and feel that this project is a significant risk to the health and safety of the public and children of our community, and drinking water supply.

I think that the data in appendix 5 and 10 is not accurate and should be reconsidered.

If Safety measures Like spraying down the CKD pile with water while grating and only grating if wind is under certain knots in strength were implemented this project could pose less risk to the public health and safety in Davenport.

I ultimately think that the wind levels, particle size of the CKD pile material and impacts on drinking water and Risks of inhalation of this dust for adults and elementary school children Be further studied before this report or plan gets approved or moves forward.

Thank you for your time,

Kasha

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Warmly,

Kasha Forgette, LAC

(831) 239-1948

kashaforgettelac@gmail.com

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David Carlson

From: Kathy Molloy
Sent: Saturday, December 19, 2020 12:22 AM
To: David Carlson
Subject: Fwd: CKD Pile in Davenport

Begin forwarded message:

From: Maria Fernandez <bodyworkbymariaf@gmail.com>
Date: December 18, 2020 at 9:57:50 PM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: CKD Pile in Davenport

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Hi Kathy,

I am a resident of New Town in Davenport. It is very exciting to hear about plans to take care of the CKD pile. However there is some concern about the proposal and key missing information.

I strongly agree with their points as noted below on the Plant Mitigation Study done by the DNCA and Noel.

1. There has been insufficient notification of the local residents to allow careful study and timely comments. DNCA strongly urges an extension of the comment period to allow sufficient public input. I am requesting an extension of at least 30 days to allow our community to assess the impact of this activity likely to affect us.
2. There has been insufficient assessment of material to be cleaned up. I have lived here for 5 years and seen plenty of tarp, plastic and other debris flying away in the 30+ knots of breeze we see here in Davenport.
3. As stated in section 2, our winds can be unruly here and based on what time of day and what time of year, wind models could be inaccurate. There is a reason we are known as the windsurfing capital of the world. I would like to suggest a cap of 10 knots of wind in order to contain the debris that floats down on Davenport. I was not a resident when the Cement plant was in operation but I have heard horror stories of cars being covered in cement dust and would hate to see something like that happen again especially considering the legal battle that ensued causing Cemex to compensate residents and provide car covers. It would be unfortunate to see history repeat itself.
5. Dust mitigation plan. We have an elementary school and the heart of the town downwind of these operations. The health of residents would be best protected with proper watering prior to removal of the debris.

We would love to see this project in action along with addressing our concerns for the health and wellness of our community and environment.

Thank you so much,

Maria Fernandez
9 1st Ave
Davenport

David Carlson

From: Kathy Molloy
Sent: Saturday, December 19, 2020 12:21 AM
To: David Carlson
Subject: Fwd: Davenport CKD pile cleanup

Begin forwarded message:

From: Melissa Sullivan <scboardrider@gmail.com>
Date: December 18, 2020 at 9:17:47 PM PST
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: Davenport CKD pile cleanup

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Hello Kathy,

My name is Melissa Sullivan and I am a resident of New Town, Davenport. It has come to my attention that there is a severe lack of information associated with the proposed cleanup of the CKD pile on the Cemex property. I can literally see it out of my kitchen window so as thrilled as I am that it is going to be cleaned up, I am concerned with the process being dangerous for our residents.

I have read over the comments on the Plant Mitigation Study done by the DNCA and Noel and strongly agree with their points as noted below.

1. There has been insufficient notification of the local residents to allow careful study and timely comments. DNCA strongly urges an extension of the comment period to allow sufficient public input. I am requesting an extension of at least 30 days to allow our community to assess the impact of this activity likely to affect us.
2. There has been insufficient assessment of material to be cleaned up. I have lived here for 5 years and seen plenty of tarp, plastic and other debris flying away in the 30+ knots of breeze we see here in Davenport.
3. As stated in section 2, our winds can be unruly here and based on what time of day and what time of year, wind models could be inaccurate. There is a reason we are known as the windsurfing capital of the world. I would like to suggest a cap of 10 knots of wind in order to contain the debris that floats down on Davenport. I was not a resident when the Cement plant was in operation but I have heard horror stories of cars being covered in cement dust and would hate to see something like that happen again especially considering the legal battle that ensued causing Cemex to compensate residents and provide car covers. It would be unfortunate to see history repeat itself.
5. Dust mitigation plan. We have an elementary school and the heart of the town downwind of these operations. The health of residents would be best protected with proper watering prior to removal of the debris.

I know how hard it is to make everyone happy in matters like these but we're a small town of very loyal and caring residents and we've already dealt with a lot this year from Covid to the fires and potentially mudslides this winter. It would be nice to see things go smoothly in this

operation with a little careful planning and we would all be eternally grateful for your kindness. This is our home and we would greatly appreciate it if you could remember that when considering how to go forward with this proposal.

Thank you for your consideration,
Melissa Sullivan
Resident at 6 3rd Ave., Davenport, CA, 95017
831-251-2526

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ReplyForward

David Carlson

From: David Carlson
Sent: Tuesday, December 22, 2020 3:07 PM
To: David Carlson
Subject: FW: Davenport North Cement Kiln Dust Closure Project #28372

From: Noel Bock <ngbock@icloud.com>
Sent: Thursday, December 3, 2020 12:02 PM
To: Kathy Molloy <Kathy.Molloy@santacruzcounty.us>
Subject: Davenport North Cement Kiln Dust Closure Project #28372

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Planning Director Kathy Molloy,

We were surprised to hear about the Cement Plant CKD Closure Plan Public Comment Period ending tomorrow. We request the community of Davenport, NewTown and Pacific Elementary School be notified of updates on the planning for this mitigation operation. We have not seen any notification except by searching the Planning Department website.

After Supervisor Ryan Coonerty held the CKD Q&A meeting in February 2017 for the Davenport community, the Regional Water Board stated:

... If allowed to remain in place, it is expected that the North CKD Area will be regraded to mimic the adjacent sloping hilly terrain to make it easier to construct an engineered final cover. Although to a lesser extent, this work will also result in potential fugitive dust and greenhouse gas emissions that will need to be mitigated via oversight by other agencies.

...The Final Closure Plan is also required to include an assessment of the Retention Pond and associated drainages, including characterization of the sediments, and a corrective action plan as needed to mitigate any water quality threats.

- We request the Davenport North Coast Association (DNCA) be notified what agency(s) will be monitoring fugitive dust, gas emissions, and water quality during and after this mitigation.
- We request the DNCA be notified of the mitigation timeline.
- Since we were not told about the Cement Plant CKD Closure Plan Public Comment Period, would it be possible to extend the deadline beyond tomorrow 12/4?

Thank you,
Noel Garin Bock
Davenport North Coast Association
ngbock@icloud.com
831-332-0646 cell

David Carlson

From: Noel Bock <ngbock@icloud.com>
Sent: Thursday, December 3, 2020 2:58 PM
To: Kathy Molloy
Cc: David Carlson; Rachel Dann; Brian McElroy
Subject: Re: Davenport North Cement Kiln Dust Closure Project #28372

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Kathy,

Thank you for you quick response and for extending the deadline.

Board member, Brian McElroy, would like to take advantage of the opportunity to meet with David Carlson to better understand the affects especially on NewTown. He will be in touch with you.

None-the-less, I would like to forward you the comments made by a board member for your consideration.

DNCA Draft Comments on Cement Plant Mitigation Study/Plan

The DNCA and local community only became aware of this plan on 12/3 – the day before comments were due. This late notification precludes any sort of careful analysis or input. However, DNCA distributed the plan to a limited number of residents living adjacent to the mitigation site (Old Town and New Town Davenport) as well as the Pacific Elementary School Superintendent and some School Board Members. A summary of our rapidly-accumulated comments from this group of local stakeholders include:

1. There has been insufficient notification of the local stakeholders (residents, businesses, local school) to allow careful study and timely comments. DNCA strongly urges an extension of the comment period to allow sufficient public input.
2. There has been insufficient assessment of the characteristics of the material to be mitigated. The CKD pile has been covered for years with a combination of petroleum-based plastic tarping and used tires. What is the potential for this material to become suspended during operations, what are the potential health effects, and will they be properly mitigated? The consultants do not mention dust and control of dust from the degraded plastic sheeting that is disintegrating atop the CKD pile. Which becomes air born and rains down on the town of Davenport.
3. There has not been a direct analysis of the CKD material. It appears instead that an analysis of similar material from another location has formed the basis of the prediction of the physical quality of the material likely forming dust during operations. This is inadequate as particle sizes and composition is likely different at the RMC site in Davenport compared to the material presented in the analysis.
4. The data on wind are severely outdated (climate models are showing intensification of NW winds in the Central California coastal region), based upon a location that does not represent what will be present at the mitigation site (the wind-protected “schoolhouse” site rather than the actual mitigation site), seasonally incorrect (Summer/Fall rather than Spring) and taken from an anomalous year (La Nina – 1998). It is well established that the strongest and most consistent winds occur in the area in the Spring between March and June. However, the wind data used in the analysis was from the LEAST windy period in the region (June-November - Summer/Fall). We understand the mitigation effort will occur during the Spring season (April-October). Specifically, the consultants do not use the best available science for background wind data. The data they cite are from 1998 (a strong La Nina year which has been associated with lower

wind velocities in our area) and from non-overlapping window of months of the proposed activity: 6/13-11/20/1998 vs 4/1-10/31 (see attached from Appendix 5 Table 2-1 and Figure 2-6). Indeed, these old data appear to be cherry picked (**only 4 DAYS** with winds over 15mphs during the entire time) - suggesting little potential impact on the Town of Davenport. We are all familiar with predominant NW daytime wind direction especially during the spring April 1 - Oct 31. More representative wind data should be used.

5. Dust mitigation plan. We have an elementary school downwind of these operations. The health of school students, teachers, and residents would be best protected with an adaptive management operations protocol where work occurs outside of high wind events with appropriate onsite dust mitigation (water hoses) not just on roads but on active operations where soil is scraped, dumped and transported. Our experience when CEMEX removed the Ball Mill was that there was significant fugitive dust that impacted the town of Davenport. Indeed, the work was conducted during some of the windiest days of that season. The structures that were removed contained significant amounts of dust and contained signage that said "Caution - Respirator Required for Entry". The contractor did not use hoses to water down the site to control dust. The trucks leaving the site were not tarped and billowed dust from Davenport all the way to the recycler's yard in South County. There were no monitoring stations. I could visually see the dust in the air, in our home, and feel it in my mouth and lungs. We are fearful of a similar scenario developing under this plan with inadequately defined timing and dust mitigation procedures.
6. Our understanding based upon our read of the process and requirements is that properties considered "contiguous" we should be notified of the process and plan with opportunity for comment. None of the Davenport residents contacted by the DNCA had received notification of the plan. This seems to violate the regulatory requirements of the process.

As mentioned above, these comments have been developed with the most cursory review of the proposal due to the inadequate prior notification. We respectfully request an extension of 30 days to allow our community to more fully assess this important and impactful activity likely to affect the quality and health of our community, school, and businesses

Thank you for your time,
Noel Garin Bock
Davenport North Coast Association
ngbock@icloud.com
831-332-0646 cell